

## COMZ – Commercial zone

*The relevant district-wide chapter provisions apply in addition to this chapter.*

### Purpose

The COMZ - Commercial zone identifies areas used predominantly for a range of commercial and community activities.

### Objectives

COMZ-O1 Economic growth of industry.

Commercial activity is focussed within a differentiation of commercial zones (comprising the TCZ – Town centre zone, LCZ – Local centre zone, COMZ – Commercial zone, and the BTZ – Business Tamahere zone.

COMZ-O2 Commercial zone character.

The commercial scale, form of buildings and character of the zone is maintained.

COMZ-O3 Commercial zone amenity.

The amenity values of residential activities within, and activities in, adjoining zones are protected from the adverse effects of developments and activities in the zone.

#### COMZ-O4 Huntly Commercial Precinct

Recognise the scale of buildings in this location may change.

### Policies

COMZ-P1 Commercial function and purpose.

Larger scale commercial activities are provided for within the zone.

COMZ-P2 Commercial purpose.

- (I) The role of the zone is to support the local economy and the needs of businesses by:
- (a) Providing for a wide range of commercial activities; and
  - (b) Providing for commercial activities at a scale that supports the commercial viability of towns and villages; and
  - (c) Ensuring that commercial activities complement and support the role of business town centres.

COMZ-P3 Role and function of the zone.

- (I) Ensure the role of the zone is complementary to the TCZ – Town centre zone by:
- (a) Enabling a wide range of commercial activities including large format retail activities within the zone; and

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- (b) Discouraging small scale retail activities, administration and commercial services within the zone.

COMZ-P4 Employment opportunities.

Commercial development within the zone increases employment opportunities within the district.

COMZ-P5 Retail.

- (1) Locate small scale retail activities within the TCZ – Town centre zone and LCZ – Local centre zone and discourage large scale activities with the exception of supermarkets from establishing within the TCZ – Town centre zone.
- (2) Locate large scale retail and commercial activities within the COMZ – Commercial zone.

COMZ-P6 Residential upper floors.

- (1) Maintain the commercial viability of the zone while:
  - (a) Providing for mixed use developments, ensuring residential activities are preferably located above ground floor; and
  - (b) Avoiding residential activity located at ground level, where it could undermine commercial activity and frontage.

COMZ-P7 Landscaping of onsite parking areas.

Provide a degree of amenity for onsite parking areas within the zone by ensuring a planting strip is established and maintained.

COMZ-P8 Strategic infrastructure setback.

- (1) Ensure buildings within the zone are designed and set back from strategic infrastructure by:
  - (a) Retaining the predominant building setback within the street; and
  - (b) Allowing sufficient space for the establishment of landscaping on the site.

COMZ-P9 Height.

Ensure the height of new buildings is complementary to, and promotes, the existing character of the zone and adjoining residential zones.

COMZ-P10 Reverse sensitivity.

Development within the zone is acoustically insulated to mitigate the adverse effects of noise.

COMZ-P11 Adjoining site amenity.

- (1) Maintain amenity of adjoining GRZ – General residential zone, MRZ1 – Medium density residential zone 1, MRZ2 – Medium density residential zone 2 or OSZ – Open space zone by:

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- (a) Requiring buildings within the zone to be set back from boundaries adjoining GRZ – General residential, MRZ1 – Medium density residential zone 1, MRZ2 – Medium density residential zone 2 and OSZ – Open space zoned land; and
- (b) The progressive reduction in the height of buildings in the zone, the closer they are located to boundaries adjoining GRZ – General residential, MRZ1 – Medium density residential zone 1, MRZ2 – Medium density residential zone 2 and OSZ – Open space zoned land.

COMZ-PI2 Huntly Commercial Precinct

- (a) [Recognise the positive benefits from redevelopment including providing for a range of housing options;](#)
- (b) [Ensure the scale and mass of buildings positively respond to site and surroundings including public spaces; and](#)
- (c) [Provide for amenity including access to sunlight and daylight.](#)

**Rules**

*Land use – activities*

In addition to the activity-specific standards listed below, permitted activities must also comply with all relevant Land-use effects standards and Land-use building standards in this chapter, as well as the standards in Part 2 / District-wide matters / General district-wide matters.

<b>COMZ-R1</b>	Commercial activity	
<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> (a) Any individual tenancy must have a gross floor area of greater than 350m <sup>2</sup> .		<b>(2) Activity status where compliance not achieved: DIS</b>
<b>COMZ-R2</b>	Supermarket	
<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> Nil.		<b>(2) Activity status where compliance not achieved: n/a</b>
<b>COMZ-R3</b>	Community facility	
<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> (a) Excluding a cemetery.		<b>(2) Activity status where compliance not achieved: DIS</b>
<b>COMZ-R4</b>	Residential activity, unless specified below  This includes occupation of a single residential unit for short term rental.	
<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> (a) Located above ground floor level.		<b>(2) Activity status where compliance not achieved: RDIS</b> <b>Council’s discretion is restricted to the following matters:</b> (a) The extent to which the residential activity effects the primary purpose of the zone to provide for commercial activities.
<b>COMZ-R5</b>	Educational facility	

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(1) <b>Activity status: PER</b> <b>Activity-specific standards:</b> Nil.	(2) <b>Activity status where compliance not achieved: n/a</b>
<b>COMZ-R6</b>	Child care facility
(1) <b>Activity status: PER</b> <b>Activity-specific standards:</b> Nil.	(2) <b>Activity status where compliance not achieved: n/a</b>
<b>COMZ-R7</b>	Office
(1) <b>Activity status: PER</b> <b>Activity-specific standards:</b> Nil.	(2) <b>Activity status where compliance not achieved: n/a</b>
<b>COMZ-R8</b>	Public amenity
(1) <b>Activity status: PER</b> <b>Activity-specific standards:</b> Nil.	(2) <b>Activity status where compliance not achieved: n/a</b>
<b>COMZ-R9</b>	Health facility
(1) <b>Activity status: PER</b> <b>Activity-specific standards:</b> Nil.	(2) <b>Activity status where compliance not achieved: n/a</b>
<b>COMZ-R10</b>	Visitor accommodation
(1) <b>Activity status: PER</b> <b>Activity-specific standards:</b> Nil.	(2) <b>Activity status where compliance not achieved: n/a</b>
<b>COMZ-R11</b>	Public transport facility
(1) <b>Activity status: PER</b> <b>Activity-specific standards:</b> Nil.	(2) <b>Activity status where compliance not achieved: n/a</b>
<b>COMZ-R12</b>	Servicing of boats at Raglan Wharf
(1) <b>Activity status: PER</b> <b>Activity-specific standards:</b> Nil.	(2) <b>Activity status where compliance not achieved: n/a</b>
<b>COMZ-R13</b>	Community corrections activity
(1) <b>Activity status: PER</b> <b>Activity-specific standards:</b> Nil.	(2) <b>Activity status where compliance not achieved: n/a</b>
<b>COMZ-R14</b>	Buildings, structures and sensitive land use within the National Grid Yard on sites existing as of 18 July 2018
(1) <b>Activity status: PER</b> <b>Activity-specific standards:</b> (a) Within National Grid Yard: (i) Building alterations and additions to an existing building or structure that does not involve an increase in the building height or footprint; or (ii) Infrastructure (other than for the reticulation and storage of water for irrigation purposes) undertaken by a	(2) <b>Activity status where compliance not achieved: NC</b>

<p>network utility operator as defined in the Resource Management Act 1991; or</p> <p>(iii) Non-habitable buildings or structures for farming activities in rural zones including accessory structures and yards for milking/dairy sheds (but not including any intensive farming buildings, commercial greenhouses and milking/dairy sheds); or</p> <p>(iv) Non-habitable horticultural buildings; or</p> <p>(v) Artificial crop protection and support structures (excluding commercial greenhouses and Pseudomonas syringae pv. Actinidiae (Psa) disease control structures);</p> <p>(vi) Fences less than 2.5m in height, measured from the natural ground level immediately below the structure; and</p> <p>(vii) Minor structures associated with farming activity that are not situated within 12m of the outer visible foundation of any National Grid tower or 10m of the outer visible foundation of a National Grid tower, including: fences, gates, stock exclusion structures, cattle-stops, stock underpasses, stock bridges and culvert crossings, and drinking water supply pipelines, troughs, and water storage tanks.</p> <p>(b) All buildings or structures permitted by Rule COMZ-R14(1)(a) must:</p> <p>(i) Comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663 under all National Grid transmission line operating conditions; and</p> <p>(1) Locate a minimum 12m from the outer visible foundation of any National Grid support structure foundation and associated stay wire, unless it is:</p> <p>(2) A building or structure where Transpower has given written approval in accordance with clause 2.4.1 of the NZECP; or</p> <p>(3) Fences less than 2.5m in height, measured from the natural ground level immediately below the</p>	
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<p>structure, and located a minimum of 5m from the nearest National Grid support structure foundation; or</p> <p>(ii) Network utilities (other than for the reticulation and storage of water for irrigation purposes) or any part of electricity infrastructure undertaken by a network utility operator as defined in the Resource Management Act 1991, that connects to the National Grid; and</p> <p>(iii) Not permanently physically impede existing vehicular access to a National Grid support structure;</p> <p>(c) Artificial crop protection structures and support structures between 8m and 12m from a pole support structure but not a tower and any associated guy wire that:</p> <p>(i) Meet the requirements of the NZECP 34:2001 ISSN 0114-0663 for separation distances from the conductor;</p> <p>(ii) Are no higher than 2.5m;</p> <p>(iii) Are removable or temporary, to allow a clear working space of at least 12 metres from the pole when necessary for maintenance and emergency repair purposes;</p> <p>(iv) Allow all-weather access to the pole and a sufficient area for maintenance equipment, including a crane.</p>	
<p><b>COMZ-RI5</b></p>	<p>Construction or alteration of a building for a sensitive land use</p>
<p><b>(1) Activity status: PER</b> <b>Activity-specific standards:</b></p> <p>(a) The construction or alteration of a building for a sensitive land use that complies with all of the following standards:</p> <p>(i) It is set back a minimum of 10m from the centre of line of any electrical distribution or transmission lines, not associated with the National Grid, that operate at a voltage of up to 110kV; or</p> <p>(ii) It is set back a minimum of 12m from the centre of line of any electrical distribution or transmission lines, not associated with the National Grid, that operate at a voltage of 110kV or more.</p>	<p><b>(2) Activity status where compliance not achieved: RDIS</b> <b>Council's discretion is restricted to the following matters:</b></p> <p>(a) Effects on the amenity values of the site;</p> <p>(b) The risk of electrical hazards affecting the safety of people;</p> <p>(c) The risk of damage to property; and</p> <p>(d) Effects on the operation, maintenance and upgrading of the electrical distribution or transmission lines.</p>

<b>COMZ-RI6</b>	Construction or demolition of, or alteration or addition to, a building or structure										
<b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> Nil.		<b>(2) Activity status where compliance not achieved: n/a</b>									
<b>COMZ-RI7</b>	A multi-unit development										
<b>(1) Activity status: RDIS</b> <b>Activity-specific standards:</b> <ul style="list-style-type: none"> <li>(a) A multi-unit development that meets all of the following standards: <ul style="list-style-type: none"> <li>(i) Land use – effects standards for the zone;</li> <li>(ii) Land use – building standards for the zone, except the following rules do not apply; <ul style="list-style-type: none"> <li>(1) COMZ-S9 (Residential units) does not apply;</li> <li>(2) COMZ-S10 (Outdoor living space) does not apply;</li> </ul> </li> </ul> </li> <li>(b) A detailed site plan depicting the proposed Record of Title boundaries for each residential unit and any common areas (including access and services) must be provided, ensuring that a freehold (fee simple) or unit title subdivision complies with Rule SUB-R93 (Subdivision of multi-unit developments);</li> <li>(c) Each residential unit must be designed and constructed to achieve the internal design sound levels specified in APP1 – Acoustic insulation, Table 25 – Internal sound levels;</li> <li>(d) A communal service court is provided comprising; <ul style="list-style-type: none"> <li>(i) minimum area of 20m<sup>2</sup>; and</li> <li>(ii) minimum dimension of 3m.</li> </ul> </li> <li>(e) Outdoor living space areas are provided to meet the following minimum requirements for each residential unit: <table border="1" data-bbox="207 1612 778 1803"> <thead> <tr> <th>Residential Unit</th> <th>Minimum outdoor Living space area</th> <th>Minimum Dimensions</th> </tr> </thead> <tbody> <tr> <td>Studio unit or 1 bedroom</td> <td>10m<sup>2</sup></td> <td>2m</td> </tr> <tr> <td>2 or more bedrooms</td> <td>15m<sup>2</sup></td> <td>2m</td> </tr> </tbody> </table> </li> </ul>		Residential Unit	Minimum outdoor Living space area	Minimum Dimensions	Studio unit or 1 bedroom	10m <sup>2</sup>	2m	2 or more bedrooms	15m <sup>2</sup>	2m	<b>(2) Activity status where compliance not achieved: DIS</b>
Residential Unit	Minimum outdoor Living space area	Minimum Dimensions									
Studio unit or 1 bedroom	10m <sup>2</sup>	2m									
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(f) Each residential unit must meet the following minimum unit size: <table border="1" data-bbox="207 1881 778 1982"> <thead> <tr> <th>Unit or Apartment Area</th> <th>Minimum Unit</th> </tr> </thead> <tbody> <tr> <td>Studio Unit</td> <td>35m<sup>2</sup></td> </tr> <tr> <td>1 or more bedroom unit</td> <td>45m<sup>2</sup></td> </tr> </tbody> </table>		Unit or Apartment Area	Minimum Unit	Studio Unit	35m <sup>2</sup>	1 or more bedroom unit	45m <sup>2</sup>				
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<p><b>Council's discretion is restricted to the following matters:</b></p> <p><u>Design:</u></p> <ul style="list-style-type: none"> <li>(g) The extent to which that portion of the building or site which fronts a road or public space: <ul style="list-style-type: none"> <li>(i) Provides for passive surveillance of the street from habitable rooms at ground and upper floor levels.</li> <li>(ii) Avoids the use of impermeable screens or fencing that obstruct visual connections.</li> <li>(iii) Avoids unrelieved and blank façades.</li> <li>(iv) Creates visual interest through the use of cladding materials, colour and articulation of the façade.</li> <li>(v) Utilises soft or hard landscape elements to contribute positively to streetscape amenity.</li> <li>(vi) Minimises vehicle garaging/parking or manoeuvring areas.</li> <li>(vii) Service courts are screened or obscured.</li> </ul> </li> </ul> <p><u>On-site amenity:</u></p> <ul style="list-style-type: none"> <li>(h) The extent to which the design: <ul style="list-style-type: none"> <li>(i) Maximises opportunities for accessibility, privacy between units, access to daylight and shelter, including outdoor living spaces.</li> <li>(ii) Incorporates measures that may be required to mitigate the potential for reverse sensitivity effects.</li> <li>(iii) Maximises opportunities for passive solar gain within units.</li> </ul> </li> </ul> <p><u>Infrastructure:</u></p> <ul style="list-style-type: none"> <li>(i) The extent to which the design can be efficiently serviced with 3 waters infrastructure.</li> </ul> <p><u>Natural hazards:</u></p> <ul style="list-style-type: none"> <li>(j) The extent to which the design avoids or mitigates effects arising from the presence of natural hazards.</li> </ul> <p><u>Staging:</u></p> <ul style="list-style-type: none"> <li>(k) The extent to which staging is necessary to ensure that development is carried out in a coordinated and timely manner.</li> </ul>	
<b>COMZ-R18</b>	Commercial activities within in the Motorway service centre specific control
<p><b>(1) Activity status: RDIS</b></p> <p><b>Activity-specific standards:</b></p> <p>Nil.</p>	<p><b>(2) Activity status: NC</b></p> <p><b>Where:</b></p>

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<p><b>Council's discretion is restricted to the following matters:</b></p> <ul style="list-style-type: none"> <li>(a) Effects on amenity of the locality;</li> <li>(b) Landscaping;</li> <li>(c) Design and layout;</li> <li>(d) Effects on efficiency and safety of the land transport network, including the Waikato Expressway;</li> <li>(e) Access design; and</li> <li>(f) Potential reverse sensitivity effects.</li> </ul>	<p>(a) Any other activity within the Motorway service centre specific control area.</p> <p>Advice note: The other land-use activities listed within the COMZ – Commercial zone do not apply to the Motorway service centre specific control area, however the land-use effects and land-use standards do apply.</p>
<p><b>COMZ-R19</b></p>	<p>Any activity that is not specifically listed as a permitted, controlled, restricted discretionary or non-complying activity</p>
<p><b>(I) Activity status: DIS</b></p>	
<p><b>COMZ-R20</b></p>	<p>Any new building for a sensitive land use, or addition to an existing building that involves an increase in the building envelope or height for a sensitive land use, within the National Grid Yard</p>
<p><b>(I) Activity status: NC</b></p>	
<p><b>COMZ-R21</b></p>	<p>Any change of use of an existing building to a sensitive land use within the National Grid Yard</p>
<p><b>(I) Activity status: NC</b></p>	
<p><b>COMZ-R22</b></p>	<p>The establishment of any new sensitive land use within the National Grid Yard</p>
<p><b>(I) Activity status: NC</b></p>	
<p><b>COMZ-R23</b></p>	<p>Dairy/milking sheds (excluding accessory structures and buildings), commercial greenhouses, Pseudomonas syringae pv. Actinidiae (Psa) disease control structures, or buildings for intensive farming within the National Grid Yard</p>
<p><b>(I) Activity status: NC</b></p>	
<p><b>COMZ-R24</b></p>	<p>Any building, structure, objects or vegetation that obscure the sight line of the Raglan navigation beacons for vessels entering Whaingaroa (Raglan Harbour) (APP8 – Raglan navigation beacon).</p>
<p><b>(I) Activity status: PR</b></p>	

Land use – effects

<p><b>COMZ-SI</b></p>	<p>Servicing and hours of operation</p>	
<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></p> <ul style="list-style-type: none"> <li>(a) The loading and unloading of vehicles and the receiving of customers and deliveries associated with a commercial activity on a site adjoining the GRZ - General residential zone, MRZ1 – Medium density residential zone 1, MRZ2 – Medium density residential zone 2, LLRZ – Large lot residential zone or SETZ – Settlement zone must only occur between 6.00am and 8.00pm.</li> </ul>		<p><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council's discretion is restricted to the following matters:</b></p> <ul style="list-style-type: none"> <li>(a) Effects on amenity values on adjoining sites within the GRZ - General residential zone, MRZ1 – Medium density residential zone 1, Medium density residential zone 2, LLRZ – Large lot residential zone or SETZ – Settlement zone;</li> <li>(b) Timing, duration and frequency of adverse effects;</li> </ul>

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		(c) Location of activity in relation to zone boundary;
		(d) Location of activity in relation to residential units on adjoining sites;
		(e) The means to avoid, remedy or mitigate adverse effects on adjoining sites.
<b>COMZ-S2</b>	Onsite parking areas – landscaping	
<b>(1) Activity status: PER</b> <b>Where:</b> (a) Onsite car parking area for 5 or more parking spaces located adjoining a road, must comply with the following standards: (i) The car parking area must be separated from the road by a 1.5m wide planting strip, with the exception of vehicle access points; and (ii) Plants within the planting and pedestrian strip must be maintained to a height no greater than 1m.	<b>(2) Activity status where compliance not achieved: RDIS</b> <b>Council's discretion is restricted to the following matters:</b> (a) Design and location of the parking area and landscaping strip; and (b) Effects on streetscape amenity.	
<b>COMZ-S3</b>	Outdoor storage	
<b>(1) Activity status: PER</b> <b>Where:</b> (a) Outdoor storage of goods or materials must comply with all of the following standards: (i) Be associated with the activity operating from the site; (ii) Not encroach on parking or loading areas; (iii) Standards COMZ-S4 Height and COMZ-S7 Height in relation to boundary; and (iv) Be fully screened from view by a close boarded fence or solid fence or wall to a height of 1.8m fencing or landscaping from any: (1) Public road; (2) Public reserve; and (3) Adjoining site in another zone.	<b>(2) Activity status where compliance not achieved: RDIS</b> <b>Council's discretion is restricted to the following matters:</b> (a) Visual amenity; (b) Effects on loading and parking areas; (c) Size and location of storage area; and (d) Measures to mitigate adverse effects.	

Land use – building

<b>COMZ-S4</b>	Building height	
<b>(1) Activity status: PER</b> <b>Where:</b> (a) The maximum height of any building or structure measured from the natural ground level immediately below that part of the structure must not exceed 12m;	<b>(2) Activity status where compliance not achieved <a href="#">except for Huntly COMZ precinct</a>: RDIS</b> <b>Council's discretion is restricted to the following matters:</b>	

<p>(b) Chimneys not exceeding 1m in width and finials shall not exceed a maximum height of 14m measured from the natural ground level immediately below the structure;</p> <p>(c) The maximum height of hose drying towers associated with emergency service facilities measured from the natural ground level immediately below that part of the structure must not exceed 15m.</p>	<p>(a) Height of the building;</p> <p>(b) Design and location of the building</p> <p>(c) Extent of shading on an adjoining site; and</p> <p>(d) Privacy on adjoining sites.</p> <p><i>Note: For the Huntly COMZ precinct see PREC5-SX below</i></p>
<p><b>COMZ-S5</b>   Height in relation to boundary</p>	
<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></p> <p>(a) Any building or structure must not protrude through a height control plane rising at an angle of 45 degrees commencing at an elevation of 2.5m above ground level at the site boundary where it adjoins the:</p> <p>(i) GRZ – General residential zone;</p> <p>(ii) MRZ<sub>1</sub> – Medium density residential zone <u>1</u>;</p> <p>(iii) LLRZ – Large lot residential zone;</p> <p>(iv) SETZ – Settlement zone;</p> <p>(v) RLZ – Rural lifestyle zone; <del>or</del></p> <p>(vi) OSZ – Open space zone; <u>or</u></p> <p>(vii) MRZ<sub>2</sub> – Medium density residential zone <u>2</u>.</p>	<p><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council’s discretion is restricted to the following matters:</b></p> <p>(a) Height of the building;</p> <p>(b) Design and location of the building;</p> <p>(c) Level of shading on any other adjoining sites;</p> <p>(d) Privacy on other sites; and</p> <p>(e) Amenity values of the locality.</p>
<p><b>COMZ-S6</b>   Building setbacks – zone boundaries</p>	
<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></p> <p>(a) A building must be set back a minimum of at least:</p> <p>(i) 3.0 m from rear and side boundaries adjoining any:</p> <p>(1) GRZ – General residential zone;</p> <p>(2) MRZ<sub>1</sub> – Medium density residential zone <u>1</u>;</p> <p>(3) LLRZ – Large lot residential zone;</p> <p>(4) SETZ - Settlement zone;</p> <p>(5) RLZ – Rural lifestyle zone; <del>or</del></p> <p>(6) OSZ – Open space zone; <u>or</u></p> <p>(7) MRZ<sub>2</sub> – Medium density residential zone <u>2</u>.</p> <p>(ii) 1.5m from rear and side boundaries adjoining any:</p> <p>(1) GRUZ – General rural zone;</p> <p>(2) GIZ – General industrial zone; or</p>	<p><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council’s discretion is restricted to the following matters:</b></p> <p>(a) Height, design and location of the building relative to the boundary;</p> <p>(b) Impacts on the privacy for adjoining site(s);</p> <p>(c) Impacts on amenity values, including main living areas, outdoor living space of adjoining site(s); and</p> <p>(d) Landscaping and/or screening.</p>

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<p>(3) HIZ – Heavy industrial zone.          (iii) 15m from SH23 for any site between Greenslade Road and Hills Road, Raglan.          (b) COMZ-S6(1)(a) does not apply to a structure which is not a building.</p>	
<p><b>COMZ-S7</b>   Building setback – waterbodies</p>	
<p><b>(1) Activity status: PER</b>  <b>Where:</b>          (a) A building that is set back a minimum of:          (i) 27.5m from the margin of any lake;          (ii) 27.5m from the margin of any wetland;          (iii) 27.5 from the bank of any river (other than the Waikato River and Waipa River);          (iv) 32.5m from the margin of either the Waikato River and the Waipa River;          (v) 27.5m from mean high water springs;          (vi) 10m from any artificial wetland;          (b) A public amenity of up to 25m<sup>2</sup> or pump shed (private or public) within any building setback identified in Standard COMZ-S7(1)(a);          (c) COMZ-S7(1)(a) does not apply to a structure which is not a building.</p>	<p><b>(2) Activity status where compliance not achieved: RDIS</b>  <b>Council’s discretion is restricted to the following matters:</b>          (a) Effects on the landscape, ecological, cultural and recreational values of the adjacent water body;          (b) Adequacy of erosion and sediment control measures;          (c) The functional or operational need for the building to be located close to the waterbody;          (d) Effects on public access to the waterbody;          (e) Effects on the amenity of the locality; and          (f) Effects on natural character values.</p>
<p><b>COMZ-S8</b>   Horotiu acoustic area</p>	
<p><b>(1) Activity status: PER</b>  <b>Where:</b>          (a) Construction, addition to or alteration of a building for a noise-sensitive activity within the Horotiu Acoustic Area must be designed and constructed to achieve the internal design sound level specified in APPI – Acoustic insulation, Table 22 – Internal design sound levels</p>	<p><b>(2) Activity status where compliance not achieved: RDIS</b>  <b>Council’s discretion is restricted to the following matters:</b>          (a) On-site amenity values;          (b) Noise levels received at the notional boundary of the residential unit;          (c) Timing and duration of noise received at the notional boundary of the residential unit;          (d) Potential for reverse sensitivity effects.</p>
<p><b>COMZ-S9</b>   Residential units</p>	
<p><b>(1) Activity status: PER</b>  <b>Where:</b>          (a) One residential unit on the Record of Title must comply with all of the following standards:          (i) The residential unit must not be located at ground level;          (ii) The residential unit is designed and constructed to achieve the internal design sound levels specified in APPI –</p>	<p><b>(2) Activity status where compliance not achieved: DIS</b></p>

Part 3: Area-specific matters / Zones / Commercial and mixed use zones / COMZ – Commercial zone

<p>Acoustic insulation, Table 22 – Internal design sound levels.</p> <p>(b) Standard COMZ-S9(1)(a) does not apply to multi-unit development (refer to Rule COMZ-R17 (Multi-unit development)).</p>	
<p><b>COMZ-S10</b>   Outdoor living space</p>	
<p><b>(1) Activity status: PER</b></p> <p><b>Where:</b></p> <p>(a) An outdoor living space must be provided for each residential unit that meets all of the following standards:</p> <p>(i) It is for the exclusive use of the occupants of the residential unit;</p> <p>(ii) It is readily accessible from a living area of the residential unit; and</p> <p>(iii) It is located on a balcony containing at least 15m<sup>2</sup> and a circle with a diameter of at least 2.4m.</p>	<p><b>(2) Activity status where compliance not achieved: RDIS</b></p> <p><b>Council’s discretion is restricted to the following matters:</b></p> <p>(a) Design and location of the building;</p> <p>(b) Provision of outdoor living including access to daylight and open space and the useability and accessibility of the outdoor living space proposed;</p> <p>(c) Privacy on adjoining sites;</p> <p>(d) The proximity of the site to communal or public open space that has the potential to mitigate any lack of private outdoor living space.</p>

*Additional provisions applying to the Huntly COMZ Precinct*

<p><b>PREC5-SX</b></p>	<p><b>Huntly Commercial Precinct</b></p>
<p><b>(1) Activity status: RDIS</b></p> <p><b>Where</b></p> <p>a) <u>The maximum height of any building or structure measured from the natural ground level immediately below that part of the structure must not exceed 22m in height; and</u></p> <p>b) <u>For all side and rear boundaries that are not zone boundaries buildings above 12m in height must fit within a height plane of 4, at the boundary plus 60 degrees; and</u></p> <p>c) <u>Residential units must have an outlook area of 6m by 4m from principal living room windows. This outlook area must be free of buildings and either be contained within the site, or extend into public space or road</u></p> <p>d) <u>Each residential unit must be designed and constructed to achieve the internal design sound levels specified in APPI – Acoustic insulation, Table 25 – Internal sound levels</u></p>	<p><b>(2) Activity status where compliance is not achieved: DIS</b></p>

**Council's discretion is limited to the following matters:**

- (a) The design and appearance of buildings including modulation and articulation of building mass to create visual interest and to break down larger elements;
- (b) The effects on the heritage values of any scheduled heritage item;
- (c) The contribution that such buildings make to the attractiveness pleasantness of public spaces;
- (d) The maintenance or enhancement of amenity for pedestrians using public spaces or streets;
- (e) The provision of convenient and direct access between the street and building for people of all ages and abilities;
- (f) Measures adopted for limiting the adverse visual effects of any blank walls along side and rear frontages;
- (g) The effectiveness of screening of car parking and service areas from the view of people using the public space; and
- (h) Landscape treatment of yards and frontages, including screening of taller buildings when viewed from adjoining residential zones.