

## 7 BUSINESS

### 7.1 INTRODUCTION

Waipukurau and Waipawa are the largest business centres in the District providing a wide range of activities, including retail shops, professional and administrative offices, community facilities, personal and household services, entertainment, restaurants and industry. They are the focus of business within the District and their activities reflect their role as rural service centres. Many businesses are involved in the handling and processing of agricultural and horticultural produce.

The buildings in the central retail areas are one or two storeys high, characterised by verandahs and display windows adjacent to the street frontage. The Council provides off-street parking, street furniture and public toilets in these areas.

Waipawa and Waipukurau have a number of historic buildings. In Waipawa they are wooden, built at the turn of the century; while, in Waipukurau they are typically in "art deco" style, built after the 1931 Napier earthquake.

Small settlements also contain businesses. These are generally small and provide an essential service for residents or visitors to the area.

Home-based businesses and occupations are found in the residential and rural areas.

## ISSUES, OBJECTIVES AND POLICIES

### 7.2 ISSUE - Amenity

**The establishment and operation of poorly managed businesses can cause noise, odour, dust, loss of visual amenity, and traffic congestion.**

#### Explanation

Business occupies two areas: inner commercial and the mixed commercial and industrial areas. The inner commercial areas contain retail and service activities, while the mixed commercial and industrial areas contain commercial activities that require on-site parking and light industrial activities that process, manufacture or service various items or products. Characteristics of these environments and the effects of activities within them are, therefore, quite distinct. These are discussed below.

#### Inner Commercial Environment (Business Zone 1)

Commercial Visual Amenity - Visually the inner commercial areas are characterised by one and two storey buildings built up to all boundaries, often with large display windows, verandahs and advertising signs. Important issues with regard to visual amenity are:

- retaining the existing scale and spatial distribution of buildings
- preventing the proliferation of advertising from detracting from amenities
- preventing the erection of large blank walls along road frontages
- a safe and pleasant pedestrian environment

To maintain an attractive environment, new buildings should not significantly exceed existing heights or create large blank walls which have no interest or appeal. Large, open sealed areas also have little visual interest, fragment the continuity of buildings and may result in glare from parked cars. The proliferation of advertising is discussed in Part 11 (Signs).

Certain buildings in the District's business areas (such as the Waipawa Town Hall and Library) contain significant historical, architectural or cultural values. Poor development would compromise

the building character. The visual continuity of buildings as a whole and individual detail on buildings and sympathetic refurbishment are important elements.

### **Mixed Commercial and Industrial Environment (Business Zone 2)**

Some retail outlets are in the mixed commercial and industrial area rather than the inner commercial area. These outlets usually sell “bulky” goods and therefore need on-site car parking. Some industrial activities provide service and retailing activities - complementary to their manufacturing, processing and storage activities.

The nature of some business operations makes it difficult for them to conform to the higher standards of amenity. Compliance with a higher environmental standard could prohibit their ability to operate. Such industries require specific sites or separation from areas of higher amenity.

## **7.2.1 Objective**

**Areas of business activity having a standard of amenity and provide a pleasant work environment.**

## **7.2.2 Policies**

1. *To enhance the business environment by avoiding, remedying or mitigating adverse effects created by activities such as noise, glare, dust, odour and car-parking or visual impacts; by:*
  - i requiring all parking and vehicle manoeuvring areas to have an all-weather surface minimising the creation of dust nuisance;*
  - ii requiring landscaping for car parking areas.;*
  - iii ensuring the frontages of sites for industrial and service activities present an attractive, planted aspect to the street;*
  - iv ensuring noise standards within business areas do not compromise the functioning of anticipated activities, while recognising the areas need to remain pleasant to visit and work in,; and,*
  - v accommodating industrial activities in an appropriate zone in recognition that they may not be able to operate under high standards of amenity.*
2. *To maintain and enhance the existing form and character of commercial areas in terms of building height, setback, site coverage and display windows.*
3. *To maintain and enhance the character and integrity of buildings having significant cultural, historic or architectural values.*
4. *To differentiate between business activities, based on the general nature of their effects, to ensure incompatible activities are not located together; by:*
  - i ensuring the retention of an inner commercial area (Business Zone 1) in Waipukurau and Waipawa -with particular focus on the retail and commercial frontage areas - which are convenient, accessible, identifiable and pleasant areas to undertake commercial and retail activities;*
  - ii enabling the establishment of industries, warehouses and depots in locations which are separated from the Business 1 areas and residential areas ;*
  - iii ensuring opportunities are available for the establishment of a mix of business activities with retailing, services and industrial activities;*
  - iv encouraging and provide for pleasant and convenient local commercial areas, providing for retail and service activities, in defined suburban locations in close proximity to the local neighbourhoods they serve;*

5. *To maintain and enhance public open spaces within business areas, and to provide public facilities and street furniture for the enjoyment and convenience of persons within business areas.*

### **7.2.3 Implementation Methods**

To achieve policies 1-5 through:

1. the use of rules to control the use of land, and to put in place performance standards for street appearance (setback, height, verandahs, window display and landscaping), noise, access and car-parking;
2. the use of zoning to separate activities which generate traffic and pedestrians and to separate activities which may create noxious effects such as odour and noise. Zoning therefore reflects location (proximity to residential areas), the quality of amenity sought and function of activities provided for; and,
3. continuing to provide finance and initiate projects for street and open space enhancement and the provision of public facilities and conveniences.

### **7.2.4 Explanation and Reasons**

Commercial viability depends on the ability to attract customers. Therefore a high standard of amenity is encouraged so that people want to visit business areas and to provide for the well-being of people working in businesses. Amenity is improved when works are undertaken to enhance the environment, adverse effects are minimised or incompatible activities are separated. The policies provide direction on how Council will maintain and improve the amenity and quality of business environments.

### **7.2.5 Objective**

**Business activities which do not detract from the standard of amenity in adjoining residential areas.**

### **7.2.6 Policies**

1. *To recognise and encourage a clear distinction between business areas and residential areas.*
2. *At the interface between business and residential areas, to protect living environments from unacceptable noise, odour, shading, traffic, or reduction in visual amenity; through:*
  - i imposing the residential standards for height and admission of sunlight to buildings on sites adjoining residential areas.*
  - ii imposing the residential standard for noise on activities adjoining residential areas.*
  - iii requiring landscape planting along the boundaries of business sites adjacent to residential sites to protect the visual amenity of the residential areas.*

### **7.2.7 Implementation Methods**

To achieve policies 1 and 2 through the use of rules to set down performance standards for activities adjacent to residential areas and to control residential activity within business areas.

## **7.2.8 Explanation and Reasons**

These policies seek to avoid, remedy or mitigate adverse effects on the surrounding environment created by business activities. Of particular concern is the effect that business activities may have on the quality of living environments both adjacent to and within the business area itself. The policies address the business/residential interface and control residential occupation and visitor accommodation within business areas.

Businesses are dependent on vehicles for the transporting of goods and customers. Policies provide for transport needs but also ensure that the safety and efficiency of roads is not compromised.

## **7.3 ENVIRONMENTAL RESULTS ANTICIPATED**

- Enhancement or retention of the vitality, convenience, accessibility and pleasantness of the towns' commercial and retail areas.
- Retention of the existing scale of commercial buildings.
- Adequate car-parking in relation to a business activity, and car-park surfaces that minimise dust nuisance.
- Minimal noise disturbance within the business environment.
- Adequate public facilities such as street seats, public toilets, rubbish bins, directional signs.
- Preservation of the living environment adjacent to business areas in terms of light admission, noise and odour.
- Limited residential occupation of buildings within business areas.
- Maintenance of visual amenity on residential sites adjacent to business sites.
- A wide range of business activities within defined locations.
- High customer use of convenient car-parking.
- Efficient loading and unloading of goods and convenient access to business.
- Maintaining and enhancing the historic, heritage and cultural values of buildings where such values exist.

# BUSINESS ZONES RULES

Should you require a resource consent refer to Part 2: Information and Interpretation, and Part 14: Assessment Matters, for guidance.

## 7.4 ZONE STATEMENTS

### 7.4.1 BUSINESS ZONE 1 - (INNER COMMERCIAL)

The central business districts of Waipukurau and Waipawa are zoned Business 1. It provides for a broad range of commercial businesses including retailing, entertainment, offices, health, education and community facilities. It is the focal point of the District's commercial functions. The zone encourages the continued vitality, pleasantness and convenience of the town's business centres and the efficient use of existing infrastructure and buildings.

Building activity is subject to a set of performance standards which seek to maintain the character and form of the main shopping area by retaining the existing height of buildings and requiring them to be built to the street boundary with display windows. Other performance standards aim to create an environment that is amenable to the worker or visitor by controlling noise and lighting, ensuring adequate car-parking is provided and by maintaining the visual amenity through the control of advertising.

### 7.4.2 BUSINESS ZONE 2 - (GENERAL COMMERCIAL AND INDUSTRIAL)

Commercial and industrial areas outside the central business district of Waipukurau and Waipawa are zoned Business 2. It provides for large-scale retailing and service activities that require larger site areas for car parking, and also to provide for industry. The zone offers accessible services and retail outlets and opportunities for small businesses.

Performance standards aim to maintain the quality and amenity of the business environments as well as providing flexibility in site development. Activities located in this zone that are adjacent to residential areas face standards to ensure that the amenity and quality of the residential environment is not adversely affected.

The zone has a lower level of amenity than the Business Zone 1 and anticipates that industrial activities would be unable to comply with the higher performance standards in the Business Zone 1. However, a minimum standard of environmental quality will be maintained and minimum standards in relation to noise, surfacing for dust control and landscaping will apply.

## 7.5 DISTRICT-WIDE RULES

Attention is drawn to the following District-Wide Rules which may also apply in addition to any relevant Zone Rules to activities undertaken in the Business Zone. Any one or more of the District-Wide Rules may require an activity to obtain a resource consent.

- Tangata Whenua Rules .....Refer Part 3.6
- Heritage Rules .....Refer Part 3.7
- Transport Rules.....Refer Part 8
- Subdivision and Development Rules .....Refer Part 9
- Utilities Rules .....Refer Part 10
- Sign Rules.....Refer Part 11
- Relocated Buildings and Temporary Buildings and Activities .....Refer Part 12
- Hazardous Substances .....Refer Part 13

Also Check to see if consents are required from the Hawke's Bay Regional Council on, for example, the following matters:

- discharges of contaminants to land or water (e.g. effluent)
- taking of water (e.g. from water courses or underground wells)
- discharge of spray drift or strongly odorous substances
- disturbance of the beds of rivers (i.e. gravel extraction)

## **7.6 ACTIVITIES**

### **7.6.1 PERMITTED ACTIVITIES**

The following activities shall be **Permitted Activities**, provided that they comply with all of the Performance Standards under Rule 7.7:

- (a) **Recreational Activities** in Business Zones 1 and 2;
- (b) **Community Activities** in Business Zones 1 and 2; **except** for **Hospitals** and **Educational Facilities** where they are listed as a Controlled Activity or a Prohibited Activity.
- (c) **Industrial Activities** in Business Zone 2 only except for those industrial activities which have an offensive process (refer to rule 7.6.3(a));
- (d) **Service Activities** as follows:
  - i In Business Zone 2;
  - ii In Business Zone 1 except for warehouses and depots;
- (e) **Commercial Activities** (including retailing) as follows:
  - i In Business Zone 1;
  - ii In the Business Zone 2 the following shall be permitted:
    - Sale of goods manufactured, fabricated or processed on site; and,
    - The sale of all other goods in a single retail premises per site with a retail floor area that is greater than 400m<sup>2</sup>.
- (f) **Service Stations**;
- (g) **Licensed Premises** established for any purpose, except that they shall be limited to the following hours of operation:
  - 7am-11pm Sunday to Thursday
  - 7am-1am Friday and Saturday

### **7.6.2 CONTROLLED ACTIVITIES**

The following activities shall be **Controlled Activities** in the **Business Zones 1 and 2** provided that they comply with the Performance Standards under Rule 7.7:

- (a) **Residential Activities, Resthomes and Visitor Accommodation**; except where they are located within 65 dBA Ldn airnoise boundary identified on Planning Map 30.
- (b) **Hospitals and Educational Facilities**; located between the 55 dBA Ldn Outer control boundary and the 65 dBA Ldn airnoise boundary identified on Planning Map 30.

The Council has reserved control over the implementation of noise attenuation measures.

### 7.6.3 DISCRETIONARY ACTIVITIES

The following activities shall be **Discretionary Activities**:

**(a) Offensive Processes**

The following processes undertaken within the Business Zone 2:

- processes requiring offensive trade licenses under the Health Act 1956;
- the manufacture and processing of chemical fertilisers;
- meat processing or any associated processing of meat and meat by-products or co-products;
- fish curing, cleaning, treatment, preserving and storage;
- cement and concrete products manufacture;
- hot-mix asphalt paving manufacture;
- glass or fibre-glass manufacture;
- wood-pulp manufacture and processing;
- foundry processes, electro-plating works, melting of metals, steel manufacture and galvanising;
- natural gas, oil or petroleum distillation or refining;
- manufacture of hardboard, chipboard or particle board;
- timber treatment;
- wool scouring;
- motor body building and auto dismantling.

**(b) Retailing** in Business Zone 2 except where listed as a permitted activity.

**(c) Factory Farming**, limited to kennels and catteries used for the boarding and breeding of cats and dogs for commercial purposes.

**(d) Licensed Premises**, excepted where listed as a permitted activity.

**(e) Any activity** listed as a Permitted Activity or a Controlled Activity, but does not comply with any one or more of the relevant Performance Standards, shall be a Discretionary Activity with the exercise of the Council's discretion being restricted to the matter(s) specified which is not complied with.

**(f) Any Other Activity**, which is not listed as a Permitted Activity or a Controlled Activity or a Non-Complying Activity.

### 7.6.4 NON-COMPLYING ACTIVITIES

The following activities shall be **Non-Complying Activities**:

**(a) Factory Farming**, except where listed as a Discretionary Activity;

**(b) Mining Activities and Gravel Extraction** in any Business Zone;

**(c) Forestry Activities** in any Business Zone;

**(d) Industrial Activities** in the Business Zone 1.

**(e) Service Activities** in the Business 1 Zone, except where listed as a permitted activity.

## **7.6.5 PROHIBITED ACTIVITIES**

- (a) **Residential Activities; Resthomes, Visitor Accommodation, Hospitals and Educational Facilities;** located within 65 dBA Ldn airnoise boundary identified on District Planning Map 30.

## **7.7 PERFORMANCE STANDARDS**

### **7.7.1 Height of Buildings**

Maximum height of any building(s) for an activity in the **Business Zones 1 and 2** shall be 12m.

### **7.7.2 Setback from Streets**

#### **Business Zone 1, Commercial Frontage Area**

- i Maximum setback of building(s) for an activity from road boundaries in the commercial frontage areas identified on the Planning Maps shall be 5m.
- ii Notwithstanding the Transport Rules (Part 8) in this Plan, no car parks shall be constructed within the 5m building setback from road boundaries specified in rule 7.7.2 (i) above.

#### **Business Zone 1, other than the Commercial Frontage Area.**

Minimum setback of building(s) for an activity shall be nil.

#### **Business Zone 2**

Minimum setback of building(s) for an activity shall be 4m.

### **7.7.3 Building Coverage**

Maximum building(s) coverage for an activity in **the Business Zones 1 and 2** shall be 75% of the site area.

### **7.7.4 Verandahs**

Every building(s) for an activity in the **Business Zone 1, Commercial Frontage Area** (identified on the Planning Maps), shall, on its erection or on being reconstructed or altered in any way that substantially changes the exterior appearance, be provided with a verandah.

### **7.7.5 Windows**

Every building(s) for an activity in the **Business Zone 1, Commercial Frontage Area** (identified on the Planning Maps), shall contain window(s) covering a minimum of 50% of the area of the ground floor wall(s) along the road frontage(s).

### **7.7.6 Outdoor Storage**

All outdoor storage associated with activities shall be screened from adjoining roads and sites by landscaping, walls, fences or a combination of sufficient height but at a minimum of 1.8m in height.

## 7.7.7 Amenities of Residential Zones

Where any site in a Business Zone adjoins a site zoned Residential, the following standards shall apply:

- i Setback from zone boundary  
The minimum setback of buildings for an activity shall be 5m.
- ii Recession Planes  
No part of a building shall exceed a height of 2 metres plus the shortest horizontal distance between that part of the building and the zone boundary.

Where an internal boundary of a site immediately adjoins an access or part of an access which is owned or partly owned with that site or has a registered right-of-way over it in favour of that site, the recession lines shall be constructed from the far side of the access.

- iii Screening  
A landscaped area with a minimum width of 2m shall be established and maintained along internal boundaries and shall be planted with species, which at maturity, will screen the buildings from the adjoining sites in the Residential Zone. In addition, a solid wall or close boarded fence shall be constructed with sufficient height to screen any outdoor storage areas but at a minimum height of 1.8m.

## 7.7.8 Noise

Activities shall be conducted such that the following noise levels are not exceeded at any point within the boundary of the Residential Zone:

- 55dBA L10 - 7:00am - 10:00pm Monday to Saturday
- 45dBA L10 - At all other times
- 75dBA Lmax - At all other times

Exemptions

- i The 75dBA Lmax noise limit shall not apply to on-site sirens required by Emergency Service Activities, provided that the activity shall comply with the requirements of Section 16 of the Resource Management Act.

## 7.7.9 Electrical Safety Distances

Any activity, including the establishment of buildings and structures or any earthworks, shall within the vicinity of overhead electric lines comply with the New Zealand Electrical Code of Practice for Electrical Safety Distances (NZECP 34:1993).

## 7.7.10 Setback from Faultlines

No building for an activity shall be located within 20m of an earthquake fault line identified on the Planning Maps.

### 7.7.11 Buildings by Waipukurau Aerodrome

Notwithstanding the performance standards in relation to buildings set out in rule 7.7 there shall be:

- i no building for an activity in those areas specified as “No building zone” on Planning Map 30;
- ii no building for an activity that exceeds 6m or 10m in those areas specified as ‘Height restriction of 6 metres’ and as “Height restriction of 10 metres” on Planning Map 30;
- iii no building for an activity that exceeds a height restriction determined by a 1:20 approach and take-off gradient for aircraft using the runways which are identified on Planning Map 30 at the Waipukurau Airfield.

## 7.8 NON-NOTIFIED RESOURCE CONSENTS

Resource consents in relation to the following **Performance Standards** under Rule 7.7 shall not be notified and the written approval of affected persons need not be obtained (*Please also refer to section 2.1.4 of the Plan*):

**7.7.5** Windows

**7.7.10** Setback from Faultlines

***Please Note:***

*Irrespective of any rules in this plan, enforcement provisions will be used under the Act where any activity produces vibration, smell, or dust or manufactures, stores, uses transports or disposes of hazardous substances, trade waste or solid waste in such a way that has or is likely to be either noxious, dangerous, offensive, objectionable, to such an extent that it has or is likely to have an adverse effect on the environment.*