

6. Commercial

Explanatory Statement

The commercial centres of towns form the heart of the town and outlying districts. It is a key element in providing a sense of identity and belonging to individuals and the community in general. There is often considerable community investment in the town centre, it is the focal point of social, economic and cultural activities. The sustainable management of these areas is seen as being a key aspect in enabling people in communities to provide for their social, economic and cultural wellbeing.

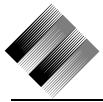
Commercial activities generate adverse effects which differ in type and/or scale from other activities. Specific zones have been created to recognise the difference in the type of amenity expected to be found in commercial areas. Local initiatives such as main street programmes will be encouraged as a proactive means of facilitating amenity improvement. Part of this initiative can involve the implementation of design guidelines to provide functional and aesthetic aspects of the centres. Urban design guidelines and a Streetscape Plan have been developed for Katikati, and a Streetscape Plan has been developed for Te Puke.

A future commercial zone has been created at Waihi Beach in order to recognize the future need of commercial development at the Beach. A comprehensive development plan will be prepared for the existing and future commercial zone and once this has been adopted by Council the future commercial zone will be reclassified to Commercial. While continuing to permit residential activity, commercial activity that is undertaken at an appropriate scale and incorporates appropriate linkages with existing commercial development will be considered as a discretionary activity. This will also allow consideration to be given to any effect on existing residential properties.

Omokoroa will also gain a comprehensive shopping, commercial and civic area to support the potential population of 12,000 people on the peninsula and more in the surrounding hinterland.

6.1 Significant Issues

- 6.1.1 The decline of town centres may have an adverse effect on the community's social, economic and cultural wellbeing.
- 6.1.2 The adverse effects of commercial activities such as rubbish generation, smell and noise.
- 6.1.3 The adverse effects on visual amenity that may be caused by the scale and design of buildings, lighting/glare and advertising associated with commercial activities.
- 6.1.4 The adverse effects of heavy transport travelling through commercial centres especially pedestrian/vehicle conflict and associated noise/dust/odour problems.



6.1.5 Commercial activities attract large numbers of people resulting in a large number of traffic movements, generating adverse effects such as pedestrian/vehicle conflict, noise, dust, fumes, odour, and a large concentration of people which can lead to noise, privacy and behaviour issues affecting the amenity of the area.

6.1.6 Poorly designed and constructed commercial centres can adversely affect people's enjoyment of the centre and nearby public places and can affect the safety and efficiency of the adjacent road network and amenity, enjoyment and vitality of entire communities.

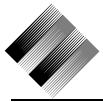
6.2 Objectives and Policies

6.2.1 Objectives

1. A convenient, safe and pleasant area for a community to carry out social, economic and cultural activity.
2. Mitigation of the adverse effects of commercial activities such as traffic generation, rubbish generation, lighting/glare, visual amenity, noise and impact on privacy.
3. Identification and provision of land for future commercial activity.
4. The development of commercial centres and associated transportation networks that enhance social, economic and cultural activity through attention to design detail and the integration of the public, civic and private places nearby and therein.

6.2.2 Policies

1. Buildings in the Commercial Zone should be of a similar scale to and in harmony with the existing character of the commercial area.
2. Buildings in the Commercial Zone should provide sufficient shelter for pedestrians to protect them from the natural elements and should not compromise pedestrian access unless the characteristics of the locality of the site or the site is such that verandahs or other forms of pedestrian shelter are not required or necessary.
3. Alternative routes for heavy transport shall be encouraged to avoid the adverse effects such as pedestrian danger, dust, noise and odour associated with such movements through commercial centres.
4. Noise levels will be less restrictive than those in residential and rural zones while still maintaining a reasonable quality rural environment.



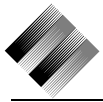
5. Commercial activities will be encouraged to group together so that the adverse effects of these activities can be addressed in a comprehensive manner.
6. Financial contributions and other consent conditions will be used to assist in avoiding or mitigating potential adverse effects of future subdivision and development.
7. Comprehensive commercial development in the Future Commercial (Waihi Beach) zone that integrates well with existing commercial activities will be provided for.
8. Commercial development within the Omokoroa Stage 2 Structure Plan area shall be comprehensively designed to include:
 - (a) Mixed use areas; and
 - (b) Visually broken building facades of a human scale; and
 - (c) Muted natural or recessive colours; and
 - (d) A maximum of one connection to Omokoroa Road thereby preserving that road's primary function as a transport corridor; and
 - (e) Landscaped car parking and set back from Omokoroa Road; and
 - (f) Functional and alternative mixed use (including residential) on upper floors; and
 - (g) An outlook and amenities that relate to the adjoining gulley system
 - (h) The provision of residential accommodation to promote vibrancy in the commercial area.

6.3 Commercial Zone Rules

6.3.1 Permitted Activities

Except where specified as a controlled, restricted discretionary or discretionary activity, the following are permitted:

- (a) Retailing.
- (b) Commercial services.
- (c) Offices.
- (d) Places of assembly.



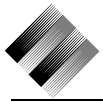
- (e) Takeaway food outlets.
- (f) Medical or scientific facilities.
- (g) Activities on reserves as provided for in the Reserves Act 1977.
- (h) Public works and network utilities as provided for in Section 17.
- (i) Accommodation facilities except that within the commercial zone at Omokoroa Structure Plan Areas Stage 2 retirement villages shall be excluded from the definition of Accommodation Facilities.
- (j) Police stations.
- (k) Buildings including dwellings accessory to the foregoing.
- (l) Activities identified as permitted activities in Rule 5.3.1 in the Future Commercial Zone (Waihi Beach).

6.3.2 Controlled Activities

- (a) Subdivision. Where subdivision occurs in the commercial zone at Omokoroa Stage 2 the Council will reserve its control over and may set conditions related to limiting the access to Omokoroa Road to the roundabout as shown on the Structure Plan in Appendix (ix)(c) and one access point at the north of the zone as a left hand in and left hand out access.
- (b) Dwellings provided they are secondary to permitted activities (Waihi Beach and Omokoroa Stage 2 Commercial Areas only). Dwellings in the Omokoroa Stage 2 Commercial Area provided they are not located on the ground floor.

In assessing dwellings in Omokoroa Stage 2 Council will reserve control over matters contained in 6.3.5.2(i), (iii), (iv), (vii), (viii), (x) and (xii).

- (c) With respect to screening, any activity in 6.3.1 which has a common boundary with or is separated by a road from a residential, rural-residential, future urban or rural zone or a public reserve (in all other aspects it is a permitted activity).
- (d) Works and network utilities as provided for in Section 17.
- (e) The erection or undertaking of one or more commercial activities other than the first such activity on a site or significant expansion of an existing activity (significant expansion is an increase of more than 0.5 of a household equivalent for services) and which in all other respects is a permitted activity.
- (f) With respect to financial contributions any activity in 6.3.1 which has a household equivalent for water and wastewater greater than one as listed in Rule 16.3.6(b).
- (g) Childcare centres.



6.3.3 Restricted Discretionary Activities

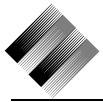
- (a) Within the Commercial Zone shown on the Omokoroa Stage 2 Structure Plan all activities other than residential shall be a restricted discretionary activity subject to activity performance standards listed in 6.3.5.1.
- (b) Within Stormwater Management Reserves and private conservation areas in Omokoroa Stage 2, regardless of whether they are designated, the following are Restricted Discretionary Activities:
- the disturbance of soil, natural ground cover and vegetation, or the deposition of refuse, solid or liquid waste, fill or any material
 - the diversion or modification of any natural watercourses
 - the construction of fences or other barriers, dams, ponds and other stormwater treatment facilities, bridges, sports facilities, dwellings or buildings, playgrounds, pumpstations, sewers, culverts and roadways.
 - Walkways/cycleways

Except that

Disturbance of soil, natural ground cover and vegetation associated with activities approved in a reserve management plan prepared under the Reserves Act or Local Government Act 2002 shall be exempt from this required.

In assessing a restricted discretionary activity Council will limit its discretion to and may set conditions on:

- Avoiding, remedying or mitigating the potential adverse effects of the ecological values of the reserves.
- Avoiding, remedying or mitigating the potential for natural hazard events such as flooding ie natural hazards must not be made more severe as the consequence of a proposal.
- Avoiding, remedying or mitigating the adverse effects on public amenity values of the reserves including public walkway/cycleway functions.
- In the Omokoroa Structure Plan area retaining the integrity of the Omokoroa Peninsula Stormwater Management Plan (June 2002) including the efficiency and effectiveness of stormwater infiltration, detention, discharge downstream and discharge to the Tauranga Harbour with particular regard to storm events.



6.3.3.1 Activity Performance Standards for Activities in the Commercial Zone of the Omokoroa Stage 2 Structure Plan Area

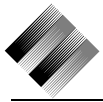
- (a) A Comprehensive Development Plan for the whole zone shall be prepared by the District Council prior to development of individual titles. This plan shall define the compliance with the performance standards and criteria listed below and the location of buildings, traffic and pedestrian cycle paths and parking areas and shall specify integration with the commercial zone and to the Industrial Zone and public reserve.

- (b) Activity performance standards listed in:
 - Rule 6.3.4.1: (a)(i) – veranda,
 - Rule 6.3.4.1: (a)(ii) – height,
 - Rule 6.3.4.1: (b) – daylight,
 - Rule 6.3.4.1: (c) – yards, (d) – (r) and (t).

- (c) In addition to the above the following performance standards shall apply:
 - (i) No building shall exceed 50m in length across any continuous dimension and the commercial development is to provide a minimum 200m² pedestrian court /plaza to act as a point of focus and physical congregation within the centre.
 - (ii) For every square metre of ground floor retail there shall be an equivalent upper floor area provided for other permitted or controlled activities.
 - (iii) A portion of the required car parking is to be provided along the commercial/reserve boundary to facilitate shared use.
 - (iv) Access to Omokoroa Road shall be by way of a roundabout as shown in the structure plan and from the controlled intersection from the Industrial Zone.

- (d) Any habitable room in new residential activities shall meet an internal L10 noise level of 45dBA at all times. An acoustic design report from a suitably qualified Acoustic Engineer will be required at the time of building consent application to show that the required noise standards will be met.

- (e) Covered walkways of at least 3m in width are to be provided along the frontage of all buildings and a network of uncovered walkways/cycleways to connect the commercial area to the car parking, light industrial, reserves and residential lands . The uncovered walkways are to be minimum 1.5m wide constructed of asphalt ,exposed aggregate or similar materials

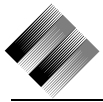


- (f) Amenity Planting and fencing at 1.8m high of service yards shall be provided incorporating a minimum of 4m of vegetative planting achieving 4m in height. The Omokoroa Road boundary is also to be screen planted to a minimum depth of 4m achieving a minimum 4m, in height.
- (g) Lights within the zone are to be no higher than 5m and be either standard or bollard design.
- (h) Daylighting No part of any building shall exceed a height equal to 2.7 metres plus the shortest horizontal distance between that part of the building and the commercial /reserve boundary and the boundary with Omokoroa Road.
- (i) Carparking is to provide maximum convenience for the public using commercial or reserve facilities. Any such parking is to be screen planted along Omokoroa Road and all parking areas for more than 10 cars are to include specimen trees to provide shade to 30% of the carparking areas in summer.
- (j) The maximum coverage shall be 80% of land area.

Non-compliance with activity performance standard (j) above will require a resource consent approval for a non-complying activity.

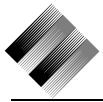
6.3.3.2 Assessing Commercial Activities in the Omokoroa Stage 2 Structure Plan Area

- (a) In assessing a restricted discretionary activity Council will restrict its discretion to a consideration of, and may set conditions related to:
 - (i) The extent to which development provides for mixed use and provides for ingress and egress of residents without impinging on downstairs commercial operations, and the extent to which upper storeys are dimensioned and designed so as to provide functional and attractive accommodation for residents.
 - (ii) The extent to which the development provides a central Pedestrian Plaza Court.
 - (iii) How well the development integrates with walkways/cycleways to parking and nearby reserve land, civic centre facilities, civic activities, park and ride, school sites and other public amenities.
 - (iv) The height and setback of buildings and plants and their current and future effects on daylight to other sites.



- (v) The overall design, and location of buildings and their compatibility with safe traffic and pedestrian flows from the Omokoroa Road roundabout to the access road into the light industrial area in the north.
- (vi) Visual impacts of the proposal and, in particular, visual amenity when viewed from Omokoroa Road and the adjoining reserve.
- (vii) The overall design and appearance of buildings including the extent to which building facades are visually broken up and sympathetic to a human scale. This may include variation in roof profiles & pitches, modulation of walling, and the use of layered roofing, walling, verandahs, windows, structural supports and other building elements to give building facades a layered, 3 dimensional, character. This may also include the use of extensive glazing at ground level to create strong visual interaction between the external and internal 'components' of the commercial area and to further avoid walling appearing overlay extensive and devoid of visual relief / variety.
- (viii) The extent to which proposed colours are muted, natural or recessive and are compatible with nearby residential development and reserves - particularly so in relation to walling next to service courts & along rear / side walls potentially exposed to residential / reserve areas.
- (ix) **The safety and efficiency of traffic flows on Omokoroa Road.**
- (x) The extent to which the proposal is **consistent with objectives and policies of this plan.**
- (xi) **Consistency/compatibility with the activity performance standards listed in 6.3.4.1.**
- (x) The extent to which planting and other measures provide for amenity and create safe environments.
- (xi) Consistency with the approved Commercial Area Master Plan.

A restricted discretionary activity that complies with the Activity Performance Standards above will not be publicly notified and will not require serving on people who may be considered affected.



6.3.4 Discretionary Activities

- (a) Service stations and garages.
- (b) Depots (except in Omokoroa, where they are non-complying).
- (c) Vehicle and machinery sales (except in Omokoroa, where they are non-complying).
- (d) All development and external alterations/additions within the Katikati Town Centre, Commercial Zone.
- (e) Works and network utilities as provided for in Section 17.
- (f) **Future Commercial (Waihi Beach)**
 - (i) Activities identified as permitted activities in Rule 6.3.1 excluding Rule 6.3.1(l), provided they are part of a comprehensive development proposal.

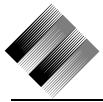
6.3.5 Activity Performance Standards

6.3.5.1 General

The following performance standards shall be met by all permitted and controlled activities and shall be used as a guide for all other activities. Any permitted activity which fails to comply with any of these standards shall be deemed a discretionary activity for the particular non-compliance.

- (a) **Building Height, Form, Setback and Alignment**
 - (i) All buildings shall be provided with a verandah not less than 2.0 metres wide, 3.0 metres above street level, 0.3 metres back from the kerb line and with a fascia of 0.25 metres in thickness.
 - (ii) Overall height shall not exceed 9 metres and retain a maximum two storey character facing the main street provided that in the Omokoroa Stage 2 Structure Plan area the maximum height shall be 11 metres.
- (b) **Daylight**

All site boundaries adjoining residential and rural zones:



No part of any building shall exceed a height equal to 2 metres plus the shortest horizontal distance between that part of the building and the nearest site boundary except where the site has a boundary with a road in which case this rule shall not apply in respect of that boundary.

Provided that:

a building may exceed the aforementioned height where the written approval of the owner of the immediately adjoining property to a specified greater height is obtained.

(c) **Yards**

3m where a property adjoins a residential, rural-residential, future urban or rural zone.

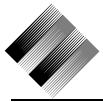
Provided that :

a building may be located within and up to a side or rear boundary where the adjoining property is a road or where the written approval of the owner of the immediately adjoining property to a specified lesser distance is obtained.

Except that

where the yard adjoins a State highway, (except in the commercial zones in Katikati and Te Puke), that yard shall be 10m.

- (d) **Natural Environment** - See Section 9.
- (e) **Landscape** - See Section 10.
- (f) **Heritage** - See Section 11.
- (g) **Natural Hazards** - See Section 12.
- (h) **Noise and Vibration** - See Section 13.2.
- (i) **Storage and Disposal of Solid Waste** - See Section 13.3.
- (j) **Lighting and Welding** - See Section 13.4.
- (k) **Offensive Odours, Effluent Aerosols and Spray Drift** - See Section 13.5.
- (l) **Screening** - See Section 13.6.



(m) **Signs** - See Section 14.3.1.3.

(n) **Subdivision and Land Use Development** - See Section 15.

No minimum lot size.

(o) **Development Contributions** - See Section 16.

(p) **Access, On-Site Parking and Loading** - See Section 18.

(q) **Service Lanes** - Section 18.

(r) **Waihi Beach Commercial Areas**

Commercial Zone rules shall apply, except as specifically stated in 6.3.5 below:

(i) **Dwellings**

Any habitable room in new residential activities established in the commercial zone at Waihi Beach shall meet an internal L_{10} noise level of 45dBA at all times.

An acoustic design report from a suitably qualified Acoustic Engineer will be required to show that the required noise standards will be met.

(ii) **Access Provision**

To enable commercially zoned land (adjoining Dillon Street) to be developed in compliance with the "Access, On-Site Parking and Loading" requirements of the District Plan Lot 4 DP 37326 and/or Lot 6 DP 37326 shall provide for legal and practical access to Lot 5 DP 37326.

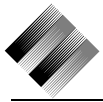
(s) **Future Commercial (Waihi Beach)**

For residential activities, performance standards referred to in Rule 5.3.4 apply.

(t) **Commercial Sexual Service**

No commercial sexual service shall be located within 150 metres of the main entrance of a Sensitive Site.

(u) **Hazardous Substances** - See Section 19.



6.3.5.2 Criteria for Discretionary Activities – Continuous Retail Frontage

Consideration shall be given to the cumulative effect of the loss of a continuous retail frontage.

6.3.5.3 Criteria for Discretionary Activity – Future Commercial (Waihi Beach)

In addition to the relevant rules in 6.3.4.1 the Council will have regard to the following criteria for assessing a comprehensive development proposal required under rule 6.3.3(f):

- How well the development integrates with existing commercial development
- What provision is made for pedestrian and vehicular access
- The effect on the amenity values of adjoining residential sites.
- Consistency with any draft development concept plan in preparation.”

6.3.5.4 Katikati Town Centre Commercial Zone Discretionary Activity Standards and Assessment Criteria

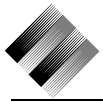
In addition to the standards in 6.3.4.1, the following shall apply.

Applicable to facades affected by:

- new buildings
- reconstruction or alteration of any existing building.

(a) Building Facades - Continuity, Materials and Colours

- (i) All buildings shall generally be designed to be related to its neighbours so as to provide compatibility with cornice lines, floor to floor heights, signboards, verandahs and special architectural features on adjoining buildings (bay windows, recessed entrances, hanging cornices).
- (ii) All new and substantially reconstructed buildings shall generally be required to be built to the front boundary and so related to its neighbours as to provide a continuity of alignment of buildings to the street except for service lane/access requirements or where special functional requirements of the buildings intended use require otherwise.
- (iii) All building colour schemes shall have regard to the Katikati Town Centre Design Guidelines (1993) and associated colour chart.



- (iv) All building cladding shall be compatible with neighbouring buildings and in the case of alterations with the existing materials on the building under alteration.

(b) **Signs**

In addition to the requirements of Section 14, the following apply :

- (i) Graphics to generally reflect early 20th Century architectural styles.
- (ii) Signs will not be permitted above the verandah line, except that window signs are permitted.
- (iii) Signs are to be integrated with the existing architecture, hanging signs under verandahs and window signs are permitted provided sizes and graphics generally reflect early 20th Century architectural styles.
- (iv) Sign illumination is to be static, concealed within the sign box or by spot lighting.

6.4 Other Methods

6.4.1 Katikati and Te Puke Streetscape Plan covers intended streetworks within the Commercial Centre dealing with street and footpath layout and design, landscaping, street furniture, paving styles and materials, parking arrangements, pedestrian crossings and other matters related to the pedestrian and vehicle access within the town.

6.4.2 Katikati Town Centre Design Guidelines were developed to assist the town in identifying, achieving and maintaining a small town rural New Zealand character through appropriate controls and indicative guidelines on building styles, locations, scale and colour.