

11.2 Business Zone Rules

11.2.1 Zone Purpose

The purpose of the zone is to provide for the continued viability of light industrial, processing, storage and retailing of bulky or larger goods plus the opportunity for vehicle orientated service and retail uses.

11.2.2 District Rules

Attention is drawn to the following District Wide Rules which may apply in addition to any relevant Zone Rules. If the provisions of the District Wide Rules are not met then consent will be required in respect of that matter:

- | | |
|--|--------------------|
| (i) Heritage Protection | - Refer Section 13 |
| (ii) Transport | - Refer Section 14 |
| (iii) Subdivision, Development and Financial Contributions | - Refer Section 15 |
| (iv) Hazardous Substances | - Refer Section 16 |
| (v) Utilities | - Refer Section 17 |
| (vi) Signs | - Refer Section 18 |
| (vii) Relocated Buildings and Temporary Activities | - Refer Section 19 |
| (viii) Earthworks | - Refer Section 22 |

11.2.3 Activities

11.2.3.1 Permitted Activities

Any Activity which complies with all the relevant **Site** and **Zone** Standards and is not listed as a **Controlled**, **Discretionary**, **Non-Complying** or **Prohibited Activity**.

11.2.3.2 Controlled Activities

The following shall be **Controlled Activities** provided that they are not listed as a **Prohibited**, **Non-Complying** or **Discretionary Activity** and they comply

with all the relevant **Site** and **Zone** Standards. The matters in respect of which the Council has reserved control are listed with each **Controlled Activity**.

i Buildings

Buildings in respect of landscaping, external appearance, and visual impact on the streetscape.

ii Outdoor Storage Areas

Outdoor storage areas located within any street scene setback in respect of landscaping, screening, appearance and visual impact.

iii Supermarket Retailing

Supermarket retailing on Lots 13-17 DP 19259

11.2.3.3 Discretionary Activities

The following shall be **Discretionary Activities** provided they are not listed as a **Prohibited** or **Non-Complying** Activity and they comply with all the relevant **Zone** Standards.

i Retail Sales

Any goods displayed for sale and retailing undertaken from a site containing in excess of 500m² net floor area, except:

(a) Goods manufactured on site, and ancillary products up to 20% of the gross floor area; or

(b) Goods stored permanently outdoors.

- ii Any Activity which is not listed as a **Non-Complying** or **Prohibited Activity** and which complies with all the **Zone** Standards but does not comply with one or more of the **Site** Standards shall be a **Discretionary Activity** with the exercise of the Council's discretion being confined to the matter(s) specified in the standard(s) not complied with.

11.2.3.4 Non-Complying Activities

The following shall be **Non-Complying Activities** provided that they are not listed as a **Prohibited Activity**.

i Retail Sales

Any goods displayed for sale and retailing undertaken from a site less than 500m² net floor area including restaurants.

ii Airports

Airports **other than** the use of land and water for emergency landings, rescues and fire fighting or for activities ancillary to farming activities.

iii Any Activity which requires an Offensive Trade Licence under the Health Act 1956.

iv Residential Flat

v Any Activity which is not listed as a **Prohibited Activity** and does not comply with one or more of the **Zone Standards**.

11.2.4 Non-Notification of Applications

An application for a resource consent for the following matters may be considered without the need to obtain a written approval of affected persons and need not be notified in accordance with Section 93 of the Resource Management Act 1991, unless the Council considers special circumstances exist in relation to any such application.

- (i) All applications for **Controlled Activities**.
- (ii) Applications for the exercise of the Council's discretion in respect of the following **Site Standards**:
 - **Visual Amenity**
 - **Building Height where the site does not adjoin a High Density Residential, Low Density Residential, Township, Rural Lifestyle or Rural-Residential Zone.**

11.2.5 Standards - All Activities

11.2.5.1 Site Standards

i Residential Accommodation

One residential unit per site for the purpose of on-site custodial management.

ii Street Scene

The minimum building setback from road boundaries shall be:

- Anderson Road - 6m
- Gorge Road - 6m
- Bowen Street, Sawmill Road, Hallenstein Street - 4m
- Plantation Road - 8m
- All Other Roads - 2m

iii Building Coverage

Maximum site coverage - 75%

iv Setback from Internal Boundaries

The minimum building setback from a Residential Low Density, Residential High Density, Township, Rural Lifestyle or Rural-Residential Zone boundary shall be 4.5m.

v Visual Amenity

(a) Storage of Waste

No outdoor waste storage area shall be located in any street scene setback area. Any outdoor type area shall be sited behind any street scene setback and screened from road frontages by either a solid fence of at least 2m minimum height, or dense planting of the same height.

(b) Residential Zone Boundary Fencing

A solid fence of at least 1.8m height shall be erected on the boundary of any residential zone.

vi Building Height

Maximum building height - 7m.

vii Deleted

11.2.5.2 Zone Standards

i Building Line Restriction

Where a building line restriction is shown on District Plan Maps, no building shall be located within the restricted area as identified on District Plan Maps.

ii Noise

- (a) Sound from non-residential activities measured in accordance with NZS 6801:2008 and assessed in accordance with NZS 6802:2008 shall not exceed the following noise limits at any point within any site outside this zone:

(i)	daytime	(0800 to 2000 hrs)	60 dB LAeq(15 min)
(ii)	night-time	(2000 to 0800 hrs)	50 dB LAeq(15 min)
(iii)	night-time	(2000 to 0800 hrs)	70 dB LAFmax

- (b) Sound from non-residential activities which is received in another zone shall also comply with the noise limits set in the zone standards for that zone.
- (c) The noise limits in (a) shall not apply to construction sound which shall be assessed in accordance and comply with NZS 6803:1999.
- (d) The noise limits in (a) shall not apply to sound associated with airports or windfarms. Sound from these sources shall be assessed in accordance and comply with the relevant New Zealand Standard, either NZS 6805:1992, or NZS 6808:1998. For the avoidance of doubt the reference to airports in this clause does not include helipads other than helipads located within any land designated for Aerodrome Purposes in this Plan.

iii Glare

- (a) Exterior lighting installed on sites or buildings shall be directed away from adjacent sites, roads and public places.
- (b) Roofs of buildings shall be finished to avoid glare when viewed from any public place.
- (c) No activity shall result in a greater than 10 lux spill, horizontal or vertical, of light onto any adjoining property within the zone, measured 2m inside the boundary of any adjoining property.
- (d) No activity shall result in a greater than 3 lux spill, horizontal or vertical, of light onto any adjoining zone, measured at any point more than 2m inside the boundary of the adjoining property.

11.2.6 Resource Consents - Assessment Matters

The Assessment Matters, which apply to the consideration of resource consent in the Business Zone, are specified in Rule 11.4.

11.3 Industrial Zone Rules

11.3.1 Zone Purpose

The purpose of the zone is to provide for the continued viability of industrial activities and the services they provide for the social and economic well being of the community.

11.3.2 District Rules

Attention is drawn to the following District Wide Rules, which may apply in addition to any relevant Zone Rules. If the provisions of the District Wide Rules are not met then consent will be required in respect of that matter.

- | | |
|-------------------------|--------------------|
| (i) Heritage Protection | - Refer Section 13 |
| (ii) Transport | - Refer Section 14 |

- (iii) Subdivision, Development and Financial Contributions - Refer Section 15
- (iv) Hazardous Substances - Refer Section 16
- (v) Utilities - Refer Section 17
- (vi) Signs - Refer Section 18
- (vii) Relocated Buildings and Temporary Activities - Refer Section 19
- (viii) Earthworks - Refer Section 22

11.3.3 Activities

11.3.3.1 Permitted Activities

Any Activity which complies with all the relevant **Site** and **Zone** Standards and is not listed as a **Controlled**, **Discretionary**, **Non-Complying** or **Prohibited Activity**.

11.3.3.2 Controlled Activities

The following Activities shall be **Controlled Activities** provided that they are not listed as a **Prohibited**, **Non-Complying** or **Discretionary Activity** and they comply with all the relevant **Site** and **Zone** Standards. The matter in respect of which the Council has reserved control are listed with each **Controlled Activity**.

- i **Buildings**
Buildings in respect of landscaping, external appearance, location of offices and showrooms, and visual impact.
- ii **Outdoor Storage Areas**
Outdoor storage areas located within any street scene setback in respect of landscaping, screening, appearance and visual impact.

11.3.3.3 Discretionary Activities

The following Activities shall be **Discretionary Activities** provided that they are not listed as a **Prohibited**, **Non-Complying Activity** and they comply with all the relevant **Site** and **Zone** Standards.

i Commercial Recreation Activities in the Industrial Zone

- ii Any Activity which is not listed as a **Non-Complying** or **Prohibited Activity** and which complies with all the **Zone** Standards but does not comply with one or more of the **Site** Standards shall be a **Discretionary Activity** with the exercise of the Council's discretion being confined to the matter(s) specified in the standard(s) not complied with.

11.3.3.4 Non-Complying Activities

The following activities shall be **Non-Complying Activities** provided that they are not listed as a **Prohibited Activity**.

- i **Retail Sales**
Any goods displayed for sale and retailing undertaken from a site, except for:
 - (a) Goods manufactured on the site, and ancillary products up to 20% of the gross floor area.
- ii **Airport**
Take-off or landing of any motorised aircraft other than for emergency rescue or fire-fighting purposes.
- iii **Any Activity which requires an Offensive Trade Licence under the Health Act 1956.**
- iv **Visitor Accommodation**
- v **Factory Farming**
Any Activity which is not listed as a **Prohibited Activity** and does not comply with one or more of the **Zone** Standards.

11.3.3.5 Prohibited Activities

i Activities within the Outer Control Boundary - Queenstown Airport

On any site located within the Outer Control Boundary as indicated on the District Plan Maps, any new Activity Sensitive to Aircraft Noise shall be a Prohibited Activities.

11.3.4 Non-Notification of Applications

An application for a resource consent for the following matters may be considered without the need to obtain a written approval of affected persons and need not be notified in accordance with Section 93 of the Resource Management Act 1991, unless the Council considers special circumstances exist in relation to any such application.

- (i) All applications for **Controlled** Activities.
- (ii) Applications for the exercise of the Council's discretion in respect of the following **Site** Standards:
 - Visual Amenity
 - Building Height where the site does not adjoin a High Density Residential, Low Density Residential, Township, Rural Lifestyle or Rural-Residential Zone

11.3.5 Standards - All Activities

11.3.5.1 Site Standards

- i **Residential Accommodation**
One residential unit per site for the purpose of on-site custodial management.
- ii **Street Scene Setbacks**
The minimum building setback from road boundaries shall be:

- sites opposite any Residential High Density or Residential Low Density Zone
- 10m
- sites fronting a State Highway
- 10m
- sites fronting Ballantyne Road, Wanaka or Manse Road, Arrowtown
- 5m
- all other road boundaries
- 2m

iii Building Coverage

Maximum Site Coverage - 75%

iv Setback from Internal Boundaries

The minimum building setback from High Density Residential, Low Density Residential, Township, Rural Lifestyle or Rural-Residential Zone boundary shall be 7m.

v Visual Amenity

(a) Storage of Waste

No outdoor waste storage shall be located in any street scene setback area. Any outdoor storage area shall be sited behind any setback and be screened by either a solid fence of at least 2m height or dense planting of the same height.

(b) Residential Zone Boundary Fencing

A solid fence of at least 2m height shall be erected on the boundary.

vi Building Height

Maximum building height - 6m.

vii Deleted

11.3.5.2 Zone Standards

i Noise

- (a) Sound from non-residential activities measured in accordance with NZS 6801:2008 and assessed in accordance with NZS 6802:2008 shall not exceed the following noise limits at any point within any site outside this zone:
 - (i) daytime (0800 to 2000 hrs) 60 dB LAeq(15 min)
 - (ii) night-time (2000 to 0800 hrs) 50 dB LAeq(15 min)
 - (iii) night-time (2000 to 0800 hrs) 70 dB LAfmax
- (b) Sound from non-residential activities which is received in another zone shall also comply with the noise limits set in the zone standards for that zone.
- (c) The noise limits in (a) shall not apply to construction sound which shall be assessed in accordance and comply with NZS 6803:1999.
- (d) The noise limits in (a) shall not apply to sound associated with airports or windfarms. Sound from these sources shall be assessed in accordance and comply with the relevant New Zealand Standard, either NZS 6805:1992, or NZS 6808:1998. For the avoidance of doubt the reference to airports in this clause does not include helipads other than helipads located within any land designated for Aerodrome Purposes in this Plan.
- (e) The noise limits in (a) shall not apply to sound from aircraft operations at Queenstown Airport.

ii Glare

- (a) Fixed exterior lighting shall be directed away from adjacent sites, roads and public places.
- (b) Roofs of buildings shall be finished to avoid glare when viewed from any public place.

- (c) No activity shall result in a greater than 10 lux spill, horizontal and vertical, of light onto any adjoining property within the zone, measured 2m inside the boundary of any adjoining property.
- (d) No activity shall result in a greater than 3 lux spill, horizontal and vertical, of light onto any adjoining zone measured at any point inside the boundary of the adjoining property.

iii Airport Noise - Queenstown Airport (excluding any non-critical listening environment)

- (a) **Between the Outer Control Boundary (OCB) and the ANB** - Alterations and additions to existing buildings containing an Activity Sensitive to Aircraft Noise shall be designed to achieve an Indoor Design Sound Level of 40 dB Ldn within any Critical Listening Environment, based on the 2037 Noise Contours. Compliance shall be demonstrated by either installation of mechanical ventilation to achieve the requirements in Table 3 of Appendix 13 or by submitting a certificate to Council from a person suitably qualified in acoustics stating that the proposed construction will achieve the Indoor Design Sound Level with the windows open.

11.3.6 Resource Consent - Assessment Matters

The Assessment Matters, which apply to the consideration of resource consents in the Industrial Zone, are specified in Rule 11.4.

11.4 Resource Consents - Assessment Matters – The Business and Industrial (A) Zones

11.4.1 General

- (i) The following Assessment Matters are other methods or matters included in the District Plan, in order to enable the Council to implement the Plan's policies and fulfil its functions and duties under the Act.
- (ii) In considering resource consents for land use activities, in addition to the applicable provisions of the Act, the Council shall apply the relevant *Assessment Matters* set out in Clause 11.4.2 below.
- (iii) In the case of *Controlled and Discretionary Activities*, where the exercise of the Council's discretion is restricted to the matter(s) specified in a particular standard(s) only, the assessment matters taken into account shall only be those relevant to that/these standard(s).
- (iv) In the case of *Controlled Activities*, the assessment matters shall only apply in respect to *conditions* that may be imposed on a consent.
- (v) Where an activity is a *Discretionary Activity* because it does not comply with one or more relevant Site Standards, but is also specified as a *Controlled Activity* in respect of other matter(s), the Council shall also apply the relevant assessment matters for the Controlled Activity when considering the imposition of conditions on any consent to the discretionary activity.

11.4.2 Assessment Matters

In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by, the following assessment matters:

i Controlled Activity - Buildings

Conditions may be imposed in respect of:

- (a) The nature of the business activity, and any particular adverse visual impacts.
- (b) The external appearance, height and location, to avoid or mitigate adverse effects on:

- street scene;
- adjoining or surrounding buildings;
- privacy of adjoining residential properties.

- (c) Any relevant factors in respect to the undesirability of siting offices or showrooms away from the front of buildings or facing the road.
- (d) The relative importance of landscaping on the particular site concerned, taking account of the nature of planting or materials to be used, the location of parking manoeuvring or storage areas, and the visual quality of the surrounding environment, particularly where a low standard of visual quality exists and improvement is necessary.
- (e) The extent to which developments detract from the visual approach to Queenstown, Arrowtown, Frankton and Wanaka.
- (f) The extent to which the development is visible from adjoining sites, particularly those in residential zones.

ii Controlled Activity - Outdoor Storage Areas

Conditions may be imposed in respect of:

- (a) The nature of the business activity itself, and any particular adverse visual impacts.
- (b) The type and volume of materials to be stored on the frontage of the site.
- (c) The relative importance of landscaping on the particular site concerned, taking account of the nature of planting or materials to be used, the location of parking manoeuvring or storage areas, and the visual quality of the surrounding environment, particularly where a low standard of visual quality exists and improvement is necessary.
- (d) The extent to which developments detract from the visual approach to Queenstown, Arrowtown, Frankton and Wanaka.

- (e) The extent to which the site is visible for adjoining sites, particularly those in residential zones.

iii Retail Sales - Discretionary and Non-Complying Activity

- (a) The likely impact of additional retailing on town centres and amenity thereof.
- (b) The likely effect of additional retailing on pedestrian activity, traffic congestion, access, road network and amenities of adjoining activities and properties.

iv Residential Accommodation

- (a) The ability of existing or future business and service activities to operate without constraint as a result of residential activity.

v Street Scene

- (a) The ability of office, showroom, and landscaping to mitigate adverse visual effects.
- (b) The effect on the overall appearance of the street scene, having regard to existing landscaping, road widths, and the general amenity.
- (c) The effect on any adjoining or adjacent residential or open space areas.

vi Open Space

- (a) The ability to mitigate the effects of increased coverage by additional landscaping and screening in respect of the impact of increased coverage on neighbours.

- (b) The ability to satisfy the requirements in respect of parking, manoeuvring and access.

vii Setback from Roads and Internal Boundaries

- (a) The extent to which a limited building setback from a road or neighbours is necessary in order to allow more efficient or practical use of the remainder of the site.
- (b) The extent to which alternative practical locations are available for the building or structure.
- (c) The degree to which the proposed building enhances the visual amenity of the site as viewed from the road and adjoining sites.
- (d) The degree to which the proposed building will detract from the outlook and privacy of people on adjoining sites.
- (e) The degree to which proposed landscaping, including plantings, will mitigate the effects of limited building setback from a road or neighbours.
- (f) The extent to which the proposed building, will be compatible with the appearance, layout and scale of other buildings and sites in the surrounding area, including the setback of existing buildings in the vicinity from road boundaries.
- (g) The extent to which the proposed building will have a size, form, and external appearance which is sympathetic to, and in visual harmony with the surrounding environment.
- (h) The extent to which the use of the proposed building will detract from the pleasantness or amenity of adjoining sites, in terms of noise, smell, dust, glare or vibration.

viii Height of Buildings

- (a) Whether any earthworks have been carried out on the site, prior to the date of notification, 10 October 1995, that have lowered the ground level.
- (b) Whether there are rules requiring the site to be built up.
- (c) The extent to which the proposed buildings will be compatible with the character of the local environment, including the scale of other buildings in the surrounding area.
- (d) The extent to which the height of the building would impact on the street scene, including having regard to the matters specified in Assessment Matter (i).
- (e) The degree to which the increased building height will adversely affect views from properties in the vicinity, or from roads or public open space in the surrounding area.
- (f) The extent to which the building will have an adverse effect on other sites in the surrounding area.
- (g) Whether the adverse effects of height could be mitigated through site layout, increased separation or by screening.

ix Visual Amenity

- (a) The nature of the use of the site.
- (b) The type and volume of materials to be stored on the frontage of the site.
- (c) The extent, appearance and type of screening or landscaping proposed.
- (d) Any relevant factors in respect to the undesirability of storage in a non-complying position.

xi Deleted

11.5 Industrial B Zone

11.5.1 Zone Purpose

The **Industrial B Zone** provides for industrial and service activities. Conversely, offices, residential and almost all retail uses are avoided in the zone in order to ensure that it does not become a mixed use zone where reverse sensitivity issues and land values make industrial and some business uses unviable within the zone.

11.5.2 District Rules

Attention is drawn to the following District Wide Rules, which may apply in addition to any relevant Zone Rules. If the provisions of the District Wide Rules are not met then consent will be required in respect of that matter:

- | | |
|--|--------------------|
| (i) Heritage Protection | - Refer Section 13 |
| (ii) Transport | - Refer Section 14 |
| (iii) Subdivision, Development and Financial Contributions | - Refer Section 15 |
| (iv) Hazardous Substances | - Refer Section 16 |
| (v) Utilities | - Refer Section 17 |
| (vi) Signs | - Refer Section 18 |
| (vii) Relocated Buildings and Temporary Activities | - Refer Section 19 |
| (viii) Earthworks | - Refer Section 22 |

11.5.3 Non-Notification of Applications

- i Except as provided for by the Act, all applications for **controlled activities** will be considered without public notification or the need to obtain the written approval of or serve notice on affected persons.
- ii Except as provided for by the Act, the following restricted discretionary activities will be considered without public notification or the need to obtain the written approval of, or serve notice on affected persons:

- (a) All restricted discretionary applications for **Outline Development Plans** in this subzone.

Note: If the Outline Development Plan is non complying due to the fact it is not in accordance with the relevant Structure Plan, then it may be notified.

- (b) All restricted discretionary applications that do not meet the following performance standards (whereby the Council's discretion is limited to those matters described in the standard(s):
- (i) The on-site location of retail and office space
 - (ii) The provision of lockers and showers

In the Connell Terrace precinct, 70% of the western buffer open space area is established



May now subdivide within the open space areas, if necessary/ desired)



Obtain titles and vest stormwater and potentially other areas in council



Apply for resource consents for individual buildings/ activities

11.5.4 Anticipated resource consent process for developing the zone

May apply for consent to landscape open spaces



May now apply for Outline Development Plan



May now apply for subdivision but may not apply to subdivide within the open space areas



Alternatively, the Landscape Plan can be applied for as part of the ODP consent

Alternatively, this may be lodged as a combined consent with the ODP

11.5.5 Activity table

Key and notes

CON	Controlled Activity	N-C	Non-Complying Activity
PERM	Permitted Activity	DIS	Discretionary Activity
RDIS	Restricted discretionary Activity		
PRO	Prohibited Activity		

Note: Where a proposed activity could possibly be captured by more than one activity/ classification, the most specifically defined activity shall override any other. For example: Where both retail and commercial are both listed the classification for retail over-rides that for commercial as it is more specifically defined. The following activities are listed generally in alphabetical order.

Ref	Activity	Activity status (subject to meeting the performance standards in the following table)
1	Any Activity (including buildings) which meets the performance standards and is not listed in this table as a Controlled, Discretionary, Non-Complying or Prohibited Activity.	PERM
2	Any activity other than car parking (which excludes the storage of cars for sale or rent) within the Special Use Area B shown on the Structure Plan entitled Industrial B Zone - Connell Terrace Precinct.	PRO
3	Airports/ take-off or landing of aircraft other than the use of land and water for emergency landings, rescues and fire fighting.	N-C
4	Buildings , except any building located on the fixed open space areas or on the Special Use Area B identified on the Structure Plan to which the application relates. Note: Buildings within the open space areas are prohibited	CON
5	Buildings within the fixed open space areas	PRO
6	Buildings within Special Use Area B or Special Use Area C shown on the Structure Plan entitled Industrial B Zone - Connell Terrace Precinct.	PRO

BUSINESS & INDUSTRIAL AREAS - RULES

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Ref	Activity	Activity status (subject to meeting the performance standards in the following table)
7	Commercial activities, excluding those which are more specifically provided for elsewhere in this table (i.e. those which also meet the definition of an industrial, service, or retail activity).	N-C
8	Community activities, places of assembly, places of entertainment, recreational activity, educational facilities, health care and day care facilities	N-C
9	Factory farming	N-C
10	Food and beverage outlets within Special Use Area A identified on the Open Spaces on the Structure Plan entitled Industrial B Zone - Connell Terrace Precinct	PERM
11	Garden and patio suppliers within Special Use Area A identified on the Structure Plan entitled Industrial B Zone - Connell Terrace Precinct.	PERM
12	Industrial activities, including but not limited to panelbeating, spray painting, motor vehicle repair or dismantling, fibreglassing, sheet metal work, bottle or scrap storage, and motorbody building.	PERM
13	<p>Landscaping of the fixed open spaces shown on the Structure Plan to which the application relates, unless such landscaping has been approved as part of an approved ODP.</p> <p>Note: The intent of this rule is that a consent can be sought for the landscaping of the open spaces either as part of the ODP application or as a separate individual application prior to applying for the ODP; thus enabling the planting to mature ahead of development.</p>	RDIS
14	Any activity requiring an Offensive Trade Licence under the Health Act 1956 other than the “collection and storage of used bottles for sale” (as listed in that Act).	N-C
15	Offices ancillary to any permitted activity	PERM
16	Offices , other than those ancillary to a permitted use	PRO
17	Outdoor Storage Areas, except for outdoor storage on the fixed open spaces	CON

Ref	Activity	Activity status (subject to meeting the performance standards in the following table)
18	Outline Development Plan (ODP) or variation to an approved ODP Note: Where any element of an application for an Outline Development Plan is a non-complying activity then the Outline Development Plan application becomes non-complying.	RDIS
19	Planting of any wilding species (as identified in Part 5 of the District Plan).	PRO
20	Residential activities, including elderly persons units and retirement villages.	PRO
21	The display and retailing of goods produced, processed, or stored on the site, provided the retail area does not exceed 20% of the net floor area (NFA) used to produce, process, or store those goods, or 100m ² ; whichever is the lesser.	PERM
22	All retail activities other than those provided for elsewhere in this table	PRO
23	Except as specifically provided for in this table, the following types of retail activity shall be non complying: <ul style="list-style-type: none"> a) Automotive and marine suppliers b) Building suppliers c) Catering equipment suppliers d) Garden and patio suppliers e) Hire services (except hire/ loan of books, videos, DVDs, and other similar home entertainment items) f) Industrial clothing and safety equipment suppliers g) Office furniture, equipment, and systems suppliers h) Second hand goods outlets i) Service stations, including ancillary retail j) Wholesaling k) Yard-based suppliers l) Food and beverage outlet 	N-C
24	The sale of liquor for consumption on the premises	N-C

Ref	Activity	Activity status (subject to meeting the performance standards in the following table)
	Note; The sale of liquor is not covered by "Food & Beverage Outlets" so where the latter are provided for in this table, that does not include an allowance for the sale of liquor.	
25	Service activities	PERM
26	Visitor accommodation,	PRO

11.5.6 Performance Standards

Failure to comply with a performance standard results in the need to obtain either a restricted discretionary or non complying resource consent, as specified in this table. Where failure to comply with a performance standard results in a restricted discretionary consent being required, the Council's discretion is restricted only to that or those standards that are not complied with. The following activities are listed generally in alphabetical order.

Ref	Standards	Resource consent status if standard not met
1	Onsite location of office(s) or retail space(s) All office(s) and retail space(s) shall be located at the front of the building(s) and facing the street; except that this does not apply to those on rear sites.	RDIS
2	All buildings shall be set back at least 15 m from the boundary of any Residential Zone	RDIS
3	Outdoor waste storage areas: <ul style="list-style-type: none"> i Shall not be located within the building setbacks and ii Shall be screened from the road and neighbouring properties by either a solid fence and/ or dense planting of at least 1.8 m in height. <p>Note: The only building setbacks in this zone are setbacks from residential zones.</p>	RDIS
4	Fencing along any boundary with any Residential or Town Centre Zone	RDIS

Ref	Standards	Resource consent status if standard not met
	A solid fence and/ or dense planting of at least 1.8 m in height shall be erected on the boundary of any Residential or Town Centre Zone unless the zones are separated by a road or an open space area. In the case of the latter, performance Standard 11.5.5.1(Ref 8) applies.	
5	<p>Hours of operation</p> <p>The hours of operation for any activity on a site which adjoins a Residential zone shall be limited to between: 0730 – 2000.</p> <p>Note: A site shall still be deemed to be “adjoining” where a road separates the site from the Residential Zone but shall not be deemed to be “adjoining” where an open space of at least 15 metres in width separates the two zones. The open space must either be shown on the relevant Structure Plan or approved as part of an approved ODP.</p>	RDIS
6	Deleted	
7	<p>Lighting and Glare</p> <p>† All lighting shall comply with the following standards:</p> <ul style="list-style-type: none"> i All fixed exterior lighting shall be directed away from adjacent sites and roads; and ii No activity on any site shall result in greater than a 3.0 lux spill (horizontal and vertical) of light onto any other site measured at any point inside the boundary of the other site, provided that this rule shall not apply where it can be demonstrated that the design of adjacent buildings adequately mitigates such effects. iii There should be no upward light spill <p>Note: You are also referred to Part 18 of the District Plan relating to the lighting of signage.</p>	RDIS
8	<p>Fence Heights in relation to open space areas</p> <ul style="list-style-type: none"> i Fences, excluding post and wire fences, within any fixed open space area shown on the relevant Structure Plan or an open space approved as part of an Outline Development Plan shall be no higher than 1.2m in height. 	RDIS

Ref	Standards	Resource consent status if standard not met										
	<div>ii Fences, excluding post and wire fences, located on or within 4 m of the boundary of an open space area identified on the Structure Plan or approved as part of an Outline Development Plan shall be no higher than 1.2m in height. This excludes fences which are at right angles to the boundary between the subject site and the open space.</div>											
9	<div><div>The provision of end-destination facilities to encourage people to travel to work using modes other than cars</div><div>All buildings shall provide the following:</div><div><div>i Lockers – where the building design occupancy is for more than 4 on-site workers, individual clothes lockers shall be provided for 20% of all on-site workers, rounded up to the nearest whole number. These shall be located convenient to any showers that exist and bicycle parking facilities.</div><div>ii Showers - Showers shall be provided at the following ratios and these shall be located close to the bicycle parking and lockers and at least one shower shall be a wheelchair accessible shower compartment:</div></div><table><tr><th>Number of on-site workers (building design occupancy)</th><th>Number of Showers</th></tr><tr><td>1-9</td><td>Nil</td></tr><tr><td>10 - 39</td><td>1</td></tr><tr><td>40-100</td><td>2</td></tr><tr><td>>100</td><td>3 and add 1 per 100</td></tr></table><div>Notes for (i) and (ii) above</div><div><div><div>The “building design occupancy “ calculation is based on the entire building, building complex, or multiple buildings on a site which the Resource Consent is being applied for, rather than for individual office spaces/ tenancies within a larger building. This may mean that there is one shower provided within a communal space which can be shared by a number of small individual tenancies or shared by a number of separate buildings provided they are located on the same site.</div><div>These shower ratios do not supersede the requirements of the Building Code.</div></div></div></div>	Number of on-site workers (building design occupancy)	Number of Showers	1-9	Nil	10 - 39	1	40-100	2	>100	3 and add 1 per 100	RDIS
Number of on-site workers (building design occupancy)	Number of Showers											
1-9	Nil											
10 - 39	1											
40-100	2											
>100	3 and add 1 per 100											
10	<div><div>Building Height</div><div>i. Within the Structure Plan entitled “Industrial B Zone - Connell Terrace Precinct”, the maximum height of any building shall be 7 metres above ground level, except that:</div></div>	N-C										

Ref	Standards	Resource consent status if standard not met
	<p>a) The maximum height of any building within the Special Use Area A identified on the Connell Terrace Precinct Structure Plan shall be 3.5 metres above ground level.</p> <p>Note 1: For the Industrial B Zone (Connell Terrace Precinct) the ground level is as shown on the contour plan entitled the “Industrial B Zone Contour and Zone Plan for Connell Terrace Precinct” Rev C and dated 8 October 2012.</p> <p>ii. The height of buildings upon any land which is not within the Connell Terrace Precinct boundary shown on the relevant Structure Plan shall be 7 metres above ground level.</p> <p>iii. Within the Structure Plan entitled “Industrial B Zone – Ballantyne Road Precinct”, the maximum height of any building shall be 7 metres above ground level.</p>	
11	<p>Noise</p> <p>i. Sound from non-residential activities measured in accordance with NZS 6801:2008 and assessed in accordance with NZS 6802:2008 shall not exceed the following noise limits at any point within any site outside this zone (other than the business or industrial (A) zones):</p> <ul style="list-style-type: none"> a) daytime (0800 to 2000 hrs) 60 dB LAeq(15 min) b) night-time (2000 to 0800 hrs) 50 dB LAeq(15 min) c) night-time (2000 to 0800 hrs) 70 dB LAFmax <p>ii Sound from non-residential activities which is received in another zone shall also comply with the noise limits set in the zone standards for that zone.</p> <p>iii The noise limits in (a) shall not apply to construction sound which shall be assessed in accordance with NZS 6803:1999.</p> <p>iv The noise limits in (a) shall not apply to sound from sources outside the scope of NZS 6802:2008. Sound from these sources shall be assessed in accordance with the relevant New Zealand Standard, either NZS 6805:1992, NZS 6807:1994 or NZS 6808:1998.</p> <p>Note: For the purpose of this rule, a road that is located outside this zone is not deemed to be a “site outside this zone” and, as such, the noise levels specified in (i) above may be exceeded on road reserves adjacent to this zone.</p>	N-C

BUSINESS & INDUSTRIAL AREAS - RULES

11

Ref	Standards	Resource consent status if standard not met
12	<p>Rear Sites shown on an Outline Development Plan</p> <p>No more than 10% of all sites shown on the indicative subdivision layout provided as part of an Outline Development Plan may be “rear sites”.</p> <p>Note: Refer Section D for a definition of ‘rear site’.</p>	N-C
13	<p>Outline Development Plans</p> <p>All activities and development shall be in accordance with an approved Outline Development Plan; except that:</p> <ul style="list-style-type: none"> i. The Outline Development Plan need not include any land outside the Connell Terrace Precinct boundary shown on the Structure Plan entitled “Industrial B Zone - Connell Terrace Precinct” ii. Landscaping of the open spaces identified on the Structure Plan may occur prior to the approval of an ODP provided it is in accordance with an approved resource consent for that landscaping. <p>Note: The intent of this rule is ensure that an Outline Development Plan has been submitted and approved prior to any other resource consent being applied for.</p>	N-C
14	<p>Extent of the Outline Development Plan</p> <p>An Outline Development Plan shall include at least all that land contained within the relevant Structure Plan, as follows.</p> <ul style="list-style-type: none"> i. The Industrial B Zone - Connell Terrace Precinct Structure Plan, except that the Outline Development Plan need not include any land outside the Connell Terrace Precinct boundary shown on the Structure Plan entitled “Industrial B Zone - Connell Terrace Precinct. ii. The Industrial B Zone – Ballantyne Road Precinct Structure Plan. 	N-C
15	<p>The creation of fixed roads as shown on the relevant Structure Plan</p> <p>No Outline Development Plan, subdivision, or development shall prevent the creation of any fixed road shown on the relevant Structure Plan</p>	N-C

BUSINESS & INDUSTRIAL AREAS - RULES

11

Ref	Standards	Resource consent status if standard not met
16	<p>Structure Plan</p> <p>All activities and development (including buildings and applications for ODP's) shall be in accordance with the relevant Structure Plan, except that:</p> <ul style="list-style-type: none"> i Any fixed connection points shown on the relevant Structure Plan may be moved up to 20 metres ii Any fixed roads shown on the relevant Structure Plan may be moved up to 50 metres in any direction in order to enable more practical construction or improved layouts and/ or to allow for minor inaccuracies in the plan drafting. iii The boundaries of any fixed open spaces shown on the relevant Structure Plan may be moved up to 5 metres. iv All indicative roads and any other elements shown as 'indicative' on the relevant Structure Plan may be moved or varied provided they are generally in accordance with and achieve the relevant Structure Plan and the relevant objectives and policies. v Where a boundary (or boundaries) has been expressly approved as part of a subsequent, more detailed ODP, then that subsequent boundary (or boundaries) shall take precedence over that shown in the relevant Structure Plan. 	N-C
17	<p>Access</p> <p>Each lot shall have legal access to a formed road.</p>	N-C
18	<p>Building coverage within the Special Use Area A identified on the Structure Plan entitled 'Industrial B Zone - Connell Terrace Precinct';</p> <p>The maximum building coverage shall be 30%</p>	N-C
19	Deleted	
20	<p>Landscaping within areas shown as fixed open space areas</p> <p>Landscaping within areas shown as 'fixed open space' on the relevant Structure Plan shall be in accordance with an approved landscape plan</p>	N-C
21	<p>Outdoor storage of any goods within the open space areas or Special Use Area C</p> <p>There shall be no outdoor storage of any goods within the open space areas or Special Use Area C identified on the relevant Structure Plan.</p>	N-C
22	Staging of building:	N-C

BUSINESS & INDUSTRIAL AREAS - RULES

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Ref	Standards	Resource consent status if standard not met
	<p>i Within the Connell Terrace Precinct boundary shown on the Structure Plan entitled “Industrial B Zone - Connell Terrace Precinct”, there shall be no building on land with a finished ground level higher than 323.5 mamsl until 70% of the western boundary planting in combination with the mounding has reached a minimum combined height of 6 metres and a continuous screen in the horizontal plane’.</p> <p>ii Within the Industrial B Zoned land shown on Figure 11. 3. Ballantyne Road Industrial B Zone and Open Space Structure Plan, there shall be no building on land until 100 per cent of the planting in combination with the mounding has been implemented within the Open Space Area identified within the Structure Plan.</p>	

11.6 Resource Consents - Assessment Matters - Industrial B Zone

11.6.1 Controlled Activities – Matters over which control is reserved and Assessment Matters

i Controlled buildings – conditions may be imposed in respect of:

- (a) Landscaping,
- (b) External appearance (including signage, the colour of the building and, in particular, the extent of corporate colours used),
- (c) The ability to service the building(s), in terms of roading, water supply, and waste water.
- (d) The inclusion of initiatives which help reduce private car use and encourage alternative modes of transport (i.e. this is typically referred to as “Travel Demand Management”).
- (e) Waste and recycling storage space
- (f) The extent to which stormwater is proposed to be treated at each site, in order to improve the quality of stormwater being disposed of.

ii Controlled Buildings – Assessment matters

In considering whether or not to impose conditions, the Council shall have regard to, but not be limited by the following assessment matters:

- (a) Whether and to what extent the external appearance (including the colour of the building (including that of the roof) and, in particular, the extent of corporate colours used, lighting and signage) avoids or mitigates adverse effects on:

- (i) The street scene and the views from private residential properties and public places beyond the zone.

The council expects colours to be recessive and to have low reflectivity

- (b) Whether the landscaping will improve the visual appearance of the site, buildings, outdoor storage areas, and carparking areas, taking account of:
 - (i) The nature of planting or materials to be used,
 - (ii) The ease of maintenance, and
 - (iii) The size of the plants and/ or the time it will take for the plants to mature.
- (c) Whether, in the Connell Terrace Precinct, tree planting has been proposed along the rear boundary of those sites which adjoin the northern, eastern and southern boundaries of the zone in a manner that will effectively ‘break up’ the built form within the zone.
- (d) Whether and to what extent initiatives are proposed, which help reduce private car use and encourage alternative modes of transport (i.e. Travel Demand Management). The Council would normally expect the following to have been provided:
 - (i) Cycle and motorcycle parking in a manner which encourages people to travel by these modes.
 - (ii) Shower and locker facilities for work places, so employees who choose to walk, run, or cycle to work can shower and store clothing.
 - (iii) Effective lighting and signage aimed at assisting someone entering the site or building by foot or bike.
- (e) Whether adequate space has been provided either within or outside the building(s) in order to enable the separation and storage of waste for recycling

iii Outdoor Storage Areas

Conditions may be imposed in respect of landscaping, screening, appearance, and visual impact.

iv Outdoor storage – Assessment matters

In considering whether or not to impose conditions, the Council shall have regard to, but not be limited by, the assessment matters listed in 11.4.2(ii) for the Business and Industrial (A) zones.

11.6.2 Restricted discretionary Activities – Matters over which discretion is reserved and Assessment Matters

i Matters of discretion – For any Outline Development Plan, discretion is reserved in respect of:

- (a) The indicative subdivision/ development layout, including roading design details.
- (b) Open space areas and pedestrian and cycle links
- (c) Earthworks,
- (d) Landscaping and streetscape design
- (e) Any proposed design guidelines.
- (f) Initiatives which help reduce private car use and encourage alternative modes of transport (i.e. Travel Demand Management).
- (g) The provision of public transport facilities and/or infrastructure or space to enable its future development.
- (h) The location and indicative design of carparking and manoeuvring areas, acknowledging that this will need to be further refined as part of subsequent land use consents once exact requirements are known.

- (i) The provision of infrastructure to service the development such as water, sewage treatment, stormwater, lighting, power and telecommunications facilities.
- (j) Measures to address any adverse effects resulting from any contaminated sites.

ii Outline Development Plan - Assessment Matters

In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by, the following assessment matters:

- (a) In regard to the indicative **subdivision/ development layout**:
 - (i) Whether the road layout is efficient, legible, and pedestrian-friendly. The Council expects roading layouts and hierarchies (ranging from collector roads to service lanes) to be easy to navigate. The Council expects roading cross sections to be provided, which illustrate the width, character, landscaping, anticipated speed environment.
 - (ii) With regard to the location of fixed roads, the Council will only allow these to move more than 50 metres provided the integrity of the Structure Plan is not compromised and only for the following specific reasons:
 - Where there are key infrastructure matters that make the indicated path of the roads impracticable (for example land needed for stormwater management); and/ or
 - More appropriate subdivision patterns and street layouts will result from the movement of the collector road.
 - (iii) Whether the urban structure is well-connected and cul de sacs avoided
 - (iv) Whether the number of rear sites has been minimised. The Council will expect to see rear sites avoided unless

alternative street layouts would result in a worse outcome in terms of traffic congestion, connectivity/ walk-ability, or safety.

- (v) Whether the lot configuration, dimensions, and orientation will result in lots that maximise solar gain and have logical boundary lines.

The Council will not normally approve designs that result in awkward, irregular boundaries and which do not achieve the above outcomes.

- (vi) Whether and to what extent the Outline Development Plan incorporates the various open spaces identified on the Structure Plan. The Council will expect the Outline Development Plan to include all the open spaces shown on the Structure Plan.
- (vii) Whether open spaces and the urban form are designed in accordance with principles of Crime Prevention through Environmental Design (CPTED).
- (viii) Whether the public open spaces (if any) form part of an open space network which provides pedestrian and cycle linkages to other open space, community facilities, and other zones
- (ix) Whether and to what extent dedicated, direct and safe **pedestrian and cycle links** are provided. The council will expect footpaths to be provided along fixed roads and other roads where people are expected to walk (e.g. to/ from any foot-related retail such as a café, to/ from bus stops and to/ from off-street pedestrian connections). Where off-street links are proposed these should be straight, well lit, and at least 4 metres in width. Where the link runs along a narrow strip of land between private property/ buildings, then it should also be straight and no more than 75 m long.
- (x) Whether a detailed **Landscape Plan** has been provided for **all open space areas and** proposed road reserves with the

Outline Development Plan, unless previously approved as part of a resource consent for landscaping. The Council will expect the landscape plan to:

- a. Clarify the use of the space and for this to be designed/ planted accordingly;
- b. Identify the range of plant species proposed, including evergreen species where year-round screening of the development is required
- c. Outline the long term ownership, management, and maintenance regime for the open spaces
- d. Maintain important viewshafts, where they exist
- e. In respect of the western buffer shown on the Connell Terrace Precinct Structure Plan, the Council expects the mounding and planting to provide effective mitigation in respect of noise attenuation and visual amenity. To achieve this the Council expects either a combination of naturalistic mounding of 3-5 metres in height and 15-20m in width, and predominantly evergreen planting of around 5-6 metres in height or, in the absence of any mounding, a 30 metre strip of dense predominantly evergreen planting of at least 8 metres in height is required in order to provide effective mitigation.

Note: Any change to the landscape plan will require a Variation to the Outline Development Plan.

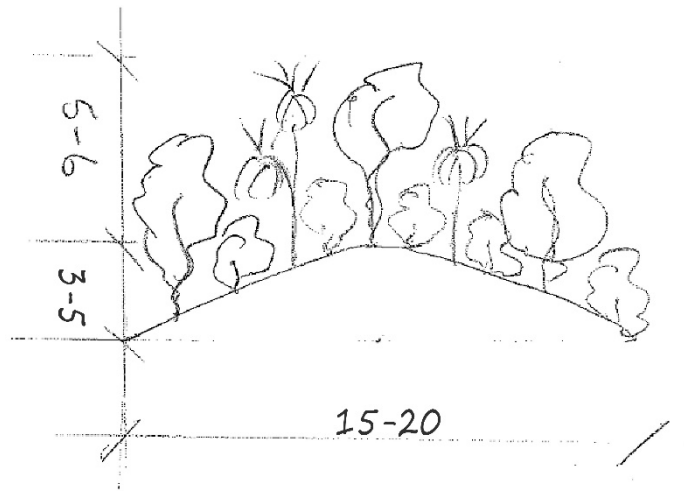


Fig 1: 15-20m buffer with 3-5m mound and dense planting to 5 or 6m.

(b) Regarding **transportation and reducing car trips/ trip distances**, the Council will consider:

- (i) Whether an Integrated Transport Assessment (ITA) has been provided which outlines how the proposed land use/urban design will affect the sustainability of transportation. The Integrated Transport Assessment should cover all those matters listed in the Council's guide on the subject. Refer to Council guidelines relating to ITA.

Note: Any ODP application which will enable over 5,000m² GFA of industrial or service space or over 10,000m² GFA of warehousing or storage space to be developed, shall include an Integrated Transport Assessment (ITA).

- (ii) Whether adequate space has been provided in the road reserve for a bus stop to be located every 400 m along any bus route that has been identified by the Council.

(c) Regarding the **management of stormwater**, the ODP is expected to identify stormwater collection and reticulation methods and the area(s) that will be developed as stormwater treatment and disposal facilities, which will be capable of:

- (i) Collecting all stormwater runoff from the land included within the ODP application including roads, berms, reserves, and private properties; and
- (ii) Ensuring that the rate of stormwater discharge remains equal to or less than that of pre-development up to the 1 in 100 year average recurrence interval event; and
- (iii) Ensuring that the quality of stormwater discharge shall remain equal to or better than that of pre-development; and
- (iv) Ensuring that the disposal of stormwater is managed to avoid erosion, land instability and property damage; and
- (v) Reticulating all the collected stormwater runoff from the area covered by the ODP to the designated stormwater treatment and disposal areas; and
- (vi) Ensuring that all stormwater runoff flows from the area covered by the ODP, will be treated and disposed to ground in a long term sustainable manner; and
- (vii) Managing stormwater runoff flows generated by a 100 year average return interval; and
- (viii) Managing the anticipated increase in flows arising from climate change; and
- (ix) Being practically and efficiently maintained. The design is expected to enable efficient remediation of treatment facilities, efficient maintenance of the treatment and disposal facilities, appropriate landscaping of the area and facilities, and efficient and practical maintenance and remediation of such landscaping (be it planted areas, grassed areas, or wetlands).

- (d) Regarding **earthworks** and whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by, the assessment matters contained in Section 11.4.2(xi) of the District Plan and, in addition:

- (i) With regard to impacts on sites of cultural heritage value, whether the applicant has committed to complying with the Accidental Discovery Protocol, as outlined in Appendix 6 of the Ngai tahu ki Murihiku Natural Resource and Environmental Iwi Management Plan 2008.
- (ii) Whether and to what extent the earthworks on the open space areas will, together with landscaping, contribute to effective noise attenuation and the screening of development within the zone from surrounding existing and future residential zones.

iii Matters of discretion – For a Landscape Plan, discretion is reserved in respect of:

- (a) The plant species proposed,
- (b) The management and maintenance regime
- (c) The maintenance of any important viewshafts,
- (d) The requirements of the government Emissions Trading Scheme (ETS) criteria, where relevant
- (e) The extent and nature of the proposed earthworks

iv Landscape Plan - Assessment Matters

In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by the assessment matters listed in 11.6.2(ii)(x) and 11.6.2(ii)(d) above, relating to the landscape plan and earthworks required as part of the ODP.

11.6.3 Assessment matters relating to performance standards

i Building setbacks from Residential zones – Assessment Matters

In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by, the following assessment matters:

- (a) The extent to which the building encroaches into the building setback.
- (b) Whether an acoustic assessment has been provided, which concludes that the setback is not required for noise mitigation purposes due to, for example, the specific topographical characteristics of the site, the design of the building, noise attenuation measures proposed, or covenants on the title limiting the noise able to be generated from the site and/ or the type of uses that may operate from the site.
- (c) Whether the topography or other site characteristics are such that the building will not be visible from the Residential Zone. The Council will carefully consider the degree to which the visibility is reliant on vegetation being established/ retained/ maintained and the measures proposed to ensure that such mitigation occurs and is maintained.
- (d) Whether the scale and external appearance of the building is compatible with the residential neighbourhood.

ii Outdoor Storage Areas – Assessment Matters

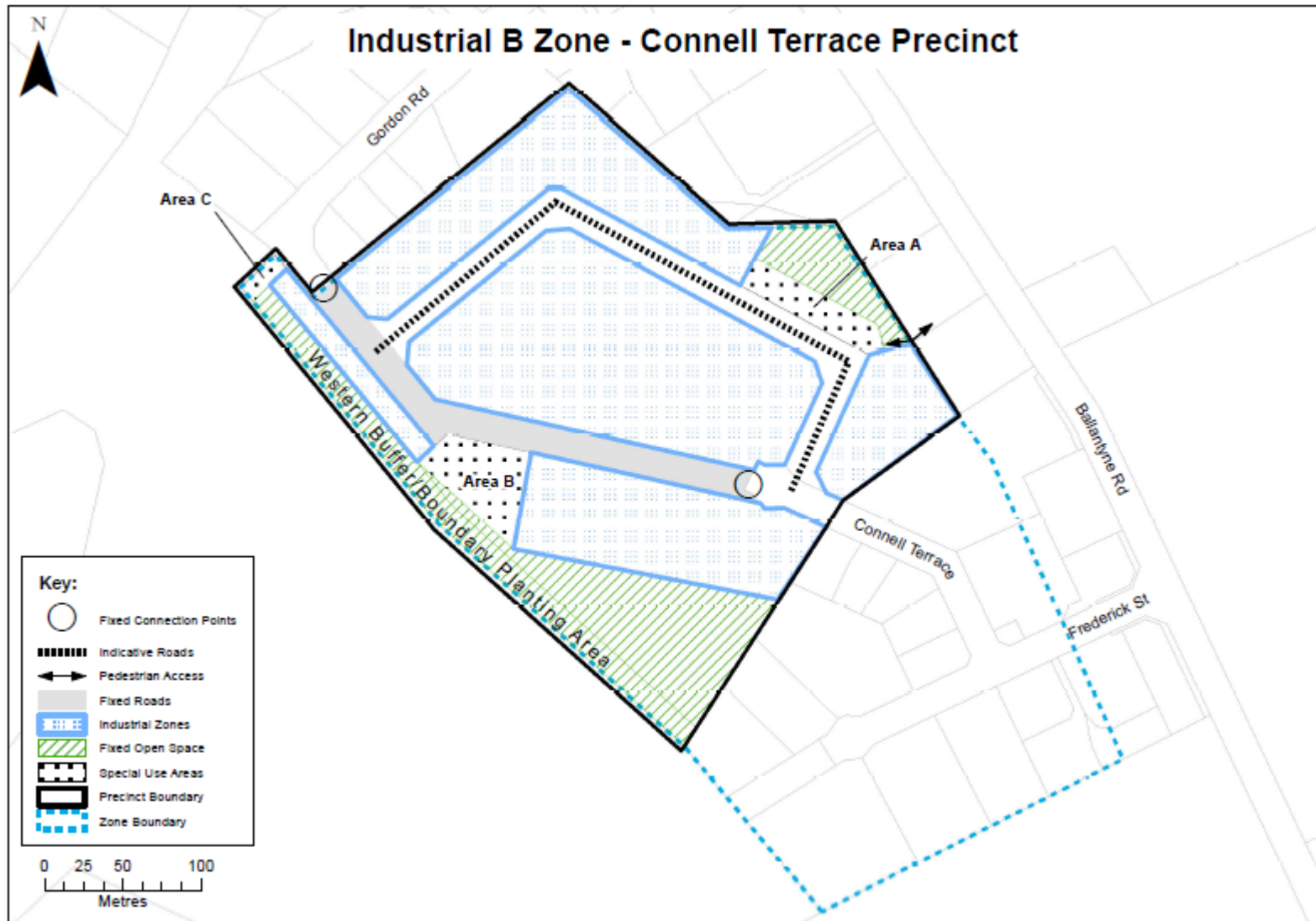
Refer to those assessment matters listed for the Business and Industrial (A) zones in 11.4.2(ix) entitled Visual Amenity.

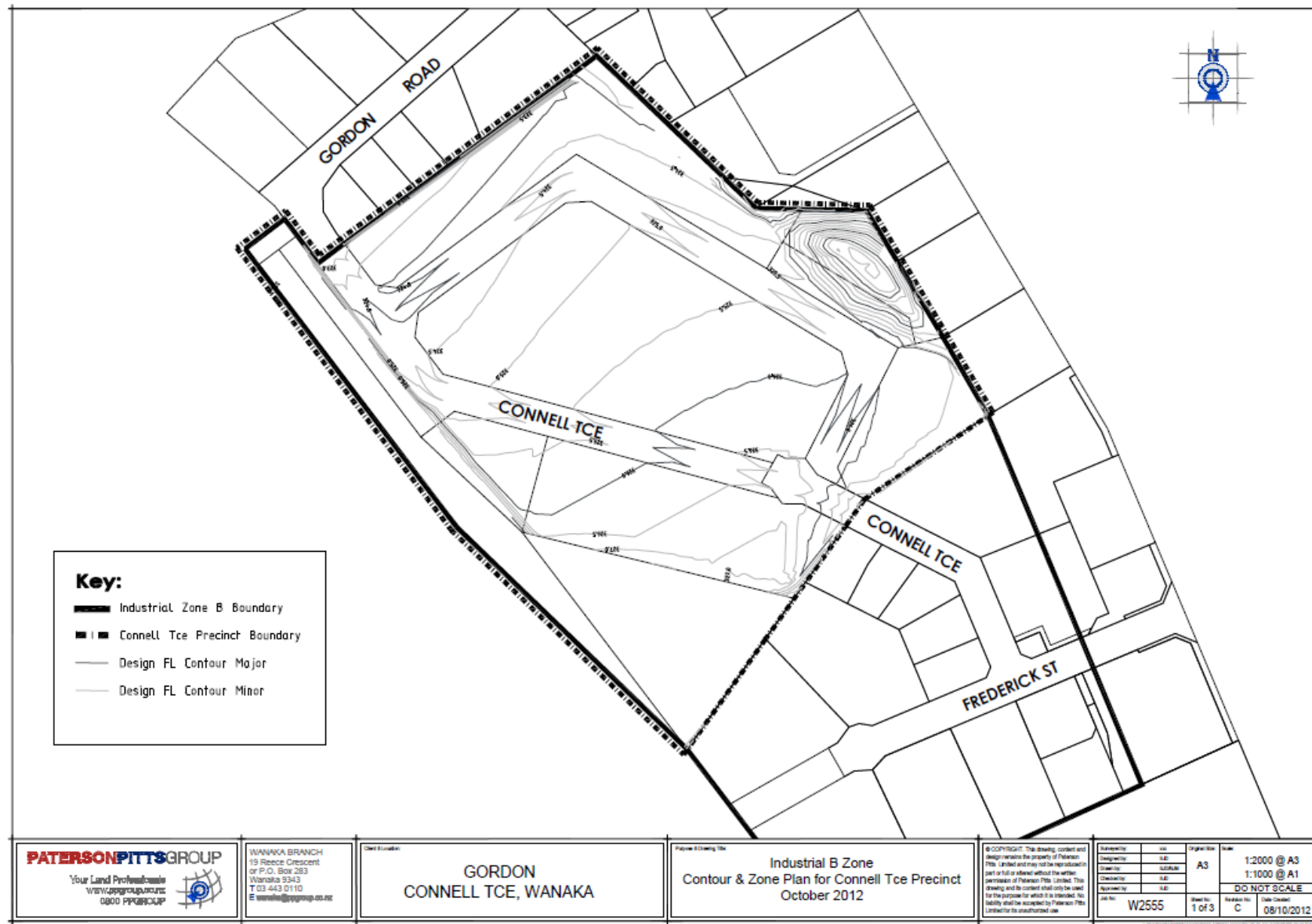
iii Hours of operation

In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by:

- (a) The size of the site and the distance between the activity and residential properties.
- (b) Whether a road separates the site from Residential zone properties, thereby potentially reducing the effect of the activity operating outside the permitted hours.
- (c) The extent of proposed traffic to and from the site outside the permitted hours, the type of vehicles, and the location of the manoeuvring and loading areas, and site access.

iv Deleted





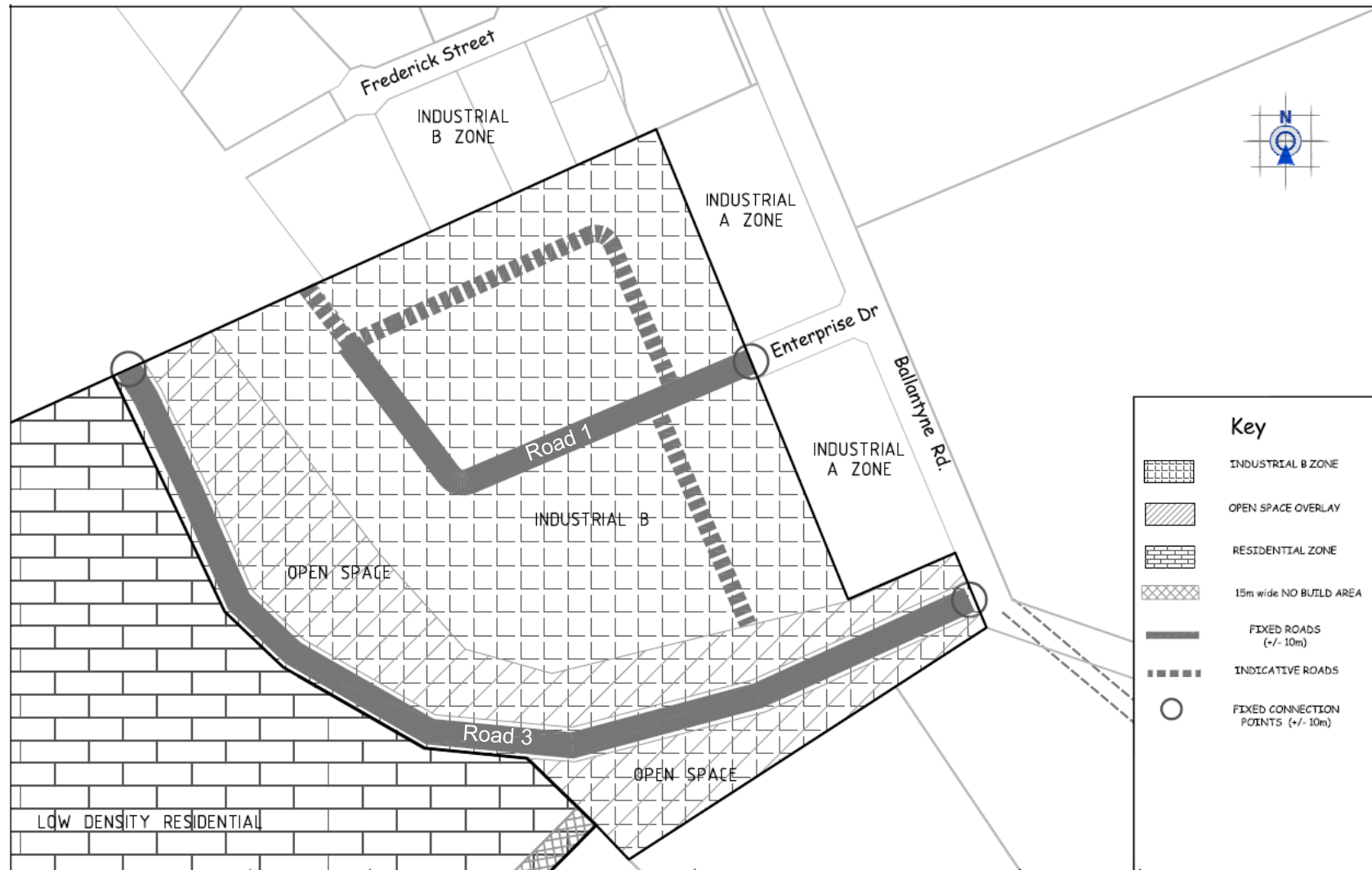


Figure 11.3. Ballantyne Road Industrial B Zone and Open Space Structure Plan