

**20****BUSINESS ZONE RULES****Activities Tables**

Policies 3.4.1, 6.4.1

<b>20.1 Subdivision Activities</b>	
<b>Subdivision excluding company lease, cross lease and unit title subdivision</b>	
Subdivision which complies with the standards in rule 20.5 unless specified below	<b>C</b>
Subdivision which does not comply with the standards specified in rule 20.5	<b>D</b>
Subdivision which complies with the access standards in 20.9	<b>C</b>
Subdivision which does not comply with the access standards in 20.9	<b>LD</b>
Subdivision around any existing lawfully established dwelling or commercial unit which does not result in the creation of any new undeveloped allotment that contains no dwelling or commercial unit	<b>C</b>
Subdivision of land for utilities, reserves or conservation purposes	<b>C</b>
Subdivision of a site identified in Schedules 26.8 or 27.8	<b>D</b>
Creation of a lot that does not have formed legal access to a formed legal road, unless the proposal is for a paper road or other access to be formed as a condition of subdivision approval in accordance with the Code of Practice for Civil Engineering Works	<b>NC</b>
Subdivision which creates building platforms within 20m of high voltage (110kV or greater) electricity transmission lines as shown on the Planning Maps	<b>LD</b>
<b>Company lease, cross lease and unit title subdivision</b>	
Subdivision which is a company lease, cross lease or unit title subdivision or an alteration to a company lease, unit title or cross lease title to include a building extension or alteration or accessory building on the site (excluding an additional dwelling) that has been lawfully established in terms of the Building Act 1991	<b>C</b>
<b>Any subdivision not provided for in this table</b>	<b>D</b>

<b>Key</b>	<b>P</b> Permitted activity which complies with standards for permitted activities specified in the Plan
	<b>C</b> Controlled activity which complies with standards for controlled activities specified in the Plan
	<b>LD</b> Limited discretionary activity
	<b>D</b> Discretionary activity
	<b>NC</b> Non complying activity

<b>20.2</b>	<b>Land Use Activities</b>	<b>Business Commercial</b>	<b>Business Industrial</b>
	<b>All activities other than those identified below are permitted provided they meet the standards specified in the Plan for permitted activities</b>	<b>P</b>	<b>P</b>
	Visitor accommodation	<b>P</b>	<b>NC</b>
	Warehouses	<b>D</b>	<b>P</b>
	Service stations and motor vehicle garages	<b>D</b>	<b>C</b>
	Motor vehicle wrecking	<b>NC</b>	<b>D</b>
	Public car parks	<b>D</b>	<b>D</b>
	Every activity listed as an offensive trade in the third schedule of the Health Act 1956	<b>NC</b>	<b>D</b>
	The sale and hire of motor vehicles, boats, caravans, motor homes and accessories and motor vehicle spare parts	<b>D</b>	<b>P</b>
	Churches	<b>C</b>	<b>P</b>
	Residential accommodation at ground floor level	<b>D</b>	<b>D</b>
	Residential accommodation for a caretaker, where the caretaker is required to live on the site	<b>P</b>	<b>P</b>
	Residential accommodation not otherwise provided for in this table	<b>P</b>	<b>D</b>
	Signs	<b>P</b>	<b>P</b>
	Signs which do not comply with permitted activity standards	<b>LD</b>	<b>LD</b>
	Buildings which do not comply with permitted or controlled activity standards	<b>LD</b>	<b>LD</b>
	Gang fortifications	<b>Prohibited</b>	
	<b>Activities otherwise permitted or controlled which do not comply with the access standards in 20.9</b>	<b>LD</b>	<b>LD</b>
	<b>Activities otherwise permitted or controlled, which do not comply with the relevant standards in this Chapter, except where otherwise specified in this table or in the City-wide provisions of the Plan</b>	<b>D</b>	<b>D</b>

### **20.3 City-wide provisions**

Each activity in the Business Zone shall comply with the relevant permitted activity standards in the City-wide provisions of the Plan as listed below.

<b>Chapter</b>	<b>City-wide provisions</b>
23	Earthworks and Vegetation Clearance
24	Esplanade Reserves and Strips
25	Reserves and Leisure Facilities Contributions
26	Heritage Features
27	Notable Trees
28	Protected Ridgelines
29	Water Bodies
30	Utilities
31	Car Parking
32	Noise and Vibration
33	Flooding and Fault Band Hazards
34	Hazardous Substances and Contaminated Land

#### **20.4 Controlled activities – restrictions on notification**

Subject to section 94C of the Act, a resource consent application for a controlled activity will be decided without the need for public notification of the application under section 93, and without the need to serve notice of the application under section 94(1).

### **Standards for Permitted and Controlled Activities**

#### **20.5 Minimum requirements for subdivision**

*Policies 3.4.1, 6.4.1*

<b>Business Sub-Zone</b>	<b>Minimum net site area</b>	<b>Shape factor</b>
Business Commercial	300m <sup>2</sup>	7.5m
Business Industrial	500m <sup>2</sup>	20m
<b>Exemptions</b>		
These standards shall not apply to any lot for utility, reserve or conservation purposes.		

**20.6 Subdivision which complies with the standards in rule 20.5**

*Policies 6.4.3,  
6.4.4, 9.4.3*

Council may impose conditions over the following matters:

- Design, appearance and layout of the subdivision.
- Landscaping.
- Provision of utilities and/or services.
- Standard, construction and layout of vehicular access.
- Earthworks.
- Protection of any special amenity feature.
- Financial contributions.

**20.7 Subdivision which is a company lease, cross lease or unit title subdivision**

*Policies 6.4.3,  
6.4.4, 9.4.3*

Council may impose conditions over the following matters:

- Provision of utilities.
- Allocation of accessory units to principal units and covenant areas to leased areas to ensure compliance with car park provisions and to ensure practical physical access to units.
- Allocation of areas.
- Financial contributions.

**20.8 Subdivision of land for utilities, reserves or conservation purposes**

*Policies 6.4.3,  
6.4.4, 9.4.3*

Council may impose conditions over landscaping and appearance and financial contributions.

**20.9 Access standards for subdivision and land use activities**

*Policies 6.4.1,  
6.4.2, 9.4.3*

- All accessways and manoeuvring areas shall be formed and surfaced in accordance with the Code of Practice for Civil Engineering Works. Exemption – the requirement for accessways serving sites solely occupied by unstaffed utilities shall be that the accessway shall be surfaced with permanent all weather surfacing for a minimum length of 5m from the edge of the road carriageway seal.

- All sites shall have practical vehicle access to car parking and loading spaces, in accordance with the Code of Practice for Civil Engineering Works. This requirement does not apply to sites solely occupied by unstaffed utilities, provided that vehicles associated with utilities shall not obstruct the footpath or create a traffic hazard on the road.
- Adequate vehicular access shall be made available to the rear of every new building in accordance with the Code of Practice for Civil Engineering Works.
- Vehicular access to a corner site shall be located no closer than 8m from the street corner. Where a site is located on an intersection of a primary or secondary arterial traffic route (as identified in Chapter 37) the siting of the vehicular access shall be located as far as practicable from the corner of the street.
- Where a corner site is located at an intersection of a national, primary or secondary arterial traffic route, as identified in Chapter 37, no building, fence or other structure is to be erected and no vegetation allowed to grow so as to obstruct a traffic sight line.
- At the intersection of a road or rail level crossing, no building, fence or other obstructions which block sight lines for trains shall be erected, placed or grown in the hatched area marked in Diagram A in Chapter 38.
- Subdivision and land use activities with direct access to a State Highway shall comply with the access and visibility standards set out in Diagrams B to E in Chapter 38.

## 20.10

### Setbacks from boundaries

Policies 6.4.3,  
6.4.4

The setback distance for buildings from boundaries shall be not less than:

	<b>Business Commercial Sub-zone</b>	<b>Business Industrial Sub-zone</b>
Front boundary	8m	8m
Side and rear boundaries except where adjoining a Residential or Open Space Zone	0m	0m
Side and rear boundaries adjoining a Residential or Open Space Zone	3m	5.5m
<b>Exemptions:</b>		
<ul style="list-style-type: none"> <li>• Service station canopies are exempt from the front boundary setback requirement.</li> </ul>		
<ul style="list-style-type: none"> <li>• Pole signs are exempt from the front boundary setback requirement.</li> </ul>		
<ul style="list-style-type: none"> <li>• Properties within the CBD are exempt from all boundary setback requirements, except where sites adjoin a Residential or Open Space Zone.</li> </ul>		

## 20.11 Building height

Policy 6.4.4

The maximum height of any building in the following areas shall not exceed:

Business Commercial (except CBD)	8m
CBD (except for northern side of Main Street)	40m
CBD (northern side of Main Street only)	20m
Business Industrial	12m
<b>Exemption:</b>	
Chimneys, smoke stacks and similar structures in the Business Industrial Sub-zone shall not exceed 30m in height.	

## 20.12 Sunlight access

Policies 4.4.4,  
6.4.3, 6.4.4

All buildings on sites adjoining, or within 25m of a site within the Residential or Open Space Zone, shall comply with the height control planes defined in rule 18.16.

## 20.13 Loading provisions

Policies 6.4.2,  
6.4.3

The number of loading spaces needed for any building in the Business Zone shall be as follows:

Floor area	Loading spaces required
Between 100m <sup>2</sup> and 1000 m <sup>2</sup>	1 space
Between 1001m <sup>2</sup> and 2000m <sup>2</sup>	2 spaces
More than 2000m <sup>2</sup>	2 spaces or 4 spaces if the building is used as a retail store
<b>Notes</b>	
<ul style="list-style-type: none"> <li>• Every loading space requires a manoeuvring space for ingress and egress. The extent of the manoeuvring space is to be in accordance with the Code of Practice for Civil Engineering Works.</li> </ul>	
<ul style="list-style-type: none"> <li>• Loading areas must be kept clear and must be available at all times for vehicles used in association with the building during which time the building is being used for the activity to which the car parking and loading spaces relate.</li> </ul>	
<ul style="list-style-type: none"> <li>• Direct access to each loading space may be allowed from any vested service lane.</li> </ul>	
<ul style="list-style-type: none"> <li>• All loading spaces are required to be formed and surfaced in accordance with the Code of Practice for Civil Engineering Works.</li> </ul>	

**20.14 Water supply and disposal of effluent**

*Policies 9.4.3,  
13.4.1*

All activities shall comply with the water supply and disposal of effluent standards in the Code of Practice for Civil Engineering Works.

**20.15 Artificial light**

*Policies 6.4.3,  
15.4.1*

- Light emissions from a site which adjoins a Residential or Open Space Zone shall not exceed a measurement of 8 lux (lumens per m<sup>2</sup>) measured in both the horizontal and vertical planes, 1.5m above the ground at the boundary of the property.
- Light emissions from a site shall not spill directly onto roads.
- Light emissions will be measured by an instrument that meets NZSS CP22 (1962) requirements and amendments.

**20.16 Dust**

*Policies 6.4.3,  
15.4.1, 15.4.2*

Activities shall not create a dust nuisance. A dust nuisance may occur if:

- There is visible evidence of suspended solids in the air beyond the site boundary.
- There is visible evidence of suspended solids, traceable from a dust source, settling on the ground, building or structure on a neighbouring property or on water.

**20.17 Screening**

*Policies 6.4.3,  
15.4.1*

Sites adjoining a Residential or Open Space Zone shall be fenced on the common boundary by a solid 2m high fence.

**20.18 Landscaping**

*Policies 6.4.2,  
6.4.3, 6.4.4*

- If a building is required to be set back from the road boundary, the set back area between the road boundary and the building shall be landscaped unless it is used for access or car parking purposes. If car parking or accessways are provided between the road boundary and the building, a landscape strip with a minimum width of 0.6m shall be provided within the site along the road boundary.
- Where a site adjoins a non-Business Zone (excluding road boundaries) or is within 25m of a Residential or Open Space Zone, a landscape buffer with a minimum width of 0.6m shall be provided within the site between the zone boundary and the buildings.

## **20.19 Requirements for buildings on sites adjoining Main Street**

*Policies 6.4.2,  
6.4.4*

- All buildings on sites adjoining Main Street shall provide continuous building frontage onto the boundary with Main Street.
- All yards, outdoor storage, outdoor retail areas, or other unbuilt areas on a site shall not be located adjoining the boundary with Main Street.
- All buildings fronting Main Street shall ensure that at least 50% of the ground floor frontage is glazed.
- For sites fronting onto Main Street, all vehicle access or egress shall be via alternative streets or service lanes or other accesses which do not connect on to Main Street.

## **20.20 Main Street verandahs**

*Policies 6.4.2,  
6.4.4*

Buildings fronting Main Street shall provide verandahs for pedestrian cover, meeting the following standards:

- The lowest part of a verandah, not including signage, shall be at least 2.9m above the footpath.
- The verandah shall extend for the full length of the frontage of the site.
- The verandah shall cover the full width of the footpath less 500mm.
- Any new or refurbished verandah shall provide in its design for a visual continuity between any existing adjoining verandah(s) and the proposed verandah.

## **20.21 Car parking areas**

*Policies 6.4.2,  
6.4.3*

Any car parking provided on a site shall be primarily for the purposes of meeting the car parking demand generated by the use of that site.

## **20.22 Hours of operation for activities adjoining the Residential Zone**

*Policy 6.4.3*

Any activity which is open to the public (including licenced premises, places of assembly, shops, restaurants and takeaway food outlets) and adjoins a site which is zoned Residential, shall not be open to the public outside the hours of 7am - 11pm Sunday to Thursday (inclusive) and until 1am the following day on Friday, Saturday, Christmas Eve and New Year's Eve.

## 20.23 Service stations and motor vehicle garages

*Policies 6.4.3,  
6.4.4*

Council may impose conditions on:

- Traffic generation, car parking, access arrangements and on-site vehicle movements.
- Bulk, location, design and appearance of buildings.
- Hours of operation.
- Landscaping and screening.
- Health and safety issues.
- Noise.
- Lighting.
- Signage.
- Servicing and infrastructure.
- Financial contributions.

## 20.24 Churches

*Policies 6.4.3,  
6.4.4*

Council may impose conditions on:

- Avoiding, remedying or mitigating adverse effects on the business function of the area.
- Location and nature of activities within the site.
- Traffic generation, car parking, access arrangements and on-site vehicle movements.
- Bulk, location, design and appearance of buildings.
- Hours of operation.
- Landscaping and screening.
- Noise.
- Lighting.
- Signage.
- Servicing and infrastructure.
- Financial contributions.

## 20.25 Temporary signs

*Policies 15.4.5,  
16.4.4*

Temporary signs, in all zones, must meet all of the following conditions:

- The sign face shall be no greater than 3m<sup>2</sup> in area visible from any one direction.
- The sign shall relate to a temporary or one-off activity.

- The maximum period for any temporary sign shall be 2 months, except for signs required to be erected for health and safety reasons, where the maximum period shall be 6 months.
- Any temporary sign shall be removed within 48 hours of the ceasing of the activity to which the sign relates.
- Real estate signs involved in the advertising and sale of properties must relate to the property on which they are erected.
- Any sign shall be located so that it does not obstruct any official traffic sign.
- Any sign must not be flashing, animated or continuously differ in form or detail.
- Any sign directed at the State Highway where the speed limit is 70km/hr or greater shall comply with the following:
  - Have a minimum letter height of 160mm; and,
  - Contain no more than six words and symbols and no more than 40 characters; and,
  - Be located so as to provide an unrestricted view to the motorist for a minimum distance of 180 metres.

**20.26 Signs within roads**

*Policies 15.4.5,  
16.4.4*

Road, traffic and advertising signs within roads, in all zones, must be approved by the road controlling authority.

**20.27 All other signs**

*Policies 15.4.5,  
16.4.4*

- There is no limit on the number of signs attached to buildings, provided that:
  - They do not encroach into any required setback.
  - They do not protrude beyond the roof line of the building to an extent greater than 10% of the face area of the sign.
  - The total face area of signage on the site does not exceed 1m<sup>2</sup> per metre of street frontage up to a maximum of 35m<sup>2</sup> visible from any one direction.
- One freestanding sign per site, provided that no part of the sign shall be more than 9m above ground level and the total face area visible from any one direction shall be no greater than 7.5m<sup>2</sup>.
- Additional signs on a site where they are for the purposes of directing traffic, provided that:
  - The maximum vertical dimension of the sign face shall not exceed 1m.
  - The total face area of the sign visible in any one direction does not exceed 0.5m<sup>2</sup>.
  - Content of directional signs is restricted to directional arrows and “entry” or “exit” or equivalent terminology.

- Sandwich board signs, provided that:
  - No part of the sign shall be more than 1m above ground level.
  - The width of the sign is no greater than 0.6m.
  - The location of the sign does not affect pedestrian or traffic safety.
- Any sign (except sandwich boards) shall be situated on the site to which the sign relates.
- Any sign which is located within 50m of, and visible from, a Residential Zone must not be flashing, animated or continuously differ in form or detail.
- Any sign shall be removed when the activity to which it relates has ceased.
- Any sign shall be located so that it does not obstruct any official traffic sign.
- Any sign must not be flashing, animated or continuously differ in form or detail.
- Any sign directed at the State Highway where the speed limit is 70km/hr or greater shall comply with the following:
  - Have a minimum letter height of 160mm; and,
  - Contain no more than six words and symbols and no more than 40 characters; and,
  - Be located so as to provide an unrestricted view to the motorist for a minimum distance of 180 metres.

### **Limited Discretionary Activities**

**20.28                      Subdivision which creates building platforms within 20m of high voltage (110kV or greater) electricity transmission lines as shown on the Planning Maps**

*Policy 16.4.1*

Council will limit its discretion to, and may impose conditions on:

- The extent to which the subdivision design mitigates the effects of lines by locating roads and reserves under the route of the line.
- The extent to which maintenance and inspections of transmission lines are affected.
- The extent to which potential adverse effects including risk or injury, property damage and visual impact are mitigated through the location of building platforms.
- The outcome of any consultation with the affected utility operator.
- Separation distances between trees and conductors and the location and mature size of trees planted near the transmission lines.

**20.29 Subdivision and land use activities which do not comply with the access standards in 20.9**

*Policy 16.4.6*

Council will limit its discretion to, and may impose conditions on:

- The extent to which the activity will adversely affect traffic and pedestrian safety.
- The extent to which the activity will adversely affect the efficient functioning of the roading network.

**20.30 Buildings which do not comply with the standards for permitted and controlled activities.**

*Policies 6.4.2, 6.4.3, 6.4.4*

Council will limit its discretion to, and may impose conditions on:

- Height, boundary setbacks and daylight control requirements.
- Car parking and access.
- Requirements for buildings on sites adjoining Main Street.
- Financial contributions.

**20.31 Signs which do not comply with the standards for permitted activities**

*Policies 15.4.5, 16.4.4*

Council will limit its discretion to, and may impose conditions on:

- The area of signs.
- The number of signs.
- The colour and materials used.
- The location of signs.
- Sign content.
- Illumination, lighting, reflectorisation and animation.

**Matters for Consideration**

**20.32** Matters that may be relevant in the consideration of any resource consent, other than for a limited discretionary activity, may include the following:

**Subdivision**

<ul style="list-style-type: none"> <li>• The requirements of section 106 of the Act.</li> <li>• Whether the proposed allotments are capable of accommodating a range of activities in compliance with zone standards.</li> <li>• Whether the subdivision compromises future subdivision potential of the land.</li> <li>• The cumulative effect on existing infrastructure as a result of the proposed subdivision.</li> <li>• The extent of compliance with Council’s Code of Practice for Civil Engineering Works.</li> </ul>
<b>Access</b>
<ul style="list-style-type: none"> <li>• Accessibility for public transport, cyclists and pedestrians.</li> <li>• Compliance with the Code of Practice for Civil Engineering Works.</li> <li>• Whether the topography, size or shape of the site or the location of any natural or built feature(s) on the site or other requirements such as easements, rights-of-way or restrictive covenants impose constraints that make compliance impracticable.</li> <li>• Whether the activities proposed will not generate a demand for servicing facilities.</li> <li>• Whether suitable alternative provision for servicing can be made.</li> <li>• Whether the nature of adjacent roads is such that the entry, exit and manoeuvring of vehicles can be conducted safely.</li> </ul>
<b>Site layout</b>
<ul style="list-style-type: none"> <li>• The arrangement of buildings, car parks and vehicle movements on site.</li> <li>• The nature and extent of landscaping and screening.</li> <li>• Whether the topography of the site has been taken into account.</li> <li>• Whether a better standard of development can be achieved by varying the design.</li> </ul>
<b>Bulk and location of buildings</b>
<ul style="list-style-type: none"> <li>• Whether the buildings will cause a loss of privacy, interfere with sunlight access or create shadows on dwellings on adjoining Residentially zoned sites.</li> <li>• Whether the building design, appearance and scale will detrimentally affect the character of the surrounding area.</li> </ul>
<b>Traffic generation</b>
<ul style="list-style-type: none"> <li>• Whether activities which generate significant traffic flows have the necessary access, do not adversely impact upon the street environment, and maintain public safety.</li> </ul>
<b>Signs</b>
<ul style="list-style-type: none"> <li>• Whether the sign is in scale with the associated activities or building development and compatible with the visual character of the area in which it is situated.</li> <li>• Whether signs are obtrusively visible from any residential area or public space.</li> <li>• Whether signs will have adverse effects on traffic or pedestrian safety.</li> <li>• Whether signs detract from the appearance of the building to which they are attached.</li> <li>• Whether signs will result in additional clutter.</li> </ul>
<b>Non-business activities</b>
<ul style="list-style-type: none"> <li>• Whether the buildings, structures or other works are of an appropriate scale having regard to the local amenity.</li> <li>• The extent to which the amenities and the quality of the business environment can be maintained and enhanced.</li> </ul>
<b>Nuisance</b>

<ul style="list-style-type: none"><li>• The potential impacts of noise, dust, glare, vibration, fumes, smoke, other discharges or pollutants or the excavation or deposition of earth.</li></ul>
<b>Infrastructure</b>
<ul style="list-style-type: none"><li>• The existing capacity of the infrastructure.</li></ul>
<b>Cumulative effects</b>
<ul style="list-style-type: none"><li>• Whether cumulative effects such as pollution, risks to public safety and nuisances have been assessed.</li></ul>