

 <p>WAIMAKARIRI DISTRICT COUNCIL</p>	<p>Resource Management Act 1991</p> <p>Waimakariri District Council</p> <p>Waimakariri District Plan</p> <p>District Plan Review</p> <p>Section 32 Report</p>	<p>Plan Change</p> <p>43</p>
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Proposed Plan Change 43
Oxford Town Centre Urban Design

PREPARED
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Proposed Plan Change 43

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1. Purpose

- 1.1 The purpose of the proposed Plan Change is to review current District Plan building control provisions relating to development within the Oxford Business 1 Zone.

2. Reason

- 2.1 The Council is currently reviewing the District Plan in accordance with section 79 of the Act. Section 79 requires that a District Plan be reviewed every 10 years. In 2011 the Council determined that the Plan shall be reviewed in sections, otherwise known as a 'rolling review'.

3. Summary

- 3.1 The Resource Management Act 1991 (the Act) promotes the sustainable management of natural and physical resources while continuing to enable people and communities to provide for their social, economic, and cultural wellbeing, as well as their health and safety. The Act also sets out a range of other matters to consider in achieving its purpose.
- 3.2 When changing a Plan, section 32 of the Act requires a report to be prepared that evaluates the proposed plan change. Underpinning the Plan, and any change to the Plan, are the requirements of section 31 where Council is required to give effect to the Act through the establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources.
- 3.3 The Plan (adopted in 2005) sets out the resource management issues for the district. The objectives, policies, and associated rules and methods within the Plan address those issues in order to achieve sustainable management of natural and physical resources and thereby to achieve the purpose of the Act.
- 3.4 Resource management issues for the development of the Oxford Business 1 Zone were identified and a review of existing Plan provisions was undertaken to identify gaps in the management of the identified issues. Options were identified, with the option of adding a new plan policy, and amending, adding or deleting Plan provisions identified as the most appropriate way to meet the purpose of the Act.
- 3.5 The evaluation undertaken pursuant to section 32 has found that the most appropriate option is to amend Chapter 16 of the Plan to better define the character of the Business 1 Zone in order to enable this character to then be maintained and in particular enhanced. Amendments to the methods for achieving this include the introduction of new controls relating to height, setbacks, glazing, building size, car park location, modulation, landscaping, and access.

4. Introduction

- 4.1 This reports sets out the evaluation of proposed Plan Change 43 in relation to the provisions of section 32 of the Resource Management Act 1991 (the RMA) and should be read in conjunction with the proposed amendments to the Plan, attached as Appendix 1.

Background

- 4.2 In recent years Oxford has experienced steady growth and redevelopment in the Town Centre with a number of commercial and community based developments completed or underway. According to the Oxford Town Centre Strategy the population of the Oxford area has risen by over 20% since 2006 and growth is expected to continue, together with associated business development within the Town Centre.
- 4.3 In February 2014 Council began consultation on the development of an Oxford Town Centre Strategy with the aim of creating a decision making framework to be used when making decisions about changes to the Oxford town centre. The Strategy was developed against a background of existing studies and surveys including the 2013 Oxford Area Community Survey which provided key information regarding the community's views on the built form aspects of the Town Centre. The Strategy was adopted by Council in August 2014.
- 4.4 The first action under 'Key Theme 1: Business and built environment' is to "Develop urban design guidance to encourage good urban built outcomes when future development occurs in Oxford town centre, and introduce further District Plan Provisions". This plan change is a response to the first action, subject to the requirements of the RMA.
- 4.5 Similar plan changes for the Kaiapoi and Rangiora Town Centres (34 & 35) became operative in December 2012 and introduced provisions for the Kaiapoi and Rangiora town centres which set out clear controls on the development of the area to ensure that the existing character of the towns was maintained and enhanced during the earthquake rebuild phase and that high quality urban design outcomes were also achieved.

Scale and Significance

- 4.6 Section 32(1)(c) requires that this report contain a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal. The costs, benefits of the proposal are assessed in Table 4. Appendix 2 includes an assessment rating of scale and significance, and concludes the scale and significance is 'moderate', requiring a moderate level of detail within the report that focusses on key points.
- 4.7 Within the Oxford Business 1 Zone the changes will affect the placement, height, and design of buildings and the sites surrounds including the streetscape with the aim of improving the function and character of these areas. The development of provisions regulating building style, colour and material was considered during the consultation phase of the plan change but this option was not pursued as it was considered to impose too many restrictions on building development.

5. Planning Context

5.1 Part 2: Resource Management Act

- 5.1.1 Part 2 of the Act encompasses sections 5 – 8. All considerations under the Act are subject to Part 2.

Purpose of the Act

- Section 5 states that the Act's purpose is to promote the sustainable management of natural and physical resources.

Matters of National Importance

- Section 6 of the Act lists seven matters of national importance. None of these matters are of direct relevance for this plan change.

Other Matters

- Section 7 of the Act provides for 'other matters'. With regard to Business Zone development, the following 'other matters' are considered of relevance and must be considered with particular regard:
 - *the efficient use and development of natural and physical resources;*
 - *the maintenance and enhancement of amenity values; and*
 - *maintenance and enhancement of the quality of the environment;*
- 5.1.2 These matters are relevant to parts of this review. The efficient use and development of natural and physical resources is recognised in the requirements for buildings on the limited Business 1 Zoned land to contribute to the overall cohesive character and amenity of the zone.
- 5.1.3 Building and urban design controls directly relate to the maintenance and enhancement of amenity values and the quality of the built environment.

Treaty of Waitangi

- *In relation to managing the use, development, and protection of natural and physical resources, Section 8 of the Act, requires the principles of the Treaty of Waitangi to be taken into account.*

5.2 Part 4 Functions, powers, and duties of central and local government

- 5.2.1 Section 31 of the Act lists functions of Territorial Authorities in giving effect to the Act. Section 31(1)(a) states the following which is of particular relevance to this report:

'the establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district'.

- 5.2.2 The proposal is informed by several statutory and non-statutory plans and strategies including the following:

5.3 **Statutory Plans and Strategies**

Canterbury Regional Policy Statement (CRPS)

Chapter 5: Land Use and Infrastructure

- 5.3.1 The RMA requires that a District Plan must give effect to the provisions of a Regional Policy Statement (section 75(3)(c)). Chapter 5 of the operative CRPS provides land use and infrastructure related provisions which all proposed district plan changes must be consistent with. These are broken down into two 'regions'. The 'entire region' refers to all of the Canterbury region. The 'wider region' refers to those areas outside of the greater Christchurch area e.g. Oxford and rural areas north of the Ashley River but excludes the greater Christchurch area as this area is dealt within Chapter 6.
- 5.3.2 The provisions of relevance as they relate to the 'wider region' are summarised below:

Objective 5.2.1 – Location, design and function of development (Entire Region)

- 5.3.3 *Development is located and designed so that it functions in a way that:*
(1) *achieves consolidated, well designed and sustainable growth in and around existing urban areas as the primary focus for accommodating the region's growth;*

Policy 5.3.1 – Regional growth (Wider Region)

- 5.3.4 *To provide, as the primary focus for meeting the wider region's growth needs, sustainable development patterns that: ...*
(1) *ensure that any*
 (a) *urban growth; and*
 (b) *limited rural residential development*
 occur in a form that concentrates, or is attached to, existing urban areas and promotes a coordinated pattern of development;
(4) *maintain and enhance the sense of identity and character of the region's urban areas; and*
(5) *encourage high quality urban design, including the maintenance and enhancement of amenity values.*

Policy 5.3.2 – Development conditions (Wider Region)

- 5.3.5 *To enable development including regionally significant infrastructure which:*
(1) *ensure that adverse effects are avoided, remedied or mitigated, including where these would compromise or foreclose: ...*
(b) *options for accommodating the consolidated growth and development of existing urban areas;*

Canterbury Earthquake Recovery Strategy

- 5.3.6 The Canterbury Earthquake Recovery Strategy is the key reference document to guide and coordinate the programmes of work, including Recovery Plans, under the Canterbury Earthquake Recovery (CER) Act.
- 5.3.7 The Recovery Strategy lists components of recovery with associated goals. Relevant goals include:

Economic Recovery

- *Enabling a business-friendly environment that retains and attracts business;*

Built Environment Recovery

Develop resilient, cost effective, accessible and integrated infrastructure, buildings, housing and transport networks - by:

- *Supporting innovative urban design, buildings, technology and infrastructure to redefine greater Christchurch as a safe place built for the future;*

5.3.8 The goals of supporting economic recovery through enabling a business friendly environment, and supporting innovative urban design and buildings have been given regard in the review process.

Waimakariri Ten Year Plan (2015-2025)

5.3.9 The Local Government Act focuses on sustainable development, and in particular social, economic, environmental and cultural well-beings. The Ten Year Plan records the outcomes identified by the community, and it is expected that the Council will use this process to inform other plans and strategies. This includes RMA processes, such as the preparation of plan changes. One outcome is that the '*distinctive character of our towns, villages and rural areas is maintained*'. This includes the provision that the '*centres of our main towns are safe, convenient and attractive places to visit and do business*'. This outcome and the accompanying provision are key considerations in the preparation of this plan change.

5.3.10 The Ten Year Plan sets out future population forecasts within its 30 year Infrastructure Strategy. For Oxford, a population increase of 19% over the period 2015 to 2025 is projected based on Statistics New Zealand data.

Other Plans and Strategies

5.3.11 Regard has been given to the following plans and strategies as required by section 74(2)(b)(i) of the Act.

Oxford Town Centre Strategy (August 2014)

5.3.12 This strategy provides a framework for making positive changes to the Oxford town centre, which is the focal point of the town and a service centre for both urban and rural Oxford. The strategy identifies the development of urban design guidance as important to encourage good urban built outcomes when future development occurs. This guidance is seen as a key element in implementing the community outcomes of the Waimakariri Ten Year Plan (2015-2025) as discussed above.

5.3.13 The implementation table includes the following relevant actions;

- Introduce further District Plan provisions.

The above action is identified as having a short term time frame (undertaken within 12 months of the strategies adoption). The plan change is currently within that timeframe.

Walking and Cycling Strategy and Implementation Plan (2011)

5.3.14 This strategy provides a basis for identification and prioritisation of walking and cycling opportunities. The strategy identifies that greater uptake of cycling and walking benefits the transport system by reducing (motorised) traffic volumes and associated infrastructural requirements. The key objectives of the strategy include:

- Encourage land use planning and built environment to incorporate provision for walking and cycling;

5.3.15 While this plan change does not directly relate to the provision of walking or cycling facilities, access and amenity provisions can have an impact on the desirability of walking or cycling to and within town centres.

Ministry of Justice Guidelines for Crime Prevention through Environmental Design (2005)

5.3.16 Crime Prevention through Environmental Design (CPTED) provides a framework for incorporating crime prevention into urban development. It focuses on reducing both the opportunity to commit crime and the motivation to offend, while fostering positive interactions among legitimate users of a space. The Ministry of Justice Guidelines identify 7 qualities for safer spaces for CPTED. These are:

Access: Safe movement and connections

Places with well-defined routes, spaces and entrances that provide for convenient and safe movement without compromising security.

Surveillance and sightlines: See and be seen

Places where all publicly accessible spaces are overlooked, and where clear sightlines and good lighting provide maximum visibility.

Layout: Clear and logical and orientation

Places that are laid out to discourage crime enhance perceptions of safety and help with orientation and way-finding.

Activity mix: Eyes on the street

Places where the level of human activity is appropriate to the location and creates a reduced risk of crime and a sense of safety at all times by promoting a compatible mix of uses and increased use of public spaces.

Sense of ownership: showing a space is cared for

Places that promote a sense of ownership, respect, territorial responsibility and community.

Quality environment: Well-designed, managed and maintained environments

Places that provide a quality environment and are designed with management and maintenance in mind to discourage crime and promote community safety in the present and the future.

Physical protection: Using active security measures

Places that include necessary, well designed security features.

The above qualities have all been taken into account during the development of this plan change.

Mahaanui Iwi Management Plan (IMP)

- 5.3.17 The Mahaanui IMP 2013 is part of a larger network of regional and territorial planning documents. The Council is required to take account of this document (pursuant to Section 74 2A of the RMA).

The issues and policies listed below are considered to be of relevance to the review of provisions.

Issue P3: Ngāi Tahu participation in urban and township planning and development.

Ngā Kaupapa / Policy

Urban and Township Planning

P3.1 To require that local government recognise and provide for the particular interest of Ngai Tahu Papatipu Runanga in urban and township planning.

P3.2 To ensure early, appropriate and effective involvement of Papatipu Runanga in the development and implementation of urban and township development plans and strategies, including but not limited to: ...

(b) Plan changes and Outline Development Plans;

- 5.3.18 As outlined below the Council has sent out information regarding the plan change to statutory parties including Mahaanui Kurataiao who have a general mandate to represent the interests of the Papatipu Rūnanga. This is a pre-notification consultation ensures early involvement of Papatipu Runanga. No comments were received.

6. Research and Consultation

- 6.1 Council research included expert advice provided by Context Urban Design (attached as Appendix 3) who provided a report commenting on the existing amenity and character of the Oxford town centre. The report included some recommendations of matters that could be considered.

Table 1: Summary of Consultation

SUMMARY OF CONSULTATION
August 2013 – Oxford Area Community Survey
17 September 2014 - Staff workshop
19 November 2014 - Oxford Eyre Ward Advisory Board consultation
10 December 2014 - Staff workshop
16 February 2015 - Stakeholder consultation meeting (Oxford Promotions Action Committee)
First schedule consultation – January - February 2015

7. Urban Design as a Resource Management Issue

- 7.1 The following questions are relevant to the issue of urban design as it applies to the Business 1 Zone in Oxford.

Table 2: Resource Management Framework

<i>Is the issue a resource management issue?</i>	Yes. The town centres and the buildings and spaces within the town centres provide for social, cultural and economic wellbeing. Also, as outlined earlier, it is a matter provided for under the Act and other documents including the Regional Policy Statement.
<i>Is the issue relevant to the District?</i>	<p>Yes. The town centre is a significant community asset for the residents of Oxford and the surrounding rural areas and settlements. This is reflected in the following Ten Year Plan outcome:</p> <p>The distinctive character of our towns, villages and rural areas is maintained</p> <ul style="list-style-type: none"> – The centres of our main towns are safe, convenient and attractive places to visit and do business <p>In addition, the Waimakariri District Plan, which manages subdivision and land use, includes an overarching objective that seeks quality urban environments which maintain and enhance the form and function, character and amenity values of urban areas (Objective 15.1.1.1). This includes town centres. The provisions of Chapter 16 are also specifically relevant to the character and function of the town centres.</p>
<i>Is addressing this issue likely to make a difference?</i>	Yes. Addressing the issues will enable future buildings and public spaces to contribute to the ongoing character and function of the town centres, in a manner expressed by the community to date. Addressing the issue also provides for the integrated management of growth within the Business 1 Zones and provides some certainty as to features and characteristics of the centres over time.
<i>Should this issue</i>	Yes. Urban design control is a matter to be addressed under

<i>be addressed by the District Plan?</i>	the purpose and principles of the Act. Objectives, policies, rules, and methods within the District Plan are designed to give effect to the Act. The District Plan currently contains some provisions to manage the location and design of buildings with the Business 1 Zones. This report assesses the most appropriate way for the Plan to continue to give effect to the Act.
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8. Outline of Issues

- 8.1 The following is an overview of the urban design issues that apply to the Oxford Town Centre.

Position of buildings on a site or sites

- 8.2 The position of a building on a site has a direct influence on the adjoining sites, buildings and public spaces. Building position also plays a significant role in the economic and social vitality of a town centre. In general terms, buildings that are functional, attractive and are located in a setting with high environmental amenities perform well as places of social and economic activity.
- 8.3 The Oxford Town Centre is currently disjointed through the presence of Pearson Park and through residential properties which have not been converted to business use. Building position is inconsistent with setbacks ranging from zero metres to over 20m (new supermarket). Should the few remaining sites available for development or redevelopment be setback too far from the road boundary, the continuity and vitality of the town centre could be lost.
- 8.4 In contrast, it is a characteristic of Oxford that some of the buildings are setback a short distance from the road boundary to allow for outdoor dining areas or landscaping. Discussions with community groups and feedback within the community survey indicates that this is a feature that some would like to see retained.

The design of buildings, particularly where facing or visible from roads and other public areas

- 8.5 The key issue for the design of buildings within the Oxford town centre environment is to ensure that they address the street. This is important as it leads to the activation of the public environment (footpaths and pedestrian areas) adding to the vitality of busyness of the town centre. This is partly through their location on site, as set out above, but also the avoidance of expanses of blank walls and the presence of activating features such as doors and windows.
- 8.6 Within Oxford the existing buildings have varied success in addressing and activating the street. There are a number of examples where buildings have few or no windows and do not actively engage with the street. An example is the Butchers building on the corner of Main Street and Meyer Place where the Meyer Place frontage is a solid concrete block wall. Softening of the wall has been achieved with an attractive mural; however such mitigation measures only go so far and don't lead to true street activation. A further issue with such blank walls is that they may result in an area become less safe due to reduced overlooking and surveillance.

- 8.7 To this end, it is important for the design of buildings to include windows and doors onto the street, where possible. This is also important where buildings face or adjoin public open space, such as a lane or other public pedestrian area such as Pearson Park. As Oxford is characterised by a very linear business zone this is particularly important to emphasise the primacy of Main Street especially on corner sites.

Size and height of buildings

- 8.8 Feedback from both the Oxford community survey and from the consultations that have occurred with various groups has given a clear indication that height limits should be reduced. Most people did not realise that the current permitted height limit was 15m and have expressed that buildings of this height are undesirable.
- 8.9 A tall building can dominate other lower height buildings, particularly where it is significantly different in height, and can be incongruous with the surrounding streetscape. Oxford as a whole including the town centre is a low rise community without the need for tall buildings. Tall buildings may also detract from and compete with the mountain setting of the town. Where two storey buildings do exist the amount of glazing on the first floor is lower than in the larger towns of Rangiora and Kaiapoi.
- 8.10 Associated with height, is the size of buildings and in particular the length of any frontage. Buildings with long horizontal frontages can detract from the character and 'rhythm' of a street, due to the absence any variation in design along the length of that frontage. This effectively creates an interface that can detract from the overall urban form. 'Modulation' i.e. the definition of a frontage by components or design change, is commonly employed on buildings with longer frontages.

Location of car parking, access and pedestrian accessibility

- 8.11 Car parking on site within the town centres is a permitted activity under the Plan, subject to minimum requirements. Car parking can be located in any position on a site in relation to a building. Larger sites lend themselves to a greater range of opportunities for the placement of car parks. The recent redevelopment of the Oxford supermarket has resulted in the car park being relocated to the front of the building, and adjacent to the street. This has the adverse effect of exacerbating the disjointed nature of the town centre and reducing the vitality of the main street.

Relationship to roads, walking and public open spaces

- 8.12 Foot traffic is important to stimulate business and add vitality to a town centre. Oxford town centre has long distances between key destinations which encourages visitors to drive between stops rather than walk. Enhancing the street scape and the visual amenity of the town centre can lead to an increase in foot traffic with people choosing to walk to their destinations. A key element to this includes providing direct access to the building entrance from the pavement. Also important is ensuring that landscaping and fencing in front of buildings avoids creating a visual barrier between the shop and the street.

Residential use of land zoned Business 1

- 8.13 Business 1 zoned land available for development within Oxford is limited unless significant redevelopment of existing sites occurs. Activities such as retailing which is a core town centre activity is starting to occur outside of the existing Business 1 Zone. In order to ensure that the role of the town centre is reinforced as the primary