

Rules for Activities in the Commercial Zones

General

Performance Standard	Description	Comments	Compliance
COMZ – R1 <i>Applicable Spatial Layers – All Commercial Zones</i>	<p><i>Where an activity is not expressly stated in this table.</i></p> <p>1. <i>Activity Status: Non-Complying</i></p>	<p>The proposal is to utilise the existing motel and its residential units for emergency housing. The proposal does not meet the District Plans definition of “Community Housing”. Therefore as it is not provided for, the activity is considered as Non-Complying.</p>	<p>Complies.</p>

Buildings

COMZ – R2 <i>Applicable Spatial Layers – Commercial 1, 2, 3, 4 and 6 Zones</i>	<p>a. <i>The activity is maintenance and repair of the building; or</i></p> <p>b. <i>The alterations are:</i></p> <p>i) <i>Less than 25m² of any street facing building facades; and</i></p> <p>ii) <i>Less than 100m² of any non-street facing building façade; or</i></p> <p>c. <i>The additions are less than 100m² of floor area and are not located on a street facing building façade.</i></p>	<p>The proposal is solely to use the existing motel site and its facilities to accommodate emergency housing. The proposal does not include additions and alteration to the existing building(s).</p>	<p>No change proposed.</p>
COMZ – R3 <i>Applicable Spatial Layers</i>	<p><i>New buildings</i></p>	<p>The proposal is solely to use the existing motel site</p>	<p>No change proposed.</p>

– Commercial 1, 2, 3, 4 and 6 Zones		and its facilities to accommodate emergency housing. The proposal does not include the construction of new building(s).	
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Tourism

COMZ-R20 <i>Applicable Spatial Layers - Commercial 4 Zones</i>	<i>Tourist accommodation, including resort spas, other than a bed and breakfast</i> 1. <i>Activity Status: Permitted</i> a. <i>Height COMZ-S1;</i> b. <i>Yards COMZ-S2;</i> c. <i>Commercial 4 Zone (Mountain Road): Site coverage COMZ-S3;</i> <i>Parking, access and turning COMZ-S6</i>	The proposed activity is utilising the previously tourism accommodation operated site. The proposal is utilising an existing motel site and its facilities to accommodate emergency housing.	Not applicable.
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Community Housing

COMZ – R24 <i>Applicable Spatial Layers – Commercial 4</i>	<i>Community housing</i> 1. <i>Activity Status: Permitted</i> <i>Any activity that complies with all Performance Standards is a permitted activity:</i> d. <i>Height COMZ-S1;</i> e. <i>Yards COMZ-S2;</i> f. <i>Commercial 4 Zone (Mountain Road): Site coverage COMZ-S3;</i> g. <i>Residential unit design and landscaping COMZ-S5;</i> h. <i>Parking, access and turning COMZ-S6</i>	The proposed activity does not meet the definition for Community housing.	Does not comply.
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Residential

COMZ – R33 Conversion of buildings to residential units

*Applicable
Spatial Layers
– All
Commercial
Zones*

***Any activity that
complies with the
following Performance
Standards is a
Restricted Discretionary
activity:***

- a. *Height COMZ-S1;*
- b. *Yards COMZ-S2;*
- c. *Commercial 4 Zone
(Mountain Road): Site
coverage COMZ-S3;*
- d. *Residential unit design
and landscaping
COMZ-S5;*
- e. *Servicing COMZ-S6;*
- f. *Parking, access and
turning COMZ-S6;*

The proposal is not for a permanent residence and therefore cannot be considered under Rule COMZ-R33.

Not applicable.

Commercial 4 Zone Performance Standards

COMZ – S1

Maximum height and daylight envelope

- 3. Commercial 4 Zone:**
- a. *Fenton Street and Lake Road: Other than as required by c) below, no building shall exceed 24m above the natural ground level.*
 - b. *Mountain Road: No building shall exceed 12m above the natural ground level.*
 - c. *305 Fenton Street (Lot 162 Fenton Street DP 15716):*
 - i. *No building shall exceed 12m above the natural ground level.*
 - ii. *Buildings must not project beyond the*

3. The proposal does not involve changes to the bulk of the existing buildings.

No change proposed.

	<p><i>following recession plane:</i></p> <p>1. <i>Boundary with Reserve 3 Zone Community Asset Reserve: 60 degrees measured 4m vertically above the natural ground level.</i></p>		
	<p>6. All Commercial Zones</p> <p>a. <i>Buildings along any boundary with a Residential zone must not project beyond the recession planes as set out below:</i></p> <p>i. <i>Boundary with Residential 1 Zone, other than as provided in (ii) below: 60 degrees measured 4m vertically above ground level.</i></p>	<p>6. Existing use rights apply. The proposal does not involve changes to the bulk of the existing buildings.</p>	
<p>COMZ – S2</p> <p>Yard requirements</p>	<p>2. Commercial 4 Zone</p> <p><i>Fenton Street and Lake Road:</i></p> <p>a. <i>Front yards: No yards required.</i></p> <p>b. <i>Side, rear and rear site yards: No yards are required unless specified below</i></p> <p><i>Exceptions: Where the site adjoins Residential 1 or 2 Zones the yard shall be 3m.</i></p> <p><i>Where the site adjoins the Lake View Villas in Vaughan Street, Te Ngae (DP 306180 on Lot 2 DP</i></p>	<p>2. The motel site adjoins the Residential 1 Zone along the western boundary. The motel buildings are located over 3m from the boundary. The proposal does not extend the footprint of the existing buildings.</p>	<p>No change proposed.</p>

	305630) the side yard shall be 3m.		
	<p>4. All Commercial</p> <p>a. Sites that adjoin a road widening designation:</p> <p>i. Where road widening is identified as being required, any required yard shall be measured from the boundary of the road widening designation, rather than the lot boundary.</p>	4. Road widening is not identified as being required.	Complies.
COMZ – S3 Site coverage	<p>1. Commercial 4 Zone:</p> <p>Mountain Road: The maximum site coverage is 40% of the site.</p>	The proposal does not involve changes to the bulk of the existing buildings.	No change proposed.
COMZ – S5 Residential unit design and landscaping.	<p>1. Minimum size of residential units</p> <p>a. The minimum net floor area a studio unit shall be 35m²</p> <p>b. The minimum net floor area a 1 bedroom unit shall be 45m²</p>	The proposal will retain all 40 motel units motel units (plus the managers accommodation). No changes are proposed to the layout or configuration of the existing units within the site.	No change proposed.
	<p>2. Outdoor living space (per unit)</p> <p>a. Commercial 4 Zone:</p> <p>i. A residential unit at ground floor level must have an outdoor living space that is at least 20m² and that comprises ground floor, or balcony, patio, or</p>	The proposal will retain all 40 motel units (plus the managers accommodation). No changes are proposed to the layout or configuration of the existing units within the site.	No change proposed.

	<p><i>roof terrace space that,—</i></p> <ol style="list-style-type: none"> <i>1. Where located at ground level, has no dimension less than 3m; and</i> <i>2. where provided in the form of a balcony, patio, or roof terrace, is at least 6m² and has a minimum dimension of 1.5m.</i> <i>3. is accessible from the residential unit; and</i> <i>4. may be—</i> <ol style="list-style-type: none"> <i>a. grouped cumulatively by area in 1 communally accessible location; or</i> <i>b. located directly adjacent to the unit; and</i> <p><i>is free of buildings, parking spaces, and servicing and manoeuvring areas.</i></p>		
	<p><i>ii. A residential unit at ground floor level must have an outdoor living space that is at least 20m² and that comprises ground floor, or balcony, patio, or roof terrace space that,—</i></p> <ol style="list-style-type: none"> <i>1. is at least 6m²</i> <i>2. has a minimum dimension of 1.5m:</i> <i>3. is accessible from the residential unit; and</i> <i>4. may be—</i> 	<p>Existing use rights apply. No changes are proposed to the outdoor living space, layout or configuration of the existing units within the site.</p>	<p>No change proposed.</p>

	<ul style="list-style-type: none"> a. <i>grouped cumulatively by area in 1 communally accessible location, in which case it may be located at ground level; or</i> b. <i>located directly adjacent to the unit.</i> 		
	<p>3. Outlook space</p> <ul style="list-style-type: none"> a. <i>An outlook space must be provided from habitable room of a residential unit windows as shown in the Figure COMZ 1 – Outlook Space</i> b. <i>The minimum dimensions for a required outlook space are as follows:</i> <ul style="list-style-type: none"> i. <i>a principal living room must have an outlook space with a minimum dimension of 4m in depth and 4m in width; and</i> ii. <i>all other habitable rooms must have an outlook space with a minimum dimension of 1m in depth and 1m in width;</i> c. <i>The width of the outlook space is measured from the centre point of the largest window on the building face to which it applies;</i> d. <i>Outlook spaces may be over driveways and footpaths within the</i> 	<p>Existing use rights apply. No changes are proposed to the outlook space, layout or configuration of the existing units within the site.</p>	<p>No change proposed.</p>

	<p><i>site or over a public street or other public open space;</i></p> <p><i>e. Outlook spaces may overlap where they are on the same wall plane in the case of a multistorey building;</i></p> <p><i>f. Outlook spaces may be under or over a balcony;</i></p> <p><i>g. Outlook spaces required from different rooms within the same building may overlap;</i></p> <p><i>h. Outlook spaces must—</i></p> <p><i>i. be clear and unobstructed by buildings; and</i></p> <p><i>ii. not extend over an outlook space or outdoor living space required by another dwelling.</i></p>		
	<p>4. Landscaped area</p> <p>a. Commercial 4 Zone</p> <p>i. A residential unit or rest home unit at ground floor level must have a landscaped area of a minimum of 20% of a developed site with grass or plants, and can include the canopy of trees regardless of the ground treatment below them;</p> <p>ii. The landscaped area may be located on any part</p>	<p>Existing use rights apply. There is no change to the existing landscaped area for the existing residential units located at ground floor.</p>	<p>a. No changes proposed.</p>

	of the development site, and does not need to be associated with each residential unit.		
COMZ – S6A Servicing	<i>1. For development that will require a water supply and will not be connected to a public reticulated water supply, and alternative water supply adequate for firefighting purposes shall be provided to the development in accordance with the New Zealand Fire Service Firefighting Water Supplies Code of Practise SNZ 4509:2008.</i>	The subject site contains existing connections to the public reticulated supply.	No change proposed.
COMZ – S6 Parking, Access and Turning (Appendix APP1 – Parking Access and Turning Standards)	<p>2. Commercial 4 Zones.</p> <p>a. Table A4.2 requires 2 accessible carparks.</p> <p>3. All Commercial Zones:</p> <p>a. Where new vehicle crossings are proposed onto a State Highway written consent from New Zealand Transport Agency shall be provided.</p>	<p>2.</p> <p>a. The site includes a minimum of 40 existing carparks (1 carpark per residential unit)</p> <p>3.</p> <p>a. No new vehicle crossings are proposed.</p>	<p>2. No change proposed.</p> <p>3. Complies.</p>
General District Wide Matters – Part 2			
LIGHT S1	No more than 10 lux on any residential site boundary.	No changes are proposed to the existing lighting on the site.	No change proposed.

<p>NOISE S1 (Commercial Zone) and S2 (Residential Zone)</p>	<p>Noise standards are measured from the boundary within the receiving site.</p> <p>Commercial 4 noise standards apply to all boundaries except the northern boundary.</p>	<p>The Site Management Plan includes measures to ensure noise will be managed within the site. The activity will continue to achieve compliance with the noise requirements of the District Plan.</p>	<p>Complies.</p>
<p>NOISE R-5 Acoustic treatment for residential accommodation and noise sensitive activities</p>	<p>New noise sensitive activities in the Commercial 4 Zone must be designed to meet the noise requirements of NOISE-S6:</p> <ul style="list-style-type: none"> • Bedrooms 10 p.m. to 7 a.m. on any day: <ul style="list-style-type: none"> - 35 dB LAeq(1h) - 45 dB Leq at 63 Hz - 40 dB Leq at 125 Hz • All other habitable rooms (all times) and in bedrooms 7 a.m. to 10 p.m. on any day: <ul style="list-style-type: none"> - 40 dB LAeq(1h) - 50 dB Leq at 63 Hz - 45 dB Leq at 125 Hz 	<p>No changes are proposed to the existing noise insulation within the existing units. This standard applies to both noise sensitive activities and residential activities. The proposal is not introducing a <i>new</i> noise sensitive activity to the site. Existing use rights apply.</p>	<p>No change proposed.</p>