Rules Assessment

Proposal:	Mixed-use Development in the Commercial Zone
Address:	32-42 Victoria Street, Cambridge
District Plan:	Waipa District Plan

Site Zoning	
Zone	Commercial Zone
Overlays/Controls	Commercial Zone Height Overlay, Pedestrian Frontage Area, Character Area Precinct A, Minor Arterial Road (Victoria Street)
Designations	None

Rule	Compliance	Comment
Section 6: Commercial Zone		
6.4.1.1 Permitted Activities		
6.4.1.1(a) Dwellings situated above ground level	Permitted	All dwellings are situated on the second and third level of the building.
6.4.1.1(f) Offices	Permitted	Office tenancies are located on the first floor of the building.
6.4.1.1(l) Licensed premises, cafés, restaurants, takeaway food outlets.	Permitted	The proposed ground floor accommodates retail tenancies; however, the applicants may wish to use these tenancies food and drink establishment in the future.
6.4.1.1(o) Any retail activity subject to Rule 6.4.2.13 and Rule 6.4.2.14.	Permitted	The proposed ground floor accommodates six retail tenancies.

Rule	Compliance	Comment
6.4.1.1(r) Demolition and removal of buildings and structures, except those listed in Appendix N1 - Heritage Items.	Permitted	The existing building(s) are not listed heritage buildings, and therefore, demolition is permitted.
6.4.1.1(t) Earthworks	Refer below	Approx. 6,072.5m^3 of earthworks are required for the construction of the basement level. This excludes foundations and footings, which are yet to be determined. Please refer to Sheet SK1.06 of **Appendix 2.**
6.4.1.1(w) Signs	Refer below	Not yet determined, as the tenancies are unknown, but will be compliant per Rule 6.4.2.28.
6.4.1.3 Restricted Discretionary Activities		
6.4.1.3(b) The erection of new buildings within the Cambridge A Character Precinct Area as identified on the Planning Maps.	**Restricted Discretionary Activity**	**The proposed building is within Cambridge Character Area A, and therefore is a Restricted Discretionary Activity.**
6.4.2 Performance Standards		
6.4.2.1 Pedestrian frontages building setback from road boundaries All new buildings within a pedestrian frontage area must be constructed on the road boundary of the site, provided that buildings on rear sites are exempt from this rule.	Complies	The proposed building directly fronts the Victoria Street road boundary.
6.4.2.2 Minimum building setback from internal boundaries The minimum building setback from internal site boundaries shall meet the following: a) Adjoining Medium Density Residential Zone – 3m b) In all other instances, no minimum setback Provided that no building or eave shall encroach into any access, driveway, or other vehicle entrance.	NA	The site does not adjoin any MDRZ or other zones not Commercial.
6.4.2.3 Maximum height	Complies	Refer below.

Rule	Compliance	Comment
Buildings must not exceed 14m in height and must be no more than three floors, except that: a) On the land subject to the Te Awamutu Large Scale Retail Development Concept Plan contained in Appendix S6, no building or other structure shall penetrate a height plane of 15m and the building structure associated with units 12 – 14 shown on that Plan must not exceed 8m in height and the Bulk Retail Timber Merchant must not exceed 12m in height. b) The maximum height for hose drying towers associated with fire stations is 15m. c) The maximum height within the Cambridge North Neighbourhood Centre shall be 13m. d) In the Height Overlay, refer to Rule 6.4.2.3A.		
6.4.2.3a In the Height Overlay as shown on the Planning Maps, the maximum height shall be: a) 18 metres in the Height Overlay in Cambridge and Te Awamutu and there shall be no limit on the number of storeys. **b)** 16 metres in the Height Overlay in Leamington and there shall be no limit on the number of storeys.	Complies	The building demonstrates compliance with the 18m height limit, on Sheet SK2.10 of **Appendix 2.**
6.4.2.4 Daylight control Where a site adjoins the Medium Density Residential Zone, no building or stored materials shall penetrate a recession plane at right angles to the Medium Density Residential Zone boundary inclined inwards at an angle of 45o from 2.7m above ground level.	NA	The site does not adjoin any MDRZ or other zones not Commercial.
6.4.2.5 Storage or service areas Any storage or service area (including mechanical, electrical and utility equipment, refuse, and recycling activities) not enclosed within a building or where a shipping	Complies	The service areas will be screened.

Rule	Compliance	Comment
container is being used for storage, shall be fully screened by landscaping or solid walls or fences not less than 1.8m in height.		
6.4.2.6 Site layout Except on rear sites, the main public entrance into a building must be orientated so that it is parallel to the road boundary of the site.	Complies	The main entrances for all retail tenancies on the ground floor are located along Victoria Street, as well as the entrance to the rest of the building via the atrium and lobby, also from Victoria Street.
6.4.2.7 Design and layout of development adjoining water bodies and reserves	NA	The site does not adjoin any water bodies or reserves.
6.4.2.8 Walls & Fencing Walls and fences over 1.8m in height must be setback a minimum of 5m from the road boundary unless a landscaping strip of a minimum of 2m wide is provided on the external side of the fence.	NA	No walls or fences are proposed as part of this development.
6.4.2.9 Walls & Fencing Walls and fences along any road or reserve must not exceed 1.6m in height, except where at least 40% of the fence is visually permeable, in which case the fence may be constructed to a maximum height of 1.8m.	NA	As above.
6.4.2.10 Landscaping & Screening Where an internal site boundary adjoins the Medium Density Residential Zone, the internal boundary of the site adjoining the Medium Density Residential Zone shall be screened by a solid fence or wall 1.8m in height.	NA	The site does not adjoin any MDRZ or other zones not Commercial.
6.4.2.11 Landscape and Screening Outside of the pedestrian frontage area where a site adjoins a road, the road boundary must be landscaped to a minimum depth of 2m, except for the required access and egress points	NA	The site is located within the Pedestrian Frontage Area; therefore, this rule does not apply.
6.4.2.12 Landscaping and screening Where landscaping is required pursuant to Rules 6.4.2.8 and 6.4.2.11 the landscaping must consist of a combination of groundcovers, shrubs and trees, with	NA	Landscaping is not required, per the points above.

Rule	Compliance	Comment
at least one tree planted for every 10m of road frontage, at a grade no less than PB95. For the avoidance of doubt, road frontages up to 10m wide will require one tree at a grade no less than PB95 at the time of planting.		
6.4.2.13 Pedestrian frontages: maximum floor space Within the pedestrian frontage area, any new building or activity located at ground floor level must not exceed 1,000m2 gross floor area, provided that the following are exempt from this rule: a) Department stores and supermarkets, and b) Buildings on rear sites.	**Discretionary Activity**	**The proposed building is 1748m^2, we consider this to be a technical non-compliance as the building will sit across six existing record titles. The building will also be split into a number of tenancies, which will form part of a future unit title subdivision (post landuse approval).**
6.4.2.14 Outside pedestrian frontages: gross floor area retail floor space Outside the pedestrian frontage area any retail activity in a single tenancy or ownership must be greater than 1,000m2 gross floor area, provided that the following are exempt from this rule: a) Trade suppliers, yard based suppliers, building improvement centres, service stations, licensed premises, restaurant, cafes and other eating places; and b) Cambridge North Neighbourhood Centre.	NA	The site is located within the Pedestrian Frontage Area; therefore, this rule does not apply.
6.4.2.15-16 Cambridge North Neighbourhood Centre	NA	The site is not located in Cambridge North.
6.4.2.17 Building and activities adjoining reserves along the Waikato River in Shakespeare Street/Cook Street	NA	The site is not located within Shakespeare/Cook Streets.
6.4.2.18 Residential activities All residential activities must be located above ground floor level, except for any access provided to the upper floor levels.	Complies	The proposed apartments are located on the second and third floors.
6.4.2.19 – Minimum floor areas and outdoor living areas for dwellings - Minimum floor areas increase by bedroom count: 50 m² (studio/1-bedroom), 70 m² (2-bedroom), and 95 m² (3-bedroom).	Complies	All dwellings are between 90m^2-234m^2. All outdoor living areas are between 13.8m^2-157m^2 and will comply with the minimum dimensions.

Rule	Compliance	Comment
- Minimum outdoor living areas for above-ground units also increase: 10 m², 12 m², and 14 m², respectively. - Minimum outdoor living area dimensions remain consistent at 2 m for all unit types.		
6.4.2.20 - Minimum floor areas and outdoor living areas for dwellings Each dwelling shall have an outdoor living area which: a) Is for the exclusive use of the dwelling, and is contained within the area or unit site area; and b) Is oriented to the north, east or west of the dwelling, but not south of east or west, measured from the southernmost part of the dwelling; and c) Is directly accessible from the main living area; and d) Is free of buildings, driveways, manoeuvring areas, parking spaces and outdoor storage areas; and e) Is located and/or screened so that at least 50% of the outdoor living area has complete visual privacy from the living rooms and outdoor living spaces of other dwellings on the site, and must be screened from adjoining sites.	**Restricted Discretionary Activity**	**Apartment 6 and 11 are south-facing with partly south-facing outdoor living areas (balconies).**
6.4.2.21 Identified pedestrian frontages Every new building, and additions/alterations to the front façade of existing buildings, which adjoins a pedestrian frontage area indicated on the Planning Maps shall: a) Provide transparent display windows extending over at least 75% of the area of the ground floor façade, comprising clear glass; and b) Not have a vehicle crossing over the front boundary, provided that existing vehicle crossings may be retained; and c) Provide a verandah designed in relation to its neighbours that:	**Discretionary Activity**	**167.8m² glazing on the Victoria Street frontage is proposed, with 252m² over all façade, which is 66.4%.** No vehicle crossing is proposed from Victoria Street. The proposed veranda is 3.5m wide, 4m from the ground, and finishes approximately 0.68m from the Victoria Street kerb.

Rule	Compliance	Comment
i. Provides a continuous verandah along the entire length of the property frontage that provides a waterproof connection to the verandah of the adjoining property; and ii. Has a minimum depth of 3m and stops at least 0.5m short of the road kerb, except that where the distance between the building and road kerb is less than 3.5m, the verandah depth must be narrower to enable it to stop 0.5m short of the kerb; and iii. Does not penetrate a height plane 4m parallel to the ground; and iv. Has a minimum ground level stud height of 3m.		
6.4.2.22-23 Te Awamutu large format retail	NA	The site is not within Te Awamutu.
6.4.2.24 Noise Activities must be conducted and buildings located, designed and used to ensure that they do not exceed the following limits at the boundary of the site: a) 50dBA (Leq) at a Residential Zone, Medium Density Residential Zone, or Large Lot Residential Zone boundary; and b) 55dBA (Leq) in all other instances. Providing that: i. No night time, 10.00pm to 7.00am single noise event level exceeds 70dBA (Lmax). ii. This rule shall not apply to the use or testing of station and vehicle sirens or alarms used by emergency vehicles. All noise levels shall be measured and assessed in accordance with the requirements of New Zealand Standard NZS 6801:2008 Acoustics – Measurement of environmental sound and assessed in accordance with New Zealand Standard NZS 6802:2008 Acoustics – Environmental noise.	Will Comply	The proposed activities are consistent with the Commercial Zone (retail, offices and residential uses), and therefore, we do not consider these activities to generate noise beyond these standards.

Rule	Compliance	Comment
6.4.2.25 Noise insulation: noise-sensitive activities Where a noise-sensitive activity is proposed to be located within the zone, it shall be insulated so that it achieves the following noise levels: a) Inside bedrooms 35dBA Leq b) Inside other habitable rooms 40dBA Leq	Complies	The apartments will need to be acoustically treated so as to comply with this rule.
6.4.2.26 Vibration Vibration emanating from a site shall meet the limits recommended in and be measured and assessed in accordance with New Zealand Standard NZS 4403:1996 Code of Practice for Storage, Handling, and Use of Explosives.	Complies	All vibration is expected to comply. Please refer to the Acoustic and Vibration report, and Management Plan, provided in **Appendix 8**.
6.4.2.27 Construction noise Construction noise emanating from a site shall meet the limits recommended in and be measured and assessed in accordance with New Zealand Standard NZS 6803:1999 Acoustics – Construction noise. Applicable Construction Noise Limits (per NZS 6803:1999 and Waipa District Plan – the permitted baseline): • Commercial Receivers: o 7:30am – 6:00pm: LAeq 70 dB o 6:00pm – 8:00pm: LAeq 75 dB • Residential Receivers: o Monday–Saturday, 7:30am – 6:00pm: LAeq 70 dB and LAmax 85 dB o Monday–Friday, 6:00pm – 8:00pm: LAeq 65 dB and LAmax 80 dB	**Restricted Discretionary Activity**	• Sheet Piling (up to 2 days per receiver): - 44 Victoria Street: up to 80 dB LAeq - 53–57, 61–67 Duke Street and 3 Commerce Street: up to 78 dB LAeq - 59, 65–69 Duke Street: up to 75 dB LAeq - 71–73 Duke Street: up to 73 dB LAeq • Augering (up to 3 days per receiver): - 3 Commerce Street: up to 78 dB LAeq • Earthworks (up to 1 week per receiver): - 44 Victoria Street: up to 75 dB LAeq • Internal Noise - 30–30A Victoria Street may reach external noise levels around 95 dB LAeq during sheet piling and augering, the facade is expected to reduce this by approximately 40 dB, resulting in internal levels of around 55 dB LAeq. All other construction works are expected to comply with the following noise limits. Please refer to the

Rule	Compliance	Comment
		acoustic and vibration report, and management plan, provided in Appendix 8.
6.4.2.28 Signs The following signs are permitted: a) A sign giving information such as the name or street number of premises, the business, names of people occupying premises, and hours of operation; but containing no reference to particular products. No such sign shall exceed 3m2 and the total area of permanent signs on one site must not exceed 5m2. b) Signs advertising that the land or premises are for sale or lease. The maximum size of each sign must be no more than 2m2 and no more than four signs are permitted on a site at any one time. c) A sign erected on a construction site giving details of the project. The maximum total area of the sign must be no more than 2m2 and no more than one sign is permitted on a site at any one time. d) Any sign erected by Council, New Zealand Transport Agency, or the Automobile Association for the direction and control of traffic. e) Health and Safety at Work Act 2015 related signs. Provided that in all cases: i. All signs other than temporary signs must relate to activities authorised under the District Plan and must be located on the site to which they relate; and ii. Signs must not be internally illuminated, flashing, incorporate fluorescent or incorporate moving materials such as flags or be painted in colours that are used on traffic signals; and	Complies	At this stage, compliant signage is proposed, due to future tenants being unknown and the signage associated with those tenancies, also unknown. All future signage will be subject to this rule and any non-compliances will require a separate resource consent.

Rule	Compliance	Comment
iii. All signs must be placed so that, where attached to a building, no part protrudes above the eaves or parapet, or where attached to a fence or wall, no part protrudes above the top of the fence or wall; and iv. No sign shall be placed above a verandah; and v. Where signs are placed under the verandah, they must be at right angles to the street and the bottom level of the sign must be at least 2.4m above the level of the kerb and the maximum length of the sign must not exceed 2.4m, provided that no sign is to be attached to the façade of a listed heritage item in Appendix N1; and vi. A freestanding sign must be placed so that no part is more than 4m above ground level; and vii. Signs must be placed so that they do not block sight distances at entranceways and must be no closer than 20m to a road intersection; and viii. Signs must be removed where the goods, services or events to which the sign relates are no longer available, or no longer relevant to that site or building.		
6.4.2.29 Signs giving information on forthcoming events, elections, cultural, religious, educational or sporting events and displayed not more than 90 days before and three days after the event or such lesser time as may be prescribed by legislation; as long as signs shall not exceed a combined total area of 3m2 visible in all directions and shall be setback 15m from the State Highway. Provided that in all cases: a) Signs shall not be internally illuminated, flashing, incorporate fluorescent materials such as flags or be painted in colours that are used on traffic signals; and	NA	No event signs are proposed.

Rule	Compliance	Comment
b) All signs shall be placed so that, where attached to a building, no part protrudes above the eaves or parapet, or where attached to a fence or wall, no part protrudes above the top of the fence or wall; and c) A freestanding sign shall be placed so that no part is more than 2m above ground level; and d) Signs shall be placed so that they do not block sight distances at entranceways and shall be no closer than 20m to a road intersection; and e) Signs shall be removed within three days of the conclusion of the event. Provided that the relevant zone based or district wide rules apply where they are more restrictive. Refer to Section 22 - Heritage and Archaeology and Section 25 - Landscapes and Viewshafts.		
6.4.2.30 Earthworks Unless incidental to a building consent or a resource consent, earthworks shall not exceed a total volume of 25m3 or a total area of 250m2 in a single activity or in cumulative activities in any one calendar year.	Discretionary Activity	Approx. 6,072.5m^3 of excavation required for the basement across the whole site. This excludes foundations and footings, which are yet to be determined. Please refer to Sheet SK1.06 of Appendix 2.
6.4.2.31 Temporary construction buildings Temporary construction buildings shall only be used in conjunction with, and for the duration of, a construction project located on the same site as the construction project or on a site adjoining the construction project. For the avoidance of doubt, temporary construction buildings must not be as a dwelling or for residential activities.	NA	
6.4.2.32 Temporary construction buildings are only permitted for one calendar year.	NA	
6.4.2.33 Temporary events	NA	

Rule	Compliance	Comment
All temporary buildings and works associated with a temporary event shall be removed and the site returned to its original condition within five working days of the temporary event ceasing.		
6.4.2.34 A temporary event that is likely to attract more than 200 vehicles will require a Traffic Management Plan. The Traffic Management Plan must be submitted to, and approved by the relevant road controlling authority no less than one month prior to the event commencing.	NA	
6.4.2.35 Temporary events shall not: a) Occur more than two times per calendar year cumulatively on any one site or holding; and b) Exceed the following durations individually or cumulatively: i. Motorised sport or amplified outdoor musical events or concerts - one days duration (excluding preparation time; or ii. Other activities two days duration (excluding preparation time); and c) Occur outside of the hours of 7.00am to 10.00pm; and d) Occur on a site within 500m of a Residential Zone, Medium Density Residential Zone, or Large Lot Residential Zone boundary.	NA	
6.4.2.36 Relocated buildings	NA	
6.4.2.37-30 Residential Based Visitor Accommodation	NA	
6.4.2.41-42 Carter's Flat Commercial Zone	NA	
Section 15 Infrastructure, Hazards, Development and Subdivision		

15.4.1.1e Activity Status Subdivision that meets all the performance rules in Part A OR; Part A and Part C for 7 or more lots. (Part A: Development and subdivision Part C: Development and subdivision of 7 or more lots in any zone.): RD for all zones, except NC for Deferred Zones and NA for Airport Business Zone	NA	No subdivision is proposed at this stage of the development.
15.4.2.1 - 15.4.2.12 Lot design	NA	As no subdivision is proposed, these rules relating to lot size and design are not relevant.
15.4.2.13 Site Suitability & Hazards: Site Suitability: General Subdivision and development shall have a defined building platform in a complying location that is capable of being serviced to the requirements of the zone.	Complies	All servicing has been provided, including a geotechnical report confirming the site it suitable. Please refer to **Appendix 5 & 6.**
15.4.2.14 – 15.4.2.15	NA	
15.4.2.16 Infrastructure and Services: Rule – Infrastructure servicing in all zones All lots in a subdivision and any sites in a development shall be connected to the following infrastructure services: (a) Formed public road or new road; and (b) Electricity; and (c) Telecommunications; and (d) Fibre optic cable.	Complies	All servicing has been provided, including a geotechnical report confirming the site it suitable. Please refer to **Appendix 5 & 6.**
15.4.2.17 Design, location and maintenance of services in infill development Where more than one serviced building (excluding accessory buildings) is erected on a site, all services shall be provided to each building as if the site was being subdivided to create separate titles for each serviced building.	Complies	All servicing has been provided, including a geotechnical report confirming the site it suitable. Please refer to **Appendix 5 & 6.**
15.4.2.18 Additional infrastructure servicing for the Residential, Commercial and Industrial Zones within the urban limits All lots in a subdivision and any sites in a development in the Residential, Commercial and Industrial Zones within the urban limits shall be connected to the following Council infrastructure services:	Complies	All servicing has been provided, including a geotechnical report confirming the site it suitable. Please refer to **Appendix 5 & 6.**

(a) Wastewater reticulation and treatment; and (b) Water supply for domestic, or industrial, or commercial activity; and (c) Water supply for firefighting purposes.		
15.4.2.19 Additional infrastructure servicing for the Residential, Commercial and Industrial Zones within the urban limits Any proposed connection to the mains water supply shall be located in the berm adjacent to the building it is supplying and not require crossing under road carriageways.	Complies	Please refer to the ICA contained in **Appendix 5.**
15.4.2.20 Additional infrastructure servicing for the Residential, Commercial and Industrial Zones within the urban limits Within the urban limits, all lots in a subdivision and any sites in a development in the Residential, Commercial and Industrial Zones shall: (a) Dispose of stormwater generated from within roads, reserves, and any lot to be vested in Council, into Council's reticulation system at pre development levels; and (b) Dispose of all stormwater generated from lots not to be vested in Council within the boundaries of the lot itself. (c) Except that (a) and (b) above shall not apply to the C1 and C2/C3 growth cells where regional and/or district resource consents for the overall structure plan stormwater system provide for alternative means of stormwater management and disposal. For the avoidance of doubt, on-site soakage within the C3 cell is not anticipated due to the risk of exacerbating slope stability issues. Alternative methods of stormwater management will need to be demonstrated for the C3 cell.	Complies	Please refer to the ICA contained in **Appendix 5.**
15.4.2.21 – 15.4.2.24	NA	
15.4.2.25 Stormwater All lots or sites shall be of sufficient size to enable on site detention and disposal of stormwater resulting from any future development permitted in the zone.	Complies	Please refer to the ICA contained in **Appendix 5.**

15.4.2.26 Development shall not obstruct overland and secondary flow paths.	NA	No subdivision is proposed at this stage of the development.
15.4.2.27 – 15.4.2.62	NA	
15.4.2.63 Greenfield lot design No more than 15% of lots in a greenfield subdivision or within the Houchens Road Large Lot Residential Structure Plan Area at Appendix S13 shall be rear lots.	NA	No subdivision is proposed at this stage of the development.
15.4.2.64 Design and location of infrastructure services Within the urban limits and the Large Lot Residential Zone, all new subdivision and development of 7 or more lots shall provide a utilities corridor in the road reserve free of tree plantings (Refer to Appendix T3 and T4).	NA	No subdivision is proposed at this stage of the development.
Roads 15.4.2.65 In any zone, unless an approved structure plan provides otherwise, the design and layout, and construction and formation, of a new road and its streetscape shall meet the requirements of Appendix T3, and Appendix T4 – Criteria for Public and Private Roads. Provided that, in the Residential Zone a new road must also provide a footpath of a minimum width of 1.5m, to increase in size to a minimum width of 2m within 400m of a school, community facilities, and commercial areas including pedestrian frontage areas. 15.4.2.66 Within the urban limits and the Large Lot Residential Zone the layout and design of subdivision and development that incorporates roads to vest in Council, shall create a grid layout that: (a) Has blocks elongated north west to southeast and lots oriented east/west to ensure provision for solar access; and (b) Provides for connectivity to adjoining land that is able to be developed or subdivided in the future or is identified in Appendix S1.	NA	No roads are proposed as part of the development.

15.4.2.67 Where any subdivision includes the creation of new roads, the location and design of the roads shall ensure the continuation of vistas as identified on the Planning Maps.		
15.4.2.68 Location and design of reserves	N/A	N/A
15.4.2.69 – 15.4.2.91	N/A	N/A
Section 20 - Health and General Amenity		
20.4.2.1 Odour, smoke, fumes or dust No activity shall produce any objectionable odour, smoke, fumes or dust at or beyond the boundaries of the site from which the nuisance emanates	Will comply	This is a typical residential and commercial activity.
20.4.2.2 Lighting and glare The maximum level of light spill from artificial lighting from any activity shall be no greater than 10 lux measured horizontally or vertically at or within the boundary of any other site or road; and the artificial lighting shall be conducted so that direct or indirect illumination does not create a nuisance to occupants of adjoining or nearby sites, provided that the following activities are exempt:	Will comply	This is a typical residential and commercial activity.
20.4.2.3 No buildings shall be constructed and/or left unfinished and/or clad and/or painted in a manner that results in glare.	Will comply	
20.4.2.4 All sites shall be maintained so as to preserve the amenity values of the zone and land shall be kept clear of rubbish and noxious plants. Unregistered motor vehicles not being used shall not be stored in public view for more than six months.	Will comply	
20.4.2.5 The material from demolished buildings shall be removed and sites shall be landscaped to the satisfaction of Council within one month of demolition, provided that this time limit shall be extended to six months where consent has been granted for the construction of a new building.	Will comply	

20.4.2.6 All earthworks or areas of bare earth not being worked for three months or more excluding mineral extraction activities, shall be sown with appropriate ground cover as soon as possible.	Will comply	
20.4.2.7 No building shall be so constructed or finished or left unfinished or not maintained so that its function and external appearance would detract from the amenity values of the zone. In the Commercial Zone, this includes the maintenance of verandahs to provide weather protection for pedestrians.	Will comply	The design will be completed per the approved architectural set.
20.4.2.8 All sites with an impervious area of greater than 1000m² (other than roof areas that drain directly to the stormwater system or to soakage) must install an appropriate stormwater treatment system that adequately treats any actual or potential contaminants and either disposes stormwater to land soakage and/or restricts the discharge rate to the maximum greenfield run off rate for the site unless in accordance with a discharge permit granted by the Waikato Regional Council.	Yes	Please refer to the ICA contained in **Appendix 5.**
20.4.2.9 All commercial vehicle, machinery or container washdown areas within the urban limits shown on the Planning Maps must be sealed, bunded and roofed and connected to the wastewater treatment system.	Yes	This can be confirmed through the building consent/consent conditions.
20.4.2.10 No silt or sediment, or water containing silt or sediment, may be discharged into stormwater pipes, drains, channels or soakage systems from non-farming related earthworks or bare land within the urban limits as shown on the Planning Maps.	Yes	This can be confirmed through the building consent/consent conditions.
20.4.2.11 All non-farming related sites within the urban limits where loose material may be carried by vehicles on to public roads in wet weather or at other times shall install and use a wheel wash.	Yes	This can be confirmed through the building consent/consent conditions.
Section 16 - Transportation		
16.4.1.1(i) Provision of 25 or more car parks on a site.	**Restricted Discretionary Activity**	**37 car parks in total are provided on site.**
16.4.2.1 Road Hierarchy	NA	

16.4.2.4 – Vehicular access to sites in all zones	Will Comply	The access from Commerce Street will be constructed in accordance with RITS.
16.4.2.5 - Vehicle separation distance	Complies	The proposed access to the basement carpark is directly adjacent to the Commerce Street service lane.
16.4.2.6 – 16.4.2.9	Complies	
16.4.2.9 – Vehicle access to sites in the Commercial Zone	Complies	No new vehicle crossing is proposed. Access configuration on the pedestrian frontage will remain unchanged.
16.4.2.10 No direct vehicle access onto the State Highway is permitted from properties fronting State Highway 3.	NA	
16.4.2.11 Where a site has frontage to a road and a service lane, all vehicle access shall be from the service lane.	Complies	Vehicle access is provided via the service lane.
16.4.2.12 - Vehicle access to sites in the Industrial Zone	NA	
16.4.2.13 - Parking, loading and manoeuvring area All activities that involve the erection, construction or substantial reconstruction, alteration or addition to a building on any site, or changes the use of any land or building, shall provide loading/unloading spaces for vehicles on the site as set out in Appendix T1.	Complies	Three separate service and loading bays are provided for on the ground level. Please refer to Sheet SK2.02 in Appendix 2.
16.4.2.14 - Parking, loading and manoeuvring area Vehicle parking (if provided), loading/unloading, and manoeuvring areas shall: a) Not encroach on any setback, outdoor living area, or bicycle parking spaces; and loading/unloading areas and manoeuvring areas shall not encroach over vehicle parking spaces; and	Complies	

b) Be designed, formed, and constructed to ensure that the surface of the required area provides a dust free environment; and c) Provide for the safe and efficient disposal of surface stormwater clear of any adjoining access or road surface in a way that does not result in ponding or scouring; and d) Be constructed to accommodate the anticipated use of the area by all traffic likely to access the site in the zone in which it is located, including construction traffic taking into account pavement, surfacing, demarcation of spaces, aisles and circulation roads; and **e)** Be provided on the site on which the building, activity or proposal is located, except where the provisions of Rules 16.4.2.15 and 16.4.2.16 apply.		
16.4.2.16 - Parking, loading and manoeuvring area – Residential Zone	NA	
16.4.2.17 - The design and layout of sites shall ensure that access to each required loading and unloading space, or parking space if provided is directly from the required access or manoeuvring area.	Complies	All loading and service bays are accessed via the service lane, and all car parking is accessed via the basement carpark.
16.4.2.18 - Vehicle manoeuvring areas loading and unloading spaces, and if provided, parking spaces, including those spaces located in a garage, shall be provided on a site, of a standard adequate to accommodate a 99.8 percentile car, or a 99 percentile truck, in order to ensure that all vehicles have the ability to access the adjoining road in a forward direction after no more than a three point turning manoeuvre on the site, except where Rule 16.4.2.16 applies. For the avoidance of doubt rear sites that are served by an access leg/drive way that are in sole ownership are considered to be part of the site.	Complies	All vehicle manoeuvring in in accordance with AS/NZS 2890.1:2004 (NZ Standards), please refer to Sheet SK2.00 in Appendix 2.
16.4.2.19 – Car park All car parks (if provided) shall be marked or delineated on site, except in the Residential Zone and in the St Peters School Zone.	Complies	

16.4.2.20 – Car park landscaping and lighting Other than in the St Peters School Zone, all car parks must: (a) Provide at least one tree planted for every 5 car parking spaces at a grade of no less than PB95. For the avoidance of doubt, PB95 is equivalent to a tree that is at least 1.5m tall at the time of planting; and (b) Ensure lighting is designed to avoid shading areas or isolating areas of public use. Provided that in the Commercial Zone, car parks with more than 25 car parking spaces shall be a restricted discretionary activity.	N/A	Car parks are underground this this rule is not relevant.
16.4.2.21 In areas other than the Rural Zone and Pedestrian Frontages, activities employing more than ten people must provide bicycle parking facilities at a rate of one bicycle park for every ten people employed.	Complies	The site is located within the pedestrian frontage area; however, bike parking is provided in the basement.
16.4.2.22 A Simple or Broad Integrated Transport Assessment shall be prepared for Restricted Discretionary Activities where the following vehicle trip generation thresholds are met: <u>Restricted Discretionary Activities</u> • For Collector and Local Roads: o Where trip generation is low (less than 100 vpd) or medium (between 100 and 249 vpd), an Integrated Transport Assessment is not required. o Where trip generation is high (more than 250 vpd), a Simple Integrated Transport Assessment is required. o For Major and Minor Arterial Roads (including State Highways): o Where trip generation is low (less than 100 vpd), an Integrated Transport Assessment is not required. Refer to Rule 16.4.1.1.c for State Highways and Major Arterials.	Complies	Given the ground level will be retained for retail/commercial purposes, the additional traffic generated from this proposal relates to the upper levels, which will be used for a mixture of office and residential use. We have chosen to lodge consent on the basis that an ITA is not required.

o Where trip generation is medium (between 100 and 249 vpd), a Simple Integrated Transport Assessment is required. o Where trip generation is high (more than 250 vpd), a Broad Integrated Transport Assessment is required. o For All Roads: o Where trip generation is significant (more than 1,500 vpd), a Broad Integrated Transport Assessment is required.		