

Assessment of the Kerikeri Mixed Use Precinct Planning Provisions

Potential issues

- All underlying mixed use zone rules apply unless there are Kerikeri Mixed Use Precinct rules with the same activity description that prevail over the equivalent Mixed Use Zone rules. This leaves some potential gaps in terms of permitted activities within the Mixed Use Zone that may not be appropriate for the precinct. For example, community corrections activity, supermarkets less than GFA 450m2, Supported residential care (above ground floor),
- Doesn't appear like they have based the precinct provisions off the ROR version of the MUZ.

Kerikeri Mixed Use Precinct

Overview

The Kerikeri Mixed Use Precinct applies to land with existing agglomerations of commercial activities along Kerikeri Road and the Redwoods Area at State Highway 15. The Kerikeri Mixed Use Precinct provides for commercial activities, community activities and residential activities. The Kerikeri Mixed Use Precinct provisions enable existing commercial activities and provide for new commercial activities whilst recognising the prominent road frontage of Kerikeri Road and State Highway 15.

The objectives, policies, rules and standards of the underlying Mixed Use zone apply in addition to any relevant provisions of the Kerikeri Mixed Use precinct, except that:

- Objectives MUZ-O3 and MUZ-O5 do not apply;
- Policies MUZ-P1 and MUZ-P5 do not apply;
- All Kerikeri Mixed Use Precinct rules with the same activity description prevail over the equivalent Mixed Use Zone rules; and
- All Mixed Use zone standards apply to the Kerikeri Mixed Use Precinct, with the exception of:
 - MUZ-S1
 - MUZ-S5
 - MUZ-S6

Commented [KB1]: Don't think its necessary for MUZ-P5 not to apply. The ROR version satates that restricting residential activity, supported residential care and visitor accomodation on the ground floor of buildings, to locations outside the pedestrian frontage overlay. So this wouldn't limit the Precinct from enabling groundfloor residential, visitor accomodation etc.

Commented [KB2]: May need to consider MUZ-P2 not applying as well. It requires all subdivision in the MUZ to provide wastewater, stormwater and potable water supply reticulated services to the boundary of each lot.

Objectives

O1 Recognise and provide for mixed-use development, including commercial activities, visitor accommodation and residential activities within the Kerikeri Mixed Use Precinct.

Commented [KB3]: As noted above, may not be all types of mixed use development that should be recognized and provided for within the Precinct.

Policies

P1 Enable a range of commercial and residential activities in the Kerikeri Mixed Use Precinct where those activities:

- Improve community access to goods, services, and provides opportunities for social interaction.
- Manage adverse effects on the environment.

- c. Create high levels of internal amenity through good quality urban design.

P2 Provide for residential and visitor accommodation activities within the Kerikeri Mixed Use precinct where they are compatible with commercial activities in the Kerikeri Mixed Use precinct.

P3 Restrict activities that are likely to have an adverse effect on the function, role, sense of place and amenity of the Kerikeri Mixed Use precinct including:

- a. heavy industrial activity;
- b. storage and warehousing;
- c. large format retail activity ; and
- d. waste management activity.

Commented [KB4]: Not necessary if precinct is not exempt from MUZ-P5

Rules

R1 Commercial Activity

Activity Status: Permitted

Where:

PER-1

The activity is not a service station, supermarket, or large format retail.

PER-2

Any office activity does not exceed 200m² in GFA within any site.

PRE-3

Any activity, other than office activity does not exceed 400m² in GFA within any site.

Activity status where compliance is not achieved: Discretionary.

Commented [KB5]: Not consistent with the ROR version of this rule. More similar to the notified version, may not be an issue. Although it should perhaps state that drive throughs are excluded.

R2 Residential Activity

Activity Status: Permitted

Where:

PER-1

The number of residential units does not exceed one within any site.

PER-2

The residential unit complies with standards:

- a. PER-S2
- b. NOISE-S5 Noise insulation.

Commented [KB6]: Not sure if this should be a standard. Makes more sense to include in the rule like the ROR version.

Activity status where compliance is not achieved: Discretionary.

R3 Visitor Accommodation

Activity Status: Permitted

Where:

PER-1

No more than 12 tariff-paid visitors are staying on-site at any one time within any site.

PER-2

No more than 2 accommodation units per 500m² are constructed or operated within any site.

PER-3

Each accommodation unit provides an outdoor living court of at least 4m² and at least 1.5m depth.

PER-4

The accommodation unit complies with the NOISE-S5 Noise insulation standard.

Activity status where compliance is not achieved: Discretionary.

R4 Healthcare activity

Activity Status: Permitted

Where:

PER-1 The activity does not exceed 400m² in GFA within any site.

Activity status where compliance is not achieved: Discretionary.

Commented [KB7]: Potentially okay. Not sure if there could be a potential issue, as you could technically have one residential unit on the site along with two additional accommodation units per 500m² (although limited to a maximum capacity of 12 tariff-paid visitors on site at any one time). However, the subdivision standards require 2,000m² as a controlled activity in the MUZ where on-site wastewater disposal is required. I assume this level of intensity is considered feasible on a 2,000m² site?

Commented [KB8]: Why is this rule needed? Healthcare activity that does not exceed a GFA of 450m² is permitted in the ROR version of the MUZ.

R5 Community facility

Activity status: Discretionary

R6 Emergency service facility

Activity status: Discretionary

R7 Trip Generation

Activity status: Permitted

Where:

PER-1

- a. Any Activity proposed under rules R1 – R6 shall comply with TRAN-R5 and
- b. The cumulative GFA of all commercial, visitor accommodation and healthcare facilities which access Kerikeri Road does not exceed a threshold 8,500m² within the Precinct.

Activity status where compliance is not achieved: Restricted Discretionary

Matters of discretion:

1. Those matters listed in TRAN-R5.
2. Effects on the sustainability, safety, efficiency, effectiveness and accessibility of the immediately adjacent transport network, including cumulative effects from incremental changes to the activity on the site or sites within the Precinct.

Commented [KB9]: Maybe the traffic engineer should review this?

Standards

PER-S1 Maximum Height

The maximum height of any building or of a building or structure, or extension or alteration to an existing building or structure, is 12m above ground level.

Where the standard is not met, matters of discretion are restricted to:

- a. the character and amenity of the surrounding area;
- b. dominance in relation to the road and adjoining sites;
- c. loss of privacy to adjoining sites, including potential loss in relation to vacant sites;
- d. shading and loss of access to sunlight to adjoining sites;
- e. landscaping; and
- f. natural hazard mitigation and site constraints.

Commented [KB10]: I do not know why this is necessary. The MUZ - S1 (Maximum height) already enable up to 12m except in certain areas (Paihia and Russell).

PER-S2 Residential Unit Minimum Internal Floor Area

The minimum net internal floor area, excluding outdoor living space, of a residential unit shall be:

1. 1 bedroom = 45m²
2. 2 bedroom = 62m²
3. 3 bedroom = 82m²

Commented [KB11]: This is added into MUZ-R4 Residential Activity rule in the ROR version. For consistency would make more sense to include in the corresponding residential activity rule for the precinct. Rather than this separate standard.