

COMMERCIAL ZONE

Within the Ruapehu District there are a number of urban centres. Contained within each of these centres are varying sized commercial areas. These commercial areas provide consumer goods and services to the community they serve and to visitors to the District.

Commercial areas have traditionally provided for a wide range of retail opportunities and for the purchase of essential services. These have typically been grouped in a single area or in a number of defined separate areas to, amongst other things, minimise the consumers opportunity cost of purchasing the goods and services and provide for comparison shopping.

As commercial areas develop environmental effects cumulate. The result is a series of effects that are unsuitable in residential environments. Further, commercial areas are sensitive to effects generated by other activities that negatively impact on amenity values or provide an environment where the consumer's health and safety is placed at risk. This lowers the desirability of these areas and acts as a barrier to their development and continuation.

Considerable investment has been made in the commercial areas of the District in terms of natural and physical resources. This investment of resources must be recognised and an environment encouraged that will promote the sustainable management of the natural and physical resources, and have particular regard to their efficient use and development and finite characteristics.

With respect to activities occurring in the Commercial Zone that impact upon, or are associated with, water or produce a discharge, the Manawatu-Wanganui Regional Council has statutory responsibility for these in accordance with the Act.

CM 1.0 ISSUE

- (a) **The inefficient use and development of the commercial areas as a physical resource due to fragmentation.**

CM 1.1 OUTCOME

- (a) **Consolidated commercial areas that provide for the efficient use of both the present and future physical resources.**

CM 1.2 OBJECTIVE

- (a) **Avoidance of fragmented development of the District's commercial areas.**

CM 1.3 POLICIES

- (a) **To promote continuity in the location of retail activities.**
- (b) **To restrict the extension of the commercial areas along State Highway No.4, State Highway No.49 and State Highway No.1.**

Explanation of Policies

These policies seek to avoid the fragmentation of the commercial areas in two ways. The first is to avoid by avoiding the unplanned expansion of commercial areas by restricting the extension of

commercial areas, in particular along the state highways, and secondly by promoting the full utilisation of existing commercial development opportunities.

CM 2.0 ISSUE

- (a) **Commercial areas with an environmental quality, and having amenity values, below the expectation of the community.**

CM 2.1 OUTCOME

- (a) **Commercial environment enabling people and the community to provide for their social and economic wellbeing.**

CM 2.2 OBJECTIVE

- (a) **Maintenance and enhancement of the quality and amenity values of the commercial areas.**

CM 2.3 POLICIES

- (a) **To require all development to avoid, remedy or mitigate adverse environmental effects, including those effects which degrade the amenity values and quality of the commercial environment.**
- (b) **To require visual continuity of development, including the provision of verandahs.**
- (c) **To restrict activities that produce environmental effects that are incompatible with the commercial environment.**
- (d) **To ensure activities that require a quality of environment in excess of that of the commercial environment provide their own protection.**

Explanation of Policies

The policies seek to maintain and enhance the environmental quality and amenity values of the commercial environment by requiring that all development avoids or mitigates adverse effects and achieves visual continuity. In this context, quality is an expression of the continuity of land uses in the commercial areas and the functioning of the commercial areas to enable people and the community to provide for their social and cultural wellbeing.

The policies recognise that there are some activities which produce effects which are inappropriate in commercial environments and these will be restricted from establishing in this environment. Further, the policies also recognise that some activities desire a standard of amenity values in excess of that provided in the commercial environment which may compromise other activities in this environment. Such activities are required to provide their own protection.

CM 3.0 ISSUE

- (a) **Traffic/pedestrian conflict caused by commercial areas being located on roads carrying a high number of vehicles, including heavy motor vehicles, and by the limitation of parking located in convenient positions.**

CM 3.1 OUTCOME

- (a) **Commercial environments promoting the health, safety and wellbeing of people and the community.**

CM 3.2 OBJECTIVE

- (a) **Conflict between pedestrians and traffic avoided, remedied or mitigated.**

CM 3.3 POLICIES

- (a) **To require that adequate on site parking and service vehicle access is provided for all new development.**
- (b) **To restrict the extension of the commercial areas along State Highway No.1, State Highway No.4, and State Highway No.49.**
- (c) **To promote the use of appropriate design standards to avoid or mitigate adverse effects of any traffic/pedestrian conflict.**

Explanation of Policies

These policies seek to minimise traffic/pedestrian conflict by managing project design and location.

CM 4.0 ISSUE

- (a) **Potential adverse effects on activities in adjacent residential zones.**

CM 4.1 OUTCOME

- (a) **Health and safety of people and maintenance of amenity values of adjoining residential zones.**

CM 4.2 OBJECTIVE

- (a) **The effects of activities in the commercial zone occurring at the interface with any residential zone are compatible with the quality of environment required in the residential zone.**

CM 4.3 POLICY

- (a) **To require that adverse effects on adjoining residentially zoned land of activities occurring within the commercial areas are avoided, remedied or mitigated.**

Explanation of Policy

This policy seeks to ensure that where residential and commercial zones interface appropriate residential amenity values are maintained.

CM 5.0 METHODS

- 1) To support community initiatives for the upgrading of the commercial environment.
- 2) To achieve adequate servicing of development for stormwater and sewage disposal through the Council's power under the Building Act 1991.

CM 6.0 RULES

CM 6.1 Permitted Activities

- (a) Commercial Activity
- (b) Recreation and Community Activity
- (c) Healthcare Services Activity
- (d) Hospital Activity
- (e) Tourist Accommodation Activity
- (f) Education Activity
- (g) Residential Activity
- (h) Earthworks Activity
- (i) Carparks not associated with other permitted activities
- (j) Service Station Activity

CM 6.2 Discretionary Activities (Restricted)

- (a) Any permitted activity specified in Rule CM 6.1 which cannot meet all the relevant conditions for permitted activities.

CM 6.3 Discretionary Activities

- (a) Industrial Activity

CM 6.4 Non-Complying Activities

- (a) Any land use or activity not specifically referred to in Rules CM 6.1, CM 6.2 and CM 6.3.

CM 6.5 Conditions For Permitted Activities

For Commercial, Recreation and Community, Carparks not associated with other permitted activities, Healthcare Services, and Hospital Activities, compliance with the following conditions is required for the activity to be a permitted activity:

- (1) Height

The maximum height of any building or part of building shall be 2.0 metres plus the horizontal distance from the nearest Residential or Protected Areas Zone.

- (2) Structure

Every building shall, on its erection or substantial reconstruction, be provided with a verandah across the whole of those frontages of the building that directly abuts, or is situated within 2.0 metres of parking areas available for the use of the general public (excluding on site customer parking accessory and secondary to an established activity, pedestrian areas available for the use of the general public excluding on site pedestrian access, public parking areas, pedestrian areas), in the following areas:

- (a) **Taumarunui**

- i. State Highway No.4 (Hakiaha Street) between Katarina Street and Turaki Street
- ii. Katarina Street from State Highway No.4 (Hakiaha Street) to Miriama Street, Taumarunui
- iii. Marae Street from State Highway No.4 (Hakiaha Street) to Miriama Street, Taumarunui
- iv. Manuaute Street from State Highway No.4 (Hakiaha Street) to Miriama Street, Taumarunui
- v. Hikaia Street from State Highway No.4 (Hakiaha Street) to Miriama Street, Taumarunui
- vi. Turaki Street from State Highway No.4 (Hakiaha Street) to Morero Terrace, Taumarunui
- vii. Miriama Street from Katarina Street to Hikaia Street on the northern side
- viii. Morero Terrace from Hikaia Street to Turaki Street
- ix. Miriama Street from Lot 5 Blk II DP 20591 to Hikaia Street on the southern side.

(b) Ohakune

- i. State Highway No.49 (Clyde Street) between Arawa Street and Rata Street
- ii. Rata Street, Goldfinch Street and Miro Street from State Highway No.49 (Clyde Street) to Ayr Street
- iii. Ayr Street between Rata Street and Miro Street
- iv. Thames Street from Mangawhero Terrace to Miro Street
- v. Mangawhero Terrace from Thames Street to Tyne Street
- vi. Tyne Street from Mangawhero Terrace to Rimu Street
- vii. Miro Street from Rimu Street to Thames Street
- viii. Rimu Street in its entirety.

(c) Waiouru

- i. State Highway No.1.

(d) Raetihi

- i. Seddon Street between Duncan Street and State Highway No.4.

(3) Noise

- (a) All activities shall be so conducted as to ensure that the following noise levels are not exceeded at, or within, the boundary of any site, other than the site the noise is emanating from:

The average maximum noise level of 65 dBA L₁₀, unless the boundary is the boundary of a residential zone when the following noise levels shall apply:

- (i) Average maximum noise level not to be exceeded:

07:00am to 10:00pm Monday to Saturday inclusive - 55dBA L10
 All other times and on public holidays - 45dBA L10

- (ii) Maximum noise level of 75dBA L_{max} shall not be exceeded

- (b) Subject to the express provision of this rule, noise levels shall be measured and assessed in accordance with New Zealand Standards NZS 6801:1991 "Measurement of Sound" and NZS 6802:1991 "Assessment of Environmental Sound".

For Tourist Accommodation, Service Station and Education Activities, compliance with the following conditions is required for the activity to be a permitted activity:

(4) Location

Tourist Accommodation, Service Station and/or Education Activity shall not be established on the ground floor on sites fronting the following:

- (i) State Highway No.4 between Katarina Street and Turaki Street, Taumarunui
- (ii) State Highway No.49 between Miro Street and Rata Street, Ohakune

(5) Integration

All permitted activity conditions for a Commercial Activity shall apply to a Tourist Accommodation, Service Station and or Education Activity as if the words "Tourist Accommodation, Service Station and/or Education Activity" were substituted for "Commercial Activity".

For Residential Activities, compliance with the following conditions is required for the activity to be a permitted activity:

(6) Scale

Any residential activity shall not be located on the ground floor of any building unless it is associated with, and secondary to, a tourist accommodation activity.

(7) Noise

Prior to any residential activity being commenced, any residential activity in the zone shall be required to produce an acoustic design report prepared by a person suitably qualified and experienced in acoustics. The report shall indicate the means by which noise levels equivalent to those for commercial activities set out in the permitted activity conditions in this zone shall be attenuated to 35 dBa L₁₀ in any room used for sleeping. The report shall be certified by its author that the means given therein will be adequate to ensure compliance with the 35 dBa L₁₀ limit. The means shall be implemented before the activity is established.

(8) Integration

All permitted activity conditions for a Commercial Activity shall apply to a Residential Activity as if the words "Residential Activity" were substituted for "Commercial Activity".

For Earthworks Activities, compliance with the following conditions is required for the activity to be a permitted activity:

(9) Association

All earthworks shall be associated with the development or redevelopment of an activity that is permitted in the Commercial Zone.

(10) Proximity

If the earthworks are located adjacent to a residential zone the following conditions shall be met:

- (i) Earthworks shall only occur between 08:00am and 06:00pm Monday to Saturday inclusive, excluding public holidays.

- (ii) All earthwork sites shall be kept tidy and be reinstated as soon as practically possible so as to avoid a prolonged visual change in the character of the area.

CM 6.6 Standards and Terms for Discretionary Activities (Restricted)

For Discretionary Activities (Restricted) compliance with the following standards and terms is required for an activity to be a Discretionary Activity (Restricted):

None.

CM 6.7 Matters over which the Council has Restricted the Exercise of its Discretion for Discretionary Activities (Restricted)

Any actual and potential effects on the environment of the activity due to the non-compliance of the activity with the permitted activity conditions, specifically including cumulative effects which may arise over time or in combination with other effects, but for the purposes of clarification, excluding those actual and potential effects on the environment that would result if the activity complied with all the permitted activity conditions.

Principal Reasons for Adopting the Objectives, Policies and Methods

The Council wishes to encourage a healthy commercial sector. This is viewed as important to the social and economic wellbeing of the community as a whole.

The Council does not wish to see the commercial areas within the District fragmented. Fragmentation can occur as a result of unplanned expansion and the establishment of incompatible activities.

Residential activities in the Commercial Zone should not be entitled to any greater protection than given in the noise control rule for a commercial activity. Permitted activities in the Commercial Zone will not be disadvantaged by a requirement to control noise beyond the scope of the noise control rule in order to provide environmental protection for a residential activity in the Commercial Zone. To ensure a healthy living environment for residents, residential dwelling units shall be designed to cope with the levels of noise permitted by the noise control rule, and an acoustic design will be required.

The effects of Service Station activities are, in some circumstances, compatible with the Commercial environment. As such the activities provided as permitted activities if their effects can be avoided, remedied or mitigated.

The effects of a Service Station within the core commercial areas consisting primarily of retail frontages cannot be adequately avoided, remedied or mitigated through the use of permitted activity conditions. In these core areas it is efficient and effective to manage the effects of the activity through the resource consent process whereby a proposal can be evaluated on a case by case site specific basis.

CM 7.0 CROSS REFERENCES

As a guide only, any person referring to the above should also refer to the parts of the District Plan addressing the following issues:

- Information Requirements
- District Rules
- Transportation
- Subdivision

- Signs
- Financial Contributions
- Hazardous Substances
- Indigenous Vegetation and Habitats of Indigenous Fauna
- Riparian Management and Public Access
- Relocatable Buildings
- Utilities
- Natural Hazards
- Heritage

