

17.2 CENTRAL BUSINESS, COMMERCIAL AND TOURIST SERVICES ZONE RULES

*Refer to Policy sets 5.2, 6.6, 6.7, 11.1, 11.2, 14.4.
Refer to Rule sections 16.1, 16.2.*

17.2.1 Scope of Section

This section deals with land uses in the Central Business Zone, Commercial Zone, and Tourist Services Zone. Rules apply to all three zones unless otherwise stated. Subdivisions are dealt with in Chapter 16.3. Information required with resource consent applications is detailed in Chapter 19.

Advice Note: The Resource Management (National Environmental Standard for Freshwater) Regulations 2020 may apply to some activities, including farming activities and activities in or near wetlands and rivers. The National Environmental Standard may alter the activity status of an activity and impose additional standards, information requirements, matters for assessment and criteria. Please ensure you have met any requirements in the regulations in addition to those in this plan. NES-FW (ca)
12/20

17.2.2 Land Use - Central Business and Commercial Zones

17.2.2.1 Permitted Activities (Land Use – Central Business and Commercial Zones)

Any land use in the Central Business Zone or Commercial Zone is a permitted activity that may be undertaken without a resource consent, if it complies with the following conditions:

Particular Activities

- (a) The activity is not one of the following:
 - (i) an industrial activity (including motor vehicle repairs or dismantling, and sheet-metal work);
 - (ii) a service station in the Central Business Zone;
 - (iii) a constructed or marked out landing area or pad for helicopters, an aircraft landing strip, aerodrome or airport.
- (b) Activities on the ground floor level of buildings in the Central Business Zone in the areas shown on the planning maps as “Shopping Frontages”, are limited to retail activities, places of entertainment, professional offices, or reception areas for visitor accommodation.
- (c) Dwellings are located only above ground floor level and are provided with an area of open space or a balcony of at least 7 square metres and 1.5 metres minimum dimension, directly accessible from a living area.

Hours of Operation

- (d) Non-residential activities on sites immediately adjacent to a Residential Zone operate only between the hours of 7.00 am and 11.00 pm, except for telecommunications and radio communications which are exempt from this requirement.

Storage Area

- (e) Where storage areas (other than for vehicles and the display of goods for sale) are located outdoors they are:
 - (i) located to the rear of any building; and

- (ii) screened to prevent windblown debris leaving the storage area; and
 - (iii) screened with a wall or fence 1.8 metres high from sites in an adjoining Residential Zone.
- (f) Buildings are provided with a storage area of at least 4 square metres and a minimum dimension of 1.5 metres.

Amenity Plantings

- (g) Amenity plantings of one metre width are provided along all road boundaries, except at access points, where buildings are set back from roads. Telecommunications and radio-communication facilities less than 10 square metres in area and less than 3 metres in height, and masts and poles and their antennas and mounting structures less than 10 metres in height, are exempt from this requirement.
- (h) Amenity plantings 2 metres wide are provided along all boundaries of sites adjoining a Residential Zone. Amenity plantings consist of species that, at maturity, provide a solid screen up to a height of at least 2 metres. Telecommunication and radio-communication facilities less than 10 square metres in area and less than 3 metres in height, and masts and poles and their antennas and mounting structures less than 10 metres in height, are exempt from this requirement.

Air Emissions – Dust and Odour

- (i) There shall be no noxious, dangerous, offensive or objectionable odour or dust to the extent that it causes an adverse effect at, or beyond, the boundary of the site.
- (j) Open areas of land and stockpiles of loose material are contained or maintained to prevent materials moving onto other sites and so that dust does not cause an adverse effect at, or beyond, the boundary of the site.

C68 7/18
Op 6/19

Glare

- (k) Exterior lighting is directed away from adjoining residential properties and public places.
- (l) Metal cladding, roofing or fences are painted or otherwise coated with a non-reflective finish.

Noise

- (m) Noise generated by the activity, measured:
- (i) at or within the boundary of any site within the zone, other than the site from which the noise is generated, does not exceed:

| | Day | Night |
|------------------|------------|--------------|
| L _{eq} | 55 dBA | 55 dBA |
| L _{max} | | 70 dBA |

C19 5/10 Op 8/12

Noise generated by the activity, measured:

- (i) at or within the boundary of a site within a Residential Zone; or
- (ii) at or within the notional boundary of any dwelling in a Rural, Rural Residential or Papakainga Zone, does not exceed:

| | Day | Night |
|------------------|------------|--------------|
| L _{eq} | 55 dBA | 40 dBA |
| L _{max} | | 70 dBA |

C19 5/10 Op 8/12

N.B. Day = 7.00 am to 9.00 pm Monday to Friday inclusive and 7.00 am to 6.00 pm Saturday (but excluding public holidays).
Night = All other times, plus public holidays.

17.2.2.1A Restricted Discretionary Activities (Land Use – Site Specific Activity: Richmond North Commercial Zone)

Noise must be measured and assessed in accordance with the provisions of NZS 6801:2008 *Acoustics - Measurement of Sound* and NZS 6802:2008 *Acoustics - Environmental Noise*. C19 5/10
Op 8/12

Stormwater

- (n) (i) EITHER C7 7/07
Op 10/10
- All stormwater from buildings and impervious surfaces is discharged to a Council maintained stormwater drainage network that has the capacity to receive the additional stormwater.
- OR
- The discharge complies with section 36.4 of this Plan.
- AND
- (ii) All stormwater drainage features that form part of the stormwater drainage network are physically and legally protected from future development that may adversely affect the efficient functioning of the network.

Site Specific Activity: Three Brothers Corner Commercial Zone

C49 4/13
Op 8/14

- (o) The land use is a retail or commercial activity within the Three Brothers Corner Commercial Zone and complies with the permitted activity 'Land Use' conditions A (1) to (4) set out in Schedule 17.2A.

Site Specific Activity: Richmond North Commercial Zone

C62 3/16
Op 10/17

- (p) The land use is a retail, commercial or community activity within the Richmond North Commercial Zone and complies with the permitted activity 'Land Use' conditions A (1) to (5) set out in Schedule 17.2B.
- (q) Before any of the retail, commercial, or community activities referred to in condition (p) commence within the Richmond North Commercial Zone, the roundabout at the intersection of Salisbury and Champion roads has been upgraded in accordance with a design that will achieve a typical weekday PM level of service of no worse than Level of Service D on all approaches to the intersection, including with the expected trip generation from the retail, commercial or community activities permitted to operate in the Richmond North Commercial Zone. Achievement of Level of Service D or greater must be assessed against the relevant Level of Service criteria for roundabouts in the Austroads Guide to Traffic Management Part 3 – Traffic Studies and Analysis (2013). The design and engineering plans for the roundabout upgrade are required to be certified by the Council's Engineering Services Manager as meeting the level of service upgrade as specified in this condition and those upgrade works must be constructed within three years of this certification.

Advice Note: Building construction and site works may occur within the zone prior to condition (q) being met, provided all other relevant conditions are met.

| |
|--------------------------------------------------------------------------------------------------------------------------|
| 17.2.2.1A Restricted Discretionary Activities (Land Use – Site Specific Activity: Richmond North Commercial Zone) |
|--------------------------------------------------------------------------------------------------------------------------|

C62 3/16
Op 10/17

Any land use in the Richmond North Commercial Zone that does not comply with the permitted activity condition 17.2.2.1(q) is a restricted discretionary activity.

A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matters to which the Council has restricted its discretion:

- (1) Traffic effects on and improvements required to the transport network servicing the site, including effects on the parts of the road network controlled by different road

authorities beyond Tasman District and in particular any improvements to the ‘Three Roundabouts’ required to achieve an appropriate Level of Service.

Note: In the Richmond North Commercial Zone, the New Zealand Transport Agency is an affected person in accordance with section 95B of the Resource Management Act, insofar as this relates to effects on the transport network.

17.2.2.2 Discretionary Activities (Land Use – Central Business and Commercial Zones)

Any land use in the Central Business Zone or Commercial Zone that does not comply with the conditions of rule 17.2.2.1 is a discretionary activity, if it complies with the following conditions:

- (a) The activity is not one of the following:
- (i) an industrial activity.

A resource consent is required and may include conditions.

17.2.3 Land Use - Tourist Services Zone

17.2.3.1 Permitted Activities (Land Use – Tourist Services Zone)

Any land use in the Tourist Services Zone is a permitted activity that may be undertaken without a resource consent, if it complies with the following conditions:

- (a) Except as provided for in (b) and (c), the activity is one of the following:
- (i) tourist accommodation, including those licensed to sell liquor, and associated office, service, tourist and recreation promotion and sales activities;
 - (ii) hire and servicing of sport and recreational equipment;
 - (iii) tutoring and training in outdoor recreational pursuits and life skills;
 - (iv) sale of souvenirs, and arts and crafts;
 - (v) recreational activities and recreational tour bases;
 - (vi) open space areas, walkways and children’s play areas;
 - (vii) visitor car and bus parking areas;
 - (viii) restaurants, including those licensed to sell liquor;
 - (ix) one caretaker's or manager's dwelling per site;
 - (x) motor garage and service station on the area of land described as Lot 1 DP 10923 and Lot 1 DP 2821 (Main Road, Riwaka);
 - (xa) public toilets;
 - (xb) a public refuse or recycling collection facility of less than 5 square metres in base area and less than 1.8 metres in height;
- and in relation to Records of Title NL5C/273 and 11C/391 (Sandy Bay-Marahau Road, Marahau):
- (xi) conference and function facilities;
 - (xii) cultural centre.
- (b) For the area zoned Tourist Services at the corner of State Highway 60 and Lansdowne Road, near Richmond, condition (a) does not apply. In this area, the activity is one of the following:
- (i) retail sales with a maximum gross floor area of 117 square metres consisting of a general convenience store and tourist information display area;
 - (ii) a craft shop with a maximum gross floor area of 104 square metres;

C73
Op 6/23

17.2.3.2 Restricted Discretionary Activities (Land Use – Tourist Services Zone, Salisbury Road – Access)

- (iii) a tavern, hotel, restaurant and/or garden bar with a maximum gross floor area of 677 square metres;
 - (iv) visitor car and bus parking areas; (v) travellers' accommodation;
 - (vi) no more than 50 square metres of tourist information display area;
 - (vii) one dwelling for the caretaker or manager of the site;
 - (viii) ancillary storage buildings for the permitted activities on the site; and
 - (ix) any activity authorised by a resource consent granted prior to 30 November 2002.
- (c) For the Tourist Services Zone on Salisbury Road, Richmond, any activity listed in condition (a) (other than the one caretaker's or manager's dwelling per site) is a permitted activity if it does not require access from Arbor-Lea Avenue.
- (d) There shall be no noxious, dangerous, offensive or objectionable odour or dust to the extent that it causes an adverse effect at, or beyond, the boundary of the site. C19 5/10
Op 8/12
- (e) Open areas of land and stockpiles of loose material are contained or maintained to prevent materials moving onto other sites and so that dust does not cause an adverse effect at, or beyond, the boundary of the site.
- (f) Non-residential activities on sites adjoining or across a road from a Residential Zone operate only between 7.00 am and 11.00 pm unless the activity is undertaken 30 metres or more from the nearest residential site boundary. Telecommunications and radio-communications are exempt from this requirement.
- (g) Conditions (e) to (n) in rule 17.2.2.1.
- (h) There is no direct access onto the Richmond Deviation (State Highway 6).

17.2.3.2 Restricted Discretionary Activities (Land Use – Tourist Services Zone, Salisbury Road – Access)C19 5/10
Op 8/12

Any land use in the Tourist Services Zone, Salisbury Road, Richmond that does not comply with condition (c) of rule 16.2.2.1 and condition (zb) of rule 16.3.4.1 is a restricted discretionary activity, with Council's discretion restricted to matters of traffic safety.

17.2.3.3 Discretionary Activities (Land Use – Tourist Services Zone)

Any land use in the Tourist Services Zone that does not comply with the conditions of rule 17.2.3.1 is a discretionary activity, if it complies with the following conditions:

- (a) The activity is not one of the following:
 - (i) an industrial activity;
 - (ii) a service station;
 - (iii) retail sales of vehicles, boats and caravans.

A resource consent is required and may include conditions.

17.2.4 Building Construction or Alteration

17.2.4.1 Permitted Activities (Building Construction or Alteration)

Construction or alteration of a building in the Central Business, Commercial or Tourist Services Zone, except any building in either the Three Brothers Corner Commercial Zone or in the Richmond North Commercial Zone, is a permitted activity that may be undertaken without a resource consent, if it complies with the following conditions:

C49 4/13
Op 8/14

C62 3/16
Op 10/17

Building Coverage

- (a) Maximum building coverage is:
- (i) 100 percent in the Central Business Zone, except that in the Richmond Central Business Zone, this condition only applies to sites that have frontage onto Queen Street. On other sites in this zone in Richmond, the coverage condition in (a)(ii) applies;
 - (ii) 75 percent in the Commercial Zone;
 - (iii) 60 percent in the Tourist Services Zone, except for the Tourist Services Zone at Mapua which is 33 percent.

C22 2/11
Op 1/15

Height

- (b) The maximum height of a building is 10 metres, except that:
- (i) for slimline, self-supporting masts and poles and attached infrastructure, condition 16.6.2.1(j) applies;
 - (ii) for antenna attached to a building, condition 16.6.2.1(k) applies;
 - (iii) at St Arnaud and in the Tourist Services Zone at Salisbury Road, Richmond, the maximum height is 8.5 metres.

Building Envelope

- (c) Buildings on sites that adjoin a Residential Zone do not project beyond a building envelope constructed by daylight admission lines commencing from points 2.5 metres above ground level from all side and rear boundaries adjoining the Residential Zone. The angle is calculated according to the elevation calculator in Schedule 17.1A.
- (d) Where a Tourist Services Zone adjoins a Residential, Rural or Rural Residential Zone, conditions 17.1.3.1(m), (n) and (o) apply to any building along the zone boundary, except that in the Tourist Services Zone on Salisbury Road, Richmond, conditions 17.1.3.1(m) [daylight angle] and (n) [gable penetration] apply to any building in relation to any Residential Zone boundary.

Shopping Frontages

- (e) Buildings in the Central Business Zone in the areas shown on the planning maps as “Shopping Frontages”, within two metres of a road, are built up to side boundaries, except to provide access to the rear where there is no alternative and except where the side boundary is with a public reserve or a Residential Zone.

Landscaping

- (f) Along the Salisbury Road frontages of the Tourist Services Zone, Richmond, the 10-metre setback is landscaped with such species and scale of plants as are necessary to mitigate the adverse visual effects generated by the height and length of any building development.

Verandahs

- (g) The building sited adjoining the “shopping frontages” defined on the planning maps, on construction or reconstruction, that substantially alters the external appearance, is provided with a verandah. The verandah must be constructed along the full length of all parts of the building facing the road. The height, width and fascia of the verandah must relate to any adjoining verandah to provide continuity of verandah frontage, except where access is provided to the rear of the site. Every verandah erected must be of cantilever or similar construction and allow at least 2.5 metres clearance above the footpath.

Setbacks

- (h) (i) The building is set back:
- (a) at least 5 metres from boundaries of public reserves;
 - (b) at least 5 metres from boundaries of sites in an adjoining Residential Zone, except that telecommunication and radio-communication facilities less than 10 square metres in area and less than 3 metres in height are exempt from this requirement;
 - (c) at least 3 metres from the road reserve at Marahau and St Arnaud.
- (ii) The building is set back from any boundary with any other zone in accordance with the setbacks required for buildings in that other zone, except as provided for in item (i) of this condition; and except for telecommunication and radio-communication facilities less than 10 square metres in area and less than 3 metres in height.

Note: Refer to 16.6.2.1(j)(iii) for applicable telecommunication and radio-communication facility setback requirements in the Central Business Zone. C68 7/18
Op 6/19

- (i) The building is set back at least:
- (i) 8 metres from the top of the bank of any river with a bed less than 5 metres in width;
 - (iii) 20 metres from the top of the bank of any river with a bed between 5 and 20 metres in width.
- (ia) The building is not located within, or within 10 metres of, any indicative road or indicative reserve, except for the following: C73
Op 6/23
- (i) This rule does not apply once the road or reserve intended to be established by the indicative road or indicative reserve is shown on a Land Transfer Plan and a s224 certificate pursuant to section 224 of the Resource Management Act 1991 has been issued by Council for the subdivision concerned.
 - (ii) No building setback is required under this rule on properties which do not have the indicative road or indicative reserve shown within that property’s boundaries.
 - (iii) No building setback is required in the Pohara area between Richmond Road and Falconer Road.
- (j) The building is set back at least 5 metres from State Highway 60 in the Tourist Services Zone at Appleby, and at least 10 metres from Salisbury Road in the Tourist Services Zone in Richmond. Within the setback area of the Appleby Tourist Services Zone, vegetation does not exceed one metre above natural ground level and fences do not cause a visual barrier more than 1 metre above natural ground level.

Wastewater Disposal

- (k) All buildings (other than accessory buildings) which generate wastewater are connected to a reticulated wastewater system where the service is available.

Walls in Tourist Services Zone

- (l) In the Tourist Services Zone, an offset of at least 2.5 metres is required at intervals no greater than 15 metres along any wall.

Relocatability of Buildings

- (m) In the Tourist Services Mapua Zone, all habitable buildings and the restaurant are designed and built with materials which will enable them to be relocatable.

Stormwater

- (n) (i) EITHER

C7 7/07
Op 10/10

17.2.4.1A Controlled Activities (Building Construction or Alteration – Site Specific Activity: Three Brothers Corner Commercial Zone)

All stormwater from buildings and impervious surfaces is discharged to a Council maintained stormwater drainage network that has the capacity to receive the additional stormwater.

C7 7/07
Op 10/10

OR

The discharge complies with section 36.4 of this Plan.

AND

- (ii) All stormwater drainage features that form part of the stormwater drainage network are physically and legally protected from future development that may adversely affect the efficient functioning of the network.

17.2.4.1A Controlled Activities (Building Construction or Alteration – Site Specific Activity: Three Brothers Corner Commercial Zone)

C49 4/13
Op 8/14

Construction or alteration of a building within the Three Brothers Corner Commercial Zone is a controlled activity if it complies with the controlled activity ‘Building Construction or Alteration’ conditions B (1) to (14) as set out in Schedule 17.2A.

A resource consent is required and may include conditions on the following matters over which the Council has reserved control:

- (1) The external design and appearance of buildings.
- (2) The landscaping treatment of the site, including any sculptural or play elements.
- (3) Vehicle access, the design of vehicle crossings, parking, and measures required (if any) to ensure the safe and efficient movement of vehicles to and from the site.
- (4) Pedestrian linkages. For the purposes of this matter, considerations of vehicle access is not limited to the definition of “access” set out in Chapter 2. Vehicle access also includes consideration of the design of vehicle crossings, including the area of road reserve immediately adjacent to the access.

17.2.4.1B Controlled Activities (Building Construction or Alteration – Site Specific Activity: Richmond North Commercial Zone)

C62 3/16
Op 10/17

Construction or alteration of a building within the Richmond North Commercial Zone is a controlled activity if it complies with the controlled activity ‘Building Construction or Alteration’ conditions B (1) to (20) as set out in Schedule 17.2B.

A resource consent is required and may include conditions on the following matters over which the Council has reserved control:

- (1) The external design and appearance of buildings.
- (2) The landscaping treatment of the site, including:
 - (i) the landscape planting design along the Marchwood Grove Boundary incorporating where practicable the retention of established trees along the Marchwood Grove boundary;
 - (ii) the landscape planting design along the Salisbury and Champion Road frontages;
 - (iii) any sculptural elements and the undergrounding of the Tasman Power line along Champion Road.
- (3) Vehicle access, the design of vehicle crossings, parking, and measures required (if any) to ensure the safe and efficient movement of vehicles to and from the site.

17.2.4.2 Restricted Discretionary Activities (Building Construction or Alteration)

Note: For the purposes of this matter, consideration of vehicle access is not limited to the definition of “access” set out in Chapter 2. Vehicle access also includes consideration of vehicle crossings, including the area of road reserve immediately adjacent to the access.

- (4) The location and appearance of the acoustic barrier.
- (5) Pedestrian and cyclist circulation around, into and within the site.
- (6) The location of signage.
- (7) Traffic effects on and improvements required to the transport network serving the site, achieving typical weekday PM level of service of no worse than Level of Service D on all approaches to the Salisbury Road/Champion Road intersection, including with the expected trip generation from the retail, commercial or community activities permitted to operate in the Richmond North Commercial Zone. Achievement of Level of Service D or greater shall be assessed against the relevant Level of Service criteria for roundabouts in the Austroads Guide to Traffic Management Part 3 – Traffic Studies and Analysis (2013)).
- (8) Measures for the effective interception and treatment of contaminants discharged from the site.
Advice Note: Refer to section 36.4.
- (9) Completeness and adequacy of the Operational Noise Management Plan, Construction Management Plan and Construction Noise Management Plan for the Richmond North Commercial Zone, as well as the ability of the Operational Noise Management Plan and Construction Noise Management Plan to ensure compliance with the relevant noise conditions under Schedule 17.2B.

17.2.4.2 Restricted Discretionary Activities (Building Construction or Alteration)

Construction or alteration of a building that does not comply with the permitted conditions of rule 17.2.4.1 or the controlled conditions of rule 17.2.4.1A or rule 17.2.4.1B is a restricted discretionary activity, if it complies with the following conditions:

C49 4/13
Op 8/14
C62 3/16
Op 10/17

- (a) Except as provided for under condition (b), the maximum height of a building is 10 metres, except that for slimline, self-supporting masts and poles and attached infrastructure, condition 16.6.2.1(j) applies.
- (b) The maximum height of a building within the Three Brothers Corner Commercial Zone is 10 metres, except that plant rooms, air conditioning units, ventilation ducts, cooling towers, roof/sun lights or similar architectural features on any building may be up to 11.5 metres provided such features do not occupy more than 5 percent of the plan area of the building on which they are located.
- (c) The maximum height of a building within the Richmond North Commercial Zone is 7.5 metres, except that plant rooms, air conditioning units, ventilation ducts, cooling towers, roof/sun lights or similar features on any building may be up to 9 metres provided such features do not occupy more than 5 per cent of the plan area of the building on which they are located.

A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matters to which the Council has restricted its discretion:

Building Coverage

- (1) The effect on the amenity and character of the local environment of reducing open space and increasing the amount of building over a site.
- (2) The extent to which site development will comply with requirements for setback, landscaping, parking, manoeuvring and loading.
- (3) The necessity for the increased building coverage in order to undertake the proposed activities on the site.
- (4) The ability of any landscaping or screening to mitigate any effects of a reduction in open space.

Continuity of Building on Shopping Frontages

- (5) The visual continuity of building frontage and the character of streets as visually distinctive centres of intensive business activity.
- (6) The need for access to the rear of the site for other business activities as well as activities such as off-street parking, loading and storage.
- (7) The design and appearance of the building and its relationship with adjoining buildings in terms of height, scale and verandah coverage.
- (8) The layout of the site and the options for maximum use of the site.

Setback from a Residential Zone or Public Reserve

- (9) The extent of the visual impact of the building from the adjoining residential site and its impact on the amenity and character of the residential environment or any reserve, taking into account its design and appearance, bulk and length of walls.
- (10) The extent of any shading created and the impact this may have on any outdoor living spaces or main living areas within a dwelling or on the public enjoyment of a reserve.
- (11) The potential for the development to affect the privacy of the residents or users of the reserve.
- (12) The potential to mitigate any adverse effects created through alternative layouts of buildings, car parking and storage areas on site.
- (13) The potential for the development to affect the amenity of the adjoining residential environment or reserve in terms of effects such as noise, glare, dust, smell and vibration.

(13A) Setbacks from Indicative Roads and Reserves

- (a) The extent to which alternative practical locations are available for the building.
- (b) The extent to which alternative practical routes are available to achieve the road network intended by the indicative road.
- (c) The extent to which alternative practical locations are available for future reserves.
- (d) The effect of the building being sited within the setback of the indicative road or reserve.

C73
Op 6/23**Height**

- (14) The extent of any adverse effects on the environment from exceeding a maximum height and, in particular, the effect of any increased building height on the visual character of the area and compatibility with the scale of adjoining buildings.
- (15) The degree to which the increased height or intrusion through the daylight admission lines (Schedule 17.1A) will affect the amenity and enjoyment of residential sites, streets and public open space through a reduction in view, casting of shadows, visual dominance of outlook by buildings, or loss of privacy through being overlooked from buildings, which is out of character with the local environment.
- (16) The degree to which the increased building height will result in decreased opportunities for views from other sites or from roads.

- (17) The potential for any adverse effects created through increased height to be mitigated through site layout, separation distances or the provision of landscaping.
- (18) The extent to which the increased building height will adversely affect the natural character of the coastal environment.

Building Design and Appearance

- (19) The degree to which the proposed development will impact on the amenity and character of the area having regard to the scale, bulk and setback of buildings and, in particular, the extent to which the development can be viewed from adjoining sites and public places.
- (20) The extent to which any adverse visual effect can be mitigated by altering the layout of buildings, storage areas, car parking and landscaped areas.
- (21) The extent and quality of amenity planting.
- (22) The degree to which the architectural style, materials and colours of the building are compatible with adjoining buildings and the surrounding environment.
- (23) The extent to which building design and appearance will adversely affect the natural character of the coast.
- (24) The extent to which a building in the Tourist Services Zone (Mapua) is exposed to risk of erosion or inundation.

Services

- (25) Provision for the collection and disposal of stormwater and sewage.

Outdoor Storage Space

- (26) The extent to which the reduction in outdoor storage space and its location will adversely affect the ability of the site to provide for the storage needs of future activities on the site.
- (27) Alternative provision on, or in close proximity to, the site for outdoor storage space to meet the needs of future activities on the site.
- (28) The extent to which the lack of screening adversely affects the visual amenity of adjoining sites and public places or will result in wind-blown debris leaving the site.

Verandahs

- (29) Where a verandah is not provided, the effect this will have on the visual continuity of building frontage from the street and the distinctive form and character of buildings in areas of intensive business activity.
- (30) The number of pedestrians using the street and the extent to which they will be exposed to adverse weather if a verandah is not provided.
- (31) The design and appearance of the building and its compatibility with other adjoining buildings in terms of design, height, setback and scale, and the extent of the impact that non-provision of a verandah will have on the architectural cohesiveness of the street.

Access Across Shopping Frontages

- (32) The effect of the proposal on visibility from the access and the safe and efficient operation of the site.

- (33) The effect of the proposal on the safety of pedestrians and the safe and efficient functioning of the road network.
- (34) The effect of any proposed mitigation measures such as landscaping on the safety of pedestrians and the safe and efficient functioning of the road network and on-site vehicle movement.

Stormwater

C7 7/07
Op 10/10

- (35) The ability of the Council-maintained stormwater drainage network to accommodate additional stormwater.
- (36) The extent to which the stormwater run-off generated by additional development has been managed.
- (37) The extent to which the activity has employed Low Impact Design solutions to the management of stormwater flow and water quality.

Miscellaneous

- (38) The duration of the consent (Section 123 of the Act) and the timing of reviews of conditions and purpose of reviews (Section 128).
- (39) Financial contributions, bonds and covenants in respect of the performance of conditions, and administrative charges (Section 108).

Site Specific Activity - Three Brothers Corner Commercial Zone

C49 3/14
Op 8/14

- (40) The effect of the design and appearance of the building on the overall streetscape, amenities and character of the surrounding environment, particularly from adjoining residential properties and the intersection of Gladstone Road and Bateup Road.
- (41) The extent to which any adverse visual effects can be mitigated by building design (architectural style, scale and design, bulk and length of walls, materials, colours), landscaping, screening or through the proposed use of the setback area.
- (42) The effect of any reduced landscaping in terms of the scale and appearance of the buildings in the Three Brothers Corner Commercial Zone, particularly from adjoining residential properties and the intersection of Gladstone Road and Bateup Road.
- (43) Any compensating factors for reduced landscaping or screening, including the nature of planting or materials used, the use of open space, the location of parking, manoeuvring or storage areas, or through the use of land within the landscape strip.
- (44) Vehicle access, the design of vehicle crossings, parking, and measures required (if any) to ensure the safe and efficient movement of vehicles to and from the site. For the purposes of this matter, considerations of vehicle access is not limited to the definition of “access” set out in Chapter 2. Vehicle access also includes consideration of the design of vehicle crossings, including the area of road reserve immediately adjacent to the access.

Site Specific Activity – Richmond North Commercial Zone

C62 3/16
Op 10/17

- (45) The effect of the design and appearance of the building on the overall streetscape, amenity and character of the surrounding environment, particularly from adjoining residential properties and at the intersection of Salisbury and Champion roads.

- (46) The extent to which any adverse visual effect can be mitigated by building design (architectural style, scale and design, bulk and length of walls, materials, colours), landscaping (including sculptural elements), screening or through the proposed use of the setback area. This may require the burial underground of the Tasman power line along Champion Road in order to achieve appropriate landscape treatment along this frontage.
- (47) The effect of any reduced landscaping on the scale and appearance of the buildings in the Richmond North Commercial Zone, particularly from adjoining residential properties and at the intersection of Salisbury and Champion roads as well as along their frontages, and the ability to retain, as far as practicable, established trees along the Marchwood Grove boundary.
- (48) Any compensating factors for reduced landscaping or screening, including the nature of planting or materials used, the use of open space, the location of parking, manoeuvring or storage areas, or through the use of land within the landscape strip.
- (49) Vehicle access, the design of vehicle crossings, parking, and measures required (if any) to ensure the safe and efficient movement of vehicles to and from the site. For the purposes of this matter, consideration of vehicle access is not limited to the definition of “access” set out in Chapter 2. Vehicle access also includes consideration of the design of vehicle crossings, including the area of legal road immediately adjacent to the access.
- (50) Traffic effects on and improvements required to the transport network serving the site, achieving typical weekday PM level of service of no worse than Level of Service D on all approaches to the Salisbury/Champion road intersection, including with the expected trip generation from the retail, commercial or community activities permitted to operate in the Richmond North Commercial Zone. Achievement of Level of Service D or greater shall be assessed against the relevant Level of Service criteria for roundabouts in the Austroads Guide to Traffic Management Part 3 – Traffic Studies and Analysis (2013)).
- (51) The location of signage.
- (52) Pedestrian and cyclist circulation around, into and within the site to ensure the safe and efficient movement of passers-by and visitors to the site.
- (53) Measures for the effective interception and treatment of contaminants discharged from the site.
- Advice Note:** Refer to section 36.4.
- (54) Completeness and adequacy of the Operational Noise, Construction and Construction Noise management plans for the Richmond North Commercial Zone, as well as the ability of the Operational Noise and Construction Noise management plans to ensure compliance with the relevant noise conditions under Schedule 17.2B.

C62 3/16
Op 10/17

17.2.20 Principal Reasons for Rules

Building Coverage

Setting maximum building coverage enables space to be available for amenity plantings and parking. In Central Business Zones, buildings may be built up to boundaries if the site does not adjoin a Residential Zone and alternative provision for car parking is made. Therefore, it is reasonable to allow up to 100 percent building coverage. These areas are recognised as areas of intensive business activity and it is anticipated that there will be a high intensity of building development.

In Commercial Zones, such as in Mapua and Brightwater, a lower coverage allows slightly less intensive use, more in keeping with the surrounding residential areas. Generally in Commercial Zones, building coverage needs to allow for landscaping, parking, access and manoeuvring and the performance

requirements are set to provide for this. The performance requirements allow reasonable development opportunities, whilst providing some degree of spaciousness.

The Tourist Services Mapua Zone is distinguished by its unique location on a dynamic sandspit formation at the entrance to the Mapua Channel. Its character is low-key tourist development that can respond to the dynamic nature of the site. High building coverage is inappropriate in this vulnerable environment.

C22 2/11
Op 1/15

Building Setbacks

Setback is a means of mitigating various adverse effects, such as loss of privacy, loss of amenity, the visual impact of buildings from the street and from other zones (especially the Residential Zone), the lack of available parking areas and lack of opportunity for landscaping. Natural hazards, particularly erosion, are also a consideration.

Buildings in Central Business and Commercial zones may be built up to any boundary to allow landowners or developers to use sites efficiently, as on-site open space, privacy, shading and outlook are less important in these areas, except where they adjoin a Residential Zone or a reserve.

In the main shopping areas of the Central Business Zone, buildings will be required to be built up to road boundaries, except where access needs to be provided to the rear of the site. These performance requirements are intended to maintain the traditional character and form of the main shopping areas of the District and to ensure that there is visual continuity to building frontage along the main streets. It also ensures continuous verandah coverage is able to be achieved. In other parts of the Central Business Zone and in the Commercial Zone, buildings may be set back, although provision for verandahs is also required.

In the Tourist Services Zone on Salisbury Road, Richmond, the building setback has been increased to 10 metres to ensure that the potentially large buildings capable of being erected on these sites do not dominate the street frontage, and to create a higher level of amenity at this entrance to Richmond. The landscaping of the setback is to be undertaken with species and scale of plants designed to mitigate any adverse visual effects of the height and length of buildings along the Salisbury Road frontage.

Side and rear yards are required where Commercial Zones adjoin a Residential Zone or public reserve to allow for screening and landscaping and to provide a degree of separation to protect the amenity of residential areas and reserves from dominance by large buildings.

In the Three Brothers Corner Commercial Zone and in the Richmond North Commercial Zone, an increased building setback is required for larger buildings (those having a gross floor area greater than 500 square metres) to ensure that any larger buildings established within the Zone do not dominate the character and amenity of the surrounding residential environment to the east and south. In addition, a greater building setback is required from the intersection of Gladstone and Bateup roads (Three Brothers Corner Commercial Zone) and Salisbury and Champion roads (Richmond North Commercial Zone) to ensure the opportunity to attain a high level of amenity at these entrances to Richmond. A building setback from the road reserves of Gladstone and Bateup roads and from Salisbury and Champion roads is required to provide for landscaping of this setback area to mitigate any adverse visual effects of buildings along these frontages.

C49 3/14
Op 8/14
C62 3/16
Op 10/17

Indicative Roads and Reserves

C73
Op 6/23

The indicative road and reserve networks are a critical element to managing growth within the Tasman District. A planned network provides well-connected and accessible living and business environments. The design and placement of roads and reserves also has the potential to contribute to the level of amenity and character of each area. The building setback requirement protects the future alignment and ability to establish these roads and reserves. In one area (Pohara area between Richmond Road and Falconer Road) the final location of the indicative roads has a degree of uncertainty greater than that which justifies protection of the future transportation corridor through managing building placement. As such, the building setback requirements do not apply in that area. The final location and construction of indicative roads and reserves (and walkways) are managed through the subdivision consenting process in Chapter 16.3. Other rules relevant to indicative roads and reserves can be found in Chapter 28.

Building Height

Height is a key factor in determining the visual amenity, dominance of buildings, levels of privacy, access to sunlight and daylight, and the spaciousness of an area. In Central Business and Commercial zones, a height of 10 metres allows for two-storey buildings. This is intended to maintain and enhance the visual amenity of the commercial streets, retain the traditional two-storey character of these streets and avoid new building significantly in excess of existing heights. In the Tourist Services Zone on Salisbury Road, Richmond, the building height has been reduced to a maximum of 8.5 metres as a permitted activity, with any building up to 10 metres being a restricted discretionary activity subject to the criteria in rule 17.2.4.2. Daylight admission lines are intended to reduce shading of adjoining residential sites by ensuring that buildings are contained within an angle that allows sunlight to penetrate onto the adjoining site. The angle of the line will vary depending on the orientation of the building to the sun and is based on obtaining some sun onto sites even in mid-winter at midday. The angle has been set at a level that ensures reasonable amenity protection, whilst allowing reasonable development potential on adjoining sites.

A specific exemption provides for certain features located on the roofs of buildings within the Three Brothers Corner Commercial Zone and the Richmond North Commercial Zone to exceed the maximum permitted building height. This exemption is limited to those features which do not exceed the maximum permitted height by more than 1.5 metres and they do not occupy more than 5 percent of the plan area of a building. This exemption recognises the relatively small size of these features and, when combined with the specific controls on building setbacks and landscaping within the Three Brothers Corner Commercial Zone and the Richmond North Commercial Zone, will provide an appropriate level of amenity for the surrounding environment.

C49 3/14
Op 8/14
C62 3/16
Op 10/17

Building Design and Appearance

The appearance of coastal areas and areas with specific character or heritage areas, such as St Arnaud and Mapua, can be adversely affected by the design, appearance and layout of buildings. It is important that buildings in these areas are integrated with these features. By requiring resource consents before establishing buildings, Council can assess whether buildings will integrate with the surrounding environment.

C22 2/11
Op 1/15

Outdoor Living Space

A minimum area, shape and location of outdoor living space is required for dwellings to ensure that an area is set aside which is sufficient to meet the outdoor living needs of current and future residents of the site and meet needs for access to sunlight and fresh air.

Landscaping and Visual Amenity

The location of outdoor storage areas at the rear of buildings, together with screening, will mitigate any adverse visual effects. Landscaping is only required to improve the visual appearance of business activity where activities can be viewed by the public from roads and public spaces and where sites are adjacent to a Residential Zone. These requirements will separate incompatible activities and improve the standard of amenity in residential areas by reducing the dominance of buildings and improving the outlook towards residential areas. Additional landscaping is required along the Salisbury Road frontage in the Tourist Services Zone on Salisbury Road, Richmond, to ensure a high standard of amenity is achieved along this stretch of road at this important entrance to Richmond. This is designed to reduce the dominance of any large buildings and to enhance the streetscape.

The Three Brothers Corner Commercial Zone is located at a relatively high profile intersection at the corner of Gladstone Road and Bateup Road, Richmond. The Richmond North Commercial Zone is also located at a high profile intersection, at the northern approaches to Richmond, at the corner of Salisbury and Champion roads. Further, the Three Brothers Corner Commercial Zone adjoins a Residential Zone along its southern and eastern boundaries, and the Richmond North Commercial Zone adjoins a Residential Zone along its south-western and south-eastern boundaries. Recognising these locations, specific landscaping treatment (prescribed minimum depths and tree planting at specified intervals) is required along road frontages and boundaries with the Residential Zone, with a minimum percentage of the Zone to be set aside for landscaping. These specific landscaping controls will ensure a high standard of amenity is achieved, and will assist in reducing the dominance of buildings and hard stand areas established within the Zone.

C49 3/14
Op 8/14
C62 3/16
Op 10/17

Verandahs

Verandahs are a traditional feature of many New Zealand towns and have a significant role in the visual and architectural integrity of the shopping areas of the settlements. In addition to their visual effect, they also provide shelter from adverse weather, adding to the convenience and pleasantness of the commercial areas.

Activities and Effects

The nature of activities that can occur in the Central Business Zones fronting onto the “main streets” of Richmond, Motueka and Takaka are limited in order to enhance the vitality of these centres. It is intended to limit businesses with large open sealed areas that fragment the continuity of buildings and may result in glare from parked cars. Residential activities in the Central Business and Commercial zones are limited to above ground floor. It is not considered that residential activities should be excluded from Commercial and Central Business zones, however people residing in business areas should not expect to enjoy the same level of amenity as in a Residential Zone.

Effects such as odour, vibration and dust are difficult to accurately measure and define. Consequently, it is difficult to separate activities solely on the basis of their effects. Therefore, activities have been grouped in terms of their general nature, for example, service, industrial, residential or commercial. The rules intend to exclude service and industrial activities from Central Business and Commercial zones. These activities are likely to have effects such as odour, vibration, dust, heavy traffic and lack of visual appeal, which adversely affect the amenity of these areas where there are likely to be intensive concentrations of people, and higher levels of environmental quality are sought. As the Commercial Zone contains a mixture of retail and light industrial activities with substantial concentrations of people, industrial activities are also excluded from this zone to enhance the amenity of these areas.

Service stations are not encouraged in Central Business Zones as they may attract significant amounts of traffic and do not have the visual amenity and retail vitality sought in the town centres, adversely affecting amenity or traffic safety in these areas. However, on some sites on the perimeter of the Central Business Zone it may be possible to avoid or mitigate these adverse effects.

The Tourist Services Zone is a special purpose zone, and accordingly the rules, provide for a limited number of activities, which distinguishes this zone from the more general Central Business and Commercial zones. The zone provides for tourist and holiday accommodation, along with service and tourist support activities. As the zone areas are generally small and are often in relatively sensitive rural locations, there are some additional rules addressing potential cross-boundary effects. In the Tourist Services Zone in Salisbury Road, Richmond, a number of activities seeking high visibility and good accessibility could establish on the road frontage. These could also generate significant traffic movements around the Champion Road/Salisbury Road intersection. Access from Salisbury Road to any new developments is to be restricted, with permitted activity access to be either from the existing entrance on Lot 2 DP 18824 (123 Salisbury Road) or from Champion Road. Any activity requiring other access from Salisbury Road is a restricted discretionary activity so that its impact on the traffic safety criterion can be assessed.

The Three Brothers Corner Commercial Zone is a ‘site specific’ Zone, located at the intersection of Gladstone and Bateup roads, occupying an area of approximately 1.7 hectares. The Zone provides principally for a supermarket, along with other compatible smaller-scale retail and or commercial activities to establish within the Zone.

C49 3/14
Op 8/14

The Richmond North Commercial Zone is also a ‘site specific’ Zone, located at the intersection of Salisbury and Champion roads, occupying an area of approximately 1.3 hectares. The Zone provides principally for a supermarket, along with other compatible smaller-scale retail, commercial, and small-scale community facilities.

C62 3/16
Op 10/17

The rules for both of these site-specific zones reflect the location and the activities anticipated to establish in the Zones and, as such, provide for a certain scale of retail and commercial activity in conjunction with specific controls on access, landscaping, and building setbacks, all of which distinguish these zones from other Commercial Zones.

C49 3/14
Op 8/14
C62 3/16
Op 10/17

SCHEDULES

C49 4/13
Op 8/14

Schedule 17.2A: Three Brothers Corner Commercial Zone

Refer to 17.2.2.1(o), 17.2.4.1A and Zone maps 23, 57 and 128.

Permitted Activity Conditions

A. Land Use

Any land use within the Three Brothers Corner Commercial Zone is a permitted activity if it is a retail or commercial activity that complies with the following conditions:

General

- (1) Any activity complies with the applicable permitted activity conditions relating to ‘particular activities’, ‘hours of operation’, ‘storage area’, ‘air emissions – dust and odour’, ‘glare’ and ‘stormwater’ as contained in 17.2.2.1. Any activity is otherwise exempt from complying with the applicable permitted activity conditions relating to ‘amenity plantings’ and ‘noise’ as contained in 17.2.2.1, as specific requirements are imposed within this schedule relating to those matters.

Specific Activity Controls

- (2) Any activity only consists of:
 - (a) a supermarket, provided:
 - (i) it does not exceed 4,000 square metres gross leasable floor area, and
 - (ii) it is located within Indicative Development Area “A” shown on the Structure Plan in the Planning Maps.
 - (b) any other retail or commercial activity provided:
 - (i) the gross leasable floor area of any individual tenancy does not exceed 250 square metres;
 - (ii) there are no more than four tenancies;
 - (iii) the total gross leasable floor area of all tenancies does not exceed 400 square metres; and
 - (iv) it is located within Indicative Development Area “B” shown on the Structure Plan in the Planning Maps.

Noise

- (3) Noise generated by any activity within the Three Brothers Corner Commercial Zone, measured:
 - (a) at or within the boundary of a site within a Residential Zone;or
 - (b) at or within the notional boundary of any dwelling in a Rural, Rural Residential or Papakainga Zone,does not exceed:

| Day | Time Period | Noise Limit |
|------------------------|--------------------------|------------------------------------|
| Weekdays and Saturdays | Daytime (0700 – 2200) | 55dB LAeq (15 min) |
| | Night-time (2200 – 0700) | 40dB LAeq (15 min) 70 dB LAFmax |
| Sundays | Morning (0700 – 0900) | 50dB LAeq (15 min) |
| | Evening (2000 – 2200) | 50dB LAeq (15 min) |
| | Daytime (0900 – 2000) | 55dB LAeq (15 min) |
| | Night-time (2200 – 0700) | 40dB LAeq (15 min) 70 dB LAFmax |

Noise must be measured and assessed in accordance with the provisions of NZS6801:2008 *Acoustics Measurement of Sound* and NZS 6802:2008 *Acoustics – Environmental Noise*.

- (4) In the Three Brothers Corner Commercial Zone, there must be at all times a current Noise Management Plan. The Noise Management Plan must specify the following:
- Noise Management Plan objectives.
 - Mitigation and management measures to be adopted to ensure compliance with the noise limits set out in (3).
 - Noise modelling; noise monitoring; auditing and reporting procedures.
 - Noise complaint handling procedures and community liaison.
 - Procedures for amendments and review.

The current Noise Management Plan must be certified by the relevant Site Manager and must be available at the Tasman District Council offices for inspection by the public at any time.

Controlled Activity Conditions

B. Building Construction or Alteration

The construction or alteration of a building within the Three Brothers Corner Commercial Zone is a controlled activity, if it complies with the following conditions:

General

- Any construction or alteration of a building complies with the applicable permitted activity conditions relating to ‘building coverage’, ‘building envelope’, ‘wastewater disposal’, and ‘stormwater’ as contained in 17.2.4.1. Any construction or alteration of a building is exempt from complying with the applicable permitted activity conditions relating to ‘height’ and ‘setbacks’, as contained in 17.2.4.1, as specific requirements are imposed within this schedule relating to those matters.

Height

- The maximum height of a building within the Three Brothers Corner Commercial Zone is 10 metres, except that plant rooms, air conditioning units, ventilation ducts, cooling towers, roof/sun lights or similar architectural features on any building may be up to 11.5 metres provided such features do not occupy more than 5 percent of the plan area of the building on which they are located.

Landscaping

- The minimum percentage of the Three Brothers Corner Commercial Zone to be set aside as a landscaped area is 15 percent.

- (4) A landscaping strip with a minimum average width of 3.0 metres and a minimum width of 2.0 metres is provided along all road boundaries, except at access (vehicle or pedestrian) points. C49 4/13
Op 8/14
- (5) A landscaping strip with a minimum average width of 2.0 metres and a minimum width of 1.5 metres is provided along all boundaries of sites adjoining a Residential Zone, except where pedestrian walkways are provided and these walkways form part of an integrated pedestrian network through the Three Brothers Corner Commercial Zone.
- (6) Where the Three Brothers Corner Commercial Zone adjoins a Residential Zone, provision is made for landscaping, fence(s), wall(s) or a combination to at least 1.8 metres in height along the length of the zone boundary.

Trees

- (7) Road frontages are planted with a minimum of one tree, plus one additional tree for every 10 metres of road frontage (e.g., 10 metres frontage - 2 trees, 20 metres frontage - 3 trees, etc.). Any trees required are planted along the road frontage and in front of any buildings on the site. Trees are planted no more than 15 metres apart, and no closer than 4 metres apart.
- (8) Within the landscape strip required by B(5) above, trees are planted at a rate of:
- (a) One tree every 10 metres, or
 - (b) One tree for every 1.5 metres where hedged and maintained at a height of between 2.2 metres and 2.5 metres.

Trees required by this rule are selected from the following list:

| Botanical Name | Common Name | Habit |
|-------------------------------|-----------------|-----------|
| Pittosporum crassifolium | NZ karo | Evergreen |
| Pittosporum 'Stephens Island' | NZ pittosporum | Evergreen |
| Prunus lusitancia | Bay laurel | Evergreen |
| Pyrus calleryana 'Aristocrat' | Ornamental pear | Deciduous |
| Ulmus 'Lobel' | Upright elm | Deciduous |

- (9) One tree is planted for every five parking spaces provided on the site. Trees are planted within or adjacent to the carparking area. C49 4/13 Op 8/14
NPS-UD 9/21

Building Setbacks

- (10) Any building is set back:
- (a) At least 4 metres from boundaries in an adjoining Residential Zone;
 - (b) At least 2 metres from the road reserve of Gladstone Road
 - (c) At least 2 metres from the road reserve of Bateup Road (as at 27 April 2013);
 - (d) At least 4 metres from the boundary of Eastern Hills Drain (boundary of Lot 181 DP 18529 and Lot 1 DP 18998);
 - (e) At least 30 metres from the intersection of Gladstone Road / Bateup Road. Measurement is from the boundary tangent points if they were extended.
- (11) Notwithstanding B(10)(a) above, any building which exceeds a gross floor area of 500 square metres is set back:
- (a) At least 10 metres from boundaries in an adjoining Residential Zone.

Access and Vehicle Crossings

- (12) Access and vehicle crossings must comply with the applicable permitted activity conditions in 16.2 (Transport (Access, Parking and Traffic)), except that:
- (a) Vehicular access from the Three Brothers Corner Commercial Zone is to be limited to a single access point/vehicle crossing to each of Gladstone Road and Bateup Road provided that:
- (i) the vehicle crossing to Gladstone Road is located no closer than 80 metres to the intersection of Gladstone Road / Bateup Road; and
- (ii) the vehicle crossing to Bateup Road is located no closer than 70 metres to the intersection of Gladstone Road / Bateup Road.

In both cases, measurement is from the boundary tangent points if they were extended.

Note: Within the Three Brothers Corner Commercial Zone, a vehicle access point that includes a physical island that separates inbound and outbound movements for the purpose of restricting some turning movements and/or providing a waiting place for pedestrians crossing the access point is treated as a single vehicle access/crossing point.

Signage

- (13) Any signage must comply with the applicable permitted activity conditions relating to outdoor signage and advertising as contained in 16.1 (Outdoor Signs and Advertising), except that a single free-standing sign with a maximum height of 8 metres and a maximum area of 18 square metres (or 36 square metres where double sided) may be established along Gladstone Road.

Structure Plan

- (14) Any development within the Three Brothers Corner Commercial Zone is in general accordance with the Structure Plan identified in the Planning Maps.

Schedule 17.2B: Richmond North Commercial Zone

C62 3/16
Op 10/17

Refer to 17.2.2.1(p), 17.2.4.1B and Zone maps 23, 57 and 130.

Permitted Activity Conditions

A. Land Use

Any land use within the Richmond North Commercial Zone is a permitted activity if it is a retail, commercial or community activity that complies with the following conditions:

General

- (1) Any activity complies with the applicable permitted activity conditions relating to ‘particular activities’, ‘storage area’, ‘air emissions – dust and odour’, ‘glare’ and ‘stormwater’ as contained in rule 17.2.2.1.
- (2) In relation to ‘stormwater’, the following specific permitted activity condition also applies in addition to rule 17.2.2.1:
 - (a) Land for both primary and secondary flow paths must be provided for in any stormwater diversion or discharge.
- (3) Any activity is otherwise exempt from complying with the applicable permitted activity conditions relating to ‘hours of operation’, ‘amenity plantings’ and ‘noise’ in rule 17.2.2.1, as specific requirements are imposed within this Schedule relating to those matters.

Specific Activity Controls

- (4) Any activity consists only of
 - (a) a supermarket, provided:
 - (i) it does not exceed 3,200 square metres gross leasable floor area,
 - (ii) it is located within Indicative Development Area “A” shown on Structure Plan 2 on the planning maps, and
 - (iii) opening hours are 07.00 am to 10.00 pm, Monday to Sunday.

Advice Note: For the purposes of this condition, the enclosed loading bay required by condition B(19) is not included in “gross leasable floor area”.
 - (b) any other retail or commercial activity provided:
 - (i) the total gross leasable floor area of all tenancies does not exceed 200 square metres; and
 - (ii) it is located within Indicative Development Area “B” shown on Structure Plan 2 on the planning maps.
 - (c) one or more community activities provided:
 - (i) the total gross leasable floor area of all tenancies does not exceed 600 square metres;
 - (ii) the activities are located within Indicative Development Area “C” shown on Structure Plan 2 on the planning maps; and
 - (iii) the activity comprises a medical centre, childcare facility or gymnasium.

- (d) delivery of goods by Heavy Goods Vehicles only occurs between 9.00 am and 8.00 pm on Sundays and Public Holidays and, for other days, only occurs between 7.00 am and 8.00 pm. All Heavy Goods Vehicles visiting the site are to enter the site via Salisbury Road and exit via Champion Road.

C62 3/16
Op 10/17

Operational Noise

- (5) Noise generated by any activity within the Richmond North Commercial Zone, measured:
- (a) at or within the boundary of a site within a Residential Zone; or
- (b) at or within the notional boundary of any dwelling in a Rural, Rural Residential or Papakainga Zone, does not exceed:

| Day | Time Period | Noise Limit |
|-----------------------------|--------------------------|--------------------|
| Weekdays and Saturdays | Daytime (0700 – 2000) | 55dB LAeq (15 min) |
| | Evening (2000 – 2200) | 50dB LAeq (15 min) |
| | Night-time (2200 – 0700) | 40dB LAeq (15 min) |
| | | 70 dB LAFmax |
| Sundays and public holidays | Morning (0700 – 0900) | 50dB LAeq (15 min) |
| | Evening (2000 – 2200) | |
| | Daytime (0900 – 2000) | 55dB LAeq (15 min) |
| | Night-time (2200 – 0700) | 40dB LAeq (15 min) |
| | | 70dB LAFmax |

Noise must be measured and assessed in accordance with the provisions of NZS6801:2008 *Acoustics Measurement of Environmental Sound* and NZS 6802:2008 *Acoustics – Environmental Noise*.

Advice Note: *Buildings* considered under rules 17.2.4.1B and 17.2.4.2 in the Richmond North Commercial Zone must submit an Operational Noise Management Plan as part of any application. Among other matters, the management plan will demonstrate how the use of the site will meet the above conditions. See Chapter 19, section 19.2.1.

Controlled Activity Conditions

C62 3/16
Op 10/17

B. Building Construction or Alteration

The construction of a building within the Richmond North Commercial Zone is a controlled activity if it complies with the following conditions:

General

- (1) Any construction or alteration of a building complies with the applicable permitted activity conditions relating to ‘building coverage’, ‘building envelope’, ‘wastewater disposal’, and ‘stormwater’ as contained in 17.2.4.1.

Advice Note: The enclosed loading bay required by condition (19) is exempt from the building envelope requirement.

- (2) Any construction or alteration of a building is exempt from complying with the applicable permitted activity conditions relating to ‘height’ and ‘setbacks’, as contained in 17.2.4.1, as specific requirements are imposed within this Schedule relating to those matters.

- (3) In relation to stormwater, land for both primary and secondary flowpaths must be provided for in any stormwater diversion or discharge.

Advice Note: Refer to Section 31.1.5.

Height

C62 3/16
Op 10/17

- (4) The maximum height of a building is 7.5 metres, except that plant rooms, air conditioning units, ventilation ducts, cooling towers, roof/sun lights or similar architectural features on any building may exceed 7.5 metres provided such features do not exceed 9.0 metres and do not occupy more than 5 percent of the plan area of the building.

Landscaping

- (5) The minimum percentage of the Richmond North Commercial Zone to be set aside as a landscaped area is 12 percent.
- (6) A landscaping strip with a minimum average width of 3 metres and a minimum width of 2 metres is provided along all road boundaries, except at access (vehicle or pedestrian) points, and in the pedestrian areas adjoining the building on the Champion Road frontage. The pedestrian areas of the site must be appropriately formed with hard landscaping such as paving and contain a minimum of four street trees and street furniture.
- (7) A landscaping strip with a minimum average width of 1.5 metres is provided along all boundaries of the site adjoining a Residential Zone, except for:
- (a) the boundary with the adjacent site to the south-east where a landscaping strip with a minimum width of 1.5 metres is provided; and
 - (b) where pedestrian walkways are provided, these walkways form part of an integrated pedestrian network through the Richmond North Commercial Zone where no landscaping strip is required.
- (8) Where the Richmond North Commercial Zone adjoins a Residential Zone, provision is made for landscaping and an acoustic barrier to at least 2.5 metres in height along the length of the zone boundary.

Trees

- (9) Road frontages are planted with a minimum of one tree, plus one additional tree for every 10 metres of road frontage (for example 10 metres frontage - 2 trees, 20 metres frontage - 3 trees, etc.). Trees are planted along the road frontage and in front of any buildings on the site. Trees are planted no more than 15 metres apart, and no closer than 4 metres apart. Species are to be selected from the list in condition (10) or such other species as may be approved by the Council. Trees along the Salisbury and Champion Road boundaries shall be at a minimum 3-3.5m high at the time of planting with a caliper of 50mm. All trees along the Salisbury and Champion Road boundaries shall be planted with root guard barriers.
- (10) Within the landscape strip required by condition (7) above, trees are planted at a rate of one tree every 10 metres, or one tree for every 1.5 metres where hedged, and are between 2.2 and 2.5 metres in height at time of planting, with species to be selected from the following list, or such other species as may be approved by the Council:

| Botanical Name | Common Name | Habit |
|-------------------------------------------------------|----------------|-----------|
| Marchwood Grove Boundary and Southern Boundary | | |
| Acer palmatum | Japanese Maple | Deciduous |
| Acer rubrum cultivars | Red Maple | Deciduous |
| Alectryon excelsus | Titoki | Evergreen |
| Cordyline australis | Cabbage tree | Evergreen |
| Corokia sp | Corokia | Evergreen |

| | | |
|------------------------------------|---------------------|----------------|
| Fagus 'Dawyck Gold' | Gold columnar Beech | Deciduous |
| Fagus sylvatica 'Riversii' | River Purple Beech | Deciduous |
| Fraxinus excels 'Aurea' | Golden Ash | Deciduous |
| Fraxinus ornus | Manna Ash | Deciduous |
| Fraxinus sylvatica 'Purple Spire' | Purple Spire Ash | Deciduous |
| Griselina littoralis | Griselina | Evergreen |
| Kunzia ericoides | Kanuka | Evergreen |
| Phormium cookianum (dwarf) | Mountain flax | Evergreen |
| Pittosporum 'Stephens Island' | NZ Pittosporum | Evergreen |
| Plagianthus regius | Ribbonwood | Evergreen |
| Sophora macrophylla | Kowhai | Evergreen |
| Pseudopanax 'Cyril Watson' | Pseudopanax | Evergreen |
| Street Trees | | |
| Fraxinus purple spire | Ash | Deciduous |
| Melia azedarach | Melia | Deciduous |
| Quercus palustris | Pin Oak | Deciduous |
| Grasses | | |
| Astelia 'westland' | Astelia | Evergreen |
| Chionochloa flavicans | Dwarf toe toe | Evergreen |
| Coprosma virescens | Coprosma | Semi deciduous |
| Dianella nigra | Dianella | Evergreen |
| Hebe 'black panther' | Hebe | Evergreen |
| Libertia sp | NZ iris | Evergreen |
| Lomandra 'little pal' | Lomandra | Evergreen |
| Muehlenbeckia astonii | Muelenbeckia | Evergreen |
| Phormium cookianum (dwarf) | Mountain flax | Evergreen |
| Ground Cover | | |
| Acaena inermis 'Purpurea' | New Zealand Burr | Evergreen |
| Coprosma acerosa taiko 'red rocks' | Coprosma | Evergreen |
| Muehlenbeckia axillaris | Muehlenbeckia | Evergreen |

C62 3/16
Op 10/17

- (11) One tree is planted for every five parking spaces provided on the site. Trees are planted within or adjacent to the car parking pits area. The car parking contains at least 14 trees with all of these planted in tree pits.
- (12) Plantings are designed and established to meet the following requirements:
- The minimum planting size of trees specified in conditions (6) and (7) is a 50-millimetre caliper at shoulder height to minimise effects of vandalism.
Advice Note: Staking may be required.
 - Plantings are watered during the first two summers, if necessary, to maintain tree health.
 - Plantings that die or are damaged are replaced.
 - The trees selected for the landscape strip required by condition (10) are capable of reaching a minimum of 6-8 metres in height at maturity.
 - Once mature, the trees are actively maintained at their mature heights.

C62 3/16
Op 10/17
NPS-UD
9/21**Acoustic Barrier**

- (13) An acoustic barrier of 2.5 metres in height is provided along the entire length of the south-western site boundary and south-eastern site boundary, decreasing in height within no more than 5 metres of Salisbury and Champion Roads to allow for safe sight distances at the south-eastern site boundary.

- (14) This barrier shall:
- (a) be offset 2 metres from the Marchwood Grove boundary for the first 11 metres from Salisbury Road to provide amenity planting along Marchwood Grove;
 - (b) be located on the site so as to enable, planting to be located on the outer side of this barrier for the purposes of screening and mitigation of the acoustic barrier;
 - (c) consist of a close boarded or overlapping treated pine fence with timber capping; and
 - (d) the footings are to be placed in the best positions to provide suitable growing conditions for planted landscape screening along those boundaries.

C62 3/16
Op 10/17

Building Setbacks

- (15) Any building is set back:
- (a) at least 10 metres from boundaries with the adjoining Residential Zone;
 - (b) at least 75 metres from the legal road boundary with Salisbury Road;
 - (c) at least 5 metres from the legal road boundary with Champion Road.
- Note:** The acoustic barrier in condition (13), the signage in condition (17), and the enclosed loading bay in (19) are exempt from these setback requirements.

Access and Vehicle Crossings

- (16) Access and vehicle crossings comply with the applicable permitted activity conditions in 16.2 (Transport (Access, Parking and Traffic)), except that:
- (a) vehicular access from the Richmond North Commercial Zone is to be limited to a single 'left in-left out' access point and vehicle crossing at Salisbury Road and is limited to no more than two access points and vehicle crossings at Champion Road, the most southern of which is only for servicing vehicles egress;
 - (b) a vehicle access point that includes a physical island that separates inbound and outbound movements for the purpose of restricting some turning movements or providing a waiting place for pedestrians crossing the access point is to be treated as a single vehicle access point and vehicle crossing.

Signage

- (17) Any signage complies with the applicable permitted activity conditions relating to outdoor signage and advertising as contained in 16.1 (Outdoor Signs and Advertising), except that two free-standing signs, each with a maximum height of 8 metres and a maximum sign area each of 26.4 square metres (on each side where double sided), may be established along the Salisbury Road and Champion Road frontages.

Structure Plan

- (18) Any development within the Richmond North Commercial Zone shall be in general accordance with Structure Plan 2 for the zone shown on the planning maps.

Loading Bay

- (19) An enclosed loading bay associated with the supermarket development shall be provided to assist in achieving compliance with applicable noise standards.

Construction noise

C62 3/16
Op 10/17

- (20) Construction noise must be measured and assessed in accordance with NZS 6803:1999 *Acoustics – Construction Noise* and must, as far as practicable, comply with the following noise limits:

| Day | Time of Day | Noise Limit | |
|-----------------------------|-----------------|-------------|-----------|
| | | dB LAeq | dB LAFmax |
| Monday to Friday | 0630 – 0730 hrs | 55 | 75 |
| | 0730 – 1800 hrs | 70 | 85 |
| | 1800 – 2000 hrs | 65 | 80 |
| Saturdays | 0730 – 1800 hrs | 70 | 85 |
| Sundays and public holidays | 0730 – 1800 hrs | 55 | 85 |
| At all other times | - | 45 | 75 |

