



Resource Management Act 1991

Selwyn District Plan Township Volume

Report on Submissions relating to Plan Change 29:

Design of Development in the Business 1 Zone

**A Proposed Plan Change to improve the design and form of development in
the Business 1 zones**

Report Number:	110029:
To:	Hearing Commissioner
From:	David Hattam
Hearing Dates:	24-26 August 2011

Contents

Glossary

- 1 Introduction
- 2 Background
- 3 Overview of Plan Change
- 4 Statutory Analysis
- 5 Submissions
- 6 Recommendations

Appendices

- 1 List of Submitters
- 2 Schedule of Submissions and Recommendations
- 3 Pictures of Car Park Landscaping
- 4 Gabi Wolfer (Urban Designer – Selwyn District Council)
- 5 Janet Reeves (Urban Designer – Context Urban Design)
- 6 Tracy Allat (Transport Engineer - BECA)
- 7 Tim Heath (Property Economics)

Glossary

Abbreviations used in this report are as follows:

B1/B2/B3	Business 1/2/3 (as in the Business 1 or Business 2 zone in the SDP)
LFR	Large Format Retail
MDH	Medium Density Housing
PC7	Proposed Plan Change 7 to the Selwyn District Plan
PC12	Proposed Plan Change 12 to the Selwyn District Plan
RPS	Regional Policy Statement
SDC	Selwyn District Council
SDP	Selwyn District Plan

This report analyses submissions made Plan Change 29 to the District Plan for. The report is prepared under Section 42A of the Resource Management Act 1991 (I). The purpose of the report is to assist the Hearing Commissioners in evaluating and deciding on submissions made on PC29 and to assist submitters in understanding how their submission affects the planning process. The report may include recommendations to accept or reject points made in submissions and to make amendments to the SDP. These recommendations are the opinions of the Reporting Officer(s) only. The Hearing Commissioner will decide on each submission after hearing and considering all relevant submissions, the Officer's Report(s) and the Council's functions and duties under RMA.

1 Introduction

My full name is David Anthony Hattam. I am employed as a Strategic Policy Planner for the Selwyn District Council. I hold the qualification of Master of Urban and Regional Planning from Heriot Watt University (Edinburgh) and I am a full member of the Royal Town Planning Institute. I have worked in the field of urban planning and resource management for the last 6 years, with 5 of these being in New Zealand. I have worked in the areas of urban design, development control / consent processing, policy writing and strategic planning.

My qualifications include the study of urban design and I am the co-author of the Councils Subdivision Design Guide, Medium Density Housing Guide and Commercial Design Guide. The former of these was the winner of the 2010 Best Practice award from the New Zealand Planning Institute.

In this report I have addressed the matters raised by submitters. In order to avoid an overly complex report I have grouped the issues by topic area. In the text that follows, the submitter's comments are summarised in plain text and my response is in italics. Where I have recommended changes to the plan change these are highlighted with a grey background.

2 Background

The background to the plan change is given in the Section 32 report and is reproduced below:

The Council expects that the District's town centres will have a high quality built environment and that they will provide good facilities for pedestrians and cyclists.

The Council is concerned about the way in which the District's business 1 zones have developed in recent years. The built form which has occurred has not met these expectations, or the aspirations of District Plan policy for high amenity zones which are attractive to people.

The Council's aspirations are expressed in a number of strategies which it has adopted under the Local Government Act which are aimed at improving the quality of town centres and the connections within them.

This Proposed Plan Change is aimed at implementing this Council policy.

Business 1 zones are town centres and as such they form a venue for public life as well as a place for commercial transactions. Recent business developments in the district have often failed to create places which are well integrated with their surroundings and which have a sense of place.

These concerns particularly apply in Rolleston, due to the volume of commercial development that has occurred since 1998. But the same issues are evident in developments that have taken place in Lincoln and Leeston.

This report considers the social, economic and environmental costs of a poorly designed urban environment. It concludes that there are significant costs which will be borne by both the residents of the townships and the future occupiers and owners of property in the business zone.

It also reviews the evidence for the value added by good design and finds that there is considerable economic and social value created and that this can accrue both to the site owner and to the wider public.

The Plan Change is intended to result in two outcomes. It aims to ensure that development in the business 1 zone contributes to attractive town centres which are pleasant places for people to be. It also aims to ensure that business 1 areas are walkable in that they are easy to get to and around, with logical, direct pedestrian routes which are pleasant for people to use.

A quality public realm is created by a combination of private development which has a good interface with public space, and partly by quality public space itself. Council can (and does) carry out work to create good quality public space, but it cannot create a good interface from private sites, except by regulating the way those sites are developed.

3 Overview of the Proposed Plan Change

3.1 Description

Proposed plan change 29 is concerned with the provisions in the District Plan relating to new development in the business 1 zone. It is proposed to introduce three new policies. The first of these details how the Council expects new commercial development to be integrated with its surroundings. The second introduces design controls for medium density housing in the Business 1 zone. The third seeks to manage the shape of land to be rezoned to B1 to ensure it has appropriate characteristics for that use.

The Plan Change also proposes to introduce new rules to implement each of these policies. These include:

- A requirement for development to provide a minimum amount of active commercial frontage.
- Restrictions on the placement of parking and fencing for business development.
- Minimum standards for landscaping of car parks and blank walls.
- Controls on site layout for larger development.
- Limits on the use of bright colours on building facades.
- Amendments to the rules for signage in the Business 1 zone.
- The introduction of new rules and assessment matters for medium density housing in the Business 1 zone.

The plan change would not affect recession planes, building heights or setbacks

3.2 Reasons for the Plan Change

The Council is concerned about the quality of the public realm which has been created by a number of recent developments, particularly in Rolleston which has been the subject of the most intense development in recent years.

The Council considers that new business development is not creating public areas with the expected level of amenity and that connections between developments are not adequate (direct and attractive to use).

This is resulting in sub-optimal social, economic and environmental outcomes.

The following issues have been identified as being the cause of this:

- Poor relationship between commercial buildings and public space
- Lack of high quality public space in places where people are present
- Lack of vitality and activity
- Lack of accessibility (poor linkages and loss of opportunity for walking and cycling)
- Car dependancy
- Loss of economic opportunity
- Reduced opportunity for mixed use development
- Effectiveness of Council Investment in Facilities
- Health Issues
- Lack of Design Controls on Medium Density Housing

These issues are described in detail in section 4 of the section 32 report.

4 Statutory Analysis

Section 74 of the Resource Management Act sets out the matters that must be considered in preparing a change to the District Plan. Amongst other things, section 74 requires a local authority to comply with its functions under section 31, its duties under section 32, contents of district plans under section 75 and the overall purpose of the Act under Part 2. This includes the matters of national importance (section 6), other matters that require particular regard in achieving the purpose of the Act (section 7) and the Treaty of Waitangi (section 8).

It is also relevant to consider the overall fit of the proposed policies to the existing District Plan framework.

These matters are considered below.

4.1 Section 31

Proposed Plan Change 29 is consistent with Council's function under section 31 which includes:

“(a) the establishment, implementation, and review of objectives, policies and methods to achieve integrated management of the effects of the use,

development, or protection of land and associated natural and physical resources of the district.”

The Plan Change introduces policies and methods to achieve the integrated management and development in the Business 1 zones. The discussion of submissions in this report is intended to assist the commissioner’s considerations as to how Plan Change 29 achieves integrated management.

4.2 Section 32

In accordance with Section 32 of the Act, the Council has a duty to consider alternatives, benefits and costs of the proposed change. I note that Section 32 is a process whereby initial investigations, followed by the consideration of submissions at a hearing, all contribute to Council’s analysis of costs and benefits at its final decision-making. Accordingly, the Section 32 report prepared for Plan Change 29, is supplemented by the submissions received and will further benefit from the information to be presented at the hearing. As Plan Change 29 is adding controls to the District Plan it is necessary that the final decision-making carefully considers the costs and benefits of the new or amended provisions.

4.3 Sections 74 and 75

Section 74 (2) (a) requires a Council to have regard to any proposed regional policy statement while section 75 (3) (c) requires Council to give effect to any regional policy statement.

4.3.1 Regional Policy

The consistency of this plan change with the RPS and proposed RPS is discussed in section 2.1.2.2; whilst the relevant objectives and policies are listed below.

a) Operative Canterbury Regional Policy Statement

Chapter 12 of the RPS is concerned with urban form. Policy 1 promotes built environments that will: result in more efficient use of energy; and incorporate energy efficient approaches to building orientation, form and design. The explanation notes that settlement patterns that encourage or require greater reliance on personal transport result in increased travel demand and vehicle emissions.

Chapter 15 is concerned with Transport. Policy 2 promotes the use of transport methods that have low adverse effects on the environment such as cycling, walking and public transport.

Policy 3 promotes changes in movement patterns, travel habits and the location of activities to reduce the demand for transport.

The RPS encourages District Councils to consider these matters in the preparation of plan changes (but does not require it).

b) Proposed Change 1 to the Canterbury Regional Policy Statement

Decisions on Proposed Change 1 to the RPS were released in December 2009. The decision was appealed to the Environment Court and appeals are

on-going. The plan change sets out the objective and policy framework for how urban growth is to be accommodated over the next 35 years in the Greater Christchurch area. It is aimed at managing the location of growth and also the resulting urban form.

For this plan change, the relevant objective is Objective 2 (Character and Sustainability). The relevant policies are policy 5 (Key Activity Centres) and in particular policy 7 (development form and design). Policy 7 requires that development in key activity centres should give effect to urban design best practice. This policy identifies that the principles of the Urban Design Protocol should be observed by new development. It also specifically identifies a list of matters to consider. These include connectivity by a variety of transport modes including walking and cycling, by means of efficient and attractive routes.

Change 1 identifies Rolleston and Lincoln as key activity centres.

c) Proposed Canterbury Regional Policy Statement 2011

The proposed RPS was notified on 18 June 2011. Chapter 5 is concerned with land-use and infrastructure.

Relevant Objectives are 5.2.1 (Location, design and function of development) and 5.2.2 (Integration of land-use and regionally significant infrastructure). Relevant policies are summarised below:

Policy 5.3.1 seeks to encourage high quality urban design including the maintenance and enhancement of amenity values. It directs Territorial Authorities to consider methods that promote good building design and give effect to the urban design protocol.

Policy 5.3.3 aims to ensure that substantial new developments are designed and built to be of a high quality; are robust and resilient and that amenity values, the quality of the environment and sense of place are maintained or enhanced. It also aims to promote a diversity of recreational, employment and recreational choices. It requires territorial authorities to set out district plan provisions which ensure demonstration of accordance with this policy such as the use of ODP's or concept plans for large developments.

Policy 5.3.8 seeks to integrate land use and transport planning in a way that promotes the use of transport modes that have low adverse effects and reduces the demand for transport.

4.3.2 Selwyn District Plan

a) Operative Selwyn District Plan

The following are the key District Plan Objectives and Policies relevant to the Plan Change:

Objective B3.4.1

The District's townships are pleasant places to live and work in

Objective B3.4.2

A variety of activities are provided for in townships, while maintaining the character and amenity values of each zone.

Policy B3.4.4

To provide Business 1 Zones which enable a range of business activities to operate while maintaining environmental quality and aesthetic and amenity values which make the zones attractive to people

Policy B3.4.22

Allow people freedom in their choice of the design of buildings or structures except where building design needs to be managed to:

- *Avoid adverse effects on adjoining sites; or*
- *Maintain the character of areas with outstanding natural features or landscapes values or special heritage or amenity values.*

b) Plan Change 7 to the Selwyn District Plan (PC7)

PC7 provides for residential growth in the Greater Christchurch area. It also makes amendments to the Living Zone policies and methods and introduces a new Living Z zone for greenfield development.

New provisions include new rules to manage medium density housing and introducing a rules package for comprehensive development in greenfield areas where site sizes would be below 350m² (rule 4.12). Such developments are restricted discretionary activities and the rules require the building of houses before land can be subdivided. Other more general provisions are included for small lots below 550m², requiring outdoor living spaces at the side or rear of houses (rule 4.14).

c) Plan Change 12 to the Selwyn District Plan

PC12 provides for the integrated management of transport and land-use, recognising the relationship between the development of each.

It introduces a number of provisions including the landscaping and design of car parks (rule 17.7). It also includes a review of parking requirements (Table E13.1a), which amends (increases) the number of parking spaces needed for business activities; but provides a way for these to be reduced with the use of travel plans (policy B2.1.6c). It also introduces new requirements for the provision of cycle parks (E13.1.4).

4.4 Part II

4.4.1 Section 5

Section 5 of the RMA requires Councils to manage the development of natural and physical resources in a way that will enable the community to provide for its social,

economic and cultural wellbeing while avoiding, remedying, or mitigating any adverse effects of activities on the environment. This results in a balancing of interests and a need for trade offs to be made. Subclause (a) of Section 5 requires resources to be sustained to meet the reasonably foreseeable needs of future generations.

In making these trade-offs, the desires of the owners of business 1 zoned land must be balanced with the needs for the community for a town centre which serves its needs now and in the future. These trade-offs are discussed extensively in the Section 32 report and the discussion of submissions in this report.

Subclause (c) requires that adverse effects of activities on the environment be avoided, remedied or mitigated. The plan change is aimed at avoiding and mitigating the adverse effects of poorly integrated development in a manner consistent with the objectives of the Selwyn District Plan.

4.4.2 Section 6

Section 6 identifies matters of national importance that Council must recognise in the preparation of a District Plan. There are no matters listed which are relevant to this Plan Change.

4.4.3 Section 7

Section 7 identifies a list of other matters that the District Plan should have particular regard to. Of relevance to Plan Change 29 are (b) the efficient use and development of natural and physical resources; (c) the maintenance and enhancement of amenity values; and (f) maintenance and enhancement of the quality of the environment.

The plan change would help support the efficient use of both land and infrastructure in accordance with (b). It would also contribute to the maintenance and enhancement of amenity values in a more effective way than the existing provisions. In this way it would support matters (c) and (f).

4.5 Management Plans and Strategies Prepared under other Acts

Section 74 (2) (b) requires that a local authority give regard to management plans and strategies prepared under other Acts to the extent that their content has a bearing on resource management issues in the District.

Relevant plans include:

4.5.1 The Greater Christchurch Urban Development Strategy (the UDS)

The UDS has been produced by a partnership of District Councils (Selwyn, Waimakariri and Christchurch City), Environment Canterbury and the New Zealand Transport Agency. Its purpose is to manage future urban development in the Greater Christchurch area until 2041.

The UDS sets the framework for managing urban growth in Greater Christchurch through a combination of staged urban expansion and more intensive use of the existing urban areas.

It aims to achieve compact, sustainable urban form and high quality development.

4.5.2 Selwyn District Council Walking and Cycling Strategy

The Walking and Cycling Strategy was adopted in December 2008. It aims to enable

opportunities for walking and cycling (including the provision of improved facilities and environments). It also aims to reduce the use of cars for short trips.

The strategy identifies that land-use planning tools can implement these goals. The principles it identifies include:

- *Designing for walking and cycling is not to be secondary to designing for motor vehicles. The environment should be designed for all modes of transport.*
- *Land use planning should facilitate ease of travelling by bicycle or on foot.*
- *Encouragement of appropriate planning for walking and cycling, including provision of improved connectivity within and between new developments and subdivisions*
- *Council provision of safe and efficient road, footpath and cycle networks.*

4.5.3 Selwyn Community Outcomes

The Selwyn Community Outcomes contain two outcomes are relevant to the Plan Change:

- *A living Environment where the rural theme of Selwyn is maintained*
- *A Safe Place in which to Live, Work and Play*

The plan change would support the first of these by limiting the degree to which inappropriately designed urban commercial development might occur in rural townships.

One of the sub-aims of the second outcome is detailed as: “*Pedestrians, cyclists and motor-vehicle users can safely move around the District*”. Safe and attractive pedestrian routes in town centres would be an important component of this.

4.5.4 Urban Design Protocol

In September 2008, the Council signed the Urban Design Protocol. Produced by the Ministry for the Environment, the protocol aims to make New Zealand’s towns and cities more successful through quality urban design. It identifies 7 principles of well designed places (the “7Cs”). Of particular relevance are:

- *Context: seeing buildings, places and spaces as part of whole towns and cities*
- *Character: reflecting and enhancing the distinctive character, heritage and identity of our urban environment*
- *Choice: ensuring diversity and choice for the users of an urban environment, including building types and transport options*
- *Connections: supporting social cohesion, making places lively and safe and facilitating contact among people.*

4.5.5 Commercial Design Guide

The Commercial design guide was adopted by Council on 22 March 2011. It is

designed as a companion to Plan Change 29, to help developers to design buildings to comply with the plan change. The guide does not form part of Plan Change 29, but has been designed to compliment it.

Section 4 (design principles) provides explanations of what the Council is aiming to achieve through good quality commercial developments. The principles are explained in the same order as the matters for discretion in rule 16.10, so as to provide a user friendly “means of compliance” with the rule.

Section 5 (Development Types) provides examples of developments and options for site layouts which comply with the intent of the plan change.

4.5.6 Medium Density Housing Design Guide

The MDH design guide has been written to illustrate the Council’s expectations for MDH and to provide examples of good practice. Chapter 10 of the Guide (Design Principles) complements and illustrates the assessment matters listed in rule 4.12 of PC7 and rule 16.14 of PC29.

5 Submissions

The plan change was notified on 22 March 2011 and the Council received 16 submissions. The summary of submissions was notified on 23 May 2011. The Council received further submissions from 8 submitters.

To avoid an overly complex report, I propose to group and discuss issues which are common to a number of submitters. The report is set out as follows:

- Submission on the whole of the Plan Change
- Submissions on Issues
- Submissions on Policies
- Submissions on Rules

In this section, for the sake of clarity, submissions are described in plain text font, whilst my comments are in italics.

Recommendations are described in this report and set out fully in Appendix 2.

5.1 Submission on the whole of the Plan Change

5.1.1 Submissions in Support and Opposition

There were four submissions in support of the plan change as a whole (1, 6, 16 and 17). One of these stated that they considered it a comprehensive and coherent package (6).

Other submitters (7,9,10) noted general support but cited reservations with, or opposition to, some of the specific provisions. These are detailed throughout this report.

The remaining ten submissions were generally in opposition to the plan change, except for 11-13 which did not state a preference.

5.1.2 Submissions on Issues

These submission points are not on specific policies and rules, but on “big picture” issues such as the effects that the overall plan change will have. The submitters often followed through with more specific requests and these are then dealt with in the appropriate place.

a) The need for the Plan Change

Some submitters supported the plan change (1,6,16 and 17); others accept that Council should amend its district plan provisions to achieve better urban design outcomes (7, 9, 10), whilst disagreeing with some or all of the methods chosen. Some submitters did not comment on the need for the plan change, but objected to the methods chosen (3,4, 11-13).

In general there was little debate about the appropriateness of increased regulation of the business 1 zone, although the general thrust of submission 15 is that it is not necessary, and that of 2 and 8 that it is not required in small towns (discussed in section e, below).

Section 4 of the Section 32 report outlines the issues that are created by poor quality development in some detail. These range from long-term underperformance of businesses to poor amenity for residents and an increase in car dependency.

In addition, the need for the plan change has been considered by the Council’s urban designer, Ms Wolfer in Appendix 4. She has studied the urban form which has resulted from the current set of district plan provisions and she has concluded that it is unsatisfactory. She notes problems such as:

- *Poor site integration from separate developments*
- *Poor pedestrian connections*
- *Limited useful public space*
- *Prominence of car parking*
- *Buildings that do not relate well to surrounding streets and reserves*

I consider that the evidence presented in Section 5 of the Section 32 report, section 2 of the Background Report and in Ms Wolfer’s study demonstrates that the built environment resulting from the current district plan provisions is not meeting the intentions of Objective B3.4.4.

Furthermore, Ms Wolfer has provided some examples of alternative development forms which would better meet the outcomes desired in the plan change (In Design Examples for Commercial Development, appended to her

evidence). These are based on real world examples and would allow a similar amount of development to occur on Business 1 land as at present.

These demonstrate the outcomes that are sought by the Council in this plan change, and they demonstrate that they are realistic and achievable. In my view, these are the outcomes that are necessary to achieve the objective: They enable a range of business activities to operate and whilst maintaining environmental quality and amenity.

In reviewing submissions, we must bear in mind these outcomes which are being sought. The provisions have been designed to achieve an outcome which collectively adds up to a good place. Whilst I have recommended some changes in response to submissions, I ask the commissioner to consider how any further changes she may be minded to make will impact on the coherence and effectiveness of the overall package.

b) General Approach

The general approach of the plan change is that small developments can usually be managed with a relatively simple rules based package, but that larger developments require consideration of the overall design. Three reasons are given for this in the section 32 report:

- *That a rules based approach can become difficult to comply with for complex development. An example is the requirement for active frontage on all boundaries, which may not be possible for shops which are also providing frontage to on-site space.*
- *Rules can have unexpected outcomes which are more difficult to predict for complex development, as designers attempt to comply with the rules rather than trying to produce the most suitable building for the site.*
- *That good urban design outcomes may involve trading-off different desired outcomes according to the individual circumstances. A rules based approach does not allow this.*

In addition, the Council has adopted a *Commercial Design Guide*. This design guide is not part of the plan change as such (although it is referenced under 16.10) but is provided as a way to show developers some ways that they can comply with the plan change.

There was some support for this approach from submitters (for instance from 3,4 and 9), although there was also concern about the specifics (the particular rules chosen). The matters raised in relation to the general approach are as follows.

- Submitters 3 and 4 considered that development would be better managed through effects based assessment of site in conjunction with non-statutory measures.

- The plan change would be a hurdle to achieving good design (3 and 4).
- Submitter's 7 and 9 thought that the plan change lacked flexibility.
- Submitter 9 had a preference for a design guide as an appendix to the district plan, rather than a set of assessment matters. By contrast, submitter 10 considered that the Commercial Design Guide was too prescriptive and requested that it should not form part of the District Plan.

Regarding the first of these points, I do not consider that non-statutory measures would deliver the outcomes that the Council is seeking. Their use is considered on page 27 of the section 32 report, which notes that:

"Whilst some developers would be influenced, others would not. This fits in with Council's experiences in attempting to influence the form of recent development by negotiation; some developers are willing to consider amendments but most will offer limited or no concessions."

Recent built examples include the poor pedestrian connection from the Warehouse in Rolleston, as described by Ms Wolfer and its lack of active frontage (p9 of her report on Rolleston).

The Section 32 report also notes the importance of every landowner contributing to the overall quality of development: if there are some good developments and some poor developments the overall effect may be that a good quality environment does not result. Relying on non-statutory measures gives no certainty for landowners that they are contributing to a high quality town centre.

The existing Rolleston town centre demonstrates this. Whilst Rolleston Square attempts to provide pedestrian connections, these connect with poor quality linkages leading past Hammer Hardware and onwards towards New World. A good pedestrian environment has not been created.

Section 3.3 of the Background Report to the Section 32 report notes that the benefits of good design may not fall to the original developer as they are long term benefits. This is another reason that relying on the goodwill of developers is unlikely to be an effective way to improve the quality of built form.

With regard to the second point, I do not agree with the contention that the plan change would be a hurdle to good design. In her report (Design Examples for Commercial Development) Ms Wolfer has illustrated some of the outcomes that might result from the plan change and contrasted them with the outcomes that are being delivered by the existing plan. I consider that she has effectively demonstrated the improvements in design that will result.

With regard to the third point, (the degree of flexibility of the plan change) I refer the commissioner to the discussion in this report around rules 16.9 - 16.12.

With regard to the discussion around the appropriate use of the design guide I comment as follows. The approach taken by the Council so far with design guides has been that they are non-statutory (ie they sit outside the District Plan) but that they reflect the contents of the plan, and in particular the assessment matters. In this way, they illustrate the intentions of the Council and provide background information and examples of good developments, which is intended to be useful to developers and the community.

As with the Medium Density Housing guide, the Commercial Design Guide has been designed in conjunction with the changes to the district plan. The assessment matters in rule 16.10 reflect the Design Principles in Section 4 of the Guide. It is intended that this should make compliance with the plan easier. Although use of the guide is not compulsory, it provides a method of compliance, indicating solutions that the Council considers appropriate. An analogy would be with the Building Code; the way that Acceptable Solutions provide a means of compliance with Performance Criteria.

I appreciate that there is more than one way to use a design guide. However, I consider the method that is used by the Council to be an appropriate way to achieve the policies and objectives. It is a significant advantage that it is consistent with the way the Council intends to use design guides elsewhere in the plan (as is being introduced under PC7).

With the above discussion in mind, I do not agree with submitter 10 that all references to the design guide should be removed. It is entirely reasonable that the District Plan should signal the existence of advice and guidance in other documents.

c) Scope Issues

Submitter 9 noted that some provisions refer to land outside the B1 zone and suggested that this was a mistake, given the plan change has been described in the public notice. These include: Policy 3.4.23(a); Policy B4.3.6; rule 19.1.1.6.

I acknowledge that the plan change does pertain to Business 1 zones. I consider that some minor amendments to the policies and rules would be appropriate to restrict their scope and clarify that they would apply only in the business 1 zone. These amendments would affect Policies B3.4.22 and B4.3.6 and rules 17.7 and 19.1.

d) Effect on Commercial Activity

A number of submitters were concerned about the costs of compliance and the effect on commercial activity (2-5 and 7-13) particularly in small towns (2, 8). These submissions affect rules 16.9 and 16.10. Submitter 10 was

concerned that the plan change is onerous and places unnecessary and costly restrictions on business owners. Submitters 11-13 consider that the plan change will introduce significant uncertainty into development projects. Submitter 3 considered that there is limited evidence that retail out of centre will undermine the vitality of centres.

These issues are addressed by Tim Heath in Appendix 7. He notes that the rules are not especially onerous, particularly when compared to the requirements placed on tenants by developers. He does not expect that they would be a significant disincentive to the establishment of business activities.

I agree that there is some increase in uncertainty if projects no longer have permitted activity status (as in large properties). But this must be balanced against the adverse effects that unregulated development may create. This is discussed in section 5.1.4(a) and (b) where it is concluded that restricted discretionary activity status is most appropriate for large applications.

e) Relevance to small towns

Submitters 2 and 8 considered that the plan change has little relevance in small townships. Submitter 2 considers that policy B3.4.22 is too restrictive for small towns.

The submitter was of the view that it would be difficult to internalise car parking in Southbridge and argued that it would serve little purpose to do so due to the level of commercial activity. They also thought that there is a risk that the rules would disrupt flow of pedestrians.

Submitter 8 argues that the rules should only apply where developments over \$500,000 gfa are being carried out or that they should not apply in small townships such as Southbridge.

i) Car-Parking

In response to submissions 2 and 8, Ms Wolfer has undertaken a study of Southbridge to determine whether the provisions are appropriate to the specific conditions in that township. The study demonstrates that there are no particular circumstances which would make it appropriate to exclude Southbridge.

In particular, she notes that the street scene is defined by buildings with a positive relationship with the street, due to direct frontage with it and the lack of car-parking between buildings and the street, in the manner sought by the plan change.

She does identify a number of houses which have not been developed for commercial use and notes that these have an attractive domestic appearance which is part of the village character of Southbridge. She considers that this is due to the orientation, windows and entranceways of the houses and the degree of landscaping (section 3.5 of her report on Southbridge). She

recommends that these characteristics should be preserved if houses are converted to business use (4.2).

She concludes that the controls proposed are an appropriate and proportionate measure to preserve the character of the town centre (as outlined by submitter 8).

To this I would add the following. Many of the submission points relate to the effects of car parking. Submitter 2 asserts that there is no need to internalise car parking within a development block because the level of commercial activity does not require such stringent rules.

I do not see the connection between the level of commercial activity and the need to appropriately locate and landscape car-parking. I consider that if there is a need for off-street parking, then it should be designed in an attractive fashion. If the level of commercial activity is very low, then the appropriate course of action may be to reduce the amount of on-site parking, not its aesthetic standard.

Southbridge has a large car park associated with the swimming pool as well as a low level of commercial activity for the amount of street frontage in the town centre. It may be possible for more of the District Plan parking requirement to be accommodated on street (meaning less is needed on site). This would, in my view, deal with many of the concerns the submitters raise. Ms Wolfer's report makes some suggestions for how this might be achieved by increasing the amount of parking in the road corridor (section 5 of her report on Southbridge).

Parking requirements are currently being reviewed by Plan Change 12, due to be heard in November. This matter is appropriately considered under that plan change.

Notwithstanding the above, In the light of Ms Wolfers evidence, I consider that it would be appropriate to make an allowance for the conversion of dwellings to other uses.

This is an efficient use of resources and can be a cost effective way for commercial uses to establish. There are certain types of business that often use converted dwellings (such as offices, medical practices and childcare centres). There are a number of such buildings in Southbridge and this may make it easier for businesses to establish in the town.

The change I am recommending is described in detail in section 5.1.4(a) and would allow for the use of some of the front yard area for parking where existing houses are converted to business use, provided that a proportion of the area was maintained as planting and landscaped. This would be consistent with the existing (and generally attractive) domestic appearance of the houses in business zones, which often have some parking at the front on driveways.

ii) Colour

Mrs Reeves considers the appropriateness of the provisions relating to colour and materials and concludes that they should also apply to Southbridge.

I therefore consider that there are no reasons to make any amendments to exclude Southbridge or other small towns from the plan change provisions.

Recommendations

In view of the above discussion, I recommend that these submission points are accepted in part and that some revisions are made to the rules with respect to the re-use of houses for business purposes. These are described in section 5.1.4(a).

f) Request to Exempt Childcare Facilities and Community Facilities

Submitter 2 considered that it is inappropriate to impose provisions on historic community facilities such as the playcentre, pool or the proposed fire station. They requested an exemption for childcare centres and asked for a definition to be inserted into the plan to allow for this. They consider that policy B3.4.22 is too restrictive for community facilities.

The submitter makes some general points which are not correct and I discuss these below. This is important because the submitter argues that exceptions should be made for the Southbridge Plunkett rooms which would affect all similar applications, and which I do not agree are justified in every case.

The submission states that childcare providers are community funded and resources are especially scarce. This is simply not correct: in most cases childcare centres are established and run as businesses for profit. The district has received many building consent applications in the last few years from private childcare providers. These almost always require a resource consent and this has not proved a disincentive to them. In general, there is no reason to treat childcare centres as a special case.

In any case childcare centres can be controversial and generate considerable interest and submissions. I consider that it is appropriate that they are subject to the same level of scrutiny as any other business activity.

It would be difficult to make an exception for community funded childcare centres which have the same environmental effects as any other childcare centre. The usual way for council's to deal with matters like these is to set aside funding in the LTP for community activities for matters such as resource consents and the Council does provide such a fund for Southbridge (administered by the Advisory Committee). Whilst I agree that the activities undertaken by Plunkett and the Playcentre have a public benefit, I consider that these are the appropriate methods to recognise this and the method suggested by the submitter would have unintended consequences for the

management of the plan. I therefore recommend that the submission is rejected.

With regard to the need for landscaping and the safety concerns raised, I refer to Tracy Allat's report. Ms Allat does not find any safety concerns with landscaping in accordance with the proposed rules. I therefore request that the commissioner rejects this submission.

g) Car Dependency

Submitter 3 was of the view that planning controls on business 1 land are not an appropriate way to manage car dependency. They suggested that it was more properly managed through a broader transportation strategy dealing with matters such as public transport funding and provision for public car parking.

The arguments for the importance of the built environment in encouraging walking are given in part 5.5 of the Section 32 report. It notes that designing for cars has hidden costs (such as the price of additional land and the cost of formation of car parking) and discourages people from using other modes of transport. The strong evidence for this is reviewed in part 2.2 of Appendix 2 to the Background report, which cites a number of studies. It particularly notes the importance of an integrated approach to design; that connections need to be both direct and attractive or they will not be used.

Also relevant to this discussion are the health effects of increased walking (part 5.8 of the s32 report and part 2.3.5 and Appendix 2 part 1.5 of the Background Report).

A raft of New Zealand Government policy is aimed at improving the built environment, for the sake of making it more appealing to users of active transport. These are described in appendix 2 of the Background Report and are:

- Ministry of Transport: Getting there – On Foot, By Cycle
- New Zealand Transport Agency: The Pedestrian Planning and Design Guide
- Ministry for the Environment: People+Places+Spaces: A design Guide for Urban New Zealand
- Ministry of Health, Report from the Public Health Advisory Committee: Healthy Places, Healthy Lives: Urban Environments and Wellbeing.

The first of these contains very strong wording on the importance of designing for pedestrians. The summary contained in the Section 32 Background report is reproduced below:

Getting there – On Foot, By Cycle is the Ministry for Transport's national strategy for walking and cycling. Amongst its ten priorities for action are:

- Encourage land use, planning and design that supports walking and cycling
- Provide supportive environments for walking and cycling in existing communities

It notes that 1 in 5 trips is on foot (for all purposes) and that not all New Zealanders have access to a car. For instance, 10% of households do not have a car and 20% of New Zealanders are under 15.

The strategy places some importance on the physical environment that is provided for walking and cycling. It recognises the importance of the quality of connections as well as their directness:

“Individuals are more likely to choose to walk or cycle if they perceive the environment as being walk-and-cycle-friendly — that is, convenient, safe, and pleasant, with direct routes that minimise travel time.” (p12).

“For pedestrians and cyclists, travel is not always about getting from A to B. Often, it is about experiencing life along the way — being in rather than just passing through communities. Ensuring that new communities have an active street life, interesting and human-scaled design, and amenities such as shade trees and rest benches will encourage walking and cycling.” (p27).

The strategy is quite explicit about the need for integrated planning. It notes that:

“A New Zealand where people from all sectors of the community walk and cycle for transport and enjoyment requires communities and transport systems that enable and invite walking and cycling. Achieving this requires us to look at how we plan our cities and neighbourhoods.” (p26)

To meet this aim, it recommends that “sympathetic urban design creates environments that pedestrians and cyclists enjoy and feel comfortable in.” (p27).

This strategy from the Ministry of Transport is quite clear on the importance of creating good pedestrian environments and how this will contribute to providing for transport choice.

Similarly, the report from the Ministry of Health is very clear on the importance of good pedestrian environments:

“Cities and towns influence health in a way that goes far beyond the presence of health services in these areas. The way that urban areas are planned and laid out – known as urban form – shapes people’s life choices and has a strong bearing on health outcomes. Urban form affects where we live, how we travel to work or school, how clean our air and water is, whether we are active, and what shops or facilities we use.”(p. vii)

“Opportunities for good health are reduced when urban areas are not conducive to physical activity for either recreation or ‘active transport’” (p. vii)

In addition to this, the Selwyn District Council Walking and Cycling Strategy supports the plan change. It includes a number of principles (in section 4.3.2

of the strategy) relating to how planning should be carried out. These are listed in section 4.3.2 of this report.

- *Designing for walking and cycling is not to be secondary to designing for motor vehicles. The environment should be designed for all modes of transport.*
- *Land use planning should facilitate ease of travelling by bicycle or on foot.*
- *Encouragement of appropriate planning for walking and cycling, including provision of improved connectivity within and between new developments and subdivisions*

This reflects the direction of the revised RPS:

The evidence is very clear on the role that good urban form has in allowing for transport choice and in promoting good health. There is very strong policy support at a national, regional and district level which would support the plan change as the appropriate response to transport issues created by poor urban form. I therefore consider that it is appropriate that this issue is managed through land-use planning. I also consider that the strategic work to support this conclusion has been carried out. In view of this I recommend that this submission point is rejected.

h) People Arriving in Cars

It was submitted that people generally arrive by car and it is impractical that entrances be located on the street but that car parking is at the rear (10, 11-13 and 15). Submitters 11-13 considered that development should be designed to be integrated with the site, eg facing internal roads or car parking and that as a result it will be impractical for it to face the road.

The orientation of shops and car parking is a key factor in successful urban design, as is made clear in the section 32 analysis (Section 5). Car parking in front of buildings affects the ability to create a vibrant and attractive street where people are walking directly past shop fronts or buildings. Of the ten issues identified in section 3.2, the placement of car-parking in front of shops adversely affects nine of them. I consider that the management of the position of car parking is of fundamental importance to the successful design of a town centre.

The plan change is aimed at creating a pleasant and attractive environment in which people enjoy spending time. The interaction between buildings and public (or de-facto public space) is critical in this. Even though the public space may be on private land, it still forms the place where people will experience the public life of the town.

The Background Report (appendix 2) documents the importance of creating good quality public space in a centre. The benefits include: people staying longer; a wider variety of business activities being established; a wider variety of social activities; and an increase in civic pride. The adverse effects of

poorly designed development can include social costs as well as a failure to realise these benefits.

As previously stated, the evidence of Ms Wolfer demonstrates the unsatisfactory outcomes that have resulted from the current District Plan policies. Many of the issues that she discusses are due to poor site layout and the prominence of car parking.

It is worth considering the importance of the point that has been raised. How much significance do people actually place on arriving by car in a centre where shops face the car park? It is worth considering this point in the light of the evidence of Ms Allat. Her studies into the way people travel to retail were compiled to inform the decisions of various council's in New Zealand as to the way that they used road space, with a view to reducing the amount of parking in retail areas (to make way for bus lanes).

She found that those who arrived by means other than car spent significant amounts of money (although car drivers did spend the most). Retailers also underestimated the amount of trade that arrived on foot, by public transport or by bike and therefore placed undue importance on car parking. The findings of this study were in line with international research. This suggests that the location of car parking is of limited importance to the success of a centre.

In this, it is worth also remembering that people who drive to a centre are also pedestrians when they arrive. Even if they find it convenient to park and be able to see the shops around them, they are still users of the pedestrian environment and will place some importance on the quality of that environment. We must balance the benefit they may receive from being able to park in front of shops against the adverse effects they will experience from being in a poorly designed (vehicle dominated) environment.

Submitters 11-13 consider it impractical for parking to be at the rear but this is demonstrably false. There are a very large number of examples of successful retail centres where this occurs (including Lincoln in Selwyn and Rangiora in Waimakariri. Malls also generally work on this principle, being focussed on an internal street and surrounded by car-parking). They are of the view that people cannot be expected to walk from behind shops to the street. I again question the importance of this "sense of arrival" for car drivers compared with all the other factors that go into making a successful centre. I would suggest that the amount of time it takes to walk from the car park to the shopping area is not greatly important in designing a shopping centre. I note that it has not detracted from the obvious success of suburban shopping centres in Christchurch, which appear to be thriving despite indirect access to car parks from most of the shops.

The plan change does in any case allow for some flexibility in design. Some of Ms Wolfer's example site layouts shows a concept of a street (which may or may not be a vested road) which provides angle parking in front of shops; and large car parks positioned discretely to the rear of shops (see pages 16

and 17 of Design Examples for Commercial Development). This allows for casual parking directly outside of shops (which could be time-limited) and longer term parking in the car parks. This would suit the needs of those who wanted to make a quick stop at one premise, and also those who wanted to spend time walking around a number of shops. It also means that people will drive past shops which gives them visibility to motorists.

This is the concept that the Council is promoting in its Lincoln Opportunities study of Lincoln Town Centre which is aimed at managing integrated development of the fragmented land parcels in Lincoln Town Centre. It suggests ways that Council and landowners could work together to produce an attractive and coherent centre as it develops.

In public consultation, the study's concepts were supported by almost all of the respondents. Of relevance to this plan change, there was very strong support from residents for the idea of providing large shared car-parks at the rear of Gerald Street shops (88% of respondents) and that buildings should be carefully designed to enhance the street (100%). Many respondents also stated that they thought more priority should be given to pedestrians in development.

There was a good response to this consultation (81 replies, being around 7.5% of Lincoln households).

In conclusion, there is no evidence to suggest that the location of car-parking is particularly important to the commercial success of a destination. By contrast there is much evidence about the adverse effects of car-park location. I therefore consider that it is important to ensure that car-parking is well designed and I consider that the plan change provisions are appropriate and proportionate.

Notwithstanding the above, I have recommended some changes to the wording of rules for large developments to ensure that the appropriate amount of flexibility is provided to allow for the achievement of the types of design shown in Ms Wolfer's evidence. These are discussed in Section 5.1.4(b).

In designing large developments, I agree with submitters that it can be difficult to fully enclose all car parking with buildings, given the current design of the B1 zone (particularly in Rolleston). However I consider that this is partly a result of poor decisions being made in respect to the shape of land being zoned.

One of Ms Wolfer's diagrams for Rolleston shows a "main street" running through the parcel of land known as the Masefield Mall block (Area 3 in Ms Wolfer's evidence), with two large car parks sited behind shops. The car parks are visible from the road, although they would be landscaped and disguised to some extent by carefully positioned buildings.

This approach, where a good quality public environment would clearly be created along the main street, is an outcome which I consider desirable. However, in allowing for some ability for parking to be positioned beside the road, it is important that the intent of the plan change is not undermined.

i) Shape of Zoning

Submitters 10-13 and 15 were concerned about this issue. Submitters 11-13 considered that the proposed policy does not take into account the existing situation at Rolleston where land is zoned on one side of the road only. They note that land can be in more than one ownership on different sides of a road.

Submitter 10 considered that Policy B4.3.6 does not acknowledge the operational requirements of businesses and imposes inappropriate restrictions on layout as well as an impractical threshold for the achievement of rezoning.

As discussed by Ms Wolfer, the shape of the land parcel zoned in Rolleston has created some of the problems in developing it to a satisfactory standard. Ms Wolfer notes a number of problems with the parcel including its orientation and that it is only on one side of Rolleston Drive. She does not consider that this is a good reason for the outcome that has resulted in the Rolleston Town Centre, but accepts that the shape of land has made it harder to develop.

I agree with Ms Wolfer that an alternative shape town centre should have been provided, such as one which provided for land to be zoned on both sides of Rolleston Drive or Tennyson Street. I consider that this demonstrates the importance of ensuring that land can be developed to a high standard before a change of zone is permitted and that this should form part of the assessment for a rezoning application.

With regard to the comments on multiple land ownership, I do not consider that this is a persuasive argument against zoning land on both sides of a road. It is quite common for land to be in more than one ownership when it is rezoned and any issues between landowners are routinely resolved in the process.

Land which is owned by a number of parties may make a more appropriate centre than a large parcel of land in single ownership even if the development and zoning process is more complicated. Whilst I do accept that there may be situations where multiple ownership may prevent redevelopment (such as intransigent owners of single parcels), I consider it appropriate for these to be examined as part of the rezoning process.

For the same reason, I do not consider that the threshold for rezoning would become impractical. Demonstrating a reasonable design solution for the development of a piece of land is not, in my opinion, a particularly onerous request for Council to make. It is less onerous than the current requirements for residential development, which require an Outline Development Plan to show how the new neighbourhood will function. In the same way, it is

important to demonstrate that a commercial development will have good linkages to its surroundings and compliment the urban fabric.

I do not agree that this policy does not take the operational requirements of business into account. It merely requires the applicant to demonstrate that they can be achieved in an acceptable manner at the earliest stage.

This policy would also give effect to policy 5.3.3 of the proposed RPS.

In view of the above, I recommend that all submissions on this issue are rejected.

5.1.3 Submissions on the Policy Framework

This section concerns itself with the detail of the policies.

a) Policies B3.4.22 and B3.4.23a

Submitter 1 asked for the inclusion of references to cycling and environmental sustainability in policy B3.4.23a.

I agree that the District Plan should cater for cyclists and this reflects the direction of Council policy such as the Walking and Cycling Strategy. I note that proposed plan change 12 increases the requirements for the provision of cycle parking and cycle lanes. I consider that this will cater for smaller developments but that it would be appropriate for large developments to provide access for cyclists. I generally consider that this will be via roads and accessways. But cyclists are more likely to be deterred by distance than motorists, so it would be useful to make sure that they are not forced to divert around the perimeter of developments to reach the main entrance, and that they can share pedestrian routes to avoid this. I therefore recommend a minor alteration to policy B3.4.23a and subsequently to rule 16.10.

The submitter asked for references to environmental design to be added to Policy B3.4.23a. Matters requested included energy efficient orientation and design, porous paving for parking areas and rainwater collection tanks.

I consider that that the suggested policy amendments would be consistent with RPS policy and proposed RPS policy, which is concerned with the efficient use of energy. Whilst I think that more evaluation work is required before strong measures can be incorporated into the plan, I think it is appropriate that Council should encourage the use of environmentally sustainable design. I therefore recommend that a modified version of the requested paragraph is inserted into the policy explanation.

Submitters 3,7 and 9 considered that policy B3.4.22 should apply to natural features, heritage and amenity and that design and form do not fit into the framework.

I consider that this argument is primarily about semantics. The policy may have this emphasis at present but the plan change is clearly altering it to have

a broader implementation, stating that there is an additional criteria for the management of building design: "to maintain and establish pleasant and attractive streets and public areas."

In my view, the new policy is well supported in the section 32 analysis, would implement the intent of the plan change and would be more appropriate than the existing policy. I therefore recommend that these submission points are rejected.

Submitter 9 considered that policy B3.4.23a is an appropriate way to implement Objective 3.4.1 but requested amendments to recognise the scale of effects from Large Format Retailing as follows:

"Large buildings have a greater scale of effects but can be designed comprehensively and include on-site public space. However, not all large developments will be able to be accommodated in the business 1 zone and larger developments will therefore not always be appropriate..."

The submitter appears mistaken when they refer to a suite of provisions for large format retailing as the plan change is not set out in this manner. Rule 16.10 is a set of provisions for large developments but applies to any moderate to large development in the business 1 zone.

I consider that the provisions are equally appropriate for LFR and any other type of retail (as well as other business 1 uses). They describe the type of environment that is required and there are a variety of ways to comply with them, as illustrated by Ms Wolfer.

I would disagree with the submitters suggested amendments to Policy B3.4.23a which tend to imply that LFR is not appropriate in Business 1 zones. The thrust of the plan change and supporting material is to demonstrate ways to accommodate this development in a manner which is consistent with the amenity expected for a town centre or retail hub. I consider that it has been demonstrated that this can be done successfully.

Submitter 10 generally supported the new policies. However, they were concerned that policy B3.4.23a unnecessarily prioritises pedestrians.

Submitters 11-13 consider that the policy fails to recognise that the majority of people who visit the town centre do so by car and the policy needs to take into account the needs of those people. They ask for an amendment to the policy as follows: "~~ensuring that design and layout prioritises the needs of pedestrians over the parking of cars~~ accommodates a mixed use traffic environment including pedestrians, cycles, motor vehicles and public transport"

Submitter 15 considered that policy B3.4.23a does not take into account situations where it is more suitable to have car parking in front of the buildings and requested the changes are deleted.

Ms Allat has considered this submission and recommends an minor wording change to the policy.

I refer to the discussion in section 5.1.2(g) and (h) which demonstrates the importance of good pedestrian provision and the relative unimportance of car-park location. District Plan provisions regarding car parking and access will still be in place and will continue to ensure that motorists are well catered for. I consider that the policy strikes an appropriate balance between the needs of the various users and I recommend that the submissions are rejected.

Recommendation

Amend Policy B3.4.23a as follows:

Policy B3.4.23a

Ensure that town centres are walkable and well integrated, and that development in town centres contributes to the economic and social vibrancy of the District's towns by:

- complimenting public spaces (both those in public ownership and on-site public space) with high quality active frontage
- ensuring the provision of high quality public space
- bringing activity to street frontages by means of the positioning of buildings and active frontage along the street boundary and by internalising car parking with a site or development block
- providing for a high quality pedestrian experience in places the public may be present
- ensuring that development supports the urban structure by providing for direct and logical pedestrian **and cycle** routes within and through larger sites and to entranceways along pedestrian desire lines.
- ensuring entranceways are positioned in logical places for pedestrian access
- ensuring that design and layout prioritises the needs of pedestrians **and cyclists** over ~~the parking of cars~~ **those of parked vehicles**

Explanation and Reasons

Town Centres are the hub of a community and the venue for a variety of transactions. ...

...

In general, for new areas such as greenfield sites, it is expected that car parking will be internalised, with streets lined with buildings. Where large sites are being progressively developed, this should be done in such a way as to enable the future achievement of this intention. In particular, car parking should not be positioned in such a way that it precludes the future development of ose parts of the site with road frontage.

Where possible developments should also be designed in a way that is environmentally sustainable, making efficient use of energy and water and minimising the effects of development on groundwater quality. Examples of environmentally efficient design include energy efficient orientation of buildings, porous paving for parking areas and rainwater collection tanks.

b) Medium Density Housing (Policy B3.4.27)

Submitters 11-13 consider that Business 1 land should be preserved for business type activities. They cite the possibility of reverse sensitivity and that it may compromise the form and function of the town centre and the ability of the Council to plan for the adequate provision of Business 1 land.

This plan change does not concern itself with the appropriateness of MDH in the business 1 zone per se; merely with the design of it. MDH is presently a permitted activity in the business 1 zone and I question whether there is scope for the consideration of this matter, as the plan change does not seek to restrict residential activities in the business zone.

Nonetheless, should the commissioner be minded to give consideration to it, I comment as follows. The presence of people living in town centres has a number of advantages. It means that there is 24 hour presence in the centre which increases security and the perception of public safety. This greater presence of people can extend the sense of vibrancy in the centre and support facilities as it provides a greater number of people in a walkable area.

Medium density housing can also be a useful component of the design of a centre. For instance, it can sleeve the backs of buildings or car-parks.

I recognise that there can be disadvantages with MDH in the town centre, such as if it is built in between shops and disrupts a continuous retail frontage. However, offices would also have this effect.

It is especially desirable to include typologies such as apartments above the ground floor level, as these do not have these adverse affects.

It is argued that MDH would use up valuable business land but this has not generally occurred in the past despite it being a permitted activity. I note that the value of business land is substantially higher than residential and that this market mechanism discourages the general uptake of business land for residential.

This does mean that I do not expect that there will be a large uptake of business land for residential use. However, I do consider that it is appropriate to continue to allow it as an option. There may be proposals for mixed use developments which combine residential and commercial use and I would consider it to be desirable to encourage this outcome. There may also be developers who wish to incorporate residential into the mix, for instance to screen blank walls.

As stated above, I consider that this matter is out of scope. Should the commissioner disagree with this assessment then I recommend that the submissions are rejected.

c) Rezoning (Policy B4.3.6)

There were a number of submissions asking for this policy to be deleted, which are included in the general discussion on rezoning in section 5.1.2(i).

In line with the recommendations in section 5.1.2, I recommend that submissions on this matter are rejected.

d) Regional Policy

Submitters 7 and 9 consider that the plan change does not give effect to Proposed Change 1 to the Canterbury Regional Policy Statement as it will not achieve a built environment with a sense of character and identity, or one which is functionally efficient and economically vibrant, as intended by Objective 2 and Policy 7.

The contrasts with the submission of the Canterbury Regional Council (6) who consider that Plan Change 29 provides a comprehensive and coherent package of amendments that achieves its stated purpose and will achieve urban design outcomes in Key Activity Centres which are consistent with Policy 7 of PC1.

In my view this difference of opinion hinges on whether the commissioner accepts the contentions made by submitters 7 and 9; that the new District Plan provisions will not achieve a built environment with a sense of character and identity, or one which is functionally efficient and vibrant.

In my opinion, the evidence presented in the Section 32 analysis and by Ms Wolfer demonstrates that they will, and that the existing plan change provisions have failed to ensure this. I therefore recommend that these submission points are rejected.

5.1.4 Submissions on Rules

a) Rule 16.9 (Small scale commercial development)

Submissions affect: all of 16.9 and specifically 16.9.1.1, 16.9.1.2, 16.9.1.4; and 16.9.2

One submitter (16) supported the inclusion of this rule. Others had a number of concerns with it which are addressed below.

Submitters 2 and 8 have concerns about the impact of the rules on small towns and these are addressed in 5.1.2(e) above. In line with that discussion, I have recommended that an additional clause is provided to allow for a limited amount of parking at the front of an existing dwelling, where it is being converted to business use.

Other submitters were concerned about the costs of compliance, and these are addressed in 5.1.2(d).

i) Rule 16.9.1

Submitter 10 “opposes or has concerns with” controls on building frontages and verandahs (16.9.1.1, 16.9.1.2, 16.9.1.4), their view being that these impose unnecessary restrictions on site layout and building design.

Submitters 10, 11-13 and 15 considered that rule 16.9.1.1 (relating to the position of car-parking) is too prescriptive and there are examples of where parking between the road and the shop front is appropriate.

Submitter 11-13 asked for non-compliances to have a restricted discretionary status, subject to a list of assessment matters.

The permitted activity standards for small developments have been designed to allow these to proceed without a resource consent where the Council and community can have confidence that a good quality outcome would result. In my view this is appropriate. Proposals where there is a high risk that a poor quality outcome would result (for instance where parking is proposed in front of buildings) will be subject to scrutiny in a resource consent process to make sure that they would meet the objectives of the Plan.

The issue of site layout and car-parking (16.9.1.1) is discussed extensively in section 5.1.2 (g) and (h) and 5.1.3(a). I consider that the importance of buildings fronting public space directly (without car parking in front) has been demonstrated. I consider that it is reasonable that the permitted activity standards do not allow for parking in front of buildings

I consider that for small sites there are few circumstances where parking should be located in front of buildings, but if there are exceptions then a resource consent process is appropriate. The status of the consent is discussed below.

The exception to this is in limited circumstances where an existing house is being converted to a business use. In line with the discussion in section 5.1.2(e), I am recommending that an additional rule be included to make an exception in these cases, where a proportion of the front yard is to be retained for landscaping, to maintain the domestic appearance of the site.

With regard to the provisions relating to active frontage (16.9.1.2), these are not especially onerous in my opinion. They are designed for offices and shops and require that 60% (by length) of the frontage is glazed between 1 and 2 metres. These are similar to longstanding provisions in Ashburton which require 50% of the frontage (by area) to be glazed. Similar provisions exist in other Councils, such as Waimakariri, Rodney and the Kapiti Coast and are being proposed in Western Bay of Plenty.

Active frontage is important in the creation of attractive and interesting public space, as described in sections 2.3.1 and 3.2.7 of the background report. It affects the quality of public space and the attractiveness of the walking environment.

I am conscious of the need to provide for a range of uses as the rule is not specific to retail. I therefore consider that it could be reduced to 50% without undermining the intent of the policy. I consider that the requirement is reasonable, allowing for a range of design responses whilst making sure that a minimum level of frontage is maintained. It would actually be quite low in retail areas, where a very large proportion of the frontage is usually glazed, but the rule has also been designed to provide for offices and other activities such as doctors surgeries. As such, it sets a reasonable minimum standard.

Rule 16.9.1.4 requires the provision of verandahs, a common requirement in District Plans, but one which the SDP does not include. In view of its wide application in the country, I do not accept that it can be described as an unnecessary restriction on building design.

In the light of the above discussion, I recommend that these submissions are rejected.

ii) Rule 16.9.2

Five submitters considered that discretionary status for non compliance with the rules was too onerous. Submitters 11-13 consider that restricted discretionary is appropriate whilst submitter 10 requested a controlled status. Submitter 2 thought that the opportunity for third party input might lead to inappropriate aesthetics.

I am sympathetic to the concerns expressed by these submitters and I consider that it is important that there is a reasonable and proportionate process for the consideration of non-compliances. However, I consider that a discretionary status is the most appropriate one.

The alternatives are discussed below.

I do not consider that a controlled status would be appropriate because non-compliances are likely to have significant adverse effects and as such the Council needs to have discretion to decline inappropriate proposals.

I also consider that the Council needs to have a reasonably broad discretion. In general, I do not expect that significant non-compliances will be appropriate as I consider that the standards are a reasonable minimum in almost all circumstances. I expect that significant breaches in these standards will be very much the exception.

The Plan generally provides restricted discretionary status as a way to provide guidance for applications which are usually approved. Examples of this are subdivision standards or the MDH standards in this plan change.

In this case, breaches in rule 16.9.1 are expected to have adverse consequences. A discretionary status allows these to be considered on their merits (effects are less than minor). This puts them into the same category as other breaches in rules with potential adverse effects, such as exceeding height limits, or breaching recession planes and building setbacks. Such

applications are generally assessed on a non-notified basis. A discretionary status is, in my opinion, an appropriate test and consistent with the approach of the SDP in other areas.

As regards the comments relating to third party input, I re-iterate that applications for small-scale non-compliances would usually be processed on a non-notified basis in line with existing practice. Furthermore, I consider that notification may sometimes be appropriate for more significant breaches.

Recommendations

In view of the above, I recommend that the following amendments are made to the proposed rule, in response to submission 8. I recommend that other submission points in relation to rule 16.9 are rejected.

16.9 SMALL SCALE COMMERCIAL DEVELOPMENTS (LESS THAN 450m²)

Permitted Activities

16.9.1 Except **as provided for in rule 16.9.2 and** for buildings used as a dwelling; buildings and developments with a total gross floor area of less than 450m² and up to 20 on-site car parking spaces shall be a permitted activity **in the Business 1 zone** provided that:

16.9.1.1 No car parking or vehicular access is provided between the frontage of any building and a legal road (or any accessway from which the public will access the site if it does not have access to a legal road); and

16.9.1.2 At least ~~60%~~ **50%** (by length) of each building frontage which fronts or directly faces on-site public space, or a road or other area where the public have a legal right of access, shall be installed and maintained as active commercial frontage; and

...

16.9.2 The use of a dwelling for business activities shall be a permitted activity in the business 1 zone, provided that:

16.9.2.1 At least 40% of the area between the building line and a road (for the full width of the section) is landscaped and planted; and not used for vehicle parking or access; and

16.9.2.2 The maximum height of any fence between any building façade and the street or a private Right of Way or shared access over which the allotment has legal access, shall be 1m.

Discretionary Activities

16.9.3 Any building or structure which does not comply with rule 16.9.1 **or 16.9.2** shall be a discretionary activity

b) Rule 16.10 Large Scale Development

Submissions affect: The whole of rule 16.10 and specifically 16.10.3.1, 16.10.3.2, 16.10.3.3, 16.10.3.4, 16.10.3.5, 16.10.3.6, 16.10.3.9

i) The approach taken in rule 16.10

Some submitters were concerned about the methods used in the plan change in relation to site layout.

Submitters 3, 4, 7 and 9 consider that rule 16.10 has been written as a set of rules rather than an assessment matter. They consider that the rules are too restrictive and are in reality standards in which the development would be assessed.

Submitters 3 and 4 also submitted that the approach would be a disincentive to LFR and that this would be contrary to the wider objectives and policies.

Submitters 7 and 9 make particular reference to 16.10.3.1 (which is concerned with the visual appearance of buildings in relation to their surroundings), 16.10.3.5 (building lines, active frontage and verandahs) and 16.10.3.6 (location of car parking).

Submitters 11-13 were concerned about the degree of discretion afforded to Council and considered that it would introduce significant uncertainty.

As with any such assessment, there is a need to provide a balance between being prescriptive, which provides for increased certainty for the community, and providing developers with flexibility.

Too much flexibility risks undermining the district plan by providing ways for developers to “get round” what the rules are intended to achieve. Being too prescriptive can result in reduced certainty for developers; or create bizarre built outcomes because developers would rather comply with rules than risk a consent process which can be viewed as uncertain and expensive.

A restricted discretionary status provides a good balance in general terms as it is a presumption in favour of development, subject to scrutiny of the details of the proposal. Such consents are almost always granted but Council retains the ability to demand amendments to unsuitable proposals or to refuse consent.

I consider that it is important that the assessment matters are carefully considered so that they achieve the outcomes that Council is seeking. These are clearly articulated in the policies, the section 32 analysis and supporting information, and have been further described and illustrated by Ms Wolfer.

The rules are considered in turn in the sections that follow. I have recommended some changes to the rules based on the concerns of submitters. These particularly concern rule 16.10.1.1 and rule 16.10.3.6. I

have also recommended the removal of rule 16.10.3.9. I have otherwise recommended no changes to these assessment matters as I consider that they generally represent a good balance. They articulate quite clearly what the expectations for development are, whilst allowing for some flexibility on how they are achieved.

I do not agree with the argument that the rules are a disincentive to large format retailing. I consider that they would allow the achievement of good quality large format retail as illustrated by Ms Wolfer and that this would achieve the aims of the policies and objectives of the plan.

I therefore that submissions 3,4,7 and 9-13 are accepted in part in relation to this matter. Specific recommendations for Amendments are detailed in the sections that follow.

ii) Rule 16.10.3.1 (Attractive and Integrated Street Scene)

Submitter 1 supported the plan change but considered that building lines should only be continued where these are visually appealing, noting that otherwise bad planning would continue.

Submitters 7 and 9 considered that the policy is inconsistent as it seeks a varied street scene but also compliance with scale modules, building lines and detailing. They asked for the deletion of the rule.

Submitter 10 asked for amendments to clauses a and b to make them less onerous and replace them with a more general discretion. Submitters 11-13 considered that it would be artificial to subdivide large buildings into modules of 5-10m width and constrain development to fit in with neighbours who have not developed to District Plan maximums. They ask that the rule is amended to reflect the scale of building that could be erected under the District Plan. The submitter also opposes the need to provide upper floor detailing to fit in with neighbours.

This clause is considered in detail by Mrs Reeves in Appendix 5. She highlights the importance of scale and changes in facades between buildings as being important to the composition of an attractive street.

She notes that site widths of 20m traditionally restricted the bulk of individual buildings and that these were usually further subdivided. This historic pattern of development resulted in streetscapes where modulation occurred naturally: longer facades were broken into smaller modules by virtue of land ownership patterns.

She describes a number of ways that such buildings been articulated and detailed including the vertical subdivision of shopfronts, changes in parapet height, verandahs and upper floor windows. She considers that the variety of detailing is an important component in the traditional character of Selwyn's town centres.

She suggests some amendments to the proposals which are discussed briefly below.

Rule 16.1.3.1(a)

With respect to rule a) Submitters 11-13 requested that the requirement is changed to what could be built under district plan maxima, rather than what has been built. This is tantamount to removing the rule entirely. Submitter 10 asks that it is replaced with a more general discretion.

I consider that a rule of this nature is needed to manage the transition in scale between bulky buildings. Mrs Reeves suggests an amendment which focusses the rule more clearly on the need to mitigate the effects of such a transition. I agree with her proposed change and consider that it provides an appropriate level of control.

Rule 16.1.3.1(b)

I do not agree with the proposition put forward by submitters 7 and 9 that the rule is inconsistent with itself. Mrs Reeves discusses the benefits of façade detailing and regular modulation in her report. As she states, there is a need for visual interest, with a pattern of regularly proportioned modules within which there is a variety of detailing. This is often known as “variety within a pattern”. In short, longer buildings should be broken into modules with a width of around 20m, which are then further subdivided.

This is not a matter of architectural taste. It is simply a matter of creating a place which can be read as a whole and which has a degree of visual interest.

There are a number of examples in Mrs Reeve’s evidence of large buildings which have been treated in this manner and they include large format retail stores such as The Warehouse which are inwardly focussed.

Mrs Reeves does outline some concerns that she has with the notified rule. She is concerned that regularity of detailing is not a feature of Selwyn towns and she suggests the removal of this aspect of the rule and some clarification, which I support.

In removing this aspect, I emphasise that it is to do with detailing, not modulation and refers to aspects such as consistent window heights in two storey buildings. These are a feature of some more highly developed towns, but not of Selwyn’s towns.

It also does not remove the need to provide some detailing, which is required for visual interest. The amendment is to establish that the detailing provided need not be the same as the building next door.

Rule 16.1.3.1(c)

Submitters 10 and 11-13 were concerned about restrictions to roof mounted equipment. Submitters 11-13 suggest that the rule is amended to require

instead that it is “integrated in a manner that does not detract from the visual appearance”

I consider that the amendments suggested by submitters 11-13 with regard to this provision are reasonable and have recommended that they are made to the plan change.

Recommendations

In response to submissions on rule 16.10.3.1, I recommend the following amendments:

16.10.3.1 The extent to which the development ***is compatible with its context, both in its scale and its level of visual variety, by::***

a) ~~Is visually integrated with the surrounding buildings by means of its scale, including the transition in size between it and adjacent buildings and any architectural measures to mitigate this; and~~

b) ~~Contributes to a visually appealing street scene through:~~

- ~~The subdivision of ground floor facades into traditional scale modules with a width of 5-10m;~~***
- ~~The continuation of existing building lines~~***
- ~~The use of design features (such as windows, and architectural detailing) on upper floors and that such detailing is consistent with neighbours where appropriate~~***

a) Adopting measures to mitigate any transition in size between it and nearby buildings

b) Design changes along the length of the building to break it down into smaller modules.

c) Vertically subdividing ground floor facades (approximately every 5 – 10 metres) with glazing bars, entrances, columns etc. to reflect the traditional street rhythm

d) Articulating the building above ground floor level with design details to provide visual interest and variety between modules

e) Avoiding excessive repetition of design modules

f) Avoiding or disguising Ensures that roof mounted equipment is integrated in a manner that does not detract from visual appearance.

iii) Parking and Site Layout – Large Sites

(Rules 16.10.3.2, 16.10.3.3, 16.10.3.4 and 16.10.3.6)

There were a number of submissions about the requirements for parking (16.10.3.6). In my view it is difficult to disentangle this issue from that of wider

site layout, at least in the case of large developments. Parking will often occupy over half of the land area and is therefore a very significant driver of the overall design of the development. The plan change is in part focussed on achieving site layouts which are more “people friendly” than has been the case in the past. I therefore consider these submissions in tandem with those on the location of active frontage and entranceways (16.10.3.2), the creation of people oriented space (16.10.3.3) and the creation of direct and attractive pedestrian walkways (16.10.3.4). In this, I am concerning myself with the effect of the plan change on the built layout and the importance of considering all matters that affect this at the same time.

All Matters

Submitter 10 argues that the rules would be onerous and impractical for large format retail. They request that the assessment criteria are amended so as not to unnecessarily prioritise pedestrian amenity over other considerations and to provide for mitigation measures rather than such a stringent approach.

With regard to whether rules unnecessarily priorities pedestrians, I refer to the discussion in section 5.1.2(particularly g and h) where I consider the importance of this outcome has been demonstrated for commercial development including LFR. Ms Wolfer has demonstrated that there are a variety of ways to comply with the site layout requirements and that they will allow for the provision of parking and pedestrian amenity.

I consider that the assessment matters are an appropriate way to achieve the outcome. They do allow for some mitigation to be used but generally in the context of a development which overall achives the intent of the plan.

The use of mitigation measures in the absence of the creation of good pedestrian amenity (for instance walking links, active frontage and pedestrian spaces) would not result in an outcome which meets the policies and therefore is not appropriate.

I recommend that this submission point is rejected.

Rule 16.10.3.3 (People Oriented Space)

Submitters 3 and 4 argue that regulation of on-site public space is an inappropriate control on the use of private space and would erode private property rights without necessary benefits. They consider that these rules overlook the function of Large Format Retail and that the provisions may compromise safety and pedestrian flow; and that this would be contrary to the economic assessment which notes need for safe carparking access.

Submitters 11-13 consider that the definitions for people oriented space given in the advice note are unclear and may result in conflict between the various examples.

I do not consider that the proposed requirement is any different to other District Plan rules that affect the way land is used, such as setback or car-

parking requirements. I consider that this is simply a matter of costs and benefits, the same as any other provision.

I consider that the need for pedestrian oriented space to be provided within developments has been well demonstrated in the section 32 analysis (part 5.2; and part 2.2.2 and 3.2.10 of the Back ground Report) and that this rule is an appropriate mechanism to ensure this space is provided.

Alternatives were considered. These include:

- The provision of Council reserves funded by development contributions levied on business development. These would not produce this space in places where people are present.*
- The provision of reserves on land provided by business as part of a development (through a development contribution). This would see the ownership of land pass to Council, and may result in isolated parcels of reserve at future redevelopment.*
- A block size standard in the district plan for commercial land (which would mean the building of more roads). This would be effective (and consistant with new living zone requirements introduced by plan change 7) but it would be onerous.*

It was concluded that the best way to achieve the intended outcome without creating onerous requirements for developers was to regulate the form of developments rather than aquire land. It should be noted that street space which is fronted by buildings also qualifies as people oriented space and for many large developments this will provide all the space needed under the rule.

Submitters 11-13 considered that the advice note on what constituted people oriented space would result in conflict between the various examples. I do not agree. They are well illustrated in the design guide and each is discrete. They offer designers a choice.

The use of an advice note for a definition is unusual drafting, and the reason is that it is not a precise definition, rather a list of what might comprise people oriented space. This befits its status as an assessment matter, not a rule (which requires precision to give a yes or no answer). I consider it is useful (and essential) to include guidance on what would qualify as people oriented space without closing the door on other solutions and I therefore consider that the use of an advice note is appropriate for this matter. The items on the list are illustrated in the Commercial Design Guide and the intention is that Council would consider other, similar quality areas as pedestrian oriented space.

With regard to comments on safety and pedestrian flow, Ms Allat has considered these. She notes that on-site car-parks are generally very safe and does not support the point made by the submitter.

With regard to the economic assessment, I agree that there is a need for safe car park access for large format retail, but consider that this needs to be balanced with all the other requirements for creating a quality town centre and that the assessment matters allow for this.

I recommend that no changes are made to rule 16.10.3.3.

Rule 16.10.3.6

Submitters 7 and 9 considered that rule 16.10.3.6 is too prescriptive and request that it is amended to read simply “the design and layout of the site in relation to the location of car-parking areas”.

It was submitted that people generally arrive by car and it is impractical that entrances be located on the street but that car parking is at the rear (10, 11-13 and 15). Submitters 11-13 considered that development should be designed to be integrated with the site, eg facing internal roads or car parking and that as a result it will be impractical for it to face the road.

I agree with the submitters that rule 16.10.3.6 is quite directive. However, I do consider that they need to be strongly worded to reflect the importance of car park location and the way that poor car-park location can compromise urban design outcomes.

It is important that the Council has the ability to assess the overall effects of a development and to be able to grant those applications that show the best place to put parking is beside a road, because of the amenity created by the site layout overall.

The evidence of Ms Wolfer shows that sometimes, in creating developments which have a very high level of amenity overall, car parks might sometimes be located next to roads. However, this is generally where development has been carefully designed to create a street-like amenity on site. In Ms Wolfer's example of Tanisbrook, Oregon transplanted to Rolleston (p11 of Design Examples for Commercial Development), the buildings are arranged to create a main street through the site, with car-parking out the back. Buildings back onto the north car park (which would face McCauly Street), In part front onto Dryden Avenue (east) whilst there is the use of a prominently placed building to disguise the car park facing Masfield Drive. I consider this a very appropriate solution. Some aspects of the design would not pass a “rules-based” assessment if proposed on their own, but the development as a whole provides a good balance of amenity.

In the light of this discussion, I recommend some amendments to rule 16.10.3.6 to make the assessment matter less prescriptive and recognise the importance of overall amenity which may mitigate the use of some parking at the front of the site where pedestrian amenity is provided elsewhere. This is also, in my view, an appropriate response to the point raised in submissions 11-13, that it is sometimes impractical for development to face the road. It also reflects the matters in Policy B3.4.23a.

I have also recommended a minor amendment to allow consideration of the needs of cyclists.

Submitters 11-13 also expressed a view that it would not be efficient or commercially viable to require car parking to be set back 20m from road boundaries as required by rule 16.10.3.6.

This assessment matter has in reality been provided to facilitate development which does not comply with the other assessment matters, rather than restrict it. If it were removed, it would make the rule more onerous. For instance, in the case of a supermarket, it allows some land to be set aside for future development on the frontage to screen a car park. If this provision was not in place, then the assessment matters would require the erection of buildings on this land at the time of the development of the supermarket, to achieve the intent of the policies.

An example of why the rule is proposed is the Countdown in Rolleston on the Masfield Mall site, which is extensively discussed by Ms Wolfer. The supermarket site has been developed according to the needs of this owner, without consideration of how it relates to the development that will take place beyond. The car park is very prominent and good pedestrian links and an integrated design is now almost impossible to achieve.

A resource consent has been granted for the remainder of the land, for a car-based retail park (described by Ms Wolfer). One of the problems created by this design is that it is poorly integrated with the existing town centre. It would have been preferable to place shops on the Rolleston Drive frontage, to create an attractive visual link with the town centre.

If the site was designed holistically, as Ms Wolfer has shown, it would have been relatively easy to design in an attractive fashion in accordance with the proposed policies and methods. However, now that the Countdown has been laid out with parking occupying the most prominent parts of the site, it is unlikely that this will happen.

This rule is intended to manage this situation. It would require consideration of which parts of the site should eventually be provided with active frontage, even if the buildings are not to be erected immediately. The land for these buildings would need to be saved so that they could be built in the future. This less onerous than actually requiring developers to build the shops or offices needed to screen the car-park and create activity at the time that a large development is built.

This is a practical way to ensure that the first built development does not compromise the ability to obtain a good design and layout for the entire site, as has happened on the Countdown / Masfield Mall site. It also allows for the progressive development of a site. I consider that it is an appropriate measure.

Recommendations

I recommend that the following amendments are made to the assessment matters to give a more general discretion whilst still allowing for the consideration of the outcomes described above:

16.10.3.4 The extent to which the site layout provides direct, logical and attractive pedestrian **and cycle** routes within and through the site as part of a comprehensive walking network for the wider area, providing access to and from:

- a) Main attractions on the site such as community facilities, the main entrances to shops, or public space; and
- b) Main attractions on adjoining sites; and
- c) Points of access to surrounding areas including roads, reserves and walkways; and
- d) Public transport facilities

16.10.3.6 The design and layout of the site in relation to the location of car parking areas so that these are

- ~~a) Located at the rear or side of developments; and~~
- ~~b) Not located between buildings and a road; and~~
- ~~c) Generally located where they are internalised within the development block; and~~

- a) Not located between the buildings and a road or other public space unless:
 - They are sleaved by other buildings; or
 - They are part of a comprehensive development which provides a high degree of interaction between roads and other public space and buildings and a high standard of internal amenity with a high proportion of people-oriented space;
- b) For large greenfield sites being developed progressively, that car-parking is not generally located at or within 20m of the boundaries of sites where it may compromise the establishment of buildings adjacent to the road; and

iv) Rule 16.10.3.5 (Verandahs and frontage)

Submitter 10 considered that verandahs, footpaths, continuous building lines and active frontage are impractical and inappropriate for Large Format Retail. The submitter asked for the requirement to be deleted. Submitters 11-13 considered that it may be inappropriate to provide active frontage to face streets for large developments. Submitter 9 considered this rule to be too prescriptive and that it is covered by more general matters.

I consider that Ms Wolfer has demonstrated that the requirements are practical and appropriate for LFR and recommend that they are retained.

I consider that the discussion in section (iii) above is relevant to the provision of active frontage. This shows that it may be appropriate for buildings to back

onto roads in some circumstances, where the development as a whole achieves good amenity. This should address the concerns of submitters 11-13, at least in part.

The rule is worded in such a way that it includes all pedestrian routes (including those through the development) as well as roads and does not prioritise one over the other. It is aimed at pedestrian amenity in general in a town centre environment; it is not just concerned with street frontage. I consider that it gives a reasonable degree of flexibility for the consideration of the development as a whole.

I do not agree that the rule is too prescriptive. I consider that it allows an appropriate amount of flexibility whilst ensuring that a high amenity centre with good, attractive linkages will be created.

v) Rule 16.10.3.9 (Compliance with rules for smaller developments)

Rule 16.10.3.9 was a concern to submitters 10 and 11-13. They variously considered that it was inappropriate for large developments to be subject to the same standards as small ones, due to differences in scale and scope; and that these matters are covered by other assessment matters.

I agree with submitters that these matters are adequately managed by the other assessment matters and I recommend that that rule 16.10.3.9 is deleted.

Recommendation

That rule 16.10.3.9 is deleted

c) Buildings and External Finish (Rule 16.12)

This rule was supported by submitter 16. A number of other submitters raised various concerns, as described below.

i) Rule 16.12.1 Exterior Walls

Some submitters were of the view that restrictions on material were overly restrictive and not adequately justified in the section 32 report (2,7,9,10).

Submitters 7 and 9 consider that the rule would not achieve the policies and objectives (policy B3.4.4 and objective B3.4.2) which seek to enable business activities whilst making sure that business 1 zones are attractive to people.

The rule was also opposed by submitter 2 who was of the view that it would excessively limit the expression of the site occupier and in particular noted that childcare centres require happy colours. They also thought that the rule would make all the townships appear the same.

All three submitters also thought that it would have wider economic costs such as on marketability, for instance the ability to attract tenants who may wish to

use bright colour schemes. This point which was also raised by submitters 11-13.

Submitter 1 noted that reflective roofs reduce heat absorption which increases the heat island effect and global warming.

Mrs Reeves has discussed these submissions in detail in her report (Appendix 5). A brief summary of her main points is as follows:

- Rule 16.12.1.1 is aimed at removing the need for the appraisal of colour for natural materials (not restricting the use of materials) and is an exception, not an additional requirement.*
- She considers that rule 16.12.1.2 is an appropriate balance between the rights of a company to advertise itself with bright colours and the rights of the community to a harmonious townscape. She noted that the new rules would still allow the use of bright corporate colours over part of an elevation and demonstrated how this would still allow the building to be recognisable.*
- She considers that there is an error in the use of reflectance values (RV) in rules 16.12.1.2 (walls) and 16.12.2.1 (roofs) to exclude some colours in greyness group C. She concludes that the reference to RV should be deleted from rule 16.12, but that it should be added as an assessment matter for large buildings as very large amounts of these colours could appear incongruous.*

Tim Heath considered the impact on marketability if corporate colours were restricted in this manner and concluded that it is not significant.

Recommendations

I agree with the recommendations made by Mrs Reeves in relation to this rule. In consequence, I recommend that it is amended as follows:

16.10 LARGE DEVELOPMENTS

16.10.3.9 The extent to which the degree of reflectivity of the finish of the roof or elevations is compatible with adjacent uses and any potential effects on the townscape or views from the distance.

16.12 BUILDINGS AND EXTERNAL FINISH

Permitted Activities

16.12.1 In the Business 1 zone, buildings and structures shall be a permitted activity if the exterior cladding of any wall or elevation (excluding glazing) complies with the following:

16.12.1.1 It is made from ~~or clad~~ **and finished** in **unpainted** natural stone, brick, **concrete or similar unpigmented materials**, or with natural or stained timber; or

16.12.1.2 When graded using the British Standard BS5252:1976 Framework for Colour Co-ordination for Building Purposes, the exterior finish of at least 75% of any elevation (including any signage, whether attached to the elevation, painted on it, or otherwise provided) is within greyness groups A and B or C.

~~b) Is greyness group C, with reflectance value (RV) rating of no more than 40%.~~

16.12.2 In the Business 1 zone, buildings shall be a permitted activity if the external finish of the roof complies with the following:

16.12.2.1 All roof areas shall be finished in colours ~~with a reflectance value (RV) rating of no more than 40% and which fall~~ within the greyness groups A, B and C.

ii) Rule 16.12.3 and 16.12.4 (Non-Complying Activity Status)

Submitter 2 opposed the non-complying status for breaches of rules 16.12.1 (colour of buildings) and 16.12.2 and for external security shutters. They suggest that controlled status is more appropriate. Submitters 11-13 raise a similar concern and request restricted discretionary status.

In line with the discussions on activity status earlier in this report, it is not anticipated that more than minor breaches in the standard would be acceptable. As such, controlled and restricted discretionary statuses are not appropriate.

Non-complying status allows the granting of consents only if effects are minor or where they are consistent with the objectives and policies of the plan. In this case, this would allow the overall effect of the breaches on the townscape, and any mitigation work, to be effectively considered and the application only granted if the proposal would still create the desired level of amenity, in line with policies B3.4.22 and B3.4.23a.

This stronger test for the painting of large areas of building would be appropriate in my opinion. This is in view of the highly visible nature of bright colours and the potential for cumulative effects at the time of development and into the future. I consider that non-complying status is appropriate for this.

Security shutters over windows create blank frontage when they are closed. This can make the business 1 zone uninviting at these times and undermine the intent of the plan change. It is also appropriate that if they are to be installed, they are fully assessed against the relevant policies.

d) Rules 16.13 - 16.15 (Dwellings)

Some submitters were concerned about reverse sensitivity (10, 11-13). Submitter 10 requested that a rule requiring the provision of acoustic insulation should be included.

Submitter 15 was concerned that the rules package would stifle design difference, be a disincentive to medium density development and represent micromanagement. He requested the removal of the rules or the replacement of 16.13.1.4 with a maximum floor area ratio per site. He also suggested that the minimum outdoor living space (rule 16.15.1) should be 30m² with a 3m dimension, rather than 50m² with a 4m dimension.

Submitter 1 considered that rule 16.14 was unclear and questioned what was meant by the term “a good level of glazing”. They also requested that 16.14 be amended to include assessment matters on solar orientation and energy efficiency. They supported 16.14.1.7(a) (which is concerned with safe and efficient connections by a variety of transport modes).

At present, medium density housing is a permitted activity and the intention is to increase the quality of what is built.

These rules have been transplanted from Plan Change 7, which introduces medium density housing in the Living Z zone. Whilst medium density housing is permitted in the business 1 zone, it is considered appropriate that it is subject to the same standards as in other zones, to create the same quality of living environment.

I do not agree that the rules would stifle design or that they are micro-management. I consider that they are what is necessary to ensure that high quality development takes place.

However, I do agree with submitter 15 that a smaller outdoor area may be appropriate in a business zone for comprehensively designed development. This would provide an additional housing choice in a central area where the benefits of density are greatest. It would also help developers to provide different types of housing like apartments above shops. I have therefore made a recommendation that an amendment is made to rule 16.15.1. I have not recommended that the minimum dimension of the outdoor space is changed as I consider that 4m is needed to provide for some sunlight access and to prevent the space from feeling enclosed.

I am not persuaded of the need for acoustic insulation and so recommend that this request is rejected. The issue of reverse sensitivity and the appropriateness of the building of MDH in the business zone is otherwise addressed in 5.1.3(b).

I do not agree with the use of a plot ratio measure in Selwyn. I consider that this encourages people to build large footprint single storey houses (with less space for outdoor living, landscaping and a sense of open space) rather than 2 storey houses which make efficient use of land with space left over for outdoor amenity, landscaping and car-parking.

I agree with submitter 1 that the term “a good level of glazing” in rule 16.14.1.2(c) is somewhat ambiguous. In the context of the rule it refers to a reasonably high level of glazing to provide an interesting street scene, by

breaking up the massing of buildings. I have reviewed the assessment matters as a whole and consider that this intent is also conveyed by 16.14.1.2(a) which requires that developments are provided with visual interest through “articulation, roof form, openings and window location”. In view of this, I recommend that the rule is unchanged.

Recommendations

16.15 DWELLINGS AND PRIVATE OUTDOOR LIVING SPACE

Permitted Activities

16.15.1(a) Dwellings in the Business 1 zone shall be provided with a private outdoor living space with a minimum area of **50m² 30m²** and a minimum dimension of 4m.

e) Rule 17.6 and 17.7 (Parking and Landscaping)

i) Rule 17.6 (Parking and Site Layout)

There were three submissions on this rule. Submitter 10 supports it and considers controlled status appropriate. By contrast submitter 15 argues that it is inflexible and does not allow for good design or individual characteristics.

Submitter 1 asked that 17.6.1.1 be amended to require energy efficient lighting and reduced light pollution.

The commissioner should note that this rule was included in plan change 12 and that plan change 29 seeks only to amend the proposed rule (removing 17.6(c) which is then replaced with rule 17.7). PC12 has not yet been heard. As a result, any decisions made on this rule will be over-ridden by that plan change.

However, it is likely that the commissioner for PC12 will consider the recommendation for plan change 29 and delete, retain or modify rule 17.6(c) as appropriate.

I consider that the deletion of rule 17.6(c) should proceed, providing that the issue of landscaping is addressed in rule 17.7.

ii) Rule 17.7 (Parking and Landscaping)

Submitter 2 requested that an exception be made to the rules for childcare centres on the grounds of safety, considering they would create an unsafe environment for children

I note that this assertion is not supported by Ms Allat in her evidence and I request that this submission point is rejected.

Submitter 15 considered that cars are not an adverse visual effect as they are seen on the road by everyone. They postulate that the rule would prevent exposure of premises to the street and passing motorists. They also submit that the rule is inflexible, does not allow for good design or individual characteristics.

I quite agree that cars are part of the mix of activities in a business 1 zone but that does not mean that any adverse impacts they have should not be managed. The plan change provides a way for the needs of all users of a town centre to be accommodated in a pleasant and attractive environment, as envisaged by the policies and objectives of the plan.

With regard to the exposure of buildings to the street, I think that the submitter has failed to engage with the holistic nature of the rules package. The plan change has been carefully designed to encourage buildings to front the street, to increase interaction with the public realm. It is in general not expected that buildings would be positioned behind car-parking so the situation described (lack of exposure of premises) should not arise: premises will be at the front of the site directly beside the road.

I consider that it has been demonstrated that the plan change as a whole does allow for good design and individual circumstances and is flexible. The landscaping rules are provided in part as a way to ensure that parking which is positioned in front of or to the side of buildings is landscaped in an attractive fashion, to minimise its impact.

Submitter 10 supported the principle behind the rule but considers that it imposes unacceptable obligations on landowners and should be more practical.

I do not consider that the requirements are impractical. They are based on a number of “real world” examples, which are shown in Appendix 5. These include the submitter’s own premises on Columbo Street.

However, with regard to perimeter hedging (rule 17.7.1.1), I consider that the requirement for a depth of 1.5m for 1m hedging could be reduced to 0.75m as the important component is the need for height to screen vehicles.

Submitter 1 requested the use of ecosourced native species for landscaping, in particular the use of trees and shrubs.

I consider that this would go beyond what the plan change is aimed at achieving. The Council generally uses ecosourced natives where possible on its own land but does not have a policy which requires that private landowners do the same.

f) Rule 19.1.1.6 (Freestanding signage per site)

Submitter 7 and 9 considered that the discussion on the effects of signage on pedestrian amenity is not supported by objectives and policies (Policy B3.4.21 and Objective B3.4.2). They note that Policy B3.4.21 states that signage is an

integral part of the Business 1 zone. They consider that there is little consideration of the size of site and the ability of larger sites to accommodate larger signs. In their view, road frontage is a poor proxy for determining the amount of signs a site can support. They request the removal of the revised rule.

These submissions have been considered by Mrs Reeves in her evidence. She considers that the proposed rules will still allow an amount of signage which is more than adequate to allow businesses to advertise themselves and recommends that the rules are unchanged.

5.1.6 Conclusions

I consider that the need for the plan change and its appropriateness is well demonstrated. I have recommended some changes to the policies and methods as described in detail above and recommend that the Plan Change be confirmed with the changes recommended.

6 Recommended Changes to Plan Change 29

Recommended changes to the notified plan change resulting from the Officers report are shown in **blue**

New text added to the Selwyn District Plan by Plan Change 29 is shown as **underlined**, and removed text is shown as ~~strike through~~. Amendments made by Plan Change 12 are shown with a **yellow background**.

PLAN AMENDMENTS

- 1 **Update Policy B3.4.22 and Insert new policy B3.4.23a on managing the quality of commercial development**

POLICIES

Policy B3.4.22

Allow people freedom in their choice of the design of buildings or structures except where building design needs to be managed to:

- Avoid adverse effects on adjoining sites; ~~or~~ and
- Maintain the character of areas with outstanding natural features or landscapes values or special heritage or amenity values; and
- **Maintain and establish pleasant and attractive streets and public areas**

Explanation and Reasons

~~For most places in general~~, the District Plan does not have provisions that tell people what colour, shape or materials to use when building structures. ~~The Council thinks this is a matter of personal choice.~~ The Plan does, however have rules for the height, bulk of buildings and recession planes, to avoid adverse effects of shading and loss of privacy or outlook, on adjoining sites **and some controls to manage the effect of buildings on public spaces, particularly in town centres (the Business 1 zone).**

This means that there are relatively few rules for traditional low density residential development. However for higher density and infill housing or commercial development more active management is needed to address the effects on neighbours and public spaces because the use of setback controls has proven both inefficient and ineffective. These rules protect the privacy of neighbours and the quality of the street scene.

~~The exception to Policy B3.4.22 is in~~ Some areas that have been identified in the Plan as having either: outstanding natural features or landscapes values or special heritage or amenity values. In these areas, the Plan has design criteria for erecting a building or structure, including signs, as a permitted activity (no resource consent needed). Buildings or structures that cannot comply with the rules, may be able to be erected through the granting of a resource consent, if the proposed design is appropriate to the area.

The areas subject to building design controls due to the proximity of outstanding natural features or landscapes are identified in Part B, Section 1.4 of the Plan. Such controls affect the expansion of the townships of: Arthur's Pass, Castle Hill and Lake Coleridge, and the expansion of other townships in certain directions. It will also affect parts of the Rural Zone. This matter is addressed in the Rural Volume of the Plan.

The townships of Arthur's Pass and Castle Hill also have building design controls in their existing villages. These controls are to maintain the special building styles and associated character that exist in those villages, at present. This matter is addressed in policies 28 and 29 of this Section.

Building Act 2004

A building consent is still required for the erection, alteration or demolition of any building under the Building Act 2004, whether that building requires a resource consent or not. All buildings must comply with any relevant structural criteria in the New Zealand Building Code.

Method

- District Plan Rules
- Height of Buildings (All Zones)
- Size of Buildings (Living zones)
- Recession Planes (All Zones)
- **Urban Design Guides**

Policy B3.4.23a

Ensure that town centres are walkable and well integrated, and that development in town centres contributes to the economic and social vibrancy of the District's towns by:

- **complimenting public spaces (both those in public ownership and on-site public space) with high quality active frontage**
- **ensuring the provision of high quality public space**
- **bringing activity to street frontages by means of the positioning of buildings and active frontage along the street boundary and by internalising car parking with a site or development block**
- **providing for a high quality pedestrian experience in places the public may be present**
- **ensuring that development supports the urban structure by providing for direct and logical pedestrian and cycle routes within and through larger sites and to entranceways along pedestrian desire lines.**
- **ensuring entranceways are positioned in logical places for pedestrian access**

- **ensuring that design and layout prioritises the needs of pedestrians and cyclists over the parking of cars those of parked vehicles.**

Town Centres are the hub of a community and the venue for a variety of transactions. A vibrant and vital town centre results from the variety of experiences and transactions on offer from a single journey. The presence of people on the street is an essential component of a vital town centre, adding interest, excitement and commercial opportunities.

An inviting and walkable town centre allows people to combine shopping and other activities (such as using the library or meeting with friends). The social fabric of the town is strengthened by the opportunities for chance encounters. There are health benefits from allowing people to incorporate walking into their daily routine. But people will only walk around a centre if it is safe, attractive and convenient.

The integration of adjacent sites is important for the economic success of the centre, increasing opportunities for multi-use visits and broadening the range of activities taking place in the centre.

For these reasons, a centre must have a layout which supports pedestrian activity and buildings must be designed to bring interest and activity to streets and areas where people may be present. Developments which turn their backs on the street and neighbouring development and which do not contribute to a pleasant and convenient pedestrian experience will undermine the opportunity for a community hub to be developed.

The plan differentiates between small developments (with floor areas below 450m²) and large ones.

Small developments have a reduced scale of effects, but there is more potential for adverse cumulative effects from development which is undertaken at different times. Effects are managed with bottom line standards designed to ensure regular development with good street interaction.

Large developments have a greater scale of effects but can be designed comprehensively and include on-site public space. These proposals need a greater degree of scrutiny, so they are restricted discretionary activities, but assessment can include the overall effects of the development on the environment (rather than rigid compliance with standards).

In general, for new areas such as greenfield sites, it is expected that car parking will be internalised, with streets lined with buildings. Where large sites are being progressively developed, this should be done in such a way as to enable the future achievement of this intention. In particular, car parking should not be positioned in such a way that it precludes the future development of those parts of the site with road frontage.

Where possible developments should also be designed in a way that is environmentally sustainable, making efficient use of energy and water and minimising the effects of development on groundwater quality. Examples of environmentally efficient design include energy efficient orientation of buildings, porous paving for parking areas and rainwater collection tanks.

Methods

District Plan Rules (Business 1 zones)

- Streetscene
- Retail Activities
- On-Site Public Spaces
- Entranceways
- External finish
- Landscaping
- Urban Design Guides

Policy B3.4.23b

Support the use of building or landscaping concept plans or ideas developed for townships in Selwyn District where such plans or ideas:

- Are appropriate to the proposed activity;
- Do not contravene any District Plan policies or rules; and
- The builder/developer is interested in using them.

2 Insert new policy B3.4.27 on Medium Density Housing

Policy B3.4.27

Allow for Medium Density and Comprehensive housing in Business 1 zones provided it has the same standard of design and site layout as in residential areas

The plan encourages medium density housing in town centres to make efficient use of land and support walkability. But it is expected that such areas will have a similar amenity to any other residential area, for the benefit of both the residents and the people who use the town centre.

[renumber subsequent policies and amend table 4.3.1 to reflect renumbering]

3 Insert new policy B4.3.6 on rezoning

Policy B4.3.6

Only rezone land for Business 1 if it has an appropriate shape to allow for the creation of a high quality town or smaller centre environment

The usability of business land is highly dependent on its shape. If land is rezoned without regard to how it can be used, the result can be a town centre or neighbourhood centre where a high quality built environment is difficult to achieve.

Examples of the type of development which the Council is seeking to avoid are:

- Shops which sit behind large areas of car parking
- Shops which turn their backs on the road or other public areas
- Shops on one side of a road only in town centres

Often, due to the shape of the land rezoned, it is difficult to achieve an improved urban form, for instance because the shape of the zone is not deep enough for two rows of shops to face each other across a street. It is therefore important that an application for rezoning demonstrates how the land can be used a way that will result in a high quality built environment, as described in Policy 3.4.23a.

In instances where a high quality built environment is not possible or would depend to a great extent on the form of development chosen, then site specific rules may be required, either to restrict what can be done on the site, or the form of development which occurs.

The Council's *Commercial Design Guide* is a useful reference on how the shape of land may constrain development options.

4 Insert new rules 16.9 – 16.12 to manage the design and layout of commercial buildings

RULES

16.9 SMALL SCALE COMMERCIAL DEVELOPMENTS (LESS THAN 450m²)

Permitted Activities

16.9.1 Except as provided for in rule 16.9.2 and for buildings used as a dwelling, buildings or developments with a total gross floor area of less than 450m² and up to 20 on-site car parking spaces shall be a permitted activity in the Business 1 zone provided that:

16.9.1.1 No car parking or vehicular access is provided between the frontage of any building and a legal road (or any accessway from which the public will access the site if it does not have access to a legal road); and

16.9.1.2 At least 60% 50% (by length) of each building frontage which fronts or directly faces on-site public space, or a road or other area where the public have a legal right of access, shall be installed and maintained as active commercial frontage; and

16.9.1.3 The maximum height of any fence between any building façade and the street or a private Right of Way or shared access over which the allotment has legal access, shall be 1m; and

16.9.1.4 Every building adjoining or within 3m of a road boundary shall be provided with a verandah to the following standards:

- a) Verandahs shall be set at least 0.5m behind the kerb face; and**
- b) Verandahs shall have a minimum depth 3m except where this would entail a breach of rule a, above; and**
- c) Verandahs shall extend along the entire frontage of the building facing the road boundary, and shall adjoin verandahs on adjacent buildings**

16.9.2 The use of a dwelling for business activities shall be a permitted activity in the business 1 zone, provided that:

16.9.2.1 At least 40% of the area between the building line and a road (for the full width of the section) is landscaped and planted; and not used for vehicle parking or access; and

16.9.2.2 The maximum height of any fence between any building façade and the street or a private Right of Way or shared access over which the allotment has legal access, shall be 1m.

Discretionary Activities

16.9.3 Any building or structure which does not comply with rule 16.9.1 or 16.9.2 shall be a discretionary activity

16.10 LARGE DEVELOPMENTS

Restricted Discretionary Activities

16.10.1 Any development in the Business 1 zone (other than Comprehensive Residential Development) with a gross floor area of 450m² or more shall be a restricted discretionary activity

16.10.2 Under rule 16.10.1, Council has restricted the exercise of its discretion to:

16.10.3.1 The extent to which the development is compatible with its context, both in its scale and its level of visual variety, by:

b) Is visually integrated with the surrounding buildings by means of its scale, including the transition in size between it and adjacent buildings and any architectural measures to mitigate this; and

c) Contributes to a varied and visually appealing streetscene through:

- the subdivision of ground floor facades into traditional scale modules with a width of 5-10m;
- the continuation of existing building lines;
- the use of regularity of detailing (such as windows and architectural detailing) on upper floors and that such detailing is consistent with neighbours where appropriate; and
- Adopting measures to mitigate any transition in size between it and nearby buildings; and
- Design changes along the length of the building to break it down into smaller modules; and
- Vertically subdividing ground floor facades (approximately every 5 – 10 metres) with glazing bars, entrances, columns etc. to reflect the traditional street rhythm; and
- Articulating the building above ground floor level with design details to provide visual interest and variety between modules
- * Avoiding or disguising Ensures that roof mounted equipment is integrated in a manner that does not detract from visual appearance.

16.10.3.2 The design and location of active frontage and entranceways to buildings to:

- a) create on-site public space which is attractive and convenient for pedestrians; and
- b) address other public space such as roads with active frontage

16.10.3.3 The extent to which the design and layout of the site provides and addresses (for instance through active frontage) well located people oriented space appropriate to the scale and nature of activities on site; and

16.10.3.4 The extent to which the site layout provides direct, logical and attractive pedestrian and cycle routes within and through the site as part of a comprehensive walking network for the wider area, providing access to and from:

- e) Main attractions on the site such as community facilities, the main entrances to shops, or public space; and**
- f) Main attractions on adjoining sites; and**
- g) Points of access to surrounding areas including roads, reserves and walkways; and**
- h) Public transport facilities**

16.10.3.5 The extent to which the development would maintain and provide continuous building lines, active frontage and verandahs along street boundaries and main pedestrian routes, particularly where adjacent to established retail activities; and

16.10.3.6 The design and layout of the site in relation to the location of car parking areas so that these are

- ~~**c) Located at the rear or side of developments; and**~~
- ~~**d) Not located between buildings and a road; and**~~
- ~~**e) Generally located where they are internalised within the development block; and**~~

a) Not located between the buildings and a road or other public space unless:

- They are sleaved by other buildings; or**
- They are part of a comprehensive development which provides a high degree of interaction between roads and other public space and buildings and a high standard of internal amenity with a high proportion of people-oriented space;**

b) For large greenfield sites being developed progressively, that car-parking is not generally located at or within 20m of the boundaries of sites where it may compromise the establishment of buildings adjacent to the road; and

16.10.3.7 The design and location of landscaping to mitigate the visual effect of development and to define the edges of streets and other space accessible to the public; and

16.10.3.8 The provision of appropriate servicing for the proposed activities; and

16.10.3.9 The degree of compliance with the matters listed under 16.9.1

16.10.3.9 The extent to which the degree of reflectivity of the finish of the roof or elevations is compatible with adjacent uses and any potential effects on the townscape or views from the distance.

Note: On-site public space refers to the whole area where people can be expected to be present. People oriented space (rule 16.10.3) refers to that part of the on-site space which has high pedestrian amenity, or to adjacent public space. Examples of people oriented space include:

- legal roads and public reserves;
- “Private Streets”: areas of private land where buildings with a majority of active frontage are directly opposite each other with pedestrian facilities on both sides of an accessway with no more than 2 rows of parking; with a total width of no more than 20m of surface accessible to vehicles.
- “Pedestrian Precincts”: traffic-free street or lanes faced by active frontage on both sides
- “Pedestrian Parades”: wide footpaths (min 6m width) in front of shops, providing space for pedestrian activities, separated from car parking by landscaping.
- “Nooks and Corners”: Making use of larger areas of leftover space (min 6m*6m, excluding 1.8m width through-walkways), separated from car parking by landscaping.
- “Pedestrian Squares”: enclosed on 2 or more sides by active frontage for at least 60% of their perimeter, and where vehicles are not permitted.

Illustrations of these concepts are provided in the Council’s *Commercial Design Guide*

16.11 RETAIL FRONTING ON-SITE PUBLIC SPACE/S

16.11.1 In the Business 1 zone, where retail activities front on-site public space/s rather than public space/s, they are a permitted activity if the site layout complies with the following:

16.11.1.1 shop frontages must be separated from car parking by a footpath and landscaping area with a minimum combined width of 3m; and

16.11.1.2 The area specified in 16.11.1.1 above must include an unobstructed sealed footpath of no less than 1.8m in width.

16.12 BUILDINGS AND EXTERNAL FINISH

Permitted Activities

16.12.1 In the Business 1 zone, buildings and structures shall be a permitted activity if the exterior cladding of any wall or elevation (excluding glazing) complies with the following:

16.12.1.1 It is ~~made from or clad~~ finished in natural stone brick, concrete or similar unpigmented materials or with natural or stained timber; or

16.12.1.2 When graded using the British Standard BS5252:1976 Framework for Colour Co-ordination for Building Purposes, the exterior finish of at least 75% of any elevation (including any signage, whether attached to the elevation, painted on it, or otherwise provided), meets the following standards:

a) Is within greyness groups A and B or C.

~~b) Is greyness group C, with reflectance value (RV) rating of no more than 40%.~~

16.12.2 In the Business 1 zone, buildings shall be a permitted activity if the external finish of the roof complies with the following:

16.12.2.1 All roof areas shall be finished in colours with a reflectance value (RV) rating of no more than 40% and which fall within the greyness groups A, B and C.

Non Complying Activities

16.12.3 Any building or structure which does not comply with rule 16.12.1 shall be a non-complying activity

16.12.4 The installation of exterior security shutters in the business 1 zone shall be a non-complying activity

- 5 Insert new rules 16.13 – 16.15 to manage the design and layout of dwellings in the commercial zone

16.13 DWELLINGS

16.13.1 In the Business 1 zone, dwellings shall be a permitted activity if the following standards are met:

16.13.1.1 They have the exclusive use of an allotment with a minimum area of 500m².

- 16.13.1.2** **The allotment contains a minimum 10m x 15m building area.**
- 16.13.1.3** **Any dwelling shall be set back at least 3m from any road boundary or any accessway or right of way over which the dwelling has legal use.**
- 16.13.1.4** **Site coverage does not exceed 40%**
- 16.13.1.4** **Any garage where a vehicle door faces the road, a private Right of Way or shared access over which the dwelling has legal use, shall be set back a minimum of 5.5m from the road boundary, private Right of Way, or shared access.**
- 16.13.1.5** **No garage or accessory building is to be located between the front facade of the dwelling and the road boundary, or the private Right of Way or shared access by which the allotment is accessed.**
- 16.13.1.6** **Any dwelling or principle building, excluding garages or accessory buildings, shall be set back a minimum of 2m from any internal boundary. Buildings may however be sited along an internal boundary if the building shares a common wall with another building on an adjoining site.**
- 16.13.1.7** **Any dwelling shall be sited at least 2m from any other dwelling, unless it is attached to that dwelling.**
- 16.13.1.8** **No set back is required for any garage or accessory building from an internal boundary, provided that the total length of garages or accessory buildings adjacent to the internal boundary do not exceed 7m and provided those garages or accessory buildings comply with a 45 degree recession plane measured from 2.5m above ground level at the boundary.**
- 16.13.1.9** **All balconies at first floor level and above may only be located in a façade that faces a road boundary or an internal boundary shared with land vested or designated with Council for stormwater, recreation or esplanade reserve/ strip purposes.**
- 16.13.1.10** **Any windows at first floor level or above must:**
- **face a road boundary, or an internal boundary shared with land vested or designated with Council for stormwater, recreation or esplanade reserve/ strip purposes; or**
 - **Be set back a minimum of 10m from an internal boundary; or**

- Have a sill height of at least 1.6m above internal floor level; or
- Be obscure glazed, and either non-opening or top- hinged, and be associated with a bathroom, toilet, or hallway.

1.1. **16.14 Comprehensive Residential Development**
Restricted Discretionary Activities — Comprehensive Residential Development

16.14.1 In the Business 1 zone, comprehensive residential development shall be a restricted discretionary activity, which shall not be notified and shall not require the written approval of affected parties. Under Rule 16.14.1 the Council shall restrict the exercise of its discretion to consideration of:

16.14.1.1 Context and Spaciousness

The extent to which comprehensive development responds to the existing context through:

- (b) Being oriented towards adjoining public spaces such as roads, parks, or reserves and presents a front façade with a good level of glazing. Visible pedestrian front entrances and low front fencing;**
- (c) Providing dwellings which relate to each other and surroundings in terms of regularity of features such as window height and detailing and a consistency in roof slope and form.**

16.14.1.2 Attractive Street Scene

The extent to which the public interface and external appearance of buildings in comprehensive developments:

- (a) Provides dwellings with visual interest when viewed from any public spaces through articulation, roof form, openings and window location;**
- (b) Provides visible entry to the dwelling when viewed from the road or the main public access to the development;**
- (c) Provides a good level of glazing and overlooking from habitable rooms towards the road and any adjacent public open spaces.**
- (d) Building design provides a balance of consistency and variety in the street scene.**
- (e) Provides open frontages which will not be enclosed by fences over 1m in height.**

16.14.1.3 Dwelling design, position and orientation

The extent to which the dwelling design, position and orientation of buildings in comprehensive developments:

- (a) Locates and orientates dwellings to define external spaces, to allow adequate sunlight and daylight into main living rooms and private outdoor spaces;
- (b) Positions dwellings to ensure that dwellings front on to, and are accessed from, the road, private Right of Way, or shared accessways;
- (c) Positions dwellings to capitalise on any views or natural features;
- (d) Minimises the visual dominance of garaging and vehicle parking areas, especially as viewed from the street or public open spaces. The use of rear courtyards for parking is encouraged.
- (e) Incorporates attractive detailed design including provision of mailboxes and space for bin storage and collection
- (f) Provides attractive and efficient shared parking where required.

16.14.1.4 Visual and acoustic privacy

The extent to which buildings in comprehensive developments achieve visual and acoustic privacy through:

- (a) Avoiding or minimising direct views from the windows of one dwelling into another at distances less than 20m through the use of the following design devices:

The shape and position of the buildings

The location of windows e.g. off set windows and high sill windows

Intervening screening e.g. 1.8 metre high fences (not on road boundary or frontage with accessways), hedges, trees

Screening devices on balconies to ensure that they do not overlook windows or private spaces

- (b) The provision of acoustic treatment between dwellings through enhancing separation between openings, effective solid acoustic screening and by locating noise sensitive spaces from noisy activities (e.g. separation of bedrooms from service areas and garages).

16.14.1.5 Private outdoor living spaces

The extent to which comprehensive developments provide private outdoor living spaces that:

- (a) **Have the primary outdoor living space directly accessible from an internal living room;**
- (b) **Have any secondary outdoor living spaces such as balconies directly accessible from living rooms or bedrooms;**
- (c) **Are located so that the principle private outdoor living space will receive sunshine for a reasonable portion of the day in winter;**
- (d) **Are located so that the principle outdoor living space is not directly overlooked by windows or balconies of neighbouring dwellings;**
- (e) **The extent to which communal outdoor living space is provided within a comprehensively designed development and the functionality of that space for meeting the likely needs of future occupants.**
- (f) **Are located to the side or rear of the dwelling and not adjacent to the road boundary.**

16.14.1.6 Safety and security

The extent to which comprehensive developments are designed to reduce the fear and incidence of crime through:

- (a) **The avoidance of narrow alleyways and places of entrapment;**
- (b) **A clear definition between public and private spaces;**
- (c) **The ability to provide casual surveillance of public space from private property and vice versa.**

16.14.1.7 Accessibility and connectivity

The extent to which comprehensive developments are designed for accessibility and connectivity through:

- (a) **Providing for the safe and efficient movement of pedestrians, cyclists and motorised vehicles within and through the development and to surrounding**

residential areas and commercial and community facilities;

- (b) Providing direct pedestrian and cycle linkages from developments to and between any adjoining reserves and open spaces.

16.14.1.8 The extent to which living conditions in the dwellings would be adversely affected by established activities within the business zone (reverse sensitivity).

16.15 DWELLINGS and private outdoor living space

Permitted Activities — Dwellings and Private Outdoor Living Space

16.15.1(a) Dwellings in the Business 1 zone shall be provided with a private outdoor living space with a minimum area of 50m² 30m² and a minimum dimension of 4m.

(b) Any area provided by balconies with a minimum dimension of 1.5m counts towards the minimum required area of outdoor living space.

(d) The outdoor living space (excluding balconies) is not to be located between the front building façade and the road boundary or a right of way over which the dwelling has legal access.

Restricted Discretionary Activities — Dwellings and Private Outdoor Living Space

16.15.2 Any activity which does not comply with Rule 16.15.1 shall be a restricted discretionary activity which shall not be notified and shall not require the written approval of affected parties. Under Rule 16.15.1 the Council shall restrict the exercise of its discretion to consideration of:

16.15.2.1 The degree to which any reduction in outdoor living space will adversely affect the ability of the site to provide for the outdoor living needs of residents of the site.

16.15.2.2 The extent to which any outdoor living space intrudes in front of any residential unit such that it would be likely to give rise to pressure to erect high fences between the dwelling and the street, to the detriment of an open street scene.

16.15.2.3 The degree to which large areas of public open space are provided within very close proximity to the site.

16.15.2.4 The degree to which any communal outdoor living areas on the site are proposed where individual dwellings form part of a comprehensive residential development.

16.15.2.5 The degree to which a reduction in outdoor living space would contribute to a visual perception of cramped development or over-development of the site.

- 6 Amend proposed rule 17.6 (from PC12) to manage the design and layout of car parking and insert new rule 17.7

17.6 PARKING AREAS AND SITE LAYOUT

Controlled Activities – Parking Areas and Site Layout

17.6.1 Any development or redevelopment, of a parking area with more than 20 parking spaces in the Business 1 zone shall be a controlled activity

17.6.1.1 The exercise of Councils discretion shall be limited to the following:

(a) The location, layout and orientation of parking areas relative to:

Buildings, the road frontage, and any physical constraints for the site, and

i. Vehicle manoeuvring, access and circulation, and

ii. Pedestrian and cyclist access and circulation within the site particularly safety at vehicle crossings and the provision of direct and attractive routes , and

(b) The provision of lighting for the safety and security of the parking area users, and

(c) The amount, location, height, variation and depth of landscaping within and adjacent to the parking areas and the road frontage.

17.7 PARKING AREAS AND LANDSCAPING

Permitted activities

17.7.1 Except as provided in 17.7.2, Car-parks shall be a permitted activity in the business 1 zone if they comply with the following:

17.7.1.1 A continuous landscaping strip is provided between any legal road and the parking area which complies with the following :

- **A depth of at least 3m with plants that will grow to a height of 60cm within 3 years over the entire area or**
- **A depth of at least 1.5m 0.75m, planted with visually impermeable hedging that will reach a continuous height of 1m within 3 years.**

17.7.1.2 A minimum of 1 tree is provided for each ten metres of road frontage, set in a planting bed with minimum dimensions 1.5mx1.5m.

Controlled Activities

17.7.2 Any development or redevelopment of a parking area resulting in more than 20 parking spaces in the Business 1 zone, which complies with the permitted activity standards in 17.7.1, shall be a controlled activity.

17.6.1.1 The exercise of Councils discretion shall be limited to the following:

- a) The provision of low level landscaping to break up the appearance of hardsurfacing, particularly between the car park and pedestrian areas**
- b) The provision and location of trees in the parking area. All tree shall be set in planting beds with a minimum dimension of 1.5m x 1.5m at a rate at least of 1 tree per 10 spaces.**

7 Amend rule 19.1

19.1 OUTDOOR SIGNS GENERAL

Permitted Activities — Outdoor Signs General

19.1.1 Any sign shall be a permitted activity if the following conditions are met:

- 19.1.1.1 The sign is erected on the site to which it relates, exclusive of a freestanding sign located on a footpath or grass berm outside the site but adjoining the site; and**
- 19.1.1.2 The sign does not have any flashing or revolving lights, sound effects, balloons or blimps; and**

- 19.1.1.3 If a sign is illuminated, any light spill from the sign on to any road or any other site complies with the requirements in Rule 22.5 – Activities and Light Spill; and
- 19.1.1.4 The sign does not obstruct or impair the view for any motorist or pedestrian of any traffic signal, intersection, vehicle crossing, road bend or corner; and
- 19.1.1.5 The sign does not exceed the height of:
 - (a) The building or structure to which it is attached, or
 - (b) 6 metres, in the Business 1 and 2 zones, and 8 metres in the Business 3 Zones, if the sign is not attached to a building; and
- 19.1.1.6 The total freestanding signage per site sign does not exceed:
 - a) 3m² in area ~~where it is not attached to a building~~
 - b) **In the business 1 zone, 3m² where the site's road frontage is less than 50m; or 6m² otherwise**
- 19.1.1.7 The sign is not of a colour or design that resembles a traffic sign or signal; and
- 19.1.1.8 Any sign overhanging a public footpath or road berm has a minimum height of 2.5m above the ground or footpath level; and
- 19.1.1.9 The sign does not protrude beyond the edge of a building if it is attached to a building.
- 19.1.1.10 In the business 1 zone, signage does not occupy more than 25% of any building elevation if it is attached to or painted on or otherwise provided on the elevation.**

Note: For the purpose of calculating the area of signs painted on a building, the area of the Sign is that enclosed by a line drawn around the perimeter of the Sign lettering and associated artwork.

8 Add the following Reasons for Rules

Design and Layout of Business 1 development

Rule 16.9 manages the effects of smaller commercial developments. It is intended to ensure that there is a positive interface between commercial development and the adjacent public space. The quality of a centre is in part defined by the appearance of buildings and their relationship with the street so it is important that commercial buildings make a positive contribution to this environment. Key to this is that they have active frontage adjacent to pedestrian areas and that they are not separated from these areas by car-parking.

Rules 6.10 and 16.11 manage larger commercial developments which have a greater scale of effects and which usually create substantial areas of on-site public space which may become the place where people experience the public life of the town. It is important that this space is a high quality area in line with the expectations for the Business 1 zone. It is also important that the development maintains a good quality interface with public space. Rule 16.10 allows for the consideration of the effects of the development on the quality of the town centre environment in line with policy B3.4.23a.

Rule 16.12 manages the external finish of buildings to ensure that business 1 zones are not dominated by buildings with large areas of very bright colour.

Dwellings

Rules 16.14 - 16.16 are included in the Commercial area to ensure that dwellings have an equivalent standard of amenity to Living zones, in what is intended to be a high quality environment.

The proposed business zone rules include a minimum lot size of 500m². In practice this is large for medium density housing and reduced lot sizes are a discretionary activity. Policy guidance indicates that houses should have an equivalent standard to residential areas and this should allow assessment of smaller lots.

The reason for relying on this mechanism is to avoid the need to include relatively complex subdivision rules in the business 1 zone, which has no minimum lot size and subdivision rules which are not appropriate for residential use. In practice, these rules are intended to provide minimum standards for the use of land for residential purposes whilst still allowing flexible subdivision standards appropriate for business use.

Landscaping

Rule 17.7 provides standards for mitigation of car parking. For boundaries with public space it provides for either a minimum height or a minimum depth. This approach allows a degree of flexibility whilst protecting the appearance of the town centre.

9 Add the following definitions

Definitions

Active Residential Frontage means a dwelling elevation (or that part of a dwelling elevation) which is comprised of a high proportion (more than 20% by area) of doors (excluding garage doors) and windows.

Active Commercial Frontage means buildings where the ground floor level features glazing, windows or doors which allow views into the premises. It refers to that part of the building with glazing occupying the entire area between 1m and 2m in height, as a minimum.

Active Frontage refers to either active residential frontage or active commercial frontage.

On-site Public Space means de-facto public space occurring on private sites. This includes all places where the public may be present including visitor car parking areas, private lanes and accessways to buildings. It excludes areas such as service lanes for the delivery of goods.

People Oriented Space means public space (or publicly accessible space on private land) which has high pedestrian amenity.

Plan Change 29
Appendix 1

Appendix 1

Names of Submitters

Submission	Name
1	Lincoln Envirotown Trust
2	Royal New Zealand Plunkett Society (Southbridge)
3	Foodstuffs (South Island) Properties Ltd
4	Kelvin Taege
5	Prebbleton Hotel Ltd
6	Canterbury Regional Council
7	CDL Land NZ Ltd
8	Lieuwe Doubleday
9	Lincoln Land Development
10	Progressive Enterprises Ltd
11	Rolleston Square Ltd
12	Rolleston Retail Ltd
13	Roll Ten Investments Ltd
15	RD and JC Butt
16	Rolleston Residents Association
17	Selwyn Central Community Board
18	Leeston Community Committee
19	Southbridge Playcentre
20	Southbridge Advisory Committee

Plan Change 29
Appendix 2

Appendix 2

Schedule of Submissions and Recommendations

Sub No	Point	Decision Requested	Recommendation
1	1	Amend policy B3.4.23a to include references to cycling and environmentally sensitive design.	Accept in part
	2	Amend rule 16.10.3.1(b) relating to building lines.	Accept in part
	3	Add a note under rules 16.10.3.7 and 17.7.1 to require use of eco-sourced native species.	Reject
	4	Amend rule 16.12.2.1 as that light colour roofs reflect the sun's energy, reducing the heat island effect and the effect of building on global warming.	Accept in part
	5	Add new bullet points under rule 16.14.1.3 to ensure buildings are positioned for solar gain and incorporate energy saving features. Also apply these rules to commercial development	Reject
		Opposed 11-13	Accept
	6	Amend rule 17.6.1.1(b) on lighting in parking areas to require that this is energy efficient to reduces light pollution.	Reject
2	1	Withdraw Plan Change 29; OR remove application of rules from small townships; OR Make exemption for childcare facilities and insert definition of childcare facilities.	Reject
		Support 2, 7, 8, 18, 19 Oppose 6	Reject Accept
	2	Delete new wording to policy 3.4.22.	Reject
	3	Delete third point relating to internalisation of car parking in Policy B3.4.23a.	Reject
		Support 7, 18, 19, 11-13	Reject
	4	Amend wording of rule 16.9 to make exception for childcare facilities AND/OR the Southbridge B1 zone; amend status of rule 16.9.2 to controlled or restricted discretionary with no requirement for third party input.	Reject
		Support 7, 18, 19, 11-13	Reject
	5	Delete rule 16.12.1 OR amend non-complying status of rules 16.12.3 and 16.12.4.	Reject
		Support 7, 18, 19, 11-13	Reject
	6	Delete rule 17.7.1 or provide an exemption for childcare facilities.	Reject
		Support 7, 18, 19, 11-13	Reject
	7	Add additional paragraph to reasons for rules to explain why childcare facilities are excluded.	Reject
		Support 7, 18, 19, 11-13	Reject

	8	Insert new definition of childcare facilities.	Reject
		Support 7, 18, 19, 11-13	Reject
3	1	Reject Plan Change 29	Reject
		Support 9, 11-13	Reject
	2	Amend rule 17.7.1	Reject
		Support 11-13	Reject
	3	Amend rule 16.10.3.3	Reject
		Support 7, 11-13	Reject
	4	Amend rule 16.9 and 16.10	Accept in part
		Support 7, 11-13	Reject
4	1	Reject Plan Change 29	Reject
		Support 11-13 Oppose 6	Reject Accept
	2	Amend rule 16.10.3.3	Reject
		Support 11-13	Reject
	3	Amend rule 16.10	Accept in part
		11-13	Reject
5	1	Not stated	No recommendation
6	1	Uphold PC29	Accept
		Oppose 7, 9, 11-13	Reject
7	1	Amend PC29 to make it more flexible	Accept in part
	2	Make amendments to rule 16.10.3.1(b): Delete the word "through" and the subsequent bullet points from rule 16.10.3.1(b)	Accept in part
		Support 11-13	Accept in part
	3	Delete rules 16.12.1, 16.12.2 and 16.12.3 and associated text in Reasons for Rules.	Reject
		Support 11-13	Reject
	4	Remove amendments to rule 19.1.1.6	Reject
	5	Revise Policy B3.4.22 to remove amendments to first and third paragraphs of explanation.	Reject
	6	Amend provisions so that they do not apply to zones other than B1	Accept
8	1	Reject PC29; OR exempt Southbridge and other small towns; OR insert a minimum \$500,000 threshold for additions and alterations; OR limit the application of PC29 to large development only in small towns.	Accept in Part
		Support 2, 8, 18, 19 Oppose 6	Reject Accept
9	1	Amend PC29 to make it more flexible (or reject it)	Accept in part
		Oppose 6	Accept
	2	Make amendments to rule 16.10.3.1(b): Delete the word "through" and the subsequent bullet points from rule 16.10.3.1(b). Or reject plan change and re-notify it with an alternative approach.	Accept in part
		Support 11-13	Accept in part
	3	Delete rules 16.12.1, 16.12.2 and 16.12.3 and associated text in Reasons for Rules.	Reject
		Support 11-13	Reject
	4	Remove amendments to rule 19.1.1.6	Reject

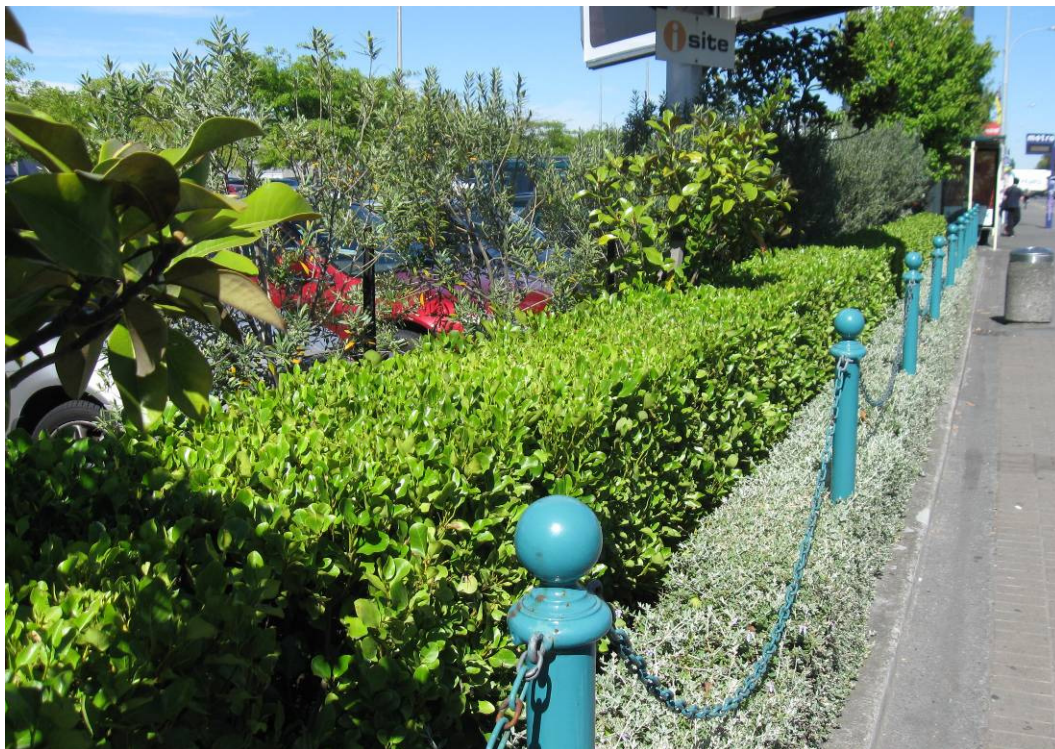
	5	Amend Policy 3.4.23a with regard to Large Format Retail. Reject amendments to first and third paragraphs of explanation under Policy B3.4.22.	Reject
	6	Amend provisions so that they do not apply to zones other than B1	Accept
10	1	Delete policy B3.4.23a or amend to reduce priority given to pedestrians	Reject
		Support 11-13	Reject
	2	Amend or delete Policy B4.3.6	Reject
		Support 11-13	Reject
	3	Amend rule 16.9.2 to provide for controlled (not restricted discretionary) activity status	Reject
	4	Makes amendments to rule 16.10 to make the rule less onerous	Accept in part
	5	Amend rule 16.12 so as not to prescribe materials	Reject
	6	Include new provisions for acoustic insulation for dwellings	Reject
	7	Amend section 17.7 to provide for less onerous landscaping requirements.	Accept in part
		Support 11-13	Accept in Part
11	8	Delete references to the Commercial Design Guide.	Reject
		Support 11-13	Reject
	1	Amend policy B3.4.23a [to reduce priority placed on pedestrians]	Reject
	2	Delete Policy B3.4.27	Reject
	3	Amend policy 4.3.6 to include consideration of existing town centres	Reject
	4	Delete rule 16.9.1.1 and change non-compliance with rule 16.9.1 to restricted discretionary status	Reject
	5	Delete Rule 16.10.3.1(a); Delete first and third bullet points under 16.10.3.1(b); Amend rule 16.10.3.1(c)	Accept in part
	6	Amend rule 16.10.3.2 so that it refers to provision of active frontage facing the road	Reject
	7	Delete that part of rule 16.10.3.5 that refers to active frontage along street boundaries	Reject
	8	Delete rule 16.10.3.6	Accept in part
	9	Delete rule 16.10.3.9	Accept
	10	Delete notes under rule 16.10	Accept
	11	Change activity status for non-compliances with rule 16.12 to restricted discretionary	Reject
	12	Delete rules 16.13, 16.14 and 16.15	Reject
	13	Amend definition of People Oriented Space	Reject
12	1	Amend policy B3.4.23a [to reduce priority placed on pedestrians]	Reject
	2	Delete Policy B3.4.27	Reject
	3	Amend policy 4.3.6 to include consideration of existing town centres	Reject
	4	Delete rule 16.9.1.1 and change non-compliance with	Reject

		rule 16.9.1 to restricted discretionary status	
	5	Delete Rule 16.10.3.1(a); Delete first and third bullet points under 16.10.3.1(b); Amend rule 16.10.3.1(c)	Accept in part
	6	Amend rule 16.10.3.2 so that it refers to provision of active frontage facing the road	Reject
	7	Delete that part of rule 16.10.3.5 that refers to active frontage along street boundaries	Reject
	8	Delete rule 16.10.3.6	Accept in part
	9	Delete rule 16.10.3.9	Accept
	10	Delete notes under rule 16.10	Accept
	11	Change activity status for non-compliances with rule 16.12 to restricted discretionary	Reject
	12	Delete rules 16.13, 16.14 and 16.15	Reject
	13	Amend definition of People Oriented Space	Reject
13	1	Amend policy B3.4.23a [to reduce priority placed on pedestrians]	Reject
	2	Delete Policy B3.4.27	Reject
	3	Amend policy 4.3.6 to include consideration of existing town centres	Reject
	4	Delete rule 16.9.1.1 and change non-compliance with rule 16.9.1 to restricted discretionary status	Reject
	5	Delete Rule 16.10.3.1(a); Delete first and third bullet points under 16.10.3.1(b); Amend rule 16.10.3.1(c)	Accept in part
	6	Amend rule 16.10.3.2 so that it refers to provision of active frontage facing the road	Reject
	7	Delete that part of rule 16.10.3.5 that refers to active frontage along street boundaries	Reject
	8	Delete rule 16.10.3.6	Accept in part
	9	Delete rule 16.10.3.9	Accept
	10	Delete notes under rule 16.10	Accept
	11	Change activity status for non-compliances with rule 16.12 to restricted discretionary	Reject
	12	Delete rules 16.13, 16.14 and 16.15	Reject
	13	Amend definition of People Oriented Space	Reject
15	1	Delete new policies 3.4.23a and B4.3.6	Reject
		Support 11-13	Reject
	2	Delete rules 16.9-16.12	Reject
	3	Delete rule 16.13.1.1	Reject
	4	Delete rule 16.14	Reject
	5	Delete rules 16.15.1(a) and (d), or reduce the required outdoor living area to 30m2 with a 3m dimension. Delete rule 16.15.2	Accept in part
	6	Delete rule 17.6.1 and rule 17.7	Reject
		Support 11-13	Reject
16	1	Update rules as per proposed plan change	Accept
		Oppose 7, 9, 11-13	Reject
17	1	Update rules as per proposed plan change	Accept
		Oppose 7, 9	Reject

Plan Change 29
Appendix 3

Appendix 3

Examples of Perimeter landscaping



1 Westfield Riccarton (Riccarton Road)



2 Countdown, Colombo Street



3 Rebel Sport, Maroochydore, Queensland



4 Tower Junction