

7 Central City Zone

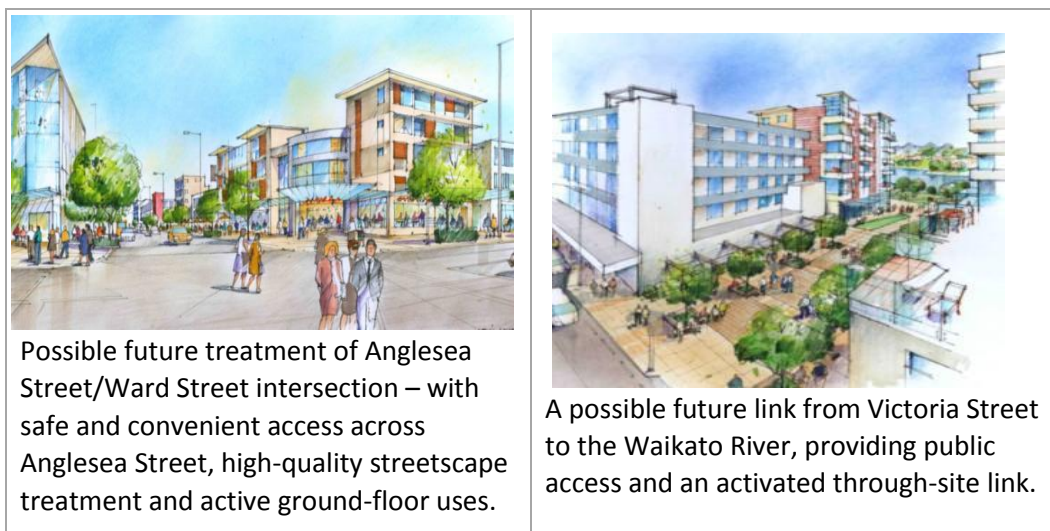
7.1 Purpose

- a) The Central City of Hamilton is the heart of the Waikato region. It is the primary centre for commercial, civic and social activities, and is the region’s cultural and recreational hub.
- b) Although Hamilton is growing, the unplanned dispersal of retail and office development under the previous planning framework has contributed to the underperformance of some elements of the Central City with consequential effects on its function, amenity and vitality. It is essential that the Central City supports and encourages investment and growth through planning for development and urban design. Council’s vision is for the Central City to be at the core of this growth and to guide development towards achieving a unique character that is representative of and enhances the City’s social, cultural, economic and environmental wellbeing.
- c) The Hamilton Central City Local Area Plan (LAP) and six City Strategies (Access Hamilton, Active Communities, Economic Development, Environmental Sustainability, Hamilton Urban Growth and Social Wellbeing) provide guidance on how this can be achieved. The LAP presents an overarching “people first” vision for the Central City. It identifies the importance of pedestrian movements for people of all levels of mobility to ensure that Hamilton develops as a successful and vibrant destination that people want to be a part of. It outlines the importance of providing for a diverse mix of uses and users within the Central City, and the significance of an attractive setting to encourage business and commercial activities. This is supported by the themes discussed throughout the City’s strategy documents.
- d) Derived out of the LAP, four distinct precincts have been identified within the Central City (refer Volume 2, Appendix 5, Figure 5-1 Central City Zone Precinct Plan). The LAP identifies the desired character of the precincts and strategies for guiding future development and intensification within them. These strategies have helped inform this chapter of the District Plan, where objectives, policies and rules seek to guide the growth and development of the Central City in a sustainable manner.
- e) Building on the outcomes of the LAP, Council has also identified six ‘key development sites’ that it believes are strategically located and have the potential to act as catalyst developments to encourage and set the tone for future development within the surrounding locality. Specific guidance is provided within this Plan as to the form and function of development that is likely to assist in enhancing the social, cultural, environmental and economic wellbeing of the Central City. The key development sites are identified in Volume 2, Appendix 5, Figure 5-9 and the desired outcomes described in Volume 2, Appendix 1.4: Plan Administration – Design Guides and Design Assessment Criteria.
- f) The Central City will be characterised by its enhanced relationship with the Waikato River, and built form and land-use activities that enable connection with and contribute positively to provide for a continuous riverfront promenade.

7.1.1 Precinct 1 – Downtown Precinct

- a) The Downtown Precinct is bounded to the east by the western banks of the Waikato River; by London Street to the north, Tristram Street to the west and lots fronting Hood Street to the south (refer Volume 2, Appendix 5, Figure 5-1).
- b) The Downtown Precinct will provide for the largest proportion of the region’s commercial growth over the next 30 years. In order to achieve both commercial growth and higher residential densities within this precinct, taller building height is encouraged, providing buildings are well designed, adverse effects are mitigated, are appropriate to their setting and achieve public amenity bonuses to safeguard pedestrian amenities at ground level.
- c) To attract and support ongoing growth, continued development of an attractive, pedestrian-orientated Central City will be promoted. In particular, the precinct will be characterised by its relationship with the Waikato River, and built form and land-use activities that contribute positively to the public realm.
- d) The Downtown Precinct will continue to be supported by on-going improvements to the public realm, building on the success of design improvements to Victoria Street, strengthened connections to the river, the transport centre, Wintec Campus and other destinations.
- e) At street level, there will be a requirement for active building frontages, including retail, dining and entertainment (refer Volume 2, Appendix 5, Figure 5-7: Active Frontages Overlay Plan). Above ground level, high-density commercial offices and residential use will be encouraged. Collectively these measures will assist to enhance vitality and public safety. The images in Figure 7.1.1f illustrate the outcomes sought within Precinct 1.

Figure 7.1.1f: Illustrative outcomes for Precinct 1 – Downtown Precinct





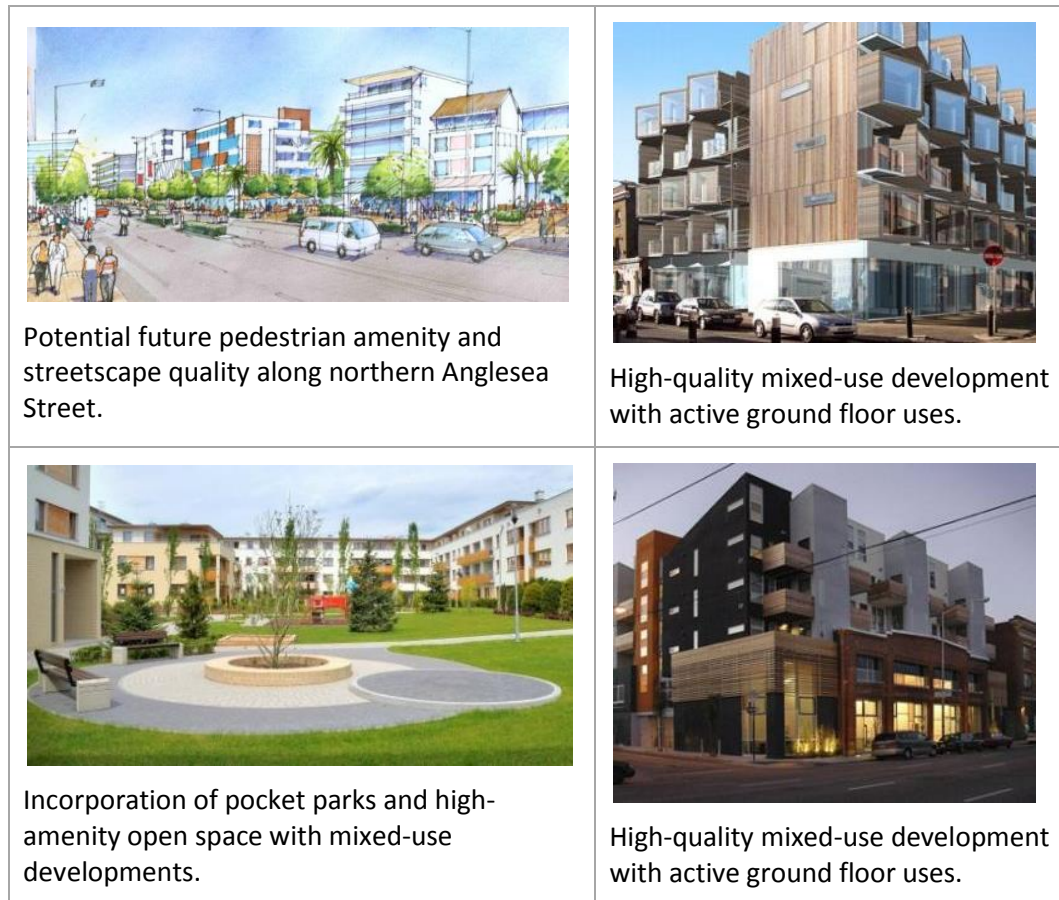
Promotion of pedestrian priority, human-scale development and a high-quality streetscape environment.



Active public spaces result from outdoor dining areas.

7.1.2 Precinct 2 – City Living Precinct

- a) The City Living Precinct includes:
 - i. The area bounded by London, Tristram and Mill Streets and lots fronting Victoria Street to the north of Precinct 1, and
 - ii. The area bounded by Collingwood and Hill Street to the north, Tristram Street and Ruakiwi Road to the west, Anglesea Street to the east and Cobham Drive to the south (see Volume 2, Appendix 5, Figure 5-1).
- b) With significant potential for comprehensive development, the City Living Precinct will grow to become a vibrant, mixed-use residential centre, supporting small to medium scale office and commercial activities within the heart of Hamilton. Development within this precinct shall be guided by a combination of activity standards and design assessment criteria to encourage a predominantly residential, mixed-use and multi-level development. It is likely opportunities for comprehensive development will occur on the larger amalgamated sites.
- c) As a high-amenity living and working precinct, this area will be characterised by ‘human-scale’, safe, pedestrian-friendly streets and open spaces, and high-quality, sustainable buildings that contribute positively to the public realm.
- d) In conjunction with better connections to existing open space, the City Living Precinct will encourage new mid-block connections to break down the large blocks; pocket parks and community open space to support living and working in the area; and high-amenity apartment living as part of comprehensive, master-planned developments. The images in Figure 7.1.2e illustrate the outcomes sought within Precinct 2.

Figure 7.1.2e: Illustrative outcomes for Precinct 2 – City Living Precinct

7.1.3 Precinct 3 – Ferrybank Precinct

- a) The Ferrybank Precinct is bounded by Knox Street and Sapper Moore-Jones Place to the north, the Waikato River to the east, Anzac Parade and the Waikato River to the south and Anglesea Street to the west (refer Volume 2, Appendix 5, Figure 5-1).
- b) The Ferrybank Precinct will continue to grow as the civic, community, cultural and tourism centre of Hamilton. It will build on its proximity to the Downtown retail and dining activities by providing potential for similar activities, particularly along Victoria and Knox streets. In addition, cultural and tourism activities will be encouraged along the eastern side of Victoria Street, close to existing attractions such as the Waikato River, ArtPost, St Peter’s Cathedral, Hamilton Rowing Club and the Waikato Museum.
- c) Commercial development above active ground-floor uses (e.g. dining, retail) will be encouraged, particularly to the west of Victoria Street, to enliven the public realm, and assist in establishing a vibrant environment.
- d) Heritage and character buildings within the Ferrybank Precinct will be protected and maintained by promoting sympathetic yet contemporary design responses in the surrounding development. The images in Figure 7.1.3e illustrate the outcomes sought within Precinct 3.

Figure 7.1.3e: Illustrative outcomes for Precinct 3 – Ferrybank Precinct

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|  |  |
| <p>Promote active, tourism-focused uses along the riverfront in this location.</p> | <p>Retain and enhance the lower riverfront walk and cycleway.</p> |
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| <p>Retain and enhance existing character and heritage buildings.</p> | |

7.1.4 Policy Framework of the Chapter

- a) The chapter is structured to provide a policy framework that applies to the whole Central City zone, as well as a specific policy framework that is relevant to the precincts described above. Rules and standards included in this chapter provide a regulatory framework to ensure the Central City grows and develops in accordance with the vision for the area, as detailed within the Council’s Central City LAP and the six City Strategies.

7.2 Objectives and Policies: Central City Zone

All Central City

| Objective | Policies |
|--|---|
| <p>7.2.1 The Hamilton Central City is the heart of the Waikato region acting as a diverse, vibrant and sustainable metropolitan centre.</p> | <p>7.2.1a Opportunities are provided within the Central City to live, work and play for people of varying ages, cultures, incomes and all levels of mobility.</p> <p>7.2.1b Activities that assist in generating bustling city streets and distinctive public spaces (including public open space, esplanades and reserves) are encouraged, in a manner that is consistent with</p> |

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| | the role and function of each Central City precinct. |
| | 7.2.1c Economic sustainability is promoted. |
| | 7.2.1d Key attractors and areas of interest within and surrounding the Central City are connected through attractive, efficient and safe passenger transport and pedestrian and cycle links. |
| | 7.2.1e Visual and physical connections to the Waikato River are protected and enhanced to support increased residential and business development. |
| | 7.2.1f Development within the Central City Zone should contribute to the restoration and protection of the Waikato Region's communities' economic, social, cultural and spiritual relationships with the Waikato River. |
| | 7.2.1g Housing densities are consistent with 50 dwellings per hectare in the Central City. |
| Explanation | |
| <p><i>If the Central City is to grow and prosper in a sustainable way and to be a fun, vibrant and high amenity place to live, work and socialise, and to ensure high-quality living environments and amenity, it is important to maintain and provide strong connections with public open space (including city streets), esplanades, reserves and specifically, the Waikato River. Development along the Waikato River that contributes to the restoration and protection of communities' economic, social, cultural and spiritual relationships with the River will be encouraged.</i></p> <p><i>The Regional Policy Statement sets out high density residential development within and close to the Central City. Residential activities within the Central City promote sustainable living environments through the concentrated use of the City's resources. This approach ensures stability for established parts of the City, so higher density will not occur where it is not identified and provided for.</i></p> | |
| Objective | Policies |
| 7.2.2 The form, scale and diversity of activities support and facilitate the role of the Central City as the Regional Centre. | 7.2.2a The multi-functional role of the Central City is protected by supporting investment and development in the Central City, and controlling the distribution, scale, character and cumulative effects of activities that could undermine this role. |
| | 7.2.2b The Central City is promoted as the preferred location for major retail, office, cultural, civic |

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| | administration and entertainment activities. |
| | 7.2.2c The design of public spaces and buildings ensures high levels of amenity, convenience and safety. |
| | 7.2.2d Heritage resources are recognised and managed to contribute to local amenity values and anchor investment within the Central City. |
| | 7.2.2e The revitalisation of the Central City is promoted and links facilitated with sporting and entertainment facilities and environmental features close to the central area by establishing precincts of key activities. |
| | 7.2.2f Building height and the edge treatment of buildings is managed to enhance the relationship to the public realm and improve public safety. |
| | 7.2.2g The role of key development sites (refer Volume 2, Appendix 5, Figure 5-9) in providing for the revitalisation of the Central City should be reflected in any development proposal and be in general accordance with the design guidance contained in this Plan. |
| | 7.2.2h Future development will be undertaken in a manner that protects and appropriately integrates heritage values into the Central City to enhance social and cultural values and the overall attractiveness of the city. |
| Explanation | |
| <i>The Central City seeks to be the preferred location for major activities which cements its place as the heart of the Waikato Region. Encouraging and facilitating high-quality development will ensure the Central City is attractive and well connected with strong local amenity values specific to the character of Hamilton.</i> | |
| Objective | Policies |
| 7.2.3 Amenity values within the Central City that encourage the growth of a sizeable, centrally located residential community. | 7.2.3a Increased levels of residential accommodation within and close to the Central City is promoted and provided for. |
| | 7.2.3b Mixed-use activity within the Central City is |

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| | supported, where it is consistent with existing activities, to sustain the vitality of the central area and enable increased use of upper floor areas for business and residential activity. |
| | 7.2.3c Residential development adjacent to or overlooking areas of existing or planned open space is encouraged. |
| Explanation | |
| <i>The interface between residential accommodation and other Central City activities creates a vibrant, safe and prosperous environment. Residential activities within the Central City promote sustainable living environments through the concentrated use of the City's resources.</i> | |
| Objective | Policies |
| 7.2.4 Increased development opportunities are created by establishing a finer-grain street block pattern for pedestrian accessibility, emphasising links to key features and attractions. | 7.2.4a Redevelopment provides opportunities to introduce safe, vibrant lanes, arcades and pedestrian links that increase access and connectivity within the Central City. |
| Explanation | |
| <i>Enabling development to take place in accordance with key urban design principles, such as improved links, connectivity and convenience, provides for improvements to the design quality of Hamilton's built environment.</i> | |
| Objective | Policies |
| 7.2.5 A pedestrian-oriented Central City. | 7.2.5a Pedestrian and cycle connections to the Waikato River, Hamilton Transport Centre, Wintec Campus and other destinations are enhanced. |
| | 7.2.5b Entrances and corridors to the Central City are enhanced through increased activity, building design, streetscape treatment and traffic management to provide attractive and safe pedestrian environments. |
| | 7.2.5c Traffic and transport corridors are managed to enhance passenger transport connectivity, prioritise safety and convenience for pedestrians and cyclists, and encourage the removal of unnecessary traffic from within the Central City. |

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| | <p>7.2.5d Recognise, protect and maintain the strategic transport function of the Hamilton Public Transport Centre.</p> |
| Explanation | |
| <p><i>Integrating transport planning and development within the Central City will improve accessibility, safety and convenience for pedestrians and cyclists. Improving connections and alternative modes of transport, such as innovative passenger transport services including rail and extensive walking and cycling networks, combined with improved building design, will ensure attractive and safe pedestrian environments are developed. In turn, this will make the Central City a safer, more attractive place to be for people of all levels of mobility. This includes retaining the options to access the Central City Rail Station for future use.</i></p> | |

Downtown Precinct

| Objective | Policies |
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| <p>7.2.6 Continued development and growth which enhances the commercial heart of Hamilton as an attractive and vibrant pedestrian orientated City centre that is accessible to all levels of mobility and has a strong relationship with the Waikato River.</p> | <p>7.2.6a Retail, dining and other pedestrian-oriented activities are encouraged to locate within the Downtown Precinct, particularly at ground level.</p> |
| | <p>7.2.6b Commercial, offices and residential activities are encouraged to be provided at upper levels.</p> |
| | <p>7.2.6c Local amenities and a quality of environment that attracts workers, residents and visitors to the Downtown area are provided for.</p> |
| | <p>7.2.6d A range of activities, including events to reinforce the area's vitality, excitement and interest, that encourage people to visit, live and work in the City are provided for.</p> |
| | <p>7.2.6e Built form which enhances the integrity and amenity of Garden Place is encouraged.</p> |
| | <p>7.2.6f Developments within the Riverfront Overlay are required to contribute to opening up the western riverbank area by providing public open space, plaza areas or he promenade, supported by retail, dining and entertainment activities at ground-floor level.</p> |

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| | <p>7.2.6g Diversity in building form and height is encouraged, subject to enhancing and protecting public amenity values and minimising adverse effects on adjoining sites and the public realm.</p> |
| | <p>7.2.6h Quality living environments are encouraged through appropriately sized and located internal living spaces with adequate external outlook space.</p> |
| <p>Explanation</p> | |
| <p><i>Protecting and enhancing the character of the City's core is essential for Hamilton's continued positive development and growth. An important challenge is to ensure that new developments add positively to the overall character of the City, and contribute to an attractive, vibrant and accessible Downtown. The structure and layout of Hamilton is crucial to ensuring the Downtown is the heart of the City. Development that has strong connections to passenger transport and the City's facilities and amenities, as well as to the Waikato River, will provide for this.</i></p> | |

City Living Precinct

| Objective | Policies |
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| <p>7.2.7 High-density, sustainable, residential mixed-use development, supporting commercial activities and small to medium scale offices, within a high amenity environment appropriate to attract and retain a significant resident and working population.</p> | <p>7.2.7a Safe, legible pedestrian connections are provided to surrounding areas, existing open spaces and local amenities.</p> |
| | <p>7.2.7b A network of public open spaces (including pocket parks and squares) is provided alongside existing and future pedestrian routes and close to high-density residential and working environments.</p> |
| | <p>7.2.7c Residential development is close to existing amenities, including open spaces (such as opposite the north Tristram Street parks), passenger transport, supermarkets and sporting facilities.</p> |
| | <p>7.2.7d Development is required to contribute to fostering a high-amenity public and private environment to assist in establishing a sense of community within the inner City.</p> |
| | <p>7.2.7e High-quality living environments are encouraged through appropriately sized and located internal living spaces with adequate external outlook space.</p> |

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| | <p>7.2.7f Commercial office, retail, service activities and amenities that complement (rather than compete with) the primary retail and office function of the Downtown Precinct are encouraged.</p> |
| | <p>7.2.7g The establishment of a diverse range of fringe, start-up and creative small businesses with an appropriate level of commercial activities and residential development is enabled.</p> |
| | <p>7.2.7h Flexible and adaptive floor space capable of accommodating different uses over time is required.</p> |
| <p>Explanation</p> | |
| <p><i>The City Living Precinct is an area with the greatest potential for transformation. Currently, a number of uses would be more appropriately located to industrial areas outside the Central City. Facilitating development to provide for a new mixed-use environment with an emphasis on establishing higher-density commercial and residential activity within the City Living Precinct will improve existing streetscapes and amenity in the area. Combined with this, providing better connections to existing open space and local amenities will attract and retain a high resident and working population.</i></p> | |

Ferrybank Precinct

| Objective | Policies |
|--|---|
| <p>7.2.8 Continued development of the cultural and tourism core of Hamilton, including development and activities that promote social and cultural wellbeing.</p> | <p>7.2.8a A variety of activities with an emphasis on cultural, entertainment, small-scale retail, recreation and tourist activities, and including provision for office and medium-density residential and supporting land uses (e.g. local supermarket shopping) are provided for.</p> |
| | <p>7.2.8b Tourism facilities and public amenities, including club facilities close to the Waikato River, are provided for.</p> |
| | <p>7.2.8c A range of activities that encourage people to visit and spend time in the City should be allowed, including events which will reinforce the area's vitality, excitement and interest.</p> |
| | <p>7.2.8d</p> |

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| | Quality urban design that respects the form, scale, architecture and heritage value of existing character buildings within the Ferrybank Precinct is encouraged. |
| | 7.2.8e Quality living environments are encouraged through appropriately sized and located internal living spaces with adequate external outlook space. |
| Explanation | |
| <i>The Ferrybank Precinct is an area rich in character that needs to be protected, enhanced and celebrated. Located close to the Downtown Precinct, the Ferrybank Precinct is an area that is well connected and can provide for a range of activities. Respecting the existing character of this area and providing for its growth and development will ensure that it remains as the cultural and tourism heart of Hamilton.</i> | |

7.3 Rules – Activity Status

| Activity | Central City Zone | | |
|--|-------------------|-------------|------------|
| | Downtown | City Living | Ferrybank |
| | Precinct 1 | Precinct 2 | Precinct 3 |
| Buildings | | | |
| a) New buildings | RD* | RD* | RD* |
| b) Alterations and additions to existing buildings – see Rule 7.5.7 (except heritage buildings in Volume 2, Appendix 8, Schedule 8A: Built Heritage) | P | P | P |
| c) Minor works | P | P | P |
| d) Relocated buildings | RD* | RD* | RD* |
| e) Demolition of buildings (except heritage buildings in Volume 2, Appendix 8, Schedule 8A: Built Heritage) | P | P | P |
| Industry | | | |
| f) Light industry except noxious or offensive activities | NC | RD | NC |
| g) Service industry except noxious or offensive activities | P | P | NC |
| h) Transport depot (goods) | NC | D | NC |
| i) Emergency service facilities | D | D | D |

| Activity | Central City Zone | | |
|---|-------------------|-------------|-------------|
| | Downtown | City Living | Ferrybank |
| | Precinct 1 | Precinct 2 | Precinct 3 |
| Offices | | | |
| j) Offices <1000m ² GFA per site | P | P | P |
| k) Offices >1,000m ² GFA per site | P | D | D |
| l) Home-based business | P | P | P |
| m) Ancillary office | P | P | P |
| Retail / Commercial | | | |
| n) Ancillary retail | P | P | P |
| o) Retail < or equal to 250m ² GFA per tenancy | P | P | P |
| p) Retail >250m ² GFA (per tenancy) (except ground floor retail >250m ² GFA per tenancy, within Riverfront Overlay (refer Volume 2, Appendix 5, Figure 5-1)) | P (RD) | P - | RD* (RD) |
| q) Supermarkets | P | P | RD* |
| r) Tourism ventures and information centres | P | RD* | P |
| s) Yard-based retail < or equal to 400m ² | NC | RD* | NC |
| t) Restaurants, cafes, licensed premises (except sites fronting Victoria Street and any identified Primary or Secondary Active Frontage) | P (P) | RD* (P) | P (P) |
| u) Places of assembly | P | RD* | RD* |
| v) Drive-through services | | | |
| i. excluding automotive fuel retailing | NC | RD | NC |
| ii. including automotive fuel retailing | NC | D | NC |
| w) Parking buildings | | | |
| i. within the Parking Building Overlay | RD* | RD* | - |
| ii. outside the Parking Building Overlay (refer Volume 2, Appendix 5, Figure 5-5) | D | D | NC |
| x) Parking lots | | | |
| i. operating for twelve months or less | RD* | RD* | RD* |
| ii. operating for more than twelve months | NC | NC | NC |
| y) Passenger transport facilities | P | P | D |
| Community | | | |
| z) Health care services | | | |
| i. at ground floor < or equal to 250m ² GFA | P | P | P |
| ii. at ground floor > 250m ² GFA | RD | RD | P |

| Activity | Central City Zone | | |
|--|-------------------|-------------|------------|
| | Downtown | City Living | Ferrybank |
| | Precinct 1 | Precinct 2 | Precinct 3 |
| iii. at ground floor with a primary active frontage (refer Volume 2, Appendix 5, Figure 5-7) | NC | NC | NC |
| iv. above ground floor | P | P | P |
| aa) Childcare facilities | | | |
| i. at ground floor < or equal to 250m ² GFA | P | P | P |
| ii. at ground floor >250m ² GFA | RD | RD | P |
| iii. at ground floor with a primary active frontage (refer Volume 2, Appendix 5, Figure 5-7) | NC | NC | NC |
| iv. above ground floor | P | P | P |
| bb) Community centres | | | |
| i. at ground floor < or equal to 250m ² GFA | P | P | P |
| ii. at ground floor >250m ² GFA | RD | RD | RD |
| iii. at ground floor with a primary active frontage (refer Volume 2, Appendix 5, Figure 5-7) | NC | NC | NC |
| iv. above ground floor | P | P | P |
| cc) Tertiary education and specialised training facilities | | | |
| i. at ground floor < or equal to 250m ² GFA | P | P | P |
| ii. at ground floor >250m ² GFA | RD | D | RD |
| iii. at ground floor with a primary active frontage (refer Volume 2, Appendix 5, Figure 5-7) | NC | NC | NC |
| iv. above ground floor | P | P | P |
| dd) Public art | P | P | P |
| Residential | | | |
| ee) Apartments at ground floor excluding areas on the Primary or Secondary Active Frontages (refer Appendix 5: Figure 5-7) | P | P | P |
| ff) Apartments at ground floor within the Primary Active Frontage (refer Appendix 5: Figure 5-7) | NC | NC | NC |
| gg) Apartments at ground floor within the Secondary Active Frontage (refer Appendix 5: Figure 5-7) | RD* | RD* | RD* |
| hh) Apartments above ground floor | P | P | P |
| ii) Single dwellings | NC | NC | NC |

| Activity | Central City Zone | | |
|---|-------------------|-------------|------------|
| | Downtown | City Living | Ferrybank |
| | Precinct 1 | Precinct 2 | Precinct 3 |
| jj) Residential centres | NC | RD* | NC |
| kk) Visitor accommodation | P | RD* | RD* |
| ll) Ancillary residential units above ground floor | P | P | P |
| Key Development Sites | | | |
| mm) New buildings, including alterations and additions within Key Development Site 1 and 5 | - | RD* | - |
| nn) New buildings, including alterations and additions within Key Development Sites 2,3,4 and 6 | RD* | - | - |
| All Activities and Structures | | | |
| oo) Any activity not listed above | NC | NC | NC |

Note

1. Refer to Volume 2, Appendix 5, Figure 5-1: Central City Zone Precinct Plan for precinct locations.

7.4 Rules – General Standards

7.4.1 Site Coverage

- a) The following maximum site coverage shall apply in each Precinct.

| Precinct 1 | Precinct 2 | Precinct 3 |
|------------|------------|------------|
| 100% | 60% | 80% |

- b) Except in the following circumstances when this rule shall not apply:
- i. Undertaking minor works.
 - ii. Any change of use that would otherwise be a permitted activity and does not increase site coverage above what already existed at 10 December 2012.

7.4.2 Permeable Surfaces

- a) The following minimum permeable surface area shall be required for each site.

| Precinct 1 | Precinct 2 | Precinct 3 |
|------------|------------|------------|
| Nil | 20% | 20% |

- b) Except in the following circumstances when this rule shall not apply:

- i. Undertaking minor works.
- ii. Any change of use that would otherwise be a permitted activity and does not increase site coverage above what already existed at 10 December 2012.

7.4.3 Maximum Height Control

- a) The following maximum height limits shall apply to sites within Height Overlay 1 to 3 (refer Volume 2, Appendix 5, Figure 5-2: Height Overlay Plan).

| | Height Overlay 1 | Height Overlay 2 | Height Overlay 3 |
|----------------|------------------|------------------|------------------|
| Maximum height | No height limit | 20m | 13m |

7.4.4 Through-Site Links

- a) Within a block identified as providing for a potential through-site link shown on Volume 2, Appendix 5, Figure 5-4: Pedestrian Connections and Gateways Overlay Plan, any new wholesale redevelopment in excess of 5000m² at ground-floor shall provide a ground-level through-site link. The through-site link shall meet the standards set out below:
- i. These apply to a separately defined, continuous and clearly identifiable public walkway taking the most direct route, which is designed specifically to traverse a site to connect transport corridors or other public spaces or other (potential or existing) through-site links.
 - ii. They provide for unobstructed pedestrian movements and have a minimum unobstructed width of 2.8m.
 - iii. They are available for public use, the minimum hours of operation being 0830 to 1730 Monday to Friday and such other times when the site is open for business or for its principal purpose.
 - iv. They are subject to the standards for Secondary Active Frontages (refer to Rule 7.4.13).
 - v. Clearly visible signs identify the through-site link.
 - vi. The access easement is registered on the title(s) to which the through-site link applies to ensure preservation of the link and its ongoing maintenance by the owner(s) of the title(s).

7.4.5 Height in Relation to Boundary

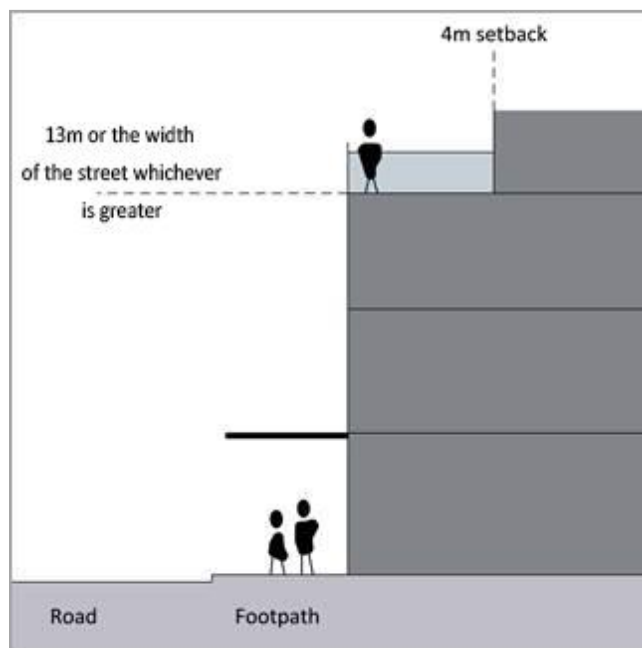
- a) Where a boundary adjoins any Residential or Special Character Zone, no part of any building shall penetrate a height control plane rising at an angle of 45 degrees beginning at an elevation of 3m above the boundary.

7.4.6 Street Wall

- a) On those identified streets within Volume 2, Appendix 5, Figure 5-3: Street Wall Height Overlay Plan:
- i. Building height on that street frontage shall be a maximum of 13m (maximum 3 storeys) or the width of the street, whichever is the greater; and

- ii. A set back of 4m or greater shall be required from the front boundary before any additional height is gained (refer Figure 7.4.6).

Figure 7.4.6: Street wall and setback concept



7.4.7 Building Setbacks

- a) The following minimum setbacks shall apply within each Precinct.

| | Precinct 1 | Precinct 2 | Precinct 3 |
|--|--|---|------------|
| i. Front boundaries | 0m | 0m | 3m |
| ii. Side boundaries | 0m | 0m, or 3m adjoining any Residential or Special Character Zone | 3m |
| iii. Rear boundaries | 0m | 0m, or 3m adjoining any Residential or Special Character Zone | 5m |
| iv. Boundaries adjoining the Riverfront Overlay | 5m | - | 5m |
| v. Waikato Riverbank and Gully Hazard Area | 6m (applies to buildings and swimming pools) | | |

Note

- Refer to chapter 21 and 22 for objectives and policies relevant to the setback from the Waikato Riverbank and Gully Hazard Area
- b) In addition to the above, a maximum setback of 0m (nil) shall apply to the entirety of any front boundary within Precinct 1 (i.e. within Precinct 1, the front boundary

shall be considered the “build-to” line), with the exception of any setbacks associated with building entrances.

- c) The 0m (nil) setback shall not apply to the eastern elevations within the Riverfront Overlay (refer Volume 2, Appendix 5, Figure 5-1) that adjoin the Open Space zones along the Waikato riverbank.
- d) Where multiple and contiguous allotments are proposed as a single development site, these rules shall apply only to the outer site boundaries of the land to be developed, and shall not apply to internal boundaries.
- e) The setback requirements in this rule do not apply to any structure provided as part of the riverfront promenade.

7.4.8 Car Parking

- a) No part of the front of a site (i.e. that part of the site adjoining a road and located in front of the front building line) shall be used for car parking, except in the following circumstances when this rule shall not apply:
 - i. Any rear site.
 - ii. Undertaking minor works.
 - iii. Any change of use that would otherwise be a permitted activity and does not change car parking arrangements that existed at 10 December 2012.
- b) No plant or machinery (including air-conditioning units) relating to the activity shall be placed within the front setback of a site fronting an arterial transport corridor (whether or not the site is separated from the transport corridor by a segregation strip or service lane).

7.4.9 Service Areas

- a) Buildings shall provide service areas as follows.
 - i. At least one service area of not less than 10m² or 1% of the gross floor area of the building, whichever is the greater, and with a minimum dimension of 2.5m.
 - ii. At least one service area of not less than 10m² for each residential unit, up to a maximum requirement of 100m².
 - iii. Any outdoor service area shall be maintained with an all-weather dust-free surface.
 - iv. No service area shall be visible from a street identified as a Primary or Secondary frontage (Volume 2, Appendix 5, Figure 5-7).
- b) A service area may be located within a building, provided that it is separately partitioned with an exterior door directly accessible by service vehicles.

7.4.10 Outdoor Storage

- a) Any outdoor storage areas for goods and materials shall:
 - i. Be laid out and used in a manner that does not conflict with vehicle access.
 - ii. Be maintained with an all-weather, dust-free surface.

- iii. Be located away from public view or otherwise screened by fencing and landscaping.
- iv. Not encroach on required parking, loading or planting areas, or setbacks from boundaries.
- v. Not be located within 15m of any defined Primary or Secondary frontage (Volume 2, Appendix 5, Figure 5-7).

7.4.11 Fences and Walls

- a) Sites within Precinct 1 shall have no fence or wall along the street front boundary.
- b) The following design and dimensions shall apply to street front (excluding as provided for by (a)) and side boundary fences or walls located forward of the front building line; and fences on boundaries adjoining any Open Space Zone.

| | Precinct 2 | Precinct 1 and 3 |
|--|------------------|------------------|
| i. Designed or constructed for less than 50% see-through visibility (e.g. close paling, masonry, or other opaque material) | 1.2m max. height | 1.2m max. height |
| ii. Materials with 50% or more see-through visibility | 1.8m max. height | 1.2m max. height |

Note

1. Glass, metal bars or louvres are acceptable fence materials to achieve a minimum 50% see-through visibility. Examples of acceptable and unacceptable fence and wall solutions can be found in Chapter 25.5: City-wide – Landscaping and Screening, Figure 25.5.4a.

- c) For all other instances, boundary fences shall have a maximum height of 1.8m.

7.4.12 Sunlight Protection – Garden Place

- a) Except for elements such as flues, flag poles, open balustrades, aerials and other items which are normally placed above the roof line and which will not materially affect sunlight penetration, no part of the building shall penetrate the sunlight protection plane as illustrated in Volume 2, Appendix 5, Figure 5-8: Sunlight Penetration Plan, between 1100 and 1400 hours from May 1 to August 10.

7.4.13 Active Frontages

- a) For buildings on sites adjoining a Primary or Secondary active frontage (refer Volume 2, Appendix 5, Figure 5-7: Active Frontages Overlay Plan), the following standards shall apply.
 - i. Buildings shall be designed to:
 - Provide at least 5m or 75% of the active frontage (whichever is greater) of clear glazing (or equivalent) on all Primary Active Frontages at ground floor level.
 - Provide at least 50% of the active frontage as clear glazing (or equivalent) on all Secondary Active Frontages at ground floor level.

Note

This rule does not restrict the covering of clear glazing for the purpose of providing privacy within a building where this is necessary for the nature and type of activity undertaken.

- ii. Vehicular access across active frontages shall not use any more than 10% of the defined frontage.
- iii. The principal public entrance to a building shall be provided from the active frontage.
- iv. All storage areas shall be situated within or to the rear of the building.
- v. This rule shall not apply to:
 - a. apartments at ground floor located with those areas shown as Secondary Active Frontage on the Active Frontages Overlay Plan (refer Appendix 5: Figure 5-7)
 - b. any separation between buildings or built form that is required to form part of the vehicle crossing to access the site.
- b) No roller doors, which may obscure windows or entranceways, may be installed on the front of any building fronting a public space within Precincts 1-3. (For the purposes of clarification, security grills which allow views from the street into premises are not classed as roller doors.)

Note

1. Figure 7.4.13b below shows examples of building façades illustrating acceptable and unacceptable frontages.

Figure 7.4.13b: Existing façades showing active façades and veranda cover that are promoted (left) and blank façades that are discouraged (right)

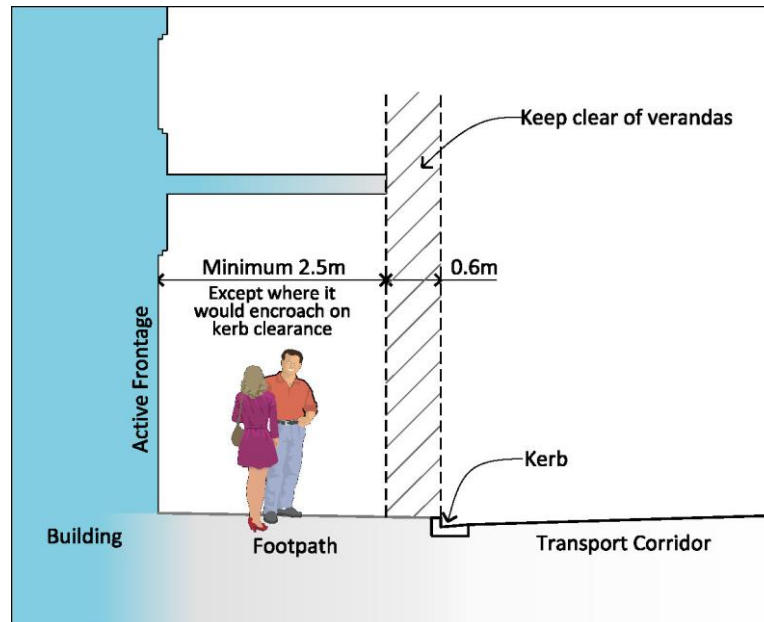


7.4.14 Veranda Cover

- a) For buildings on sites adjoining a Primary active frontage (refer Volume 2, Appendix 5, Figure 5-7: Active Frontages Overlay Plan), the following standards shall apply.
 - i. Buildings shall provide veranda cover:
 - Over the footpath, extending along the full length of the building frontage.

- Have a minimum depth of 2.5m, except where it would encroach within 0.6m of a transport corridor kerb (refer Figure 7.4.15b).
- Have its fascia a minimum of 2.4m above the footpath (including any signs connected to the veranda).

Figure 7.4.14b: Depth of verandas in relation to kerbs



7.4.15 Provisions in Other Chapters

The provisions of the following chapters apply to activities within this chapter where relevant.

- Chapter 2: Strategic Framework
- Chapter 19: Historic Heritage
- Chapter 20: Natural Environments
- Chapter 21: Waikato River Corridor and Gullies
- Chapter 22: Natural Hazards
- Chapter 23: Subdivision
- Chapter 24: Financial Contributions
- Chapter 25: City-wide

7.5 Rules – Specific Standards

7.5.1 Protection of the Riverbank

- a) The development or redevelopment of any site within the Riverfront Overlay area (see Volume 2, Appendix 5, Figure 5-1), or Key Development Site 6 (see Volume 2, Appendix 5, Figure 5-9) shall comply with the following.
 - i. Any work located within 15m of the river boundary, as shown on Appendix 5, Figure 5-1, is carried out in a manner which ensures the protection of the riverbank; except Lot 2 DPS 24594 to the northern boundary of Lot 3 DPS 71126, a distance of 20m from the river boundary applies.

- ii. Any such work shall require an assessment by a qualified geotechnical engineer on the stability of the area and the measures required to ensure that the stability of the riverbank is maintained, with particular regard to the avoidance of damage to the adjoining riverbank reserve and the river.
- iii. All stormwater discharges shall be reticulated directly to the Council's stormwater system and no discharge to the riverbank shall be allowed.

Note

1. Parts of the area covered by this rule fall within identified hazard areas (refer to Chapter 22: Natural Hazards) or archaeological and cultural sites (refer Chapter 19: Historic Heritage).

7.5.2 Setback from the Riverbank

- a) From the top of the bank (or in a location approved by Council) a minimum setback from eastern site boundaries adjoining the western bank of the Waikato riverbank of 5m shall apply (this includes the 5m minimum width of the riverfront promenade), see Figure 1.4.6c in Appendix 1 Volume 2.
- b) The setback requirements in this rule do not apply to any structure provided as part of the riverfront promenade.

Note

1. Council will take as a financial contribution (in the form of land), any land on the riverbank side of the promenade for vesting as recreation reserve in accordance with Rule 24.3.
2. The riverfront promenade will be constructed as a Council responsibility to a basic standard at ground level with provision for adequate lighting.
3. See 22.5.6 for setback from the Waikato Riverbank and Gully Hazard Area.

7.5.3 Residential

- a) The following standards shall apply to residential units, including apartments at ground floor or above ground floor, residential centres and ancillary residential units. Unless specifically noted, they do not apply to visitor accommodation.
- b) Density (Minimum Number of Residential Units Required Per Site)
Minimum densities within the Central City Zone shall be in accordance with the table below (residential units/ha; based on net site area).

| Downtown | City Living | Ferrybank |
|--|--|--|
| Precinct 1 | Precinct 2 | Precinct 3 |
| 0.005 residential units per 1m ² of site area | 0.004 residential units per 1m ² of site area | 0.003 residential units per 1m ² of site area |

Note

For a site in Precinct 1 which has an area of 4000m², the minimum number of residential units required under this rule would be 20. This is calculated by multiplying the site area (4000m²) by 0.005 (Downtown column). The multipliers in the other columns would be used depending on which precinct the site under consideration is located in.

- c) Where mixed-use is provided for within a development (e.g. residential and office or retail), the density requirements of Rule 7.5.3(b) shall be applied on a pro rata

basis relative to the percentage of gross floor area of the development that is residential (e.g. where 60% of the gross floor area of a development is comprised of residential activities then 60% of the total minimum number of residential units calculated under Rule 7.5.3(b) is the minimum number of residential units required to be provided).

d) Outdoor Living Areas

- i. Each residential unit, except for when a communal area is provided, shall be provided with an outdoor living area that is:
 - For the exclusive use of each residential unit.
 - Readily accessible from a living area inside the residential unit.
 - Free of driveways, manoeuvring areas, parking spaces, accessory buildings and service areas.
- ii. Communal open space for 4 or more residential units and apartment buildings shall comply with 7.5.3 d)i., bullet point 3 as well as being:
 - For the shared use of all residents on the site, and
 - Readily accessible from all residential units on site.
- iii. Outdoor living areas for residential units shall have areas and dimensions as follows.

| Residential units | Outdoor living area per residential unit ¹ | Shape |
|--|---|--|
| A. Ancillary residential units | 8m ² | No dimension less than 1.5m |
| B. Apartments above ground-floor level | 8m ² | No dimension less than 1.5m |
| C. Apartments at ground-floor level | 12m ² | Capable of containing a 2.5m diameter circle |
| D. Communal open space for apartment buildings | 8m ² per unit | Capable of containing a circle with the following diameter: 4-7 residential units – 6m 8 or more residential units – 8m No dimension less than 2.5m |

Note

1. Communal open space is an alternative to, and not in addition to, individual outdoor living areas for each residential unit.
2. The outdoor living area for an ancillary residential unit shall be separate from the outdoor living area provided for the principal residential unit.

e) Storage Areas

Each residential unit shall be provided with a storage area:

- Located at or below ground-floor level, readily accessible to that residential unit, secure and weatherproof.

- A minimum of 1.8m long by 1m high by 1m deep.

Note

1. The provision of a private, secure garage accessible only by the occupiers of the residential unit is considered to meet this requirement. (A shared parking garage is not sufficient to meet this standard).

f) Residential Unit Size

- i. The minimum floor area required in respect of each apartment shall be:

| Form of Residential Unit | Floor Area |
|--------------------------|--------------------------|
| Studio unit | Minimum 35m ² |
| 1 bedroom unit | Minimum 45m ² |
| 2 bedroom unit | Minimum 55m ² |
| 3 or more bedroom unit | Minimum 90m ² |

- ii. In any one apartment building containing in excess of 20 residential units, the combined number of one-bedroom units and studio units shall not exceed 50% of the total number of residential units within the building.

g) Daylight Standards

Residential units shall be designed to achieve the following minimum daylight standards.

- i. Living rooms and living/dining areas: a total clear-glazed area of exterior wall no less than 20% of the floor area of that space.
- ii. Bedrooms (excluding studio units, and any bedroom that complies with iii. below): a minimum of one bedroom with a total clear-glazed area of exterior wall no less than 20% of the floor area of that space.
- iii. No more than one bedroom in any residential unit may rely on natural light borrowed from another naturally lit room provided:
 - The maximum distance of the bedroom from the natural light source window shall be 6m.
 - The minimum total clear-glazed area of the light source shall be no less than 20% of the floor area of that bedroom.

h) External Outlook Area

Each residential unit shall have an external outlook area that:

- i. Is provided from the face of the building containing windows to the indoor living area, and
- ii. Has a minimum depth of 6m, measured perpendicular from the face of the window area.
- iii. Where an indoor living area has two or more walls containing windows, the outlook area shall be provided from the face with the greatest window area.
- iv. The external outlook area may be over:
 - a) The site on which the building is located;

- b) The Transport Corridor Zone; or
 - c) Public Open Space.
- i) Primary and Secondary Active Frontages

On primary and secondary frontages identified within Volume 2, Appendix 5, Figure 5-7: Active Frontages Overlay Plan, ground floor pedestrian entrances to upper-floor residential units shall be a maximum width of 4m. Residential units shall not be located at ground floor level on primary frontages.

7.5.4 Interface Between Public and Private

- a) The front wall of all accessory buildings shall be set back at least 1.5m behind the front building line established by any building.
- b) For front, corner and through sites, the primary entrance on the ground floor of all buildings (excluding accessory buildings) shall face the street.

7.5.5 Yard-Based Retailing

- a) All yard-based retailing shall have the yard located at the rear of the site (i.e. be located behind a building facing the street). Rear sites are exempt from this requirement.

7.5.6 Rules – Civic Square

- a) The Objectives, Policies and Rules of the Destination Open Space Zone shall apply to Civic Square (PU4 Lot 2 DPS 64212 (CT 53B/284)).

Note

1. Part of PU4 Lot 2 DPS 64212 (CT 53B/284) is formed public road (Worley Place) and is zoned separately as Transport Corridor Zone.

7.5.7 Alterations and Additions to Existing Buildings

- a) Building alterations and additions shall either (except where provided in Rule 7.5.7b):
 - i. Not be visible from any public space, or
 - ii. Not result in a reduction in the percentage of clear glazing on any primary or secondary active frontage (refer volume 2, Appendix 5 Figure 5-7: Active Frontages Plan).
- b) Alterations and additions visible from any public shall not result in more than 25m² of additional gross floor area to the existing building.

7.6 Restricted Discretionary Activities: Matters of Discretion and Assessment Criteria

- a) In determining any application for resource consent for a restricted discretionary activity, Council shall have regard to the matters referenced below, to which Council has restricted the exercise of its discretion. Assessment Criteria within Volume 2, Appendix 1.3 provide for assessment of applications as will any relevant objectives and policies. In addition, when considering any Restricted

Discretionary Activity located within the Natural Open Space Zone, Waikato Riverbank and Gully Hazard Area, or Significant Natural Area, Council will also restrict its discretion to Waikato River Corridor or Gully System Matters (see the objectives and policies of Chapter 21: Waikato River Corridor and Gully Systems).

| Activity Specific | Matter of Discretion and Assessment Criteria Reference Number (Refer to Volume 2, Appendix 1.3) |
|---|--|
| Buildings (also refer to Key Development Sites further below) | |
| i. New buildings, including alterations and additions* | <ul style="list-style-type: none"> • B – Design and Layout • L – Central City – Design and Layout |
| ii. New buildings, including alterations and additions >32m height | <ul style="list-style-type: none"> • B – Design and Layout • L – Central City – Design and Layout |
| iii. Relocated buildings* | <ul style="list-style-type: none"> • B – Design and Layout • C – Character and Amenity • L – Central City – Design and Layout |
| Industry | |
| iv. Light industry* | <ul style="list-style-type: none"> • C – Character and Amenity • F – Hazards and Safety |
| Offices | |
| v. Offices greater than 1,000m ² * | <ul style="list-style-type: none"> • H1 – Function, Vitality and Amenity of Centres |
| Retail/Commercial | |
| vi. Retail activities >250m ² GFA (per tenancy)* (except floor retail >250m ² GFA per tenancy within Riverfront Overlay (refer Volume 2, Appendix 5, Figure 5-1)) | <ul style="list-style-type: none"> • B – Design and Layout • C – Character and Amenity |
| vii. Supermarkets* | <ul style="list-style-type: none"> • M – Supermarkets |
| viii. Tourism ventures and information centres* | <ul style="list-style-type: none"> • C – Character and Amenity |
| ix. Yard retail less than or equal to 400m ² * | <ul style="list-style-type: none"> • C – Character and Amenity • H1 – Function, Vitality and Amenity of Centres |
| x. Restaurants/cafes/licensed premises* | <ul style="list-style-type: none"> • C – Character and Amenity |
| xi. Places of assembly* | <ul style="list-style-type: none"> • C – Character and Amenity |
| xii. Drive-through services | <ul style="list-style-type: none"> • M – Drive-through services |
| xiii. Parking buildings, located within the | <ul style="list-style-type: none"> • C – Character and Amenity |

| | |
|--|---|
| Parking Building Overlay* | |
| xiv. Parking lots (operating for up to 12 months or less)* | <ul style="list-style-type: none"> • C – Character and Amenity |
| Community | |
| xv. Health care services greater than 250m ² gross floor area | <ul style="list-style-type: none"> • C – Character and Amenity |
| xvi. Community centres greater than 250m ² gross floor area | <ul style="list-style-type: none"> • C – Character and Amenity |
| xvii. Tertiary education and specialised training facilities greater than 250m ² gross floor area and Childcare Facilities at ground floor greater than 250m ² gross floor area. | <ul style="list-style-type: none"> • C – Character and Amenity |
| Residential | |
| xviii. Apartments at ground floor within the Secondary Active Frontage (refer Appendix 5, Figure 5-7)* | <ul style="list-style-type: none"> • C – Character and Amenity • L – Central City – Design and Layout |
| xix. Residential centres* | <ul style="list-style-type: none"> • C – Character and Amenity • L – Central City – Design and Layout |
| xx. Visitor accommodation* | <ul style="list-style-type: none"> • C – Character and Amenity • L – Central City – Design and Layout |
| Key Development Sites | |
| xxi. New buildings, including alterations and additions within Key Development Site 1* | <ul style="list-style-type: none"> • B – Design and Layout • L – Central City – Design and Layout |
| xxii. New buildings, including alterations and additions within Key Development Site 2* | <ul style="list-style-type: none"> • B – Design and Layout • L – Central City – Design and Layout |
| xxiii. New buildings, including alterations and additions within Key Development Site 3* | <ul style="list-style-type: none"> • B – Design and Layout • L – Central City – Design and Layout |
| xxiv. New buildings, including alterations and additions within Key Development Site 4* | <ul style="list-style-type: none"> • B – Design and Layout • L – Central City – Design and Layout |
| xxv. New buildings, including alterations and additions within Key Development Site 5* | <ul style="list-style-type: none"> • B – Design and Layout • L – Central City – Design and Layout |
| xxvi. New buildings, including alterations and additions within Key | <ul style="list-style-type: none"> • B – Design and Layout • L – Central City – Design and Layout |

| | |
|---------------------|--|
| Development Site 6* | |
|---------------------|--|

Note

1. Refer to Chapter 1.1.9 for activities marked with an asterisk (*)

7.7 Other Resource Consent Information

Refer to Chapter 1: Plan Overview for guidance on the following.

- How to Use this District Plan
- Explanation of Activity Status
- Activity Status Defaults
- Notification / Non-notification Rules
- Rules Having Early or Delayed Effect

Refer to Volume 2, Appendix 1: District Plan Administration for the following.

- Definitions and Terms Used in the District Plan
- Information Requirements
- Controlled Activities – Matters of Control
- Restricted Discretionary, Discretionary and Non-Complying Activities Assessment Criteria
- Design Guides
- Other Methods of Implementation