

# 20. Business Zones

## 20.1 Introduction

Kaikoura township is the principal commercial and service centre of the District, containing a wide range of retail outlets, offices, mixed industry, travellers accommodation, restaurants and tourist ventures. The principal commercial areas are located within the West End and along Beach Road. In addition, commercial activity exists in the vicinity of Yarmouth Street, Brighton Street and at Wakatu Quay.

## 20.2 Issue 1 - Protecting the amenity within Business Zones and in areas adjoining Business Zones.

A reasonable standard of amenity is required in business areas to ensure that they are pleasant places to visit and work and that the amenity of neighbours is not adversely affected.

### 20.2.1 Objective 1

To provide for Business Zones where the standard of amenity is consistent with the principal activities undertaken in the area and which do not detract from the amenity enjoyed by neighbours.

### 20.2.2 Policies

1. To ensure that business activities adjacent to the boundary of a recreation or residential area do not adversely affect the amenity enjoyed within these areas:
2. To encourage business activities which have similar effects and have similar amenity requirements to establish in close proximity to one another.
3. To improve the visual amenity and street environment of the Business Zones by requiring landscaping along site boundaries and by the use of performance standards to control matters such as height, site coverage, setback and size of outdoor storage areas.
4. To ensure that activities within business areas do not adversely affect the amenity of these areas and adjoining areas through the application of standards in respect of the use or storage of hazardous substances, lighting spill, noise and screening.
5. To retain the traditional commercial appearance of the West End commercial area, through the use of performance standards to control matters such as height, site coverage, setback and verandahs.
6. To encourage the relocation of vehicle-generating activities in West End to other Business Zones and to encourage replacement of those activities with pedestrian-friendly activities such as cafes, craft shops and service businesses.
7. To recognise the flood risk which exists in West End through appropriate provisions in the Natural Hazards section.
8. To continue with programmes for street enhancement, public facilities and open space within the business areas of Kaikoura.

9. To ensure that the Yarmouth Street/Brighton Street commercial area provides for a range of appropriate commercial activities and that the area continues to be a pleasant place for people to visit and work.
10. To ensure that the take off and landing of aircraft does not adversely affect the amenity enjoyed within business areas.
11. To discourage the establishment of service stations within the Business A Zone, due to potential effects of the use and storage of hazardous substances, fumes, traffic generation and noise typically associated with service stations.
12. To promote Council's "Zero Waste" policy by promoting and encouraging the reduction, reuse and recycling of unwanted materials.
13. To ensure that the establishment of high traffic generating activities does not adversely affect the safety and efficiency of adjoining roads.
14. To discourage the establishment of forestry, farming, mineral extraction and factory farming within business areas, as these activities are likely to have effects which are not compatible with the commercial use of these areas.
15. To recognise existing activities and enable the establishment of new activities which need to be located in the coastal environment and close to marine facilities at Wakatu Quay within the Business B Zone.

### 20.2.3 Implementation Methods

1. To identify the following zones in the District Plan where different standards of amenity will be applied:
  - Business A (Commercial) Zone providing for a broad range of retail, office, commercial and other business activities at the West End and Yarmouth/Brighton Street;
  - Business B (Mixed Business) Zone along Beach Road and at Wakatu Quay providing for a mixture of light and other industries and service stations (on Beach Road), where possible separated from public open space and residential areas;
2. To include rules in the District Plan specifying performance standards such as:
  - street and neighbour setback, recession planes, height, landscaping, noise, lighting spill, screening and waste management.
3. To include rules specifying performance standards at the interface between business, public open space and residential sites including:
  - landscaping of business sites adjacent to public open space and residential sites;
  - residential standards for setback and admission of sunlight for activities adjoining residential areas;
  - residential standards for noise from activities adjoining residential sites;
  - control of light spillage onto residential sites.
4. To require resource consents to be obtained in respect of activities such as forestry, farming, mineral extraction and factory farming within business areas.
5. To include guidelines to promote and encourage the reduction, reuse and recycling of unwanted materials – refer to the Waste Management Guidelines – All Zones in Appendix G.

6. Through the Council's annual planning process to continue to initiate and finance projects for street enhancement, public open space, and the provision of public facilities, including community car-parking and traffic calming in the West End commercial area.

### **Explanation and Reasons**

The grouping of activities with similar effects enables areas of different amenity to be maintained or created. The grouping of activities within areas can take into account existing development, the proximity to recreation and residential areas, the quality of environmental and amenity standards sought, and the nature of activities provided for.

Business environments require a reasonable standard of amenity to make them pleasant and enjoyable to work within. The standards of amenity will be influenced by the nature of activities undertaken in these areas. The business areas of Kaikoura can be broadly classified as commercial, mixed business and marine facility areas on the basis of the amenity which exists and the activities currently undertaken within these areas.

The West End is dominated by commercial activities and is characterised by one and two storey buildings which are built up to boundaries, often with large display windows, verandas and advertising signs. In comparison with residential areas, increased noise, fumes and traffic movements are a characteristic of the West End.

The Yarmouth/Brighton Street area currently contains a range of business activity, interspersed with residential activity and vacant land. The commercial zoning of the Yarmouth/Brighton Street area has been extended due to existing business use of this area and the lack of space for expansion of commercial activities within the West End.

A high standard of amenity is appropriate within the West End, and Yarmouth/Brighton Street area due to the numbers of people who work and visit these areas.

It is important to enhance and maintain the natural and physical qualities and characteristics of areas where commercial activity occurs as these qualities make them enjoyable places to visit, work and meet, for social and cultural events.

Industrial activities involve the processing, manufacturing or servicing of a product. They do not generally attract the same number of people as commercial activities and usually generate more heavy traffic than commercial activities. Industrial activities are characterised by large utilitarian buildings often surrounded by outdoor storage areas or car parking. Buildings are often enclosed by security fencing and signs are often displayed in conjunction with a business.

Industrial activities are more likely to affect air quality and create lighting spill, noise, electrical interference, vibration and dust than most activities in commercial areas. While it is considered appropriate for the range of activities which currently exist within Beach Road to continue to be permitted, new industrial activities should not be permitted as of right as they have the potential to adversely affect the amenity of Beach Road. For this reason, new industrial activities along Beach Road are a restricted discretionary activity and require resource consent.

The Council seeks to protect amenity standards at the interface of residential environments and business environments. Effects of business activity such as noise, glare, and visual appearance may lower the standard of amenity on adjoining sites and may impact upon residential privacy and amenity. The Council will encourage effective separation of these activities through planning controls such as screening, setback and recession lines and by limiting activities such as forestry, farming, mineral extraction and factory farming within business areas.

Service stations are listed as discretionary activities in the Business A Zone, due to the potential effects of the use and storage of hazardous substances, fumes, traffic generation and noise which are typically associated with service stations.

## 20.3 Anticipated Environmental Results

1. The creation of attractive, safe and pleasant commercial areas, as places in which to work and visit.
2. Enhanced street appearance, pedestrian access, public facilities and open space in commercial areas.
3. Preservation of the amenities of residential environments adjacent to business areas in terms of light admission, noise, odour and lighting spill.
4. Pedestrian areas within the West End with minimal exposure to traffic noise and fumes.
5. A commercial area in the vicinity of Yarmouth and Brighton Streets which is a pleasant place for people to visit and work.
6. A mixture of residential, commercial, service and industrial activities within the business area of Beach Road and at Wakatu Quay, and a level of amenity reflecting this mix.
7. The replacement of vehicle-generating activities in West End with pedestrian-friendly activities.
8. Avoidance of activities within Business Areas which have the potential to produce significant adverse effects such as odour, noise, dust, airborne contaminants and vibration.

# Business A and B Zone - Rules

## 20.4 Zone Descriptions

### a. **Business A (Commercial)**

The Commercial Zone applies to the Yarmouth/Brighton Street area and to the West End which is currently the primary commercial area of the Kaikoura township.

The type of commercial activities undertaken in the zone includes a broad range of business and associated activities including retailing, entertainment, offices, health, education and community facilities.

Building activity within the zone is subject to a set of performance standards which seek to maintain the existing character and form of each of these areas by retaining the existing height and setback of buildings. Other performance standards aim to create an environment which is amenable to residents and visitors through controls on noise, lighting, outdoor storage, and maintenance of amenity adjoining residential areas and reserves.

### b. **Business B (Mixed Business)**

The Mixed Business Zone incorporates the areas of commercial development along Beach Road and at Wakatu Quay. This zone provides for those activities where there is no clear distinction between commercial and light industrial activities. Businesses may have combined service, retail, wholesale and office functions.

Performance standards will discourage the establishment of heavy or noxious industries within the zone.

## 20.5 Activities

Activities specified in the following table shall be assessed as permitted, restricted discretionary or unrestricted discretionary as shown, in respect of this section of the Plan.

**Table 20.5**

<b>Status</b>	<b>Activity</b>	<b>Conditions</b>
Permitted	Any activity not listed as a restricted or unrestricted discretionary activity.	Subject to compliance with performance standards in rule 20.6.
Restricted Discretionary	<p><b>a.</b> Bus B Zone only - Industrial activities</p> <p><b>b.</b> Any permitted activity or any listed restricted discretionary activity which does not comply with one or more of the performance standards in 20.6.      <b>a)</b> Subject to compliance with performance standards in rule 20.6. Council's discretion is restricted to:</p> <ul style="list-style-type: none"> <li>— noise</li> <li>— effects on amenity values</li> <li>— landscaping</li> <li>— scale of the activity</li> <li>— compatibility with surrounding activities</li> <li>— traffic safety and parking provision</li> </ul>	<b>b.</b> Council's discretion restricted to those standards not complied with as indicated in table 20.6.
Unrestricted Discretionary	<p><b>a.</b> Business A Zone Only</p> <ul style="list-style-type: none"> <li>— Service stations</li> <li>— Industrial activities</li> </ul> <p><b>b.</b> Wakatu Quay Bus B Zone only - Service Stations</p> <p><b>c.</b> Business A and Business B</p> <ul style="list-style-type: none"> <li>— Any Activity requiring an Offensive Trades Licence under the Health Act 1956 including any replacement or amendment to that Act.</li> <li>— Storage or sale of demolition material or scrap metal</li> <li>— Automobile and boat dismantlers</li> <li>— Commercial, Protection and Conservation Forestry</li> <li>— Farming Activities</li> <li>— Mineral Extraction</li> </ul>	Discretion is not restricted to any particular matter. The performance standards in 20.6 will be used as a guide when assessing applications for unrestricted discretionary activities.

## 20.6 Performance Standards

**Table 20.6**

<b>20.6</b>	<b>Standard</b>
1. Lighting	<b>a.</b> Exterior lights shall be shielded or directed away from adjacent sites and

20.6	Standard														
	<p>roads.</p> <p><b>b.</b> Exterior lights shall not result in lux spill which exceeds:</p> <ul style="list-style-type: none"> <li>— 3 lux maximum (horizontal and vertical) onto adjoining residential sites or</li> <li>— 10 lux maximum (horizontal and vertical) onto adjoining non-residential sites.</li> </ul> <p><b>c.</b> Light spill shall be measured at any point more than 2m inside the boundary of the adjoining site.</p>														
2. Noise	<p>Except as provided in Appendix Q, all activities shall be conducted so that the following noise limits are not exceeded during any time period for assessment within the time frames stated at the measurement and assessment location specified for each of the following areas:</p> <p><b>a.</b> Within Business A Zone, or at the boundary of any Business B or Business A Zones, excluding a boundary shared with a Residential Zone</p> <table border="0" style="width: 100%;"> <tr> <td style="width: 60%;">On any day from 7am to 11pm</td> <td>65dBA Leq</td> </tr> <tr> <td></td> <td>85dBA Lmax</td> </tr> <tr> <td>At all other times</td> <td>55dBA Leq</td> </tr> <tr> <td></td> <td>75dBA Lmax</td> </tr> </table> <p><b>b.</b> At the boundary between any Business Zone and any Residential Zone or within any residential site located within a Business Zone:</p> <table border="0" style="width: 100%;"> <tr> <td style="width: 60%;">Monday to Saturday from 7am to 11pm</td> <td>55dBA Leq</td> </tr> <tr> <td>At all other times</td> <td>40dBA Leq</td> </tr> <tr> <td>On any day between 11pm and 7am the following day</td> <td>70dBA Lmax</td> </tr> </table> <p>For the purpose of this rule, the measurement and assessment position shall be at any point within any other site in the Business Zone, or at any point within the boundary of any residential site within the Residential Zone, or within the notional boundary of any residential site in the Rural Zone.</p> <p><b>Note:</b> refer to Appendix Q for a list of noise provisions relating to construction, blasting and watercraft, and for a list of exemptions to the noise provisions.</p>	On any day from 7am to 11pm	65dBA Leq		85dBA Lmax	At all other times	55dBA Leq		75dBA Lmax	Monday to Saturday from 7am to 11pm	55dBA Leq	At all other times	40dBA Leq	On any day between 11pm and 7am the following day	70dBA Lmax
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On any day between 11pm and 7am the following day	70dBA Lmax														
3. Building coverage	<p><b>a.</b> For Residential Units in all Business Zones - 35% maximum</p> <p><b>b.</b> For buildings other than Residential Units:</p> <ul style="list-style-type: none"> <li>i. Business A Zone - 60% maximum</li> <li>ii. Business B Zone - 80% maximum</li> </ul>														
4. Outdoor Living Space	<p>Outdoor living space shall be provided as follows:</p> <p><b>a.</b> 70m<sup>2</sup> minimum area with minimum dimension of 5m for each residential unit</p> <p><b>b.</b> 10m<sup>2</sup> minimum area with minimum dimension of 2m for each visitor accommodation unit</p> <p><b>c.</b> 10m<sup>2</sup> minimum area and minimum dimension of 2m for each elderly persons housing unit</p>														
5. Height of buildings	<p>10m maximum, except that this rule does not apply to fire station training and hose drying towers located on Lot 1 DP 5184 (42 The Esplanade) provided that the height of any such towers does not exceed a maximum height of 15m.</p>														
6. Hours of operation	<p>Except for Community Activities, no activity located adjacent to a residential Site, shall operate outside the hours of 0700 to 2100 Monday to Friday and 0900 to 1700 Saturday, Sunday and Public Holidays.</p>														
7. Outdoor Storage	<p><b>a.</b> Outdoor storage areas shall not exceed 10% of the total area of any site except that this rule does not apply to storage of vehicles or the display of goods for sale.</p> <p><b>b.</b> Outdoor storage areas shall be screened from public view and from adjoining residential sites by a solid wall, close boarded fence, landscaping or any combination of these to a minimum height of 1.8m.</p>														
8. Landscaping	<p>Except for vehicle crossings and Residential Activities, Landscaping shall be provided as follows:</p> <p><b>a.</b> Business B Zone only: 2m minimum width along road boundaries with a minimum of 1 tree or shrub per 10m road frontage (min height 1.5m or min age 3 years) and;</p> <p><b>b.</b> All Business Zones: 1m minimum width and 1.8m min height along the</p>														

20.6	Standard
	boundary of an adjoining site which contains a reserve or a residential activity.
9. Recession planes	No part of any building shall intrude into a recession plane constructed from points measured 2.5m above internal boundaries which adjoin residential sites as shown in Appendix H, unless exempt under Appendix H.
10. Density	No residential unit shall be located on a site having a net site area less than 500m <sup>2</sup> .
11. Internal boundary separation	<p>No building shall be located closer than 5m in the Business B Zone, or 2m in the Business A Zone, to the boundary of an adjoining site which contains any of the following:</p> <ul style="list-style-type: none"> <li>— residential activity</li> <li>— educational facility</li> <li>— reserve</li> </ul>
12. Road boundary separation	<p><b>a.</b> No building in the Business A zone shall be located closer than 2m to The Esplanade road boundary.</p> <p><b>b.</b> No building in the Business B Zone shall be located closer than 4.5m to the Beach Road road boundary.</p>
13. Verandahs - Business A Zone	<p><b>a.</b> Except for fire station buildings located on Lot 1 DP 5184 (42 The Esplanade), every building with road frontage to The Esplanade or the West End shall be provided with a verandah. This rule shall apply to any reconstruction or alteration which substantially changes the exterior appearance of an existing building.</p> <p><b>b.</b> Verandahs shall be constructed along the full length of all parts of the building facing the road and for the full width of the footpath.</p> <p><b>c.</b> The height, width and fascia of verandahs shall be consistent with any adjoining verandas to provide continuity of verandah coverage, except where access or a driveway is provided to the rear of the building.</p> <p><b>d.</b> Each verandah shall extend a minimum of 2m from the face of the building provided that the front edge of the verandah is no closer than 0.5m to the kerb-line of the carriageway.</p>
14. Sewage disposal systems separation	<p><b>a.</b> Sewage disposal systems shall comply with the following minimum separation distances:</p> <ul style="list-style-type: none"> <li>— 50m separation up gradient, or 30m separation in any other direction, between any sewerage disposal system with treatment to a standard of 1000 or less faecal coliforms per 100ml and any domestic water supply intake;</li> <li>— where the treatment standard specified in (a) above is not met, 500m separation up gradient, or 300m separation in any other direction, between any sewerage disposal system not specified in 11(a) and any domestic water supply intake;</li> <li>— 20m between any sewerage disposal system and any stream, river, lake, wetland or coastal water.</li> </ul> <p><b>b.</b> Sewage disposal systems shall be separated from any dwelling or habitable building not on the same site as the disposal system, by a minimum of 100m upgradient of the dwelling or habitable building or 50m on any other direction.</p>
15. Waterbody separation	No building or utility building which exceeds 9m <sup>2</sup> Gross Floor Area or 2m in height shall be located closer than 10 metres to the edge of the bed of any river, or the edge of any wetland, whichever is the further
16. Waste management	All activities, other than residential activities, shall comply with the Waste Management Protocol in Appendix G.
17. Drinking water	All residential units and visitor accommodation units shall be connected to a potable water supply in accordance with "NZ Drinking Water Standards 2000" or any subsequent amendment or replacement to those standards

**Note:** Enforcement provisions under the Act are available to be used by the Council, where any activity produces vibration, smell or dust or manufactures, stores, uses, transports or disposes of hazardous substances in such a way that has or is likely to be either noxious, dangerous, offensive or objectionable, to such an extent that it has or is likely to have an adverse effect on the environment.

## 20.7 General Rules

Attention is drawn to the following General Rules which may apply to activities undertaken in the Business A and B Zones in addition to any relevant Zone Rules. Resource consent may be required as a result of any one or more of these General Rules.

Natural Hazards	refer to Section 8
Hazardous Substances	refer to Section 9
Utilities	refer to Section 10
Landscape and Amenity	refer to Section 11
Transport	refer to Section 12
Subdivision	refer to Section 13
Financial Contributions	refer to Section 14
Heritage	refer to Section 15
Relocated Buildings, Temporary Buildings and Temporary Activities	refer to Section 17
Noise Provisions & Exemptions	refer to Appendix Q

## 20.8 Scheduled Activities - New Wharf

### 20.8.1 Statement

Scheduling provides for land use activities which require special recognition and some scope for development, but which do not necessarily justify specialised zoning. These activities are generally characterised by one or more of the following:

- a. Isolated from zones where such activities would normally comply with the standards specified;
- b. Distinctly different in character and effects from surrounding activities;
- c. Provided for by zoning or listing as permitted activities in the Transitional District Plan.

Scheduled activities in the Business Zone are limited to the Pacifica Seafoods factory on the New Wharf, Wakatu Quay.

Scheduling goes beyond existing use right status, to provide for specified activities as permitted activities on identified sites, and to allow some scope for expansion and redevelopment.

### 20.8.2 Activities

1. The rules in this part of the Plan replace those zone rules which would otherwise apply to the activity, in respect of the Scheduled Activity only. All District Wide rules still apply to the scheduled activity.
2. Any activity on the site, other than the Scheduled Activity, shall be subject to the normal standards applicable to the zone which applies to the site.
3. Permitted Activity  

Scheduled Activities listed below which comply with the Performance Standards in this part of the plan shall be a Permitted Activity.
4. Discretionary Activity

Scheduled Activities listed below which do not comply with any one or more of the Performance Standards in this part of the plan shall be a Restricted Discretionary Activity, with the exercise of the Council's discretion being restricted to the matter(s) specified in the Site Standard which is (are) not complied with.

### 20.8.3 Scheduled Activities

Scheduled Industrial Activities are as follows:

Site No.	Business	Location	Legal Description
S2	Pacifica Seafoods.	New Wharf, Wakatu Quay	Lots 1, 2 & 3, DP 5303

### 20.8.4 Permitted Activities

The following activities shall be Permitted on the site occupied by the Pacifica Seafoods S2, provided that they comply with all of the Performance Standards:

- a. Loading, unloading, processing, storage, packaging and distribution of sea products including wet fish, shell fish, crayfish and seaweed.
- b. Aquaculture and marine farming.
- c. Retail sales of seafood products.
- d. Activities ancillary to the activities listed in a, b and c, including but not limited to, parking, canteens, ablution facilities, laboratories, research facilities, maintenance facilities, wash down facilities, waste treatment and disposal facilities, medical offices, and administrative offices.

### 20.8.5 Performance Standards

The following standards shall apply to Scheduled activity S2.

20.8.5	Standard
1. Road boundary separation	No building shall be located closer than 2m to any road boundaries unless it is not practicable to provide such a separation, in which case buildings shall be separated as far a practicable from the road boundary.
2. Internal boundary separation	No building shall be located closer than 2m to any adjoining Residential Zone.
3. Height of buildings	Buildings shall not exceed a maximum height of 10m.
4. Recession planes	No part of any building shall intrude into a recession plane constructed from points measured 2.5m above internal boundaries which adjoin Residential Zones (refer Appendix H)
5. Lighting	<p>a. Exterior lights shall be shielded or directed away from adjacent sites and roads.</p> <p>b. Exterior lights shall not result in lux spill which exceeds:</p> <ul style="list-style-type: none"> <li>— 3 lux maximum (horizontal and vertical) onto adjoining residential sites or</li> <li>— 10 lux maximum (horizontal and vertical) onto adjoining non-residential sites.</li> </ul> <p>c. Light spill shall be measured at any point more than 2m inside the boundary of the adjoining site.</p>
6. Noise	<p>Except as provided in Appendix Q, all activities shall be conducted so that the following noise limits are not exceeded during any time period for assessment within the time frames stated at the measurement and assessment location specified for each of the following areas:</p> <p>Within Business A Zone, or at the boundary of any Business B or Business A</p>

20.8.5	Standard
	<p>Zones, excluding a boundary shared with a Residential Zone:</p> <p><b>a.</b> On any day from 7am to 11pm 65dBA Leq 85dBA Lmax</p> <p>At all other times 55dBA Leq 75dBA Lmax</p> <p><b>b.</b> At the boundary between any Business Zone and any Residential Zone or within any residential site located within a Business Zone:</p> <p>Monday to Saturday from 7am to 11pm 55dBA Leq At all other times 40dBA Leq On any day between 11pm and 7am the following day 70dBA Lmax</p> <p>For the purpose of this rule, the measurement and assessment position shall be at any point within any other site in the Business Zone, or at any point within the boundary of any residential site within the Residential Zone, or within the notional boundary of any residential site in the Rural Zone.</p> <p><b>Note:</b> refer to Appendix Q for a list of noise provisions relating to construction, blasting and watercraft, and for a list of exemptions to the noise provisions.</p>
7. Waste management	All activities, other than residential activities, shall comply with the Waste Management Protocol in Appendix G.

## 20.9 General Rules

Attention is drawn to the following General Rules which may apply to activities undertaken in the Business A and B Zones in addition to any relevant Zone Rules. Resource consent may be required as a result of any one or more of these General Rules.

Natural Hazards	refer to Section 8
Hazardous Substances	refer to Section 9
Utilities	refer to Section 10
Landscape and Amenity	refer to Section 11
Transport	refer to Section 12
Subdivision	refer to Section 13
Financial Contributions	refer to Section 14
Heritage	refer to Section 15
Relocated Buildings, Temporary Buildings and Temporary Activities	refer to Section 17
Noise Provisions & Exemptions	refer to Appendix Q

**Note:** The new wharf site (and schedule site S2 is seaward of the Hazard 1 and Hazard 2 line in the Regional Coastal Environment Plan. This plan contains certain rules restricting activities in the Hazard areas, and some activities are also prohibited (no consent can be applied for. Any person proposing to undertake an activity in the New Wharf area or in scheduled site S2 should contact the Regional Council (Environment Canterbury for further information relating to the Regional Coastal Environment Plan.