

## Rules for Activities in the Commercial Zones

### General

Performance Standard	Description	Comments	Compliance
<b>COMZ – R1</b> <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><b>Complies.</b></p>

### Buildings

<b>COMZ – R2</b> <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 25m<sup>2</sup> of any street facing building facades; and</i></p> <p>ii) <i>Less than 100m<sup>2</sup> of any non-street facing building façade; or</i></p> <p>c. <i>The additions are less than 100m<sup>2</sup> 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><b>No change proposed.</b></p>
<b>COMZ – R3</b> <i>Applicable Spatial Layers</i>	<p><i>New buildings</i></p>	<p>The proposal is solely to use the existing motel site</p>	<p><b>No change proposed.</b></p>

<p>– Commercial 1, 2, 3, 4 and 6 Zones</p>		<p>and its facilities to accommodate emergency housing. The proposal does not include the construction of new building(s).</p>	
<b>Tourism</b>			
<p><b>COMZ-R20</b> Applicable Spatial Layers - Commercial 1, 2, 3 and 6 Zones</p>	<p>4. <i>Activity Status: Non-Complying</i></p>	<p>The proposed activity utilises the tourism accommodation building that previously operated at the site. That is, it utilises an existing motel site and its facilities to accommodate emergency housing.</p>	<p><b>Not applicable.</b></p>
<b>Community Housing</b>			
<p><b>COMZ – R24</b> Applicable Spatial Layers – Commercial 3</p>	<p><i>Community housing</i> 4. <i>Activity Status: Discretionary</i> <b>Assessment Criteria:</b> a. <b>General COMZ-AC1</b></p>	<p>The proposed activity does not meet the definition for Community housing.</p>	<p><b>Does not comply.</b></p>
<b>Residential</b>			
<p><b>COMZ – R33</b> <b>Conversion of buildings to residential units</b> Applicable Spatial Layers – All Commercial Zones</p>	<p><b><i>If the units are in Commercial Zones 1, 2, 3 or 6 Zones they are not located on the ground floor. Any activity that complies with the following Performance Standards is a Restricted Discretionary activity:</i></b> a. <i>Height COMZ-S1;</i></p>	<p>The proposal is not for a permanent residence and therefore cannot be considered under Rule COMZ-R33.</p>	<p><b>Not applicable.</b></p>

	<ul style="list-style-type: none"> <li>b. Yards COMZ-S2;</li> <li>c. Commercial 4 Zone (Mountain Road): Site coverage COMZ-S3;</li> <li>d. Residential unit design and landscaping COMZ-S5;</li> <li>e. Servicing COMZ-S6;</li> <li>f. Parking, access and turning COMZ-S6;</li> </ul>		
<p><i>Applicable Spatial Layers – Commercial 1, 2, 3 and 6 Zones</i></p>	<p><b>3. Activity Status: Non-Complying</b></p> <p><b>Where:</b> Residential units are on the ground floor.</p>	<p>There is no change to layout of the existing motel residential units. The motel residential units remain on the first and second-storeys.</p>	<p><b>No change proposed.</b></p>

### Commercial 3 Zone Performance Standards

<p><b>COMZ – S1</b></p> <p>Maximum height and daylight envelope</p>	<p><b>2. Commercial 3 Zone:</b></p> <ul style="list-style-type: none"> <li>a. <i>No building or structure shall exceed the maximum permitted height in the immediately adjoining zone.</i></li> </ul>	<p>The proposal does not involve changes to the bulk of the existing buildings. Resource consent has previously been obtained for height non-compliance(s).</p>	<p><b>No change proposed.</b></p>
	<p><b>5. All Commercial Zones</b></p> <ul style="list-style-type: none"> <li>a. <i>Buildings along any boundary with a Residential zone must not project beyond the recession planes as set out below:</i> <ul style="list-style-type: none"> <li>i. <i>Boundary with Residential 1 Zone, other than as provided in (ii) below: 60 degrees measured 4m</i></li> </ul> </li> </ul>	<p>Existing use rights apply. The proposal does not involve changes to the bulk of the existing buildings.</p>	

	vertically above ground level.		
<b>COMZ – S2</b> Yard requirements	<p><b>1. Commercial 3 Zone</b></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 305630) the side yard shall be 3m.</i></p>	1. The proposal does not extend the footprint of the existing buildings.	<b>No change proposed.</b>
	<p><b>4. All Commercial</b></p> <p>a. <i>Sites that adjoin a road widening designation:</i></p> <p>i. <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.</i></p>	4. Road widening is not identified as being required.	<b>Complies.</b>
<b>COMZ – S5</b> Residential unit design and landscaping.	<p><b>1. Minimum size of residential units</b></p> <p>a. <i>The minimum net floor area a studio unit shall be 35m<sup>2</sup></i></p> <p>b. <i>The minimum net floor area a 1 bedroom unit shall be 45m<sup>2</sup></i></p>	The proposal will retain all 39 motel units motel units (plus the managers accommodation). No changes are proposed to the layout or configuration of the	<b>No change proposed.</b>

		existing units within the site.	
	<p><b>2. Outdoor living space (per unit)</b></p> <p><i>b. All other Commercial Zones:</i></p> <p><i>i. All residential units must have an outdoor living space:</i></p> <ol style="list-style-type: none"> <li>1. Minimum area: 6m<sup>2</sup></li> <li>2. Minimum dimension of 1.5m.</li> <li>3. May be grouped cumulatively by area in 1 communally accessible location or located directly adjacent to the unit.</li> </ol>	The proposal will retain all 39 motel units (plus the managers accommodation). No changes are proposed to the layout or configuration of the existing units within the site.	<b>No change proposed.</b>
	<p><b>3. Outlook space</b></p> <p><i>a. An outlook space must be provided from habitable room of a residential unit windows as shown in the Figure COMZ 1 – Outlook Space</i></p> <p><i>b. The minimum dimensions for a required outlook space are as follows:</i></p> <ol style="list-style-type: none"> <li><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></li> <li><i>ii. all other habitable rooms must have an outlook space with a minimum</i></li> </ol>	Existing use rights apply. No changes are proposed to the outlook space, layout or configuration of the existing units within the site.	<b>No change proposed.</b>

	<p><i>dimension of 1m in depth and 1m in width;</i></p> <p><i>c. 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></p> <p><i>d. Outlook spaces may be over driveways and footpaths within the 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><b>COMZ – S6A</b> Servicing</p>	<p><i>1. For development that will require a water supply and will not be connected to a public reticulated water</i></p>	<p>The subject site contains existing connections to the public reticulated supply.</p>	<p><b>No change proposed.</b></p>

	<p><i>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 Practice SNZ 4509:2008.</i></p>		
<p><b>COMZ – S6</b> Parking, Access and Turning (Appendix APP1 – Parking Access and Turning Standards)</p>	<p><b>1. Commercial 3 Zones.</b> a. No on-site parking and turning required.</p> <p><b>3. All Commercial Zones:</b> a. Where new vehicle crossings are proposed onto a State Highway written consent from New Zealand Transport Agency shall be provided.</p>	<p>1. a. All carparks are existing and will be retained.</p> <p>3. a. No new vehicle crossings are proposed.</p>	<p><b>2. No change proposed.</b> <b>3. Complies.</b></p>
<p><b>General District Wide Matters – Part 2</b></p>			
<p>LIGHT S1</p>	<p>No more than 10 lux on any residential site boundary.</p>	<p>No changes are proposed to the existing lighting on the site.</p>	<p><b>No change proposed.</b></p>
<p>NOISE S1 (Commercial Zone) and S2 (Residential Zone)</p>	<p>Noise standards are measured from the boundary within the receiving site. 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><b>Complies.</b></p>

<p>NOISE R-5</p> <p>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"> <li>• Bedrooms 10 p.m. to 7 a.m. on any day: <ul style="list-style-type: none"> <li>- 35 dB LAeq(1h)</li> <li>- 45 dB Leq at 63 Hz</li> <li>- 40 dB Leq at 125 Hz</li> </ul> </li> <li>• 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"> <li>- 40 dB LAeq(1h)</li> <li>- 50 dB Leq at 63 Hz</li> <li>- 45 dB Leq at 125 Hz</li> </ul> </li> </ul>	<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><b>No change proposed.</b></p>
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