

H10. Business – Town Centre Zone

H10.1. Zone description

The Business – Town Centre Zone applies to suburban centres throughout Auckland, the satellite centres of Warkworth and Pukekohe, and the rural towns of Helensville and Wellsford. The centres are typically located on main arterial roads, which provide good public transport access.

The zone provides for a wide range of activities including commercial, leisure, residential, tourist, cultural, community and civic services, providing a focus for commercial activities and growth.

Most centres are identified for growth and intensification. Expansion of these centres may be appropriate depending on strategic and local environmental considerations.

There is a range of possible building heights depending on the context. Outside Walkable Catchments, provisions typically enable buildings of between four and eight storeys, although there may be special circumstances where other building heights are appropriate. Within walkable catchments, as identified on the planning maps by the height variation control, building heights of at least six storeys, and in some identified walkable catchments up to ten and fifteen storeys are enabled. Qualifying matters may also apply and may reduce heights.

The zone anticipates different built form outcomes depending on whether the area is within a walkable catchment with a variation on building heights reflecting the levels of:

- strategic importance and significant transport investment;
- accessibility including access to the rapid transit network;
- the proximity to other centres, the role and function of those centres, and the concentration of amenities within them; and,
- demand relative to other locations.

The height opportunities within the centres will facilitate increased intensification, including office and dwelling above the ground floor ~~residential activities at upper floors~~

Some street frontages within the zone are subject to a Key Retail Frontage Control or General Commercial Frontage Control provisions. Key retail streets are a focus for pedestrian activity within the centre. General commercial streets play a supporting role. Development fronting these streets is expected to reinforce this function.

H10.2. Objectives

General objectives for all centres, Business – Mixed Use Zone, Business – General Business Zone and Business – Business Park Zone

- (1) A strong network of centres that are attractive environments and attract ongoing investment, promote commercial activity, and provide employment, housing and goods and services, all at a variety of scales.
- (2) Development is of a form, scale and design quality so that centres are reinforced as focal points for the community.

- (3) Development positively contributes towards planned future form and quality, creating a well-functioning urban environment and a sense of place.
- (4) Business activity is distributed in locations, and is of a scale and form, that:
 - (a) provides for the community's social and economic needs;
 - (b) improves community access to goods, services, community facilities and opportunities for social interaction;
 - (c) manages adverse effects on the environment, including effects on infrastructure and residential amenity; and
 - (d) accommodates qualifying matters.
- (5) A network of centres that provides:
 - (a) a framework and context to the functioning of the urban area and its transport network, recognising:
 - (i) the regional role and function of the city centre, metropolitan centres and town centres as commercial, cultural and social focal points for the region, sub-regions and local areas; and
 - (ii) local centres and neighbourhood centres in their role to provide for a range of convenience activities to support and serve as focal points for their local communities.
 - (b) a clear framework within which public and private investment can be prioritised and made; and
 - (c) a basis for regeneration and intensification initiatives.

Business Town Centre Zone objectives

- (6) Town centres are the focus of commercial, community and civic activities for the surrounding area and which provide for residential intensification.
- (7) The scale and intensity of development in town centres is increased while ensuring development is in keeping with the planning and design outcomes identified in this Plan for the relevant centre.
- (7A) Development achieves a quality built environment and, unless a qualifying matter applies that reduces building heights, the urban built character of town centres is a compatible mix of commercial and intensive residential development with building heights enabled in accordance with an areas: strategic importance and significant transport investment; accessibility including access to the rapid transit network; the proximity to a centre, the role and function of that centre and the concentration of amenities within it; and, demand. Building heights in the zone are aligned with these features and are predominantly:

- (a) outside walkable catchments as specified in the height variation control;
 - (b) six storey buildings within walkable catchments; and
 - (c) through the height variation controls, in some identified walkable catchments up to ten or fifteen storey buildings.
- (8) Town centres are an attractive place to live, work and visit with vibrant and vital commercial, entertainment and retail areas.
- (9) Key Retail Frontage streets are a focus for pedestrian activity, with General Commercial Frontage streets supporting this role.

H10.3. Policies

General policies for all centres, Business – Mixed Use Zone, Business – General Business Zone and Business – Business Park Zone

- (1) Reinforce the function of the city centre, metropolitan centres and town centres as the primary location for commercial activity, according to their role in the hierarchy of centres.
- (2) Enable an increase in the density, diversity and quality of housing in the centre zones and Business – Mixed Use Zone, where it is compatible with any qualifying matters and while managing any reverse sensitivity effects including from the higher levels of ambient noise and reduced privacy that may result from non-residential activities.
- (3) Require development to be of a quality and design that positively contributes to:
 - (a) planning and design outcomes identified in this Plan for the relevant zone;
 - (b) the visual quality and interest of streets and other public open spaces; and
 - (c) pedestrian amenity, movement, safety and convenience for people of all ages and abilities.
- (4) Encourage universal access for all development, particularly medium to large scale development.
- (5) Require large-scale development to be of a design quality that is commensurate with the prominence and visual effects of the development.
- (6) Encourage buildings at the ground floor to be adaptable to a range of uses to allow activities to change over time.
- (7) Require at grade parking to be located and designed in such a manner as to avoid or mitigate adverse effects on pedestrian amenity and the streetscape.
- (8) Require development adjacent to residential zones and the Special Purpose – School Zone and Special Purpose – Māori Purpose Zone to maintain the amenity

values of those areas, having specific regard to dominance, overlooking and shadowing.

- (9) Discourage activities, which have noxious, offensive, or undesirable qualities from locating within the centres and mixed use zones, while recognising the need to retain employment opportunities.
- (10) Discourage dwellings at ground floor in centre zones and enable dwellings above ground floor in centre zones.
- (11) Require development to avoid, remedy or mitigate adverse wind and glare effects on public open spaces, including streets, and shading effects on open space zoned land.
- (12) Recognise the functional and operational requirements of activities and development.
- (12A) Enable building height of at least six storeys within mapped walkable catchments unless a qualifying matter applies that reduces height.
- (13) Enable greater building height than the standard height in locations identified within the Height Variation Control, having regard to whether the greater height:
 - (za) is commensurate with the level of commercial activities and community services;
 - (zb) is compatible with a qualifying matter that requires reduced height and/or density;
 - (a) is an efficient use of land;
 - (b) supports public transport, community infrastructure and contributes to centre vitality and vibrancy;
 - (c) considering the size and depth of the zoned area, can be accommodated without significant adverse effects on adjacent residential zones;
 - (d) is supported by the status of the centre in the centres hierarchy, or is adjacent to such a centre; and
 - (e) support the role of centres.
- (14) Reduce building height below the standard zone height in locations identified within the Height Variation Control, where the standard zone height would have significant adverse effects on identified special character, identified landscape features, amenity or other qualifying matters.

Business – Town Centre Zone policies

- (15) Provide for town centres including new town centres of different scales and locations, that:

- (a) service the surrounding community's needs for a range of uses, such as commercial, leisure, tourist, cultural, community and civic activities; and
 - (b) support a range of transport modes including, public transport, pedestrian and cycle networks and the ability to change transport modes.
- (16) Enable significant growth and intensification in town centres, except for those centres where it would compromise the planning outcomes identified in this Plan for the relevant centre.
- (17) Manage development in town centres so that it contributes to the function and amenity of the centre.
- (18) Require those parts of buildings with frontages subject to the Key Retail Frontage Control to maximise street activation, building continuity along the frontage, pedestrian amenity and safety and visual quality.
- (19) Require those parts of buildings with frontages subject to the General Commercial Frontage Control to achieve street activation, building continuity along the frontage, pedestrian amenity and safety and visual quality.
- (20) Encourage the location of supermarkets and department stores within town centres by recognising:
- (a) the positive contribution these activities make to centre viability and function;
 - (b) the functional and operational requirements of these activities; and
 - (c) where preferred built form outcomes are not achieved, the development needs to achieve a quality built environment by positively contributing to public open space, including the activation of streets.
- (21) Require activities adjacent to residential zones to avoid, remedy or mitigate adverse effects on amenity values of those areas.
- (22) Restrict maximum impervious area within a riparian yard in order to ensure that adverse effects on water quality, water quantity and amenity values are avoided or mitigated.

In Mapped Walkable Catchments

- (23) Enable in areas with the highest factors of strategic importance, accessibility, concentration of amenities and residential demand, building heights up to fifteen storeys within the walkable catchments (identified in Chapter G) of:
- (a) the edge of the City Centre zone;
 - (b) the edge of the Metropolitan Centre zones;
 - (c) the legislated locations at rapid transit stops;

(d) other rapid transit stops.

(24) Enable in areas with, relative to other areas, high factors of strategic importance, accessibility, concentration of amenities and residential demand, building heights up to ten storeys within the walkable catchments (listed in Chapter G) of:

(a) the edge of the Metropolitan Centre zones;

(b) the legislated locations at rapid transit stops;

(c) other rapid transit stops.

(25) Enable building height of at least six storeys within mapped walkable catchments unless a qualifying matter applies that reduces height.

(26) In walkable catchments require development more than ten storeys to achieve adequate separation between buildings, set back upper floors from the street and set towers, above six storeys, back from boundaries where adjacent to lower intensity residential zones.

H10.4. Activity table

Table H10.4.1 Activity table specifies the activity status of land use and development activities in the Business – Town Centre Zone pursuant to section 9(3) of the Resource Management Act 1991.

Table H10.4.1 Activity table

Activity		Activity status
General		
(A1)	Activities not provided for	NC
Use		
Accommodation		
(A2)	Dwellings	P
(A3)	Conversion of a building or part of a building to dwellings, residential development, visitor accommodation or boarding houses	RD
(A4)	Integrated residential development	P
(A5)	Supported residential care	P
(A6)	Visitor accommodation and boarding houses	P
Commerce		
(A7)	Commercial services	P
(A8)	Conference facilities	D
(A9)	Drive-through restaurants	RD
(A10)	Entertainment facilities	P
(A11)	Entertainment facilities within 30m of a residential zone	RD
(A12)	Cinemas	P

Activity		Activity status
(A13)	Offices	P
(A14)	Retail	P
(A15)	Service stations	RD
Community		
(A16)	Artworks	P
(A17)	Care centres	P
(A18)	Care centres within 30m of a residential zone	RD
(A19)	Community facilities	P
(A20)	Education facilities	P
(A21)	Emergency services	RD
(A22)	Healthcare facilities	P
(A23)	Hospitals	D
(A24)	Justice facilities	P
(A25)	Recreation facilities	P
(A26)	Tertiary education facilities	P
Industry		
(A27)	Industrial activities	NC
(A28)	Industrial laboratories	P
(A29)	Light manufacturing and servicing	P
(A30)	Repair and maintenance services	P
(A31)	Storage and lock-up facilities	D
(A32)	Waste management facilities	NC
(A33)	Warehousing and storage	P
Mana Whenua		
(A34)	Marae complex	P
Development		
(A35)	New buildings	RD
(A36)	Demolition of buildings	P
(A37)	Alterations to building facades that are less than 25m ²	P
(A38)	Additions to buildings that are less than: (a) 25 per cent of the existing gross floor area of the building; or (b) 250m ² whichever is the lesser	P
(A39)	Internal alterations to buildings	P
(A40)	Additions and alterations to buildings not otherwise provided for	RD

H10.5. Notification

- (1) Any application for resource consent for an activity listed in Table H10.4.1 Activity table above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.
- (2) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule [C1.13\(4\)](#).
- (3) Any application for resource consent for the following activity will be considered without public or limited notification or the need to obtain the written approval from affected parties unless the Council decides that special circumstances exist under section 95A(9) of the Resource Management Act 1991:
 - (a) Development which does not comply with Standard H10.6.11 Minimum dwelling size.

H10.6. Standards

All activities listed as permitted or restricted discretionary in Table H10.4.1 Activity table must comply with the following standards.

H10.6.0 Activities within 30m of a residential zone

- (1) The following activities are restricted discretionary activities where they are located within 30m of a residential zone and are listed as a permitted activity in the activity table:
 - (a) bars and taverns;
 - (b) drive-through restaurants;
 - (c) outdoor eating areas accessory to restaurants;
 - (d) entertainment facilities;
 - (e) child care centres; and
 - (f) animal breeding and boarding.

This standard only applies to those parts of the activities subject to the application that are within 30m of the residential zone.

H10.6.1. Building height

Purpose:

- manage the effects of building height;
- manage shadowing effects of building height on public open space, excluding streets;
- manage visual dominance effects;

- allow an occupiable height component to the height limit, and an additional height for roof forms that enables design flexibility, to provide variation and interest in building form when viewed from the street;
- enable greater height in areas identified for intensification including within walkable catchments where at least six storeys must be enabled and in some identified walkable catchments up to ten and fifteen storeys is also enabled; and
- provide for variations to the standard zone height through the Height Variation Control, to recognise the character and amenity of particular areas and provide a transition in building scale to lower density zones.

(1) Buildings must not exceed the height in metres as shown in Table H10.6.1. A1 below for sites or as specified in subject to the Height Variation Control on the planning maps.

Table H10.6.1.A1 Building height

<u>Location and storeys</u>	<u>Occupiable building height</u>	<u>Height for roof form</u>	<u>Total building height</u>
<u>Buildings outside a walkable catchment</u>	<u>As specified in the Height Variation Control (refer Table H10.6.1.2 below)</u>		
<u>Buildings in a walkable catchment (unless a lower height is specified in the Height Variation Control)</u>	<u>N/A</u>	<u>N/A</u>	<u>22m</u>
<u>Buildings in a walkable catchment - Height Variation Control: 10 storeys</u>	<u>N/A</u>	<u>N/A</u>	<u>34.5m</u>
<u>Buildings in a walkable catchment - Height Variation Control: 15 storeys</u>	<u>N/A</u>	<u>N/A</u>	<u>50m</u>

(1A) If the site is subject to the Height Variation Control, buildings must not exceed the height in metres, as shown in Table 10.6.1.1 and for the site on the planning maps.

- (2) Outside walkable catchments, Any part of a building greater than the occupiable building height is to be used only for roof form, roof terraces, plant and other mechanical and electrical equipment.

Table H10.6.1.1 Total building height shown in the Height Variation Control on the planning maps

Occupiable building height	Height for roof form	Total building height shown on Height Variation Control on the planning maps
Same as on the planning maps	NA	Less than or equal to 11m
11m	2m	13m
16m	2m	18m
19m	2m	21m
<u>20m</u>	<u>2m</u>	<u>22m</u>
22m	2m	24m
25m	2m	27m
Same as on the planning maps	NA	Exceeding 27m and as <u>specified in Table H10.6.1.A1 above</u>

H10.6.2. Height in relation to boundary

Purpose:

- manage the effects of building height;
- allow reasonable sunlight and daylight access to public open space excluding streets, and neighbouring zones; and
- manage visual dominance effects on neighbouring zones where lower height limits apply.

- (1) Buildings must not project beyond a recession plane that begins vertically above ground level along the zone boundary. The angle of the recession plane and the height above ground level from which it is measured is specified in Table H10.6.2.1 and Figure H10.6.2.1 or Figure H10.6.2.2 below.
- (2) Where the boundary forms part of an entrance strip, access site or pedestrian accessway, the standard applies from the farthest boundary of that entrance strip or access site. However, if an entrance strip, access site or pedestrian accessway is greater than 2.5m in width, the control will be measured from a parallel line 2.5m out from the site boundary.
- (3) Figure H10.6.2.3 will be used to define what is a north, south, east or west boundary, where this is referred to in Table H10.6.2.1. The recession plane angle is calculated by orientating both site plan and Figure H10.6.2.3 to true north. Figure H10.6.2.3 is placed over the site plan with the outside of the circle touching the inside of the site boundary under consideration. At the

point where Figure H10.6.2.3 touches the site boundary, the recession plane angle and height at which it begins, will be indicated by Table H10.6.2.1

Table H10.6.2.1 Height in relation to boundary

Location	Zoning of adjacent site	Angle of recession plane (identified as x in Figure H10.6.2.1 or Figure H10.6.2.2)	Height above ground level which the recession plane will be measured from (identified as y in Figure H10.6.2.1 or Figure H10.6.2.2)
<u>NA Buildings outside walkable catchments</u>	Residential – Single House Zone; or Residential – Mixed Housing Suburban Zone	45°	2.5m
	Residential – Mixed Housing Urban Zone	45°	3m
	Residential – Terrace Housing and Apartment Buildings Zone	60°	8m
	Special Purpose – Māori Purpose Zone; or Special Purpose School Zone	45°	6m
	Business – Mixed Use Zone; or Business – General Business Zone	60°	8m
	Open Space – Conservation Zone; Open Space – Informal Recreation Zone; Open Space – Sports and Active Recreation Zone; Open Space – Civic Spaces Zone; or Open Space – Community Zone	45°	8.5m
<u>Buildings outside walkable catchments</u> located on the southern boundary of the adjacent site	Open Space – Conservation Zone; Open Space – Informal Recreation Zone; Open Space – Sports and Active Recreation Zone; Open Space – Civic Spaces Zone; or Open Space –Community Zone	45°	16.5m

<u>Buildings within walkable catchments</u>	<u>Residential – Single House Zone; Residential – Mixed Housing Urban Zone; Residential – Terrace Housing and Apartment Buildings Zone; Special Purpose – Māori Purpose Zone; Special Purpose – School Open Space – Conservation Zone; Open Space – Informal Recreation Zone; Open Space – Sports and Active Recreation Zone; Open Space – Civic Spaces Zone; or Open Space – Community Zone</u>	<u>60°</u>	<u>20m</u>
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Figure H10.6.2.1 Height in relation to boundary

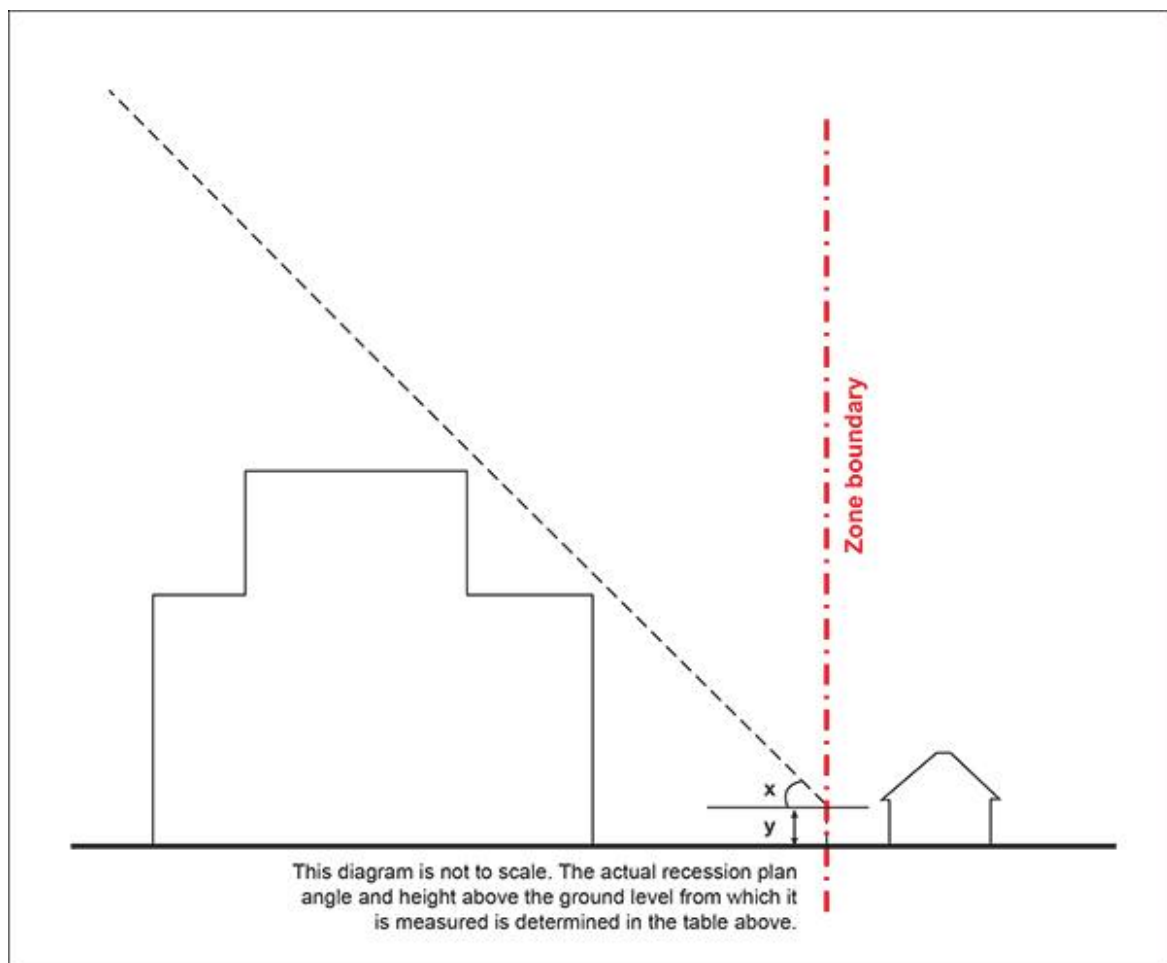


Figure H10.6.2.2 Height in relation to boundary opposite a road

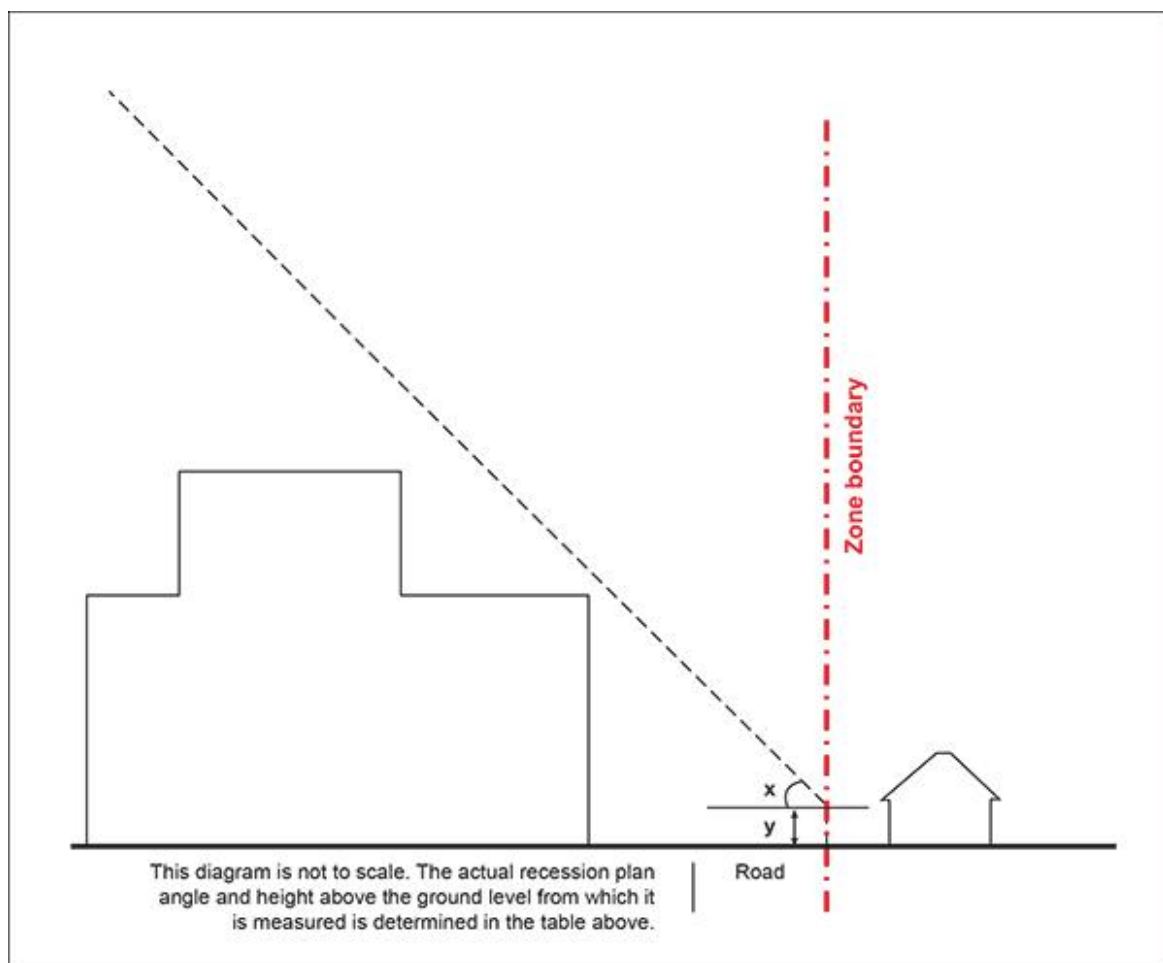
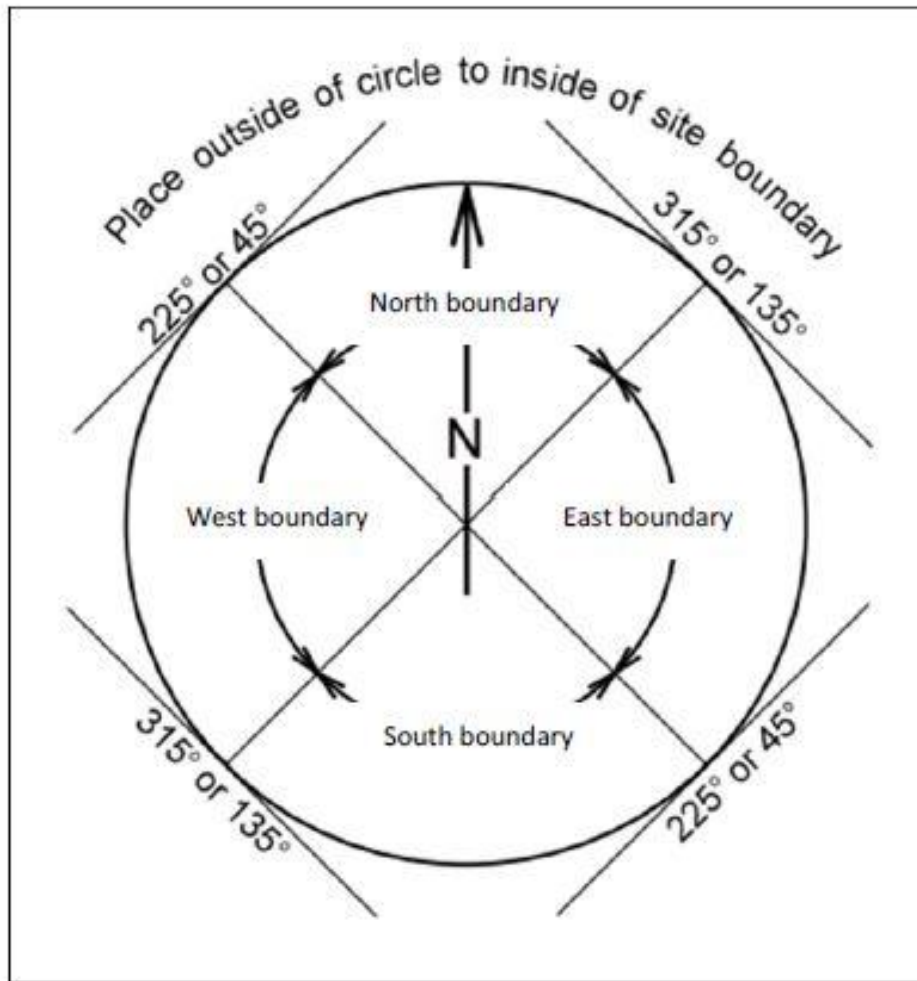


Figure H10.6.2.3 Recession plane indicator for sites adjacent to an open space zone



H10.6.3. Building setback at upper floors for sites outside walkable catchments

Purpose:

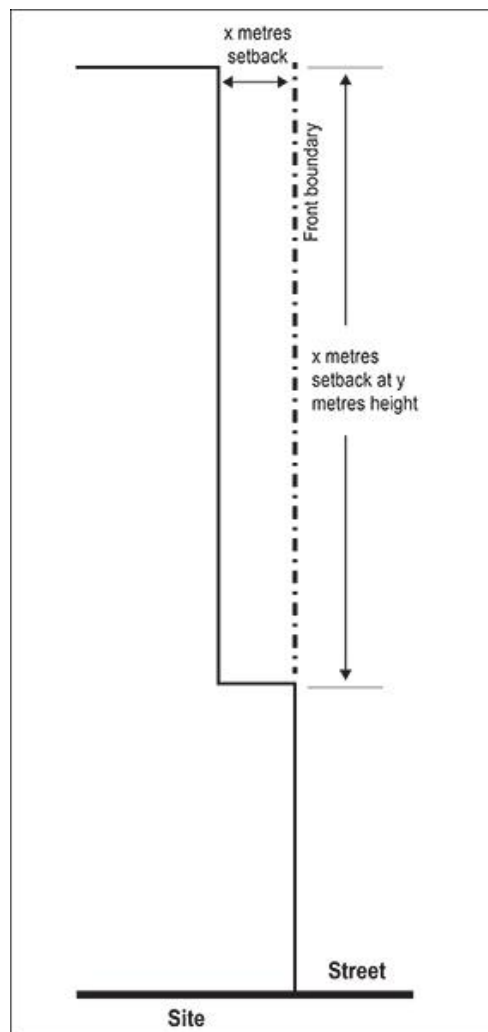
- provide adequate daylight access to streets outside walkable catchments;
- manage visual dominance effects on streets outside walkable catchments;
- manage visual dominance, residential amenity and privacy effects on residential zones; and
- mitigate adverse wind effects.

(1) A new building must be set back from the site frontage from the point where it exceeds the height listed in metres specified for the relevant zone in Table H10.6.3.1.

(2) Standard H10.6.3(1) does not apply to sites located in walkable catchments.

Table H10.6.3.1 Building setback at upper floors for sites outside walkable catchments

Opposite zone	Minimum setback (identified as x in Figure H10.6.3.1)	Height (identified as y in Figure H10.6.3.1)
When opposite a residential zone	6m	18m
All other zones	6m	27m

Figure H10.6.3.1 Building setback at upper floors

Qualifying matter
as per Sch 3C, cls
8(1)(b) of the RMA

H10.6.3A Building setback at upper floors for sites in walkable catchments

Purpose: to ensure buildings in walkable catchments:

- manage the height and bulk of buildings at the street boundary to maintain streetscape amenity;
- manage visual dominance effects on streets; and

- where located at the edge of the walkable catchment, minimise visual dominance, residential amenity and effects on neighbours in lower intensity zones.
- (1) On sites in walkable catchments a new building must be set back 6m from the site frontage from the point where any part exceeds 34.5m in height.
- (2) On sites at the edge of a walkable catchment, buildings or parts of buildings more than 22m in height must set back the parts of a building from the boundary adjoining with the Residential – Single House zone, Residential – Mixed Housing Suburban zone and the Residential – Mixed Housing Urban zone by the distance and at the height listed in metres specified in Table H10.6.3A.1:

Table H10.6.3A.1 Building setback at upper floors in walkable catchments

<u>Boundary adjoining the Residential – Single House zone, Residential – Mixed Housing Suburban zone and the Residential – Mixed Housing Urban zone at the edge of a walkable catchment</u>	<u>Height above ground level which the set back will be measured from</u>	<u>Minimum depth</u>
<u>Side</u>	<u>22m</u>	<u>18m</u>
<u>Rear</u>	<u>22m</u>	<u>18m</u>

H10.6.4 Maximum tower dimension and tower separation

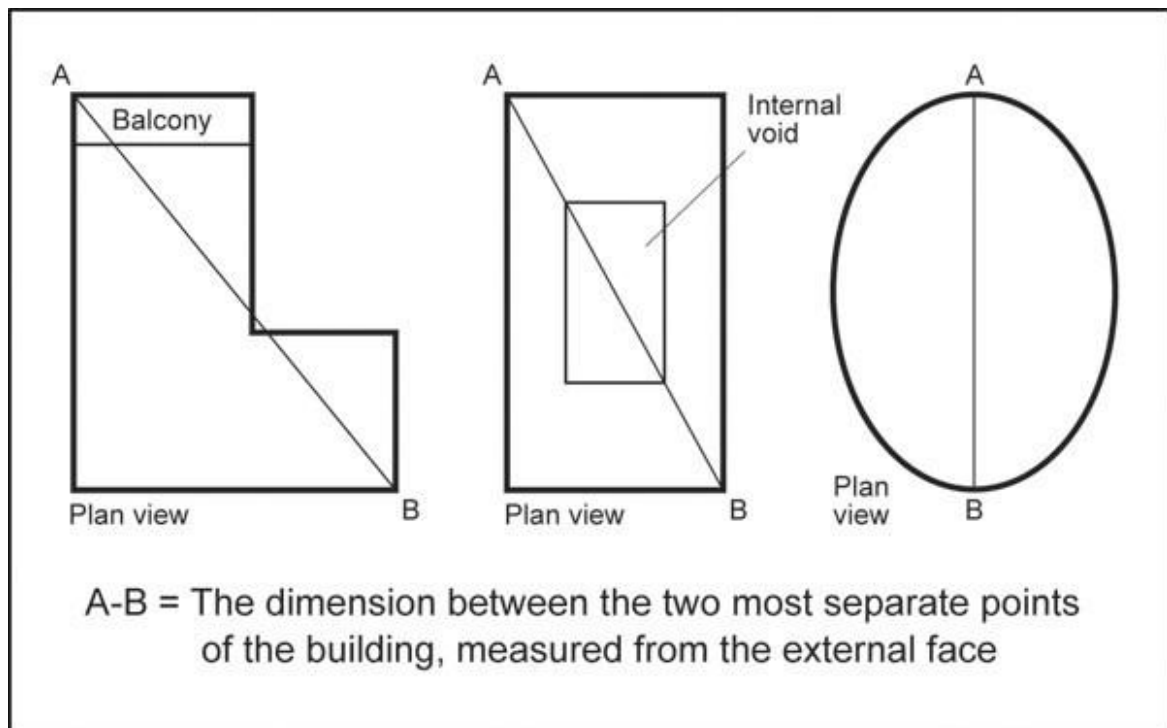
Purpose: ensure that high-rise buildings:

- are not overly bulky in appearance and manage significant visual dominance effects;
 - allow adequate sunlight and daylight access to streets, public open space and nearby sites;
 - provide adequate sunlight and outlook around and between buildings; and
 - mitigate adverse wind effects.
- (1) Outside walkable catchments, the maximum plan dimension of that part of the building above 27m must not exceed 55m.

(1A) In walkable catchments, the maximum plan dimension of that part of the building above 34.5m must not exceed 55m.

- (2) The maximum plan dimension is the horizontal dimension between the exterior faces of the two most separate points of the building.
- (3) The part of a building above 27m must be located at least 6m from any side or rear boundary of the site.
- (4) In walkable catchments, the part of a building above 34.5m must be located at least 6m from any side or rear boundary of the site.

Figure H10.6.4.1 Maximum tower dimension plan view



H10.6.5. Residential at ground floor

Purpose:

- protect the ground floor of buildings within centres for commercial use; and
 - avoid locating activities that require privacy on the ground floor of buildings.
- (1) Dwellings including units within an integrated residential development must not locate on the ground floor of a building where the dwelling or unit has frontage to public open spaces including streets.

H10.6.6. Yards

Purpose:

- provide a landscaped buffer between buildings and activities and adjoining residential zones and some special purpose zones, to mitigate adverse visual and nuisance effects; and
- ensure buildings are adequately setback from lakes, streams and the coastal edge to maintain water quality, amenity, provide protection from natural hazards, and potential access to the coast.

- (1) A building or parts of a building must be set back from the relevant boundary by the minimum depth listed in Table H10.6.6.1.

Table H10.6.6.1 Yards

Yard	Minimum depth
Rear	3m where the rear boundary adjoins a residential zone or the Special Purpose – Māori Purpose Zone
Side	3m where a side boundary adjoins a residential zone or the Special Purpose – Māori Purpose Zone
Riparian	10m from the edge of all permanent and intermittent streams
Lakeside yard	30m
Coastal protection yard	25m, or as otherwise specified in Appendix 6 Coastal protection yard

Note 1

A side or rear yard, and/or landscaping within that yard, is only required along that part of the side or rear boundary adjoining a residential zone or the Special Purpose – Māori Purpose Zone.

- (2) Side and rear yards must be planted with a mixture of trees, shrubs or ground cover plants (including grass) within and along the full extent of the yard for a depth of at least 3m.

H10.6.7. Landscaping

Purpose:

- ensure landscaping provides a buffer and screening between car parking, loading, or service areas commercial activities and the street; and
- ensure landscaping is of sufficient quality as to make a positive contribution to the amenity of the street.

- (1) A landscape buffer of 2m in depth must be provided along the street frontage between the street and car parking, loading, or service areas which are visible from the street frontage. This rule excludes access points.

- (2) The required landscaping in Standard H10.6.7(1) above must comprise a mix of trees, shrubs or ground cover plants (including grass).

H10.6.8. Maximum impervious area in the riparian yard

Purpose: support the functioning of riparian yards and in-stream health.

- (1) The maximum impervious area within a riparian yard must not exceed 10 per cent of the riparian yard area.

H10.6.9. Wind

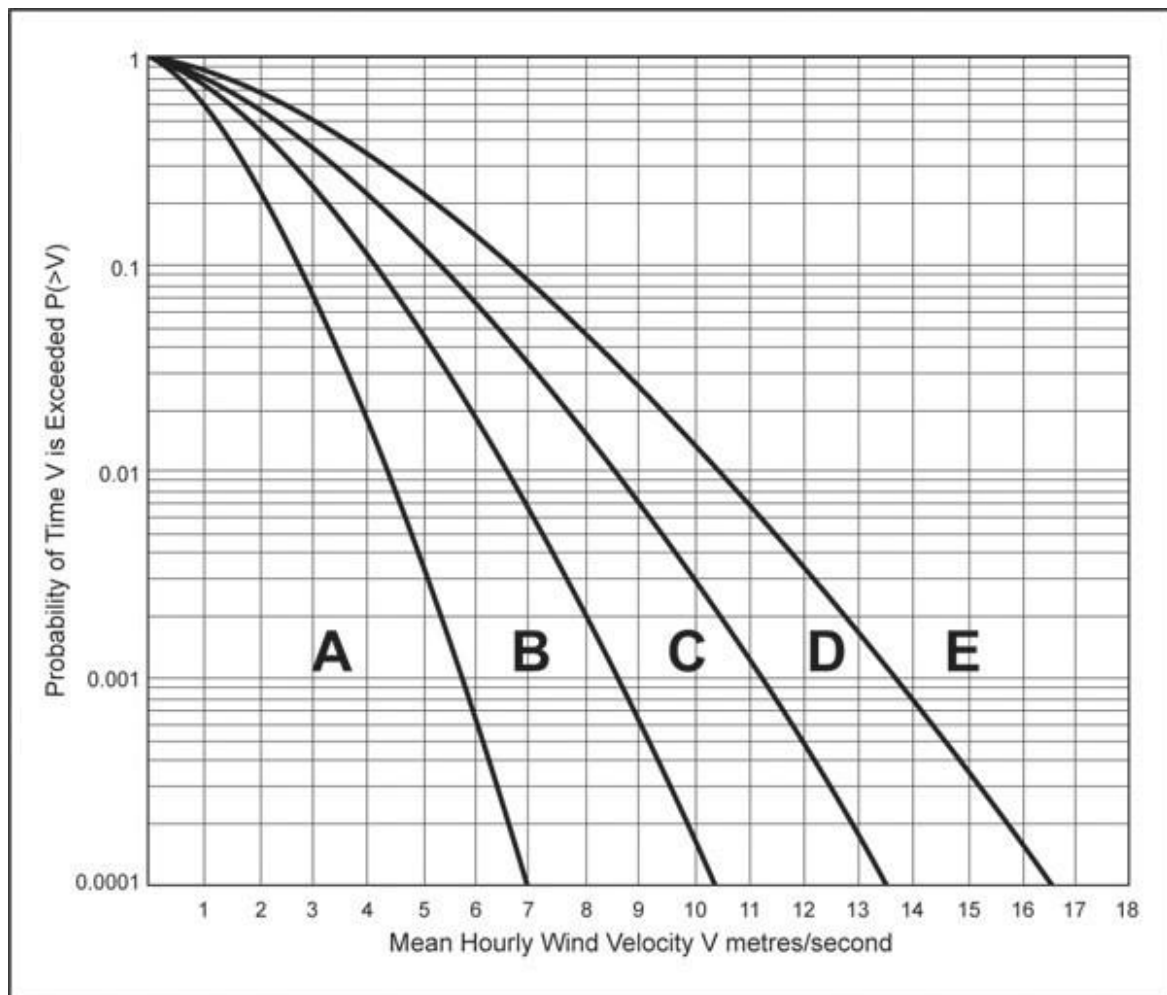
Purpose: mitigate the adverse wind effects generated by tall buildings.

- (1) A new building exceeding 25m in height and additions to existing buildings that increase the building height above 25m must not cause:
- (a) the mean wind speed around it to exceed the category for the intended use of the area as set out in Table H10.6.9.1 and Figure H10.6.9.1 below;
 - (b) the average annual maximum peak 3-second gust to exceed the dangerous level of 25m/second; and
 - (c) an existing wind speed which exceeds the controls of Standard H10.6.9(1)(a) or Standard H10.6.9(1)(b) above to increase.
- (2) A report and certification from a suitably qualified and experienced person, showing that the building complies with Standard H10.6.9(1) above, will demonstrate compliance with this standard.
- (3) If the information in Standard H10.6.9(2) above is not provided, or if such information is provided but does not predict compliance with the rule, a further wind report including the results of a wind tunnel test or appropriate alternative test procedure is required to demonstrate compliance with this standard.

Table H10.6.9.1 Categories

Category	Description
Category A	Areas of pedestrian use or adjacent dwellings containing significant formal elements and features intended to encourage longer term recreational or relaxation use i.e. public open space and adjacent outdoor living space
Category B	Areas of pedestrian use or adjacent dwellings containing minor elements and features intended to encourage short term recreation or relaxation, including adjacent private residential properties
Category C	Areas of formed footpath or open space pedestrian linkages, used primarily for pedestrian transit and devoid of significant or repeated recreational or relaxational features, such as footpaths not covered in categories A or B above

Category D	Areas of road, carriage way, or vehicular routes, used primarily for vehicular transit and open storage, such as roads generally where devoid of any features or form which would include the spaces in categories A to C above
Category E	Category E represents conditions which are dangerous to the elderly and infants and of considerable cumulative discomfort to others, including residents in adjacent sites. Category E conditions are unacceptable and are not allocated to any physically defined areas of the city

Figure H10.6.9.1 Wind environment control

Derivation of the wind environment control graph:

The curves on the graph delineating the boundaries between the acceptable categories (A-D) and unacceptable (E) categories of wind performance are described by the Weibull expression:

$$P(>V) = e^{-(v/c)^k}$$

where V is a selected value on the horizontal axis, and P is the corresponding value of the vertical axis:

and where:

$P(>V)$ = Probability of a wind speed V being exceeded;

e = The Napierian base 2.7182818285

v = the velocity selected;

k = the constant 1.5; and

c = a variable dependent on the boundary being defined:

A/B, $c = 1.548$

B/C, $c = 2.322$

C/D, $c = 3.017$

D/E, $c = 3.715$

H10.6.10. Outlook space

Purpose:

- to ensure a reasonable standard of visual privacy between habitable rooms of different buildings, on the same or adjacent sites; ~~and~~
- manage visual dominance effects within a site by ensuring that habitable rooms have an outlook and sense of space; and
- for buildings in walkable catchments, more than 6 storeys, to provide greater separation between tower forms that are enabled.

- (1) This standard applies to dwellings, units in an integrated residential development, visitor accommodation and boarding houses.
- (2) An outlook space must be provided from the face of a building containing windows to a habitable room. Where the room has two or more external faces with windows the outlook space must be provided from the face with the largest area of glazing.
- (3) The minimum dimensions for a required outlook space for developments outside walkable catchments and in walkable catchments where development is less than 22m in height must be in accordance with Figure H10.6.10.1 and are as follows:
 - (a) a principal living room of a dwelling or main living and dining area within a boarding house or supported residential care must have a outlook space with a minimum dimension of 6m in depth and 4m in width; and
 - (b) all other habitable rooms of a dwelling or a bedroom within a boarding house or supported residential care unit must have an outlook space with a minimum dimension of 3m in depth and 3m in width.

(3A) For development on a site in a walkable catchment more than 22m the minimum dimensions for a required outlook space are as follows:

(a) for principal living areas of a dwelling or main living and dining area within a boarding house or supported residential care, the dimensions of the outlook space, measured perpendicular to the exterior face of the building, must be in accordance with Figure H10.6.10.2 for the relative height of the floor above the ground level along each building face, and at least 4m in width; and

(b) all other habitable rooms of a dwelling or a bedroom within a boarding house or supported residential care unit must have an outlook space with a minimum dimension of 3m in depth and 3m in width.

(4) The depth of the outlook space is measured at right angles to and horizontal from the window to which it applies.

(5) The width of the outlook space is measured from the centre point of the largest window on the building face to which it applies.

(6) The height of the outlook space is the same as the floor height, measured from floor to ceiling, of the building face to which the standard applies.

(7) Outlook spaces may be within the site, over a public street, or other public open space.

(8) Outlook spaces required from different rooms within the same building may overlap.

(9) Outlook spaces may overlap where they are on the same wall plane.

(10) Outlook spaces must:

(a) be clear and unobstructed by buildings;

(b) not extend over adjacent sites, except for where the outlook space is over a public street or public open space as outlined in H10.6.10(7) above; and

(c) not extend over an outlook spaces or outdoor living space required by another dwelling.

Figure H10.6.10.1 Required outlook space

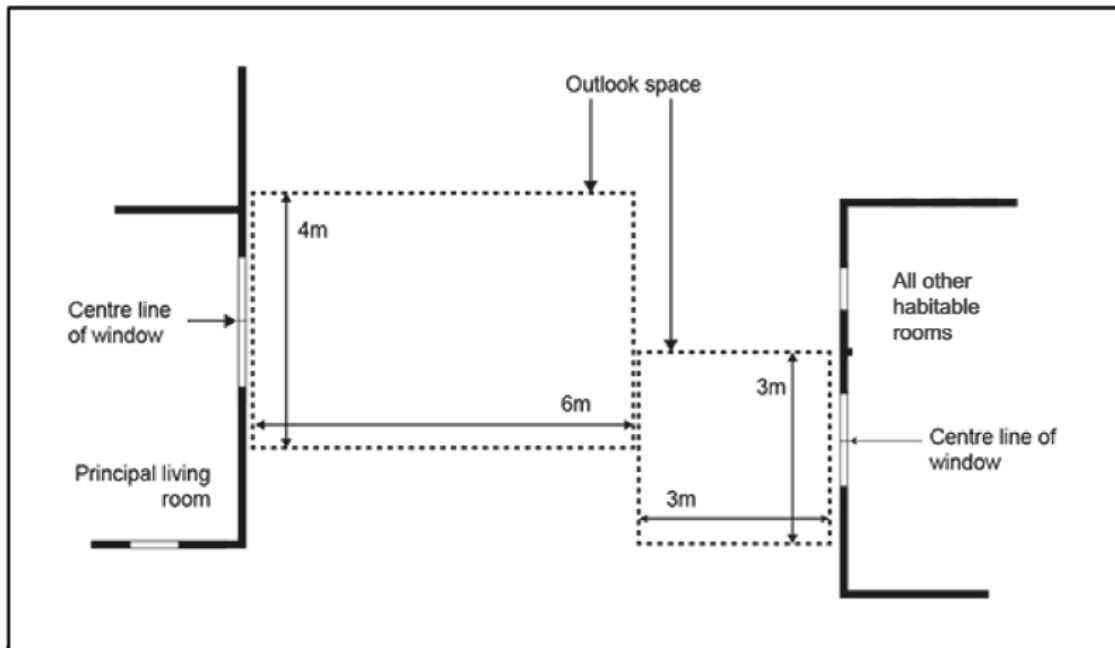
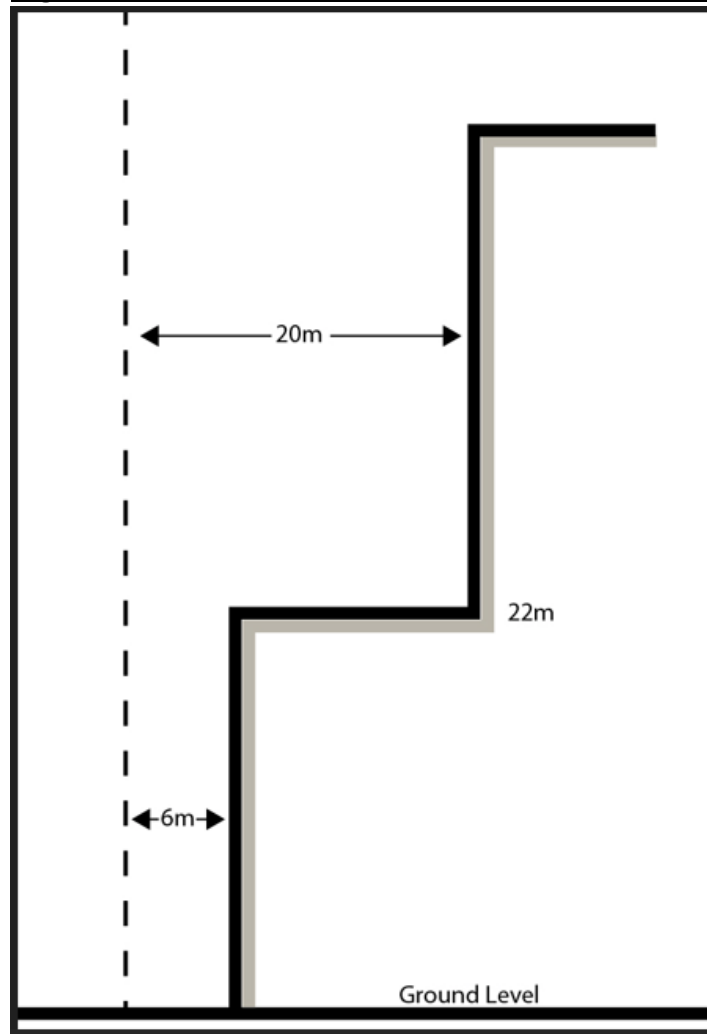


Figure H10.6.10.2 Required outlook space for developments more than 22m



H10.6.11 Minimum dwelling size

Purpose: to ensure dwellings are functional and of a sufficient size to provide for the day to day needs of residents, based on the number of occupants the dwelling is designed to accommodate.

(1) Dwellings must have a minimum net internal floor area as follows:

- (a) 30m² for studio dwellings.
- (b) 45m² for one or more bedroom dwellings.

H10.7. Assessment – controlled activities

There are no controlled activities in this zone.

H10.8. Assessment – restricted discretionary activities

H10.8.1. Matters of discretion

The Council will restrict its discretion to the following matters when assessing a restricted discretionary resource consent application:

- (1) drive-through restaurants, activities within 30m of a residential zone, emergency services and service stations:
 - (a) the compatibility of:
 - (i) the effects of intensity and scale of the development arising from the numbers of people and/or vehicles using the site; and
 - (ii) the effects of the operation of the activity;
on the existing and expected future amenity values of the surrounding area and any practicable mitigation measures that would be appropriate to manage those effects;
 - (b) the effects of the design and location of parking areas and vehicle access and servicing arrangements on visual amenity of the streetscape and on pedestrian safety;
 - (c) the effects of location, design and management of storage and servicing facilities on the amenity values of nearby residential properties including potential visual effects, adequacy of access for service vehicles (including waste collection) and any night time noise effects; and
 - (d) the assessment of the above matters having regard to the need to provide for the functional requirements of the activity;
- (2) new buildings and alterations and additions to buildings not otherwise provided for:
 - (a) the design and appearance of buildings in so far as it affects the existing and future amenity values of public streets and spaces used by significant numbers of people. This includes:
 - (i) the contribution that such buildings make to the attractiveness pleasantness and enclosure of the public space;
 - (ii) the maintenance or enhancement of amenity for pedestrians using the public space or street;
 - (iii) the provision of convenient and direct access between the street and building for people of all ages and abilities;
 - (iv) measures adopted for limiting the adverse visual effects of any blank walls along the frontage of the public space; and
 - (v) the effectiveness of screening of car parking and service areas from the view of people using the public space;
 - (b) the provision of floor to floor heights that will provide the flexibility of the space to be adaptable to a wide variety of use over time;
 - (c) the extent of glazing provided on walls fronting public streets and public spaces and the benefits it provides in terms of:

- (i) the attractiveness and pleasantness of the public space and the amenity for people using or passing through that space;
 - (ii) the degree of visibility that it provides between the public space and the building interior; and
 - (iii) the opportunities for passive surveillance of the street from the ground floor of buildings;
 - (d) the provision of verandahs to provide weather protection in areas used, or likely to be used, by significant numbers of pedestrians;
 - (e) the application of crime prevention through environmental design principles to the design and layout of buildings adjoining public spaces;
 - (f) the effects of creation of new roads and/or service lanes on the matters listed above;
 - (g) the positive effects that landscaping, including required landscaping, on sites adjoining public spaces is able to contribute to the amenity values of the people using or passing through the public space;
 - (h) taking an integrated stormwater management approach; and
 - (i) all the above matters to be assessed having regard to the outcomes set out in this Plan and the functional requirements of the activities that the buildings are intended to accommodate;
- (3) in addition to the matters for new buildings stated above the Council will restrict its discretion to the following matter in regard to:
- integrated retail developments; or
 - supermarkets, department stores and large format retail where the activity or integrated retail development exceeds 1000m² gross floor area per tenancy:
- (a) the manner in which these building/developments are integrated with the adjacent existing and planned future centre and zone activities and public spaces and provide for the continuity of active public frontages and associated pedestrian amenity that is appropriate to those centres and zones having regard to the outcomes set out in this Plan and the functional requirements of the activities that the buildings are intended to accommodate. This will include the effects of the design and location of parking areas, vehicle access and servicing arrangements on the visual amenity of the streetscape and on pedestrian safety;
- (4) In addition to the matters for new buildings stated above the Council will restrict its discretion to the following matter in regard to:
- drive-through restaurants; or
 - service stations:

- (a) the effects of the location and design of:
 - (i) buildings and associated equipment, parking and service areas;
 - (ii) access for vehicles including service vehicles; and
 - (iii) landscaping;on the amenity of surrounding areas (particularly residential areas), on streetscapes and on pedestrian amenity and any methods by which those effects can be appropriately managed;
- (5) conversion of a building or part of a building to dwellings, an integrated residential development, visitor accommodation and boarding houses:
 - (a) any matters that do not meet the standards set out for the activity in Standard H10.6.10 or Standard H10.6.11 having regard to the need to ensure a good standard of amenity within and between dwellings, visitor accommodation, boarding houses and retirement villages;
- (6) buildings that do not comply with the standards:
 - (a) any policy which is relevant to the standard;
 - (b) the purpose of the standard;
 - (c) the effects of the infringement of the standard;
 - (d) the effects on the amenity of neighbouring sites;
 - (e) the effects of any special or unusual characteristic of the site which is relevant to the standard;
 - (f) the characteristics of the development;
 - (g) any other matters specifically listed for the standard; and
 - (h) where more than one standard will be infringed, the effects of all infringements.

H10.8.2. Assessment criteria

The Council will consider the relevant assessment criteria below for restricted discretionary activities:

- (1) drive-through restaurants, activities within 30m of a residential zone emergency services and service stations:
 - (a) for Matter H10.8.1(1)(a)(i) refer to Policy H10.3(3)(a), Policy H10.3(3)(b), Policy H10.3(3)(c), Policy H10.3(8); Policy H10.3(15)(a); Policy H10.3(17), Policy H10.3(18), Policy H10.3(19) and Policy H10.3(21);
 - (b) for Matter H10.8.1(1)(a)(ii) refer to Policy H10.3(3)(a), Policy H10.3(3)(b), Policy H10.3(3)(c), Policy H10.3(8); Policy H10.3(15)(a); Policy H10.3(17), Policy H10.3(18), Policy H10.3(19) and Policy H10.3(21);

- (c) for Matter H10.8.1(1)(b) refer to Policy H10.3(3)(c), Policy H10.3(7), Policy H10.3(18) and Policy H10.3(19);
- (d) for Matter H10.8.1(1)(c) refer to Policy H10.3(21); and
- (e) for Matter H10.8.1(1)(d) refer to Policy H10.3(12);
- (2) new buildings and alterations and additions to buildings not otherwise provided for:
 - (a) for Matter H10.8.1(2)(a)(i) refer to Policy H10.3(3)(a), Policy H10.3(3)(b) and Policy H10.3(17);
 - (b) for Matter H10.8.1(2)(a)(ii) refer to Policy H10.3(3)(c), Policy H10.3(26), Policy H10.3(18) and Policy H10.3(19);
 - (c) for Matter H10.8.1(2)(a)(iii) refer to Policy H10.3(4);
 - (d) for Matter H10.8.1(2)(a)(iv) refer to Policy H10.3(3)(a);
 - (e) for Matter H10.8.1(2)(a)(v) refer to Policy H10.3(7);
 - (f) for Matter H10.8.1(2)(b) refer to Policy H10.3(6);
 - (g) for Matter H10.8.1(2)(c)(i) refer to Policy H10.3(3)(a) and Policy H10.3(3)(b);
 - (h) for Matter H10.8.1(2)(c)(ii) refer to Policy H10.3(3)(a) and Policy H10.3(3)(b);
 - (i) for Matter H10.8.1(2)(c)(iii) refer to Policy H10.3(3)(a) and Policy H10.3(3)(b);
 - (j) for Matter H10.8.1(2)(d) refer to Policy H10.3(3)(c);
 - (k) for Matter H10.8.1(2)(e) refer to Policy H10.3(3)(c);
 - (l) for Matter H10.8.1(2)(f) refer to Policy H10.3(3)(b);
 - (m) for Matter H10.8.1(2)(g) refer to Policy H10.3(3)(c);
 - (n) for Matter H10.8.1(2)(h) refer to Policy [E1.3\(10\)](#); and
 - (o) for Matter H10.8.1(2)(i) refer to Policy H10.3(12);
- (3) in addition to the policies for new buildings stated above the Council will have regard to the following policies when considering new buildings for the following purposes:
 - integrated retail developments; or
 - supermarkets, department stores and large format retail where the activity or integrated retail development exceeds 1000m² gross floor area per tenancy:

- (a) refer to Policy H10.3(1), Policy H10.3(5), Policy H10.3(16) and Policy H10.3(20);
- (4) in addition to the policies for new buildings stated above the Council will have regard to the following policies when considering new buildings for the following purposes:
- Drive-through restaurants; or
 - service stations:
- (a) refer to Policy H10.3(3)(a), Policy H10.3(3)(b), Policy H10.3(3)(c), Policy H10.3(7), Policy H10.3(8), Policy H10.3(12), Policy H10.3(15)(a); Policy H10.3(17), Policy H10.3(18); Policy H10.3(19) and Policy H10.3(21);
- (5) conversion of a building or part of a building to dwellings, retirement villages, visitor accommodation and boarding houses:
- (a) refer to Policy H10.3(2);
- (6) buildings that do not comply with the standards:
- (a) height, height in relation to boundary, building setbacks at upper floors, maximum tower dimension and tower separation:
- (i) refer to Policy H10.3(3)(a), Policy H10.3(3)(b), Policy H10.3(8), Policy H10.3(12A); Policy H10.3(13), Policy H10.3(14) and Policy H10.3(15); Policy H10.3(23), Policy H10.3(24), Policy H10.3(25), and Policy H10.3(26);
- (b) residential at ground floor:
- (i) refer to Policy H10.3(10) and Policy H10.3(18);
- (c) yards and landscaping:
- (i) refer to Policy H10.3(3)(b), Policy H10.3(3)(c), Policy H10.3(7) and Policy H10.3(8);
- (d) maximum impervious area in a riparian yard:
- (i) refer to Policy H10.3(22);
- (e) wind:
- (i) refer to Policy H10.3(11);
- (f) outlook space, minimum dwelling size:
- (i) refer to Policy H10.3(2) and Policy H10.3(23);
- (g) Building setback at upper floors for sites in walkable catchments:
- (i) refer to Policy H10.3(26).

H10.9. Special information requirements

There are no special information requirements in this zone.

H11. Business – Local Centre Zone

H11.1. Zone description

This Business – Local Centre Zone applies to a large number of small centres throughout Auckland. The centres are generally located in areas of good public transport.

The zone primarily provides for the local convenience needs of surrounding residential areas, including local retail, commercial services, offices, food and beverage, and appropriately scaled supermarkets. The zone also enables dwellings above the ground floor. Large-scale commercial activity requires assessment to ensure that a mix of activities within the local centre is enabled. The expansion of local centres will be appropriate if it provides greater social and economic well-being benefits for the community.

Outside walkable catchments, Provisions typically enable buildings up to four storeys high. Within walkable catchments, as identified on the planning maps by the height variation control, building heights of at least six storeys, and in some identified walkable catchments up to ten and fifteen storeys are enabled. Qualifying matters may also apply and may reduce heights,; enabling residential use at upper floors.

The zone anticipates different built form outcomes depending on whether the area is within a walkable catchment with a variation on building heights reflecting the levels of:

- strategic importance and significant transport investment;
- accessibility including access to the rapid transit network;
- the proximity to other centres, the role and function of those centres, and the concentration of amenities within them; and,
- demand relative to other locations.

New development within the zone requires assessment so that it is designed to a high standard which enhances the quality of the centre's streets and public open spaces.

H11.2. Objectives

General objectives for all centres, Business – Mixed Use Zone, Business – General Business Zone and Business – Business Park Zone

- (1) A strong network of centres that are attractive environments and attract ongoing investment, promote commercial activity, and provide employment, housing and goods and services, all at a variety of scales.
- (2) Development is of a form, scale and design quality so that centres are reinforced as focal points for the community.
- (3) Development positively contributes towards planned future form and quality, creating a well-functioning urban environment and a sense of place.
- (4) Business activity is distributed in locations, and is of a scale and form, that:
 - (a) provides for the community's social and economic needs;

- (b) improves community access to goods, services, community facilities and opportunities for social interaction;
 - (c) manages adverse effects on the environment, including effects on infrastructure and residential amenity; and
 - (d) accommodates qualifying matters.
- (5) A network of centres that provides:
- (a) a framework and context to the functioning of the urban area and its transport network, recognising:
 - (i) the regional role and function of the city centre, metropolitan centres and town centres as commercial, cultural and social focal points for the region, sub-regions and local areas; and
 - (ii) local centres and neighbourhood centres in their role to provide for a range of convenience activities to support and serve as focal points for their local communities.
 - (b) a clear framework within which public and private investment can be prioritised and made; and
 - (c) a basis for regeneration and intensification initiatives.

Business – Local Centre Zone objectives

- (6) Local centres enable commercial activity which primarily services local convenience needs and provides residential living opportunities.
- (7) The scale and intensity of development within local centres is in keeping with the planning outcomes identified in this Plan for the surrounding environment.

(7A) Development achieves a quality built environment and, unless a qualifying matter applies that reduces building heights, the urban built character of local centres is a compatible mix of commercial and intensive residential development with building heights enabled in accordance with an areas: strategic importance and significant transport investment; accessibility including access to the rapid transit network; the proximity to a centre, the role and function of that centre and the concentration of amenities within it; and, demand. Building heights in the zone are aligned with these features and are predominantly:

- (a) four storeys buildings outside walkable catchments;
- (b) six storey buildings within walkable catchments; and
- (c) through the height variation controls, in some identified walkable catchments up to ten or fifteen storey buildings; or
- (d) as specified in the height variation control in other identified areas.

- (8) Local centres are an attractive place to live, work and visit.

H11.3. Policies

General policies for all centres, Business – Mixed Use Zone, Business – General Business Zone and Business – Business Park Zone

- (1) Reinforce the function of the city centre, metropolitan centres and town centres as the primary location for commercial activity, according to their role in the hierarchy of centres.
- (2) Enable an increase in the density, diversity and quality of housing in the centre zones and Business – Mixed Use Zone, where it is compatible with any qualifying matters and while managing any reverse sensitivity effects including from the higher levels of ambient noise and reduced privacy that may result from non-residential activities.
- (3) Require development to be of a quality and design that positively contributes to:
 - (a) planning and design outcomes identified in this Plan for the relevant zone;
 - (b) the visual quality and interest of streets and other public open spaces; and
 - (c) pedestrian amenity, movement, safety and convenience for people of all ages and abilities.
- (4) Encourage universal access for all development, particularly medium to large scale development.
- (5) Require large-scale development to be of a design quality that is commensurate with the prominence and visual effects of the development.
- (6) Encourage buildings at the ground floor to be adaptable to a range of uses to allow activities to change over time.
- (7) Require at grade parking to be located and designed in such a manner as to avoid or mitigate adverse effects on pedestrian amenity and the streetscape.
- (8) Require development adjacent to residential zones and the Special Purpose – School Zone and Special Purpose – Māori Purpose Zone to maintain the amenity values of those areas, having specific regard to dominance, overlooking and shadowing.
- (9) Discourage activities, which have noxious, offensive, or undesirable qualities from locating within the centres and mixed use zones, while recognising the need to retain employment opportunities.
- (10) Discourage dwellings at ground floor in centre zones and enable dwellings above ground floor in centre zones.

- (11) Require development to avoid, remedy or mitigate adverse wind and glare effects on public open spaces, including streets, and shading effects on open space zoned land.
- (12) Recognise the functional and operational requirements of activities and development.
- (12A) Enable building height of at least six storeys within mapped walkable catchments unless a qualifying matter applies that reduces height.
- (13) Enable greater building height than the standard height in locations identified within the Height Variation Control, having regard to whether the greater height:
 - (za) is commensurate with the level of commercial activities and community services;
 - (zb) is compatible with a qualifying matter that requires reduced height and/or density;
 - (a) is an efficient use of land;
 - (b) supports public transport, community infrastructure and contributes to centre vitality and vibrancy;
 - (c) considering the size and depth of the zoned area, can be accommodated without significant adverse effects on adjacent residential zones;
 - (d) is supported by the status of the centre in the centres hierarchy, or is adjacent to such a centre; and
 - (e) support the role of centres.
- (14) Reduce building height below the standard zone height in locations identified within the Height Variation Control, where the standard zone height would have significant adverse effects on identified special character, identified landscape features, amenity or other qualifying matters.
- (15) In areas surrounding the city centre, recognising their proximity and accessibility to the Business – City Centre Zone and Business – Metropolitan Centre Zone at Newmarket, provide opportunities for substantial office activities in the Business – Local Centre Zone and Business – Mixed Use Zone.

Business – Local Centre Zone policies

- (16) Enable activities for the local convenience needs of the surrounding residential area, including retail, commercial services, office, food and beverage and small scale supermarkets.
- (17) Enable large scale commercial activity where this:
 - (a) supports:

- (i) a diversity of activities within the local centre; and
 - (ii) the centre's on-going ability to provide for the local convenience needs of its surrounding community;
 - (b) does not significantly adversely affect the function, role and amenity of the Business - City Centre Zone, Business – Metropolitan Centre Zone and Business – Town Centre Zone beyond those effects ordinarily associated with trade effects on trade competitors; and
 - (c) manages adverse effects on the safe and efficient operation of the transport network including effects on pedestrian safety and amenity.
- (18) Provide for the expansion of local centres to better provide for community social and economic well-being, where expansion is suitable for growth in terms of strategic and local environmental effects.
- (19) Recognise:
- (a) the positive contribution supermarkets make to centre vitality and function;
 - (b) the functional and operational requirements of these activities; and
 - (c) where preferred built form outcomes are not achieved, the supermarket needs to achieve a quality built environment by positively contributing to public open space, including the activation of streets.
- (20) Require activities adjacent to residential zones to avoid, remedy or mitigate adverse effects on amenity values of those areas.
- (21) Restrict maximum impervious area within a riparian yard in order to ensure that adverse effects on water quality, water quantity and amenity values are avoided or mitigated.

In Mapped Walkable Catchments

- (22) Enable in areas with the highest factors of strategic importance, accessibility, concentration of amenities and residential demand, building heights up to fifteen storeys within the walkable catchments (identified in Chapter G) of:
- (a) the edge of the City Centre zone;
 - (b) the edge of the Metropolitan Centre zones;
 - (c) the legislated locations at rapid transit stops;
 - (d) other rapid transit stops.
- (23) Enable in areas with, relative to other areas, high factors of strategic importance, accessibility, concentration of amenities and residential demand,

building heights up to ten storeys within the walkable catchments (listed in Chapter G) of:

(a) the edge of the Metropolitan Centre zones;

(b) the legislated locations at rapid transit stops;

(c) other rapid transit stops.

(24) Enable building height of at least six storeys within mapped walkable catchments unless a qualifying matter applies that reduces height.

(25) In walkable catchments require development greater than ten storeys to achieve adequate separation between buildings, set back upper floors from the street and set towers back, above six storeys, from boundaries where adjacent to lower intensity residential zones.

H11.4. Activity table

Table H11.4.1 Activity table specifies the activity status of land use and development activities in the Business – Local Centre Zone pursuant to section 9(3) of the Resource Management Act 1991

Table H11.4.1 Activity table

Activity		Activity status
General		
(A1)	Activities not provided for	NC
Use		
Accommodation		
(A2)	Dwellings	P
(A3)	Conversion of a building or part of a building to dwellings, integrated residential development, visitor accommodation or boarding houses	RD
(A4)	Integrated residential development	D
(A5)	Supported residential care	P
(A6)	Visitor accommodation and boarding houses	P
Commerce		
(A7)	Commercial services	P
(A8)	Conference facilities	D
(A9)	Department stores	RD
(A10)	Drive-through restaurants	RD
(A11)	Entertainment facilities	D
(A12)	Cinemas	D
(A13)	Food and beverage	P
(A14)	Garden centres	D

Activity		Activity status
(A15)	Marine retail	D
(A16)	Motor vehicle sales	D
(A17)	Offices within the Centre Fringe Office Control as shown on the planning maps	P
(A18)	Offices up to 500m ² gross floor area per site	P
(A19)	Offices greater than 500m ² gross floor area per site	RD
(A20)	Retail up to 450m ² gross floor area per tenancy	P
(A21)	Retail greater than 450m ² gross floor area per tenancy	RD
(A22)	Service stations	RD
(A23)	Supermarkets up to 2000m ² gross floor area per tenancy	P
(A24)	Supermarkets greater than 2000m ² gross floor area per tenancy	RD
(A25)	Trade suppliers	D
Community		
(A26)	Artworks	P
(A27)	Care centres	P
(A28)	Community facilities	P
(A29)	Education facilities	P
(A30)	Emergency services	RD
(A31)	Healthcare facilities	P
(A32)	Hospitals	NC
(A33)	Justice facilities	D
(A34)	Recreation facilities	P
(A35)	Tertiary education facilities	RD
Industry		
(A36)	Industrial activities	NC
(A37)	Industrial laboratories	P
(A38)	Light manufacturing and servicing	P
(A39)	Repair and maintenance services	P
(A40)	Storage and lock-up facilities	NC
(A41)	Waste management facilities	NC
(A42)	Warehousing and storage	P
Mana Whenua		
(A43)	Marae complex	P
Development		
(A44)	New buildings	RD
(A45)	Demolition of buildings	P
(A46)	Alterations to building facades that are less than 25m ²	P

Activity		Activity status
(A47)	Additions to buildings that are less than: (a) 25 per cent of the existing gross floor area of the building; or (b) 250m ² whichever is the lesser	P
(A48)	Internal alterations to buildings	P
(A49)	Additions and alterations to buildings not otherwise provided for	RD

H11.5. Notification

- (1) Any application for resource consent for an activity listed in Table H11.4.1 Activity table above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.
- (2) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule [C1.13\(4\)](#).
- (3) Any application for resource consent for the following activity will be considered without public or limited notification or the need to obtain the written approval of affected parties unless the Council decides that special circumstances exist under section 95A(9) of the Resource Management Act 1991:
 - (a) Development which does not comply with Standard H11.6.9 Minimum dwelling size.

H11.6. Standards

All permitted and restricted discretionary activities in Table H11.4.1 Activity table must comply with the following standards.

H11.6.0 Activities within 30m of a residential zone

- (1) The following activities are restricted discretionary activities where they are located within 30m of a residential zone and are listed as a permitted activity in the activity table:
 - (a) bars and taverns;
 - (b) drive-through restaurants;
 - (c) outdoor eating areas accessory to restaurants;
 - (d) entertainment facilities;
 - (e) child care centres; and
 - (f) animal breeding and boarding.

This standard only applies to those parts of the activities subject to the application that are within 30m of the residential zone

H11.6.1. Building height

Purpose:

- manage the effects of building height;
- manage shadowing effects of building height on public open space, excluding streets;
- manage visual dominance effects;
- allow an occupiable height component to the height limit, and an additional height for roof forms that enables design flexibility, to provide variation and interest in building form when viewed from the street;
- enable greater height in areas identified for intensification including within walkable catchments where at least six storeys must be enabled and in some identified walkable catchments up to ten and fifteen storeys is also enabled; and
- provide for variations to the standard zone height through the Height Variation Control, to recognise the character and amenity of particular areas and provide a transition in building scale to lower density zones.

(1) Buildings must not exceed the height in metres specified in Table H11.6.1.1, unless otherwise specified in the Height Variation Control on the planning maps.

Table H11.6.1.1 Building height

<u>Location and storeys</u>	<u>Occupiable building height</u>	<u>Height for roof form</u>	<u>Total building height</u>
<u>Buildings outside a walkable catchment</u>	16m	2m	18m
<u>Buildings in a walkable catchment (unless a lower height is specified in the Height Variation Control)</u>	<u>N/A</u>	<u>N/A</u>	<u>22m</u>
<u>Buildings in a walkable catchment - Height Variation Control: 10 storeys</u>	<u>N/A</u>	<u>N/A</u>	<u>34.5m</u>
<u>Buildings in a walkable catchment -</u>	<u>N/A</u>	<u>N/A</u>	<u>50m</u>

<u>Height Variation Control: 15 storeys</u>			
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- (2) If the site is subject to the Height Variation Control, buildings must not exceed the height in metres, as shown in Table H11.6.1.2 and for the site on the planning maps.
- (3) Outside walkable catchments A any part of a building greater than the occupiable building height is to be used only for roof form, roof terraces, plant and other mechanical and electrical equipment.

Table H11.6.1.2 Total building height shown in the Height Variation Control on the planning maps

Occupiable building height	Height for roof form	Total building height shown on Height Variation Control on the planning maps
11m	2m	13m
16m	2m	18m
19m	2m	21m
<u>20m</u>	<u>2m</u>	<u>22m</u>
25m	2m	27m
Same as on the planning maps	NA	Exceeding 27m <u>and as specified in Table H11.6.1.1 above</u>

H11.6.2. Height in relation to boundary

Purpose:

- manage the effects of building height;
 - allow reasonable sunlight and daylight access to public open space excluding streets, and neighbouring zones; and
 - manage visual dominance effects on neighbouring zones where lower height limits apply.
- (1) Buildings must not project beyond a recession plane that begins vertically above ground level along the zone boundary. The angle of the recession plane and the height above ground level from which it is measured is specified in Table H11.6.2.1 and Figure H11.6.2.1 or Figure H11.6.2.2.
- (2) Where the boundary forms part of an entrance strip, access site or pedestrian access-way, the standard applies from the farthest boundary of that entrance strip or access site. However, if an entrance strip, access site or pedestrian access-way is greater than 2.5m in width, the standard will be measured from a parallel line 2.5m out from the site boundary.

- (3) Figure H11.6.2.3 will be used to define what is a north, south, east or west boundary, where this is referred to in Table H11.6.2.1. The recession plane angle is calculated by orientating both site plan and Figure H11.6.2.3 to true north. Figure H11.6.2.3 is placed over the site plan with the outside of the circle touching the inside of the site boundary under consideration. At the point where Figure H11.6.2.3 touches the site boundary, the recession plane angle and height at which it begins, will be indicated by Table H11.6.2.1

Table H11.6.2.1 Height in relation to boundary

Location	Zoning of adjacent site	Angle of recession plane (identified as x in Figure H11.6.2.1 or Figure H11.6.2.2)	Height above ground level which the recession plane will be measured from (identified as y in Figure H11.6.2.1 or Figure H11.6.2.2)
<u>NA-Buildings outside walkable catchments</u>	Residential - Single House Zone; or Residential - Mixed Housing Suburban Zone	45°	2.5m
	Residential - Mixed Housing Urban Zone	45°	3m
	Residential - Terrace Housing and Apartment Building Zone	60°	8m
	Special Purpose - Māori Purpose Zone; or Special Purpose - School Zone	45°	6m
	Open Space - Conservation Zone; Open Space - Informal Recreation Zone; Open Space -Sport and Active Recreation Zone; Open Space -Civic Zone; or Open Space - Community Zone	45°	4.5m
<u>Buildings outside walkable catchments</u> located on the southern boundary of the adjacent site	Open Space - Conservation Zone; Open Space - Informal Recreation Zone; Open Space -Sport and Active Recreation Zone; Open Space -Civic	45°	8.5m

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	Zone; or Open Space - Community Zone		
<u>Buildings within walkable catchments</u>	<u>Residential – Single House Zone;</u> <u>Residential – Mixed Housing Urban Zone;</u> <u>Residential – Terrace Housing and Apartment Buildings Zone; Special Purpose - Māori Purpose Zone; Special Purpose - School Zone;</u> <u>Open Space – Conservation Zone;</u> <u>Open Space – Informal Recreation Zone; Open Space – Sports and Active Recreation Zone;</u> <u>Open Space – Civic Spaces Zone; or Open Space – Community Zone</u>	<u>60⁰</u>	<u>20m</u>

Figure H11.6.2.1 Height in relation to boundary

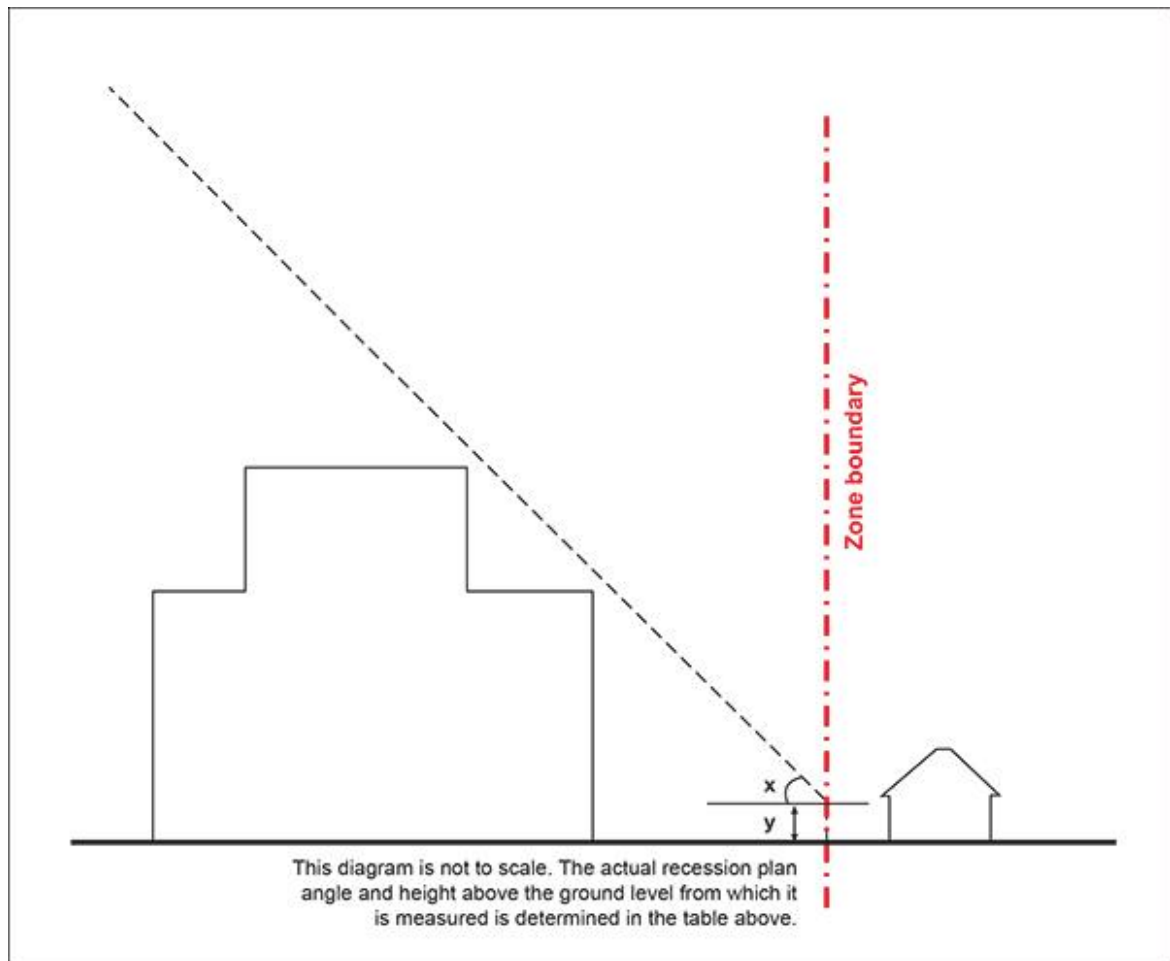
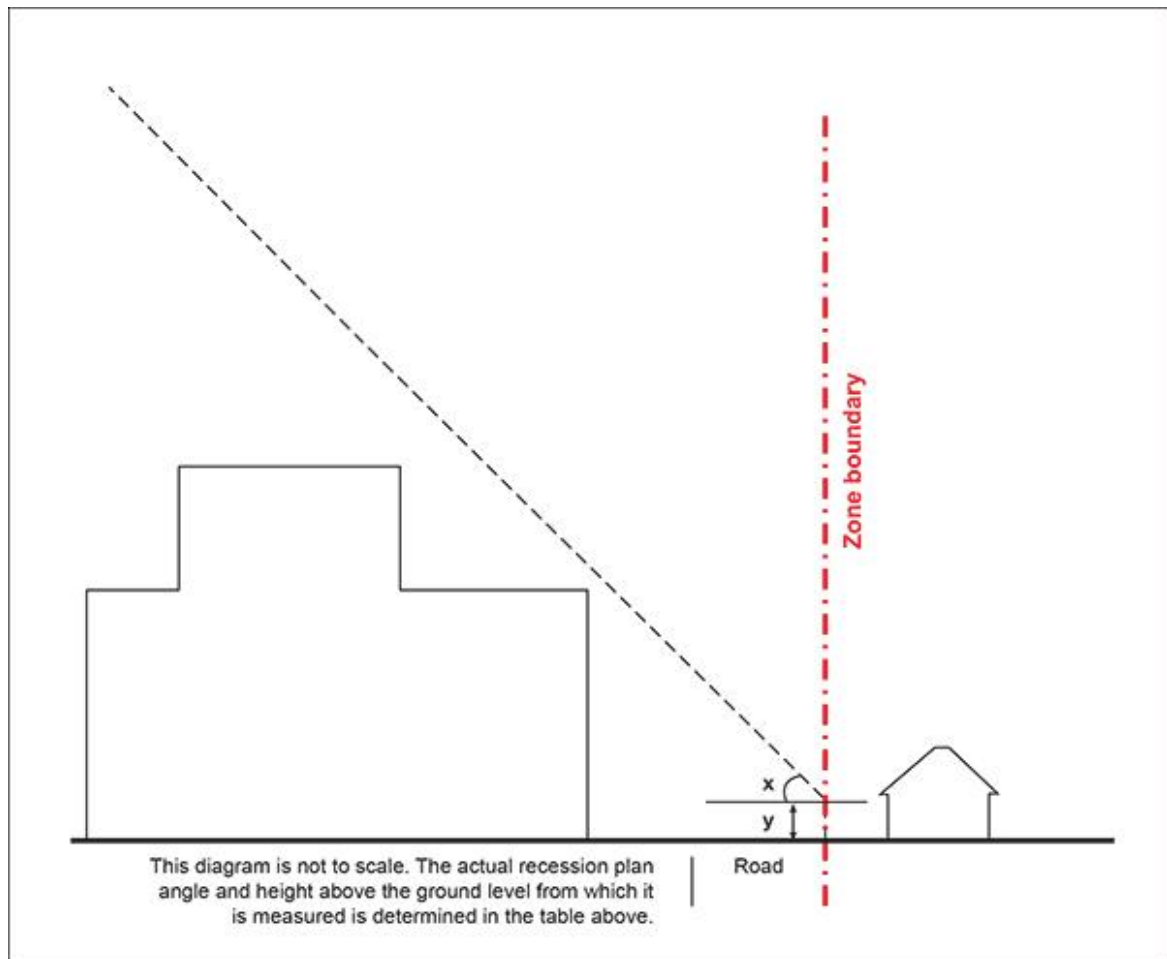


Figure H11.6.2.2 Height in relation to boundary opposite a road



Qualifying matter
as per Sch 3C,
cls 8(1)(b) of the
RMA

Mixed Housing Suburban zone and the Residential – Mixed Housing Urban zone by the distance and at the height listed in metres specified in Table H11.6.2A.1:

Table H11.6.2A.1 Building setback at upper floors in walkable catchments

<u>Boundary adjoining the Residential – Single House zone, Residential – Mixed Housing Suburban zone and the Residential – Mixed Housing Urban zone at the edge of a walkable catchment</u>	<u>Height above ground level which the set back will be measured from</u>	<u>Minimum depth</u>
<u>Side</u>	<u>22m</u>	<u>18m</u>
<u>Rear</u>	<u>22m</u>	<u>18m</u>

H11.6.2B Maximum tower dimension and tower separation

Purpose: ensure that high-rise buildings:

- are not overly bulky in appearance and manage significant visual dominance effects;
- allow adequate sunlight and daylight access to streets, public open space and nearby sites;
- provide adequate sunlight and outlook around and between buildings; and
- mitigate adverse wind effects.

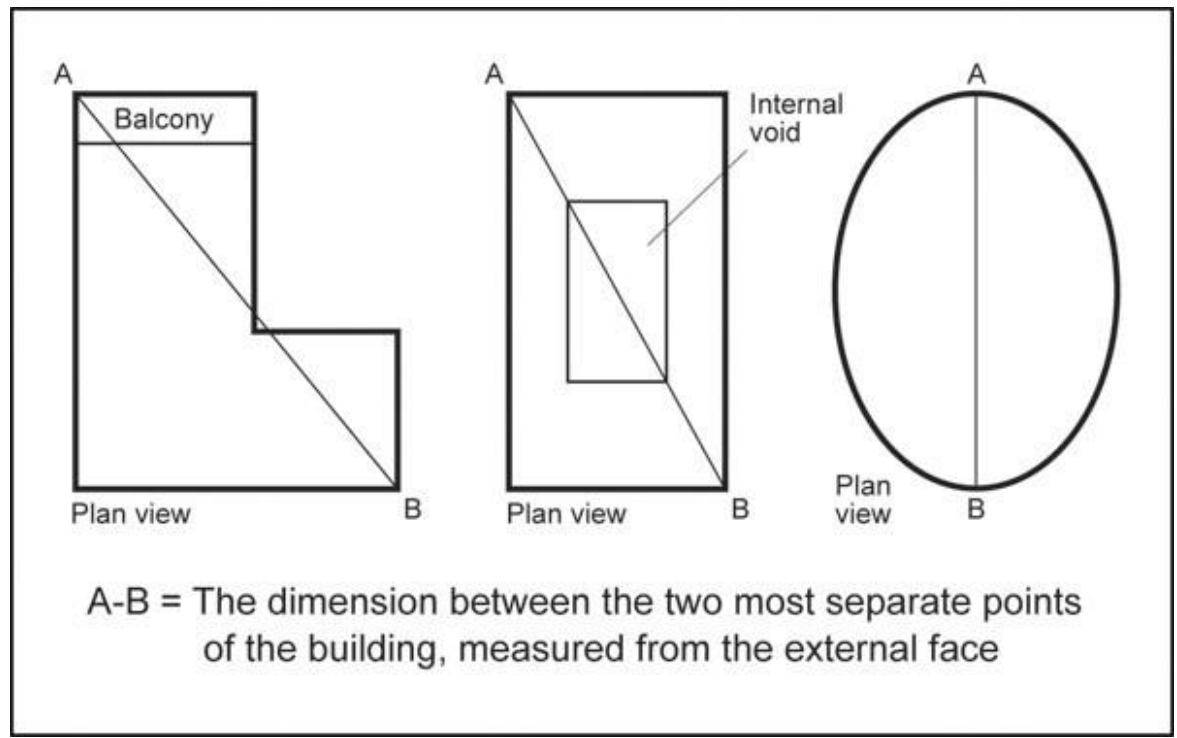
(1) Outside walkable catchments the maximum plan dimension of that part of the building above 27m must not exceed 55m.

(2) In walkable catchments the maximum plan dimension of that part of the building above 34.5m must not exceed 55m.

(3) The maximum plan dimension is the horizontal dimension between the exterior faces of the two most separate points of the building.

(4) The part of a building above 27m must be located at least 6m from any side or rear boundary of the site.

Figure 11.6.2B.1 Maximum tower dimension plan view



H11.6.3. Residential at ground floor

Purpose:

- protect the ground floor of buildings within centres for commercial use; and
- avoid locating activities that require privacy on the ground floor of buildings.

(1) Dwellings including units within an integrated residential development must not locate on the ground floor of a building where the dwelling or unit has frontage to public open spaces including streets.

H11.6.4. Yards

Purpose:

- provide a landscaped buffer between buildings and activities and adjoining residential zones and some special purpose zones, to mitigate adverse visual and nuisance effects; and
- ensure buildings are adequately setback from lakes, streams and the coastal edge to maintain water quality, amenity, provide protection from natural hazards, and potential access to the coast.

(1) A building or parts of a building must be set back from the relevant boundary by the minimum depth listed in Table H11.6.4.1.

Table H11.6.4.1 Yards

Yard	Minimum depth
Rear	3m where the rear boundary adjoins a residential zone or the Special Purpose – Māori Purpose Zone
Side	3m where a side boundary adjoins a Residential zone or the Special Purpose – Māori Purpose Zone
Riparian	10m from the edge of all permanent and intermittent streams
Lakeside yard	30m
Coastal protection yard	25m, or as otherwise specified in Appendix 6 Coastal protection yard

Note 1

A side or rear yard, and/or landscaping within that yard, is only required along that part of the side or rear boundary adjoining a residential zone or the Special Purpose – Māori Purpose Zone.

- (2) Side and rear yards must be planted with a mixture of trees, shrubs or ground cover plants (including grass) within and along the full extent of the yard for a depth of at least 3m.

H11.6.5. Landscaping

Purpose:

- ensure landscaping provides a buffer and screening between car parking, loading, or service areas commercial activities and the street; and
- ensure landscaping is of sufficient quality as to make a positive contribution to the amenity of the street.

- (1) A landscape buffer of 2m in depth must be provided along the street frontage between the street and car parking, loading, or service areas which are visible from the street frontage. This rule excludes access points.

- (2) The required landscaping in Standard H11.6.5(1) must comprise a mix of trees, shrubs or ground cover plants (including grass).

H11.6.6. Maximum impervious area in the riparian yard

Purpose: support the functioning of riparian yards and in-stream health.

- (1) The maximum impervious area within a riparian yard must not exceed 10 per cent of the riparian yard area.

H11.6.7. Wind

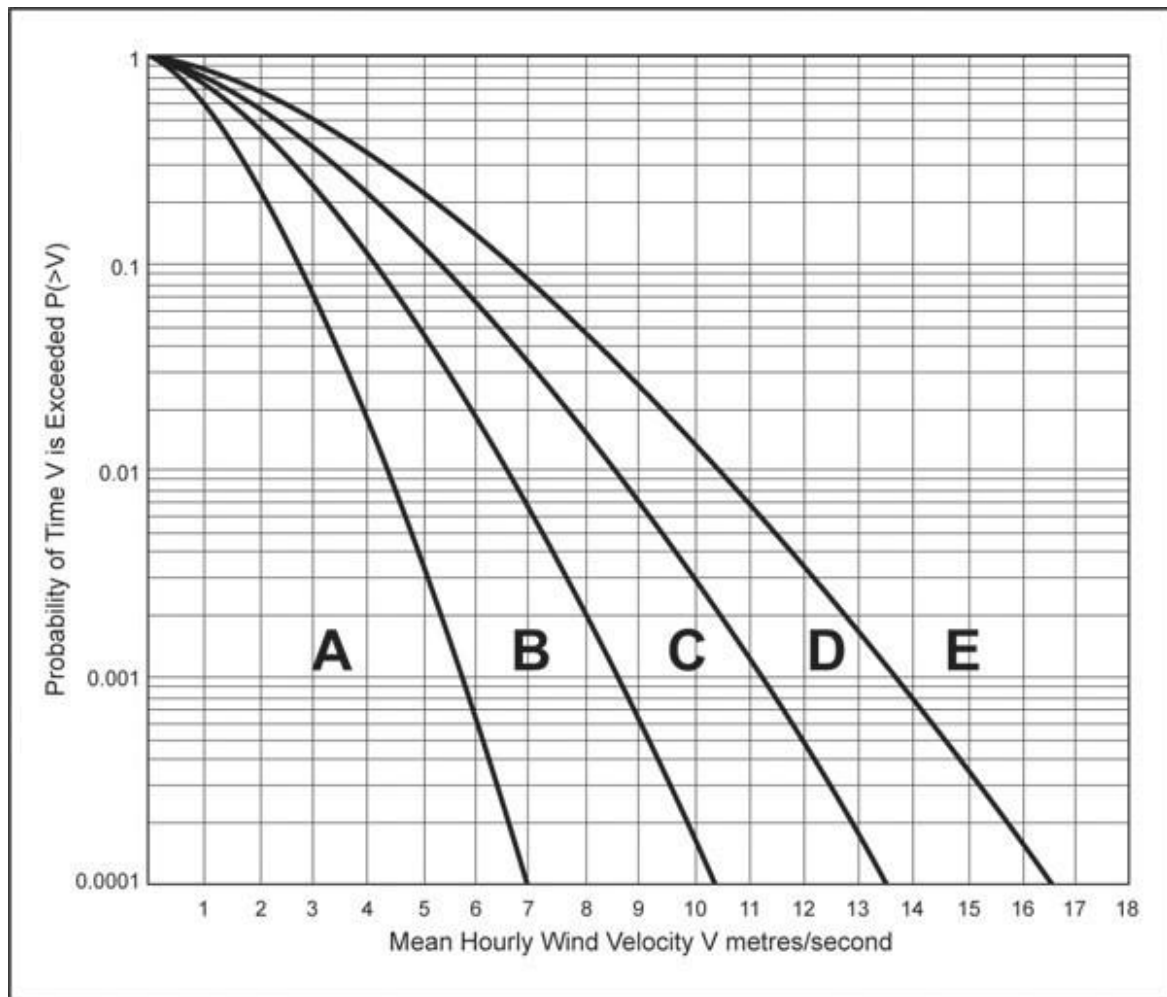
Purpose: mitigate the adverse wind effects generated by tall buildings.

- (1) A new building exceeding 25m in height and additions to existing buildings that increase the building height above 25m must not cause:

- (a) the mean wind speed around it to exceed the category for the intended use of the area as set out in Table H11.6.7.1 and Figure H11.6.7.1 below;
 - (b) the average annual maximum peak 3-second gust to exceed the dangerous level of 25m per second; and
 - (c) an existing wind speed which exceeds the controls of Standard H11.6.7(1)(a) or Standard H11.6.7(1)(b) above to increase.
- (2) A report and certification from a suitably qualified and experienced person, showing that the building complies with Standard H11.6.7(1) above, will demonstrate compliance with this standard.
- (3) If the information in Standard H11.6.7(2) above is not provided, or if such information is provided but does not predict compliance with the rule, a further wind report including the results of a wind tunnel test or appropriate alternative test procedure is required to demonstrate compliance with this standard.

Table H11.6.7.1 Categories

(B1)	Category A	Areas of pedestrian use or adjacent dwellings containing significant formal elements and features intended to encourage longer term recreational or relaxation use i.e. public open space and adjacent outdoor living space
(B2)	Category B	Areas of pedestrian use or adjacent dwellings containing minor elements and features intended to encourage short term recreation or relaxation, including adjacent private residential properties
(B3)	Category C	Areas of formed footpath or open space pedestrian linkages, used primarily for pedestrian transit and devoid of significant or repeated recreational or relaxational features, such as footpaths not covered in categories A or B above
(B4)	Category D	Areas of road, carriage way, or vehicular routes, used primarily for vehicular transit and open storage, such as roads generally where devoid of any features or form which would include the spaces in categories A - C above.
(B5)	Category E	Category E represents conditions which are dangerous to the elderly and infants and of considerable cumulative discomfort to others, including residents in adjacent sites. Category E conditions are unacceptable and are not allocated to any physically defined areas of the city

Figure H11.6.7.1 Wind environment control

Derivation of the wind environment control graph:

The curves on the graph delineating the boundaries between the acceptable categories (A-D) and unacceptable (E) categories of wind performance are described by the Weibull expression:

$$P(>V) = e^{-(v/c)^k}$$

where V is a selected value on the horizontal axis, and P is the corresponding value of the vertical axis:

and where:

$P(>V)$ = Probability of a wind speed V being exceeded;

e = The Napierian base 2.7182818285

v = the velocity selected;

k = the constant 1.5; and

c = a variable dependent on the boundary being defined:

$$A/B, c = 1.548$$

B/C, c = 2.322

C/D, c = 3.017

D/E, c = 3.715

H11.6.8. Outlook space

Purpose:

- To ensure a reasonable standard of visual privacy between habitable rooms of different buildings, on the same or adjacent sites; ~~and~~
- manage visual dominance effects within a site by ensuring that habitable rooms have an outlook and sense of space; and
- for buildings in walkable catchments, more than 6 storeys, to provide greater separation between tower forms that are enabled.

- (1) This standard applies to dwellings, units in an integrated residential development, visitor accommodation and boarding houses.
 - (2) An outlook space must be provided from the face of a building containing windows to a habitable room. Where the room has two or more external faces with windows the outlook space must be provided from the face with the largest area of glazing.
 - (3) The minimum dimensions for a required outlook space for developments outside walkable catchments and in walkable catchments where development is less than 22m in height must be in accordance with Figure H11.6.8.1 and are as follows:
 - (a) a principal living room of a dwelling or main living and dining area within a boarding house or supported residential care must have a outlook space with a minimum dimension of 6m in depth and 4m in width; and
 - (b) all other habitable rooms of a dwelling or a bedroom within a boarding house or supported residential care unit must have an outlook space with a minimum dimension of 3m in depth and 3m in width.
- (3A) For development on a site in walkable catchment more than 22m the minimum dimensions for a required outlook space are as follows:
- (a) for principal living areas of a dwelling or main living and dining area within a boarding house or supported residential care, the dimensions of the outlook space, measured perpendicular to the exterior face of the building, must be in accordance with Figure H11.6.8.2 for the relative height of the floor above the ground level along each building face, and at least 4m in width; and
 - (b) all other habitable rooms of a dwelling or a bedroom within a boarding house or supported residential care unit must have an outlook space with a minimum dimension of 3m in depth and 3m in width.

- (4) The depth of the outlook space is measured at right angles to and horizontal from the window to which it applies.
- (5) The width of the outlook space is measured from the centre point of the largest window on the building face to which it applies.
- (6) The height of the outlook space is the same as the floor height, measured from floor to ceiling, of the building face to which the standard applies.
- (7) Outlook spaces may be within the site, over a public street, or other public open space.
- (8) Outlook spaces required from different rooms within the same building may overlap.
- (9) Outlook spaces may overlap where they are on the same wall plane.
- (10) Outlook spaces must:
 - (a) be clear and unobstructed by buildings;
 - (b) not extend over adjacent sites, except for where the outlook space is over a public street or public open space as outlined in H11.6.8(7) above; and
 - (c) not extend over an outlook spaces or outdoor living space required by another dwelling.

Figure H11.6.8.1 Required outlook space

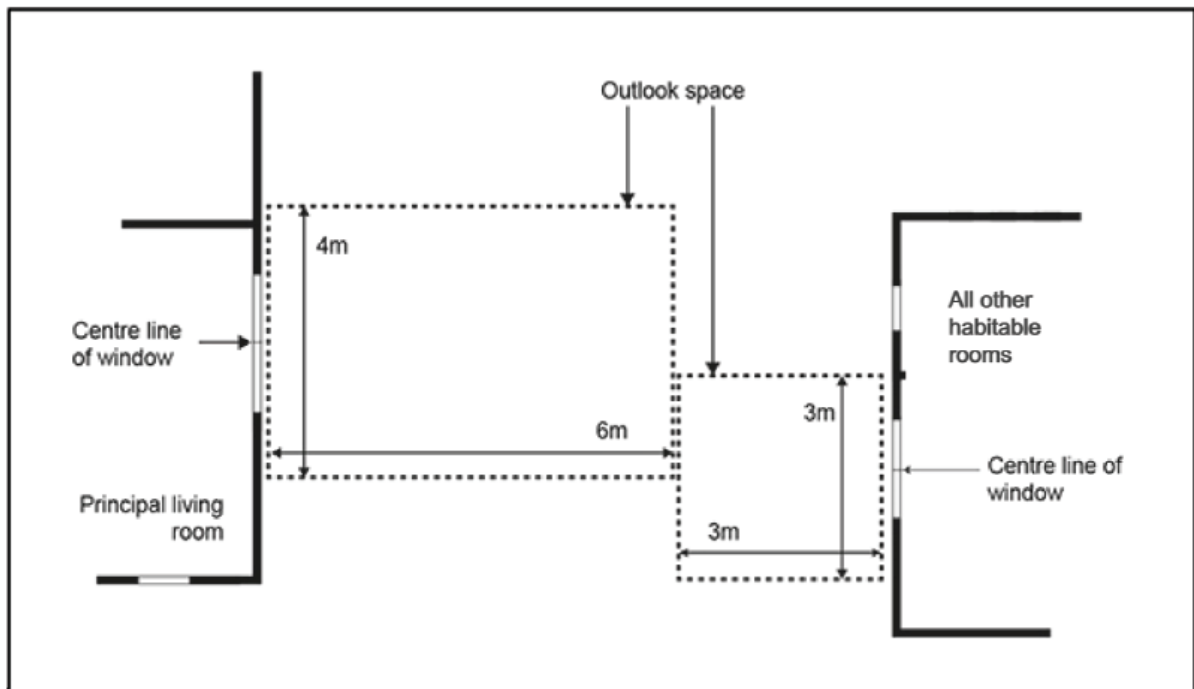
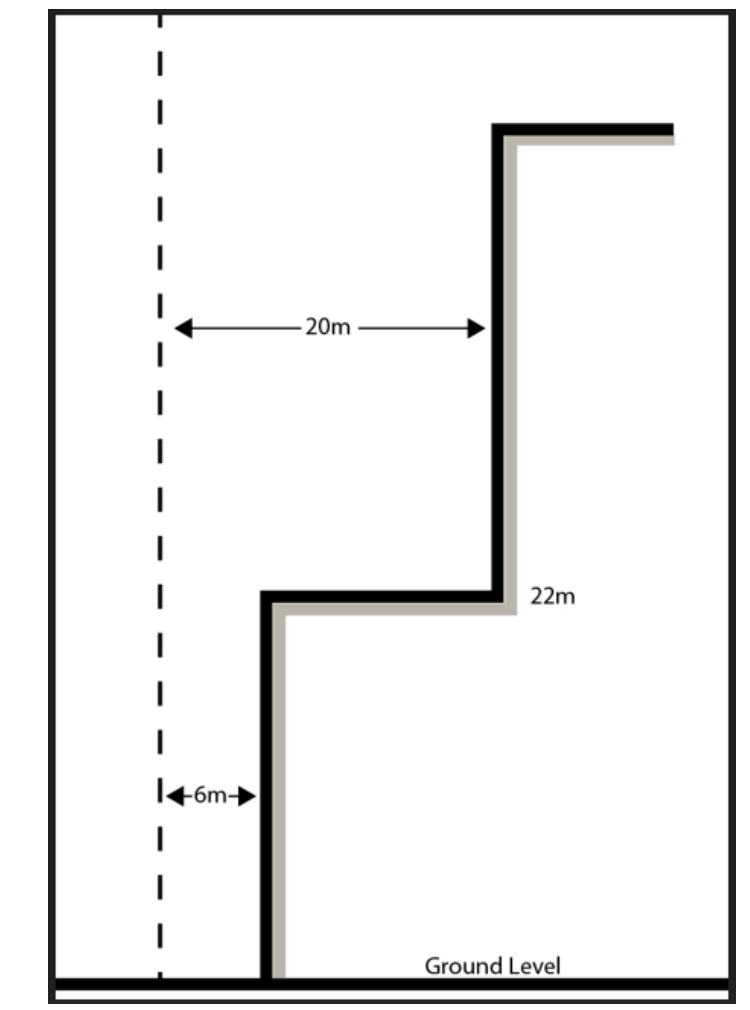


Figure H11.6.8.2 Required outlook space for developments more than 22m



H11.6.9 Minimum dwelling size

Purpose: to ensure dwellings are functional and of a sufficient size to provide for the day to day needs of residents, based on the number of occupants the dwelling is designed to accommodate.

(1) Dwellings must have a minimum net internal floor area as follows:

- (a) 30m² for studio dwellings.
- (b) 45m² for one or more bedroom dwellings.

H11.7. Assessment – controlled activities

There are no controlled activities in this section.

H11.8. Assessment – restricted discretionary activities

H11.8.1. Matters of discretion

The Council will restrict its discretion to the following matters when assessing a restricted discretionary resource consent application:

- (1) drive-through restaurants, activities within 30m of a residential zone, emergency services and service stations:
 - (a) the compatibility of:
 - (i) the effects of intensity and scale of the development arising from the numbers of people and/or vehicles using the site; and
 - (ii) the effects of the operation of the activity on the existing and expected future amenity values of the surrounding area and any practicable mitigation measures that would be appropriate to manage those effects.
 - (b) the effects of the design and location of parking areas and vehicle access and servicing arrangements on visual amenity of the streetscape and on pedestrian safety;
 - (c) the effects of location, design and management of storage and servicing facilities on the amenity values of nearby residential properties including potential visual effects, adequacy of access for service vehicles (including waste collection) and any night time noise effects; and
 - (d) the assessment of the above matters having regard to the need to provide for the functional requirements of the activity;
- (2) retail greater than 450m², office activity greater than 500m², supermarkets greater than 2000m² and department stores:
 - (a) the compatibility of the effects of intensity and scale of the development arising from the numbers of people and/or vehicles using the site, with the existing and expected future amenity values of the surrounding area and any practicable mitigation measures that would be appropriate to manage those effects;
 - (b) the effects of the design and location of parking areas and vehicle access and servicing arrangements on visual amenity of the streetscape and on pedestrian safety;
 - (c) the effects of the size, composition and characteristics of retail activities proposed on the existing and expected future function, role and amenity of other Centre zones having regard to the need to enable convenient access of communities to commercial and community services while disregarding any effects ordinarily associated with trade effects on trade competitors;
 - (d) the assessment of the above matters having regard to the need to provide for the functional requirements of the activity;
- (3) tertiary education facilities:

- (a) the compatibility of the effects of intensity and scale of the development arising from the numbers of people and/or vehicles using the site, with the existing and expected future amenity values of the surrounding area and any practicable mitigation measures that would be appropriate to manage those effects;
- (4) new buildings and alterations and additions to buildings not otherwise provided for:
 - (a) the design and appearance of buildings in so far as it affects the existing and future amenity values of public streets and spaces used by significant numbers of people. This includes:
 - (i) the contribution that such buildings make to the attractiveness pleasantness and enclosure of the public space;
 - (ii) the maintenance or enhancement of amenity for pedestrians using the public space or street;
 - (iii) the provision of convenient and direct access between the street and building for people of all ages and abilities;
 - (iv) measures adopted for limiting the adverse visual effects of any blank walls along the frontage of the public space; and
 - (v) the effectiveness of screening of car parking and service areas from the view of people using the public space.
 - (b) The provision of floor to floor heights that will provide the flexibility of the space to be adaptable to a wide variety of use over time.
 - (c) The extent of glazing provided on walls fronting public streets and public spaces and the benefits it provides in terms of:
 - (i) the attractiveness and pleasantness of the public space and the amenity for people using or passing through that space;
 - (ii) the degree of visibility that it provides between the public space and the building interior; and
 - (iii) the opportunities for passive surveillance of the street from the ground floor of buildings;
 - (d) the provision of verandahs to provide weather protection in areas used, or likely to be used, by significant numbers of pedestrians;
 - (e) the application of Crime Prevention through Environmental Design (CPTED) principles to the design and layout of buildings adjoining public spaces;
 - (f) the effects of creation of new roads and/or service lanes on the matters listed above;

- (g) the positive effects that landscaping, including required landscaping, on sites adjoining public spaces is able to contribute to the amenity values of the people using or passing through the public space;
 - (h) taking an integrated stormwater management approach; and
 - (i) all the above matters to be assessed having regard to the outcomes set out in this Plan and the functional requirements of the activities that the buildings are intended to accommodate;
- (5) in addition to the matters for new buildings stated above the Council will restrict its discretion to the following matter in regard to:
- integrated retail developments; or
 - supermarkets, department stores and large format retail where the activity or integrated retail development exceeds 1000m² gross floor area per tenancy;
- (a) the manner in which these building/developments are integrated with the adjacent existing and planned future centre and zone activities and public spaces and provide for the continuity of active public frontages and associated pedestrian amenity that is appropriate to those centres and zones having regard to the outcomes set out in this Plan and the functional requirements of the activities that the buildings are intended to accommodate. This will include the effects of the design and location of parking areas, vehicle access and servicing arrangements on the visual amenity of the streetscape and on pedestrian safety;
- (6) in addition to the matters for new buildings stated above the Council will restrict its discretion to the following matter in regard to:
- drive-through restaurants; or
 - service stations.
- (a) the effects of the location and design of:
- (i) buildings and associated equipment, parking and service areas;
 - (ii) access for vehicles including service vehicles; and
 - (iii) landscaping
- on the amenity of surrounding areas (particularly residential areas), on streetscapes and on pedestrian amenity and any methods by which those effects can be appropriately managed;
- (7) conversion of a building or part of a building to dwellings, retirement villages, visitor accommodation and boarding houses:
- (a) any matters that do not meet the standards set out for the activity in Standard H11.6.8 or Standard H11.6.9 having regard to the need to

ensure a good standard of amenity within and between dwellings, visitor accommodation, boarding houses and retirement villages;

(8) activities that do not meet the standards

- (a) any policy which is relevant to the standard;
- (b) the purpose of the standard;
- (c) the effects of the infringement of the standard;
- (d) the effects on the amenity of neighbouring sites;
- (e) the effects of any special or unusual characteristic of the site which is relevant to the standard;
- (f) the characteristics of the development;
- (g) any other matters specifically listed for the standard; and
- (h) where more than one standard will be infringed, the effects of all infringements.

H11.8.2. Assessment criteria

The Council will consider the relevant assessment criteria below for restricted discretionary activities:

- (1) drive-through restaurants, activities within 30m of a residential zone emergency services and service stations:
 - (a) for Matter H11.8.1(1)(a)(i) refer to Policy H11.3(3)(a), Policy H11.3(3)(b), Policy H11.3(3)(c), Policy H11.3(8) and Policy H11.3(20)
 - (b) for Matter H11.8.1(1)(a)(ii) refer to Policy H11.3(3)(a), Policy H11.3(3)(b), Policy H11.3(3)(c), Policy H11.3(8); Policy H11.3(16) and Policy H11.3(20);
 - (c) for Matter H11.8.1(1)(b) refer to Policy H11.3(3)(c) and Policy H11.3(7);
 - (d) for Matter H11.8.1(1)(c) refer to Policy H11.3(20);
 - (e) for Matter H11.8.1(1)(d) refer to Policy H11.3(12);
- (2) retail greater than 450m², office activity greater than 500m², supermarkets greater than 2000m² and department stores:
 - (a) for Matter H11.8.1(2)(a) refer to Policy H11.3(3)(a), Policy H11.3(3)(b), Policy H11.3(3)(c), Policy H11.3(8) and Policy H11.3(16)
 - (b) for Matter H11.8.1(2)(b) refer to Policy H11.3(7);
 - (c) for Matter H11.8.1(2)(c) refer to Policy H11.3(1); H11.3(17)(b)

- (d) for Matter H11.8.1(2)(d) refer to Policy H11.3(12);
- (3) tertiary education facilities:
- (a) for Matter H11.8.1(3)(a) refer to Policy H11.3(3)(a), Policy H11.3(3)(b), Policy H11.3(3)(c) and H11.3(16);
- (4) new buildings and alterations and additions to buildings not otherwise provided for:
- (a) for Matter H11.8.1(4)(a)(i) refer to Policy H11.3(3)(a) and Policy H11.3(3)(b);
- (b) for Matter H11.8.1(4)(a)(ii) refer to Policy H11.3(3)(c), Policy H11.3(25);
- (c) for Matter H11.8.1(4)(a)(iii) refer to Policy H11.3(4);
- (d) for Matter H11.8.1(4)(a)(iv) refer to Policy H11.3(3)(a);
- (e) for Matter H11.8.1(4)(a)(v) refer to Policy H11.3(7);
- (f) for Matter H11.8.1(4)(b) refer to Policy H11.3(6);
- (g) for Matter H11.8.1(4)(c)(i) refer to Policy H11.3(3)(a) and Policy H11.3(3)(b);
- (h) for Matter H11.8.1(4)(c)(ii) refer to Policy H11.3(3)(a) and Policy H11.3(3)(b);
- (i) for Matter H11.8.1(4)(c)(iii) refer to Policy H11.3(3)(a) and Policy H11.3(3)(b);
- (j) for Matter H11.8.1(4)(d) refer to Policy H11.3(3)(c);
- (k) for Matter H11.8.1(4)(e) refer to Policy H11.3(3)(c);
- (l) for Matter H11.8.1(4)(f) refer to Policy H11.3(3)(b);
- (m) for Matter H11.8.1(4)(g) refer to Policy H11.3(3)(c);
- (n) for Matter H11.8.1(4)(h) refer to Policy [E1.3\(10\)](#); and
- (o) for Matter H11.8.1(4)(i) refer to Policy H11.3(3)(12);
- (5) in addition to the policies for new buildings stated above the Council will have regard to the following policies when considering new buildings for the following purposes:
- integrated retail developments; or
 - supermarkets, department stores and large format retail where the activity or integrated retail development exceeds 1000m² gross floor area per tenancy:

- (a) refer to Policy H11.3(1), Policy H11.3(5), Policy H11.3(17), Policy H11.3(18) and Policy H11.3(19);
- (6) in addition to the policies for new buildings stated above the Council will have regard to the following policies when considering new buildings for the following purposes:
 - drive-through restaurants; or
 - service stations:
- (a) refer to Policy H11.3.(3)(a), Policy H11.3(3)(b), Policy H11.3(3)(c), Policy H11.3(7), Policy H11.3(8), Policy H11.3(12), Policy H11.3(16) and H11.3(20);
- (7) conversion of a building or part of a building to dwellings, retirement villages, visitor accommodation and boarding houses:
 - (a) refer to Policy H11.3(2);
- (8) buildings that do not comply with the standards:
 - (a) height and height in relation to boundary, maximum tower dimension and tower separation:
 - (i) refer to Policy H11.3(3)(a), Policy H11.3(3)(b), Policy H11.3(8), Policy H11.3(12A); Policy H11.3(13) and Policy H11.3(14); Policy H11.3(22), Policy H11.3(23), Policy H11.3(24) and Policy H11.3(25);
 - (b) residential at ground floor:
 - (i) refer to Policy H11.3(10);
 - (c) yards and landscaping:
 - (i) refer to Policy H11.3(3)(b), Policy H11.3(3)(c), Policy H11.3(7) and Policy H11.3(8);
 - (d) maximum impervious area in a riparian yard:
 - (i) refer to Policy H11.3(21);
 - (e) wind:
 - (i) refer to Policy H11.3(11);
 - (f) outlook space, minimum dwelling size:
 - (i) refer to Policy H11.3(2) and Policy H11.3(22);
 - (g) building setback at upper floors for sites in walkable catchments:
 - (i) refer to Policy H11.3(25).

H11.9. Special information requirements

There are no special information requirements in this section.

Business – Neighbourhood Centre Zone

H12.1. Zone description

The Business – Neighbourhood Centre Zone applies to single corner stores or small shopping strips located in residential neighbourhoods. They provide residents and passers-by with frequent retail and commercial service needs.

Outside walkable catchments, provisions typically enable buildings of up to three storeys high. Within walkable catchments, as identified on the planning maps, building heights of at least six storeys, and in some identified walkable catchments up to ten and fifteen storeys are enabled. Qualifying matters may also apply that reduce building heights.

The zone anticipates different built form outcomes depending on whether the area is within a walkable catchment with a variation on building heights reflecting the levels of:

- strategic importance and significant transport investment;
- accessibility including access to the rapid transit network;
- the proximity to other centres, the role and function of those centres, and the concentration of amenities within them; and,
- demand relative to other locations.

~~and~~ Residential use at upper floors is permitted. Development is expected to be in keeping with the surrounding planned urban residential environment.

New development within the zone requires assessment in order to ensure that it is designed to a high standard which enhances the quality of streets within the area and public open spaces.

H12.2. Objectives

General objectives for all centres, Business – Mixed Use Zone, Business – General Business Zone and Business – Business Park Zone

- (1) A strong network of centres that are attractive environments and attract ongoing investment, promote commercial activity, and provide employment, housing and goods and services, all at a variety of scales.
- (2) Development is of a form, scale and design quality so that centres are reinforced as focal points for the community.
- (3) Development positively contributes towards planned future form and quality, creating a well-functioning urban environment and a sense of place.
- (4) Business activity is distributed in locations, and is of a scale and form, that:
 - (a) provides for the community's social and economic needs;
 - (b) improves community access to goods, services, community facilities and opportunities for social interaction;

- (c) manages adverse effects on the environment, including effects on infrastructure and residential amenity; and
 - (d) accommodates qualifying matters.
- (5) A network of centres that provides:
- (a) a framework and context to the functioning of the urban area and its transport network, recognising:
 - (i) the regional role and function of the city centre, metropolitan centres and town centres as commercial, cultural and social focal points for the region, sub-regions and local areas; and
 - (ii) local centres and neighbourhood centres in their role to provide for a range of convenience activities to support and serve as focal points for their local communities.
 - (b) a clear framework within which public and private investment can be prioritised and made; and
 - (c) a basis for regeneration and intensification initiatives.

Business – Neighbourhood Centre Zone objectives

- (6) Commercial activities within residential areas, limited to a range and scale that meets the local convenience needs of residents as well as passers-by, are provided in neighbourhood centres.
- (7) Neighbourhood centres are developed to a scale and intensity in keeping with the planning outcomes identified in this Plan for the surrounding environment.
- (8) Development achieves a quality built environment and, unless a qualifying matter applies that reduces building heights, the urban built character of neighbourhood centres is a compatible mix of commercial and intensive residential development with building heights enabled in accordance with an areas: strategic importance and significant transport investment; accessibility including access to the rapid transit network; the proximity to a centre, the role and function of that centre and the concentration of amenities within it; and, demand. Building heights in the zone are aligned with these features and are predominantly:
 - (a) three storey buildings outside walkable catchments;
 - (b) six storey buildings within walkable catchments; and
 - (c) through the height variation controls, in some identified walkable catchments up to ten or fifteen storey buildings; or
 - (d) as specified in the height variation control in other identified areas.

H12.3. Policies

General policies for all centres, Business – Mixed Use Zone, Business – General Business Zone and Business – Business Park Zone

- (1) Reinforce the function of the city centre, metropolitan centres and town centres as the primary location for commercial activity, according to their role in the hierarchy of centres.
- (2) Enable an increase in the density, diversity and quality of housing in the centre zones and Business – Mixed Use Zone, where it is compatible with any qualifying matters and while managing any reverse sensitivity effects including from the higher levels of ambient noise and reduced privacy that may result from non-residential activities.
- (3) Require development to be of a quality and design that positively contributes to:
 - (a) planning and design outcomes identified in this Plan for the relevant zone;
 - (b) the visual quality and interest of streets and other public open spaces; and
 - (c) pedestrian amenity, movement, safety and convenience for people of all ages and abilities.
- (4) Encourage universal access for all development, particularly medium to large scale development.
- (5) Require large-scale development to be of a design quality that is commensurate with the prominence and visual effects of the development.
- (6) Encourage buildings at the ground floor to be adaptable to a range of uses to allow activities to change over time.
- (7) Require at grade parking to be located and designed in such a manner as to avoid or mitigate adverse effects on pedestrian amenity and the streetscape.
- (8) Require development adjacent to residential zones and the Special Purpose – School Zone and Special Purpose – Māori Purpose Zone to maintain the amenity values of those areas, having specific regard to dominance, overlooking and shadowing.
- (9) Discourage activities, which have noxious, offensive, or undesirable qualities from locating within the centres and mixed use zones, while recognising the need to retain employment opportunities.
- (10) Discourage dwellings at ground floor in centre zones and enable dwellings above ground floor in centre zones.
- (11) Require development to avoid, remedy or mitigate adverse wind and glare effects on public open spaces, including streets, and shading effects on open space zoned land.

- (12) Recognise the functional and operational requirements of activities and development.
- (12A) Enable building height of at least six storeys within mapped walkable catchments unless a qualifying matter applies that reduces height.
- (13) Enable greater building height than the standard height in locations identified within the Height Variation Control, having regard to whether the greater height:
 - (za) is commensurate with the level of commercial activities and community services;
 - (zb) is compatible with a qualifying matter that requires reduced height and/or density;
 - (a) is an efficient use of land;
 - (b) supports public transport, community infrastructure and contributes to centre vitality and vibrancy;
 - (c) considering the size and depth of the zoned area, can be accommodated without significant adverse effects on adjacent residential zones;
 - (d) is supported by the status of the centre in the centres hierarchy, or is adjacent to such a centre; and
 - (e) support the role of centres.
- (14) Reduce building height below the standard zone height in locations identified within the Height Variation Control, where the standard zone height would have significant adverse effects on identified special character, identified landscape features, amenity or other qualifying matters.

Business – Neighbourhood Centre Zone policies

- (15) Provide for small scale commercial activities to meet either local or passers-by convenience needs, including local retail, business services, food and beverage activities.
- (16) Discourage large-scale commercial activity that:
 - (a) would adversely affect the retention and establishment of a mix of activities within the neighbourhood centre;
 - (b) would significantly adversely affect the function, role and amenity of the Business – City Centre Zone, Business – Metropolitan Centre Zone or Business – Town Centre Zone, beyond those effects ordinarily associated with trade effects on trade competitors; and

- (c) does not appropriately manage adverse effects on the safe and efficient operation of the transport network including effects on pedestrian safety and amenity.
- (17) Require activities adjacent to residential zones to avoid, remedy or mitigate adverse effects on amenity values of those areas.
- (18) Restrict maximum impervious area within a riparian yard in order to ensure that adverse effects on water quality, quantity and amenity values are avoided or mitigated.

In Mapped Walkable Catchments

- (19) Enable in areas with the highest factors of strategic importance, accessibility, concentration of amenities and residential demand, building heights up to fifteen storeys within the walkable catchments (identified in Chapter G) of:
 - (a) the edge of the City Centre zone;
 - (b) the edge of the Metropolitan Centre zones;
 - (c) the legislated locations at rapid transit stops;
 - (d) other rapid transit stops.
- (20) Enable in areas with, relative to other areas, high factors of strategic importance, accessibility, concentration of amenities and residential demand, building heights up to ten storeys within the walkable catchments (listed in Chapter G) of:
 - (a) the edge of the Metropolitan Centre zones;
 - (b) the legislated locations at rapid transit stops;
 - (c) other rapid transit stops.
- (21) Enable building height of at least six storeys within mapped walkable catchments unless a qualifying matter applies that reduces height.
- (22) In walkable catchments require development greater than ten storeys to achieve adequate separation between buildings, set back upper floors from the street and set towers, above six storeys, back from boundaries where adjacent to lower intensity residential zones.

H12.4. Activity table

Table H12.4.1 Activity table specifies the activity status of land use and development activities in the Business – Neighbourhood Centre Zone pursuant to section 9(3) of the Resource Management Act 1991

Table H12.4.1 Activity table

Activity		Activity status
General		
(A1)	Activities not provided for	NC
Use		
Accommodation		
(A2)	Dwellings	P
(A3)	Conversion of a building or part of a building to dwellings, integrated residential development, visitor accommodation or boarding houses	RD
(A4)	Integrated residential development	D
(A5)	Supported residential care	P
(A6)	Visitor accommodation and boarding houses	P
Commerce		
(A7)	Commercial services	P
(A8)	Conference facilities	D
(A9)	Department stores	NC
(A10)	Drive-through restaurants	RD
(A11)	Entertainment facilities	D
(A12)	Cinemas	D
(A13)	Food and beverage	P
(A14)	Funeral directors' premises	D
(A15)	Garden centres	NC
(A16)	Marine retail	NC
(A17)	Motor vehicle sales	NC
(A18)	Offices up to 500m ² gross floor area per site	P
(A19)	Offices greater than 500m ² gross floor area per site	NC
(A20)	Retail up to 450m ² gross floor area per tenancy	P
(A21)	Retail greater than 450m ² gross floor area per site tenancy	NC
(A22)	Service stations	D
(A23)	Supermarkets up to 450m ² gross floor area per tenancy	P
(A24)	Supermarkets exceeding 450m ² and up to 2000m ² gross floor area per tenancy	RD
(A25)	Supermarkets exceeding 2000m ² per tenancy and up to 4000m ² gross floor area per tenancy	D
(A26)	Supermarkets greater than 4000m ² gross floor area per tenancy	NC
(A27)	Trade suppliers	NC

Activity		Activity status
Community		
(A28)	Artworks	P
(A29)	Care centres	P
(A30)	Care centres within 30m of a residential zone	RD
(A31)	Community facilities	D
(A32)	Education facilities	D
(A33)	Emergency services	RD
(A34)	Healthcare facilities	P
(A35)	Hospitals	NC
(A36)	Justice facilities	NC
(A37)	Recreation facilities	D
(A38)	Tertiary education facilities	D
Industry		
(A39)	Industrial activities	NC
(A40)	Industrial laboratories	NC
(A41)	Light manufacturing and servicing	NC
(A42)	Repair and maintenance services	P
(A43)	Storage and lock-up facilities	NC
(A44)	Waste management facilities	NC
(A45)	Warehousing and storage	NC
Mana Whenua		
(A46)	Marae complex	D
Development		
(A47)	New buildings	RD
(A48)	Demolition of buildings	P
(A49)	Alterations to building facades that are less than 25m ²	P
(A50)	Additions to buildings that are less than: a. 25 per cent of the existing gross floor area of the building; or b. 250m ² whichever is the lesser	P
(A51)	Internal alterations to buildings	P
(A52)	Additions and alterations to buildings not otherwise provided for	RD

H12.5. Notification

- (1) Any application for resource consent for an activity listed in Table H12.4.1 Activity table above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.

- (2) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule [C1.13\(4\)](#).
- (3) Any application for resource consent for the following activity will be considered without public or limited notification or the need to obtain the written approval of affected parties unless the Council decides that special circumstances exist under section 95A(9) of the Resource Management Act 1991:
 - (a) Development which does not comply with Standard H12.6.9 Minimum dwelling size.

H12.6. Standards

All activities listed as permitted or restricted discretionary activities in Table H12.4.1 Activity table must comply with the following standards.

H12.6.0 Activities within 30m of a residential zone

- (1) The following activities are restricted discretionary activities where they are located within 30m of a residential zone and are listed as a permitted activity in the activity table:
 - (a) bars and taverns;
 - (b) drive-through restaurants;
 - (c) outdoor eating areas accessory to restaurants;
 - (d) entertainment facilities;
 - (e) child care centres; and
 - (f) animal breeding and boarding.

This standard only applies to those parts of the activities subject to the application that are within 30m of the residential zone.

H12.6.1. Building height

Purpose:

- manage the effects of building height;
- manage shadowing effects of building height on public open space, excluding streets;
- manage visual dominance effects;
- allow an occupiable height component to the height limit, and an additional height for roof forms that enables design flexibility, to provide variation and interest in building form when viewed from the street;
- enable greater height in areas identified for intensification including within walkable catchments where at least six storeys must be enabled and in

some identified walkable catchments up to ten and fifteen storeys is also enabled; and

- provide for variations to the standard zone height through the Height Variation Control, to recognise the character and amenity of particular areas and provide a transition in building scale to lower density zones.
- (1) Buildings must not exceed the height in metres specified in Table H12.6.1.1 below, unless otherwise specified in the Height Variation Control on the planning maps.

Table H12.6.1.1 Building height

<u>Location</u>	<u>Occupiable building height</u>	<u>Height for roof form</u>	<u>Total building height</u>
<u>Buildings outside a walkable catchment</u>	11m	2m	13m
<u>Buildings in a walkable catchment</u>	<u>N/A</u>	<u>N/A</u>	<u>22m</u>
<u>Buildings in a walkable catchment - Height Variation Control: 10 storeys</u>	<u>N/A</u>	<u>N/A</u>	<u>34.5m</u>
<u>Buildings in a walkable catchment - Height Variation Control: 15 storeys</u>	<u>N/A</u>	<u>N/A</u>	<u>50m</u>

- (2) If the site is subject to the Height Variation Control, buildings must not exceed the height in metres, as shown in Table H12.6.1.2 below and for the site on the planning maps.
- (3) Any part of a building greater than the occupiable building height is to be used only for roof form, roof terraces, plant and other mechanical and electrical equipment.

Table H12.6.1.2 Total building height shown in the Height Variation Control on the planning maps

Occupiable building height	Height for roof form	Total building height shown on Height Variation Control on the planning maps
11m	2m	13m
16m	2m	18m
19m	2m	21m
25m	2m	27m
Same as on the planning maps	NA	Exceeding 27m <u>and as specified in Table H12.6.1.1 above</u>

H12.6.2. Height in relation to boundary

Purpose:

- manage the effects of building height;
 - allow reasonable sunlight and daylight access to public open space excluding streets, and neighbouring zones; and
 - manage visual dominance effects on neighbouring zones where lower height limits apply.
- (1) Buildings must not project beyond a recession plane that begins vertically above ground level along the zone boundary. The angle of the recession plane and the height above ground level from which it is measured is specified in Table H12.6.2.1 and Figure H12.6.2.1 or Figure H12.6.2.2 below.
 - (2) Where the boundary forms part of an entrance strip, access site or pedestrian access-way, the standard applies from the farthest boundary of that entrance strip or access site. However, if an entrance strip, access site or pedestrian access-way is greater than 2.5m in width, the standard will be measured from a parallel line 2.5m out from the site boundary.
 - (3) Figure H12.6.2.3 will be used to define what is a north, south, east or west boundary, where this is referred to in Table H12.6.2.1. The recession plane angle is calculated by orientating both site plan and Figure H12.6.2.3 to true north. Figure H12.6.2.3 is placed over the site plan with the outside of the circle touching the inside of the site boundary under consideration. At the point where Figure H12.6.2.3 touches the site boundary, the recession plane angle and height at which it begins, will be indicated by Table H12.6.2.1

Table H12.6.2.1 Height in relation to boundary

Location	Zoning of adjacent site	Angle of recession plane (identified as x in Figure H12.6.2.1 or Figure H12.6.2.2)	Height above ground level which the recession plane will be measured from (identified as y in Figure H12.6.2.1 or Figure H12.6.2.2)
<u>NA Buildings outside walkable catchments</u>	Residential – Single House Zone; or Residential – Mixed Housing Suburban Zone	45°	2.5m
	Residential – Mixed Housing Urban Zone	45°	3m
	Residential – Terrace Housing and Apartment Buildings Zone	60°	8m
	Special Purpose – Māori Purpose Zone; or Special Purpose – School Zone	45°	6m
	Open Space – Conservation Zone; Open Space – Informal Recreation Zone; Open Space – Sports and Active Recreation Zone; Open Space – Civic Spaces Zone; or Open Space – Community Zone	45°	4.5m
<u>Buildings outside walkable catchments</u> located on the southern boundary of the adjacent site	Open Space – Conservation Zone; Open Space – Informal Recreation Zone; Open Space – Sports and Active Recreation Zone; Open Space – Civic Spaces Zone; or Open Space – Community Zone	45°	8.5m
<u>Buildings within walkable catchments</u>	<u>Residential – Single House Zone; Residential – Mixed Housing Urban Zone; Residential – Terrace Housing and Apartment Buildings Zone; Special Purpose -</u>	<u>60°</u>	<u>20m</u>

	<u>Māori Purpose Zone;</u> <u>Special Purpose - School</u> <u>Zone; Open Space –</u> <u>Conservation Zone;</u> <u>Open Space – Informal</u> <u>Recreation Zone; Open</u> <u>Space – Sports and</u> <u>Active Recreation Zone;</u> <u>Open Space – Civic</u> <u>Spaces Zone; or Open</u> <u>Space – Community</u> <u>Zone</u>		
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Figure H12.6.2.1 Height in relation to boundary

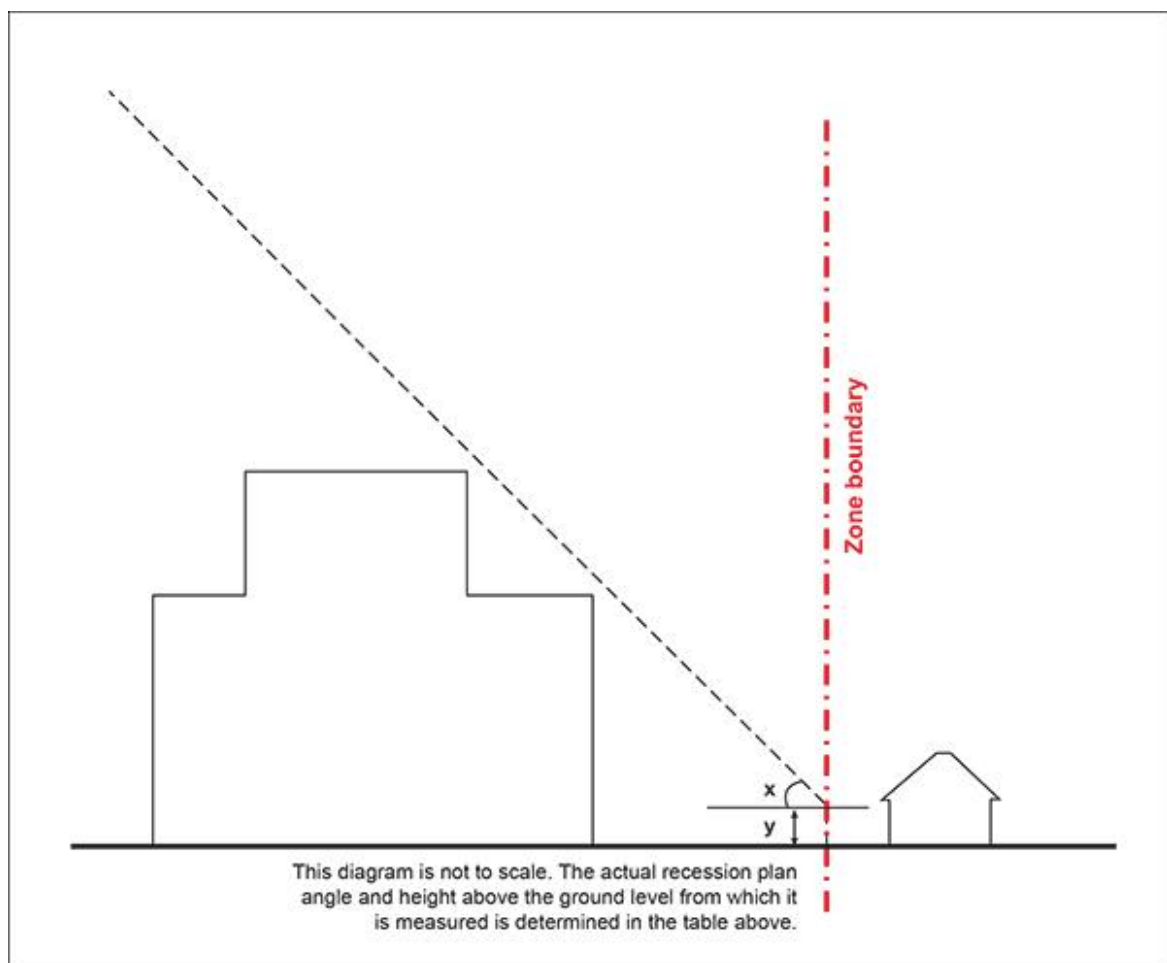


Figure H12.6.2.2 Height in relation to boundary opposite a road

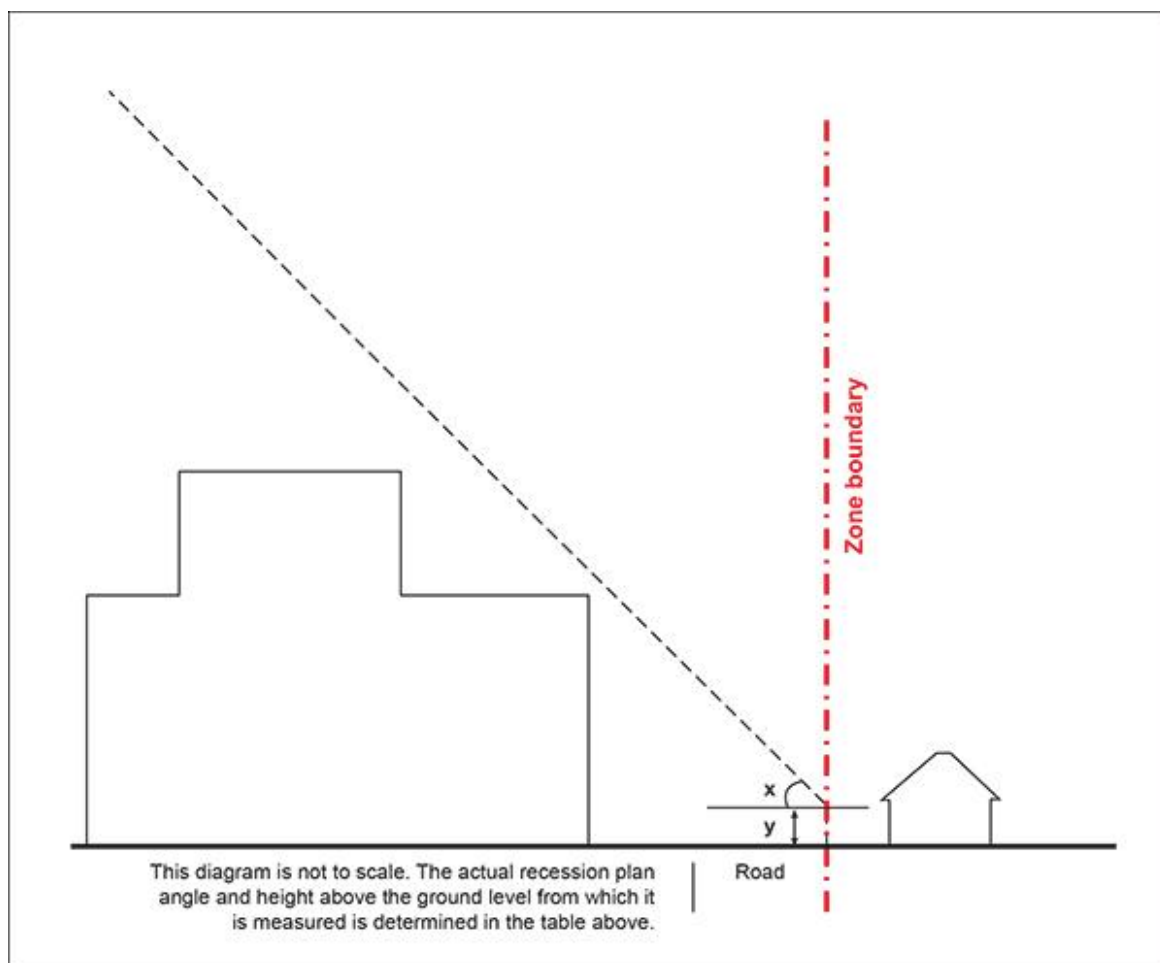
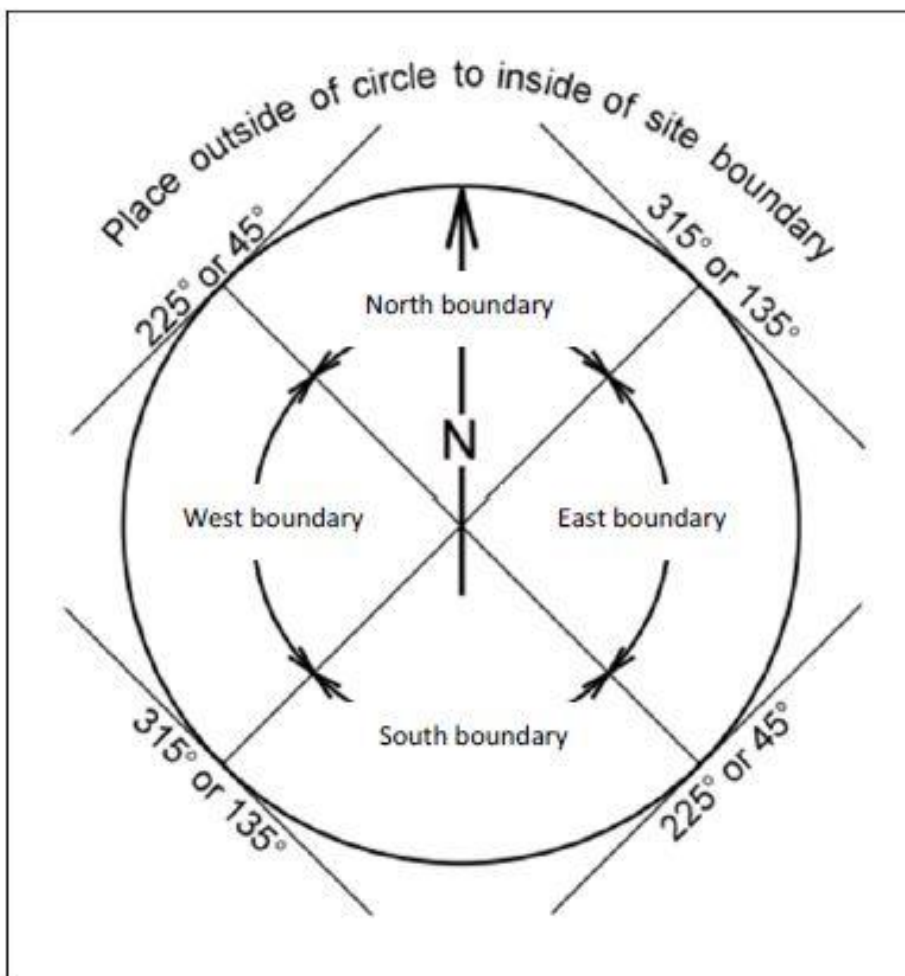


Figure H12.6.2.3 Recession plane indicator for sites adjacent to an open space zone



Qualifying matter
as per Sch 3C, cls
8(1)(b) of the RMA

H12.6.2A Building setback at upper floors for sites in walkable catchments

Purpose: to ensure buildings in walkable catchments:

- manage the height and bulk of buildings at the street boundary to maintain streetscape amenity;
- manage visual dominance effects on streets; and
- where located at the edge of the walkable catchment, minimise visual dominance, residential amenity and effects on neighbours in lower intensity zones.

(1) On sites in walkable catchments a new building must be set back 6m from the site frontage from the point where any part exceeds 34.5m in height.

(2) On sites at the edge of a walkable catchment, buildings or parts of buildings more than 22m in height must set back the parts of a building from the boundary adjoining with the Residential – Single House zone, Residential – Mixed Housing Suburban zone and the Residential – Mixed Housing Urban

zone by the distance and at the height listed in metres specified in Table H12.6.2A.1:

Table H12.6.2A.1 Building setback at upper floors in walkable catchments

<u>Boundary adjoining the Residential – Single House zone, Residential – Mixed Housing Suburban zone and the Residential – Mixed Housing Urban zone at the edge of a walkable catchment</u>	<u>Height above ground level which the set back will be measured from</u>	<u>Minimum depth</u>
<u>Side</u>	<u>22m</u>	<u>18m</u>
<u>Rear</u>	<u>22m</u>	<u>18m</u>

H12.6.2B Maximum tower dimension and tower separation

Purpose: ensure that high-rise buildings:

- are not overly bulky in appearance and manage significant visual dominance effects;
- allow adequate sunlight and daylight access to streets, public open space and nearby sites;
- provide adequate sunlight and outlook around and between buildings; and
- mitigate adverse wind effects.

(1) Outside walkable catchments the maximum plan dimension of that part of the building above 27m must not exceed 55m.

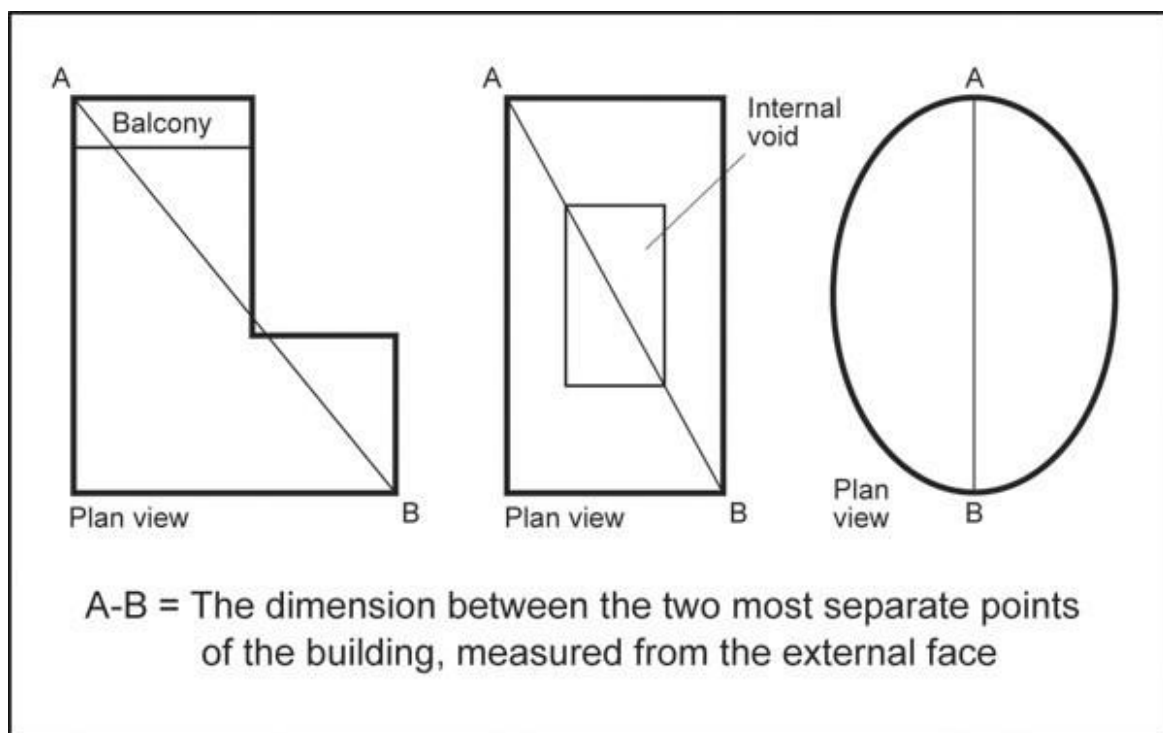
(2) In walkable catchments the maximum plan dimension of that part of the building above 34.5m must not exceed 55m.

(3) The maximum plan dimension is the horizontal dimension between the exterior faces of the two most separate points of the building.

(4) The part of a building above 27m must be located at least 6m from any side or rear boundary of the site.

(5) In walkable catchments the part of a building above 34.5m must be located at least 6m from any side or rear boundary of the site.

Figure 12.6.2B.1 Maximum tower dimension plan view



H12.6.3. Residential at ground floor

Purpose:

- protect the ground floor of buildings within centres for commercial use; and
- avoid locating activities that require privacy on the ground floor of buildings.

(1) Dwellings including units within an integrated residential development must not locate on the ground floor of a building where the dwelling or unit has frontage to public open spaces including streets.

H12.6.4. Yards

Purpose:

- provide a landscaped buffer between buildings and activities and adjoining residential zones and some special purpose zones, to mitigate adverse visual and nuisance effects; and
- ensure buildings are adequately setback from lakes, streams and the coastal edge to maintain water quality, amenity, provide protection from natural hazards, and potential access to the coast.

(1) A building or parts of a building must be set back from the relevant boundary by the minimum depth listed in Table H12.6.4.1 below.

Table H12.6.4.1 Yards

Yard	Minimum depth
Rear	3m where the rear boundary adjoins a residential zone or the Special Purpose – Māori Purpose Zone
Side	3m where a side boundary adjoins a Residential zone or the Special Purpose – Māori Purpose Zone
Riparian	10m from the edge of all permanent and intermittent streams
Lakeside yard	30m
Coastal protection yard	25m, or as otherwise specified in Appendix 6 Coastal protection yard

Note 1

A side or rear yard, and/or landscaping within that yard, is only required along that part of the side or rear boundary adjoining a residential zone or the Special Purpose – Māori Purpose Zone.

- (2) Side and rear yards must be planted with a mixture of trees, shrubs or ground cover plants (including grass) within and along the full extent of the yard for a depth of at least 3m.

H12.6.5. Landscaping

Purpose:

- ensure landscaping provides a buffer and screening between car parking, loading, or service areas commercial activities and the street; and
- ensure landscaping is of sufficient quality as to make a positive contribution to the amenity of the street.

- (1) A landscape buffer of 2m in depth must be provided along the street frontage between the street and car parking, loading, or service areas which are visible from the street frontage. This rule excludes access points.

- (2) The required landscaping in Standard H12.6.5(1) above must comprise a mix of trees, shrubs or ground cover plants (including grass).

H12.6.6. Maximum impervious area in the riparian yard

Purpose: support the functioning of riparian yards and in-stream health.

- (1) The maximum impervious area within a riparian yard must not exceed 10 per cent of the riparian yard area.

H12.6.7. Wind

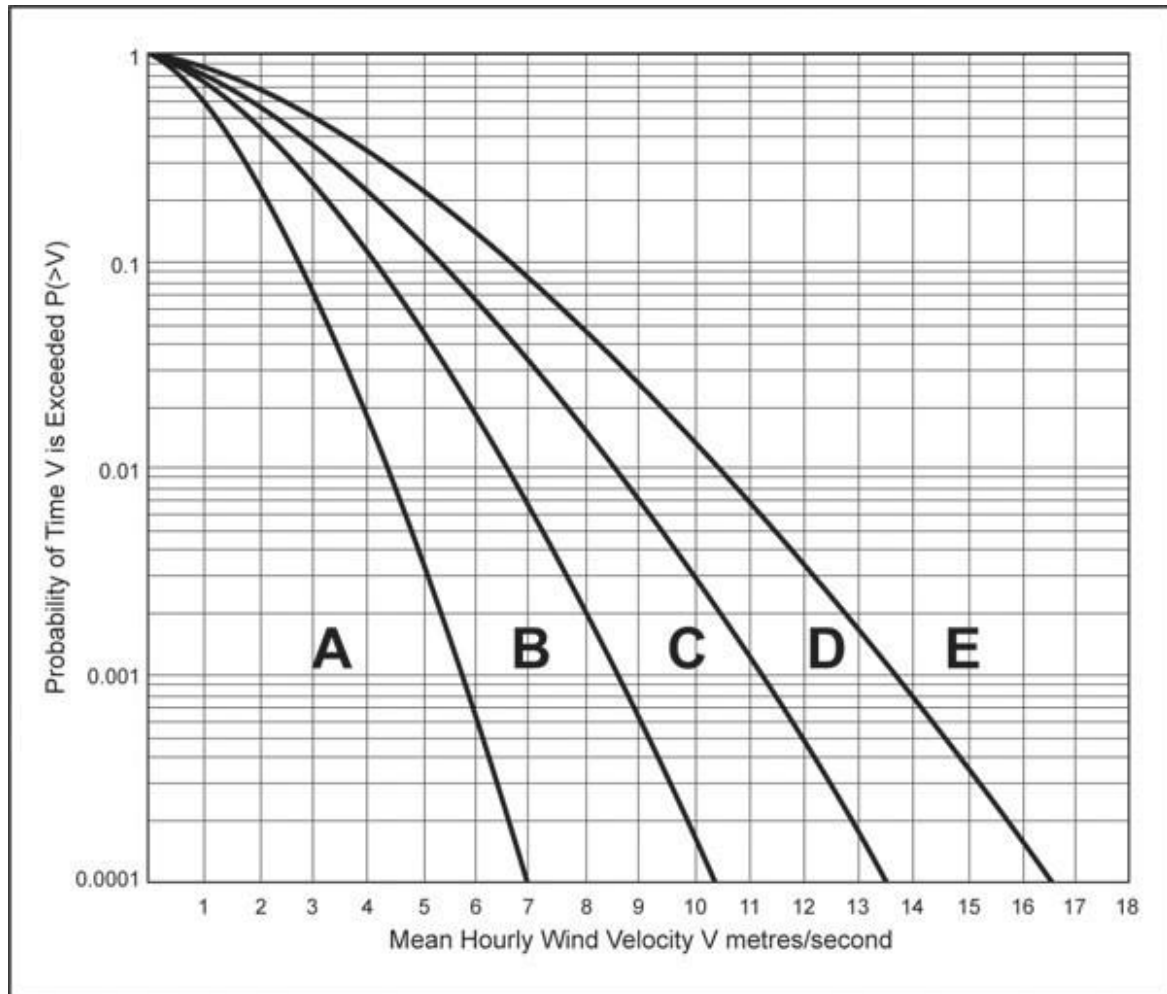
Purpose: mitigate the adverse wind effects generated by tall buildings.

- (1) A new building exceeding 25m in height and additions to existing buildings that increase the building height above 25m must not cause:

- (a) the mean wind speed around it to exceed the category for the intended use of the area as set out in Table H12.6.7.1 and Figure H12.6.7.1 below;
 - (b) the average annual maximum peak 3-second gust to exceed the dangerous level of 25m per second; and
 - (c) an existing wind speed which exceeds the controls of Standard H12.6.7(1)(a) or Standard H12.6.7(1)(b) above to increase.
- (2) A report and certification from a suitably qualified and experienced person, showing that the building complies with Standard H12.6.7(1) above, will demonstrate compliance with this standard.
- (3) If the information in Standard H12.6.7(2) above is not provided, or if such information is provided but does not predict compliance with the rule, a further wind report including the results of a wind tunnel test or appropriate alternative test procedure is required to demonstrate compliance with this standard.

Table H12.6.7.1 Categories

Category	Description
Category A	Areas of pedestrian use or adjacent dwellings containing significant formal elements and features intended to encourage longer term recreational or relaxation use i.e. public open space and adjacent outdoor living space
Category B	Areas of pedestrian use or adjacent dwellings containing minor elements and features intended to encourage short term recreation or relaxation, including adjacent private residential properties
Category C	Areas of formed footpath or open space pedestrian linkages, used primarily for pedestrian transit and devoid of significant or repeated recreational or relaxational features, such as footpaths not covered in categories A or B above
Category D	Areas of road, carriage way, or vehicular routes, used primarily for vehicular transit and open storage, such as roads generally where devoid of any features or form which would include the spaces in categories A - C above.
Category E	Category E represents conditions which are dangerous to the elderly and infants and of considerable cumulative discomfort to others, including residents in adjacent sites. Category E conditions are unacceptable and are not allocated to any physically defined areas of the city

Figure H12.6.7.1 Wind environment control

Derivation of the wind environment control graph:

The curves on the graph delineating the boundaries between the acceptable categories (A-D) and unacceptable (E) categories of wind performance are described by the Weibull expression:

$$P(>V) = e^{-(v/c)^k}$$

where V is a selected value on the horizontal axis, and P is the corresponding value of the vertical axis:

and where:

$P(>V)$ = Probability of a wind speed V being exceeded;

e = The Napierian base 2.7182818285

v = the velocity selected;

k = the constant 1.5; and

c = a variable dependent on the boundary being defined:

A/B, c = 1.548

B/C, c = 2.322

C/D, c = 3.017

D/E, c = 3.715

H12.6.8. Outlook space

Purpose:

- to ensure a reasonable standard of visual privacy between habitable rooms of different buildings, on the same or adjacent sites; ~~and~~
- manage visual dominance effects within a site by ensuring that habitable rooms have an outlook and sense of space; and
- for buildings in walkable catchments, more than 6 storeys, to provide greater separation between tower forms that are enabled.

- (1) This standard applies to dwellings, units in an integrated residential development, visitor accommodation and boarding houses.
- (2) An outlook space must be provided from the face of a building containing windows to a habitable room. Where the room has two or more external faces with windows the outlook space must be provided from the face with the largest area of glazing.
- (3) The minimum dimensions for a required outlook space for developments outside walkable catchments and in walkable catchments where development is less than 22m in height must be in accordance with Figure H12.6.8.1 and are as follows:
 - (a) a principal living room of a dwelling or main living and dining area within a boarding house or supported residential care must have a outlook space with a minimum dimension of 6m in depth and 4m in width;
 - (b) all other habitable rooms of a dwelling or a bedroom within a boarding house or supported residential care unit must have an outlook space with a minimum dimension of 3m in depth and 3m in width; ~~and~~
- (3A) For development on a site in a walkable catchment more than 22m the minimum dimensions for a required outlook space are as follows:
 - (a) for principal living areas of a dwelling or main living and dining area within a boarding house or supported residential care, the dimensions of the outlook space, measured perpendicular to the exterior face of the building, must be in accordance with Figure H12.6.8.2 for the relative height of the floor above the ground level along each building face, and at least 4m in width; and

(b) all other habitable rooms of a dwelling or a bedroom within a boarding house or supported residential care unit must have an outlook space with a minimum dimension of 3m in depth and 3m in width.

- (4) The depth of the outlook space is measured at right angles to and horizontal from the window to which it applies.
- (5) The width of the outlook space is measured from the centre point of the largest window on the building face to which it applies.
- (6) The height of the outlook space is the same as the floor height, measured from floor to ceiling, of the building face to which the standard applies.
- (7) Outlook spaces may be within the site, over a public street, or other public open space.
- (8) Outlook spaces required from different rooms within the same building may overlap.
- (9) Outlook spaces may overlap where they are on the same wall plane.
- (10) Outlook spaces must:
 - (a) be clear and unobstructed by buildings;
 - (b) not extend over adjacent sites, except for where the outlook space is over a public street or public open space as outlined in H12.6.8(7) above; and
 - (c) not extend over an outlook spaces or outdoor living space required by another dwelling.

Figure H12.6.8.1 Required outlook space

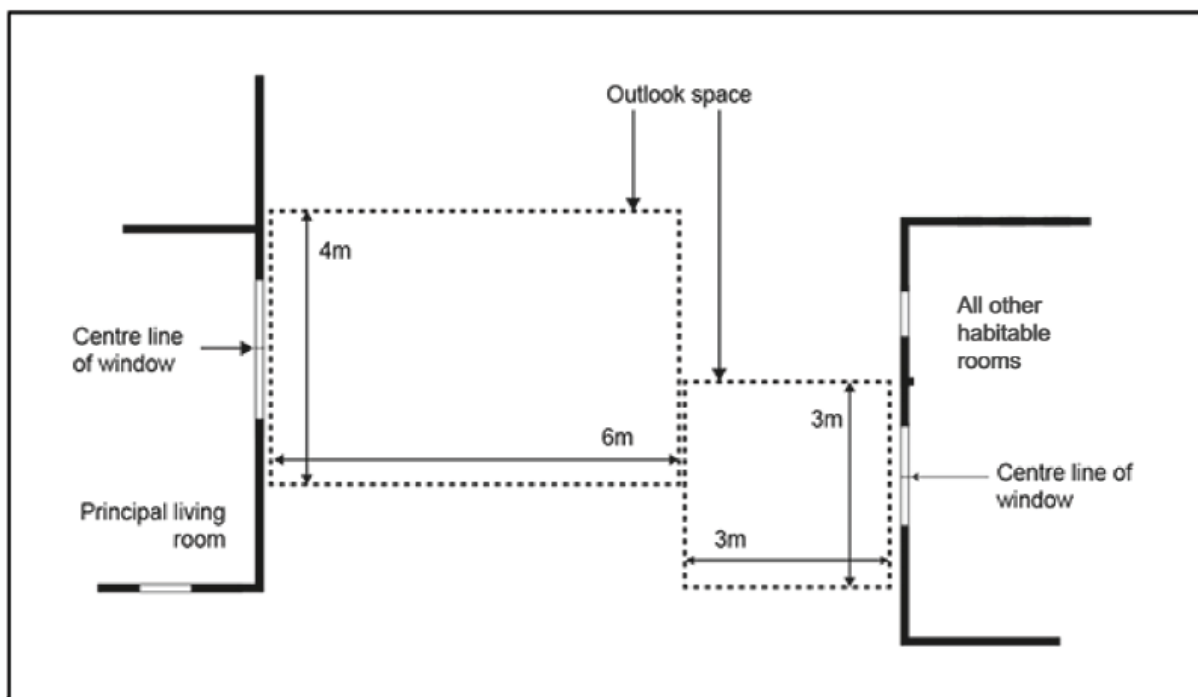
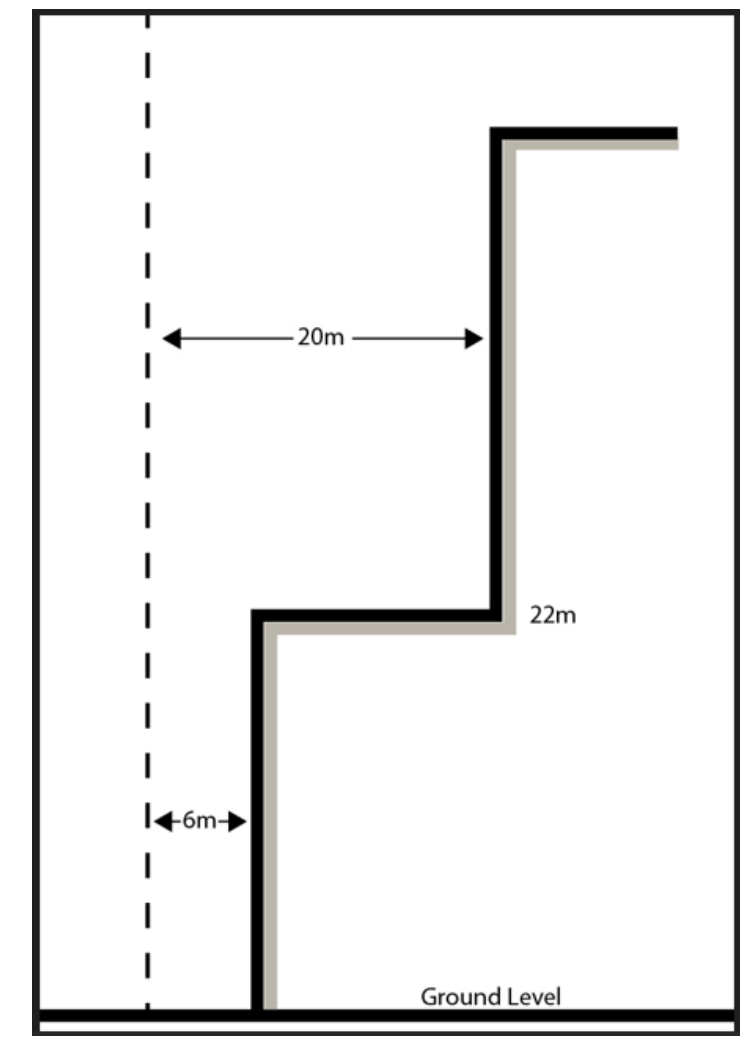


Figure H12.6.8.2 Required outlook space for developments more than 22m



H12.6.9 Minimum dwelling size

Purpose: to ensure dwellings are functional and of a sufficient size to provide for the day to day needs of residents, based on the number of occupants the dwelling is designed to accommodate.

(1) Dwellings must have a minimum net internal floor area as follows:

- (a) 30m² for studio dwellings.
- (b) 45m² for one or more bedroom dwellings.

H12.7. Assessment – controlled activities

There are no controlled activities in this zone.

H12.8. Assessment – restricted discretionary activities

H12.8.1. Matters of discretion

The Council will restrict its discretion to the following matters when assessing a restricted discretionary resource consent application:

- (1) drive-through restaurants, activities within 30m of a residential zone and emergency services:
 - (a) the compatibility of:
 - (i) the effects of intensity and scale of the development arising from the numbers of people and/or vehicles using the site; and
 - (ii) the effects of the operation of the activity on the existing and expected future amenity values of the surrounding area and any practicable mitigation measures that would be appropriate to manage those effects.
 - (b) the effects of the design and location of parking areas and vehicle access and servicing arrangements on visual amenity of the streetscape and on pedestrian safety;
 - (c) the effects of location, design and management of storage and servicing facilities on the amenity values of nearby residential properties including potential visual effects, adequacy of access for service vehicles (including waste collection) and any night time noise effects; and
 - (d) the assessment of the above matters having regard to the need to provide for the functional requirements of the activity;
- (2) supermarkets greater than 450m² and up to 2000m²:
 - (a) the compatibility of the effects of intensity and scale of the development arising from the numbers of people and/or vehicles using the site, with the existing and expected future amenity values of the surrounding area and any practicable mitigation measures that would be appropriate to manage those effects;
 - (b) the effects of the design and location of parking areas and vehicle access and servicing arrangements on visual amenity of the streetscape and on pedestrian safety;
 - (c) the effects of the size, composition and characteristics of retail activities proposed on the existing and expected future function, role and amenity of other centre zones having regard to the need to enable convenient access of communities to commercial and community services while disregarding any effects ordinarily associated with trade effects on trade competitors; and

- (d) the assessment of the above matters having regard to the need to provide for the functional requirements of the activity;
- (3) new buildings and alterations and additions to buildings not otherwise provided for:
 - (a) the design and appearance of buildings in so far as it affects the existing and future amenity values of public streets and spaces used by significant numbers of people. This includes:
 - (i) the contribution that such buildings make to the attractiveness pleasantness and enclosure of the public space;
 - (ii) the maintenance or enhancement of amenity for pedestrians using the public space or street;
 - (iii) the provision of convenient and direct access between the street and building for people of all ages and abilities;
 - (iv) measures adopted for limiting the adverse visual effects of any blank walls along the frontage of the public space; and
 - (v) the effectiveness of screening of car parking and service areas from the view of people using the public space.
 - (b) the provision of floor to floor heights that will provide the flexibility of the space to be adaptable to a wide variety of use over time;
 - (c) the extent of glazing provided on walls fronting public streets and public spaces and the benefits it provides in terms of:
 - (i) the attractiveness and pleasantness of the public space and the amenity for people using or passing through that space;
 - (ii) the degree of visibility that it provides between the public space and the building interior; and
 - (iii) the opportunities for passive surveillance of the street from the ground floor of buildings.
 - (d) the provision of verandahs to provide weather protection in areas used, or likely to be used, by significant numbers of pedestrians;
 - (e) the application of Crime Prevention through Environmental Design principles to the design and layout of buildings adjoining public spaces;
 - (f) the effects of creation of new roads and/or service lanes on the matters listed above;
 - (g) the positive effects that landscaping, including required landscaping, on sites adjoining public spaces is able to contribute to the amenity values of the people using or passing through the public space;
 - (h) taking an integrated stormwater management approach; and

- (i) all the above matters to be assessed having regard to the outcomes set out in this Plan and the functional requirements of the activities that the buildings are intended to accommodate;
- (4) in addition to the matters for new buildings stated above the Council will restrict its discretion to the following matter in regard to:
- supermarkets, department stores and large format retail where the activity or integrated retail development exceeds 1000m² gross floor area per tenancy;
 - (a) the manner in which these building/developments are integrated with the adjacent existing and planned future centre and zone activities and public spaces and provide for the continuity of active public frontages and associated pedestrian amenity that is appropriate to those centres and zones having regard to the outcomes set out in this Plan and the functional requirements of the activities that the buildings are intended to accommodate. This will include the effects of the design and location of parking areas, vehicle access and servicing arrangements on the visual amenity of the streetscape and on pedestrian safety;
- (5) in addition to the matters for new buildings stated above the Council will restrict its discretion to the following matter in regard to:
- drive-through restaurants; or
 - service stations.
 - (a) the effects of the location and design of:
 - (i) buildings and associated equipment, parking and service areas;
 - (ii) access for vehicles including service vehicles; and
 - (iii) landscapingon the amenity of surrounding areas (particularly residential areas), on streetscapes and on pedestrian amenity and any methods by which those effects can be appropriately managed;
- (6) conversion of a building or part of a building to dwellings, retirement villages, visitor accommodation and boarding houses:
- (a) any matters that do not meet the standards set out for the activity in Standard H12.6.8 or Standard H12.6.9 having regard to the need to ensure a good standard of amenity within and between dwellings, visitor accommodation, boarding houses and retirement villages;
- (7) buildings that do not meet the standards:
- (a) any policy which is relevant to the standard;
 - (b) the purpose of the standard;

- (c) the effects of the infringement of the standard;
- (d) the effects on the amenity of neighbouring sites;
- (e) the effects of any special or unusual characteristic of the site which is relevant to the standard;
- (f) the characteristics of the development;
- (g) any other matters specifically listed for the standard; and
- (h) where more than one standard will be infringed, the effects of all infringements.

H12.8.2. Assessment criteria

The Council will consider the relevant assessment criteria below for restricted discretionary activities:

- (1) drive-through restaurants, activities within 30m of a residential zone emergency services and service stations:
 - (a) for Matter H12.8.1(1)(a)(i) refer to Policy H12.3(3)(a), Policy H12.3(3)(b), Policy H12.3(3)(c), Policy H12.3(8), Policy H12.3(15) and H12.3(17);
 - (b) for Matter H12.8.1(1)(a)(ii) refer to Policy H12.3(3)(a), Policy H12.3(3)(b), Policy H12.3(3)(c), Policy H12.3(8), Policy H12.3(15); and H12.3(17);
 - (c) for Matter H12.8.1(1)(b) refer to Policy H12.3(3)(c) and Policy H12.3(7);
 - (d) for Matter H12.8.1(1)(c) refer to Policy H12.3(17);
 - (e) for Matter H12.8.1(1)(d) refer to Policy H12.3(12);
- (2) supermarkets greater than 450m² and up to 2000m²:
 - (a) for Matter H12.8.1(2)(a) refer to Policy H12.3(3)(a), Policy H12.3(3)(b), Policy H12.3(3)(c) and Policy H12.3(8);
 - (b) for Matter H12.8.1(2)(b) refer to Policy H12.3(7);
 - (c) for Matter H12.8.1(2)(c) refer to Policy H12.3(1);
 - (d) for Matter H12.8.1(2)(d) refer to Policy H12.3(12);
- (3) new buildings and alterations and additions to buildings not otherwise provided for:
 - (a) for Matter H12.8.1(3)(a)(i) refer to Policy H12.3(3)(a) and Policy H12.3(3)(b);
 - (b) for Matter H12.8.1(3)(a)(ii) refer to Policy H12.3(3)(c), Policy H12.3(22);
 - (c) for Matter H12.8.1(3)(a)(iii) refer to Policy H12.3(4);
 - (d) for Matter H12.8.1(3)(a)(iv) refer to Policy H12.3(3)(a);

- (e) for Matter H12.8.1(3)(a)(v) refer to Policy H12.3(7);
 - (f) for Matter H12.8.1(3)(b) refer to Policy H12.3(6);
 - (g) for Matter H12.8.1(3)(c)(i) refer to Policy H12.3(3)(a) and Policy H12.3(3)(b);
 - (h) for Matter H12.8.1(3)(c)(ii) refer to Policy H12.3(3)(a) and Policy H12.3(3)(b);
 - (i) for Matter H12.8.1(3)(c)(iii) refer to Policy H12.3(3)(a) and Policy H12.3(3)(b);
 - (j) for Matter H12.8.1(3)(d) refer to Policy H12.3(3)(c);
 - (k) for Matter H12.8.1(3)(e) refer to Policy H12.3(3)(c);
 - (l) for Matter H12.8.1(3)(f) refer to Policy H12.3(3)(b);
 - (m) for Matter H12.8.1(3)(g) refer to H12.3(3)(c);
 - (n) for Matter H12.8.1(3)(h) refer to Policy [E1.3\(10\)](#);
 - (o) for Matter H12.8.1(3)(i) refer to Policy H12.3(3)(12);
- (4) in addition to the policies for new buildings stated above the Council will have regard to the following policies when considering new buildings for the following purposes:
- supermarkets, department stores and large format retail where the activity or integrated retail development exceeds 1000m² gross floor area per tenancy:
- (a) refer to Policy H12.3(1), Policy H12.3(5), and Policy H12.3(16);
- (5) in addition to the policies for new buildings stated above the Council will have regard to the following policies when considering new buildings for the following purposes:
- drive-through restaurants; or
 - service stations:
- (a) refer to Policy H12.3(3)(a), Policy H12.3(3)(b), Policy H12.3(3)(c), Policy H12.3(7), Policy H12.3(8), Policy H12.3(12), Policy H12.3(15) and H12.3(17);
- (6) conversion of a building or part of a building to dwellings, retirement villages, visitor accommodation and boarding houses:
- (a) refer to Policy H12.3(2);
- (7) buildings that do not comply with the standards:
- (a) height and height in relation to boundary, maximum tower dimension and tower separation:
- (i) refer to Policy H12.3(3)(a), Policy H12.3(3)(b), Policy H12.3(8), Policy H12.3(12A); Policy H12.3(13); and Policy H12.3(14) Policy H12.3(19), Policy H12.3(20), Policy H12.3(21), and Policy H12.3(22);
- (b) residential at ground floor:

- (i) refer to Policy H12.3(10);
- (c) yards and landscaping:
 - (i) refer to Policy H12.3(3)(b), Policy H12.3(3)(c), Policy H12.3(7) and Policy H12.3(8);
- (d) maximum impervious area in a riparian yard:
 - (i) Policy H12.3(18);
- (e) wind:
 - (i) Policy H12.3(11);
- (f) outlook space, minimum dwelling size and outdoor living space:
 - (i) refer to Policy H12.3(2) and Policy H12.3(19).
- (g) building setback at upper floors for sites in walkable catchments:
 - (i) refer to Policy H12.3(22).

H12.9. Special information requirements

There are no special information requirements in this zone.

H13. Business – Mixed Use Zone

H13.1. Zone description

The Business – Mixed Use Zone is typically located around centres and along corridors served by public transport. It acts as a transition area, in terms of scale and activity, between residential areas and the Business – City Centre Zone, Business – Metropolitan Centre Zone and Business – Town Centre Zone. It also applies to areas where there is a need for a compatible mix of residential and employment activities.

The zone provides for residential activity as well as predominantly smaller scale commercial activity that does not cumulatively affect the function, role and amenity of centres. The zone does not specifically require a mix of uses on individual sites or within areas.

There is a range of possible building heights depending on the context. Outside walkable catchments, provisions typically enable heights up to four storeys. Greater height may be enabled in areas close to the city centre, metropolitan centres and larger town centres. Within walkable catchments, as identified on the planning maps by the height variation control, building heights of at least six storeys and in some identified walkable catchments up to ten and fifteen storeys are enabled. Qualifying matters may also apply and may reduce heights.

The zone anticipates different built form outcomes depending on whether the area is within a walkable catchment with a variation on building heights reflecting the levels of:

- strategic importance and significant transport investment;
- accessibility including access to the rapid transit network;
- the proximity to a centre, the role and function of that centre, and the concentration of amenities within it; and,
- demand relative to other locations.

Some street frontages within the zone are subject to a General Commercial Frontage Control.

New development within the zone requires resource consent in order to ensure that it is designed to a high standard which enhances the quality of streets within the area and public open spaces.

H13.2. Objectives

General objectives for all centres, Business – Mixed Use Zone, Business – General Business Zone and Business – Business Park Zone

- (1) A strong network of centres that are attractive environments and attract ongoing investment, promote commercial activity, and provide employment, housing and goods and services, all at a variety of scales.
- (2) Development is of a form, scale and design quality so that centres are reinforced as focal points for the community.

- (3) Development positively contributes towards planned future form and quality, creating a well-functioning urban environment and a sense of place.
- (4) Business activity is distributed in locations, and is of a scale and form, that:
 - (a) provides for the community's social and economic needs;
 - (b) improves community access to goods, services, community facilities and opportunities for social interaction;
 - (c) manages adverse effects on the environment, including effects on infrastructure and residential amenity; and
 - (d) accommodates qualifying matters.
- (5) A network of centres that provides:
 - (a) a framework and context to the functioning of the urban area and its transport network, recognising:
 - (i) the regional role and function of the city centre, metropolitan centres and town centres as commercial, cultural and social focal points for the region, sub-regions and local areas; and
 - (ii) local centres and neighbourhood centres in their role to provide for a range of convenience activities to support and serve as focal points for their local communities.
 - (b) a clear framework within which public and private investment can be prioritised and made; and
 - (c) a basis for regeneration and intensification initiatives.

Business – Mixed Use Zone objectives

- (6) Moderate to high intensity residential activities and employment opportunities are provided for, in areas in close proximity to, or which can support the City Centre Zone, Business – Metropolitan Centre Zone, Business – Town Centre Zone and the public transport network.
- (7) Activities within the zone do not compromise the function, role and amenity of the City Centre Zone, Business – Metropolitan Centre Zone, Business – Town Centre Zone and Business – Local Centre Zone.
- (7A) Development achieves a quality built environment and, unless a qualifying matter applies that reduces building heights, the urban built character of the zone is a compatible mix of commercial and intensive residential development with building heights enabled in accordance with an areas: strategic importance including proximity to a centre and the role and function of that centre; accessibility including access to the rapid transit network;

concentration of amenities; and residential demand. Building heights in the zone are aligned with these features and are predominantly:

(a) four storey buildings outside walkable catchments;

(b) six storey buildings within walkable catchments; and

(c) through the height variation controls, in identified walkable catchments up to ten or fifteen storey buildings; or

(d) as specified in the height variation control in other identified areas.

(8) A mix of compatible residential and non-residential activities is encouraged.

(9) Business – Mixed Use Zone zoned areas have a high level of amenity.

H13.3. Policies

General policies for all centres, Business – Mixed Use Zone, Business – General Business Zone and Business – Business Park Zone

- (1) Reinforce the function of the city centre, metropolitan centres and town centres as the primary location for commercial activity, according to their role in the hierarchy of centres.
- (2) Enable an increase in the density, diversity and quality of housing in the centre zones and Business – Mixed Use Zone, where it is compatible with any qualifying matters and while managing any reverse sensitivity effects including from the higher levels of ambient noise and reduced privacy that may result from non-residential activities.
- (3) Require development to be of a quality and design that positively contributes to:
 - (a) planning and design outcomes identified in this Plan for the relevant zone;
 - (b) the visual quality and interest of streets and other public open spaces; and
 - (c) pedestrian amenity, movement, safety and convenience for people of all ages and abilities.
- (4) Encourage universal access for all development, particularly medium to large scale development.
- (5) Require large-scale development to be of a design quality that is commensurate with the prominence and visual effects of the development.
- (6) Encourage buildings at the ground floor to be adaptable to a range of uses to allow activities to change over time.
- (7) Require at grade parking to be located and designed in such a manner as to avoid or mitigate adverse effects on pedestrian amenity and the streetscape.

- (8) Require development adjacent to residential zones and the Special Purpose – School Zone and Special Purpose – Māori Purpose Zone to maintain the amenity values of those areas, having specific regard to dominance, overlooking and shadowing.
- (9) Discourage activities, which have noxious, offensive, or undesirable qualities from locating within the centres and mixed use zones, while recognising the need to retain employment opportunities.
- (10) Discourage dwellings at ground floor in centre zones and enable dwellings above ground floor in centre zones.
- (11) Require development to avoid, remedy or mitigate adverse wind and glare effects on public open spaces, including streets, and shading effects on open space zoned land.
- (12) Recognise the functional and operational requirements of activities and development.
- (12A) Enable building height of at least six storeys within mapped walkable catchments unless a qualifying matter applies that reduces height.
- (13) Enable greater building height than the standard height in locations identified within the Height Variation Control, having regard to whether the greater height:
 - (za) is commensurate with the level of commercial activities and community services;
 - (zb) is compatible with a qualifying matter that requires reduced height and/or density;
 - (a) is an efficient use of land;
 - (b) supports public transport, community infrastructure and contributes to centre vitality and vibrancy;
 - (c) considering the size and depth of the zoned area, can be accommodated without significant adverse effects on adjacent residential zones;
 - (d) is supported by the status of the centre in the centres hierarchy, or is adjacent to such a centre; and
 - (e) support the role of centres.
- (14) Reduce building height below the standard zone height in locations identified within the Height Variation Control, where the standard zone height would have significant adverse effects on identified special character, identified landscape features, amenity or other qualifying matters.
- (15) In areas surrounding the city centre, recognising their proximity and accessibility to the Business – City Centre Zone and Business – Metropolitan Centre Zone at

Newmarket, provide opportunities for substantial office activities in the Business – Local Centre Zone and Business – Mixed Use Zone.

Business – Mixed Use Zone policies

- (16) Locate the Business – Mixed Use Zone in suitable locations within a close walk of the City Centre Zone, Business – Metropolitan Centre Zone and Business – Town Centre Zone or the public transport network.
- (17) Provide for a range of commercial activities that will not compromise the function, role and amenity of the City Centre Zone, Business – Metropolitan Centre Zone, Business – Town Centre Zone and Business – Local Centre Zone, beyond those effects ordinarily associated with trade effects on trade competitors.
- (18) Enable the development of intensive residential activities.
- (19) Require those parts of buildings with frontages subject to the General Commercial Frontage Control to achieve a reasonable level of street activation, building continuity along the frontage, pedestrian amenity and safety and visual quality.
- (20) Promote and manage development to a standard that:
 - (a) recognises the ~~moderate~~ scale, intensity and diversity of business, social and cultural activities provided in the zone;
 - (b) recognises the increases in residential densities provided in the zone; and
 - (c) avoids significant adverse effects on residents.
- (21) Require activities adjacent to residential zones to avoid, remedy or mitigate adverse effects on amenity values of those areas.
- (22) Restrict maximum impervious area within a riparian yard in order to ensure that adverse effects on water quality, water quantity and amenity values are avoided or mitigated.

In Mapped Walkable Catchments

- (23) Enable in areas with the highest factors of strategic importance, accessibility, concentration of amenities and residential demand, building heights up to fifteen storeys within the walkable catchments (identified in Chapter G) of:
 - (a) the edge of the City Centre zone;
 - (b) the edge of the Metropolitan Centre zones;
 - (c) the legislated locations at rapid transit stops;
 - (d) other rapid transit stops.

(24) Enable in areas with, relative to other areas, high factors of strategic importance, accessibility, concentration of amenities and residential demand, building heights up to ten storeys within the walkable catchments (listed in Chapter G) of:

(a) the edge of the Metropolitan Centre zones;

(b) the legislated locations at rapid transit stops;

(c) other rapid transit stops.

(25) Enable building height of at least six storeys within mapped walkable catchments unless a qualifying matter applies that reduces height.

(26) In walkable catchments require development more than ten storeys to achieve adequate separation between buildings, set back upper floors from the street and set towers, above six storeys, back from boundaries where adjacent to lower intensity residential zones.

H13.4. Activity table

Table H13.4.1 Activity table specifies the activity status of land use and development activities in the Business – Mixed Use Zone pursuant to section 9(3) of the Resource Management Act 1991.

Table H13.4.1 Activity table

Activity		Activity status
General		
(A1)	Activities not provided for	NC
Use		
Accommodation		
(A2)	Dwellings	P
(A3)	Conversion of a building or part of a building to dwellings, residential development, visitor accommodation or boarding houses	RD
(A4)	Integrated residential development	P
(A5)	Supported residential care	P
(A6)	Visitor accommodation and boarding houses	P
Commerce		
(A7)	Commercial services	P
(A8)	Conference facilities	D
(A9)	Department stores	D
(A10)	Drive-through restaurants	P
(A11)	Entertainment facilities	P
(A12)	Cinemas	NC

H13 Business – Mixed Use Zone

Activity		Activity status
(A13)	Food and beverage	P
(A14)	Garden centres	D
(A15)	Marine retail	D
(A16)	Motor vehicle sales	D
(A17)	Offices within the Centre Fringe Office Control as shown on the planning maps	P
(A18)	Offices up to 500m ² gross floor area per site	P
(A19)	Offices greater than 500m ² gross floor area per site	D
(A20)	Retail up to 200m ² gross floor area per tenancy	P
(A21)	Retail greater than 200m ² gross floor area per tenancy	D
(A22)	Service stations	RD
(A23)	Supermarkets up to 450m ² gross floor area per tenancy	P
(A24)	Supermarkets exceeding 450m ² and up to 2000m ² gross floor area per tenancy	RD
(A25)	Supermarkets greater than 2000m ² gross floor area per tenancy	D
(A26)	Trade suppliers	D
Community		
(A27)	Artworks	P
(A28)	Care centres	P
(A29)	Community facilities	P
(A30)	Education facilities	P
(A31)	Emergency services	RD
(A32)	Healthcare facilities	P
(A33)	Hospitals	D
(A34)	Justice facilities	D
(A35)	Recreation facility	P
(A36)	Tertiary education facilities	P
Industry		
(A37)	Industrial activities	NC
(A38)	Industrial laboratories	P
(A39)	Light manufacturing and servicing	P
(A40)	Repair and maintenance services	P
(A41)	Storage and lock-up facilities	D
(A42)	Waste management facilities	NC
(A43)	Warehousing and storage	P
Mana Whenua		
(A44)	Marae complex	P

Activity		Activity status
Development		
(A45)	New buildings	RD
(A46)	Demolition of buildings	P
(A47)	Alterations to building facades that are less than 25m ²	P
(A48)	Additions to buildings that are less than: (a) 25 per cent of the existing gross floor area of the building; or (b) 250m ² whichever is the lesser	P
(A49)	Internal alterations to buildings	P
(A50)	Additions and alterations to buildings not otherwise provided for	RD

H13.5. Notification

- (1) Any application for resource consent for an activity listed in Table H13.4.1 Activity table above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.
- (2) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule [C1.13\(4\)](#).
- (3) Any application for resource consent for the following activity will be considered without public or limited notification or the need to obtain the written approval of affected parties unless the Council decides that special circumstances exist under section 95A(9) of the Resource Management Act 1991:
 - (a) Development which does not comply with Standard H13.6.10 Minimum dwelling size.

H13.6. Standards

All permitted and restricted discretionary activities in Table H13.4.1 Activity table must comply with the following standards.

H13.6.0 Activities within 30m of a residential zone

- (1) The following activities are restricted discretionary activities where they are located within 30m of a residential zone and are listed as a permitted activity in the activity table:
 - (a) bars and taverns;
 - (b) drive-through restaurants;
 - (c) outdoor eating areas accessory to restaurants;
 - (d) entertainment facilities;

- (e) child care centres; and
- (f) animal breeding and boarding.

This standard only applies to those parts of the activities subject to the application that are within 30m of the residential zone.

H13.6.1. Building height

Purpose:

- manage the effects of building height;
- manage shadowing effects of building height on public open space, excluding streets;
- manage visual dominance effects;
- allow an occupiable height component to the height limit, and an additional height for roof forms that enables design flexibility, to provide variation and interest in building form when viewed from the street;
- enable greater height in areas identified for intensification including within walkable catchments where at least six storeys must be enabled and in some identified walkable catchments up to ten and fifteen storeys is also enabled; and
- provide for variations to the standard zone height through the Height Variation Control, to recognise the character and amenity of particular areas and provide a transition in building scale to lower density zones.

- (1) Buildings must not exceed the height in metres specified in Table H13.6.1.1 below, unless otherwise specified in the Height Variation Control on the planning maps.

Table H13.6.1.1 Building height

<u>Location and indicative storeys</u>	Occupiable building height	Height for roof form	Total building height
<u>Buildings outside a walkable catchment</u>	16m	2m	18m
<u>Buildings in a walkable catchment</u> <u>6 storeys</u>	<u>N/A</u>	<u>N/A</u>	<u>22m</u>
<u>Buildings in a walkable catchment - Height Variation Control: 10 storeys</u>	<u>N/A</u>	<u>N/A</u>	<u>34.5m</u>
<u>Buildings in a</u>	<u>N/A</u>	<u>N/A</u>	<u>50m</u>

<u>walkable catchment - Height Variation Control: 15 storeys</u>			
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- (2) If the site is subject to the Height Variation Control, buildings must not exceed the height in metres, as shown in Table H13.6.1.2 below and for the site on the planning maps.
- (3) Any part of a building greater than the occupiable building height is to be used only for roof form, roof terraces, plant and other mechanical and electrical equipment.

Table H13.6.1.2 Total building height shown in the Height Variation Control on the planning maps outside walkable catchments

Occupiable building height	Height for roof form	Total building height shown on Height Variation Control on the planning maps
Same as on the planning maps	NA	Less than or equal to 11m
11m	2m	13m
16m	2m	18m
19m	2m	21m
<u>20m</u>	<u>2m</u>	<u>22m</u>
22m	2m	24m
25m	2m	27m
Same as on the planning maps	NA	Exceeding 27m

H13.6.2. Height in relation to boundary

Purpose:

- manage the effects of building height;
 - allow reasonable sunlight and daylight access to public open space excluding streets, and to nearby sites;
 - manage visual dominance effects on neighbouring zones where lower height limits apply.
- (1) Buildings must not project beyond a recession plane that begins vertically above ground level along the zone boundary. The angle of the recession plane and the height above ground level from which it is measured is specified in Table H13.6.2.1 and Figure H13.6.2.1 or Figure H13.6.2.2 below.
- (2) Where the boundary forms part of an entrance strip, access site or pedestrian access-way, the control applies from the farthest boundary of that entrance

strip or access site. However, if an entrance strip, access site or pedestrian access-way is greater than 2.5m in width, the control will be measured from a parallel line 2.5m out from the site boundary.

- (3) Figure H13.6.2.3 will be used to define what is a north, south, east or west boundary, where this is referred to in Table H13.6.2.1 The recession plane angle is calculated by orientating both site plan and Figure H13.6.2.3 to true north. Figure H13.6.2.3 is placed over the site plan with the outside of the circle touching the inside of the site boundary under consideration. At the point where Figure H13.6.2.3 touches the site boundary, the recession plane angle and height at which it begins, will be indicated by Table H13.6.2.1

Table H13.6.2.1 Height in relation to boundary

Location	Zoning of adjacent site	Angle of recession plane (identified as x in Figure H13.6.2.1 or Figure H13.6.2.2)	Height above ground level which the recession plane will be measured from (identified as y in Figure H13.6.2.1 or Figure H13.6.2.2)
<u>NA-Buildings outside walkable catchments</u>	Residential – Single House Zone; or Residential – Mixed Housing Suburban Zone	45°	2.5m
	Residential – Mixed Housing Urban Zone	45°	3m
	Residential – Terrace Housing and Apartment Buildings Zone	60°	8m
	Special Purpose – Māori Purpose Zone; or Special Purpose School Zone	45°	6m
	Open Space – Conservation Zone; Open Space – Informal Recreation Zone; Open Space -Sport and Active Recreation Zone; Open Space – Civic Spaces Zone; or Open Space – Community Zone	45°	8.5m
<u>Buildings outside walkable catchments</u>	Open Space – Conservation Zone; Open Space – Informal	45°	16.5m

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located on the southern boundary of the adjacent site	Recreation Zone; Open Space – Sport and Active Recreation Zone; Open Space – Civic Spaces Zone; or Open Space – Community Zone		
<u>Buildings within walkable catchments</u>	<u>Residential – Single House Zone; Residential – Mixed Housing Suburban Zone; Residential – Mixed Housing Urban Zone; Residential – Terrace Housing and Apartment Buildings Zone; Special Purpose - Māori Purpose Zone; Special Purpose - School Zone; Open Space – Conservation Zone; Open Space – Informal Recreation Zone; Open Space – Sports and Active Recreation Zone; Open Space – Civic Spaces Zone; or Open Space – Community Zone</u>	<u>60°</u>	<u>20m</u>

Figure H13.6.2.1 Height in relation to boundary

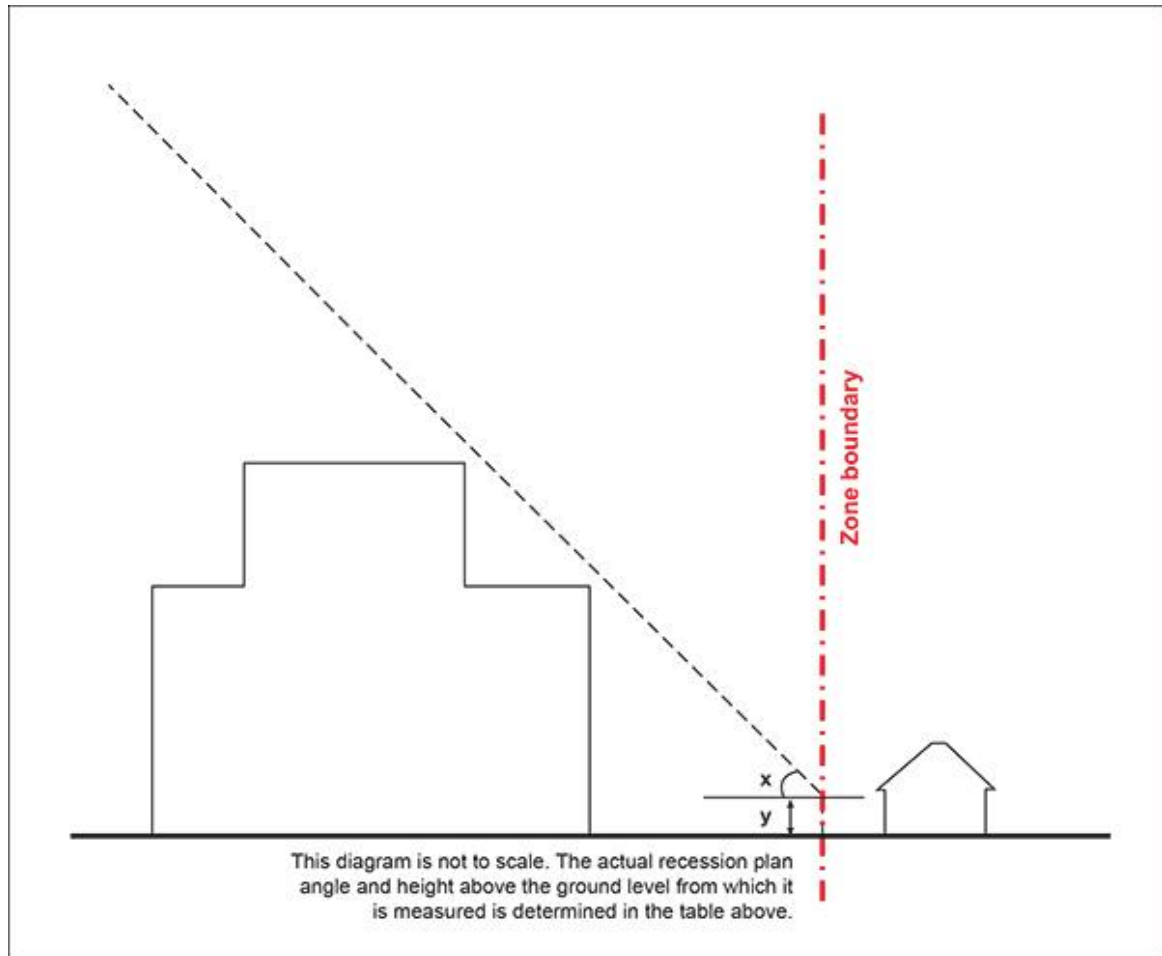


Figure H13.6.2.2 Height in relation to boundary opposite a road

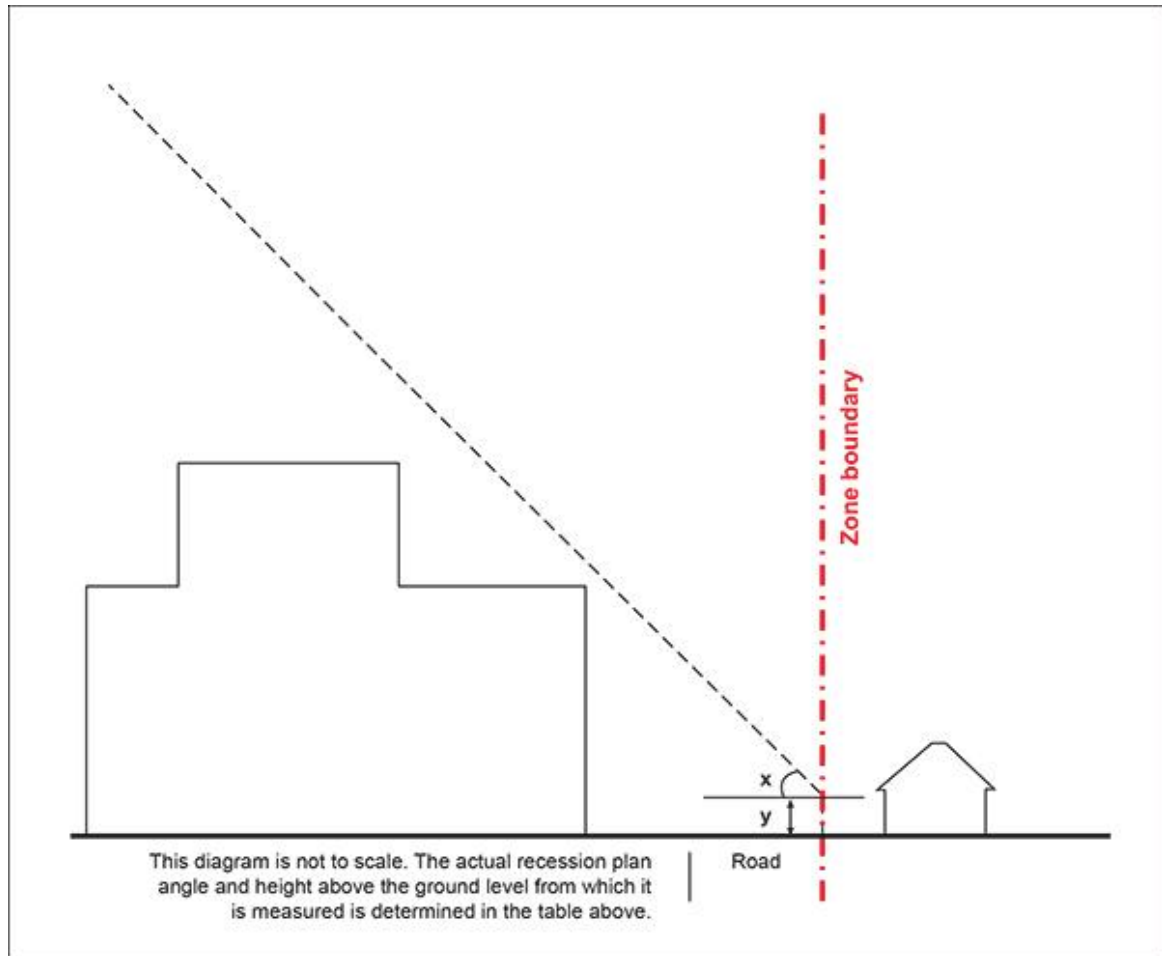
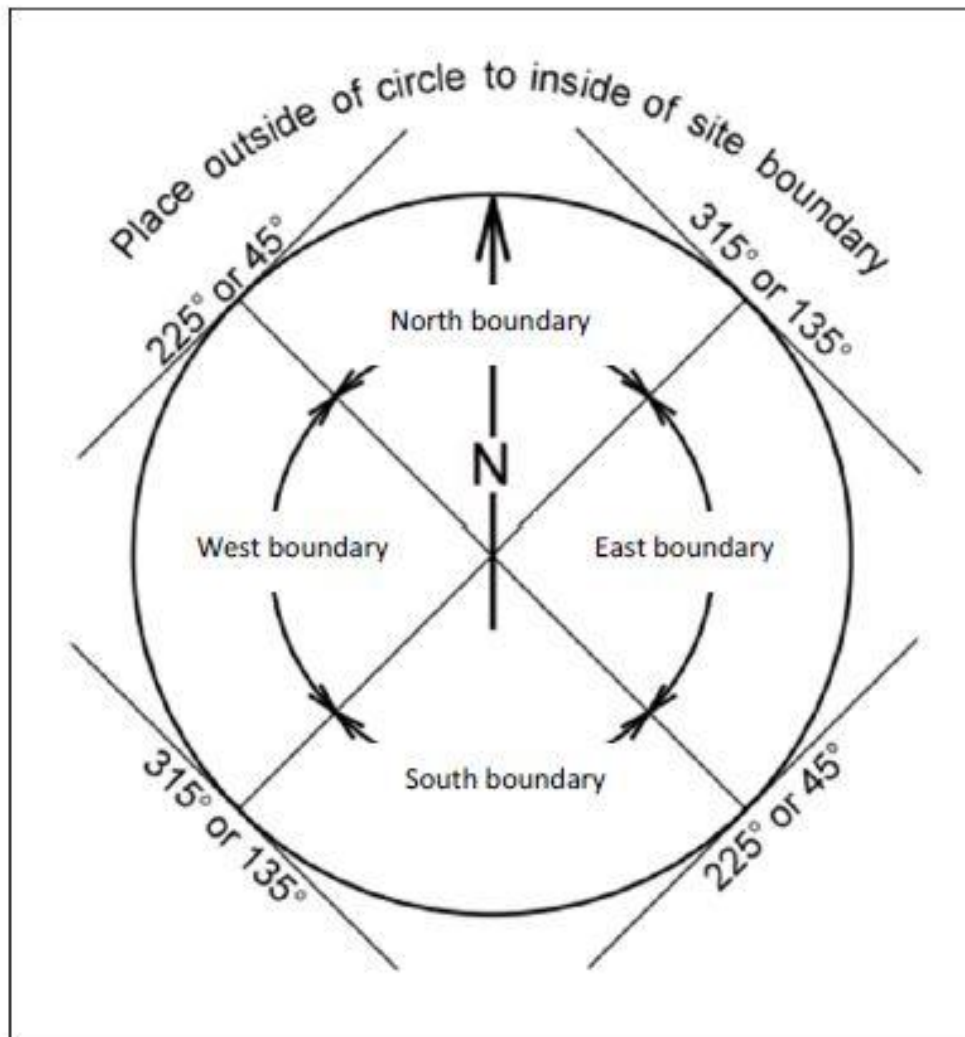


Figure H13.6.2.3 Recession plane indicator for sites adjacent to an open space zone



H13.6.3. Building setback at upper floors for sites outside walkable catchments

Purpose: To ensure buildings outside walkable catchments:

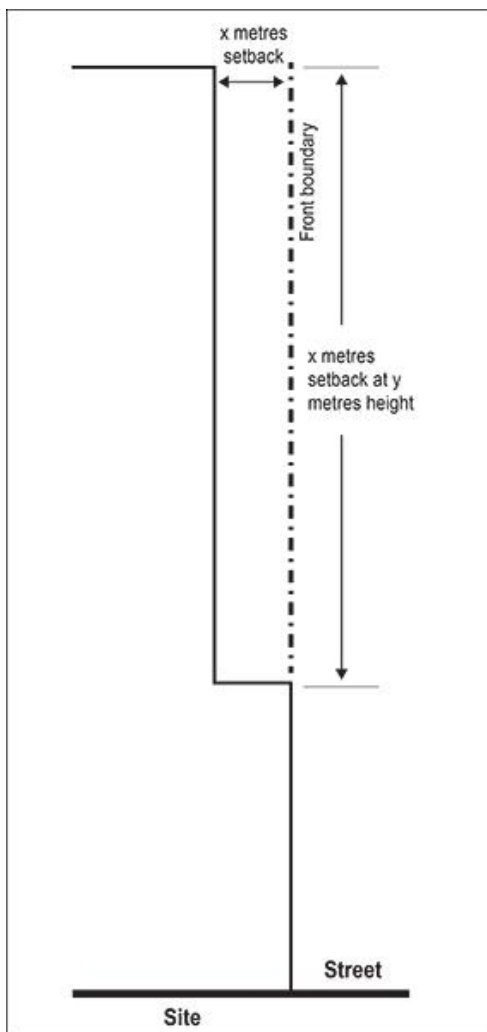
- provide adequate daylight access to streets;
- manage visual dominance effects on streets;
- manage visual dominance, residential amenity and privacy effects on residential zones; and
- mitigate adverse wind effects.

(1) A new building must be set back from the site frontage from the point where it exceeds the height listed in metres specified in Table H13.6.3.1.

(2) Except that Standard H13.6.3(1) does not apply to sites located in walkable catchments.

Table H13.6.3.1 Building setback at upper floors for sites outside walkable catchments

Opposite zone		Minimum setback (identified as x in Figure H13.6.3.1)	Height (identified as y in Figure H13.6.3.1)
(B51)	When opposite a residential zone	6m	18m
(B52)	All other zones	6m	27m

Figure H13.6.3.1 Building setback at upper floors for sites outside walkable catchments

Qualifying matter
as per Sch 3C, cls
8(1)(b) of the RMA

H13.6.3A Building setback at upper floors for sites in walkable catchments

Purpose: To ensure buildings in walkable catchments:

- manage the height and bulk of buildings at the street boundary to maintain streetscape amenity;
- manage visual dominance effects on streets; and

Qualifying matter
as per Sch 3C, cls
8(1)(b) of the RMA

- where located at the edge of the walkable catchment, manage visual dominance, residential amenity and effects on neighbours in lower intensity zones.

(1) On sites in walkable catchments a new building must be set back 6m from the site frontage from the point where any part exceeds 34.5m in height.

(2) On sites at the edge of a walkable catchment, buildings or parts of buildings more than 22m in height must set back the parts of a building from the boundary adjoining with the Residential – Single House zone, Residential – Mixed Housing Suburban zone and the Residential – Mixed Housing Urban zone by the distance and at the height listed in metres specified in Table H13.6.3A.1:

Table H13.6.3A.1 Building setback at upper floors for sites in walkable catchments

<u>Boundary adjoining the Residential – Single House zone, Residential – Mixed Housing Suburban zone and the Residential – Mixed Housing Urban zone at the edge of a walkable catchment</u>	<u>Height above ground level which the set back will be measured from</u>	<u>Minimum depth</u>
<u>Side</u>	<u>22m</u>	<u>18m</u>
<u>Rear</u>	<u>22m</u>	<u>18m</u>

H13.6.4. Maximum tower dimension and tower separation

Purpose: ensure that high-rise buildings:

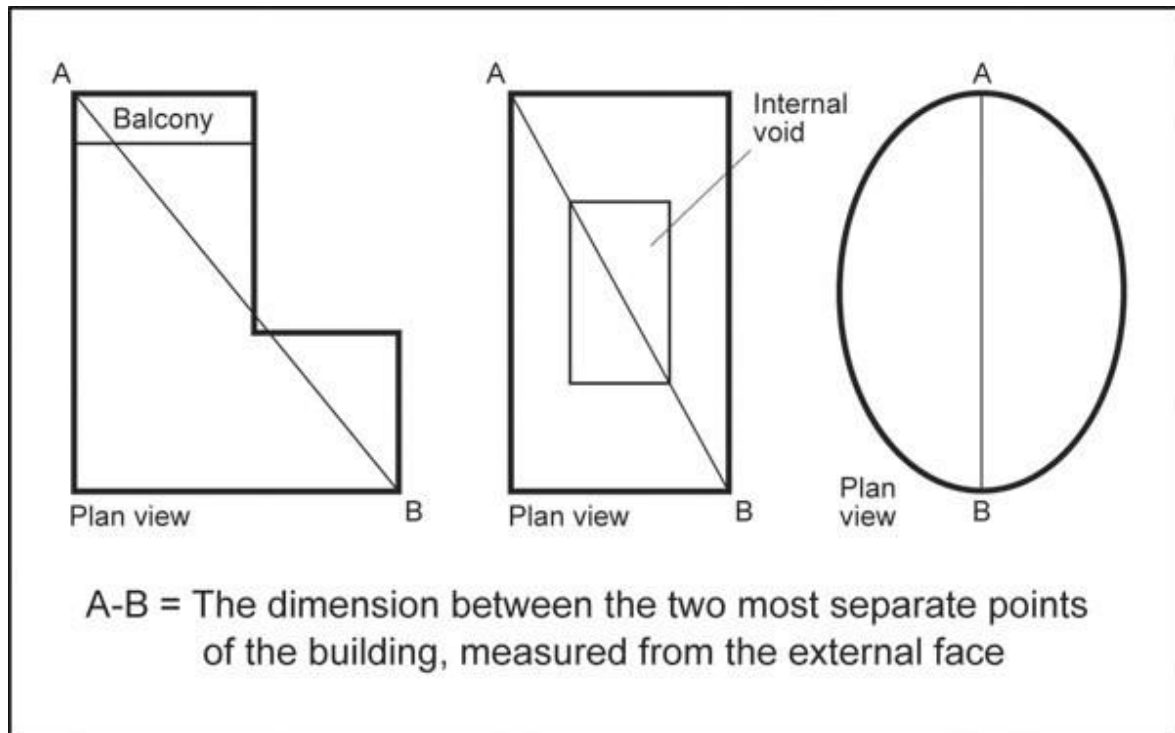
- are not overly bulky in appearance and manage significant visual dominance effects;
- allow adequate sunlight and daylight access to streets, public open space and nearby sites;
- provide adequate sunlight and outlook around and between buildings; and
- mitigate adverse wind effects.

(1) Outside walkable catchments ~~T~~the maximum plan dimension of that part of the building above 27m must not exceed 55m.

(1A) In walkable catchments the maximum plan dimension of that part of the building above 34.5m must not exceed 55m.

- (2) The maximum plan dimension is the horizontal dimension between the exterior faces of the two most separate points of the building.
- (3) Outside walkable catchments tThe part of a building above 27m must be located at least 6m from any side or rear boundary of the site.
- (4) In walkable catchments the part of a building above 34.5m must be located at least 6m from any side or rear boundary of the site.

Figure H13.6.4.1 Maximum tower dimension plan view



H13.6.5. Yards

Purpose:

- provide a landscaped buffer between buildings and activities and adjoining residential zones and some special purpose zones, to mitigate adverse visual and nuisance effects; and
- ensure buildings are adequately setback from lakes, streams and the coastal edge to maintain water quality, amenity, provide protection from natural hazards, and potential access to the coast.

- (1) A building or parts of a building must be set back from the relevant boundary by the minimum depth listed in Table H13.6.5.1 below.

Table H13.6.5.1 Yards

Yard	Minimum depth
Rear	3m where the rear boundary adjoins a residential zone or the Special Purpose – Māori Purpose Zone

Side	3m where a side boundary adjoins a Residential zone or the Special Purpose – Māori Purpose Zone
Riparian	10m from the edge of all permanent and intermittent streams
Lakeside yard	30m
Coastal protection yard	25m, or as otherwise specified in Appendix 6 Coastal protection yard

Note 1

A side or rear yard, and/or landscaping within that yard, is only required along that part of the side or rear boundary adjoining a residential zone or the Special Purpose – Māori Purpose Zone.

- (2) Side and rear yards must be planted with a mixture of trees, shrubs or ground cover plants (including grass) within and along the full extent of the yard for a depth of at least 3m.

H13.6.6. Landscaping

Purpose:

- ensure landscaping provides a buffer and screening between car parking, loading, or service areas commercial activities and the street; and
- ensure landscaping is of sufficient quality as to make a positive contribution to the amenity of the street.

- (1) A landscape buffer of 2m in depth must be provided along the street frontage between the street and car parking, loading, or service areas which are visible from the street frontage. This rule excludes access points.

- (2) The required landscaping in Standard H13.6.6(1) above must comprise a mix of trees, shrubs or ground cover plants (including grass).

H13.6.7. Maximum impervious area in the riparian yard

Purpose: support the functioning of riparian yards and in-stream health.

- (1) The maximum impervious area within a riparian yard must not exceed 10 per cent of the riparian yard area.

H13.6.8. Wind

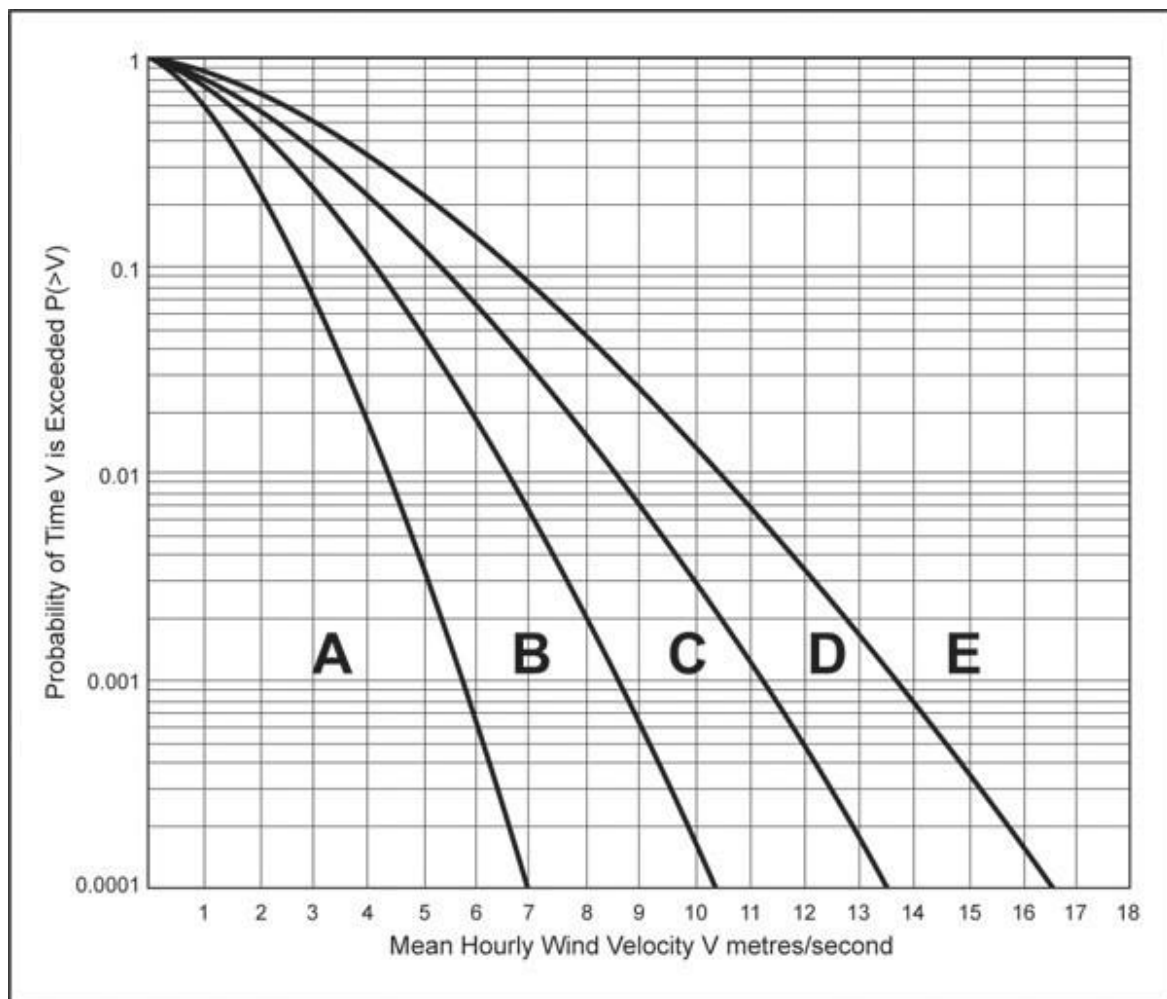
Purpose: mitigate the adverse wind effects generated by tall buildings.

- (1) A new building exceeding 25m in height and additions to existing buildings that increase the building height above 25m must not cause:
- a) the mean wind speed around it to exceed the category for the intended use of the area as set out in Table H13.6.8.1 and Figure H13.6.8.1 below;
 - b) the average annual maximum peak 3-second gust to exceed the dangerous level of 25m/second; and

- c) an existing wind speed which exceeds the controls of Standard H13.6.8(1)(a) or Standard H13.6.8(1)(b) above to increase.
- (2) A report and certification from a suitably qualified and experienced person, showing that the building complies with Standard H13.6.8(1) above, will demonstrate compliance with this standard.
- (3) If the information in Standard H13.6.8(2) above is not provided, or if such information is provided but does not predict compliance with the rule, a further wind report including the results of a wind tunnel test or appropriate alternative test procedure is required to demonstrate compliance with this standard.

Table H13.6.8.1 Categories

Category	Description
Category A	Areas of pedestrian use or adjacent dwellings containing significant formal elements and features intended to encourage longer term recreational or relaxation use i.e. public open space and adjacent outdoor living space
Category B	Areas of pedestrian use or adjacent dwellings containing minor elements and features intended to encourage short term recreation or relaxation, including adjacent private residential properties
Category C	Areas of formed footpath or open space pedestrian linkages, used primarily for pedestrian transit and devoid of significant or repeated recreational or relaxational features, such as footpaths not covered in categories A or B above
Category D	Areas of road, carriage way, or vehicular routes, used primarily for vehicular transit and open storage, such as roads generally where devoid of any features or form which would include the spaces in categories A - C above.
Category E	Category E represents conditions which are dangerous to the elderly and infants and of considerable cumulative discomfort to others, including residents in adjacent sites. Category E conditions are unacceptable and are not allocated to any physically defined areas of the city

Figure H13.6.8.1 Wind environment control

Derivation of the wind environment control graph:

The curves on the graph delineating the boundaries between the acceptable categories (A-D) and unacceptable (E) categories of wind performance are described by the Weibull expression:

$$P(>V) = e^{-(v/c)^k}$$

where V is a selected value on the horizontal axis, and P is the corresponding value of the vertical axis:

and where:

$P(>V)$ = Probability of a wind speed V being exceeded;

e = The Napierian base 2.7182818285

v = the velocity selected;

k = the constant 1.5; and

c = a variable dependent on the boundary being defined:

A/B, c = 1.548

B/C, c = 2.322

C/D, c = 3.017

D/E, c = 3.715

H13.6.9. Outlook space

Purpose:

- to ensure a reasonable standard of visual privacy between habitable rooms of different buildings, on the same or adjacent sites; ~~and~~
- manage visual dominance effects within a site by ensuring that habitable rooms have an outlook and sense of space; and
- for buildings in walkable catchments, more than 6 storeys, to provide greater separation between tower forms that are enabled.

- (1) This standard applies to dwellings, units in an integrated residential development, visitor accommodation and boarding houses.
- (2) An outlook space must be provided from the face of a building containing windows to a habitable room. Where the room has two or more external faces with windows the outlook space must be provided from the face with the largest area of glazing.
- (3) The minimum dimensions for a required outlook space for developments outside walkable catchments and inside walkable catchments where development is less than 22m in height must be in accordance with Figure H13.6.9.1 and are as follows:
 - (a) a principal living room of a dwelling or main living and dining area within a boarding house or supported residential care must have a outlook space with a minimum dimension of 6m in depth and 4m in width; and
 - (b) all other habitable rooms of a dwelling or a bedroom within a boarding house or supported residential care unit must have an outlook space with a minimum dimension of 3m in depth and 3m in width.
- (3A) For development on a site in a walkable catchment more than 22m the minimum dimensions for a required outlook space are as follows:
 - (a) for principal living areas of a dwelling or main living and dining area within a boarding house or supported residential care, the dimensions of the outlook space, measured perpendicular to the exterior face of the building, must be in accordance with Figure H13.6.9.2 for the relative height of the floor above the ground level along each building face, and at least 4m in width; and
 - (b) all other habitable rooms of a dwelling or a bedroom within a boarding house or supported residential care unit must have an outlook space with a minimum dimension of 3m in depth and 3m in width.

- (4) The depth of the outlook space is measured at right angles to and horizontal from the window to which it applies.
- (5) The width of the outlook space is measured from the centre point of the largest window on the building face to which it applies.
- (6) The height of the outlook space is the same as the floor height, measured from floor to ceiling, of the building face to which the standard applies.
- (7) Outlook spaces may be within the site, over a public street, or other public open space.
- (8) Outlook spaces required from different rooms within the same building may overlap.
- (9) Outlook spaces may overlap where they are on the same wall plane.
- (10) Outlook spaces must:
 - (a) be clear and unobstructed by buildings;
 - (b) not extend over adjacent sites, except for where the outlook space is over a public street or public open space as outlined in H13.6.9(7) above; and
 - (c) not extend over an outlook spaces or outdoor living space required by another dwelling.

Figure H13.6.9.1 Required outlook space

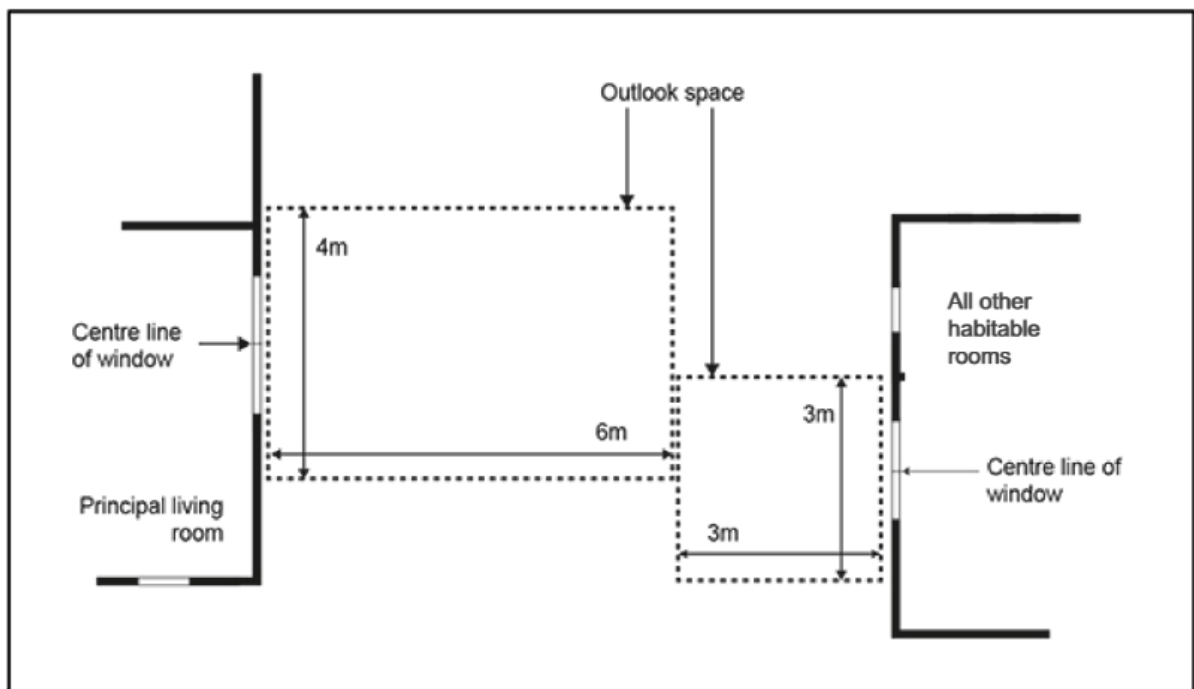
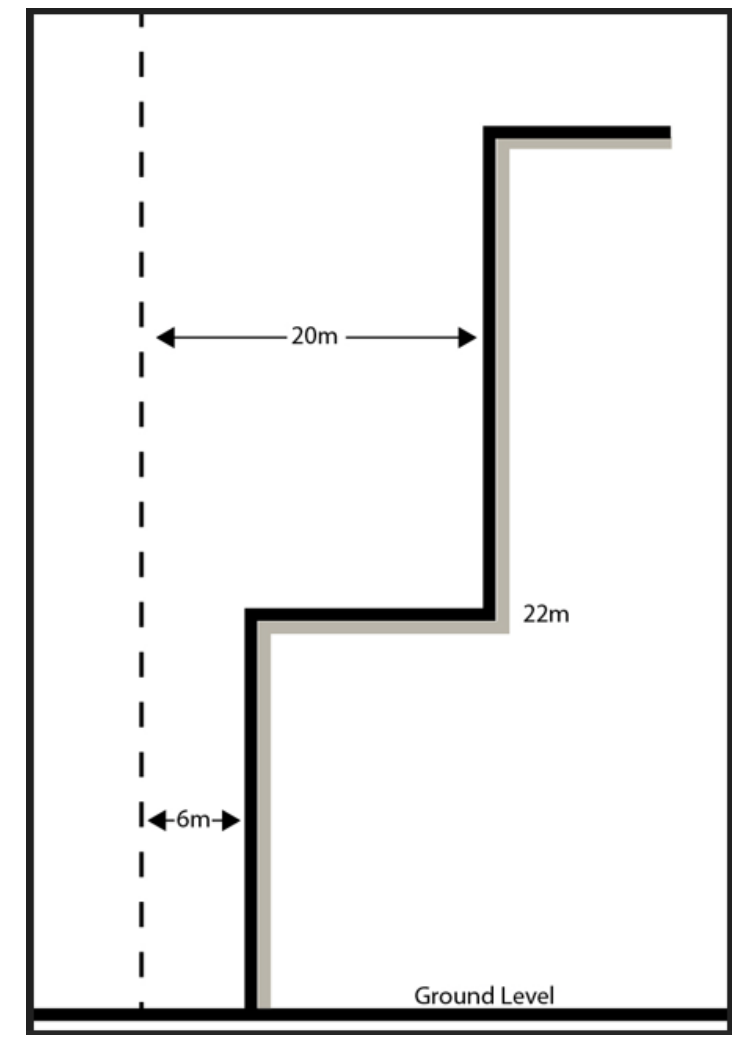


Figure H13.6.9.2 Required outlook space perpendicular depth for developments more than 22m



H13.6.10 Minimum dwelling size

Purpose: to ensure dwellings are functional and of a sufficient size to provide for the day to day needs of residents, based on the number of occupants the dwelling is designed to accommodate.

(1) Dwellings must have a minimum net internal floor area as follows.

(a) 30m² for studio dwellings.

(b) 45m² for one or more bedroom dwellings.

H13.7. Assessment – controlled activities

There are no controlled activities in this zone.

H13.8. Assessment – Restricted discretionary activities

H13.8.1. Matters of discretion

The Council will restrict its discretion to the following matters when assessing a restricted discretionary resource consent application:

- (1) activities within 30m of a residential zone, emergency services and service stations:
 - (a) the compatibility of:
 - (i) the effects of intensity and scale of the development arising from the numbers of people and/or vehicles using the site; and
 - (ii) the effects of the operation of the activity;
on the existing and expected future amenity values of the surrounding area and any practicable mitigation measures that would be appropriate to manage those effects;
 - (b) the effects of the design and location of parking areas and vehicle access and servicing arrangements on visual amenity of the streetscape and on pedestrian safety;
 - (c) the effects of location, design and management of storage and servicing facilities on the amenity values of nearby residential properties including potential visual effects, adequacy of access for service vehicles (including waste collection) and any night time noise effects; and
 - (d) the assessment of the above matters having regard to the need to provide for the functional requirements of the activity;
- (2) supermarkets greater than 450m² and up to 2000m²:
 - (a) the compatibility of the effects of intensity and scale of the development arising from the numbers of people and/or vehicles using the site, with the existing and expected future amenity values of the surrounding area and any practicable mitigation measures that would be appropriate to manage those effects;
 - (b) the effects of the design and location of parking areas and vehicle access and servicing arrangements on visual amenity of the streetscape and on pedestrian safety;
 - (c) the effects of the size, composition and characteristics of retail activities proposed on the existing and expected future function, role and amenity of other centre zones having regard to the need to enable convenient access of communities to commercial and community services while disregarding any effects ordinarily associated with trade effects on trade competitors; and

- (d) the assessment of the above matters having regard to the need to provide for the functional requirements of the activity;
- (3) new buildings and alterations and additions to buildings not otherwise provided for:
 - (a) the design and appearance of buildings in so far as it affects the existing and future amenity values of public streets and spaces used by significant numbers of people. This includes:
 - (i) the contribution that such buildings make to the attractiveness pleasantness and enclosure of the public space;
 - (ii) the maintenance or enhancement of amenity for pedestrians using the public space or street;
 - (iii) the provision of convenient and direct access between the street and building for people of all ages and abilities;
 - (iv) measures adopted for limiting the adverse visual effects of any blank walls along the frontage of the public space; and
 - (v) the effectiveness of screening of car parking and service areas from the view of people using the public space;
 - (b) the provision of floor to floor heights that will provide the flexibility of the space to be adaptable to a wide variety of use over time.
 - (c) the extent of glazing provided on walls fronting public streets and public spaces and the benefits it provides in terms of:
 - (i) the attractiveness and pleasantness of the public space and the amenity for people using or passing through that space;
 - (ii) the degree of visibility that it provides between the public space and the building interior; and
 - (iii) the opportunities for passive surveillance of the street from the ground floor of buildings;
 - (d) the provision of verandahs to provide weather protection in areas used, or likely to be used, by significant numbers of pedestrians;
 - (e) the application of Crime Prevention through Environmental Design principles to the design and layout of buildings adjoining public spaces;
 - (f) the effects of creation of new roads and/or service lanes on the matters listed above;
 - (g) the positive effects that landscaping, including required landscaping, on sites adjoining public spaces is able to contribute to the amenity values of the people using or passing through the public space;
 - (h) taking an integrated stormwater management approach; and

- (i) all the above matters to be assessed having regard to the outcomes set out in this Plan and the functional requirements of the activities that the buildings are intended to accommodate;
- (4) in addition to the matters for new buildings stated above the Council will restrict its discretion to the following matter in regard to:
- supermarkets, department stores and large format retail where the activity or integrated retail development exceeds 1000m² gross floor area per tenancy:
- (a) the manner in which these building/developments are integrated with the adjacent existing and planned future centre and zone activities and public spaces and provide for the continuity of active public frontages and associated pedestrian amenity that is appropriate to those centres and zones having regard to the outcomes set out in this Plan and the functional requirements of the activities that the buildings are intended to accommodate. This will include the effects of the design and location of parking areas, vehicle access and servicing arrangements on the visual amenity of the streetscape and on pedestrian safety;
- (5) In addition to the matters for new buildings stated above the Council will restrict its discretion to the following matter in regard to:
- drive-through restaurants; or
 - service stations:
- (a) the effects of the location and design of:
- (i) buildings and associated equipment, parking and service areas;
 - (ii) access for vehicles including service vehicles; and
 - (iii) landscaping;
- on the amenity of surrounding areas (particularly residential areas), on streetscapes and on pedestrian amenity and any methods by which those effects can be appropriately managed;
- (6) conversion of a building or part of a building to dwellings, retirement villages, visitor accommodation and boarding houses:
- (a) any matters that do not meet the standards set out for the activity in Standard H13.6.9 or Standard H13.6.10 having regard to the need to ensure a good standard of amenity within and between dwellings, visitor accommodation, boarding houses and retirement villages;
- (7) buildings that do not comply with the standards:
- (a) any policy which is relevant to the standard;
 - (b) the purpose of the standard;

- (c) the effects of the infringement of the standard;
- (d) the effects on the amenity of neighbouring sites;
- (e) the effects of any special or unusual characteristic of the site which is relevant to the standard;
- (f) the characteristics of the development;
- (g) any other matters specifically listed for the standard; and
- (h) where more than one standard will be infringed, the effects of all infringements.

H13.8.2. Assessment criteria

The Council will consider the relevant assessment criteria below for restricted discretionary activities:

- (1) activities within 30m of a residential zone, emergency services and service stations:
 - (a) for Matter H13.8.1(1)(a)(i) refer to Policy H13.3(3)(a), Policy H13.3(3)(b), Policy H13.3(3)(c), Policy H13.3(8) and Policy H13.3(21);
 - (b) for Matter H13.8.1(1)(a)(ii) refer to Policy H13.3(3)(a), Policy H13.3(3)(b), Policy H13.3(3)(c), Policy H13.3(8) and Policy H13.3(21);
 - (c) for Matter H13.8.1(1)(b) refer to Policy H13.3(3)(c) and Policy H13.3(7);
 - (d) for Matter H13.8.1(1)(c) refer to Policy H13.3(21); and
 - (e) for Matter H13.8.1(1)(d) refer to Policy H13.3(12);
- (2) supermarkets greater than 450m² and up to 2000m²:
 - (a) for Matter H13.8.1(2)(a) refer to Policy H13.3(3)(a), Policy H13.3(3)(b), Policy H13.3(3)(c) and Policy H13.3(8);
 - (b) for Matter H13.8.1(2)(b) refer to Policy H13.3(7);
 - (c) for Matter H13.8.1(2)(c) refer to Policy H13.3(1); and
 - (d) for Matter H13.8.1(2)(d) refer to Policy H13.3(12);
- (3) new buildings and alterations and additions to buildings not otherwise provided for:
 - (a) for Matter H13.8.1(3)(a)(i) refer to Policy H13.3(3)(a) and Policy H13.3(3)(b);
 - (b) for Matter H13.8.1(3)(a)(ii) refer to Policy H13.3(3)(c); Policy H13.8.3(26);
 - (c) for Matter H13.8.1(3)(a)(iii) refer to Policy H13.3(4);

- (d) for Matter H13.8.1(3)(a)(iv) refer to Policy H13.3(3)(a);
 - (e) for Matter H13.8.1(3)(a)(v) refer to Policy H13.3(7);
 - (f) for Matter H13.8.1(3)(b) refer to Policy H13.3(6);
 - (g) for Matter H13.8.1(3)(c)(i) refer to Policy H13.3(3)(a) and Policy H13.3(3)(b);
 - (h) for Matter H13.8.1(3)(c)(ii) refer to Policy H13.3(3)(a) and Policy H13.3(3)(b);
 - (i) for Matter H13.8.1(3)(c)(iii) refer to Policy H13.3(3)(a) and Policy H13.3(3)(b);
 - (j) for Matter H13.8.1(3)(d) refer to Policy H13.3(3)(c);
 - (k) for Matter H13.8.1(3)(e) refer to Policy H13.3(3)(c);
 - (l) for Matter H13.8.1(3)(f) refer to Policy H13.3(3)(b);
 - (m) for Matter H13.8.1(3)(g) refer to Policy H13.3(3)(c);
 - (n) for Matter H13.8.1(3)(h) refer to Policy [E1.3\(10\)](#);
 - (o) for Matter H13.8.1(3)(i) refer to Policy H13.3(3)(12);
- (4) in addition to the policies for new buildings stated above the Council will have regard to the following policies when considering new buildings for the following purposes:
- supermarkets, department stores and large format retail where the activity or integrated retail development exceeds 1000m² gross floor area per tenancy:
- (a) refer to Policy H13.3(1), Policy H13.3(5) and Policy H13.3(20);
- (5) in addition to the policies for new buildings stated above the Council will have regard to the following policies when considering new buildings for the following purposes:
- drive-through restaurants; or
 - service stations:
- (a) refer to Policy H13.3(3)(a), Policy H13.3(3)(b), Policy H13.3(3)(c), Policy H13.3(7), Policy H13.3(8), Policy H13.3(12) and Policy H13.3(21);
- (6) conversion of a building or part of a building to dwellings, retirement villages, visitor accommodation and boarding houses:
- (a) refer to Policy H13.3(2);
- (7) buildings that do not comply with the standards:

(a) height, height in relation to boundary, building setbacks at upper floors, maximum tower dimension and tower separation:

- (i) refer to Policy H13.3(3)(a), Policy H13.3(3)(b), Policy H13.3(8), Policy H13.3(13), Policy H13.3(14), ~~and~~ Policy H13.3(21), Policy H13.3(23), Policy H13.3(24), Policy H13.3(25), and Policy H13.3(26);

(b) yards and landscaping:

- (i) refer to Policy H13.3(3)(b), Policy H13.3(3)(c), Policy H13.3(7) and Policy H13.3(8);

(c) maximum impervious area in a riparian yard:

- (i) refer to Policy H13.3(22);

(d) wind:

- (i) refer to Policy H13.3(11);

(e) outlook space, minimum dwelling size:

- (i) refer to Policy H13.3(2) and Policy H13.3(23);

(f) building setback at upper floors for sites in walkable catchments:

- (i) refer to Policy H13.3(26).

H13.9. Special information requirements

There are no special information requirements in this zone.

H14. Business – General Business Zone

H14.1. Zone description

The Business – General Business Zone provides for business activities from light industrial to limited office, large format retail and trade suppliers. Large format retail is preferred in centres but it is recognised that this is not always possible, or practical. These activities are appropriate in the Business – General Business Zone only when they do not adversely affect the function, role and amenity of the Business – City Centre Zone, Business – Metropolitan Centre Zone and Business – Town Centre Zone.

Although the application of the zone within Auckland is limited, it is an important part of this Plan's strategy to provide for growth in commercial activity and manage the effects of large format retail.

The establishment of small retail activities in the zone should be limited as the presence of these activities, in combination with large format retail, can effectively create an unplanned centre. Residential activity is also not envisaged due to the potential presence of light industrial activities and the need to preserve land for appropriate commercial activities.

The zone is located primarily in areas close to the Business – City Centre Zone, Business – Metropolitan Centre Zone and Business – Town Centre Zone or within identified growth corridors, where there is good transport access and exposure to customers.

New development within the zone requires assessment in order to ensure that it is designed to a good standard.

Increased building height of up to six storeys (22m) is enabled within walkable catchments unless a qualifying matter applies.

H14.2. Objectives

General objectives for all centres, Business – Mixed Use Zone, Business – General Business Zone and Business – Business Park Zone

- (1) A strong network of centres that are attractive environments and attract ongoing investment, promote commercial activity, and provide employment, housing and goods and services, all at a variety of scales.
- (2) Development is of a form, scale and design quality so that centres are reinforced as focal points for the community.
- (3) Development positively contributes towards planned future form and quality, creating a well-functioning urban environment and a sense of place.
- (4) Business activity is distributed in locations, and is of a scale and form, that:
 - (a) provides for the community's social and economic needs;
 - (b) improves community access to goods, services, community facilities and opportunities for social interaction;

- (c) manages adverse effects on the environment, including effects on infrastructure and residential amenity; and
 - (d) accommodates qualifying matters.
- (5) A network of centres that provides:
- (a) a framework and context to the functioning of the urban area and its transport network, recognising:
 - (i) the regional role and function of the city centre, metropolitan centres and town centres as commercial, cultural and social focal points for the region, sub-regions and local areas; and
 - (ii) local centres and neighbourhood centres in their role to provide for a range of convenience activities to support and serve as focal points for their local communities.
 - (b) a clear framework within which public and private investment can be prioritised and made; and
 - (c) a basis for regeneration and intensification initiatives.

Business – General Business Zone objectives

- (6) A range of business activities outside centres are provided for, while ensuring activities within the zone do not compromise the function, role and amenity of centres.
- (7) The zone is located primarily in areas close to the Business – City Centre Zone, Business – Metropolitan Centre Zone and Business – Town Centre Zone, or in other areas where appropriate.
- (8) The adverse effects on amenity values and the quality of the environment at the interface with other zones are managed.
- (9) Building height of up to six storeys (22m) is enabled within walkable catchments unless qualifying matters apply that reduce height.

H14.3. Policies

General policies for all centres, Business – Mixed Use Zone, Business – General Business Zone and Business – Business Park Zone

- (1) Reinforce the function of the city centre, metropolitan centres and town centres as the primary location for commercial activity, according to their role in the hierarchy of centres.
- (2) Enable an increase in the density, diversity and quality of housing in the centre zones and Business – Mixed Use Zone, where it is compatible with any qualifying matters and while managing any reverse sensitivity effects including from the

higher levels of ambient noise and reduced privacy that may result from non-residential activities.

- (3) Require development to be of a quality and design that positively contributes to:
 - (a) planning and design outcomes identified in this Plan for the relevant zone;
 - (b) the visual quality and interest of streets and other public open spaces; and
 - (c) pedestrian amenity, movement, safety and convenience for people of all ages and abilities.
- (4) Encourage universal access for all development, particularly medium to large scale development.
- (5) Require large-scale development to be of a design quality that is commensurate with the prominence and visual effects of the development.
- (6) Encourage buildings at the ground floor to be adaptable to a range of uses to allow activities to change over time.
- (7) Require at grade parking to be located and designed in such a manner as to avoid or mitigate adverse effects on pedestrian amenity and the streetscape.
- (8) Require development adjacent to residential zones and the Special Purpose – School Zone and Special Purpose – Māori Purpose Zone to maintain the amenity values of those areas, having specific regard to dominance, overlooking and shadowing.
- (9) Discourage activities, which have noxious, offensive, or undesirable qualities from locating within the centres and mixed use zones, while recognising the need to retain employment opportunities.
- (10) Discourage dwellings at ground floor in centre zones and enable dwellings above ground floor in centre zones.
- (11) Require development to avoid, remedy or mitigate adverse wind and glare effects on public open spaces, including streets, and shading effects on open space zoned land.
- (12) Recognise the functional and operational requirements of activities and development.
- (12A) Enable building height of at least six storeys within mapped walkable catchments unless a qualifying matter applies that reduces height.
- (13) Enable greater building height than the standard height in locations identified within the Height Variation Control, having regard to whether the greater height:
 - (za) is commensurate with the level of commercial activities and community services;

- (zb) is compatible with a qualifying matter that requires reduced height and/or density;
 - (a) is an efficient use of land;
 - (b) supports public transport, community infrastructure and contributes to centre vitality and vibrancy;
 - (c) considering the size and depth of the area, can be accommodated without significant adverse effects on adjacent residential zones;
 - (d) is supported by the status of the centre in the centres hierarchy, or is adjacent to such a centre; and
 - (e) support the role of centres.
- (14) Reduce building height below the standard zone height in locations identified within the Height Variation Control, where the standard zone height would have significant adverse effects on identified special character, identified landscape features, amenity or other qualifying matters.

Business – General Business Zone policies

- (15) Locate the zone adjacent or close to the Business – City Centre Zone, Business – Metropolitan Centre Zone and Business – Town Centre Zone and within the Identified Growth Corridor Overlay and in other areas where appropriate.
- (16) Enable a range of business activities, including large format retail, trade suppliers, light industry and small service activities that are either:
- (a) difficult to accommodate within centres due to their scale and functional requirements;
 - (b) more appropriately located outside of the Business – City Centre Zone, Business – Metropolitan Centre Zone or Business – Town Centre Zone; or
 - (c) already established in locations where they are able to continue.
- (17) Avoid commercial and retail activities of a scale and type locating within the zone that will compromise the function, role and amenity of the Business – City Centre Zone, Business – Metropolitan Centre Zone and Business – Town Centre Zone beyond those effects ordinarily associated with trade effects on trade competitors.
- (18) Avoid small-scale retail activities locating within the zone except for commercial services and food and beverage activities.
- (19) Enable light industrial activities to locate within the zone but discourage activities which have objectionable odour, dust or noise emissions.

(20) Manage compatibility issues of activities within and between developments through site layout and design measures.

(21) Manage adverse effects on the safe and efficient operation of the transport network.

(22) Require activities adjacent to residential zones to avoid, remedy or mitigate adverse effects on amenity values of those areas.

(23) Restrict maximum impervious area within a riparian yard in order to ensure that adverse effects on water quality, water quantity and amenity values are avoided or mitigated.

(24) Enable building height of up to six storeys (22m) in walkable catchments, unless qualifying matters apply that reduce height.

H14.4. Activity table

Table H14.4.1 Activity table specifies the activity status of land use and development activities in the Business – General Business Zone pursuant to section 9(3) of the Resource Management Act 1991.

Table H14.4.1 Activity table

Activity		Activity status
General		
(A1)	Activities not provided for	NC
Use		
Accommodation		
(A2)	Dwellings	NC
(A3)	Conversion of a building or part of a building to dwellings, residential development, visitor accommodation or boarding houses	NC
(A4)	Integrated residential development	NC
(A5)	Supported residential care	NC
(A6)	Visitor accommodation and boarding houses	NC
Commerce		
(A7)	Commercial services	P
(A8)	Commercial sexual services	D
(A9)	Conference facilities	D
(A10)	Department stores	RD
(A11)	Drive-through restaurants	P
(A12)	Entertainment facilities	P
(A13)	Cinemas	NC
(A14)	Food and beverage	P

Activity		Activity status
(A15)	Food and beverage activities that form part of an integrated development, with more than 5 food and beverage activities	RD*
(A16)	Funeral directors' premises	D
(A17)	Garden centres	P
(A18)	Marine retail	P
(A19)	Motor vehicle sales	P
(A20)	Offices up to 500m ² gross floor area per site	P
(A21)	Offices greater than 500m ² gross floor area per site	D
(A22)	Retail up to 200m ² gross floor area per tenancy	NC
(A23)	Retail exceeding 200m ² per tenancy and up to 450m ² gross floor area per tenancy	D
(A24)	Retail greater than 450m ² gross floor area per tenancy	P
(A25)	Service stations	RD
(A26)	Supermarkets up to 450m ² gross floor area per tenancy	D
(A27)	Supermarkets greater than 450m ² gross floor area per tenancy	RD
(A28)	Trade suppliers	P
Community		
(A29)	Artworks	P
(A30)	Care centres	D
(A31)	Community facilities	D
(A32)	Education facilities	D
(A33)	Emergency services	RD
(A34)	Healthcare facilities	D
(A35)	Hospitals	D
(A36)	Justice facilities	D
(A37)	Recreation facility	P
(A38)	Tertiary education facilities	D
Industry		
(A39)	Industrial activities	P
(A40)	Waste management facilities	NC
Mana Whenua		
(A41)	Marae complex	P
Development		
(A42)	New buildings	RD
(A43)	Demolition of buildings	P
(A44)	Alterations to building facades that are less than 25m ²	P
(A45)	Additions to buildings that are less than: (a) 25 per cent of the existing gross floor area of the building;	P

Activity		Activity status
	or (b) 250m ² whichever is the lesser	
(A46)	Internal alterations to buildings	P
(A47)	Additions and alterations to buildings not otherwise provided for	RD

*Integrated development means a development that shares the same parking or access.

H14.5. Notification

- (1) Any application for resource consent for any of the following activities must be publicly notified:
 - (a) H14.4.1(A2) Dwellings; and
 - (b) H14.4.1(A4) Integrated residential development.
- (2) Any application for resource consent for an activity listed in Table H14.4.1 Activity table and which is not listed in H14.5(1) above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.
- (3) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule [C1.13\(4\)](#).

H14.6. Standards

All permitted and restricted discretionary activities in Table H14.4.1 Activity table must comply with the following standards.

H14.6.0 Activities within 30m of a residential zone

- (1) The following activities are restricted discretionary activities where they are located within 30m of a residential zone and are listed as a permitted activity in the activity table:
 - (a) bars and taverns;
 - (b) drive-through restaurants;
 - (c) outdoor eating areas accessory to restaurants;
 - (d) entertainment facilities;
 - (e) child care centres; and
 - (f) animal breeding and boarding.

This standard only applies to those parts of the activities subject to the application that are within 30m of the residential zone.

H14.6.1. Building height

Purpose:

- manage the effects of building height;
- Manage shadowing effects of building height on public open space, excluding streets;
- manage visual dominance effects;
- enable greater height in areas identified for intensification including within walkable catchments; and
- provide for variations to the standard zone height through the Height Variation Control, to recognise the character and amenity of particular areas and provide a transition in building scale to lower density zones.

(1) Buildings must not exceed 16.5m in height, unless otherwise specified in the Height Variation Control or are located within a walkable catchment on the planning maps.

(2) Buildings located in a walkable catchment must not exceed 22m in height, unless otherwise specified in the Height Variation Control on the planning maps.

(3) If the site is subject to the Height Variation Control, buildings must not exceed the height in metres as shown on the planning maps.

H14.6.2. Height in relation to boundary

Purpose:

- manage the effects of building height;
- allow reasonable sunlight and daylight access to public open space excluding streets, and neighbouring zones; and
- manage visual dominance effects on neighbouring zones where lower height limits apply.

(1) Buildings must not project beyond a recession plane that begins vertically above ground level along the zone boundary. The angle of the recession plane and the height above ground level from which it is measured is specified in Table H14.6.2.1 and Figure H14.6.2.1 or Figure H14.6.2.2 below.

(2) Where the boundary forms part of an entrance strip, access site or pedestrian access-way, the standard applies from the farthest boundary of that entrance strip or access site. However, if an entrance strip, access site or pedestrian access-way is greater than 2.5m in width, the standard will be measured from a parallel line 2.5m out from the site boundary.

Table H14.6.2.1 Height in relation to boundary

	Zoning of adjacent site	Angle of recession plane (identified as x in Figure H14.6.2.1 or Figure H14.6.2.2)	Height above ground level which the recession plane will be measured from (identified as y in Figure H14.6.2.1 or Figure H14.6.2.2)
<u>Buildings outside walkable catchments</u>	Residential – Single House Zone; or Residential – Mixed Housing Suburban Zone	45°	2.5m
	Residential – Mixed Housing Urban Zone	45°	3m
	Residential – Terrace Housing and Apartment Buildings Zone	60°	8m
	Special Purpose – Māori Purpose Zone; or Special Purpose – School Zone	45°	6m
	Open Space – Conservation Zone; Open Space – Informal Recreation Zone; Open Space – Sports and Active Recreation Zone; Open Space – Civic Spaces Zone; or Open Space – Community Zone	45°	4.5m
<u>Buildings inside walkable catchments</u>	<u>Residential – Single House Zone;</u> <u>Residential – Mixed Housing Suburban Zone;</u> <u>Residential – Mixed Housing Urban Zone;</u> or <u>Residential – Terrace Housing and Apartment Buildings Zone;</u> <u>Special Purpose – Māori Purpose Zone;</u> <u>Special Purpose – School Zone;</u> <u>Open Space – Conservation Zone;</u>	<u>60°</u>	<u>20m</u>

	<u>Open Space – Informal Recreation Zone; Open Space – Sports and Active Recreation Zone; Open Space – Civic Spaces Zone; or Open Space – Community Zone</u>		
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Figure H14.6.2.1 Height in relation to boundary

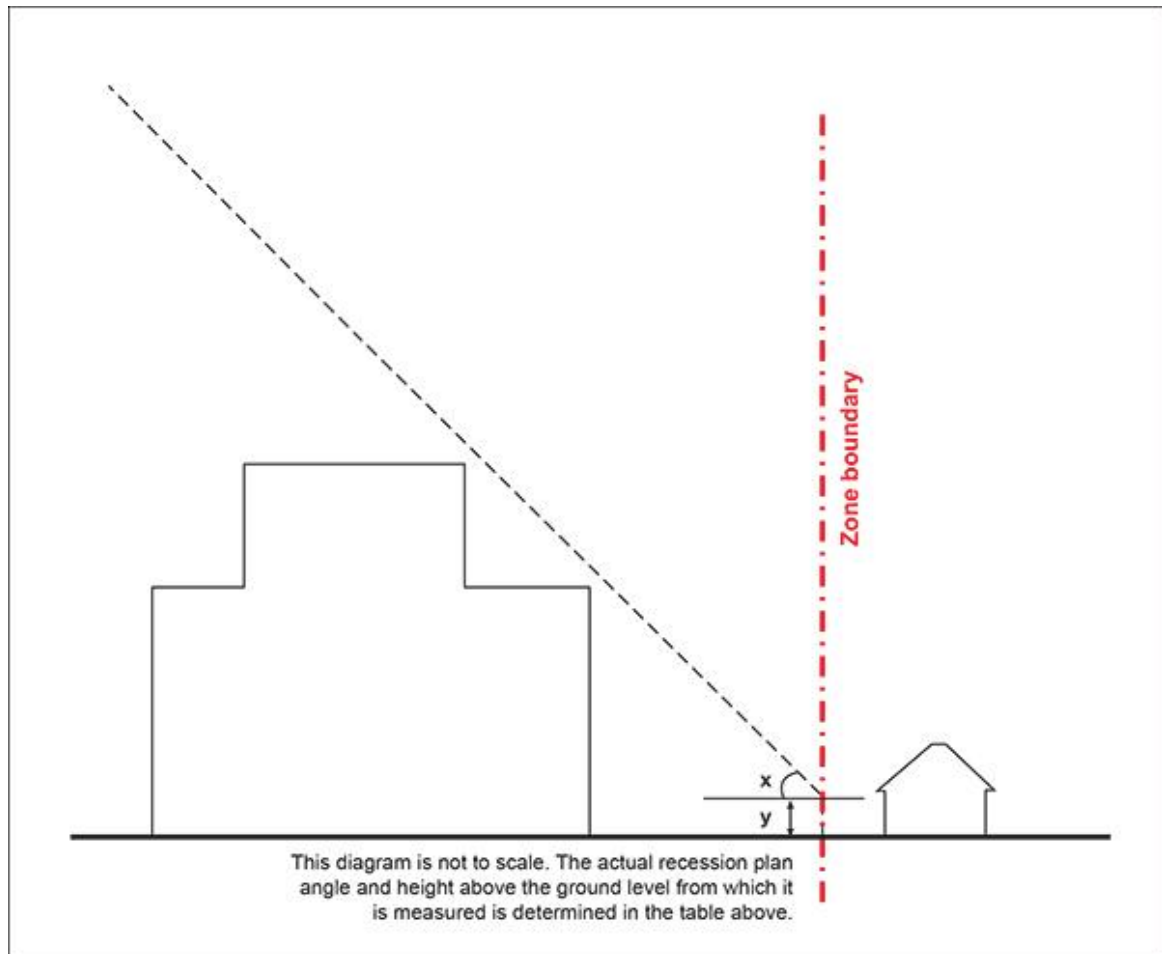
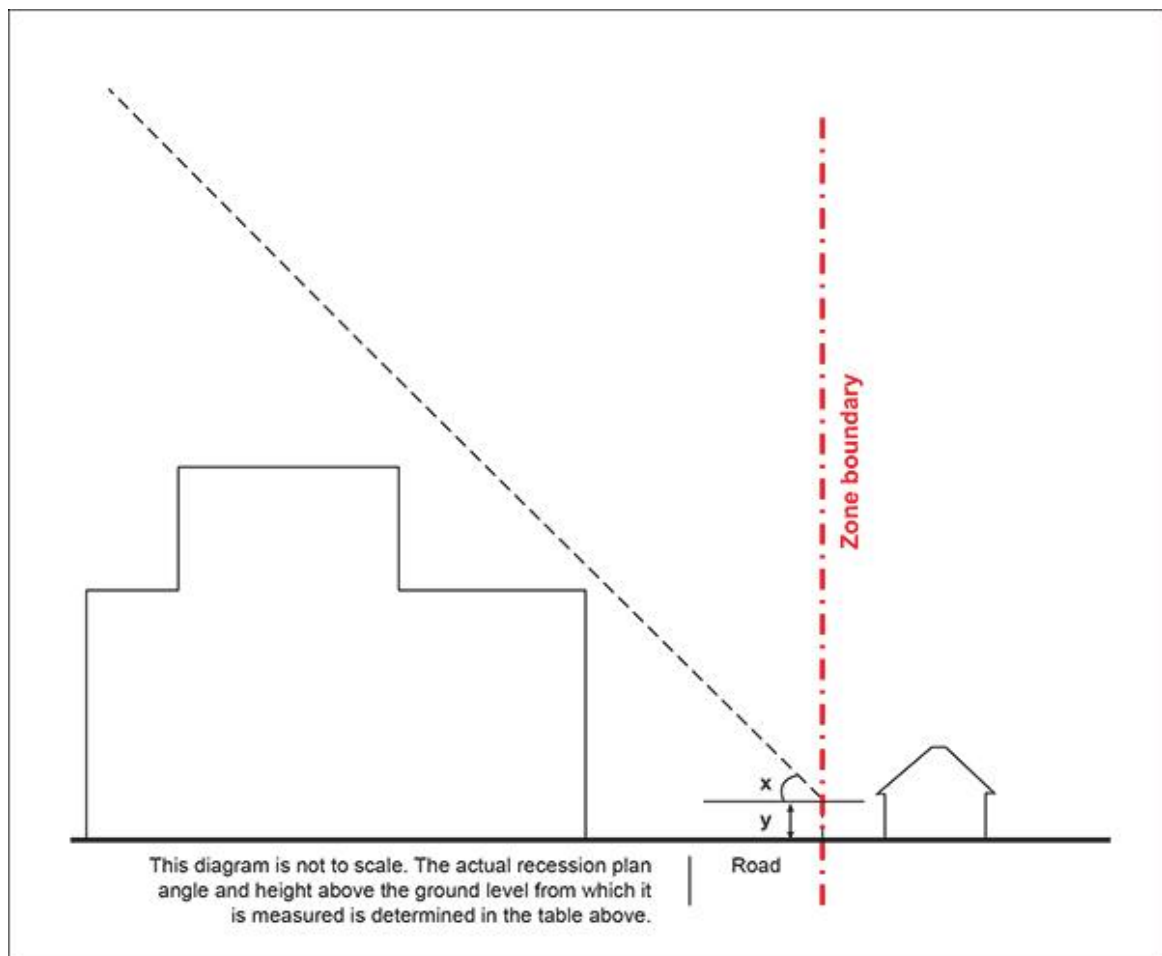


Figure H14.6.2.2 Height in relation to boundary opposite a road



H14.6.3. Yards

Purpose:

- provide a landscaped buffer between buildings and activities and adjoining residential zones and some special purpose zones, to mitigate adverse visual and nuisance effects; and
 - ensure buildings are adequately setback from lakes, streams and the coastal edge to maintain water quality, amenity, provide protection from natural hazards, and potential access to the coast.
- (1) A building or parts of a building must be set back from the relevant boundary by the minimum depth listed in Table H14.6.3.1 below.

Table H14.6.3.1 Yards

Yard	Minimum depth
Rear	3m where the rear boundary adjoins a residential zone or the Special Purpose – Māori Purpose Zone
Side	3m where a side boundary adjoins a Residential zone or the Special Purpose – Māori Purpose Zone
Riparian	10m from the edge of all permanent and intermittent streams
Lakeside yard	30m
Coastal protection yard	25m, or as otherwise specified in Appendix 6 Coastal protection yard

Note 3

A side or rear yard, and/or landscaping within that yard, is only required along that part of the side or rear boundary adjoining a residential zone or the Special Purpose – Māori Purpose Zone.

- (2) Side and rear yards must be planted with a mixture of trees, shrubs or ground cover plants (including grass) within and along the full extent of the yard for a depth of at least 3m.

H14.6.4. Landscaping

Purpose:

- ensure landscaping provides a buffer and screening between car parking, loading, or service areas commercial activities and the street; and
- ensure landscaping is of sufficient quality as to make a positive contribution to the amenity of the street.

- (1) A landscape buffer of 2m in depth must be provided along the street frontage between the street and car parking, loading, or service areas which are visible from the street frontage. This rule excludes access points.

- (2) The required landscaping in Standard H14.6.4(1) above must comprise a mix of trees, shrubs or ground cover plants (including grass).

H14.6.5. Maximum impervious area in the riparian yard

Purpose: support the functioning of riparian yards and in-stream health.

- (1) The maximum impervious area within a riparian yard must not exceed 10 per cent of the riparian yard area.

H14.6.6. Wind

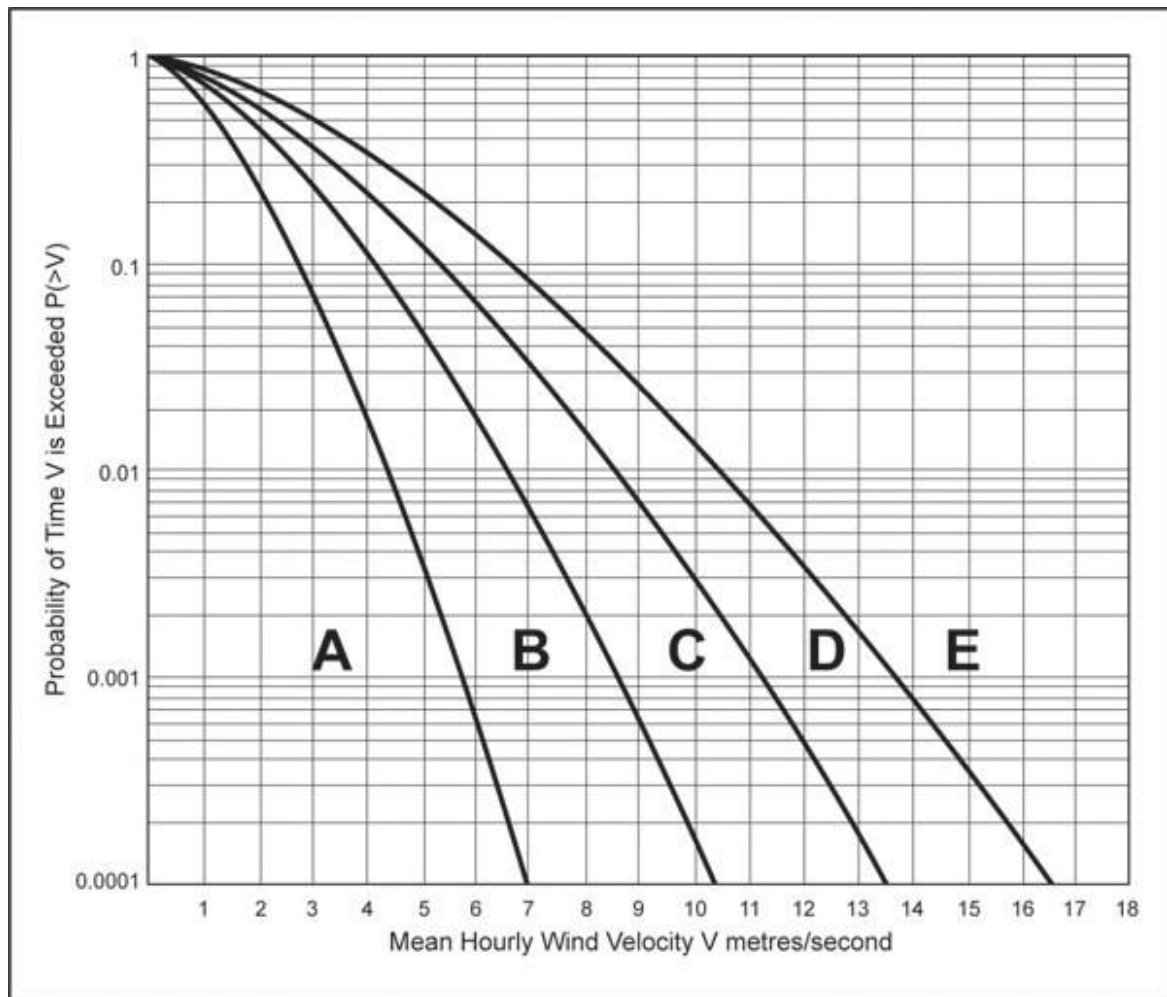
Purpose: mitigate the adverse wind effects generated by tall buildings.

- (1) A new building exceeding 25m in height and additions to existing buildings that increase the building height above 25m must not cause:

- (a) the mean wind speed around it to exceed the category for the intended use of the area as set out in Table H14.6.6.1 and Figure H14.6.6.1 below;
 - (b) the average annual maximum peak 3-second gust to exceed the dangerous level of 25m per second; and
 - (c) an existing wind speed which exceeds the controls of Standard H14.6.6(1)(a) or Standard H14.6.6(1)(b) above to increase.
- (2) A report and certification from a suitably qualified and experienced person, showing that the building complies with Standard H14.6.6(1) above, will demonstrate compliance with this standard.
- (3) If the information in Standard H14.6.6(2) above is not provided, or if such information is provided but does not predict compliance with the rule, a further wind report including the results of a wind tunnel test or appropriate alternative test procedure is required to demonstrate compliance with this standard.

Table H14.6.6.1 Categories

Category		Description
(B48)	Category A	Areas of pedestrian use or adjacent dwellings containing significant formal elements and features intended to encourage longer term recreational or relaxation use i.e. public open space and adjacent outdoor living space
(B49)	Category B	Areas of pedestrian use or adjacent dwellings containing minor elements and features intended to encourage short term recreation or relaxation, including adjacent private residential properties
(B50)	Category C	Areas of formed footpath or open space pedestrian linkages, used primarily for pedestrian transit and devoid of significant or repeated recreational or relaxational features, such as footpaths not covered in categories A or B above
(B51)	Category D	Areas of road, carriage way, or vehicular routes, used primarily for vehicular transit and open storage, such as roads generally where devoid of any features or form which would include the spaces in categories A - C above
(B52)	Category E	Category E represents conditions which are dangerous to the elderly and infants and of considerable cumulative discomfort to others, including residents in adjacent sites. Category E conditions are unacceptable and are not allocated to any physically defined areas of the city

Figure H14.6.6.1 Wind environment control

Derivation of the wind environment control graph:

The curves on the graph delineating the boundaries between the acceptable categories (A-D) and unacceptable (E) categories of wind performance are described by the Weibull expression:

$$P(>V) = e^{-(v/c)^k}$$

where V is a selected value on the horizontal axis, and P is the corresponding value of the vertical axis:

and where:

$P(>V)$ = Probability of a wind speed V being exceeded;

e = The Napierian base 2.7182818285

v = the velocity selected;

k = the constant 1.5; and

c = a variable dependent on the boundary being defined:

A/B, c = 1.548

B/C, c = 2.322

C/D, c = 3.017

D/E, c = 3.715

H14.7. Assessment – controlled activities

There are no controlled activities in this zone.

H14.8. Assessment – restricted discretionary activities

H14.8.1. Matters of discretion

The Council will restrict its discretion to the following matters when assessing a restricted discretionary resource consent application:

- (1) activities within 30m of a residential zone, emergency services and service stations:
 - (a) the compatibility of:
 - (i) the effects of intensity and scale of the development arising from the numbers of people and/or vehicles using the site; and
 - (ii) the effects of the operation of the activity;
on the existing and expected future amenity values of the surrounding area and any practicable mitigation measures that would be appropriate to manage those effects;
 - (b) the effects of the design and location of parking areas and vehicle access and servicing arrangements on visual amenity of the streetscape and on pedestrian safety;
 - (c) the effects of location, design and management of storage and servicing facilities on the amenity values of nearby residential properties including potential visual effects, adequacy of access for service vehicles (including waste collection) and any night time noise effects; and
 - (d) the assessment of the above matters having regard to the need to provide for the functional requirements of the activity;
- (2) supermarkets greater than 450m² gross floor area and department stores:
 - (a) the compatibility of the effects of intensity and scale of the development arising from the numbers of people and/or vehicles using the site, with the existing and expected future amenity values of the surrounding area and any practicable mitigation measures that would be appropriate to manage those effects;
 - (b) the effects of the design and location of parking areas and vehicle access and servicing arrangements on visual amenity of the streetscape and on pedestrian safety;

- (c) the effects of the size, composition and characteristics of retail and office activities proposed on the existing and expected future function, role and amenity of other Centre zones having regard to the need to enable convenient access of communities to commercial and community services while disregarding any effects ordinarily associated with trade effects on trade competitors; and
 - (d) the assessment of the above matters having regard to the need to provide for the functional requirements of the activity;
- (3) food and beverage activities that form part of an integrated development, with more than 5 food and beverage activities:
 - (a) any association between the scale of the proposed development and the enablement of high-intensity residential development either on the same site or in close vicinity; and
 - (b) the effects, including cumulative effects, of the size, composition and characteristics of retail activities proposed on the existing and expected future function, role and amenity of other centre zones having regard to the need to enable convenient access of communities to commercial and community services while disregarding effects ordinarily associated with trade effects on trade competitors;
- (4) new buildings and alterations and additions to buildings not otherwise provided for:
 - (a) the design and appearance of buildings in so far as it affects the existing and future amenity values of public streets and spaces used by significant numbers of people. This includes:
 - (i) the contribution that such buildings make to the attractiveness pleasantness and enclosure of the public space;
 - (ii) the maintenance or enhancement of amenity for pedestrians using the public space or street;
 - (iii) the provision of convenient and direct access between the street and building for people of all ages and abilities;
 - (iv) measures adopted for limiting the adverse visual effects of any blank walls along the frontage of the public space; and
 - (v) the effectiveness of screening of car parking and service areas from the view of people using the public space.
 - (b) the provision of floor to floor heights that will provide the flexibility of the space to be adaptable to a wide variety of use over time;
 - (c) the extent of glazing provided on walls fronting public streets and public spaces and the benefits it provides in terms of:

- (i) the attractiveness and pleasantness of the public space and the amenity for people using or passing through that space;
 - (ii) the degree of visibility that it provides between the public space and the building interior; and
 - (iii) the opportunities for passive surveillance of the street from the ground floor of buildings.
- (d) the provision of verandahs to provide weather protection in areas used, or likely to be used, by significant numbers of pedestrians;
- (e) the application of Crime Prevention through Environmental Design principles to the design and layout of buildings adjoining public spaces;
- (f) the effects of creation of new roads and/or service lanes on the matters listed above;
- (g) the positive effects that landscaping, including required landscaping, on sites adjoining public spaces is able to contribute to the amenity values of the people using or passing through the public space;
- (h) taking an integrated stormwater management approach; and
- (i) all the above matters to be assessed having regard to the outcomes set out in this Plan and the functional requirements of the activities that the buildings are intended to accommodate;
- (5) in addition to the matters for new buildings stated above the Council will restrict its discretion to the following matter in regard to:
- supermarkets, department stores and large format retail where the activity or integrated retail development exceeds 1000m² gross floor area per tenancy; or
 - trade suppliers where the activity or integrated retail development exceeds 1000m² gross floor area per tenancy:
- (a) the manner in which these building/developments are integrated with the adjacent existing and planned future centre and zone activities and public spaces and provide for the continuity of active public frontages and associated pedestrian amenity that is appropriate to those centres and zones having regard to the outcomes set out in this Plan and the functional requirements of the activities that the buildings are intended to accommodate. This will include the effects of the design and location of parking areas, vehicle access and servicing arrangements on the visual amenity of the streetscape and on pedestrian safety;
- (6) in addition to the matters for new buildings stated above the Council will restrict its discretion to the following matter in regard to:
- drive through restaurants; or

- service stations:

(a) the effects of the location and design of:

- (i) buildings and associated equipment, parking and service areas;
- (ii) access for vehicles including service vehicles; and
- (iii) landscaping;

on the amenity of surrounding areas (particularly residential areas), on streetscapes and on pedestrian amenity and any methods by which those effects can be appropriately managed;

(7) buildings that do not comply with the standards:

- (a) any policy which is relevant to the standard;
- (b) the purpose of the standard;
- (c) the effects of the infringement of the standard;
- (d) the effects on the amenity of neighbouring sites;
- (e) the effects of any special or unusual characteristic of the site which is relevant to the standard;
- (f) the characteristics of the development;
- (g) any other matters specifically listed for the standard; and
- (h) where more than one standard will be infringed, the effects of all infringements.

H14.8.2. Assessment criteria

The Council will consider the relevant assessment criteria below for restricted discretionary activities:

(1) activities within 30m of a residential zone, emergency services and service stations:

- (a) for Matter H14.8.1(1)(a)(i) refer to Policy H14.3(3)(a), Policy H14.3(3)(b), Policy H14.3(3)(c), Policy H14.3(8) and Policy H14.3(22);
- (b) for Matter H14.8.1(1)(a)(ii) refer to Policy H14.3(3)(a), Policy H14.3(3)(b), Policy H14.3(3)(c), Policy H14.3(8) and Policy H14.3(22);
- (c) for Matter H14.8.1(1)(b) refer to Policy H14.3(3)(c) and Policy H14.3(7);
- (d) for Matter H14.8.1(1)(c) refer to Policy H14.3(22); and
- (e) for Matter H14.8.1(1)(d) refer to Policy H14.3(12);

(2) supermarkets greater than 450m² gross floor area and department stores:

- (a) for Matter H14.8.1(2)(a) refer to Policy H14.3(3)(a), Policy H14.3(3)(b), Policy H14.3(3)(c), Policy H14.3(8) and Policy H14.3(20);
- (b) for Matter H14.8.1(2)(b) refer to Policy H14.3(7);
- (c) for Matter H14.8.1(2)(c) refer to Policy H14.3(1) and H14.3(17); and
- (d) for Matter H14.8.1(2)(d) refer to Policy H14.3(12);
- (3) food and beverage activities that form part of an integrated development, with more than 5 food and beverage activities:
 - (a) for Matter H14.8.1(3)(a) refer to Policy H14.3(2); and
 - (b) for Matter H14.8.1(3)(a) refer to Policy H14.3(1) and Policy H14.3(17);
- (4) new buildings and alterations and additions to buildings not otherwise provided for:
 - (a) for Matter H14.8.1(4)(a)(i) refer to Policy H14.3(3)(a) and Policy H14.3(3)(b);
 - (b) for Matter H14.8.1(4)(a)(ii) refer to Policy H14.3(3)(c);
 - (c) for Matter H14.8.1(4)(a)(iii) refer to Policy H14.3(4);
 - (d) for Matter H14.8.1(4)(a)(iv) refer to Policy H14.3(3)(a);
 - (e) for Matter H14.8.1(4)(a)(v) refer to Policy H14.3(7);
 - (f) for Matter H14.8.1(4)(b) refer to Policy H14.3(6);
 - (g) for Matter H14.8.1(4)(c)(i) refer to Policy H14.3(3)(a) and Policy H14.3(3)(b);
 - (h) for Matter H14.8.1(4)(c)(ii) refer to Policy H14.3(3)(a) and Policy H14.3(3)(b);
 - (i) for Matter H14.8.1(4)(c)(iii) refer to Policy H14.3(3)(a) and Policy H14.3(3)(b);
 - (j) for Matter H14.8.1(4)(d) refer to Policy H14.3(3)(c);
 - (k) for Matter H14.8.1(4)(e) refer to Policy H14.3(3)(c);
 - (l) for Matter H14.8.1(4)(f) refer to Policy H14.3(3)(b);
 - (m) for Matter H14.8.1(4)(g) refer to H14.3(3)(c);
 - (n) for Matter H14.8.1(4)(h) refer to [E1.3\(10\)](#)
 - (o) for Matter H14.8.1(4)(i) refer to Policy H14.3(3)(12);

(5) in addition to the policies for new buildings stated above the Council will have regard to the following policies when considering new buildings for the following purposes:

- supermarkets, department stores and large format retail where the activity or integrated retail development exceeds 1000m² gross floor area per tenancy; or
- trade suppliers where the activity or integrated retail development exceeds 1000m² gross floor area per tenancy:

(a) refer to Policy H14.3(1), Policy H14.3(5), Policy H14.3(17), Policy H14.3(16) and Policy H14.3(20);

(6) in addition to the policies for new buildings stated above the Council will have regard to the following policies when considering new buildings for the following purposes:

- drive through restaurants; or
- service stations:

(a) refer to Policy H14.3(3)(a), Policy H14.3(3)(b), Policy H14.3(3)(c), Policy H14.3(7), Policy H14.3(8), Policy H14.3(12), Policy H14.3(16) and Policy H14.3(20);

(7) buildings that do not comply with the standards:

(a) height and height in relation to boundary:

(i) refer to Policy H14.3(3)(a), Policy H14.3(3)(b) and Policy H14.3(8);

(b) yards and landscaping:

(i) refer to Policy H14.3(3)(b), Policy H14.3(3)(c), Policy H14.3(7) and Policy H14.3(8);

(c) wind:

(i) refer to Policy H14.3(11)

(d) maximum impervious area in a riparian yard:

(i) refer to Policy H14.3(23).

H14.9. Special information requirements

There are no special information requirements in this zone.

H15. Business – Business Park Zone

H15.1. Zone description

A business park is a location where office-type business activities can group together in a park or campus like environment. The Business – Business Park Zone enables moderate to intensive office activity and some ancillary services such as gymnasiums, child care and food and beverage outlets. These high amenity and comprehensively planned business areas are located adjacent to the rapid and frequent services network.

The zone is designed to recognise existing business parks. It has a limited future application, as the primary location for commercial activities is expected to be within the city centre, metropolitan centres and town centres in order to reinforce the roles of those centres. Where new business parks are proposed, limits are expected to be put in place on the amount of office that can establish within these parks.

Outside walkable catchments provisions typically enable buildings of up to six storeys high. Height variation controls identified on planning maps by the height variation control, may enable greater building heights. In identified locations, depending on whether the area is within a walkable catchment increased building heights may be enabled of up to ten storeys. Qualifying matters may also apply that reduce building heights.

The zone anticipates different built form outcomes depending on whether the area is within a walkable catchment with a variation on building heights reflecting the levels of:

- strategic importance and significant transport investment;
- accessibility including access to the rapid transit network;
- the proximity to a centre, the role and function of that centre, and the concentration of amenities within it; and,
- residential demand relative to other locations.

H15.2. Objectives

General objectives for all centres, Business – Mixed Use Zone, Business – General Business Zone and Business – Business Park Zone

- (1) A strong network of centres that are attractive environments and attract ongoing investment, promote commercial activity, and provide employment, housing and goods and services, all at a variety of scales.
- (2) Development is of a form, scale and design quality so that centres are reinforced as focal points for the community.
- (3) Development positively contributes towards planned future form and quality, creating a well-functioning urban environment and a sense of place.
- (4) Business activity is distributed in locations, and is of a scale and form, that:
 - (a) provides for the community's social and economic needs;

- (b) improves community access to goods, services, community facilities and opportunities for social interaction;
 - (c) manages adverse effects on the environment, including effects on infrastructure and residential amenity; and
 - (d) accommodates qualifying matters.
- (5) A network of centres that provides:
- (a) a framework and context to the functioning of the urban area and its transport network, recognising:
 - (i) the regional role and function of the city centre, metropolitan centres and town centres as commercial, cultural and social focal points for the region, sub-regions and local areas; and
 - (ii) local centres and neighbourhood centres in their role to provide for a range of convenience activities to support and serve as focal points for their local communities.
 - (b) a clear framework within which public and private investment can be prioritised and made; and
 - (c) a basis for regeneration and intensification initiatives.

Business – Business Park Zone objectives

- (6) Existing business parks are efficiently and effectively developed.
- (7) New business parks for office-based employment are enabled where they:
 - (a) are comprehensively planned;
 - (b) achieve high amenity;
 - (c) avoid adverse effects on the function and amenity of the Business – City Centre Zone, Business – Metropolitan Centre Zone, Business – Town Centre Zone and neighbouring zones; and
 - (d) are easily accessible to public transport.

(7A) Development achieves a quality built environment and, unless a qualifying matter applies that reduces building heights, the urban built character of local centres is a compatible mix of commercial and intensive residential development with building heights enabled in accordance with an areas: strategic importance and significant transport investment; accessibility including access to the rapid transit network; the proximity to a centre, the role and function of that centre and the concentration of amenities within it; and, demand. Building heights in the zone are aligned with these features and are predominantly:

- (a) six storey buildings; and

(b) through the height variation controls, in some identified walkable catchments up to ten storey buildings; or

(c) as specified in the height variation control in other identified areas.

(8) Retail activities which support intensive employment activities are enabled.

H15.3. Policies

General policies for all centres, Business – Mixed Use Zone, Business – General Business Zone and Business – Business Park Zone

- (1) Reinforce the function of the city centre, metropolitan centres and town centres as the primary location for commercial activity, according to their role in the hierarchy of centres.
- (2) Enable an increase in the density, diversity and quality of housing in the centre zones and Business – Mixed Use Zone, where it is compatible with any qualifying matters and while managing any reverse sensitivity effects including from the higher levels of ambient noise and reduced privacy that may result from non-residential activities.
- (3) Require development to be of a quality and design that positively contributes to:
 - (a) planning and design outcomes identified in this Plan for the relevant zone;
 - (b) the visual quality and interest of streets and other public open spaces; and
 - (c) pedestrian amenity, movement, safety and convenience for people of all ages and abilities.
- (4) Encourage universal access for all development, particularly medium to large scale development.
- (5) Require large-scale development to be of a design quality that is commensurate with the prominence and visual effects of the development.
- (6) Encourage buildings at the ground floor to be adaptable to a range of uses to allow activities to change over time.
- (7) Require at grade parking to be located and designed in such a manner as to avoid or mitigate adverse effects on pedestrian amenity and the streetscape.
- (8) Require development adjacent to residential zones and the Special Purpose – School Zone and Special Purpose – Māori Purpose Zone to maintain the amenity values of those areas, having specific regard to dominance, overlooking and shadowing.

- (9) Discourage activities, which have noxious, offensive, or undesirable qualities from locating within the centres and mixed use zones, while recognising the need to retain employment opportunities.
- (10) Discourage dwellings at ground floor in centre zones and enable dwellings above ground floor in centre zones.
- (11) Require development to avoid, remedy or mitigate adverse wind and glare effects on public open spaces, including streets, and shading effects on open space zoned land.
- (12) Recognise the functional and operational requirements of activities and development.
- (12A) Enable building height of at least six storeys within mapped walkable catchments unless a qualifying matter applies that reduces height.
- (13) Enable greater building height than the standard height in locations identified within the Height Variation Control, having regard to whether the greater height:
 - (za) is commensurate with the level of commercial activities and community services;
 - (zb) is compatible with a qualifying matter that requires reduced height and/or density;
 - (a) is an efficient use of land;
 - (b) supports public transport, community infrastructure and contributes to centre vitality and vibrancy;
 - (c) considering the size and depth of the zoned area, can be accommodated without significant adverse effects on adjacent residential zones;
 - (d) is supported by the status of the centre in the centres hierarchy, or is adjacent to such a centre; and
 - (e) support the role of centres.
- (14) Reduce building height below the standard zone height in locations identified within the Height Variation Control, where the standard zone height would have significant adverse effects on identified special character, identified landscape features, amenity or other qualifying matters.

Business – Business Park Zone policies

- (15) Enable the efficient and effective development of existing areas zoned Business Park having regard to the development potential anticipated in provisions applying to each zoned area.

- (16) Require the location of a proposed new business park to:
- (a) be within practical walking distance of public transport; and
 - (b) not significantly adversely affect the function, role and amenity of the Business – City Centre Zone, Business – Metropolitan Centre Zone and Business – Town Centre Zones.
- (17) Avoid expansion of existing and proposed business parks into residential areas.
- (18) Require a plan change for new business parks and any amendment to the provisions of existing business parks, to:
- (a) limit the permitted amount of office space so as not to adversely affect the function, role and amenity of the Business – City Centre Zone, Business – Metropolitan Centre Zone and Business – Town Centre Zones;
 - (b) limit retail to those services such as food and beverage and convenience goods which meet the day to day needs of workers and visitors to the zone;
 - (c) limit residential activity except for visitor accommodation;
 - (d) demonstrate that the business park will not adversely affect the safe and efficient operation of the transport network;
 - (e) demonstrate that a comprehensively planned development and a high standard of visual, landscaped and pedestrian amenity will be achieved
 - (f) control the scale of built development so that it remains compatible with a landscaped high quality business space;
 - (g) limit development where environmental or servicing constraints exist, unless these can be adequately mitigated; and
 - (h) maximise the number and quality of connections through the site where these provide logical links to the local street network, with a priority on pedestrian and cycle routes and avoiding fenced and gated environments.
- (19) Require that where development of a business park is staged, the different stages should be managed to enhance amenity values and the environment and maintain or reduce the impact on the transport network.
- (20) Manage the effects of activities within the zone so that the scale of development and level of effects does not degrade the amenity of neighbouring zones.

- (21) Restrict maximum impervious area within a riparian yard in order to ensure that adverse effects on water quality, water quantity and amenity values are avoided or mitigated.

In Mapped Walkable Catchments

- (22) Enable in areas with the highest factors of strategic importance, accessibility, concentration of amenities and residential demand, building heights up to fifteen storeys within the walkable catchments (identified in Chapter G) of:

- (a) the edge of the City Centre zone;
- (b) the edge of the Metropolitan Centre zones;
- (c) the legislated locations at rapid transit stops;
- (d) other rapid transit stops.

- (23) Enable in areas with, relative to other areas, high factors of strategic importance, accessibility, concentration of amenities and residential demand, building heights up to ten storeys within the walkable catchments (listed in Chapter G) of:

- (a) the edge of the Metropolitan Centre zones;
- (b) the legislated locations at rapid transit stops;
- (c) other rapid transit stops.

- (24) Enable building height of at least six storeys within mapped walkable catchments unless a qualifying matter applies that reduces height.

- (25) In walkable catchments require development greater than ten storeys to achieve adequate separation between buildings, set back upper floors from the street and set towers, above six storeys, back from boundaries where adjacent to lower intensity residential zones.

H15.4. Activity table

Table H15.4.1 Activity table specifies the activity status of land use and development activities in the Business – Business Park Zone pursuant to section 9(3) of the Resource Management Act 1991.

Table H15.4.1 Activity table

Activity		Activity status
General		
(A1)	Activities not provided for	NC
Use		
Accommodation		
(A2)	Dwellings	NC

Activity		Activity status
(A3)	Conversion of a building or part of a building to dwellings, integrated residential development, visitor accommodation or boarding houses	NC
(A4)	Integrated residential development	NC
(A5)	Supported residential care	NC
(A6)	Visitor accommodation and boarding houses	RD
Commerce		
(A7)	Commercial services	P
(A8)	Commercial sexual services	D
(A9)	Conference facilities	D
(A10)	Drive-through restaurants	NC
(A11)	Entertainment facilities	NC
(A12)	Cinemas	NC
(A13)	Food and beverage	P
(A14)	Funeral directors' premises	NC
(A15)	Offices other than in H15.4.1(A16) and (A17)	P
(A16)	Offices up to the maximum gross floor area shown for the area on the Business Park Zone Office Control as shown on the planning maps	P
(A17)	Offices that exceed the maximum gross floor area shown for the area on the Business Park Zone Office Control as shown on the planning maps	NC
(A18)	Retail	D
(A19)	Supermarkets up to 450m ² gross floor area per tenancy	P
(A20)	Supermarkets greater than 450m ² gross floor area per tenancy	NC
Community		
(A21)	Artworks	P
(A22)	Care centres	P
(A23)	Community facilities	D
(A24)	Education facilities	D
(A25)	Emergency services	RD
(A26)	Healthcare facilities	P
(A27)	Hospitals	NC
(A28)	Justice facilities	D
(A29)	Recreation facility	P
(A30)	Tertiary education facilities	D
Industry		
(A31)	Industrial activities	NC

Activity		Activity status
(A32)	Industrial laboratories	P
(A33)	Light manufacturing and servicing	P
(A34)	Repair and maintenance services	P
(A35)	Storage and lock-up facilities	D
(A36)	Waste management facilities	NC
(A37)	Warehousing and storage	P
Mana Whenua		
(A38)	Marae complex	D
Development		
(A39)	New buildings	RD
(A40)	Demolition of buildings	P
(A41)	Alterations to building facades that are less than 25m ²	P
(A42)	Additions to buildings that are less than: (a) 25 per cent of the existing gross floor area of the building; or (b) 250m ² whichever is the lesser	P
(A43)	Internal alterations to buildings	P
(A44)	Additions and alterations to buildings not otherwise provided for	RD

H15.5. Notification

- (1) Any application for resource consent for an activity listed in Table H15.4.1 Activity table above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.
- (2) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule [C1.13\(4\)](#).

H15.6. Standards

All permitted and restricted discretionary activities in Table H15.4.1 Activity table must comply with the following standards.

H15.6.0 Activities within 30m of a residential zone

- (1) The following activities are restricted discretionary activities where they are located within 30m of a residential zone and are listed as a permitted activity in the activity table:
 - (a) bars and taverns;
 - (b) drive-through restaurants;

- (c) outdoor eating areas accessory to restaurants;
- (d) entertainment facilities;
- (e) child care centres; and
- (f) animal breeding and boarding.

This standard only applies to those parts of the activities subject to the application that are within 30m of the residential zone.

H15.6.1. Building height

Purpose:

- manage the effects of building height;
 - manage shadowing effects of building height on public open space, excluding streets;
 - manage visual dominance effects; ~~and~~
 - provide for variations to the standard zone height through the Height Variation Control, to recognise the character and amenity of particular areas and provide a transition in building scale to lower density zones; and
 - enable height within walkable catchments of at least six storeys and in some identified walkable catchments up to ten storeys is also enabled.
- (1) Buildings must not exceed ~~20.5~~22m in height, unless otherwise specified in the Height Variation Control on the planning maps.
- (2) If the site is subject to the Height Variation Control, buildings must not exceed the height in metres as shown on the planning maps.

H15.6.2. Height in relation to boundary

Purpose:

- manage the effects of building height;
 - allow reasonable sunlight and daylight access to public open space excluding streets, and neighbouring zones; and
 - manage visual dominance effects on neighbouring zones where lower height limits apply.
- (1) Buildings must not project beyond a recession plane that begins vertically above ground level along the zone boundary. The angle of the recession plane and the height above ground level from which it is measured is specified in Table H15.6.2.1 and Figure H15.6.2.1 or Figure H15.6.2.2 below.
- (2) Where the boundary forms part of an entrance strip, access site or pedestrian access-way, the control applies from the farthest boundary of that entrance strip or access site. However, if an entrance strip, access site or pedestrian access-

way is greater than 2.5m in width, the control will be measured from a parallel line 2.5m out from the site boundary.

- (3) Figure H15.6.2.3 will be used to define what is a north, south, east or west boundary, where this is referred to in Table H15.6.2.1. The recession plane angle is calculated by orientating both site plan and Figure H15.6.2.3 to true north. Figure H15.6.2.3 is placed over the site plan with the outside of the circle touching the inside of the site boundary under consideration. At the point where Figure H15.6.2.3 touches the site boundary, the recession plane angle and height at which it begins, will be indicated by Table H15.6.2.1

Table H15.6.2.1 Height in relation to boundary

Location	Zoning of adjacent site	Angle of recession plane (identified as x in Figure H15.6.2.1 or Figure H15.6.2.2)	Height above ground level which the recession plane will be measured from (identified as y in Figure H15.6.2.1 or Figure H15.6.2.2)
<u>NA Buildings outside walkable catchments</u>	Residential – Single House Zone; or Residential - Mixed Housing Suburban Zone	45°	2.5m
	Residential – Mixed Housing Urban Zone	45°	3m
	Residential – Terrace Housing and Apartment Buildings Zone	60°	8m
	Special Purpose – Māori Purpose Zone; or Special Purpose School Zone	45°	6m
	Open Space – Conservation Zone; Open Space – Informal Recreation Zone; Open Space – Sport and Active Recreation Zone; Open Space – Civic Spaces Zone; or Open Space – Community Zone	45°	4.5m
<u>Buildings outside walkable catchments</u> located on the southern boundary of the adjacent site	Open Space – Conservation Zone; Open Space – Informal Recreation Zone; Open Space – Sport and Active Recreation Zone; Open Space – Civic Spaces Zone; or Open Space – Community Zone	45°	8.5m
<u>Buildings within</u>	<u>Residential – Single House Zone; Residential – Mixed Housing Urban Zone; Residential – Terrace Housing</u>	<u>60°</u>	<u>20m</u>

<u>walkable catchments</u>	<u>and Apartment Buildings Zone; Special Purpose - Māori Purpose Zone; Special Purpose - School Zone; Open Space – Conservation Zone; Open Space – Informal Recreation Zone; Open Space – Sports and Active Recreation Zone; Open Space – Civic Spaces Zone; or Open Space – Community Zone</u>		
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Figure H15.6.2.1 Height in relation to boundary

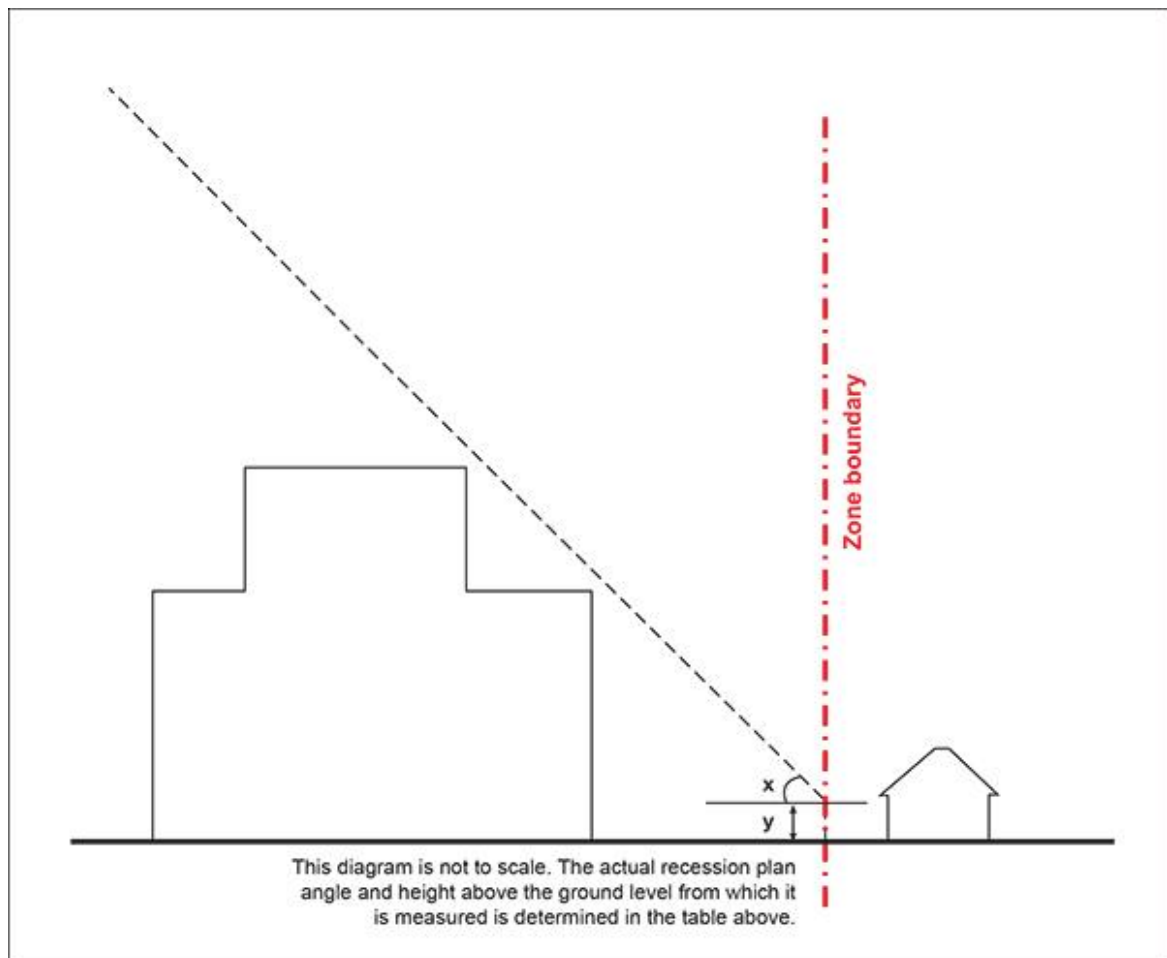


Figure H15.6.2.2 Height in relation to boundary opposite a road

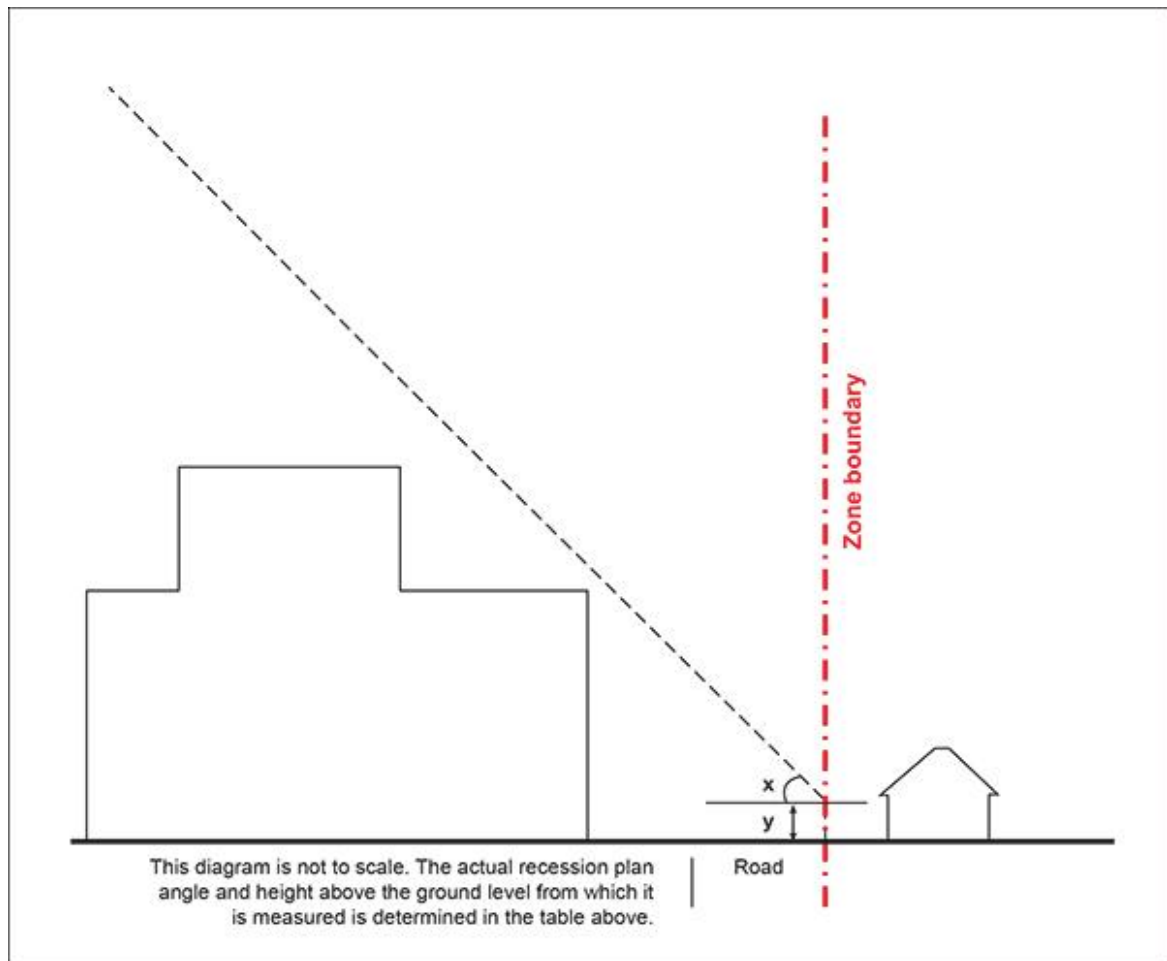
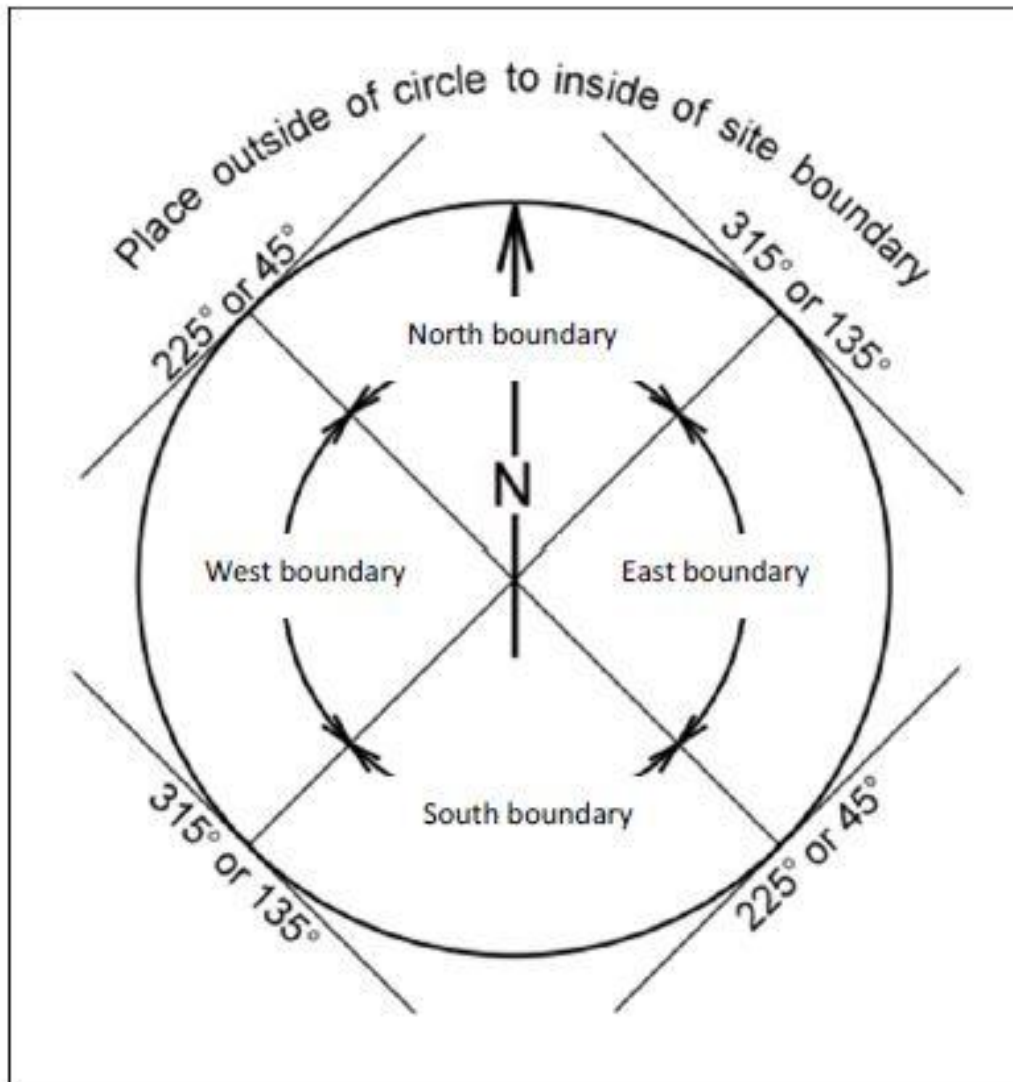


Figure H15.6.2.3 Recession plane indicator for sites adjacent to an open space zone



**Qualifying matter
as per Sch 3C, cls
8(1)(b) of the RMA**

H15.6.2A Building setback at upper floors for sites in walkable catchments

Purpose: to ensure buildings in walkable catchments:

- manage the height and bulk of buildings at the street boundary to maintain streetscape amenity;
- manage visual dominance effects on streets; and
- where located at the edge of the walkable catchment, minimise visual dominance, residential amenity and effects on neighbours in lower intensity zones.

(1) On sites in walkable catchments a new building must be set back 6m from the site frontage from the point where any part exceeds 34.5m in height.

- (2) On sites at the edge of a walkable catchment, buildings or parts of buildings more than 22m in height must set back the parts of a building from the boundary adjoining with the Residential – Single House zone, Residential – Mixed Housing Suburban zone and the Residential – Mixed Housing Urban zone by the distance and at the height listed in metres specified in Table H15.6.2A.1:

Table H15.6.2A.1 Building setback at upper floors in walkable catchments

<u>Boundary shared with the Residential – Single House zone, Residential – Mixed Housing Suburban zone and the Residential – Mixed Housing Urban zone at the edge of a walkable catchment</u>	<u>Height above ground level which the set back will be measured from</u>	<u>Minimum depth</u>
<u>Side</u>	<u>22m</u>	<u>18m</u>
<u>Rear</u>	<u>22m</u>	<u>18m</u>

H15.6.2B Maximum tower dimension and tower separation

Purpose: ensure that high-rise buildings:

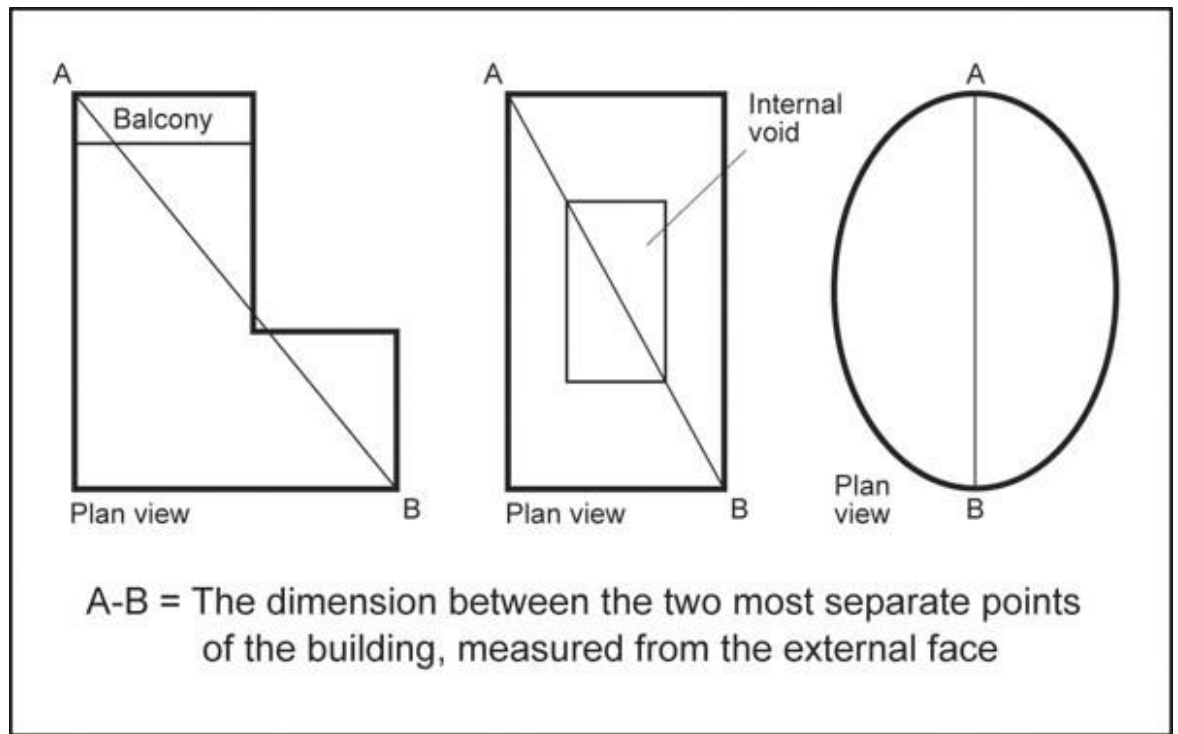
- are not overly bulky in appearance and manage significant visual dominance effects;
- allow adequate sunlight and daylight access to streets, public open space and nearby sites;
- provide adequate sunlight and outlook around and between buildings; and
- mitigate adverse wind effects.

(1) Outside walkable catchments the maximum plan dimension of that part of the building above 27m must not exceed 55m.

(2) In walkable catchments the maximum plan dimension of that part of the building above 34.5m must not exceed 55m.

(3) The maximum plan dimension is the horizontal dimension between the exterior faces of the two most separate points of the building.

(4) The part of a building above 27m must be located at least 6m from any side or rear boundary of the site.

Figure 15.6.2B.1 Maximum tower dimension plan view**H15.6.3. Yards**

Purpose:

- provide a landscaped buffer between buildings and activities and adjoining residential zones and some special purpose zones, to mitigate adverse visual and nuisance effects; and
- ensure buildings are adequately setback from lakes, streams and the coastal edge to maintain water quality, amenity, provide protection from natural hazards, and potential access to the coast.

(1) A building or parts of a building must be set back from the relevant boundary by the minimum depth listed in Table H15.6.3.1 below.

Table H15.6.3.1 Yards

Yard	Minimum depth
Rear	3m where the rear boundary adjoins a residential zone or the Special Purpose – Māori Purpose Zone
Side	3m where a side boundary adjoins a Residential zone or the Special Purpose – Māori Purpose Zone
Riparian	10m from the edge of all permanent and intermittent streams
Lakeside yard	30m
Coastal protection yard	25m, or as otherwise specified in Appendix 6 Coastal protection yard

Note 1

A side or rear yard, and/or landscaping within that yard, is only required along that part of the side or rear boundary adjoining a residential zone or the Special Purpose – Māori Purpose Zone.

- (2) Side and rear yards must be planted with a mixture of trees, shrubs or ground cover plants (including grass) within and along the full extent of the yard for a depth of at least 3m.

H15.6.4. Landscaping and maximum impervious area

Purpose: ensure:

- the zone achieves a spacious landscaped character;
 - landscaping provides a buffer and screening between car parking, loading, or service areas commercial activities and the street;
 - landscaping is of sufficient quality as to make a positive contribution to the amenity of the street; and
 - to manage the amount of stormwater runoff generated by a development, particularly in relation to the capacity of the stormwater network and potential flood risks.
- (1) Landscaped areas which in total comprise at least 20 per cent of a site must be provided.
 - (2) A landscape buffer of 2m in depth must be provided along the street frontage between the street and car parking, loading, or service areas which are visible from the street frontage. This rule excludes access points.
 - (3) The required landscaping in Standard H15.6.4(2) above must comprise a mix of trees, shrubs or ground cover plants (including grass).
 - (4) The maximum impervious area in the zone is 80 per cent of the site.

H15.6.5. Maximum impervious area in the riparian yard

Purpose: support the functioning of riparian yards and in-stream health.

- (1) The maximum impervious area within a riparian yard must not exceed 10 per cent of the riparian yard area.

H15.6.6. Wind

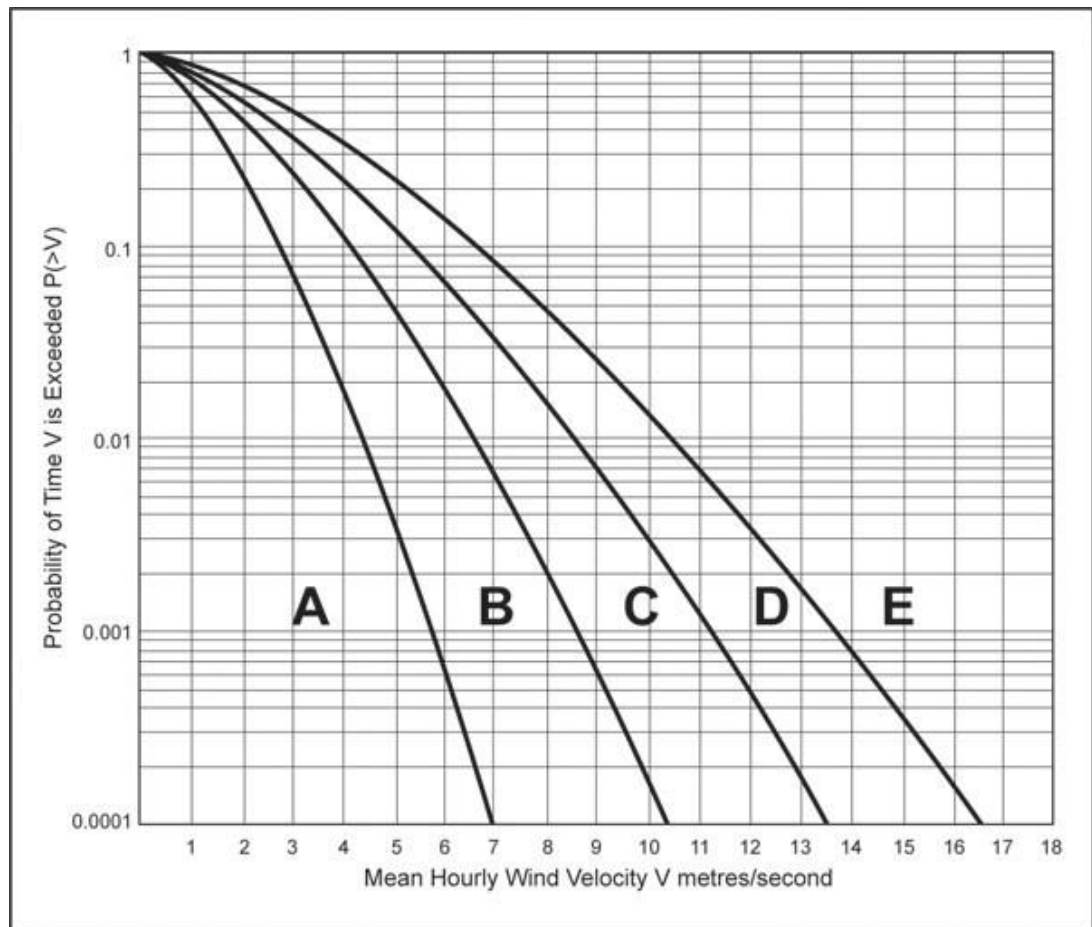
Purpose: mitigate the adverse wind effects generated by tall buildings.

- (1) A new building exceeding 25m in height and additions to existing buildings that increase the building height above 25m must not cause:
 - (a) the mean wind speed around it to exceed the category for the intended use of the area as set out in Table H15.6.6.1 and Figure H15.6.6.1 below;

- (b) the average annual maximum peak 3-second gust to exceed the dangerous level of 25m per second; and
 - (c) an existing wind speed which exceeds the controls of Standard H15.6.6(1)(a) or Standard H15.6.6(1)(b) above to increase.
- (2) A report and certification from a suitably qualified and experienced person, showing that the building complies with Standard H15.6.6(1) above, will demonstrate compliance with this standard.
- (3) If the information in Standard H15.6.6(2) above is not provided, or if such information is provided but does not predict compliance with the rule, a further wind report including the results of a wind tunnel test or appropriate alternative test procedure is required to demonstrate compliance with this standard.

Table H15.6.6.1 Categories

Category	Description
Category A	Areas of pedestrian use or adjacent dwellings containing significant formal elements and features intended to encourage longer term recreational or relaxation use i.e. public open space and adjacent outdoor living space
Category B	Areas of pedestrian use or adjacent dwellings containing minor elements and features intended to encourage short term recreation or relaxation, including adjacent private residential properties
Category C	Areas of formed footpath or open space pedestrian linkages, used primarily for pedestrian transit and devoid of significant or repeated recreational or relaxational features, such as footpaths not covered in categories A or B above
Category D	Areas of road, carriage way, or vehicular routes, used primarily for vehicular transit and open storage, such as roads generally where devoid of any features or form which would include the spaces in categories A - C above.
Category E	Category E represents conditions which are dangerous to the elderly and infants and of considerable cumulative discomfort to others, including residents in adjacent sites. Category E conditions are unacceptable and are not allocated to any physically defined areas of the city

Figure H15.6.6.1 Wind environment control

Derivation of the wind environment control graph:

The curves on the graph delineating the boundaries between the acceptable categories (A-D) and unacceptable (E) categories of wind performance are described by the Weibull expression:

$$P(>V) = e^{-(v/c)^k}$$

where V is a selected value on the horizontal axis, and P is the corresponding value of the vertical axis:

and where:

$P(>V)$ = Probability of a wind speed V being exceeded;

e = The Napierian base 2.7182818285

v = the velocity selected;

k = the constant 1.5; and

c = a variable dependent on the boundary being defined:

A/B, c = 1.548

B/C, c = 2.322

C/D, c = 3.017

D/E, c = 3.715

H15.6.7. Outlook space

Purpose:

- to ensure a reasonable standard of visual privacy between habitable rooms of different buildings, on the same or adjacent sites; ~~and~~
- manage visual dominance effects within a site by ensuring that habitable rooms have an outlook and sense of space; and
- for buildings in walkable catchments, more than 6 storeys, to provide greater separation between tower forms that are enabled.

- (1) This standard applies to visitor accommodation and boarding houses.
- (2) An outlook space must be provided from the face of a building containing windows to a habitable room. Where the room has two or more external faces with windows the outlook space must be provided from the face with the largest area of glazing.
- (3) The minimum dimensions for a required outlook space for developments outside walkable catchments and inside a walkable catchment where development is less than 22m in height must be in accordance with Figure H15.6.7.1 and are as follows:
 - (a) a principal living room of a dwelling or main living and dining area within a boarding house or supported residential care must have a outlook space with a minimum dimension of 6m in depth and 4m in width; and
 - (b) all other habitable rooms of a dwelling or a bedroom within a boarding house or supported residential care unit must have an outlook space with a minimum dimension of 3m in depth and 3m in width.

(3A) For development on a site in a walkable catchment more than 22m the minimum dimensions for a required outlook space are as follows:

- (a) for principal living areas of a dwelling or main living and dining area within a boarding house or supported residential care, the dimensions of the outlook space, measured perpendicular to the exterior face of the building, must be in accordance with Figure H15.6.7.2 for the relative height of the floor above the ground level along each building face, and at least 4m in width; and
- (b) all other habitable rooms of a dwelling or a bedroom within a boarding house or supported residential care unit must have an outlook space with a minimum dimension of 3m in depth and 3m in width.

- (4) The depth of the outlook space is measured at right angles to and horizontal from the window to which it applies.
- (5) The width of the outlook space is measured from the centre point of the largest window on the building face to which it applies.
- (6) The height of the outlook space is the same as the floor height, measured from floor to ceiling, of the building face to which the standard applies.
- (7) Outlook spaces may be within the site, over a public street, or other public open space.
- (8) Outlook spaces required from different rooms within the same building may overlap.
- (9) Outlook spaces may overlap where they are on the same wall plane.
- (10) Outlook spaces must:
 - (a) be clear and unobstructed by buildings;
 - (b) not extend over adjacent sites, except for where the outlook space is over a public street or public open space as outlined in H15.6.7(7) above; andnot extend over an outlook spaces or outdoor living space required by another dwelling.

Figure H15.6.7.1 Required outlook space

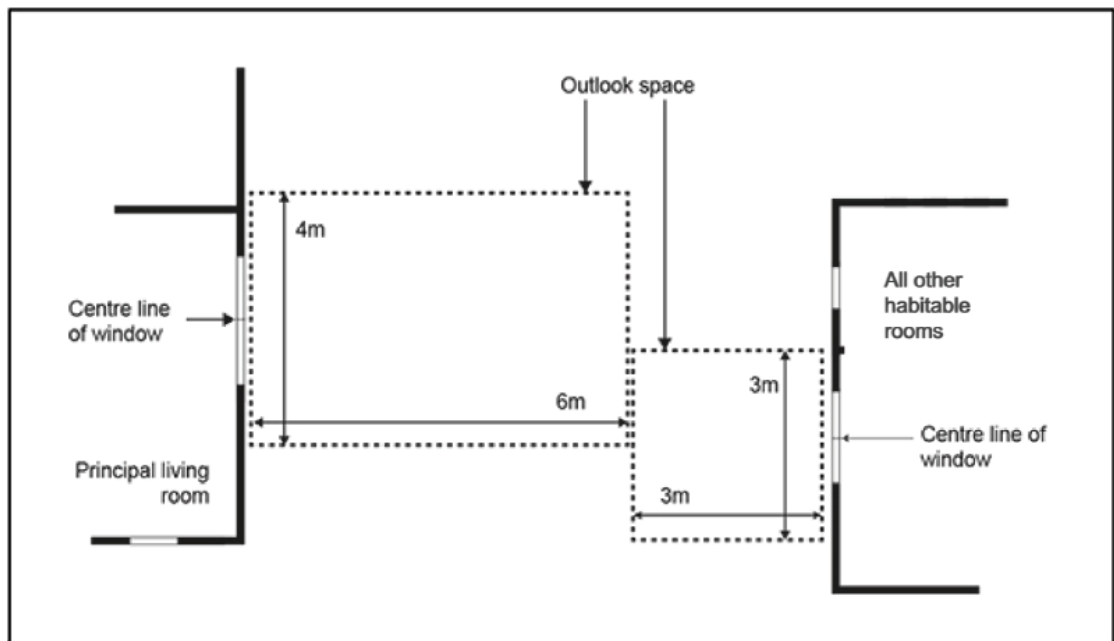
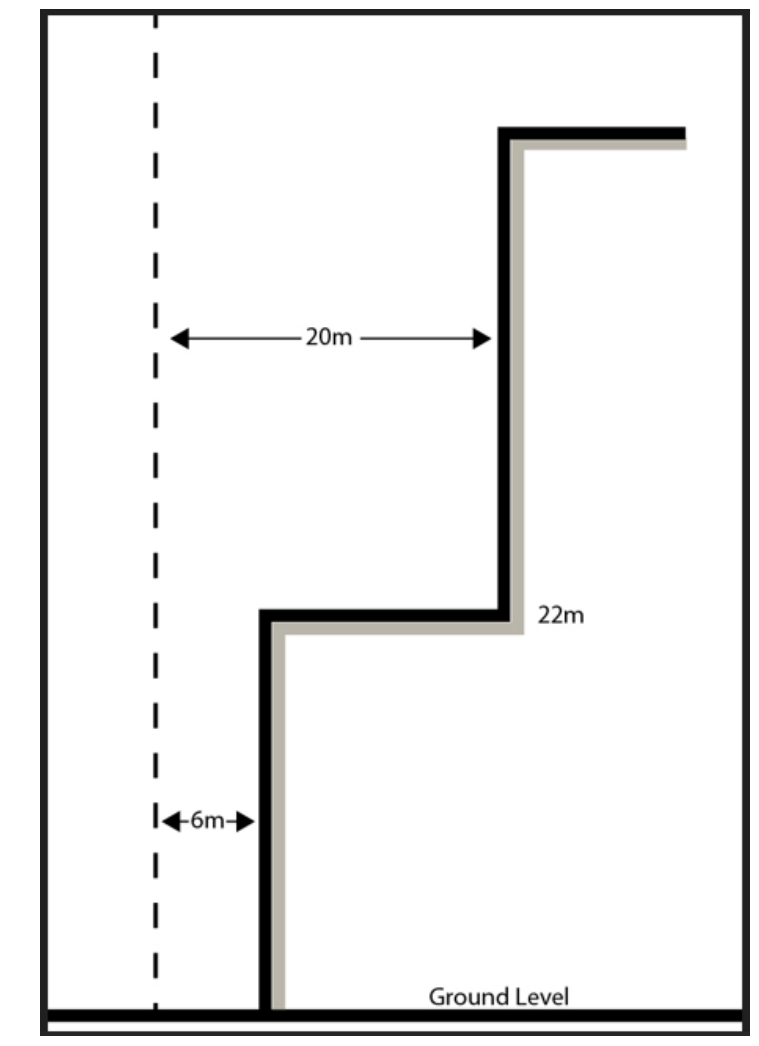


Figure H15.6.7.2 Required outlook space for developments more than 22m



H15.7. Assessment – controlled activities

There are no controlled activities in this zone.

H15.8. Assessment – restricted discretionary activities

H15.8.1. Matters of discretion

The Council will restrict its discretion to the following matters when assessing a restricted discretionary resource consent application:

- (1) activities within 30m of a residential zone and emergency services:
 - (a) the compatibility of:
 - (i) the effects of intensity and scale of the development arising from the numbers of people and/or vehicles using the site;
and
 - (ii) the effects of the operation of the activity;

on the existing and expected future amenity values of the surrounding area and any practicable mitigation measures that would be appropriate to manage those effects.

- (b) the effects of the design and location of parking areas and vehicle access and servicing arrangements on visual amenity of the streetscape and on pedestrian safety;
 - (c) the effects of location, design and management of storage and servicing facilities on the amenity values of nearby residential properties including potential visual effects, adequacy of access for service vehicles (including waste collection) and any night time noise effects; and
 - (d) the assessment of the above matters having regard to the need to provide for the functional requirements of the activity;
- (2) visitor accommodation and boarding houses:
- (a) the need to restrict the intensity and scale of the activities to a level consistent with the purpose of the zone;
- (3) new buildings and alterations and additions to buildings not otherwise provided for:
- (a) the design and appearance of buildings in so far as it affects the existing and future amenity values of public streets and spaces used by significant numbers of people. This includes:
 - (i) the contribution that such buildings make to the attractiveness pleasantness and enclosure of the public space;
 - (ii) the maintenance or enhancement of amenity for pedestrians using the public space or street;
 - (iii) the provision of convenient and direct access between the street and building for people of all ages and abilities;
 - (iv) measures adopted for limiting the adverse visual effects of any blank walls along the frontage of the public space; and
 - (v) the effectiveness of screening of car parking and service areas from the view of people using the public space;
 - (b) the provision of floor to floor heights that will provide the flexibility of the space to be adaptable to a wide variety of use over time;
 - (c) the extent of glazing provided on walls fronting public streets and public spaces and the benefits it provides in terms of:
 - (i) the attractiveness and pleasantness of the public space and the amenity for people using or passing through that space;

- (ii) the degree of visibility that it provides between the public space and the building interior; and
 - (iii) the opportunities for passive surveillance of the street from the ground floor of buildings;
 - (d) the provision of verandahs to provide weather protection in areas used, or likely to be used, by significant numbers of pedestrians;
 - (e) the application of Crime Prevention through Environmental Design principles to the design and layout of buildings adjoining public spaces;
 - (f) the effects of creation of new roads and/or service lanes on the matters listed above;
 - (g) the positive effects that landscaping, including required landscaping, on sites adjoining public spaces is able to contribute to the amenity values of the people using or passing through the public space;
 - (h) taking an integrated stormwater management approach; and
 - (i) all the above matters to be assessed having regard to the outcomes set out in this Plan and the functional requirements of the activities that the buildings are intended to accommodate;
- (4) buildings that do not comply with the standards:
- (a) any policy which is relevant to the standard;
 - (b) the purpose of the standard;
 - (c) the effects of the infringement of the standard;
 - (d) the effects on the amenity of neighbouring sites;
 - (e) the effects of any special or unusual characteristic of the site which is relevant to the standard;
 - (f) the characteristics of the development;
 - (g) any other matters specifically listed for the standard; and
 - (h) where more than one standard will be infringed, the effects of all infringements.

H15.8.2. Assessment criteria

The Council will consider the relevant assessment criteria below for restricted discretionary activities:

- (1) activities within 30m of a residential zone and emergency services:
 - (a) for Matter H15.8.1(1)(a)(i) refer to Policy H15.3(3)(a), Policy H15.3(3)(b), Policy H15.3(3)(c), Policy H15.3(8) and Policy H15.3(20);

- (b) for Matter H15.8.1(1)(a)(ii) refer to Policy H15.3(3)(a), Policy H15.3(3)(b), Policy H15.3(3)(c), Policy H15.3(8) and Policy H15.3(20);
- (c) for Matter H15.8.1(1)(b) refer to Policy H15.3(3)(c) and Policy H15.3(7);
- (d) for Matter H15.8.1(1)(c) refer to Policy H15.3(20); and
- (e) for Matter H15.8.1(1)(d) refer to Policy H15.3(12);
- (2) visitor accommodation and boarding houses:
 - (a) for Matter H15.8.1(2)(a) refer to Policy H15.3(20);
- (3) new buildings and alterations and additions to buildings not otherwise provided for:
 - (a) for Matter H15.8.1(3)(a)(i) refer to Policy H15.3(3)(a) and Policy H15.3(3)(b);
 - (b) for Matter H15.8.1(3)(a)(ii) refer to Policy H15.3(3)(c), Policy H15.3(24);
 - (c) for Matter H15.8.1(3)(a)(iii) refer to Policy H15.3(4);
 - (d) for Matter H15.8.1(3)(a)(iv) refer to Policy H15.3(3)(a);
 - (e) for Matter H15.8.1(3)(a)(v) refer to Policy H15.3(7);
 - (f) for Matter H15.8.1(3)(b) refer to Policy H15.3(6);
 - (g) for Matter H15.8.1(3)(c)(i) refer to Policy H15.3(3)(a) and Policy H15.3(3)(b);
 - (h) for Matter H15.8.1(3)(c)(ii) refer to Policy H15.3(3)(a) and Policy H15.3(3)(b);
 - (i) for Matter H15.8.1(3)(c)(iii) refer to Policy H15.3(3)(a) and Policy H15.3(3)(b);
 - (j) for Matter H15.8.1(3)(d) refer to Policy H15.3(3)(c);
 - (k) for Matter H15.8.1(3)(e) refer to Policy H15.3(3)(c);
 - (l) for Matter H15.8.1(3)(f) refer to Policy H15.3(3)(b);
 - (m) for Matter H15.8.1(3)(g) refer to Policy H15.3(3)(c);
 - (n) for Matter H15.8.1(3)(h) refer to Policy E1.3(10); and
 - (o) for Matter H15.8.1(3)(i) refer to Policy H15.3(3)(12);
- (4) activities that do not comply with the standards:

(a) height and height in relation to boundary, maximum tower dimension and tower separation:

- (i) refer to Policy H15.3(3)(a), Policy H15.3(3) (b), ~~and~~ Policy H15.3(8), Policy H15.3(12A), Policy H15.3(22), Policy H15.3(23), and Policy H15.3(24);

(b) yards and landscaping:

- (i) refer to Policy H15.3(7), Policy H15.3(8) and Policy H15.3(21);

(c) maximum impervious area in a riparian yard:

- (i) refer to Policy H15.3(21);

(d) wind:

- (i) refer to Policy H15.3(11);

(e) outlook space:

- (i) refer to Policy H15.3(2) and Policy H15.3(22);

(f) building setback at upper floors for sites in walkable catchments:

- (i) refer to Policy H15.3(24).

H15.9. Special information requirements

There are no special information requirements in this zone.

H16. Business – Heavy Industry Zone

H16.1. Zone description

The Business – Heavy Industry Zone provides for industrial activities that may produce objectionable odour, dust and noise emissions. Air quality emissions standards that are different to the rest of Auckland will often apply. A low level of air quality amenity applies in the Business – Heavy Industry Zone. A key attribute of the zone is that it contains sites large enough to accommodate large-scale industrial activities.

Activities sensitive to air discharges and activities sensitive to noise are not appropriate in the zone and buildings are expected to have a mainly functional standard of amenity. The zone is typically located close to key freight routes.

Increased building height of up to six storeys (22m) is enabled within walkable catchments unless a qualifying matter applies.

The air quality of the zone is managed by the air quality provisions in [E14 Air quality](#).

H16.2. Objectives

- (1) Heavy industry operates efficiently and is not unreasonably constrained by other activities.
- (2) Business – Heavy Industry Zone zoned land, and activities that are required to locate there because of the nature of their operation, are protected from the encroachment of:
 - (a) activities sensitive to air discharges and activities sensitive to noise; and
 - (b) commercial activities that are more appropriately located in other business zones.
- (3) The supply of large sites within the zone is not reduced by inappropriate fragmentation of those sites by subdivision.
- (4) Adverse effects on the natural environment within the zone and on the amenity values of neighbouring zones are managed.
- (5) Building height of up to six storeys (22m) is enabled within walkable catchments unless qualifying matters apply that reduce height.

H16.3. Policies

- (1) Avoid activities which do not support the primary function of the zone.
- (2) Manage subdivision so that it preserves the integrity of the zone for industrial use while allowing the creation of sites for established activities.
- (3) Require development adjacent to open space zones, residential zones and special purpose zones to manage adverse amenity effects on those zones.

- (4) Restrict maximum impervious area within the riparian yard in order to ensure that adverse effects on water quality, water quantity and amenity values are avoided or mitigated.

- (5) Enable building height of up to six storeys (22m) within walkable catchments unless qualifying matters apply that reduce height.

H16.4. Activity table

Table H16.4.1 Activity table specifies the activity status of land use and development activities in the Business – Heavy Industry Zone pursuant to section 9(3) of the Resource Management Act 1991.

Table H16.4.1 Activity table

Activity		Activity status
Use		
(A1)	Activities not provided for	NC
Accommodation		
(A2)	Workers accommodation - one per site	P
(A3)	Dwellings	Pr
(A4)	Integrated residential development	Pr
Commerce		
(A5)	Commercial services	NC
(A6)	Dairies up to 100m ² gross floor area	P
(A7)	Drive-through restaurant	NC
(A8)	Entertainment facilities	NC
(A9)	Food and beverage up to 120m ² gross floor area	P
(A10)	Garden centres	NC
(A11)	Motor vehicle sales	NC
(A12)	Marine retail	NC
(A13)	Offices that are accessory to the primary activity on the site and: (a) the office gross floor area does not exceed 30 per cent of all buildings on the site; or (b) the office gross floor area does not exceed 100m ²	P
(A14)	Offices that are accessory to the primary activity on the site and the office gross floor area exceeds 30 per cent of all buildings on the site	RD
(A15)	Offices not otherwise provided for	NC
(A16)	Retail accessory to an industrial activity on the site, where the goods sold are manufactured on site and the retail gross floor area does not exceed 10 per cent of all buildings on the site	P

(A17)	Retail, up to 450m ² per site, not otherwise provided for	NC
(A18)	Retail, greater than 450m ² per site, not otherwise provided for	Pr
(A19)	Service stations	P
(A20)	Show homes	NC
(A21)	Trade suppliers	NC
Community		
(A22)	Care centres	NC
(A23)	Community facilities up to 450m ² per site	NC
(A24)	Community facilities exceeding 450m ² per site	Pr
(A25)	Emergency services	RD
(A26)	Hospitals	NC
(A27)	Recreation facilities	NC
(A28)	Tertiary education facilities that are accessory to an industrial activity on the site	P
(A29)	Tertiary education facilities not otherwise provided for	NC
Industry		
(A30)	Industrial activities	P
(A31)	Storage and lock-up facilities	NC
(A32)	Wholesaler	NC
Rural		
(A33)	Animal breeding or boarding	NC
(A34)	Horticulture	NC
Development		
(A35)	New buildings	P
(A36)	Additions and alterations to buildings	P
(A37)	Demolition of buildings	P

H16.5. Notification

(1) Any application for resource consent for any of the following activities must be publicly notified:

(a) H16.4.1(A15) Offices not otherwise provided for.

(2) Any application for resource consent for an activity listed in Table H16.4.1 Activity table and which is not listed in H16.5(1) above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.

- (3) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule [C1.13\(4\)](#).

H16.6. Standards

All activities listed as permitted and restricted discretionary in Table H16.4.1 must comply with the following permitted activity standards.

H16.6.1. Building height

Purpose:

- manage the effects of building height including visual dominance; ~~and~~
- manage shadowing effects of building height on public open spaces, excluding streets; and
- enable building height of up to six storeys within walkable catchments unless a qualifying matter applies.

- (1) Buildings must not exceed 20m in height unless located in a walkable catchment on the planning maps.

- (2) Buildings located in a walkable catchment must not exceed 22m in height.

H16.6.2. Height in relation to boundary

Purpose:

- manage the effects of building height;
- allow reasonable sunlight and daylight access to public open space excluding streets, and neighbouring zones; and
- manage visual dominance effects on neighbouring zones where lower height limits apply.

- (1) Buildings must not project beyond a 35 degree recession plane measured from a point 6m vertically above ground level along the boundary of the residential zones, open space zones, Special Purpose – Māori Purpose Zone or the Special Purpose – School Zone.

Figure H16.6.2.1 Height in relation to boundary

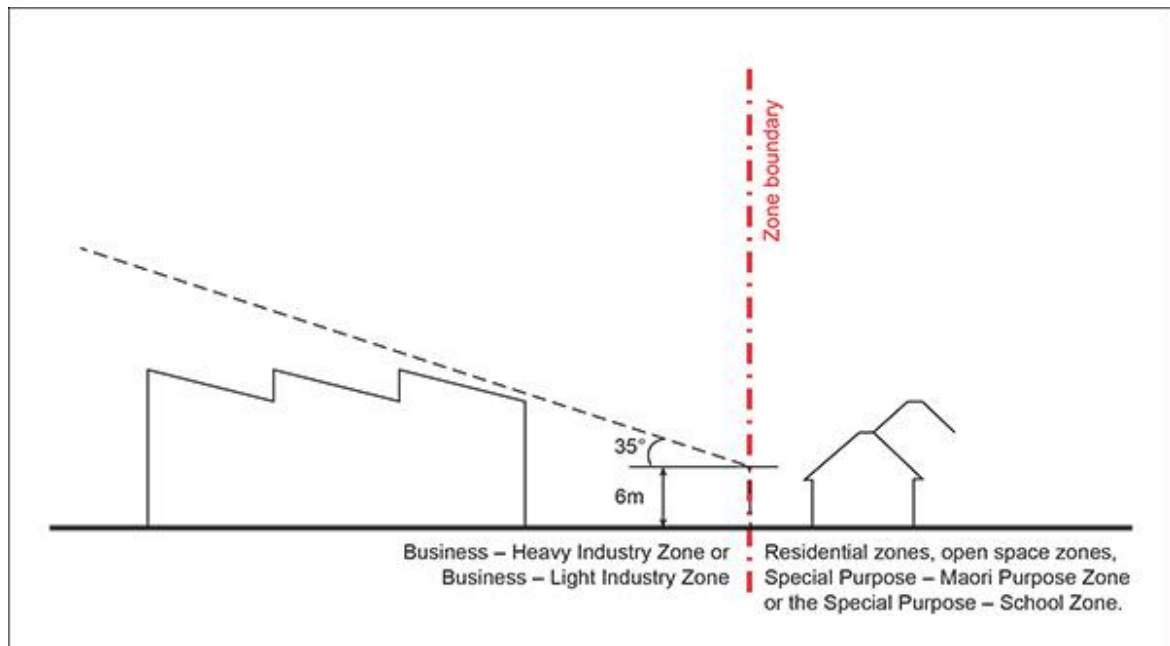
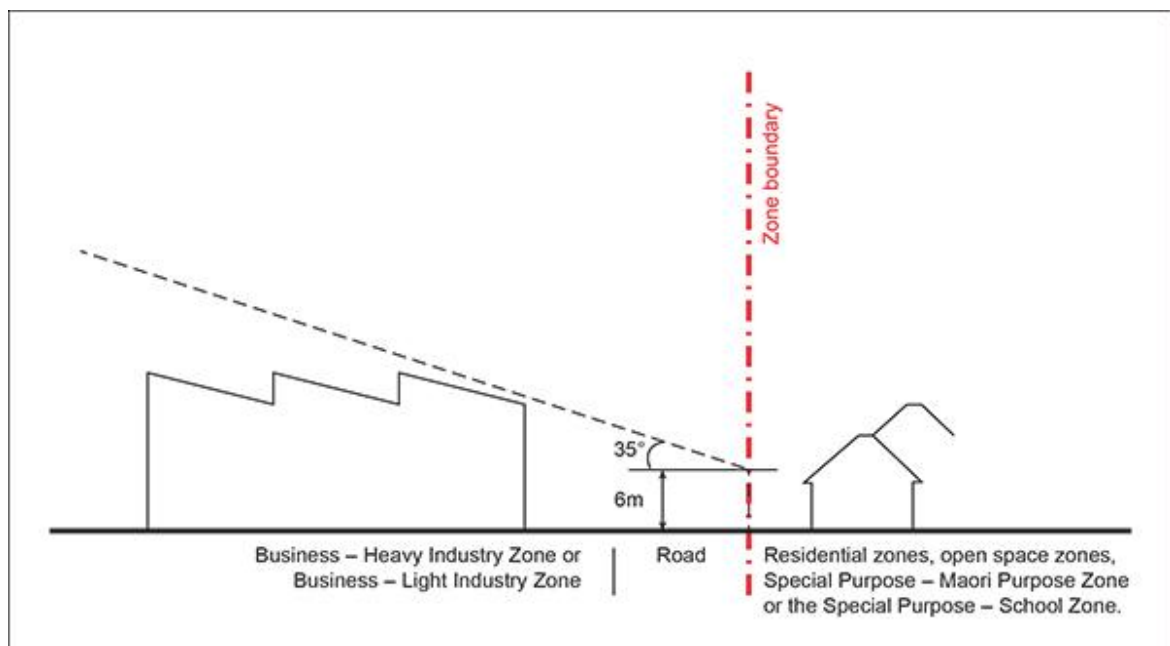


Figure H16.6.2.2 Height in relation to boundary opposite a road



H16.6.3. Maximum impervious area within the riparian yard

Purpose: support the functioning of riparian yards and in-stream health.

- (1) Maximum impervious area within a riparian yard must not exceed 10 per cent of the riparian yard area.

H16.6.4. Yards

Purpose:

- provide a buffer and screening between industrial activities and neighbouring residential zones and open space zones, to mitigate adverse visual and nuisance effects; and
- ensure buildings are adequately set back from lakes, streams and the coastal edge to maintain water quality, amenity, provide protection from natural hazards, and potential access to the coast.

(1) A building or parts of a building must be set back from the relevant boundary by the minimum depth listed in Table H16.6.4.1 below:

Table H16.6.4.1 Yards

Yard	Minimum depth
Front	2m Yards are not required for internal roads or service lanes
Rear	5m where the rear boundary adjoins a residential zone, an open space zone, the Special Purpose – Māori Purpose Zone or the Special Purpose – School Zone
Side	5m where the side boundary adjoins a residential zone, an open space zone, the Special Purpose – Māori Purpose Zone or the Special Purpose – School Zone
Riparian yard	10m from the edge of permanent and intermittent streams
Lakeside yard	30m
Coastal protection yard	25m, or as otherwise specified in Appendix 6 Coastal protection yard

Note 1

A side or rear yard, and/or landscaping within that yard, is only required along that part of the side or rear boundary adjoining a residential zone, open space zone, Special Purpose – Māori Purpose Zone or Special Purpose – School Zone.

(2) Front yards (excluding access points) must be planted with a mixture of trees, shrubs or ground cover plants (including grass) within and along the full extent of the yard.

(3) Side and rear yards must be planted with a mixture of trees, shrubs or ground cover plants (including grass) within and along the full extent of the

yard to provide a densely planted visual buffer for a depth of at least 3m and must be appropriately maintained thereafter.

H16.6.5. Storage and screening

Purpose: require screening of rubbish and/or storage areas that directly face and are visible from a residential zone, rural zone, open space zone, Special Purpose – Māori Purpose Zone or Special Purpose – School Zone.

- (1) Any outdoor storage or rubbish collection areas that directly face and are visible from a residential zone, rural zone, open space zone, Special Purpose – Māori Purpose Zone or Special Purpose – School Zone. adjoining a boundary with, or on the opposite side of the road from, an industrial zone, must be screened from those areas by landscaping, a solid wall or fence at least 1.8m high.

H16.7. Assessment – controlled activities

There are no controlled activities in this zone.

H16.8. Assessment – restricted discretionary activities

H16.8.1. Matters of discretion

The Council will restrict its discretion to the following matters when assessing a restricted discretionary resource consent application:

- (1) emergency services:
 - (a) any location, design and/or operational characteristics which could give rise to potential reverse sensitivity effects of such significance as to inhibit or discourage heavy industry from operating in the Business – Heavy Industry Zone.
- (2) offices that are accessory to the primary activity on the site and the GFA exceeds 30 per cent of all buildings on the site:
 - (a) any location, design and operational characteristics which could give rise to potential reverse sensitivity effects which could inhibit or discourage heavy industry from operating in the Business – Heavy Industry Zone; and
 - (b) the development or expansion of activities that could reduce the available opportunities heavy industry to operate in the Business – Heavy Industry Zone
- (3) buildings that do not comply with the standards:
 - (a) any policy which is relevant to the standard;
 - (b) the purpose of the standard;
 - (c) the effects of the infringement of the standard;
 - (d) the effects on the amenity of neighbouring sites;

- (e) the effects of any special or unusual characteristic of the site which is relevant to the standard;
- (f) the characteristics of the development;
- (g) any other matters specifically listed for the standard; and
- (h) where more than one standard will be infringed, the effects of all infringements.

H16.8.2. Assessment criteria

The Council will consider the relevant assessment criteria below for restricted discretionary activities:

- (1) emergency services:
 - (a) refer to Policy H16.3(1);
- (2) offices that are accessory to the primary activity on the site and the gross floor area exceeds 30 per cent of all buildings on the site:
 - (a) for Matter H16.8.1(2)(a) refer to Policy H16.3(1);
 - (b) for Matter H16.8.1(2)(b) refer to Policy H16.3(1)
- (3) buildings that do not comply with the standards:
 - (a) building height, height in relation to boundary, yards or storage and screening:
 - (i) refer to Policy H16.3(3);
 - (b) maximum impervious area within the riparian yard:
 - (i) refer to Policy H16.3(4).

H16.9. Special information requirements

There are no special information requirements in this zone.

H17. Business – Light Industry Zone

H17.1. Zone description

The Business – Light Industry Zone anticipates industrial activities that do not generate objectionable odour, dust or noise. This includes manufacturing, production, logistics, storage, transport and distribution activities. The anticipated level of amenity is lower than the centres zones, Business – General Business Zone and Business – Mixed Use Zone. Due to the industrial nature of the zone, activities sensitive to air discharges are generally not provided for.

Increased building height of up to six storeys (22m) is enabled within walkable catchments unless a qualifying matter applies.

The Business – Light Industry Zone has been identified as a qualifying matter in accordance with Clause 8(1)(a) of Schedule 3C of the Resource Management Act in some locations.

The air quality of the zone is managed by the air quality provisions in [E14 Air quality](#).

H17.2. Objectives

- (1) Light industrial activities locate and function efficiently within the zone.
- (2) The establishment of activities that may compromise the efficiency and functionality of the zone for light industrial activities is avoided.
- (3) Adverse effects on amenity values and the natural environment, both within the zone and on adjacent areas, are managed.
- (4) Development avoids, remedies or mitigates adverse effects on the amenity of adjacent public open spaces and residential zones.
- (5) Building height of up to six storeys (22m) is enabled within walkable catchments unless qualifying matters apply that reduce height.

H17.3. Policies

- (1) Enable light industrial activities to locate in the zone.
- (2) Avoid reverse sensitivity effects from activities that may constrain the establishment and operation of light industrial activities.
- (3) Avoid activities that do not support the primary function of the zone.
- (4) Require development adjacent to open space zones, residential zones and special purpose zones to manage adverse amenity effects on those zones.
- (5) In identified locations enable greater building height than the standard zone height, having regard to whether the greater height:
 - (a) is an efficient use of land; and

(b) can be accommodated without significant adverse effects on adjacent residential zones; considering the size and depth of the area.

(5A) Enable building height of up to six storeys (22m) within walkable catchments, unless qualifying matters apply that reduce height.

(6) Avoid reverse sensitivity effects from activities within the Business – Light Industry Zone that may constrain the establishment and operation of heavy industrial activities within the Business – Heavy Industry Zone.

(7) Require activities adjacent to residential zones to avoid, remedy or mitigate adverse effects on amenity values of those areas.

(8) Restrict maximum impervious area within the riparian yard in order to ensure that adverse effects on water quality, water quantity and amenity values are avoided or mitigated.

H17.4. Activity table

Table H17.4.1 Activity table specifies the activity status of land use and development activities in the Business – Light Industry Zone pursuant to section 9(3) of the Resource Management Act 1991.

Table H17.4.1 Activity table

Activity		Activity status
Use		
(A1)	Activities not provided for	NC
Accommodation		
(A2)	Workers accommodation - one per site	P
(A3)	Dwellings	NC
(A4)	Integrated residential development	NC
Commerce		
(A5)	Commercial services	D
(A6)	Dairies up to 100m ² gross floor area	P
(A7)	Drive-through restaurant	P
(A8)	Entertainment facilities	D
(A9)	Food and beverage up to 120m ² gross floor area per site	P
(A10)	Garden centres other than in H17.4.1(A11)	P
(A11)	Garden centres within 100m of a Business – Heavy Industry Zone	RD
(A12)	Motor vehicle sales other than in H17.4.1(A13)	P
(A13)	Motor vehicle sales within 100m of a Business – Heavy Industry Zone	RD
(A14)	Marine retail other than in H17.4.1(A15)	P

H17 Business – Light Industry Zone

(A15)	Marine retail within 100m of a Business – Heavy Industry Zone	RD
(A16)	Offices up to 100m ² gross floor area per site	RD
(A17)	Offices that are accessory to the primary activity on the site and: (a) the office gross floor area does not exceed 30 per cent of all buildings on the site; or (b) the office gross floor area does not exceed 100m ²	P
(A18)	Offices that are accessory to the primary activity on the site and the office gross floor area exceeds 30 per cent of all buildings on the site	RD
(A19)	Offices not otherwise provided for	NC
(A20)	Retail accessory to an industrial activity on the site, where the goods sold are manufactured on site and the retail gross floor area does not exceed 10 per cent of all buildings on the site	P
(A21)	Retail not otherwise provided for	NC
(A22)	Service stations	P
(A23)	Show homes	P
(A24)	Trade suppliers	P
Community		
(A25)	Care centres	D
(A26)	Community facilities up to 450m ² per site	D
(A27)	Community facilities exceeding 450m ² per site	NC
(A28)	Emergency services	P
(A29)	Hospitals	D
(A30)	Recreation facilities	D
(A31)	Tertiary education facilities that are accessory to an industrial activity on the site	P
(A32)	Tertiary education facilities not otherwise provided for	D
Industry		
(A33)	Industrial activities	P
(A34)	Wholesaler	P
(A35)	Storage and lock-up facilities	P
Rural		
(A36)	Animal breeding or boarding	P
(A37)	Horticulture	P
Development		
(A38)	New buildings	P
(A39)	Additions and alterations to buildings	P

(A40)	Demolition of buildings	P
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H17.5. Notification

- (1) Any application for resource consent for any of the following activities must be publicly notified:
 - (a) H17.4.1(A3) Dwellings; and
 - (b) H17.4.1(A4) Integrated residential development.
- (2) Any application for resource consent for an activity listed in Table H17.4.1 Activity table and which is not listed in H17.5(1) above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.
- (3) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule [C1.13\(4\)](#).

H17.6. Standards

All activities listed as permitted and restricted discretionary in Table H17.4.1 must comply with the following permitted activity standards.

H17.6.0 Activities within 30m of a residential zone

- (1) The following activities are restricted discretionary activities where they are located within 30m of a residential zone and are listed as a permitted activity in the activity table:
 - (a) bars and taverns;
 - (b) drive-through restaurants;
 - (c) outdoor eating areas accessory to restaurants;
 - (d) entertainment facilities;
 - (e) child care centres; and
 - (f) animal breeding and boarding.

This standard only applies to those parts of the activities subject to the application that are within 30m of the residential zone.

H17.6.1. Building height

Purpose:

- manage the effects of building height including visual dominance; ~~and~~
- manage shadowing effects of building height on public open spaces excluding streets; and

- enable building height of up to six storeys within walkable catchments unless a qualifying matter applies.

(1) Buildings must not exceed 20m in height, unless otherwise specified in the Height Variation Control or are located in a walkable catchment on the planning maps.

Qualifying matter as per Sch 3C, cls 8(1)(a) of the RMA

(2) Buildings located in a walkable catchment must not exceed 22m in height unless otherwise specified in the Height Variation Control on the planning maps.

(3) If the site is subject to the Height Variation Control, buildings must not exceed the height in metres as shown on the planning maps.

H17.6.2. Height in relation to boundary

Purpose:

- manage the effects of building height;
- allow reasonable sunlight and daylight access to public open space excluding streets, and neighbouring zones; and
- manage visual dominance effects on neighbouring zones where lower height limits apply.

(1) Buildings must not project beyond a 35 degree recession plane measured from a point 6m vertically above ground level along the boundary of the residential zones, open space zones, Special Purpose – Māori Purpose Zone or the Special Purpose – School Zone.

Figure H17.6.2.1 Height in relation to boundary

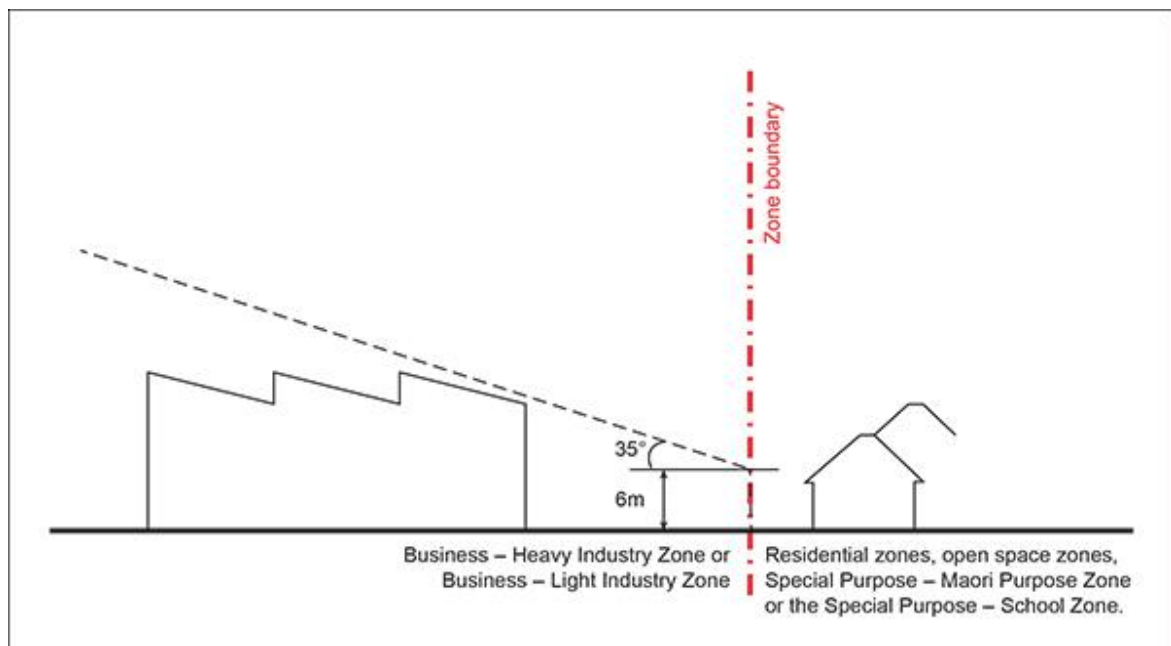
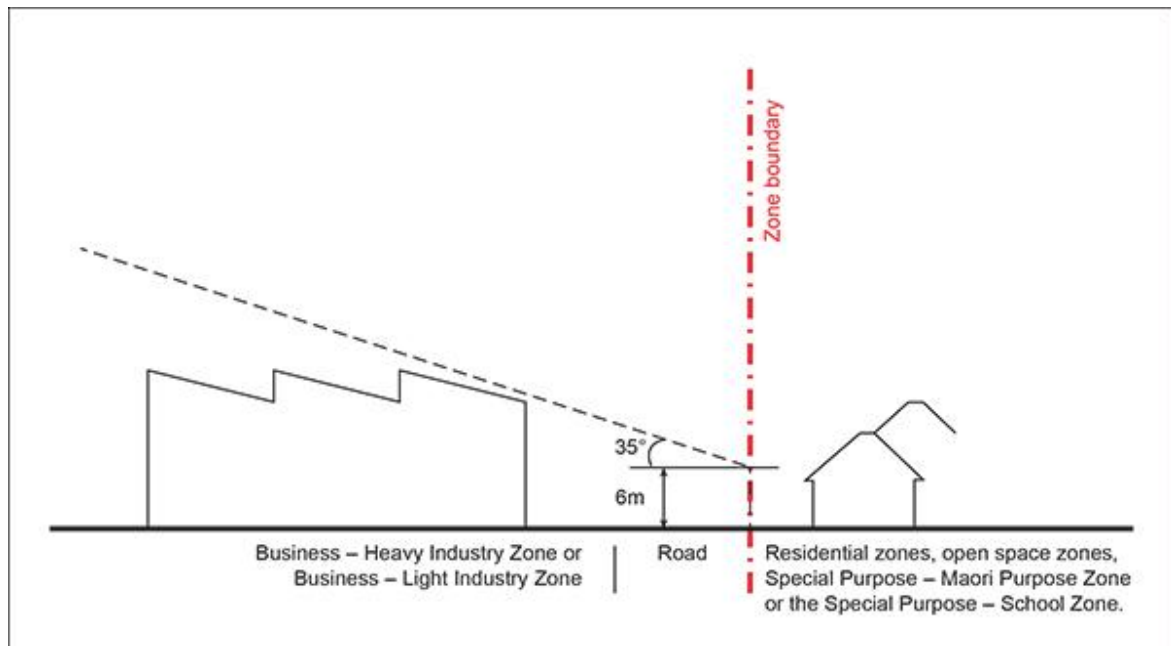


Figure H17.6.2.2 Height in relation to boundary opposite a road



H17.6.3. Maximum impervious area within the riparian yard

Purpose: support the functioning of riparian yards and in-stream health.

- (1) Maximum impervious area within a riparian yard must not exceed 10 per cent of the riparian yard area.

H17.6.4. Yards

Purpose:

- provide a buffer and screening between industrial activities and neighbouring residential zones and open space zones, to mitigate adverse visual and nuisance effects; and
- ensure buildings are adequately set back from lakes, streams and the coastal edge to maintain water quality, amenity, provide protection from natural hazards, and potential access to the coast.

- (1) A building or parts of a building must be set back from the relevant boundary by the minimum depth listed in Table H17.6.4.1.

Table H17.6.4.1 Yards

Yard	Minimum depth
Front	2m Yards are not required for internal roads or service lanes
Rear	5m where the rear boundary adjoins a residential zone, an open space zone, the Special Purpose – Māori Purpose Zone or the Special Purpose – School Zone
Side	5m where the side boundary adjoins a residential zone, an open space zone, the

	Special Purpose – Māori Purpose Zone or the Special Purpose – School Zone
Riparian yard	10m from the edge of permanent and intermittent streams
Lakeside yard	30m
Coastal protection yard	25m, or as otherwise specified in Appendix 6 Coastal protection yard

Note 1

A side or rear yard, and/or landscaping within that yard, is only required along that part of the side or rear boundary adjoining a residential zone, open space zone, Special Purpose – Māori Purpose Zone or Special Purpose – School Zone.

- (2) Front yards (excluding access points) must be planted with a mixture of trees, shrubs or ground cover plants (including grass) within and along the full extent of the yard.
- (3) Side and rear yards must be planted with a mixture of trees, shrubs or ground cover plants (including grass) within and along the full extent of the yard to provide a densely planted visual buffer for a depth of at least 3m and must be appropriately maintained thereafter.

H17.6.5. Storage and screening

Purpose: require rubbish and/or storage areas to be screened from neighbouring residential, rural, open space zones, the Special Purpose – Māori Purpose Zone or Special Purpose – School Zone.

- (1) Any outdoor storage or rubbish collection areas that directly face and are visible from a residential zone, rural zone, open space zone, Special Purpose – Māori Purpose Zone or Special Purpose – School Zone adjoining a boundary with, or on the opposite side of the road from, an industrial zone, must be screened from those areas by landscaping, a solid wall or fence at least 1.8m high.

H17.7. Assessment – controlled activities

There are no controlled activities in this zone.

H17.8. Assessment – restricted discretionary activities

H17.8.1. Matters of discretion

The Council will restrict its discretion to the following matters when assessing a restricted discretionary resource consent application:

- (1) activities within 30m of a residential zone:
 - (a) the compatibility of:
 - (i) the effects of intensity and scale of the development arising from the numbers of people and/or vehicles using the site; and

- (ii) the effects of the operation of the activity;
on the existing and expected future amenity values of the surrounding area and any practicable mitigation measures that would be appropriate to manage those effects. Having regard to the need to provide for the functional requirements of the activity.
 - (b) the effects of the design and location of parking areas and vehicle access and servicing arrangements on visual amenity of the streetscape and on pedestrian safety; and
 - (c) the effects of location, design and management of storage and servicing facilities on the amenity values of nearby residential properties including potential visual effects, adequacy of access for service vehicles (including waste collection) and any night time noise effects.
- (2) offices that are accessory to the primary activity on the site and the office gross floor area exceeds 30 per cent of all buildings on the site, offices up to 100m² gross floor area:
- (a) any location, design and operational characteristics which could give rise to potential reverse sensitivity effects which could inhibit or discourage light industry from operating in the Business – Light Industry Zone; and
 - (b) the development or expansion of activities that could reduce the available opportunities for light industry to operate in the Business – Light Industry Zone.
- (3) activities located within 100m of the Business – Heavy Industry Zone:
- (a) potential reverse sensitivity effects that could inhibit or restrict the operation of heavy industrial activities within the Business – Heavy Industrial Zone.
- (4) buildings that do not comply with the standards:
- (a) any policy which is relevant to the standard;
 - (b) the purpose of the standard;
 - (c) the effects of the infringement of the standard;
 - (d) the effects on the amenity of neighbouring sites;
 - (e) the effects of any special or unusual characteristic of the site which is relevant to the standard;
 - (f) the characteristics of the development;
 - (g) any other matters specifically listed for the standard; and

- (h) where more than one standard will be infringed, the effects of all infringements.

H17.8.2. Assessment criteria

The Council will consider the relevant assessment criteria below for restricted discretionary activities:

- (1) ~~buildings~~ activities within 30m of a residential zone:
 - (a) for Matter H17.8.1(1)(a)(i) refer to Policy H17.3(4) and Policy H17.3(7);
 - (b) for Matter H17.8.1(1)(a)(ii) refer to Policy H17.3(4) and Policy H17.3(7);
 - (c) for Matter H17.8.1(1)(b) refer to Policy H17.3(4); and
 - (d) for Matter H17.8.1(1)(c) refer to Policy H17.3(4) and Policy H17.3(7).
- (2) offices that are accessory to the primary activity on the site and the office gross floor area exceeds 30 per cent of all buildings on the site:
 - (a) for Matter H17.8.1(2)(a) refer to Policy H17.3(2); and
 - (b) for Matter H17.8.1(2)(b) refer to Policy H17.3(3).
- (3) activities located within 100m of the Business – Heavy Industry Zone
 - (a) refer to Policy H17.3(6).
- (4) activities that do not comply with the standards:
 - (a) building height, height in relation to boundary, yards or storage and screening:
 - (i) refer to Policy H17.3(1) and Policy H17.3(4).
 - (b) maximum impervious area within the riparian yard:
 - (i) refer to Policy H17.3(8).

H17.9. Special information requirements

There are no special information requirements in this zone.