

# Part 3: Area-Specific Matters

## ZONES

**COMZ**

COMMERCIAL ZONES – ARUMONI

## CONTENTS

COMMERCIAL ZONES – ARUMONI .....	3
Introduction .....	3
Issues .....	5
Objectives.....	6
Policies .....	6
Rules .....	9
Rules for Activities in the Commercial Zones.....	10
Performance Standards .....	37
Matters of Control .....	45
Matters of Discretion .....	45
Assessment Criteria .....	51
Anticipated Environmental Results .....	52



# COMMERCIAL ZONES – ARUMONI

Status: COMZ is Operative.

## INTRODUCTION

A variety of commercial centres are present throughout the Rotorua District, each providing a different type of function and level of service to the Rotorua community. Each centre plays an important role in servicing and supporting the surrounding residential neighbourhood through providing various social and community services, places to meet, and a sense of community or belonging.

To recognise and appropriately manage these environments a hierarchy of commercial areas is identified based on the role and catchment area each centre services. The city centre is the principal commercial centre for the Rotorua District, and is managed through the CCZ-City Centre Zones chapter. The remaining five commercial zones are the subject of this chapter.

Whilst the commercial centres play a significant role in the community, requiring them to be active, safe, and vibrant environments, there is a need to achieve a balance between activities provided for within commercial centres with those that should be located within the city centre. The plan intends to achieve this balance through recognising the hierarchy of each commercial centre, the amenity of each and in turn the provision of activities within each zone.

The District Plan also acknowledges that there are certain commercial activities that are not suited for locating within the commercial and city centre zones. Such activities tend to establish along main arterial routes and city entranceways. They are dependent on higher traffic movements, onsite parking and large ground floor areas, which are inconsistent with the intention, layout and built environment of the city centre and commercial zones. Taking these considerations into account the District Plan provides for establishment of appropriate commercial activities relative to each zone, to ensure the amenity and vitality of each zone is maintained or enhanced.

The six commercial zones identified outside of the city centre are described in further detail below:

Zone	Code	Description
<b>Commercial 1 Zone</b> Ngongotahā Centre	COMZ1	Ngongotahā is a centre of commercial activity for the north-western area of the Lake Rotorua basin. The commercial centre of Ngongotahā has similar services to the Rotorua city centre, but on a smaller scale. The role of Ngongotahā as a compact retail centre is to provide services to the Ngongotahā village and wider rural community. This centre experiences high pedestrian and vehicle movements and has a well-established community focussed environment. Opportunities for residential activities above ground floor are provided.
<b>Commercial 2 Zone</b> Compact Commercial Centres	COMZ2	Compact commercial centres that serve large catchments and have a specific character through containing a mix of anchor stores such as supermarkets and small service stores these including butchers, bakeries and dairies. Each centre has a high amount of off road car parking and is

Zone	Code	Description
		located on main arterial routes or highways. Opportunities for residential activities above ground floor are provided.
<b>Commercial 3 Zone</b> Neighbourhood Centres	COMZ3	Small clusters of convenience stores such as dairies, chemists, hairdressers and takeaway outlets that provide day to day services to residential areas located within the immediate vicinity. These centres are dispersed throughout the residential zones and are normally located on corner sites. These areas have lower pedestrian and traffic movement compared to other commercial centres, however they provide an active environment, with higher levels of lighting and traffic movement in comparison to the surrounding residential environment. Opportunities for residential activities above ground floor are provided.
<b>Commercial 4 Zone</b> City Entranceway Accommodation	COMZ4	Tourism accommodation and high density residential concentrated along city entranceways and arterial routes such as Fenton Street and Lake Road. The Commercial 4 zone provides for the continued operation and development of tourist accommodation and supporting commercial activities, as well as all forms of residential, at medium to high densities. The concentration of cultural, geothermal and heritage features present opportunities for Fenton Street to provide an entranceway to Rotorua. Lower densities are provided for in the Mountain Road Commercial 4 zone, consistent with its location further away from centres and amenities.
<b>Commercial 5 Zone</b> City Entranceway Tourism	COMZ5	There are many specialised tourist attractions throughout the district with a concentration of outdoor adventure tourism attractions along the northern and southern entranceways into Rotorua. These consist of a range of active outdoor and indoor recreation activities set on large sites, often with extensive planting, safe and highly visible access from the highway and a high level of amenity. In addition to tourism activities Te Puia also provides for Māori arts and craft training. Supporting activities are provided for on the same site, for example souvenir shops and restaurants.
<b>Commercial 6 Zone</b> Southern Edge Commercial Centre	COMZ6	The Commercial 6 zone provides for a mix of light industrial and commercial activities located on the southern edge of the city centre. Opportunities for residential activities above ground floor are provided. The commercial activities provided for within this zone are considered not suitable for either the industrial or city centre zones.

## ISSUES

There are three key issues influencing the policy framework in the commercial zones, in addition is the issue of reverse sensitivity, which is common to all zones:

### **COMZ-I1 Commercial centres**

Commercial centres play an important role in supporting the surrounding residential environment through providing key community and retail facilities. These centres were developed to meet the day to day needs of local residents within their local area, reducing the need to travel and enabling people to walk and cycle to satisfy their needs. The commercial centres also generally provide access to passenger transport, giving people wider access to the other commercial zones and city centre.

As well as providing retail opportunities, many other facilities are provided in and around these centres, such as schools, churches, doctors, surgeries, community centres and open space. Some centres also provide employment opportunities for small office and services use. It is important that a mix of uses is promoted in commercial centres to maintain and enhance their use and enable people to live more sustainably. Policies need to be flexible enough to allow uses within commercial centres to evolve to maintain their vitality and viability whilst ensuring that the vitality of the city centre and the surrounding residential areas are not adversely affected.

Providing living opportunities within centres supports a greater range of housing choices in Rotorua. Ensuring that residential activity is located above ground level in identified locations protects the commercial function of the centres and ensures a vibrant and high amenity street environment.

### **COMZ-I2 The design and appearance of buildings**

Design of places and spaces, including provision for a mix of uses can determine a commercial centre's success. Reduced crime, increased vitality and an efficient use of resources through design makes a place more attractive and inviting. Well thought out, and quality design of commercial buildings and sites is key to enhancing commercial centres and their surrounding environments. This includes elements such as active frontages, creating visual interest, planning for pedestrian activity, designing for natural surveillance from buildings, considering possible reverse sensitivity effects and maintaining the amenity of adjoining zones through managing lighting, signage and noise effects.

On the southern entranceway to Rotorua along Fenton Street and western entranceway along Lake Road (Commercial 4 Zone), quality design is important to enhance the visual amenity of these key gateways to the city centre. A high density environment is envisaged with a mix of residential and accommodation activities, including visitor accommodation and supporting commercial activities. A high quality frontage to the street will be achieved through encouraging activities, building lobbies and entrances to be designed and located to activate and engage with the street. Where residential is provided at ground floor, it should be designed and located to provide passive surveillance of the street and privacy for residents. Quality on-site living environments are expected for residential development.

Resource consent is required for new buildings, or for external alterations to buildings in most of the commercial zones, to enable a qualitative assessment of development proposals and ensure that good design outcomes are achieved.

### **COMZ-I3 Commercial activities located within Non-Commercial Zones**

Proliferation of inappropriate commercial activities within the residential and industrial zones may reduce residential amenity through increased traffic, lighting or noise levels and may affect the vitality of commercial zones through reduced pedestrian counts and increased vacancy rates. Providing commercial centres with defined boundaries will reduce the level of commercial sprawl and enhance the vibrancy and amenity of

commercial zones. In addition, this will support the city centre's main function as the centre of commercial activities in the district. Commercial development that is consistent with the amenity and primary function of the city centre should not establish within the commercial zones.

### COMZ-14 Reverse sensitivity

The establishment of new activities within incompatible zones or in close proximity to existing activities that have a different level of amenity can create adverse reverse sensitive effects. This has the ability to reduce the efficient operation of the existing activities or undermine the intended amenity of the zone.

## OBJECTIVES

### Commercial centres

<b>COMZ-01</b> [6.3(1)]	A hierarchy of vibrant compact commercial and tourism centres that efficiently service and support the needs of the surrounding community and nationally significant tourism sector. <i>Policies COMZ-P1 to COMZ-P7</i>
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### Design and appearance of buildings

<b>COMZ-02</b> [6.3(2)]	Buildings and activities positively contribute to the mixed use character, safety and efficiency, and attractiveness of commercial centres and entranceways to Rotorua. <i>Policies COMZ-P8 to COMZ-P9</i>
<b>COMZ-03</b> [6.3(3)]	Buildings and activities designed and operated in a manner that mitigates adverse effects on the amenity of residential zones. <i>Policies COMZ-P10 to COMZ-P12</i>
<b>COMZ-03A</b>	Residential development provides healthy, safe, and quality living environments that contribute to the well-being of residents. <i>Policies COMZ-P13</i>

### Commercial activities located within Non-Commercial Zones

<b>COMZ-04</b> [6.3(4)]	Efficient use and development of commercial centres by the establishment of activities consistent with the intended purpose of each zone. <i>Policies COMZ-P14 to COMZ-P15</i>
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### Reverse sensitivity

<b>COMZ-05</b> [1.3.10]	Subdivision, use and development that enables the continued efficient operation of existing development and activities. <i>Policy COMZ-P16.</i>
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## POLICIES

### Commercial centres

*Objective COMZ-01*

<b>COMZ-P1</b>	Enable an increase in the density and scale of development in commercial areas to support the creation of focal points for the community and maximise the benefits of accessibility.
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<b>COMZ-P2</b> [6.3(1)(1)]	Ngongotahā Village Enable a commercial centre with a range of activities that serves the large rural/urban north and western catchment and has a village character reflected by a compact, visually vibrant main street.
<b>COMZ-P3</b> [6.3(1)(2)]	Compact Commercial Centres Enable compact shopping centres to continue to function as compact, diverse retail centres that serve large residential catchments.
<b>COMZ-P4</b> [6.3(1)(3)]	Neighbourhood Centres Provide for small neighbourhood centres within easy walking distance that support the day to day needs of the surrounding residential area.
<b>COMZ-P5</b>	City Entranceway Accommodation Enable a mix of high density residential uses, accommodation activities, including visitor accommodation, and supporting commercial activities.
<b>COMZ-P6</b> [6.3(1)(4)]	Entranceway Tourism Provide for the development of tourism enterprises and Māori cultural experiences that maintains or enhances the amenity and vibrancy along the northern and southern city entranceways to the inner city, as shown on Planning Map 206.
<b>COMZ-P7</b> [6.3(1)(5)]	Southern Edge Commercial Centre Provide for the establishment of a mix of light industrial, residential and commercial activities that are appropriate to the location and amenity of the southern edge commercial centre, and the character and amenity values of other commercial centres.

### Design and appearance of buildings

#### Objective COMZ-02

<b>COMZ-P8</b>	Enable and encourage high quality development that positively contributes to the safety and attractiveness of streets and public open spaces.
<b>COMZ-P9</b> [6.3(2)(1)]	Manage the design of activities within commercial centres to maintain or enhance the character, public safety and efficient functioning of the transport network.

#### Objective COMZ-03 and COMZ-03A

<b>COMZ-P10</b>	Enable an increase in the density, diversity and quality of housing in identified zones, while maintaining their commercial function and managing potential reverse sensitivity effects.
<b>COMZ-P11</b> [6.3(3)(1)]	Manage the effects and design of activities to ensure that the amenity of adjoining residential properties is not adversely affected.
<b>COMZ-P12</b>	<p>a) Require the design of all buildings to positively contribute to the safety and attractiveness of the street by:</p> <ul style="list-style-type: none"> <li>i) Within commercial centres, require development to maximise street activation, building continuity along the street, pedestrian amenity and safety;</li> <li>ii) Within other commercial areas, require buildings to orientate to front the street, locate active uses on the street edge, including building entrances, lobbies, and commercial activities where proposed. These methods in particular, will assist to reinforce Fenton Street as an entranceway to the City Centre.</li> </ul>

<b>COMZ-P13</b>	<p>b) Require the design of residential units to achieve quality on site living environments for people by providing:</p> <ul style="list-style-type: none"> <li>i) Private outdoor living that is functional and accessible;</li> <li>ii) A reasonable level of visual privacy and outlook;</li> <li>iii) Safe and convenient pedestrian access to residential units from the street; and</li> <li>iv) Where located outside of commercial centres: <ul style="list-style-type: none"> <li>1. Opportunities for on-site landscaping; and</li> <li>2. Opportunities for passive surveillance of the street, while allowing privacy for residents.</li> </ul> </li> </ul>
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### Commercial activities located within Non-Commercial Zones

Objective COMZ-04

<b>COMZ-P14</b> [6.3(4)(1)]	Restrict the location of retail and commercial activities in other zones of the district to maintain and enhance the vibrancy and amenity of the commercial zones.
<b>COMZ-P15</b> [6.3(4)(2)]	Provide diverse commercial centres that offer services and convenient retail activities that complement rather than compete with the city centre.

### Reverse Sensitivity

Objective COMZ-05

<b>COMZ-P16</b> [1.3(10)(1)]	Manage the location and design of new subdivision, use and development within each zone to avoid adverse reverse sensitivity effects on existing activities.
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## RULES

The rules in this chapter apply in addition to the rules in other chapters.

For certain activities, consent may be required by rules in more than one chapter in the Plan. Unless expressly stated that a rule overrides another rule, consent is required under each of those rules. The steps plan users should take to determine what rules apply to any activity, and the status of that activity, are provided in Part 1 - How the Plan Works.

Key relationships to note include:

1. The District Wide Matters chapters must also be considered. Examples of matters managed under these rules that are commonly associated with activities in Commercial Zones include (but are not limited to) earthworks, noise and light emissions, management of noise sensitive activities near the airport and signs.
2. The Commercial 3 Zone inside the Wharenui Development Area is also subject to the chapter WHDA – Wharenui Development Area, which contains additional rules. In some cases, the development area rules override the rules in this chapter and in other cases they provide add/itional requirements (refer to the development area chapter for further detail).
3. For subdivision in Commercial Zones refer to the separate chapter SUB – Subdivision and WHDA – Wharenui Development Area, where relevant.

**Links to the rule categories are provided below:**

General .....	10
Buildings .....	10
Retail.....	12
Tourism.....	23
Community .....	26
Residential .....	33
Industrial Activities .....	35
Other Activities .....	35

## Rules for Activities in the Commercial Zones

General		
COMZ-R1	Where an activity is not expressly stated in this table	[6.5(2)]
Applicable Spatial Layers All Commercial Zones	1. Activity Status: Non-Complying	
Buildings		
Advice Note: The following rules are additional to the rules addressing the activities associated with the building.		
COMZ-R2	Additions and alterations to a building	[6.5(3), 6.5(4), 6.5(5)]
Applicable Spatial Layers Commercial 1, 2,3 4 and 6 Zones	1. Activity Status: Permitted Where: a. The activity is maintenance and repair of the building; or b. The alterations are: i) Less than 25m <sup>2</sup> of any street facing building facades; and ii) Less than 100m <sup>2</sup> of any non-street facing building façade; or c. The additions are less than 100m <sup>2</sup> of floor area and are not located on a street facing building façade. Performance Standards: a. Height COMZ-S1; b. Yards COMZ-S2; c. Parking, access and turning COMZ-S6; d. Commercial 1, 2 and 3 Zones: Glazing COMZ-S7; and e. Commercial 1, 2 3 and 6 Zones: Verandahs COMZ-S8.	3. Activity Status: Restricted Discretionary Where: Compliance not achieved with the performance standards in COMZ-R2(1). Matters of Discretion: a. The extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion; b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites; c. How the activity provides more efficient and practical use of the remainder of the site; d. Height – specific non-compliance matters COMZ-MDA; e. Natural hazards COMZ-MD4; f. Sites adjoining historic heritage structures COMZ-MD5A; and g. Financial contributions COMZ-MD6.
	Applicable Spatial Layers Commercial 5 Zone	2 Activity Status: Permitted Performance Standards: a. Height COMZ-S1; b. Yards COMZ-S2; c. Parking, access and turning COMZ-S6; d. Commercial 1, 2 and 3 Zones: Glazing COMZ-S7;

	<p>e. Commercial 1, 2 3 and 6 Zones: Verandahs <a href="#">COMZ-S8</a>; and</p> <p>f. Commercial 5 Zone: Landscaping <a href="#">COMZ-S9</a></p>	
<p><b>Applicable Spatial Layers</b></p> <p>Commercial 1, 2, 3 4 and 6 Zones</p>	<p><b>4. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>The activity is neither:</p> <ul style="list-style-type: none"> <li>a. Maintenance and repair;</li> <li>b. An alteration involving <ul style="list-style-type: none"> <li>i. Less than 25m<sup>2</sup> of any street facing building facades; and</li> <li>ii. Less than 100m<sup>2</sup> of any non-street facing building façade; nor</li> </ul> </li> <li>c. Additions of less than 100m<sup>2</sup> of floor area and not located on a street facing building façade.</li> </ul> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. Height <a href="#">COMZ-S1</a>;</li> <li>b. Yards <a href="#">COMZ-S2</a>;</li> <li>c. Parking, access and turning <a href="#">COMZ-S6</a>;</li> <li>d. Commercial 1, 2 and 3 Zones: Commercial Glazing <a href="#">COMZ-S7</a>;</li> <li>e. Commercial 1, 2, 3 and 6 Zones: Verandahs <a href="#">COMZ-S8</a>.</li> </ul> <p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. Building design and site layout <a href="#">COMZ-MD1</a>;</li> <li>b. Natural hazards <a href="#">COMZ-MD4</a>;</li> <li>c. Parking, access and turning <a href="#">COMZ-MD5</a>; and</li> <li>d. Financial contributions <a href="#">COMZ-MD6</a>.</li> </ul> <p><b>Notification:</b></p> <p>An application will be considered without public or limited notification or the need to obtain written approval from affected parties, unless the Council decides that special circumstances exist under the Resource Management Act 1991</p>	<p><b>5. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <ul style="list-style-type: none"> <li>a. Compliance is not achieved with the performance standards in COMZ-R2(2).</li> </ul> <p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. The extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion;</li> <li>b. Height – specific non-compliance matters <a href="#">COMZ-MDA</a>;</li> <li>c. Building design and site layout <a href="#">COMZ-MD1</a>;</li> <li>d. Natural hazards <a href="#">COMZ-MD4</a>;</li> <li>e. Parking, access and turning <a href="#">COMZ-MD5</a>; and</li> <li>f. Financial contributions <a href="#">COMZ-MD6</a>.</li> </ul>
<b>COMZ-R3</b>	<b>New buildings</b>	[6.5(6)]
<p><b>Applicable Spatial Layers</b></p> <p>Commercial 5 Zone</p>	<p><b>1 Activity Status:</b> Permitted</p> <p><b>Performance Standards</b></p> <ul style="list-style-type: none"> <li>a. Height <a href="#">COMZ-S1</a>;</li> <li>b. Yards <a href="#">COMZ-S2</a>;</li> </ul>	<p><b>3. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance not achieved with the performance standards in COMZ-R3(1) or (2).</p>

	<ul style="list-style-type: none"> <li>c. Parking, access and turning <a href="#">COMZ-S6</a>;</li> <li>d. Commercial 1, 2 and 3 Zones: Glazing <a href="#">COMZ-S7</a>;</li> <li>e. Commercial 1, 2, 3, and 6 Zones: Verandahs <a href="#">COMZ-S8</a>; and</li> <li>f. Landscaping <a href="#">COMZ-S9</a>.</li> </ul>	<p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. The extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion;</li> <li>b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites;</li> <li>c. How the activity provides more efficient and practical use of the remainder of the site;</li> <li>d. Height – specific non-compliance matters <a href="#">COMZ-MDA</a>;</li> <li>e. Building design and site layout <a href="#">COMZ-MD1</a>;</li> <li>f. Natural hazards <a href="#">COMZ-MD4</a>;</li> <li>g. Sites adjacent to heritage structures <a href="#">COMZ-MD5A</a>;</li> <li>h. Parking, access and turning <a href="#">COMZ-MD5</a>; and</li> <li>i. Financial contributions <a href="#">COMZ-MD6</a>.</li> </ul>
<p><b>Applicable Spatial Layers</b></p> <p>Commercial 1, 2, 3, 4, and 6 Zones</p>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. Height <a href="#">COMZ-S1</a>;</li> <li>b. Yards <a href="#">COMZ-S2</a>;</li> <li>c. Commercial 4 Zone (Mountain Road): Site coverage <a href="#">COMZ-S3</a>;</li> <li>d. Servicing <a href="#">COMZ-S6A</a>;</li> <li>e. Parking, access and turning <a href="#">COMZ-S6</a>;</li> <li>f. Commercial 1, 2, and 3 Zone: Glazing <a href="#">COMZ-S7</a>; and</li> <li>g. Commercial 1, 2, 3 and 6 Zones: Verandahs <a href="#">COMZ-S8</a>.</li> </ul> <p><b>Matters of Discretion</b></p> <ul style="list-style-type: none"> <li>a. Building design and site layout <a href="#">COMZ-MD1</a>;</li> <li>b. Natural hazards <a href="#">COMZ-MD4</a>;</li> <li>c. Sites adjoining historic heritage structures <a href="#">COMZ-MD5A</a>;</li> <li>d. Parking, access and turning <a href="#">COMZ-MD5</a>; and</li> <li>e. Financial contributions <a href="#">COMZ-MD6</a>.</li> </ul> <p><b>Notification:</b></p> <p>An application will be considered without public or limited notification or the need to obtain written approval from affected parties, unless the Council decides that special circumstances exist under the Resource Management Act 1991</p>	
<b>Retail</b>		
<b>COMZ-R4</b>	<b>Takeaway food facilities</b>	[6.5(8)]
<p><b>Applicable Spatial Layers</b></p> <p>Commercial 1, 2, 3, and 6 Zones</p>	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. Height <a href="#">COMZ-S1</a>;</li> <li>b. Yards <a href="#">COMZ-S2</a>;</li> <li>c. Parking, access and turning <a href="#">COMZ-S6</a>;</li> </ul>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance not achieved with the performance standards in COMZ-R4(1).</p> <p><b>Matters of Discretion:</b></p>

	<p>d. Glazing <a href="#">COMZ-S7</a>; and</p> <p>e. Verandahs <a href="#">COMZ-S8</a>.</p>	<p>a. The extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion;</p> <p>b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites;</p> <p>c. How the activity provides more efficient and practical use of the remainder of the site;</p> <p>d. Natural hazards <a href="#">COMZ-MD4</a>; and</p> <p>e. Financial contributions <a href="#">COMZ-MD6</a>.</p>
<p><b>Applicable Spatial Layers</b></p> <p>Commercial 4 and 5 Zones</p>	<p><b>3. Activity Status:</b> Discretionary</p> <p><b>Assessment Criteria:</b></p> <p>a. General <a href="#">COMZ-AC1</a></p>	
<p><b>COMZ-R5 Restaurants</b></p>		<p>[6.5(9)]</p> <p>6.5(12)]</p>
<p><b>Applicable Spatial Layers</b></p> <p>Commercial 1, 2, 4 and 5 Zones</p>	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Performance Standards:</b></p> <p>a. Restaurants in Commercial 4 or 5 Zones are within tourist accommodation or associated with tourism recreational activities.</p> <p>b. Height <a href="#">COMZ-S1</a>;</p> <p>c. Yards <a href="#">COMZ-S2</a>;</p> <p>d. Commercial 4 Zone (Mountain Road): Site coverage <a href="#">COMZ-S3</a></p> <p>e. /Parking, access and turning <a href="#">COMZ-S6</a>;</p> <p>f. Commercial 1 and 2 Zones: Glazing <a href="#">COMZ-S7</a>;</p> <p>g. Commercial 1 and 2 Zones: Verandahs <a href="#">COMZ-S8</a>; and</p> <p>h. Commercial 5 Zone: Landscaping <a href="#">COMZ-S9</a>.</p>	<p><b>3. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance not achieved with the performance standards in COMZ-R5(1)(b) to (h) or (2).</p> <p><b>Matters of Discretion:</b></p> <p>a. The extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion;</p> <p>b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites;</p> <p>c. How the activity provides more efficient and practical use of the remainder of the site;</p> <p>d. The extent to which the new activities would result in social, economic and cumulative adverse effects on the commercial and community services and facilities of the city centre as a whole;</p> <p>e. The extent to which the new activities would result in a significant adverse effect on the character, heritage and amenity values of the city centre;</p>
<p><b>Applicable Spatial Layers</b></p> <p>Commercial 5 Zone</p>	<p><b>2. Activity Status:</b> Controlled</p> <p><b>Where:</b></p> <p>Compliance not achieved with the performance standards in COMZ-R5(1)(a).</p> <p><b>Performance Standards:</b></p> <p>a. Height <a href="#">COMZ-S1</a>;</p> <p>b. Yards <a href="#">COMZ-S2</a>;</p>	

	<p>c. Parking, access and turning <a href="#">COMZ-S6</a>; and</p> <p>d. Commercial 5 Zone: Landscaping <a href="#">COMZ-S9</a>.</p> <p><b>Matters of Control:</b></p> <p>a. Mitigation of effects of noise and lighting in relation to adjacent sites zoned Residential or Rural, including hours of operation;</p> <p>b. Building design, amenity <a href="#">COMZ-MC1</a>;</p> <p>c. Natural hazards <a href="#">COMZ-MC2</a>;</p> <p>d. Parking, access and turning <a href="#">COMZ-MC3</a>; and</p> <p>e. Financial contributions <a href="#">COMZ-MC4</a>.</p>	<p>f. Whether a traffic impact assessment is required;</p> <p>g. Access, on-site parking, queuing and turning areas are designed and located to provide efficient circulation on site and avoid potential adverse effects on adjoining sites, the safety of pedestrians and the safe and efficient functioning of the road network;</p> <p>h. Building design and landscaping provided within the front yard to enhance the amenity values of the city entranceway and streetscape;</p> <p>i. Natural hazards <a href="#">COMZ-MD4</a>; and</p> <p>j. Financial contributions <a href="#">COMZ-MD6</a>.</p>
<p><b>Applicable Spatial Layers</b></p> <p>Commercial 3 Zone</p>	<p><b>4. Activity Status:</b> Restricted Discretionary</p> <p><b>Matters of Discretion:</b></p> <p>a. In instances where one or more of the performance standards for the zone are not met, the extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the relevant objectives and policies;</p> <p>b. The extent to which the new activities would result in social, economic and cumulative adverse effects on the commercial and community services and facilities of the city centre as a whole.</p> <p>c. The extent to which the new activities would result in a significant adverse effect on the character, heritage and amenity values of the city centre;</p> <p>d. Whether a traffic impact assessment is required;</p> <p>e. Access, on-site parking, queuing and turning areas are designed and located to provide efficient circulation on site and avoid potential adverse effects on adjoining sites, the safety of pedestrians and the safe and efficient functioning of the road network;</p> <p>f. Building design and landscaping provided within the front yard to enhance the amenity values of the city entranceway and streetscape;</p> <p>g. Natural hazards <a href="#">COMZ-MD4</a>; and</p> <p>h. Financial contributions <a href="#">COMZ-MD6</a>.</p>	
<p><b>Applicable Spatial Layers</b></p> <p>Commercial 4 Zone</p>	<p><b>5. Activity Status:</b> Non-Complying</p> <p><b>Where:</b></p> <p>a. Compliance not achieved with the performance standards in COMZ-R5(1)(a).</p>	
<p><b>Applicable Spatial Layers</b></p> <p>Commercial 6 Zone</p>	<p><b>6. Activity Status:</b> Non-Complying</p>	

<b>COMZ-R6 Convenience retail</b>		[6.5(10)]
<b>Applicable Spatial Layers</b> Commercial 1, 2 and 3 Zones	<b>1. Activity Status:</b> Permitted <b>Performance Standards:</b> <ol style="list-style-type: none"> <li>Height <a href="#">COMZ-S1</a>;</li> <li>Yards <a href="#">COMZ-S2</a>;</li> <li>Parking, access and turning <a href="#">COMZ-S6</a>;</li> <li>Glazing <a href="#">COMZ-S7</a>; and</li> <li>Verandahs <a href="#">COMZ-S8</a>.</li> </ol>	<b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance not achieved with the performance standards in COMZ-R6(1). <b>Matters of Discretion:</b> <ol style="list-style-type: none"> <li>The extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion;</li> <li>How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites;</li> <li>How the activity provides more efficient and practical use of the remainder of the site;</li> <li>Natural hazards <a href="#">COMZ-MD4</a>; and</li> <li>Financial contributions <a href="#">COMZ-MD6</a>.</li> </ol>
<b>Applicable Spatial Layers</b> Commercial 6 Zone	<b>3. Activity Status:</b> Discretionary <b>Assessment Criteria:</b> <ol style="list-style-type: none"> <li>General <a href="#">COMZ-AC1</a></li> </ol>	
<b>Applicable Spatial Layers</b> Commercial 4 and 5 Zones	<b>4. Activity Status:</b> Non-Complying	
<b>COMZ-R7 Retail shops</b>		[6.5(13) and (15)]
<b>Applicable Spatial Layers</b> Commercial 1, 4 and 5 Zones	<b>1. Activity Status:</b> Permitted <b>Performance Standards:</b> <ol style="list-style-type: none"> <li>Commercial 4 Zone and Commercial 5 Zones: the shop is a tourist shop within tourist accommodation or associated with tourism recreational activities</li> <li>Height <a href="#">COMZ-S1</a>;</li> <li>Yards <a href="#">COMZ-S2</a>;</li> <li>Commercial 4 Zone (Mountain Road): Site coverage <a href="#">COMZ-S3</a></li> <li>Parking, access and turning <a href="#">COMZ-S6</a>;</li> <li>Commercial 1 Zone: Glazing <a href="#">COMZ-S7</a>;</li> </ol>	<b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance not achieved with the performance standards in COMZ-R7(1)(b) to (h). <b>Matters of Discretion:</b> <ol style="list-style-type: none"> <li>The extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion;</li> <li>How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites;</li> </ol>

	<p>g. Commercial 1 Zone: Verandahs <a href="#">COMZ-S8</a>; and</p> <p>h. Commercial 5 Zone: Landscaping <a href="#">COMZ-S9</a>.</p>	<p>c. How the activity provides more efficient and practical use of the remainder of the site;</p> <p>d. Natural hazards <a href="#">COMZ-MD4</a>; and</p> <p>e. Financial contributions <a href="#">COMZ-MD6</a>.</p>
<b>Applicable Spatial Layers</b> Commercial 4 and 5 Zones	<p><b>3. Activity Status:</b> Non-Complying</p> <p><b>Where:</b></p> <p>Compliance not achieved with the performance standards in COMZ-R7(1)(a).</p>	
<b>Applicable Spatial Layers</b> Commercial 2, 3 and 6 Zones	<p><b>4. Activity Status:</b> Non Complying</p>	
<b>COMZ-R8 Day spas</b>		[6.5(13)(a)]
<b>Applicable Spatial Layers</b> Commercial 1 Zone	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Where:</b></p> <p>The activity is under 400m<sup>2</sup> ground floor area</p> <p><b>Performance Standards:</b></p> <p>a. Height <a href="#">COMZ-S1</a>;</p> <p>b. Yards <a href="#">COMZ-S2</a>;</p> <p>c. Parking, access and turning <a href="#">COMZ-S6</a>;</p> <p>d. Glazing <a href="#">COMZ-S7</a>; and</p> <p>e. Verandahs <a href="#">COMZ-S8</a>.</p>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance not achieved with the performance standards in COMZ-R8(1).</p> <p><b>Matters of Discretion:</b></p> <p>a. The extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion;</p> <p>b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites;</p> <p>c. How the activity provides more efficient and practical use of the remainder of the site;</p> <p>d. Natural hazards <a href="#">COMZ-MD4</a>; and</p> <p>e. Financial contributions <a href="#">COMZ-MD6</a>.</p>
<b>Applicable Spatial Layers</b> Commercial 2, 3, 4, 5 and 6 Zone	<p><b>3. Activity Status:</b> Non Complying</p>	
<b>COMZ-R9 Ancillary retail</b>		[6.5(14)]
<b>Applicable Spatial Layers</b> All Commercial	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Performance Standards:</b></p> <p>a. Height <a href="#">COMZ-S1</a>;</p>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance not achieved with the performance standards in COMZ-R9(1).</p>



Zones	<ul style="list-style-type: none"> <li>b. Yards <a href="#">COMZ-S2</a>;</li> <li>c. Commercial 4 Zone (Mountain Road): Site coverage <a href="#">COMZ-S3</a></li> <li>d. Parking, access and turning <a href="#">COMZ-S6</a>;</li> <li>e. Commercial 1, 2 and 3 Zones: Glazing <a href="#">COMZ-S7</a>;</li> <li>f. Commercial 1, 2, 3 and 6 Zones: Verandahs <a href="#">COMZ-S8</a>; and</li> <li>g. Commercial 5 Zone: Landscaping <a href="#">COMZ-S9</a>.</li> </ul>	<p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. The extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion;</li> <li>b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites;</li> <li>c. How the activity provides more efficient and practical use of the remainder of the site;</li> <li>d. Natural hazards <a href="#">COMZ-MD4</a>; and</li> <li>e. Financial contributions <a href="#">COMZ-MD6</a>.</li> </ul>
<b>COMZ-R10 Offices</b>		[6.5(16)]
<p><b>Applicable Spatial Layers</b></p> <p>Commercial 1 Zone</p>	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. Height <a href="#">COMZ-S1</a>;</li> <li>b. Yards <a href="#">COMZ-S2</a>;</li> <li>c. Parking, access and turning <a href="#">COMZ-S6</a>;</li> <li>d. Glazing <a href="#">COMZ-S7</a>; and</li> <li>e. Verandahs <a href="#">COMZ-S8</a>.</li> </ul>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance not achieved with the performance standards in COMZ-R10(1).</p> <p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. The extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion;</li> <li>b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites;</li> <li>c. How the activity provides more efficient and practical use of the remainder of the site;</li> <li>d. Natural hazards <a href="#">COMZ-MD4</a>; and</li> <li>e. Financial contributions <a href="#">COMZ-MD6</a>.</li> </ul>
<p><b>Applicable Spatial Layers</b></p> <p>Commercial 2 Zone</p>	<p><b>3. Activity Status:</b> Discretionary</p> <p><b>Assessment Criteria:</b></p> <ul style="list-style-type: none"> <li>a. General <a href="#">COMZ-AC1</a>.</li> </ul>	
<p><b>Applicable Spatial Layers</b></p> <p>Commercial 3, 4, 5 and 6 Zones</p>	<p><b>4. Activity Status:</b> Non-Complying</p>	

COMZ-R11 Ancillary offices		[6.5(17)]
<b>Applicable Spatial Layers</b> All Commercial Zones	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. Height <a href="#">COMZ-S1</a>;</li> <li>b. Yards <a href="#">COMZ-S2</a>;</li> <li>c. Commercial 4 Zone (Mountain Road): Site coverage <a href="#">COMZ-S3</a>;</li> <li>d. Parking, access and turning <a href="#">COMZ-S6</a>;</li> <li>e. Commercial 1, 2 and 3 Zones: Glazing <a href="#">COMZ-S7</a>;</li> <li>f. Commercial 1, 2, 3 and 6 Zones: Verandahs <a href="#">COMZ-S8</a>; and</li> <li>g. Commercial 5 Zone: Landscaping <a href="#">COMZ-S9</a>.</li> </ul>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance not achieved with the performance standards in COMZ-R11(1).</p> <p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. The extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion;</li> <li>b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites;</li> <li>c. How the activity provides more efficient and practical use of the remainder of the site;</li> <li>d. Natural hazards <a href="#">COMZ-MD4</a>; and</li> <li>e. Financial contributions <a href="#">COMZ-MD6</a>.</li> </ul>
COMZ-R12 Motor vehicle repair garages		[6.5(19)]
<b>Applicable Spatial Layers</b> Commercial 6 Zone	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. Height <a href="#">COMZ-S1</a>;</li> <li>b. Yards <a href="#">COMZ-S2</a>;</li> <li>c. Parking, access and turning <a href="#">COMZ-S6</a>; and</li> <li>d. Verandahs <a href="#">COMZ-S8</a>.</li> </ul>	<p><b>3. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance not achieved with the performance standards in COMZ-R12(1) or (2).</p> <p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. The extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion;</li> <li>b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites;</li> <li>c. How the activity provides more efficient and practical use of the remainder of the site;</li> <li>d. Natural hazards <a href="#">COMZ-MD4</a>; and</li> <li>e. Financial contributions <a href="#">COMZ-MD6</a>.</li> </ul>
<b>Applicable Spatial Layers</b> Commercial 1 and 2 Zones	<p><b>2. Activity Status:</b> Controlled</p> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. Height <a href="#">COMZ-S1</a>;</li> <li>b. Yards <a href="#">COMZ-S2</a>;</li> <li>c. Parking, access and turning <a href="#">COMZ-S6</a>;</li> <li>d. Glazing <a href="#">COMZ-S7</a>; and</li> <li>e. Verandahs <a href="#">COMZ-S8</a>.</li> </ul> <p><b>Matters of Control:</b></p> <ul style="list-style-type: none"> <li>a. Building design, amenity <a href="#">COMZ-MC1</a>;</li> <li>b. Natural hazards <a href="#">COMZ-MC2</a>;</li> <li>c. Parking, access and turning <a href="#">COMZ-MC3</a>; and</li> <li>d. Financial contributions <a href="#">COMZ-MC4</a>.</li> </ul>	

<b>Applicable Spatial Layers</b>  Commercial 3, 4 and 5 Zones	<b>4. Activity Status:</b> Non-Complying	
<b>COMZ-R13 Supermarkets</b>		[6.5(20), 6.5(21)]
<b>Applicable Spatial Layers</b>  All Commercial Zones	<b>1. Activity Status:</b> Permitted  <b>Where:</b>  It is an upgrade of an existing supermarket where this does not exceed the existing building envelope  <b>Performance Standards:</b> a. Height <a href="#">COMZ-S1</a> ; b. Yards <a href="#">COMZ-S2</a> ; c. Commercial 4 Zone (Mountain Road): Site coverage <a href="#">COMZ-S3</a> ; d. Parking, access and turning <a href="#">COMZ-S6</a> ; e. Commercial 1, 2 and 3 Zones: Glazing <a href="#">COMZ-S7</a> ; f. Commercial 1, 2, 3 and 6 Zones: Verandahs <a href="#">COMZ-S8</a> ; and g. Commercial 5 Zone: Landscaping <a href="#">COMZ-S9</a> .	<b>2. Activity Status:</b> Restricted Discretionary  <b>Where:</b>  Compliance not achieved with the performance standards in COMZ-R13(1).  <b>Matters of Discretion:</b> a. The extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion; b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites; c. How the activity provides more efficient and practical use of the remainder of the site; d. Natural hazards <a href="#">COMZ-MD4</a> ; and e. Financial contributions <a href="#">COMZ-MD6</a> .
<b>Applicable Spatial Layers</b>  Commercial 1 and 2 Zones	<b>3. Activity Status:</b> Restricted Discretionary  <b>Matters of Discretion:</b> a. In instances where one or more of the performance standards for the zone are not met, the extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the relevant objectives and policies; b. The extent to which the new activities would result in social, economic and cumulative adverse effects on the commercial and community services and facilities of the city centre as a whole; c. The extent to which the new activities would result in a significant adverse effect on the character, heritage and amenity values of the city centre; d. Whether a traffic impact assessment is required; e. Access, on-site parking, queuing and turning areas are designed and located to provide efficient circulation on site and avoid potential adverse effects on adjoining sites, the safety of pedestrians and the safe and efficient functioning of the road network; f. Building design and landscaping provided within the front yard to enhance the amenity values of the city entranceway and streetscape; and g. Natural hazards <a href="#">COMZ-MD4</a> ; h. Financial contributions <a href="#">COMZ-MD6</a>	

<b>Applicable Spatial Layers</b> Commercial 3, 4, 5 and 6 Zones	<b>4. Activity Status:</b> Non-Complying	
<b>COMZ-R14</b>	<b>Trade retail</b>	[6.5(23)]
<b>Applicable Spatial Layers</b> Commercial 6 Zone	<b>1. Activity Status:</b> Permitted <b>Performance Standards:</b> <ul style="list-style-type: none"> <li>a. Height <a href="#">COMZ-S1</a>;</li> <li>b. Yards <a href="#">COMZ-S2</a>;</li> <li>c. Parking, access and turning <a href="#">COMZ-S6</a>; and</li> <li>d. Verandahs <a href="#">COMZ-S8</a>.</li> </ul>	<b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance not achieved with the performance standards in COMZ-R14(1). <b>Matters of Discretion:</b> <ul style="list-style-type: none"> <li>a. The extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion;</li> <li>b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites;</li> <li>c. How the activity provides more efficient and practical use of the remainder of the site; and</li> <li>d. Natural hazards <a href="#">COMZ-MD4</a>; and</li> <li>e. Financial contributions <a href="#">COMZ-MD6</a>.</li> </ul>
<b>Applicable Spatial Layers</b> Commercial 1, 2, 3, 4 and 5 Zones	<b>3. Activity Status:</b> Non-Complying	
<b>COMZ-R15</b>	<b>Garden centres</b>	[6.5(24)]
<b>Applicable Spatial Layers</b> Commercial 6 Zone	<b>1. Activity Status:</b> Permitted <b>Performance Standards:</b> <ul style="list-style-type: none"> <li>a. Height <a href="#">COMZ-S1</a>;</li> <li>b. Parking, access and turning <a href="#">COMZ-S6</a>; and</li> <li>c. Verandahs <a href="#">COMZ-S8</a>.</li> </ul>	<b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance not achieved with the performance standards in COMZ-R15(1). <b>Matters of Discretion:</b> <ul style="list-style-type: none"> <li>a. The extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion;</li> <li>b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites;</li> </ul>

		<ul style="list-style-type: none"> <li>c. How the activity provides more efficient and practical use of the remainder of the site;</li> <li>d. Natural hazards <a href="#">COMZ-MD4</a>; and</li> <li>e. Financial contributions <a href="#">COMZ-MD6</a>.</li> </ul>
<b>Applicable Spatial Layers</b> Commercial 1, 2, 3, 4 and 5 Zones	<b>3. Activity Status:</b> Discretionary <b>Assessment Criteria:</b> <ul style="list-style-type: none"> <li>a. General <a href="#">COMZ-AC1</a>.</li> </ul>	
<b>COMZ-R16 Service stations including extensions</b>		[6.5(18)]
<b>Applicable Spatial Layers</b> Commercial 6 Zone	<b>1. Activity Status:</b> Controlled <b>Performance Standards:</b> <ul style="list-style-type: none"> <li>a. Height <a href="#">COMZ-S1</a>;</li> <li>b. Yards <a href="#">COMZ-S2</a>;</li> <li>c. Parking, access and turning <a href="#">COMZ-S6</a>; and</li> <li>d. Verandahs <a href="#">COMZ-S8</a>.</li> </ul> <b>Matters of Control:</b> <ul style="list-style-type: none"> <li>a. Building design, amenity <a href="#">COMZ-MC1</a>;</li> <li>b. Natural hazards <a href="#">COMZ-MC2</a>;</li> <li>c. Parking, access and turning <a href="#">COMZ-MC3</a>; and</li> <li>d. Financial contributions <a href="#">COMZ-MC4</a>.</li> </ul>	<b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance not achieved with the performance standards in COMZ-R16(1). <b>Matters of Discretion:</b> <ul style="list-style-type: none"> <li>a. The extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion;</li> <li>b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites;</li> <li>c. How the activity provides more efficient and practical use of the remainder of the site;</li> <li>d. Service stations and drive through restaurants <a href="#">COMZ-MD2</a>;</li> <li>e. Natural hazards <a href="#">COMZ-MD4</a>; and</li> <li>f. Financial contributions <a href="#">COMZ-MD6</a>.</li> </ul>
<b>Applicable Spatial Layers</b> Commercial 1 and 2 Zones	<b>3. Activity Status:</b> Restricted Discretionary <b>Matters of Discretion:</b> <ul style="list-style-type: none"> <li>a. In instances where one or more of the performance standards for the zone are not met, the extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the relevant objectives and policies;</li> <li>b. Service stations and drive through restaurants <a href="#">COMZ-MD3</a>;</li> <li>c. Natural hazards <a href="#">COMZ-MD4</a>; and</li> <li>d. Financial contributions <a href="#">COMZ-MD6</a>.</li> </ul>	
<b>Applicable Spatial Layers</b> Commercial 3, 4 and 5 Zones	<b>4. Activity Status:</b> Non-Complying	

<b>COMZ-R17 Drive-through restaurants</b>		[6.5(11)]
<b>Applicable Spatial Layers</b> Commercial 6 Zone	<p><b>1. Activity Status:</b> Controlled</p> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. Height <a href="#">COMZ-S1</a>;</li> <li>b. Yards <a href="#">COMZ-S2</a>;</li> <li>c. Parking, access and turning <a href="#">COMZ-S6</a>; and</li> <li>d. Verandahs <a href="#">COMZ-S8</a>.</li> </ul> <p><b>Matters of Control:</b></p> <ul style="list-style-type: none"> <li>a. Building design, amenity <a href="#">COMZ-MC1</a>;</li> <li>b. Natural hazards <a href="#">COMZ-MC2</a>;</li> <li>c. Parking, access and turning <a href="#">COMZ-MC3</a>; and</li> <li>d. Financial contributions <a href="#">COMZ-MC4</a>.</li> </ul>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance not achieved with the performance standards in COMZ-R17(1).</p> <p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. The extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion;</li> <li>b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites;</li> <li>c. How the activity provides more efficient and practical use of the remainder of the site;</li> <li>d. Service stations and drive through restaurants <a href="#">COMZ-MD2</a>; and</li> <li>e. Natural hazards <a href="#">COMZ-MD4</a>;</li> <li>f. Financial contributions <a href="#">COMZ-MD6</a>.</li> </ul>
<b>Applicable Spatial Layers</b> Commercial 1 and 2 Zones	<p><b>3. Activity Status:</b> Restricted Discretionary</p> <p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. In instances where one or more of the performance standards for the zone are not met, the extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the relevant objectives and policies;</li> <li>b. Natural hazards <a href="#">COMZ-MD4</a>;</li> <li>c. Service stations and drive through restaurants <a href="#">COMZ-MD3</a>; and</li> <li>d. Financial contributions <a href="#">COMZ-MD6</a>.</li> </ul>	
<b>Applicable Spatial Layers</b> Commercial 3 and 4 Zones	<p><b>4. Activity Status:</b> Discretionary</p> <p><b>Assessment Criteria:</b></p> <ul style="list-style-type: none"> <li>a. General <a href="#">COMZ-AC1</a></li> </ul>	
<b>Applicable Spatial Layers</b> Commercial 5 Zone	<p><b>5. Activity Status:</b> Non Complying</p>	
<b>COMZ-R18 Taverns</b>		[6.5(22)]
<b>Applicable Spatial Layers</b> Commercial 1, 2 and 6 Zones	<p><b>1. Activity Status:</b> Discretionary</p> <p><b>Assessment Criteria:</b></p> <ul style="list-style-type: none"> <li>a. General <a href="#">COMZ-AC1</a>.</li> </ul>	

<b>Applicable Spatial Layers</b>  Commercial 3, 4 and 5 Zones	<b>2. Activity Status:</b> Non-Complying	
<b>Tourism</b>		
<b>COMZ-R19 Bed and breakfast</b>		[6.5(25)]
<b>Applicable Spatial Layers</b>  Commercial 4 Zone	<b>1. Activity Status:</b> Permitted <b>Performance Standards:</b>  a. Height <a href="#">COMZ-S1</a> ; b. Yards <a href="#">COMZ-S2</a> ; and c. Commercial 4 Zone (Mountain Road): Site coverage <a href="#">COMZ-S3</a> ; and d. Parking, access and turning <a href="#">COMZ-S6</a> .	<b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b>  Compliance not achieved with the performance standards in COMZ-R19(1). <b>Matters of Discretion:</b>  a. The extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion; b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites; c. How the activity provides more efficient and practical use of the remainder of the site; and d. Natural hazards <a href="#">COMZ-MD4</a> ; and e. Financial contributions <a href="#">COMZ-MD6</a> .
<b>Applicable Spatial Layers</b>  Commercial 1 Zone	<b>3. Activity Status:</b> Discretionary <b>Assessment Criteria:</b>  a. General <a href="#">COMZ-AC1</a> .	
<b>Applicable Spatial Layers</b>  Commercial 2, 3, 5 and 6 Zones	<b>4. Activity Status:</b> Non-Complying	
<b>COMZ-R20 Tourist accommodation, including resort spas, other than a bed and breakfast</b>		[6.5(26)]
<b>Applicable Spatial Layers</b>  Commercial 4 Zone	<b>1. Activity Status:</b> Permitted <b>Performance Standards:</b>  a. Height <a href="#">COMZ-S1</a> ; b. Yards <a href="#">COMZ-S2</a> ; c. Commercial 4 Zone (Mountain Road): Site coverage <a href="#">COMZ-S3</a> ; and	<b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b>  Compliance not achieved with the performance standards in COMZ-R20(1). <b>Matters of Discretion:</b>  a. The extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving

	<p>d. Parking, access and turning <a href="#">COMZ-S6</a>.</p>	<p>the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion;</p> <p>b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites;</p> <p>c. How the activity provides more efficient and practical use of the remainder of the site;</p> <p>d. Natural hazards <a href="#">COMZ-MD4</a>; and</p> <p>e. Financial contributions <a href="#">COMZ-MD6</a>.</p>
<p><b>Applicable Spatial Layers</b></p> <p>Commercial 5 Zone</p>	<p><b>3. Activity Status:</b> Discretionary</p> <p><b>Assessment Criteria:</b></p> <p>a. General <a href="#">COMZ-AC1</a></p>	
<p><b>Applicable Spatial Layers</b></p> <p>Commercial 1, 2, 3 and 6 Zones</p>	<p><b>4. Activity Status:</b> Non-Complying</p>	
<p><b>COMZ-R21 Outdoor commercial recreation including the extension of existing and establishment of new walking tracks and associated infrastructure</b></p>		
<p>[6.5(27)]</p>		
<p><b>Applicable Spatial Layers</b></p> <p>Commercial 5 and 6 Zones</p>	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Performance Standards:</b></p> <p>a. Height <a href="#">COMZ-S1</a>;</p> <p>b. Yards <a href="#">COMZ-S2</a>;</p> <p>c. Parking, access and turning <a href="#">COMZ-S6</a>; and</p> <p>d. Commercial 5 Zone: Landscaping <a href="#">COMZ-S9</a>.</p>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance not achieved with the performance standards in COMZ-R21(1).</p> <p><b>Matters of Discretion:</b></p> <p>a. The extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion;</p> <p>b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites;</p> <p>c. How the activity provides more efficient and practical use of the remainder of the site;</p> <p>d. Natural hazards <a href="#">COMZ-MD4</a>; and</p> <p>e. Financial contributions <a href="#">COMZ-MD6</a>.</p>



<b>Applicable Spatial Layers</b> Commercial 1, 2, 3 and 4 Zones	<b>3. Activity Status:</b> Non-Complying	
<b>COMZ-R22 Indoor commercial recreation</b>		[6.5(28)]
<b>Applicable Spatial Layers</b> Commercial 5 and 6 Zones	<b>1. Activity Status:</b> Permitted <b>Performance Standards:</b> <ol style="list-style-type: none"> <li>Height <a href="#">COMZ-S1</a>;</li> <li>Yards <a href="#">COMZ-S2</a>;</li> <li>Parking, access and turning <a href="#">COMZ-S6</a>;</li> <li>Commercial 6 Zone: Verandahs <a href="#">COMZ-S8</a>; and</li> <li>Commercial 5 Zone: Landscaping <a href="#">COMZ-S9</a>.</li> </ol>	<b>3. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance not achieved with the performance standards in COMZ-R22(1) or (2). <b>Matters of Discretion:</b> <ol style="list-style-type: none"> <li>The extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion;</li> <li>How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites;</li> <li>How the activity provides more efficient and practical use of the remainder of the site;</li> <li>Natural hazards <a href="#">COMZ-MD4</a>; and</li> <li>Financial contributions <a href="#">COMZ-MD6</a>.</li> </ol>
<b>Applicable Spatial Layers</b> Commercial 1 and 2 Zones	<b>2. Activity Status:</b> Controlled <b>Performance Standards:</b> <ol style="list-style-type: none"> <li>Height <a href="#">COMZ-S1</a>;</li> <li>Yards <a href="#">COMZ-S2</a>;</li> <li>Parking, access and turning <a href="#">COMZ-S6</a>;</li> <li>Glazing <a href="#">COMZ-S7</a>; and</li> <li>Verandahs <a href="#">COMZ-S8</a>.</li> </ol> <b>Matters of Control:</b> <ol style="list-style-type: none"> <li>Building design, amenity <a href="#">COMZ-MC1</a>;</li> <li>Natural hazards <a href="#">COMZ-MC2</a>;</li> <li>Parking, access and turning <a href="#">COMZ-MC3</a>; and</li> <li>Financial contributions <a href="#">COMZ-MC4</a>.</li> </ol>	
<b>Applicable Spatial Layers</b> Commercial 3 and 4 Zones	<b>4. Activity Status:</b> Non-Complying	
<b>COMZ-R23 Cinemas or theatres</b>		[6.5(29)]
<b>Applicable Spatial Layers</b> Commercial 1 Zone	<b>1. Activity Status:</b> Controlled <b>Performance Standards:</b> <ol style="list-style-type: none"> <li>Height <a href="#">COMZ-S1</a>;</li> <li>Yards <a href="#">COMZ-S2</a>;</li> <li>Parking, access and turning <a href="#">COMZ-S6</a>;</li> <li>Glazing <a href="#">COMZ-S7</a>; and</li> </ol>	<b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance not achieved with the performance standards in COMZ-R23(1). <b>Matters of Discretion:</b> <ol style="list-style-type: none"> <li>The extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving</li> </ol>

	<p>e. Verandahs <a href="#">COMZ-S8</a>.</p> <p><b>Matters of Control:</b></p> <p>a. Building design, amenity <a href="#">COMZ-MC1</a>;</p> <p>b. Natural hazards <a href="#">COMZ-MC2</a>;</p> <p>c. Parking, access and turning <a href="#">COMZ-MC3</a>; and</p> <p>d. Financial contributions <a href="#">COMZ-MC4</a>.</p>	<p>the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion;</p> <p>b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites;</p> <p>c. How the activity provides more efficient and practical use of the remainder of the site;</p> <p>d. Natural hazards <a href="#">COMZ-MD4</a>; and</p> <p>e. Financial contributions <a href="#">COMZ-MD6</a>.</p>
<p><b>Applicable Spatial Layers</b></p> <p>Commercial 2, 3, 4, 5 and 6 Zones</p>	<p><b>3. Activity Status:</b> Non-Complying</p>	
<p><b>Community</b></p>		
<p><b>COMZ-R24 Community housing</b></p>		<p>[6.5(31)]</p>
<p><b>Applicable Spatial Layers</b></p> <p>Commercial 4 Zone</p>	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Performance Standards:</b></p> <p>a. Height <a href="#">COMZ-S1</a>;</p> <p>b. Yards <a href="#">COMZ-S2</a>;</p> <p>c. Commercial 4 Zone (Mountain Road): Site coverage <a href="#">COMZ-S3</a>;</p> <p>d. Residential unit design and landscaping <a href="#">COMZ-S5</a>; and</p> <p>e. Parking, access and turning <a href="#">COMZ-S6</a>.</p>	<p><b>3. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance not achieved with the performance standards in COMZ-R24(1) or (2).</p> <p><b>Matters of Discretion:</b></p> <p>a. The extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion;</p> <p>b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites;</p> <p>c. How the activity provides more efficient and practical use of the remainder of the site;</p> <p>d. Residential units - specific non-compliance matters <a href="#">COMZ-MD3</a>;</p> <p>e. Natural hazards <a href="#">COMZ-MD4</a>; and</p> <p>f. Financial contributions <a href="#">COMZ-MD6</a>.</p>
<p><b>Applicable Spatial Layers</b></p> <p>Commercial 1 and 2 Zones</p>	<p><b>2. Activity Status:</b> Controlled</p> <p><b>Performance Standards:</b></p> <p>a. Height <a href="#">COMZ-S1</a>;</p> <p>b. Yards <a href="#">COMZ-S2</a>;</p> <p>c. Residential unit design and landscaping <a href="#">COMZ-S5</a>;</p> <p>d. Parking, access and turning <a href="#">COMZ-S6</a>;</p> <p>e. Glazing <a href="#">COMZ-S7</a>; and</p> <p>f. Verandahs <a href="#">COMZ-S8</a>.</p> <p><b>Matters of Control:</b></p> <p>a. Mitigation of adverse effects in relation to adjacent sites zoned Residential;</p>	

	<ul style="list-style-type: none"> <li>b. Provision of private outdoor space and outlook, especially to the north, east or west;</li> <li>c. Building design, amenity <a href="#">COMZ-MC1</a>;</li> <li>d. Natural hazards <a href="#">COMZ-MC2</a>;</li> <li>e. Parking, access and turning <a href="#">COMZ-MC3</a>; and</li> <li>f. Financial contributions <a href="#">COMZ-MC4</a>.</li> </ul>	
<b>Applicable Spatial Layers</b> Commercial 3 Zone	<b>4. Activity Status:</b> Discretionary <b>Assessment Criteria:</b> <ul style="list-style-type: none"> <li>a. General <a href="#">COMZ-AC1</a></li> </ul>	
<b>Applicable Spatial Layers</b> Commercial 5 and 6 Zones	<b>5. Activity Status:</b> Non-Complying	
<b>COMZ-R25 Medical centres</b>		[6.5(32)]
<b>Applicable Spatial Layers</b> Commercial 1, 2 and 6 Zones	<b>1. Activity Status:</b> Permitted <b>Performance Standards:</b> <ul style="list-style-type: none"> <li>a. Height <a href="#">COMZ-S1</a>;</li> <li>b. Yards <a href="#">COMZ-S2</a>;</li> <li>c. Parking, access and turning <a href="#">COMZ-S6</a>;</li> <li>d. Commercial 1 and 2 Zones: Glazing <a href="#">COMZ-S7</a>; and</li> <li>e. Verandahs <a href="#">COMZ-S8</a>.</li> </ul>	<b>3. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance not achieved with the performance standards in COMZ-R25(1) or (2). <b>Matters of Discretion:</b> <ul style="list-style-type: none"> <li>a. The extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion;</li> <li>b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites;</li> <li>c. How the activity provides more efficient and practical use of the remainder of the site;</li> <li>d. Natural hazards <a href="#">COMZ-MD4</a>; and</li> <li>e. Financial contributions <a href="#">COMZ-MD6</a>.</li> </ul>
<b>Applicable Spatial Layers</b> Commercial 3 Zone	<b>2. Activity Status:</b> Controlled <b>Performance Standards:</b> <ul style="list-style-type: none"> <li>a. Height <a href="#">COMZ-S1</a>;</li> <li>b. Yards <a href="#">COMZ-S2</a>;</li> <li>c. Parking, access and turning <a href="#">COMZ-S6</a>;</li> <li>d. Commercial 1 and 2 Zones: Glazing <a href="#">COMZ-S7</a>; and</li> <li>e. Verandahs <a href="#">COMZ-S8</a>.</li> </ul> <b>Matters of Control:</b> <ul style="list-style-type: none"> <li>a. Building design, amenity <a href="#">COMZ-MC1</a>;</li> <li>b. Natural hazards <a href="#">COMZ-MC2</a>;</li> <li>c. Parking, access and turning <a href="#">COMZ-MC3</a>; and</li> <li>d. Financial contributions <a href="#">COMZ-MC4</a>.</li> </ul>	

<b>Applicable Spatial Layers</b> Commercial 4 Zone	<b>4. Activity Status:</b> Discretionary <b>Assessment Criteria:</b> <ol style="list-style-type: none"> <li>General <a href="#">COMZ-AC1</a></li> </ol>	
<b>Applicable Spatial Layers</b> Commercial 5 Zone	<b>5. Activity Status:</b> Non-Complying	
<b>COMZ-R26 Daycare centres</b>		[6.5(34)]
<b>Applicable Spatial Layers</b> Commercial 1 and 2 Zones	<b>1. Activity Status:</b> Permitted <b>Performance Standards:</b> <ol style="list-style-type: none"> <li>Height <a href="#">COMZ-S1</a>;</li> <li>Yards <a href="#">COMZ-S2</a>;</li> <li>Parking, access and turning <a href="#">COMZ-S6</a>;</li> <li>Glazing <a href="#">COMZ-S7</a>; and</li> <li>Verandahs <a href="#">COMZ-S8</a>.</li> </ol>	<b>3. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance not achieved with the performance standards in COMZ-R26(1) or (2). <b>Matters of Discretion:</b> <ol style="list-style-type: none"> <li>The extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion;</li> <li>How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites;</li> <li>How the activity provides more efficient and practical use of the remainder of the site;</li> <li>Number of children and staff on site at any one time;</li> <li>Hours of operation;</li> <li>Provision for adequate parking, where required, and safe access to and from the centre;</li> <li>Site layout and location of outdoor play areas in relation to adjacent activities;</li> <li>Landscaping and fencing;</li> <li>Natural hazards <a href="#">COMZ-MD4</a>; and</li> <li>Financial contributions <a href="#">COMZ-MD6</a>.</li> </ol>
<b>Applicable Spatial Layers</b> Commercial 3 Zones	<b>2. Activity Status:</b> Controlled <b>Performance Standards:</b> <ol style="list-style-type: none"> <li>Height <a href="#">COMZ-S1</a>;</li> <li>Yards <a href="#">COMZ-S2</a>;</li> <li>Parking, access and turning <a href="#">COMZ-S6</a>;</li> <li>Glazing <a href="#">COMZ-S7</a>;</li> <li>Verandahs <a href="#">COMZ-S8</a>; and</li> </ol> <b>Matters of Control:</b> <ol style="list-style-type: none"> <li>Number of children and staff on site at any one time;</li> <li>Mitigation and management of noise in relation to adjacent sites zoned Residential;</li> <li>Hours of operation;</li> <li>Site layout and location of outdoor play areas in relation to zone boundaries;</li> <li>Landscaping and/or fencing of boundaries adjoining sites zoned Residential;</li> <li>Building design, amenity <a href="#">COMZ-MC1</a>;</li> <li>Natural hazards <a href="#">COMZ-MC2</a>;</li> <li>Parking, access and turning <a href="#">COMZ-MC3</a>;</li> </ol>	

	<ul style="list-style-type: none"> <li>i. Provision for adequate parking and safe access to and from the centre, where required; and</li> <li>j. Financial contributions <a href="#">COMZ-MC4</a>.</li> </ul>	
<b>Applicable Spatial Layers</b> Commercial 6 Zone	<b>4. Activity status:</b> Restricted Discretionary <b>Matters of Discretion:</b> <ul style="list-style-type: none"> <li>a. In instances where one or more of the performance standards for the zone are not met, the extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the relevant objectives and policies;</li> <li>b. Number of children and staff on site at any one time;</li> <li>c. Hours of operation;</li> <li>d. Provision for adequate parking, where required, and safe access to and from the centre;</li> <li>e. Site layout and location of outdoor play areas in relation to adjacent activities;</li> <li>f. Landscaping and fencing;</li> <li>g. Natural hazards <a href="#">COMZ-MD4</a>; and</li> <li>h. Financial contributions <a href="#">COMZ-MD6</a>.</li> </ul>	
<b>Applicable Spatial Layers</b> Commercial 4 Zone	<b>5. Activity Status:</b> Discretionary <b>Assessment Criteria:</b> <ul style="list-style-type: none"> <li>a. General <a href="#">COMZ-AC1</a></li> </ul>	
<b>Applicable Spatial Layers</b> Commercial 5 Zone	<b>6. Activity Status:</b> Non-Complying	
<b>COMZ-R27 Funeral homes</b>		[6.5(35)]
<b>Applicable Spatial Layers</b> Commercial 6 Zone	<b>1. Activity Status:</b> Permitted <b>Performance Standards:</b> <ul style="list-style-type: none"> <li>a. Height <a href="#">COMZ-S1</a>;</li> <li>b. Yards <a href="#">COMZ-S2</a>;</li> <li>c. Parking, access and turning <a href="#">COMZ-S6</a>; and</li> <li>d. Verandahs <a href="#">COMZ-S8</a>.</li> </ul>	<b>2. Activity status:</b> Restricted Discretionary <b>Where:</b> Compliance not achieved with the performance standards in COMZ-R27(1). <b>Matters of Discretion:</b> <ul style="list-style-type: none"> <li>a. The extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion;</li> <li>b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites;</li> <li>c. How the activity provides more efficient and practical use of the remainder of the site;</li> <li>d. Natural hazards <a href="#">COMZ-MD4</a>; and</li> </ul>

		e. Financial contributions <a href="#">COMZ-MD6</a> .
<b>Applicable Spatial Layers</b> Commercial 1, 2, 3, 4 and 5 Zones	<b>3. Activity Status:</b> Non-Complying	
<b>COMZ-R28</b> Māori cultural training facilities, taonga galleries and museums within the Te Puia site (Section 1 SO390094 and Section 1 SO408975		[6.5(37)]
<b>Applicable Spatial Layers</b> Commercial 5 Zone	<b>1. Activity Status:</b> Permitted <b>Performance Standards:</b> <ol style="list-style-type: none"> <li>Height <a href="#">COMZ-S1</a>;</li> <li>Yards <a href="#">COMZ-S2</a>; and</li> <li>Parking, access and turning <a href="#">COMZ-S6</a>.</li> <li>Commercial 5 Zone: Landscaping <a href="#">COMZ-S9</a>.</li> </ol>	<b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance not achieved with the performance standards in COMZ-R28(1). <b>Matters of Discretion:</b> <ol style="list-style-type: none"> <li>The extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion;</li> <li>How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites;</li> <li>How the activity provides more efficient and practical use of the remainder of the site;</li> <li>Natural hazards <a href="#">COMZ-MD4</a>; and</li> <li>Financial contributions <a href="#">COMZ-MD6</a>.</li> </ol>
<b>COMZ-R29</b> Educational activities		[6.536), 6.5(38)]
<b>Applicable Spatial Layers</b> Commercial 5 Zone	<b>1. Activity Status:</b> Permitted <b>Where:</b> The activity is accessory to onsite tourism activities <b>Performance Standards:</b> <ol style="list-style-type: none"> <li>Height <a href="#">COMZ-S1</a>;</li> <li>Yards <a href="#">COMZ-S2</a>; and</li> <li>Parking, access and turning <a href="#">COMZ-S6</a>.</li> <li>Commercial 5 Zone: Landscaping <a href="#">COMZ-S9</a>.</li> </ol>	<b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance not achieved with the performance standards in COMZ-R29(1). <b>Matters of Discretion:</b> <ol style="list-style-type: none"> <li>The extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion;</li> </ol>

		<ul style="list-style-type: none"> <li>b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites;</li> <li>c. How the activity provides more efficient and practical use of the remainder of the site;</li> <li>d. Natural hazards <a href="#">COMZ-MD4</a>;</li> <li>e. Residential units <a href="#">COMZ-MD4</a>; and</li> <li>f. Financial contributions <a href="#">COMZ-MD6</a>.</li> </ul>
<b>Applicable Spatial Layers</b> Commercial 1, 2, 4, 5 and 6 Zones	<b>3. Activity Status:</b> Discretionary <b>Where:</b> The activity is not otherwise specified. <b>Assessment Criteria:</b> <ul style="list-style-type: none"> <li>a. General <a href="#">COMZ-AC1</a>.</li> </ul>	
<b>Applicable Spatial Layers</b> Commercial 1, 2, 4 and 6 Zones	<b>4. Activity Status:</b> Non-Complying <b>Where:</b> The activity is accessory to onsite tourism activities	
<b>Applicable Spatial Layers</b> Commercial 3 Zone	<b>5. Activity Status:</b> Non-Complying	
<b>COMZ-R30 Community facilities unless otherwise specified</b>		[6.5(30)]
<b>Applicable Spatial Layers</b> Commercial 1 and 2 Zones	<b>1. Activity Status:</b> Controlled <b>Performance Standards:</b> <ul style="list-style-type: none"> <li>a. Height <a href="#">COMZ-S1</a>;</li> <li>b. Yards <a href="#">COMZ-S2</a>;</li> <li>c. Parking, access and turning <a href="#">COMZ-S6</a>;</li> <li>d. Glazing <a href="#">COMZ-S7</a>; and</li> <li>e. Verandahs <a href="#">COMZ-S8</a>.</li> </ul> <b>Matters of Control:</b> <ul style="list-style-type: none"> <li>a. Building design, amenity <a href="#">COMZ-MC1</a>;</li> <li>b. Natural hazards <a href="#">COMZ-MC2</a>;</li> <li>c. Parking, access and turning <a href="#">COMZ-MC3</a>; and</li> <li>d. Financial contributions <a href="#">COMZ-MC4</a>.</li> </ul>	<b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance not achieved with the performance standards in COMZ-R30(1). <b>Matters of Discretion:</b> <ul style="list-style-type: none"> <li>a. The extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion;</li> <li>b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites;</li> <li>c. How the activity provides more efficient and practical use of the remainder of the site;</li> <li>d. Natural hazards <a href="#">COMZ-MD4</a>; and</li> <li>e. Financial contributions <a href="#">COMZ-MD6</a>.</li> </ul>

<b>Applicable Spatial Layers</b> Commercial 6 Zone	<b>3. Activity status:</b> Restricted Discretionary <b>Matters of Discretion:</b> <ol style="list-style-type: none"> <li>In instances where one or more of the performance standards for the zone are not met, the extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the relevant objectives and policies;</li> <li>Natural hazards <a href="#">COMZ-MD4</a>; and</li> <li>Financial contributions <a href="#">COMZ-MD6</a>.</li> </ol>
<b>Applicable Spatial Layers</b> Commercial 3 Zone	<b>4. Activity Status:</b> Discretionary <b>Assessment Criteria:</b> <ol style="list-style-type: none"> <li>General <a href="#">COMZ-AC1</a></li> </ol>
<b>Applicable Spatial Layers</b> Commercial 4 and 5 Zones	<b>5. Activity Status:</b> Non-Complying
<b>COMZ-R31 Rest homes</b>	
<b>Applicable Spatial Layers</b> Commercial 1, 2, 3, 4 and 6 Zones	<div> <div> <b>1. Activity Status:</b> Permitted  <b>Where:</b>  If the rest home is in Commercial Zones 1, 2, 3 or 6 Zones it is not located on the ground floor.  <b>Performance Standards:</b> <ol style="list-style-type: none"> <li>Height <a href="#">COMZ-S1</a>;</li> <li>Yards <a href="#">COMZ-S2</a>;</li> <li>Outlook space <a href="#">COMZ-S5(4)</a>;</li> <li>Parking, access and turning <a href="#">COMZ-S6</a>;</li> <li>Commercial 1, 2 and 3 Zones: Glazing <a href="#">COMZ-S7</a>; and</li> <li>Commercial 1, 2, and 3 Zones: Verandahs <a href="#">COMZ-S8</a>.</li> </ol> </div> <div> <b>2. Activity Status:</b> Restricted Discretionary  <b>Where:</b>  Compliance is not achieved with the performance standards in COMZ-R31(1).  <b>Matters of Discretion:</b> <ol style="list-style-type: none"> <li>The extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion;</li> <li>How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites;</li> <li>How the activity provides more efficient and practical use of the remainder of the site;</li> <li>Natural hazards <a href="#">COMZ-MD4</a>; and</li> <li>Financial contributions <a href="#">COMZ-MD6</a>.</li> </ol> </div> </div>
<b>Applicable Spatial Layers</b> Commercial 1, 2, 3, 4 and 6 Zones	<b>3. Activity Status:</b> Discretionary <b>Where:</b> Rest homes are located on the ground floor.



<b>Applicable Spatial Layers</b>  Commercial 5 Zone	<b>4. Activity Status:</b> Non-Complying	
<b>Residential</b>		
<b>COMZ-R32</b>	<b>Residential units</b>	[6.5(39) 6.5(40)]
<b>Applicable Spatial Layers</b>  Commercial 1, 2, 3,4 and 6 Zones	<b>1. Activity Status:</b> Permitted  <b>Where:</b>  If the units are in Commercial Zones 1, 2, 3 or 6 Zones they are not located on the ground floor.  <b>Performance Standards:</b>  a. Height <a href="#">COMZ-S1</a> ; b. Yards <a href="#">COMZ-S2</a> ; c. Commercial 4 Zone (Mountain Road): Site coverage <a href="#">COMZ-S3</a> ; d. Residential unit design and landscaping <a href="#">COMZ-S5</a> ; e. Servicing <a href="#">COMZ-S6A</a> ; f. Parking, access and turning <a href="#">COMZ-S6</a> ; g. Commercial 1, 2 and 3 Zones: Glazing <a href="#">COMZ-S7</a> ; and h. Commercial 1, 2 and 3 Zones: Verandahs <a href="#">COMZ-S8</a> .	<b>2. Activity Status:</b> Restricted Discretionary  <b>Where:</b>  Compliance not achieved with the performance standards in COMZ-R32(1).  <b>Matters of Discretion:</b>  a. The extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion; b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites; c. How the activity provides more efficient and practical use of the remainder of the site; d. Building design and site layout <a href="#">COMZ-MD1</a> ; e. Residential units – specific non-compliance matters <a href="#">COMZ-MD3</a> ; and f. Natural hazards <a href="#">COMZ-MD4</a> ; and g. Financial contributions <a href="#">COMZ-MD6</a> .
<b>Applicable Spatial Layers</b>  Commercial 1, 2, 3 and 6 Zones	<b>3. Activity Status:</b> Non-Complying  <b>Where:</b>  Residential units are on the ground floor.	
<b>Applicable Spatial Layers</b>  Commercial 5 Zone	<b>4. Activity Status:</b> Non-Complying	

COMZ-R33 Conversion of buildings to residential units		[6.5(42)]
Applicable Spatial Layers  All Commercial Zones	<p><b>1. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>If the units are in Commercial Zones 1, 2, 3 or 6 Zones they are not located on the ground floor.</p> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"><li>a. Height <a href="#">COMZ-S1</a>;</li><li>b. Yards <a href="#">COMZ-S2</a>;</li><li>c. Commercial 4 Zone (Mountain Road): Site coverage <a href="#">COMZ-S3</a>;</li><li>d. Residential unit design and landscaping <a href="#">COMZ-S5</a>;</li><li>c. Servicing <a href="#">COMZ-S6A</a>;</li><li>d. Parking, access and turning <a href="#">COMZ-S6</a>;</li><li>e. Commercial 1 Zone: Glazing <a href="#">COMZ-S7</a>;</li><li>f. Commercial 1 Zone: Verandahs <a href="#">COMZ-S8</a>; and</li><li>g. Commercial 5 Zone): Landscaping <a href="#">COMZ-S9</a>.</li></ul> <p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"><li>a. Mitigation of potential reverse sensitivity effects of the activity on adjoining sites;</li><li>b. Building design, and site layout <a href="#">COMZ-MD1</a>;</li><li>c. Natural hazards <a href="#">COMZ-MD4</a>;</li><li>d. Parking, access and turning <a href="#">COMZ-MD5</a>, provision for safe and convenient access to the residential unit, including allocated parking, where provided; and</li><li>e. Financial contributions <a href="#">COMZ-MD6</a>.</li></ul>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance not achieved with the performance standards in COMZ-R33(1).</p> <p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"><li>a. The extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion;</li><li>b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites;</li><li>c. How the activity provides more efficient and practical use of the remainder of the site;</li><li>d. Building design and site layout <a href="#">COMZ-MD1</a>;</li><li>e. Residential units – specific non-compliance matters <a href="#">COMZ-MD3</a>;</li><li>f. Natural hazards <a href="#">COMZ-MD4</a>; and</li><li>g. Financial contributions <a href="#">COMZ-MD6</a>.</li></ul>
	<p><b>Applicable Spatial Layers</b></p> <p>Commercial 1, 2, 3 and 6 Zones</p>	<p><b>3. Activity Status:</b> Non-Complying</p> <p><b>Where:</b></p> <p>Residential units are on the ground floor.</p>

Industrial Activities		
COMZ-R34    Offensive trades		[6.5(51)]
Applicable Spatial Layers  All Commercial Zones	1.    Activity Status: Prohibited	
Other Activities		
COMZ-R35    Felling of exotic vegetation		[6.5(84)]
Applicable Spatial Layers  All Commercial Zones	1.    Activity Status: Permitted	
Advice Note:  For plantation forestry refer instead to the National Environmental Standards for Plantation Forestry. Refer also to Natural Environment Values for additional rules for vegetation.		
COMZ-R36    Micro scale wind		[6.5(90)]
Applicable Spatial Layers  Commercial 5 and 6 Zones	1.    Activity Status: Permitted  Where:  Turbines are located on a rooftop or integrated with the building or mounted on a pole/tower  Performance Standards:  a. Any wind turbines located on land, that are either rooftop or building integrated shall not exceed 3 metres above the building height. The rotors blades shall not exceed 1 metre in diameter; and  b. Commercial 5 Zones: Yards <a href="#">COMZ-S2</a> .	3.    Activity Status: Restricted Discretionary  Where:  Compliance not achieved with the performance standards in COMZ-R36(1) or (2).  Matters of Discretion:  a. The extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion;  b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites;  c. How the activity provides more efficient and practical use of the remainder of the site;  d. Natural hazards <a href="#">COMZ-MD4</a> ; and  e. Financial contributions <a href="#">COMZ-MD6</a> .
	Applicable Spatial Layers  Commercial 1, 2, 3 and 4 Zones	

	<p>c. Commercial 4 Zone (Mountain Road): Site coverage <a href="#">COMZ-S3</a>.</p> <p><b>Matters of Control:</b></p> <p>a. Building design, amenity <a href="#">COMZ-MC1</a>;</p> <p>b. Natural hazards <a href="#">COMZ-MC2</a>; and</p> <p>c. Financial contributions <a href="#">COMZ-MC4</a>.</p>	
<b>COMZ-R37 Helicopter take-off and landing areas</b>		[6.5(85)]
<p><b>Applicable Spatial Layers</b></p> <p>All Commercial Zones</p>	<p><b>1. Activity Status:</b> Discretionary</p> <p><b>Assessment Criteria:</b></p> <p>a. Topographical features and existing buildings and their likely effect on visual and noise impacts of the proposal;</p> <p>b. Proposals for the monitoring and regular audit of noise and other environmental impacts;</p> <p>c. How the activity complies with NZS6807:1994 Noise Management and Land use planning for Helicopter Landing areas; and</p> <p>d. General <a href="#">COMZ-AC1</a>.</p>	

## Performance Standards

The following performance standards apply if listed in the rule table for the relevant activity.

### COMZ-S1 Maximum height and daylight envelope

[6.6(1)]

#### 1. Commercial 1 and 2 Zones:

- a. No building or structure shall exceed 20m above the natural ground level.
- b. Buildings along any boundary in the Commercial 2 Zone with the Lake View Villas in Vaughan Street, Te Ngae (DP 306180 on Lot 2 DP 305630) must not project beyond a recession plane of 60° measured 4m vertically above ground level.

#### 2. Commercial 3 Zone:

- a. No building or structure shall exceed the maximum permitted height in the immediately adjoining zone.

#### 3. Commercial 4 Zone:

- a. Fenton Street and Lake Road: Other than as required by c) below, no building shall exceed 24m above the natural ground level.
- b. Mountain Road: No building shall exceed 12m above the natural ground level.
- c. 305 Fenton Street (Lot 162 Fenton Street DP 15716):
  - i. No building shall exceed 12m above the natural ground level; and
  - ii. Buildings must not project beyond the following recession plane:
    - 1. Boundary with Reserve 3 Zone Community Asset Reserve: 60° measured 4m vertically above the natural ground level.

#### 4. Commercial 5 Zone:

- a. No building or structure shall exceed 20m above the natural ground level.

#### 5. Commercial 6 Zone:

- a. No building or structure shall exceed 24m above the natural ground level.

#### 6. All Commercial Zones:

- a. Buildings along any boundary with a Residential zone must not project beyond the recession planes as set out below:
  - i. Boundary with Residential 1 Zone, other than as provided in (ii) below: 60° measured 4m vertically above ground level.
  - ii. Boundary with Residential 1 Zone for buildings in the Commercial 6 Zone: 60° degrees measured 12m vertically above ground level.
  - iii. Boundary with Residential 2 Zone: 60° degrees measured 12m vertically above ground level.
  - iv. Boundary with Residential 3 and 4 Zones: the recession plane set out in rule RESZ-S1(3).
  - v. Boundary with Rural 1 Zone: the recession plane set in in rule RURZ-S1(2).

- b. Exception: This standard shall not apply to pou, waharoa, poumaumahara or pūhara within the Te Puia site (Section 1 SO390094 and Section 1 SO408975) where the boundary adjoins a rural zone.
- c. Where the boundary forms part of a legal right of way, entrance strip, access site, or pedestrian access way, the height in relation to boundary applies from the farthest boundary of that legal right of way, entrance strip, access site, or pedestrian access way.

## COMZ-S2 Yard requirements

[6.6(2)]

### 1. Commercial 1, 2, 3 and 6 Zones:

- a. Front yards: No yards are required.
- b. Side, rear and rear site yards: No yards are required unless specified below  
 Exceptions: Where the site adjoins Residential 1 or 2 Zones the yard shall be 3m.  
 Where the site adjoins the Lake View Villas in Vaughan Street, Te Ngae (DP 306180 on Lot 2 DP 305630) the side yard shall be 3m.

### 2. Commercial 4 Zone:

Fenton Street and Lake Road:

- a. Front yards: No yards are required.
- b. Side, rear and rear site yards: No yards are required unless specified below  
 Exception: Where the site adjoins Residential 1 or 2 Zones the yard shall be 3m.

Mountain Road:

- a. Front yards: No yards are required
- b. Side, rear and rear site yards: 2.5m

### 3. Commercial 5 Zone:

- a. Front yards: 10m
- b. Side, rear and rear site yards: No side, rear or rear site yards are required  
 Exception: where the site adjoins a residential or rural zone. In these cases, the yard shall be 5m.

### 4. All Commercial Zones:

- a. Sites that adjoin a road widening designation:
  - i. Where road widening is identified as being required, any required yard shall be measured from the boundary of the road widening designation, rather than the lot boundary.

## COMZ-S3 Site coverage

[6.6(3)]

### 1. Commercial 4 Zone:

Mountain Road: The maximum site coverage for buildings is 40% of the site area.

**Advice note - Site Coverage and Impervious Surfaces in Geothermal Systems:**

While there are no maximum standards for site coverage by buildings and impervious surfaces in most zones the risks from geothermal hazards can increase with an increase in impervious site coverage. This can cause gas emissions from the ground to concentrate into gaps such as spaces between buildings or the entrances into buildings for services. Construction of impervious surfaces can also reduce rainwater percolation, which can then reduce the cooling effect rainwater provides to heated ground, as well as creating a barrier that reduces the release of geothermal heat from the ground into the air.

**COMZ-S4 [Deleted]****COMZ-S5 Residential unit design and landscaping**

[6.6(4)]

**1. Minimum size of residential units**

- a. The minimum net floor area a studio unit shall be 35m<sup>2</sup>
- b. The minimum net floor area a 1 bedroom unit shall be 45m<sup>2</sup>

**2. Outdoor living space (per unit)****a. Commercial 4 Zone:**

- i. A residential unit at ground floor level must have an outdoor living space that is at least 20m<sup>2</sup> and that comprises ground floor, or balcony, patio, or roof terrace space that,—
  - 1. where located at ground level, has no dimension less than 3m; and
  - 2. where provided in the form of a balcony, patio, or roof terrace, is at least 6m<sup>2</sup> and has a minimum dimension of 1.5m.
  - 3. is accessible from the residential unit; and
  - 4. may be—
    - a. grouped cumulatively by area in 1 communally accessible location; or
    - b. located directly adjacent to the unit; and
    - c. is free of buildings, parking spaces, and servicing and manoeuvring areas.
- ii. A residential unit located above ground floor level must have an outdoor living space in the form of a balcony, patio, or roof terrace that—
  - 1. is at least 6m<sup>2</sup>
  - 2. has a minimum dimension of 1.5m:
  - 3. is accessible from the residential unit; and
  - 4. may be—
    - a. grouped cumulatively by area in 1 communally accessible location, in which case it may be located at ground level; or
    - b. located directly adjacent to the unit.
- iii. For rest home units, clauses i and ii above apply with the following modifications:

1. The outdoor living space may be in whole or in part grouped cumulatively in 1 or more communally accessible location(s) and/or located directly adjacent to each rest home unit; and
2. A rest home may provide indoor living spaces in one or more communally accessible locations in lieu of up to 50% of the required outdoor living space.

**b. All other Commercial Zones:**

- i. A residential units must have an outdoor living space:
  1. Minimum area: 6m<sup>2</sup>
  2. Minimum dimension of 1.5m.
  3. May be grouped cumulatively in 1 communally accessible location or located directly adjacent to the unit.
- ii. Exception: An outdoor living space is not required where the net internal floor area for a dwelling is at least 40m<sup>2</sup> for a studio and 50m<sup>2</sup> for a dwelling with one or more bedrooms.
- iii. For rest home units, clauses i and ii above apply with the following modifications:
  1. The outdoor living space may be in whole or in part grouped cumulatively in 1 or more communally accessible location(s) and/or located directly adjacent to each rest home unit; and
  2. A rest home may provide indoor living spaces in one or more communally accessible locations in lieu of up to 50% of the required outdoor living space.

**3. Outlook space**

- a. An outlook space must be provided from habitable room of a residential unit windows as shown in the diagram below:

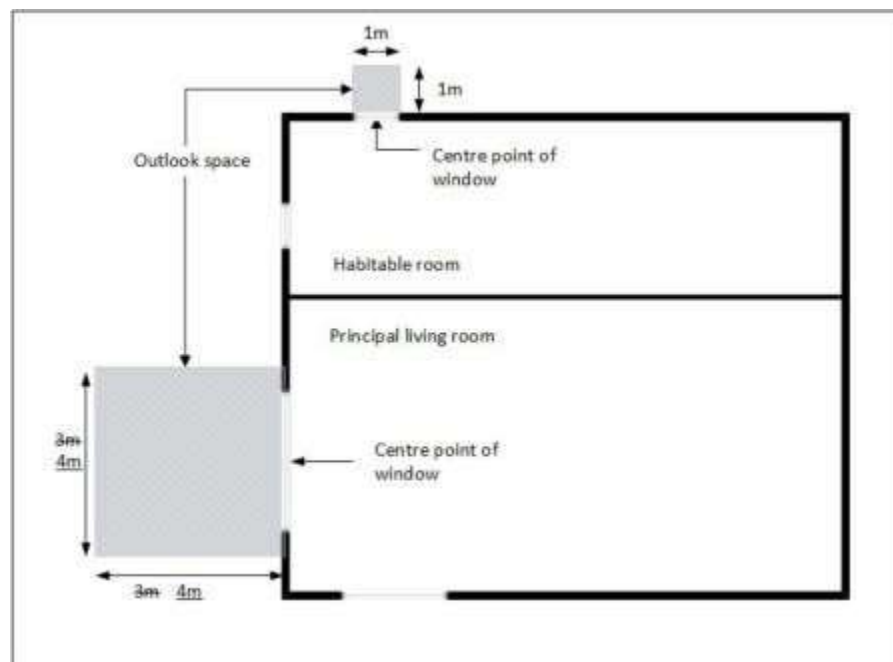


Figure COMZ-1 – Outlook Space

- b. The minimum dimensions for a required outlook space are as follows:



- i. a principal living room must have an outlook space with a minimum dimension of 4m in depth and 4m in width; and
- ii. all other habitable rooms must have an outlook space with a minimum dimension of 1m in depth and 1m in width;
- c. The width of the outlook space is measured from the centre point of the largest window on the building face to which it applies;
- d. Outlook spaces may be over driveways and footpaths within the site or over a public street or other public open space;
- e. Outlook spaces may overlap where they are on the same wall plane in the case of a multi-storey building;
- f. Outlook spaces may be under or over a balcony;
- g. Outlook spaces required from different rooms within the same building may overlap;
- h. Outlook spaces must—
  - i. be clear and unobstructed by buildings; and
  - ii. not extend over an outlook space or outdoor living space required by another dwelling.
- i. For rest home units, this standard only applies to habitable rooms facing the external boundary of the site.

#### **4. Landscaped area**

- a. **Commercial 4 Zone**
  - i. A residential unit or rest home unit at ground floor level must have a landscaped area of a minimum of 20% of a developed site with grass or plants, and can include the canopy of trees regardless of the ground treatment below them;
  - ii. The landscaped area may be located on any part of the development site, and does not need to be associated with each residential unit.

#### **COMZ-S6A Servicing**

- 1. For developments that will require a water supply and will not be connected to a public reticulated water supply, an alternative water supply adequate for firefighting purposes shall be provided to the development in accordance with the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ 4509:2008.

#### **COMZ-S6 Parking, access and turning**

[6.6(5)]

- 1. Commercial 1 Zone and Commercial 3 Zone:**
  - a. No on-site parking and turning required.
- 2. Commercial 2, 4, 5 and 6 Zones:**
  - a. On-site parking and on-site turning of vehicles shall be provided for all activities in accordance with the provisions of Appendix APP1 – Parking, Access and Turning Standards.
- 3. All Commercial Zones:**

- a. Where new vehicle crossings are proposed onto a State Highway, written consent from the New Zealand Transport Agency shall be provided.

*Advice Note – Vehicle Crossings*

The design of vehicle crossings from private access driveways to the road are managed through the Council's corridor access request process.

## **COMZ-S7 Glazing**

*[6.6(11)]*

### **1. Commercial 1 Zone:**

- a. A minimum of 70% of the building façade, located within 5m of the front boundary, located on the ground floor shall consist of transparent glass.

### **2. Commercial 2 Zone and Commercial 3 Zone:**

- a. No less than 50% of the building façade located within 5m of the front boundary shall be transparent glass.

*Advice Note:* Mirror glass and opaque film is not considered to be transparent.

## **COMZ-S8 Verandahs**

*[6.6(12)]*

### **1. Commercial 1, 2, 3 and 6 Zones (excluding block bounded by Lake Road, Karaka Street and Geddes Road):**

- a. All building facades located within 5m from a boundary adjoining a public road (excluding service lands), shall be provided with a verandah.
- b. Any access ways to the site other than service lanes shall be provided with a verandah in accordance with the above standard.
- c. Every verandah or part of a verandah shall be erected at the height of no less than 2.9m above the level of the kerb of pavement, or shall be constructed in order to join the adjoining verandah and provide a continuous, sealed weather-proof shelter.
- d. At least 60% of the lower outside (kerb) edge of the verandah shall be no greater than 3.2m above the level of the kerb pavement.
- e. The ends of every verandah shall be at an angle of 90 degrees with the street boundary.
- f. The verandah shall be constructed from the building to a point 450mm on the building side of the kerb line.
- g. The roof covering any verandah shall be of weather-resistant material and any downpipes shall not project beyond the boundary or building line of any lot and shall be connected with the specified light and glare levels of the zone.
- h. Under-verandah lighting shall be provided for each leased site. This shall be in accordance with the specified light and glare levels of the zone.

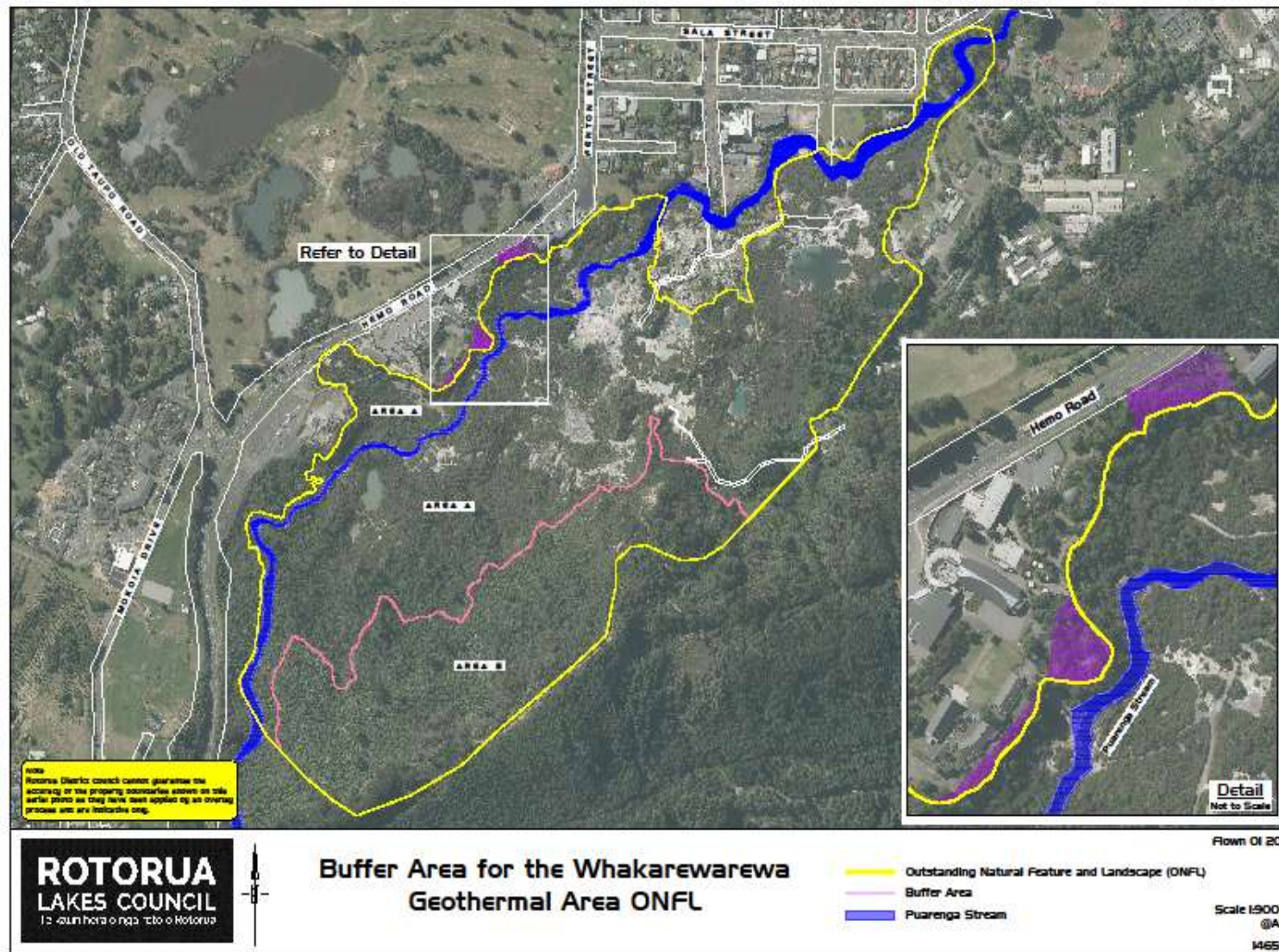
## **COMZ-S9 Landscaping**

*[6.6(13)]*

### **1. Commercial 5 Zone**

- a. Where any site boundary adjoins a residential zone either:

- i. The boundary shall be fenced with a 1.8m close-boarded fence; or
- ii. A two metre strip adjoining the residential boundary shall be planted and maintained with suitable vegetation that has the ability to grow to provide an effective continuous visual screen at least 1.8m in height.
- b. No more than 20% of any required landscape area may be used for on-site car parking. This parking shall be interspersed throughout the landscaped yard and shall not be grouped in groups of more than 2 parks.
- c. Pallets, containers, raw materials, machinery or goods of any kind shall, if stored outside, shall be screened from public places and residential zones and shall not be stored on any landscaping, parking or turning areas.
- d. Vegetation clearance and reinstatement associated with new buildings located on the Te Puia site (Section 1 SO390094 and Section 1 SO408975) within the buffer area as shown in the figure below shall be as follows:
  - i. The existing naturalised taller indigenous vegetation including Kamahi Rewarewa, Rimu and Totara shall be kept as far as practicable.
  - ii. Any areas of cleared indigenous vegetation not covered by built or paved surfaces shall be reinstated with tall growing indigenous vegetation. Planting shall be undertaken with locally sourced indigenous species, the same as existing indigenous species already present or that would have been historically present on the site to provide a bush backdrop and to screen the road and traffic and soften buildings when viewed from inside the Outstanding Natural Feature and Landscape boundaries.



COMZ-FIGURE2 Buffer to the Whakarewarewa Geothermal Area Outstanding Natural Feature and Landscape

## Matters of Control

The following matters of control apply if listed in the rule table for the relevant activity.

### COMZ-MC1 Building design, site layout and amenity

1. Potential reverse sensitivity of the activity on adjoining zones.
2. The principles of CPTED are implemented, including provision for the passive surveillance of any adjoining road or reserve.
3. The amenity of the streetscape, and where relevant, the City Entranceway, is maintained and enhanced.

### COMZ-MC2 Natural hazards

1. Adverse effects from natural hazards or the worsening of any hazard identified on the planning maps are managed.
2. A flood risk assessment by a suitably qualified person, that includes an evaluation of the likelihood and consequences of an appropriate range of events to establish the maximum risk, may be required for activities subject to flooding. This applies primarily for significant developments.

### COMZ-MC3 Parking, access and turning

1. Onsite design, location and surfacing of access, parking and turning areas provides for practical use of the site, maintains the amenity of adjacent sites, the safety of pedestrians and the safe and efficient functioning of the road network.
2. Access to the site is designed to be consistent with the standards of the Road Controlling Authority.
3. Recommendations from any required integrated transport assessment as outlined in Appendix APP1 – Parking, Access and Turning Standards.
4. How the activities will avoid, remedy or mitigate any adverse effects on the function and safe and efficient operation of the transport network.

### COMZ-MC4 Financial contributions

1. All activities shall be assessed under FC – Financial Contributions to determine if a financial contribution is required.

## Matters of Discretion

The following matters of discretion apply if listed in the rule table for the relevant activity.

### COMZ-MDA Height – specific non-compliance matters

The Council will consider the assessment criteria below to the extent that they are relevant to the effects of the infringement of the standard as set out in the matters of discretion. The assessment criteria provide examples of typical design responses or scenarios, but other design responses may be appropriate.

Standard not achieved	Matter of Discretion	Assessment Criteria
1. Maximum Height and daylight envelope	<ol style="list-style-type: none"> <li>a. The scale, form and appearance of the development.</li> <li>b. Effects on the planned urban built character of the zone.</li> </ol>	<ol style="list-style-type: none"> <li>a. Whether the additional height is located to reinforce the visual prominence of a corner site;</li> </ol>

	<ul style="list-style-type: none"> <li>c. Effects on the safety and attractiveness of the street.</li> <li>d. Visual dominance, privacy and shading effects on neighbouring sites.</li> </ul>	<ul style="list-style-type: none"> <li>b. Whether the additional height minimises adverse wind conditions at street level;</li> <li>c. Whether the additional height allows for adequate sunlight access to adjacent residential and open space zones and manages visual dominance impacts through measures such as building setbacks at upper floors;</li> <li>d. Whether additional height is necessary to provide a higher ground floor level to address flood hazards on the site;</li> <li>e. Whether additional height is necessary to provide floor-to-floor heights that will provide flexibility for spaces to be adaptable to a wide variety of activities over time;</li> <li>f. Whether the infringement would provide an attractive and integrated roof form.</li> </ul>
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### COMZ-MD1 Building design and site layout

The Council will consider the assessment criteria below, relevant to the matters of discretion. The assessment criteria provide examples of typical design responses or scenarios, but other design responses may be appropriate.

Matter of Discretion	Assessment Criteria
<ul style="list-style-type: none"> <li>1. The design, layout, and appearance of development.</li> <li>2. Effects on the safety, amenity and attractiveness of the street and public open spaces.</li> </ul>	<ul style="list-style-type: none"> <li>a. Whether the development provides a quality and attractive frontage to the street or public open space, this includes, minimising long expanses of blank walls and visually breaking the mass of buildings into distinct elements. Techniques to achieve this include the use of recesses, variation in building height and roof form, horizontal and vertical rhythms and facade modulation and articulation.</li> <li>b. Whether the building has well-proportioned windows and openings that relate to the shape, form and size of the building.</li> <li>c. Whether tenancies are visually expressed as separate entities within a building's form and façade, and are located to front and activate the street, including through the use of entrances, pedestrian shelter and glazing.</li> <li>d. Whether the roof line of any portion of a building adjoining the front boundary (excluding corner sites) is highlighted through the incorporation of: <ul style="list-style-type: none"> <li>i. materials different to that used on the building façade or;</li> <li>ii. architectural design features.</li> </ul> </li> <li>e. Whether:</li> </ul>

	<ul style="list-style-type: none"> <li>i. The location of buildings and structures and location of outdoor activities mitigates potential adverse cumulative effects on adjoining sites.</li> <li>ii. The principles of CPTED are implemented, including provision for the passive surveillance of any adjoining road or reserve and contribution to an active pedestrian orientated environment.</li> <li>f. Whether buildings provide a variety of architectural detail at ground and middle levels including maximising the number and size of doors, windows, and balconies overlooking the street.</li> <li>g. Along Fenton Street, encourage development to respond to the context of the area, including through the use of building materials, landscaping or other design features.</li> <li>h. Where front fencing is provided within the front yard of the Fenton Street City Entranceway, whether the fencing has been designed to contribute to a quality and attractive frontage to the street, including through low fence heights and/or complementary landscaping.</li> <li>i. Whether internal spaces at all levels within buildings are designed to maximise outlook over adjoining streets and public open space.</li> <li>j. Whether mechanical plant/units for heating and ventilation will be screened from public view, and, in the case of residential units, separated from the outdoor living space for other residential units.</li> </ul>
3. The location and design of parking, access, and servicing.	<ul style="list-style-type: none"> <li>a. The provision of separate pedestrian entranceways for each tenancy or lot.</li> <li>b. How vehicular access for servicing purposes is able to be gained from the rear of buildings that have street frontage.</li> <li>c. Whether safe and direct pedestrian access that is easily identifiable is provided from the street to activities on the site.</li> <li>d. whether access for emergency service vehicles is appropriately designed so that emergency services personnel can access the site safely and efficiently.</li> <li>e. Whether suitable provision is made for on-site rubbish storage and sorting of recyclable materials, that is sufficiently sized to cater for the rubbish generated by the activity, and is accessible for rubbish collection. For new buildings, rubbish areas should be located within the building. Where a building is being altered and rubbish areas cannot be located within a building, the rubbish areas should not be visible from the street and must be appropriately screened.</li> </ul>

	f. Whether any parking areas visible from the street and screened from public view by buildings and landscaping
4. The design and layout of residential units and rest homes	<p>Additional matters for residential units and rest home units:</p> <ul style="list-style-type: none"> <li>a. Where residential units or rest home units are proposed at ground floor in the Commercial 4 Zone, whether the development is designed to enable passive surveillance of the adjoining street and provide privacy for residents. This could be achieved by: <ul style="list-style-type: none"> <li>i. Providing balconies overlooking the street;</li> <li>ii. Providing a planted setback and/or fenced setback where the site adjoins the street. Fences and landscaping should be low enough to allow for direct sightlines and passive surveillance; and/or</li> <li>iii. Raising the balcony and floor plate of the ground floor residential units above the level of the adjoining street to a height sufficient to provide privacy for residents and enable them to overlook the street.</li> </ul> </li> <li>b. Whether residential units or rest home units are located, proportioned and orientated within a site to provide a good standard of amenity for future residents, including by maximising exposure to sunlight, while balancing the need for buildings to front the street, and encouraging natural cross-ventilation and the provision of communal open space.</li> <li>c. Whether each residential unit has sufficient space within the site for the sheltered and secure storage of at least one bicycle, which is conveniently located for users.</li> <li>d. For residential units located within an existing commercial development, whether design techniques are used to provide privacy and amenity, such as landscaping, or setbacks and screening from established large carparking and servicing areas.</li> </ul>

## COMZ-MD2 Service stations and drive through restaurants

1. The design and location of access, on-site parking, queuing and turning areas to provide efficient circulation on-site and avoid potential adverse effects on adjoining sites, the safety of pedestrians, cyclists and the safe and efficient functioning of the road network.
2. Ensuring adequate sight distances are provided to prevent on-street congestion caused by the ingress or egress of vehicles to and from sites.
3. Implementation of the recommendations in an integrated transport assessment if one is required under Appendix 4, Parking and Turning Standards.
4. Landscaping to maintain the amenity of surrounding areas (particularly residential areas) and streetscapes.



5. In relation to Drive Through Restaurants:
- The intensity and scale of the activity in relation to any residential activities within close proximity of the site and any effects on the vitality and viability of the City Centre.
  - The noise, lighting and hours of operation.

### COMZ-MD3 Residential units and rest homes – specific non-compliance matters

The Council will consider the assessment criteria below to the extent that they are relevant to the effects of the infringement of the standard as set out in the matters of discretion. The assessment criteria provide examples of typical design responses or scenarios, but other design responses may be appropriate.

Standard not achieved	Matters of Discretion	Assessment Criteria
1. Yards – side and rear yards – sites adjoining residential and rural zones	a. Visual dominance, privacy and shading effects on neighbouring sites	a. Whether architectural design measures such as setbacks, modulation, or articulation have been incorporated into the design of the building to mitigate visual dominance effects on neighbouring sites.
2. Minimum size of residential unit	a. Effects on the quality of on-site living environments	<p>a. Whether the layout of residential units provides sufficient room for the day to day needs of residents, including space for both furniture and internal circulation.</p> <p>b. Whether each unit has access to communal facilities (e.g. shared laundry) and/or storage facilities within the building.</p>
3. Outdoor living space	a. Effects on the quality of on-site living environments	<p>a. Whether the outdoor living space is conveniently located and is of a functional size, gradient and dimension for the intended number of residents.</p> <p>b. Considering the context of the site, whether the outdoor living space is orientated to optimise views, outlook and sunlight access.</p> <p>c. Whether the site is located within close proximity to accessible public open space.</p>
4. Outlook space	<p>a. Privacy effects on adjacent sites</p> <p>b. Effects on the quality of on-site living environments</p>	a. The extent to which direct overlooking of another residential unit's habitable room windows and outdoor living space is minimised to maintain a reasonable standard of privacy, including through the design and

		<p>location of habitable room windows, balconies or terraces, setbacks, or screening.</p> <p>b. Whether any secondary outlook spaces of a reasonable size and orientation have been provided from habitable rooms associated with an outlook space infringement.</p>
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#### COMZ-MD4 Natural hazards

1. Adverse effects from natural hazards or the worsening of any hazard identified on the planning maps are managed.
2. A flood risk assessment by a suitably qualified person, that includes an evaluation of the likelihood and consequences of an appropriate range of events to establish the maximum risk, may be required for activities subject to flooding. This applies primarily for significant developments.

#### COMZ-MD5A Sites adjoining historic heritage structures

1. For sites adjoining sites containing the historic heritage structures Landmark Building (H1.25) and Guide Rangī's (H1.9), the effects on the heritage values, in particular:
  - a. Whether the new building compliments the form and fabric which contributes to, or is associated with, the heritage values of the structure.
  - b. Whether the new building uses materials and/or design details that respect rather than replicate any features of the heritage structure. Sensitive contemporary interpretations in terms of form and detail may be considered.
  - c. Whether the new building will not compromise the ability to interpretive the heritage structure and its extent of place.
  - d. Whether the new building maintains visual linkages between the heritage structure and the street, where relevant.
  - e. Whether the location of the new building and associated siteworks enables the heritage values of the structure and its extent of place to be maintained.
  - f. Whether other structures or features associated with the heritage structure are retained and are complemented.
  - g. Whether the scale of the new building dominates the heritage structure.

#### COMZ-MD5 Parking, access and turning

1. Onsite design, location and surfacing of access, parking and turning areas provides for practical use of the site, maintains the amenity of adjacent sites, the safety of pedestrians and the safe and efficient functioning of the road network.
2. Access to the site is designed to be consistent with the standards of the Road Controlling Authority.
3. Recommendations from any required integrated transport assessment as outlined in Appendix APP1 – Parking, Access and Turning Standards.
4. How the activities will avoid, remedy or mitigate any adverse effects on the function and safe and efficient operation of the transport network.

**COMZ-MD6 Financial contributions**

1. All activities shall be assessed under FC – Financial Contributions to determine if a financial contribution is required.

**Assessment Criteria**

Whilst not limiting the exercise of its discretion, Council may consider the particular matters below where indicated in the rule table above.

**COMZ-AC1 General**

1. The extent to which the proposal complies with the performance standards of the zone.
2. The extent to which the proposal will avoid, remedy, or mitigate effects on the amenity of adjacent lots, including protection of privacy and outlook and protection from adverse effects from any source of disturbance or nuisance, including noise, glare, illumination and light levels.
3. The extent to which the proposal will avoid, remedy, or mitigate effects on the amenity and vitality of the city centre zone, and the character and amenity of the City Entranceways.
4. The extent to which the proposal will avoid, remedy, or mitigate the effects on the streetscape and on-site landscaping.
5. The degree to which the proposal has been designed in accordance with the principles of CPTED.
6. The extent to which the proposal will avoid, remedy, or mitigate effects on water quality.
7. The ability for the activity to be connected to existing transport networks and utility services.
8. The extent to which the proposal will avoid, remedy, or mitigate effects on the function and safe and efficient operation of the transport network.
9. The extent to which the activity will avoid, remedy, or mitigate reverse sensitivity effects on lawfully established activities or existing infrastructure.
10. The extent to which the proposal will avoid, remedy, or mitigate effects on the qualities and characteristics of a landscape or feature identified in the schedules for Natural Environmental Values or the natural character of the environment.
11. The extent to which the proposal will avoid, remedy, or mitigate effects on the natural, physical, spiritual or cultural qualities and characteristics of a site identified in the schedules for Historical and Cultural Values or Natural Environmental Values.
12. The extent to which the proposal is an efficient use and development of commercial zoned land and consideration of alternative locations for the activity.
13. Whether the proposal requires a financial contribution under the provisions of FC- Financial Contributions.
14. The recommendations in an integrated transport assessment if one is required under Appendix APP1 – Parking, Access and Turning Standards.
15. Natural hazards
  - a. Adverse effects from natural hazards or the worsening of any hazard identified on the planning maps. The likelihood and consequences of a natural hazard event will be assessed to determine the level of risk associated with natural hazards.
  - b. A flood risk assessment by a suitably qualified person, that includes an evaluation of the likelihood and consequences of an appropriate range of events to establish the maximum

risk, may be required for areas subject to flooding. This applies primarily for significant developments. The report shall identify the potential risk from flooding, any recommendations for floor levels, earthworks or engineering works.

16. The assessment criteria for development and activities that affect a Significant Geothermal Feature, as set out in NFL- Natural Features and Landscapes.

## ANTICIPATED ENVIRONMENTAL RESULTS

The efficiency and effectiveness of the policy framework of this part will be the focus of on-going monitoring and review. Effectiveness or achievement of the objectives will be assessed through performance indicators. The performance indicators will be developed to measure the following outcomes that the policy framework was put in place to achieve:

<b>COMZ-AER1</b>	An increase in activities in commercial centres that support surrounding residential communities.
<b>COMZ-AER2</b>	Reduced vacancy rates in commercial centres.
<b>COMZ-AER3</b>	A reduction in reverse sensitivity impacts of commercial centres on residential zones including reduced number of complaints.
<b>COMZ-AER4</b>	Increased pedestrian counts in commercial centres.
<b>COMZ-AER5</b>	An increase in amenity and safety of commercial centres.
<b>COMZ-AER6</b>	A reduction in crime and damage to private and public property.
<b>COMZ-AER7</b>	Compact commercial centres containing retail activities that reflect the intended use of the zone.
<b>COMZ-AER8</b>	An increase in activity within commercial centres, that supports rather than competes with the vitality of the city centre.
<b>COMZ-AER9</b>	A reduction in the number of businesses located in zones other than commercial zones and city centre zones.
<b>COMZ-AER10</b>	Avoidance of reverse sensitivity effects.
<b>COMZ-AER11</b>	An increase in residential activity within centres and commercial areas where residential is permitted.