

COMZ – Commercial zone {000044}

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. {000044}

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. {000044}

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

COMZ-O3 Commercial zone amenity. {000044, 000057, 000083}

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.

Policies

COMZ-P1 Commercial function and purpose. {000044}

Larger scale commercial activities are provided for within the zone.

COMZ-P2 Commercial purpose. {000044}

- (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. {000044}

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

COMZ-P4 Employment opportunities. {000044}

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

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COMZ-P5 Retail. {000044}

- (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. {000044}

- (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. {000044}

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. {000044}

- (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. {000044}

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

COMZ-PI0 Reverse sensitivity. {000042, 000044, 000087}

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

COMZ-PI1 Adjoining site amenity. {000044, 000057, 000083}

- (1) Maintain amenity of adjoining GRZ – General residential zone, MRZ – Medium density residential zone or OSZ – Open space zone by:
 - (a) Requiring buildings within the zone to be set back from boundaries adjoining GRZ – General residential, MRZ – Medium density residential 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, MRZ – Medium density residential and OSZ – Open space zoned land.

Rules

Land use – activities

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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.

COMZ-R1	Commercial activity {000080}	
(1) Activity status: PER Activity-specific standards: (a) Any individual tenancy must have a gross floor area of greater than 350m ² .		(2) Activity status where compliance not achieved: DIS
COMZ-R2	Supermarket {000080}	
(1) Activity status: PER Activity-specific standards: Nil.		(2) Activity status where compliance not achieved: n/a
COMZ-R3	Community facility {000080}	
(1) Activity status: PER Activity-specific standards: (a) Excluding a cemetery.		(2) Activity status where compliance not achieved: DIS
COMZ-R4	Residential activity, unless specified below {000080, 000044, 000048}	
	This includes occupation of a single residential unit for short term rental.	
(1) Activity status: PER Activity-specific standards: (a) Located above ground floor level.		(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters: (a) The extent to which the residential activity effects the primary purpose of the zone to provide for commercial activities.
COMZ-R5	Educational facility {000080, 000044, 000048}	
(1) Activity status: PER Activity-specific standards: Nil.		(2) Activity status where compliance not achieved: n/a
COMZ-R6	Child care facility {000080, 000044, 000048}	
(1) Activity status: PER Activity-specific standards: Nil.		(2) Activity status where compliance not achieved: n/a
COMZ-R7	Office {000080}	
(1) Activity status: PER Activity-specific standards: Nil.		(2) Activity status where compliance not achieved: n/a
COMZ-R8	Public amenity {000080}	
(1) Activity status: PER Activity-specific standards: Nil.		(2) Activity status where compliance not achieved: n/a
COMZ-R9	Health facility {000080}	
(1) Activity status: PER Activity-specific standards: Nil.		(2) Activity status where compliance not achieved: n/a

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COMZ-R10	Visitor accommodation {000080, 000044, 000048}
(1) Activity status: PER Activity-specific standards: Nil.	(2) Activity status where compliance not achieved: n/a
COMZ-R11	Public transport facility {000080}
(1) Activity status: PER Activity-specific standards: Nil.	(2) Activity status where compliance not achieved: n/a
COMZ-R12	Servicing of boats at Raglan Wharf {000080}
(1) Activity status: PER Activity-specific standards: Nil.	(2) Activity status where compliance not achieved: n/a
COMZ-R13	Community corrections activity {000080}
(1) Activity status: PER Activity-specific standards: Nil.	(2) Activity status where compliance not achieved: n/a
COMZ-R14	Buildings, structures and sensitive land use within the National Grid Yard on sites existing as of 18 July 2018 {000074} {000080, 000051, 000043}
(1) Activity status: PER Activity-specific standards: (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 network utility operator as defined in the Resource Management Act 1991; or (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 (iv) Non-habitable horticultural buildings; or (v) Artificial crop protection and support structures (excluding commercial greenhouses and Pseudomonas syringae pv. Actinidiae (Psa) disease control structures); (vi) Fences less than 2.5m in height, measured from the natural ground level immediately below the structure; and	(2) Activity status where compliance not achieved: NC

<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 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</p>	
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<p>separation distances from the conductor;</p> <ul style="list-style-type: none"> (ii) Are no higher than 2.5m; (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; (iv) Allow all-weather access to the pole and a sufficient area for maintenance equipment, including a crane. 	
<p>COMZ-R15</p>	<p>Construction or alteration of a building for a sensitive land use [000074] {000080, 000044, 000048, 000051}</p>
<p>(1) Activity status: PER Activity-specific standards:</p> <ul style="list-style-type: none"> (a) The construction or alteration of a building for a sensitive land use that complies with all of the following standards: <ul style="list-style-type: none"> (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 (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>(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) Effects on the amenity values of the site; (b) The risk of electrical hazards affecting the safety of people; (c) The risk of damage to property; and (d) Effects on the operation, maintenance and upgrading of the electrical distribution or transmission lines.
<p>COMZ-R16</p>	<p>Construction or demolition of, or alteration or addition to, a building or structure {000080}</p>
<p>(1) Activity status: PER Activity-specific standards: Nil.</p>	<p>(2) Activity status where compliance not achieved: n/a</p>
<p>COMZ-R17</p>	<p>A multi-unit development {000042, 000080, 000087}</p>
<p>(1) Activity status: RDIS Activity-specific standards:</p> <ul style="list-style-type: none"> (a) A multi-unit development that meets all of the following standards: <ul style="list-style-type: none"> (i) Land use – effects standards for the zone; (ii) Land use – building standards for the zone, except the following rules do not apply; <ul style="list-style-type: none"> (1) COMZ-S9 (Residential units) does not apply; (2) COMZ-S10 (Outdoor living space) does not apply; 	<p>(2) Activity status where compliance not achieved: DIS</p>

- (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);
- (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;
- (d) A communal service court is provided comprising;
- (i) minimum area of 20m²; and
 - (ii) minimum dimension of 3m.
- (e) Outdoor living space areas are provided to meet the following minimum requirements for each residential unit:

Residential Unit	Minimum outdoor Living space area	Minimum Dimensions
Studio unit or 1 bedroom	10m ²	2m
2 or more bedrooms	15m ²	2m

- (f) Each residential unit must meet the following minimum unit size:

Unit or Apartment Area	Minimum Unit
Studio Unit	35m ²
1 or more bedroom unit	45m ²

Council's discretion is restricted to the following matters:

Design:

- (g) The extent to which that portion of the building or site which fronts a road or public space:
- (i) Provides for passive surveillance of the street from habitable rooms at ground and upper floor levels.
 - (ii) Avoids the use of impermeable screens or fencing that obstruct visual connections.
 - (iii) Avoids unrelieved and blank façades.
 - (iv) Creates visual interest through the use of cladding materials, colour and articulation of the façade.
 - (v) Utilises soft or hard landscape elements to contribute positively to streetscape amenity.

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<p>(vi) Minimises vehicle garaging/parking or manoeuvring areas.</p> <p>(vii) Service courts are screened or obscured.</p> <p><u>On-site amenity:</u></p> <p>(h) The extent to which the design:</p> <p>(i) Maximises opportunities for accessibility, privacy between units, access to daylight and shelter, including outdoor living spaces.</p> <p>(ii) Incorporates measures that may be required to mitigate the potential for reverse sensitivity effects.</p> <p>(iii) Maximises opportunities for passive solar gain within units.</p> <p><u>Infrastructure:</u></p> <p>(i) The extent to which the design can be efficiently serviced with 3 waters infrastructure.</p> <p><u>Natural hazards:</u></p> <p>(j) The extent to which the design avoids or mitigates effects arising from the presence of natural hazards.</p> <p><u>Staging:</u></p> <p>(k) The extent to which staging is necessary to ensure that development is carried out in a coordinated and timely manner.</p>	
<p>COMZ-R18</p>	<p>Commercial activities within in the Motorway service centre specific control [000079] {000042, 000080, 000087}</p>
<p>(1) Activity status: RDIS</p> <p>Activity-specific standards:</p> <p>Nil.</p> <p>Council's discretion is restricted to the following matters:</p> <p>(a) Effects on amenity of the locality;</p> <p>(b) Landscaping;</p> <p>(c) Design and layout;</p> <p>(d) Effects on efficiency and safety of the land transport network, including the Waikato Expressway;</p> <p>(e) Access design; and</p> <p>(f) Potential reverse sensitivity effects.</p>	<p>(2) Activity status: NC</p> <p>Where:</p> <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>COMZ-R19</p>	<p>Any activity that is not specifically listed as a permitted, controlled, restricted discretionary or non-complying activity {000080}</p>
<p>(1) Activity status: DIS</p>	
<p>COMZ-R20</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 [000074] {000080, 000051, 000044}</p>

(1) Activity status: NC	
COMZ-R21	Any change of use of an existing building to a sensitive land use within the National Grid Yard [000074] {000080, 000051, 000044}
(1) Activity status: NC	
COMZ-R22	The establishment of any new sensitive land use within the National Grid Yard [000074] {000080, 000051, 000044}
(1) Activity status: NC	
COMZ-R23	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 [000074] {000080, 000051}
(1) Activity status: NC	
COMZ-R24	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). {000080}
(1) Activity status: PR	

Land use – effects

COMZ-S1	Servicing and hours of operation {000080}
(1) Activity status: PER Where: (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, MRZ – Medium density residential zone, LLRZ – Large lot residential zone or SETZ – Settlement zone must only occur between 6.00am and 8.00pm.	(2) Activity status where compliance not achieved: RDIS Council’s discretion is restricted to the following matters: (a) Effects on amenity values on adjoining sites within the GRZ - General residential zone, MRZ – Medium density residential zone, LLRZ – Large lot residential zone or SETZ – Settlement zone; (b) Timing, duration and frequency of adverse effects; (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.
COMZ-S2	Onsite parking areas – landscaping {000080}
(1) Activity status: PER Where: (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	(2) Activity status where compliance not achieved: RDIS Council’s discretion is restricted to the following matters: (a) Design and location of the parking area and landscaping strip; and (b) Effects on streetscape amenity.

(ii) Plants within the planting and pedestrian strip must be maintained to a height no greater than 1m.	
COMZ-S3	Outdoor storage {000080}
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Outdoor storage of goods or materials must comply with all of the following standards:</p> <p>(i) Be associated with the activity operating from the site;</p> <p>(ii) Not encroach on parking or loading areas;</p> <p>(iii) Standards COMZ-S4 Height and COMZ-S7 Height in relation to boundary; and</p> <p>(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:</p> <p>(1) Public road;</p> <p>(2) Public reserve; and</p> <p>(3) Adjoining site in another zone.</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council's discretion is restricted to the following matters:</p> <p>(a) Visual amenity;</p> <p>(b) Effects on loading and parking areas;</p> <p>(c) Size and location of storage area; and</p> <p>(d) Measures to mitigate adverse effects.</p>

Land use – building

COMZ-S4	Building height {000080}
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(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;</p> <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>(2) Activity status where compliance not achieved: RDIS</p> <p>Council's discretion is restricted to the following matters:</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>
COMZ-S5	Height in relation to boundary {000080}
<p>(1) Activity status: PER</p> <p>Where:</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</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council's discretion is restricted to the following matters:</p> <p>(a) Height of the building;</p>

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<p>above ground level at the site boundary where it adjoins the:</p> <ul style="list-style-type: none"> (i) GRZ – General residential zone; (ii) MRZ – Medium density residential zone; (iii) LLRZ – Large lot residential zone; (iv) SETZ – Settlement zone; (v) RLZ – Rural lifestyle zone; or (vi) OSZ – Open space zone. 	<ul style="list-style-type: none"> (b) Design and location of the building; (c) Level of shading on any other adjoining sites; (d) Privacy on other sites; and (e) Amenity values of the locality.
<p>COMZ-S6 Building setbacks – zone boundaries {000080, 000048}</p>	
<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) A building must be set back a minimum of at least: <ul style="list-style-type: none"> (i) 3.0 m from rear and side boundaries adjoining any: <ul style="list-style-type: none"> (1) GRZ – General residential zone; (2) MRZ – Medium density residential zone; (3) LLRZ – Large lot residential zone; (4) SETZ - Settlement zone; (5) RLZ – Rural lifestyle zone; or (6) OSZ – Open space zone. (ii) 1.5m from rear and side boundaries adjoining any: <ul style="list-style-type: none"> (1) GRUZ – General rural zone; (2) GIZ – General industrial zone; or (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>(2) Activity status where compliance not achieved: RDIS</p> <p>Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) Height, design and location of the building relative to the boundary; (b) Impacts on the privacy for adjoining site(s); (c) Impacts on amenity values, including main living areas, outdoor living space of adjoining site(s); and (d) Landscaping and/or screening.
<p>COMZ-S7 Building setback – waterbodies [000083] {000080}</p>	
<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) A building that is set back a minimum of: <ul style="list-style-type: none"> (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 25m² or pump shed (private or public) within any 	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (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;

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<p>building setback identified in Standard COMZ-S7(1)(a);</p> <p>(c) COMZ-S7(1)(a) does not apply to a structure which is not a building.</p>	<p>(e) Effects on the amenity of the locality; and</p> <p>(f) Effects on natural character values.</p>
<p>COMZ-S8 Horotiu acoustic area {000042, 000080, 000087}</p>	
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(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>(2) Activity status where compliance not achieved: RDIS</p> <p>Council's discretion is restricted to the following matters:</p> <p>(a) On-site amenity values;</p> <p>(b) Noise levels received at the notional boundary of the residential unit;</p> <p>(c) Timing and duration of noise received at the notional boundary of the residential unit;</p> <p>(d) Potential for reverse sensitivity effects.</p>
<p>COMZ-S9 Residential units {000080, 000044, 000048}</p>	
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) One residential unit on the Record of Title must comply with all of the following standards:</p> <p>(i) The residential unit must not be located at ground level;</p> <p>(ii) The residential unit is designed and constructed to achieve the internal design sound levels specified in APPI – 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>(2) Activity status where compliance not achieved: DIS</p>
<p>COMZ-S10 Outdoor living space {000080}</p>	
<p>(1) Activity status: PER</p> <p>Where:</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 15m² and a circle with a diameter of at least 2.4m.</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council's discretion is restricted to the following matters:</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>