

<b>RULE 29A</b>	<b>VILLAGE BUSINESS ZONE</b>
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<b>RULE 29A.1</b>	<b>VILLAGE BUSINESS ZONE</b>
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For the avoidance of doubt, and notwithstanding the rules which follow, all activities (or applications for consent for such activities) must also comply with such other provisions as may affect the activity or site and which are specified in Parts 7, 8, 10, 11, 12, 15, 22, 26, 50, 51, 52 and 53 of this Plan. Where the activity involves the use of a SIGN erected on private property, the SIGN shall be consistent with matters set out in Rule 15.4.

<b>29A.1.1</b>	<b>PERMITTED ACTIVITIES – VILLAGE BUSINESS ZONE</b>
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The following activities are permitted activities in the Village Business Zone if they meet all the standards and requirements in Rule 29A.2, 29A.3 and 29A.5 (relating to hazardous substances)

1. FARMING
2. DWELLING HOUSES and MULTI-UNIT HOUSING above GROUND LEVEL (including entrances, stairs, parking and lobbies at GROUND LEVEL)
3. CHILDCARE and LEARNING CENTRES
4. HOME OCCUPATIONS (including HOME STAY ACCOMMODATION)
5. COMMUNITY FACILITIES
6. SCHOOLS
7. HEALTH CENTRES
8. HOSPITALS
9. The use and DEVELOPMENT of RESERVES, including the erection of BUILDINGS and structures in compliance with a management plan for the SITE approved under the Reserves Act 1977, or the Conservation Act 1987.
10. TRAVELLER'S ACCOMMODATION
11. CAMPING GROUNDS
12. RETAILING ACTIVITIES (including SERVICE STATIONS, CAFÉ or RESTAURANT), provided that:
  - i) In Karaka Village, individual business tenancies shall not exceed a GROSS FLOOR AREA of 200m<sup>2</sup>
13. OFFICES
14. FUNERAL SERVICES PREMISES
15. Additions and alterations to existing BUILDINGS and DWELLINGS (except in Karaka Village where these increase the GROSS FLOOR AREA of the BUILDING)
16. ACCESSORY BUILDINGS and ANCILLARY ACTIVITIES for any of the above.

**29A.1.2 CONTROLLED ACTIVITIES**

- i. Controlled activities require a resource consent, but the consent *shall* be granted. An application must be submitted in the prescribed format (available from the Council).
- ii. Applications will be assessed primarily in terms of the matters set out in Rule 29.7 and 29A.4, and any conditions of consent will relate primarily to those matters or such other matters as the Act allows.
- iii. The information submitted with the application must be in terms of Rule 52 but only to the extent needed to enable a thorough assessment in terms of Rule 29.7 and 29A.4. The application must also clearly demonstrate compliance with the stated standards applicable to the activity.
- iv. An application for a Controlled activity may be considered without public notification where Council so determines in terms of Section 93 of the Act (this is a *non-notified* application in terms of the Act.)
- v. The activities listed below are Controlled activities in the *Village Business Zone*.

(NOTE: Within the list, the words in CAPITALS are defined in Rule 50)

1. Any activity requiring a vehicle crossing wider than 6 metres (ie an activity which would otherwise be a Permitted activity)
2. ANTENNA DISHES that are BUILDINGS
3. MARAE
4. ACCESSORY BUILDINGS and ANCILLARY ACTIVITIES for any of the above.

**29A.1.3 RESTRICTED DISCRETIONARY ACTIVITIES**

- i. Restricted Discretionary activities require a resource consent, and the consent may be granted or refused. An application must be submitted in the prescribed format (available from the Council).
- ii. Applications will be assessed primarily in terms of the matters set out in Rule 29.7 and 29A.4 and 53, and any conditions of consent will only relate to those matters (or other matters as provided by the Act).
- iii. The information submitted with the application must be in terms of Rule 52 but only to the extent needed to enable a thorough assessment in terms of Rule 29.7 and 29A.4. The application must also clearly demonstrate compliance with any stated standards applicable to the activity.
- iv. An application for a *Restricted Discretionary* activity may be considered without public notification where Council so determines in terms of Section 94 of the Act. (This is a *non-notified* application in terms of the Act).
- v. The activities listed below are *Restricted Discretionary* activities in the *Village Business Zone*.

(NOTE: Within the list, the words in CAPITALS are defined in Rule 50)

1. Any activity which would be a Permitted or Controlled Activity except that it does not comply with Rule 29A.2. ("development standards") or has direct vehicular access to a State Highway and provided that it is not a Discretionary activity under Rule 29A.1.4.
2. DWELLING HOUSES, MEDIUM DENSITY HOUSING and MULTI-UNIT HOUSING that are not Permitted Activities.
3. RURAL INDUSTRY AND SERVICES
4. In Karaka Village, the construction of any BUILDING complying with RULE 29A.2 connected to a reticulated wastewater treatment and disposal system, except:
  - Where the alterations to BUILDINGS does not increase the GROSS FLOOR AREA of the BUILDING.

**29A.1.4 DISCRETIONARY ACTIVITIES**

- i. Discretionary activities require a resource consent, and the consent may be granted (conditionally or unconditionally) or refused. An application must be submitted in the prescribed format (available from the Council).
- ii. Applications will be assessed in terms of the matters set out in Rule 53, but the Council will first consider the standards and assessment criteria applicable to Permitted and Restricted Discretionary activities in the Zone.
- iii. The information submitted with the application must be in terms of Rule 52.
- iv. An application for a Discretionary activity may be considered without public notification where Council so determines in terms of Section 94 of the Act. (This is a non-notified application in terms of the Act).
- v. The activities listed below are Discretionary activities in the Village Business Zone.
- vi. Any activity which does not comply with Rule 29A.3 ("performance standards") or Rule 29A.5 ("hazardous substances quantity thresholds").

## **29A.2 DEVELOPMENT STANDARDS FOR PERMITTED ACTIVITIES**

- i. All activities in the Village Business Zone shall comply with the standards set out below.
- ii. In order to ascertain compliance, the Council may request such information and plans as may be necessary, including any technical data or expert assessment as is appropriate to the circumstances:

### **29A.2.1 BUILDING HEIGHT RELATIVE TO BOUNDARIES**

The provisions of Rule 29.5.1.1 shall apply to activities in the Village Business Zone.

### **29A.2.2 HEIGHT**

In addition to compliance with 29A.2.1:

- i. no building or sign shall exceed a height of 9 metres.

*Explanation: The height limits are intended to ensure that development is generally in character with existing buildings in the Villages.*

### **29A.2.3 PARKING SPACES**

(See also 29A.2.4 LOADING SPACES and 29A.2.5 VEHICLE CROSSINGS AND DRIVEWAYS)

1. Subject to 29A.2.3.2 and the provisions of Rule 51, parking spaces (and associated manoeuvring/driveway areas) shall be provided on site for all activities as follows:

For sites within the Village Business Zone:

One space for every 30 square metres of gross floor area.

2. Where a specific parking standard or parking arrangement is given in Rule 51 for any activity, that standard shall apply in place of that in 29A.2.3.1, but the overall number of spaces on the site shall not be less than required by 29A.2.3.1.
3. (Construction) All parking and manoeuvring areas shall be formed, drained and maintained to a tar- or chip-sealed or concreted surface in accordance with accepted practice for "commercial" loadings, and such that stormwater will in all weathers leave the site in a controlled manner so as to have no potential to cause damage to roads or adjoining properties.

*Explanation: It is important in these areas to ensure that on-site parking is adequate for most of the hours of operation of the business so that the movement function of the road is not eroded by vehicles parking in the street or executing extra manoeuvres due to a lack of spaces.*

### **29A.2.4 LOADING SPACES**

The provisions of Rule 29.5.7 shall apply to activities in the Village Business Zone.

### **29A.2.5 VEHICLE CROSSINGS AND DRIVEWAYS**

The provisions of Rule 29.5.8 shall apply to activities in the Village Business Zone.

### **29A.2.6 LPG STORAGE**

The provisions of Rule 29.5.9 shall apply to activities in the Village Business Zone.

**29A.2.7 OUTDOOR STORAGE AREAS**

1. The provisions of Rule 29.5.10.1 shall apply to activities in the Village Business Zone; and
2. Village Zone: In addition to compliance with 29A.2.7.1 above, all outdoor storage areas containing materials or goods of whatever kind shall be completely screened from view from any site in the Village Zone which is within 100 metres of that storage area unless the Village Zone site is elevated well above that area such that this standard is not practicable, in which case the screening shall be the best practicable option in the circumstances. The best practicable option in this case can be the planting and maintaining of plants or trees which can reach a maturity height which will achieve at least a 50 per cent screening of the storage area.

**29A.2.8 LANDSCAPING AMENITY PLANTING AND SCREENING AT VILLAGE ZONE BOUNDARY**

Amenity Yard (adjacent to Village Zone):3 metres

On any sites adjoining sites zoned Village Zone no buildings, structures, or car parking, shall be located within 3 metres (Amenity Yard) of any boundary common to (or adjoining) land zoned as Village Zone. This Amenity Yard shall be landscaped and planted to achieve a significant visual screening effect between the Village Business Zone and adjoining Village Zone. A planting plan and maintenance programme shall be submitted and must be approved prior to any Business activity commencing.

**29A.2.9 OPENINGS FACING OTHER AREAS**

The provisions of Rule 29.5.12 shall apply to activities in the Village Business Zone

**29A.2.10 STANDARDS FOR RESIDENTIAL BUILDINGS**

Every residential development shall comply with the relevant minimum standards of the *Village Zone* of this Plan. Except that in Karaka Village, the modified standards of Rules 29.5.13.2, 29.5.13.3 and 29.5.13.4 shall apply.

Explanation: *A minimum level of amenity should be achieved for any residential building located in the Village Business Zone of the District.*

**29A.2.11 SETBACK FROM WATER**

The provisions of Rule 29.5.14 shall apply to activities in the Village Business Zone.

**29A.2.12 Hazardous Substances Monitoring**

The provisions of Rule 29.5.15 shall apply to activities in the Village Business Zone

**29A.2.13 Location of Fuel Dispensers**

The provisions of Rule 29.5.16 shall apply to activities in the Village Business Zone

**29A.2.14 Stormwater Management – Volume Control**

The provisions of Rule 29.5.17 shall apply to activities in the Village Business Zone

**29A.3 PERFORMANCE STANDARDS FOR ALL ACTIVITIES**

- i. All activities in the Village Business Zone shall comply with the standards set out below. In order to ascertain compliance, the Council may request such information and plans as may be necessary, including any technical data or expert assessment as is appropriate to the circumstances.
- ii. Where a standard is not being achieved the person/s having responsibility for the activity or the generation of the effect shall immediately advise Council of the action to be taken and shall as soon as practicable take all necessary steps to ensure compliance. Nothing herein shall preclude the Council from taking any enforcement action that is deemed necessary and appropriate in the circumstances.

**29A.3.1 Noise**

No activity within the Village Business Zone shall cause the following sound levels to be exceeded, for the stated times, at or within the boundary of any other SITE, where the other SITE is:

Not zoned Village Business Zone

Time/hours	“L <sub>10</sub> ” (defined rule 50)	“L <sub>max</sub> ” (defined rule 50)
0700 to 1900	50 dBA	75 dBA
1900 – 2200	45 dBA	75 dBA
All other times	40 dBA	65 dBA

Zoned Village Business Zone

Time/hours	“L <sub>10</sub> ” (defined rule 50)	“L <sub>max</sub> ” (defined rule 50)
At all times	55 dBA	75 dBA

**29A.3.2 Odour**

The provisions of Rule 29.6.2 shall apply to activities in the Village Business Zone.

**29A.3.3 Vibration**

The provisions of Rule 29.6.3 shall apply to activities in the Village Business Zone.

**29A.3.4 Light Spill and Glare**

The provisions of Rule 29.6.4 shall apply to activities in the Village Business Zone.

**29A.3.5 Contaminants**

The provisions of Rule 29.6.5 shall apply to activities in the Village Business Zone.

**29A.3.6 Hours of Operation for Licensed Premises**

The provisions of Rule 29.6.7 shall apply to activities in the Village Business Zone.

**29A.3.7 Vehicle Servicing Activities**

The provisions of Rule 29.6.8 shall apply to activities in the Village Business Zone.

<b>29A.4 ASSESSMENT OF CONTROLLED AND RESTRICTED DISCRETIONARY ACTIVITIES</b>
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1. In assessing applications for consent to Controlled Activities and Restricted Discretionary activities the Council will, in making a decision, restrict the exercise of its discretion to:

- The assessment criteria of Rule 29.7 and 53 shall apply to activities in the Village Business Zone.
- The extent to which the design of the proposal or nature of the activity would detract from or diminish the village character and amenity.
- The extent to which the design ensures that the village business centres develop as attractive community and employment hubs, including an emphasis on the public / private interface and integration with street frontages, such as the building being located in close proximity to the road, and avoiding large open spaces to the road or the building being setback behind a car park.
- The extent of Landscape design and general SITE development and layout so as to ensure that BUILDINGS and structures will not visually detract from the amenity values of DWELLING HOUSES on adjacent Village Zoned properties.
- Any DWELLING HOUSE or MULTI-UNIT HOUSING located at ground level shall be one component of a mixed use development, with business activities being accommodated on the street frontage of the site within appropriately sized tenancies. Residential accommodation shall be appropriately constructed, located and sited to avoid adverse effects from noise, odour, solid waste, visual appearance and car parking.
- The use of Village Business Zoned sites entirely for a DWELLING HOUSE or MULTI-UNIT HOUSING is discouraged unless combined with a business because of the potential for significant adverse effects on the local provision of retail, services, other business or community activities and employment opportunities and the road network as additional trips are made to other sites where business activities are located.

2. Karaka Village Business Zone

In addition to 1 above, when assessing applications for consent for *Restricted Discretionary* activities (subject to Rules 29A.1.3.2 and 29A.1.3.4) the Council will, in making a decision, restrict the exercise of its discretion to the following matters and may impose conditions of consent in relation to these:

a) Building Form and Relationship to Village Business Zone

- The extent to which the development identifies and positively contributes to the overall development and anticipated character of the Village Business Zone as detailed in the Design Assessment Criteria contained in Appendix 29A.1.
- The extent to which the design of DWELLING HOUSE(S), MULTI-UNIT HOUSING and MEDIUM DENSITY HOUSING incorporates the relevant provisions of the MEDIUM DENSITY HOUSING Design Assessment Criteria in Part 27B.1.

b) Servicing

Whether the DEVELOPMENT can be adequately serviced with reticulated wastewater, potable water supply, water supply for fire fighting purposes, provision of utilities and for the management of stormwater.

c) Vehicle access and car parking design

- i. Whether sufficient car parking is provided for the intended use(s) and whether this is located and/or screened so that it will not adversely affect adjoining Village Zoned land.
- ii. Whether vehicular access points are designed to provide connectivity within the existing and proposed road network, and are appropriately located and designed to allow safe vehicle and pedestrian movements.

- iii. Whether an integrated design is achieved that provides on street car parking. For the avoidance of doubt, this provision can be included in the onsite calculation of car parking requirements.

<b>29A.4.1</b>	<b>ADDITIONAL ASSESSMENT CRITERIA FOR RURAL INDUSTRY AND SERVICES</b>
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In addition to the matters specified in Rule 29A.4, in considering applications for RURAL INDUSTRY AND SERVICES in the Village Business Zone, the Council will consider the following matters:

1. Village Character

The extent to which the proposed RURAL INDUSTRY AND SERVICES activity is likely to adversely affect the amenity values of the Village, taking into account the Objectives and Policies of the Management Area in which the Village is located and the adverse effects on and off-site of heavy vehicles or machinery likely to be associated with the RURAL INDUSTRY AND SERVICES.

2. Disposal of Waste

Any waste material generated from the processing of raw materials, natural resources or produce can be adequately disposed of.

3. Scale of activity

The scale of the proposed activity is appropriate to the size and location of the SITE. In general only vehicles, machinery and equipment used by the contractor in the daily operation of the contracting business should be stored, repaired or maintained on the SITE.

4. HAZARDOUS SUBSTANCES

The storage, handling, disposal and transportation of HAZARDOUS SUBSTANCES including fuel, oil and chemicals will be safely carried out.

5. Additional Matters Relating to RURAL INDUSTRY AND SERVICES

a) Control of nuisance.

There are adequate measures for the control of light spill and glare, odour, dust, NOISE, and flies and vermin from any aspect of the operation.

b) SITE suitability

The SITE is suitable for, and can physically accommodate, proposed:

- waste treatment and disposal methods,
- the number of animals accommodated in saleyards or the processing facility and the volume of wastes generated.
- vehicle access, loading and car parking

c) Operational aspects and SITE layout

Conditions may be imposed on the method of and hours of operation, management plans, signage, traffic generation and the landscape treatment/screening, design, layout and use of all BUILDINGS and areas associated with the activity.

d) Potential conflicts

Its proximity to potentially conflicting activities shall be avoided.



6. That there is minimal impact on adjoining DWELLING HOUSES. Matters that will be considered include:
- i. visual impact
  - ii. NOISE
  - iii. odour - the operation of the activity shall not result in an offensive or objectionable odour at or beyond the boundary of the site.
  - iv. dust
  - v. traffic generation
  - vi. vermin

<b>29A.5 HAZARDOUS SUBSTANCES QUANTITY THRESHOLDS</b>
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The provisions of Rule 29.8 shall apply to activities in the Village Business Zone.

<b>29A.6 SEPARATION DISTANCES FOR LPG INSTALLATIONS</b>
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The provisions of Rule 29.9 shall apply to activities in the Village Business Zone.

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