

Chapter 14**COMMERCIAL ENVIRONMENTS****14.1 RESOURCE MANAGEMENT ISSUES**

The following resource management issues have been identified as significant throughout Napier's commercial areas.

14.1.1 The need to sustainably manage the physical resources of commercial centres.

Commercial centres have a large physical resource that should be managed in an integrated manner to facilitate the social and economic wellbeing of the community. This includes such items as carparking, reserves and street amenity improvements. In the central business area, the art deco resource is also a physical resource that must be managed on sustainability principles as it is a community resource that is the tourist and employment base for the City. The value of the resources should be recognised by continuing to promote the commercial centres as the focus for business while putting in place provisions that recognise and avoid adverse effects of activities on the environment.

14.1.2 The effect of commercial activities on the adjoining residential zones.

Many of the commercial centres are adjacent to more sensitive residential zones. The effects that are likely to impact on these land uses include noise, light, shading, carparking and the effects of signs. The changing nature of the commercial areas with longer shopping hours and greater numbers of restaurants and bars is resulting in a potentially greater level of effects for adjoining residential communities. The Plan includes rules which are realistic for businesses while safeguarding the amenity of the adjoining residential areas.

14.1.3 Maintaining a safe and pleasant pedestrian environment.

The Council has upgraded many of the existing commercial centres over recent years. The vitality of the centres is very dependent on the level of amenity that is experienced by shoppers and how safe and convenient it is for pedestrian activity. A study has recently been completed for the Council that recommends further improvements to the inner city area that will build on the amenity created through the redevelopment of Emerson Street. It also highlights the importance of maintaining good pedestrian linkages between carparking areas and the retailing core. Pedestrian linkages through to the Marine Parade are also an element that is considered important to the vitality of the area.

Improvements to the suburban shopping areas have also been undertaken to raise the level of amenity for shoppers. The Plan seeks to maintain and improve the level of amenity in all commercial zones.

14.1.4 Residential activities within the commercial zones.

Some people are seeking inner city living opportunities in the modern housing market. However there is a level of effects on these land uses that must be made explicit. The Council wishes to ensure that prospective inner city residents are aware that the noise levels that they will experience within the commercial area are likely to be much higher than those of a traditional residential zone. Any new residential activity will have to meet internal standards that will mitigate the effects of external noise to reduce the possibility of sleep disturbance.

Another component that must be considered is the effect of inner city dwellings on the vehicle parking resource. A feature of inner city living is that the dwellings are often at second floor level and occupy space in the art deco buildings that is otherwise difficult to fill. Consequently there is a difficulty in providing vehicle parking for the dwellings. There is a vehicle parking exemption for businesses in the Inner City. In order to encourage the use of the art deco building resource this exemption should also extend to dwellings within the Inner City area.

Residential activity also has effects on other services, such as water, and waste water. The commercial areas of the city were not designed for residential activities and new connections and increased loads have significant effects on the existing infrastructure.

14.1.5 Preservation of the art deco buildings within the commercial area.

The Resource Management Act requires the Council to have particular regard to the recognition and protection of the heritage values of sites, buildings and places or areas. Napier's art deco building resource is nationally recognised and there is a growing international recognition of its significance. It is Napier's primary tourist attraction particularly for overseas visitors. The Council has recognised the inner city as its primary heritage resource. The Council will be taking measures to give greater recognition of the heritage values and the means of protecting the art deco buildings. The approach and rules are set out in the heritage chapter of the Plan.

14.1.6 The level of activity on Marine Parade.

Marine Parade is a focus for tourist activity in the City. It has a high level of amenity and a relationship with the sea. It is also a main traffic route and the principle access to the Port of Napier. The level of amenity must be maintained. However the Plan recognises that the resource is tourist based and that development should be provided for. The effect of commercial activity on traffic safety and efficiency is an issue for Marine Parade.

14.1.7 The scale of building development in the commercial areas.

The existing scale of development in the commercial area is low and the integrity of the art deco building resource relies on the preservation of this scale. Building height is typically two storey and less than 10 metres. Outside the Art Deco Quarter and the Inner City Commercial Zones, the building height conditions will be relaxed. Suburban commercial zones should reflect the scale of development in which they are situated.

14.1.8 The provision of adequate and convenient car parking.

There is a direct relationship between commercial activities and vehicle parking. It is recognised that the success of a commercial area is dependent upon the provision of adequate and conveniently located parking.

The Council currently funds the provision of vehicle parking in the Art Deco Quarter, Inner City Commercial and Taradale's Suburban Commercial zones by means of a levy. This approach helps to preserve the art deco building resource and also allows the Council to strategically plan for parking in these busier areas. Elsewhere, any new development is required to provide on-site parking. It is intended that the Council will continue with this policy and that measures will be taken to improve inner city parking by means of changes to the roading network and reorganisation of on-road parking.

14.1.9 Retail Development outside the Inner Commercial Zone

Traditionally the Council has maintained a tight control over the scale of retail activity outside the inner city area. In the Fringe Commercial area, retailing has been limited to that which required a site area of 200m² or greater. These controls are aimed at maintaining the Inner City as the focus of retail activity in Napier.

A dispersed retail function for Napier could have a significant effect on the inner city commercial area. Napier's heritage and culture are identified in the art deco building resource, a resource that was purpose built for retail activity. Napier's past and future rely on the vibrancy of this area. However, the dynamic face of retailing means that the Council needs to provide for large format retailing in a form that has the least effect on the historic commercial centre.

The Council's Retail Strategy clearly identifies that if small retail units are permitted as part of a large format retail development this will have an adverse effect on the Inner City Art Deco resource. This has resulted in a strategy for retailing that clearly establishes that specialty retailing should locate in the Inner City Commercial Zone, the Fringe Commercial Zone will cater for retail activity with a 200m² minimum floor area and that the Large Format Retail zone will provide for 1000m² and above. The strategy does not support specialty retailing outside of the inner city commercial and suburban commercial zones, and this would include specialty retailing associated with large format retail development. The primary reason is due to the impact on the sustainable management of the inner city heritage resource.

The effects of intensive retailing within the Fringe Commercial area would have significant adverse effects on the road network, as much of the network in this area comprise the main arterial roads to the City Centre.

Ideally large format retailing would be accommodated within the Fringe Commercial Zone. However the Retail Strategy and supporting studies recognise that the land holdings within this zone are of such a size that this may not be a realistic or achievable outcome in all instances. The Council has therefore provided a zone as part of the Commercial Environments specifically for large format retail development. While the new zone is adjacent to an established industrial area it fits with Council policy developed from the Retail Strategy and complements rather than competes with the Central Commercial Area, while also reducing pressure on supply short industrially zoned land. However this land is unserviced and will require services to be in place prior to development proceeding. It is however also located close to the Ahuriri Estuary and Council Stormwater Management areas. Performance standards and other controls can be imposed to ensure that any adverse effects generated by commercial activities are avoided, remedied or mitigated including stormwater runoff from roofs that are not constructed of inert materials.

14.1.10 Pressure from Commercial Activities seeking Foreshore Locations.

In Ahuriri, areas of the foreshore were traditionally in industrial use. The type of land uses that were in evidence included oil storage depots, fishing related activities, and other storage uses. In 1989 local government reorganisation vested the ownership of the land in the Council and thus gave it the opportunity to provide for some commercial activity but to limit it to uses that were beach or water related. Permitting a wide range of land uses on the foreshore would have significant adverse effects on the environment, particularly in terms of reduction in amenity and the open character of the coastal environment. The Plan provides for this limited commercial activity by means of the Foreshore Commercial Zone.

OBJECTIVES, POLICIES AND METHODS

The following objectives, policies and methods apply to all commercial zones throughout the City.

Objective 14.2

To enable the continued use and development of commercial activities and resources while ensuring the adverse effects on nearby land uses are avoided, remedied, or mitigated.

This objective relates to Issues 14.1.2; 14.1.6; 14.1.7; and 14.1.9

Policies

To achieve this objective, the Council will:

- 14.2.1 Ensure that the effects of noise generated within the zone do not extend beyond the zone boundary.
- 14.2.2 Ensure that new residential activities in the commercial area do not give rise to reverse sensitivity effects for noise.
- 14.2.3 Avoid, remedy or mitigate the effects of light spill beyond the zone boundary.
- 14.2.4 Avoid, remedy or mitigate the effects of signs on the amenity of adjoining residential zones.
- 14.2.5 Identify distinct commercial zones within the City that recognise the existing investment in commercial infrastructure.
- 14.2.6 Ensure that future development is of a scale and height that will not have adverse effects on access to sunlight or the amenity values of the surrounding environment.
- 14.2.7 Ensure by means of an education process that developers within the Large Format Retail Zone recognise that some of the effects of activities in the adjoining Industrial Zone may not be compatible with their operations.
- 14.2.8 Ensure that within the Large Format Retail Zone that adequate infrastructural services are provided by the landowner/developer to avoid, remedy or mitigate any adverse effects on the environment.
- 14.2.9 Manage the effects of businesses storing tyres by enabling small scale storage ancillary to a principal activity on a site but restricting large scale storage of tyres.

Principal Reasons for Adopting Objective and Policies

Noise has become one of the more significant effects of commercial areas with changes to the operating hours of shopping centres and also with the increasing number of cafes and bars. Changes to the liquor licensing laws have also meant that the effects of noise from commercial zones are more noticeable. Commercial zones are an appropriate place for these types of land uses. However the effects beyond the zone must be managed.

Residential activities within commercial areas is becoming more popular. In terms of the sustainable use of resources, this is encouraged as it makes use of surplus building space and can reduce the amount of traffic generation. The negative side to this type of living is that it may not have the same level of amenity as a

traditional residential environment. One of the more noticeable effects is that of noise. The plan will require any new residential units to achieve an internal noise standard that is comparable to a residential environment and where sleep disturbance will not occur from within zone noise levels.

Security lighting is an integral part of the commercial environment. Adverse effects can be encountered if the system is inappropriately positioned. Controlling the effects is particularly important beyond the zone boundary where different types of land use may be more sensitive to the effects of lighting.

Signs impact on the amenity of an area. They can also have effects on traffic safety and create light spill effects. The Council acknowledges the importance and value of signs to businesses but will control their adverse effects on any adjacent zones that have a higher level of amenity.

The Plan identifies distinct commercial zones within the City that recognise the infrastructural investment within areas of the City. Sustainable management of these physical resources suggests that they should be maintained for commercial activities and gives certainty to landowners and developers of the type of environment that can be expected. Industrial activities within the Commercial Environments are only appropriate provided their scale does not impact negatively on matters such as amenity and safety. The storage of tyres has specifically been managed to reduce the risk of fire hazard and vermin issues, and to protect amenity.

The scale and height of commercial activities is an important consideration as the adverse effects on land uses in adjacent zones can be significant. This is particularly evident for the suburban commercial centres where the adjacent land uses are principally residential. The Plan controls the height of buildings within the commercial zones to protect land uses in adjacent zones from the adverse effects of shading and to maintain the low scale character of the area. In the Fringe Commercial Zone, there is no maximum height. Setback requirements and height in relation to boundary rules avoid, remedy or mitigate the effects of shading on adjacent land uses.

The Large Format Retail Zone is immediately adjacent to the Pandora Industrial area which is a traditional wet industry area. These industries can produce a level of effects that may not be considered appropriate within a commercial retail environment. The Council wishes to ensure that these reverse sensitivity issues do not arise and the retail activities must recognise that these effects are part of the established industrial environment.

The provision for large format retail development is tempered by the need for adequate servicing. Before any permitted, controlled or restricted discretionary activity is commenced on these sites services to the standards required in the Code of Practice for Subdivision and Land Development are to be provided at the land owner/developers' cost.

Methods

- (1) District Plan Rules.

Reasons for Methods

Rules are the most appropriate means of dealing with effects such as noise light glare, signs, and shading as there must be some bottom line against which the effects can be measured.

Objective 14.3

To maintain and enhance the amenity values of commercial areas.

This objective relates to Issues 14.1.1; 14.1.3; 14.1.4; 14.1.5; 14.1.6; 14.1.7; and 14.1.9

Policies

To achieve this objective, the Council will:

- 14.3.1 Avoid, remedy or mitigate the shading effects of new development on adjacent buildings, pavements, pedestrian areas, reserves and roads, and maintain a scale of built environment that is appropriate to the surrounding area.

- 14.3.2 Avoid, remedy, or mitigate the adverse effects of signs on the character and visual amenity of commercial areas.
- 14.3.3 Ensure the visual effects of development are avoided, remedied or mitigated by requiring landscaping where practicable and appropriate.
- 14.3.4 Encourage and maintain attractive pedestrian linkages that contribute to peoples enjoyment of commercial areas.

Principal Reasons for Adopting Objective and Policies

Commercial areas do have a recognised level of amenity. This will often result from uniformity in the scale of the buildings or the type of street furniture or planting in any particular area. The amenity of a commercial area can be significantly affected by shading from buildings and structures. This may affect not only adjoining buildings but the pleasantness of the commercial environment where shoppers may wish to sit, relax and enjoy their shopping experience. The scale of the commercial environments is to be maintained in the suburban commercial areas so that it does not have adverse effects on the adjacent residential environment. The scale of development is also an important consideration for the inner city area where building beyond the existing height level would have significant effects on the art deco character. The Fringe Commercial Zone in the inner city makes provision for higher level development with safeguards to ensure that shading effects are avoided, remedied or mitigated.

Signs can also have a negative effect on the amenity or visual pleasantness of an area. The effect of signs is greater in the Art Deco Quarter where they can obscure the important architectural features of the art deco buildings. In this area of the City, specific rules are included in the Plan that are more stringent than in other commercial areas. The Council also intends to control signs to ensure that they do not create adverse effects on traffic safety. In the Fringe Commercial Zone, there is a more relaxed attitude towards signs as the level of amenity in this area is not as high.

Landscaping is an important amenity feature in commercial environments particularly in the Art Deco Quarter, Inner City Commercial and Suburban Commercial zones. These zones are a destination in themselves, as opposed to the Fringe Commercial Zone where the trip is likely to be planned for a specific purpose. In the areas where a "shopping experience" is sought, the pleasantness of the environment is important. The Council has been proactive towards enhancing the amenity of many shopping centres. This has included the undertaking of street treatments for many of the centres. Landscaping will be promoted where private vehicle parking areas adjoin the street, or where buildings are set back for any reason.

Safe and attractive pedestrian linkages within commercial areas are important and form part of the overall ambience of a commercial environment and the whole shopping experience.

Methods

- (1) District Plan Rules.
- (2) Education in the form of Guidelines for Landscaping and Signs.
- (3) Services by means of upgrading of public areas.
- (4) Rating Mechanisms in the form of collecting levies to fund upgrading projects.

Reasons for Methods

Sole reliance upon rules in the district plan are not seen by the Council as the best means of enhancing amenity values. Rather it is a combination of methods that will provide the most effective outcome. Rules are appropriate for setting maximum heights so that there is certainty for property owners as to the shading effects that they may experience. Similarly a rule for height will avoid, remedy or mitigate the effects of shading on public areas, and will allow the public to become involved if the height is to be exceeded.

The Council can take a lead in enhancing amenity by undertaking physical works. It has done this successfully in Emerson Street, and at the time of writing this Plan, is planning to further improve the amenity of Hastings Dickens and Dalton Street area.

The Council also intends to provide advice by means of education leaflets or design guides for those owners who are contemplating improvements so that the amenity levels are maintained and that any improvements

that may be made are appropriate to the area.

Consideration may also be given to levying property owners to fund projects that will enhance the amenity of the area. This approach was adopted for the Marewa shopping centre upgrade. This allows amenity improvements to be undertaken where the cost is met by those who most benefit.

Objective 14.4

To maintain compact and efficient commercial areas.

This objective relates to Issues 14.1.1; 14.1.2; 14.1.6; 14.1.7; 14.1.8; and 14.1.9.

Policies

To achieve this objective, the Council will:

- 14.4.1 Identify defined areas for commercial activity.
- 14.4.2 Encourage infill and consolidation of the commercial areas.
- 14.4.3 Manage the effects of vehicle parking in the commercial areas.
- 14.4.4 Recognise the commercial centres as an important physical resource.
- 14.4.5 Manage commercial activities adjacent to arterial roads.
- 14.4.6 Manage the scale of commercial activity in the Fringe Commercial Zone.
- 14.4.7 Preserve the art deco building resource for the social and cultural wellbeing of the City.
- 14.4.8 Encourage appropriate pedestrian linkages within the Inner City.
- 14.4.9 Manage the adverse effects of large format retail development by providing a specific zone for this type of retail activity.
- 14.4.10 Manage activities within the Large Format Retail zone so that the limited capacity of the area is maintained for large format activities.
- 14.4.11 Ensure that the consideration is given to the effects of large format retail development on the efficient operation of the road network in the vicinity.

Principal Reasons for Adopting Objective and Policies

The Council recognises that the commercial areas within the City are an important physical resource in which both property owners and the City have a considerable investment. The effects of a spread development are not beneficial to either the public or the Council as an asset provider. The effects would be significant in terms of traffic generation and loss of amenity. It would be a duplication of resources and would have a negative effect on the cultural and social wellbeing of the community as the preservation of Napier's art deco building would be placed in jeopardy. There is sufficient land zoned for commercial purposes to meet the needs of the City with the changes to retailing resulting from internet retailing and the trend to smaller tenancies. The Council is therefore encouraging infill of the existing commercial zones.

The Council will identify defined commercial zones so that it is clear to prospective developers that development outside of these areas is not encouraged. To do so would mean that there would be a needless and unsustainable duplication of physical resources.

The parking requirements of commercial areas should be strategically planned to ensure that they are in the best position to service the needs of the public. An efficient commercial area will have an integrated traffic, parking, and pedestrian system and this is one of the Council's prime objectives. The positioning of parking

areas can also help to maintain a compact commercial environment.

Retail activity that is adjacent to main arterial routes can have major effects on traffic and pedestrian safety. These effects are beginning to materialise on Taradale and Kennedy Roads with the growing number of health centres and home occupations that are occurring. The Council will not encourage retailing in these locations. However where they do occur, they will be carefully managed. Commercial activities in these areas are also having a significant effect on the residential amenity of these areas.

One of the recognised strengths of the inner city is its compact nature and this is largely due to the concentration of retailing in the art deco buildings. The preservation of the buildings will ensure that Napier has a unique shopping environment that reflects the cultural heritage of the City. Retention of this resource will help to maintain a compact commercial environment.

Good pedestrian linkages help to ensure that the physical resources of commercial zones are better utilised and can also lead to a reduced dependence on vehicles. If the pedestrian linkages are strong, there is less reason to extend the retail area.

Large format retail is a form of retail activity that can have significant effects on the efficient functioning of the commercial environment of cities. Council believes that if this type of retail activity is not carefully managed the effects on the commercial environment of the City would be major, with retailing spread throughout the City and along the main arterial routes. This would have a significant impact on the art deco commercial core of the city and would also adversely impact on the roading network. The Council has provided for a Large Format Retail zone within which these effects can be managed although the intensity of development within the zone must be managed to avoid the effects on the road network in the vicinity.

The Large Format Retail zone is a limited land resource and in order to ensure that the area is maintained for this purpose other activities, particularly industrial, will not be permitted within the zone, and resource consent will be required.

Methods

- (1) District Plan Rules.
- (2) Provision of services and infrastructure arising from financial contributions to encourage development to certain areas.
- (3) Rating Mechanisms in the form of collecting levies to provide for vehicle parking requirements.

Reasons for Methods

Rules in the district plan can clearly define the extent of the commercial zones and give direction to any prospective developers that a compact commercial environment is the objective of this Council.

Some parts of the City have lower levels of services than others. The Council has undertaken a study of all its essential services and assessed the servicing requirements for the future development areas of the City. Financial contributions have been calculated to meet the cost of the new development. Financial contributions can be an appropriate means of obtaining efficiencies, where better use is made of existing services.

Levies for carparking are already successfully used in the inner city and at Taradale. More strategically placed and efficient carparking has resulted.

Objective 14.5

To enable the preservation of the City's art deco building resource.

This objective relates to Issues 14.1.1; 14.1.4; 14.1.5 and 14.1.7.

Policies

To achieve this objective, the Council will:

- 14.5.1 Preserve the scale of building development within the Art Deco Quarter, particularly in respect of height.
- 14.5.2 Identify the boundaries of art deco influence in the central business district.
- 14.5.3 Encourage commercial development using the existing building resource.
- 14.5.4 Preserve the continuity of the existing art deco townscape.
- 14.5.5 Encourage design that is in keeping with the existing art deco architecture in the inner city.
- 14.5.6 Preserve and maintain the art deco building resource that contributes to the social and cultural wellbeing of Napier.
- 14.5.7 Support the Art Deco Trust in its application for World Heritage Status.
- 14.5.8 Identify and encourage the preservation of individual buildings with art deco significance.

Principal Reasons for Adopting Objective and Policies

In 1992 the Council introduced an Art Deco Quarter Zone into the District Plan. The aim of this zone was to encourage the conservation of the existing art deco buildings and thereby preserve a key part of the City's cultural heritage. Since this time the value of the art deco resource to the City has been further recognised and it is evident that the small area of the art deco quarter does not fully represent the extent of the resource that should be preserved. The effect of the loss of this resource on the cultural welfare and economic viability of Napier would be significant. The Council has therefore decided to identify a wider area of the City that has heritage significance. The boundaries of the Art Deco Quarter have been extended to identify the areas of the City that have a continuity of art deco buildings.

There are particular design elements that are crucial in this zone. These include the continuity of building lines, building to boundaries, and the low scale of height, (two storey).

The Council encourages the reuse of existing buildings, particularly art deco buildings. It does this by means of providing grants for the upkeep of the art deco buildings and ensuring that there is information for the assistance of property owners who wish to restore or alter their buildings. Rules on the maximum height of buildings means that there is no benefit in building anew to achieve greater height.

Napier has some excellent examples of art deco architecture, but what is of international significance is the continuity of the building resource. Nowhere in the world was a city centre built around the art deco style and it is the completeness of the resource that is unique. The Council recognises this and seeks to preserve the continuity of the art deco buildings.

Where development takes place within the inner city, there is a tendency to copy the art deco architectural style. This is not seen as a desirable approach as it reduces the integrity of the original buildings. Design should be in keeping with the art deco style without imitating it.

The Art Deco Trust has been instrumental in bringing the value of the City's inner city architecture to the attention of the public. It has achieved international recognition for the City. The Council acknowledges the part that the Trust plays in preserving the heritage values of the City by financially supporting the Trust and its initiatives for greater recognition of the art deco resource.

While the continuity of art deco buildings is of special significance, there are also art deco buildings that are outside the area where the main concentration of buildings occur, that have art deco heritage values. The Plan identifies these buildings and seeks to preserve them in the same way that the buildings within the Art Deco Quarter are provided for.

Methods

- (1) District Plan Rules.
- (2) Education in the form of producing a design guide for building redevelopment.
- (3) Incentives in the form of continuing to provide grants for the improvement of art deco buildings.
- (4) Maintain and review the Art Deco Building Inventory.
- (5) Financial support for the Art Deco Trust

Reasons for Methods

The Council is aware that several methods are needed for issues such as preservation of heritage. A better result will be achieved if there is a buy in by the property owner of the benefits of heritage preservation. For this reason an education and incentive approach is being used, with the use of rules as a backstop.

Rules in the Plan prevent immediate action being undertaken on a building with heritage value thereby providing an opportunity for meaningful dialogue to occur so that a good heritage outcome can be achieved.

The Council has provided incentives to art deco building owners for a number of years. This has proved to be a successful means of highlighting the special features of the architecture and fostering a pride in the buildings by their owners.

The Art Deco Building Inventory is an important resource document for the Council. It documents each building that was built in inner city in the years directly after the 1931 earthquake. This document is one of the information sources for the creation of the heritage schedule in the Plan.

Objective 14.6

To maintain and enhance the amenity values of the Art Deco Quarter.

This objective relates to Issues 14.1.1; 14.1.3; 14.1.4; 14.1.5; 14.1.7 and 14.1.8.

Policies

To achieve this objective, the Council will:

- 14.6.1 Ensure that the effects of noise do not diminish the amenity of adjacent zones.
- 14.6.2 Require new residential activities to recognise realistic commercial noise levels by meeting set acoustic insulation standards by sound proofing measures.
- 14.6.3 Control the visual effects of signs especially as they affect the architectural features of any art deco building.
- 14.6.4 Encourage design that is in keeping with the existing art deco architecture for the zone.
- 14.6.5 Encourage landscaping and street design that is appropriate for the zone.

Principal Reasons for Adopting Objective and Policies

The CBD has traditionally been the focus for activities such as bars, night clubs, and restaurants. These activities generate higher levels of noise. The Council agrees that the CBD is the most appropriate place for them. The Council believes that within set and appropriate levels, these types of land uses should be able to operate without having to worry about their effects on sensitive type land uses within the same zone. For this reason the Council is requiring residential activities wishing to locate in this zone to meet internal noise standards (soundproofing) to protect themselves from the noise generated from commercial activities.

The amenity of the CBD area is high and the Council is anxious to ensure that it is maintained. The amenity is measured from a number of perspectives. These include the effects of not only noise but also the visual effects of signs, streetscape and new buildings. The provisions for signs in the Art Deco Quarter have been carefully considered as their adverse effects on architectural features have been negatively commented on to a significant degree by international visitors. The Council aims to ensure that there is a balance between the advertising needs of property owners and preserving the views of the art deco features of the buildings.

Where development takes place within the inner city, there is a tendency to copy the art deco architectural style. This is not seen as a desirable approach as it reduces the integrity of the original buildings. Design should be in keeping with the art deco style without imitating it. A design guide has been produced that gives an appreciation as to the elements that should be incorporated into any new building or alterations to existing buildings.

The success of the Emerson Street redevelopment is to be added to with further design work within the Art Deco Quarter to enhance the amenity of the streetscape. The existing streetscape gave careful consideration to art deco characteristics and sought to ensure that landscaping does not have adverse effects on the buildings such as obscuring the art deco features. Any future streetscape development should adopt similar principles.

Methods

- (1) District Plan Rules.
- (2) Education through the use of a design guide for building and street development.
- (3) Works in the form of Landscape Plans and on-road parking development.

Reasons for Methods

The Council is aware that one method is not always appropriate for issues such as preservation of heritage and the amenity values that are associated. A better result will be achieved if there is a buy-in by the property owner to the benefits of heritage preservation. For this reason, an education and incentive approach is being used with the use of rules as a backstop.

Objective 14.7

To avoid, remedy or mitigate the adverse effects on the environment of land uses within the Central Business District (CBD) and other commercial areas of the City.

This objective relates to Issues 14.1.1; 14.1.3; 14.1.8 and 14.1.9

Policies

To achieve this objective, the Council will:

- 14.7.1 Manage the vehicle parking needs within the CBD taking into account the effects on both traffic safety and the art deco building resource.
- 14.7.2 Discourage land uses in the CBD that generate high levels of heavy vehicles.
- 14.7.3 Maintain the level of amenity of neighbouring zones.
- 14.7.4 Ensure that the environment for pedestrians is convenient, safe, and attractive.
- 14.7.5 Control the effects of glare on traffic safety and pedestrian comfort.
- 14.7.6 Control the scale of buildings and associated vehicle demands within commercial areas.
- 14.7.7 Manage the effects of residential development on the infrastructural services of commercial areas.

- 14.7.8 Manage the effects of businesses of prostitution by enabling them in the Art Deco Quarter and Inner City Commercial Zones and restricting them in the other commercial zones of the City.
- 14.7.9 Ensure that all land uses within the Commercial Zones undertake all reasonable steps to avoid adverse effects beyond their site boundaries.

Principal Reasons for Adopting Objective and Policies

The CBD has the physical resources to deal with the effects of high intensity commercial activity that generates high parking and pedestrian volumes. There is substantial investment in off-road parking and the Council will continue to offer vehicle parking exemptions to businesses in the Art Deco Quarter. This acts as an incentive for the retention of art deco buildings.

The Napier Central Area Review identifies changes that need to be made to allow the central area traffic parking and pedestrian resources to remain efficient for the next 20 years. One of the key methods of achieving this is to re-direct unrelated through-traffic away from the central core, and onto well defined peripheral roads. It is anticipated that the key features of Napier's inner city, i.e. convenient access, simple circulation, and a protected and attractive environment for pedestrians, will be maintained.

The pedestrian environment is important in this zone. The major upgrading of Emerson Street brought about a more pleasant environment for inner city shoppers and visitors. The Council now intends to ensure that pedestrian circulation is improved and that linkages to carparks are improved.

Changes to the road network will also allow improvements to be made to on-road parking. Altering the function of the road, allows streetscape improvements which can accommodate more on-road parking.

Napier's inner city area is characterised by narrow roads and few commercial buildings with on-site loading/unloading facilities. Because of this, land uses that generate high levels of heavy traffic movements are not encouraged within the CBD. Land uses such as furniture retailers, and large item retailers are better located in the Fringe Commercial Zone, where their effects can be more easily managed.

Effects of commercial activities must also be managed in terms of how they impact on adjoining zones. The central business district is adjacent to residential zones and the Plan aims to ensure that the level of amenity in these zones is maintained.

Glare from buildings is now a recognised adverse effect of development and one which must be managed for reasons of both traffic safety, pedestrian comfort and maintaining amenity in the commercial areas.

While residential activity within the commercial areas has positive effects the adverse effects on the city's services have to be managed. Water and wastewater services to commercial areas may not always be designed for the level of use associated with residential activities. Financial contributions are one means of avoiding remedying or mitigating these effects.

The effects of businesses of prostitution on commercial areas outside of the Inner City can be significant, particularly when most suburban commercial zones are surrounded by residential and other sensitive land uses. The Council therefore aims to discourage businesses of prostitution from locating in the suburban and fringe commercial zones of the city, while providing for them within the Inner City and Art Deco Quarter Zones of the City.

The Large Format Retail Zone is located near to the Ahuriri Estuary. To avoid contamination, including stormwater runoff from roofs that are not constructed of inert materials, and to ensure the health of the estuarine environment, new commercial activities/buildings in the zone will be required to use inert roofing materials.

Methods

- (1) District Plan Rules.
- (2) Works in the form of undertaking physical improvements to the road and pedestrian infrastructure.
- (3) Hawke's Bay Regional Resource Management Plan.

Reasons for Methods

The provision of physical works will be the principal means of ensuring that the traffic effects of commercial activities are properly managed. Similarly, pedestrian safety and amenity effects will be managed by improvements to the pedestrian environment and linkages to parking areas.

Rules are being used to manage the effects of commercial activities on the surrounding landuses. This is particularly necessary in terms of noise effects.

All on-site stormwater discharges are regulated by the Hawke's Bay Regional Resource Management Plan.

Objective 14.8

To ensure that public access to the coast is maintained and enhanced.

This objective relates to Issues 14.1.1 and 14.1.3

Policies

To achieve this objective, the Council will:

- 14.8.1 Continue to enhance the public access to the coast and recreation reserve.

Principal Reasons for Adopting Objective and Policies

The coastal environment is a valuable resource which requires protection from those land uses neighbouring the foreshore. Access to the coast is important and should be readily available. The Foreshore Reserve Zone provides public access along the coast. Commercial activity should ensure that access to the foreshore should be provided where appropriate.

Methods

- (1) District Plan Rules.

Reasons for Methods

In this more sensitive environment, the use of rules is the most appropriate means of achieving the objectives and policies. With the high level of amenity that is required, including the provision of access to the foreshore, the use of voluntary methods is not considered to be appropriate.

Objective 14.9

To provide for large format retail development that will complement and enhance the established retail environment and does not compete for industrially zoned land.

This objective relates to Issues 14.1.1, 14.1.5, and 14.1.9

Policies

To achieve this objective, the Council will:

- 14.9.1 Control the size of retail shops within the Large Format Retail Zone.

- 14.9.2 Ensure that there is connectivity between the Large Format Retail Zone and the Central City.
- 14.9.3 Manage the land resource within the City to provide opportunities for large format retail developments.

Principal Reasons for Adopting Objective and Policies

Large format retail is now part of the expected retail mix in most communities. This type of development places considerable pressures on established retail centres particularly in provincial areas where the population base is less likely to be able to support a number of alternative shopping destinations. The Napier City Council has adopted a strategic approach to providing for its future retail needs and has identified that while large format retail development is encouraged within the Fringe Commercial Zone there are practical limitations on the scale of large format retail developments due to the difficulties and costs associated with amalgamating sites. The strategy which is based on the Council Retail Strategy does not support specialty retailing outside of the inner city commercial and suburban commercial zones, and this would include specialty retailing associated with large format retail development.

As a result a new zone has been provided for large format retail development. This zone could have significant impacts on the established and internationally significant inner city art deco retail core. The objective and policies aim to manage the effects of the Large Format Retail zone on the existing retail environment by discouraging the smaller specialty shops that may seek to cluster around the large format retail activities. The inner city art deco environment is a purpose built commercial centre and the loss of specialty shops would have significant adverse effects on this environment, both from a cultural and economic perspective. One of the components of the Council's Retail Strategy was to allow for 25% of the large format retail developments to have tenancies of between 500m² and 1000m² in gross floor area. However, it was not the intention that this policy apply to every site but only to the larger 'large format retail' or comprehensive developments. In order to clarify the intent of the Retail Strategy this provision has been applied only to sites in excess of 3 hectares in area where the large stand alone facilities could develop.

It is also important to provide connectivity to the inner city from the Large Format Retail Zone. This will provide for cross shopping to occur. In order for the linkages to be successful the Retail Strategy has suggested that the drive time between the two zones needs to be 5 minutes or under. The Council will facilitate this, by ensuring highly accessible traffic access to the sites within the zone, and by ensuring that the road network between the zone and the inner city is as efficient as possible. Retail development is carefully managed within both the industrial environments and the Large Format Retail zone to ensure that the traffic effects can be properly assessed to maintain the efficiency of the road network.

The objective also seeks to ensure that large format retail development can avoid having to compete with established or new industry for land that is zoned industrial under the district plan. It is recognised that industrial land particularly within the 'wet serviced' Pandora area of the city is a limited resource and that competition between LFR and industry is not sustainable management of that resource.

Methods

- (1) District Plan Rules.
- (2) Infrastructure Improvements
- (3) Education on the significance of the Art Deco Resource

Reasons for Methods

A range of methods is appropriate for this issue. A market led or 'do nothing' approach would result in the reduction of investment in the inner city and a clustering of small specialty shops around the larger retail developments. The use of rules is the most appropriate means of achieving the objectives and policies with assistance by means of marketing the attractiveness of the inner city and by ensuring that a short travel time and the ease of travel between the two retail nodes is achieved.

Objective 14.10

To ensure the efficient use and continued viability of the existing inner city art deco building resource.

This objective relates to Issues 14.1.1, 14.1.5, and 14.1.9

Policies

To achieve this objective, the Council will:

- 14.10.1 Make specific zoning provision for a large format retail development to achieve a retail environment that complements the Inner City Art Deco resource rather than competes with it.
- 14.10.2 Manage retail development in the city by means of the policy adopted from the 2003 Retail Strategy.
- 14.10.3 Control the size of retail shops in the Large Format Zone to safeguard the specialty retail role of the Inner City Art Deco resource.

Principal Reasons for Adopting Objective and Policies

In considering commercial activities within the City of principal importance is the impact that the development may have on the established inner city commercial area and the art deco building resource. Council recognises that the Fringe Commercial zone while the preferred location for large format retail development may not be a practical solution due to a number of factors. It has therefore zoned an area of land that has good linkages to the inner city for large format retail. The provisions for this zone follow the recommendations of the 2003 Retail Strategy in requiring retail activities with a floor space greater than 1000m² and not providing for specialty retailing which Council believes is the preserve of the inner city art deco area and suburban shopping centres. Given the size of the sites within the Fringe Commercial zone the Council believes that it is unrealistic to require the 500m² minimum floor area for large format retail development in this zone. The hierarchy for retailing is for specialty retailing to be confined to the inner city commercial and suburban commercial zones, large format retailing with a minimum floor area of 200m² in the Fringe Commercial zone and large format retail development of 1000m² in the Large Format Retail zone.

Council is of the opinion that to allow small scale retail development with the large format retailers would have an adverse effect on the art deco resource and does not encourage this scale of activity outside of the Fringe Commercial Zone. The only exception that would be considered appropriate to be located with these activities is hospitality activities.

Objective 14.11

To ensure that the Foreshore Commercial Zone at Ahuriri is retained as an area that compliments the foreshore location while preserving the character of the coastal environment.

This objective relates to Issues 14.1.1; 14.1.7; 14.1.9 and 14.1.10.

Policies

To achieve this objective, the Council will:

- 14.11.1 Ensure that land uses complement the foreshore and make the best use of the location.
- 14.11.2 Ensure that the use of land within the zone does not give rise to adverse environmental effects on the zone, the adjacent reserve area, or the natural character of the foreshore environment.

- 14.11.3 Restrict the area of foreshore land available for commercial activities to the extent of the development that is approved at the time of notification of this Plan.
- 14.11.4 Ensure that buildings, signs and other structures will be designed and located to avoid, remedy, or mitigate adverse effects on the character and visual amenity of the foreshore environment.
- 14.11.5 Control the adverse effects of noise from land uses within the Foreshore Commercial zone.
- 14.11.6 Mitigate the adverse effects of commercial development by ensuring landscaping is provided which is consistent with the existing foreshore vegetation.
- 14.11.7 Ensure that land uses within the zone provide vehicle parking, loading and site access which will mitigate any effects of traffic on the surrounding foreshore reserve.

Principal Reasons for Adopting Objective and Policies

The foreshore is a limited resource. There is pressure for commercial activities to increase in numbers in the foreshore locations. Some types of commercial activity are not appropriate in foreshore locations. It is necessary to manage the foreshore resource carefully and provide for land uses that have the least adverse effects on the public using the surrounding reserve or on the foreshore itself. The present commercial activities in the zone are land uses that take advantage of the foreshore location without having a detrimental effect.

The Council would like to see this type of activity continuing. It is appropriate that the commercial activities continue to be beach-related and complimentary to the neighbouring Foreshore Reserve Zone.

The Council considers it important to contain the commercial activities to within the present zone boundaries. It is inappropriate to allow an increase in the amount of commercially zoned land on the foreshore as it may have a negative impact on the amenity of the area, and more of the foreshore reserve would be lost to the expansion. This area of commercial zoning allows for a compromise between development and community accessibility.

It is important to maintain the amenity of this zone. The buildings in this zone are currently of a scale appropriate to the foreshore location and not out of character with the surrounding reserve. The Council recognises that the maintenance and enhancement of the amenity values of this zone will ensure that the area continues to be an important aspect of Ahuriri. Development in the zone should be limited to one compact, well defined area, to provide for commercial activities on the foreshore yet retain the openness that characterises the high visual values of the foreshore reserve.

Amenity is determined by features such as the absence of signs and noise. Noise provisions will allow for the recreational nature of land uses but should not adversely affect any residentially zoned properties.

Methods

- (1) District Plan Rules.
- (2) Physical works

Reasons for Methods

Rules provide certainty for both developers and the public that the high level of amenity of the adjoining foreshore reserve will not be compromised by land uses located in the foreshore commercial zone. With the high level of amenity, the use of voluntary methods would be unlikely to achieve the desired outcomes.

The Council has undertaken significant physical works in the area and this has the effect of raising the level of amenity of the foreshore environment. It is hoped that this will act as an impetus for further amenity improvements in the area.

14.12 ANTICIPATED ENVIRONMENTAL RESULTS

- (1) A commercial environment which has a clear demarcation between commercial and residential or reserve zones.
- (2) A separation of intensive retail development from arterial roading routes.
- (3) A commercial environment that recognises the important relationship between parking and pedestrian links.
- (4) An environment that mitigates the effects of commercial activity on land uses within zones and in adjacent zones.
- (5) A level of amenity that is compatible with the land use type eg: a higher level of amenity would be required in the suburban commercial zone than in the fringe commercial zone.
- (6) A noise environment that allows for commercial and entertainment activities in appropriate locations.
- (7) An environment where the heritage values of the art deco architecture are preserved and encouraged.
- (8) A high level of amenity for shoppers, property owners, tourists, and the general public.
- (9) An environment where residential activities cannot expect the same level of amenity as in a residentially zoned area.
- (10) An environment where the adverse effects of signs on building facades is limited.
- (11) The avoidance, remedying or mitigation of adverse effects of residential development on infrastructural services.
- (12) A commercial environment where the nuisance effects of businesses of prostitution are mitigated through their location in the Inner City and avoided in the suburban commercial zones.
- (13) A discreet large format retail environment that does not affect the specialised nature and efficiencies of the inner city art deco building resource or smaller commercial zones, or compete for the industrial land resource.
- (14) An area which has commercial activities that complements the foreshore location.
- (15) A foreshore location which has a limited area of commercial development that does not inhibit the community from utilising the foreshore.
- (16) An area of commercial activity which has a level of amenity characteristic of the foreshore location and features that the area provides.
- (17) Maintenance and improved provision of public access to the coastal environment.
- (18) The potential for effects from stormwater discharges associated with commercial land use will be avoided, remedied or mitigated.

14.13 ZONE DESCRIPTIONS

1. Introduction

There are five zones in the Commercial Environment, three of which are within the inner city area and one that covers the suburban shopping centres and the remaining one is a unique area on the foreshore at Ahuriri.

Napier has traditionally had a hierarchy of commercial zones and to some extent this remains. A market approach to the location of commercial activities is not advocated as the adverse effects on the inner city building resource and art deco heritage would be significant. This approach would not be a sustainable use of the building resource and would remove the ability of the community to provide for their social and cultural wellbeing. The inner city area is divided into three zones. The suburban commercial areas recognise the existing scale of land use.

2. Inner City Commercial Zone

The Inner City Commercial Zone surrounds the Art Deco Quarter. It extends as far as Station Street to the south and Browning Street to the north. It is the retail area of the inner city but does not include the concentration of the art deco buildings based around Emerson and Tennyson Streets. The Inner City Commercial Zone provides for both retailing and offices.

3. Art Deco Quarter

This zone identifies the concentration of art deco buildings that makes Napier unique. The zone is an extension of the Art Deco Quarter that was in the Transitional District Plan. It now includes all of Emerson Street and the significant buildings in the south end of Hastings Street. The provisions are largely the same as for the inner city with the exception of signs rules. However there are special objectives and policies for this zone.

4. Fringe Commercial Zone

The Fringe Commercial Zone surrounds the inner city retailing core. It extends as far as Faraday Street to the west, Sale Street to the south and includes the former railway yards. It is characterised by larger scale commercial activities such as supermarkets and furniture showrooms. This area is easier to access by heavy vehicles than the core retail area. The Council aims to maintain the Fringe Commercial area for this type of land use to prevent the shift of specialised small retail activities from the historically important Art Deco Quarter.

Residents and property owners should be aware that the Marine Parade is a principal route to the Port of Napier and noise levels from heavy vehicles will be significant at varying times throughout the year.

5. Suburban Commercial Zone

The Suburban Commercial Zone covers all of the shopping centres outside of the Inner City area such as Taradale, Marewa, Tamatea, Westshore etc. These existing areas serve the local residential areas and it is important that the scale of development of these centres is compatible with the surrounding residential environment to mitigate effects such as shading and the effect on amenity.

6. Large Format Retail Zone

The Large Format Retail Zone is a specific zone fronting onto Prebensen Drive. It recognises the existing and consented developments on the southern side of Prebensen Drive and also includes an area of 4.6 hectares with frontage both to Prebensen Drive and Severn Street. The zone provides for the large format retail development outside of the Fringe Commercial Zone.

The Large Format Retail Zone provides for this type of development within the policy guidelines of the 2003 Retail Strategy. Part of this strategy was to allow for 25% of a development to have tenancies of between 500m² and 1000m² in gross floor area. However, it was not the intention that this policy apply to every development but only to comprehensive developments where cafes etc may need to be provided. This provision has therefore been applied only to sites in excess of 3 hectares in area. This will ensure that the effects of large format activity do not impact negatively on the inner city art deco commercial area. It achieves this by its location within easy access of the city centre on a main arterial and by managing the scale of the development that is permitted within the zone. This scale of retail development provided for within the zone follows the recommendations of the Retail Strategy which was based on providing for the sustainable management of the City's commercial sector. This means balancing the need to maintain the economic future of the Central commercial retail area against the need to provide for the changing nature of retail in line with national and international trends. The Large Format Retail Zone aims to provide for large format retail in a stand alone zone and maintain the smaller scale specialty retail within the inner city.

The intensity of retailing within the zone is limited to ensure that the efficiency and safe operation of the road network in the vicinity can be maintained. In this regard a new rule for carparking specific to retailing activities in the Large Format Retail zone has been included in the Transportation Section of the Plan as a means of managing the traffic effects on the local and state highway network in the vicinity of the zone.

7. Foreshore Commercial Zone

This is a unique zone that recognises existing commercial uses on the foreshore at Nelson Quay and Hardinge Road, Ahuriri. It is the only area within the City that provides for commercial activity on the foreshore. It is intended that the uses should not extend to full retail as the effects on the environment would be significant. Rules of the zone stress maintenance of access to the foreshore and a high level of amenity appropriate to the foreshore environment.

14.14 ADVOCACY AREAS

Within this Chapter, the term 'advocacy area' refers to an area of land within the City that possesses some distinct and valuable characteristics.

Advocacy areas are subject to the underlying zone provisions. In terms of any special attributes or character, the Council will approach the sustainable management of these areas within a non-regulatory framework.

14.14.1 Cultural Advocacy Area

The Cultural Advocacy Area is located within the Art Deco Quarter and contains a range of cultural and heritage attractions including the Museum and Century theatre. The area contains a mix of architectural styles that show Napier's development throughout the nineteenth and twentieth centuries.

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