

Table 2 below outlines the relevant Business 1 Area activity standards and includes comment if the proposed development complies.

TABLE 2: BUSINESS 1 AREA ACTIVITY STANDARDS		
STANDARD	STANDARD DETAIL	COMPLIANCE
34.6.1.1 Noise	<p>34.6.1.1.1– Noise emission levels from activities in Business 1 Areas when measured at or within the boundary of any site or at the outside wall of any building on any site other than the site from which the noise is emitted in Business 1 Areas shall not exceed the following limits: At all times 60dB <small>L_{Aeq} (15 min)</small> At all times 85dB <small>L_{AFmaz}</small></p>	Will Comply
34.6.1.2.1 Fixed Plant Noise	<p>5.6.1.2.1– Noise emissions levels in Business 1 Areas from fixed plant when measured at or within the boundary of any site, or at the outside wall of any building on any site, other than the building or site from which the noise is emitted on shall not exceed the following limits: At all times 55dB <small>L_{Aeq} (15 min)</small> Monday to Sunday 10pm to 7am 80dB <small>L_{AFmaz}</small></p>	Will Comply
34.6.1.6 Vehicle Parking	<p>34.6.1.6.1– All parking shall be provided and maintained in accordance with sections 1, 2 and 5 of the joint Australian and New Zealand Standard 2890.1 – 2004, Parking Facilities, Part I: Off-Street Car Parking. 34.6.1.6.2– Where car parking is located within a building, a minimum height clearance of no less than 2.2m is required 34.6.1.6.3 The gradient for car parking circulation routes shall not be more than 1 in 8.</p>	Will Comply
34.6.1.6 Servicing	<p>34.6.1.6.5– On each site in Business Areas, at least one loading area shall be provided as follows:</p> <ul style="list-style-type: none"> • Where loading areas are located within a building, a minimum height clearance of 4.25m is required • For buildings with serviced by lifts, all levels shall have access to a loading area by way of a lift • The loading area shall be located no further than 15m from a lift and there shall be level access between them • Turning paths shall be based on the standard for a medium rigid truck as illustrated below.... <p>34.6.1.6.6– For loading areas located outdoors, the minimum width shall be 3 metres and the minimum length 9 metres. 34.6.1.6.7– For loading areas located within a building, the minimum width shall be 4m and the minimum length 9m.</p>	Will not comply
34.6.1.6 Site Access	<p>34.6.1.6.9– Site access shall be provided and maintained in accordance with section 3 of the Australian and New Zealand Standard 2890.1 – 2004, Parking Facilities, Part I: Off-Street Car Parking.</p>	Will Comply

TABLE 2: BUSINESS 1 AREA ACTIVITY STANDARDS		
STANDARD	STANDARD DETAIL	COMPLIANCE
	<p>34.6.1.6.10– Subject to standard 34.6.1.6.12 no vehicular access, shall be situated closer to an intersection than the following: ... Other streets 10m</p> <p>34.6.1.6.12– There shall be a maximum of one vehicle crossing to any site except that sites with more than one frontage may have one access across each frontage, unless one of the frontages is to a state highway....</p> <p>34.6.1.6.14– The width of any vehicle crossing to a site shall not exceed 6m.</p> <p>34.6.1.6.15– Where vehicular access can be provided from a service lane or right-of-way registered in favour of the site or other private road or private right-of-way, no vehicular access shall be from the street.</p> <p>34.6.1.6.16– All sites must be designed to permit a free flow of traffic so that vehicles do not queue on the street.</p>	
34.6.1.7 Lighting	34.6.1.7.2– Subject to standard 34.6.2.3.1 any development which includes roads and outdoor public spaces available for use during hours of darkness shall be designed and installed in accordance with AS/NZS 1158.3.1:2005 and amendments.	Will Comply
34.6.1.8 Use, storage or handling of Hazardous Substances		N/A
34.6.1.9 Screening of Activities and Storage	34.6.1.9.2– Any exterior storage area, including waste storage area, must be screened so that it is not visible from any adjoining Residential Area or public space	Will comply

Table 3 below outlines the relevant Business 1 Area building and structure standards and includes comment if the proposed development complies.

TABLE 3: BUSINESS 1 AREA BUILDING AND STRUCTURE STANDARDS		
STANDARD	STANDARD DETAIL	COMPLIANCE
34.6.2.1 Maximum building height	34.6.2.1.1– No building or structure shall exceed the building height as listed in Table 1. Shelly Bay – height determined by the Shelly Bay Design Guide that range from 8 to 11m.	Does not comply
34.6.2.2.1 Minimum building height		N/A Does not adjoin Open Space A zoned land fronting Lyall Parade
34.6.2.3		N/A

TABLE 3: BUSINESS 1 AREA BUILDING AND STRUCTURE STANDARDS		
STANDARD	STANDARD DETAIL	COMPLIANCE
Height control adjoining Residential Areas		Does not adjoin Residential Areas
34.6.2.4 Yards	<p>34.6.2.4.2– No structure or building shall be located closer than:</p> <ul style="list-style-type: none"> • 10m to the coastal marine area <p>34.6.2.4.3– No impervious surface associated with the use of the site shall extend closer than 5m to a water body in the coastal marine area....</p>	Does not comply
34.6.2.5 Windows adjacent to Residential Areas		N/A Does not adjoin Residential Area zoned land
34.6.2.6 'Active' building edges		N/A Does not adjoin Open Space A zoned land
34.6.2.7 Verandahs	<p>Verandahs may be constructed on any building frontage facing a public space within Business Areas provided that:</p> <p>...</p> <p>The verandah is a minimum clearance of 2.5m directly above the footpath or formed ground surface</p> <p>The verandah is no more than 4m directly above the footpath or formed ground surface.</p> <p>There is a minimum horizontal setback of 450mm from any point along the kerbing extending back to the site boundary. It extends no more than 3m in width from the front of the building.</p>	Will comply
34.6.2.9 Fixed Plant noise		Will comply
34.6.2.10 Noise insulation and ventilation	<p>...any habitable room in a building use by a noise sensitive activity within Business 1 Areas shall be protected from noise arising from outside the building by ensuring the external sound insulation level achieved by the following minimum performance standard ...</p>	Does not comply (only buildings with noise sensitive activities identified in Appendix Seven will comply with these noise insulation and ventilation standards as per section 4.2.10)

Table 4 below outlines the relevant Earthworks activity standards and includes comment if the proposed development complies.

TABLE 4: EARTHWORKS STANDARDS		
STANDARD	STANDARD DETAIL	COMPLIANCE
30.1.1.1(b) Earthworks in Business 1 zone	(i) The cut height or fill depth does not exceed 2.5m measured vertically; and (ii) The cut or fill is retained by a building or structure authorised by a building consent (which must be obtained prior to any earthworks commencing); and (iii) The area of cut and/or fill does not exceed 250m ² .	Does not comply
30.1.2.1(b) Earthworks in Open Space B	(i) The cut height or fill depth does not exceed 1.5m measured vertically; and (ii) The cut or fill is retained by a building or structure authorised by a building consent (which must be obtained prior to any earthworks commencing); and (iii) The area of cut and/or fill does not exceed 100m ² .	Does not comply

Table 5 below outlines the relevant Contamination activity standards and includes comment if the proposed development complies.

TABLE 5: CONTAMINATION STANDARDS		
STANDARD	STANDARD DETAIL	COMPLIANCE
32.1.2 The removal of underground petroleum storage system is a Permitted Activity, provide that:	32.1.2.1– No more than 30m ³ of soil in aggregate per tank shall be removed. 32.1.2.2– All removed soil shall be disposed of at a facility authorised and/or consented to receive such waste. 32.1.2.3– The tank removal investigation, remediation, validation and management process shall be carried out in accordance with the Ministry for the Environment “Guidelines for Assessing and Managing Petroleum Hydrocarbon Contaminated Sites in New Zealand (1999) and “Contaminated Land Management Guidelines for Reporting on Contaminated Sites in New Zealand (November 2003). This shall include preparation of an environmental management plan, a copy of which shall be provided to the Council prior to work commencing. 32.1.2.4– A report detailing the results of validation sampling shall be provided to the Council within 60 days of receipt of laboratory results.	Will comply if any storage tanks are located and require removal
32.1.3 The use, development or subdivision of potentially contaminated land that has been confirmed as not being contaminated land for its intended use following subsurface investigations		Does not comply The site has not been confirmed as not being contaminated

TABLE 5: CONTAMINATION STANDARDS

STANDARD	STANDARD DETAIL	COMPLIANCE
and the removal of underground petroleum storage systems to facilitate the collection of subsurface soil samples is a Permitted Activity.		

An assessment of the proposed subdivision against the relevant Business 1 Area standards is provided in Table 6 below.

TABLE 6: BUSINESS 1 ZONE SUBDIVISION COMPLIANCE ASSESSMENT

STANDARD	STANDARD DETAIL	COMPLIANCE
34.6.4.1.1	Every building or structure adjoining a new boundary must comply fully with the standards for buildings and structures specified in 34.6.2 or otherwise be lawfully established.	Complies
34.6.4.1.2	Every allotment must have services in compliance with City Bylaws or if applicable the Council's Code of Practice for Land Development	Complies
34.6.4.1.3	Every allotment must have practical, physical and legal access to a formed legal road.	Complies
34.6.4.1.4	Every allotment must have drive-on vehicle access and parking constructed in accordance with Standard 34.6.1.6.	Complies
34.6.4.1.5	All earthworks needed to complete the subdivision are undertaken.	Complies
34.6.4.1.6	No part of any allotment being subdivided may be within 20m of any river whose bed has an average width of 3m or more where the river flows through or adjoins an allotment.	Not applicable
34.6.4.1.7	No part of any allotment being subdivided may be within 20m of the line of mean high-water springs.	Does not comply
34.6.4.1.8	No subdivision may occur within a heritage area or on a site associated with a heritage item unless in the latter case the subdivision involves land that is not occupied by the heritage item and is not specifically identified for preservation in the Plan as important for the setting of the item.	Not applicable
34.6.4.1.9	For any subdivision incorporating new roads, all services must be reticulated underground.	Not applicable
34.6.4.1.10	Any new allotment within 32m of a high voltage transmission line must include sufficient land area outside of the transmission corridor to accommodate a complying building.	Not applicable
34.6.4.1.11	A certificate of compliance must be obtained for the subdivision to allow Council to assess survey plans for approval.	Not applicable