

# 5C Suburban Commercial Activity Area

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## 5C 1 Issues, Objectives and Policies

### 5C 1.1 Local Area Issues

#### 5C 1.1.1 Provision of Commercial Centres Near Residential Activity Areas

##### Issue

Suburban Commercial centres provide residents with facilities to meet their day to day needs in close proximity to their homes. In addition, some of the larger centres make provision for community activities. Such facilities are of importance to local communities.

##### Objective

To maintain Suburban Commercial centres close to residential areas, and support where possible, the community focus associated with such centres.

##### Policies

- (a) That a range of retail and commercial activities be provided for in Suburban Commercial centres to meet the needs of residents.
- (b) That activities which provide a community focus be accommodated in Suburban Commercial centres.
- (c) That light industrial activities of a workshop nature be provided for, where an associated retailing activity is maintained at the front of the shop.

##### Explanation and Reasons

Some sectors of society do not have access to a private vehicle or are unable to drive. Others find public transport unsuitable for their shopping purposes. For these residents, travelling to the city centre can be difficult and inconvenient. By allowing commercial centres near residential areas, it enables residents to carry out their shopping close to home. A wide range of activities are allowed in this Activity Area to meet residents day to day needs.

As well as providing a range of goods and services, a number of larger Suburban Commercial centres have facilities where community activities can be held. To maintain this community focus, provision is made for the location of community facilities such as libraries, halls and Plunket rooms. Such facilities help to reinforce the community feeling by providing residents with a place to meet.

Certain light industrial activities are acceptable in a Suburban Commercial setting. Such activities are accommodated in Suburban Commercial centres, provided an associated retail

activity is maintained at the front of the shop. These include workshops which manufacture goods such as clothing and craftwork, and service and repair outlets which repair household goods, electrical goods, cycles, mowers and other similar products.

## 5C 1.1.2 Adverse Effects of Activities on Adjoining Residential Activity Areas

### Issue

**Suburban Commercial centres are located near residential activity areas. Some activities in such centres can generate adverse effects which detract from the amenity values of surrounding residential areas. Such adverse effects can include noise, odour, lightspill and out of scale development.**

### Objective

To avoid, remedy or mitigate the adverse effects of activities in Suburban Commercial centres on the amenity values of residential areas.

### Policies

- (a) That activities at Suburban Commercial centres are of a character, scale and intensity that the amenity values of adjoining residential activity areas are not affected adversely.
- (b) That adverse effects generated by Suburban Commercial activities, such as light spill, noise and odour, are managed to ensure that residential amenity values are maintained.
- (c) That adverse effects associated with a licensed premise operation, for example, the hours of operation or traffic effects, are managed to ensure residential amenity values are maintained.

### Explanation and Reasons

Suburban Commercial centres are located adjacent to residential areas to provide convenient and accessible retail and community facilities for residents. This close proximity to the residential area warrants the need to protect residential amenity values from the adverse effects of commercial activities. Managing the character, intensity and scale of activities in Suburban Commercial centres provides a means of ensuring that development is compatible with neighbouring residential activities.

Adverse effects generated by Suburban Commercial operations such as light spill, noise and odour, can significantly detract from the amenity values of residential areas. In particular, the adverse effects associated with licensed premises can be a real concern for local residents.

## 5C 1.1.3 Adverse Effects of Activities in Suburban Commercial Centres

### Issue

**Activities in Suburban Commercial centres can detract from the amenity values of such centres. The effects of activities will be controlled so that the amenity values of commercial centres can be maintained.**

### Objective

To ensure that activities in commercial centres do not affect adversely the amenity values of Suburban Commercial centres.

### Policy

- (a) That the adverse effects of activities, such as noise and odour in Suburban Commercial centres are managed to protect the amenity values of such centres.

### Explanation and Reasons

Activities in the Suburban Commercial centre can cause adverse effects which detract from the amenity values of such centres. This can make visiting the centre an unenjoyable and unpleasant experience. To ensure the amenity values are not compromised, effects such as noise and odour will be managed.

## 5C 1.1.4 Traffic Effects of Large Scale Retail Activities

### Issue

**Large scale retail activities can have detrimental effects on the transport network. It is important that such effects are managed and mitigated.**

### Objective

To ensure that the detrimental effects on the transport network of large scale retail activities are managed and mitigated.

### Policies

- (a) To ensure that the adverse effects on the transport network of large scale retail activities exceeding 500m<sup>2</sup> gross floor area are managed and mitigated.
- (b) To ensure that large scale retail activities are designed to provide:
- (i) where practicable and appropriate, on-site accessibility for public transport services;
  - (ii) practical access to existing or planned public transport services off-site; and
  - (iii) pedestrian and cycle routes and facilities.

### Explanation and Reasons

Large scale retail activities in Suburban Commercial centres can have detrimental effects on the surrounding transport network. It is important that such effects are assessed to determine whether the transport network in the vicinity is capable of accommodating the increase in movement to and from the site of the proposed activity, and any adverse effects on pedestrian and cycle movements, public transport and parking.

## 5C 1.2 Site Development Issues

### 5C 1.2.1 Adverse Effects of Buildings and Structures on Abutting Residential Activity Areas

#### Issue

**Buildings and structures in Suburban Commercial centres can have an adverse effect on the amenity values of adjoining residential areas. To ensure the amenity values of residential areas are not affected adversely, the development of buildings and structures will be managed.**

#### Objective

To avoid, remedy or mitigate the adverse effects of the size, scale, location, design and external appearance of buildings and structures on the amenity values of adjoining residential areas.

#### Policies

- (a) That the size, scale and location of buildings and structures be designed to be compatible with the amenity values of surrounding residential areas.
- (b) That where an activity abuts a residential area there will be a separation distance to avoid or mitigate any adverse effects on the amenity values of the residential area.
- (c) That adverse effects generated by a licensed premise, such as the size and scale of the building, are managed to ensure residential amenity values are maintained.

#### Explanation and Reasons

Buildings and structures in Suburban Commercial centres can have an adverse effect on the amenity values of adjacent residential areas. The size, scale, location, design and external appearance of any building or structure will be managed to ensure they are compatible with the residential environment. A yard is required where an activity abuts a residential activity area, to separate the activities, and reduce the adverse effects on the residential area.

### 5C 1.2.2 Buildings and Structures in Suburban Commercial Centres

#### Issue

**Buildings and structures in Suburban Commercial centres can detract from the amenity values of such centres. By controlling the design and external appearance of a building or structure, the amenity values of commercial centres can be maintained.**

#### Objective

To maintain and enhance the amenity values of Suburban Commercial centres by controlling the design and external appearance of buildings and structures in such centres.

### Policies

- (a) That buildings and structures be designed to maintain and enhance the visual quality and attraction of Suburban Commercial centres.
- (b) That amenity standards for pedestrians be enhanced through the provision of such features as verandahs and display windows.
- (c) That all buildings in Suburban Commercial centres be built to the front boundary of the site.
- (d) Areas within the car parking area, and areas adjoining or fronting roads shall be landscaped.

### Explanation and Reasons

The design and external appearance of buildings and structures are an important component of a commercial centre's amenity value. In Suburban Commercial centres, all buildings shall be built to the front of the boundary, and will be accompanied by verandahs and display windows. This is to maintain the external appearance of such centres, and to protect pedestrians from the weather. Landscaping shall be provided in car parking areas. Measures such as these help to enhance the amenity values of Suburban Commercial centres.

## 5C 1.2.3 Effects of the Hutt River Flood Hazard

### Issue

**Areas not protected by flood protection structures are at a risk of flooding by the Hutt River. The size, scale and location of buildings and structures need to be managed to avoid or mitigate adverse flood hazard effects.**

### Objective

To avoid or mitigate adverse flood hazard effects on existing and new development within areas susceptible to a 100-year flood event from the Hutt River.

### Policies

- (a) To ensure that all buildings and structures (including additions that are more than minor to existing buildings and structures) on sites identified within the 100-year flood extent have floor levels constructed above the 1 in 100-year flood event.
- (b) To establish a maximum limit on area for additions to the gross floor area of existing buildings or structures as at 1 March 2005 on sites identified within the 100-year flood extent.
- (c) That minor additions (not more than 20m<sup>2</sup>) to existing buildings and structures on sites identified within the 100-year flood extent are permitted.
- (d) That all buildings and structures do not create adverse flood hazard effects for other land, buildings and structures off-site.
- (e) That new accessory buildings on sites identified within the 100-year flood extent are permitted, subject to a maximum gross floor area.
- (f) That any remaining risk that arises will be dealt with by emergency management procedures and other voluntary actions.

## Explanation and Reasons

In established areas of the Hutt River corridor and floodplain it is accepted that appropriate development must be able to continue, although landowners and developers will be expected to reduce flood hazard effects to an acceptable level. These effects are described in the Hutt River Floodplain Management Plan. Buildings and structures need to be located so they are not in a position likely to subside as a result of erosion or flooding, damaging other buildings and structures such as flood protection structures in the river corridor.

In order to ensure that flood hazard effects are managed, minimum conditions are specified.

Emergency management procedures and other voluntary actions will be initiated in the event of severe flooding in an effort to minimise the damage to properties and prevent injury and loss of life to people.

### (a) Floor levels

A limited area at the entrance to Stokes Valley has been identified as being within the 100-year flood extent (see Planning Map G1). This area is not protected by a stopbank. All buildings and structures, including additions that are more than minor, are required to have floor levels constructed above the 1 in 100-year flood event. This floor level is to minimise the flood hazard effects to buildings and structures up to a 100-year flood event. Council must manage the flood risk through appropriate rules in the District Plan and emergency management procedures.

Minor additions to existing buildings and structures not in excess of 20m<sup>2</sup> gross floor area are permitted at existing floor levels for properties within the 100-year flood extent. New accessory buildings not in excess of 20m<sup>2</sup> gross floor area are also permitted. The 20m<sup>2</sup> threshold relates to a desire to permit some building as of right without the need to require a raised floor level. In setting the 20m<sup>2</sup> limit Council needed to determine at what point the potential adverse effects of the buildings, on the flood hazard should be considered. It is considered that allowing development of 20m<sup>2</sup> would not significantly increase the flood hazard risk.

## 5C 2 Rules

### 5C 2.1 Permitted Activities

- (a) Retail activities and commercial activities, excluding licensed premises under the Sale of Liquor Act 1989.
- (b) Community facilities and places of assembly.
- (c) Health care services.
- (d) Residential activities.
- (e) Workshops where the front of the building is used for the retail of goods manufactured or repaired on site.
- (f) Activities on sites which abut residential activity areas, and do not exceed 500m<sup>2</sup> gross floor area.

#### 5C 2.1.1 Permitted Activities - Conditions

##### (a) Minimum Yard Requirements:

Where a building or structure abuts a residential activity area:

- (i) Side yards - minimum depth of 3.0m. No side yard is required where a service lane is provided.
  - (ii) Rear yards - minimum depth of 8.0m. This may be reduced by 3.0m if there is a service lane to the rear of the site.
- (b) Maximum Height of Buildings and Structures: 8.0m.**
- (c) Recession Plane:**
- All buildings and structures which abut a residential activity area shall comply with the recession plane requirements of the abutting residential activity area.
- (d) Screening and Storage:**
- (i) All storage and disposal of refuse will be carried out in such a manner so as to avoid causing adverse effects beyond the boundaries of the site.
  - (ii) All outdoor storage and servicing areas shall be screened so that they are not visible from a road or public space. Where this is not practicable such areas shall be screened by a close-boarded fence or a fence made of solid material with a minimum height of 1.8m.
- Where a site abuts a residential activity area:
- All outdoor storage and servicing areas shall be screened by a close-boarded fence or a fence made of solid material with a minimum height of 1.2m and a maximum height of 1.8m.
  - All car parking areas not contained within buildings shall be screened by a close-boarded fence or a fence made of solid material with a minimum height of 1.2m and a maximum height of 1.8m.
- (e) Landscaping:**
- At least 5% of car parking areas not contained within buildings shall be landscaped. Areas within the car parking area, and areas adjoining or fronting roads shall be landscaped.
- (f) Frontage:**
- All buildings shall be built up to the front of the site boundary.
- (g) Display Windows:**
- All buildings shall have a display window along the frontage.
- (h) Verandahs:**
- All buildings shall provide a verandah along the full length of the building where it fronts a pedestrian area, to be designed in relation to its neighbours, so as to provide continuous weather protection for pedestrians.
- (i) Servicing Hours:**
- Where a site abuts a residential activity area, servicing of activities shall not occur between the hours of 10.00pm and 7.00am.
- (j) Residential Activities:**
- All residential activities shall:
- (i) be located above ground floor level, and/or to the rear of the shop at ground floor level;
  - (ii) ensure access to such accommodation is separate from patron access to the shop; and
  - (iii) ensure a service entrance to the rear of the shop shall not pass through residential accommodation.

**(k) Dust:**

All outside areas shall be sealed, surfaced, or managed appropriately so that there is no dust nuisance at or beyond the boundary of the site.

**(l) Odour:**

All activities shall be carried out in such a manner so as to ensure that there is not an offensive odour at or beyond the site boundary.

**(m) Lightspill and Glare:**

(i) Artificial light shall not result in added illuminance in excess of 8 lux measured at the window of a dwelling on a neighbouring site.

(ii) All activities shall be undertaken so as to avoid all unreasonable light spill beyond the site boundary.

(iii) All activities and constructions shall be undertaken so as to avoid glare (light reflection) beyond the boundary of the site.

**(n) Buildings and structures within the 1 in 100-year flood extent (see Planning Map G1):**

In addition to the other Permitted Activity Conditions, the following shall apply in this area:

(i) All buildings and structures shall have a floor level above the 1 in 100-year flood level; except:

(ii) Minor additions to existing buildings and structures are a Permitted Activity provided:

- the floor level of additions is not below the floor level of the existing building or structure; and
- the gross floor area of all additions does not exceed 20m<sup>2</sup> to the gross floor area of the building or structure existing as at 1 March 2005.

(iii) New accessory buildings shall not exceed a total gross floor area of 20m<sup>2</sup>.

**(o) General Rules:**

Compliance with all General Rules - see Chapter 14.

## 5C 2.2 Restricted Discretionary Activities

(a) Any Permitted Activity which abuts a residential activity area, and exceeds 500m<sup>2</sup> gross floor area.

(b) Services stations and commercial garages.

(c) Emergency facilities.

(d) All buildings and structures within the 1 in 100-year flood extent that do not comply with the Permitted Activity Conditions for floor levels or total gross floor area.

### 5C 2.2.1 Matters in which Council has Restricted its Discretion and Standards and Terms

(a) **Any Permitted Activity which abuts a residential activity area, and exceeds 500m<sup>2</sup> gross floor area.**

(i) Effects on the transport network:

- The adverse effects on the surrounding transport network of the movement of people and goods generated by the retail activity. An important

consideration here is the ability of the surrounding transport network to accommodate the likely increase in movements generated.

- The adverse effects of the activity on traffic, cycle and pedestrian movements, public transport services and parking and access within the immediate vicinity of the site.
- The extent to which the activity is designed to provide:
  - where practicable and appropriate, on-site accessibility for public transport services;
  - practical access to existing or planned public transport services off-site;
  - and
  - pedestrian and cycle routes and facilities.

**(b) Service stations and commercial garages.**

**(i) Traffic effects:**

- The adverse effects on the surrounding roading network of traffic generated by the activity. An important consideration here is the ability of the roading network to accommodate the likely increase in traffic generated.
- The adverse effects of the activity on traffic and pedestrian movement, parking and access within the immediate vicinity of the site.
- Site design shall comply with the provisions of Chapter 14A, except that driveway crossing widths may be increased to the extent necessary for the ingress and egress of fuel tanker trucks serving the site. Sites facing Major District Distributor and Minor District Distributor routes (See Chapter 14A) shall be designed with one way forecourts and shall be capable of operating satisfactorily with a central road median.

**(ii) Continuity of display windows and verandahs:**

The extent to which service stations and commercial garages have adverse effects on the continuity of display windows, the provision of verandahs and front of site development boundary requirements.

**(iii) Vehicle Repair:**

No vehicles shall be repaired on the forecourt or street, nor shall vehicles in various stages of repair be parked on the street.

**(c) Emergency Facilities**

**(i) Traffic Effects:**

- The adverse effects on the roading network generated by the emergency facilities.
- The adverse effects on traffic, cycle and pedestrian movement, parking and access in the immediate vicinity of the site.

**(ii) Appearance of Buildings and Structures:**

The adverse effects on the visual impression of the streetscape. In this respect an important consideration is the likely impact on the continuous display window frontage requirements.

**(d) All buildings and structures within the 1 in 100-year flood extent that do not comply with the Permitted Activity Conditions for floor levels or total gross floor area.**

- (i) In assessing proposals, Council will be guided by the degree to which buildings and structures further increase:**
- The risk to people of exposure to the flood hazard; and
  - The flood hazard effects for land, buildings and structures off-site.

### 5C 2.2.2 Other Matters

All Restricted Discretionary Activities must comply with other relevant Permitted Activity Conditions.

## 5C 2.3 Discretionary Activities

- (a) Except where stated in the General Rules, any Permitted or Restricted Discretionary Activity which fails to comply with any of the relevant Permitted Activity Conditions, or relevant requirements of Chapter 14 - General Rules.
- (b) Licensed premises which operate between the hours of 7.00am and 11.00pm, excluding off-licenses.
- (c) Brothels and commercial sexual services on the ground floor of buildings.
- (d) Brothels and commercial sexual services on a site abutting or directly across the road from schools, pre-school facilities, churches and other similar religious establishments or a residential activity area.

### 5C 2.3.1 Assessment Matters for Discretionary Activities

- (a) The matters contained in sections 104 and 105, and in Part II of the Act shall apply.
- (b) The degree of compliance or non-compliance with any relevant Permitted Activity Conditions.

## 5C 2.4 Non-Complying Activities

- (a) All other activities not listed as a Permitted, Restricted Discretionary or Discretionary Activity.

## 5C 2.5 Other Provisions

- (a) Subdivision - See Chapter 11.
- (b) Financial Contributions - See Chapter 12.
- (c) Utilities - See Chapter 13.
- (d) General Rules - See Chapter 14.

## 5C 3 Anticipated Environmental Results

- (a) Maintenance and enhancement of both the retailing and commercial function, and community focus associated with Suburban Commercial centres.
- (b) Protection of the amenity values of residential activity areas from the adverse effects of activities in Suburban Commercial centres.
- (c) Maintenance and enhancement of the amenity values of Suburban Commercial Activity Areas.
- (d) To protect buildings and structures from potential flooding of land by the Hutt River.
- (e) The scale, size and location of buildings and structures will have adverse effects which are no more than minor on flood protection structures.