

3 COMMERCIAL ZONES

3.1 ISSUE 1

The adverse effects of commercial activities on adjacent sensitive areas e.g. residential or natural areas.

Explanation

Commercial activities may produce significant environmental effects e.g. noise, odour or dust emissions and generate high traffic volumes. There is some potential danger where hazardous substances are used by commercial activities.

3.1.1 OBJECTIVES

3.1.1.1 Minimise the situations where there is conflict between commercial activities and other land uses.

Principal Reason

Throughout the District there are a number of existing commercial areas. This objective aims to confine those situations where there is conflict between commercial activities and nearby more sensitive uses to as few areas as possible.

3.1.1.2 Mitigate the adverse effects of activities in the Commercial Zones and on adjoining Residential Zones.

Principal Reason

Reduces the impact on neighbouring activities.

3.1.1.3 To maintain or enhance the amenity values within and adjacent to the Taitarakihi Creek in the Commercial 2A Large Format Store (Retail Park) Zone.

Principal Reason

Through site development the opportunity exists to enhance the amenity values within and the Taitarakihi Creek.

3.1.2 POLICIES

3.1.2.1 To use the following Zones to separate commercial activities from residential areas and other sensitive activities.

Explanation and Principal Reason

The following zones recognise the existing physical resources within commercial areas and the need to provide for a range of commercial activities whilst protecting the quality of the residential environment. They provide a degree of certainty about the character of activities in specified areas of the District and the environmental effects these activities may produce. Enables planning for the provision of an efficient servicing infrastructure and avoids duplication.

Those activities which Council has identified as likely to give rise to some adverse effects are made the subject of rules. Where rules can be specified with precision they are included as performance standards. Where the effects are likely to vary according to the location and scale of the activity on land use, consent for a controlled or discretionary activity is generally required. Those activities which are non-complying are either of a type which are individually, or cumulatively with other proposals of the same or similar nature, anticipated to have inappropriate adverse effects within the zone.

(1) Commercial 1 (Inner Urban)

Explanation and Principal Reason

The inner urban zone shall include the commercial centres of Geraldine, Pleasant Point, Temuka and Timaru. This zone is characterised by the presence of historic buildings and other features of cultural or historical importance in Temuka and Timaru.

In Timaru the zone is in three parts:

- *Commercial 1A which includes those parts of the main retail area of the Inner City with the highest heritage and townscape values which should be retained to provide an attractive pedestrian-orientated environment for a wide range of commercial and social activities including apparel, personal goods and other specialty shopping facilities, personal, professional, financial and business services, tourist and permanent accommodation and recreational and community facilities;*
- *Commercial 1B includes the balance of the historical central business area adjoining the Commercial 1A Zone of the Inner City where an equivalent range of commercial activities should be encouraged with a moderate standard of amenity and less emphasis on high quality pedestrian integration;*

- *Commercial 1C includes areas on the outer edge of the Inner City where provision is made for a mix of large-scale convenience retailing activities which cannot be accommodated more centrally within the Inner City, and industrial activities without significant adverse effects on adjoining activities.*

The social function and viability of the Commercial 1A and 1B Zones is dependent upon their continued population by a wide range of commercial activities, including a diversity of retail outlets unmatched in the alternative zones or sub-zones.

- (2) Commercial 2 (Suburban; Timaru only)

Explanation and Principal Reason

The Commercial 2 Zone includes suburban shopping areas of Ashbury, Le Cren/Wilson Streets, and Highfield. These areas are distinguished by the presence of a supermarket which generates large volumes of pedestrian and vehicle traffic. These zones also provide for a range of commercial activities which can meet the performance standards for this zone.

- (3) Commercial 2A Large Format Store (Retail Park)

Explanation and Principal Reason

The commercial 2A Large Format Store (Retail Park) Zone applies to the site commonly referred to as the A & P Showgrounds site (Pt Lot 25 DP 578 and Pt Lot 1 DP 3955). The Zone provides for a large format store (retail park) development which is designed to expand Timaru's established retail centre offering. It reinforces the sub-regional role of Timaru as a destination for shoppers in the Timaru area and surrounding districts. The zone is similar in intent to the Commercial 1C zone but also introduces further development controls and performance standards intended to complement the function of business activities in the existing Timaru centres and also to enhance the local character, design and amenity achieved from new development.

There is insufficient suitably zoned land in the Commercial 1 and 2 Zones to accommodate large format stores. Also, the character and topography of the Commercial 1 zoned areas and their immediate environs are unsuited to large format redevelopment, having regard to the town centre's built character and form and its more finely grained potentials. The zone standards ensure that the physical resources of the Commercial 1 Zone retain their role as the dominant

commercial centre in Timaru.

- (4) Commercial 3 (Neighbourhood; Timaru only)

Explanation and Principal Reason

The Commercial 3 Zone includes the many small commercial areas scattered through the Residential 1 Zone of Timaru and is intended to provide a location for commercial activities within suburban areas while providing sufficient flexibility to enable residential activities to also make use of this land.

- 3.1.2.2 To concentrate commercial activities where they will have limited adverse effects on nearby more sensitive activities unless the adverse effects of commercial activities can be mitigated.

Principal Reason

Commercial activities, especially retailing can have adverse effects on residential areas in particular because of the large number of pedestrian and traffic movements, the hours of operation, and associated noise effects.

- 3.1.2.3 To allow for more permissive noise and light levels in commercial areas than provided for in Residential Zones of the District while acknowledging that some restriction on noise levels is required where sensitive land uses share a boundary with a commercial activity. L_{max} limits will apply at night time.

Principal Reason

Acknowledges that many commercial activities which are provided for in commercial areas of the District generate effects from noise and light. Residential activities locating in Commercial Zones must anticipate higher noise and spill light levels characteristic of Commercial Zones.

- 3.1.2.4 To limit the occurrence of activities producing odour or dust emissions in commercial areas.

Principal Reason

Provides for a limited range of odour or dust producing activities.

- 3.1.2.5 To control the occurrence of activities using hazardous substances locating in Commercial Zones.

Principal Reason

Reduces the threat of conflict between activities using hazardous substances and other more sensitive commercial and non commercial activities where large numbers of people are present on a regular basis.

- 3.1.2.6 To control landscaping and building location in the Commercial 2A Large Format Store (Retail Park) Zone in order to maintain or enhance the amenity values adjacent to the Taitarakahi Creek.

Explanation and Principal Reason

Appropriate landscaping and building location will maintain and in some places enhance the amenity values adjacent to the Taitarakahi Creek.

- 3.1.2.7 The development of land in the Commercial 2A Large Format Store (Retail Park) Zone shall incorporate management practices that minimise the actual and potential adverse effects on surface or ground water quality.

Explanation and Principal Reason

Land development practices in the Commercial 2A Large Format Store (Retail Park) Zone must recognise the close proximity of the Taitarakahi Creek and its vulnerability to sedimentation and contamination by inadequately treated stormwater runoff.

3.1.3 METHODS

- 3.1.3.1 Provide for different performance standards or rules within the different Commercial Zones having regard to the:

- *location of existing commercial activity*
- *visual appearance of shop frontages and storage areas*
- *previous zoning controls*
- *pedestrian amenity*
- *location of utility services*
- *bulk and location requirements*
- *adjoining residential and other sensitive land uses*
- *roading system, traffic generation and car parking*
- *adverse effects of commercial activities on neighbouring zones (see Rules for Commercial Zones)*
- *level of exposure to natural hazards*

Principal Reason

That sensitive land use including natural areas, residential areas or recreational areas may be adversely affected by commercial activities. Performance standards establish maximum levels of effects acceptable in specific areas while giving recognition to the character of existing activities.

These standards will include measures to address noise; storage, use or transportation of hazardous substances; traffic effects; and visual appearance e.g. landscaping. Where people choose to live within Commercial Zones they must anticipate more noise and other adverse effects than will occur in Residential Zones.

- 3.1.3.2 Use rules to exclude those activities most likely to give rise to odour or dust from commercial areas (see Rules for Commercial Zones).

Principal Reason

Ensures activities producing odour or dust emissions are located away from more sensitive land uses and situated in less sensitive localities unless these effects can be mitigated.

- 3.1.3.3 Use rules with Performance Standards to limit scale and range of hazardous goods use and storage in these zones (see General Rule 6.9).

Principal Reason

Enables a limited range of activities using hazardous substances to locate in these areas.

- 3.1.3.4 Specify landscaping requirements to be provided for in association with open spaces or parking spaces for new allotments or development proposals (see performance standards for the Commercial 2A Large Format Store (Retail Park) Zone, Industrial L Zone and General Rule 6.19).

Principal Reason

Ensures these areas are adequately enhanced or screened to mitigate any adverse visual effects.

- 3.1.3.5 Require compliance with Performance Standards for bulk and location (see Rules for Commercial Zones).

Principal Reason

Limits the adverse effects of commercial development on the townscape character and visual qualities of an area and natural areas.

3.2 ISSUE 2

The level of amenity in retail (commercial) areas both in terms of the enjoyment, comfort, safety and security experienced by shoppers and other people in those areas. The visual interest, character and coherence created by a continuity of display windows is important.

Explanation

The areas are a focal point of the main settlements of Geraldine, Pleasant Point, Temuka and Timaru because they attract high numbers of people to the shopping, entertainment, and business activities in these areas.

3.2.1 OBJECTIVE

3.2.1.1 Provide for the amenity and quality of the environment in retail areas.

Principal Reason

To protect characteristics of visual interest, and cultural importance in areas of prime retail importance.

3.2.2 POLICY

3.2.2.1 To protect amenity enjoyed by the public while providing for the development of retail areas.

Explanation and Principal Reason

Ensures the viability of retail areas while retaining the need for amenity values to be recognised and provided for.

3.2.2.2 To take account of public safety in public space and building design.

Explanation and Principal Reason

A large proportion of violent crime occurs in urban public places. Such spaces should be designed to improve safety and minimise crime and the fear of crime.

- 3.2.2.3 To avoid the clustering of businesses of prostitution where there is potential to cause nuisance or serious offence to ordinary members of the public, and be incompatible with the existing character and use of an area.

Explanation and Principal Reason

With the legalisation of prostitution there is potential for the number of businesses of prostitution to increase and to cluster together to form “red light” areas where there are lower amenity values. This may result in a withdrawal from further investment by property owners in such areas, a loss of business confidence and the subsequent relocation of some existing activities thereby providing additional opportunities for businesses of prostitution to cluster in such areas.

3.2.3 METHODS

- 3.2.3.1 Require the provision of a verandah to cover pedestrian ways in front of retail (commercial) buildings in principal shopping areas, and where a verandah is used, ensure that the character of the building and/or street is maintained (see performance standards for Commercial 1 Zone).

Principal Reason

Provides protection from weather in areas of prime retail importance and shading of shop displays.

- 3.2.3.2 Ensure commercial developments of a non-retail nature in main street retail areas provide for display windows (see performance standards for Commercial 1 Zone).

Principal Reason

To discourage the occupation of street level retail space by non-retail businesses and to protect and enhance the visual appeal and interest of principal retail areas.

- 3.2.3.3 When considering proposals to alter the facade of buildings, street frontages, pavements and roading that these changes reflect the policies in the Amenity Values section of this Plan (see Part B, 11 and General Rule 6.12).

Principal Reason

To ensure all aspects of the amenity and heritage values associated

with these areas are given due consideration.

3.3 ISSUE 3

Heritage values in Timaru and Temuka commercial areas may be threatened by future commercial development.

Explanation

Changes to heritage facades, important townscape features, or demolition of heritage buildings in commercial areas may have a considerable impact on the visual quality and coherence of commercial areas and the cultural or heritage values of these areas.

3.3.1 OBJECTIVE

3.3.1. Recognition and protection of heritage values in commercial areas of the District.

Principal Reason

Addresses community concerns for the recognition and preservation of heritage values in commercial areas.

3.3.2 POLICIES

3.3.2.1 To promote the protection and enhancement of heritage resources including historic places and other features of historic or cultural value in Timaru's inner city and Temuka's main street area.

Explanation and Principal Reason

There is a need to retain the important cultural and entertainment facilities in the centre of Timaru to ensure the vitality of the area is maintained and enhanced. Recognises the importance the community places on historic places and other features of cultural or heritage value in Commercial Zones.

3.3.2.2 To protect the most important heritage resources in commercial areas from development which threatens the visual, cultural or heritage values of these areas.

Explanation and Principal Reason

Provides protection for the most important heritage resources in these areas.

- 3.3.2.3 To protect the heritage character and visual quality of Commercial Zones in the District by ensuring new buildings in identified areas of Timaru and Temuka are of an appropriate scale to retain the continuity of areas with townscape values and that buildings in such areas are not demolished until a consent for a replacement building has been approved.

Explanation and Principal Reason

Ensures that where buildings are replaced in Commercial Zones that the character and scale of redevelopment is sympathetic to adjacent buildings and the heritage character of the area. The areas to which this applies are identified in the Rules for Commercial Zones.

3.3.3 METHODS

- 3.3.3.1 Require any alteration to, or removal of, important heritage and townscape resources from commercial areas to require a resource consent (see Rules for Commercial Zones and General Rule 6.12).

Principal Reason

Aims to protect important heritage resources and ensure that the visual quality or cultural values of these areas are protected or enhanced while providing for the development and viable use of historic places.

- 3.3.3.2 Implement proposed revitalisation of commercial centres through Long Term Council Community Plan programmes in Timaru, Temuka and Geraldine and design guidelines in Timaru and Temuka.

Principal Reason

Provides a commitment by Council to funding for enhancement of public areas and town centres which are the focus for their communities and encourages property owners to initiate enhancement measures.

- 3.3.3.3 Use rules in the District Plan to provide for the retention of heritage resources and heritage character (see General Rule 6.12 and Volume II).

Principal Reason

A Heritage Audit has been prepared for Timaru and a Plan Change will be considered by the Council for the Inner City area when it has the recommendations of the Community Advisory Group on those

issues for Timaru. Consideration shall also be given to instituting similar provisions in Temuka.

Aims to protect those most important areas of heritage commercial buildings while providing for the viable use of historic places in Commercial Zones. Acknowledges the value the community places on heritage resources and provides an opportunity for community involvement in the assessment process.

3.4 ISSUE 4

Some use and development may compromise the existing physical resources in Commercial Zones.

Explanation

Throughout the urban areas of the District and especially in the centre of Timaru there are many physical resources in the form of buildings, community facilities, the roading network and other services. The Council considers it important to encourage the efficient use and development of those physical resources in existing urban areas and to avoid, remedy and mitigate any actual and potential effects on the environment within those areas.

3.4.1 OBJECTIVE

Promote the sustainable use and development of physical resources in Commercial Zones.

Principal Reason

Promoting the sustainable use and development of physical resources in Commercial Zones will assist the Council in the maintenance and development of a focal point for the community.

3.4.2 POLICIES

3.4.2.1 (See Policy 3.1.2.2).

3.4.2.2 To provide for commercial activities and development and encourage the sustainable use and development of physical resources in Commercial Zones.

Principal Reason

The Council wishes to ensure that there is an opportunity for all businesses to establish in the District. In many instances this will

require the redevelopment of existing commercial land guided by performance standards.

- 3.4.2.3 To ensure road access is available to new commercial allotments subject to compliance with Performance Standards.

Principal Reason

Gives certainty to new developers and ensures a minimum standard for roading development is maintained.

- 3.4.2.4 To set more permissive minimum standards of environmental effects such as noise and hazardous substances for commercial areas than for residential or natural areas of the District.

Principal Reason

Establishes areas where commercial activities which produce some adverse environmental effects can be located without being in conflict with other land uses. Those people choosing to reside in Commercial Zones cannot expect the same level of amenity as occurs in Residential Zones.

- 3.4.2.4(a) To ensure vehicle access to and from the Commercial 2A Large Format Store (Retail Park) Zone avoids, remedies and mitigates the adverse effects on the safe, efficient and integrated functioning and operation of SH 1 by limiting access through compliance with an Outline Development Plan.

- 3.4.2.4(b) To avoid land use activities located in the Commercial 2A Large Format Store (Retail Park) Zone at Showgrounds Hill being open for business and available to the public prior to the construction and operation of a signalized intersection at Grants Road and State Highway 1.

Explanation and Principal Reason

Land use activities gaining access from the State Highway or from a secondary road connecting to the State Highway have the potential to impact on its safe and efficient operation. It is undesirable to have a large number of access points accessing the State Highway. The position of access points to the State Highway and to secondary roads connecting to the State Highway can also affect the safety and functioning of the State Highway system.

Primary access to the Commercial 2A Large Format Store (Retail Park) Zone at Showgrounds Hill requires a fully constructed and

operational signalized intersection with Grants Road and State Highway 1, and the bridging of Taitarakihi Stream prior to land use activities being open to the public. It is anticipated that building works associated with the construction of the signalized intersection with grants Road and State Highway 1 and the construction of building, infrastructure and hard stand areas within the Showgrounds Hill site will generally occur at the same time. Consequently, this policy enables the development of the site for its intended zone purpose whilst avoiding potential adverse effects on the safe and efficient functioning of this part of State Highway 1 result from significant increases in traffic generation associated with land use change.

Note All accesses/intersections to be formed with State Highway 1 shall be designed and constructed in consultation with New Zealand Transport Agency. The cost of construction of accesses/intersections shall be at the expense of the developer.

3.4.2.4(c) That development(s) in the Commercial 2A zone comply with the Outline Development Plan to ensure and manage public transport, walking and cycling connections.

Explanation and Principal Reason

Securing public transport, walking and cycling connections as identified on the Outline Development Plan is important as it will assist with promoting active transport (walking and cycling) and a modal shift toward public transport rather than the use of private motor vehicles.

3.4.2.5 To promote the efficient use of existing services and the efficient servicing of future commercial development.

Principal Reason

Servicing of commercial development can be more efficiently provided for where commercial activities are concentrated or limited to specific areas of the District. Commercial land that is fully serviced is itself a resource which should not be unnecessarily duplicated.

3.4.2.6 The scale of development in the Commercial 2A Large Format Store (Retail Park) Zone shall not undermine or displace the wider social and economic function of the established Timaru Commercial 1A and 1B Zones.

Explanation and Principal Reason

The Commercial 2A Large Format Store (Retail Park) Zone comprises large format retailing which is designed to complement Timaru's retail offering. The scale of the development shall therefore be managed to ensure that adverse economic and social impacts on the existing central business district are avoided, remedied or mitigated.

3.4.3 METHODS

3.4.3.1 (See Method 3.1.3.1).

3.4.3.2 Where appropriate use zoning and performance standards to centre commercial activities in and around established commercial areas. (See Rules for the Commercial Zones).

Principal Reason

Maximises the use of existing physical resources in the form of buildings and the capacity of services including the roading network, water supplies and waste water services.

3.4.3.3 Financial contributions shall be required to recover the cost of providing services (see General Rules 6.5-6.8).

Principal Reason

Requires those activities using the servicing infrastructure to contribute to the cost of providing and maintaining these services and encourages the efficient use of the servicing infrastructure.

3.4.3.3A Undertake retail distribution studies, including the effects of new development in the Commercial 2A Zone and other commercial centres on the function, viability and amenity of the Commercial 1, 1A, 1B and 1C (Inner Urban) Zones. The purpose of these studies will be to monitor whether the Commercial 1 Zones retain their role as the dominant commercial centre in Timaru. The studies shall commence in 2011/12 and shall be undertaken upon 50% uptake of each of the stages in rule 2.2 or every three years (whichever is the lesser) until the staging programmes set out in rules 2.2 "General Merchandise Outlets other than Department Stores" are completed.

Principal Reason

Provides a mechanism for Council to monitor the effect of the Commercial 2A Zone and other commercial centres on the roles of

the Commercial 1 Zones as the dominant commercial and retail centre in Timaru.

- 3.4.3.4 Require a high standard of roading and the safe and efficient ingress and egress of vehicles to commercial allotments except where there will be conflict with significant pedestrian flows or heritage values (see General Rules 6.6-6.8).

Principal Reason

Acknowledges the responsibility Council has to provide all road users with safe and efficient roading.

- 3.4.3.5 Other than major pedestrian routes ensure adequate access to a formed legal road is achieved for any new building or allotment, or the cost of upgrading is met (see General Rule 6.7).

Principal Reason

Provides for a reasonable standard of access while minimising potential pedestrian/vehicle conflicts.

- 3.4.3.6 Take into account any risk of natural hazards when identifying the expansion of Commercial Zones (see Part B(4) and General Rule 6.16).

Principal Reason

Aims to reduce the level of exposure of people and property to natural hazards in areas of high risk. Council has liaised with the Canterbury Regional Council when identifying these areas.

3.5 RULES FOR COMMERCIAL ZONES

3.5.1 COMMERCIAL 1A (TIMARU)

1.A.1 PERMITTED ACTIVITIES

The following are permitted activities subject to complying with all the Performance Standards for this zone and the General Rules:

- 1.1 Shops.
- 1.2 Offices.
- 1.3 Household Units.
- 1.4 Boarding or Lodging Houses, or Hostels or Community Care Facilities (unrestrained) or Travellers' Accommodation.
- 1.5 Consulting Rooms for Health Practitioners.
- 1.6 Day-care Centres.
- 1.7 Banks (see Rules 5.5(4)-5.5(6)).
- 1.8 Bakeries.
- 1.9 Personal Services.
- 1.10 Utility Services.
- 1.11 Public Toilets.
- 1.12 Road and bridge construction and maintenance within road reserves.
- 1.13 Theatres, Cinemas or Places of Assembly.
- 1.14 Brothel(s), Business(es) of Prostitution, Small owner-operated brothel(s).
- 1.15 Accessory Buildings to any of the above.
- 1.16 Those activities provided for in the General Rules as permitted activities.

1.A.2 CONTROLLED ACTIVITIES

The following are controlled activities subject to complying with all the Performance Standards for this zone and the General Rules with the exercise of Council's discretion restricted to the matter(s) specified:

- 2.1 Restaurants or Licensed Premises. Council shall restrict its discretion to the environmental effects associated with noise and cleansing of the locality.
- 2.2 Telecommunication facilities and radio communication facilities. The Council shall restrict its discretion to potential visual effects.
- 2.3 Those activities provided for in the General Rules as controlled activities.

1.A.3 DISCRETIONARY ACTIVITIES

The following are discretionary activities in this zone subject to complying with the General Rules:

- 3.1 Public Utilities.
- 3.2 The demolition of any building visible from a street frontage.
- 3.3 The erection of any new building along a street frontage.
- 3.4 Car parking provided access is not from Stafford Street.
- 3.5 Any activity listed as a permitted, controlled or discretionary activity which does not comply with the performance standards for this zone.
- 3.6 Open Space.
- 3.7 Those activities provided for in the General Rules as discretionary activities.
- 3.8 Telecommunication facilities and radio communication facilities, which do not meet the performance standards for the zone. The Council shall restrict its discretion to potential visual effects.

NOTE: When considering applications for discretionary activities regard shall be had to the Performance Standards for this zone.

1.A.4 NON-COMPLYING ACTIVITIES

- 4.1 All other activities in this zone are non-complying unless they are provided for by a General Rule.

1.A.5 PERFORMANCE STANDARDS FOR ALL ACTIVITIES IN THIS ZONE

- **Sunlight and Outlook**

- 5.1 New buildings shall not be set back from the street frontage on sites adjoining Stafford Street, the Bay Hill, Church Street (east of Sophia Street), George Street, Cains Terrace, Beswick Street and Strathallan Street.
- 5.2 For sites north of Sefton Street the maximum building height is 20 metres. The maximum building height for all other parts of this zone is 12 metres.
- 5.3 The recession plane in Appendix 2 shall apply to any site boundary which adjoins a Residential Zone.
- 5.4 A set back of a minimum depth of 3 metres shall be required on any boundary which adjoins a Residential Zone.

- **Ground Floor Frontage**

5.5 The following shall apply to every building fronting Stafford Street, Timaru, between the Port Loop Road and Cains Terrace on the east, and between Sarah Street and George Street on the west:

- (1) At least the front 6 metres of the full length of the ground floor frontage shall be limited to shops, Banks, restaurants and licensed premises, and reasonable means of access for other activities.
- (2) No vehicle crossings across footpaths or pedestrian areas shall be permitted on this portion of Stafford Street.
- (3) The external wall of every building for the full length of its road frontage shall, as far as is practicable, be in the form of shop windows or be otherwise suitable for the display of goods on this portion of Stafford Street.
- (4) In the case of “Bank” premises such premises shall not be permitted to locate adjoining another “Bank” premise on the ground floor frontage. Premises shall be considered to be adjoining even if separated by an accessway, service lane or access to other permitted activities.
- (5) “Banks” may adjoin when located more than 6 metres from Stafford Street.
- (6) The external wall of any “Bank” premise, for its full length along Stafford Street shall, as far as is practicable, be in the form of shop windows and display facilities, with provision for access.

- **Verandahs**

5.6 Every building on land fronting Stafford Street in this zone shall, on its erection or on being reconstructed or altered in any way that substantially changes the face of the building, be provided with a verandah along the full frontage of the building. These verandahs and all other verandahs built over a public space shall comply with the following:

- (1) The height of the underside of the external edges of any verandah shall be a minimum of 2.7 metres and a maximum of 3 metres above the footpath.
- (2) Verandahs shall extend from the supporting building to a distance of 600 millimetres from the vertical line of the face of

the kerb.

- (3) If a fascia is provided, it shall have a maximum vertical dimension of 450 millimetres.
- (4) Verandahs shall be of a related design and be attached to adjoining verandahs so as to provide continuous cover for pedestrians.
- (5) Where there is no kerb line that is over a closed road or other public space, the verandah shall extend from the supporting building a distance of 3 square metres and no further and may be supported by posts.

- **Obtrusive Light**

5.7 All exterior lighting on commercially zoned sites shall be directed away from residentially zoned land and from the carriageway of any roads.

5.8 Other than street lighting, no spill light from a permanently fixed artificial light source shall exceed 10 lux, measured in the vertical plane at the boundaries of any other sites in Residential Zones, between the hours 10.00pm and 7.00am and 20 lux at all other times.

- **Utility Services**

5.9 Lines and pipes associated with utility services and telecommunication facilities shall be placed underground.

- **Noise**

5.10 Noise levels from any activity shall not exceed the following unless specific noise levels are provided for the activity elsewhere in the Plan:

50 dBA L10 at the nearest Residential 1 Zone boundary between 7.00am and 10.00pm on any day, and 40 dBA L10 and 70 dBA Lmax at all other times; and

55 dBA L10 at the nearest Residential 2 Zone boundary between 7.00am and 10.00pm on any day, and 45 dBA L10 and 75 dBA Lmax at all other times.

5.11 See General Rule 6.21 for measurement and assessment of noise, standards for construction and maintenance noise, and General Rule

6.10 for Temporary Buildings and Activities.

- **Location of Brothel(s), Business(es) of Prostitution, Small Owner-Operated Brothel(s)**

5.12 No brothel(s), business(es) of prostitution, and/or small owner-operated brothel(s) shall be established or operated:

- (a) Within 75 metres distance in any direction of:
 - (i) a day care centre, primary school, intermediate school, secondary school;
 - (ii) a place of worship;
 - (ii) community facilities.
- (b) Within 75 metres of an existing brothel, business(es) of prostitution, and/or small owner-operated brothel (measured both vertically or horizontally).

6 **ATTENTION IS DRAWN TO THE FOLLOWING GENERAL RULES**

(a) **Vehicle Access and Loading**

See General Rule 6.7 (see in particular Discretionary Activity 6.7.5 (2) which controls some new vehicle access to state highways).

(b) **Parking**

See General Rule 6.8.

(c) **Hazardous Substances**

See General Rule 6.9.

(d) **Signs**

See General Rule 6.15.

(e) **Heritage**

See General Rule 6.12.

(f) **Natural Hazards**

See General Rule 6.16.

(g) **Filled Sites**

See General Rule 6.18.

3.5.2 COMMERCIAL 1B (TIMARU)

1.B.1 PERMITTED ACTIVITIES

The following are permitted activities subject to complying with all the Performance Standards for this zone and the General Rules:

- 1.1 Shops.
- 1.2 Offices.
- 1.3 Banks.
- 1.4 Household Units, Boarding or Lodging Houses, Travellers' Accommodation, Hostels or Community Care Facilities (unrestrained).
- 1.5 Consulting Rooms for Health Practitioners.
- 1.6 Day Care Centres.
- 1.7 Personal Services.
- 1.8 Utility Services.
- 1.9 Public Utilities.
- 1.10 Public Toilets.
- 1.11 Meteorological Activities.
- 1.12 Restaurants or Licensed Premises.
- 1.13 Museums, Libraries or Galleries.
- 1.14 Car parking.
- 1.15 Plant Nurseries, Bakeries or Auction Rooms.
- 1.16 Theatres, Cinemas or Places of Assembly.
- 1.17 Veterinary Clinics.
- 1.18 Undertakers' Premises and Chapels.
- 1.19 Vehicle and Boat Sales.
- 1.20 Sales of Building, Electrical, Plumbing and Automotive Parts.
- 1.21 Printing.
- 1.22 Storage.
- 1.23 Hire of Equipment.
- 1.24 Emergency Services Facilities.
- 1.25 Postal Services.
- 1.26 Brothel(s), Business(es) of Prostitution, Small owner-operated brothel(s).
- 1.27 Buildings Accessory to any of the foregoing.
- 1.28 Road and bridge construction and maintenance within road reserves.
- 1.29 Those activities provided for in the General Rules as permitted activities.
- 1.30 Telecommunication and radio communication facilities.

1.B.2 CONTROLLED ACTIVITIES

The following are controlled activities subject to complying with all the Performance Standards for this zone and the General Rules, with the exercise of Council's discretion restricted to the matter(s) specified:

- 2.1 Those activities provided for in the General Rules as controlled activities.

1.B.3 DISCRETIONARY ACTIVITIES

The following are discretionary activities in this zone subject to complying with the General Rules:

- 3.1 Service Stations.
3.2 Vehicle Repair Garages.
3.3 Depots for Couriers, Taxis and freight forwarding companies.
3.4 Accessory Buildings to any discretionary activity.
3.5 All permitted or controlled activities on sites fronting State Highway 1 unless all access is provided to or from alternative roads.
3.6 Any activity listed as a permitted, controlled or discretionary activity which does not comply with the performance standards for this zone.
3.7 Those activities provided for in the General Rules as discretionary activities.
3.8 Telecommunication facilities and radio communication facilities, which do not meet the performance standards for the zone. The Council shall restrict its discretion to potential visual effects.

NOTE: When considering applications for discretionary activities regard shall be had to the Performance Standards for this zone.

1.B.4 NON-COMPLYING ACTIVITIES

All other activities in this zone are non-complying unless they are provided for by a General Rule.

1.B.5 PERFORMANCE STANDARDS FOR ALL ACTIVITIES IN THIS ZONE

- **Sunlight and Outlook**

- 5.1 The maximum building height is 10 metres except that Church towers and spires may be erected to 30 metres and communication and hose drying towers for Emergency Services Facilities may be erected to 20 metres.
5.2 The recession plane in Appendix 2 shall apply to any site boundary which adjoins a Residential Zone.
5.3 A set back of a minimum depth of 3 metres shall be required on any boundary which adjoins a Residential Zone.
5.4 When a building is erected or reconstructed adjacent to an

intersection or on a corner site then the intersection or corner shall be cut off and dedicated as road by a diagonal line joining the points on each frontage at a distance of not less than 3 metres from the point of intersection or corner.

- **Obtrusive Light**

5.5 All exterior lighting on commercially zoned sites shall be directed away from residentially zoned land and from the carriageway of any roads.

5.6 Other than street lighting, no spill light from a permanently fixed artificial light source shall exceed 10 lux, measured in the vertical plane, at the boundaries of any other sites in Residential Zones, between the hours 10.00pm and 7.00am and 20 lux at all other times.

- **Visual Amenity**

5.7 Any outdoor storage areas, except for the display of goods for retail sale, shall be screened from adjoining sites, including public spaces of the same or a lower elevation, by a fence of not less than 2 metres in height.

5.8 Lines and pipes associated with utility services and telecommunication facilities shall be placed underground.

- **Noise**

5.9 Noise levels from any activity shall not exceed the following unless specific noise levels are provided for the activity elsewhere in this Plan:

50 dBA L10 at the nearest Residential 1 Zone boundary between 7.00am and 10.00pm on any day, and 40 dBA L10 and 70 dBA Lmax at all other times; and

55 dBA L10 at the nearest Residential 2 Zone boundary between 7.00am and 10.00pm on any day, and 45 dBA L10 and 75 dBA Lmax at all other times.

5.10 See General Rule 6.21 for measurement and assessment of noise, standards for construction and maintenance noise, and General Rule 6.10 for Temporary Buildings and Activities.

- **Location of Brothel(s), Business(es) of Prostitution, Small Owner-Operated Brothel(s)**

- 5.11 No brothel(s), business(es) of prostitution, and/or small owner-operated brothel(s) shall be established or operated:
- (a) Within 75 metres distance in any direction of:
 - (i) a day care centre, primary school, intermediate school, secondary school;
 - (ii) a place of worship;
 - (ii) community facilities.
 - (b) Within 75 metres of an existing brothel, business(es) of prostitution, and/or small owner-operated brothel (measured both vertically or horizontally).

1.B.6 ATTENTION IS DRAWN TO THE FOLLOWING GENERAL RULES

(a) **Vehicle Access and Loading**

See General Rule 6.7 (see in particular Discretionary Activity 6.7.5 (2) which controls some new vehicle access to state highways).

(b) **Parking**

See General Rule 6.8.

(c) **Hazardous Substances**

See General Rule 6.9.

(d) **Signs**

See General Rule 6.15.

(e) **Natural Hazards**

See General Rule 6.19.

(f) **Filled Sites**

See General Rule 6.18.

(g) **Landscaping**

See General Rule 6.19.

3.5.2.1 COMMERCIAL 1C (TIMARU)**1.C.1 PERMITTED ACTIVITIES**

The following are permitted activities subject to complying with all the Performance Standards for this zone and the General Rules:

- 1.1 Shops*.
- 1.2 Offices.
- 1.3 Consulting Rooms for Health Practitioners.
- 1.4 Day Care Centres.
- 1.5 Utility Services.
- 1.6 Public Utilities.
- 1.7 Public Toilets.
- 1.8 Road Works within Road Reserves.
- 1.9 Restaurants or Licensed Premises.
- 1.10 Postal Facilities.
- 1.11 Car parking.
- 1.12 Plant Nurseries, Bakeries or Auction Rooms.
- 1.13 Places of Assembly.
- 1.14 Veterinary Clinics.
- 1.15 Undertakers' Premises and Chapels.
- 1.16 Vehicle and Boat Sales.
- 1.17 Sales of Building, Electrical, Plumbing and Automotive Parts in premises of less than 500 square metres floor area*.
- 1.18 Emergency Services Facilities.
- 1.19 Storage.
- 1.20 Hire of Equipment.
- 1.21 Household units.
- 1.22 Telecommunication and radio communication facilities.
- 1.23 Brothel(s), Business(es) of Prostitution, Small owner-operated brothel(s).
- 1.24 Personal Services.
- 1.25 Buildings Accessory to any of the foregoing.
- 1.26 Those activities provided for in the General Rules as permitted activities.

(* See Performance Standard 4.1 for this Zone).

1.C.2 CONTROLLED ACTIVITIES

The following are controlled activities subject to complying with all the Performance Standards for this zone and the General Rules, with the exercise of Council's discretion restricted to the matter(s) specified:

- 2.1 Those activities provided for in the General Rules as controlled activities.

1.C.3 DISCRETIONARY ACTIVITIES

The following are discretionary activities in this zone subject to complying with the General Rules:

- 3.1 Any industry or goods storage which does not require consent for a discharge to air and does not require an Offensive Trade Licence under the Health Act 1956.
- 3.2 Any shop, car park, day care centre, place of assembly or sales outlet with direct vehicle access to State Highway 1.
- 3.3 Service Stations.
- 3.4 Vehicle Repair Garages.
- 3.5 Depots for Couriers, Taxis and freight forwarding companies.
- 3.6 Accessory Buildings to any discretionary activity.
- 3.7 Any activity listed as a permitted, controlled or discretionary activity which does not comply with the performance standards for this zone.
- 3.8 Those activities provided for in the General Rules as discretionary activities.
- 3.9 Telecommunication facilities and radio communication facilities, which do not meet the performance standards for the zone. The Council shall restrict its discretion to potential visual effects.

NOTE: When considering applications for discretionary activities, regard should be had to the Performance Standards for this zone.

1.C.3 NON-COMPLYING ACTIVITIES

All other activities in this zone are non-complying unless they are provided for by a General Rule.

1.C.4 PERFORMANCE STANDARDS FOR ALL ACTIVITIES IN THIS ZONE

- **Shop floor area**

- 4.1.1 In all areas of the Commercial 1C Zone excluding that part of the zone bounded by North, Stafford and Browne Streets, no individual shop (except for sales of building, electrical, plumbing and automotive parts) shall occupy less than 500 square metres.
- 4.1.2 In that part of the zone bounded by North, Stafford and Browne Streets, excluding that area bounded by Heaton, Victoria and Browne Streets, no individual shop (except for sales of building, electrical, plumbing and automotive parts) shall occupy less than 2000 square metres.
- 4.1.3 In that part of the zone bounded by Heaton, Victoria and Browne Streets, no individual shop (except for sales of building, electrical,

plumbing and automotive parts) shall occupy less than 500 square metres, but that only one shop shall be permitted on that area of land legally described as part sections 181, 182 and 183, Town of Timaru shown on the site plan in Appendix 1 as Lot 1.

4.1.4 Shop floor area can include ancillary storage, office and staff facilities. This space may not be sublet or hired in any form to another shop with a floor area of less than 500 square metres or in the case of Performance Standard 4.1.2, 2000 square metres.

- **Sunlight and Outlook**

4.2 The maximum building height is 10 metres.

4.3 The recession plane in Appendix 2 shall apply to any site boundary which adjoins a Residential Zone.

4.4 A set back of a minimum depth of 3 metres shall be required on any boundary which adjoins a Residential Zone.

4.5 When a building is erected or reconstructed adjacent to an intersection or on a corner site then the intersection or corner shall be cut off and dedicated as road by a diagonal line joining the points on each frontage at a distance of not less than 3 metres from the point of intersection or corner.

- **Glare**

4.6 All exterior lighting on commercially zoned sites shall be directed away from residentially zoned land and from the carriageway of any roads.

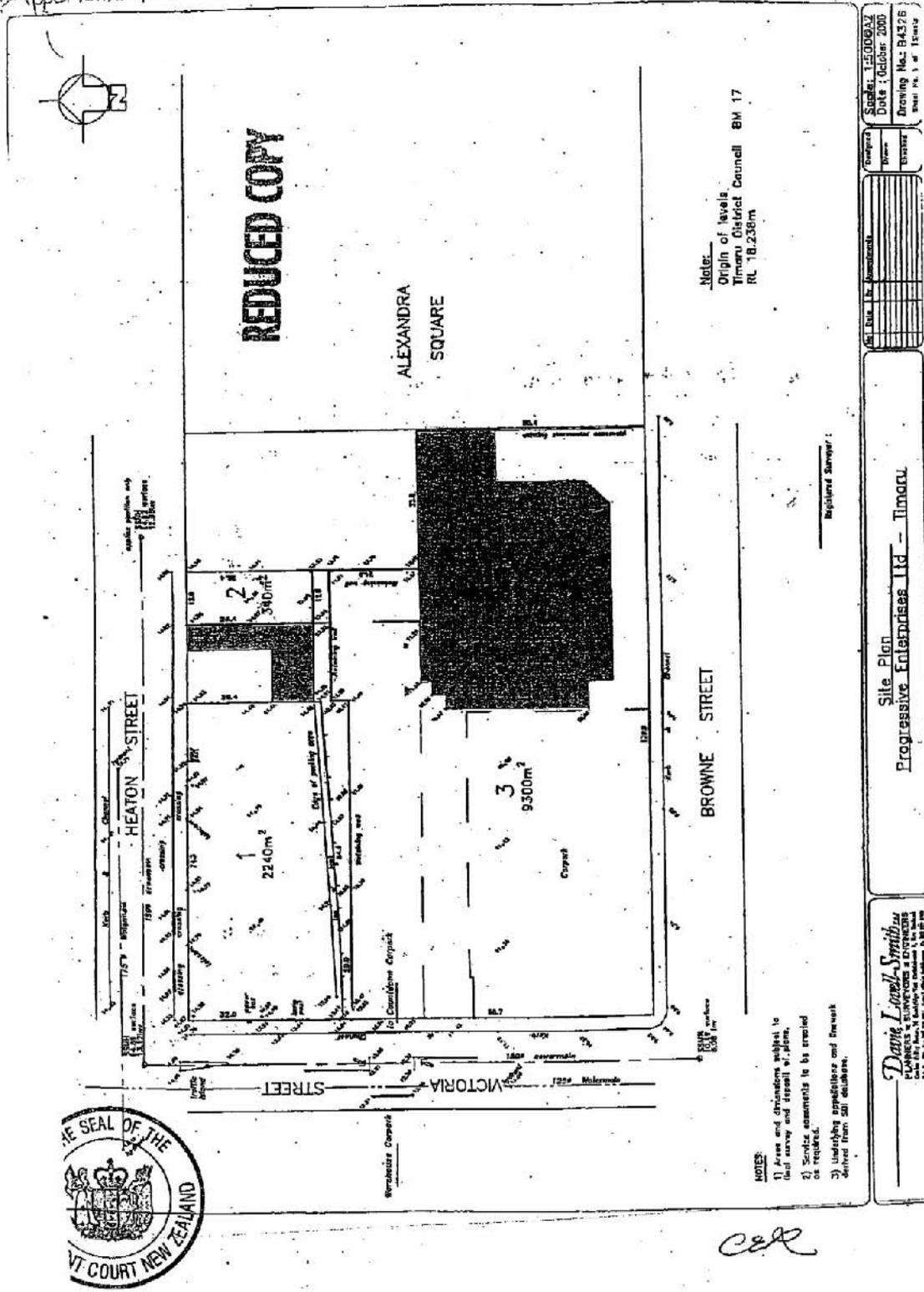
4.7 Other than street lighting, no spill light from a permanently fixed artificial light source shall exceed 10 lux, measured in the vertical plane, at the boundaries of any other sites in Residential Zones, between the hours 10.00pm and 7.00am, and 20 lux at all other times.

- **Visual Amenity**

4.8 Any outdoor storage areas, except for the display of goods for retail sale, shall be screened from adjoining sites, including public spaces of the same or a lower elevation, by a fence of not less than 2 metres in height.

4.9 Lines and pipes associated with utility services and telecommunication facilities shall be placed underground.

Appendix 12



- **Noise**

4.10 Noise levels from any activity shall not exceed the following unless specific noise levels are provided for the activity elsewhere in this Plan:

50 dBA L10 at the nearest Residential 1 Zone boundary between 7.00am and 10.00pm on any day, and 40 dBA L10 and 70 dBA Lmax at all other times; and

55 dBA L10 at the nearest Residential 2 Zone boundary between 7.00am and 10.00pm on any day, and 45 dBA L10 and 75 dBA Lmax at all other times.

4.11 See General Rule 6.21 for measurement and assessment of noise and standards for construction and maintenance noise, and General Rule 6.10 for Temporary Buildings and Activities.

- **Location of Brothel(s), Business(es) of Prostitution, Small Owner-Operated Brothel(s)**

4.12 No brothel(s), business(es) of prostitution, and/or small owner-operated brothel(s) shall be established or operated:

(a) Within 75 metres distance in any direction of:

- (i) a day care centre, primary school, intermediate school, secondary school;
- (ii) a place of worship;
- (ii) community facilities.

(b) Within 75 metres of an existing brothel, business(es) of prostitution, and/or small owner-operated brothel (measured both vertically or horizontally).

1.C.5 ATTENTION IS DRAWN TO THE FOLLOWING GENERAL RULES

(a) **Vehicle Access and Loading**

See General Rule 6.7 (see in particular Discretionary Activity 6.7.5 (2) which controls some new vehicle access to state highways).

(b) **Parking**

See General Rule 6.8.

(c) **Hazardous Substances**

See General Rule 6.9.

(d) **Signs**

See General Rule 6.15.

(e) **Natural Hazards**

See General Rule 6.19

(f) **Filled Sites**

See General Rule 6.18.

(g) **Landscaping**

See General Rule 6.19.

3.5.3 COMMERCIAL 1 (TEMUKA)**1.T.1 PERMITTED ACTIVITIES**

The following are permitted activities subject to complying with all the Performance Standards for this zone and the General Rules:

- 1.1 Shops.
- 1.2 Offices.
- 1.3 Cinemas, Theatres or Places of Assembly.
- 1.4 Household units or Boarding or Lodging Houses, Travellers' Accommodation or Hostels or Community Care Facilities (unrestrained).
- 1.5 Consulting Rooms for Health Practitioners.
- 1.6 Personal Services.
- 1.7 Utility Services.
- 1.8 Restaurants or Licensed Premises.
- 1.9 Bakeries.
- 1.10 Banks.
- 1.11 Day Care Centres.
- 1.12 Road and bridge construction and maintenance within road reserves.
- 1.13 Meteorological Activities.
- 1.14 Emergency Services Facilities.
- 1.15 Public Toilets.
- 1.16 Brothel(s), Business(es) of Prostitution, Small owner-operated brothel(s).
- 1.17 Buildings Accessory to the above uses.
- 1.18 Those activities provided for in the General Rules as permitted activities.

1.T.2 CONTROLLED ACTIVITIES

The following are controlled activities subject to complying with all the Performance Standards for this zone and the General Rules, with the exercise of Council's discretion restricted to the matter(s) specified:

- 2.1 Telecommunication facilities and radio communication facilities. The Council shall restrict its discretion to potential visual effects.
- 2.2 Those activities provided for in the General Rules as controlled activities.

1.T.3 DISCRETIONARY ACTIVITIES

The following are discretionary activities in this zone subject to complying with the General Rules:

- 3.1 Public Utilities.
- 3.2 Auction Rooms.
- 3.3 The demolition of any building fronting onto King Street.
- 3.4 The erection of any new building or structure fronting onto King Street.
- 3.5 Any activity listed as a permitted, controlled or discretionary activity which does not comply with the performance standards for this zone.
- 3.6 Car parking.
- 3.7 Those activities provided for in the General Rules as discretionary activities.
- 3.8 Telecommunication facilities and radio communication facilities, which do not meet the performance standards for the zone. The Council shall restrict its discretion to potential visual effects.

NOTE: When considering applications for discretionary activities regard shall be had to the Performance Standards for this zone.

1.T.4 NON-COMPLYING ACTIVITIES

All other activities in this zone are non-complying unless they are provided for by a General Rule.

1.T.5 PERFORMANCE STANDARDS FOR ALL ACTIVITIES IN THIS ZONE

- **Sunlight and Outlook**

- 5.1 The maximum building height is 10 metres except that church towers and spires may be erected to 30 metres and communication and hose drying towers for Emergency Services Facilities may be erected to 20 metres.
- 5.2 The recession plane in Appendix 2 shall apply to any site boundary which adjoins a Residential Zone.
- 5.3 A set back of a minimum depth of 3 metres shall be required on any site which adjoins the Residential 1 Zone.

- **Car Parking**

- 5.4 Deleted.

- **Vehicle Access and Loading**

- 5.5 No new vehicle crossings shall be installed across footpaths on King Street.
- 5.6 When a building is erected adjoining to an intersection or on a corner

site then the intersection or corner shall be cut off and dedicated as road by a diagonal line joining the points on each frontage at a distance of not less than 3 metres from the point of intersection or corner.

- **Obtrusive Light**

5.7 All exterior lighting on commercially zoned sites shall be directed away from residentially zoned land and from the carriageway of any roads.

5.8 Other than street lighting, no spill light from a permanently fixed artificial light source shall exceed 10 lux, measured in the vertical plane at the boundaries of any other sites in Residential Zones, between the hours 10.00pm and 7.00am and 20 lux at all other times.

- **Visual, Amenity, Landscaping and Utility Services**

5.9 Any outdoor storage areas, except for display of goods for retail sale, shall be screened from adjoining sites, including roads of the same or lower elevation, by a fence of not less than 2 metres in height.

5.10 Lines and pipes associated with utility services and telecommunication facilities shall be placed underground.

- **Verandahs**

5.11 Every building on land fronting King Street in this zone shall, on its erection or on being reconstructed or altered in any way that substantially changes the face of the building, be provided with a verandah along the full frontage of the building. These verandahs and all other verandahs built over a public space shall comply with the following:

- (1) The height of the external edges of any verandah shall be a minimum of 2.7 metres and a maximum of 3 metres above the footpath.
- (2) Verandahs shall extend from the supporting building to a distance of 600 millimetres from the vertical line of the face of the kerb and no further.
- (3) If a fascia is provided, it shall have a maximum vertical dimension of 450 millimetres.
- (4) Verandahs shall be related to adjoining verandahs so as to

provide continuous cover for pedestrians.

- (5) Notwithstanding the above a verandah shall not be required if the building is set back from the road boundary a distance equal to the width of a complying verandah; or
- (6) Where there is no kerb line ie over closed road or other public space, the verandah shall extend from the supporting building a distance of 3 metres and no further and may be supported by posts.

- **Noise**

5.12 Noise levels from any activity shall not exceed the following unless specific noise levels are provided for the activity elsewhere in this Plan:

50 dBA L10 at the nearest Residential 1 Zone boundary between 7.00am and 10.00pm on any day, and 40 dBA L10 and 70 dBA Lmax at all other times.

5.13 See General Rule 6.21 for measurement and assessment of noise, standards for construction and maintenance noise, and General Rule 6.10 for Temporary Buildings and Activities

- **Location of Brothel(s), Business(es) of Prostitution, Small Owner-Operated Brothel(s)**

5.14 No brothel(s), business(es) of prostitution, and/or small owner-operated brothel(s) shall be established or operated:

(a) Within 75 metres distance in any direction of:

- (i) a day care centre, primary school, intermediate school, secondary school;
- (ii) a place of worship;
- (ii) community facilities.

(b) Within 75 metres of an existing brothel, business(es) of prostitution, and/or small owner-operated brothel (measured both vertically or horizontally).

1.T.6 **ATTENTION IS DRAWN TO THE FOLLOWING GENERAL RULES**

(a) **Vehicle Access and Loading**

See General Rule 6.7 (see in particular Discretionary Activity

6.7.5 (2) which controls some new vehicle access to state highways).

(b) **Parking**

See General Rule 6.8.

(c) **Hazardous Substances**

See General Rule 6.9.

(d) **Signs**

See General Rule 6.15.

(e) **Natural Hazards**

See General Rule 6.16.

(f) **Filled Sites**

See General Rule 6.18.

(g) **Landscaping**

See General Rule 6.19.

3.5.4 COMMERCIAL 1 (GERALDINE)**1.G.1 PERMITTED ACTIVITIES**

The following are permitted activities subject to complying with all the Performance Standards for this zone and the General Rules:

- 1.1 Shops.
- 1.2 Offices.
- 1.3 Restaurants or Licensed Premises.
- 1.4 Banks.
- 1.5 Cinemas, Theatres or Places of Assembly.
- 1.6 Consulting Rooms for Health Practitioners.
- 1.7 Household Units.
- 1.8 Open Space.
- 1.9 Utility Services.
- 1.10 Bakeries.
- 1.11 Day Care Centres.
- 1.12 Personal Services.
- 1.13 Meteorological Activities.
- 1.14 Emergency Services Facilities.
- 1.15 Road and bridge construction and maintenance within road reserves.
- 1.16 Brothel(s), Business(es) of Prostitution, Small owner-operated brothel(s).
- 1.17 Buildings Accessory to the above.
- 1.18 Those activities provided for in the General Rules as permitted activities.

1.G.2 CONTROLLED ACTIVITIES

The following are controlled activities subject to complying with all the Performance Standards for this zone and the General Rules, with the exercise of Council's discretion restricted to the matter(s) specified:

- 2.1 Telecommunication facilities and radio communication facilities. The Council shall restrict its discretion to potential visual effects.
- 2.2 Those activities provided for in the General Rules as controlled activities.

1.G.3 DISCRETIONARY ACTIVITIES

The following are discretionary activities in this zone subject to complying with the General Rules:

- 3.1 Public Utilities.
- 3.2 Vehicle, Boat or Agricultural Equipment Sale and Hire.

- 3.3 Auction Rooms.
- 3.4 Storage.
- 3.5 Car parking.
- 3.6 Printing.
- 3.7 Veterinary Clinics.
- 3.8 Service Stations.
- 3.9 Buildings accessory to land or buildings for any discretionary activity.
- 3.10 Any activity listed as a permitted, controlled or discretionary activity which does not comply with the performance standards for this zone.
- 3.11 Those activities provided for in the General Rules as discretionary activities.
- 3.12 Telecommunication facilities and radio communication facilities, which do not meet the performance standards for the zone. The Council shall restrict its discretion to potential visual effects.

NOTE: When considering applications for discretionary activities regard shall be had to the Performance Standards for this zone.

1.G.4 NON-COMPLYING ACTIVITIES

- 3.1 Any other activities in this zone are non-complying unless they are provided for by a General Rule.

1.G.5 PERFORMANCE STANDARDS FOR ALL ACTIVITIES IN THIS ZONE

- **Sunlight and Outlook**

- 5.1 The maximum building height shall be 10 metres except that church towers and spires may be erected to 30 metres.
- 5.2 The recession plane in Appendix 2 shall apply to any site boundary which adjoins a Residential Zone.
- 5.3 A set back of a minimum depth of 3 metres shall be required on any boundary which adjoins a Residential Zone.
- 5.4 Notwithstanding any other provision in the Plan no person shall construct or reconstruct any building, accessory building, structure, erection, or fence, or shall plant or permit to grow a hedge, tree, or other growth, whether on the boundary or not, over 900 millimetres in height above the average ground level within 6 metres of a road intersection, except for clear stemmed trees, which are pruned to maximise visibility.

- **Obtrusive Light**

- 5.5 All exterior lighting on commercially zoned sites shall be directed

away from residentially zoned land and from the carriageway of any roads.

- 5.6 Other than street lighting, no spill light from a permanently fixed artificial light source shall exceed 10 lux, measured in the vertical plane at the boundaries of any other sites in Residential Zones, between the hours 10.00pm and 7.00am and 20 lux at all other times.

- **Visual Amenity**

- 5.7 Lines and pipes associated with utility services and telecommunication facilities shall be placed underground.

- **Verandahs**

- 5.8 Every building on land fronting Talbot Street in this zone shall on its erection or on being reconstructed or altered in any way that substantially changes the face of the building, be provided with a verandah along the full frontage of the building. These verandahs and all other verandahs built over a public space shall comply with the following:

- (1) The height of the external edges of any verandah shall be a minimum of 2.7 metres and a maximum of 3 metres above the footpath.
- (2) Verandahs shall extend from the supporting building to a distance of 600 millimetres from the vertical line of the face of the kerb and no further.
- (3) If a fascia is provided, it shall have a maximum vertical dimension of 450 millimetres.
- (4) Verandahs shall be related to adjoining verandahs so as to provide continuous cover for pedestrians.
- (5) Notwithstanding the above a verandah shall not be required if the building is set back from the road boundary a distance equal to the width of a complying verandah; or
- (6) Where there is no kerb line that is over a closed road or other public space, the verandah shall extend from the supporting building a distance of 3 metres and no further.

- **Noise**

5.9 Noise levels from any activity shall not exceed the following unless specific noise levels are provided for the activity elsewhere in this Plan:

50 dBA L₁₀ at the nearest Residential 1 Zone boundary between 7.00am and 10.00pm on any day, and 40 dBA L₁₀ and 70 dBA L_{max} at all other times.

5.10 See General Rule 6.21 for measurement and assessment of noise, standards for construction and maintenance noise, and General Rule 6.10 for Temporary Buildings and Activities.

- **Traffic Safety at Intersections**

5.11 Notwithstanding any other provision in the Plan no person shall construct or reconstruct any building, accessory building, structure, erection, or fence, or shall plant or permit to grow a hedge, tree, or other growth, whether on the boundary or not, over 900 millimetres in height above the average ground level within 6 metres of a road intersection, except for clear stemmed trees, which are pruned to maximise visibility for traffic safety.

- **Location of Brothel(s), Business(es) of Prostitution, Small Owner-Operated Brothel(s)**

5.12 No brothel(s), business(es) of prostitution, and/or small owner-operated brothel(s) shall be established or operated:

(a) Within 75 metres distance in any direction of:

- (i) a day care centre, primary school, intermediate school, secondary school;
- (ii) a place of worship;
- (ii) community facilities.

(b) Within 75 metres of an existing brothel, business(es) of prostitution, and/or small owner-operated brothel (measured both vertically or horizontally).

1.G.6 ATTENTION IS DRAWN TO THE FOLLOWING GENERAL RULES

(a) **Vehicle Access and Loading**

See General Rule 6.7 (see in particular Discretionary Activity 6.7.5 (2) which controls some new vehicle access to state

highways).

(b) **Parking**

See General Rule 6.8.

(c) **Hazardous Substances**

See General Rule 6.9.

(d) **Signs**

See General Rule 6.15.

(e) **Natural Hazards**

See General Rule 6.16.

(f) **Filled Sites**

See General Rule 6.18.

(g) **Landscaping**

See General Rule 6.19.

3.5.5 COMMERCIAL 1 (PLEASANT POINT)

1.P.1 PERMITTED ACTIVITIES

The following are permitted activities subject to complying with all of the Performance Standards for this zone and the General Rules:

- 1.1 Shops.
- 1.2 Household Units.
- 1.3 Travellers' Accommodation.
- 1.4 Offices.
- 1.5 Banks.
- 1.6 Consulting Rooms for Health Practitioners.
- 1.7 Bakeries.
- 1.8 Tradesmen's Workshops and Stores.
- 1.9 Open Space.
- 1.10 Car parking.
- 1.11 Storage.
- 1.12 Vehicle, Boat or Equipment Sales or Hire.
- 1.13 Places of Assembly.
- 1.14 Personal Services.
- 1.15 Utility Services.
- 1.16 Meteorological Activities.
- 1.17 Emergency Services Facilities.
- 1.18 Road and bridge construction and maintenance within road reserves.
- 1.19 Brothel(s), Business(es) of Prostitution, Small owner-operated brothel(s).
- 1.20 Accessory Buildings to the above.
- 1.21 Those activities provided for in the General Rules as permitted activities.

1.P.2 CONTROLLED ACTIVITIES

The following are controlled activities subject to complying with all the Performance Standards for this zone and the General Rules, with the exercise of Council's discretion restricted to the matter(s) specified:

- 2.1 Telecommunication facilities and radio communication facilities. The Council shall restrict its discretion to potential visual effects.
- 2.2 Those activities provided for in the General Rules as controlled activities.

1.P.3 DISCRETIONARY ACTIVITIES

The following are discretionary activities in this zone subject to complying with the General Rules:

- 3.1 Restaurants or Licensed Premises.
- 3.2 Service Stations.
- 3.3 Public Utilities.
- 3.4 Any industry which complies with all of the performance standards for this zone.
- 3.5 Any activity listed as a permitted, controlled or discretionary activity which does not comply with the performance standards for this zone.
- 3.6 Those activities provided for in the General Rules as discretionary activities.
- 3.7 Telecommunication facilities and radio communication facilities, which do not meet the performance standards for the zone. The Council shall restrict its discretion to potential visual effects.

NOTE: When considering applications for discretionary activities regard shall be had to the Performance Standards for this zone.

1.P.4 NON-COMPLYING ACTIVITIES

All other activities in this zone are non-complying unless they are provided for by a General Rule.

1.P.5 PERFORMANCE STANDARDS FOR ALL ACTIVITIES IN THIS ZONE

- **Sunlight and Outlook**

- 5.1 The maximum building height shall be 10 metres except that communication and hose drying towers for Emergency Services Facilities may be erected to 20 metres.
- 5.2 The recession plane in Appendix 2 shall apply to any site boundary which adjoins a Residential Zone.
- 5.3 A set back of a minimum depth of 3 metres shall be required on any boundary which adjoins a Residential Zone.

- **Traffic Safety at Intersections**

- 5.4 Notwithstanding any other provision in the Plan no person shall construct or reconstruct any building, accessory building, structure, erection, or fence, or shall plant or permit to grow a hedge, tree, or other growth, whether on the boundary or not, over 900 millimetres in height above the average ground level within 6 metres of a road intersection, except for clear stemmed trees, which are pruned to maximise visibility for traffic safety.

- **Obtrusive Light**

5.5 All exterior lighting on commercially zoned sites shall be directed away from residentially zoned land and from the carriageway of any roads.

5.6 Other than street lighting, no spill light from a permanently fixed artificial light source shall exceed 10 lux, measured in the vertical plane at the boundaries of any other sites in Residential Zones, between the hours 10.00pm and 7.00am and 20 lux at all other times.

- **Visual Amenity**

5.7 Lines and pipes associated with utility services and telecommunication facilities shall be placed underground.

- **Noise**

5.8 Noise levels from any activity shall not exceed the following unless specific noise levels are provided for the activity elsewhere in the Plan:

50 dBA L10 at the nearest Residential 1 Zone boundary between 7.00am and 10.00pm on any day, and 40 dBA L10 and 70 dBA Lmax at all other times.

5.9 See General Rule 6.21 for measurement and assessment of noise, standards for construction and maintenance noise, and General Rule 6.10 for Temporary Buildings and Activities.

- **Location of Brothel(s), Business(es) of Prostitution, Small Owner-Operated Brothel(s)**

5.10 No brothel(s), business(es) of prostitution, and/or small owner-operated brothel(s) shall be established or operated:

(a) Within 75 metres distance in any direction of:

- (i) a day care centre, primary school, intermediate school, secondary school;
- (ii) a place of worship;
- (ii) community facilities.

(b) Within 75 metres of an existing brothel, business(es) of prostitution, and/or small owner-operated brothel (measured both vertically or horizontally).

1.P.6 ATTENTION IS DRAWN TO THE FOLLOWING GENERAL RULES

(a) Vehicle Access and Loading

See General Rule 6.7 (see in particular Discretionary Activity 6.7.5 (2) which controls some new vehicle access to state highways).

(b) Parking

See General Rule 6.8.

(c) Hazardous Substances

See General Rule 6.9.

(d) Signs

See General Rule 6.15.

(e) Natural Hazards

See General Rule 6.16.

(f) Filled Sites

See General Rule 6.18.

(g) Landscaping

See General Rule 6.19.

3.5.6 COMMERCIAL 2 ZONE

1 PERMITTED ACTIVITIES

The following are permitted activities subject to complying with all the Performance Standards for this zone and the General Rules:

- 1.1 Shops*.
- 1.2 Offices*.
- 1.3 Banks.
- 1.4 Consulting Rooms for Health Practitioners.
- 1.5 Day Care Centres.
- 1.6 Personal Services.
- 1.7 Utility Services.
- 1.8 Road works within Road Reserves.
- 1.9 Car parking*.
- 1.10 Plant Nurseries.
- 1.11 Veterinary Clinics.
- 1.12 Meteorological Activities.
- 1.13 Emergency Services Facilities.
- 1.14 Accessory Buildings to the above.
- 1.15 Those activities provided for in the General Rules as permitted activities.
(* See Performance Standard 5.17 for this zone)

2 CONTROLLED ACTIVITIES

The following are controlled activities subject to complying with all the Performance Standards for this zone and the General Rules, with the exercise of Council's discretion restricted to the matter(s) specified:

- 2.1 Telecommunication facilities and radio communication facilities. The Council shall restrict its discretion to potential visual effects.
- 2.2 Those activities provided for in the General Rules as controlled activities.

3 DISCRETIONARY ACTIVITIES

The following activities are discretionary activities in this zone subject to complying with the General Rules:

- 3.1 Service Stations.
- 3.2 Any activity listed as a permitted, controlled or discretionary activity which does not comply with the performance standards for this zone.
- 3.3 Those activities provided for in the General Rules as discretionary activities.

- 3.4 Public Utilities.
- 3.5 Vehicle Repair Garages.
- 3.6 Restaurants or Licensed Premises.
- 3.7 Public Toilets.
- 3.8 Places of Assembly
- 3.9 Hire of Tools or General Equipment.
- 3.10 Repair and Servicing of personal household or garden equipment, appliances or cycles excluding: general engineering, fibre-glassing, panel beating, spray painting, or sand, steam or shot blasting.
- 3.11 Buildings accessory to the foregoing.
- 3.12 Telecommunication facilities and radio communication facilities, which do not meet the performance standards for the zone. The Council shall restrict its discretion to potential visual effects.

NOTE: When considering applications for discretionary activities regard shall be had to the Performance Standards for this zone.

4 NON-COMPLYING ACTIVITIES

All other activities in this zone are non-complying activities unless they are provided for by a General Rule.

5 PERFORMANCE STANDARDS FOR ALL ACTIVITIES IN THIS ZONE

- **Sunlight and Outlook**

- 5.1 The maximum height of buildings shall be 10 metres except that communication and hose drying towers for Emergency Services Facilities may be erected to 20 metres.
- 5.2 A building set back of 5 metres shall be required along the site boundary where it adjoins with Residential or Recreational Zones.
- 5.3 All buildings shall be contained within a building envelope constructed by recession planes as set out in Appendix 2.

- **Visual Amenity**

- 5.4 Any outdoor storage areas, except for the display of goods for retail sale, shall be screened from adjoining sites, including roads of the same or a lower elevation, by a fence of not less than 2 metres in height.
- 5.5 For any future development on sites legally described as Lot 1 DP 45192, Lot 2 DP 19458 and Lot 1 DP 19458, the following shall apply:

- (1) a minimum building setback of 5 metres from any site boundary adjoining a road;
 - (2) landscaping with a minimum width of 5 metres shall be included within the 5 metre setback from any site boundary adjoining a road. This landscaping may include hard areas between the building and the road, e.g. cobbles for a café area, of up to 25% but cannot be used for vehicle parking or vehicle access purposes;
 - (3) landscaping of a minimum width of 2 metres shall be provided around all site boundaries adjoining Residential Zones;
 - (4) trees required to be planted under General Rule 6.19 shall increase to 1 tree per 5 car parks and shall be planted both within the parking area and around it;
 - (5) the minimum height of any trees at any time of planting shall be 1.5 metres;
 - (6) retain the existing three large trees along the Hobbs Street frontage of Lot 1 DP 45192 and in the south east corner of the site as identified on the Outline Development Plan attached to the Commercial 2 Zone rules;
 - (7) provide acoustic fencing along the western and southern boundaries of Lot 1 DP 19458 and Lot 1 DP 45192 which is a minimum height of 2 metres and constructed of 25 millimetre overlapped timber with no gaps between either the vertical boards or at ground level.
- 5.6 In association with any future development on sites legally described as Lot 1 DP 45192, Lot 2 DP 19458 and Lot 1 DP 19458, any windows above 3 metres in height above ground level on buildings and located within 10 metres of a Residential 2 Zone boundary shall be opaque.
- 5.7 That landscaping of the site bounded by Chalmers Street, Wai-iti Road and Sealy Street include at least semi mature trees.
- 5.8 That the colour scheme used for any future buildings on the site bounded by Chalmers Street, Wai-iti Road and Sealy Street be low key neutral or earth tone colours.
- **Obtrusive Light**
- 5.9 All exterior lighting on commercially zoned sites shall be directed

away from residentially zoned land and from the carriageway of any roads.

- 5.10 Other than street lighting, no spill light from a permanently fixed artificial light source shall exceed 10 lux, measured in the vertical plane at the boundaries of any other site in Residential Zones, between the hours 10.00pm and 7.00am, and 20 lux at all other times.

- **Traffic Safety at Intersections**

- 5.11 Notwithstanding any other provision in the Plan no person shall construct or reconstruct any building, accessory building, structure, erection, or fence, or shall plant or permit to grow a hedge, tree, or other growth, whether on the boundary or not, over 900 millimetres in height above the average ground level within 6 metres of a road intersection, except for clear stemmed trees, which are pruned to maximise visibility for traffic safety.

- **Noise**

- 5.12 Any loading dock shall be enclosed within buildings (other than the entrance/exit to the dock) and the entrance/exit door shall be kept closed where practicable so that noise is generally contained within a building during loading and unloading operations.

- 5.13 Noise levels from any activity shall not exceed the following unless specific noise levels are provided for the activity elsewhere in the Plan:

50 dBA L_{10} at the nearest Residential 1 Zone boundary between 7.00am and 10.00pm on any day, and 40 dBA L_{10} and 70 dBA L_{max} at all other times; and

55 dBA L_{10} at the nearest Residential 2 Zone, or Rural Zone boundary, between 7.00am and 10.00pm on any day, and 45 dBA L_{10} and 75 dBA L_{max} at all other times.

- 5.14 See General Rule 6.21 for measurement and assessment of noise, standards for construction and maintenance noise, and General Rule 6.10 for Temporary Buildings and Activities.

- 5.15 The following rule applies to activities on land within the Commercial 2 Zone bounded by Chalmers and Sealy Streets and Wai-iti Road in Timaru:

(i) That the building plans for the proposed new supermarket

and/or redeveloped shopping centre ensure that any louvres associated with mechanical equipment are situated so that they do not face the nearest houses.

- (ii) That a boundary fence shared with 11 Chalmers Street be established to a height that breaks the line of sight between the first floor window of the supermarket to further reduce noise to the dwelling (note: a fence over 2 metres may mitigate noise further).
- (iii) That a Noise Management Plan be prepared in advance of the proposed new supermarket and supplied to the Council prior to opening, that it be reviewed annually and/or on receipt of a complaint and that it address the following:
 - (a) All forklifts are to be operated inside the supermarket and/or shopping centre with the external storeroom door to be kept closed except for when trucks are ingressing or egressing the supermarket building;
 - (b) Any goods delivered to the supermarket must be unloaded within the supermarket building behind closed doors for all vehicles except B trains the tractor unit of which may protrude during unloading operations;
 - (c) All chiller units on delivery vehicles must be shut off whether queuing or parked on or off-site while waiting to enter the supermarket and/or the shopping centre to deliver goods;
 - (d) Opening and closing of the mechanical sectional door into the loading area of the supermarket is kept to a minimum.
- (iv) That the delivery schedule to the supermarket and/or shopping centre be made available upon request of the Council and that it include sufficient detail so that should any complaint be made that it is possible to identify the name of the delivery company, date, and time of any delivery to the shopping complex.

- **Outline Development Plan**

5.16

In association with any future development on sites legally described as Lot 1 DP 45192, Lot 2 DP 19458 and Lot 1 DP 19458, the Outline Development Plan for Hobbs Street, Timaru shall apply and includes the following:

- (1) a minimum 5 metre building setback along the Residential 2

Zone boundaries;

- (2) within the 5 metre building setback a minimum 2 metre landscape strip shall be provided along the Residential 2 Zone boundaries;
- (3) provision for a visitor parking area on the western side of the site and staff car parking along the southern side between any future building and the Residential 2 Zone boundaries;
- (4) the location of the building footprint is shown abutting the eastern boundary of Lot 1 DP 45192.

5.17 Compliance with Concept Plans AS05 and Sk03 for Highfield Shopping Centre attached at the end of the Commercial 2 Zone rules.

- **Location of Shops, Offices and Parking**

- (1) In that part of the Commercial 2 Zone bounded by Wai-iti Road, Chalmers Street and Sealy Street, Timaru, all development shall be located in accordance with the Concept Plans included with the Commercial 2 Zone rules.

- **Provision of Landscaping**

- (2) Landscaping for that part of the Commercial 2 Zone bounded by Wai-iti Road, Chalmers and Sealy Streets shall be established in accordance with the Concept Plans included with the Commercial 2 Zone rules.

NOTE: Any deviation from the Outline Development Plan shall require resource consent approval.

6 ATTENTION IS DRAWN TO THE FOLLOWING GENERAL RULES

(a) Vehicle Access and Loading

See General Rule 6 (see in particular Discretionary Activity 6.7.5 (2) which controls some new vehicle access to state highways).

(b) Parking

See General Rule 6.8.

(c) **Hazardous Substances**

See General Rule 6.9.

(d) **Signs**

See General Rule 6.15.

(e) **Natural Hazards**

See General Rule 6.16.

(f) **Filled Sites**

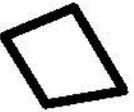
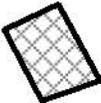
See General Rule 6.18.

(g) **Landscaping**

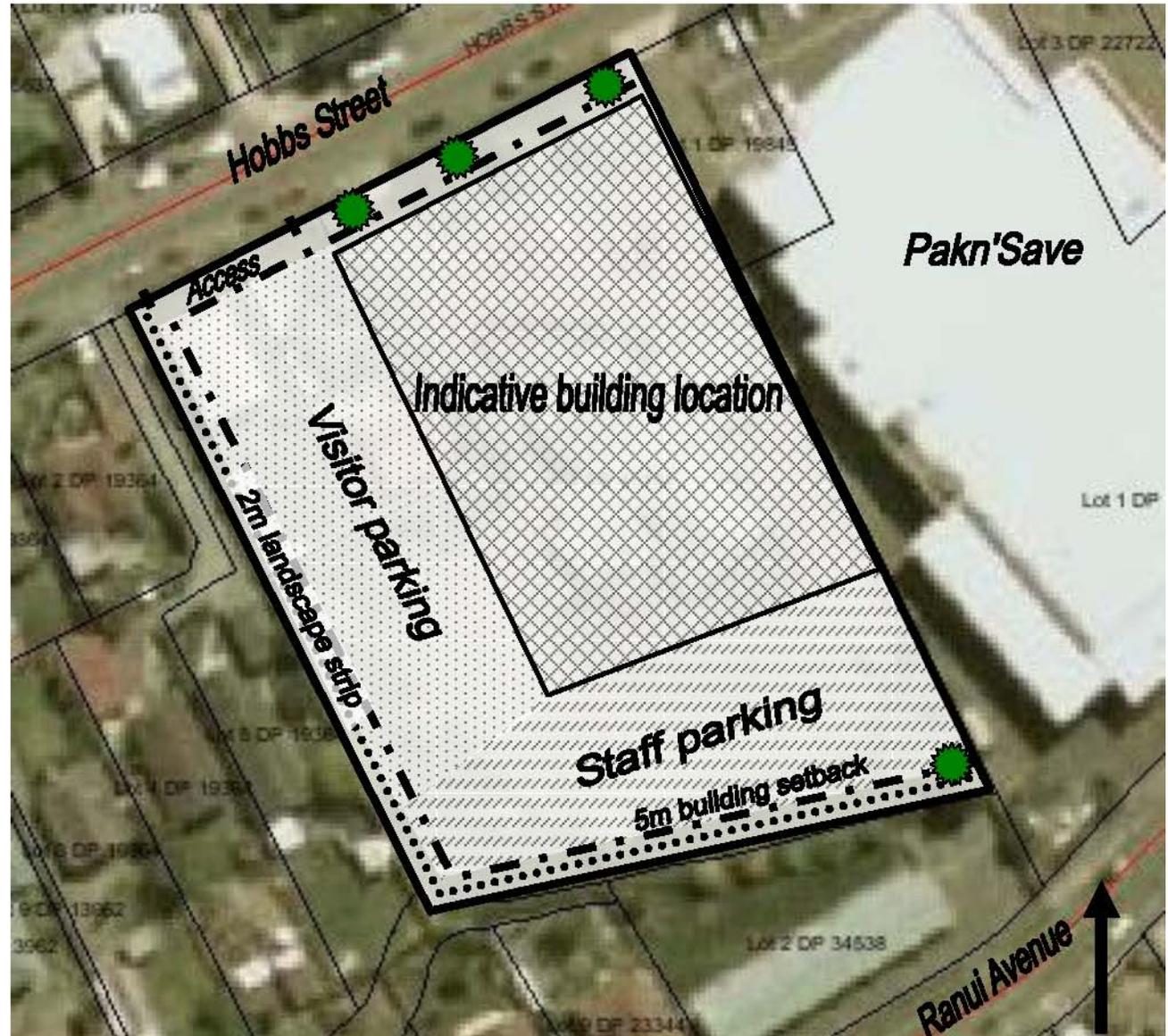
See General Rule 6.19.

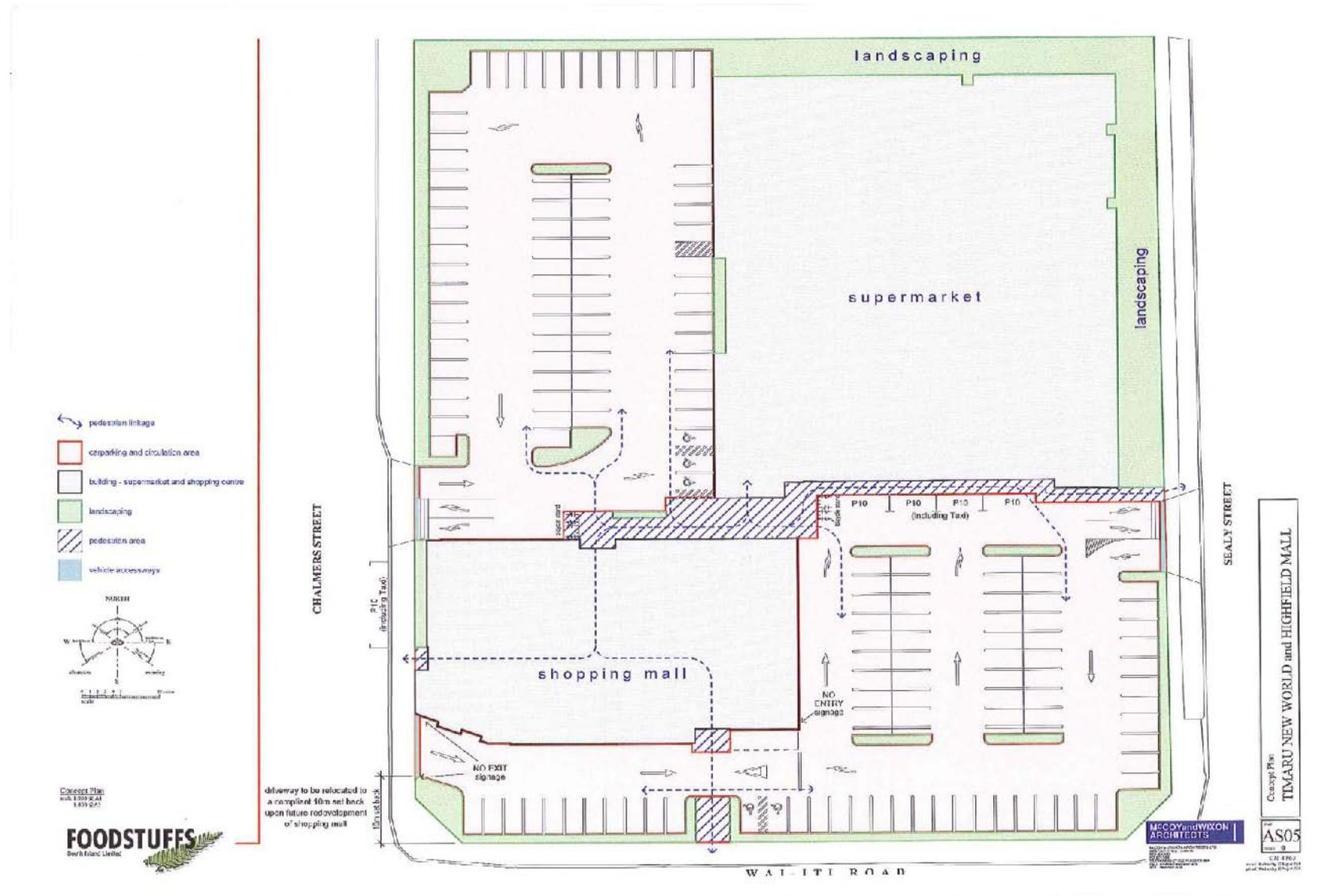
OUTLINE DEVELOPMENT PLAN HOBBS STREET, TIMARU

Legend:

-  Site boundary
-  Indicative building area
-  Staff car parking area
-  Visitor car parking area
-  Existing tree to be retained
-  5m building setback
-  2m landscaping strip

Scale= 1:100 at A4





3.5.7 COMMERCIAL 2A ZONE**1 PERMITTED ACTIVITIES**

The following are permitted activities subject to their complying with Development Thresholds and Performance Standards for this zone and the General Rules:

- 1.1 Community Facilities
- 1.2 Individual retail activities with a gross floor area of no less than 500m².
- 1.3 Multiple retail activities.
- 1.4 Offices and personal services.
- 1.5 Places of assembly.
- 1.6 Public toilets.
- 1.7 Restaurants.
- 1.8 Trade suppliers.

2 DEVELOPMENT THRESHOLDS FOR PERMITTED ACTIVITIES

Permitted development in the Commercial 2A Zone is subject to the following thresholds for activities specified below:

2.1 Development Thresholds

- 2.1.1 Subject to further provisions below, the maximum threshold for the Permitted Activities described in 3.5.7.1.2, 1.3, 1.4, 1.7 and 1.8 is 34,000m² of gross floor area.
- 2.1.2 The combined gross floor area for Places of Assembly shall not exceed 6,000m².

2.2 General Merchandise Outlets other than Department Stores

Development open to the public prior to 1 July 2015 shall not in aggregate exceed 10,000 m² of gross floor area.

Development open to the public prior to 1 January 2018 shall not in aggregate exceed 15,000 m² of gross floor area.

Development open to the public prior to 1 July 2020 shall not in aggregate exceed 19,000 m² of gross floor area.

Development open to the public prior to 1 July 2022 shall not in aggregate exceed 24,000m² of gross floor area.

Development open to the public prior to 1 July 2025 shall not in

aggregate exceed 29,000m² of gross floor area.

Development open to the public prior to 1 July 2027 shall not in aggregate exceed 34,000m² of gross floor area.

General Merchandise Outlets Inclusive of Department Stores

Development open to the public prior to 1 July 2015 shall not in aggregate exceed 16,000 m² of gross floor area.

Development open to the public prior to 1 January 2018 shall not in aggregate exceed 20,000 m² of gross floor area.

Development open to the public prior to 1 July 2020 shall not in aggregate exceed 23,000 m² of gross floor area.

Development open to the public prior to 1 July 2022 shall not in aggregate exceed 27,000 m² of gross floor area.

Development open to the public prior to 1 July 2025 shall not in aggregate exceed 30,000 m² of gross floor area.

Development open to the public prior to 1 July 2027 shall not in aggregate exceed 34,000 m² of gross floor area.

2.3 **Supermarkets**

2.3.1 Only one supermarket shall be permitted.

2.4 **Offices and Personal Services**

2.4.1 Subject to Threshold Rules 2.5 and 2.2 and 2.5.3 below, gross floor area devoted to offices (excluding offices ancillary to permitted activities) and personal services shall not exceed 2% of the aggregate developed gross floor area of Individual Retail Activities, Multiple Retail Activities and Trade Suppliers.

Note: for the purpose of this rule Automatic Teller Machines (ATM's) are considered a personal service.

2.5 **Restaurants**

2.5.1 Subject to Threshold Rules 2.5.2 and 2.5.3 below, gross floor area devoted to these activities shall not exceed 4% of the aggregate developed gross floor area of Individual Retail Activities, Multiple Retail Activities and Trade Suppliers.

2.5.2 Notwithstanding Threshold Rules 2.4 and 2.5, the total gross floor

area devoted to Offices, Personal Services and Restaurants shall not exceed 5% of the aggregate developed gross floor area of Individual Retail Activities, Multiple Retail Activities and Trade Suppliers.

2.5.3 Any space devoted to Offices (excluding offices ancillary to a permitted activity), Personal Services and Restaurants within Multiple Retail Outlets will count toward the thresholds in Rules 2.3 and 2.5.

2.6 **Areas Excluded from Development Thresholds**

2.6.1 Any yard space or common area not covered by the definition of gross floor area, but used for storage and display of product or for restaurant seating, will not count toward the development thresholds in Rules 1, 2 and 4-7 above.

3 CONTROLLED ACTIVITIES

The following are controlled activities in this Zone:

3.1 Buildings for the permitted activities listed above. Control is reserved over:

- a) Building design
- b) Fencing and walls
- c) Storage and plant
- d) Security and safety
- e) Public transport
- f) Signage

When assessing a controlled activity application for buildings the Council shall have regard to the Design Guidelines attached at Appendix 1 and the Outline Development Plan attached at Appendix 2. For the avoidance of doubt, the signage criteria relate to public signage (wayfinding signage) (NZTA). Wayfinding signage and retail signage is subject to the existing District Plan signage provisions in Part D General Rules.

3.2 For a resource consent application for building/s to be assessed as a controlled activity, a site plan must be submitted with a resource consent application for individual buildings or groups of buildings. The plan must show how the proposed building/s relates to existing buildings and the various components of the Outline Development Plan. The plan will provide the context within which the application will be determined.

3.3 Those activities provide for in the General Rules as controlled activities.

4 DISCRETIONARY ACTIVITIES

The following are discretionary activities in this zone subject to complying with the General Rules:

- 4.1 Permitted activities which would exceed Development Thresholds 2.1 or 2.2 by no more than 6%.
- 4.2 Service Station(s).
- 4.3 Accessory buildings to any discretionary activity.
- 4.4 Any activity listed as a permitted, controlled or discretionary activity which does not comply with the Outline Development Plan and performance standards for this zone, excluding performance standards 6.25 and 6.26 in regard to vehicle access (NZTA).
- 4.5 A resource consent application for a building/s which does not include a site plan in accordance with Rule 3.2.
- 4.6 Those activities provided for in the General Rules as discretionary activities *Note:* Discretionary activities will be assessed against the Performance Standards for this Commercial 2A Large Format Store (Retail Park) Zone (refer list of performance standards below).

5 NON COMPLYING ACTIVITIES

- 5.1 Shops with a floor area of less than 500m² are a non complying activity.
- 5.2 Non-compliance with performance standards 6.25, 6.26 and 6.27 (NZTA).
- 5.3 All other activities in this zone are non-complying unless they are provided for by a General Rule.

6 PERFORMANCE STANDARDS FOR ALL ACTIVITIES IN THE COMMERCIAL 2A LARGE FORMAT STORE (RETAIL PARK) ZONE:

- **Glare**

- 6.1 All exterior lighting shall be directed away from residentially zoned land and from the carriageway of any roads and from the retail corridor.

6.2 Other than street lighting, no spill light from a permanently fixed artificial light source shall exceed 10 lux, measured in the vertical plane, at the boundaries of any site in a Residential Zone, between the hours 10.00pm and 7.00am, and 20 lux at all other times.

- **Landscaped Areas**

6.3 In addition to the general landscaping rules at 6.19 of this plan the following additional landscaping rules shall apply:

- (1) The minimum area of the site to be set aside for landscaping shall be 10%.
- (2) Landscaping shall occur in accordance with the Outline Development Plan. Landscaping shall have a minimum depth of 5 metres.
- (3) The boundary adjacent to Lot 1 DP 60120 shall be landscaped to a depth of 4 metres.

Note: For the avoidance of doubt landscaped areas can include swales, rain gardens and other facilities to manage stormwater.

6.4 In accordance with general rule 6.19.2(5) a landscape plan shall be submitted to the Council prior to any development of the site. The landscape plan shall identify appropriate plant species and recognise the importance of the adjacent Taitarakahi Creek.

- **Natural Hazards**

6.5 In addition to the general Natural Hazards rules at 6.16 of this plan the following rules shall apply:

6.6 Any development within the Commercial 2A Large Format Store (Retail Park) Zone shall ensure that the pre-development flood storage is maintained for flooding associated with all storms up to those with a return period of 50 years (5% AEP).

6.7 Where landscaping areas are not used for first flush stormwater treatment systems these may be used to provide detention or flood storage.

- **Noise**

6.8 Noise levels from any activity shall not exceed the following unless specific noise levels are provided for the activity elsewhere in this Plan:

50 dBA L_{10} at the nearest Residential 1 Zone boundary and Lot 1 DP 60120 (The Trust) between 7.00am and 10.00pm on any day and 40 dBA L_{10} and 70 dBA L_{max} at all other times; and

55 dBA L_{10} at the nearest Residential 2 Zone boundary between 7.00am and 10.00pm on any day, and 45 dBA L_{10} and 75 dBA L_{max} at all other times.

6.9 See General Rule 6.21 for measurement and assessment of noise and standards of construction and maintenance noise, and General Rule 6.10 for Temporary Buildings and Activities.

- **Parking**

6.10 Deleted.

6.11 Carparking layout for the Commercial 2A Large Format Store (Retail Park) Zone shall be designed in accordance with the specifications detailed in NZS2890.1:2004.

- **Stormwater**

6.12 All material used in the construction of roofs shall be a material that minimises the release of heavy metal contaminants to stormwater.

6.13 The runoff from the first 15 mm of rainfall in any storm event (regardless of duration) from any hard stand surfaces shall be treated before discharging to the Taitarakahi Creek. The treatment shall be by infiltration systems. These treatment systems may include, but are not limited to:

- Infiltration basins
- Rain gardens
- Permeable pavement
- Constructed wetlands
- Catchpit Filter inserts

6.14 Sumps (catchpits) in carpark areas shall be designed with submerged outlets so that there is a containment volume of 60 litres above the submerged outlet.

6.15 The site shall not discharge stormwater into Taitarakahi Creek at a rate that exceeds the calculated discharge for the site in its former state up to a 50-year return period storm.

6.16 Carparks and roadways may be used to provide detention storage for storm events of greater than 10 year return period (10% AEP)

storms.

6.17 The design of the stormwater systems shall also make provision for dealing with runoff from storms of a return period greater than the 2% AEP event. This can include provision for overland flow routes to the water ponding in the Taitarakihi Creek flood plain.

6.18 No stormwater collected from buildings, sites and roads within the zone shall be disposed in the sewerage system.

6.19 Before construction commences on the site the landowner shall provide details, to the Council, of the treatment and containment systems, and detention and flood storage provided on the site to show compliance with performance standards 6.7 - 6.10 and 6.15 - 6.21 above. Note that in the event the development proceeds in stages, each stage will need to show compliance with the above performance standards on a prorata basis of the impervious area created.

- **Sunlight and Outlook**

6.20 The maximum building façade height is 10 metres. The maximum building height is 12 metres.

6.21 A building setback of a minimum depth of 5 metres shall be required from the road edge and from any designation in place for the purposes of road widening.

6.22 A building setback of a minimum width of 10 metres shall be required from Lot 1 DP 60120.

6.23 The recession plane in Appendix 2 shall apply to the boundary with Lot 1 DP 60120.

6.24 No building (other than for network utilities) shall be constructed within the stormwater utility area identified on the Outline Development Plan.

- **Vehicle Access**

6.25 Prior to the first land use activity opening for business, the Grants Road/State Highway 1 signalised intersection to the site shall be constructed and operation.

6.26 Vehicle access to the Zone is restricted to those access points shown on the Outline Development Plan in Appendix 2.

- 6.27 Site access from Bridge Road shall be at least 100 metres east of the State Highway 1 intersection.
- **Public Transport Connections**
- 6.28 Provision shall be made within the Commercial 2A zone for bus stops and taxi stands to ensure that the zone can be serviced by public transport. These facilities shall be located on the vehicle, pedestrian and cycleway linkages identified on the Outline Development Plan at Appendix 2 and designed in accordance with the Design Guidelines in Appendix 1 for Public Transport.
- **Visual Amenity**
- 6.29 Any outdoor storage areas, except for the display of goods for retail sale, shall be screened from adjoining sites, including public spaces of the same or lower elevation, by a fence of not less than 2 metres in height.
- 6.30 Lines and pipes associated with utility services and telecommunication facilities shall be placed underground.
- **Fencing Along the Rail Corridor**
- 6.31 Prior to the first land use activity opening for business, a fence of not less than 1.8 metres in height must be built along the boundary of the site where it abuts to the rail corridor. The fence will be constructed in a manner to deter trespassers.
- **Additional Performance Standard for General Merchandise Outlets Inclusive and Exclusive of Department Stores Exceeding the Staged Development Limits and a Second Supermarket Open to the Public Sooner than 1 October 2015**
- 6.32 Whether the activity will have an adverse effect on the economic and social functioning of centres (including established and new commercial centres of Timaru, Temuka, Geraldine and Pleasant Point, suburban shopping areas (Ashbury, Highfield, and Le Cren Street)) and neighbouring shopping areas.
- **Additional Performance Standards for Service Station(s) and development exceeding the development thresholds at Rule 2.1**
- 6.33 Whether the traffic generated will adversely effect the safe and efficient operation of the road network.

6.34 Whether entry and exit points and parking areas will enable the safe and efficient movement of people and vehicles.

7 THE FOLLOWING GENERAL RULES ALSO APPLY TO THE COMMERCIAL 2A LARGE FORMAT STORE (RETAIL PARK) ZONE

(a) Vehicle Access and Loading

See General Rule 6.7

(b) Hazardous Substances

See General Rule 6.9

(c) Signs

See General Rule 6.15

(d) Natural Hazards

See General Rule 6.16

(e) Filled Sites

See General Rule 6.18

(f) Landscaping

See General Rule 6.19

8 ZONE-SPECIFIC DEFINITIONS

For the purpose of Rules in this Zone, the following activity definitions apply. Any activity within the Zone not covered by a zone-specific definition defaults to the Part D Definition List.

Automotive & Marine Supplier

Means a business primarily engaged in selling automotive vehicles, marine craft, accessories to and parts for such vehicles and craft, and without limiting the generality of this term, includes suppliers of:

- boats and boating accessories;
- cars and motor cycles;
- new auto parts and accessories;

- trailers and caravans; and
- tyres and batteries.

Building Supplier

Means a business primarily engaged in selling goods for consumption or use in the construction, modification, cladding, decoration or outfitting of buildings (other than businesses where the processing and machining of timber and other construction materials and products is carried on) and without limiting the generality of this term, includes:

- glaziers;
- locksmiths;
- suppliers of:
 - awnings and window coverings;
 - bathroom, toilet and sauna installations;
 - electrical and plumbing supplies;
 - heating, cooling and ventilation installations;
 - kitchen and laundry installations;
 - paint, varnish and wall coverings;
 - permanent floor coverings;
 - power tools and equipment; and
 - safes and security installations

Community Facilities

Means places available to the public for the purpose of community activities and includes but is not limited to public playgrounds, recreational halls community centres, community halls and public swimming pools but excludes theatres and cinemas.

Department Store

Means a business primarily engaged in selling a wide range of non-grocery and non-food merchandise including worn and carried apparel, household appliances, furnishings and equipment, personal goods and giftware as otherwise described and classified as ANZSIC category 5210, in individual retail premises of no less than 2,000 sqm of gross floor area.

Farming & Agricultural Supplier

Means a business primarily engaged in selling goods for consumption or use in the business operations of primary producers or in animal husbandry and without limiting the generality of this term, includes:

equestrian and veterinary suppliers;
farming and horticultural equipment suppliers;
seed and grain merchants; and
stock and station outlets

Garden & Patio Supplier

Means a business primarily engaged in selling goods for permanent exterior installation or planting and without limiting the generality of this term, includes:

- plant nurseries;
- garden centres;
- landscape suppliers; and suppliers of:
- bark and compost;
- clothes hoists and lines;
- conservatories, sheds and other outbuildings;
- fencing, gates and trellises;
- outdoor recreational fixtures and installations;
- patio furniture and appliances;
- paving and paving aggregates;
- statuary and ornamental garden features; and
- swimming and spa pools.

General Merchandise Outlet

Means a retailing activity or shop (including a department store) primarily engaged in selling non-grocery and non-food merchandise and not otherwise defined in the Zonespecific definitions.

Height

For the purpose of determining the height of any part of any building or structure, measure the vertical height of that part of the building above the point on the ground level immediately below that point. Provided that this shall not apply to chimneys, ventilator shafts and equipment, skylights, spires, radio and television aerials, flagpoles, masts, poles, rods, antennae, mounting fixtures, mast caps or similar appendages and other purely decorative features not exceeding 2m² in area (measured horizontally). The ground level is the ground level shown on a site works plan lodged with a building consent application.

Hypermarket

Means a business incorporating a Department Store and a

Supermarket and for threshold assessment and rule purposes is to be treated as if it were two separate outlets of those kinds, based on the internal floorspace of each component.

Individual Retail Activity

Means a retailing activity operated by a single business entity under a distinct, single store brand or trading logo and unless otherwise qualified includes department stores, general merchandise outlets, hypermarkets and supermarkets but excludes trade suppliers.

Multiple Retail Activity

Means an Individual Retail Activity within which space has been sublet, with a resulting average gross floor area per activity of no less than 1,250 sqm.

Office Product Supplier

Means a business primarily engaged in selling goods for office use or consumption (in which context the term "office" is not confined to the definition in this Plan) and without limiting the generality of this term, includes suppliers of:

- computers and related equipment;
- copiers, printers and facsimile machines;
- integrated telephone systems and equipment;
- office furniture, equipment and utensils; and
- office stationery and software applications.

Restaurant

Means a business as defined in the Plan Definitions but also extending to premises licensed to sell alcohol for on-site consumption and to the sale of snacks and light refreshments.

Supermarket

Means a retailing activity or shop primarily engaged in selling groceries, foodstuffs and sealed beverages, including substantial fresh produce, meat and fish and dairy food / delicatessen departments, as otherwise described and categorised as ANZSIC category 5110, in individual retail premises of no less than 1,500 sqm of gross floor area.

Trade Supplier

Means a business substantially engaged in sales to businesses and institutional customers as well as to the general public and without limiting the generality of this term, includes:

- automotive & marine suppliers;
- building suppliers;
- farming & agricultural suppliers;
- garden & patio suppliers; and
- office product suppliers.

APPENDIX 1 - COMMERCIAL 2A ZONE (DESIGN GUIDELINES)

1 Architectural and Building Design Control

- 1.1 Buildings should have active frontages to public parking areas and streets with entrance and window elements forming at least 50% of the surface area of any ground floor building façade. The height of window elements should relate to pedestrian scale.
- 1.2 Buildings shall be designed to provide adequate weather protection where appropriate for pedestrians.
- 1.3 Corner sites should be emphasized through building design. The design of buildings on corner sites should express the corner element as a vertical transition between the two adjoining street frontages.
- 1.4 Where a building is visible from the street or the main public parking areas, building facades must display architectural relief with contemporary design and a simple mix of materials and colour. The rhythm and scale of architectural features, fenestrations and finishes should harmonise with and complement the streetscape. Reliefs should be of a human scale.
- 1.5 Where visible from the street and/or reserve, all building facades and associated elements must be finished to a good standard.
- 1.6 Where visible from the street and/or reserve, concrete panelling is to include some detail relief, patterned or other.
- 1.7 Coloursteel or other trapezoidal metal cladding to exterior walls, of warehouse/workshop form must not be carried full height to ground level.
- 1.8 Service yards and loading bays should be sited to the rear of buildings or integrated in such a way that they do not dominate its public frontage.

2 Building Materials

- 2.1 All buildings shall be constructed from the following:
 - Glass.
 - Composite aluminium cladding.
 - Blockwork, in a stacked or decorative pattern with architectural character.
 - Concrete panel, where taken full height must show some form of simple relief to break up the edifice.
 - Colour steel, zincalume or trapezoidal wall claddings to warehouse/workshop walls only, above the 2m dado height only.
 - Ceramic or porcelain tile.

- Solid plaster work.
- Folded metal proprietary cladding.
- Stone.
- Decorative finishes such as louvers, etc.

2.2 All roofing shall be of the following material:

- Long run trapezoidal roofing.
- Membrane roofing.

2.3 All paving shall be of the following materials:

- Cobblestone type paving.
- Asphalt.
- Concrete with the aggregate exposed.
- Concrete, with or without trowel or broom finish to yard areas only.
- Ceramic or porcelain tiles at pedestrian entranceways, etc.

3 Fencing and Walls

3.1 Where wire mesh fencing is required for security to any site, it must be contained within the service area only.

3.2 All fencing which is visible from the street must have a maximum height of 2.4m.

3.3 Fencing decorative screens, privacy walls, courtyards and other enclosures, may project forward of the front of a building only where they are designed as an integral part of the building.

4 Storage and Plant

4.1 Rubbish bins, storage bins, disposal bins, recycling bins, etc including pallet storage, and other loose debris or materials, which would otherwise be visible to the street front must be contained within a solid wall enclosed with gate access a minimum 2m high.

4.2 Except where required by other legislation or regulations, storage areas, gas and fuel tanks, meters, silos and other tank storage and equipment must be contained within a solid wall enclosure with gate access minimum 2m high or incorporated as part of the building design function, and where not practicable must be screened from public view by landscaping.

5 Security and Safety

5.1 Possible entrapment spots such as loading bays, rubbish bin bays, alleys and areas requiring access after hours, must be lit with vandal resistant

lighting.

- 5.2 Night security lighting must be provided to car parking areas, pathways, recessed areas, building entrances, enclosures, courtyards, etc so as to provide after hours security and discourage vandalism.
- 5.3 Buildings should be designed to provide strong architectural cues to accessways with clearly indicative entrance imagery, to enhance the visible sense of pedestrian access to the area.
- 5.4 Development must provide dedicated, clearly defined pedestrian access linking carparking areas to building entrances. Consideration shall also be given to connectivity with adjoining areas including residential areas.

6 Public Transport

- 6.1 Provision shall be made for bus stops and taxi stands to ensure that the development can be serviced by public transport.
- 6.2 Bus stops should be provided in recessed set downs to avoid blocking streets.
- 6.3 Pedestrian footpaths should be at their widest adjacent to bus stops/shelters, and the footpath should extend to the kerb edge to allow convenient bus ingress/egress.

7 Signage

- 7.1 Signage should be provided to give direction to people to find safe routes and facilities.
- 7.2 Signage should be provided to identify public facilities and places.
- 7.3 Public facility signage should be consistent in design and of a high quality manufacture.
- 7.4 Signage should be designed to be legible by pedestrians from a reasonable distance and located where it can be readily seen by pedestrians.
- 7.5 Where possible, the content of signage should be able to be understood without the need of English literacy, eg by the use of international symbols and pictograms.
- 7.6 Within carparks, street exits should be clearly marked.

APPENDIX 2 - COMMERCIAL 2A ZONE (OUTLINE DEVELOPMENT PLAN)

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3.5.8 COMMERCIAL 3 ZONE

1 PERMITTED ACTIVITIES

The following are permitted activities subject to complying with all the Performance Standards for this zone and the General Rules:

- 1.1 New household units*.
- 1.2 Boarding or lodging houses, travellers accommodation or hostels, or community care facilities (unrestrained) with up to 10 beds*.
- 1.3 Shops up to 300 square metres in retail floor area*.
- 1.4 Consulting rooms for health practitioners*.
- 1.5 Veterinary Clinics*.
- 1.6 Banks*.
- 1.7 Home occupations*.
- 1.8 Personal services*.
- 1.9 Dressmaking or tailoring.
- 1.10 Offices or studios*.
- 1.11 Day care establishments*.
- 1.12 Utility services.
- 1.13 Meteorological Activities.
- 1.14 Road and bridge construction and maintenance within road reserves.
- 1.15 Accessory buildings for any of the above.
- 1.16 Those activities provided for in the General Rules as permitted activities.

(* See Discretionary Activity 3.11)

2 CONTROLLED ACTIVITIES

The following are controlled activities subject to complying with all the performance standards for this zone and the General Rules with the exercise of Council's discretion restricted to the matter(s) specified:

- 2.1 Conversion of commercial premises to household units. Council shall restrict its discretion to the environmental effects associated with visual appearance.
- 2.2 Telecommunication facilities and radio communication facilities. The Council shall restrict its discretion to potential visual effects.
- 2.3 Those activities provided for in the General Rules as controlled activities.

3 DISCRETIONARY ACTIVITIES

The following are discretionary activities in this zone subject to

complying with the General Rules:

- 3.1 Travellers' accommodation.
- 3.2 Restaurants or licensed premises.
- 3.3 Public utilities.
- 3.4 Any activity listed as a permitted, controlled or discretionary activity which does not comply with the performance standards for this zone.
- 3.5 Repair and servicing of personal household or garden equipment, appliances, or cycles excluding: general engineering, fibreglassing, panelbeating, spray painting, or sand, steam or shot blasting.
- 3.6 Hire of tools or general equipment.
- 3.7 Storage.
- 3.8 Those activities provided for in the General Rules as discretionary activities.
- 3.9 Emergency Services Facilities.
- 3.10 Service Stations.
- 3.11 Any commercial activity on the sites at 99-111 Evans Street*.
- 3.12 Telecommunication facilities and radio communication facilities, which do not meet the performance standards for the zone. The Council shall restrict its discretion to potential visual effects.

NOTE: When considering applications for discretionary activities regard shall be had to the Performance Standards for this zone.

4 NON-COMPLYING ACTIVITIES

All other activities in this zone are non-complying unless they are provided for by a General Rule.

5 PERFORMANCE STANDARDS FOR ALL ACTIVITIES IN THIS ZONE

- **Sunlight, Outlook and Visual Amenity**

- 5.1 The maximum height of buildings shall be 10 metres.
- 5.2 All buildings shall be contained within a building envelope constructed by recession planes as set out in Appendix 2.
- 5.3 The recession plane in Appendix 2 shall apply between any two detached household units on the same site and will be calculated from a point equidistant between adjoining detached household units.
- 5.4 Non-residential activities shall be set back a minimum of 3 metres from boundaries with adjoining residential activities except when destroyed by accident.
- 5.5 A building sited within 6 metres of a boundary on the subject site

shall not exceed an overall dimension of 30 metres measured parallel to any site boundary, excluding a 600 millimetre projection of eaves.

5.6 Lines and pipes associated with utility services and communication facilities to three or more sites or household units shall be placed underground. Replacement of existing overhead services of more than 50 metres in length shall be located underground.

5.7 The storage of goods or materials on non-residential sites shall be screened from adjoining sites, by a fence of not less than 2 metres in height.

- **Open Space**

5.8 All household units shall have a minimum area of open space of 35 square metres with minimum dimension of 3 metres, and:

(a) Doors from adjoining household units shall not open onto the open space area provided for another household unit on the same site.

(b) Open space areas shall be provided for the exclusive use of the subject household unit and shall remain unobstructed by vehicular access, manoeuvring, parking or service areas.

(c) Up to half of the open space area may be occupied by an attached structure which is predominantly made of glass and which has the purpose of providing for indoor/outdoor utilisation of this area eg conservatories/glasshouse.

(d) For multiple household units entirely above ground floor level a balcony of a minimum area of 12 square metres shall be provided adjoining the north, west or east side of the household unit for the exclusive use of that household unit. Doors from adjacent units may not open onto the balcony open space of an adjoining household unit.

(e) Open space shall be unobstructed from the ground level upwards except where a roof or other part of a building which is a minimum of 2 metres above the ground level of the open space may overhang the open space by up to 1 metre.

- **Obtrusive Light**

5.9 All exterior lighting on commercially zoned sites shall be directed away from residentially zoned land and from the carriageway of any

roads.

- 5.10 Other than street lighting, no spill light from a permanently fixed artificial light source shall exceed 10 lux, measured in the vertical plane at the boundaries of any other sites in Residential Zones, between the hours 10.00pm and 7.00am and 20 lux at all other times.

- **Traffic Safety at Intersections**

- 5.11 Notwithstanding any other provision in the Plan no person shall construct or reconstruct any building, accessory building, structure, erection, or fence, or shall plant or permit to grow a hedge, tree, or other growth, whether on the boundary or not, over 900 millimetres in height above the average ground level within 6 metres of a road intersection, except for clear stemmed trees, which are pruned to maximise visibility for traffic safety.

- **Noise**

- 5.12 Noise levels from any activity shall not exceed the following unless specific noise levels are provided for the activity elsewhere in the Plan:

50 dBA L_{10} at the nearest Residential 1 Zone boundary between 7.00am and 10.00pm on any day, and 40 dBA L_{10} and 70 dBA L_{max} at all other times; and

55 dBA L_{10} at the nearest Residential 2, Residential 4, or Rural Zone boundary, between 7.00am and 10.00pm on any day, and 45 dBA L_{10} and 75 dBA L_{max} at all other times.

- 5.13 See General Rule 6.21 for measurement and assessment of noise, standards for construction and maintenance noise, and General Rule 6.10 for Temporary Buildings and Activities.

6 ATTENTION IS DRAWN TO THE FOLLOWING GENERAL RULES

(a) **Water, Sewer, Stormwater and Reserves Contributions**

See General Rule 6.5.

(b) **Vehicle Access and Loading**

See General Rule 6.7 (see in particular Discretionary Activity 6.7.5 (2) which controls some new vehicle access to state highways).

(c) **Parking**

See General Rule 6.8.

(d) **Hazardous Substances**

See General Rule 6.9.

(e) **Signs**

See General Rule 6.15.

(f) **Natural Hazards**

See General Rule 6.16.

(g) **Filled Sites**

See General Rule 6.18.

(h) **Landscaping**

See General Rule 6.19