

## H3. Residential – Single House Zone

### H3.1. Zone description

The Residential – Single House Zone is applied to identified sites within residential neighbourhoods that necessitate a lower intensity of development.

The purpose of the Residential – Single House Zone is to manage development to the extent necessary to:

- Provide for low density residential activities and buildings consistent with a suburban scale and subdivision pattern, including in certain precincts and residential areas in settlements outside the urban area;
- Protect significant ecological areas and high natural character landscapes;
- Protect areas of distinct cultural, historic and natural heritage;
- Prevent development intensifying in areas that are known to be exposed to coastal and flood hazards;
- Manage development to ensure that it can be adequately serviced by the water supply, wastewater and stormwater networks; and
- Maintain and enhance the amenity values of special character residential areas.

~~The purpose of the Residential – Single House Zone is to maintain and enhance the amenity values of established residential neighbourhoods in number of locations. The particular amenity values of a neighbourhood may be based on special character informed by the past, spacious sites with some large trees, a coastal setting or other factors such as established neighbourhood character. To provide choice for future residents, Residential – Single House Zone zoning may also be applied in greenfield developments.~~

To support the purpose of the zone, multi-unit development is not anticipated, with additional housing limited to the conversion of an existing dwelling into two dwellings and minor dwelling units. The zone is generally characterised by one to two storey high buildings consistent with a suburban built character. A limited range of non-residential activities are provided for within the Single House Zone in a manner that is anticipated to be compatible with the scale and intensity of development anticipated by the zone.

### H3.2. Objectives

- ~~(1) Development maintains and is in keeping with the amenity of established residential neighbourhoods including those based on special character informed by the past, spacious sites with some large trees, a coastal setting or other factors such as established neighbourhood character.~~
- (1) Development maintains and is in keeping with the identified values within the area and its low intensity residential development relative to development

enabled in some other residential zones in urban Auckland; being limited to predominantly one or two storey buildings.

- (2) Development is in keeping with the neighbourhood's existing or planned suburban built character of predominantly one to two storey buildings.
- ~~(3) Development provides quality on-site residential amenity for residents and for adjoining sites and the street.~~
- (3) Development provides high-quality amenity:
  - (a) on-site for residents
  - (b) to adjoining sites; and
  - (c) to the street.
- ~~(4) Non-residential. A limited range of non-residential activities provide for the community's social, economic and cultural well-being, while in keeping being compatible with the scale and intensity of development anticipated by the zone so as to contribute to the amenity of the neighbourhood.~~
- (5) Development does not adversely affect the values of adjoining water bodies including riparian, lakeside and coastal protection areas; nor increases natural hazard risks.
- (6) Development maintains and is in keeping with the amenity values of established residential neighbourhoods including those based on special character values.
- (7) Development provides for the protection of, and enhances, the values of scheduled sites or places of significance and the relationship of Mana Whenua with their taonga, commensurate with the scale of the proposal.
- (8) Development provides for the protection and management of significant ecological areas; areas of outstanding and high natural character; and historic heritage.
- (9) Development, including redevelopment, only occurs when the risk from natural hazards to people, property, infrastructure and the environment is tolerable or acceptable in the short to long term.
- (10) Development is enabled where it can be adequately serviced by the water supply, wastewater and stormwater networks to avoid adverse effects on the function and capacity of the networks.

### H3.3. Policies

- (1) Require an intensity of development that is compatible with either the existing suburban built character where this is to be maintained or the planned suburban built character of predominantly one to two storey dwellings.
- (2) Require development to:

- (a) be of a height, bulk and form that maintains and is in keeping with the character and amenity values of the established residential neighbourhood; or
  - (b) be of a height and bulk and have sufficient setbacks and landscaped areas to maintain an existing suburban built character or achieve the planned suburban built character of predominantly one to two storey dwellings within a generally spacious setting.
- (3) Encourage development to achieve attractive and safe streets and public open spaces including by:
- (a) providing for passive surveillance
  - (b) optimising front yard landscaping
  - (c) minimising visual dominance of garage doors.
- (4) Require the height, bulk and location of development to maintain a reasonable level of sunlight access and privacy and to minimise visual dominance effects to the adjoining sites.
- (5) Require ~~accommodation~~ residential activities to have useable and accessible outdoor living space.
- (6) Restrict the maximum impervious area on a site in order to manage the amount of stormwater runoff generated by a development and ensure that adverse effects on water quality, quantity and amenity values are avoided or mitigated.
- (7) Provide for limited non-residential activities that:
- (a) support the social and economic well-being of the community;
  - (b) are in keeping with the scale and intensity of development anticipated within the zone;
  - (c) avoid, remedy or mitigate adverse effects on residential amenity; and
  - (d) will not detract from the vitality of the Business – City Centre Zone, Business – Metro Centre Zone and the Business – Town Centre Zone.
- (8) To provide for integrated residential development on larger sites.
- (9) Require development to maintain and be in keeping with the neighbourhoods' identified values including special character.
- (10) Require buildings to be setback from water bodies to maintain and protect environmental, open space, amenity values of riparian margins of lakes, streams and coastal areas and water quality and to provide protection from natural hazards.

- (11) Restrict development in high hazard areas, and manage development in medium or low hazard areas to ensure natural hazard risk is tolerable or acceptable.
- (12) Require development to protect and enhance the values of scheduled sites or places of significance to Mana Whenua and the relationship of Mana Whenua with their taonga, commensurate with the scale of the proposal.
- (13) Require development in areas identified on the planning maps as subject to stormwater infrastructure constraints to be provided with appropriate infrastructure.
- (14) Require development to remedy or mitigate adverse effects which may compromise the function and capacity of the water supply network.
- (15) Require development on sites connected to the combined wastewater network as identified on the planning maps to demonstrate that there is sufficient capacity available in the combined wastewater network to enable servicing of the development, and that any adverse effects which may compromise the function and capacity of the combined wastewater network are able to be managed.

#### H3.4. Activity table

Table H3.4.1 Activity table specifies the activity status of land use and development activities in the Residential – Single House Zone pursuant to section 9(3) of the Resource Management Act 1991.

**Table H3.4.1 Activity table**

Activity		Activity status	Standards to be complied with
<b>Use</b>			
(A1)	Activities not provided for	NC	
<b>Residential</b>			
(A2)	Camping grounds	D	
(A3)	One dwelling per site	P	<u>Standard H3.6.3A. Development within the Infrastructure – Combined Wastewater Network Control</u> , Standard H3.6.6 Building height; Standard H3.6.7 Height in relation to boundary; Standard H3.6.8 Yards; Standard H3.6.9 Maximum impervious areas; Standard H3.6.10 Building coverage; Standard H3.6.11 Landscaped area; Standard H3.6.12 Front, side and rear fences and walls



Activity		Activity status	Standards to be complied with
(A4)	The conversion of a principal dwelling existing as at 30 September 2013 into a maximum of two dwellings	P	<u>Standard H3.6.3A. Development within the Infrastructure – Combined Wastewater Network Control</u> , Standard H3.6.3 Conversion of a principal dwelling into a maximum of two dwellings
(A5)	Minor dwellings	P	<u>Standard H3.6.3A. Development within the Infrastructure – Combined Wastewater Network Control</u> , Standard H3.6.4 Minor dwellings; Standard H3.6.6 Building height; Standard H3.6.7 Height in relation to boundary; Standard H3.6.8 Yards; Standard H3.6.9 Maximum impervious areas; Standard H3.6.10 Building coverage; Standard H3.6.11 Landscaped area; Standard H3.6.12 Front, side and rear fences and walls
(A6)	More than one dwelling per site (other than the conversion of a principal dwelling in Rule H3.4.1(A4) or minor dwellings in Rule a H3.4.1(A5))	NC	
(A7)	Home occupations	P	Standard H3.6.2 Home occupations
(A8)	Home occupations that do not meet Standard H3.6.2	D	
(A9)	Integrated Residential Development	D	
(A10)	Supported residential care accommodating up to 10 people per site inclusive of staff and residents	P	<u>Standard H3.6.3A Development within the Infrastructure – Combined Wastewater Network Control</u> ; Standard H3.6.6 Building height; Standard H3.6.7 Height in relation to boundary; Standard H3.6.8 Yards; Standard H3.6.9 Maximum impervious areas; Standard H3.6.10 Building coverage; Standard H3.6.11 Landscaped area; Standard H3.6.12 Front, side and rear fences and walls

Activity		Activity status	Standards to be complied with
(A11)	Supported residential care accommodating greater than 10 people per site inclusive of staff and residents	D	
(A12)	Boarding houses accommodating up to 10 people per site inclusive of staff and residents	P	<u>Standard H3.6.3A Development within the Infrastructure – Combined Wastewater Network Control</u> ; Standard H3.6.6 Building height; Standard H3.6.7 Height in relation to boundary; Standard H3.6.8 Yards; Standard H3.6.9 Maximum impervious areas; Standard H3.6.10 Building coverage; Standard H3.6.11 Landscaped area; Standard H3.6.12 Front, side and rear fences and walls
(A13)	Boarding houses accommodating greater than 10 people per site inclusive of staff and residents	D	
(A14)	Visitor accommodation accommodating up to 10 people per site inclusive of staff and visitors	P	<u>Standard H3.6.3A Development within the Infrastructure – Combined Wastewater Network Control</u> ; Standard H3.6.6 Building height; Standard H3.6.7 Height in relation to boundary; Standard H3.6.8 Yards; Standard H3.6.9 Maximum impervious areas; Standard H3.6.10 Building coverage; Standard H3.6.11 Landscaped area; Standard H3.6.12 Front, side and rear fences and walls
(A15)	Visitor accommodation accommodating greater than 10 people per site inclusive of staff and visitors	D	
<b>Commerce</b>			

Activity		Activity status	Standards to be complied with
(A16)	Dairies up to 100m <sup>2</sup> gross floor area per site	RD	Standard H3.6.6 Building height; Standard H3.6.7 Height in relation to boundary; Standard H3.6.8 Yards; Standard H3.6.9 Maximum impervious areas; Standard H3.6.10 Building coverage; and Standard H3.6.12 Front, side and rear fences and walls
(A17)	Restaurants and cafes up to 100m <sup>2</sup> gross floor area per site	D	
(A18)	Service stations on arterial roads	D	
(A19)	Offices within the Centre Fringe Office Control as identified on the planning maps	P	Standard H3.6.5 Offices within the Centre Fringe Office Control
(A20)	Offices within the Centre Fringe Office Control as identified on the planning maps that do not comply with Standard H3.6.5	D	
<b>Community</b>			
(A21)	Care centres accommodating up to 10 people per site excluding staff	P	<u>Standard H3.6.3A Development within the Infrastructure – Combined Wastewater Network Control</u> ; Standard H3.6.6 Building height; Standard H3.6.7 Height in relation to boundary; Standard H3.6.8 Yards; Standard H3.6.9 Maximum impervious areas; Standard H3.6.10 Building coverage; Standard H3.6.11 Landscaped area; and Standard H3.6.12 Front, side and rear fences and walls
(A22)	Care centres accommodating greater than 10 people per site excluding staff	D	
(A23)	Community facilities	D	
(A24)	Education facilities	D	
(A25)	Tertiary education facilities	D	
(A26)	Emergency services adjoining an arterial road	D	

Activity		Activity status	Standards to be complied with
(A27)	Healthcare facilities up to 200m <sup>2</sup> gross floor area per site	RD	Standard H3.6.6 Building height; Standard H3.6.7 Height in relation to boundary; Standard H3.6.8 Yards; Standard H3.6.9 Maximum impervious areas; Standard H3.6.10 Building coverage; Standard H3.6.11 Landscaped area; and Standard H3.6.12 Front, side and rear fences and walls
(A28)	Healthcare facilities greater than 200m <sup>2</sup> gross floor area per site	NC	
(A29)	Veterinary clinics	D	
<b>Rural</b>			
(A30)	Grazing of livestock on sites greater than 2,000m <sup>2</sup> net site area	P	
<b>Mana Whenua</b>			
(A31)	Marae	D	
<b>Development</b>			
(A32)	Demolition of buildings	P	
(A33)	Internal and external alterations to buildings	P	Standard H3.6.6 Building height; Standard H3.6.7 Height in relation to boundary; Standard H3.6.8 Yards; Standard H3.6.9 Maximum impervious areas; Standard H3.6.10 Building coverage; Standard H3.6.11 Landscaped area; Standard H3.6.12 Front, side and rear fences and walls
(A34)	Accessory buildings	P	Standard H3.6.6 Building height; Standard H3.6.7 Height in relation to boundary; Standard H3.6.8 Yards; Standard H3.6.9 Maximum impervious areas; Standard H3.6.10 Building coverage

Activity		Activity status	Standards to be complied with
(A35)	Additions to an existing dwelling	P	<u>Standard H3.6.3A Development within the Infrastructure – Combined Wastewater Network Control</u> ; Standard H3.6.6 Building height; Standard H3.6.7 Height in relation to boundary; Standard H3.6.8 Yards; Standard H3.6.9 Maximum impervious areas; Standard H3.6.10 Building coverage; Standard H3.6.11 Landscaped area; Standard H3.6.12 Front, side and rear fences and walls
(A36)	<u>Any other new buildings and additions to buildings not otherwise provided for in this table.</u>	The same activity status and standards as applies to the land use activity that the new building or addition to a building is designed to accommodate	
(A36A)	Rainwater Tank	P	Standard H3.6.13 Rainwater tanks
(A37)	<u>Development in areas identified on the planning maps as being subject to the Infrastructure – Combined Wastewater Network Control that comply with other standards but do not comply with H3.6.3A.</u>	RD	

### H3.5. Notification

- (1) Any application for resource consent for the following activities 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(4) of the Resource Management Act 1991:

(a) [deleted]

(b) development which does not comply with H3.6.12 (1a) Front, side and rear fences and walls.

- (2) Any application for resource consent for an activity listed in Table H3.4.1 Activity table and which is not listed in H3.5(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\(4\)](#).

### **H3.6. Standards**

#### **H3.6.1. Activities listed in Table H3.4.1 Activity table**

- (1) Activities and buildings containing activities listed in Table H3.4.1 Activity table must comply with the standards listed in the column in Table H3.4.1 Activity table called Standards to be complied with.

#### **H3.6.2. Home occupations**

Purpose: to enable people to work from home at a scale that the residential character and amenity is maintained.

- (1) A home occupation must comply with all the following standards:
- (a) at least one person engaged in the home occupation must use the dwelling on the site as their principal place of residence;
  - (b) no more than two people who do not use the dwelling as their principal place of residence may work in the home occupation;
  - (c) no more than four people in total may work in the home occupation;
  - (d) the sale of goods or services from the home occupation that requires customers to come to the site and the delivery of goods to and from the site may not occur before 7am or after 7pm;
  - (e) car trips to and from the home occupation activity must not exceed 20 per day;
  - (f) heavy vehicle trips must not exceed two per week;
  - (g) no more than one commercial vehicle associated with the home occupation may be on site at any one time;
  - (h) storage for rubbish and recycling associated with the home occupation must be provided on site and screened from public view;
  - (i) materials or goods manufactured, serviced or repaired in the home occupation must be stored and worked on within a building on the same site; and
  - (j) goods sold from the home occupation must be:
    - (i) goods produced on site; or
    - (ii) goods that are primarily ordered by mail or electronic transaction and redistributed by post or courier; or

- (iii) goods ancillary and related to a service provided by the home occupation.

### **H3.6.3. The conversion of a principal dwelling existing as at 30 September 2013 into a maximum of two dwellings**

Purpose: to enable a dwelling existing as at 30 September 2013 to be converted into a maximum of two dwellings and to provide for sufficient outdoor living space for each of the dwellings.

- (1) Where a dwelling existing as at 30 September 2013 is proposed to be converted into a maximum of two dwellings each dwelling must have an outdoor living space that is:
  - (a) at least 5m<sup>2</sup> for a studio or one-bedroom dwelling and 8m<sup>2</sup> for a two or more bedroom dwelling; and
  - (b) at least 1.8m in depth; and
  - (c) directly accessible from the dwelling.

### **H3.6.3A. Development within the Infrastructure – Combined Wastewater Network Control**

Purpose: to restrict development in any area served by a Combined Wastewater Network where public sewer separation has not occurred while enabling new development where separation is in progress and the new development can connect to a separated local stormwater pipe that is part of the public stormwater network.

- (1) Development on a site served by the Combined Wastewater Network must be able to connect to an existing separated local stormwater pipe that is part of the public stormwater network; and
- (2) The wastewater network service provider has confirmed that there is sufficient capacity available in the Combined Wastewater Network to service the proposed development.

### **H3.6.4. Minor dwellings**

Purpose:

- to provide accommodation that is limited in size and secondary to the principal dwelling on a site;
  - to ensure that sufficient outdoor living space is provided for the minor dwelling;
  - to ensure there is no more than one minor dwelling on each site.
- (1) A minor dwelling must not exceed a floor area of 65m<sup>2</sup> excluding decks and garaging.
  - (2) A minor dwelling must have an outdoor living space that is:

- (a) at least 5m<sup>2</sup> for a studio or one-bedroom dwelling and 8m<sup>2</sup> for a two or more bedroom dwelling; and
  - (b) least 1.8m in depth; and
  - (c) directly accessible from the minor dwelling.
- (3) There must be no more than one minor dwelling per site.

**H3.6.5. Offices within the Centre Fringe Office Control as identified on the planning maps**

- (1) Offices must be located in existing buildings.

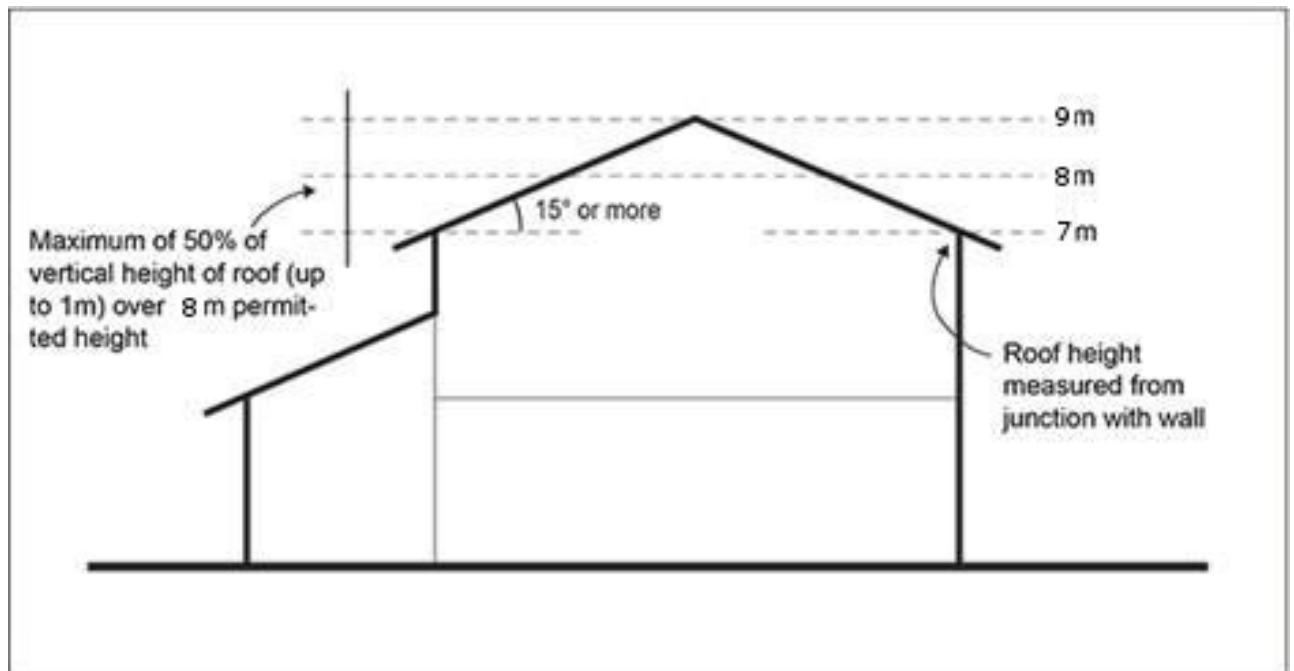
**H3.6.6. Building height**

Purpose: to manage the height of buildings to:

- Achieve the planned suburban built character of predominantly one to two storeys, which in certain areas may be required to respond to the values of qualifying matters;
  - minimise visual dominance effects;
  - maintain a reasonable standard of residential amenity for adjoining sites; and
  - provide some flexibility to enable variety in roof forms.
- (1) Buildings must not exceed 8m in height except that 50 per cent of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1m, where the entire roof slopes 15 degrees or more, as shown in Figure H3.6.6.1 Building height in the Residential – Single House Zone below.

**Figure H3.6.6.1 Building height in the Residential – Single House Zone**



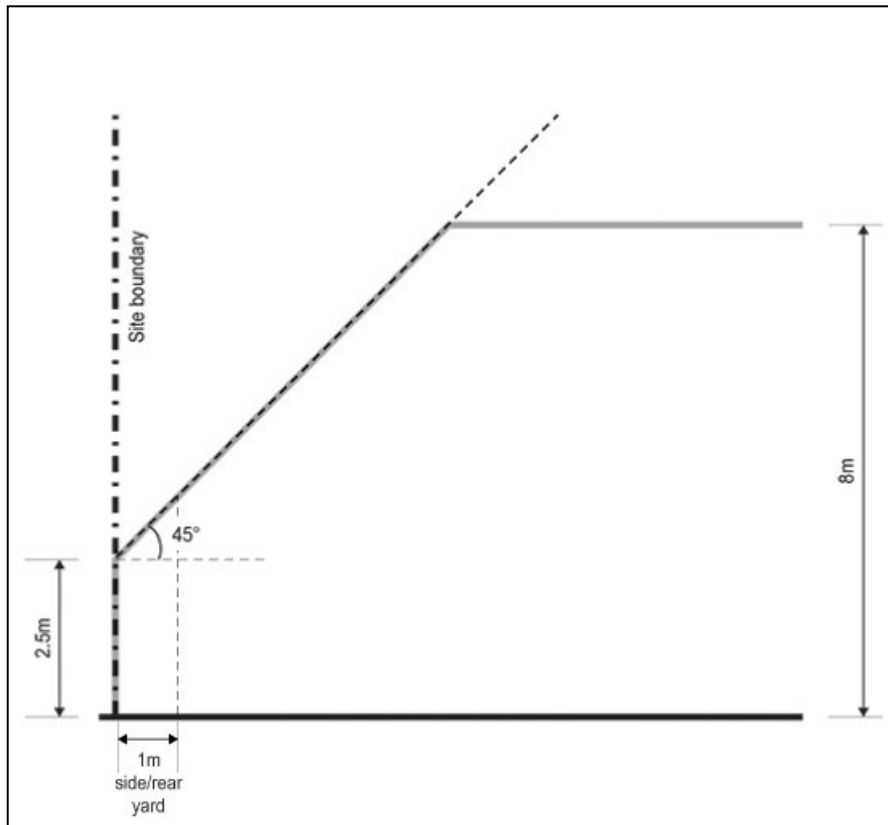


#### H3.6.7. Height in relation to boundary

Purpose: to manage the height and bulk of buildings at boundaries to maintain a reasonable level of privacy, sunlight access and minimise adverse visual dominance effects to immediate neighbours.

- (1) Buildings must not project beyond a 45-degree recession plane measured from a point 2.5m vertically above ground level along side and rear boundaries, as shown in Figure H3.6.7.1 Height in relation to boundary below.

**Figure H3.6.7.1 Height in relation to boundary**

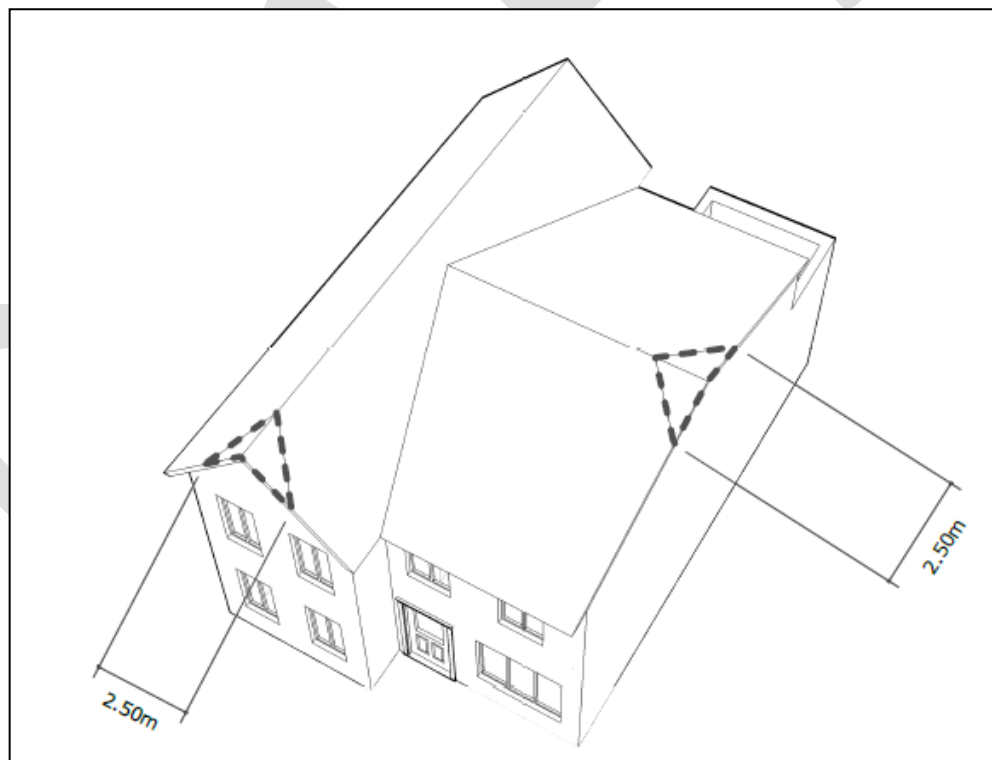


(2) Standard H3.6.7(1) above does not apply to a boundary, or part of a boundary, adjoining any of the following:

- (a) a Business – City Centre Zone; Business – Metropolitan Centre Zone; Business – Town Centre Zone; Business – Local Centre Zone; Business – Neighbourhood Centre Zone; Business - Mixed Use Zone; Business – General Business Zone; Business – Business Park Zone; Business – Light Industry Zone and Business – Heavy Industry Zone.
- (b) sites within the Open Space – Conservation Zone; Open Space – Informal Recreation Zone; Open Space – Sports and Active Recreation Zone; Open Space – Civic Spaces Zone; or the Open Space - Community Zone:
  - (i) that are greater than 2000m<sup>2</sup>;
  - (ii) where that part of the site in (i) is greater than 20 metres in width, when measured perpendicular to the shared boundary; and
  - (iii) where an open space comprises multiple sites but has a common open space zoning, the entire zone will be treated as a single site for the purpose of applying the standards listed below.

- (3) Standard H3.6.7(1) above does not apply to site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.
- (4) Where the boundary forms part of a legal right of way, entrance strip, access site or pedestrian access way, control in Standard H3.6.7(1) applies from the farthest boundary of that legal right of way, entrance strip, access site or pedestrian access way.
- (5) A gable end, dormer or roof may project beyond the recession plane where that portion beyond the recession plane is:
  - (a) no greater than 1.5m<sup>2</sup> in area and no greater than 1m in height; and
  - (b) no greater than 2.5m cumulatively in length measured along the edge of the roof as shown in Figure H3.6.7.2 Exceptions for gable ends and dormers and roof projections below .

**Figure H3.6.7.2: Exceptions for gable ends and dormers and roof projections**



- (6) No more than two gable ends, dormers or roof projections are allowed for every 6m length of site boundary.

### **H3.6.8. Yards**

Purpose:

- to maintain the suburban built character of the streetscape and provide sufficient space for landscaping within the front yard;
  - to maintain a reasonable standard of residential amenity for adjoining sites;
  - to ensure buildings are adequately set back from lakes, streams and the coastal edge to maintain water quality and provide protection from natural hazards; and
  - to enable buildings and services on the site or adjoining sites to be adequately maintained.
- (1) A building or parts of a building must be set back from the relevant boundary by the minimum depth listed in Table H3.6.8.1 Yards below.

**Table H3.6.8.1 Yards**

Yard	Minimum depth
Front	3m
Side	1m
Rear	1m
Riparian	10m from the edge of all other permanent and intermittent streams
Lakeside	30m
Coastal protection yard	10m, or as otherwise specified in <a href="#">Appendix 6 Coastal protection yard</a>

- (2) Standard H3.6.8.1 above does not apply to site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.

### H3.6.9. Maximum impervious area

Purpose:

- 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;
  - to support the functioning of riparian yards, lakeside yards and coastal protection yards and water quality and ecology;
  - to reinforce the building coverage and landscaped area standards; and
  - to limit paved areas on a site to improve the site's appearance and cumulatively maintain amenity values in a neighbourhood.
- (1) The maximum impervious area must not exceed 60 per cent of site area.

- (2) The maximum impervious area within a riparian yard, a lakeside yard or a coastal protection yard must not exceed 10 per cent of the riparian yard, lakeside yard or coastal protection yard area.

#### **H3.6.10. Building coverage**

Purpose: to manage the extent of buildings on a site to achieve the planned suburban built character of buildings.

- (1) The maximum building coverage must not exceed 35 per cent of net site area.

#### **H3.6.11. Landscaped area**

Purpose:

- to provide for quality living environments consistent with the planned suburban built character of buildings; and
- to maintain the landscaped character of the streetscape within the zone.

- (1) The minimum landscaped area must be at least 40 per cent of the net site area.

- (2) At least 50 per cent of the area of the front yard must comprise landscaped area.

#### **H3.6.12. Front, side and rear fences and walls**

Purpose: to enable fences and walls to be constructed on a front, side or rear boundary or within a front, side, rear, riparian, coastal protection or lakeside yard to a height sufficient to:

- provide privacy for dwellings while enabling opportunities for passive surveillance of the street or adjoining public place
- minimise visual dominance effects to immediate neighbours, the street or adjoining public place.

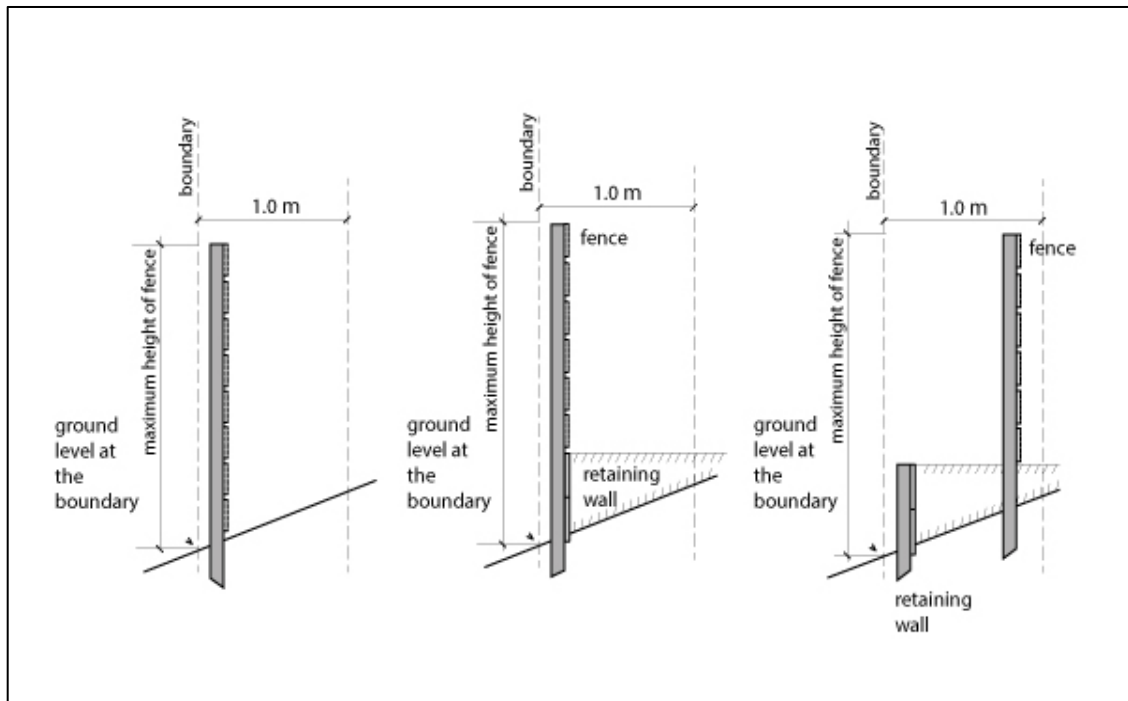
- (1) Fences or walls or a combination of these structures (whether separate or joined together) must not exceed the height specified below, measured from the ground level at the boundary:

- (a) Within the front yard, either:

- (i) 1.4m in height, or
- (ii) 1.8m in height for no more than 50 per cent of the site frontage and 1.4m for the remainder, or
- (iii) 1.8m in height if the fence is at least 50 per cent visually open as viewed perpendicular to the front boundary.

- (b) Within side, rear, coastal protection, lakeside or riparian yards: 2m.

**Figure H.3.6.12.1 Measurement of fence height**



### H3.6.13 Rainwater tanks

Purpose: To enable rainwater tank installation and maintain amenity values.

(1) Rainwater tanks must not be located in a:

- (a) riparian, lakeside or coastal protection yard unless less than 1m in height, or wholly below ground level;
- (b) front yard, unless they are at least 1.5m from the front boundary and are a maximum height of 1 m.

(2) Rainwater tanks (excluding any pipework) must not exceed 3 m in height in a rear or side yard.

(3) Any overflow from the rainwater tank must discharge to the existing authorised stormwater system for the site.

Note: If there is a new stormwater discharge or diversion created Chapter E8.6.2.1 and Building Act requirements must be complied with.

Note: Building Act regulations apply. A building consent may be required under the Building Act.

### H3.7. Assessment – controlled activities

There are no controlled activities in this zone.

### **H3.8. Assessment – restricted discretionary activities**

#### **H3.8.1. Matters of discretion**

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

- (1) for dairies up to 100m<sup>2</sup> gross floor area per site; and healthcare facilities up to 200m<sup>2</sup> gross floor area per site:
  - (a) the effects on the neighbourhood character, residential amenity and the surrounding residential area from all of the following:
    - (i) building intensity, scale, location, form and appearance;
    - (ii) traffic;
    - (iii) location and design of parking and access; and
    - (iv) noise, lighting and hours of operation.
- (2) for buildings that do not comply with Standard H3.6.6 Building height; Standard H3.6.7 Height in relation to boundary; Standard H3.6.8 Yards; Standard H3.6.9 Maximum impervious areas; Standard H3.6.10 Building coverage; Standard H3.6.11 Landscaped area; Standard H3.6.12 Front, side and rear fences and walls:
  - (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 suburban built character of the zone;
  - (e) the effects on the amenity of neighbouring sites;
  - (f) the effects of any special or unusual characteristic of the site which is relevant to the standard;
  - (g) the characteristics of the development;
  - (h) any other matters specifically listed for the standard; and
  - (i) where more than one standard will be infringed, the effects of all infringements.
- (3) For developments in areas identified on the planning maps as being subject to the Infrastructure – Combined Wastewater Network Control that does not comply with H3.6.3A.

(a) The effect of development on the function and available capacity of the Combined Wastewater Network.

**H3.8.2. Assessment criteria**

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

(1) for dairies up to 100m<sup>2</sup> gross floor area per site; and healthcare facilities up to 200m<sup>2</sup> gross floor area per site:

(a) building intensity, scale, location, form and appearance:

- (i) whether the intensity and scale of the activity, the building location, form and appearance is compatible with the character and residential amenity provided for within the zone and compatible with the surrounding residential area.

(b) traffic:

- (i) whether the activity avoids or mitigates high levels of additional non-residential traffic on local roads.

(c) location and design of parking and access:

- (i) whether adequate parking and access is provided or required.

(d) noise, lighting and hours of operation:

- (i) whether noise and lighting and the hours of operation of the activity avoids, remedies or mitigates adverse effects on the residential amenity of surrounding properties, by:
  - locating noisy activities away from neighbouring residential boundaries; and
  - screening or other design features; and
  - controlling the hours of operation and operational measures.

(2) for building height:

- (a) refer to Policy H3.3(1);
- (b) refer to Policy H3.3(2); and
- (c) refer to Policy H3.3(4).

(3) for height in relation to boundary:

- (a) refer to Policy H3.3(1);
- (b) refer to Policy H3.3(2); and



(c) refer to Policy H3.3(4).

(4) for yards:

(a) refer to Policy H3.3(1);

(b) refer to Policy H3.3(2);

(c) refer to Policy H3.3(4); and

(d) refer to Policy H3.3(5); and

(e) refer to Policy H3.3(10).

(5) for maximum impervious areas:

(a) refer to Policy H3.3(6).

(6) for building coverage:

(a) refer to Policy H3.3(1);

(b) refer to Policy H3.3(2); and

(c) refer to Policy H3.3(4).

(7) for landscaped area:

(a) refer to Policy H3.3(1);

(b) refer to Policy H3.3(2); and

(c) refer to Policy H3.3(4).

(8) for front, side and rear fences and walls:

(a) refer to Policy H3.3(1);

(b) refer to Policy H3.3(2);

(c) refer to Policy H3.3(3); and

(d) refer to Policy H3.3(4).

(9) For developments in areas identified on the planning maps as being subject to the Infrastructure – Combined Wastewater Network Control that does not comply with H3.6.3A:

(a) refer to Policy H3.3(12);

(b) refer to Policy H3.3(14); and

(c) refer to Policy H3.3(15)

### **H3.9. Special information requirements**

There are no special information requirements in this zone.

DRAFT

## H4. Residential – Mixed Housing Suburban Zone

### H4.1. Zone description

The Residential – Mixed Housing Suburban Zone is applied to areas with lower levels of accessibility to the public transport network and metropolitan, town and local centre zones. This zone ~~the most widespread residential zone covering~~ is predominantly located at the edges of many established suburbs and some greenfields areas. Much of the existing development in the zone is characterised by one or two storey, mainly stand-alone buildings, set back from site boundaries with landscaped gardens.

The zone enables intensification, while retaining a suburban built character. Development within the zone will generally be two storey detached and attached housing in a variety of types and sizes to provide housing choice. The height of permitted buildings is the main difference between this zone and the Residential – Mixed Housing Urban Zone which generally provides for three storey predominately attached dwellings.

Up to three dwellings are permitted as of right subject to compliance with the standards. This is to ensure a quality outcome for adjoining sites and the neighbourhood, as well as residents within the development site.

Resource consent is required for four or more dwellings and for other specified buildings in order to:

- achieve the planned suburban built character of the zone;
- achieve attractive and safe streets and public open spaces; and
- manage the effects of development on neighbouring sites, including visual amenity, privacy and access to daylight and sunlight; ~~and~~

All residential development must comply with development standards to achieve high good quality on-site living liveable environments that are attractive, healthy and safe; meet the functional and operational needs of residents; and that contribute to climate resilience.

The resource consent requirements enable the design and layout of the development to be assessed; recognising that the need to achieve a quality design is increasingly important as the scale of development increases.

### H4.2. Objectives

- (1) Housing capacity, intensity and choice in the zone is increased.
- (2) Development is in keeping with the neighbourhood's planned suburban built character of predominantly two storey buildings, in a variety of forms (attached and detached).

- (3) Development provides quality built environments on site for residents, for residents on adjoining sites and to the street that are attractive, healthy and safe, on-site residential amenity for residents and adjoining sites and the street.
- (4) Non-residential activities provide for the community's social, economic and cultural well-being, while being compatible with the scale and intensity of development anticipated by the zone so as to contribute to the amenity of the neighbourhood.
- (5) Development contributes to a built environment that is resilient to the effects of climate change with areas of deep soil and canopy tree planting, and landscape treatment that comprises natural grass, shrubs and trees that reduce urban heat island effects.
- (6) Development addresses the functional and operational requirements of the water supply, wastewater and stormwater networks to avoid adverse effects.

#### H4.3. Policies

- (1) Enable a variety of housing types including integrated residential development such as retirement villages subject to achieving the planned built character and taking into account the existing environment.
- (2) Achieve the planned suburban built character of predominantly two storey buildings, in a variety of forms by:
  - (a) limiting the height, bulk and form of development;
  - (b) managing the design and appearance of multiple-unit residential development;
  - and
  - (c) requiring sufficient setbacks and landscaped areas.
- ~~(3) Encourage development to achieve attractive and safe streets and public open spaces including by:~~
  - ~~(a) providing for passive surveillance~~
  - ~~(b) optimising front yard landscaping~~
  - ~~(c) minimising visual dominance of garage doors.~~
- ~~(4) Require the height, bulk and location of development to maintain a reasonable standard of sunlight access and privacy and to minimise visual dominance effects to adjoining sites.~~
- ~~(5) Require accommodation to be designed to meet the day to day needs of residents by:~~
  - ~~(a) providing privacy and outlook; and~~
  - ~~(b) providing access to daylight and sunlight and providing the amenities necessary for those residents.~~
- ~~(6) Encourage accommodation to have useable and accessible outdoor living space.~~

~~(7) Restrict the maximum impervious area on a site in order to manage the amount of stormwater runoff generated by a development and ensure that adverse effects on water quality, quantity and amenity values are avoided or mitigated.~~

(3A) Require development to achieve a built form that contributes to high-quality built environment outcomes by:

- (a) maintaining privacy, outlook, daylight and sunlight access and reducing over-heating to provide for the health and safety of residents on-site;
  - (b) providing for residents' safety and privacy while enabling passive surveillance on the street and private vehicle and pedestrian accessways;
  - (c) minimising visual dominance effects to adjoining sites;
  - (d) maintaining a good level of privacy, and sunlight and daylight access for adjoining sites;
  - (e) minimising visual dominance effects of carparking and garage doors to streets and private accessways;
  - (f) minimising adverse effects on the natural environment, including restricting maximum impervious area on a site to reduce the amount of stormwater runoff generated by a development and ensure that adverse effects on water quality, quantity and amenity values are avoided or mitigated;
  - (g) requiring development to reduce the urban heat island effects of development and respond to climate change, by providing deep soil area that enable the growth of canopy trees and adequate landscaped areas that comprise natural grass, plants or trees; and
  - (h) designing practical, sufficient space for internal storage, living areas and residential waste management;
- (8) Enable more efficient use of larger sites by providing for integrated residential development.
- (9) Provide for non-residential activities that:
- (a) support the social, cultural and economic well-being of the community;
  - (b) are in keeping with the scale and intensity of development anticipated within the zone;
  - (c) avoid, remedy or mitigate adverse effects on residential amenity; and
  - (d) will not detract from the vitality of the Business – City Centre Zone, Business – Metro Centre Zone and Business – Town Centre Zone.
- (10) Recognise the functional and operational requirements of activities and development.
- (11) Require development to remedy or mitigate adverse effects which may compromise the function and capacity of the water supply, wastewater and stormwater networks.
- (12) Require development on sites connected to the combined wastewater network as identified on the planning maps to demonstrate that there is sufficient capacity

available in the combined wastewater network to enable servicing of the development with adverse effects which may compromise the function and capacity of the water supply network able to be managed.

Commented [A1]: Annotate as a QM

#### H4.4. Activity table

Table H4.4.1 Activity table specifies the activity status of land use and development activities in the Residential – Mixed Housing Suburban Zone pursuant to section 9(3) of the Resource Management Act 1991.

Table H4.4.1 Activity table

		Activity status	Standards to be complied with
<b>Use</b>			
(A1)	Activities not provided for	NC	
<b>Residential</b>			
(A2)	Camping grounds	D	
(A3)	Up to three dwellings per site	P	Standard H4.6.4 Building height; Standard H4.6.5 Height in relation to boundary; Standard H4.6.7 Yards; Standard H4.6.8 Maximum impervious areas; Standard H4.6.9 Building coverage; Standard H4.6.10 Landscaped area; Standard H4.6.11 Outlook space; Standard H4.6.12 Daylight; Standard H4.6.13 Outdoor living space; Standard H4.6.14 Front, side and rear fences and walls; <u>Standard H4.6.15 Minimum Dwelling Size; Standard H4.6.17 Windows to street and private vehicle and pedestrian accessways; Standard H4.6.18 Deep soil area and canopy tree; Standard H4.6.19 Safety and privacy buffer from private pedestrian vehicle accessways. Standard H4.6.21 Development within the Infrastructure – Combined Wastewater Network Control.</u>
(A4)	Four or more dwellings per site	RD	Standard H4.6.4 Building height; Standard H4.6.5 Height in relation to boundary; Standard H4.6.6 Alternative height in relation to boundary; Standard H4.6.7 Yards; <u>Standard H4.6.8 Maximum impervious areas; Standard H4.6.9 Building coverage; Standard</u>

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			<u>H4.6.10 Landscaped Area; H4.6.11 Outlook space; Standard H4.6.12 Daylight; H4.6.13 Outdoor living space; Standard H4.6.14 Front, side and rear fences and walls; Standard H4.6.15 Minimum Dwelling Size; Standard H4.6.17 Windows to street and private vehicle and pedestrian accessways; Standard H4.6.18 Deep soil area and canopy tree; Standard H4.6.19 Safety and privacy buffer from private pedestrian vehicle accessways; Standard H4.6.20 Residential waste management.</u>
(A5)	The conversion of a principal dwelling existing as at 30 September 2013 into a maximum of two dwellings	P	Standard H4.6.3 The conversion of a principal dwelling into a maximum of two dwellings. <u>Standard H4.6.21 Development within the Infrastructure – Combined Wastewater Network Control.</u>
(A6)	Home occupations	P	Standard H4.6.2 Home occupations
(A7)	Home occupations that do not meet Standard H4.6.2	D	
(A8)	Integrated Residential Development	RD	Standard H4.6.4 Building height; Standard H4.6.5 Height in relation to boundary; Standard H4.6.6 Alternative height in relation to boundary; Standard H4.6.7 Yards; <u>Standard H4.6.17 Windows to street and private vehicle and pedestrian accessways; Standard H4.6.18 Deep soil area and canopy tree; Standard H4.6.19 Safety and privacy buffer from private pedestrian vehicle accessways; Standard H4.6.20 Residential waste management.</u>
(A9)	Supported residential care accommodating up to 10 people per site inclusive of staff and residents	P	Standard H4.6.4 Building height; Standard H4.6.5 Height in relation to boundary; Standard H4.6.7 Yards; Standard H4.6.8 Maximum impervious areas; Standard H4.6.9 Building coverage; Standard H4.6.10 Landscaped area; Standard H4.6.11 Outlook space; Standard H4.6.12 Daylight; Standard H4.6.13 Outdoor living space; Standard H4.6.14 Front, side and rear fences and walls; <u>Standard H4.6.17 Windows to street and private vehicle and pedestrian accessways; Standard H4.6.18 Deep soil area and canopy tree; Standard H4.6.19 Safety and privacy buffer from</u>

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			<u>private pedestrian vehicle accessways.</u> <u>Standard H4.6.21 Development within the Infrastructure – Combined Wastewater Network Control.</u>
(A10)	Supported residential care accommodating greater than 10 people per site inclusive of staff and residents	RD	Standard H4.6.4 Building height; Standard H4.6.5 Height in relation to boundary; Standard H4.6.6 Alternative height in relation to boundary; Standard H4.6.7 Yards; <u>Standard H4.6.10 Landscaped Area; H4.6.11 Outlook space; Standard H4.6.12 Daylight; H4.6.13 Outdoor living space; Standard H4.6.14 Front, side and rear fences and walls; Standard H4.6.17 Windows to street and private vehicle and pedestrian accessways</u>
(A11)	Boarding houses accommodating up to 10 people per site inclusive of staff and residents	P	Standard H4.6.4 Building height; Standard H4.6.5 Height in relation to boundary; Standard H4.6.7 Yards; Standard H4.6.8 Maximum impervious areas; Standard H4.6.9 Building coverage; Standard H4.6.10 Landscaped area; Standard H4.6.11 Outlook space; Standard H4.6.12 Daylight; Standard H4.6.13 Outdoor living space; Standard H4.6.14 Front, side and rear fences and walls; <u>Standard H4.6.17 Windows to street and private vehicle and pedestrian accessways; Standard H4.6.18 Deep soil area and canopy tree; Standard H4.6.19 Safety and privacy buffer from private pedestrian vehicle accessways.</u> <u>Standard H4.6.21 Development within the Infrastructure – Combined Wastewater Network Control.</u>
(A12)	Boarding houses accommodating greater than 10 people per site inclusive of staff and residents	RD	Standard H4.6.4 Building height; Standard H4.6.5 Height in relation to boundary; Standard H4.6.6 Alternative height in relation to boundary; Standard H4.6.7 Yards; <u>Standard H4.6.10 Landscaped Area; H4.6.11 Outlook space; Standard H4.6.12 Daylight; H4.6.13 Outdoor living space; Standard H4.6.14 Front, side and rear fences and walls; Standard H4.6.17 Windows to street and private vehicle and pedestrian accessways</u>
(A13)	Visitor accommodation accommodating up to 10 people per	P	Standard H4.6.4 Building height; Standard H4.6.5 Height in relation to boundary; Standard H4.6.7 Yards; Standard H4.6.8 Maximum impervious areas; Standard H4.6.9 Building



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	site inclusive of staff and visitors		coverage; Standard H4.6.10 Landscaped area; and Standard H4.6.14 Front, side and rear fences and walls; <u>Standard H4.6.17 Windows to street and private vehicle and pedestrian accessways</u> ; <u>Standard H4.6.18 Deep soil area and canopy tree</u> . <u>Standard H4.6.21 Development within the Infrastructure – Combined Wastewater Network Control</u> .
(A14)	Visitor accommodation accommodating greater than 10 people per site inclusive of staff and visitors	RD	Standard H4.6.4 Building height; Standard H4.6.5 Height in relation to boundary; Standard H4.6.6 Alternative height in relation to boundary; Standard H4.6.7 Yards; <u>Standard H4.6.14 Front, side and rear fences and walls</u> ; <u>Standard H4.6.17 Windows to street and private vehicle and pedestrian accessways</u>
<b>Commerce</b>			
(A15)	Dairies up to 100m <sup>2</sup> gross floor area per site	RD	Standard H4.6.4 Building height; Standard H4.6.5 Height in relation to boundary; Standard H4.6.6 Alternative height in relation to boundary; Standard H4.6.7 Yards; Standard H4.6.8 Maximum impervious areas; Standard H4.6.9 Building coverage; and Standard H4.6.14 Front, side and rear fences and walls
(A16)	Restaurants and cafes up to 100m <sup>2</sup> gross floor area per site	D	
(A17)	Service stations on arterial roads	D	
<b>Community</b>			
(A18)	Care centres accommodating up to 10 people per site excluding staff	P	Standard H4.6.4 Building height; Standard H4.6.5 Height in relation to boundary; Standard H4.6.7 Yards; Standard H4.6.8 Maximum impervious areas; Standard H4.6.9 Building coverage; Standard H4.6.10 Landscaped area; and Standard H4.6.14 Front, side and rear fences and walls; <u>Standard H4.6.17 Windows to street and private vehicle and pedestrian accessways</u> ; <u>Standard H4.6.18 Deep soil area and canopy tree</u> . <u>Standard H4.6.21 Development within the Infrastructure – Combined Wastewater Network Control</u> .

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(A19)	Care centres accommodating greater than 10 people per site excluding staff	RD	Standard H4.6.4 Building height; Standard H4.6.5 Height in relation to boundary; Standard H4.6.6 Alternative height in relation to boundary; Standard H4.6.7 Yards; Standard H4.6.8 Maximum impervious areas; Standard H4.6.9 Building coverage; Standard H4.6.10 Landscaped area; and Standard H4.6.14 Front, side and rear fences and walls; <u>Standard H4.6.17 Windows to street and private vehicle and pedestrian accessways</u> ; <u>Standard H4.6.18 Deep soil area and canopy tree</u> ; Standard H4.6.19 Safety and privacy buffer from private pedestrian vehicle accessways
(A20)	Community facilities	RD	Standard H4.6.4 Building height; Standard H4.6.5 Height in relation to boundary; Standard H4.6.6 Alternative height in relation to boundary; Standard H4.6.7 Yards; Standard H4.6.8 Maximum impervious areas; Standard H4.6.9 Building coverage; Standard H4.6.10 Landscaped area; and Standard H4.6.14 Front, side and rear fences and walls; <u>H4.6.18 Deep soil area and canopy tree</u>
(A21)	Education facilities	D	
(A22)	Tertiary education facilities	D	
(A23)	Emergency services adjoining an arterial road	D	
(A24)	Healthcare facilities up to 200m <sup>2</sup> gross floor area per site	RD	Standard H4.6.4 Building height; Standard H4.6.5 Height in relation to boundary; Standard H4.6.6 Alternative height in relation to boundary; Standard H4.6.7 Yards; Standard H4.6.8 Maximum impervious areas; Standard H4.6.9 Building coverage; Standard H4.6.10 Landscaped area; and Standard H4.6.14 Front, Side and rear fences and walls; <u>H4.6.18 Deep soil area and canopy tree</u>
(A25)	Healthcare facilities greater than 200m <sup>2</sup> gross floor area per site	D	
(A26)	Veterinary clinics	D	
<b>Rural</b>			

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(A27)	Grazing of livestock on sites greater than 2,000m <sup>2</sup> net site area	P	
<b>Mana Whenua</b>			
(A28)	Marae complex	D	
<b>Development</b>			
(A29)	Demolition of buildings	P	
(A30)	Internal and external alterations to buildings	P	<p>Standard H4.6.4 Building height; Standard H4.6.5 Height in relation to boundary; Standard H4.6.7 Yards; Standard H4.6.8 Maximum impervious areas; Standard H4.6.9 Building coverage; Standard H4.6.10 Landscaped area; Standard H4.6.11 Outlook space; Standard H4.6.12 Daylight; Standard H4.6.13 Outdoor living space; Standard H4.6.14 Front, side and rear fences and walls; Standard H4.6.15 Minimum dwelling size</p> <p><u>The same standards as applies to the land use activity that the building is designed to accommodate.</u></p>
(A31)	Accessory buildings	P	<p>Standard H4.6.4 Building height; Standard H4.6.5 Height in relation to boundary; Standard H4.6.7 Yards; Standard H4.6.8 Maximum impervious areas; Standard H4.6.9 Building coverage.</p> <p><u>The same standards as applies to the land use activity that the building is designed to accommodate.</u></p>
(A32)	Additions to an existing dwelling	P	<p>Standard H4.6.4 Building height; Standard H4.6.5 Height in relation to boundary; Standard H4.6.7 Yards; Standard H4.6.8 Maximum impervious areas; Standard H4.6.9 Building coverage; Standard H4.6.10 Landscaped area; Standard H4.6.11 Outlook space; Standard H4.6.12 Daylight; Standard H4.6.13 Outdoor living space; Standard H4.6.14 Front, side and rear fences and walls; Standard H4.6.15 Minimum dwelling size</p> <p><u>The same standards as applies to the land use activity that the addition is designed to accommodate.</u></p>

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(A33)	New buildings and additions to buildings which do not comply with H4.6.5 Height in relation to boundary, but comply with H4.6.6 Alternative height in relation to boundary	RD	Standard H4.6.6 Alternative height in relation to boundary  Note: Compliance with Standard H4.6.5 Height in relation to boundary is not required.
(A34)	New buildings and additions	The same activity status and standards as applies to the land use activity that the new building or addition to a building is designed to accommodate	
(A35)	Rainwater Tank	P	Standard H4.6.16 Rainwater tanks
(A36)	Standard H4.6.21 For development in areas identified on the planning maps as being subject to the Infrastructure – Combined Wastewater Network Control that comply with other standards but do not comply with H4.6.21	RD	

Commented [A2]: Annotate as a QM

#### H4.5. Notification

- (1) Any application for resource consent for the following activities 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(4) of the Resource Management Act 1991:
- (a) four or more dwellings per site that comply with all of the standards listed in Table H4.4.1 Activity table
  - (b) an integrated residential development that complies with all of the standards listed in Table H4.4.1 Activity table;
  - (c) New buildings and additions to buildings which do not comply with H4.6.5 Height in relation to boundary, but comply with Standard H4.6.6 Alternative height in relation to boundary.
  - (d) development which does not comply with H4.6.14 (1a) Front, side and rear fences and walls; or
  - (e) development which does not comply with Standard H4.6.15 Minimum dwelling size.
- (2) Any application for resource consent for an activity listed in Table H4.4.1 Activity table and which is not listed in H4.5(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\(4\)](#).

#### **H4.6. Standards**

##### **H4.6.1. Activities listed in Table H4.4.1 Activity table**

- (1) Activities and buildings containing activities listed in Table H4.4.1 Activity table must comply with the standards listed in the column in Table H4.4.1 called Standards to be complied with.

##### **H4.6.2. Home occupations**

Purpose: to enable people to work from home at a scale that the residential character and amenity is maintained.

- (1) A home occupation must comply with all the following standards:
- (a) at least one person engaged in the home occupation must use the dwelling on the site as their principal place of residence;
  - (b) no more than two people who do not use the dwelling as their principal place of residence may work in the home occupation;
  - (c) no more than four people in total may work in the home occupation;
  - (d) the sale of goods or services from the home occupation that requires customers to come to the site and the delivery of goods to and from the site may not occur before 7am or after 7pm;
  - (e) car trips to and from the home occupation activity must not exceed 20 per day;
  - (f) heavy vehicle trips must not exceed two per week;
  - (g) no more than one commercial vehicle associated with the home occupation may be on site at any one time;
  - (h) storage for rubbish and recycling associated with the home occupation must be provided on site and screened from public view;
  - (i) materials or goods manufactured, serviced or repaired in the home occupation must be stored and worked on within a building on the same site; and
  - (j) goods sold from the home occupation must be:
    - (i) goods produced on site; or
    - (ii) goods that are primarily ordered by mail or electronic transaction and redistributed by post or courier; or

- (iii) goods ancillary and related to a service provided by the home occupation.

#### **H4.6.3. The conversion of a principal dwelling existing as at 30 September 2013 into a maximum of two dwellings**

Purpose: to enable a dwelling existing as at 30 September 2013 to be converted into a maximum of two dwellings and to provide for sufficient outdoor living space for each of the dwellings.

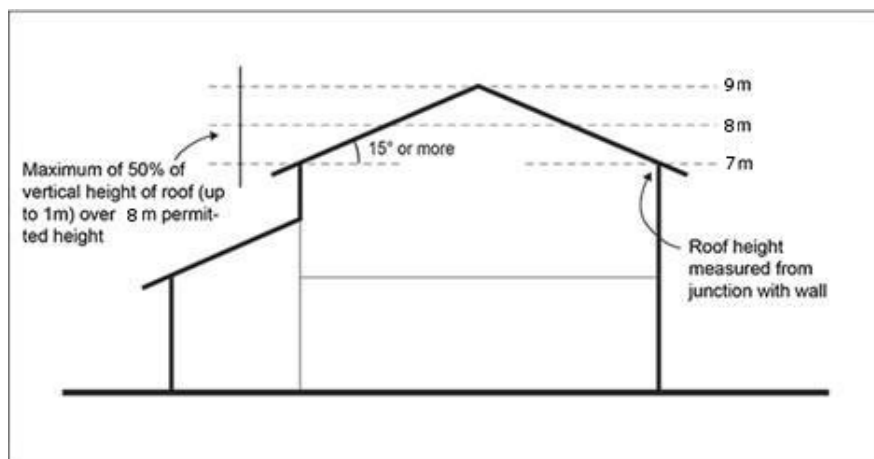
- (1) Where a principal dwelling existing as at 30 September 2013 is proposed to be converted into a maximum of two dwellings each dwelling must have an outdoor living space that is:
- (a) at least 5m<sup>2</sup> for a studio or one-bedroom dwelling and 8m<sup>2</sup> for a two or more bedroom dwelling; and
  - (b) at least 1.8m in depth; and
  - (c) directly accessible from the dwelling.

#### **H4.6.4. Building height**

Purpose: to manage the height of buildings to:

- achieve the planned suburban built character of predominantly one to two storeys;
  - minimise visual dominance effects;
  - maintain a reasonable standard of residential amenity for adjoining sites; and
  - provide some flexibility to enable variety in roof forms.
- (1) Buildings must not exceed 8m in height except that 50 per cent of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1m, where the entire roof slopes 15 degrees or more, as shown in Figure H4.6.4.1 Building height in the Residential – Mixed Housing Suburban Zone below.

**Figure H4.6.4.1 Building height in the Residential – Mixed Housing Suburban Zone**

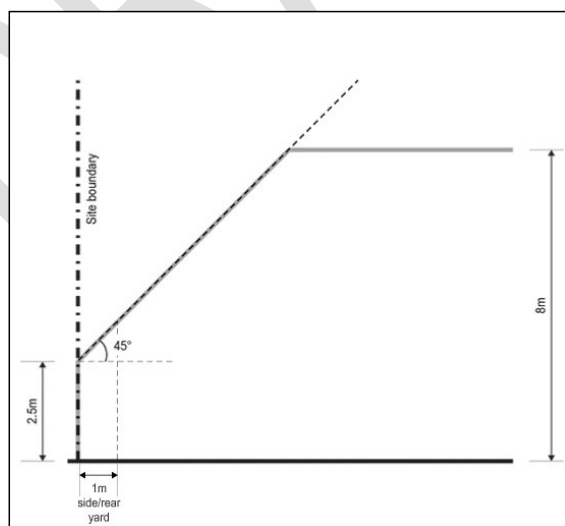


#### H4.6.5. Height in relation to boundary

Purpose: to manage the height and bulk of buildings at boundaries to maintain a reasonable level of sunlight access and minimise adverse visual dominance effects to immediate neighbours.

- (1) Buildings must not project beyond a 45 degree recession plane measured from a point 2.5m vertically above ground level along side and rear boundaries, as shown in Figure H4.6.5.1 Height in relation to boundary below.

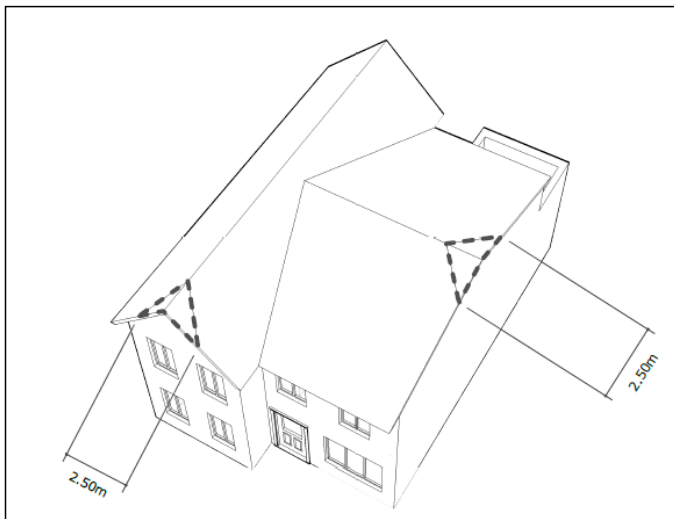
**Figure H4.6.5.1 Height in relation to boundary**



- (2) Standard H4.6.5(1) above does not apply to a boundary, or part of a boundary, adjoining any of the following:
- (a) a Business – City Centre Zone; Business – Metropolitan Centre Zone; Business – Town Centre Zone; Business – Local Centre Zone; Business – Neighbourhood Centre Zone; Business – Mixed Use Zone; Business – General Business Zone; Business – Business Park Zone; Business – Light Industry Zone and Business – Heavy Industry Zone; or
  - (b) sites within the: Open Space – Conservation Zone; Open Space – Informal Recreation Zone; Open Space – Sports and Active Recreation Zone; Open Space – Civic Spaces Zone; or the Open Space – Community Zone:
    - (i) that are greater than 2000m<sup>2</sup>;
    - (ii) where that part of the site in (i) is greater than 20 metres in width, when measured perpendicular to the shared boundary; and
    - (iii) Where an open space comprises multiple sites but has a common open space zoning, the entire zone will be treated as a single site for the purpose of applying the standards listed below.
- (3) Standard H4.6.5(1) above does not apply to site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.
- (4) Where the boundary forms part of a legal right of way, entrance strip, access site, or pedestrian access way, the control in Standard H4.6.5(1) applies from the farthest boundary of that legal right of way, entrance strip, access site or pedestrian access way.
- (5) A gable end, dormer or roof may project beyond the recession plane where that portion beyond the recession plane is:
- (a) no greater than 1.5m<sup>2</sup> in area and no greater than 1m in height; and
  - (b) no greater than 2.5m cumulatively in length measured along the edge of the roof as shown in Figure H4.6.5.2 Exceptions for gable ends, dormers and roof projections below.



**Figure H4.6.5.2 Exceptions for gable ends, dormers and roof projections**



- (6) No more than two gable end, dormer or roof projections are allowed for every 6m length of site boundary.
- (7) The height in relation to boundary standard does not apply to existing or proposed internal boundaries within a site.

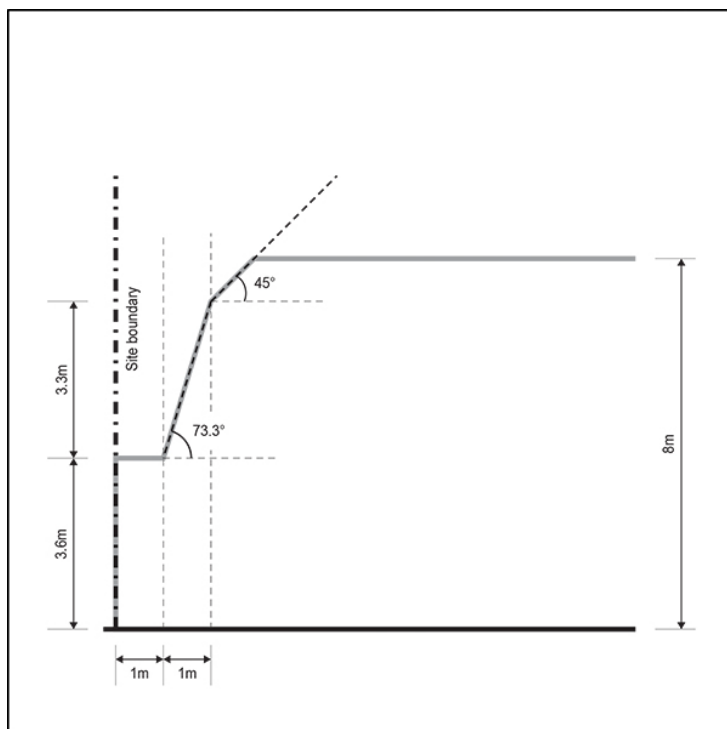
#### **H4.6.6. Alternative height in relation to boundary**

Purpose: to enable the efficient use of the site by providing design flexibility where a building is located close to the street frontage, while maintaining a reasonable level of sunlight access and minimising overlooking and privacy effects to immediate neighbours.

- (1) This standard is an alternative to the permitted Standard H4.6.5 Height in relation to boundary and applies to development that is within 20m of the site frontage.
- (2) Buildings within 20m of the site frontage must not exceed a height of 3.6m measured vertically above ground level at side and rear boundaries.

Thereafter, buildings must be set back one metre and then 0.3m for every additional metre in height (73.3 degrees) up to 6.9m and then one metre for every additional metre in height (45 degrees) as shown in Figure H4.6.6.1 Alternative height in relation to boundary below.

**Figure H4.6.6.1 Alternative height in relation to boundary**

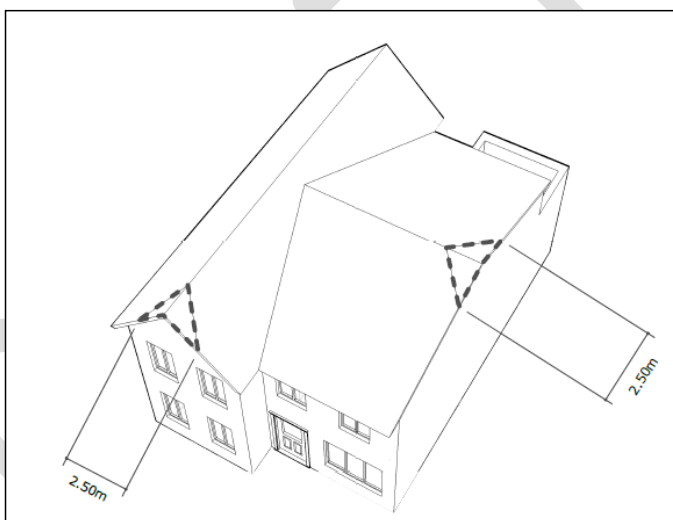


(3) Standard H4.6.6(2) above does not apply to a boundary adjoining any of the following:

- (a) a Business – City Centre Zone; Business – Metropolitan Centre Zone; Business – Town Centre Zone; Business – Local Centre Zone; Business – Neighbourhood Centre Zone; Business – Mixed Use Zone; Business – General Business Zone; Business – Business Park Zone; Business – Light Industry Zone and Business – Heavy Industry Zone; or
- (b) sites within the Open Space – Conservation Zone; Open Space – Informal Recreation Zone; Open Space – Sports and Active Recreation Zone; Open Space – Civic Spaces Zone; or the Open Space – Community Zone:
  - (i) that are greater than 2000m<sup>2</sup>;
  - (ii) where that part of the site in (i) is greater than 20 metres in width, when measured perpendicular to the shared boundary; and
  - (iii) where an open space comprises multiple sites but has a common open space zoning, the entire zone will be treated as a single site for the purpose of applying the standards listed below.

- (4) Standard H4.6.6(2) above does not apply to site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.
- (5) Where the boundary forms part of a legal right of way, entrance strip, access site or pedestrian access way, the control in Standard H4.6.6(2) applies from the farthest boundary of that legal right of way, entrance strip, access site or pedestrian access way.
- (6) A gable end, dormer or roof may project beyond the recession plane where that portion beyond the recession plane is:
- (a) no greater than 1.5m<sup>2</sup> in area and no greater than 1m in height; and
  - (b) no greater than 2.5m cumulatively in length measured along the edge of the roof as shown in Figure H4.6.6.2 Exceptions for gable ends and dormers and roof projections below.

**Figure H4.6.6.2 Exceptions for gable ends, dormers and roof projections**



- (7) No more than two gable ends, dormer or roof projections are allowed for every 6m length of site boundary.
- (8) The alternative height in relation to boundary standard does not apply to existing or proposed internal boundaries within a site.

#### **H4.6.7. Yards**

Purpose:

- to maintain the suburban built character of the streetscape and provide sufficient space for landscaping within the front yard;
- to maintain a reasonable standard of residential amenity for adjoining sites;

- to ensure buildings are adequately set back from lakes, streams and the coastal edge to maintain water quality and provide protection from natural hazards; and
- to enable buildings and services on the site or adjoining sites to be adequately maintained.

(1) A building or parts of a building must be set back from the relevant boundary by the minimum depth listed in Table H4.6.7.1 Yards below.

**Table H4.6.7.1 Yards**

Yard	Minimum depth
Front	3m
Side	1m
Rear	1m
Riparian	10m from the edge of all other permanent and intermittent streams
Lakeside	30m
Coastal protection yard	10m, or as otherwise specified in <a href="#">Appendix 6 Coastal protection yard</a>

(2) Standard H4.6.7(1) does not apply to site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.

**Note 1**

Emergency responder access requirements are further controlled by the Building Code. Plan users should refer to the Building Code to ensure compliance can be achieved at building consent stage. Granting of a resource consent does not imply that waivers of Building Code requirements will be granted. Fire and Emergency New Zealand publishes guidance in the context of the Building Code requirements

#### H4.6.8. Maximum impervious area

Purpose:

- 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;
- to support the functioning of riparian yards, lakeside yards and coastal yards and water quality and ecology;
- to reinforce the building coverage and landscaped area standards; and
- to limit paved areas on a site to improve the site's appearance and cumulatively maintain amenity values in a neighbourhood.

- (1) The maximum impervious area must not exceed 60 per cent of site area.
- (2) The maximum impervious area within a riparian yard, a lakeside yard or a coastal protection yard must not exceed 10 per cent of the riparian yard, the lakeside yard or the coastal protection yard area.

#### **H4.6.9. Building coverage**

Purpose: to manage the extent of buildings on a site to achieve the planned suburban built character of buildings.

- (1) The maximum building coverage must not exceed 40 per cent of the net site area.

#### **H4.6.10. Landscaped area**

Purpose:

- to provide for quality living environments consistent with the planned suburban built character of buildings within a generally spacious setting including vegetation that contributes to a reduction in urban heat island effects of development and responds to climate change; and
- to maintain the ~~landscaped~~ vegetated character of the streetscape within the zone.

- (1) The minimum landscaped area must be at least 40 per cent of the net site area.
- (2) At least 50 per cent of the area of the front yard must comprise landscaped area.

#### **H4.6.11. Outlook space**

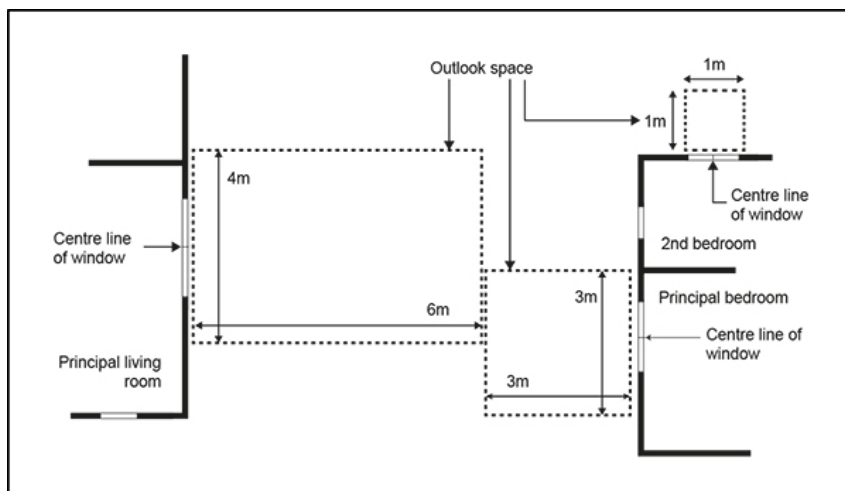
Purpose:

- to ensure a reasonable standard of visual privacy between habitable rooms of different buildings, on the same or adjacent sites; and
- in combination with the daylight standard, manage visual dominance effects within a site by ensuring that habitable rooms have an outlook and sense of space.

- (1) 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.
- (2) The minimum dimensions for a required outlook space 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:
    - (i) 6m in depth and 4m in width as shown in Figure H4.6.11.1 Required outlook space; or

- (ii) where the principal living room outlook is on the ground floor and is defined by a boundary fence, outlook depth may be reduced to 5m.
  - (b) a principal bedroom 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
  - (c) all other habitable rooms must have an outlook space with a minimum dimension of 1m in depth and 1m in width.
- (3) The depth of the outlook space is measured at right angles to and horizontal from the window to which it applies.
- (4) The width of the outlook space is measured from:
- (a) the centre point of the largest window on the building face to which it applies where outlook depth is reduced to 5m as provided for under H4.6.11(2)(ii) above; or
  - (b) the centre line of the façade of the largest window or balcony edge whichever is closer to the boundary or opposing building.
- (5) 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.
- (6) Outlook spaces may be:
- (a) over driveways within the site;
  - (b) over a public street; or
  - (c) other public open space;
  - (d) except where the outlook space is from a ground floor principal living room it must not be over parking spaces, vehicle access or manoeuvring areas.
- (7) Outlook spaces required from different rooms within the same building may overlap.
- (8) Outlook spaces may overlap where they are on the same wall plane.
- (9) 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 Standard H4.6.11(6) above; and
  - (c) not extend over an outlook spaces or outdoor living space required by another dwelling.

**Figure H4.6.11.1 Required outlook space**



#### H4.6.12. Daylight

Purpose:

- to ensure adequate daylight for living areas and bedrooms in dwellings, supported residential care and boarding houses; and
- in combination with the outlook standard, manage visual dominance effects within a site by ensuring that habitable rooms have an outlook and sense of space.

(1) Where the proposed building and/or opposite building contains principal living room or bedroom windows in a dwelling, or main living/dining area or bedroom windows in supported residential care and boarding houses, then:

- (a) That part of a building higher than 3m opposite buildings within the same site is limited in height to twice the horizontal distance between the two buildings for a length defined by a 55 degree arc from the centre of the window. The arc may be swung to within 35 degrees of the plane of the wall containing the window as shown in Figure H4.6.12.2 Required setbacks for daylight below.

Refer to Table H4.6.12.1 Maximum height of the part of a building within a site facing a principal living room or bedroom window within the same site; Figure H4.6.12.1 Required setbacks for daylight and Figure H4.6.12.2 Required setbacks for daylight below).

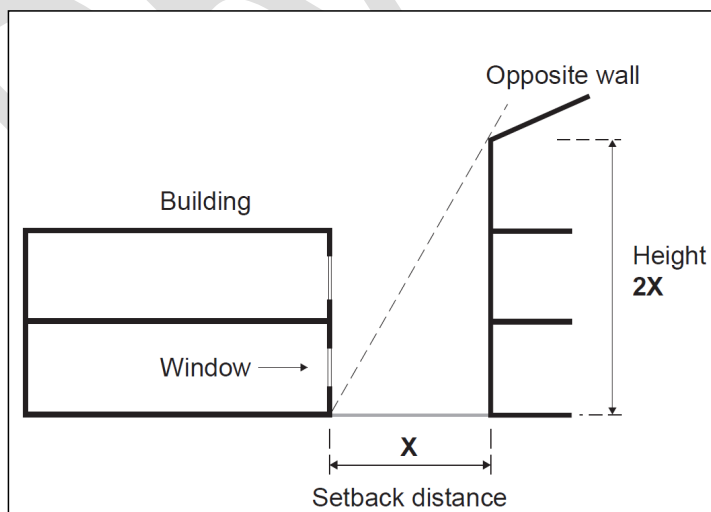
- (2) Where the principal living room, main living/dining area or bedroom has two or more external faces with windows, Standard H4.6.12(1) above will apply to the largest window.
- (3) Where the window is above ground level, the height restriction is calculated from the floor level of the room containing the window.

- (4) Standards H4.6.12(1), (2) and (3) do not apply to development opposite the first 5m of a building which faces the street, measured from the front corner of the building.

**Table H4.6.12.1 Maximum height of that part of a building within a site facing a principal living room or bedroom window within the same site**

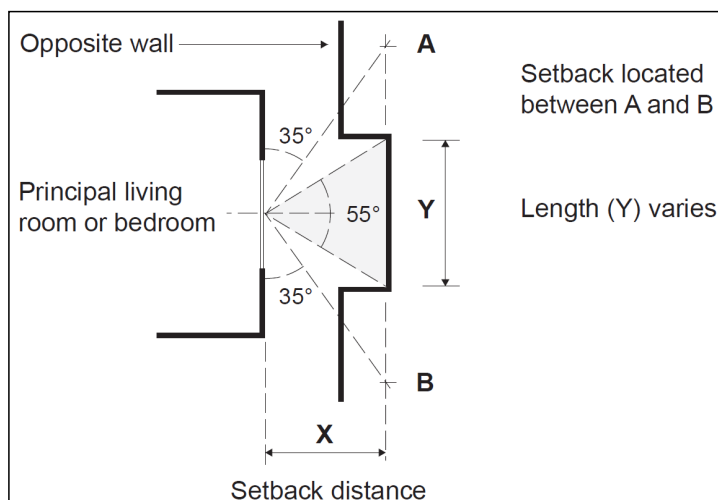
Distance of the building from the largest principal living room, living/dining room or bedroom window (x)	Maximum height of the defined portion of wall opposite an identified window	Length of wall restricted if 55 degree arc is perpendicular to window (y) (rounded)
1.0m	2.0m	1.0m
1.5m	3.0m	1.5m
2.0m	4.0m	2.0m
2.5m	5.0m	2.5m
2.7m	5.4m	2.7m
3.0m	6.0m	3.0m
3.5m	7.0m	3.5m
4.0m	8.0m	4.0m
4.5m	9.0m	4.5m

**Figure H4.6.12.1 Required setbacks for daylight**





**Figure H4.6.12.2 Required setbacks for daylight**



#### H4.6.13. Outdoor living space

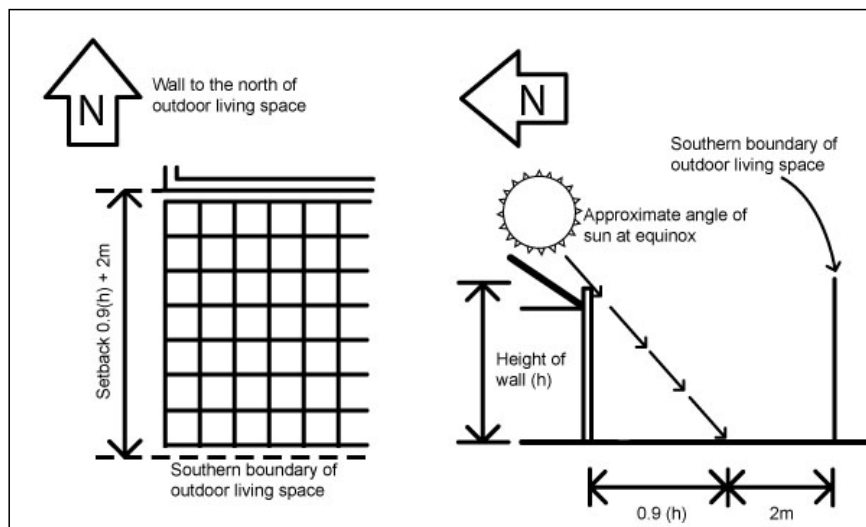
Purpose: to provide dwellings, supported residential care and boarding houses with outdoor living space that is of a functional size and dimension, has access to sunlight, is separated from vehicle access and manoeuvring areas, and ensure: is accessible from the dwelling.

- private outdoor living spaces are directly accessible from the principal living room, dining room or kitchen;
- for development with 20 or more dwellings communal outdoor living spaces are conveniently accessible for all occupants.

- (1) A dwelling, supported residential care or boarding house at ground floor level, must have a private outdoor living space that is at least 20m<sup>2</sup> that comprises ground floor and/or balcony/roof terrace space that:
  - (a) where located at ground level has no dimension less than 4m and has a gradient not exceeding 1 in 20; and/or
  - (b) where provided in the form of balcony, patio or roof terrace is at least 5m<sup>2</sup> and has a minimum dimension of 1.8m; and
  - (c) is accessible from the dwelling, supported residential care unit or boarding house;
  - (d) is free of buildings, parking spaces, servicing and manoeuvring areas.
- (2) A dwelling, supported residential care or boarding house located above ground floor level must have a private outdoor living space in the form of a balcony, patio or roof terrace that:

- (a) is at least 5m<sup>2</sup> for studio and one-bedroom dwellings and has a minimum dimension of 1.8m; or
  - (b) is at least 8m<sup>2</sup> for two or more bedroom dwellings and has a minimum dimension of 1.8m; ~~and~~
  - (c) is directly accessible from the principal living room, dining room or kitchen of a dwelling, supported residential care unit or boarding house.
- (3) Where private outdoor living space required by Standard H4.6.13(1) or Standard H4.6.13(2) above is provided at ground level, and is located south of any building located on the same site, the southern boundary of that space must be separated from any wall or building by at least 2m + 0.9(h), where (h) is the height of the wall or building as shown in the Figure H4.6.13.1 Location of outdoor living space below. For the purpose of this standard south is defined as between 135 and 225 degrees.
- (4) In addition to H4.6.13(1) and H4.6.13(2) above, developments of 20 or more dwellings, including integrated residential development of 20 or more dwellings, must provide a communal outdoor living space that:
- (a) is located in a communally accessible location;
  - (b) is at least 10m<sup>2</sup> for every five dwellings it serves;
  - (c) is a minimum dimension of 4m;
  - (d) free of buildings, parking spaces and servicing and manoeuvring areas;
  - (e) for at least 20m<sup>2</sup> of the communal living space must receive a minimum of 3 hours of sunlight per day between the hours of 9am – 4pm on 21 June;
  - (f) has a gradient not exceeding 1 in 20; and
  - (g) may be split into no more than two outdoor communal living spaces per development.

**Figure H4.6.13.1 Location of private outdoor living space**



**Note 1**

Emergency responder access requirements are further controlled by the Building Code. Plan users should refer to the Building Code to ensure compliance can be achieved at building consent stage. Granting of a resource consent does not imply that waivers of Building Code requirements will be granted. Fire and Emergency New Zealand publishes guidance in the context of the Building Code requirements.

**H4.6.14. Front, side and rear fences and walls**

Purpose: to enable fences and walls to be constructed on a front, side or rear boundary or within a front, side, rear, riparian, coastal protection or lakeside yard to a height sufficient to:

- provide privacy for dwellings while enabling opportunities for passive surveillance of the street or adjoining public place.
- minimise visual dominance effects to immediate neighbours, the street or adjoining public place.

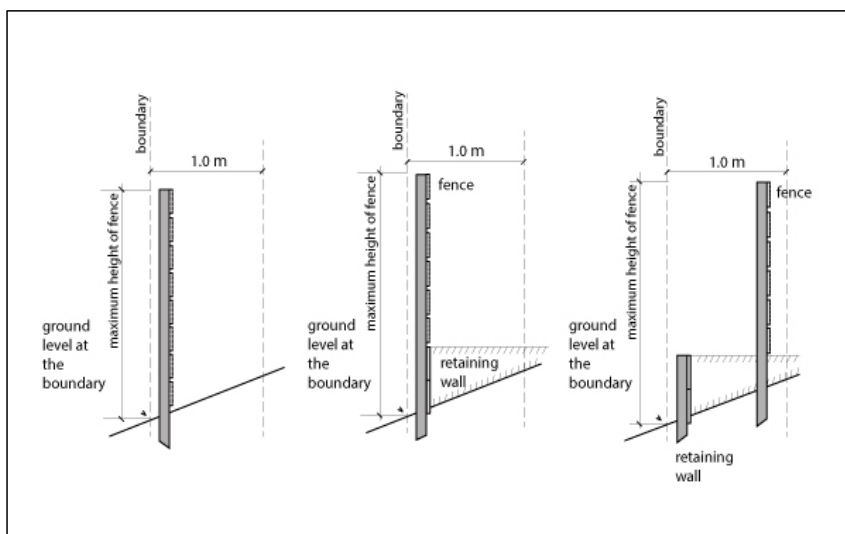
(1) Fences or walls or a combination of these structures (whether separate or joined together) must not exceed the height specified below, measured from the ground level at the boundary:

(a) Within the front yard, either:

- (i) 1.4m in height, or
- (ii) 1.8m in height for no more than 50 per cent of the site frontage and 1.4m for the remainder, or

- (iii) 1.8m in height if the fence is at least 50 per cent visually open as viewed perpendicular to the front boundary.
- (b) Within side, rear, coastal protection, lakeside or riparian yards: 2m.

**Figure H.4.6.14.1 Measurement of fence height**



#### H4.6.15. 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) 30m<sup>2</sup> for studio dwellings.
  - (b) 45m<sup>2</sup> for one or more bedroom dwellings.

#### H4.6.16. Rainwater tanks

Purpose: To enable rainwater tank installation and maintain amenity values.

- (1) Rainwater tanks must not be located:
  - (a) in a riparian, lakeside or coastal protection yard unless less than 1m in height, or wholly below ground level;
  - (b) in a front yard, unless they are at least 1.5m from the front boundary and are a maximum height of 1m;
  - (c) forward of any street facing or private vehicle access building façade, unless they are at least 1.5m from the front boundary and are a maximum height of 1m;

(d) Clause (c) does not apply

- (i) to sites with (or proposed to have) three or less dwellings;
- (ii) to a rear service land where the dwellings have frontage to a public street.

- (2) Rainwater tanks located within any required outlook area must be no higher than 1 m.
- (3) Rainwater tanks located within the required 20m<sup>2</sup> outdoor living space with minimum dimensions of 4m must be installed wholly below ground level.
- (4) Rainwater tanks (excluding any pipework) must not exceed 3 m in height in a rear or side yard.
- (5) Any overflow from the rainwater tank must discharge to the existing authorised stormwater system for the site.

Note: If there is a new stormwater discharge or diversion created Chapter E8.6.2.1 and Building Act requirements must be complied with.

Note: Building Act regulations apply. A building consent may be required under the Building Act.

#### **H4.6.17. Windows to street and private vehicle and pedestrian accessways**

Purpose: To provide for passive surveillance while maintaining privacy for residents and users.

- (1) Any dwelling, integrated residential development, supported residential care, boarding house and visitor accommodation facing the street public open spaces, public pedestrian accessways, cycleways or private vehicle accessway or private pedestrian accessway, must have a minimum of 20 per cent of the relevant façade in glazing. This can be in the form of windows or doors.
- (2) For the purposes of H4.6.17(1) above, glazing:
  - (a) may be in the form of windows or doors; and
  - (b) may include joinery between and around window panes (excluding window frames); and
  - (c) excludes any roof space enclosed by gable ends.
- (3) For the purposes of H4.6.17(1) above, the relevant façade is that façade less than 45 degrees from the relevant boundary.

#### **H4.6.18. Deep soil area and canopy tree**

Purpose: To build resilience to climate change effects through provision of deep soil areas that support canopy trees, which assist in removing carbon, reducing urban heat island effects and enabling the infiltration of stormwater.

- (1) Any site greater than 200m<sup>2</sup> must provide a deep soil area of a minimum of 10 per cent of the site area and canopy tree(s) that must comply with Table H4.6.18.1 Deep soil area and canopy tree requirements and Table H4.6.18.2 Minimum tree canopy dimensions below:
- (2) Deep soil areas required by H4.6.18(1) may be provided in private and communal outdoor living spaces and landscaped areas.
- (3) Trees required by H4.6.18(1) can be existing canopy trees or new canopy trees in accordance with Table H4.6.18.2 Minimum tree canopy dimensions below.

**Table H4.6.18.1 Deep soil area and canopy tree requirements**

<u>Site Area (prior to development or re-development)</u>	<u>Minimum area for each deep soil area</u>	<u>Minimum area dimension</u>	<u>Minimum canopy tree requirements</u>
<u>200m<sup>2</sup> – 600m<sup>2</sup></u>	<u>20m<sup>2</sup></u>	<u>2.5m</u>	<u>1 small canopy tree per 200m<sup>2</sup> of site</u>
<u>601m<sup>2</sup> – 1,500m<sup>2</sup></u>	<u>30m<sup>2</sup></u>	<u>3m</u>	<u>1 medium canopy tree per 300m<sup>2</sup> of site</u>
<u>1,501m<sup>2</sup> or more</u>	<u>50m<sup>2</sup></u>	<u>4m</u>	<u>1 large canopy tree or 2 medium canopy trees per 500m<sup>2</sup> of site</u>

**Table H4.6.18.2 Minimum tree canopy dimensions**

	<u>Minimum mature tree height dimension</u>	<u>Minimum mature canopy diameter dimension</u>	<u>Minimum tree height above ground when planted</u>	<u>Indicative tree planting grade</u>
<u>Small</u>	<u>8m</u>	<u>6m</u>	<u>2m</u>	<u>120L</u>
<u>Medium</u>	<u>10m</u>	<u>8m</u>	<u>2.5m</u>	<u>160L</u>
<u>Large</u>	<u>15m</u>	<u>12m</u>	<u>3m</u>	<u>200L</u>

**H4.6.19. Safety and privacy buffer from private pedestrian and vehicle accessways**

Purpose: to provide a reasonable standard of safety and privacy for ground floor dwellings located adjacent to pedestrian and vehicle accessways while ensuring passive surveillance.

- (1) A minimum 1m buffer area must be provided between a dwelling and private pedestrian and/or vehicle accessways to another dwelling.
- (2) The buffer area may contain:
  - (a) cantilevers such as awnings over front doors, footpaths to front doors, and vehicle crossings to garages.
  - (b) waste storage areas and heat pump or air conditioning external units.
- (3) The buffer area must be:
  - (a) free of buildings, parking spaces, servicing and manoeuvring areas.
  - (b) planted with shrubs and/or ground cover plants that will grow to no less than 400mm in height.

**H4.6.20. Residential waste management**

Purpose: To provide accessible storage and collection space for waste bins for four or more dwellings.

- (1) On-site waste storage using individual or communal waste bins must be provided as follows:
  - (a) Where individual bins are used, a total storage space of 1.4m<sup>2</sup> per dwelling.
  - (b) Where communal bins are used, the total storage space provided must be calculated in accordance with the Auckland Council's Solid Waste Calculator.
  - (c) The location of bins must visually screened from within the site, from the street and/or adjacent sites.
- (2) Where kerbside collection is used, there must be kerbside space of at least 1m width per dwelling, contained within the road frontage of the site without impeding the public footpath.
- (3) Ten or more dwellings must provide a waste management and minimisation plan.
- (4) Where on-site collection of individual waste bins is used, there must be a space of at least 1m<sup>2</sup> per dwelling.

**H4.6.21. Development within the Infrastructure – Combined Wastewater Network Control**

Purpose: to restrict development in any area served by a combined wastewater network where public sewer separation has not occurred while enabling new development where separation is in progress and the new development can connect to a separated local stormwater pipe that is part of the public stormwater network.

- (1) Development on a site served by the combined wastewater network must be able to connect to an existing separated local stormwater pipe that is part of the public stormwater network; and
- (2) The wastewater network service provider has confirmed that there is sufficient capacity available in the combined wastewater network to service the proposed development.

#### H4.7. Assessment – controlled activities

There are no controlled activities in this zone.

#### H4.8. Assessment – restricted discretionary activities

##### H4.8.1. Matters of discretion

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

- (1) for supported residential care accommodating greater than 10 people per site inclusive of staff and residents; boarding houses accommodating greater than 10 people per site inclusive of staff and residents; visitor accommodation accommodating greater than 10 people per site inclusive of staff and visitors; dairies up to 100m<sup>2</sup> gross floor area per site; care centres accommodating greater than 10 people per site excluding staff; community facilities; and healthcare facilities up to 200m<sup>2</sup> gross floor area per site:
  - (a) the effects on the neighbourhood character, residential amenity, safety, and the surrounding residential area from all of the following:
    - (i) building intensity, scale, location, form and appearance;
    - (ii) traffic;
    - (iii) location and design of parking and access; and
    - (iv) noise, lighting and hours of operation.
  - (b) the effects on Infrastructure and servicing including:-
    - (i) existing infrastructure capacity.
- (2) for four or more dwellings per site:
  - (a) the effects on the neighbourhood character, residential amenity, safety and the surrounding residential area from all of the following:
    - (i) building intensity, scale, and location including:
      - A. the way in which buildings are orientated to public streets, public open spaces, public pedestrian accessways, cycleways, private vehicle and primary pedestrian accessways and adjoining sites.
      - B. the extent to which the height, roof form and design of buildings respond to the local streetscape and the planned urban built character of the surrounding area.



(ia) building form and appearance including:

- A. use of built elements such as materials, surface and architectural detailing and roof design to create visual interest;
- B. use of deep soil and/or outdoor living areas, modulation, architectural features, windows, doors and breaks in building length to minimise bulk and visual dominance;
- C. whether design provides for the balance between resident's privacy and opportunities for passive surveillance of public streets, public pedestrian accessways, cycleways and private vehicle and pedestrian accessways.
- D. whether the design provides for privacy, and sunlight and daylight access for adjoining sites;
- E. the interface with an identified special character area or a scheduled historic heritage place;

(ib) the extent to which the functional, day to day needs of residents are provided in terms of:

- A. the size and dimensions of living areas relative to the likely occupancy levels of the dwellings;
- B. internal storage;
- C. residential waste management, including the kerbside and/or on-site capacity and accessibility for residential waste management.

(ii) traffic; and

(iii) location and design of ~~parking and access~~ (including pedestrian access) and parking (if provided).

~~(b)~~ [Deleted] all of the following standards:

- ~~(i) Standard H4.6.8 Maximum impervious areas;~~
- ~~(ii) Standard H4.6.9 Building coverage;~~
- ~~(iii) Standard H4.6.10 Landscaped area;~~
- ~~(iv) Standard H4.6.11 Outlook space;~~
- ~~(v) Standard H4.6.12 Daylight;~~
- ~~(vi) Standard H4.6.13 Outdoor living space;~~
- ~~(vii) Standard H4.6.14 Front, side and rear fences and walls; and~~
- ~~(viii) Standard H4.6.15 Minimum dwelling size.~~

(c) the effects on Infrastructure and servicing including:

- (i) existing infrastructure capacity.

(3) for integrated residential development:

- (a) the effects on the neighbourhood character, residential amenity, safety, and the surrounding residential area from all of the following:
- (i) building intensity, scale, location, form and appearance including the extent to which buildings as viewed from the street or public places are designed to minimise visual dominance effects taking into account:
    - A. the planned urban built character of the zone;
    - B. the location, orientation and design of development; and
    - C. the effect of the proposed height on the surrounding and neighbouring development.
  - (ii) traffic;
  - (iii) location and design of ~~parking and access~~ (including pedestrian access) and parking (if provided); and
  - (iv) noise, lighting and hours of operation.
- ~~(b) [Deleted] all of the following standards:~~
- ~~(i) Standard H4.6.8 Maximum impervious areas;~~
  - ~~(ii) Standard H4.6.9 Building coverage;~~
  - ~~(iii) Standard H4.6.10 Landscaped area;~~
  - ~~(iv) Standard H4.6.11 Outlook space;~~
  - ~~(v) Standard H4.6.12 Daylight;~~
  - ~~(vi) Standard H4.6.13 Outdoor living space;~~
  - ~~(vii) Standard H4.6.14 Front, side and rear fences and walls; and~~
  - ~~(viii) Standard H4.6.15 Minimum dwelling size.~~
- (c) the effects on Infrastructure and servicing including:
- (i) existing infrastructure capacity.
- (d) the provision of effective and efficient emergency responder servicing.
- (4) for buildings that do not comply with the relevant Standard(s) specified in Table H4.4.1 ~~H4.6.4 Building height; Standard H4.6.5 Height in relation to boundary; Standard H4.6.6 Alternative height in relation to boundary; Standard H4.6.7 Yards; Standard H4.6.8 Maximum impervious areas; Standard H4.6.9 Building coverage; Standard H4.6.10 Landscaped area; Standard H4.6.11 Outlook space; Standard H4.6.12 Daylight; Standard H4.6.13 Outdoor living space; Standard H4.6.14 Front, side and rear fences and walls; Standard H4.6.15 Minimum dwelling size:~~
- (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 planned suburban built character of the zone;
  - (e) the effects on the amenity of neighbouring sites;
  - (f) the effects of any special or unusual characteristic of the site which is relevant to the standard;
  - (g) the characteristics of the development;
  - (h) any other matters specifically listed for the standard; and
  - (i) where more than one standard will be infringed, the effects of all infringements.
- (5) For new buildings and additions to buildings which do not comply with H4.6.5. Height in relation to boundary, but comply with H4.6.6 Alternative height in relation to boundary:
- (a) Sunlight access;
  - (b) Attractiveness and safety of the street; and
  - (c) Overlooking and Privacy.
- (6) For development in areas identified on the planning maps as being subject to the Infrastructure – Combined Wastewater Network Control that do not comply with Standard H4.6.21:
- (a) The effect of the development on the function and available capacity of the Combined Wastewater Network

#### H4.8.2. Assessment criteria

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

- (1) for supported residential care accommodating greater than 10 people per site inclusive of staff and residents; boarding houses accommodating greater than 10 people per site inclusive of staff and residents; visitor accommodation accommodating greater than 10 people per site inclusive of staff and visitors; dairies up to 100m<sup>2</sup> gross floor area per site; care centres accommodating greater than 10 people per site excluding staff; community facilities; and healthcare facilities up to 200m<sup>2</sup> gross floor area per site:
- (a) infrastructure and servicing:
    - (i) Whether there is adequate capacity in the existing stormwater and public reticulated water supply and wastewater network to service the proposed development, including adequate water for firefighting.
    - (ii) Where adequate network capacity is not available, whether adequate mitigation is proposed.
  - (b) building intensity, scale, location, form and appearance:
    - (i) whether the intensity and scale of the activity, the building scale, location, form and appearance is attractive, healthy and safe, and is

compatible with the character and residential amenity provided for within the zone and compatible with the surrounding residential area.

(c) traffic:

- (i) whether the activity avoids or mitigates high levels of additional non-residential traffic on local roads.

(d) location and design of access (including pedestrian access) and parking (if provided):

- (i) whether adequate access is provided or required.
- (ii) whether carparking and accessways are integrated into the overall design of development
- (iii) whether parking is located away from street frontages and screened from the street by buildings or landscaping
- (iv) whether safe, well-lit pedestrian access is provided and integrated into the design of development.

(e) noise, lighting and hours of operation:

- (i) whether noise and lighting and the hours of operation of the activity avoids, remedies or mitigates adverse effects on the residential amenity of surrounding properties, by:
  - locating noisy activities away from neighbouring residential boundaries;
  - screening or other design features; and
  - controlling the hours of operation and operational measures.

(2) for four or more dwellings on a site:

- (a) the extent to which ~~or whether~~ the development achieves the purpose outlined in the ~~following relevant standards identified in Table H4.4.1~~ or what alternatives are provided that result in the same or a better outcome.:-

- (i) [Deleted] ~~Standard H4.6.8 Maximum impervious areas;~~
- (ii) [Deleted] ~~Standard H4.6.9 Building coverage;~~
- (iii) [Deleted] ~~Standard H4.6.10 Landscaped area;~~
- (iv) [Deleted] ~~Standard H4.6.11 Outlook space;~~
- (v) [Deleted] ~~Standard H4.6.12 Daylight;~~
- (vi) [Deleted] ~~Standard H4.6.13 Outdoor living space;~~
- (vii) [Deleted] ~~Standard H4.6.14 Front, side and rear fences and walls; and~~
- (viii) [Deleted] ~~Standard H4.6.15 Minimum dwelling size~~

- (aa) the extent to which the scale of the activity, the building location, form and appearance is of high-quality and compatible with the planned urban built

character and residential amenity of the surrounding residential area provided for within the zone.

(ab) the extent to which buildings are designed to manage building length and bulk and visual dominance by:

- (i) varying roof form and building height;
- (ii) using modulation and architectural features to break up the mass of buildings into visually distinct elements;
- (iii) using the proportions and arrangement of windows and doors to provide relief to building length and bulk;
- (iv) using other building elements including materials, surface detailing, architectural detail and roof design to provide visual interest along building facades including blank side/party walls;
- (v) providing adequate breaks in long continuous buildings to minimise the appearance of length;
- (vi) locating deep soil areas and/or communal outdoor spaces around and between buildings to provide space and soften the built form; and
- (vii) designing balconies as an integral part of the building.

(ac) the extent to which buildings adjoining or across the street from an identified special character area or a scheduled historic heritage place are designed to respect the prevailing character of the area or key historic heritage design and location elements of that place. New and contemporary interpretations in form and detail may be used.

(ad) the extent to which building frontage contribute positively to the visual amenity and safety of public streets, public open spaces, and private vehicle and pedestrian accessways by:

- (i) having clearly defined fronts that provide passive surveillance from windows and balconies;
- (ii) maximising doors, windows and balconies over all levels on the front façades whilst not impacting on the privacy of residents on adjoining sites.
- (iii) maximising the number of dwellings on the site that directly front, align and orientate to public streets;
- (iv) ground level dwellings closest to the street each have direct and clearly defined pedestrian access from the street in preference to a single building entrance;
- (v) optimise landscaping in the front dwellings;
- (vi) minimise the visual dominance of garage doors; and
- (vii) where a site adjoins public open space, buildings include entrances, windows of habitable rooms and balconies facing the open space.

(af) the extent to which site layout creates legible, visible attractive, safe and well-lit connections between dwellings and the street.

(ag) the extent to which dwellings:

- (i) Orientate and locate windows to optimise privacy and encourage natural cross ventilation within the dwelling and reduce overlooking of dwellings and their outdoor living space in the same or an adjoining site;
- (ii) Optimise sunlight and daylight access based on orientation, function, window design and location, and depth of the dwelling floor space;
- (iii) Provide secure and conveniently accessible storage for the number and type of occupants the dwelling is designed to accommodate; and
- (iv) the necessary storage and waste collection and recycling facilities is provided in locations conveniently accessible and screened from streets and public open spaces.

~~(b) The extent to which the development contributes to a variety of housing types in the zone and is in keeping with the neighbourhood's planned suburban build character of predominantly two storey buildings (attached or detached) by limiting the height, bulk and form of the development and managing the design and appearance as well as providing sufficient setbacks and landscaped areas.~~

~~(c) [deleted]~~

~~(d) The extent to which development achieves attractive and safe streets and public open space by:~~

- ~~(i) providing doors, windows and/or balconies facing the street and public open space~~
- ~~(ii) minimising tall, visually impermeable fences~~
- ~~(iii) designing large scale development (generally more than 15 dwellings) to provide for variations in building form and/or façade design as viewed from streets and public open spaces.~~
- ~~(iv) optimising front yard landscaping~~
- ~~(v) providing safe pedestrian access to buildings from the street~~
- ~~(vi) minimising the visual dominance of garage doors, walkways or staircases to upper level dwellings, and carparking within buildings as viewed from streets or public open spaces~~

~~(e) The extent to which the height, bulk and location of the development maintains a reasonable standard of sunlight access and privacy and minimises visual dominance to adjoining sites.~~

~~(f) The extent to which dwellings:~~

- ~~(i) — Orientate and locate windows to optimise privacy and encourage natural cross ventilation within the dwelling.~~
  - ~~(ii) — Optimise sunlight and daylight access based on orientation, function, window design and location, and depth of the dwelling floor space.~~
  - ~~(iii) — Provide secure and conveniently accessible storage for the number and type of occupants the dwelling is designed to accommodate.~~
  - ~~(iv) — Provide the necessary waste collection and recycling facilities in locations conveniently accessible and screened from streets and public open spaces.~~
- ~~(g) The extent to which outdoor living space:~~
- ~~(i) — Provides for access to sunlight~~
  - ~~(ii) — Provides privacy between the outdoor living space of adjacent dwellings on the same site and between outdoor living space and the street.~~
  - ~~(iii) — When provided at ground level, is located on generally flat land or is otherwise functional.~~
- (h) [deleted] refer to Policy H4.3(7); and
- (ha) refer to Policy H4.3(1);
- (hb) refer to Policy H4.3(2);
- (hc) refer to Policy H4.3(3A);
- (hd) refer to Policy H4.3(10);
- (i) infrastructure and servicing:
- (i) Whether there is adequate capacity in the existing stormwater and public reticulated water supply and wastewater network to service the proposed development including adequate water for firefighting and this is confirmed by the service provider.
  - (ii) Where adequate network capacity is not available, whether adequate mitigation is proposed.
- (3) for integrated residential development:
- (a) the extent to which or whether the development achieves the purpose outlined in the ~~following relevant~~ standards and identified in Table H4.4.1 or what alternatives are provided that result in the same or a better outcome:
- ~~(i) [deleted] Standard H4.6.8 Maximum impervious areas;~~
  - ~~(ii) [deleted] Standard H4.6.9 Building coverage;~~
  - ~~(iii) [deleted] Standard H4.6.10 Landscaped area;~~
  - ~~(iv) [deleted] Standard H4.6.11 Outlook space;~~
  - ~~(v) [deleted] Standard H4.6.12 Daylight;~~

- (vi) [deleted] ~~Standard H4.6.13 Outdoor living space; and~~
- (vii) [deleted] ~~Standard H4.6.14 Front, side and rear fences and walls; and~~
- (viii) [deleted] ~~Standard H4.6.15 Minimum dwelling size (excluding retirement villages).~~

(b) refer to Policy H4.3(1);

(bb) refer to Policy H4.3(3A)

~~(c) [deleted] refer to Policy H4.3(2);~~

~~(d) [deleted] refer to Policy H4.3(3);~~

~~(e) [deleted] refer to Policy H4.3(4);~~

~~(f) [deleted] refer to Policy H4.3(5);~~

~~(g) [deleted] refer to Policy H4.3(6);~~

~~(h) [deleted] refer to Policy H4.3(7);~~

~~(i) [deleted] refer to Policy H4.3(8).~~

(j) [deleted] ~~refer to Policy H4.3(9); and~~

(k) infrastructure and servicing:

- (i) Whether there is adequate capacity in the existing stormwater and public reticulated water supply and wastewater network to service the proposed development including adequate water for firefighting and this is confirmed by the service provider.
- (ii) Where adequate network capacity is not available, whether adequate mitigation is proposed.

(4) For new buildings and additions to buildings which do not comply with H4.6.5. Height in relation to boundary, but comply with H4.6.6 Alternative height in relation to boundary:

#### **Sunlight access**

(a) Whether sunlight access to the outdoor living space of an existing dwelling on a neighbouring site satisfies the following criterion:

Four hours of sunlight is retained between the hours of 9am – 4pm during the Equinox (22 September):

- (i) over 75% of the existing outdoor living space where the area of the space is greater than the minimum required by Standard H4.6.13: or
- (ii) over 100% of existing outdoor living space where the area of this space is equal to or less than the minimum required by Standard H4.6.13.

(b) In circumstances where sunlight access to the outdoor living space of an existing dwelling on a neighbouring site is less than the outcome referenced in (a):



- (i) The extent to which there is any reduction in sunlight access as a consequence of the proposed development, beyond that enabled through compliance with Standard H4.6.5 Height in relation to boundary control; and
- (ii) The extent to which the building affects the area and duration of sunlight access to the outdoor living space of an existing dwelling on a neighbouring site, taking into account site orientation, topography, vegetation and existing or consented development.

#### **Attractiveness and safety of the street**

- (c) The extent to which those parts of buildings located closest to the front boundary achieve attractive and safe streets by:
  - (i) providing doors, windows and balconies facing the street;
  - (ii) optimising front yard landscaping;
  - (iii) providing safe pedestrian access to buildings from the street; and
  - (iv) minimising the visual dominance of garage doors as viewed from the street.

#### **Overlooking and privacy**

- (d) The extent to which direct overlooking of a neighbour's habitable room windows and outdoor living space is minimised to maintain a reasonable standard of privacy, including through the design and location of habitable room windows, balconies or terraces, setbacks, or screening.
- (5) for building height infringements:
  - (a) refer to Policy H4.3(2);
  - (ba) refer to Policy H4.3(3A);
  - ~~(b) [Deleted] refer to Policy H4.3(4); and~~
- (6) for height in relation to boundary infringements:
  - (a) refer to Policy H4.3(2);and
  - (ba) refer to Policy H4.3(3A);
  - ~~(b) [Deleted] refer to Policy H4.3(4); and~~
  - ~~(c) [Deleted] refer to Policy H4.3(5);~~
- (7) for alternative height in relation to boundary infringements:
  - (a) refer to Policy H4.3(2);
  - (ba) refer to Policy H4.3(3A);
  - ~~(b) [Deleted] refer to Policy H4.3(3);~~
  - ~~(c) refer to Policy H4.3(4); and~~
  - ~~(d) refer to Policy H4.3(5);~~

- (8) for yards infringements:
- (aa) refer to Policy H4.3(3A).
  - ~~(a) [Deleted] refer to Policy H4.3(2); and~~
  - ~~(b) [Deleted] refer to Policy H4.3(4).~~
- (9) for maximum impervious areas infringements:
- (aa) refer to Policy H4.3(3A).
  - ~~(a) [Deleted] refer to Policy H4.3(7).~~
- (10) for building coverage infringements:
- (aa) refer to Policy H4.3(3A);
  - ~~(a) [Deleted] refer to Policy H4.3(2); and~~
  - ~~(b) [Deleted] refer to Policy H4.3(4).~~
  - (c) whether the non-compliance is appropriate to the context taking into account:
    - (i) Whether the balance of private open space and buildings is consistent with the existing and planned urban character anticipated for the zone;
    - (ii) The degree to which the balance of private open space and buildings reduces onsite amenity for residents, including the useability of outdoor living areas and functionality of landscape areas;
    - (iii) The proportion of the building scale in relation to the proportion of the site.
- (11) for landscaped area infringements:
- ~~(a) refer to Policy H4.3(2);~~
  - (ba) refer to Policy H4.3(3A); and
  - ~~(b) [Deleted] refer to Policy H4.3(4);~~
  - ~~(c) [Deleted] refer to Policy H4.3(5); and~~
  - ~~(d) [Deleted] refer to Policy H4.3(6).~~
  - (e) the extent to which existing trees are retained.
- (12) for outlook space infringements:
- (aa) refer to Policy H4.3(3A); and
  - ~~(a) [Deleted] refer to Policy H4.3(2);~~
  - ~~(b) [Deleted] refer to Policy H4.3(4);~~
  - ~~(c) [Deleted] refer to Policy H4.3(5); and~~
  - ~~(d) [Deleted] refer to Policy H4.3(6);~~

- (e) the extent to which overlooking of a neighbour's habitable room windows and private and/or communal outdoor living space can be minimised through the location and design of habitable room windows, balconies or terraces and the appropriate use of building and glazing setbacks and/or screening which is integrated part of the overall building design.

(13) for daylight infringements:

- (a) refer to Policy H4.3(2); and  
(ba) refer to Policy H4.3(3A).  
~~(b) [deleted] refer to Policy H4.3(4); and~~  
~~(c) [deleted] refer to Policy H4.3(5).~~

(14) for outdoor living space infringements:

- (a) refer to Policy H4.3(2);  
(ba) refer to Policy H4.3(3A); and  
~~(b) [Deleted] refer to Policy H4.3(4);~~  
~~(c) [Deleted] refer to Policy H4.3(5); and~~  
~~(d) [Deleted] refer to Policy H4.3(6).~~  
(e) the extent to which dwellings provide private open space and communal open space that is useable, accessible from each dwelling and an inviting space which encourages occupants to spend time there; and  
(f) where private outdoor living space requirements cannot be met, the extent to which residential developments provide communal outdoor living space that:  
(i) is located in a communally accessible location;  
(ii) is of a size and shape that is comparable or better than the area of the infringement;  
(iii) if free from buildings, parking spaces, servicing and manoeuvring areas;  
(iv) is located to optimise sunlight and daylight access;  
(v) may be split into locations within a development that achieves sufficient size and shape and is accessible for residents.

(14A) For windows to street and private vehicle and pedestrian accessways infringements:

- (a) refer to Policy H4.3(3A); and  
(b) the extent to which the glazing:  
(i) allows views to the street and/or accessways to ensure passive surveillance; and  
(ii) provides a good standard of privacy for occupants.

(15) for front, side and rear fences and walls infringements:

- (a) refer to Policy H4.3(2);
- (aa) refer to Policy H4.3(3A).
- ~~(b) [Deleted] refer to Policy H4.3(3); and~~
- ~~(c) [Deleted] refer to Policy H4.3(4).~~
- (16) for minimum dwelling size infringements:
  - (aa) Policy H4.3(3A);
  - (ba) Policy H4.3(10); and
  - ~~(a) Policy H4.3(5)~~
  - (b) The extent to which each dwelling is designed to:
    - (i) Provide simple and convenient internal access and circulation
    - (ii) Include adequate storage; and
    - (iii) Be large enough to allow the use of typical furnishings that meet the needs of the intended occupants.
- (17) for deep soil area and canopy tree infringements:
  - (a) refer to Policy H4.3(3A)
  - (b) the extent to which the proposed deep soil area uses or adds to existing deep soil areas to support canopy trees.
- (18) For safety and privacy buffer from private pedestrian and vehicle accessways infringements:
  - (b) refer to Policy H4.3(3A)
  - (c) the extent to which the buffer is:
    - (i) free of buildings, parking spaces, structures, servicing facilities and manoeuvring areas;
    - (ii) planted with suitable and low level plants.
- (19) For residential waste management infringements:
  - (a) refer to Policy H4.3(3A);
  - (b) refer to Policy H4.3(10);
  - (c) the extent to which sufficient space is provided for residential waste management including areas for storage and collection;
  - (d) whether storage areas are suitably located for ease of movements to collection points;
  - (e) the extent to which waste management storage areas are designed to minimise visibility from within the site, from the street and/or adjacent sites;

- (f) where kerbside collection cannot meet the minimum 1m width, the extent to which the waste collection activity avoids adverse effects on the safe and efficient operation of the transport network;
  - (g) how the development intends to ensure the on-going management and maintenance of any communal residential waste management area; and
  - (h) whether waste storage areas are located outside windows or doors to bedrooms, living areas and outdoor living areas to avoid effects of odour and noise.
- (20) For Development within the Infrastructure – Combined Wastewater Network Control infringements:
- (a) Whether separation is in progress and the development can connect to a separated stormwater pipe that is part of the public stormwater network; and
  - (b) Whether servicing the development will have an adverse effect on the function and available capacity of the Combined Wastewater Network that the development will connect to.

#### **H4.9. Special information requirements**

There are no special information requirements in this zone.

#### **Landscape Plans as required by H4.6.11. Landscape area**

- (1) A scaled landscape plan must be provided that contains landscaped areas and includes:
- (a) Plant and tree species, number of each species to be planted and planting grades;
  - (b) Canopy of existing trees to be retained;
  - (c) Any area of grass; and
  - (d) Any paths included in landscaped area.

#### **Deep Soil Area and Canopy Tree**

- (2) The deep soil area provided must be demonstrated on a scaled landscape plan that at a minimum identifies the following:
- (a) plant and tree species, number of each species to be planted and planting grades;
  - (a) location of existing trees to be retained;
  - (b) dimensions of individual mature tree canopy; and

(c) any areas of grass.

**Residential waste management**

- (3) Applications for where communal bins are proposed, must include calculations for required storage space as determined using the Auckland Council's Solid Waste Calculator (Standard H4.6.20(1)(b)).
- (4) When preparing the waste management and minimisation plan, applicants should refer to the Waste Management and Minimisation Bylaw 2019. The following information must be provided:
- a) the frequency and location of waste collection or transportation; and
  - b) where communal bins are provided for collection, the method of waste segregation that will enable residents to separate dry recycling (glass, paper, plastic etc), food scraps and refuse from their designated bins into the appropriate communal bin for that waste type.

## H5. Residential – Mixed Housing Urban Zone

### H5.1. Zone description

The Residential – Mixed Housing Urban Zone is the most widespread residential zone covering most of urban Auckland, located within walking distance of centres and the Frequent Transit Network corridor intensifications areas and other areas that are close to public transport access. It is a reasonably high-intensity medium density residential zone enabling a greater intensity of development than previously provided for.

Over time, the appearance of neighbourhoods within this zone will change, with development typically up to three storeys in a variety of sizes and forms, including detached dwellings, terrace housing and low-rise apartments. This supports increasing the capacity and choice of housing within neighbourhoods as well as promoting walkable neighbourhoods, fostering a sense of community and increasing the vitality of centres.

Up to three dwellings are permitted as of right subject to compliance with the standards. This is to ensure a quality outcome for adjoining sites and the neighbourhood, as well as residents within the development site.

Resource consent is required for four or more dwellings and for other specified buildings in order to:

- achieve the planned urban built character of the zone;
- achieve attractive and safe streets and public open spaces;
- manage the effects of development on adjoining neighbouring sites, including visual amenity, privacy and access to daylight and sunlight; ~~and~~

All residential development must comply with development standards to ~~achieve high~~ good quality on-site living liveable environments ~~that are attractive, healthy and safe;~~ meet the functional and operational needs of residents; and that contribute to climate resilience.

The resource consent requirements enable the design and layout of the development to be assessed; recognising that the need to achieve quality design is important as the scale of development increases.

### H5.2. Objectives

- (1) Land in close proximity to Business – Metropolitan Centre Zone and the Business – Town Centre Zone, high-density residential areas and close to the public transport network is efficiently used for higher density residential living and to provide urban living that increases housing capacity and choice and access to public transport.
- (2) Development is in keeping with the neighbourhood's planned urban built medium density residential character of predominantly three-storey buildings, in a variety of forms and surrounded by open space.

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- (3) Development provides quality built environments on site for residents, for residents on adjoining sites and to the street that are attractive, healthy and safe.  
~~on-site residential amenity for residents and adjoining sites and the street.~~
- (4) Non-residential activities provide for the community's social, economic and cultural well-being, while being compatible with the scale and intensity of development anticipated by the zone so as to contribute to the amenity of the neighbourhood.
- (5) Development contributes to a built environment that is resilient to the effects of climate change with areas of deep soil and canopy tree planting, and landscape treatment that comprises natural grass, shrubs and trees that reduce urban heat island effects.
- (6) Development addresses the functional and operational requirements of the water supply, wastewater and stormwater networks to avoid adverse effects.
- (7) Development addresses the functional and operational requirements of the local transport network for pedestrians, passenger transport, road users and cyclists.

### H5.3. Policies

- (1) Enable a variety of medium density housing types ~~at higher densities~~, including low-rise apartments and integrated residential development such as retirement villages.
- (2) Require the height, bulk, form and appearance of development and the provision of sufficient setbacks and landscaped areas to achieve an urban built character of predominantly three storeys, in a variety of forms.
- (3) ~~[deleted] Encourage development to achieve attractive and safe streets and public open spaces including by:~~
  - ~~(a) providing for passive surveillance~~
  - ~~(b) optimising front yard landscaping~~
  - ~~(c) minimising visual dominance of garage doors.~~
- (4) ~~[deleted] Require the height, bulk and location of development to maintain a reasonable standard of sunlight access and privacy and to minimise visual dominance effects to adjoining sites.~~
- (5) ~~[deleted] Require accommodation to be designed to meet day to day needs of residents by:~~
  - ~~(a) providing privacy and outlook; and~~



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~~(b) providing access to daylight and sunlight and providing the amenities necessary for those residents.~~

(10) Recognise the functional and operational requirements of activities and development.

(6) ~~[deleted] Encourage accommodation to have useable and accessible outdoor living space.~~

(7) ~~[deleted] Restrict the maximum impervious area on a site in order to manage the amount of stormwater runoff generated by a development and ensure that adverse effects on water quality, quantity and amenity values are avoided or mitigated.~~

(3A) Require development to achieve a built form that contributes to quality built environment outcomes by:

- (a) maintaining privacy, outlook, daylight and sunlight access and reducing over-heating to provide for the health and safety of residents on-site;
- (b) providing for residents' safety and privacy while enabling passive surveillance on the street and private vehicle and pedestrian accessways;
- (c) minimising visual dominance effects to adjoining sites;
- (d) maintaining a good level of privacy, and sunlight and daylight access for adjoining sites;
- (e) minimising visual dominance effects of carparking and garage doors to streets and private accessways;
- (f) minimising adverse effects on the natural environment, including restricting maximum impervious area on a site to reduce the amount of stormwater runoff generated by a development and ensure that adverse effects on water quality, quantity and amenity values are avoided or mitigated;
- (g) requiring development to reduce the urban heat island effects of development and respond to climate change, by providing a deep soil area that enable the growth of canopy trees
- (h) requiring adequate landscaped areas that comprise natural grass, plants or trees to provide for quality living environments and create vegetated urban streetscape character;
- (i) designing practical and sufficient space for residential waste management;
- (j) designing practical, functional and sufficient space for internal storage, living areas; and.

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- (k) designing attractive buildings when viewed from public open spaces and the street.
- (3A) Encourage development of four or more dwellings per site and non-residential activities to contribute to a safe and convenient local transport network for pedestrians, passenger transport users and cyclists.
- (8) Provide for non-residential activities that:
- (a) support the social, cultural and economic well-being of the community;
  - (b) are in keeping with the scale and intensity of development anticipated within the zone;
  - (c) avoid, remedy or mitigate adverse effects on residential amenity; and
  - (d) will not detract from the vitality of the Business – City Centre Zone, Business – Metro Centre Zone and Business – Town Centre Zone.
- (9) Enable more efficient use of larger sites by providing for integrated residential development.
- (11) Require development to remedy or mitigate adverse effects which may compromise the function and capacity of the water supply, wastewater and stormwater networks.
- (12) Require development on sites connected to the combined wastewater network as identified on the planning maps to demonstrate that there is sufficient capacity available in the combined wastewater network to enable servicing of the development with adverse effects which may compromise the function and capacity of the water supply network able to be managed.

Commented [A1]: Annotate as a QM

### H5.4. Activity table

Table H5.4.1 Activity table specifies the activity status of land use and development activities in the Residential – Mixed Housing Urban Zone pursuant to section 9(3) of the Resource Management Act 1991.

**Table H5.4.1 Activity table**

Activity		Activity status	Standards to be complied with
<b>Use</b>			
(A1)	Activities not provided for	NC	
<b>Residential</b>			
(A2)	Camping grounds	D	
(A3)	Up to three dwellings per site	P	Standard H5.6.4 Building height; Standard H5.6.56 Height in relation to boundary; Standard H5.6.7 Height in relation to boundary adjoining lower intensity zones; Standard H5.6.8 Yards;

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			Standard H5.6.9 Maximum impervious areas; Standard H5.6.10 Building coverage; Standard H5.6.11 Landscaped area; Standard H5.6.12 Outlook space; Standard H5.6.13 Daylight; Standard H5.6.14 Outdoor living space; Standard H5.6.15 Front, side and rear fences and walls; Standard H5.6.16 Minimum dwelling size; <u>Standard H5.6.17 Windows to street and private vehicle and pedestrian accessways; Standards H5.6.18 Deep soil area and canopy tree; Standard H5.6.19 Safety and privacy buffer from private pedestrian and vehicle accessways; Standard H5.6.22 Development within the Infrastructure – Combined Wastewater Network Control</u>
(A4)	Four or more dwellings per site	RD	Standard H5.6.4 Building height; <del>Standard H5.6.5 Height in relation to boundary</del> ; Standard H5.6.6 <del>Alternative h</del> Height in relation to boundary; Standard H5.6.7 Height in relation to boundary adjoining lower intensity zones; Standard H5.6.8 Yards; <u>Standard H5.6.9 Maximum impervious areas; Standard H5.6.10 Building coverage; Standard H5.6.11 Landscaped area; Standard H5.6.12 Outlook space; Standard H5.6.13 Daylight; Standard H5.6.14 Outdoor living space; Standard H5.6.15 Front, side and rear fences and walls; Standard H5.6.16 Minimum dwelling size; Standard H5.6.17 Windows to street and private vehicle and pedestrian accessways; Standards H5.6.18 Deep soil area and canopy tree; Standard H5.6.19 Safety and privacy buffer from private pedestrian and vehicle accessways; Standard H5.6.20 Residential waste management.</u>
(A5)	The conversion of a principal dwelling existing as at 30 September 2013 into a maximum of two dwellings	P	Standard H5.6.3 The conversion of a principal dwelling into a maximum of two dwellings; <u>Standard H5.6.22 Development within the Infrastructure – Combined Wastewater Network Control</u>
(A6)	Home occupations	P	Standard H5.6.2 Home occupations
(A7)	Home occupations that do not meet Standard H5.6.2	D	
(A8)	Integrated residential development	RD	Standard H5.6.4 Building height; <del>Standard H5.6.5 Height in relation to boundary</del> ; Standard H5.6.6 <del>Alternative h</del> Height in relation to boundary; Standard H5.6.7 Height in relation to boundary adjoining lower intensity zones; Standard H5.6.8 Yards; <u>Standard H5.6.9 Maximum impervious areas; Standard H5.6.10 Building coverage; Standard H5.6.11 Landscaped area; Standard H5.6.12 Outlook</u>

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			<u>space; Standard H5.6.13 Daylight; Standard H5.6.14 Outdoor living space; Standard H5.6.15 Front, side and rear fences and walls; Standard H5.6.16 Minimum dwelling size; Standard H5.6.17 Windows to street and private vehicle and pedestrian accessways; Standards H5.6.18 Deep soil area and canopy tree; Standard H5.6.19 Safety and privacy buffer from private pedestrian and vehicle accessways; Standard H5.6.20 Residential waste management.</u>
(A9)	Supported residential care accommodating up to 10 people per site inclusive of staff and residents	P	Standard H5.6.4 Building height; Standard H5.6.56 Height in relation to boundary; Standard H5.6.7 Height in relation to boundary adjoining lower intensity zones; Standard H5.6.8 Yards; Standard H5.6.9 Maximum impervious areas; Standard H5.6.10 Building coverage; Standard H5.6.11 Landscaped area; Standard H5.6.12 Outlook space; Standard H5.6.13 Daylight; Standard H5.6.14 Outdoor living space; Standard H5.6.15 Front, side and rear fences and walls; <u>Standard H5.6.22 Development within the Infrastructure – Combined Wastewater Network Control</u>
(A10)	Supported residential care accommodating greater than 10 people per site inclusive of staff and residents	RD	Standard H5.6.4 Building height; <del>Standard H5.6.5 Height in relation to boundary;</del> Standard H5.6.6 <del>Alternative h</del> Height in relation to boundary; Standard H5.6.7 Height in relation to boundary adjoining lower intensity zones; Standard H5.6.8 Yards
(A11)	Boarding houses accommodating up to 10 people per site inclusive of staff and residents	P	Standard H5.6.4 Building height; Standard H5.6.56 Height in relation to boundary; Standard H5.6.7 Height in relation to boundary adjoining lower intensity zones; Standard H5.6.8 Yards; Standard H5.6.9 Maximum impervious areas; Standard H5.6.10 Building coverage; Standard H5.6.11 Landscaped area; Standard H5.6.12 Outlook space; Standard H5.6.13 Daylight; Standard H5.6.14 Outdoor living space; Standard H5.6.15 Front, side and rear fences and walls; <u>Standard H5.6.22 Development within the Infrastructure – Combined Wastewater Network Control</u>
(A12)	Boarding houses accommodating greater than 10 people per site inclusive of staff and residents	RD	Standard H5.6.4 Building height; <del>Standard H5.6.5 Height in relation to boundary;</del> Standard H5.6.6 <del>Alternative h</del> Height in relation to boundary; Standard H5.6.7 Height in relation to boundary adjoining lower intensity zones; Standard H5.6.8 Yards
(A13)	Visitor accommodation accommodating up to 10 people per	P	Standard H5.6.4 Building height; Standard H5.6.56 Height in relation to boundary; Standard H5.6.7 Height in relation to boundary adjoining lower intensity zones; Standard H5.6.8 Yards; Standard H5.6.9 Maximum impervious areas;

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	site inclusive of staff and visitors		Standard H5.6.10 Building coverage; Standard H5.6.11 Landscaped area; and Standard H5.6.15 Front, side and rear fences and walls; <u>Standard H5.6.22 Development within the Infrastructure – Combined Wastewater Network Control</u>
(A14)	Visitor accommodation accommodating greater than 10 people per site inclusive of staff and visitors	RD	Standard H5.6.4 Building height; <del>Standard H5.6.5 Height in relation to boundary</del> ; Standard H5.6.6 <del>Alternative h</del> Height in relation to boundary; Standard H5.6.7 Height in relation to boundary adjoining lower intensity zones; Standard H5.6.8 Yards
<b>Commerce</b>			
(A15)	Dairies up to 100m <sup>2</sup> gross floor area per site	RD	Standard H5.6.4 Building height; <del>Standard H5.6.5 Height in relation to boundary</del> ; Standard H5.6.6 <del>Alternative h</del> Height in relation to boundary; Standard H5.6.7 Height in relation to boundary adjoining lower intensity zones; Standard H5.6.8 Yards; Standard H5.6.9 Maximum impervious areas; Standard H5.6.10 Building coverage; and Standard H5.6.15 Front, side and rear fences and walls
(A16)	Restaurants and cafes up to 100m <sup>2</sup> gross floor area per site	D	
(A17)	Service stations on arterial roads	D	
<b>Community</b>			
(A18)	Care centres accommodating up to 10 people per site excluding staff	P	Standard H5.6.4 Building height; Standard H5.6.5 <del>Height in relation to boundary</del> ; Standard H5.6.6 <del>Alternative h</del> Height in relation to boundary; Standard H5.6.7 Height in relation to boundary adjoining lower intensity zones; Standard H5.6.8 Yards; Standard H5.6.9 Maximum impervious areas; Standard H5.6.10 Building coverage; Standard H5.6.11 Landscaped area; and Standard H5.6.15 Front, side and rear fences and walls; <u>Standard H5.6.22 Development within the Infrastructure – Combined Wastewater Network Control</u> .
(A19)	Care centres accommodating greater than 10 people per site excluding staff	RD	Standard H5.6.4 Building height; <del>Standard H5.6.5 Height in relation to boundary</del> ; Standard H5.6.6 <del>Alternative h</del> Height in relation to boundary; Standard H5.6.7 Height in relation to boundary adjoining lower intensity zones; Standard H5.6.8 Yards; Standard H5.6.9 Maximum impervious areas; Standard H5.6.10 Building coverage; Standard H5.6.11 Landscaped area; and Standard H5.6.15 Front, side and rear fences and walls
(A20)	Community facilities	RD	Standard H5.6.4 Building height; <del>Standard H5.6.5 Height in relation to boundary</del> ; Standard H5.6.6 <del>Alternative h</del> Height in relation to boundary; Standard H5.6.7 Height in relation to boundary adjoining lower intensity zones;

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			Standard H5.6.8 Yards; Standard H5.6.9 Maximum impervious areas; Standard H5.6.10 Building coverage; Standard H5.6.11 Landscaped area; and Standard H5.6.15 Front, side and rear fences and walls
(A21)	Education facilities	D	
(A22)	Tertiary education facilities	D	
(A23)	Emergency services adjoining an arterial road	D	
(A24)	Healthcare facilities up to 200m <sup>2</sup> gross floor area per site	RD	Standard H5.6.4 Building height; <del>Standard H5.6.5 Height in relation to boundary</del> ; Standard H5.6.6 <del>Alternative 1</del> Height in relation to boundary; Standard H5.6.7 Height in relation to boundary adjoining lower intensity zones; Standard H5.6.8 Yards; Standard H5.6.9 Maximum impervious areas; Standard H5.6.10 Building coverage; Standard H5.6.11 Landscaped area; and Standard H5.6.15 Front, side and rear fences and walls
(A25)	Healthcare facilities greater than 200m <sup>2</sup> gross floor area per site	D	
(A26)	Veterinary clinics	D	
<b>Rural</b>			
(A27)	Grazing of livestock on sites greater than 2,000m <sup>2</sup> net site area	P	
<b>Mana Whenua</b>			
(A28)	Marae complex	D	
<b>Development</b>			
(A29)	Demolition of buildings	P	
(A30)	Internal and external alterations to buildings	P	Standard H5.6.4 Building height; Standard H5.6.5 Height in relation to boundary; Standard H5.6.7 Height in relation to boundary adjoining lower intensity zones; Standard H5.6.8 Yards; Standard H5.6.9 Maximum impervious areas; Standard H5.6.10 Building coverage; Standard H5.6.11 Landscaped area; Standard H5.6.12 Outlook space; Standard H5.6.13 Daylight; Standard H5.6.14 Outdoor living space; Standard H5.6.15 Front, side and rear fences and walls; Standard H5.6.16 Minimum dwelling size  <u>The same standards as applies to the land use activity that the building is designed to accommodate.</u>
(A31)	Accessory buildings	P	Standard H5.6.4 Building height; Standard H5.6.5 Height in relation to boundary; Standard

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			<p>H5.6.7 Height in relation to boundary adjoining lower intensity zones; Standard H5.6.8 Yards; Standard H5.6.9 Maximum impervious areas; Standard H5.6.10 Building coverage</p> <p><u>The same standards as applies to the land use activity that the building is designed to accommodate.</u></p>
(A32)	Additions to an existing dwelling	P	<p>Standard H5.6.4 Building height; Standard H5.6.5 Height in relation to boundary; Standard H5.6.7 Height in relation to boundary adjoining lower intensity zones; Standard H5.6.8 Yards; Standard H5.6.9 Maximum impervious areas; Standard H5.6.10 Building coverage; Standard H5.6.11 Landscaped area; Standard H5.6.12 Outlook space; Standard H5.6.13 Daylight; Standard H5.6.14 Outdoor living space; Standard H5.6.15 Front, side and rear fences and walls; Standard H5.6.16 Minimum dwelling size</p> <p><u>The same standards as applies to the land use activity that the addition is designed to accommodate.</u></p>
(A33)	New buildings and additions to buildings which do not comply with H5.6.5. Height in relation to boundary, but comply with H5.6.6 Alternative height in relation to boundary	RD	<p>H5.6.6 Alternative height in relation to boundary</p> <p>Note: Compliance with Standard H5.6.5 Height in relation to boundary is not required.</p>
(A34)	New buildings and additions to buildings	The same activity status and standards as applies to the land use activity that the new building or addition to a building is designed to accommodate	
(A35)	For development in areas identified on the planning maps as being subject to the Infrastructure – Combined Wastewater Network Control that comply with other standards but do not comply with Standard H5.6.22.	RD	

Commented [A2]: Annotate as a QM

**H5.5. Notification**

## H5 Residential – Mixed Housing Urban Zone

- (1) Any application for resource consent for the following activities 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(4) of the Resource Management Act 1991:
- (a) four or more dwellings per site that comply with all of the standards listed in Table H5.4.1 Activity table;
  - (b) an integrated residential development that complies with all of the standards listed in Table H5.4.1 Activity table;
  - ~~(c) New buildings and additions to buildings which do not comply with H5.6.5 Height in relation to boundary, but comply with H5.6.6 Alternative height in relation to boundary;~~
  - (d) development which does not comply with H5.6.15 (1a) Front, side and rear fences and walls; and
  - (e) development which does not comply with H5.6.16 Minimum dwelling size.
- (2) Any application for resource consent for an activity listed in Table H5.4.1 Activity table and which is not listed in H5.5(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\(4\)](#).

### H5.6. Standards

#### H5.6.1. Activities listed in Table H5.4.1 Activity table

- (1) Activities and buildings containing activities listed in Table H5.4.1 Activity table must comply with the standards listed in the column in Table H5.4.1 called Standards to be complied with.

#### H5.6.2. Home occupations

Purpose: to enable people to work from home at a scale that the residential character and amenity is maintained.

- (1) A home occupation must comply with all the following standards:
- (a) at least one person engaged in the home occupation must use the dwelling on the site as their principal place of residence;
  - (b) no more than two people who do not use the dwelling as their principal place of residence may work in the home occupation;
  - (c) no more than four people in total may work in the home occupation;



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- (d) the sale of goods or services from the home occupation that requires customers to come to the site and the delivery of goods to and from the site may not occur before 7am or after 7pm;
- (e) car trips to and from the home occupation activity must not exceed 20 per day;
- (f) heavy vehicle trips must not exceed two per week;
- (g) no more than one commercial vehicle associated with the home occupation may be on site at any one time;
- (h) storage for rubbish and recycling associated with the home occupation must be provided on site and screened from public view;
- (i) materials or goods manufactured, serviced or repaired in the home occupation must be stored and worked on within a building on the same site; and
- (j) goods sold from the home occupation must be:
  - (i) goods produced on site; or
  - (ii) goods that are primarily ordered by mail or electronic transaction and redistributed by post or courier; or
  - (iii) goods ancillary and related to a service provided by the home occupation.

#### **H5.6.3. The conversion of a principal dwelling existing as at 30 September 2013 into a maximum of two dwellings**

Purpose: to enable a dwelling existing as at 30 September 2013 to be converted into a maximum of two dwellings and to provide for sufficient outdoor living space for each of the dwellings.

- (1) Where a principal dwelling existing as at 30 September 2013 is proposed to be converted into a maximum of two dwellings each dwelling must have an outdoor living space that is:
  - (a) at least 5m<sup>2</sup> for a studio or one-bedroom dwelling and 8m<sup>2</sup> for a two or more bedroom dwelling; and
  - (b) at least 1.8m in depth; and
  - (c) directly accessible from the dwelling.

#### **H5.6.4. Building height**

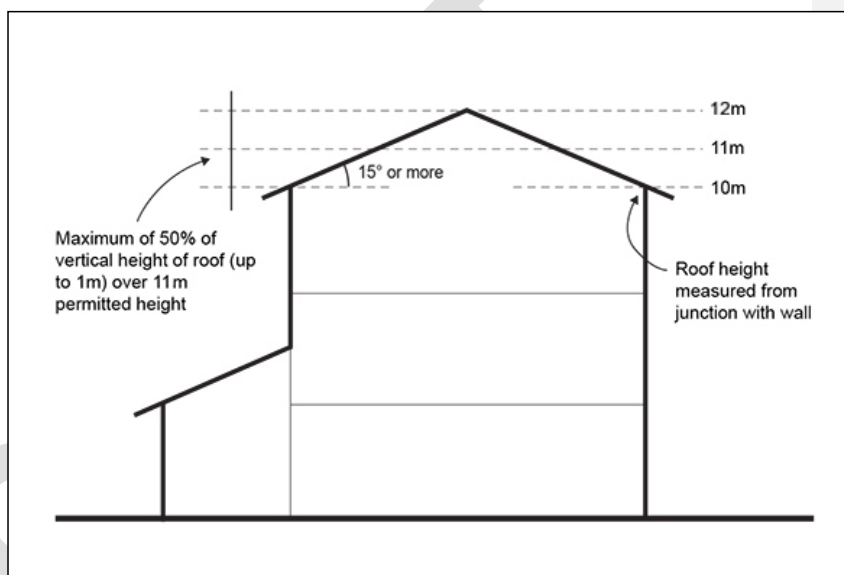
Purpose: to manage the height of buildings to:

- achieve the planned urban built character of predominantly three storeys;

#### H5 Residential – Mixed Housing Urban Zone

- minimise visual dominance effects;
  - maintain a reasonable standard of residential amenity for adjoining sites; and
  - provide some flexibility to enable variety in roof forms.
- (1) Buildings must not exceed 11m in height, except that 50 per cent of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1m, where the entire roof slopes 15 degrees or more, as shown in Figure H5.6.4.1 Building height in the Residential – Mixed Housing Urban Zone below.

**Figure H5.6.4.1 Building height in the Residential – Mixed Housing Urban Zone**



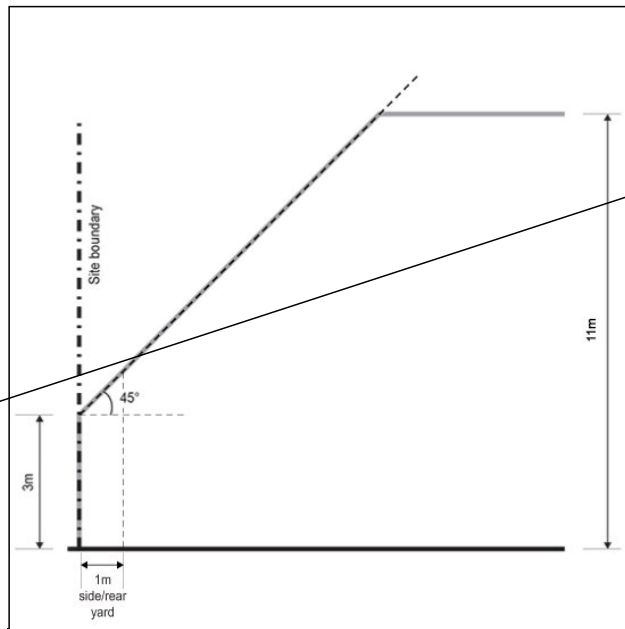
#### **H5.6.5. [deleted] Height in relation to boundary**

~~Purpose: to manage the height and bulk of buildings at boundaries to maintain a reasonable level of sunlight access and minimise adverse visual dominance effects to immediate neighbours.~~

- ~~(1) Buildings must not project beyond a 45-degree recession plane measured from a point 3m vertically above ground level along side and rear boundaries, as shown in Figure H5.6.5.1 Height in relation to boundary below.~~

**Figure H5.6.5.1 Height in relation to boundary**

## H5 Residential – Mixed Housing Urban Zone



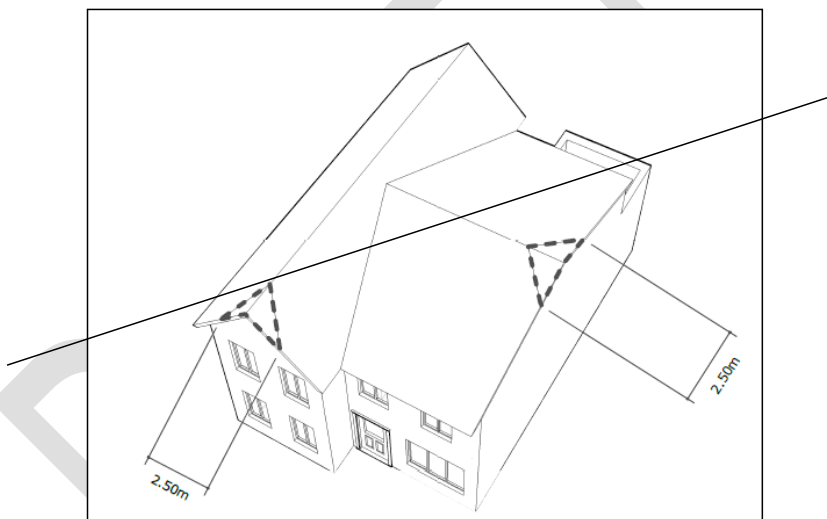
(2) Standard H5.6.5(1) above does not apply to a boundary, or part of a boundary, adjoining any of the following:

- (a) ~~a Business – City Centre Zone; Business – Metropolitan Centre Zone; Business – Town Centre Zone; Business – Local Centre Zone; Business – Neighbourhood Centre Zone; Business – Mixed Use Zone; Business – General Business Zone; Business – Business Park Zone; Business – Light Industry Zone and Business – Heavy Industry Zone; or~~
- (b) ~~sites within the Open Space – Conservation Zone; Open Space – Informal Recreation Zone; Open Space – Sports and Active Recreation Zone; Open Space – Civic Spaces Zone; or the Open Space – Community Zone:~~
  - (i) ~~that are greater than 2000m<sup>2</sup>;~~
  - (ii) ~~where that part of the site in (i) is greater than 20 metres in width, when measured perpendicular to the shared boundary; and~~
  - (iii) ~~Where an open space comprises multiple sites but has a common open space zoning, the entire zone will be treated as a single site for the purpose of applying the standards listed below.~~

(3) Standard H5.6.5(1) above does not apply to site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.

- (4) ~~Where the boundary forms part of a legal right of way, entrance strip, access site or pedestrian access way, the control in Standard H5.6.5(1) applies from the farthest boundary of that legal right of way, entrance strip, access site or pedestrian access way.~~
- (5) A gable end, dormer or roof may project beyond the recession plane where that portion beyond the recession plane is:
- (a) no greater than 1.5m<sup>2</sup> in area and no greater than 1m in height; and
  - (b) no greater than 2.5m cumulatively in length measured along the edge of the roof as shown in Figure H5.6.5.2 Exceptions for gable ends and dormers and roof projections below.

**Figure H5.6.5.2 Exceptions for gable ends and dormers and roof projections**



- (6) ~~No more than two gable end, dormer or roof projections are allowed for every 6m length of site boundary.~~
- (7) ~~The height in relation to boundary standard does not apply to existing or proposed internal boundaries within a site.~~

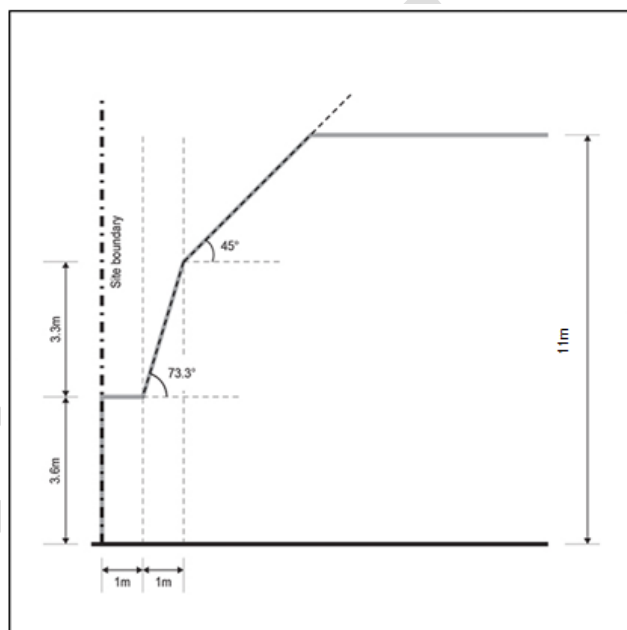
#### **H5.6.6. Alternative h Height in relation to boundary**

Purpose: to enable the efficient use of the site by providing design flexibility at upper floors of a building close to the street frontage, while maintaining a reasonable level of sunlight access and minimising overlooking and privacy effects to immediate neighbours.

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- (1) ~~This standard is an alternative to the permitted Standard H5.6.5 Height in relation to boundary and applies to development that is within 20m of the site frontage.~~
- (2) Any buildings or parts of buildings must not exceed a height of 3.6m measured vertically above ground level at side and rear boundaries. Thereafter, buildings must be set back 1m and then 0.3m for every additional metre in height (73.3 degrees) up to 6.9m and then 1m for every additional metre in height (45 degrees) as shown in Figure H5.6.6.1 ~~Alternative h~~ Height in relation to boundary below.

**Figure H5.6.6.1 ~~Alternative h~~ Height in relation to boundary**

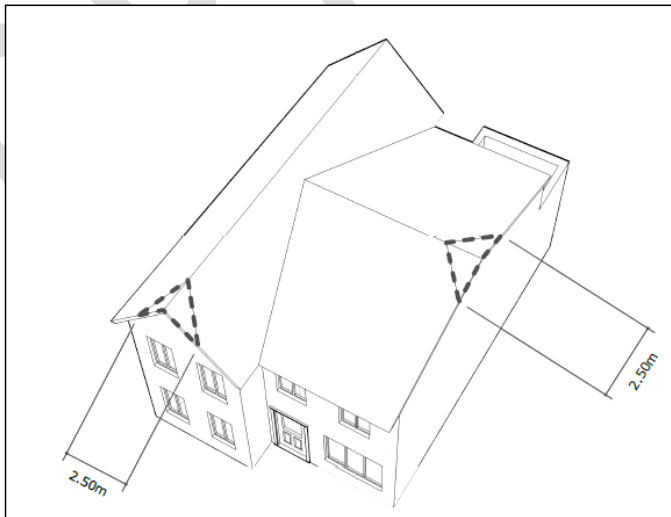


- (3) Standard H5.6.6(1)(2) above does not apply to a boundary, or part of a boundary, adjoining any of the following:
- (a) a Business – City Centre Zone; Business – Metropolitan Centre Zone; Business – Town Centre Zone; Business – Local Centre Zone; Business – Neighbourhood Centre Zone; Business – Mixed Use Zone; Business – General Business Zone; Business – Business Park Zone; Business – Light Industry Zone and Business – Heavy Industry Zone; or
  - (b) sites within the Open Space – Conservation Zone; Open Space – Informal Recreation Zone; Open Space – Sports and Active Recreation Zone; Open Space – Civic Spaces Zone; or the Open Space – Community Zone:

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- (i) that are greater than 2000m<sup>2</sup>;
  - (ii) where that part of the site in (i) is greater than 20 metres in width, when measured perpendicular to the shared boundary; and
  - (iii) where an open space comprises multiple sites but has a common open space zoning, the entire zone will be treated as a single site for the purpose of applying the standards listed below.
- (4) Standard H5.6.6(1) does not apply to site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.
- (5) Where the boundary forms part of a legal right of way, entrance strip, access site or pedestrian access way, the control in Standard H5.6.6(2) applies from the farthest boundary of that legal right of way, entrance strip, access site or pedestrian access way.
- (6) A gable end, dormer or roof may project beyond the recession plane where that portion beyond the recession plane is:
- (a) no greater than 1.5m<sup>2</sup> in area and no greater than 1m in height; and
  - (b) no greater than 2.5m cumulatively in length measured along the edge of the roof as shown in Figure H5.6.6.2 Exceptions for gable ends, dormers and roof projections and dormers below.

**Figure H5.6.6.2 Exceptions for gable ends, dormers and roof projections and dormers**



- (7) No more than two gable end, dormer or roof projections are allowed for every 6m length of site boundary.

- (8) The alternative height in relation to boundary standard does not apply to existing or proposed internal boundaries within a site.

#### **H5.6.7. Height in relation to boundary adjoining lower intensity zones**

Purpose: to manage the height and bulk of buildings at boundaries to maintain a reasonable level of sunlight access and minimise visual dominance effects to immediate neighbours within lower intensity zones and small public open spaces.

- (1) Where a site in the Residential – Mixed Housing Urban Zone adjoins:

- (a) a site in the Residential – Single House Zone; or
- (b) a site in the Residential – Mixed Housing Suburban Zone; or
- (c) sites less than 2,000m<sup>2</sup> in the Open Space – Conservation Zone; Open Space – Informal Recreation Zone; Open – Space Sports and Active Recreation Zone; Open Space – Civic Spaces Zone; or the Open Space – Community Zone;

then buildings must not project beyond a 45 degree recession plane measured from a point 2.5m vertically above ground level along the boundary of the site in the Residential – Mixed Housing Urban Zone with the zone listed in Standard H5.6.7(1)(a) – (c) above.

- (2) Where the boundary forms part of a legal right of way, entrance strip, access site or pedestrian access way, the control in Standard H5.6.7(1) applies from the farthest boundary of that legal right of way, entrance strip, access site or pedestrian access way.

- (3) A gable end, dormer or roof may project beyond the recession plane where that portion beyond the recession plane is:

- (i) no greater than 1.5m<sup>2</sup> in area and no greater than 1m in height; and
- (ii) no greater than 2.5m cumulatively in length measured along the edge of the roof.

#### **H5.6.8. Yards**

Purpose:

- to create an urban streetscape character and provide sufficient space for landscaping within the front yard;
- to maintain a reasonable standard of residential amenity for adjoining sites;
- to ensure buildings are adequately set back from lakes, streams and the coastal edge to maintain water quality and provide protection from natural hazards; and

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- to enable buildings and services on the site or adjoining sites to be adequately maintained.
- (1) A building or parts of a building must be set back from the relevant boundary by the minimum depth listed in Table H5.6.8.1 Yards below.

**Table H5.6.8.1 Yards**

Yard	Minimum depth
Front	2.5m
Side	1m
Rear	1m
Riparian	10m from the edge of all other permanent and intermittent streams
Lakeside	30m
Coastal protection yard	10m, or as otherwise specified in <a href="#">Appendix 6 Coastal protection yard</a>

- (2) Standard H5.6.8(1) does not apply to site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.

### Note 1

Emergency responder access requirements are further controlled by the Building Code. Plan users should refer to the Building Code to ensure compliance can be achieved at building consent stage. Granting of a resource consent does not imply that waivers of Building Code requirements will be granted. Fire and Emergency New Zealand publishes guidance in the context of the Building Code requirements.

## **H5.6.9. Maximum impervious area**

Purpose:

- 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;
  - to support the functioning of riparian yards, lakeside yards and coastal yards and water quality and ecology;
  - to reinforce the building coverage and landscaped area standards;
  - to limit paved areas on a site to improve the site's appearance and cumulatively maintain amenity values in a neighbourhood.
- (1) The maximum impervious area must not exceed 60 per cent of site area.
- (2) The maximum impervious area within a riparian yard, a lakeside yard or a coastal protection yard must not exceed 10 per cent of the riparian yard, the lakeside yard or the coastal protection yard area.



#### H5.6.10. Building coverage

Purpose: to manage the extent of buildings on a site to achieve the planned urban character of buildings surrounded by open space.

- (1) The maximum building coverage must not exceed 45 per cent of the net site area.

#### H5.6.11. Landscaped area

Purpose:

- to provide for quality living environments consistent with the planned urban built character of buildings surrounded by open space vegetation that contributes to a reduction in urban heat island effects of development and responds to climate change; and
- to create a landscaped vegetated urban streetscape character within the zone.

- (1) The minimum landscaped area must be at least 35 per cent of the net site area.
- (2) At least 50 per cent of the area of the front yard must comprise landscaped area.

#### H5.6.12. Outlook space

Purpose:

- to ensure a reasonable standard of visual privacy between habitable rooms of different buildings, on the same or adjacent sites; and
- in combination with the daylight standard, manage visual dominance effects within a site by ensuring that habitable rooms have an outlook and sense of space.

- (1) 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.

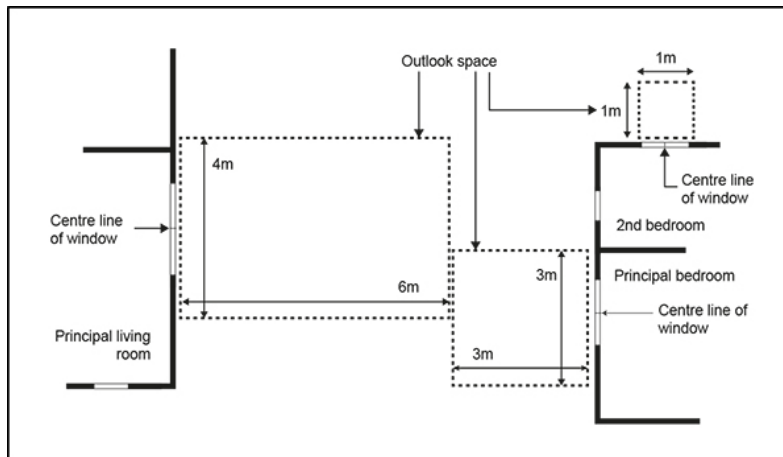
- (2) The minimum dimensions for a required outlook space are as follows:

- (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:
  - (i) 6m in depth and 4m in width as shown in Figure H5.6.12.1 Required outlook space; or
  - (ii) where the principal living room outlook is on the ground floor and is defined by a boundary fence, outlook depth may be reduced to 5m.

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- (b) a principal bedroom 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
  - (c) all other habitable rooms must have an outlook space with a minimum dimension of 1m in depth and 1m in width.
- (3) The depth of the outlook space is measured at right angles to and horizontal from the window to which it applies.
- (4) The width of the outlook space is measured from:
  - (a) the centre point of the largest window on the building face to which it applies where outlook depth is reduced to 5m as provided for under H5.6.12(2)(ii) above; or
  - (b) the centre line of the façade of the largest window or balcony edge whichever is closer to the boundary or opposing building.
- (5) 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.
- (6) Outlook spaces may be:
  - (a) over driveways within the site;
  - (b) over a public street; or
  - (c) other public open space;
  - (d) except where the outlook space is from a ground floor principal living room, it must not be over parking spaces, vehicle access or manoeuvring areas.
- (7) Outlook spaces required from different rooms within the same building may overlap.
- (8) Outlook spaces may overlap where they are on the same wall plane.
- (9) Outlook spaces must:
  - (a) be clear and unobstructed by buildings; ~~and~~
  - (b) not extend over adjacent sites, except for where the outlook space is over a public street or public open space as outlined in H5.6.12(6) above; and
  - (c) not extend over an outlook spaces or outdoor living space required by another dwelling.

**Figure H5.6.12.1 Required outlook space**



### H5.6.13. Daylight

Purpose:

- to ensure adequate daylight for living areas and bedrooms in dwellings, supported residential care and boarding houses; and
- in combination with the outlook standard, manage visual dominance effects within a site by ensuring that habitable rooms have an outlook and sense of space.

(1) Where the proposed building and/or opposite building contains principal living room or bedroom windows in a dwelling, or main living/dining area or bedroom windows in supported residential care and boarding houses, then:

- (a) that part of a building higher than 3m opposite buildings within the same site is limited in height to twice the horizontal distance between the two buildings for a length defined by a 55 degree arc from the centre of the window. The arc may be swung to within 35 degrees of the plane of the wall containing the window as shown in Figure H5.6.13.2 Required setbacks for daylight below.

Refer to Table H5.6.13.1 Maximum height of the part of a building within a site facing a principal living room or bedroom window within the same site; Figure H5.6.13.1 Required setbacks for daylight and Figure H5.6.13.2 Required setbacks for daylight below.

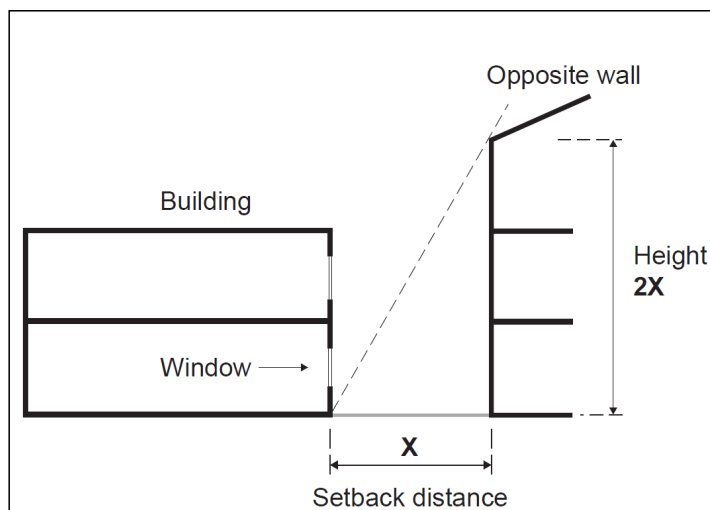
(2) Where the principal living room, main living/dining area or bedroom has two or more external faces with windows, Standard H5.6.13(1) above will apply to the largest window.

- (3) Where the window is above ground level, the height restriction is calculated from the floor level of the room containing the window.
- (4) Standard H5.6.13(1), (2) and (3) does not apply to development opposite the first 5m of a building which faces the street, measured from the front corner of the building.

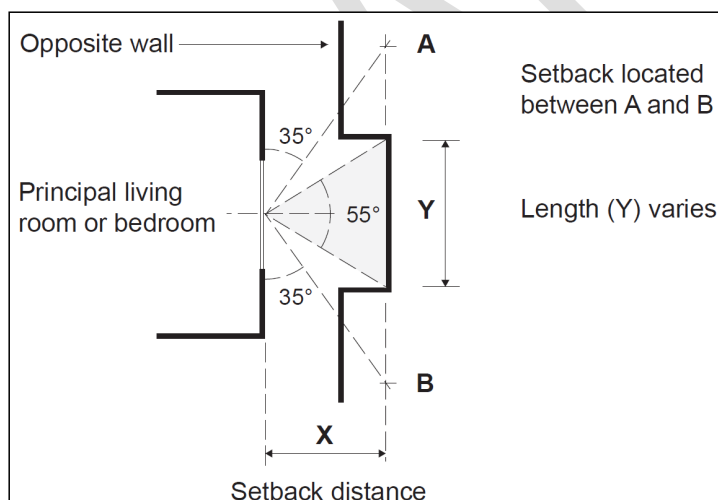
**Table H5.6.13.1 Maximum height of that part of a building within a site facing a principal living room or bedroom window within the same site**

Distance of the building from the largest principal living room, living/dining room or bedroom window (x)	Maximum height of the defined portion of wall opposite an identified window	Length of wall restricted if 55 degree arc is perpendicular to window (y) (rounded)
1.0m	2.0m	1.0m
1.5m	3.0m	1.5m
2.0m	4.0m	2.0m
2.5m	5.0m	2.5m
2.7m	5.4m	2.7m
3.0m	6.0m	3.0m
3.5m	7.0m	3.5m
4.0m	8.0m	4.0m
4.5m	9.0m	4.5m
5.0m	10.0m	5.0m
5.5m	11.0m	5.5m
6.0m	12.0m	6.0m

**Figure H5.6.13.1 Required setbacks for daylight**



**Figure H5.6.13.2 Required setbacks for daylight**



#### H5.6.14. Outdoor living space

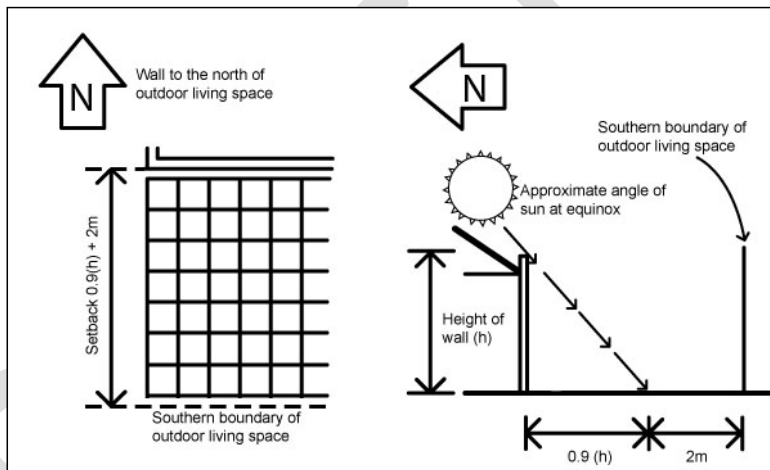
Purpose: to provide dwellings, supported residential care and boarding houses with outdoor living space that is of a functional size and dimension, has access to sunlight, is separated from vehicle access and manoeuvring areas, and ensure: is accessible from the dwelling.

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- private outdoor living spaces are directly accessible from the principal living room, dining room or kitchen;
  - for development with 20 or more dwellings communal outdoor living spaces are conveniently accessible for all occupants.
- (1) A dwelling, supported residential care or boarding house at ground floor level, must have ~~an~~ private outdoor living space that is at least 20m<sup>2</sup> that comprises ground floor and/or balcony/roof terrace space that:
- (a) where located at ground level has no dimension less than 4m and has a gradient not exceeding 1 in 20; and/or
  - (b) where provided in the form of balcony, patio or roof terrace is at least 5m<sup>2</sup> and has a minimum dimension of 1.8m; and
  - (c) is accessible from the from the dwelling, supported residential care unit or boarding house; and
  - (d) is free of buildings, parking spaces, servicing and manoeuvring areas.
- (2) A dwelling, supported residential care or boarding house located above ground floor level must have ~~an~~ private outdoor living space in the form of a balcony, patio or roof terrace that:
- (a) is at least 5m<sup>2</sup> for studio and one-bedroom dwellings and has a minimum dimension of 1.8m; or
  - (b) is at least 8m<sup>2</sup> for two or more bedroom dwellings and has a minimum dimension of 1.8m; and
  - (c) is directly accessible from the principal living room, dining room or kitchen of a dwelling, supported residential care unit or boarding house.
  - (d) Except that, a balcony or roof terrace is not required where the net internal floor area of a dwelling is at least 35m<sup>2</sup> for a studio and 50m<sup>2</sup> for a dwelling with one or more bedrooms.
- (3) Where private outdoor living space required by Standard H5.6.14(1) or Standard H5.6.14(2) above is provided at ground level, and is located south of any building located on the same site, the southern boundary of that space must be separated from any wall or building by at least 2m + 0.9(h), where (h) is the height of the wall or building as shown in the Figure H5.6.14.1 Location of outdoor living space below. For the purpose of this standard south is defined as between 135 and 225 degrees.
- (4) In addition to H5.6.14(1) and H5.6.14(2) above, developments of 20 or more dwellings, including integrated residential development of 20 or more dwellings, must provide a communal outdoor living space that:
- (a) is located in a communally accessible location;

- (b) is at least 10m<sup>2</sup> for every five dwellings it serves;
- (c) is a minimum dimension of 4m;
- (d) free of buildings, parking spaces and servicing and manoeuvring areas;
- (e) for at least 20m<sup>2</sup> of the communal living space must receive a minimum of 3 hours of sunlight per day between the hours of 9am – 4pm on 21 June;
- (f) has a gradient not exceeding 1 in 20; and
- (g) may be split into no more than two outdoor communal living spaces per development.

**Figure H5.6.14.1 Location of private outdoor living space**



**Note 1**

Emergency responder access requirements are further controlled by the Building Code. Plan users should refer to the Building Code to ensure compliance can be achieved at building consent stage. Granting of a resource consent does not imply that waivers of Building Code requirements will be granted. Fire and Emergency New Zealand publishes guidance in the context of the Building Code requirements.

**H5.6.15. Front, side and rear fences and walls**

Purpose: to enable fences and walls to be constructed on a front, side or rear boundary or within a front, side, rear, riparian, coastal protection or lakeside yard to a height sufficient to:

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- provide privacy for dwellings while enabling opportunities for passive surveillance of the street or adjoining public place
- minimise visual dominance effects to immediate neighbours and the street or adjoining public place.

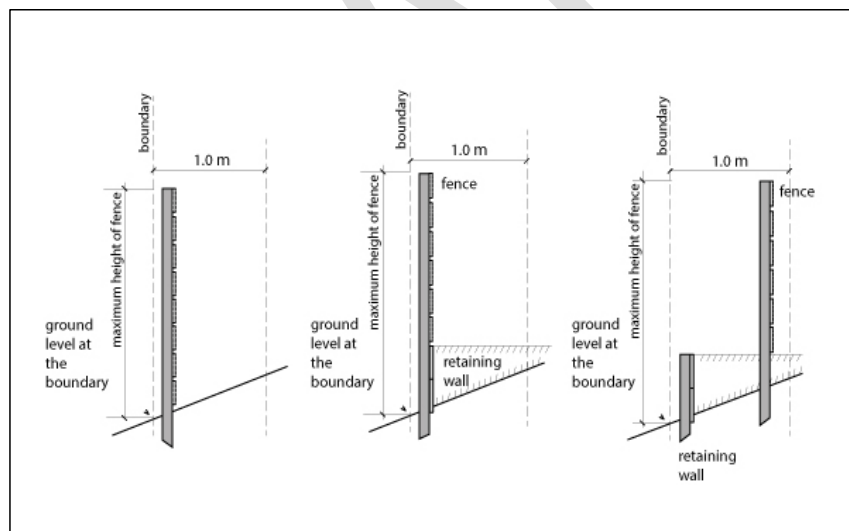
(1) Fences or walls or a combination of these structures (whether separate or joined together) must not exceed the height specified below, measured from the ground level at the boundary:

(a) Within the front yard, either:

- (i) 1.4m in height, or
- (i) 1.8m in height for no more than 50 per cent of the site frontage and 1.4m for the remainder, or
- (ii) 1.8m in height if the fence is at least 50 per cent visually open as viewed perpendicular to the front boundary.

(b) Within the side, rear, coastal protection, lakeside or riparian yards: 2m.

**Figure H.5.6.15.1 Measurement of fence height**



#### H5.6.16. 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:



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- (a) 30m<sup>2</sup> for studio dwellings.
- (b) 45m<sup>2</sup> for one or more bedroom dwellings.

**H5.6.17. Rainwater tanks**

Purpose: To enable rainwater tank installation and maintain amenity values.

- (1) Rainwater tanks must not be located:
  - (a) in a riparian, lakeside or coastal protection yard unless less than 1m in height, or wholly below ground level;
  - (b) in a front yard, unless they are at least 1.5m from the front boundary and are a maximum height of 1 m;
  - (c) forward of any street facing or private vehicle access building façade, unless they are at least 1.5m from the front boundary and are a maximum height of 1m;
  - (d) Clause (c) does not apply
    - (i) to sites with (or proposed to have) three or less dwellings;
    - (ii) to a rear service lane where the dwellings have frontage to a public street.
- (2) Rainwater tanks located within a required outlook area must be no higher than 1m.
- (3) Rainwater tanks located within the required 20m<sup>2</sup> outdoor living space with minimum dimensions of 4m (Rule H3A.6.14(1)) must be installed wholly below ground level.
- (4) Rainwater tanks (excluding any pipework) must not exceed 3 m in height in a rear or side yard.
- (5) Any overflow from the rainwater tank must discharge to the existing authorised stormwater system for the site.

Note: If there is a new stormwater discharge or diversion created Chapter E8.6.2.1 and Building Act requirements must be complied with.

Note: Building Act regulations apply. A building consent may be required under the Building Act.

**H5.6.18. Windows to street and private vehicle and pedestrian accessways**

Purpose: To provide for passive surveillance while maintaining privacy for residents and users.

- (1) Any dwelling facing the street, public open spaces, public pedestrian accessways, cycleways or private vehicle accessway or private pedestrian

accessway, must have a minimum of 20 per cent of the relevant façade in glazing. This can be in the form of windows or doors.

(2) For the purposes of H5.6.18(1) above, glazing:

- (a) may be in the form of windows or doors; and
- (b) may include joinery between and around window panes (excluding window frames); and
- (c) excludes any roof space enclosed by gable ends.

(3) For the purposes of H5.6.18(1) above, the relevant façade is that façade less than 45 degrees from the relevant boundary.

#### **H5.6.19. Deep soil area and canopy tree**

Purpose: To build resilience to climate change effects through provision of deep soil areas that support canopy trees, which assist in removing carbon, reducing urban heat island effects and enabling the infiltration of stormwater.

(1) Any site greater than 200m<sup>2</sup> must provide a deep soil area of a minimum of 10 per cent of the site area and canopy tree(s) that must comply with Table H5.6.18.1 Deep soil area and canopy tree requirements and Table H5.6.19.2 Minimum tree canopy dimensions below:

(2) Deep soil areas required by H5.6.19(1) may be provided in private and communal outdoor living spaces and landscaped areas.

(3) Trees required by H5.6.19(1) can be existing canopy trees or new canopy trees in accordance with Table H5.6.19.2 Minimum tree canopy dimensions below.

**Table H5.6.19.1 Deep soil area and canopy tree requirements**

<u>Site Area (prior to development or re-development)</u>	<u>Minimum area for each deep soil area</u>	<u>Minimum area dimension</u>	<u>Minimum canopy tree requirements</u>
<u>200m<sup>2</sup> – 600m<sup>2</sup></u>	<u>20m<sup>2</sup></u>	<u>2.5m</u>	<u>1 small canopy tree per 200m<sup>2</sup> of site</u>
<u>601m<sup>2</sup> – 1,500m<sup>2</sup></u>	<u>30m<sup>2</sup></u>	<u>3m</u>	<u>1 medium canopy tree per 300m<sup>2</sup> of site</u>
<u>1,501m<sup>2</sup> or more</u>	<u>50m<sup>2</sup></u>	<u>4m</u>	<u>1 large canopy tree or 2 medium canopy trees per 500m<sup>2</sup> of site</u>

**Table H5.6.19.2 Minimum tree canopy dimensions**

	<u>Minimum mature tree height dimension</u>	<u>Minimum mature canopy diameter dimension</u>	<u>Minimum tree height above ground when planted</u>	<u>Indicative tree planting grade</u>
<u>Small</u>	<u>8m</u>	<u>6m</u>	<u>2m</u>	<u>120L</u>
<u>Medium</u>	<u>10m</u>	<u>8m</u>	<u>2.5m</u>	<u>160L</u>
<u>Large</u>	<u>15m</u>	<u>12m</u>	<u>3m</u>	<u>200L</u>

**H5.6.20. Safety and privacy buffer from private pedestrian and vehicle accessways**

Purpose: to provide a reasonable standard of safety and privacy for ground floor dwellings located adjacent to pedestrian and vehicle accessways while ensuring passive surveillance.

- (1) A minimum 1m buffer area must be provided between a dwelling and private pedestrian and/or vehicle accessways to another dwelling.
- (2) The buffer area may contain:
  - (a) cantilevers such as awnings over front doors, footpaths to front doors, and vehicle crossings to garages.
  - (b) waste storage areas and heat pump or air conditioning external units.
- (3) The buffer area must be:
  - (a) free of buildings, parking spaces, servicing and manoeuvring areas.
  - (b) planted with shrubs and/or ground cover plants that will grow to no less than 400mm in height.

**H5.6.21. Residential waste management**

Purpose: To provide accessible storage and collection space for waste bins for four or more dwellings.

- (1) On-site waste storage using individual or communal waste bins must be provided as follows:
  - (a) Where individual bins are used, a total storage space of 1.4m<sup>2</sup> per dwelling.

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- (b) Where communal bins are used, the total storage space provided must be calculated in accordance with the Auckland Council's Solid Waste Calculator.
- (c) The location of bins must visually screened from within the site, from the street and/or adjacent sites.
- (2) Where kerbside collection is used, there must be kerbside space of at least 1m width per dwelling, contained within the road frontage of the site without impeding the public footpath.
- (3) Ten or more dwellings must provide a waste management and minimisation plan.
- (4) Where on-site collection of individual waste bins is used, there must be a space of at least 1m<sup>2</sup> per dwelling.

### **H5.6.22 Development within the Infrastructure – Combined Wastewater Network Control**

Commented [A3]: Annotate as a QM

Purpose: to restrict development on a site in any area served by a combined wastewater network where public sewer separation has not occurred while enabling new development where separation is in progress and the new development can connect to a separated local stormwater pipe that is part of the public stormwater network.

- (1) Development on a site served by the combined wastewater network must be able to connect to an existing separated local stormwater pipe that is part of the public stormwater network; and
- (2) The wastewater network service provider has confirmed that there is sufficient capacity available in the combined wastewater network to service the proposed development.

### **H5.7. Assessment – controlled activities**

There are no controlled activities in this zone.

### **H5.8. Assessment – restricted discretionary activities**

#### **H5.8.1. Matters of discretion**

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

(A1) For all restricted discretionary activities:

- (a) The effects on the local transport network and on safe and convenient movement by pedestrians, public transport users and cyclists.
- (1) for supported residential care accommodating greater than 10 people per site inclusive of staff and residents; boarding houses accommodating greater than 10

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people per site inclusive of staff and residents; visitor accommodation accommodating greater than 10 people per site inclusive of staff and visitors; dairies up to 100m<sup>2</sup> gross floor area per site; care centres accommodating greater than 10 people per site excluding staff; community facilities; and healthcare facilities up to 200m<sup>2</sup> gross floor area per site:

- (a) infrastructure and servicing
  - (b) the effects on the neighbourhood character, residential amenity, safety, and the surrounding residential area from all of the following:
    - (i) building intensity, scale, location, form and appearance;
    - (ii) traffic;
    - (iii) location and design of parking and access; and
    - (iv) noise, lighting and hours of operation.
- (2) for four or more dwellings per site:
- (a) the effects on the neighbourhood character, residential amenity, safety, and the surrounding residential area from all of the following:
    - (i) building intensity, scale, and location, including:
      - A. the way in which buildings are orientated to the public streets, public open spaces, public pedestrian accessways, cycleways, private vehicle and primary pedestrian accessways and adjoining sites, and
      - B. the extent to which the height, roof form and design of buildings respond to the local streetscape and the planned urban built character of the surrounding area.
    - (ia) building form and appearance including:
      - A. use of built elements such as materials, surface and architectural detailing and roof design to create visual interest;
      - B. use of deep soil and/or outdoor living areas, modulation, architectural features, windows, doors and breaks in building length to minimise bulk and visual dominance;
      - C. whether design provides for the balance between resident's privacy and opportunities for passive surveillance of public streets, public pedestrian accessways, cycleways and private vehicle and pedestrian accessways;
      - D. whether the design provides for privacy, and sunlight and daylight access for adjoining sites;
      - E. the interface with an identified special character area or a scheduled historic heritage place;

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- (ib) the extent to which the functional, day to day needs of residents are provided for in terms of:
    - A. the size and dimensions of living areas relative to the likely occupancy levels of the dwellings;
    - B. internal storage;
    - C. residential waste management, including the kerbside and/or on-site capacity and accessibility for residential waste management
  - (ii) traffic; and
  - (iii) location and design of ~~parking and~~ access (including pedestrian access) and parking (if provided).
  - (b) ~~[deleted] all of the following standards:~~
    - (i) ~~[deleted] Standard H5.6.9 Maximum impervious areas;~~
    - (ii) ~~[deleted] Standard H5.6.10 Building coverage;~~
    - (iii) ~~[deleted] Standard H5.6.11 Landscaped area;~~
    - (iv) ~~[deleted] Standard H5.6.12 Outlook space;~~
    - (v) ~~[deleted] Standard H5.6.13 Daylight;~~
    - (vi) ~~[deleted] Standard H5.6.14 Outdoor living space;~~
    - (vii) ~~[deleted] Standard H5.6.15 Front, side and rear fences and walls; and~~
    - (viii) ~~[deleted] Standard H5.6.16 Minimum dwelling size~~
  - (c) the effects on infrastructure and servicing including:
    - (i) Existing infrastructure capacity.
  - (d) the provision of effective and efficient emergency responder servicing.
  - (e) adequacy of emergency responder access.
- (3) for integrated residential development:
- (a) the effects on the neighbourhood character, residential amenity, safety, and the surrounding residential area from all of the following:
    - (i) building ~~intensity~~, scale, location, form and appearance including the extent to which buildings as viewed from the street or public places are designed to minimise visual dominance effects taking into account:
      - A. the planned urban built character of the zone;
      - B. the location, orientation and design of development; and
      - C. the effect of the proposed height on the surrounding and neighbouring development.
    - (ii) traffic;

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- (iii) location and design of ~~parking and access (including pedestrian access) and parking (if provided)~~; and
  - (iv) noise, lighting and hours of operation.
  - (b) ~~[deleted] all of the following standards:~~
    - (i) ~~Standard H5.6.9 Maximum impervious areas;~~
    - (ii) ~~Standard H5.6.10 Building coverage;~~
    - (iii) ~~Standard H5.6.11 Landscaped area;~~
    - (iv) ~~Standard H5.6.12 Outlook space;~~
    - (v) ~~Standard H5.6.13 Daylight;~~
    - (vi) ~~Standard H5.6.14 Outdoor living space;~~
    - (vii) ~~Standard H5.6.15 Front, side and rear fences and walls; and~~
    - (viii) ~~Standard H5.6.16 Minimum dwelling size.~~
  - (c) ~~the effects on infrastructure and servicing including:~~
    - (i) ~~Existing infrastructure capacity.~~
  - (d) ~~the provision of effective and efficient emergency responder servicing.~~
- (4) for buildings that do not comply with ~~the relevant~~ Standard(s) specified in Table H5.4.1 ~~[Deleted] H5.6.4 Building height; Standard H5.6.5 Height in relation to boundary; Standard H5.6.6 Alternative height in relation to boundary; Standard H5.6.7 Height in relation to boundary adjoining lower intensity zones; Standard H5.6.8 Yards; Standard H5.6.9 Maximum impervious areas; Standard H5.6.10 Building coverage; Standard H5.6.11 Landscaped area; Standard H5.6.12 Outlook space; Standard H5.6.13 Daylight; Standard H5.6.14 Outdoor living space; Standard H5.6.15 Front, side and rear fences and walls; Standard H5.6.16 Minimum dwelling size:~~
- (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 planned urban built character of the zone;
  - (e) the effects on the amenity of neighbouring sites;
  - (f) the effects of any special or unusual characteristic of the site which is relevant to the standard;
  - (g) the characteristics of the development;
  - (h) any other matters specifically listed for the standard; and

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- (i) where more than one standard will be infringed, the effects of all infringements.
- (5) ~~[deleted] For new buildings and additions to buildings which do not comply with H5.6.5. Height in relation to boundary but comply with H5.6.6 Alternative height in relation to boundary:~~
  - ~~(a) Sunlight access;~~
  - ~~(b) Attractiveness and safety of the street; and~~
  - ~~(c) Overlooking and Privacy.~~
- (6) For developments in areas identified on the planning maps as being subject to the Infrastructure – Combined Wastewater Network Control that do not comply with Standard H5.6.22.
  - (a) The effect of the development on the function and available capacity of the Combined Wastewater Network.

#### H5.8.2. Assessment criteria

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

(A1) For all restricted discretionary activities:

- (a) The extent to which the development manages effects on the safe access and walkability on the immediate urban road environment and to public transport.
- (1) for supported residential care accommodating greater than 10 people per site inclusive of staff and residents; boarding houses accommodating greater than 10 people per site inclusive of staff and residents; visitor accommodation accommodating greater than 10 people per site inclusive of staff and visitors; dairies up to 100m<sup>2</sup> gross floor area per site; care centres accommodating greater than 10 people per site excluding staff; community facilities; and healthcare facilities up to 200m<sup>2</sup> gross floor area per site:
  - (b) infrastructure and servicing:
    - (i) Whether there is adequate capacity in the existing stormwater and public reticulated water supply and wastewater network to service the proposed development, including adequate water for firefighting and this is confirmed by the service provider.
    - (ii) Where adequate network capacity is not available, whether adequate mitigation is proposed.
  - (c) building intensity, scale, location, form and appearance:



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- (i) whether the intensity and scale of the activity, the building location, form and appearance is compatible with the character and residential amenity provided for within the zone and compatible with the surrounding residential area.
- (d) traffic:
- (i) whether the activity avoids or mitigates high levels of additional non-residential traffic on local roads.
- (e) location and design of ~~parking and access~~ (including pedestrian and emergency responder access) and parking (if provided):
- (i) whether adequate access is provided or required.
- (ii) whether car parking and accessways are integrated into the overall design of the development.
- (iii) whether parking is located away from street frontages and screened from the street by buildings or landscaping.
- (iv) whether safe, well-lit pedestrian access is provided and integrated into the design of the development.
- (f) noise, lighting and hours of operation:
- (i) whether noise and lighting and the hours of operation of the activity avoids, remedies or mitigates adverse effects on the residential amenity of surrounding properties, by:
- locating noisy activities away from neighbouring residential boundaries;
  - screening or other design features; and
  - controlling the hours of operation and operational measures
- (2) for four or more dwellings on a site:
- (a) the extent to which ~~or whether~~ the development achieves the purpose outlined in the following relevant standards identified in Table H5.4.1 or what alternatives are provided that result in the same or a better outcome:
- (i) [Deleted] ~~Standard H5.6.9 Maximum impervious areas;~~
- (ii) [Deleted] ~~Standard H5.6.10 Building coverage;~~
- (iii) [Deleted] ~~Standard H5.6.11 Landscaped area;~~
- (iv) [Deleted] ~~Standard H5.6.12 Outlook space;~~
- (v) [Deleted] ~~Standard H5.6.13 Daylight;~~
- (vi) [Deleted] ~~Standard H5.6.14 Outdoor living space;~~

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- (vii)-[Deleted] ~~Standard H5.6.15 Front, side and rear fences and walls;~~  
~~and~~
- (viii)-[Deleted] ~~Standard H5.6.16 Minimum dwelling size.~~
- (aa) the extent to which the scale of the activity, the building location, form and appearance is of a high-quality and compatible with the planned urban built character and residential amenity of the surrounding residential area provided for within the zone.
- (ab) the extent to which buildings are designed to manage building length and bulk and visual dominance by:
- (i) placing taller buildings on the street front;
  - (ii) varying roof form and building height;
  - (iii) using modulation and architectural features to break up the mass of buildings into visually distinct elements;
  - (iv) using the proportions and arrangement of windows and doors to provide relief to building length and bulk;
  - (v) using other building elements including materials, surface detailing, architectural detail and roof design to provide visual interest along building facades including blank side/party walls;
  - (vi) providing adequate breaks in long continuous buildings to minimise the appearance of length;
  - (vii) locating deep soil areas and/or communal outdoor spaces around and between buildings to provide space and soften the built form; and
  - (viii) designing balconies as an integral part of the building.
- (ac) the extent to which buildings use quality, durable and easily maintainable materials.
- (ad) the extent to which buildings adjoining or across the street from an identified special character area or a scheduled historic heritage place are designed to respect the prevailing character of the area or key historic heritage design and location elements of that place. New and contemporary interpretations in form and detail may be used.
- (ae) the extent to which building frontage contribute positively to the visual amenity and safety of public streets, public open spaces, and private vehicle and pedestrian accessways by:
- (i) having clearly defined fronts that provide passive surveillance from windows and balconies;

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- (ii) maximising doors, windows and balconies over all levels on the front façades whilst not impacting on the privacy of residents on adjoining sites;
- (iii) maximising the number of dwellings on the site that directly front, align and orientate to public streets;
- (iv) ground level dwellings closest to the street each have direct and clearly defined pedestrian access from the street in preference to a single building entrance;
- (v) optimise landscaping in the front dwellings;
- (vi) minimise the visual dominance of garage doors; and
- (vii) where a site adjoins public open space, buildings include entrances, windows of habitable rooms and balconies facing the open space.
- (af) the extent to which site layout creates legible, visible attractive, safe and well-lit connections between dwellings and the street.
- (b) ~~[deleted] The extent to which the development contributes to a variety of housing types at higher densities in the zone and is in keeping with the neighbourhood's planned urban built character of predominantly three storey buildings (attached or detached) by limiting the height, bulk and form of the development and managing the design and appearance as well as providing sufficient setbacks and landscaped areas.~~
- (c) ~~[deleted] The extent to which development achieves attractive and safe streets and public open space by:~~
  - (i) ~~providing doors, windows and/or balconies facing the street and public open spaces~~
  - (ii) ~~minimising tall, visually impermeable fences~~
  - (iii) ~~designing large scale development (generally more than 15 dwellings) to provide for variations in building form and/or façade design as viewed from streets and public open spaces.~~
  - (iv) ~~optimising front yard landscaping~~
  - (v) ~~providing safe pedestrian access to buildings from the street~~
  - (vi) ~~minimising the visual dominance of garage doors, walkways or staircases to upper level dwellings, and carparking within buildings as viewed from streets or public open spaces~~
- (d) ~~[deleted] The extent to which the height, bulk and location of the development maintains a reasonable standard of sunlight access and privacy and minimises visual dominance to adjoining sites;~~
- (e) ~~[deleted] The extent to which dwellings:~~

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- (i) ~~Orientate and locate windows to optimise privacy and encourage natural cross ventilation within the dwelling~~
  - (ii) ~~Optimise sunlight and daylight access based on orientation, function, window design and location, and depth of the dwelling floor space~~
  - (iii) ~~Provide secure and conveniently accessible storage for the number and type of occupants the dwelling is designed to accommodate.~~
  - (iv) ~~Provide the necessary waste collection and recycling facilities in locations conveniently accessible and screens from streets and public open spaces.~~
- (f) ~~[deleted]~~ The extent to which outdoor living space:
- (i) ~~Provides for access to sunlight~~
  - (ii) ~~Provides privacy between the outdoor living space of adjacent dwellings on the same site and between outdoor living space and the street.~~
  - (iii) ~~When provided at ground level, is located on generally flat land or otherwise functional~~
- (fa) refer to Policy H5.3(1);
- (fb) refer to Policy H5.3(2);
- ~~(fc) [Deleted] refer to Policy H5.3(3);~~
- (fd) refer to Policy H5.3(3A); and
- (g) ~~[deleted]~~ refer to Policy H5.3(7); and
- (h) infrastructure and servicing:
- (i) Whether there is adequate capacity in the existing stormwater and public reticulated water supply and wastewater network to service the proposed development including adequate water for firefighting and this is confirmed by the service provider.
  - (ii) Where adequate network capacity is not available, whether adequate mitigation is proposed.
- ~~(i) [Deleted] The extent to which the height, bulk and location of the development maintains a reasonable standard of sunlight access and privacy and minimises visual dominance to adjoining sites, by:~~

**Sunlight access**

- (i) Whether sunlight access to the outdoor living space of an existing dwelling on a neighbouring site satisfies the following criterion:  
  
Four hours of sunlight is retained between the hours of 9am – 4pm during the Equinox (22 September):

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- (i) over 75% of the existing outdoor living space where the area of the space is greater than the minimum required by Standard H5.6.4:  
or
- (ii) over 100% of existing outdoor living space where the area of this space is equal to or less than the minimum required by Standard H5.6.14.
- (j) In circumstances where sunlight access to the outdoor living space of an existing dwelling on a neighbouring site is less than the outcome referenced in H5.8.2(i):
  - (i) The extent to which there is any reduction in sunlight access as a consequence of the proposed development, beyond that enabled through compliance with Standard H5.6.6 Height in relation to boundary control; and
  - (ii) The extent to which the building affects the area and duration of sunlight access to the outdoor living space of an existing dwelling on a neighbouring site, taking into account site orientation, topography, vegetation and existing or consented development.
- (k) the extent to which dwellings:
  - (i) Orientate and locate windows to optimise privacy and encourage natural cross ventilation within the dwelling and reduce overlooking of dwellings and their outdoor living space in the same or an adjoining site;
  - (ii) Optimise sunlight and daylight access based on orientation, function, window design and location, and depth of the dwelling floor space;
  - (iii) Provide secure and conveniently accessible storage for the number and type of occupants the dwelling is designed to accommodate; and
  - (iv) the necessary storage and waste collection and recycling facilities is provided in locations conveniently accessible and screened from streets and public open spaces.
- (3) for integrated residential development:
  - (a) the extent to which or whether the development achieves the purpose outlined in the following relevant standards identified in Table H5.4.1 or what alternatives are provided that result in the same or a better outcome:
    - (i) [Deleted] ~~Standard H5.6.9 Maximum impervious areas;~~
    - (ii) [Deleted] ~~Standard H5.6.10 Building coverage;~~

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- (iii) [Deleted] ~~Standard H5.6.11 Landscaped area;~~
- (iv) [Deleted] ~~Standard H5.6.12 Outlook space;~~
- (v) [Deleted] ~~Standard H5.6.13 Daylight;~~
- (vi) [Deleted] ~~Standard H5.6.14 Outdoor living space;~~
- (vii) [Deleted] ~~Standard H5.6.15 Front, side and rear fences and walls; and~~
- (viii) [Deleted] ~~Standard H5.6.16 Minimum dwelling size (excluding retirement villages).~~
- (b) refer to Policy H5.3(1);
- (c) refer to Policy H5.3(2);
- (ca) refer to Policy H5.3(3A);
- (d) [Deleted] ~~refer to Policy H5.3(3);~~
- (e) [Deleted] ~~refer to Policy H5.3(4);~~
- (f) [Deleted] ~~refer to Policy H5.3(5);~~
- (g) [Deleted] ~~refer to Policy H5.3(6);~~
- (h) [Deleted] ~~refer to Policy H5.3(7);~~
- (i) refer to Policy H5.3(8);
- (j) refer to Policy H5.3(9); and
- (k) infrastructure and servicing:
  - (i) Whether there is adequate capacity in the existing stormwater and public reticulated water supply and wastewater network to service the proposed development including adequate water for firefighting this is confirmed by the service provider.
  - (ii) Where adequate network capacity is not available, whether adequate mitigation is proposed.
- (4) for building height:
  - (a) refer to Policy H5.3(2);
  - (b) [Deleted] ~~refer to Policy H5.3(4).~~
  - (ba) refer to Policy H5.3(3A).
- (5) [Deleted] ~~For new buildings and additions to buildings which do not comply with H5.6.5. Height in relation to boundary, but comply with H5.6.6 Alternative height in relation to boundary:~~

**Sunlight access**

- (a) Whether sunlight access to the outdoor living space of an existing dwelling on a neighbouring site satisfies the following criterion:
- Four hours of sunlight is retained between the hours of 9am—4pm during the Equinox (22 September):
- (iii) ~~over 75% of the existing outdoor living space where the area of the space is greater than the minimum required by Standard H5.6.4;~~
  - or
  - (iv) ~~over 100% of existing outdoor living space where the area of this space is equal to or less than the minimum required by Standard H5.6.14.~~
- (b) In circumstances where sunlight access to the outdoor living space of an existing dwelling on a neighbouring site is less than the outcome referenced in (a):
- (v) ~~The extent to which there is any reduction in sunlight access as a consequence of the proposed development, beyond that enabled through compliance with Standard H5.6.5 Height in relation to boundary control; and~~
  - (vi) ~~The extent to which the building affects the area and duration of sunlight access to the outdoor living space of an existing dwelling on a neighbouring site, taking into account site orientation, topography, vegetation and existing or consented development.~~

**Attractiveness and safety of the street**

- (c) The extent to which those parts of the buildings located closest to the front boundary achieve attractive and safe streets by:
- (i) ~~providing doors, windows and balconies facing the street;~~
  - (ii) ~~optimising front yard landscaping;~~
  - (iii) ~~providing safe pedestrian access to buildings from the street; and~~
  - (iv) ~~minimising the visual dominance of garage doors as viewed from the street.~~

**Overlooking and privacy**

- (d) The extent to which direct overlooking of a neighbour's habitable room windows and outdoor living space is minimised to maintain a reasonable standard of privacy, including through the design and location of habitable room windows, balconies or terraces, setbacks, or screening.
- (6) for height in relation to boundary infringements:
- (a) refer to Policy H5.3(2); and
  - (aa) refer to Policy H5.3(3A).

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(b) [Deleted] ~~refer to Policy H5.3(4); and~~

(c) [Deleted] ~~refer to Policy H5.3(5).~~

(7) [Deleted] ~~for alternative height in relation to boundary infringements:~~

(a) [Deleted] ~~refer to Policy H5.3(2);~~

(b) [Deleted] ~~refer to Policy H5.3(3)~~

(c) [Deleted] ~~refer to Policy H5.3(4); and~~

(d) [Deleted] ~~refer to Policy H5.3(5).~~

(8) for height in relation to boundary adjoining lower intensity zones infringements:

(a) refer to Policy H5.3(2); and

(aa) refer to Policy H5.3(3A).

(b) [Deleted] ~~refer to Policy H5.3(4); and~~

(c) [Deleted] ~~refer to Policy H5.3(5).~~

(9) for yards infringements:

(a) refer to Policy H5.3(2); and

(aa) refer to Policy H5.3(3A).

(b) [Deleted] ~~refer to Policy H5.3(4); and~~

(c) [Deleted] ~~refer to Policy H5.3(5).~~

(10) for maximum impervious areas infringements:

(a) [Deleted] ~~refer to Policy H5.3(7);~~

(aa) refer to Policy H5.3(3A).

(11) for building coverage infringements:

(a) refer to Policy H5.3(2); ~~and~~

(ba) refer to Policy H5.3(3A); and

(b) [Deleted] ~~refer to Policy H5.3(4);~~

(c) whether the non-compliance is appropriate to the context taking into account:



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- (i) Whether the balance of private open space and buildings is consistent with the existing and planned urban character anticipated for the zone;
- (ii) The degree to which the balance of private open space and buildings reduces onsite amenity for residents, including the useability of outdoor living areas and functionality of landscape areas;
- (iii) The proportion of the building scale in relation to the proportion of the site.

(12) for landscaped area infringements:

- (a) [Deleted] ~~refer to Policy H5.3(2);~~
- (ba) refer to Policy H5.3(3A);
- (b) [Deleted] ~~refer to Policy H5.3(4); and~~
- (c) [Deleted] ~~refer to Policy H5.3(5);~~
- (d) The extent to which existing trees are retained.

(13) for outlook space infringements:

- (a) [Deleted] ~~refer to Policy H5.3(2);~~
- (ba) refer to Policy H5.3(3A); and
- (b) [Deleted] ~~refer to Policy H5.3(4); and~~
- (c) [Deleted] ~~refer to Policy H5.3(5);~~
- (d) the extent to which overlooking of a neighbour's habitable room windows and private and/or communal outdoor living space can be minimised through the location and design of habitable room windows, balconies or terraces and the appropriate use of building and glazing setbacks and/or screening which is integrated part of the overall building design.

(14) for daylight infringements:

- (a) [Deleted] ~~refer to Policy H5.3(2);~~
- (ba) refer to Policy H5.3(3A).
- (b) [Deleted] ~~refer to Policy H5.3(4); and~~

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- (c) ~~[Deleted] refer to Policy H5.3(5).~~
- (15) for outdoor living space infringements:
- (a) ~~[Deleted] refer to Policy H5.3(2);~~
- (ba) refer to Policy H5.3(3A); and
- (b) ~~[Deleted] refer to Policy H5.3(4);~~
- (c) ~~[Deleted] refer to Policy H5.3(5); and~~
- (d) ~~[Deleted] refer to Policy H5.3(6).~~
- (e) The extent to which dwellings provide private open space and communal open space that is useable, accessible from each dwelling and an inviting space which encourages occupants to spend time there; and
- (f) Where private outdoor living space requirements cannot be met, the extent to which residential developments provide communal outdoor living space that:
- (i) is located in a communally accessible location;
- (ii) is of a size and shape that is comparable or better than the area of the infringement;
- (iii) is free from buildings, parking spaces, servicing and manoeuvring areas;
- (iv) is located to optimise sunlight and daylight access;
- (v) may be split into locations within a development that achieves sufficient size and shape and is accessible for residents.
- (15A) For windows to street and private vehicle and pedestrian accessways infringements:
- (a) refer to Policy H5.3(3A); and
- (b) The extent to which the glazing:
- (i) allows views to the street and/or accessways to ensure passive surveillance; and
- (ii) provides a good standard of privacy for occupants.
- (16) for front, side and rear fences and walls infringements:
- (a) ~~[Deleted] refer to Policy H5.3(2);~~
- (ba) refer to Policy H5.3(3A).

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- (b) ~~[Deleted] refer to Policy H5.3(3); and~~
  - (c) ~~[Deleted] refer to Policy H5.3(4).~~
- (17) For minimum dwelling size infringements:
- (a) ~~[Deleted] refer to Policy H5.3(5);~~
  - (ba) Policy H5.3(3A) and
  - (b) The extent to which each dwelling is designed to:
    - (i) provide simple and convenient internal access and circulation(ii)
    - include adequate storage; and
    - (iii) be large enough to allow the use of typical furnishings that meet the needs of the intended occupants
- (18) For deep soil area and canopy tree infringements:
- (a) refer to Policy H5.3(3A);
  - (b) The extent to which the proposed deep soil area uses or adds to existing deep soil areas to support canopy trees; and
- (19) For safety and privacy buffer from private pedestrian and vehicle accessways:
- (a) refer to Policy H5.3(3A); and
  - (b) the extent to which the buffer is:
    - (i) free of buildings, parking spaces, structures, servicing facilities and manoeuvring areas;
    - (ii) planted with suitable and low level plants.
- (20) For residential waste management infringements:
- (a) refer to Policy H5.3(3A);
  - (b) The extent to which sufficient space is provided for residential waste management including areas for storage and collection;
  - (c) Whether storage areas are suitably located for ease of movement to collection points;
  - (d) The extent to which waste management storage areas ~~is~~ are designed to minimise visibility from within the site, from the street and/or adjacent sites;
  - (e) Where kerbside collection cannot meet the minimum 1m width, the extent to which the waste collection activity avoids adverse effects on the safe and efficient operation of the transport network;

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- (f) How the development intends to ensure the on-going management and maintenance of any communal residential waste management area; and
  - (g) Whether waste storage areas are located outside windows or doors to bedrooms, living areas and outdoor living areas to avoid effects of odour and noise.
- (21) For development within the Infrastructure – Combined Wastewater Network Control infringements:
- (a) Whether separation is in progress and the development can connect to a separated stormwater pipe that is part of the public stormwater network; and
  - (b) Whether servicing the development will have an adverse effect on the function and available capacity of the Combined Wastewater Network that the development will connect to.

**H5.9. Special information requirements**

**Landscape Plans as required by H5.6.11. Landscape area**

- (1) A scaled landscape plan must be provided that contains landscaped areas and includes:
- (a) Plant and tree species, number of each species to be planted and planting grades;
  - (b) Canopy of existing trees to be retained;
  - (c) Any area of grass; and
  - (d) Any paths included in landscaped area.

**Deep Soil Area and Canopy Tree**

- (2) The deep soil area provided must be demonstrated on a scaled landscape plan that at a minimum identifies the following:
- (a) plant and tree species, number of each species to be planted and planting grades;
  - (b) location of existing trees to be retained;
  - (c) dimensions of individual mature tree canopy;
  - (d) any areas of grass; and
  - (e) Minimum tree canopy dimensions are specified in Table H5.9(3) below.

**Table H5.9(3) Minimum tree canopy dimensions**

	<u>Minimum mature tree height</u>	<u>Minimum mature canopy diameter</u>	<u>Minimum tree height above ground when planted</u>	<u>Indicative tree planting grade</u>
<u>Small</u>	<u>8m</u>	<u>6m</u>	<u>2m</u>	<u>120L</u>
<u>Medium</u>	<u>10m</u>	<u>8m</u>	<u>2.5m</u>	<u>160L</u>
<u>Large</u>	<u>15m</u>	<u>12m</u>	<u>3m</u>	<u>200L</u>

#### **Residential waste management**

- (3) Applications for where communal bins are proposed, must include calculations for required storage space as determined using the Auckland Council's Solid Waste Calculator (Standard H5.6.21(1)(b)).
- (3) When preparing the waste management and minimisation plan, applicants should refer to the Waste Management and Minimisation Bylaw 2019. The following information must be provided as a minimum:
- a) the estimate of the volume of waste by the type of waste created, collected, received, stored or disposed of;
  - b) the frequency, and location, access and on-site route of waste collection or transportation; and
  - e) where communal bins are provided for collection, the method of waste segregation that will enable residents to separate dry recycling (glass, paper, plastic etc), food scraps and refuse from their designated bins into the appropriate communal bin for that waste type. the method of waste collection, transportation or disposal.

## H6. Residential – Terrace Housing and Apartment Buildings Zone

### H6.1. Zone Description

The Residential – Terrace Housing and Apartment Buildings Zone is a high-intensity zone enabling a greater intensity of development than previously provided for. This zone provides for urban residential living in the form of terrace housing and apartments. The zone is predominantly located around metropolitan, town and local centres, in the Frequent Transit Network corridor intensifications areas and the public transport network to support the highest levels of intensification.

The purpose of the zone is to make efficient use of land and infrastructure, increase the capacity of housing and ensure that residents have convenient access to services, employment, education facilities, retail and entertainment opportunities, public open space and public transport. This will promote walkable neighbourhoods and increase the vitality of centres.

The zone provides for the greatest density, height and scale of development of all the residential zones. 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.

In areas where these levels are highest, up to 15 storey development is enabled, with 10 storeys enabled where the levels are high. Legislated locations for intensification are also identified. Development otherwise in the zone is limited to six storeys. The range of heights enabled in the identified areas, the method for controlling height and anticipated built form outcomes are set out in the summary table below. Qualifying matters may also apply and may reduce heights.

The anticipated built form outcomes will lead to a high degree of visual change in the identified areas and will result in changes in the amenity and character of these place over time. With increased building height and intensities of development the character and amenity of areas will develop differing levels of visual amenity, privacy and access to daylight and sunlight recognising the changing built form in the identified areas. Where taller buildings are enabled above six storeys it is anticipated that development will transition to human scale six storey podiums with slender towers above with adequate separation between buildings, and where adjacent to lower intensity residential zones, towers are set back from these interfaces.

Buildings are enabled up to five, six or seven storeys in identified Height Variation Control areas, depending on the scale of the adjoining centre, to achieve a transition in height from the centre to lower scale residential zones. This form of development will,

## H6 Residential – Terrace Housing and Apartment Buildings Zone

over time, result in a change from a suburban to urban built character with a high degree of visual change.

### **Residential – Terrace Housing and Apartment Buildings Zone – anticipated heights and built form outcomes**

	<b><u>Outside a walkable catchment</u></b>		<b><u>In a walkable catchment</u></b>		
<b><u>Height</u></b>	6 storeys / 22m	Heights identified in Height Variation Control	6 storeys / 22m	10 storeys / 34.5m	15 storeys / 50m
<b><u>Method for Managing Building Height</u></b>	Standard in the zone	Height Variation Control	Standard in the zone	Height Variation Control	Height Variation Control
<b><u>Anticipated Built Form</u></b>	Terrace housing and low rise apartments	Terrace housing and low rise apartments	Perimeter block	Ten storey tower and six storey podium	Fifteen storey tower and six storey podium

Standards are applied to all buildings and resource consent is required for all dwellings and for other specified buildings and activities in order to:

- achieve the planned urban built character of the zone;
- achieve attractive and safe streets and public open spaces;
- manage the effects of development on adjoining sites, including visual amenity, privacy and access to daylight and sunlight recognising that these effects will be different in areas where more development height and intensity is enabled; and

All residential development must comply with development standards to achieve high good quality on-site living liveable environments that are attractive, healthy and safe; meet the functional and operational needs of residents; and that contribute to climate resilience.

The resource consent requirements enable the design and layout of the development to be assessed; recognising that the need to achieve a quality design is increasingly important as the scale of development increases.

This zone also provides for a range of non-residential activities so that residents have convenient access to these activities and services while maintaining the urban residential character of these areas.

### **H6.2. Objectives**

## H6 Residential – Terrace Housing and Apartment Buildings Zone

- (1) Land adjacent to centres and near the public transport network is efficiently used to provide high-density urban living that increases housing capacity and choice and access to centres and public transport.
- (2) Development achieves a quality built environment in a variety of forms while is being in keeping with the areas planned urban built character of multi-unit 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 five, six or seven storey buildings;
  - (b) six storey buildings; and
  - (c) through the height variation controls, in identified walkable catchments, up to ten or fifteen storey buildings; or
  - (c) as specified in the height variation controls in other identified areas, in a variety of forms.
- (3) Development provides quality built environments on site for residents, for residents on adjoining sites and to the street that are attractive, healthy and safe recognising that with increased building height and intensities of development differing levels of character and amenity of areas will develop in the respective areas over time. on-site residential amenity for residents and adjoining sites and the street.
- (4) Non-residential activities provide for the community's social, economic and cultural well-being, while being compatible with the scale and intensity of development anticipated by the zone so as to contribute to the amenity of the neighbourhood.
- (5) Development contributes to a built environment that is resilient to the effects of climate change with areas of deep soil and canopy tree planting, and landscape treatment that comprises natural grass, shrubs and trees that reduce urban heat island effects.
- (6) Development addresses the functional and operational requirements of the water supply, wastewater and stormwater networks to avoid adverse effects.
- (7) Development addresses the functional and operational requirements of the local transport network for pedestrians, passenger transport, road users and cyclists.

### H6.3. Policies

#### General



#### H6 Residential – Terrace Housing and Apartment Buildings Zone

- (1) Enable a variety of housing types at high densities including terrace housing and apartments and integrated residential development such as retirement villages.
- (2) Require the height, bulk, form and appearance of multi-unit residential development and the provision of setbacks and landscaped areas to achieve a quality built environment high-density urban built character of predominantly five, six or seven storey buildings in identified areas, in a variety of forms, with a high-density urban built character differentiated by building height in identified areas by:
  - (a) building and site design which locates development up to six storeys with bulk and mass towards the street and provides for setbacks, outlook spaces, outdoor living spaces and landscaped areas;
  - (b) for developments more than six storeys encourage well-designed, human scale podiums with slender towers above with adequate separation between buildings, and set towers back from boundaries where adjacent to lower intensity residential zones;
  - (c) on all sites encourage well-designed buildings which complement the area's streetscape and skyline, maintain adequate sunlight and daylight access and mitigate adverse wind effects.
- (3) ~~Encourage development to achieve attractive and safe streets and public open spaces including by:~~
  - (a) ~~providing for passive surveillance~~
  - (b) ~~optimising front yard landscaping~~
  - (c) ~~minimising visual dominance of garage doors.~~
- (3A) Enable building height of at least six storeys in the zone unless a qualifying matter applies that reduces height.

#### **Within Identified Mapped Walkable Catchments**

- (3B) Enable in areas with the highest levels of strategic importance, accessibility, concentration of amenities and residential demand, building heights up to fifteen storeys within the walkable catchments of:
  - (a) the edge of the City Centre zone;
  - (b) the edge of the Metropolitan Centre zones: at Henderson, Newmarket, Takapuna;
  - (c) the legislated locations at rapid transit stops (rail) locations at: Mangawhau (Mt Eden), Kingsland and Morningside.

H6 Residential – Terrace Housing and Apartment Buildings Zone

(d) rapid transit stops (rail) at: Karanga-a-Hape, Te Waihorotiu, Waitemata, Maungawhau, Newmarket, Grafton, Parnell, Manukau, Greenlane, Remuera, Albany, Panmure, Otahuhu, Kingsland, Morningside, and Glen Innes.

(e) rapid transit stops (bus) at: Albany.

(3C) Enable in areas with, relative to other areas, high levels of strategic importance, accessibility, concentration of amenities and residential demand, building heights up to ten storeys within the walkable catchments of:

(a) the edge of the Metropolitan Centre zones at: Albany Metropolitan Centre, New Lynn Metropolitan Centre, Sylvia Park Metropolitan Centre, Westgate Metropolitan Centre;

(b) the legislated locations at rapid transit stops (rail) locations at: Mt Albert, and Baldwin Avenue.

(c) rapid transit stops (rail) at: Ellerslie, Orakei, Puhinui, Henderson, New Lynn, Penrose, Smales Farm, Mt Albert, Sylvia Park, Sunnynook, Baldwin Ave, Pakuranga, Avondale, Papatoetoe.

(d) rapid transit stops (bus) at: Smales Farm, Sunnynook, Pakuranga, Avondale, Akoranga, Papatoetoe.

**Height Variation Control**

~~(4) In identified locations adjacent to centres, enable greater building height through the application of the Height Variation Control where the additional development potential enabled; 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;~~

~~(zc) is an efficient use of land;~~

(a) provides an appropriate transition in building scale from the adjoining higher density business zone to neighbouring lower intensity residential zones, and;

(b) supports public transport, social infrastructure and the vitality of the adjoining centre.

~~(5) Manage the height and bulk of development to maintain daylight access and a reasonable standard of privacy, and to minimise visual dominance effects to adjoining sites and developments;~~

H6 Residential – Terrace Housing and Apartment Buildings Zone

- (6) ~~Require accommodation to be designed to meet the day to day needs of residents by:~~
- ~~(a) providing privacy and outlook; and~~
  - ~~(b) providing access to daylight and sunlight, and providing the amenities necessary for those residents.~~
- (10) Recognise the functional and operational requirements of activities and development.
- ~~(7) Encourage accommodation to have useable and accessible outdoor living space.~~
- ~~(8) Restrict the maximum impervious area on a site in order to manage the amount of stormwater runoff generated by a development and ensure that adverse effects on water quality, quantity and amenity values are avoided or mitigated.~~

**Land Use and Development**

- (A9) Require development to achieve a built form that contributes to quality built environment outcomes by:
- (a) maintaining privacy, outlook, daylight and sunlight access and reducing over-heating to provide for the health and safety of residents on-site;
  - (b) providing for residents' safety and privacy while enabling passive surveillance on the street and private vehicle and pedestrian accessways;
  - (c) managing visual dominance effects to adjoining sites;
  - (d) maintaining a good level of privacy, and sunlight and daylight access for adjoining sites;
  - (e) minimising visual dominance effects of carparking and garage doors to streets and private accessways;
  - (f) minimising adverse effects on the natural environment, including restricting maximum impervious area on a site to reduce the amount of stormwater runoff generated by a development and ensure that adverse effects on water quality, quantity and amenity values are avoided or mitigated;
  - (g) requiring development to reduce the urban heat island effects of development and respond to climate change, by providing deep soil area that enable the growth of canopy trees;
  - (h) requiring adequate landscaped areas that comprise natural grass, plants or trees to provide for quality living environments and create vegetated urban streetscape character;
  - (i) designing practical and sufficient space for residential waste management;
  - (j) designing practical, functional and sufficient space for internal storage and living areas; and

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- (k) designing attractive buildings when viewed from public open spaces and the street.
- (B9) Encourage development of four or more dwellings per site and non-residential activities to provide a safe and convenient local transport network for pedestrians, passenger transport, road users and cyclists.
- (9) Provide for non-residential activities that:
- (a) support the social, cultural and economic well-being of the community;
  - (b) are in keeping with the scale and intensity of development anticipated within the zone;
  - (c) avoid, remedy or mitigate adverse effects on residential amenity; and
  - (d) will not detract from the vitality of the Business – City Centre Zone, Business – Metropolitan Centre Zone and Business – Town Centre Zone.
- (10) Require development to remedy or mitigate adverse effects which may compromise the function and capacity of the water supply, wastewater and stormwater networks.
- (11) Require development on sites connected to the combined wastewater network as identified on the planning maps to demonstrate that there is sufficient capacity available in the combined wastewater network to enable servicing of the development with adverse effects which may compromise the function and capacity of the combined wastewater network able to be managed.

### H6.4. Activity table

Table H6.4.1 Activity table specifies the activity status of land use and development activities in the Residential – Terrace Housing and Apartment Buildings Zone pursuant to section 9(3) of the Resource Management Act 1991).

**Table H6.4.1 Activity table**

Activity		Activity status	Standards to be complied with
<b>Use</b>			
(A1)	Activities not provided for	NC	
<b>Residential</b>			
(A2)	Camping grounds	NC	
(A3)	Dwellings	RD	Standard H6.6.5 Building height; Standard H6.6.6 Height in relation to boundary; <del>Standard H6.6.7 Alternative height in relation to boundary;</del> Standard H6.6.8 Height in relation to boundary adjoining lower density

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			<p>zones; <u>H6.6.8A Setback at upper floors in Walkable Catchments</u>; <u>H6.6.8B Maximum tower dimension and tower separation for Height Variation Controls enabling 15 and 9 storeys</u>; <u>Standard H6.6.9 Yards</u>; <u>Standard H6.6.10 Maximum impervious area</u>; <u>Standard H6.6.11 Building coverage</u>; <u>Standard H6.6.12 Landscaped area</u>; <u>Standard H6.6.13 Outlook space</u>; <u>Standard H6.6.14 Daylight</u>; <u>Standard H6.6.15 Outdoor living space</u>; <u>Standard H6.6.16 Front, side and rear fences and walls</u>; <u>Standard H6.6.17 Minimum dwelling size</u>; <u>Standard H6.6.18 Windows to street and private vehicle and pedestrian accessways</u>; <u>Standard H6.6.19 Deep soil area and canopy tree</u>; <u>H6.6.20 Safety and privacy buffer from private pedestrian and vehicle accessways</u>; <u>Standard H6.6.21 Residential waste management</u>.</p>
(A4)	The conversion of a principal dwelling existing as at 30 September 2013 into a maximum of two dwellings	P	Standard H6.6.3 The conversion of a principal dwelling into a maximum of two dwellings
(A5)	Home occupations	P	Standard H6.6.2 Home occupations
(A6)	Home occupations that do not meet Standard H6.6.2	D	
(A7)	Integrated residential development	RD	<p>Standard H6.6.5 Building height; Standard H6.6.6 Height in relation to boundary; <del>Standard H6.6.7 Alternative height in relation to boundary</del>; Standard H6.6.8 Height in relation to boundary adjoining lower density zones; Standard H6.6.9 Yards; <u>H6.6.8A Setback at upper floors in Walkable Catchments</u>; <u>H6.6.8B Maximum tower dimension and tower separation for Height Variation Controls enabling 15 and 9 storeys</u>; <u>Standard H6.6.9 Yards</u>; <u>Standard H6.6.10 Maximum impervious area</u>; <u>Standard H6.6.11 Building coverage</u>; <u>Standard H6.6.12 Landscaped area</u>; <u>Standard H6.6.13 Outlook space</u>; <u>Standard H6.6.14 Daylight</u>; <u>Standard H6.6.15 Outdoor living space</u>; <u>Standard H6.6.16 Front, side and rear fences and walls</u>; <u>Standard H6.6.17 Minimum dwelling size</u>; <u>Standard H6.6.18 Windows to street and private vehicle and pedestrian accessways</u>; <u>Standard H6.6.19 Deep soil area and canopy tree</u>; <u>H6.6.20 Safety and privacy buffer from private pedestrian and vehicle accessways</u>; <u>Standard H6.6.21 Residential waste management</u>.</p>

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(A8)	Supported residential care accommodating up to 10 people per site inclusive of staff and residents	P	Standard H6.6.5 Building height; Standard H6.6.6 Height in relation to boundary; <del>Standard H6.6.7 Alternative height in relation to boundary</del> ; Standard H6.6.8 Height in relation to boundary adjoining lower density zones; Standard H6.6.9 Yards; Standard H6.6.10 Maximum impervious areas; Standard H6.6.11 Building coverage; Standard H6.6.12 Landscaped area; Standard H6.6.13 Outlook space; Standard H6.6.14 Daylight; Standard H6.6.15 Outdoor living space; Standard H6.6.16 Front, side and rear fences and walls; <u>Standard H6.6.23 Development within the Infrastructure Combined Wastewater Network Control</u>
(A9)	Supported residential care accommodating greater than 10 people per site inclusive of staff and residents	RD	Standard H6.6.5 Building height; Standard H6.6.6 Height in relation to boundary; <del>Standard H6.6.7 Alternative height in relation to boundary</del> ; Standard H6.6.8 Height in relation to boundary adjoining lower density zones; Standard H6.6.9 Yards
(A10)	Boarding houses accommodating up to 10 people per site inclusive of staff and residents	P	Standard H6.6.5 Building height; Standard H6.6.6 Height in relation to boundary; Standard H6.6.8 Height in relation to boundary adjoining lower density zones; Standard H6.6.9 Yards; Standard H6.6.10 Maximum impervious areas; Standard H6.6.11 Building coverage; Standard H6.6.12 Landscaped area; Standard H6.6.13 Outlook space; Standard H6.6.14 Daylight; Standard H6.6.15 Outdoor living space; Standard H6.6.16 Front, side and rear fences and walls; <u>Standard H6.6.23 Development within the Infrastructure Combined Wastewater Network Control</u>
(A11)	Boarding houses accommodating greater than 10 people per site inclusive of staff and residents	RD	Standard H6.6.5 Building height; Standard H6.6.6 Height in relation to boundary; <del>Standard H6.6.7 Alternative height in relation to boundary</del> ; Standard H6.6.8 Height in relation to boundary adjoining lower density zones; Standard H6.6.9 Yards
(A12)	Visitor accommodation accommodating up to 10 people per site inclusive of staff and visitors	P	Standard H6.6.5 Building height; Standard H6.6.6 Height in relation to boundary; Standard H6.6.8 Height in relation to boundary adjoining lower density zones; Standard H6.6.9 Yards; Standard H6.6.10 Maximum impervious areas; Standard H6.6.11 Building coverage; Standard H6.6.12 Landscaped area; Standard H6.6.16 Front, side and rear fences and walls; <u>Standard H6.6.23 Development within the Infrastructure Combined Wastewater Network Control</u>
(A13)	Visitor accommodation	RD	Standard H6.6.5 Building height; <del>Standard H6.6.6 Height in relation to boundary</del> ;

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	accommodating greater than 10 people per site inclusive of staff and visitors		Standard H6.6.7 Alternative height in relation to boundary; Standard H6.6.8 Height in relation to boundary adjoining lower density zones; Standard H6.6.9 Yards
<b>Commerce</b>			
(A14)	Dairies up to <u>200m<sup>2</sup></u> <u>400m<sup>2</sup></u> gross floor area per site	<u>P RD</u>	<u>Standard H6.6.4B Small scale office, dairy, restaurant and cafes activities; Standard H6.6.5 Building height; Standard H6.6.6 Height in relation to boundary; Standard H6.6.7 Alternative height in relation to boundary; Standard H6.6.8 Height in relation to boundary adjoining lower density zones; Standard H6.6.9 Yards; Standard H6.6.10 Maximum impervious areas; Standard H6.6.11 Building coverage; and Standard H6.6.16 Front, side and rear fences and walls</u>
(A15A)	<u>Dairies more than 200m<sup>2</sup> gross floor area per site</u>	<u>RD</u>	<u>Standard H6.6.5 Building height; Standard H6.6.6 Height in relation to boundary; Standard H6.6.8 Height in relation to boundary adjoining lower density zones; Standard H6.6.9 Yards; Standard H6.6.10 Maximum impervious areas; Standard H6.6.11 Building coverage; and Standard H6.6.16 Front, side and rear fences and walls.</u>
(A16)	Restaurants and cafes up to <u>200m<sup>2</sup></u> <u>400m<sup>2</sup></u> gross floor area per site	<u>P RD</u>	<u>Standard H6.6.4B Small scale office, dairy, restaurant and cafes activities; Standard H6.6.5 Building height; Standard H6.6.6 Height in relation to boundary; Standard H6.6.7 Alternative height in relation to boundary; Standard H6.6.8 Height in relation to boundary adjoining lower density zones; Standard H6.6.9 Yards; Standard H6.6.10 Maximum impervious areas; Standard H6.6.11 Building coverage; and Standard H6.6.16 Front, side and rear fences and walls</u>
(A17A)	<u>Restaurants and cafes more than 200m<sup>2</sup> gross floor area per site</u>	<u>RD</u>	<u>Standard H6.6.5 Building height; Standard H6.6.6 Height in relation to boundary; Standard H6.6.8 Height in relation to boundary adjoining lower density zones; Standard H6.6.9 Yards; Standard H6.6.10 Maximum impervious areas; Standard H6.6.11 Building coverage; and Standard H6.6.16 Front, side and rear fences and walls.</u>
(A18)	Service stations on arterial roads	D	
(A17A)	<u>Offices up to 200m<sup>2</sup> gross floor area per site</u>	<u>P</u>	<u>Standard H6.6.4B Small scale office, dairy, restaurant and cafes activities; Standard H6.6.4A Offices outside the Centre Fringe Office Control as identified on the planning maps</u>

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(A17B)	Offices more than 200m <sup>2</sup> gross floor area per site	RD	Standard H6.6.4A Offices outside the Centre Fringe Office Control as identified on the planning maps
(A19)	Offices within the Centre Fringe Office Control as identified on the planning maps	P	Standard H6.6.4 Offices within the Centre Fringe Office Control as identified on the planning maps
(A20)	Offices within the Centre Fringe Office Control as identified on the planning maps that do not comply with Standard H6.6.4	D	
<b>Community</b>			
(A21)	Care centres accommodating up to 10 people per site excluding staff	P	Standard H6.6.5 Building height; Standard H6.6.6 Height in relation to boundary; Standard H6.6.8 Height in relation to boundary adjoining lower density zones; Standard H6.6.9 Yards; Standard H6.6.10 Maximum impervious areas; Standard H6.6.11 Building coverage; Standard H6.6.12 Landscaped area; Standard H6.6.16 Front, side and rear fences and walls
(A22)	Care centres accommodating greater than 10 people per site excluding staff	RD	Standard H6.6.5 Building height; Standard H6.6.6 Height in relation to boundary; <del>Standard H6.6.7 Alternative height in relation to boundary;</del> Standard H6.6.8 Height in relation to boundary adjoining lower density zones; Standard H6.6.9 Yards; Standard H6.6.10 Maximum impervious areas; Standard H6.6.11 Building coverage; Standard H6.6.12 Landscaped area; Standard H6.6.16 Front, side and rear fences and walls
(A23A)	Community facilities up to 200m <sup>2</sup>	P	<u>Standard H6.6.5 Building height; Standard H6.6.6 Height in relation to boundary; Standard H6.6.8 Height in relation to boundary adjoining lower density zones; Standard H6.6.9 Yards; Standard H6.6.10 Maximum impervious areas; Standard H6.6.11 Building coverage; Standard H6.6.12 Landscaped area; Standard H6.6.16 Front, side and rear fences and walls</u>
(A24)	Community facilities more than 200m <sup>2</sup> per site	RD	Standard H6.6.5 Building height; Standard H6.6.6 Height in relation to boundary; <del>Standard H6.6.7 Alternative height in relation to boundary;</del> Standard H6.6.8 Height in relation to boundary adjoining lower density zones; Standard H6.6.9 Yards; Standard H6.6.10 Maximum impervious areas; Standard H6.6.11 Building coverage; Standard H6.6.12 Landscaped area; Standard H6.6.16 Front, side and rear fences and walls
(A25)	Education facilities	D	



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(A26)	Tertiary education facilities	D	
(A27)	Emergency services adjoining an arterial road	D	
(A28)	Healthcare facilities up to 200m <sup>2</sup> gross floor area per site	<del>P</del> RD	Standard H6.6.5 Building height; Standard H6.6.6 Height in relation to boundary; <del>Standard H6.6.7 Alternative height in relation to boundary</del> ; Standard H6.6.8 Height in relation to boundary adjoining lower density zones; Standard H6.6.9 Yards; Standard H6.6.10 Maximum impervious areas; Standard H6.6.11 Building coverage; Standard H6.6.12 Landscaped area; Standard H6.6.16 Front, side and rear fences and walls
(A29)	Healthcare facilities greater than 200m <sup>2</sup> gross floor area per site	D	
(A30)	Veterinary clinics	D	
<b>Rural</b>			
(A31)	Grazing of livestock on sites greater than 2,000m <sup>2</sup> net site area	P	
<b>Mana Whenua</b>			
(A32)	Marae complex	D	
<b>Development</b>			
(A33)	Demolition of buildings	P	
(A34)	Internal and external alterations to buildings	P	Standard H6.6.5 Building height; Standard H6.6.6 Height in relation to boundary; Standard H6.6.8 Height in relation to boundary adjoining lower density zones; Standard H6.6.9 Yards; Standard H6.6.10 Maximum impervious areas; Standard H6.6.11 Building coverage; Standard H6.6.12 Landscaped area; Standard H6.6.13 Outlook space; Standard H6.6.14 Daylight; Standard H6.6.15 Outdoor living space; Standard H6.6.16 Front, side and rear fences and walls, H6.6.17 Minimum dwelling size
(A35)	Accessory buildings	P	Standard H6.6.5 Building height; Standard H6.6.6 Height in relation to boundary; Standard H6.6.8 Height in relation to boundary adjoining lower density zones; Standard H6.6.9 Yards; Standard H6.6.10 Maximum impervious areas; Standard H6.6.11 Building coverage
(A36)	Additions to an existing dwelling	P	Standard H6.6.5 Building height; Standard H6.6.6 Height in relation to boundary; Standard H6.6.8 Height in relation to boundary adjoining lower density zones; Standard H6.6.9 Yards; Standard H6.6.10 Maximum impervious areas; Standard

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			H6.6.11 Building coverage; Standard H6.6.12 Landscaped area; Standard H6.6.13 Outlook space; Standard H6.6.14 Daylight; Standard H6.6.15 Outdoor living space; Standard H6.6.16 Front, side and rear fences and walls, H6.6.17 Minimum dwelling size.
(A34)	New buildings and additions to buildings which do not comply with H6.6.6 Height in relation to boundary but comply with H6.6.7 Alternative height in relation to boundary	RD	H6.6.7 Alternative height in relation to boundary  Note: Compliance with standard H6.6.6 Height in relation to boundary is not required.
(A35)	New buildings and additions to buildings	The same activity status and standards as applies to the land use activity that the new building or addition to a building is designed to accommodate	
(A36)	Rainwater Tank	P	Standard H6.6.18
(A37)	For development in areas identified on the planning maps as being subject to the Infrastructure – Combined Wastewater Network Control that comply with other standards but do not comply with Standard H6.6.23	RD	

Commented [A1]: Annotate as a QM

### H6.5. Notification

- (1) Any application for resource consent for the following activities 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(4) of the Resource Management Act 1991:
- (a) dwellings that comply with all of the standards listed in Table H6.4.1 Activity table;
  - (b) an integrated residential development that complies with all of the standards listed in Table H6.4.1 Activity table;
  - (c) ~~[deleted] New buildings and additions to buildings which do not comply with H6.6.6 Height in relation to boundary, but comply with Rule 6.6.7 Alternative height in relation to boundary;~~
  - (d) development which does not comply with H6.6.16 (1a) Front, side and rear fences and walls; or

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- (e) development which does not comply with H6.6.17 Minimum dwelling size.
- (2) Any application for resource consent for an activity listed in Table H6.4.1 Activity table and which is not listed in H6.5(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\(4\)](#).

### H6.6. Standards

#### H6.6.1. Activities listed in Table H6.4.1 Activity table

- (1) Activities and buildings containing activities listed in Table H6.4.1 Activity table must comply with the standards listed in the column in Table H6.4.1 Activity table called Standards to be complied with.

#### H6.6.2. Home occupations

Purpose: to enable people to work from home at a scale that the residential character and amenity is maintained.

- (1) A home occupation must comply with all the following standards:
  - (a) at least one person engaged in the home occupation must use the dwelling on the site as their principal place of residence;
  - (b) no more than two people who do not use the dwelling as their principal place of residence may work in the home occupation;
  - (c) no more than four people in total may work in the home occupation;
  - (d) the sale of goods or services from the home occupation that requires customers to come to the site and the delivery of goods to and from the site may not occur before 7am or after 7pm;
  - (e) car trips to and from the home occupation activity must not exceed 20 per day;
  - (f) heavy vehicle trips must not exceed two per week;
  - (g) no more than one commercial vehicle associated with the home occupation may be on site at any one time;
  - (h) storage for rubbish and recycling associated with the home occupation must be provided on site and screened from public view;
  - (i) materials or goods manufactured, serviced or repaired in the home occupation must be stored and worked on within a building on the same site; and

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(j) goods sold from the home occupation must be:

- (i) goods produced on site; or
- (ii) goods that are primarily ordered by mail or electronic transaction and redistributed by post or courier; or
- (iii) goods ancillary and related to a service provided by the home occupation.

### **H6.6.3. The conversion of a principal dwelling existing as at 30 September 2013 into a maximum of two dwellings**

Purpose: to enable a dwelling existing as at 30 September 2013 to be converted into a maximum of two dwellings and to provide for sufficient outdoor living space for each of the dwellings.

- (1) Where a principal dwelling existing as at 30 September 2013 is proposed to be converted into a maximum of two dwellings each dwelling must have an outdoor living space that is:
  - (a) at least 5m<sup>2</sup> for a studio or one-bedroom dwelling and 8m<sup>2</sup> for a two or more bedroom dwelling; and
  - (b) at least 1.8m in depth; and
  - (c) directly accessible from the dwelling.

### **H6.6.4. Offices within the Centre Fringe Office Control as identified on the planning maps**

Purpose: enable offices in existing buildings in the Centre Fringe Office Control area.

- (1) Offices must be located in existing buildings.
- (2) Standard H6.6.4B Non-residential activities does not apply to Offices within the Centre Fringe Office Control as identified on the planning maps

### **H6.6.4A Offices outside the Centre Fringe Office Control as identified on the planning maps**

Purpose: enable small scale offices on the ground floor that contribute to the wellbeing of residents.

- (1) Offices must be located on the ground floor.
- (2) Offices must not exceed 200m<sup>2</sup> GFA on a site.

### **Standard H6.6.4B Small scale office, dairy, restaurant and cafes activities**

Purpose: enable small scale non-residential activities, being office, dairy, restaurant and cafes on the ground floor of developments that contribute to and are compatible with the wellbeing of residents.

- (1) The combined GFA of office, dairy, restaurant and cafes activities on a site must not exceed 600m<sup>2</sup>.

- (2) The office, dairy, restaurant and cafes activities must be located on the ground floor.

#### H6.6.5. Building height

Purpose: to manage the height of buildings to provide for terrace housing and apartments and achieve an urban built character of predominantly ~~five storeys or six, or seven, ten or fifteen~~ storeys in identified locations adjacent to centres.

- (1) Buildings must not exceed ~~22m~~ 46m 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 shown for the site on the planning maps.
- (3) Standard H5.6.4 ~~5~~ Building height applies to the site at 16 Spring Street, Freemans Bay (Lot 1 DP 85829) within a 10m setback area along Spring Street, England Street and adjoining the reserve at 10 England Street (Lot 1 DP 85953) as indicated on the planning maps. Outside of the setback area Buildings must not exceed 16m in height.

#### H6.6.6. Height in relation to boundary

Purpose:

to ~~minimise~~ manage the adverse effects of building height on neighbours (i.e. dominance and shading) and reduce the overall visual dominance of buildings at upper levels- recognising that with increased building height and intensities in differing areas in the zone the levels of adverse effects will be different;

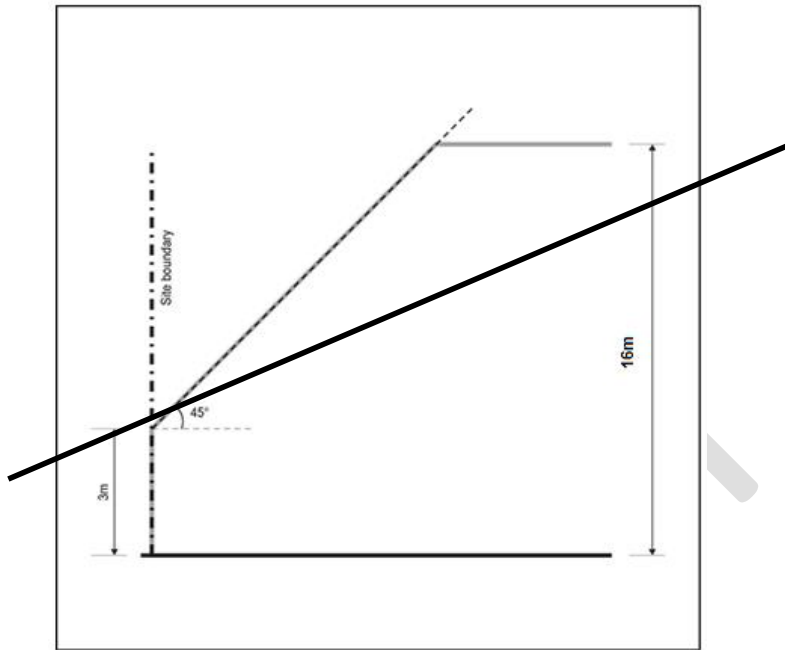
- to enable up to six storeys that locates bulk and mass towards the street and achieves a quality built environment whilst limiting the adverse effects of building height on neighbouring sites (i.e. dominance and shading) to acceptable levels and reducing the overall visual dominance of buildings beyond 21.5m from the front boundary of adjoining sites.

In identified walkable catchments

- For buildings in walkable catchments, on sites with a Height Variation Control for 10 storeys and 15 storeys or where development exceeds six storeys locate the bulk and mass above six storeys centrally on sites and achieve a tower and podium form with a quality built environment whilst recognising that the adverse effects of the additional building height on neighbouring sites (i.e. dominance and shading) will be different in these identified areas.

- (1) ~~[Deleted] Buildings must not project beyond a 45 degree recession plane measured from a point 3m vertically above ground level along the side and rear boundaries, as shown in Figure H6.6.6.1 Height in relation to boundary below.~~

**Figure H6.6.6.1 Height in relation to boundary**



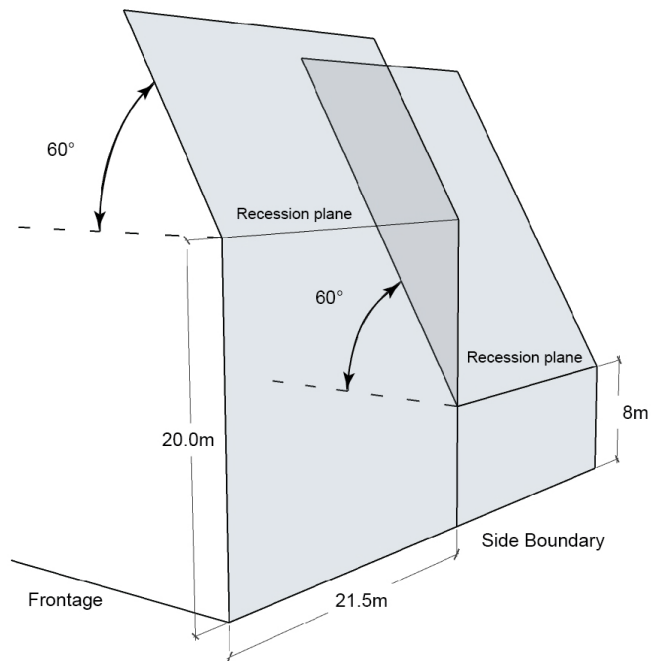
**Development must comply with the following standards:**

(1A) Buildings or parts of buildings on sites not subject to a Height Variation Control:

- (a) within 21.5m from the frontage, must not project beyond a 60-degree recession plane measured from a point 20m vertically above ground level along the side boundaries as shown in Figure H6.6.6.1A Height in relation to boundary; and
- (b) beyond 21.5m from the frontage, and on rear sites must not project beyond a 60-degree recession plane measured from a point 8m vertically above ground level along the side and rear boundaries as shown in Figure H6.6.6.1A Height in relation to boundary.

**Figure H6.6.6.1A Height in relation to boundary for dwellings and any other development inside a walkable catchment**

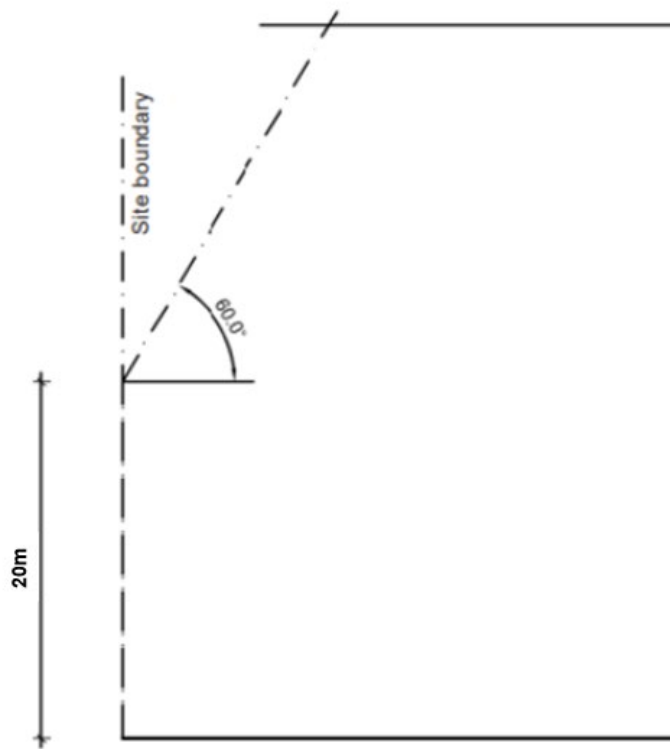
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(1B) Buildings or part of buildings in walkable catchments and on a site subject to a Height Variation Control enabling buildings more than 22m in height, must not project beyond a 60-degree recession plane measured from a point 20m vertically above ground level along the side and rear boundary as shown in Figure H6.6.6.1B Height in relation to boundary; and

**Commented [A2]:** Annotate as a QM consistent with s 770(j) "other" matter of 'WC built form controls' for the purpose of legislated locations for 10 and 15-stores

**Figure H6.6.6.1B Height in relation to boundary for dwellings and any other development inside a walkable catchment**



(2) Standard H6.6.6(1), (1A) and (1B) does not apply to a boundary, or part of a boundary, adjoining any of the following:

- (a) Business – City Centre Zone; Business – Metropolitan Centre Zone; Business – Town Centre Zone; Business – Local Centre Zone; Business – Neighbourhood Centre Zone; Business – Mixed Use Zone; Business – General Business Zone; Business – Business Park Zone; Business – Light Industry Zone and Business – Heavy Industry Zone; or
- (b) sites within the Open Space – Conservation Zone; Open Space – Informal Recreation Zone; Open Space – Sports and Active Recreation Zone;

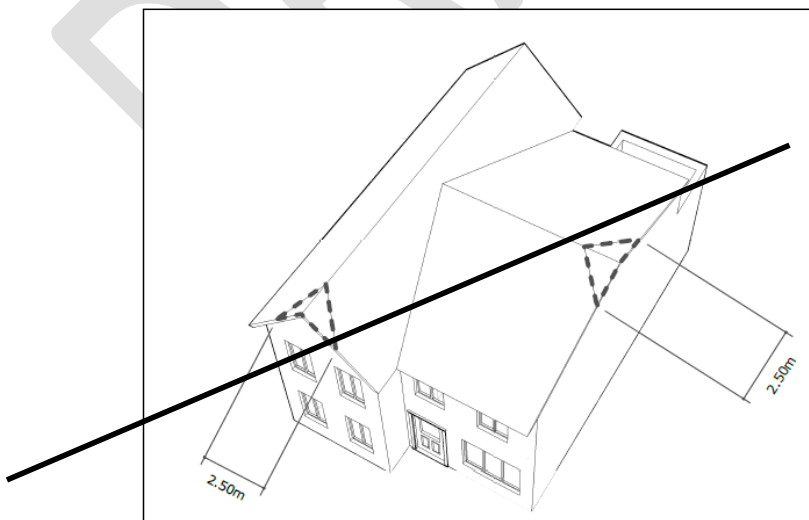


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Open Space – Civic Spaces Zone; or the Open Space – Community Zone:

- (i) that are greater than 2000m<sup>2</sup>;
  - (ii) where that part of the site in (i) is greater than 20 metres in width, when measured perpendicular to the shared boundary; and
  - (iii) where an open space comprises multiple sites but has a common open space zoning, the entire zone will be treated as a single site for the purpose of applying the standards listed below.
- (2) Standard H6.6.6(1), (1A) and (1B) does not apply to site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.
- (3) Where the boundary forms part of a legal right of way, entrance strip, access site or pedestrian access way, the control in Standard H6.6.6(1), (1A) and (1B) applies from the farthest boundary of that legal right of way, entrance strip, access site or pedestrian access way.
- (4) ~~[deleted] A gable end, dormer or roof may project beyond the recession plane where that portion beyond the recession plane is:~~
- ~~(a) no greater than 1.5m<sup>2</sup> in area and no greater than 1m in height; and~~
  - ~~(b) no greater than 2.5m cumulatively in length measured along the edge of the roof as shown in Figure H6.6.6.2 Exceptions for gable ends and dormers and roof projections below.~~

**Figure H6.6.6.2 ~~[deleted] Exceptions for gable ends and dormers and roof projections~~**



#### H6 Residential – Terrace Housing and Apartment Buildings Zone

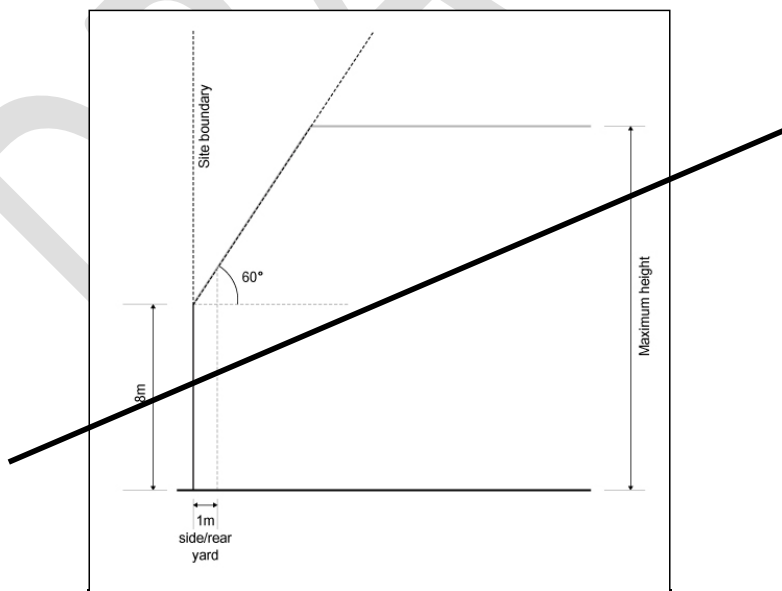
- (5) ~~[deleted] No more than two gable end, dormer or roof projections are allowed for every 6m length of site boundary.~~
- (6) The height in relation to boundary standard does not apply to existing or proposed internal boundaries within a site.

#### **H6.6.7. [Deleted] Alternative height in relation to boundary within the Residential – Terrace Housing and Apartment Buildings Zone**

~~Purpose: to enable the efficient use of the site by providing design flexibility at the upper floors of a building, while maintaining a reasonable level of daylight access and reducing visual dominance effects to immediate neighbours.~~

- (1) ~~This standard is an alternative to the permitted Standard H6.6.6 Height in relation to boundary and applies to sites in the Terrace Housing and Apartment Buildings Zone that adjoin another site in the same zone or any other zone not specified in Standard H6.6.8 Height in relation to boundary adjoining lower intensity zones.~~
- (2) Buildings or any parts of buildings must not project beyond a 60-degree recession plane measured from a point 8m vertically above ground level along side and rear boundaries within 20m of the site frontage, as shown in Figure H6.6.7.1 Alternative height in relation to boundary within 20m of the site frontage below.

**Figure H6.6.7.1 Alternative height in relation to boundary within 20m of the site frontage**

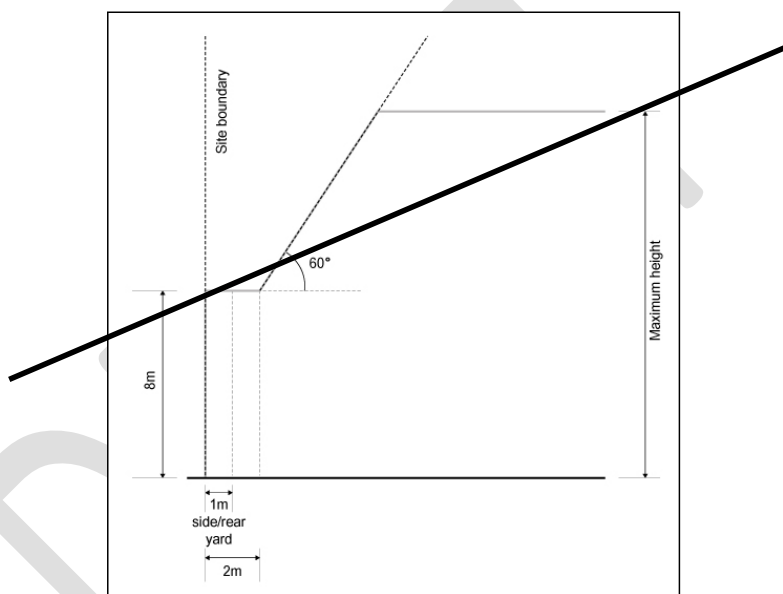


- (3) Buildings or any parts of buildings further than 20m from the site frontage must not project beyond a 60-degree recession plane measured from a point

## H6 Residential – Terrace Housing and Apartment Buildings Zone

8m vertically above ground level, and 2m perpendicular to side and rear boundaries, as shown in Figure H6.6.7.2 Alternative height in relation to boundary further than 20m from the site frontage below.

**Figure H6.6.7.2 Alternative height in relation to boundary further than 20m from the site frontage**

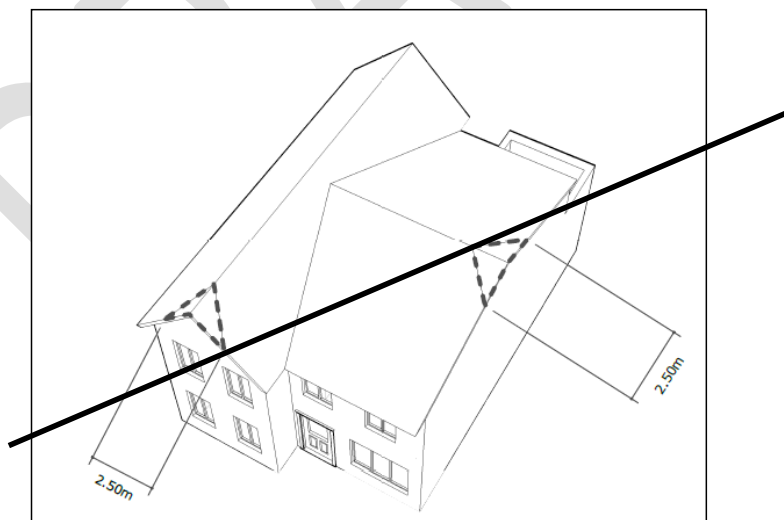


- (4) Standard H6.6.7(2) and (3) above do not apply to a boundary, or part of a boundary, adjoining any of the following:
- (a) ~~a Business – City Centre Zone; Business – Metropolitan Centre Zone; Business – Town Centre Zone; Business – Local Centre Zone; Business – Neighbourhood Centre Zone; Business – Mixed Use Zone; Business – General Business Zone; Business – Business Park Zone; Business – Light Industry Zone and Business – Heavy Industry Zone; or~~
  - (b) ~~sites within the Open Space – Conservation Zone; Open Space – Informal Recreation Zone; Open Space – Sports and Active Recreation Zone; Open Space – Civic Spaces Zone; or the Open Space – Community Zone;~~

H6 Residential – Terrace Housing and Apartment Buildings Zone

- (i) ~~that are greater than 2000m<sup>2</sup>;~~
  - (ii) ~~where that part of the site in (i) is greater than 20 metres in width, when measured perpendicular to the shared boundary; and~~
  - (iii) ~~Where an open space comprises multiple sites but has a common open space zoning, the entire zone will be treated as a single site for the purpose of applying the standards listed below.~~
- (5) ~~Standard H6.6.7(2) and (3) above do not apply to site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.~~
- (6) ~~Where the boundary forms part of a legal right of way, entrance strip, access site or pedestrian access way, the control in Standard H6.6.7(2) applies from the farthest boundary of that legal right of way, entrance strip, access site or pedestrian access way.~~
- (7) A gable end, dormer or roof may project beyond the recession plane where that portion beyond the recession plane is:
- (a) ~~no greater than 1.5m<sup>2</sup> in area and no greater than 1m in height; and~~
  - (b) ~~no greater than 2.5m cumulatively in length measured along the edge of the roof as shown in Figure H6.6.7.3 Exceptions for gable ends, dormers and roof projections below.~~

**Figure H6.6.7.3 Exceptions for gable ends, dormers and roof projections**



- (8) ~~No more than two gable end, dormer or roof projections are allowed for every 6m length of site boundary.~~
- (9) ~~The building setback must be a stepped profile and must not be a literal regression of the recession plane.~~

H6 Residential – Terrace Housing and Apartment Buildings Zone

- (10) ~~This alternative height in relation to boundary standard does not apply to existing or proposed internal boundaries within a site.~~

**H6.6.8. Height in relation to boundary adjoining lower intensity zones for development outside walkable catchments**

Purpose: for development outside walkable catchments, to manage the height and bulk of buildings at boundaries to maintain a reasonable level of sunlight access and minimise visual dominance effects to immediate neighbours within lower intensity zones and small public open spaces.

- (1) Where sites in the Residential – Terrace Housing and Apartment Buildings Zone are located outside walkable catchments and adjoin:
- (a) a site in the Residential – Single House Zone; or
  - (b) a site in the Residential – Mixed Housing Suburban Zone; or
  - (c) sites less than 2000m<sup>2</sup> in the Open Space – Conservation Zone; Open Space – Informal Recreation Zone; Open Space – Sports and Active Recreation Zone; Open Space – Civic Spaces Zone; or the Open Space – Community Zone except Standard H6.6.8(1)(c) does not apply to the site at 16 Spring Street, Freemans Bay (Lot DP 58529);

then buildings must not project beyond a 45 degree recession plane measured from a point 2.5m vertically above ground level along the boundary of the site in the Residential – Terrace Housing and Apartment Buildings Zone with the zone listed in Standard H6.6.8(1)(a) – (c) above.

- (2) Where sites in the Residential – Terrace Housing and Apartment Buildings Zone are located outside walkable catchments and adjoin sites in the Residential – Mixed Housing Urban Zone then ~~Standard H5.6.5 Height in relation to boundary in the Residential – Mixed Housing Urban Zone or Standard H5.6.6 Alternative Height in relation to boundary in the Residential – Mixed Housing Urban Zone~~ applies to the boundary of the site in the Residential – Terrace Housing and Apartment Buildings Zone that adjoins the Residential – Mixed Housing Urban Zone.
- (3) The building setback must be a stepped profile and must not be a literal regression of the recession plane.
- (4) Where the boundary forms part of a legal right of way, entrance strip or access site or pedestrian access way, the control in Standard H6.6.8(1) applies from the farthest boundary of that legal right of way, entrance strip, access site or pedestrian access way.
- (5) A gable end, dormer or roof may project beyond the recession plane where that portion beyond the recession plane is:
- (a) no greater than 1.5m<sup>2</sup> in area and no greater than 1m in height; and
  - (b) no greater than 2.5m cumulatively in length measured along the edge of the roof.

**H6.6.8A Building setback at upper floors in Walkable Catchments**

Purpose: for developments more than six storeys in height:

- manage the height and bulk of buildings at the street boundary to maintain streetscape amenity and visual dominance effects on adjoining sites within the zone;
- manage visual dominance effects on streets; and
- minimise visual dominance, residential amenity and effects on neighbours in lower intensity zones.

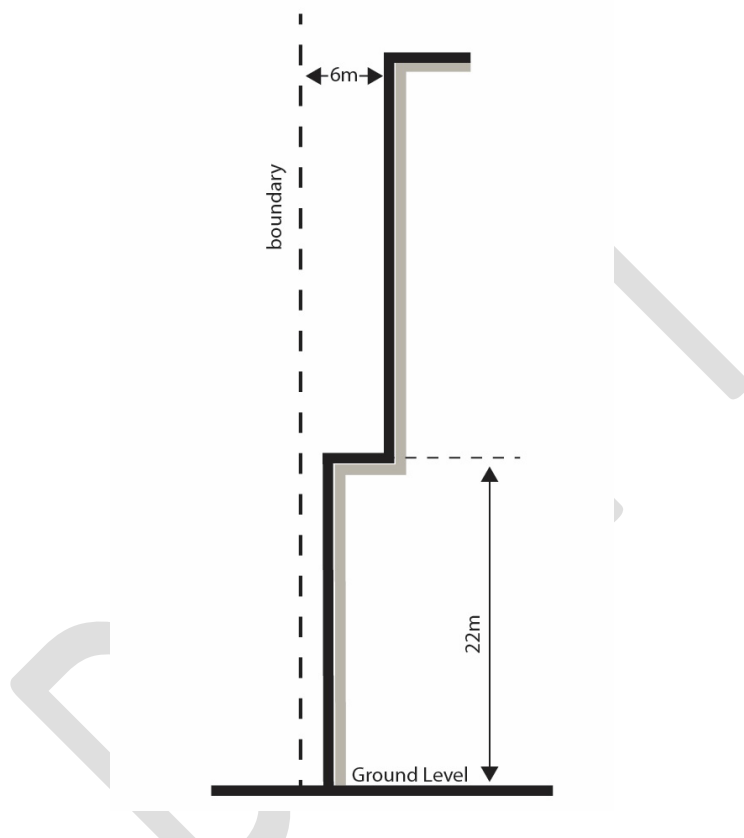
(1) For buildings more than 22m in height development must be set back from the boundary where it exceeds the height listed in metres specified in Table H6.6.8A.1 and as shown in Figure H6.6.8A.1 Building setback at upper floors in Walkable Catchments:

**Table H6.6.8A.1 Building setback at upper floors in Walkable Catchments**

<b><u>Boundary</u></b>	<b><u>Height above ground level which the set back will be measured from:</u></b>	<b><u>Minimum depth</u></b>
<u>Front</u>	<u>22m</u>	<u>6m</u>
<u>Side</u>	<u>22m</u>	<u>6m</u>
<u>Rear</u>	<u>22m</u>	<u>6m</u>

**Commented [A3]:** Annotate as a QM consistent with s 770(j) "other" matter of 'WC built form controls' for the purpose of legislated locations for 10 and 15-storeys

**Figure H6.6.8A.1 Building setback at upper floors in Walkable Catchments**



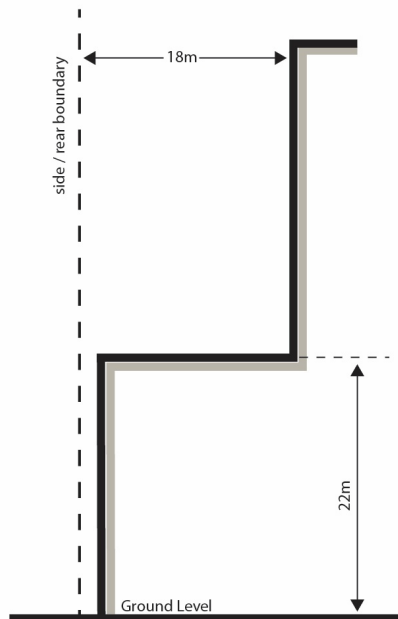
(2) For development more than 22m in height, the parts of a building must be set back from the boundary adjoining the Residential – Single House zone, Residential – Mixed Housing Suburban zone and the Residential – Mixed Housing Urban zone by the distance and at the height listed in metres specified in Table H6.6.8A.2 and as shown in Figure H6.6.8A.2 Building setback at upper floors in Walkable Catchments:

**Table H6.6.8A.2 Building setback at upper floors**

<u>Height Variation Control</u>	<u>Boundary adjoining the Residential – Single House zone, Residential – Mixed Housing Suburban zone and the Residential – Mixed Housing Urban zone</u>	<u>Height above ground level which the set back will be measured from</u>	<u>Minimum depth</u>
More than 22m in height	<u>Side</u>	<u>22m</u>	<u>18m</u>
	<u>Rear</u>	<u>22m</u>	<u>18m</u>



**Figure H6.6.8A.1 Building setback at upper floors in Walkable Catchments**



**H6.6.8B Maximum tower dimension**

Purpose: ensure that multi-storey buildings more than 22m in height:

- are not overly bulky in appearance and manage significant visual dominance effects;
- in areas where the Height Variation Controls enables buildings more than 6 storeys in height to provide for human scale podiums with slender towers above;
- allow adequate sunlight and daylight access to streets, public open space and nearby sites;
- provide adequate light and air around and between buildings; and
- mitigate adverse wind effects.

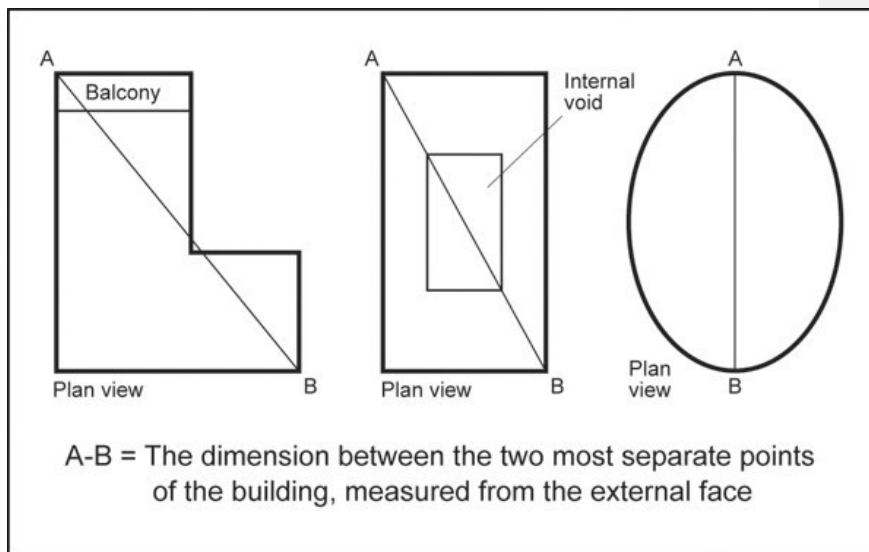
(1) Development more than 22m in height must comply with the following:

**Commented [A4]:** Annotate as a QM consistent with s 770(j) "other" matter of 'WC built form controls' for the purpose of legislated locations for 10 and 15-storeys

(a) The maximum plan dimension of that part of the building above 22m must not exceed 38m as shown in Figure H6.6.8B.1 Maximum tower dimension plan view above 22m.

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

**Figure H6.6.8B.1 Maximum tower dimension plan view above 22m**



#### H6.6.9. Yards

Purpose:

- to create an urban streetscape character and provide sufficient space for landscaping within the front yard;
- to maintain a reasonable standard of residential amenity for adjoining sites;
- to ensure buildings are adequately set back from lakes, streams and the coastal edge to maintain water quality and provide protection from natural hazards; and
- to enable buildings and services on the site or adjoining sites to be adequately maintained.

(1) A building or parts of a building must be set back from the relevant boundary by the minimum depth listed in Table H6.6.9.1 Yards below.

**Table H6.6.9.1 Yards**

Yard	Minimum depth
Front	1.5m
Side	1m
Rear	1m
Riparian	10m from the edge of all other permanent and intermittent streams
Lakeside	30m
Coastal protection yard	10m, or as otherwise specified in <a href="#">Appendix 6 Coastal protection yard</a>

- (2) Standard H6.6.9(1) does not apply to site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.

**Note 1**

Emergency responder access requirements are further controlled by the Building Code. Plan users should refer to the Building Code to ensure compliance can be achieved at building consent stage. Granting of a resource consent does not imply that waivers of Building Code requirements will be granted. Fire and Emergency New Zealand publishes guidance in the context of the Building Code requirements

**H6.6.10. Maximum impervious area**

Purpose:

- 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;
- to support the functioning of riparian yards, lakeside yards and coastal yards and water quality and ecology;
- to reinforce the building coverage and landscaped area standards; and
- to limit paved areas on a site to improve the site's appearance and cumulatively maintain amenity values in a neighbourhood.

- (1) The maximum impervious area must not exceed 70 per cent of site area.
- (2) The maximum impervious area within a riparian yard, a lakeside yard or a coastal protection yard must not exceed 10 per cent of the riparian yard, the lakeside yard or the coastal protection yard area.

**H6.6.11. Building coverage**

Purpose: to manage the extent of buildings on a site to achieve the planned urban character of buildings surrounded by open space.

- (1) The maximum building coverage must not exceed 50 per cent of the net site area.

#### **H6.6.12. Landscaped area**

Purpose:

- to provide for quality living environments consistent with the planned urban built character of buildings surrounded by ~~open space~~ vegetation that contributes to a reduction in urban heat island effects of development and responds to climate change; and
- to create a ~~landscaped~~ vegetated urban streetscape character within the zone.

- (1) The minimum landscaped area must be at least 30 per cent of the net site area.

#### **H6.6.13. Outlook space**

Purpose:

- to ensure a reasonable standard of visual privacy between habitable rooms of different buildings, on the same or adjacent sites;
- for buildings in a walkable catchment, more than six storeys provide greater separation between tower forms that are enabled;
- encourage the placement of habitable room windows to the site frontage or to the rear of the site in preference to side boundaries, to maximise both passive surveillance of the street and privacy, and to avoid overlooking of neighbouring sites; and
- in combination with the daylight control, manage visual dominance effects within a site by ensuring that habitable rooms have an outlook and sense of space.

- (1) 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.

- (2) ~~For development up to 22m in height~~ the minimum dimensions for a required outlook space 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 an outlook space with a minimum dimension of:

- (i) 6m in depth and 4m in width as shown in Figure H6.6.13.1 Required outlook space; and

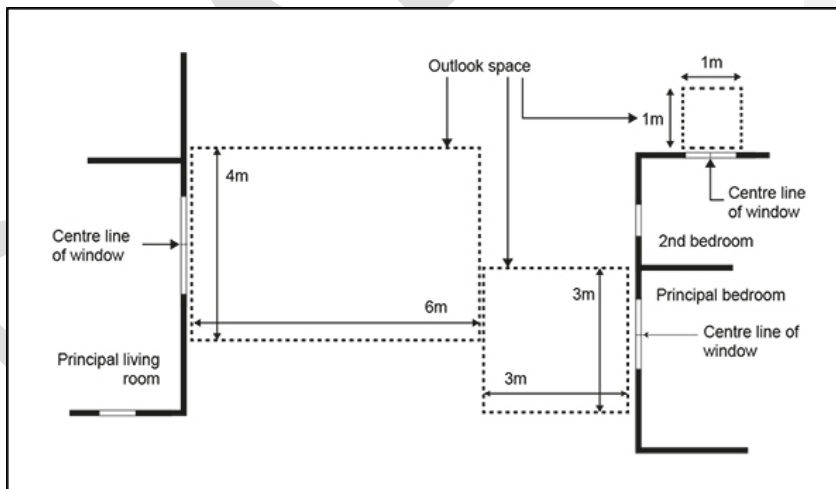
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- (ii) for parts of buildings more than 12.5m above ground level where the minimum dimension is 8m depth and 4m in width; and
    - (iii) where the principal living room outlook is on the ground floor and is defined by a boundary fence, outlook depth may be reduced to 5m.
  - (b) a principal bedroom 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
  - (c) all other habitable rooms must have an outlook space with a minimum dimension of 1m in depth and 1m in width.
- (2A) For development more than 22m in height the minimum dimensions for a required outlook space are as follows:
- (a) for the principal living area of a dwelling or main living and dining area within a boarding house or supported residential care, the depth dimensions of the outlook space, measured perpendicular to the exterior face of the building, must be in accordance with Figure H6.6.13.2, for the relative height of the floor above ground level along each building face and at least 4m in width; or
  - (b) for bedrooms of a dwelling or main living and dining area within a boarding house or supported residential care, the outlook space must be a minimum of 3m in width measured perpendicular to the exterior face of the building and a minimum 3m in width.
  - (c) all other habitable rooms must have an outlook space with a minimum dimension of 1m in depth and 1m in width.
- (3) The depth of the outlook space is measured at right angles to and horizontal from the window to which it applies.
- (4) The width of the outlook space is measured from:
- (a) the centre point of the largest window on the building face to which it applies where outlook depth is reduced to 5m as provided for under H6.6.13(2)(ii) above; or
  - (b) the centre line of the façade of the largest window or balcony edge whichever is closer to the boundary or opposing building.
- (5) 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.
- (6) Outlook spaces may be:
- (a) over driveways within the site,
  - (b) over a public street, or
  - (c) other public open space;

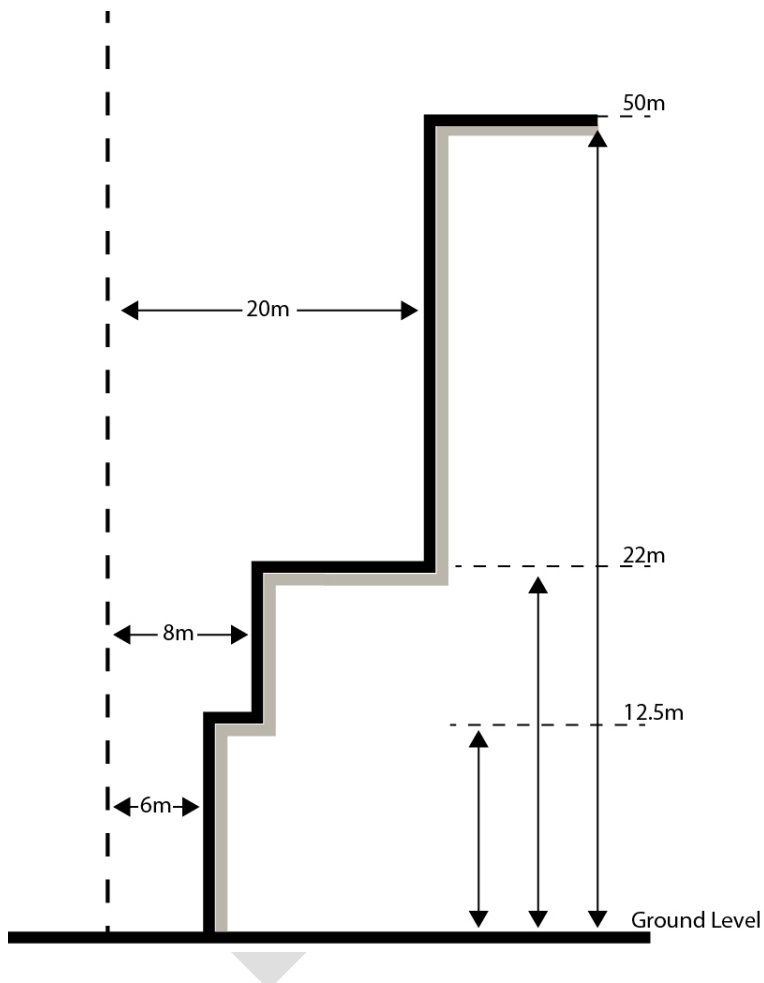
**Commented [A5]:** Annotate as a QM consistent with s 770(j) "other" matter of 'THAB built form controls' for the purpose of legislated locations for 10 and 15-storeys

- (d) except where the outlook space is from a ground floor principal living room, it must not be over parking spaces, vehicle access or manoeuvring areas.
- (7) Outlook spaces required from different rooms within the same building may overlap.
- (8) Outlook spaces may overlap where they are on the same wall plane.
- (9) 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 H6.6.13(6) above; and
  - (c) not extend over an outlook spaces or outdoor living space required by another dwelling.

**Figure H6.6.13.1 Required outlook space for developments up to 22m in height outside walkable catchments, and in walkable catchments**



**Figure H6.6.13.2 Required outlook space perpendicular depth for developments more than 22m in height**



#### **H6.6.14. Daylight**

Purpose:

- to ensure adequate daylight for living areas and bedrooms in dwellings, supported residential care and boarding houses; and
- in combination with the outlook control, manage visual dominance effects within a site by ensuring that habitable rooms have an outlook and sense of space, particularly at upper building levels.

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(1) Where the proposed building and/or opposite building contains principal living room or bedroom windows in a dwelling, or main living/dining area or bedroom windows in supported residential care and boarding houses, then:

- a) that part of a building higher than 3m opposite buildings within the same site is limited in height to twice the horizontal distance between the two buildings for a length defined by a 55 degree arc from the centre of the window. The arc may be swung to within 35 degrees of the plane of the wall containing the window as shown in Figure H6.6.14.2 Required setbacks for daylight below.

Refer to Table H6.6.14.1 Maximum height of the part of a building within a site facing a principal living room or bedroom window within the same site; Figure H6.6.14.1 Required setbacks for daylight and Figure H6.6.14.2 Required setbacks for daylight below.

(2) Where the principal living room, main living/dining area or bedroom has two or more external faces with windows, Standard H6.6.14(1) above will apply to the largest window.

(3) Where the window is above ground level, the height restriction is calculated from the floor level of the room containing the window.

(4) Standard H6.6.14(1), (2) and (3) do not apply to development opposite the first 5m of a building which faces the street, measured from the front corner of the building.

**Table H6.6.14.1 Maximum height of that part of a building within a site facing a principal living room or bedroom window within the same site**

Distance of the building from the largest principal living room, living/dining room or bedroom window (x)	Maximum height of the defined portion of wall opposite an identified window	Length of wall restricted if 55 degree arc is perpendicular to window (y) (rounded)
1.0m	2.0m	1.0m
1.5m	3.0m	1.5m
2.0m	4.0m	2.0m
2.5m	5.0m	2.5m
2.7m	5.4m	2.7m
3.0m	6.0m	3.0m
3.5m	7.0m	3.5m
4.0m	8.0m	4.0m
4.5m	9.0m	4.5m
5.0m	10.0m	5.0m
5.5m	11.0m	5.5m
6.0m	12.0m	6.0m
7.0m	14.0m	7.0m



Distance of the building from the largest principal living room, living/dining room or bedroom window (x)	Maximum height of the defined portion of wall opposite an identified window	Length of wall restricted if 55 degree arc is perpendicular to window (y) (rounded)
7.5m	15.0m	7.5m
8.0m	16.0m	8.0m
8.5m	17.0m	8.5m
9.0m	18.0m	9.0m
9.5m	19.0m	9.5m
10.0m	20.0m	10.0m
10.5m	21.0m	10.5m
11.0m	22.0m	11.0m
11.25m	22.5m	11.25m

Figure H6.6.14.1 Required setbacks for daylight

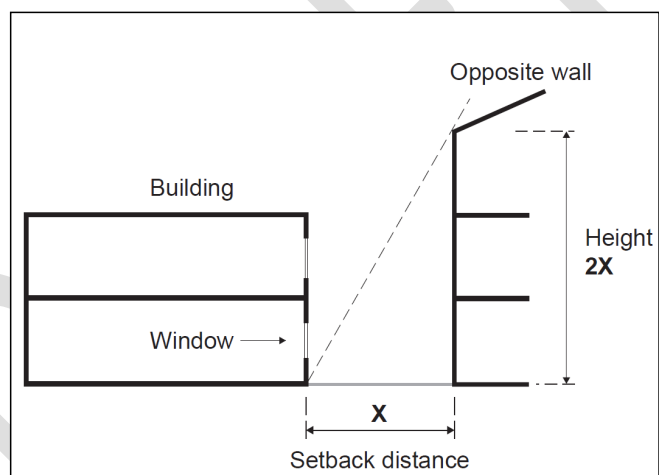
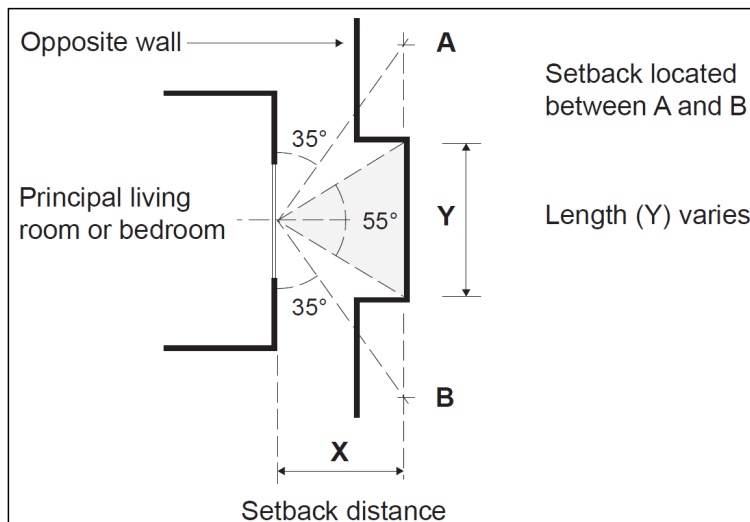


Figure H6.6.14.2 Required setbacks for daylight



#### H6.6.15. Outdoor living space

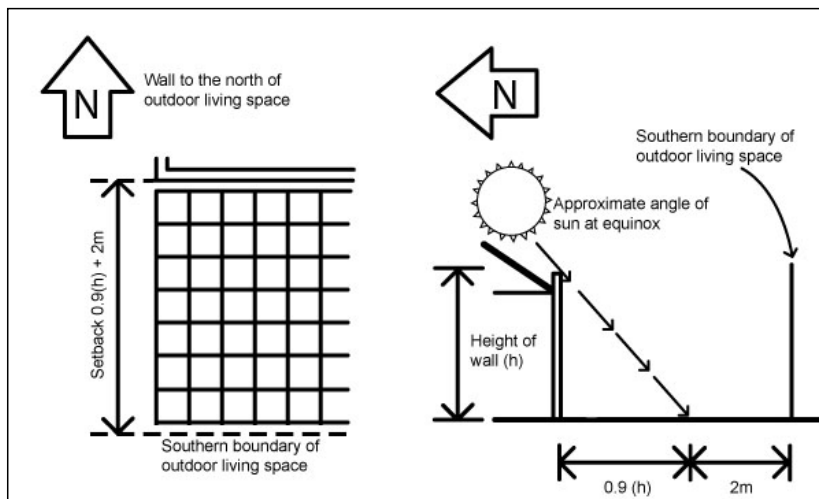
Purpose: to provide dwellings, supported residential care and boarding houses with outdoor living space that is of a functional size and dimension, has access to sunlight, and is directly accessible from the principal living room, dining room or kitchen and is separated from vehicle access and manoeuvring areas, and ensure:

- private outdoor living spaces are directly accessible from the principal living room, dining room or kitchen;
  - for development with 20 or more dwellings communal outdoor living spaces are conveniently accessible for all occupants.
- (1) A dwelling, supported residential care or boarding house at ground floor level, must have an private outdoor living space that is at least 20m<sup>2</sup> that comprises ground floor and/or balcony/roof terrace space that:
- (a) where located at ground level has no dimension less than 4m and has a gradient not exceeding 1 in 20; and/or
  - (b) where provided in the form of balcony, patio or roof terrace is at least 5m<sup>2</sup> and has a minimum dimension of 1.8m; and
  - (c) is directly accessible from the principal living room, dining room or kitchen of a dwelling, supported residential care unit or boarding house; and
  - (d) is free of buildings, parking spaces, servicing and manoeuvring areas.

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- (2) A dwelling, supported residential care or boarding house located above ground floor level must have ~~an~~ private outdoor living space in the form of a balcony, patio or roof terrace that:
- (a) is at least 5m<sup>2</sup> for studio and one-bedroom dwellings and has a minimum dimension of 1.8m; or
  - (b) is at least 8m<sup>2</sup> for two or more bedroom dwellings and has a minimum dimension of 1.8m; and
  - (c) is directly accessible from the principal living room, dining room or kitchen of a dwelling, supported residential care unit or boarding house; and
  - (d) except that, a balcony or roof terrace is not required where the net internal floor area of a dwelling is at least 35m<sup>2</sup> for a studio and 50m<sup>2</sup> for a dwelling with one or more bedrooms.
- (3) Where private outdoor living space required by Standard H6.6.15(1) or Standard H6.6.15(2) above is provided at ground level, and is located south of any building located on the same site, the southern boundary of that space must be separated from any wall or building by at least 2m + 0.9(h), where (h) is the height of the wall or building as shown in the Figure H6.6.15.1 Location of outdoor living space below. For the purpose of this standard south is defined as between 135 and 225 degrees.
- (4) In addition to H6.6.15(1) and H6.6.15(2) above, developments of 20 or more dwellings, including integrated residential development of 20 or more dwellings, must provide a communal outdoor living space that:
- (a) is located in a communally accessible location;
  - (b) is at least 10m<sup>2</sup> for every five dwellings it serves;
  - (c) is a minimum dimension of 4m;
  - (d) free of buildings, parking spaces and servicing and manoeuvring areas;
  - (e) for at least 20m<sup>2</sup> of the communal living space must receive a minimum of 3 hours of sunlight per day between the hours of 9am – 4pm on 21 June;
  - (f) has a gradient not exceeding 1 in 20; and
  - (g) may be split into no more than two outdoor communal living spaces per development.

**Figure H6.6.15.1 Location of private outdoor living space**



**Note 1**

Emergency responder access requirements are further controlled by the Building Code. Plan users should refer to the Building Code to ensure compliance can be achieved at building consent stage. Granting of a resource consent does not imply that waivers of Building Code requirements will be granted. Fire and Emergency New Zealand publishes guidance in the context of the Building Code requirements.

**H6.6.16. Front, side and rear fences and walls**

Purpose: to enable fences and walls to be constructed on a Front, side or rear boundary or within a front, side, rear, riparian, coastal protection or lakeside yard to a height sufficient to:

- provide privacy for dwellings while enabling opportunities for passive surveillance of the street or adjoining public place;
- minimise visual dominance effects to immediate neighbours and the street or adjoining public place.

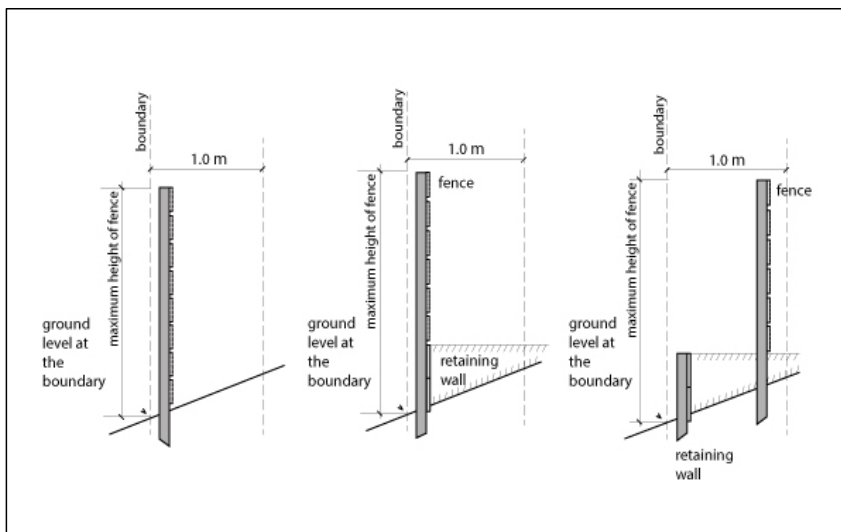
(1) Fences or walls or a combination of these structures (whether separate or joined together) must not exceed the height specified below, measured from the ground level at the boundary:

(a) Within the front yard, either:

- (i) 1.4m in height, or
- (ii) 1.8m in height for no more than 50 per cent of the site frontage and 1.4m for the remainder, or
- (iii) 1.8m in height if the fence is at least 50 per cent visually open as viewed perpendicular to the front boundary.

- (b) Within side, rear, coastal protection, lakeside or riparian yards: 2m.

**Figure H.6.6.16.1 Measurement of fence height**



#### **H6.6.17. 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) 30m<sup>2</sup> for studio dwellings.
  - (b) 45m<sup>2</sup> for one or more bedroom dwellings.

#### **H6.6.18. Rainwater tanks**

Purpose: To enable rainwater tank installation and maintain amenity values.

- (1) Rainwater tanks must not be located:
- (a) in a riparian, lakeside or coastal protection yard unless less than 1m in height, or wholly below ground level;
  - (b) in a front yard or forward of any street facing or private vehicle access facing building façade, unless they are at least 1.5m from the front boundary and are a maximum height of 1 m.

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- (2) Clause b) shall not apply to a rear service lane where the dwellings have frontage to a public street.
- (3) Rainwater tanks located within any required outlook area must be no higher than 1 m.
- (4) Rainwater tanks located within the required 20m<sup>2</sup> outdoor living space with minimum dimensions of 4m must be installed wholly below ground level.
- (5) Any overflow from the rainwater tank must discharge to the existing authorised stormwater system for the site.

Note: If there is a new stormwater discharge or diversion created Chapter E8.6.2.1 and Building Act requirements must be complied with.

Note: Building Act regulations apply. A building consent may be required under the Building Act.

##### **H6.6.19. Windows to street, public open spaces, public pedestrian accessways, cycleways or private vehicle accessway**

Purpose: To provide for passive surveillance while maintaining privacy for residents and users.

- (1) Any dwelling facing the street, public open spaces, public pedestrian accessways, cycleways or private vehicle accessway or private pedestrian accessway, must have a minimum of 20 per cent of the relevant façade in glazing. This can be in the form of windows or doors.
- (2) For the purposes of H6.6.19(1) above, glazing:
  - (a) may be in the form of windows or doors; and
  - (b) may include joinery between and around window panes (excluding window frames); and
  - (c) excludes any roof space enclosed by gable ends.
- (3) For the purposes of H6.6.19(1) above, the relevant façade is that façade less than 45 degrees from the relevant boundary.

##### **H6.6.20. Deep soil area and canopy tree**

Purpose: To build resilience to climate change effects through provision of deep soil areas that support canopy trees, which assist in removing carbon, reducing urban heat island effects and enabling the infiltration of stormwater.

- (1) Any site greater than 200m<sup>2</sup> must provide a deep soil area of a minimum of 10 per cent of the site area and canopy tree(s) that must comply with Table H6.6.20.1 Deep soil area and canopy tree requirements and Table H6.6.20.2 Minimum tree canopy dimensions below:

(2) Deep soil areas required by H6.6.20(1) may be provided in private and communal outdoor living spaces and landscaped areas.

(3) Trees required by H6.6.20(1) can be existing canopy trees or new canopy trees in accordance with Table H6.6.20.2 Minimum tree canopy dimensions below.

**Table H6.6.20.1 Deep soil area and canopy tree requirements**

<u>Site Area (prior to development or re-development)</u>	<u>Minimum area for each deep soil area</u>	<u>Minimum area dimension</u>	<u>Minimum canopy tree requirements</u>
200m <sup>2</sup> – 600m <sup>2</sup>	20m <sup>2</sup>	2.5m	1 small canopy tree per 200m <sup>2</sup> of site
601m <sup>2</sup> – 1,500m <sup>2</sup>	30m <sup>2</sup>	3m	1 medium canopy tree per 300m <sup>2</sup> of site
1,501m <sup>2</sup> or more	50m <sup>2</sup>	4m	1 large canopy tree or 2 medium canopy trees per 500m <sup>2</sup> of site

**Table H6.6.19.2 Minimum tree canopy dimensions**

	<u>Minimum mature tree height dimension</u>	<u>Minimum mature canopy diameter dimension</u>	<u>Minimum tree height above ground when planted</u>	<u>Indicative tree planting grade</u>
<u>Small</u>	8m	6m	2m	120L
<u>Medium</u>	10m	8m	2.5m	160L
<u>Large</u>	15m	12m	3m	200L

**H6.6.21. Safety and privacy buffer from private pedestrian and vehicle accessways**

Purpose: to provide a reasonable standard of safety and privacy for ground floor dwellings located adjacent to pedestrian and vehicle accessways while ensuring passive surveillance.

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- (1) A minimum 1m buffer area must be provided between a dwelling and private pedestrian and/or vehicle accessways to another dwelling.
- (2) The buffer area may contain:
  - (a) cantilevers such as awnings over front doors, footpaths to front doors, and vehicle crossings to garages.
  - (b) waste storage areas and heat pump or air conditioning external units.
- (3) The buffer area must be:
  - (a) free of buildings, parking spaces, servicing and manoeuvring areas.
  - (b) planted with shrubs and/or ground cover plants that will grow to no less than 400mm in height.

#### **H6.6.22. Residential waste management**

Purpose: To provide accessible storage and collection space for waste bins for four or more dwellings.

- (1) On-site waste storage using individual or communal waste bins must be provided as follows:
  - (a) Where individual bins are used, a total storage space of 1.4m<sup>2</sup> per dwelling.
  - (b) Where communal bins are used, the total storage space provided must be calculated in accordance with the Auckland Council's Solid Waste Calculator.
  - (c) The location of bins must be visually screened from within the site, from the street and/or adjacent sites.
- (2) Where kerbside collection is used, there must be kerbside space of at least 1m width per dwelling, contained within the road frontage of the site without impeding the public footpath.
- (3) Ten or more dwellings must provide a waste management and minimisation plan.
- (4) Where on-site collection of individual waste bins is used, there must be a space of at least 1m<sup>2</sup> per dwelling.

#### **H6.6.23. Development within the Infrastructure – Combined Wastewater Network Control**

Purpose: to restrict development in any area served by a combined wastewater network where public sewer separation has not occurred while enabling new development where separation is in progress and the new development can connect to a separated local stormwater pipe that is part of the public stormwater network.



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- (1) Development on a site served by the combined wastewater network must be able to connect to an existing separated local stormwater pipe that is part of the public stormwater network; and
- (2) The wastewater network service provider has confirmed that there is sufficient capacity available in the combined wastewater network to service the proposed development.

#### H6.7. Assessment – controlled activities

There are no controlled activities in this zone.

#### H6.8. Assessment – restricted discretionary activities

##### H6.8.1. Matters of discretion

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

(A1) For all restricted discretionary activities:

- (a) The effects on the local transport network and on safe and convenient movement by pedestrians, public transport users and cyclists.
- (1) for supported residential care accommodating greater than 10 people per site inclusive of staff and residents; boarding houses accommodating greater than 10 people per site inclusive of staff and residents; visitor accommodation accommodating greater than 10 people per site inclusive of staff and visitors; dairies ~~more than 200m<sup>2</sup> up to 400m<sup>2</sup>~~ gross floor area per site; restaurants and cafes ~~more than 200m<sup>2</sup> up to 400m<sup>2</sup>~~ gross floor area per site; care centres accommodating greater than 10 people per site excluding staff; and community facilities; ~~and healthcare facilities up to 200m<sup>2</sup> gross floor area per site:~~
  - (a) infrastructure and servicing;
  - (b) the effects on the neighbourhood character, residential amenity and the surrounding residential area from all of the following:
    - (i) ~~building intensity~~, scale, location, form and appearance;
    - (ii) traffic;
    - (iii) location and design ~~of parking~~ and access and parking (if provided); and
    - (iv) noise, lighting and hours of operation.
- (2) for dwellings and integrated residential developments:
  - (a) the effects on the neighbourhood character, residential amenity, safety and the surrounding residential area from all of the following:

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- (i) building ~~intensity, scale, and~~ location;
    - A. the way in which buildings are orientated to the public streets, public open spaces, public pedestrian accessways, cycleways, private vehicle and primary pedestrian accessways and adjoining sites, and
    - B. the extent to which the height, roof form and design of buildings respond to the local streetscape and the planned urban built character of the surrounding area.
  - (ia) building form and appearance including:
    - A. use of built elements such as materials, surface and architectural detailing and roof design to create visual interest;
    - B. use of deep soil and/or outdoor living areas, modulation, architectural features, windows, doors and breaks in building length to minimise bulk and visual dominance;
    - C. whether design provides for the balance between a reasonable standard of privacy and opportunities for passive surveillance of public streets, public open spaces, public pedestrian accessways, cycleways and private vehicle and primary pedestrian accessways, and
    - D. whether the design provides for privacy, and sunlight and daylight access for adjoining sites;
    - E. the interface with an identified special character area or a scheduled historic heritage place;
  - (ib) the extent to which the functional, day to day needs of residents are provided for in terms of:
    - A. the size and dimensions of living areas relative to the likely occupancy levels of the dwellings;
    - B. internal storage;
    - C. residential waste management, including the kerbside and/or on-site capacity and accessibility for residential waste management.
  - (ii) traffic; and
  - (iii) location and design of ~~parking and~~ access (including pedestrian access) and parking (if provided).
- (b) ~~[deleted] all of the following standards:~~
- (i) ~~[deleted] Standard H5.6.9 Maximum impervious areas;~~
  - (ii) ~~[deleted] Standard H5.6.10 Building coverage;~~

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- (iii) ~~[deleted] Standard H5.6.11 Landscaped area;~~
- (iv) ~~[deleted] Standard H5.6.12 Outlook space;~~
- (v) ~~[deleted] Standard H5.6.13 Daylight;~~
- (vi) ~~[deleted] Standard H5.6.14 Outdoor living space;~~
- (vii) ~~[deleted] Standard H5.6.15 Front, side and rear fences and walls; and~~
- (viii) ~~[deleted] Standard H5.6.16 Minimum dwelling size~~
- (c) the effects on infrastructure and servicing including:
  - (i) Existing infrastructure capacity.
- (d) the provision of effective and efficient emergency responder servicing.
- (e) adequacy of emergency responder access.
- (f) the integration of commercial activities in a residential development including:
  - (i) the compatibility of:
    - A. the intensity and scale of the development arising from the numbers of people and/or vehicles using the site; and
    - B. 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;
  - (ii) the design and location of parking areas and vehicle access and servicing arrangements on visual amenity of the streetscape and on pedestrian safety;
  - (iii) the 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
  - (iv) the assessment of the above matters having regard to the need to provide for the functional requirements of the activity.
- (3) ~~[deleted] for integrated residential development:~~
  - (a) ~~the effects on the neighbourhood character, residential amenity, safety, and the surrounding residential area from all of the following:~~
    - (i) ~~building intensity, scale, location, form and appearance traffic;~~
    - (ii) ~~location and design of parking and access and~~
    - (iii) ~~noise, lighting and hours of operation.~~
  - (b) ~~all of the following standards:~~

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- (i) ~~Standard H5.6.9 Maximum impervious areas;~~
  - (ii) ~~Standard H5.6.10 Building coverage;~~
  - (iii) ~~Standard H5.6.11 Landscaped area;~~
  - (iv) ~~Standard H5.6.12 Outlook space;~~
  - (v) ~~Standard H5.6.13 Daylight;~~
  - (vi) ~~Standard H5.6.14 Outdoor living space;~~
  - (vii) ~~Standard H5.6.15 Front, side and rear fences and walls; and~~
  - (viii) ~~Standard H5.6.16 Minimum dwelling size.~~
- (c) ~~Infrastructure and servicing.~~
- (4) for buildings that do not comply with the relevant Standard(s) specified in Table H6.4.1 ~~[Deleted] H6.6.5 Building height; Standard H6.6.6 Height in relation to boundary; Standard H6.6.7 Alternative height in relation to boundary; Standard H6.6.8 Height in relation to boundary adjoining lower density zones; Standard H6.6.9 Yards; Standard H6.6.10 Maximum impervious areas; Standard H6.6.11 Building coverage; Standard H6.6.12 Landscaped area; Standard H6.6.13 Outlook space; Standard H6.6.14 Daylight; Standard H6.6.15 Outdoor living space; Standard H6.6.16 Front, side and rear fences and walls; Standard H6.6.17 Minimum dwelling size;~~
- (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 planned urban built character of the zone;
  - (e) the effects on the amenity of neighbouring sites;
  - (f) the effects of any special or unusual characteristic of the site which is relevant to the standard;
  - (g) the characteristics of the development;
  - (h) any other matters specifically listed for the standard; and
  - (i) where more than one standard will be infringed, the effects of all infringements.
- (5) ~~[Deleted] For new buildings and additions to buildings which do not comply with H6.6.6 Height in relation to boundary but comply with H6.6.7 Alternative height in relation to boundary;~~
- (a) ~~Visual dominance effects;~~
  - (b) ~~Attractiveness and safety of the street; and~~

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(c) ~~Overlooking and privacy.~~

(6) For development in areas identified on the planning maps as being subject to the Infrastructure – Combined Wastewater Network Control that do not comply with Standard H6.6.23.

(a) The effect of the development on the function and available capacity of the Combined Wastewater Network.

### H6.8.2. Assessment criteria

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

(A1) For all restricted discretionary activities:

(a) The extent to which the development manages effects on the safe access and walkability on the immediate urban road environment and to public transport.

(1) for supported residential care accommodating greater than 10 people per site inclusive of staff and residents; boarding houses accommodating greater than 10 people per site inclusive of staff and residents; visitor accommodation accommodating greater than 10 people per site inclusive of staff and visitors; dairies ~~more than 200m<sup>2</sup> up to 400m<sup>2</sup>~~ gross floor area per site; restaurants and cafes ~~more than 200m<sup>2</sup> up to 400m<sup>2</sup>~~ gross floor area per site; care centres accommodating greater than 10 people per site excluding staff; and community facilities; ~~and healthcare facilities up to 200m<sup>2</sup> gross floor area per site:~~

(a) infrastructure and servicing:

(i) Whether there is adequate capacity in the existing stormwater and public reticulated water supply and wastewater network to service the proposed development, including adequate water for firefighting and this is confirmed by the service provider.

(ii) Where adequate network capacity is not available, whether adequate mitigation is proposed.

(b) building intensity, scale, location, form and appearance:

(i) whether the intensity and scale of the activity, the building location, form and appearance is compatible with the character and residential amenity provided for within the zone and compatible with the surrounding residential area.

(c) traffic:

(i) whether the activity avoids or mitigates high levels of additional non-residential traffic on local roads.

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(d) location and design of parking and access (including pedestrian access) and parking (if provided):

- (i) whether adequate access is provided or required;
- (ii) whether carparking and accessways are integrated into the overall design of development;
- (iii) whether parking is located away from street frontages and screened from the street by buildings or landscaping; and
- (iv) whether safe, well-lit pedestrian access is provided and integrated into the design of development.

(e) noise, lighting and hours of operation:

- (i) whether noise and lighting and the hours of operation of the activity avoids, remedies or mitigates adverse effects on the residential amenity of surrounding properties, by:
  - locating noisy activities away from neighbouring residential boundaries; and
  - screening or other design features; and
  - controlling the hours of operation and operational measures.

(2) for dwellings and integrated residential developments:

(a) the extent to which or whether the development achieves the purpose outlined in the following relevant standards identified in Table H6.4.1 or what alternatives are provided that result in the same or a better outcome:

- (i) ~~[Deleted] Standard H6.6.10 Maximum impervious areas;~~
- (ii) ~~[Deleted] Standard H6.6.11 Building coverage;~~
- (iii) ~~[Deleted] Standard H6.6.12 Landscaped area;~~
- (iv) ~~[Deleted] Standard H6.6.13 Outlook space;~~
- (v) ~~[Deleted] Standard H6.6.14 Daylight;~~
- (vi) ~~[Deleted] Standard H6.6.15 Outdoor living space; and~~
- (vii) ~~[Deleted] Standard H6.6.16 Front, side and rear fences and walls; and~~
- (viii) ~~[Deleted] Standard H6.6.17 Minimum dwelling size~~

(aa) the extent to which the scale of the activity, the building location, form and appearance is a quality outcome and compatible with the planned urban built character and residential amenity of the surrounding residential area provided for within the zone.

(ab) the extent to which buildings are designed to manage building length and bulk and visual dominance by:

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- (i) placing taller buildings on the street front;
  - (ii) varying roof form and building height;
  - (iii) using modulation and architectural features to break up the mass of buildings into visually distinct elements;
  - (iv) using the proportions and arrangement of windows and doors to provide relief to building length and bulk;
  - (v) using other building elements including materials, surface detailing, architectural detail and roof design to provide visual interest along building facades including blank side/party walls;
  - (vi) providing adequate breaks in long continuous buildings to minimise the appearance of length;
  - (vii) locating deep soil areas and/or communal outdoor spaces around and between buildings to provide space and soften the built form; and
  - (viii) designing balconies as an integral part of the building.
- (ac) the extent to which buildings adjoining or across the street from an identified special character area or a scheduled historic heritage place are designed to respect the prevailing character of the area or key historic heritage design and location elements of that place. New and contemporary interpretations in form and detail may be used.
- (ad) the extent to which building frontage contribute positively to the visual amenity and safety of public streets, public open spaces, and private vehicle and pedestrian accessways by:
  - (i) having clearly defined fronts that provide passive surveillance from windows and balconies;
  - (ii) maximising doors, windows and balconies over all levels on the front façades whilst not impacting on the privacy of residents on adjoining sites;
  - (iii) maximising the number of dwellings on the site that directly front, align and orientate to public streets;
  - (iv) ground level dwellings closest to the street each have direct and clearly defined pedestrian access from the street in preference to a single building entrance;
  - (v) optimise landscaping in the front dwellings;
  - (vi) minimise the visual dominance of garage doors; and
  - (vii) where a site adjoins public open space, buildings include entrances, windows of habitable rooms and balconies facing the open space.
- (ae) the extent to which site layout creates legible, visible attractive, safe and well-lit connections between dwellings and the street.

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- (b) refer to Policy H6.3(1);
- (c) refer to Policy H6.3(2);
- (d) refer to Policy H6.3(3);
- (da) refer to Policy H6.3(3A);
- (db) refer to Policy H6.3(3B);
- (dc) refer to Policy H6.3(3C);
- (e) refer to Policy H6.3(4);
- (f) ~~[Deleted] refer to Policy H6.3(5);~~
- (fa) refer to Policy H6.3(5A);
- (g) ~~refer to Policy H6.3(6);~~
- (h) ~~refer to Policy H6.3(7); and~~
- (i) ~~refer to Policy H6.3(8);~~
- (ia) refer to Policy H6.3(A9); and
- (ib) refer to Policy H6.3(10);
- (j) infrastructure and servicing:
  - (i) Whether there is adequate capacity in the existing stormwater and public reticulated water supply and wastewater network to service the proposed development including adequate water for firefighting and this is confirmed by the service provider.
  - (ii) Where adequate network capacity is not available, whether adequate mitigation is proposed.
- (k) the extent to which dwellings:
  - (i) Orientate and locate windows to optimise privacy and encourage natural cross ventilation within the dwelling and reduce overlooking of dwellings and their outdoor living space in the same or an adjoining site;
  - (ii) Optimise sunlight and daylight access based on orientation, function, window design and location, and depth of the dwelling floor space;
  - (iii) Provide secure and conveniently accessible storage for the number and type of occupants the dwelling is designed to accommodate; and



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(iv) the necessary storage and waste collection and recycling facilities is provided in locations conveniently accessible and screened from streets and public open spaces.

(l) the safety and functionality of emergency responder access.

(m) the extent to which development:

(i) integrates commercial activities in a residential development; and

(ii) Policy H6.3(9).

(3) [Deleted] for integrated residential development:

(a) the extent to which or whether the development achieves the purpose outlined in the following standards or what alternatives are provided that result in the same or a better outcome:

(i) Standard H6.6.10 Maximum impervious areas;

(ii) Standard H6.6.11 Building coverage;

(iii) Standard H6.6.12 Landscaped area;

(iv) Standard H6.6.13 Outlook space;

(v) Standard H6.6.14 Daylight;

(vi) Standard H6.6.15 Outdoor living space;

(vii) Standard H6.6.16 Front, side and rear fences and walls; and

(viii) Standard H6.6.17 Minimum dwelling size (excluding retirement villages).

(b) refer to Policy H6.3(1);

(c) refer to Policy H6.3(2);

(d) refer to Policy H6.3(3);

(e) refer to Policy H6.3(4);

(f) refer to Policy H6.3(5);

(g) refer to Policy H6.3(6);

(h) refer to Policy H6.3(7);

(i) refer to Policy H6.3(8); and

(j) infrastructure and servicing:

(i) Whether there is adequate capacity in the existing stormwater and public reticulated water supply and wastewater network to service the proposed development.

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- (ii) ~~Where adequate network capacity is not available, whether adequate mitigation is proposed.~~
- (4) ~~For new buildings and additions to buildings which do not comply with H6.6.6 Height in relation to boundary but comply with H6.6.7 Alternative height in relation to boundary:~~

### **Visual dominance**

- (a) ~~The extent to which buildings as viewed from the side or rear boundaries of adjoining residential sites or developments are designed to reduce visual dominance effects, taking into account:~~
  - (i) ~~the planned urban built character of the zone;~~
  - (ii) ~~the location, orientation and design of development; and~~
  - (iii) ~~the physical characteristics of the site and the neighbouring site.~~

### **Attractiveness and safety of the street**

- (b) ~~The extent to which those parts of buildings located closest to the front boundary achieve attractive and safe streets by:~~
  - (i) ~~providing doors, windows and balconies facing the street;~~
  - (ii) ~~optimising front yard landscaping;~~
  - (iii) ~~providing safe pedestrian access to buildings from the street; and~~
  - (iv) ~~minimising the visual dominance of garage doors as viewed from the street.~~

### **Overlooking and privacy**

- (c) ~~The extent to which direct overlooking of a neighbour's habitable room windows and outdoor living space is minimised to maintain a reasonable standard of privacy, including through the design and location of habitable room windows, balconies or terraces, setbacks, or screening.~~
- (5) ~~for building height infringements:~~
  - (a) ~~refer to Policy H6.3(1);~~
  - (b) ~~refer to Policy H6.3(2);~~
  - (ba) refer to Policy H6.3(3A);
  - (bb) refer to Policy H6.3(3B);
  - (bc) refer to Policy H6.3(3C);
  - (c) ~~refer to Policy H6.3(4); and~~
  - (d) ~~[Deleted] refer to Policy H6.3(5).~~

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- (e) Refer to Policy H6.3(A9).

**Visual dominance**

- (f) The extent to which buildings as viewed from the street or public places are designed to minimise visual dominance effects of any additional height, taking into account:
- (i) the planned urban built character of the zone; and
  - (ii) the location, orientation and design of development.
  - (iii) the effect of the proposed height on the surrounding and neighbouring development.

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- (g) the extent to which the form and design of the building and any additional height responds to the planned form and existing character of the surrounding area, including natural landforms and features, and the coast;
- (h) how buildings as viewed from the street or public places are designed to appear against the skyline, taking into account:
- (i) whether roof plant, services and equipment are hidden from views; and
  - (ii) whether the expression of the top of the building provides visual interest and variation.

- (6) for height in relation to boundary infringements:

- (a) refer to Policy H6.3(1);
- (b) refer to Policy H6.3(2);
- (ba) refer to Policy H6.3(3A);
- (bb) refer to Policy H6.3(3B);
- (bc) refer to Policy H6.3(3C);
- (c) refer to Policy H6.3(4);
- (d) ~~[deleted] refer to Policy H6.3(5);~~ and
- (e) ~~[deleted] refer to Policy H6.3(6);~~
- (f) refer to Policy H6.3(A9).

**Visual dominance**

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(g) The extent to which buildings as viewed from the side or rear boundaries of adjoining residential sites or developments are designed to reduce visual dominance effects, taking into account:

- (i) the planned urban built character of the zone;
- (ii) the location, orientation and design of development; and
- (iii) the physical characteristics of the site and the neighbouring site.
- (iv) the design of side and rear walls, including appearance and dominance; and
- (v) providing adequate visual and/or physical break up of long continuous building forms.

**Overlooking and privacy**

(h) The extent to which direct overlooking of a neighbour's habitable room windows and outdoor living space is minimised to maintain a reasonable standard of privacy, including through the design and location of habitable room windows, balconies or terraces, setbacks, or screening.

(7) ~~[Deleted] for alternative height in relation to boundary:~~

- (a) ~~refer to Policy H6.3(1);~~
- (b) ~~refer to Policy H6.3(2);~~
- (c) ~~refer to Policy H6.3(3);~~
- (d) ~~refer to Policy H6.3(4);~~
- (e) ~~refer to Policy H6.3(5); and~~
- (f) ~~refer to Policy H6.3(6).~~

(8) for height in relation to boundary adjoining lower density zones infringements:

- (a) refer to Policy H6.3(1);
- (b) refer to Policy H6.3(2);
- (ba) refer to Policy H6.3(3A);
- (bb) refer to Policy H6.3(3B);
- (bc) refer to Policy H6.3(3C);
- (c) refer to Policy H6.3(4);
- (d) ~~[deleted] refer to Policy H6.3(5); and~~
- (e) ~~[deleted] refer to Policy H6.3(6).~~

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(f) Refer to Policy H6.3(A9).

(8A) for setback at upper floors infringements:

- (a) refer to Policy H6.3(2);
- (b) refer to Policy H6.3(A9); and
- (c) the extent to which buildings are designed to ensure adequate sunlight and daylight access to streets, public spaces and nearby sites in lower intensity zones;

(8B) for maximum tower dimension and tower separation infringements:

- (a) refer to Policy H6.3(2);
- (b) refer to Policy H6.3(A9); and
- (c) the extent to which sunlight and outlook is provided to those parts of buildings above 22m;
- (d) the extent to which buildings are designed and adequate separation between buildings is provided to minimise significant visual dominance effects at the street level and to allow daylight and sunlight into buildings and sky views to filter down to streets and public places.
- (e) the extent to which buildings are designed to avoid excessive wind velocity or turbulence in outdoor pedestrian spaces.

(9) for yards infringements:

- (a) refer to Policy H6.3(1);
- (b) refer to Policy H6.3(2);
- (c) refer to Policy H6.3(4); and
- (d) ~~[Deleted] refer to Policy H6.3(5).~~
- (e) Refer to Policy H6.3(A9).

(10) for maximum impervious areas infringements:

- (a) ~~[Deleted] refer to Policy H6.3(8).~~
- (b) refer to Policy H6.3(A9).

(11) for building coverage infringements:

- (a) refer to Policy H6.3(1);
- (b) refer to Policy H6.3(2);
- (c) refer to Policy H6.3(4);

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- (d) ~~refer to Policy H6.3(5); and~~
  - (e) ~~refer to Policy H6.3(6);~~
  - (f) refer to Policy H6.3(A9); and
  - (g) whether the non-compliance is appropriate to the context taking into account:
    - (i) Whether the balance of private open space and buildings is consistent with the existing and planned urban character anticipated for the zone;
    - (ii) The degree to which the balance of private open space and buildings reduces onsite amenity for residents, including the useability of outdoor living areas and functionality of landscape areas;
    - (iii) The proportion of the building scale in relation to the proportion of the site.
- (12) for landscaped area infringements:
- (a) refer to Policy H6.3(1);
  - (b) refer to Policy H6.3(2);
  - (c) refer to Policy H6.3(4); ~~and~~
  - (d) ~~refer to Policy H6.3(5);~~
  - (e) refer to Policy H6.3(A9); and
  - (f) the extent to which existing trees are retained.
- (13) for outlook space infringements:
- (a) refer to Policy H6.3(1);
  - (b) refer to Policy H6.3(2);
  - (c) refer to Policy H6.3(4);
  - (d) ~~refer to Policy H6.3(5); and~~
  - (e) ~~refer to Policy H6.3(6);~~
  - (f) refer to Policy H6.3(A9); and
  - (g) the extent to which overlooking of a neighbour's habitable room windows and private and/or communal outdoor living space can be minimised through the location and design of habitable room windows, balconies or

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terraces and the appropriate use of building and glazing setbacks and/or screening which is integrated part of the overall building design.

(14) for daylight infringements:

- (a) refer to Policy H6.3(2);
- (b) refer to Policy H6.3(4);
- (c) ~~refer to Policy H6.3(5);~~ and
- (d) ~~refer to Policy H6.3(6);~~
- (e) refer to Policy H6.3(A9).

(15) for outdoor living space infringements:

- (a) refer to Policy H6.3(1);
- (b) refer to Policy H6.3(2);
- (c) ~~refer to Policy H6.3(5);~~
- (d) ~~refer to Policy H6.3(6);~~ and
- (e) ~~refer to Policy H6.3(7).~~
- (f) The extent to which dwellings provide private open space and communal open space that is useable, accessible from each dwelling and an inviting space for which encourages occupants to spend time there; and
- (g) Where private outdoor living space requirements cannot be met, the extent to which residential developments provide communal outdoor living space that:
  - (i) is located in a communally accessible location;
  - (ii) is of a size and shape that is comparable or better than the area of the infringement;
  - (iii) is free from buildings, parking spaces, servicing and manoeuvring areas;
  - (iv) is located to optimise sunlight and daylight access; and
  - (v) may be split into locations within a development that achieves sufficient size and shape and is accessible for residents.

(15A) For windows to street and private vehicle and pedestrian accessways infringements:

- (a) refer to Policy H5.3(A9); and

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(b) The extent to which the glazing:

- (i) allows views to the street and/or accessways to ensure passive surveillance; and
- (ii) provides a good standard of privacy for occupants.

(16) For front, side and rear fences and walls infringements:

- (a) ~~[Deleted] refer to Policy H6.3(2);~~
- (b) ~~[Deleted] refer to Policy H6.3(3);~~
- (c) ~~[Deleted] refer to Policy H6.3(5); and~~
- (d) ~~[Deleted] refer to Policy H6.3(6);~~
- (e) refer to Policy H6.3(A9).

(17) For minimum dwelling size infringements:

- (a) ~~[Deleted] Policy H6.3(6)~~
- (b) refer to Policy H6.3(A9);
- (c) refer to Policy H6.3(10); and
- (d) The extent to which each dwelling is designed to:
  - (i) Provide simple and convenient internal access and circulation
  - (ii) Include adequate storage; and
  - (iii) Be large enough to allow the use of typical furnishings that meet the needs of the intended occupants.

(18) for deep soil area and canopy tree infringements:

- (a) refer to Policy H5.3(A9); and
- (b) The extent to which the proposed deep soil area uses or adds to existing deep soil areas to support canopy trees.

(19) for safety and privacy buffer from private pedestrian and vehicle accessways:

- (a) refer to Policy H5.3(A9); and
- (b) the extent to which the buffer is:
  - (i) free of buildings, parking spaces, structures, servicing facilities and manoeuvring areas;
  - (ii) planted with suitable and low level plants.

(20) For residential waste management infringements:



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- (a) refer to Policy H5.3(A9);
  - (b) refer to Policy H5.3(10);
  - (c) The extent to which sufficient space is provided for residential waste management including areas for storage and collection;
  - (d) Whether storage areas are suitably located for ease of movement to collection points;
  - (e) The extent to which waste management storage areas are designed to minimise visibility from within the site, from the street and/or adjacent sites;
  - (f) Where kerbside collection cannot meet the minimum 1m width, the extent to which the waste collection activity avoids adverse effects on the safe and efficient operation of the transport network;
  - (g) How the development intends to ensure the on-going management and maintenance of any communal residential waste management area; and
  - (h) Whether waste storage areas are located outside windows or doors to bedrooms, living areas and outdoor living areas to avoid effects of odour and noise; and
  - (i) Whether waste management vehicle can safely undertake collection.
- (21) For development within the Infrastructure – Combined Wastewater Network Control infringements:
- (a) Whether separation is in progress and the development can connect to a separated stormwater pipe that is part of the public stormwater network; and
  - (b) Whether servicing the development will have an adverse effect on the function and available capacity of the Combined Wastewater Network that the development will connect to.

#### H6.9. Special information requirements

~~There are no special information requirements in this zone.~~

##### **Landscape Plans as required by H5.6.11. Landscape area**

- (1) A scaled landscape plan must be provided that contains landscaped areas and includes:
- (a) Plant and tree species, number of each species to be planted and planting grades;
  - (b) Canopy of existing trees to be retained;
  - (c) Any area of grass; and
  - (d) Any paths included in landscaped area.

**Deep Soil Area and Canopy Tree**

(2) The deep soil area provided must be demonstrated on a scaled landscape plan that at a minimum identifies the following:

- (e) plant and tree species, number of each species to be planted and planting grades;
- (f) location of existing trees to be retained;
- (g) dimensions of individual mature tree canopy;
- (h) any areas of grass; and
- (i) Minimum tree canopy dimensions are specified in Table H5.9(3) below.

**Table H5.9(3) Minimum tree canopy dimensions**

	<b><u>Minimum mature tree height</u></b>	<b><u>Minimum mature canopy diameter</u></b>	<b><u>Minimum tree height above ground when planted</u></b>	<b><u>Indicative tree planting grade</u></b>
<u>Small</u>	<u>8m</u>	<u>6m</u>	<u>2m</u>	<u>120L</u>
<u>Medium</u>	<u>10m</u>	<u>8m</u>	<u>2.5m</u>	<u>160L</u>
<u>Large</u>	<u>15m</u>	<u>12m</u>	<u>3m</u>	<u>200L</u>

**Residential waste management**

- (3) Applications for where communal bins are proposed, must include calculations for required storage space as determined using the Auckland Council's Solid Waste Calculator (Standard H5.6.21(1)(b)).
- (4) When preparing the waste management and minimisation plan, applicants should refer to the Waste Management and Minimisation Bylaw 2019. The following information must be provided:
- a) the frequency and location, of waste collection or transportation; and
  - b) where communal bins are provided for collection, the method of waste segregation that will enable residents to separate dry recycling (glass, paper, plastic etc), food scraps and refuse from their designated bins into the appropriate communal bin for that waste type.

## **H7. Open Space zones**

### **H7.1. Background**

The majority of land zoned as open space is vested in the Council or is owned by the Crown. However some areas zoned open space are privately owned. While the open space zones generally provide for public use, some privately owned, or Crown-owned sites may restrict public use and access.

Five zones are used to manage activities on land zoned open space:

- Open Space – Conservation Zone;
- Open Space – Informal Recreation Zone;
- Open Space – Sports and Active Recreation Zone;
- Open Space – Civic Spaces Zone; and
- Open Space – Community Zone.

**Open Space zone is a qualifying matter in accordance with Schedule 3C and Clause 8 s77O(f) where it relates to Policy 3 of the Resource Management Act 1991. The qualifying matter impacts the enabled building height.**

### **H7.2. Objectives – All Zones**

In addition to the specific objectives that apply to each open space zone, the following objectives apply generally to open space areas.

- (1) Recreational needs are met through the provision of a range of quality open space areas that provide for both passive and active activities.
- (2) The adverse effects of use and development of open space areas on residents, communities and the environment are avoided, remedied or mitigated.

### **H7.3. Policies – General**

In addition to the specific policies that apply to each open space zone, the following policies apply generally to open space areas.

- (1) Design, develop, manage and maintain open spaces to:
  - (a) provide for the needs of the wider community as well as the needs of the community in which they are located;
  - (b) achieve the objectives for the open space zone;
  - (c) use resources efficiently and where appropriate be adaptable and multifunctional;
  - (d) provide for people of differing ages and abilities;
  - (e) be safe and attractive to users; and

- (f) where appropriate for the zone, reflect the natural, heritage and landscape values of the area.
- (2) Develop open spaces which reflect Mana Whenua values where appropriate, including through:
  - (a) restoring and enhancing ecosystems and indigenous biodiversity, particularly taonga species;
  - (b) providing natural resources for customary use; and
  - (c) providing opportunities for residents and visitors to experience Māori cultural heritage, while protecting Māori cultural heritage and sites and features of significance to Mana Whenua.
- (3) Enable the provision of infrastructure necessary to service open spaces and recreation facilities.
- (4) Enable the construction operation, maintenance, repair and minor upgrading of infrastructure located on open spaces.

#### **H7.4. Open Space – Conservation Zone**

##### **H7.4.1. Zone description**

The Open Space – Conservation Zone applies to open spaces with natural, ecological, landscape, and cultural and historic heritage values. These areas include volcanic cones, bush reserves, headlands, natural wetlands and coastline and play an important role in protecting and increasing the populations of threatened and endangered species. They also include some of the most pristine beaches and coastlines that provide opportunities for informal recreation.

The Open Space – Conservation Zone also applies to cemeteries that are no longer operational to recognise their cultural heritage values.

To protect the values of the zone, recreation activities and development are limited in scale and intensity. Buildings and activities provided for relate to conservation, land management, recreation, education, park management and visitor information.

Activities in the zone need to be managed to ensure Mana Whenua values are maintained, and that adverse effects on scheduled Sites and Places of Significance to Mana Whenua are avoided.

##### **H7.4.2. Objectives**

- (1) The natural, ecological, landscape, Mana Whenua and historic heritage values of the zone are enhanced and protected from adverse effects of use and development.
- (2) Use and development complements and protects the conservation values and natural qualities of the zone.

##### **H7.4.3. Policies**

- (1) Enable appropriate use and development that conserves, protects and enhances the natural, landscape, and historic heritage values of the zone.
- (2) Protect and enhance ecological values, including habitats, significant ecological areas and any unique features present within the zone.
- (3) Manage the use of the open space to protect and enhance Mana Whenua values, and enable appropriate activities which support and re-establish the relationship of Mana Whenua and their culture and traditions to their ancestral lands, water, sites, wāhi tapu and other taonga.
- (4) Limit activities, buildings and structures to those necessary to maintain or enhance the use or values of the zone.
- (5) Locate and design new buildings, structures and additions to:
  - (a) complement the context, character and values of the zone; and
  - (b) ensure that there is minimal disturbance to existing landform, vegetation and vulnerable habitats.
- (6) Locate and design vehicle access and parking to have minimal impact on the values of the zone through all of the following:
  - (a) ensuring there is minimal disturbance to the existing landform and vegetation;
  - (b) locating parking areas in proximity to public streets and/or internal roads to avoid intrusion into the open space and encourage shared parking;
  - (c) using unformed and unsealed areas for parking, particularly for peak periods during summer months;
  - (d) using smaller, conveniently located parking areas in preference to large expanses of parking; and
  - (e) locating parking areas so that the character of the zone and adjoining properties are not adversely affected by noise or visual effects.
- (7) Require areas surrounding buildings, structures and parking areas to be landscaped to mitigate visual impacts.

## **H7.5. Open Space – Informal Recreation Zone**

### **H7.5.1. Zone description**

The Open Space – Informal Recreation Zone applies to open spaces that range in size from small local parks to large regional parks. These areas are used for a variety of outdoor informal recreation activities and community uses, such as walking, running, cycling, relaxing and socialising, picnics, playing and enjoying the environment.

Some of these open spaces adjoin the coast, harbours, lakes, rivers and streams and play a key role in providing access to and along these areas. They may also

contain sites with natural and/or historic heritage values and form an important part of Auckland's walkway and cycleway network.

These open spaces are generally characterised by few buildings and structures. Limiting development in these areas maintains the open space character and amenity values, and enables opportunities for a range of informal recreation activities to occur.

Buildings and structures are limited to those that support the enjoyment of the open space for informal recreation and small-scale community buildings and structures.

Larger open spaces such as Auckland's regional parks may include visitor information facilities and limited retail such as cafes.

#### **H7.5.2. Objectives**

- (1) The open and spacious character, amenity values and any historic, Mana Whenua, and natural values of the zone are maintained.
- (2) Informal recreation activities are the predominant use of the zone.
- (3) Buildings and exclusive-use activities are limited to maintain public use and open space for informal recreation.
- (4) Small-scale, informal land-based water-related recreational facilities are provided for while maintaining and enhancing public access to and along the coast.

#### **H7.5.3. Policies**

- (1) Provide for a variety of informal recreation activities, including small-scale community uses and accessory activities.
- (2) Maintain or enhance the natural character values of open spaces by retaining significant vegetation (where appropriate and practical) and through weed removal, new planting and landscaping.
- (3) Require development, including new buildings and structures, located near scheduled Sites or Places of Significance to Mana Whenua to recognise the relationship of Mana Whenua to the area.
- (4) Limit buildings, structures and activities to those necessary to enhance people's ability to use and enjoy the open space for informal recreation.
- (5) Locate and design buildings and structures to:
  - (a) complement the open and spacious character, function and amenity values of the zone;
  - (b) maintain public accessibility and minimise areas for exclusive use; and
  - (c) protect any natural or historic heritage values.
- (6) Use the street network and internal roads for parking in preference to on-site parking, and where it is necessary to provide on-site vehicle access and parking, ensure the character of the zone is maintained.

- (7) Manage the intensity of activities to minimise adverse effects such as noise, glare and traffic on the amenity values of the surrounding area.
- (8) Limit activities and their associated facilities adjoining the coast or water bodies to those that have a functional or operational need for a coastal location.
- (9) Avoid use and development in locations adjoining the coast or water bodies where they will have more than minor adverse effects on any of the following:
  - (a) public access;
  - (b) the visual amenity values of the coast and water bodies;
  - (c) areas of high natural or historic heritage value; or
  - (d) Mana Whenua values.

## **H7.6. Open Space – Sport and Active Recreation Zone**

### **H7.6.1. Zone description**

The Open Space – Sport and Active Recreation Zone applies to open spaces used for indoor and outdoor organised sports, active recreation and community activities. It includes facilities such as sports fields, hard-court areas and greens, recreational and multi-sport facilities, and marine-related activities such as ramps, jetties, slipways, hardstand areas. These spaces often include buildings and structures such as grandstands, sport and community clubrooms and toilets and changing facilities associated with these uses. Most of these open spaces are also available for informal recreation activities such as walking, jogging and informal games when not used for sport and active recreation.

Commercial activities accessory to sport and active recreation activities may be undertaken in appropriate locations. These activities can provide economic benefits as well as social benefits, such as providing food or beverage to support recreational use and by adding to safety through passive surveillance.

The more intensive use of these open spaces can attract large numbers of people. This can generate high levels of traffic, noise, glare and other adverse effects that need to be managed.

### **H7.6.2. Objectives**

- (1) Indoor and outdoor sport and active recreation opportunities are provided for efficiently, while avoiding or mitigating any significant adverse effects on nearby residents, communities and the surrounding areas.
- (2) Activities accessory to active sport and recreation activities are provided for in appropriate locations and enhance the use and enjoyment of areas for active sport and recreation.
- (3) Larger scale, or clusters of land-based marine-related recreation facilities, are recognised and provided for while maintaining and enhancing public access to and along the coast.



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### **H7.6.3. Policies**

- (1) Enable indoor and outdoor organised sports, active recreation, recreation facilities, community activities, accessory activities and associated buildings and structures.
- (2) Enable accessory activities that enhance the use and enjoyment of the public open space and that relate to the primary activities on the site.
- (3) Design and locate buildings and structures (including additions) to be compatible with the surrounding environment in which they are located, particularly residential environments, and to avoid or mitigate any adverse effects, including visual, dominance, overlooking and shading.
- (4) Design and locate buildings, structures and activities so that any adverse effects, including noise, glare and traffic effects, are managed to maintain a reasonable level of amenity value for nearby residents, communities and the surrounding environment.
- (5) Maximise the use of indoor and outdoor recreation facilities including through multifunctional use and adaptable designs to increase the capacity and use of the open space.
- (6) Limit activities and associated facilities on open space adjoining the coast or a water body to those that have a functional or operational requirement for a coastal location.
- (7) Require activities and development in locations adjoining the coast or a water body to meet all of the following:
  - (a) maintain public access, unless access is to be excluded for safety and security reasons;
  - (b) maintain the visual amenity of the coastal environment and water bodies;
  - (c) avoid areas scheduled for their outstanding natural landscape, outstanding or high natural character or historic heritage values; and
  - (d) recognise Mana Whenua values.

## **H7.7. Open Space – Civic Spaces Zone**

### **H7.7.1. Zone description**

The Open Space – Civic Spaces Zone applies to open spaces such as squares and plazas in centres and other urban areas. Civic spaces are becoming increasingly important as Auckland grows and becomes more compact, and access to high amenity open spaces is needed for residents, workers and visitors.

Civic spaces contribute to the character of centres and urban areas and provide opportunities for informal recreation, social interaction and community gatherings and events. They also support local character and sense of identity.

### **H7.7.2. Objective**

- (1) Civic spaces are used for civic and community functions, events and informal recreation.

### **H7.7.3. Policies**

- (1) Enable civic and community functions and events, and informal recreation activities.
- (2) Limit buildings and structures to those that are necessary to support the purpose of the zone, and where this is demonstrated, ensure that they enhance the amenity values, functionality and use of the zone.
- (3) Manage the effects of activities to avoid or mitigate any adverse effects on the environment and on the amenity values of the nearby residents, communities and the surrounding environment.
- (4) Enable public amenities that enhance the use and enjoyment of civic and community open spaces, and the installation of artworks and interpretive signs.

## **H7.8. Open Space – Community Zone**

### **H7.8.1. Zone Description**

The Open Space – Community Zone primarily accommodates community buildings and activities. These include libraries, arts and cultural centres, marae, community houses, halls, early childhood learning facilities and recreation centres. This zone is situated in centres, suburban and rural areas.

### **H7.8.2. Objective**

- (1) Community activities are provided for and meet the social needs of local communities.

### **H7.8.3. Policies**

- (1) Enable community activities and early childhood learning services and associated buildings and structures.
- (2) Design and locate buildings, structures and activities so that any adverse effects, including noise, glare and traffic effects, are managed to maintain a reasonable level of amenity value for nearby residents, communities and the surrounding environment.
- (3) Maximise the use of buildings including through multifunctional use and adaptable designs.

## **H7.9. Activity table**

Table H7.9.1 specifies the activity status of land use activities in the open space zones pursuant to section 9(3) of the Resource Management Act 1991. Notwithstanding the following rules, the Reserves Act 1977 applies to land vested under section 14 of that Act.

A blank in Table H7.9.1 Activity Table below means that the Auckland-wide provisions apply.

**H7.9.1. Activity Table – Open Space Zones**

<b>Activity</b>		<b>Activity Status</b>				
		Conservation Zone	Informal Recreation Zone	Sport and Active Recreation Zone	Civic Spaces Zone	Community Zone
<b>Use</b>						
(A1)	Activities not provided for	NC	NC	NC	NC	NC
<b>Residential</b>						
(A2)	Camping grounds	D	D	NC	NC	NC
(A3)	A single workers' accommodation	P	P	P	NC	P
(A4)	Visitor accommodation - huts and lodges	D	D	NC	NC	NC
<b>Community</b>						
(A5)	Visitor centres	D	D	NC	D	P
(A6)	Community centres and halls	NC	D	D	D	P
(A7)	Early childhood learning services	NC	NC	D	NC	P
(A8)	Education and research facilities directly related to the open space	P	P	P	P	P
(A9)	Art galleries, arts and cultural centres	NC	D	D	D	P
(A10)	Clubrooms	D	D	P	NC	P
(A11)	Libraries	NC	NC	NC	NC	P
(A12)	Grandstands	NC	NC	RD	NC	NC
(A13)	Informal recreation	P	P	P	P	P
(A14)	Information facilities accessory to a permitted activity	P	P	P	P	P
(A15)	Organised sport and recreation	NC	RD	P	NC	P
(A16)	Public amenities	P	P	P	P	P
(A17)	Recreation facilities	NC	D	P	D	P
(A18)	Gardens, including botanic and community gardens	P	P	P	P	P
<b>Coastal</b>						
(A19)	Coastal navigational aids	P	P	P	P	P

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<b>Commerce</b>						
(A20)	Markets	NC	RD	RD	P	P
(A21)	Restaurants and cafes, excluding a drive-through facility, that are accessory to a permitted activity and are located further than 50m from a residential zone	D	RD	P	RD	P
(A22)	Restaurants and cafes, excluding a drive-through facility, that are accessory to a permitted activity and located within 50m of a residential zone	D	D	RD	D	D
(A23)	Retail accessory to a permitted activity	D	P	P	P	P
(A24)	Retail not otherwise provided for	NC	D	D	D	D
<b>Industry</b>						
(A25)	Parks depot, storage and maintenance	RD	RD	P	NC	NC
<b>Rural</b>						
(A26)	Conservation planting	P	P	P	P	P
(A27)	Farming or grazing as part of a management programme for the open space	P	P	P	NC	NC
(A28)	Forestry	D	D	D	NC	NC
<b>Mana Whenua</b>						
(A29)	Customary use	P	P	P	P	P
(A30)	Marae complex	D	D	D	D	P
<b>Development</b>						
(A31)	Accessory buildings	P	P	P	P	P
(A32)	Artworks	P	P	P	P	P
(A33)	Demolition of buildings	P	P	P	P	P
(A34)	Internal additions and alterations to existing buildings	P	P	P	P	P
(A35)	External additions to existing buildings that comply with the standards	P	P	P	P	P
(A36)	External additions to existing buildings that do	D	D	D	D	D

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	not comply with one or more standards					
(A37)	Buildings for public amenities	P	P	P	P	D
(A38)	New buildings that comply with the standards	P	P	P	P	P
(A51)	New buildings within Churchill Park that comply with the standards	NA	D	P	NA	P
(A39)	New buildings that do not comply with one or more standards	D	D	D	D	D
(A40)	Non-security floodlighting, fittings and supports and towers up to 18m high	NC	P	P	P	NC
(A41)	Non-security floodlighting, fittings and support towers more than 18m high	NC	RD	RD	RD	NC
(A42)	Fences on the front boundary more than 50 per cent transparent	P	P	P	P	P
(A43)	Fences on the front boundary less than 50 per cent transparent	RD	RD	RD	RD	RD
(A44)	Maimais (erection, use, alteration, maintenance and demolition) associated with lawful game-bird hunting	P	P	NC	NC	NC
(A45)	Observation areas, viewing platforms and related structures	RD	P	P	P	P
(A46)	Parks infrastructure	P	P	P	P	P
(A47)	Sport and recreation structures	NC	P	P	NC	NC
(A48)	Parks maintenance	P	P	P	P	P
(A49)	Recreational trails	P	P	P	P	P
(A50)	Construction of vehicle access and parking areas	D	D			
(A51)	Jetties or boat ramps	D	D	D	D	D

### H7.10. Notification

- (1) Any application for resource consent for an activity listed in Table H7.9.1 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\(4\)](#).

### H7.11. Standards

All activities listed as a permitted activity or restricted discretionary activity in Table H7.9.1 must comply with the following standards.

Where an open space comprises multiple sites but has a common open space zoning, the entire zone will be treated as a single site for the purpose of applying the standards listed below.

### H7.12. Building height

Purpose: To manage the height of buildings to retain the particular open space character of the zone, minimise visual dominance effects, and maintain a reasonable standard of amenity for adjoining sites.

- (1) Buildings must not exceed the height limits specified in Table H7.11.1.1.

**Table H7.11.1.1 Building height**

Zone	All buildings
Open Space – Conservation Zone	4m
Open Space – Informal Recreation Zone	8m
Open Space – Sport and Active Recreation Zone	10m
Open Space – Civic Spaces Zone	4m
Open Space – Community Zone	8m

### H7.12.1. Height in relation to boundary

Purpose: To ensure buildings on the periphery of the open space do not dominate neighbouring areas, particularly residential areas, and maintain a reasonable level of amenity for adjoining sites.

- (1) Where an open space directly adjoins a site in another zone, the height in relation to boundary standard that applies in the adjoining zone applies to the adjoining open space boundary.
- (2) Where an adjoining zone does not specify a height in relation to boundary standard, the yard and/or setback standards that apply in the adjoining zone apply to the boundary directly adjoining the open space boundary.

### H7.12.2. Yards

Qualifying matter as per Schedule 3(c) and Policy 3 of the RMA

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### Purpose:

- to provide a reasonable standard of visual amenity between open space zones when viewed from the street and a buffer between open space zones and neighbouring residential and special purpose zones; and
- to ensure buildings are adequately setback from streams and the coastal edge to maintain water quality and provide protection from natural hazards.

(1) Buildings, or parts of buildings, must be set back from the relevant boundary by the minimum distance listed in Table H7.11.3.1.

**Table H7.11.3.1 Yards**

<b>Yard</b>	<b>Conservation Zone</b>	<b>Informal Recreation Zone</b>	<b>Sport and Active Recreation Zone</b>	<b>Civic Spaces Zone</b>	<b>Community Zone</b>
Front yard	5m	5m or the average setback of buildings on adjacent front sites, whichever is lesser	5m	The average setback of buildings on adjacent front sites	The average setback of buildings on adjacent front sites
Side and rear yards	6m where the open space zone adjoins a residential zone, special purpose zone or the Future Urban Zone otherwise 3m No side and rear yards are required where the open space zone adjoins a business zone			3m where the open space zone adjoins a residential zone	3m where the open space zone adjoins a residential zone
Riparian yard	10m from the edge of permanent and intermittent streams			10m from the edge of permanent and intermittent stream	10m from the edge of permanent and intermittent streams
Coastal protection yard	25m from mean high water springs	20m from mean high water springs	10m from mean high water springs	10m from mean high water springs	10m from mean high water springs

### H7.12.3. Screening

Purpose: To ensure rubbish and/or storage areas are screened from neighbouring sensitive land uses.

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



#### **H7.12.4. Gross floor area threshold**

Purpose: To limit the size of buildings within open spaces to retain their open space character and to maintain a reasonable standard of amenity for adjoining sites.

- (1) The gross floor area of individual buildings, including any external additions or alterations, must not be more than the following:
  - (a) Open Space – Conservation Zone: 50m<sup>2</sup>;
  - (b) Open Space – Informal Recreation Zone: 100m<sup>2</sup>; (or 50m<sup>2</sup> within Churchill Park only);
  - (c) Open Space – Sports and Active Recreation Zone: 150m<sup>2</sup>;
  - (d) Open Space – Civic Spaces Zone: 50m<sup>2</sup>; and
  - (e) Open Space – Community Zone: 300m<sup>2</sup>.

#### **H7.12.5. Maximum site coverage**

Purpose: To limit the extent of building and development so that an open and spacious character is retained as well as to maintain a reasonable standard of amenity for adjoining sites.

- (1) The maximum permitted site coverage per site, or cumulative total area of buildings, must not exceed the following limits:
  - (a) Open Space – Conservation Zone: one per cent;
  - (b) Open Space – Informal Recreation Zone: 10 per cent;
  - (c) Open Space – Sports and Active Recreation Zone: 30 per cent;
  - (d) Open Space – Civic Spaces Zone: five per cent; and
  - (e) Open Space – Community Zone: 50 per cent.

#### **H7.12.6. Maximum impervious area**

Purpose: To restrict the maximum impervious area to manage the amount of stormwater runoff generated by a development, and ensure that adverse effects on water quality, quantity, amenity values are avoided or mitigated.

- (1) The maximum impervious area per site must not exceed the following limits:
  - (a) Open Space – Conservation Zone: lesser of 10 per cent or 5000m<sup>2</sup>;
  - (b) Open Space – Informal Recreation Zone: lesser of 10 per cent or 5000m<sup>2</sup>;
  - (c) Open Space – Sports and Active Recreation Zone: 40 per cent;
  - (d) Open Space – Civic Spaces Zone: no limit; and

- (e) Open Space – Community Zone: 70 per cent where the adjacent zone is a residential zone, Business – Business Park Zone or Business – General Business Zone. No limit in the Business – Mixed Use Zone or the business centre zones.

#### **H7.12.7. Non-security floodlighting, fittings and supports and towers up to 18m high**

- (1) Lighting must meet the permitted activity standards for lighting in Chapter E24 Lighting.

#### **H7.12.8. Maimai**

- (1) A maimai must be no more than 10m<sup>2</sup> in area.
- (2) A maimai must not exceed 3m in height above mean high water springs or ground level.

#### **H7.13. Assessment – controlled activities**

There are no controlled activities in these zones.

#### **H7.14. Assessment – restricted discretionary activities**

##### **H7.14.1. Matters of discretion**

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

##### **H7.14.1.1. Organised sport and recreation**

- (1) The effects of the intensity, scale and duration of the events on informal recreational use of the open space.
- (2) The effects on the amenity value of adjoining sites.
- (3) The extent the activity is consistent with any relevant adopted Reserve Management Plan, Conservation Management Strategy or Conservation Management Plan for the area.

##### **H7.14.1.2. Markets**

- (1) The effects the intensity and scale of the activity will have on recreational use and amenity values.
- (2) The effects on public access to, and use of, the open space.
- (3) The effects from the development design, external appearance and landscaping.
- (4) The effects on any scheduled historic heritage values.
- (5) The effects on natural values, including landform and vegetation.

- (6) The extent the activity is consistent with any relevant adopted Reserve Management Plan, Conservation Management Strategy or Conservation Management Plan for the area.

**H7.14.1.3. Restaurants and cafes accessory to a permitted activity (further than 50m from a residential zone or within 50m of a residential zone in the Open Space – Sport and Active Recreation Zone)**

- (1) The effects of the intensity and scale of the activity on recreational use and amenity values.
- (2) The effects on public access to, and use of, the open space.
- (3) The effects from the development design, external appearance and landscaping.
- (4) The effects on any scheduled historic heritage values.
- (5) The effects on natural values, including landform and vegetation.
- (6) The extent the activity is consistent with any relevant adopted Reserve Management Plan, Conservation Management Strategy or Conservation Management Plan for the area.

**H7.14.1.4. Parks depot, storage and maintenance**

- (1) The effects of the intensity and scale of the activity on residential amenity.
- (2) The effects on public access to, and use of, the open space.
- (3) The effects from the development design, external appearance and landscaping.
- (4) The effects on any scheduled historic heritage values.
- (5) The effects on natural values, including landform and vegetation.
- (6) The extent the activity is consistent with any relevant adopted Reserve Management Plan, Conservation Management Strategy or Conservation Management Plan for the area.

**H7.14.1.5. Grandstands**

- (1) The effects of the intensity and scale of the activity on residential amenity.
- (2) The extent a grandstand will enhance and maximise use of the site.
- (3) The effects from the development design, external appearance and landscaping.
- (4) The extent the activity is consistent with any relevant adopted Reserve Management Plan, Conservation Management Strategy or Conservation Management Plan for the area.

**H7.14.1.6. Non-security floodlighting, fittings and supports and towers more than 18m in height**

- (1) The effects on the amenity value of adjoining sites.
- (2) The hours of operation.
- (3) The height and scale of the structure.
- (4) The extent the activity is consistent with any relevant adopted Reserve Management Plan, Conservation Management Strategy or Conservation Management Plan for the area.

**H7.14.1.7. Fences on the front boundary less than 50 per cent transparent**

- (1) The effects on visibility to and from the open space, including effects on public safety.
- (2) The extent the activity is consistent with any relevant adopted Reserve Management Plan, Conservation Management Strategy or Conservation Management Plan for the area.

**H7.14.1.8. Observation areas, viewing platforms and related structures**

- (1) The effects of the location and design on natural character and landscape values.
- (2) The effects on any identified historic heritage values.
- (3) The effects associated with the construction and use of the structures, including effects to landform and vegetation.
- (4) The extent the activity is consistent with any relevant adopted Reserve Management Plan, Conservation Management Strategy or Conservation Management Plan for the area.

**H7.14.2. Assessment criteria**

The Council will consider the relevant assessment criteria for restricted discretionary activities from the list below.

**H7.14.2.1. Organised sport and recreation**

- (1) The extent to which the intensity, scale and duration of the events will adversely affect the use of the open space area for informal recreational use and whether any adverse effects can be remedied or mitigated.
- (2) The extent to which the effects are contained within the open space area and do not significantly detract from the amenity value of adjoining properties, particularly residential areas.
- (3) Whether the proposal is consistent with the outcomes sought in any relevant adopted reserve management plan, conservation management

strategy or conservation management plan and the ability to avoid, remedy or mitigate any adverse effects resulting from any inconsistency with the relevant management plan.

#### **H7.14.2.2. Markets**

- (1) The extent to which the intensity and scale of the market will adversely affect recreational use of the open space and amenity values of neighbouring properties, and the measures to remedy or mitigate any adverse effects.
- (2) Whether the market is located to minimise any adverse effects on public access and takes into account pedestrian safety, access for people of all ages and abilities where practical, and the efficient use of existing access, parking, circulation and utility networks.
- (3) Whether the development design and external appearance or any buildings, and any landscaping:
  - (a) is compatible with the character and use of the site;
  - (b) minimises any adverse effects, including through use of building materials and colour; and
  - (c) complements the existing landscape character of the area.
- (4) Whether the activity will have any adverse effects of any scheduled historic heritage values, and the extent to which these can be remedied or mitigated.
- (5) Whether the activity will result in any land disturbance or vegetation removal and the extent to which any adverse effects can be remedied or mitigated.
- (6) Whether the proposal is consistent with the outcomes sought in any relevant adopted Reserve Management Plan, Conservation Management Strategy or Conservation Management Plan and the ability to avoid, remedy or mitigate any adverse effects resulting from any inconsistency with the relevant management plan.

#### **H7.14.2.3. Restaurants and cafes accessory to a permitted activity**

- (1) The extent to which the intensity and scale of the activity will adversely affect recreational use of the open space and amenity values of neighbouring properties, and the measures to remedy or mitigate any adverse effects.
- (2) Whether the activity is located to minimise any adverse effects on public access and takes into account pedestrian safety, access for people of all ages and abilities where practical, and the efficient use of existing access, parking, circulation and utility networks.

- (3) Whether the development design and external appearance or any buildings, and any landscaping:
  - (a) is compatible with the character and use of the site;
  - (b) minimises any adverse effects, including through use of building materials and colour; and
  - (c) complements the existing landscape character of the area.
- (4) Whether the activity will have any adverse effects on any scheduled historic heritage values, and the extent to which these can be remedied or mitigated.
- (5) Whether the activity will result in any land disturbance or vegetation removal, and the extent to which any adverse effects can be remedied or mitigated.
- (6) Whether the proposal is consistent with the outcomes sought in any relevant adopted Reserve Management Plan, Conservation Management Strategy or Conservation Management Plan and the ability to avoid, remedy or mitigate any adverse effects resulting from any inconsistency with the relevant management plan.

#### **H7.14.2.4. Parks depot, storage and maintenance**

- (1) The extent to which the intensity and scale of the activity will detract from the amenity value of any adjoining residential areas, and the measures to remedy or mitigate any adverse effects.
- (2) Whether any buildings or activities are located in minimise adverse effects on public access to and use of the open space.
- (3) The extent to which any disturbance to existing landform and vegetation is minimised.
- (4) The extent to which any adverse effects on natural values or amenity values are avoided, remedied or mitigated through location, design, external appearance and landscaping.

#### **H7.14.2.5. Grandstands**

- (1) The extent to which the structure and the intensity of use will detract from the amenity value of any adjoining residential areas, and the measures to remedy or mitigate any adverse effects.
- (2) The extent to which a grandstand will enhance and the use and capacity of the site for recreational use.
- (3) Whether the proposal is consistent with the outcomes sought in any relevant adopted reserve management plan, conservation management

strategy or conservation management plan and the ability to avoid, remedy or mitigate any adverse effects resulting from any inconsistency with the relevant management plan.

**H7.14.2.6. Non-security floodlighting, fittings and supports and towers more than 18m in height**

- (1) The extent to which the floodlighting and structure will detract from the amenity value of any adjoining residential areas, and the measures to remedy or mitigate any adverse effects, including through the location of the structure and hours of operation.
- (2) Whether the proposal is consistent with the outcomes sought in any relevant adopted reserve management plan, conservation management strategy or conservation management plan and the ability to avoid, remedy or mitigate any adverse effects resulting from any inconsistency with the relevant management plan.

**H7.14.2.7. Fences on the front boundary less than 50 per cent transparent**

- (1) The extent to which the fence will have an adverse effect on visibility to and from the open space, including the visual connection to and from the open space and the adjacent streets.
- (2) The extent to which any loss of visibility will have any adverse effects on public safety.
- (3) Whether the proposal is consistent with the outcomes sought in any relevant adopted Reserve Management Plan, Conservation Management Strategy or Conservation Management Plan and the ability to avoid, remedy or mitigate any adverse effects resulting from any inconsistency with the relevant management plan.

**H7.14.2.8. Observation areas, viewing platforms and related structures**

- (1) Whether the structure is located and designed to minimise any adverse effects on the natural and landscape values while providing for viewing.
- (2) The extent to which any adverse effects to landform and vegetation associated with the construction or use of the structures can be avoided, remedied or mitigated.
- (3) Whether the proposal is consistent with the outcomes sought in any relevant adopted Reserve Management Plan, Conservation Management Strategy or Conservation Management Plan and the ability to avoid, remedy or mitigate any adverse effects resulting from any inconsistency with the relevant management plan.

**H7.15. Special information requirements**

There are no special information requirements for these zones.

## 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 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 levels of strategic importance, accessibility, concentration of amenities and residential demand relative to other locations, building heights up to fifteen storeys within the walkable catchments of at:
- (a) the edge of the City Centre zone;
  - (b) the legislated locations at rapid transit stops (rail) locations at: Mangawhau (Mt Eden), Kingsland and Morningside.

(c) rapid transit stops (rail) at: Karanga-a-Hape, Te Waihorotiu, Waitemata, Maungawhau, Parnell, Greenlane, Panmure, Otahuhu, and Glen Innes.

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

(d) the edge of the Metropolitan Centre zones at: Albany Metropolitan Centre, New Lynn Metropolitan Centre, Sylvia Park Metropolitan Centre, Westgate Metropolitan Centre;

(e) the legislated locations at rapid transit stops (rail) locations at: Mt Albert, and Baldwin Avenue.

(f) rapid transit stops (rail) at: Ellerslie, Sylvia Park, Pakuranga, Avondale, Papatoetoe.

(g) rapid transit stops (bus) at: Sunnynook, Pakuranga, Avondale, Papatoetoe.

(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
<b>General</b>		
(A1)	Activities not provided for	NC
<b>Use</b>		
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

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Activity		Activity status
(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
(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 <sup>2</sup>	P

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Activity	Activity status
(A38) Additions to buildings that are less than: (a) 25 per cent of the existing gross floor area of the building; or (b) 250m <sup>2</sup> 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 H10.6.1.1 below for sites or as specified in ~~subject to~~ the Height Variation Control on the planning maps.

**Table H10.6.1.1 Building height**

<b><u>Location and storeys</u></b>	<b><u>Occupiable building height</u></b>	<b><u>Height for roof form</u></b>	<b><u>Total building height</u></b>
<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</u>	<u>N/A</u>	<u>N/A</u>	<u>50m</u>



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<u>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 10.6.1.2 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 H10.6.1.2 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
Same as on the planning maps	NA	Less than or equal to 11m
11m	2m	13m
16m	2m	18m
19m	2m	21m
22m	2m	24m
25m	2m	27m
Same as on the planning maps	NA	Exceeding 27m <u>and as specified in Table H10.6.1.1 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

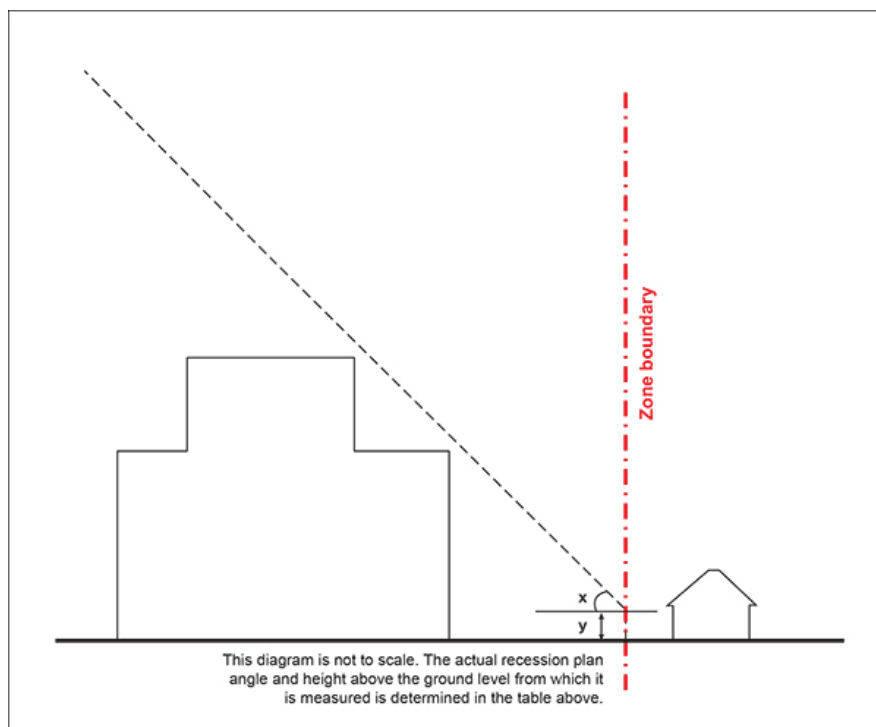
**Table H10.6.2.1 Height in relation to boundary**

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

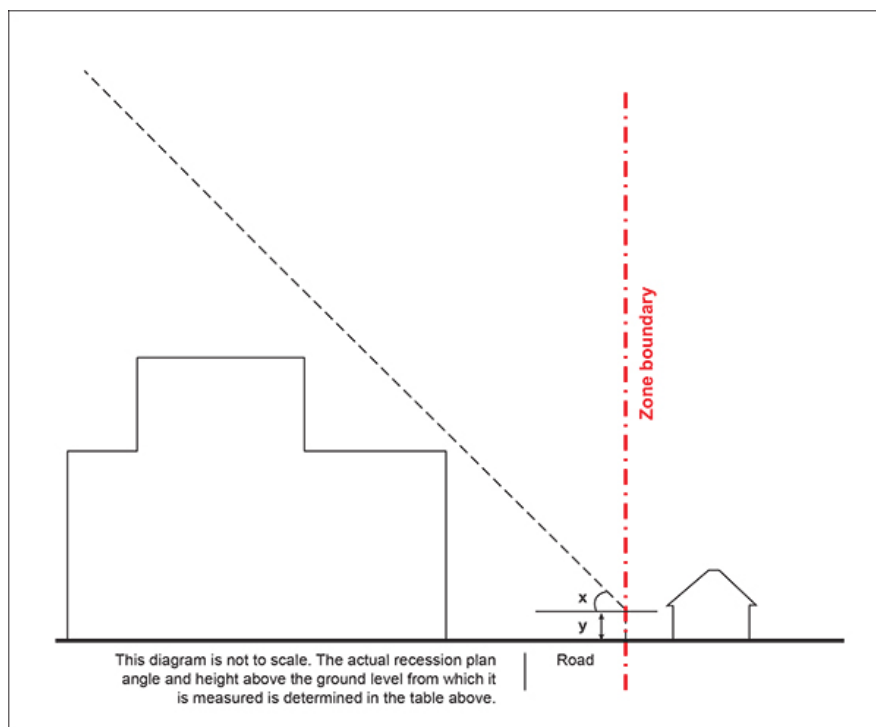
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Buildings <u>outside walkable catchments</u> located on the southern boundary of the adjacent site	Open Space – Conservation Zone; Open Space – Informal Recreation Zone; Open Space – Sports and Active Recreation Zone; Open Space – Civic Spaces Zone; or Open Space –Community Zone	45°	16.5m
Buildings <u>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>

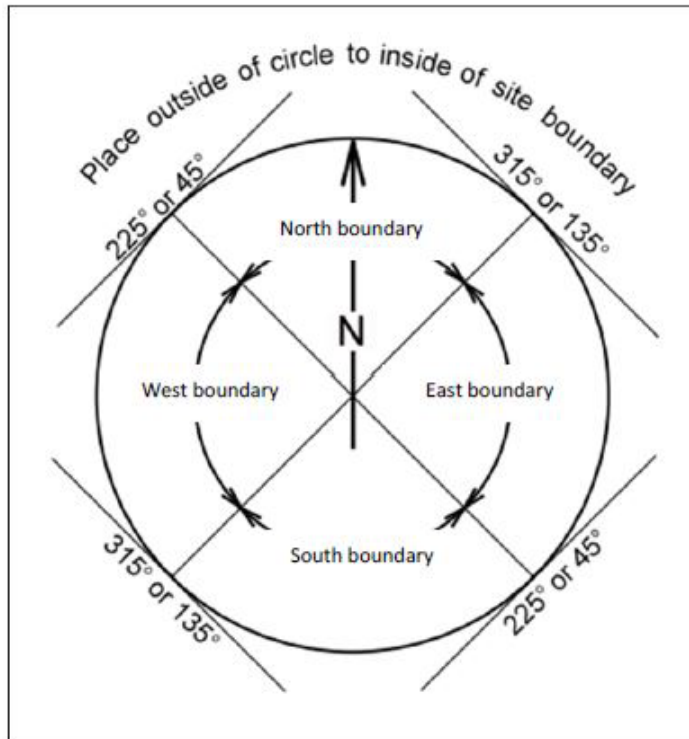
**Figure H10.6.2.1 Height in relation to boundary**



**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.

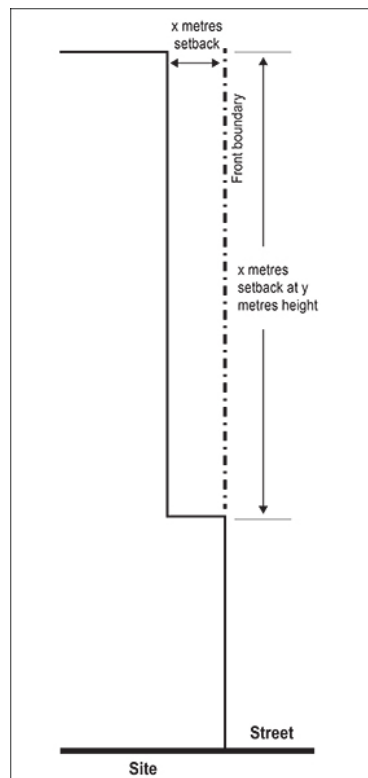
(1) A new building must be set back from the site frontage from the point where it exceeds the height listed in metres specified for the relevant zone in Table H10.6.3.1.

(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**



#### **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
- minimise visual dominance, residential amenity and effects on neighbours in lower intensity zones.

**Commented [A1]:** Annotate as a QM consistent with s 77O(j) "other" matter of 'WC built form controls' for the purpose of legislated locations for 10 and 15-storeys

- (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 in walkable catchments with development more than 22m in height, any development 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**

<b><u>Boundary adjoining the Residential – Single House zone, Residential – Mixed Housing Suburban zone and the Residential – Mixed Housing Urban zone</u></b>	<b><u>Height above ground level which the set back will be measured from</u></b>	<b><u>Minimum depth</u></b>
<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~~ 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.

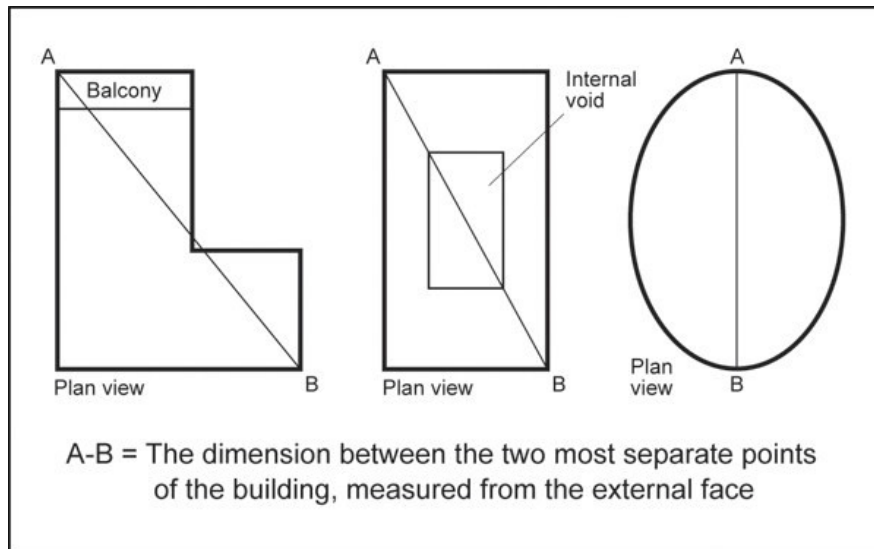
- (2) The maximum plan dimension is the horizontal dimension between the exterior faces of the two most separate points of the building.
- (3) The part of a building above 27m must be located at least 6m from any side or rear boundary of the site.

**Commented [A2]:** Annotate as a QM consistent with s 77O(j) "other" matter of 'WC built form controls' for the purpose of legislated locations for 10 and 15-storeys



- (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**



**Commented [A3]:** Annotate as a QM consistent with s 770(j) "other" matter of 'WC built form controls' for the purpose of legislated locations for 10 and 15-storeys

#### 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**

<b>Yard</b>	<b>Minimum depth</b>
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 <a href="#">Appendix 6 Coastal protection yard</a>

**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.

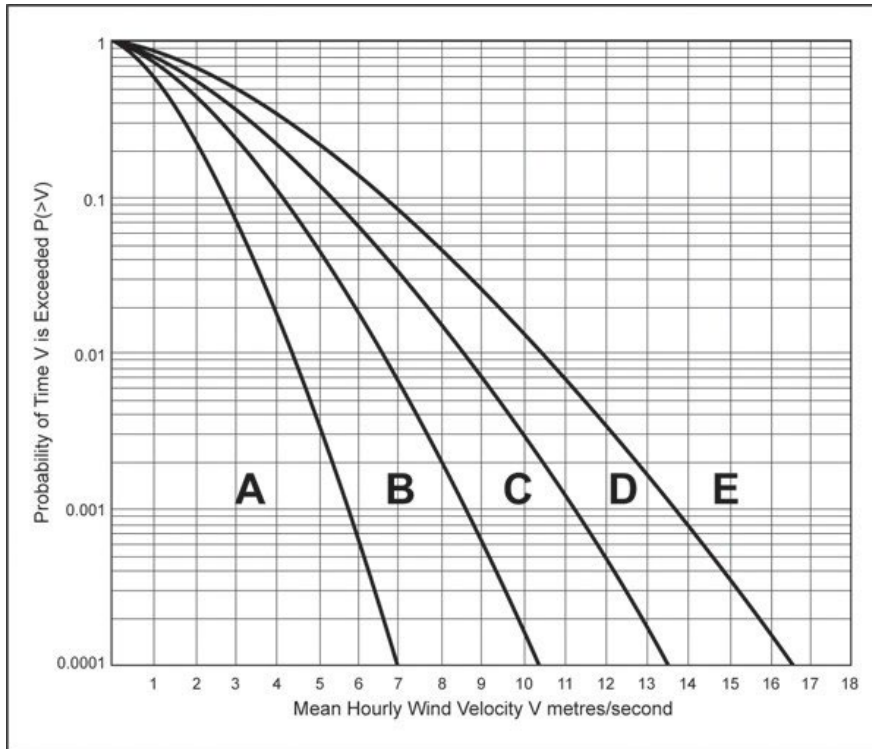
- (1) A new building exceeding 25m in height and additions to existing buildings that increase the building height above 25m must not cause:

- (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 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.

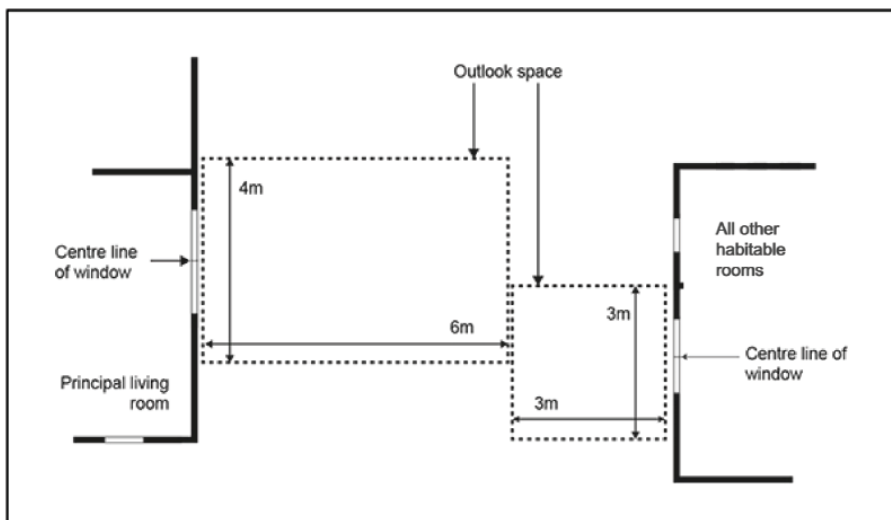
(3A) For development on a site in a walkable catchment more than 22m the minimum dimensions for a required outlook space are as follows:

- (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 H13.6.8.2 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.

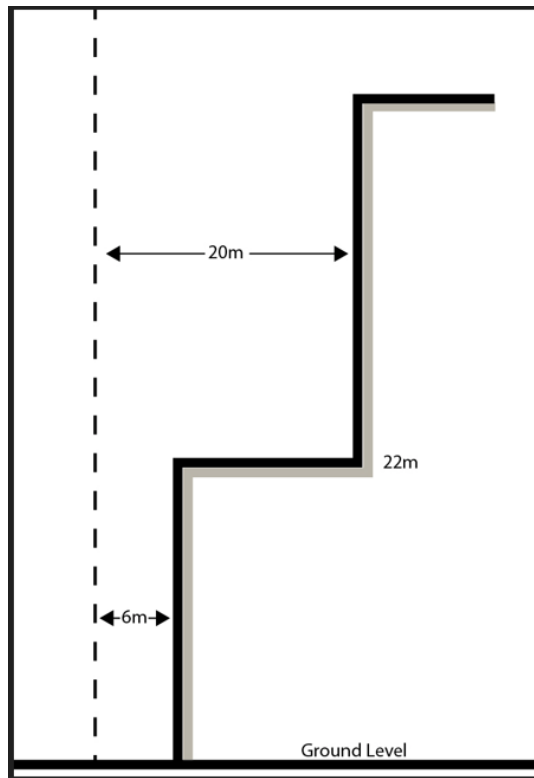
**Commented [A4]:** Annotate as a QM consistent with s 77O(j) "other" matter of 'WC built form controls' for the purpose of legislated locations for 10 and 15-storeys

- (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 H10.6.8.2 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) 30m<sup>2</sup> for studio dwellings.
- (b) 45m<sup>2</sup> 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 1000m<sup>2</sup> 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);

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- (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 1000m<sup>2</sup> 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).

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(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 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 levels of strategic importance, accessibility, concentration of amenities and residential demand relative to other locations, building heights up to fifteen storeys within the walkable catchments of at:
- (a) the edge of the City Centre zone;
  - (b) the legislated locations at rapid transit stops (rail) locations at: Mangawhau (Mt Eden), Kingsland and Morningside.
  - (c) rapid transit stops (rail) at: Karanga-a-Hape, Te Waihorotiu, Waitemata, Parnell, Greenlane, Panmure, Otahuhu, and Glen Innes.
- (23) Enable in areas of with high levels of strategic importance, accessibility, concentration of amenities and residential demand relative to other locations, building heights up to ten storeys within the walkable catchments of:

- (d) the edge of the Metropolitan Centre zones at: Albany Metropolitan Centre, New Lynn Metropolitan Centre, Sylvia Park Metropolitan Centre, Westgate Metropolitan Centre;
- (e) the legislated locations at rapid transit stops (rail) locations at: Mt Albert, and Baldwin Avenue.
- (f) rapid transit stops (rail) at: Ellerslie, Sylvia Park, Pakuranga, Avondale, Papatoetoe.
- (g) rapid transit stops (bus) at: Sunnynook, Pakuranga, Avondale, Papatoetoe.
- (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
<b>General</b>		
(A1)	Activities not provided for	NC
<b>Use</b>		
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

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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 <sup>2</sup> gross floor area per site	P
(A19)	Offices greater than 500m <sup>2</sup> gross floor area per site	RD
(A20)	Retail up to 450m <sup>2</sup> gross floor area per tenancy	P
(A21)	Retail greater than 450m <sup>2</sup> gross floor area per tenancy	RD
(A22)	Service stations	RD
(A23)	Supermarkets up to 2000m <sup>2</sup> gross floor area per tenancy	P
(A24)	Supermarkets greater than 2000m <sup>2</sup> 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

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Activity	Activity status
(A45) Demolition of buildings	P
(A46) Alterations to building facades that are less than 25m <sup>2</sup>	P
(A47) Additions to buildings that are less than: (a) 25 per cent of the existing gross floor area of the building; or (b) 250m <sup>2</sup> 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 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</u>	<u>N/A</u>	<u>N/A</u>	<u>34.5m</u>

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<u>Control: 10 storeys</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 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
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**

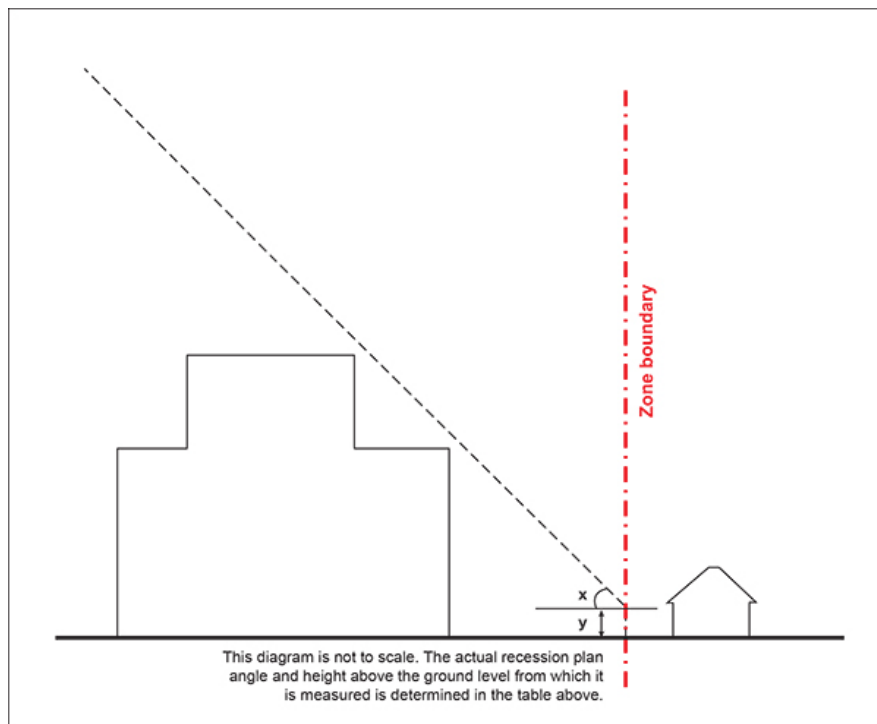
Location	Zoning of adjacent site	Angle of recession plane (identified as x in Figure H11.6.2.1 or Figure H11.6.2.2)	Height above ground level which the recession plane will be measured from (identified as y in Figure H11.6.2.1 or Figure H11.6.2.2)
<u>NA-Buildings outside walkable catchments</u>	Residential - 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</u>	Open Space - Conservation Zone;	45°	8.5m



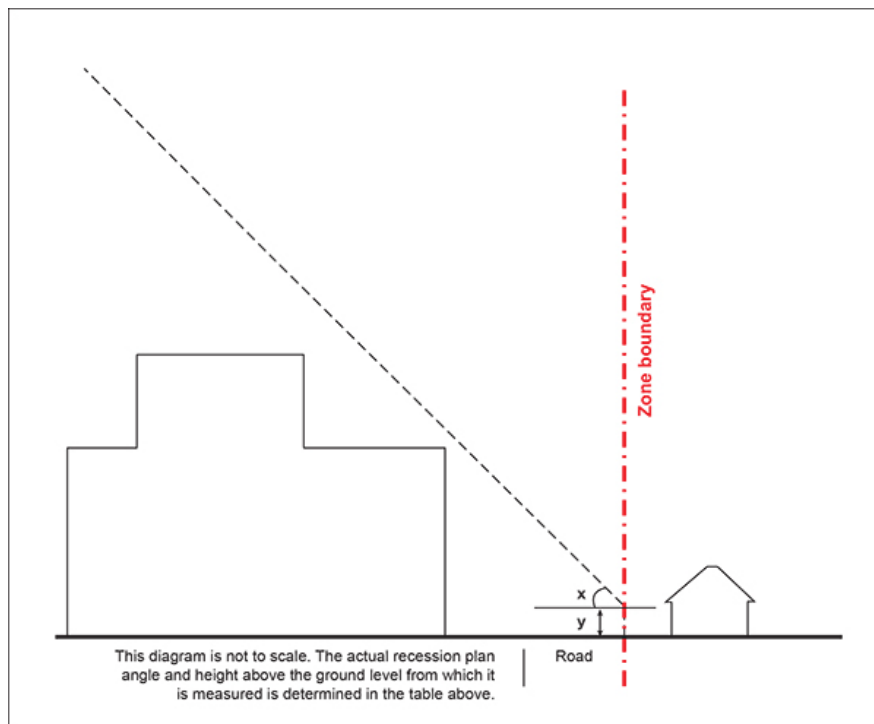
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<u>catchments</u> located on the southern boundary of the adjacent site	Open Space - Informal Recreation Zone; Open Space -Sport and Active Recreation Zone; Open Space -Civic Zone; or Open Space - Community Zone		
<u>Buildings within walkable catchments</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>60<sup>0</sup></u>	<u>20m</u>

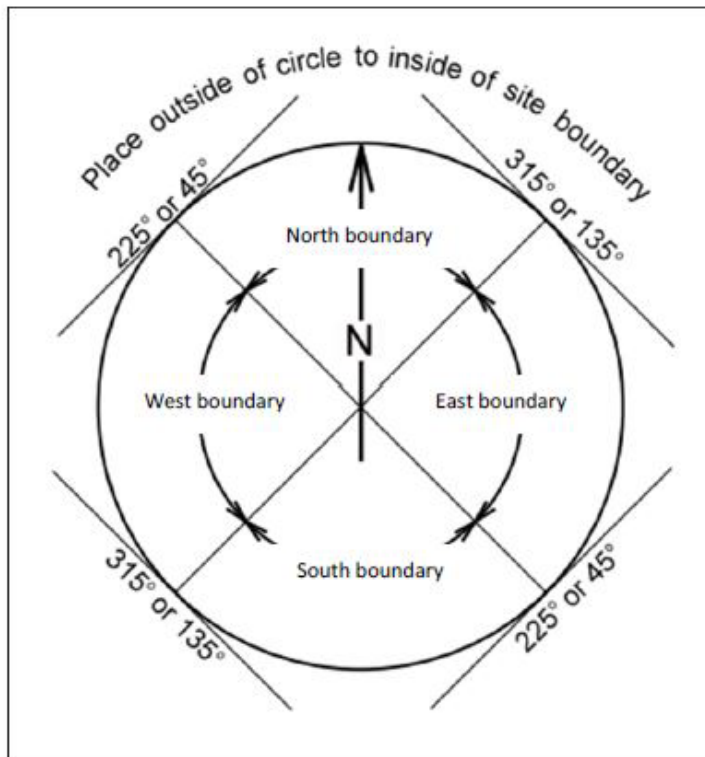
Figure H11.6.2.1 Height in relation to boundary



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



**Figure H11.6.2.3 Recession plane indicator for sites adjacent to an open space zone**



#### **H11.6.2A 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
- 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 in walkable catchments with development more than 22m in height, any development 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 H11.6.2A.1:

**Commented [A1]:** Annotate as a QM consistent with s 77O(j) "other" matter of 'WC built form controls' for the purpose of legislated locations for 10 and 15-storeys

**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</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.

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

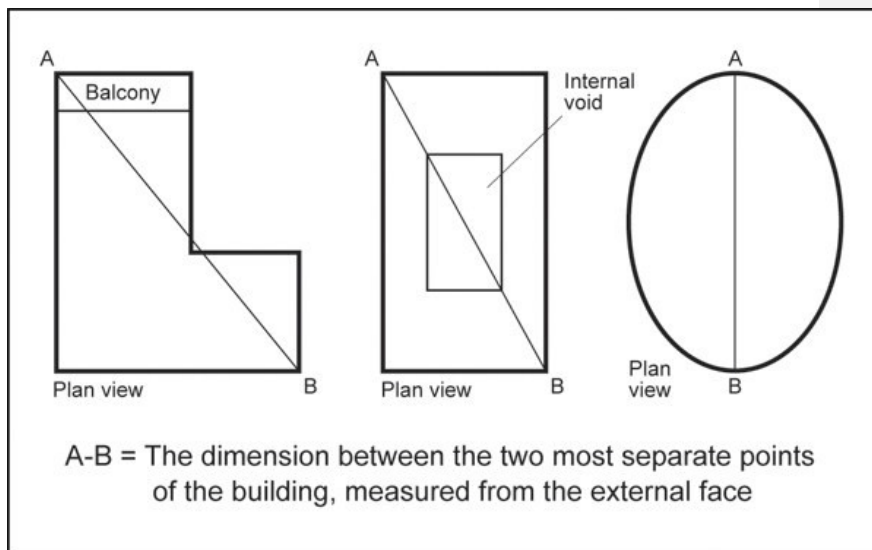
(2) The maximum plan dimension is the horizontal dimension between the exterior faces of the two most separate points of the building.

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

**Commented [A2]:** Annotate as a QM consistent with s 77O(j) "other" matter of 'WC built form controls' for the purpose of legislated locations for 10 and 15-storeys

**Commented [A3]:** Annotate as a QM consistent with s 77O(j) "other" matter of 'WC built form controls' for the purpose of legislated locations for 10 and 15-storeys

**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 <a href="#">Appendix 6 Coastal protection yard</a>

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;

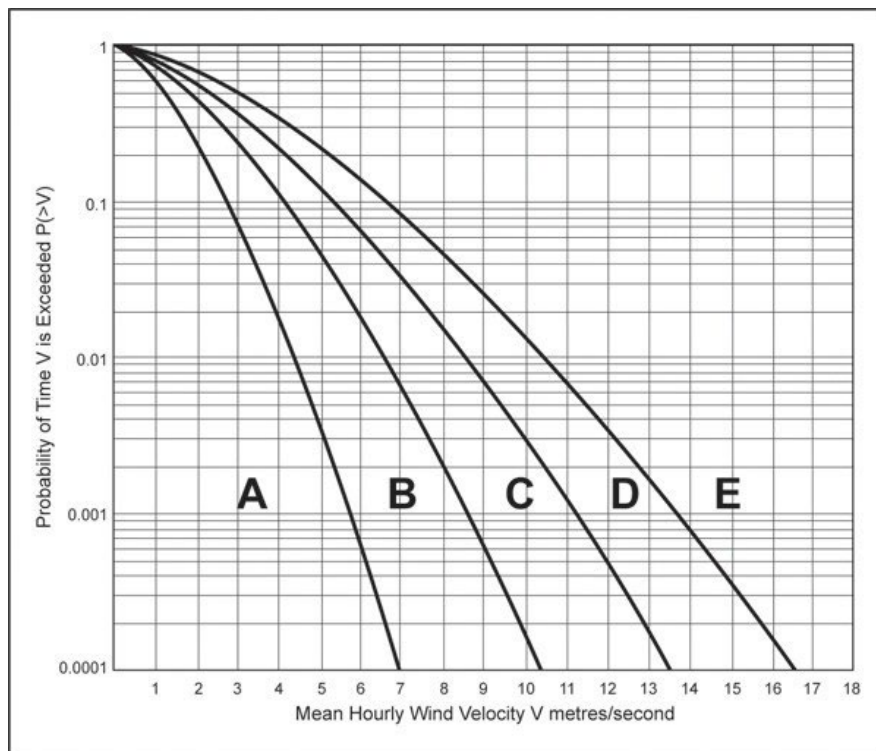
- (b) the average annual maximum peak 3-second gust to exceed the dangerous level of 25m per second; and
  - (c) an existing wind speed which exceeds the controls of Standard H11.6.7(1)(a) or Standard H11.6.7(1)(b) above to increase.
- (2) A report and certification from a suitably qualified and experienced 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 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.

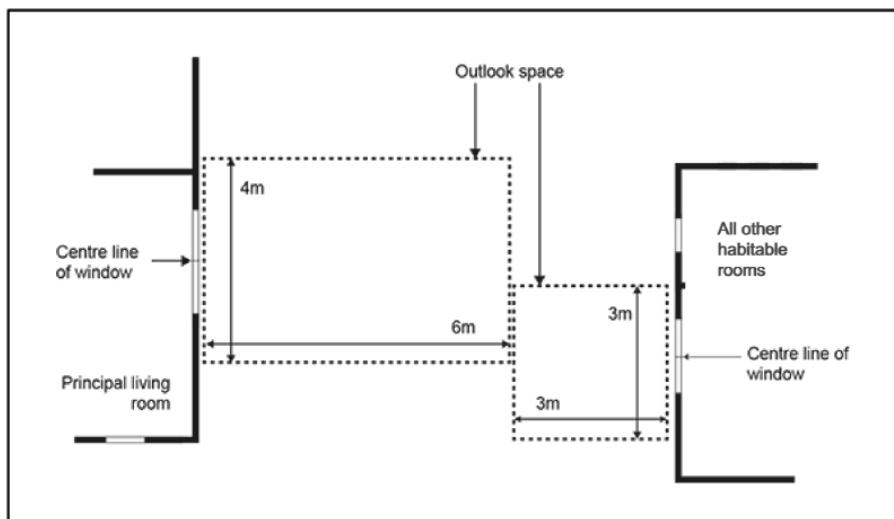
(3A) For development on a site in walkable catchment more than 22m the minimum dimensions for a required outlook space are as follows:

- (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 H13.6.8.2 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.

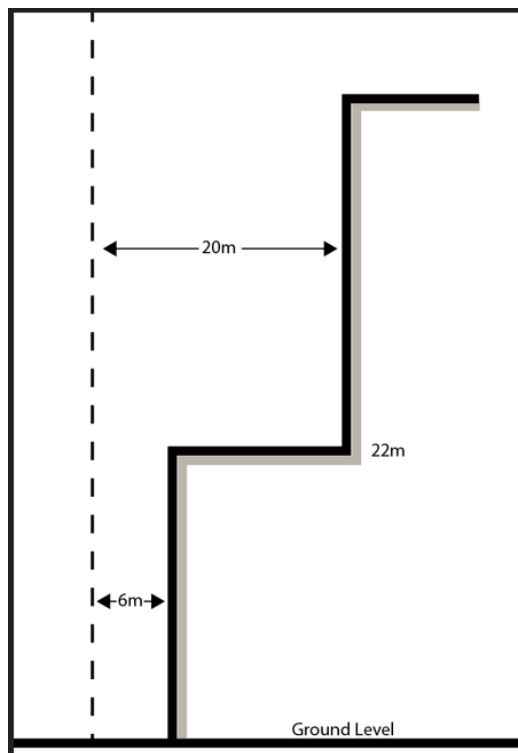
**Commented [A4]:** Annotate as a QM consistent with s 77O(j) "other" matter of 'WC built form controls' for the purpose of legislated locations for 10 and 15-storeys

- (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) 30m<sup>2</sup> for studio dwellings.
- (b) 45m<sup>2</sup> 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 450m<sup>2</sup>, office activity greater than 500m<sup>2</sup>, supermarkets greater than 2000m<sup>2</sup> 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 1000m<sup>2</sup> 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 450m<sup>2</sup>, office activity greater than 500m<sup>2</sup>, supermarkets greater than 2000m<sup>2</sup> 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 1000m<sup>2</sup> 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.

## H12.0 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 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) 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 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 levels of strategic importance, accessibility, concentration of amenities and residential demand relative to other locations, building heights up to fifteen storeys within the walkable catchments of at:
  - (a) the edge of the City Centre zone;
  - (b) the legislated locations at rapid transit stops (rail) locations at: Mangawhau (Mt Eden), Kingsland and Morningside.
  - (c) rapid transit stops (rail) at: Karanga-a-Hape, Te Waihorotiu, Waitemata, Maungawhau, Parnell, Greenlane, Panmure, Otahuhu, and Glen Innes.
- (20) Enable in areas of with high levels of strategic importance, accessibility, concentration of amenities and residential demand relative to other locations, building heights up to ten storeys within the walkable catchments of:
  - (d) the edge of the Metropolitan Centre zones at: Albany Metropolitan Centre, New Lynn Metropolitan Centre, Sylvia Park Metropolitan Centre, Westgate Metropolitan Centre;
  - (e) the legislated locations at rapid transit stops (rail) locations at: Mt Albert, and Baldwin Avenue.
  - (f) rapid transit stops (rail) at: Ellerslie, Sylvia Park, Pakuranga, Avondale, Papatoetoe.
  - (g) rapid transit stops (bus) at: Sunnynook, Pakuranga, Avondale, Papatoetoe.
- (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
<b>General</b>		
(A1)	Activities not provided for	NC
<b>Use</b>		
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 <sup>2</sup> gross floor area per site	P
(A19)	Offices greater than 500m <sup>2</sup> gross floor area per site	NC
(A20)	Retail up to 450m <sup>2</sup> gross floor area per tenancy	P
(A21)	Retail greater than 450m <sup>2</sup> gross floor area per site tenancy	NC
(A22)	Service stations	D
(A23)	Supermarkets up to 450m <sup>2</sup> gross floor area per tenancy	P
(A24)	Supermarkets exceeding 450m <sup>2</sup> and up to 2000m <sup>2</sup> gross floor area per tenancy	RD
(A25)	Supermarkets exceeding 2000m <sup>2</sup> per tenancy and up to 4000m <sup>2</sup> gross floor area per tenancy	D

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Activity	Activity status
(A26) Supermarkets greater than 4000m <sup>2</sup> gross floor area per tenancy	NC
(A27) Trade suppliers	NC
<b>Community</b>	
(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
<b>Industry</b>	
(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
<b>Mana Whenua</b>	
(A46) Marae complex	D
<b>Development</b>	
(A47) New buildings	RD
(A48) Demolition of buildings	P
(A49) Alterations to building facades that are less than 25m <sup>2</sup>	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 <sup>2</sup> 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 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

#### **H12.6.2. Height in relation to boundary**

Purpose:

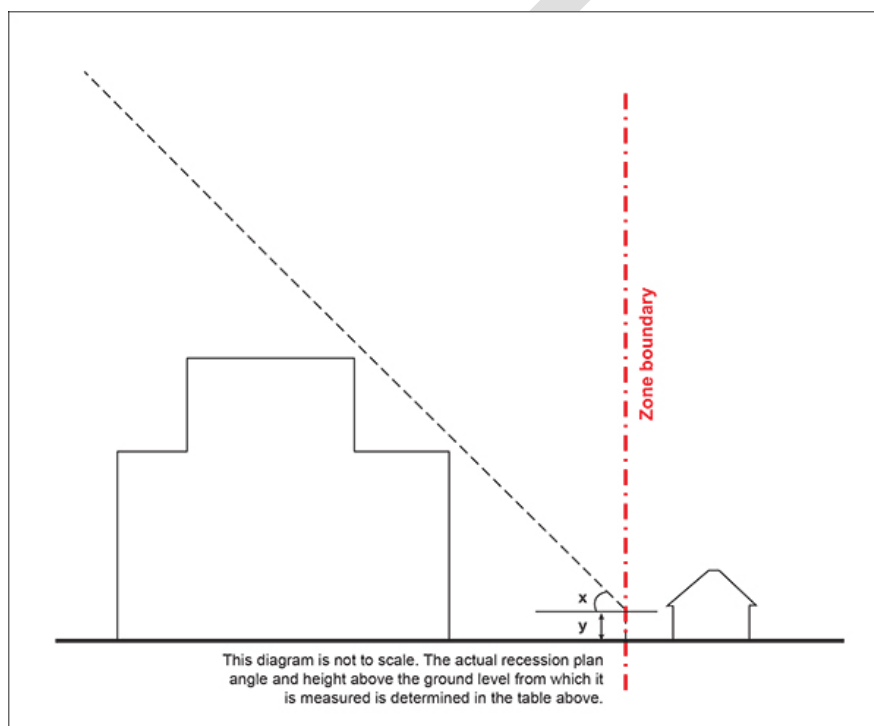
- manage the effects of building height;
  - allow reasonable sunlight and daylight access to public open space excluding streets, and neighbouring zones; and
  - manage visual dominance effects on neighbouring zones where lower height limits apply.
- (1) Buildings must not project beyond a recession 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**

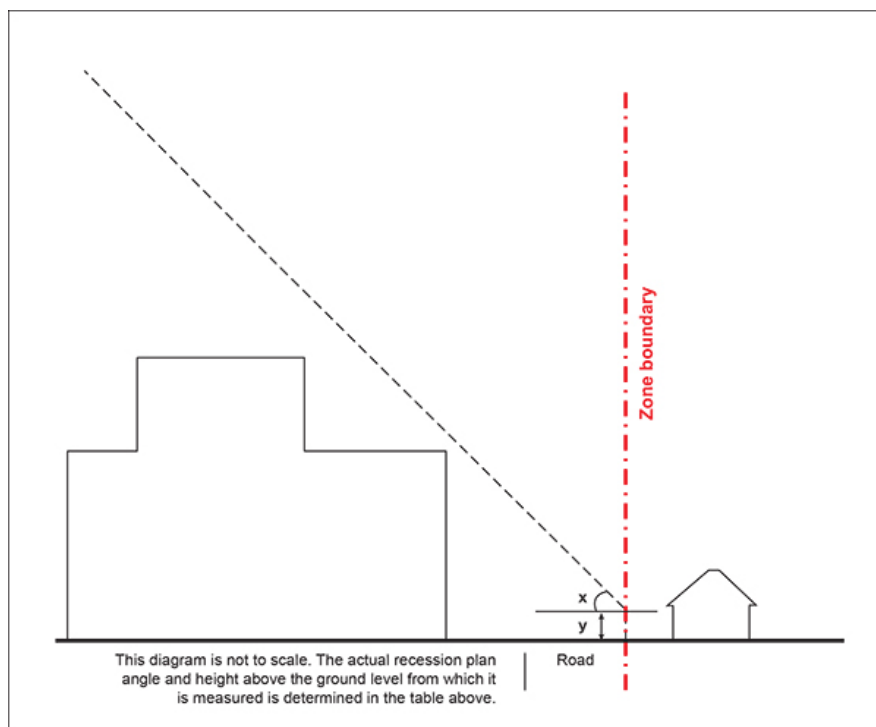
Location	Zoning of adjacent site	Angle of recession plane (identified as x in Figure H12.6.2.1 or Figure H12.6.2.2)	Height above ground level which the recession plane will be measured from (identified as y in Figure H12.6.2.1 or Figure H12.6.2.2)
<u>NA Buildings outside walkable catchments</u>	Residential – 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>	Residential – Single House 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	60°	20m

	<u>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 H12.6.2.1 Height in relation to boundary

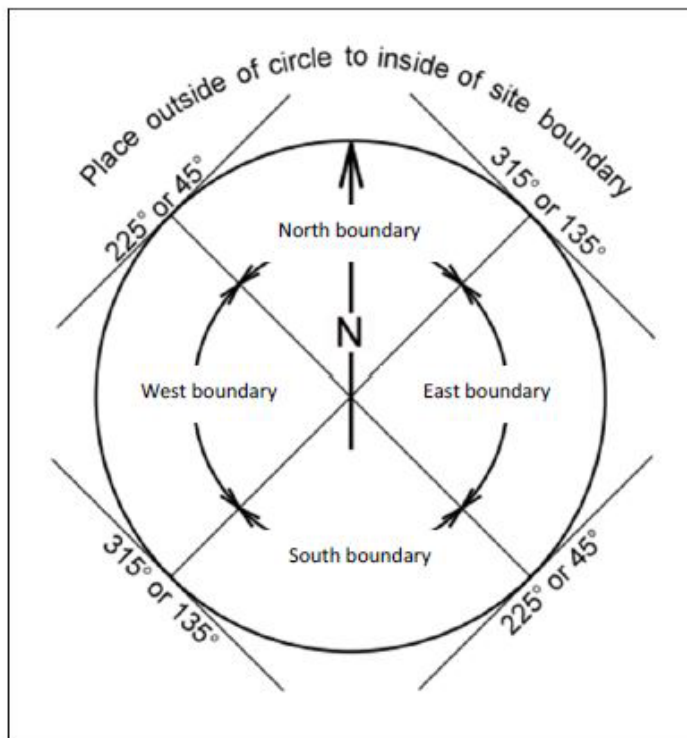


**Figure H12.6.2.2 Height in relation to boundary opposite a road**





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



#### **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
- 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 in walkable catchments with development more than 22m in height, any development 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:

**Commented [A1]:** Annotate as a QM consistent with s 77O(j) "other" matter of 'WC built form controls' for the purpose of legislated locations for 10 and 15-storeys

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

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

#### **H12.6.2B Maximum tower dimension and tower separation**

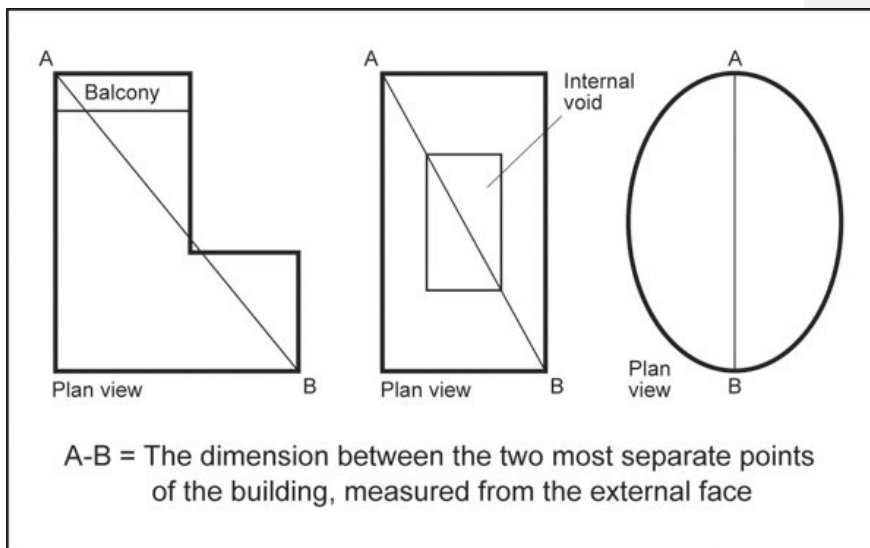
Purpose: ensure that high-rise buildings:

- 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.

**Commented [A2]:** Annotate as a QM consistent with s 77O(j) "other" matter of 'WC built form controls' for the purpose of legislated locations for 10 and 15-storeys

**Commented [A3]:** Annotate as a QM consistent with s 77O(j) "other" matter of 'WC built form controls' for the purpose of legislated locations for 10 and 15-storeys

**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 <a href="#">Appendix 6 Coastal protection yard</a>

**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.

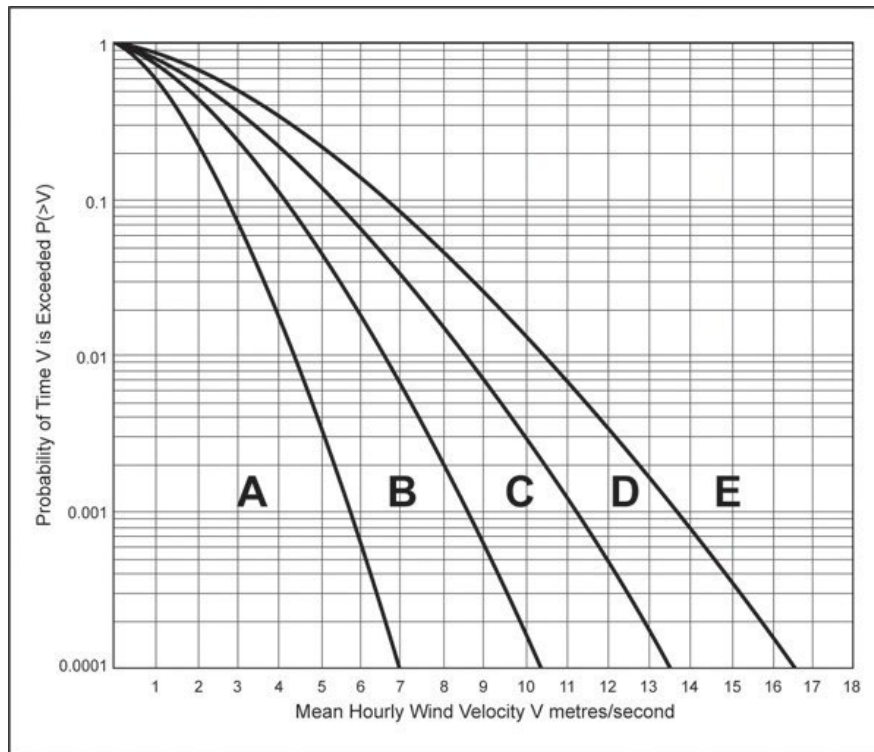
- (1) A new building exceeding 25m in height and additions to existing buildings that increase the building height above 25m must not cause:
- (a) the mean wind speed around it to exceed the category for the intended use of the area as set out in Table H12.6.7.1 and Figure H12.6.7.1 below;
  - (b) the 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 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~~

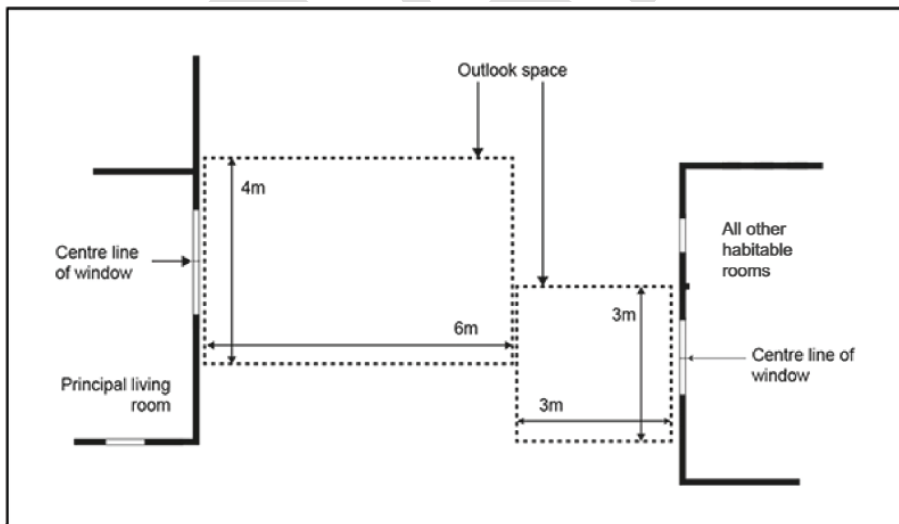
(3A) For development on a site in a walkable catchment more than 22m the minimum dimensions for a required outlook space are as follows:

- (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 H13.6.8.2 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.

**Commented [A4]:** Annotate as a QM consistent with s 77O(j) "other" matter of 'WC built form controls' for the purpose of legislated locations for 10 and 15-storeys

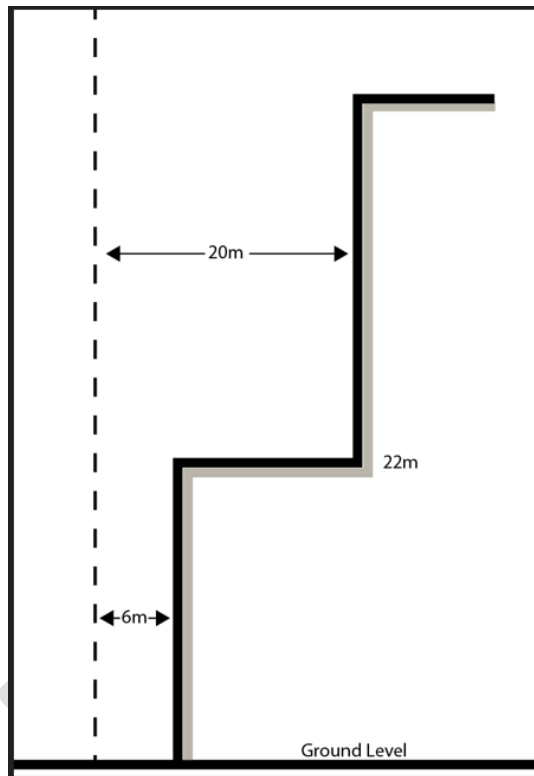
- (4) The depth of the outlook space is measured at right angles to and horizontal from the window to which it applies.
- (5) The width of the outlook space is measured from the centre point of the largest window on the building face to which it applies.
- (6) The height of the outlook space is the same 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 H10.6.8.2 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) 30m<sup>2</sup> for studio dwellings.
- (b) 45m<sup>2</sup> 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 450m<sup>2</sup> and up to 2000m<sup>2</sup>:
  - (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 1000m<sup>2</sup> 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 450m<sup>2</sup> and up to 2000m<sup>2</sup>:
  - (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 1000m<sup>2</sup> 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 Business – Mixed Use 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 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~~ varying 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 levels of strategic importance, accessibility, concentration of amenities and residential demand relative to other locations, building heights up to fifteen storeys within the walkable catchments of at:
- (a) the edge of the City Centre zone;
  - (b) the edge of the Metropolitan Centre zones: at Newmarket, Takapuna;

- (c) the legislated locations at rapid transit stops (rail) locations at: Mangawhau (Mt Eden), Kingsland and Morningside.
- (d) rapid transit stops (rail) at: Karanga-a-Hape, Te Waihorotiu, Waitemata, Maungawhau, Newmarket, Grafton, Parnell, Manukau, Greenlane, Remuera, Albany, Panmure, Otahuhu, Kingsland, Morningside, and Glen Innes.
- (24) Enable in areas with high levels of strategic importance, accessibility, concentration of amenities and residential demand relative to other locations, building heights up to ten storeys within the walkable catchments of:
- (a) the edge of the Metropolitan Centre zones at: Albany Metropolitan Centre, New Lynn Metropolitan Centre, Sylvia Park Metropolitan Centre, Westgate Metropolitan Centre;
- (b) the legislated locations at rapid transit stops (rail) locations at: Mt Albert, and Baldwin Avenue.
- (c) rapid transit stops (rail) at: Ellerslie, Orakei, Puhinui, Henderson, New Lynn, Sylvia Park, Pakuranga, Avondale, Papatoetoe.
- (d) rapid transit stops (bus) at: Smales Farm, Sunnynook, Pakuranga, Avondale, Akoranga, Papatoetoe.
- (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
<b>General</b>		
(A1)	Activities not provided for	NC
<b>Use</b>		
Accommodation		
(A2)	Dwellings	P
(A3)	Conversion of a building or part of a building to dwellings, residential development, visitor accommodation or boarding houses	RD

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Activity		Activity status
(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
(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 <sup>2</sup> gross floor area per site	P
(A19)	Offices greater than 500m <sup>2</sup> gross floor area per site	D
(A20)	Retail up to 200m <sup>2</sup> gross floor area per tenancy	P
(A21)	Retail greater than 200m <sup>2</sup> gross floor area per tenancy	D
(A22)	Service stations	RD
(A23)	Supermarkets up to 450m <sup>2</sup> gross floor area per tenancy	P
(A24)	Supermarkets exceeding 450m <sup>2</sup> and up to 2000m <sup>2</sup> gross floor area per tenancy	RD
(A25)	Supermarkets greater than 2000m <sup>2</sup> 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

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Activity		Activity status
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
Development		
(A45)	New buildings	RD
(A46)	Demolition of buildings	P
(A47)	Alterations to building facades that are less than 25m <sup>2</sup>	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 <sup>2</sup> 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 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**



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<b><u>Location and indicative storeys</u></b>	<b>Occupiable building height</b>	<b>Height for roof form</b>	<b>Total building height</b>
<u>Buildings outside a walkable catchment</u>	16m	2m	18m
<u>Buildings in a walkable catchment 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 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 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**

<b>Occupiable building height</b>	<b>Height for roof form</b>	<b>Total building height shown on Height Variation Control on the planning maps</b>
Same as on the planning maps	NA	Less than or equal to 11m
11m	2m	13m
16m	2m	18m
19m	2m	21m
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**

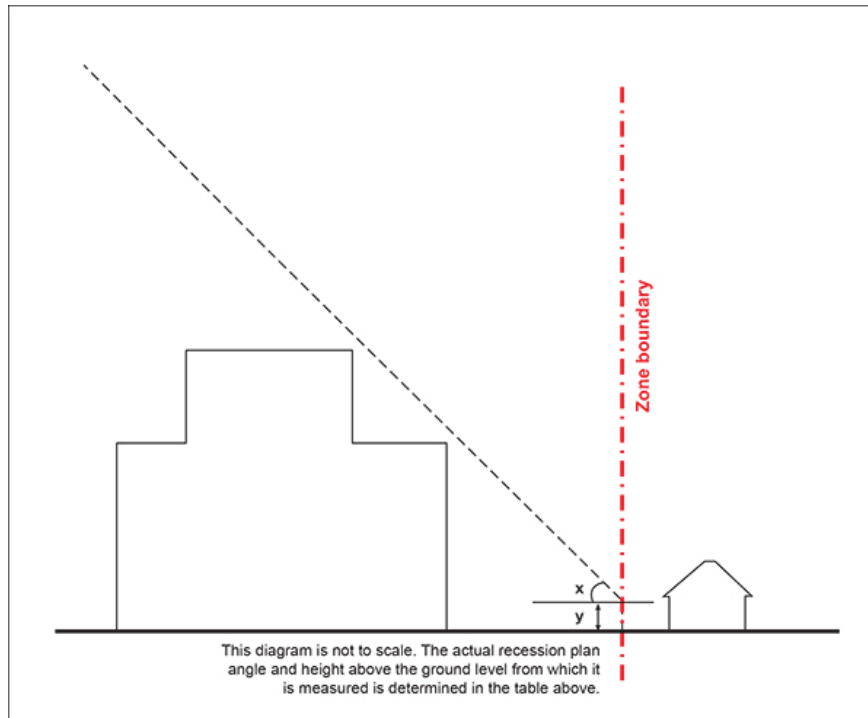
Location	Zoning of adjacent site	Angle of recession plane (identified as x in Figure H13.6.2.1 or Figure H13.6.2.2)	Height above ground level which the recession plane will be measured from (identified as y in Figure H13.6.2.1 or Figure H13.6.2.2)
<u>NA Buildings outside walkable catchments</u>	Residential – Single House Zone; or Residential – Mixed Housing Suburban Zone	45°	2.5m
	Residential – Mixed Housing Urban Zone	45°	3m

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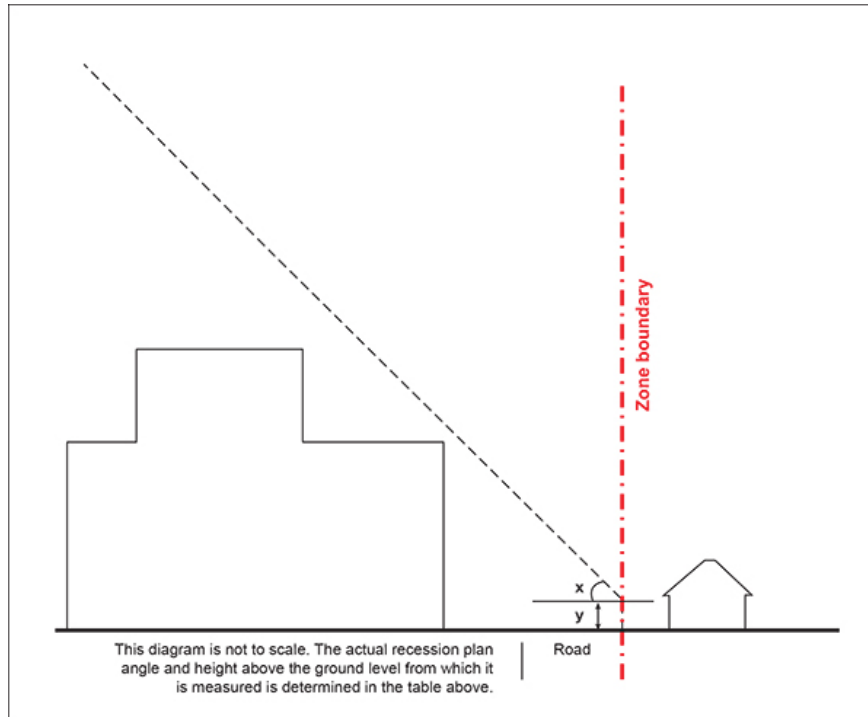
	Residential – Terrace Housing and Apartment Buildings Zone	60°	8m
	Special Purpose – Māori Purpose Zone; or Special Purpose School Zone	45°	6m
	Open Space – Conservation Zone; Open Space – Informal Recreation Zone; Open Space -Sport and Active Recreation Zone; Open Space – Civic Spaces Zone; or Open Space – Community Zone	45°	8.5m
Buildings outside <u>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°	16.5m
<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</u>	<u>60°</u>	<u>20m</u>

	<u>Open Space – Community Zone</u>		
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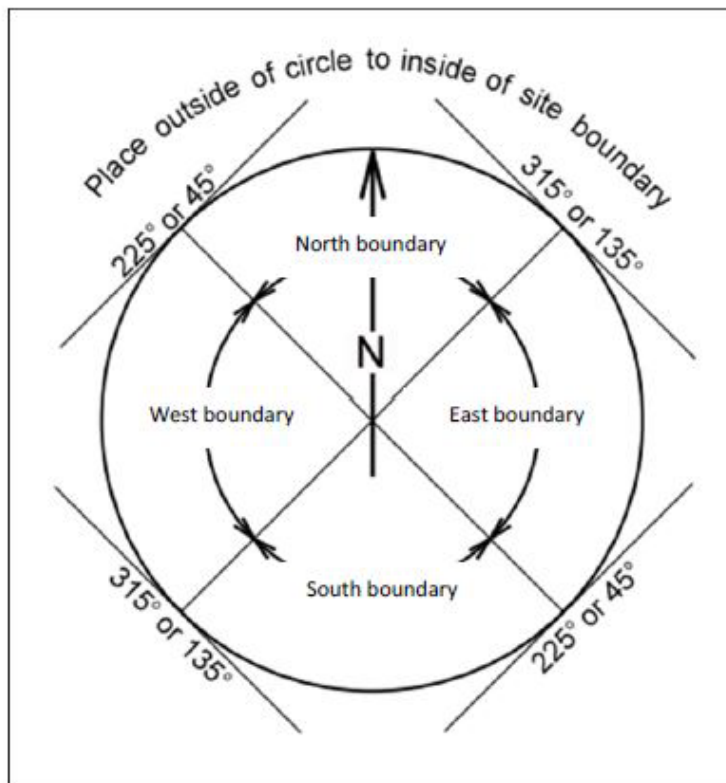
**Figure H13.6.2.1 Height in relation to boundary**



**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.

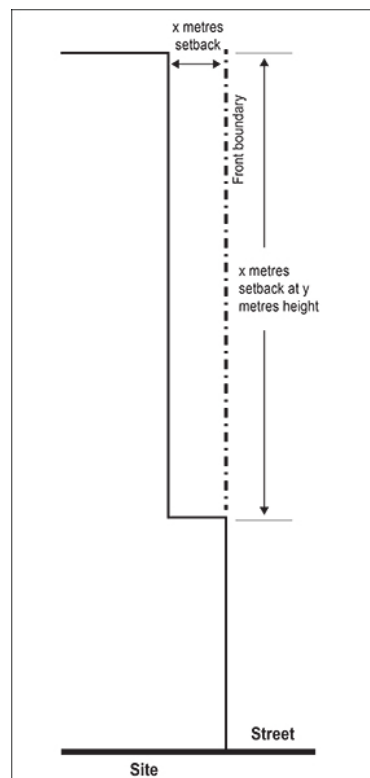
(1) A new building must be set back from the site frontage from the point where it exceeds the height listed in metres specified in Table H13.6.3.1.

(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**



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

Purpose: To ensure buildings in walkable catchments:

**Commented [A1]:** Annotate as a QM consistent with s 77O(j) "other" matter of 'WC built form controls' for the purpose of legislated locations for 10 and 15-storeys

- manage the height and bulk of buildings at the street boundary to maintain streetscape amenity;
- manage visual dominance effects on streets; and
- 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 in walkable catchments with development more than 22m in height, any development 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**

<b><u>Boundary adjoining the Residential – Single House zone, Residential – Mixed Housing Suburban zone and the Residential – Mixed Housing Urban zone</u></b>	<b><u>Height above ground level which the set back will be measured from</u></b>	<b><u>Minimum depth</u></b>
<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 ~~the~~ 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.

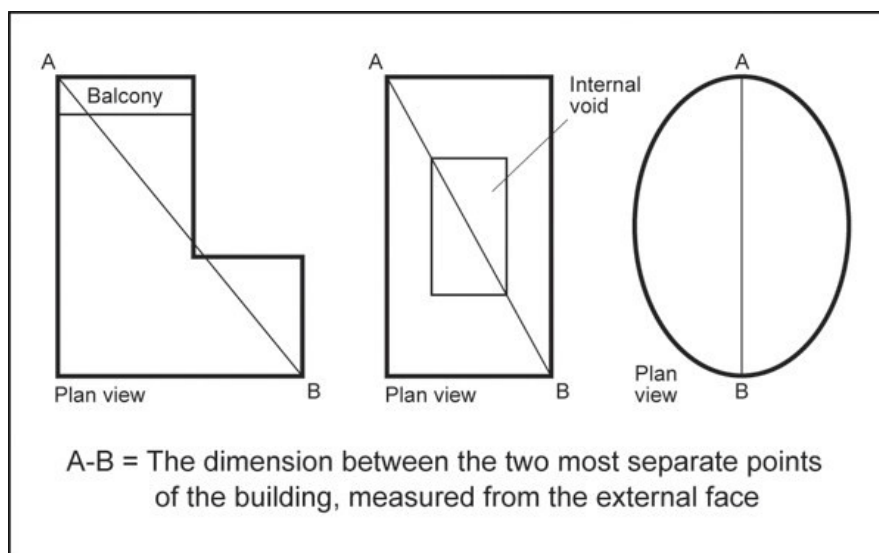
(3) Outside walkable catchments the part of a building above 27m must be located at least 6m from any side or rear boundary of the site.

(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.

**Commented [A2]:** Annotate as a QM consistent with s 77O(j) "other" matter of 'WC built form controls' for the purpose of legislated locations for 10 and 15-storeys

**Commented [A3]:** Annotate as a QM consistent with s 77O(j) "other" matter of 'WC built form controls' for the purpose of legislated locations for 10 and 15-storeys

**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 <a href="#">Appendix 6 Coastal protection yard</a>

**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**

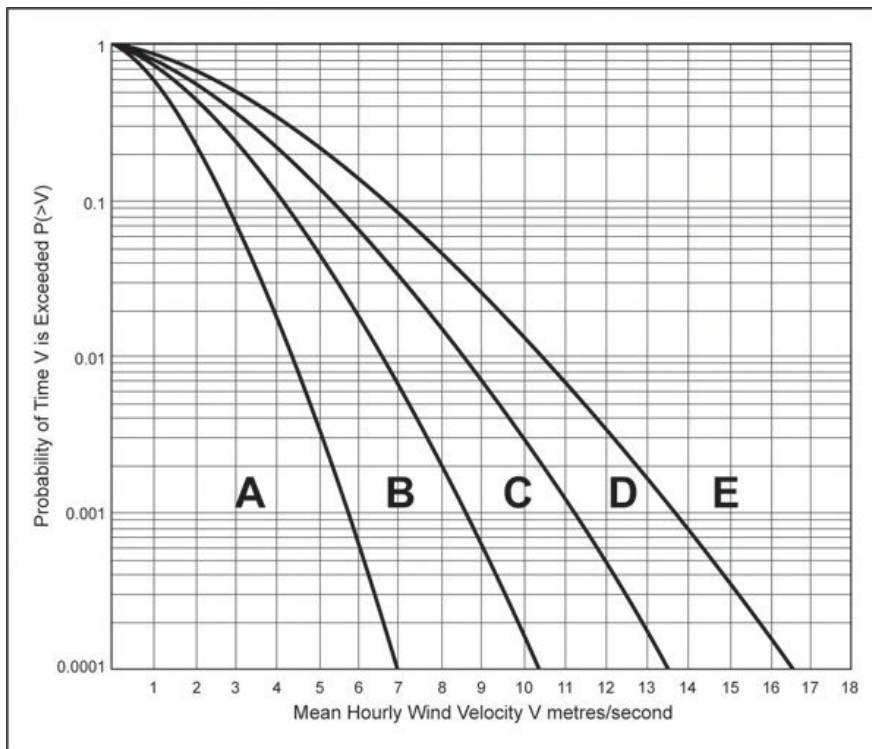
Purpose: mitigate the adverse wind effects generated by tall buildings.

- (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 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 H13.6.8.2 for the relative

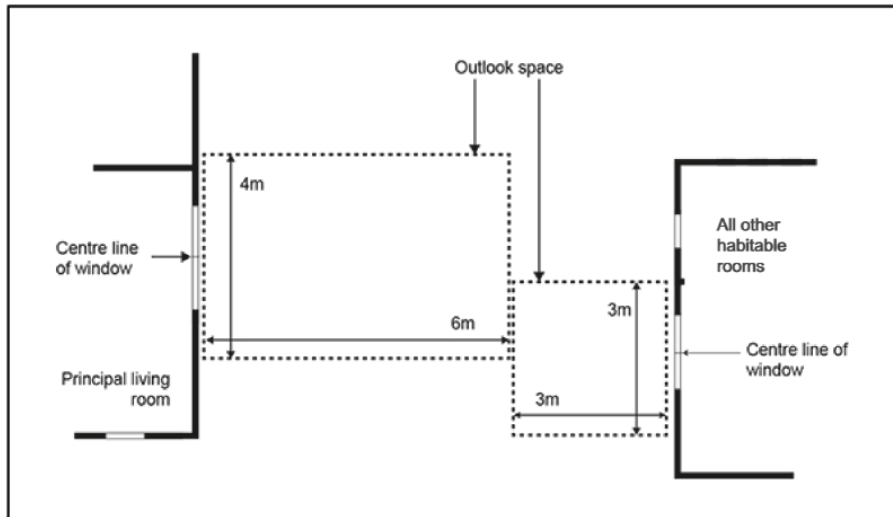
**Commented [A4]:** Annotate as a QM consistent with s 770(j) "other" matter of 'WC built form controls' for the purpose of legislated locations for 10 and 15-storeys

height of the floor above the ground level along each building face, and at least 4m in width; and

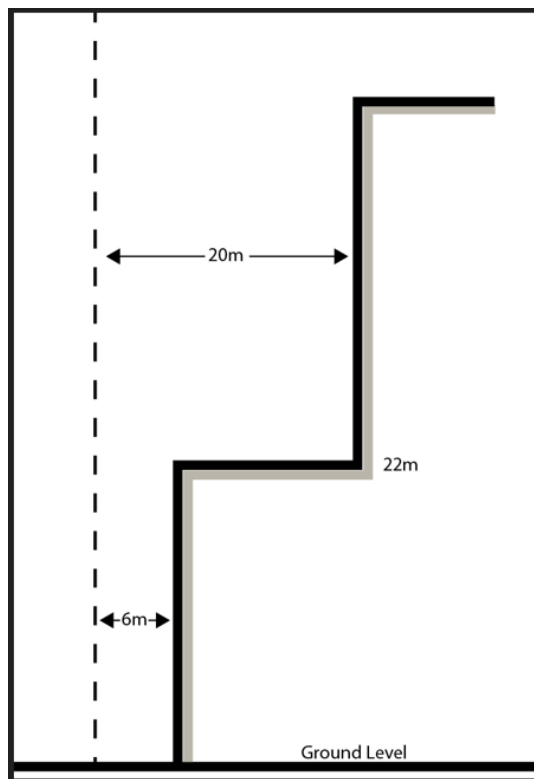
(b) all other habitable rooms of a dwelling or a bedroom within a boarding house or supported residential care unit must have an outlook space with a minimum dimension of 3m in depth and 3m in width.

- (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 H13.6.8.2 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) 30m<sup>2</sup> for studio dwellings.
- (b) 45m<sup>2</sup> 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 450m<sup>2</sup> and up to 2000m<sup>2</sup>:
  - (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 1000m<sup>2</sup> 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 450m<sup>2</sup> and up to 2000m<sup>2</sup>:
  - (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 1000m<sup>2</sup> 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:

H13 Business – Mixed Use Zone  
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- (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(12A), 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.

#### [new text to be inserted]

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.

**[new text to be inserted]**

- (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.

[new text to be inserted]

- (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
<b>General</b>		
(A1)	Activities not provided for	NC
<b>Use</b>		
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

Activity		Activity status
(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
(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 <sup>2</sup> gross floor area per site	P
(A21)	Offices greater than 500m <sup>2</sup> gross floor area per site	D
(A22)	Retail up to 200m <sup>2</sup> gross floor area per tenancy	NC
(A23)	Retail exceeding 200m <sup>2</sup> per tenancy and up to 450m <sup>2</sup> gross floor area per tenancy	D
(A24)	Retail greater than 450m <sup>2</sup> gross floor area per tenancy	P
(A25)	Service stations	RD
(A26)	Supermarkets up to 450m <sup>2</sup> gross floor area per tenancy	D
(A27)	Supermarkets greater than 450m <sup>2</sup> 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

Activity		Activity status
Mana Whenua		
(A41)	Marae complex	P
<b>Development</b>		
(A42)	New buildings	RD
(A43)	Demolition of buildings	P
(A44)	Alterations to building facades that are less than 25m <sup>2</sup>	P
(A45)	Additions to buildings that are less than: (a) 25 per cent of the existing gross floor area of the building; or (b) 250m <sup>2</sup> whichever is the lesser	P
(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.

**[new text to be inserted]**

- (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.

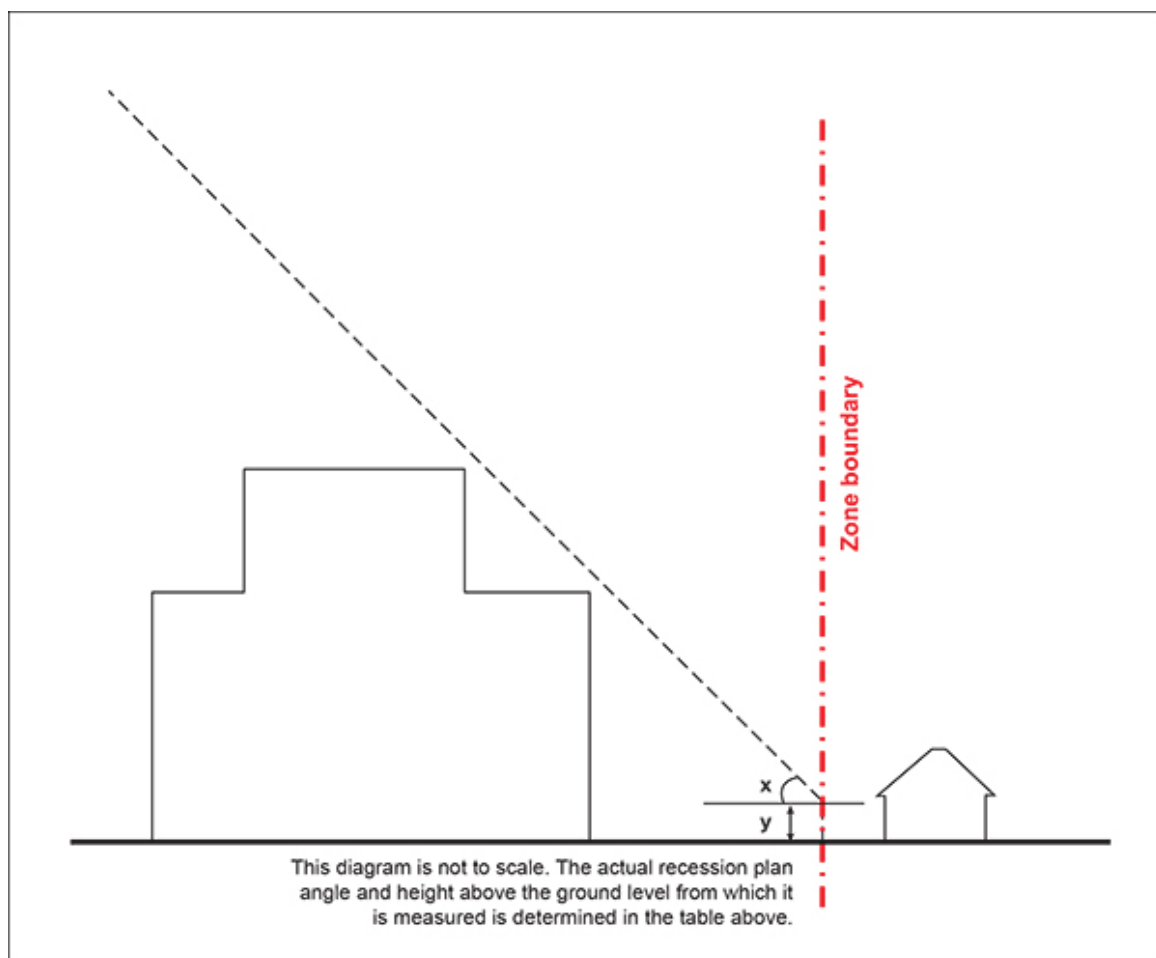
**Table H14.6.2.1 Height in relation to boundary**

	<b>Zoning of adjacent site</b>	<b>Angle of recession plane (identified as x in Figure H14.6.2.1 or Figure H14.6.2.2)</b>	<b>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)</b>
<p><b>[new text to be inserted]</b>  <u>Buildings outside walkable catchments</u></p>	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

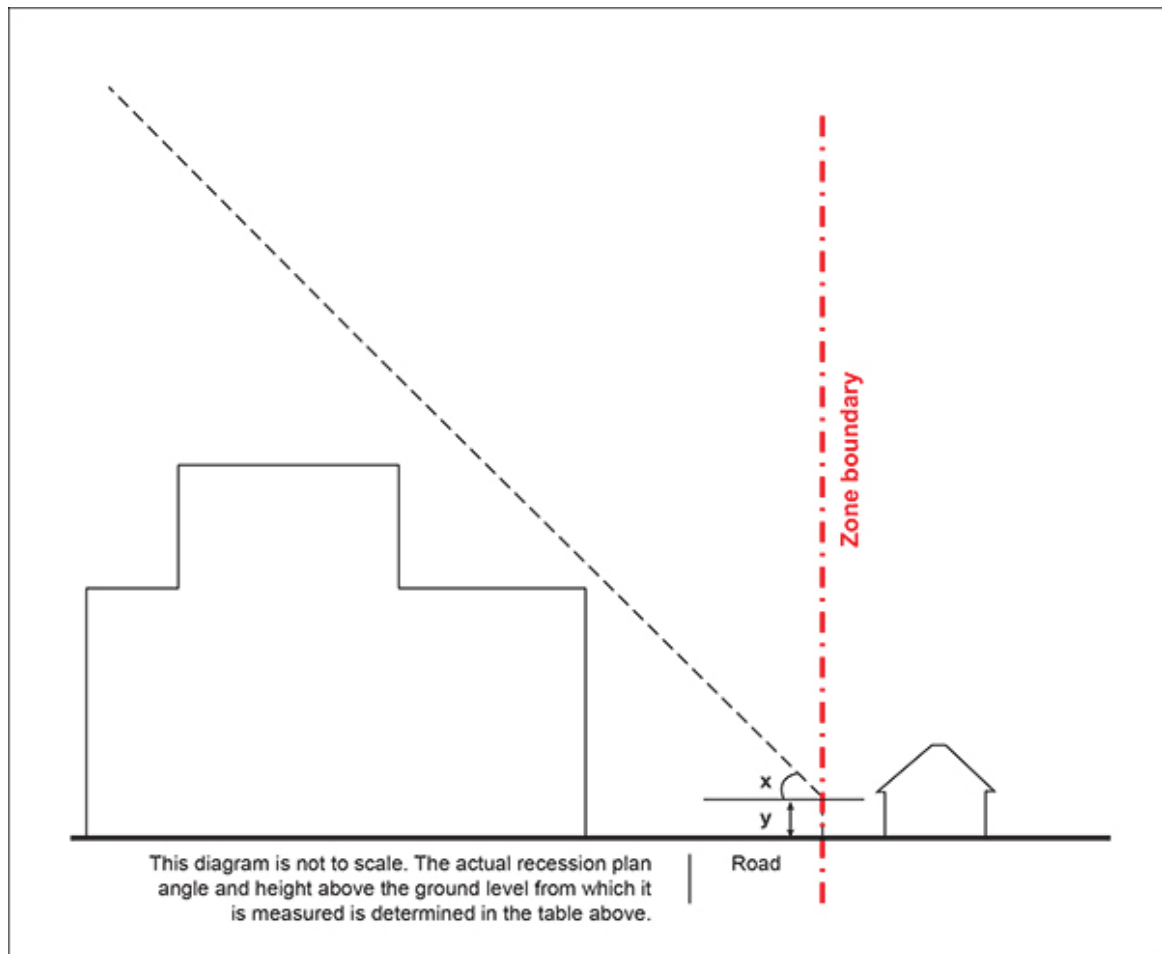
[new text to be inserted]	[new text to be inserted]	[new text to be inserted]	[new text to be inserted]
<u>Buildings inside walkable catchments</u>	<u>Residential – Single House Zone;</u> <u>Residential – Mixed Housing Suburban Zone;</u> <u>Residential – Mixed Housing Urban Zone;</u> <u>or Residential – 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>Open Space – Informal Recreation Zone;</u> <u>Open Space – Sports and Active Recreation Zone;</u> <u>Open Space – Civic Spaces Zone;</u> <u>or</u> <u>Open Space – Community Zone</u>	<u>60°</u>	<u>20m</u>

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**

<b>Yard</b>	<b>Minimum depth</b>
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 <a href="#">Appendix 6 Coastal protection yard</a>

**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.

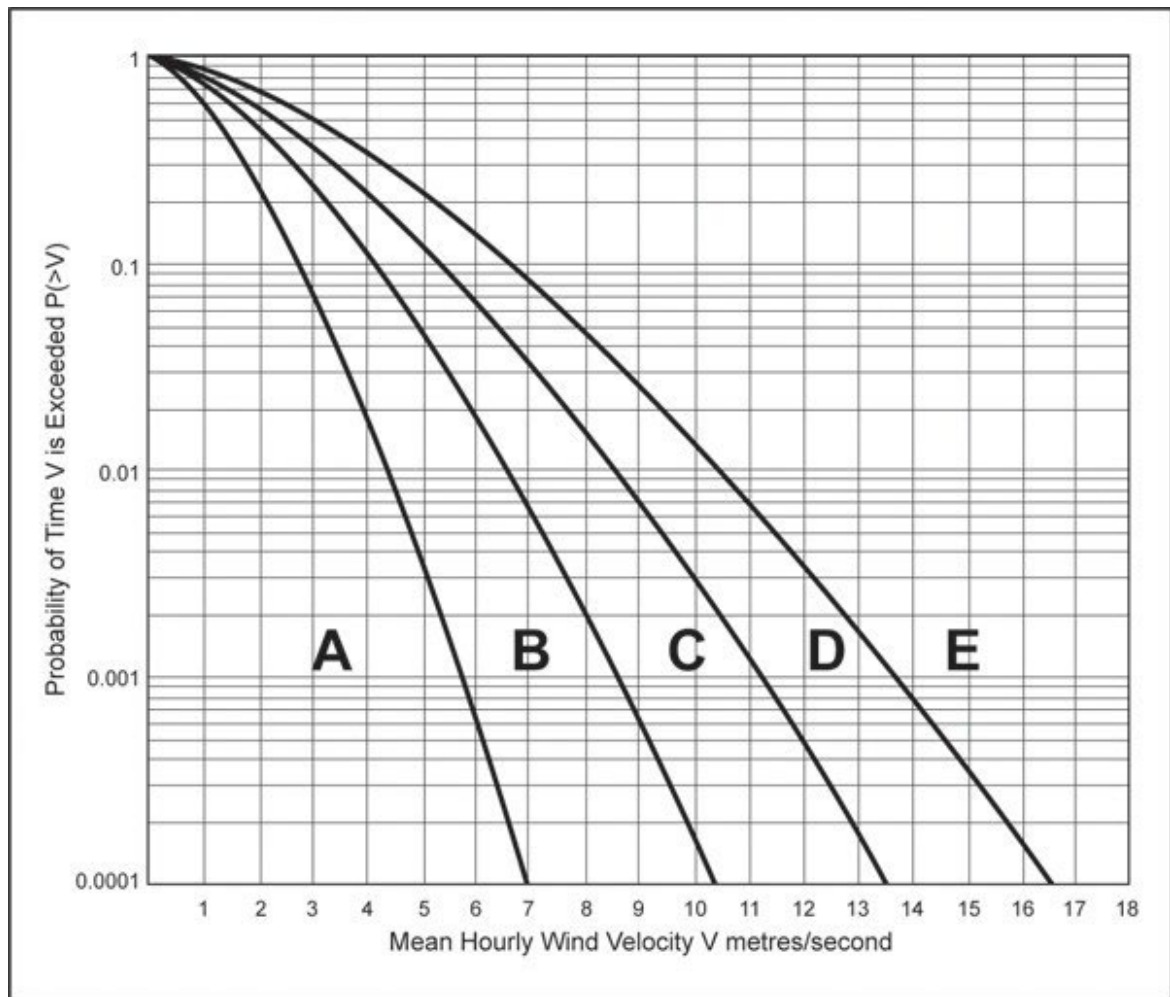
- (1) A new building exceeding 25m in height and additions to existing buildings that increase the building height above 25m must not cause:

- (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**

<b>Category</b>		<b>Description</b>
(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 450m<sup>2</sup> 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 1000m<sup>2</sup> gross floor area per tenancy; or
  - trade suppliers where the activity or integrated retail development exceeds 1000m<sup>2</sup> 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 450m<sup>2</sup> 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 1000m<sup>2</sup> gross floor area per tenancy; or
- trade suppliers where the activity or integrated retail development exceeds 1000m<sup>2</sup> 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:
- (e) 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.
  - (f) a clear framework within which public and private investment can be prioritised and made; and
  - (g) 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.

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- (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 – 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 of with high levels of strategic importance, accessibility, concentration of amenities and residential demand relative to other locations, building heights up to ten storeys within the walkable catchments of:



- (a) the edge of the Metropolitan Centre zones at: Albany Metropolitan Centre.
- (b) rapid transit stops (rail) at: Ellerslie.
- (c) rapid transit stops (bus) at: Smales Farm.
- (23) Enable building height of at least six storeys within mapped walkable catchments unless a qualifying matter applies that reduces height.
- (24) 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
<b>General</b>		
(A1)	Activities not provided for	NC
<b>Use</b>		
Accommodation		
(A2)	Dwellings	NC
(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	P

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Activity		Activity status
	on the planning maps	
(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 <sup>2</sup> gross floor area per tenancy	P
(A20)	Supermarkets greater than 450m <sup>2</sup> 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
(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 <sup>2</sup>	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 <sup>2</sup> whichever is the lesser	P
(A43)	Internal alterations to buildings	P

Activity	Activity status
(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 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

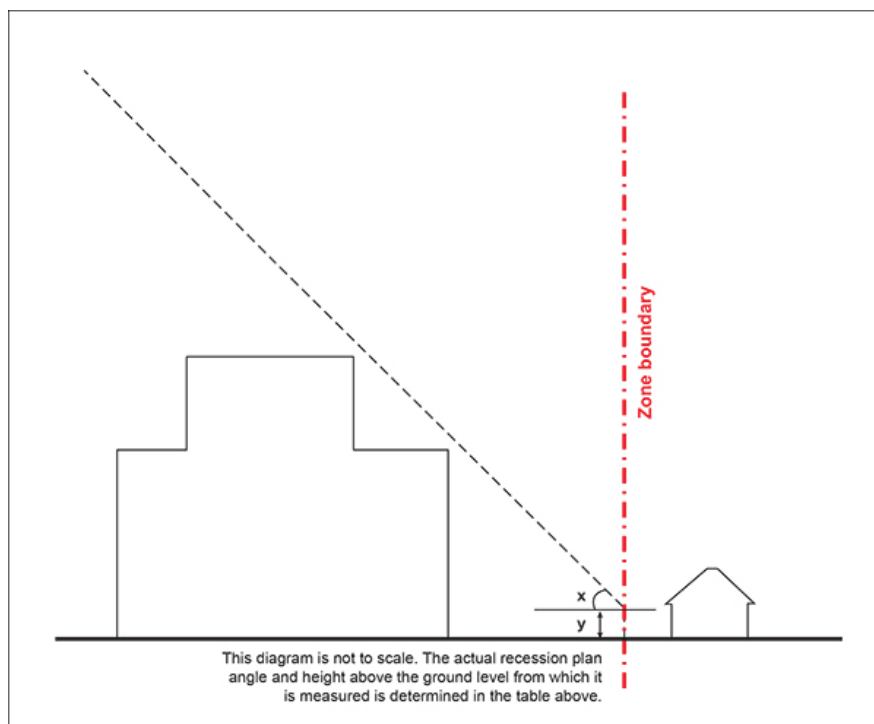
**Table H15.6.2.1 Height in relation to boundary**

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</u> <u>Buildings</u> <u>outside</u> <u>walkable</u>	Residential – Single House Zone; or Residential - Mixed Housing Suburban Zone	45°	2.5m
	Residential – Mixed Housing	45°	3m

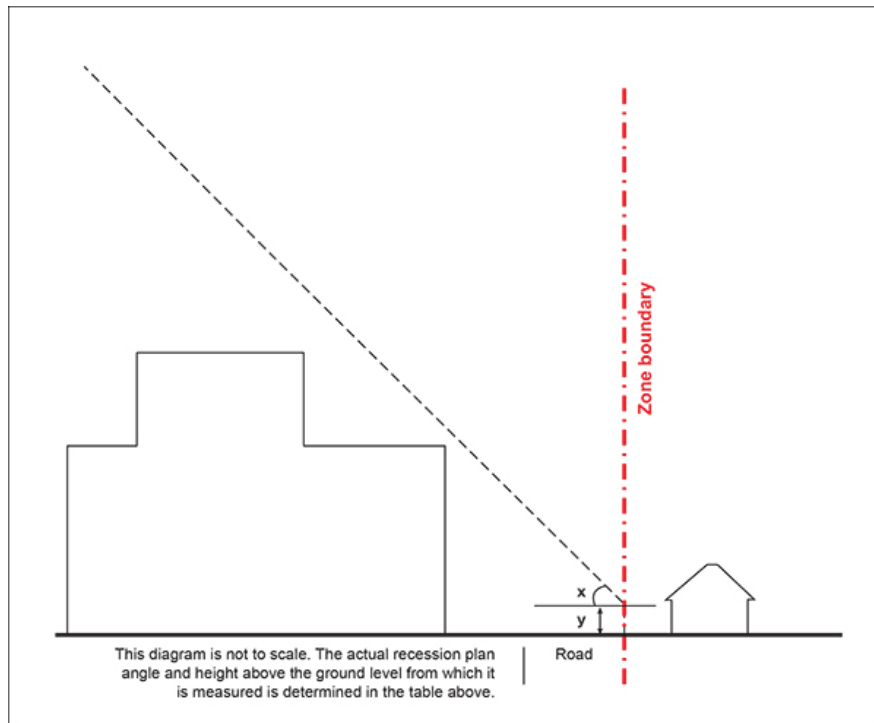
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<u>catchments</u>	Urban Zone		
	Residential – Terrace Housing and Apartment Buildings Zone	60°	8m
	Special Purpose – Māori Purpose Zone; or Special Purpose School Zone	45°	6m
	Open Space – Conservation Zone; Open Space – Informal Recreation Zone; Open Space – Sport and Active Recreation Zone; Open Space – Civic Spaces Zone; or Open Space – Community Zone	45°	4.5m
Buildings <u>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 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 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>

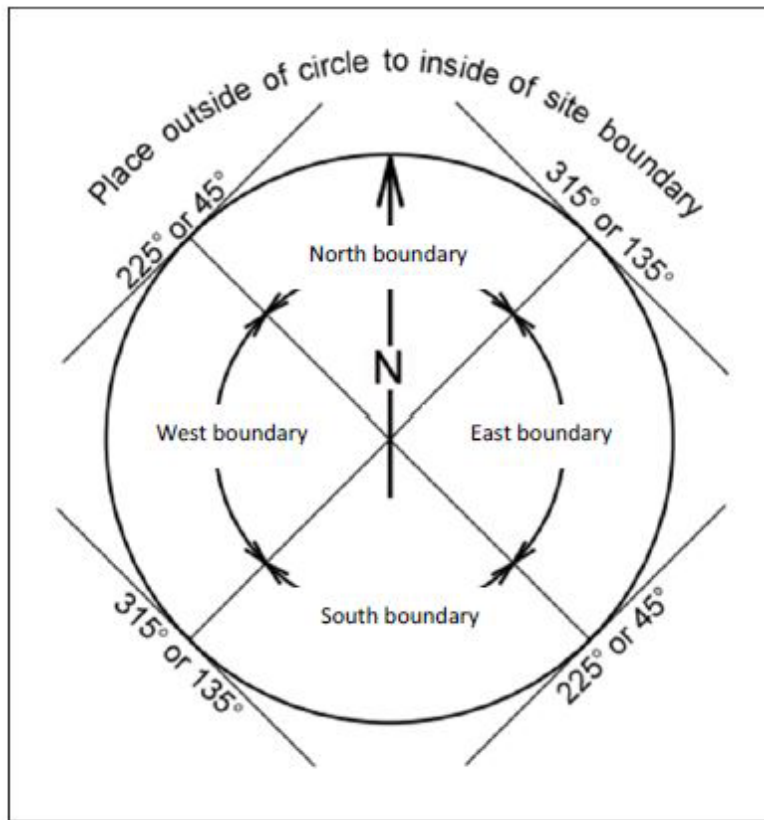
**Figure H15.6.2.1 Height in relation to boundary**



**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**



#### **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
- 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 in walkable catchments with development more than 22m in height, any development must set back the parts of a building from the boundary

**Commented [A1]:** Annotate as a QM consistent with s 770(j) "other" matter of 'WC built form controls' for the purpose of legislated locations for 10 and 15-storeys



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</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**

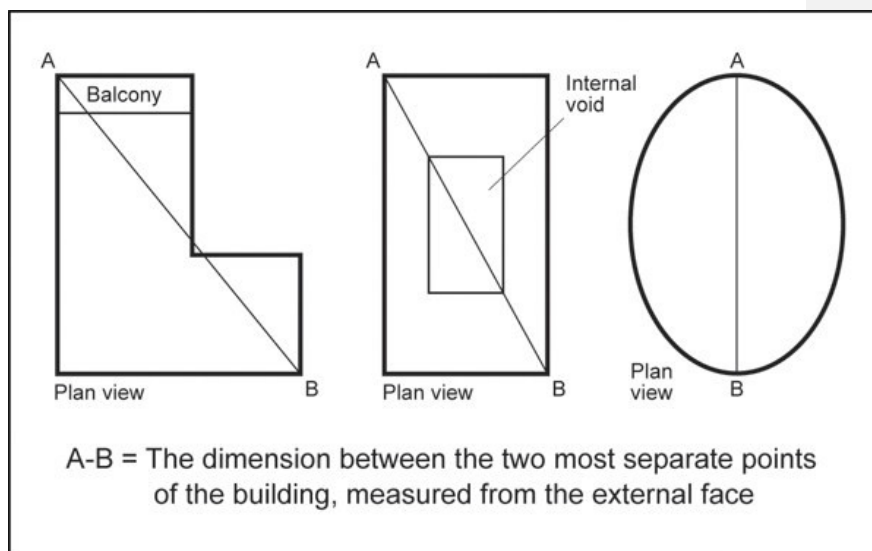
Purpose: ensure that high-rise buildings:

- 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.

**Commented [A2]:** Annotate as a QM consistent with s 77O(j) "other" matter of 'WC built form controls' for the purpose of legislated locations for 10 and 15-storeys

**Commented [A3]:** Annotate as a QM consistent with s 77O(j) "other" matter of 'WC built form controls' for the purpose of legislated locations for 10 and 15-storeys

**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 <a href="#">Appendix 6 Coastal protection yard</a>

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.

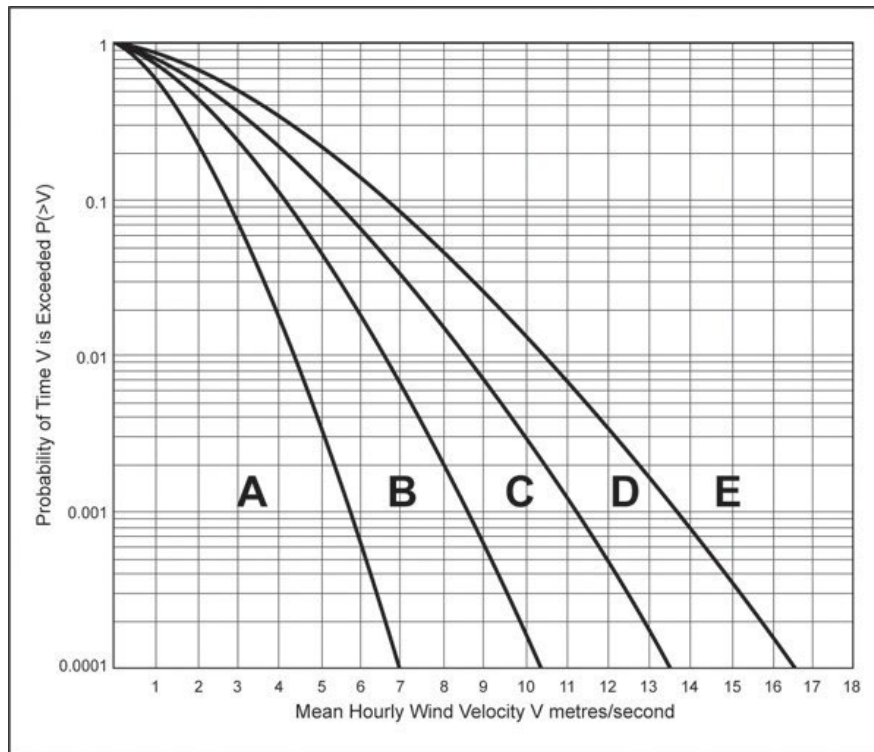
- (1) A new building exceeding 25m in height and additions to existing buildings that increase the building height above 25m must not cause:
- (a) the mean wind speed around it to exceed the category for the intended use of the area as set out in Table H15.6.6.1 and Figure H15.6.6.1 below;

- (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 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.

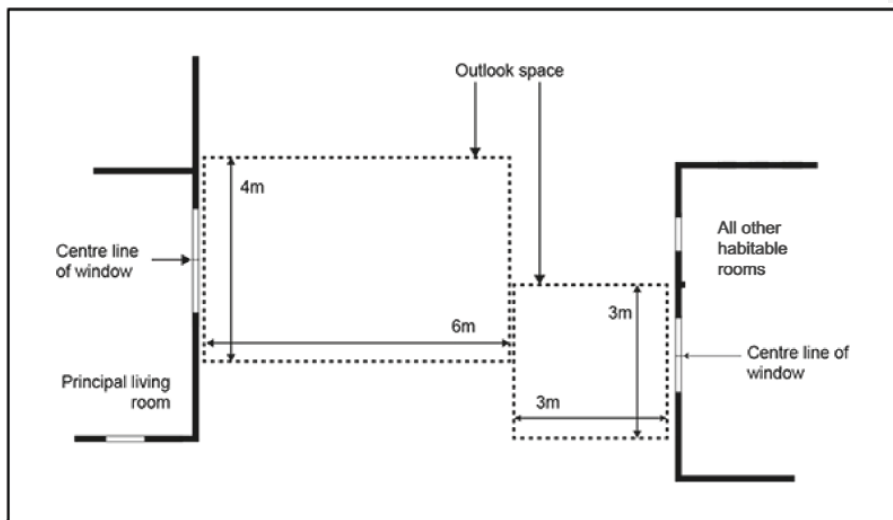
(3A) For development on a site in a walkable catchment more than 22m the minimum dimensions for a required outlook space are as follows:

- (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 H15.6.8.2 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.

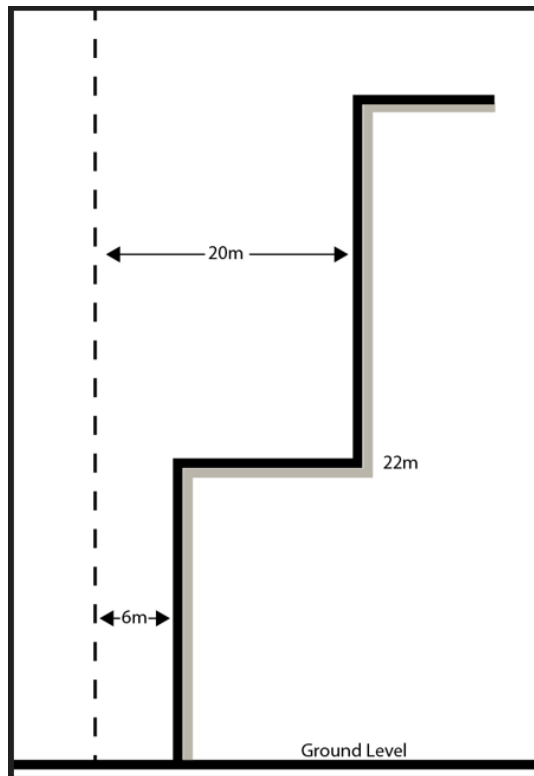
**Commented [A4]:** Annotate as a QM consistent with s 77O(j) "other" matter of 'WC built form controls' for the purpose of legislated locations for 10 and 15-storeys

- (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; and
 not extend over an outlook spaces or outdoor living space required by another dwelling.

**Figure H15.6.7.1 Required outlook space**



**Figure H15.6.8.2 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:

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- (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.

**[new text to be inserted]**

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.

**[new text to be inserted]**

(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.

**[new text to be inserted]**

(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
<b>Use</b>		
(A1)	Activities not provided for	NC
<b>Accommodation</b>		
(A2)	Workers accommodation - one per site	P
(A3)	Dwellings	Pr
(A4)	Integrated residential development	Pr
<b>Commerce</b>		
(A5)	Commercial services	NC
(A6)	Dairies up to 100m <sup>2</sup> gross floor area	P
(A7)	Drive-through restaurant	NC
(A8)	Entertainment facilities	NC
(A9)	Food and beverage up to 120m <sup>2</sup> 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 <sup>2</sup>	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 <sup>2</sup> per site, not otherwise provided for	NC
(A18)	Retail, greater than 450m <sup>2</sup> per site, not otherwise provided for	Pr
(A19)	Service stations	P
(A20)	Show homes	NC
(A21)	Trade suppliers	NC
<b>Community</b>		
(A22)	Care centres	NC
(A23)	Community facilities up to 450m <sup>2</sup> per site	NC
(A24)	Community facilities exceeding 450m <sup>2</sup> 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
<b>Industry</b>		
(A30)	Industrial activities	P
(A31)	Storage and lock-up facilities	NC
(A32)	Wholesaler	NC
<b>Rural</b>		
(A33)	Animal breeding or boarding	NC
(A34)	Horticulture	NC
<b>Development</b>		
(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.

[new text to be inserted]

- (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.

[new text to be inserted]

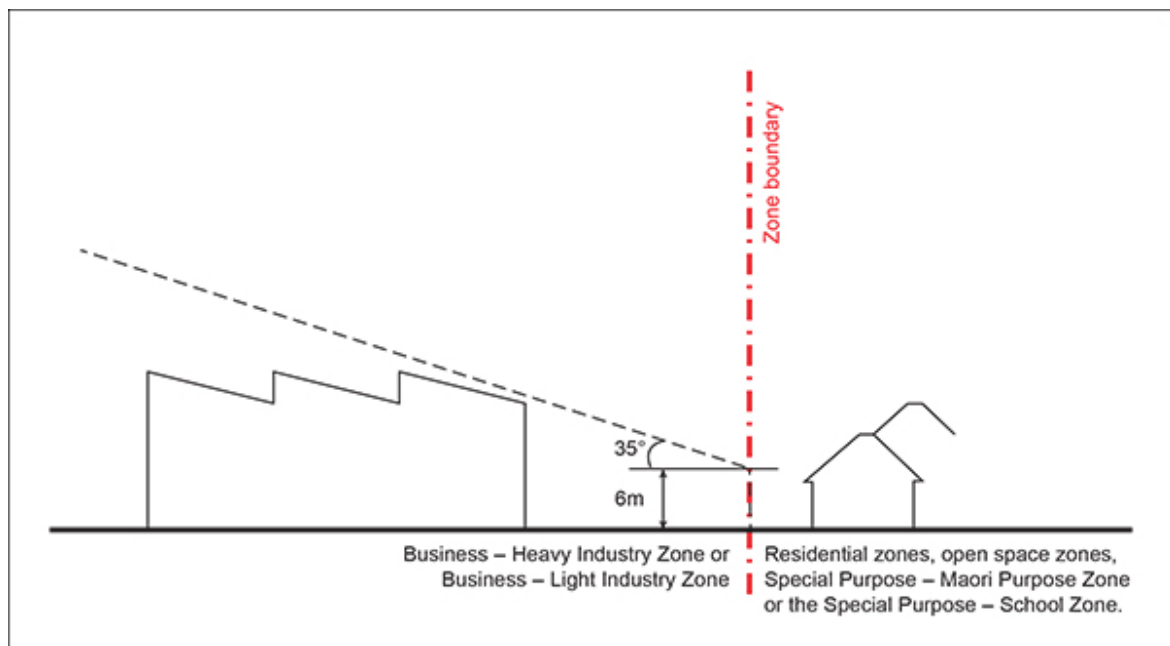
### H16.6.2. Height in relation to boundary

Purpose:

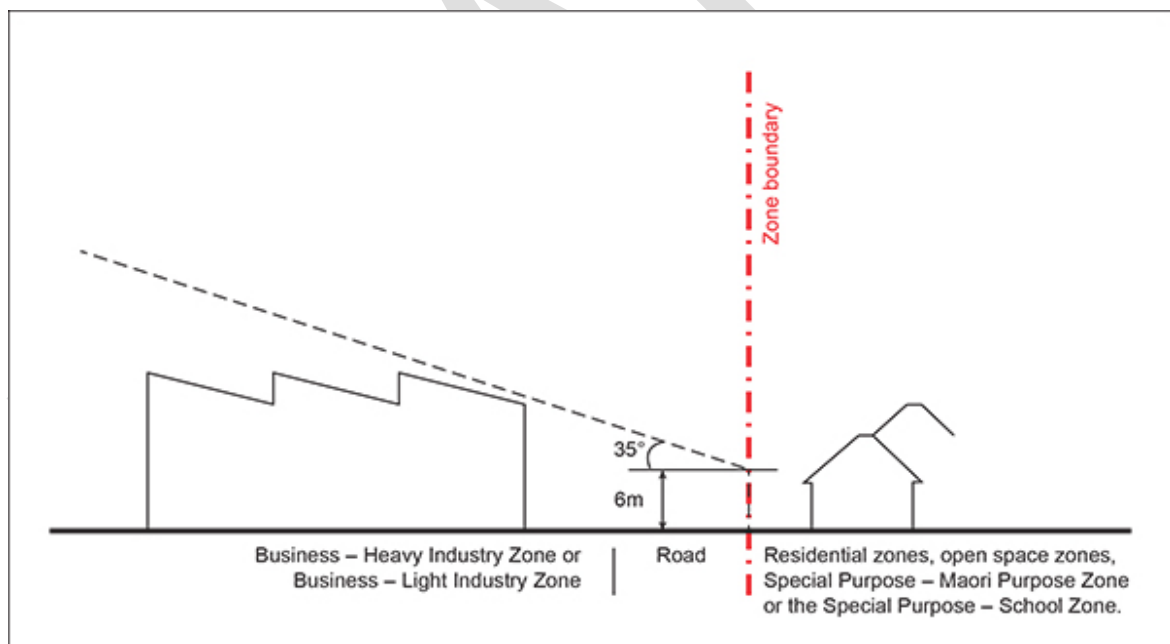
- manage the effects of building height;
  - allow reasonable sunlight and daylight access to public open space excluding streets, and neighbouring zones; and
  - manage visual dominance effects on neighbouring zones where lower height limits apply.
- (1) Buildings must not project beyond a 35 degree 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 <a href="#">Appendix 6 Coastal protection yard</a>

**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.

[new text to be inserted]

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) 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.

[new text to be inserted]

- (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.

[new text to be inserted]

(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
<b>Use</b>		
(A1)	Activities not provided for	NC
<b>Accommodation</b>		
(A2)	Workers accommodation - one per site	P
(A3)	Dwellings	NC
(A4)	Integrated residential development	NC
<b>Commerce</b>		
(A5)	Commercial services	D
(A6)	Dairies up to 100m <sup>2</sup> gross floor area	P
(A7)	Drive-through restaurant	P
(A8)	Entertainment facilities	D
(A9)	Food and beverage up to 120m <sup>2</sup> 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

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(A13)	Motor vehicle sales within 100m of a Business – Heavy Industry Zone	RD
(A14)	Marine retail other than in H17.4.1(A15)	P
(A15)	Marine retail within 100m of a Business – Heavy Industry Zone	RD
(A16)	Offices up to 100m <sup>2</sup> 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 <sup>2</sup>	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 <sup>2</sup> per site	D
(A27)	Community facilities exceeding 450m <sup>2</sup> 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

### 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.

**[new text to be inserted]**

(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.

(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.

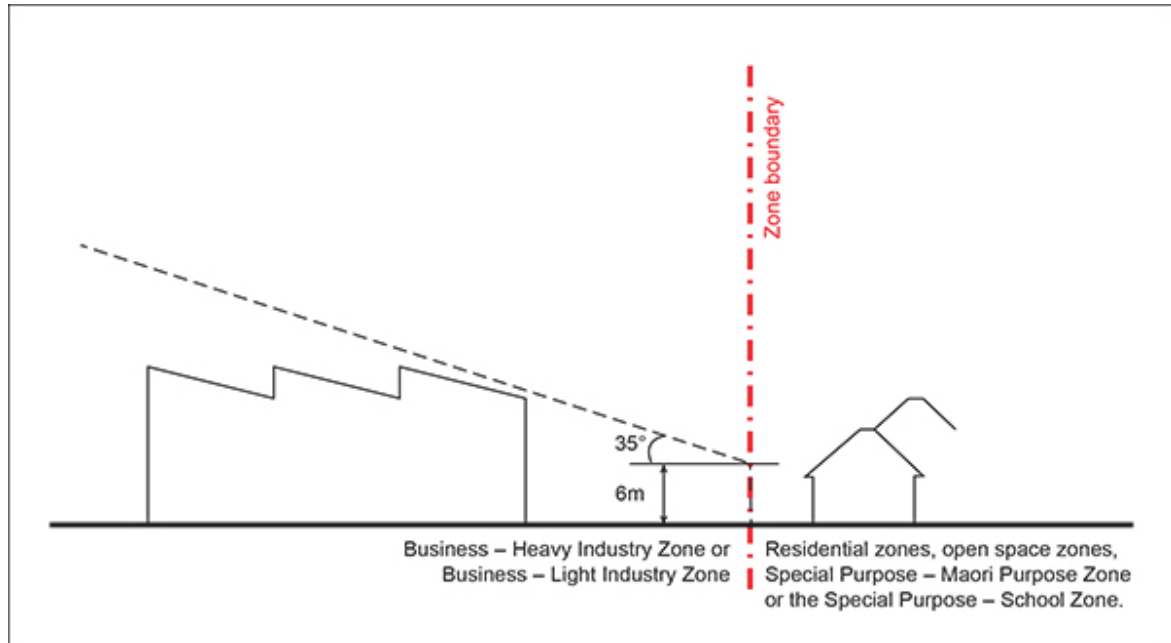
**[new text to be inserted]**

#### **H17.6.2. Height in relation to boundary**

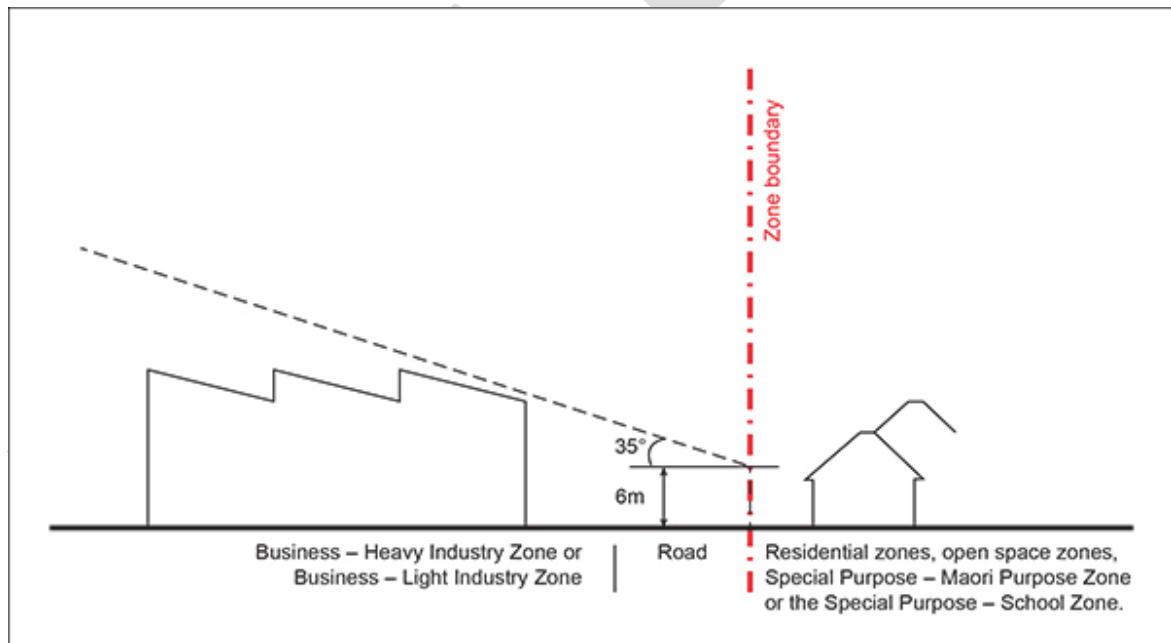
Purpose:

- 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 <a href="#">Appendix 6 Coastal protection yard</a>

**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 100m<sup>2</sup> 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.

## **H25. Special Purpose – Healthcare Facility and Hospital Zone**

### **H25.1. Zone description**

The Special Purpose – Healthcare Facility and Hospital Zone applies to several of Auckland's hospitals and healthcare facilities. These are generally large, land-extensive facilities with a range of activities related to their primary function. The sites generally consist of extensive and highly visible buildings and substantial parking areas.

The zone enables a range of healthcare related and supporting activities to cater for the diverse requirements of the users, employees and visitors to the hospitals and healthcare facilities.

### **H25.2. Objectives**

- (1) The efficient operation and development of hospitals and healthcare facilities to support the community's healthcare needs is enabled.
- (2) A comprehensive range of hospital and healthcare activities, buildings and infrastructure, and accessory buildings and activities are provided for.
- (3) The adverse effects of hospital and healthcare activities, buildings and infrastructure, and accessory buildings and activities on adjacent areas are avoided, remedied or mitigated.

### **H25.3. Policies**

- (1) Enable a range of hospital and healthcare facilities to meet the health and well-being needs of the community.
- (2) Enable for a range of non-healthcare activities provided they:
  - (a) do not compromise the efficient use of the zone for hospital and healthcare activities; and
  - (b) avoid, remedy or mitigate significant adverse effects, including traffic effects.
- (3) Minimise the effects of supporting activities and services on the amenity values of the adjacent land.
- (4) Minimise significant adverse effects of overshadowing, visual dominance and loss of visual privacy on adjacent properties by use of graduated building heights and by locating higher buildings away from the zone boundary.
- (5) Provide for additional building height in identified locations, where it:
  - (a) enables the efficient operation of the hospital or healthcare facility; and
  - (b) can be accommodated without significant adverse effects on adjacent properties.

(6) Require new buildings and significant additions to buildings that adjoin streets and public open spaces to be designed to contribute to the maintenance and enhancement of amenity values while enabling the efficient use of the site.

(7) Encourage new buildings to be designed to provide a high standard of amenity and safety.

#### H25.4. Activity table

Table H25.4.1 specifies the activity status of land use and development activities in the Special Purpose - Healthcare Facility and Hospital Zone pursuant to section 9(3) of the Resource Management Act 1991.

**Table H25.4.1 Activity Table**

Activity		Activity status
<b>Use</b>		
Accommodation		
(A1)	Boarding houses	RD
(A2)	Visitor accommodation	RD
(A3)	Dwellings accessory to healthcare facilities	P
(A4)	Supported residential care	P
(A5)	Dwellings not specified above	D
(A6)	Retirement villages	D
Community		
(A7)	Care centres	P
(A8)	Community facilities	P
(A9)	Education facilities	P
(A10)	Healthcare facilities	P
(A11)	Hospitals	P
(A12)	Informal recreation and leisure	P
(A13)	Organised sport and recreation	P
(A14)	Information facilities	P
(A15)	Public amenities	P
(A16)	Artworks	P
(A17)	Tertiary education facilities accessory to healthcare	P
<b>Development</b>		
(A18)	Buildings, alterations, additions and demolition unless otherwise specified below	P
(A19)	Conversion of buildings or part of buildings to dwellings	D
(A20)	New buildings or additions to existing buildings that increase the building footprint by more than 20 per cent, that are visible from and located within 10m of a public road or an open space zone	RD



(A21)	New parking buildings visible from and located within 10m of a public road or a residential zone or open space zone	RD
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### H25.5. Notification

- (1) Any application for resource consent for any of the following activities 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) new buildings or additions to existing buildings that increase the building footprint by more than 20 per cent that are visible from and located within 10m of a public road or open space zone; and
  - (b) new parking buildings visible from and located within 10m of a public road or a residential zone or open space zone.
- (2) Any application for resource consent for an activity listed in Table H25.4.1 Activity table and which is not listed in H25.5(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\(4\)](#).

### H25.6. Standards

All activities listed as a permitted or restricted discretionary activity in Table H25.4.1 Activity table must comply with the following standards.

Where a healthcare facility comprises multiple adjoining sites zoned Special Purpose – Healthcare Facility and Hospital Zone, the sites will be treated as a single site for the purposes of applying the following standards.

#### H25.6.1. Building height

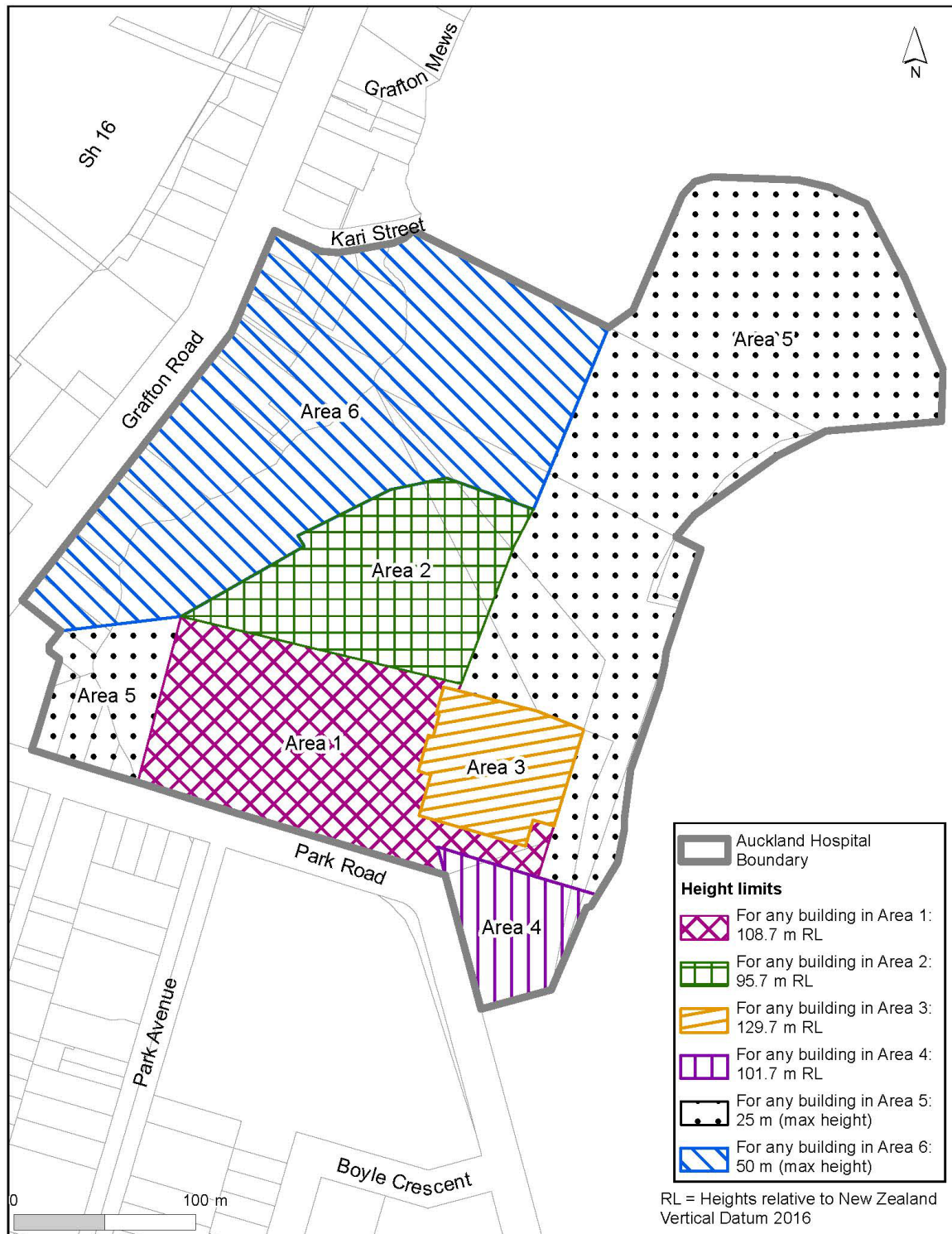
- (1) Buildings heights are specified in Table H25.6.1.1 Building heights and Figure H25.6.1.1 Auckland Hospital permitted building heights.

**Table H25.6.1.1: Building heights**

Site area	Permitted activity standard	Restricted discretionary activity standard	Discretionary activity standard
Sites with a total site area up to 4ha <u>outside walkable catchments</u>	Up to 16m	Between 16m and up to 25m	Greater than 25m
[new text to be inserted]	[new text to be inserted]	[new text to be inserted]	[new text to be inserted]

<u>Sites with a total site area up to 4ha inside walkable catchments</u>	<u>Up to 22m</u>	<u>Between 22m and 25m</u>	<u>Greater than 25m</u>
Sites with a total site area greater than 4ha	Up to 26m	Between 26m and up to 35m	Greater than 35m
Sites subject to the Height Variation Control	Up to the height specified on the Height Variation Control	Infringements to the Height Variation Control and up to 35m	Infringements to the Height Variation Control and greater than 35m
Auckland Hospital buildings	Up to the height specified in Figure H25.6.1.1	Buildings infringing the height specified in Figure H25.6.2.1 and up to 35m	Buildings infringing the height specified in Figure H25.6.1.1 and greater than 35m

**Figure H25.6.1.1 Auckland Hospital permitted building heights**



- (2) The building heights in Figure H25.6.1.1 Auckland Hospital permitted building heights for Areas 1 to 4 are measured using Reduced Levels (RL in terms of NZVD2016). Areas 5 and 6 are measured as per the Plan definition of height.

#### H25.6.2. Height in relation to boundary

- (1) Where a site in the Special Purpose – Healthcare Facility and Hospital Zone directly adjoins a site in another zone, the height in relation to boundary standard that applies in the adjoining zone applies to the adjoining Special Purpose - Healthcare Facility and Hospital Zone boundary.
- (2) Where a site in the Special Purpose – Healthcare Facility and Hospital Zone directly adjoins a site in another zone that does not specify a height in relation to boundary standard, the yard and/or setback standard in the adjoining zone applies to the adjoining the Special Purpose – Healthcare Facility and Hospital Zone boundary.
- (3) Where a site in the Special Purpose – Healthcare Facility and Hospital Zone adjoins a site in an open space zone, buildings must not project beyond a 45 degree recession plane measured from a point 8.5m vertically above ground level along the open space zone boundary.

#### H25.6.3. Yards

- (1) The yards in Table H25.6.3.1 must be provided.

**Table H25.6.3.1 Yards**

Yard	Dimension
Front yard, except where the properties adjoining the zone on that road frontage are in the Business – Mixed Use Zone or one of the business centre zones	3m
Side and rear yards - where the site adjoins a site in a residential zone, open space zone or the Future Urban Zone	3m
Riparian yard	5m from the edge of permanent and intermittent streams
Lake side yard	20m
Coastal protection yard	25m, or as otherwise specified in <a href="#">Appendix 6</a>

#### H25.6.4. Maximum impervious area

- (1) The maximum impervious area must not be greater than 80 per cent.

#### H25.6.5. Screening

- (1) Any outdoor storage or rubbish collection areas that directly face and are visible from a residential zone or public open space adjoining a boundary with, or on the opposite side of the road from, a Special Purpose – Hospital

and Healthcare Facility Zone, must be screened from those areas by a solid wall or fence at least 1.8m high.

#### **H25.6.6. Dwellings accessory to a healthcare activity**

- (1) Detached dwellings accessory to a healthcare facility must comply with the following Residential – Mixed Housing Suburban Zone standards:
  - (a) [H4 Residential – Mixed Housing Suburban Zone – Standard H4.6.11](#);
  - (b) [H4 Residential – Mixed Housing Suburban Zone – Standard H4.6.12](#); and
  - (c) [H4 Residential – Mixed Housing Suburban Zone – Standard H4.6.13](#).
- (2) Attached dwellings accessory to a healthcare facility must comply with the following [Residential – Terrace Housing and Apartment Buildings Zone](#) standards:
  - (a) [H6 Residential – Terrace Housing and Apartment Buildings Zone – Standard H6.6.13](#);
  - (b) [H6 Residential – Terrace Housing and Apartment Buildings Zone – Standard H6.6.14](#); and
  - (c) [H6 Residential – Terrace Housing and Apartment Buildings Zone – Standard H6.6.15](#).

#### **H25.7. Assessment – controlled activities**

There are no controlled activities in this section.

#### **H25.8. Assessment – restricted discretionary activities**

##### **H25.8.1. Matters of discretion**

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

- (1) Visitor accommodation and boarding houses:
  - (a) effects on adjoining properties, especially residential properties including effects of overshadowing and loss of privacy; and
  - (b) on-site amenity.
- (2) New buildings or additions to buildings that increase the building footprint by more than 20 per cent, that are visible from and located within 10m of a public road or an open space zone:
  - (a) the effects of the building design and external appearance on the adjoining streetscape and adjoining land zoned open space.

- (3) New parking buildings visible from and located within 10m of a public road or a residential zone or open space zone:
  - (a) the effects of the building design and external appearance on the adjoining streetscape and adjoining land zoned open space; and
  - (b) the adverse effects on amenity values of adjoining land zoned residential.

#### **H25.8.2. Assessment criteria**

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

- (1) Visitor accommodation and boarding houses:
  - (a) whether the development complies with [H6 Residential - Terrace Housing and Apartment Buildings Zone – Rule H6.6.13](#) or meets the purpose of the standard.
- (2) New buildings or additions to buildings that increase the building footprint by more than 20 per cent, that are visible from and located within 10m of a public road or an open space zone:
  - (a) the extent to which design features can be used to break up the bulk of the building by, for example varying building elevations, setting parts of the building back, and the use of architectural features without compromising the functional requirements of the use of the building;
  - (b) the extent to which the visual effects of the building can be softened by landscaping; and
  - (c) the extent to which any service elements (roof plant, exhaust and intake units and roof equipment) that could be viewed from the road or public open space zone can be integrated as part of the façade or roof of the building.
- (3) New parking buildings visible from and located within 10m of a public road or a residential zone or open space zone:
  - (a) the extent to which design features can be used to break up the bulk of the building by, for example varying building elevations, setting parts of the building back, and the use of architectural features without compromising the functional requirements of the use of the building;
  - (b) the extent to which the visual effects of the building can be softened by landscaping; and
  - (c) the extent to which any service elements (roof plant, exhaust and intake units and roof equipment) that could be viewed from the road or public open space zone can be integrated as part of the façade or roof of the building.

### **H25.9. Special information requirements**

There are no special information requirements in this section.

DRAFT



## **H29. Special Purpose – School Zone**

### **H29.1. Zone description**

The Special Purpose – School Zone applies to Auckland’s independent and integrated schools and associated community facilities, and is characterised by campus-style developments. The purpose of the zone is to allow the continued operation and further development of these schools and associated facilities.

Refer to [Chapter K: Designations for Ministry of Education](#) owned sites subject to designations.

This zone does not apply to existing or future schools located in the city centre, metropolitan or town centres.

### **H29.2. Objectives**

- (1) The educational needs of school students are met and the well-being of students, staff and visitors is provided for.
- (2) School activities, including the development of new schools and appropriate redevelopment, intensification and expansion of existing schools, are enabled.
- (3) Opportunities for communities to use school facilities, and for the co-location of school and community facilities are provided.
- (4) Adverse effects of schools, community facilities and associated activities and their use on adjacent areas are avoided, remedied or mitigated.

### **H29.3. Policies**

- (1) Enable the efficient utilisation of school land, buildings and infrastructure.
- (2) Enable a range of activities including education, recreation, early childhood learning services, worship and residential accommodation, and appropriate accessory activities.
- (3) Enable community use of the existing and future school land, buildings and infrastructure and the co-location of school and community facilities provided they:
  - (a) do not compromise the use of the zone for school activities; and
  - (b) avoid remedy or mitigate adverse effects on adjoining properties.
- (4) Minimise adverse effects on adjacent properties from development that causes overshadowing, visual domination, loss of visual privacy and loss of other amenity values by the use of building setbacks, screening, graduated building heights and by locating higher buildings away from the zone boundary.
- (5) Provide for additional building height in identified locations where it:
  - (a) provides for the efficient use of the site; and



- (b) can be accommodated without significant adverse effects on adjacent properties.
- (6) Encourage new buildings to be designed to provide a high standard of amenity and safety.
- (7) Require new buildings and significant additions to buildings that adjoin streets and public open spaces to be designed to contribute to the maintenance and enhancement of amenity values while enabling the efficient use of the site.

#### H29.4. Activity table

Table H29.4.1 Activity table specifies the activity status of land use and development activities in the Special Purpose – School Zone pursuant to section 9(3) of the Resource Management Act 1991.

**Table H29.4.1 Activity table**

Activity		Activity status
<b>Use</b>		
Accommodation		
(A1)	Dwellings	P
(A2)	Student accommodation	P
Commerce		
(A3)	School shops	P
Community		
(A4)	Care centres	P
(A5)	Community facilities	P
(A6)	Community use of education facilities	P
(A7)	Education facilities	P
(A8)	Healthcare services accessory to education facilities	P
(A9)	Informal recreation	P
(A10)	Organised sport and recreation	P
(A11)	Public amenities	P
(A12)	Recreation facilities	P
Rural		
(A13)	Horticulture accessory to education facilities	P
(A14)	Farming accessory to education facilities (excluding pig keeping and pig farming)	P
<b>Development</b>		
(A15)	New buildings, additions and alterations, and demolition, unless otherwise specified	P
(A16)	New buildings or additions to existing buildings that increase the building footprint by more than 20 per cent and that are visible from and located within 10m of a public road or an	RD

	open space zone	
(A17)	Sport and recreation structures	P
(A18)	Parks maintenance	P
(A19)	Recreational trails	P
(A20)	New parking buildings visible from and located within 10m of a public road or a residential zone or open space zone	RD

### H29.5. Notification

- (1) Any application for resource consent for any of the following activities 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) new buildings or additions to existing buildings that increase the building footprint by more than 20 per cent that are visible from and located within 10m of a public road or open space zone; and
  - (b) new parking buildings visible from and located within 10m of a public road or a residential zone or open space zone.
- (2) Any application for resource consent for an activity listed in Table H29.4.1 Activity table and which is not listed in H29.5(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\(4\)](#).

### H29.6. Standards

All activities listed as a permitted or restricted discretionary activity in Table H29.4.1 Activity table must comply with the following standards.

Where a school comprises multiple adjoining sites but has a common Special Purpose – School Zone, the entire school will be treated as a single site for the purposes of applying the following standards.

#### H29.6.1. Dwelling density

- (1) The number of dwellings on a site must not be greater than one dwelling per 2000m<sup>2</sup> total site area.

#### H29.6.2. Building height

- (1) Buildings (excluding floodlights) must not be greater than the height specified in Table H29.6.2.1 Building height unless Standard H29.6.7 applies.

**Table H29.6.2.1 Building height**

<b>Building location</b>	<b>Maximum building height</b>
Buildings less than 20m from a boundary with a site in residential zones (except the Residential – Terrace Housing and Apartment Buildings Zone), open space zones, or the Future Urban Zone	12m
Buildings greater than or equal to 20m from a boundary with a site in a residential zone (other than Residential – Terrace Housing and Apartment Buildings Zone) or open space zones, or the Future Urban Zone	16m
[new text to be inserted]	[new text to be inserted]
<u>Buildings inside walkable catchments</u>	<u>22m</u>
Buildings in all other locations	16m

(2) Floodlights must comply with the following:

- (a) poles must not exceed 16m in height;
- (b) pole diameter shall be no more than 1m at the base of the pole, tapering to no more than 300mm at its maximum height; and
- (c) the pole must be recessive in colour.

(3) Steeples, spires, minarets and similar structures constructed as part of a place of worship may exceed the maximum height by not more than 6m, where that part of the structure exceeding the maximum height measures no more than 2m in any horizontal direction.

### **H29.6.3. Yards**

(1) The yards in Table H29.6.3.1 must be provided.

**Table H29.6.3.1 Yards**

<b>Yard</b>	<b>Dimension</b>
Front yard, except where the properties adjoining the school on that road frontage are in the Business – Mixed Use Zone or one of the business centre zones	3m
Side yard where the side boundary adjoins a site in a residential or open space zone or the Future Urban Zone	3m
Rear yard where the rear boundary adjoins a site in a residential or open space zone or the Future Urban Zone	3m
Riparian yard	5m from the edge of permanent and intermittent streams

Lake yard	30m
Coastal protection yard	25m or as otherwise specified in <a href="#">Appendix 6</a>

- (2) Where a side or rear yard is required, the yard is only required along that part of the side or rear boundary adjoining a residential zone, open space zone or the Future Urban Zone (i.e., a side or rear yard is not required along the full length of the side or rear boundary where only part of the side or rear boundary adjoins one of the zones identified in Table H29.6.3.1).

#### **H29.6.4. Building coverage**

- (1) The maximum building coverage must not be greater than 50 per cent.

#### **H29.6.5. Maximum impervious area**

- (1) The maximum impervious area must not be greater than 70 per cent.

#### **H29.6.6. Height in relation to boundary**

- (1) Buildings must not project beyond a 45-degree recession plane measured from 3m vertically above ground level at any site boundary adjoining a site in the residential zones (except the Residential – Terrace Housing and Apartment Buildings Zone), rural zones or the Future Urban Zone.
- (2) Buildings must not project beyond a 45 degree recession plane measured from 8m vertically above ground level at any site boundary adjoining a road, another Special Purpose – School Zone or any other zone boundary not specified H29.6.6(1).
- (3) Floodlights, steeples, spires, minarets and similar structures must not project beyond a 45 degree recession plane measured from 12m vertically above ground level at any site boundary.
- (4) This standard does not apply to buildings located on St Cuthberts College land at its boundary with Cornwall Park commencing at a point 32m east of the Market Road frontage and extending to a maximum of 210m east of the Market Road frontage.

#### **H29.6.7. Height Variation Control**

- (1) Buildings located at St Cuthberts College, Epsom must not be higher than the height in metres as shown by the Height Variation Control on the planning maps, provided that buildings are located:
- (a) 3m from the boundary with Cornwall Park; and
- (b) in the area commencing at a point on the common boundary 32m east of the Market Road frontage and extending to a maximum of 210m east of the Market Road frontage.

#### **H29.6.8. Screening**

- (1) Any outdoor storage or rubbish collection areas that directly face and are visible from a residential or open space zone or the Future Urban Zone must be screened from those areas by a solid wall or fence at least 1.8m high.

#### **H29.6.9. Fencing**

- (1) The height of fences on any road boundary must not be greater than:
  - (a) 1.8m if at least 50 per cent of the fence/wall is transparent; or
  - (b) 1.5m if the fence is solid.

#### **H29.6.10. Dwellings**

- (1) Detached dwellings must comply with the following Residential – Mixed Housing Suburban Zone standards:
  - (a) [H4 Residential – Mixed Housing Suburban Zone – Rule H4.6.11](#);
  - (b) [H4 Residential – Mixed Housing Suburban Zone – Rule H4.6.12](#); and
  - (c) [H4 Residential – Mixed Housing Suburban Zone – Rule H4.6.13](#).
- (2) Attached dwellings must comply with the following Residential – Terrace Housing and Apartment Buildings Zone standards:
  - (a) [H6 Residential – Terrace Housing and Apartment Buildings Zone – Rule H6.6.13](#);
  - (b) [H6 Residential – Terrace Housing and Apartment Buildings Zone – Rule H6.6.14](#); and
  - (c) [H6 Residential – Terrace Housing and Apartment Buildings Zone – Rule H6.6.15](#).

#### **H29.7. Assessment – controlled activities**

There are no controlled activities in this zone.

#### **H29.8. Assessment – restricted discretionary activities**

##### **H29.8.1. Matters of discretion**

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

- (1) new buildings or additions to buildings that increase the building footprint by more than 20 per cent, that are visible from and located within 10m of a public road or an open space zone:

- (a) the effects of the building design and external appearance on the adjoining streetscape and adjoining land zoned open space.
- (2) new parking buildings visible from and located within 10m of a public road, or a residential zone or open space zone:
  - (a) the effects of the building design and external appearance on the adjoining streetscape and adjoining land zoned open space; and
  - (b) the adverse effects on amenity values of adjoining land zoned residential.

#### **H29.8.2. Assessment criteria**

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

- (1) new buildings or additions to buildings that increase the building footprint by more than 20 per cent, that are visible from and located within 10m of a public road or an open space zone:
  - (a) the extent to which design features can be used to break up the bulk of the building by, for example varying building elevations, setting parts of the building back, and the use of architectural features without compromising the functional requirements of the use of the building;
  - (b) the extent to which the visual effects of the building can be softened by landscaping; and
  - (c) the extent to which any service elements (roof plant, exhaust and intake units and roof equipment) that could be viewed from the road or open space zone can be integrated as part of the façade or roof of the building.
- (2) new parking buildings visible from and located within 10m of a public road or a residential zone or open space zone:
  - (a) the extent to which design features can be used to break up the bulk of the building by, for example varying building elevations, setting parts of the building back, and the use of architectural features without compromising the functional requirements of the use of the building;
  - (b) the extent to which the visual effects of the building can be softened by landscaping; and
  - (c) the extent to which any service elements (roof plant, exhaust and intake units and roof equipment) that could be viewed from the road or open space zone can be integrated as part of the façade or roof of the building.

#### **H29.9. Special information requirements**

There are no special information requirements in this zone.

## **H30. Special Purpose – Tertiary Education Zone**

### **H30.1. Description**

The Special Purpose – Tertiary Education Zone applies to tertiary education facilities in locations where the surrounding zoning will not appropriately provide for the ongoing operation and development of the facilities or where the facilities are not subject to a precinct plan.

Generally, these are large facilities in campus-style developments, with extensive and highly visible buildings, substantial parking areas and significant areas of private open space. Increasingly, business, offices, research and laboratory facilities are co-locating within these campuses, to the benefit of the tertiary institution, the students and the economic development of Auckland.

The purpose of the zone is to enable the development and operation of a range of activities to cater for the diverse requirements of the student population, employees and visitors. Community use of the facilities is also provided for.

### **H30.2. Objectives**

- (1) Tertiary education facilities meet the education needs of their students, facilitate research and economic development, and provide for the well-being of employees, students and visitors.
- (2) Other activities which are compatible with, or accessory to, tertiary education facilities are provided for where they do not compromise the use of the zone for tertiary education purposes.
- (3) Adverse effects of tertiary education facilities and associated activities and their use on adjacent areas are avoided, remedied or mitigated.

### **H30.3. Policies**

- (1) Enable a wide range of activities on tertiary education facility sites, including tertiary education, research, health, recreation, student accommodation and appropriate accessory activities.
- (2) Provide for a range of other activities which are compatible with, or accessory to, tertiary education facilities including research, innovation, learning or related work experience where they are of a character and scale which will not displace tertiary education facilities.
- (3) Require new buildings and significant additions to buildings that adjoin streets and public open spaces to be designed to contribute to the maintenance and enhancement of amenity values while enabling the efficient use of the site.
- (4) Encourage new buildings to be designed to provide a high standard of amenity and safety.

- (5) Require screening or landscaping of waste management facilities, service areas and buildings and parking to enhance their appearance when viewed from adjacent residential zones, streets and public open spaces.
- (6) Provide for accessory and compatible activities to meet the needs of employees, students and visitors without undermining the function of nearby town centres as the primary location for business activities.
- (7) Require new buildings to be designed in a manner that respects any adjacent scheduled historic heritage places on the site.
- (8) Minimise significant adverse effects of overshadowing, visual dominance and loss of visual privacy on adjacent properties by use of graduated building heights and by locating higher buildings away from the zone boundary.

#### H30.4. Activity table

Table H30.4.1 Activity table specifies the activity status of land use and development activities in the Special Purpose – Tertiary Education Zone pursuant to section 9(3) of the Resource Management Act 1991.

Where a tertiary education facility comprises adjoining multiple sites but has a common Special Purpose – Tertiary Education Zone, the entire facility will be treated as a single site for the purpose of applying the activity table and standards.

**Table H30.4.1 Activity Table**

Activity		Activity status
(A1)	Activities not provided for	D
(A2)	Activities compatible with tertiary education facilities	RD
<b>Use</b>		
Accommodation		
(A3)	Dwellings accessory to tertiary education facilities	P
(A4)	Student accommodation	P
(A5)	Visitor accommodation accessory to tertiary education facilities	P
Commerce		
(A6)	Commercial services	P
(A7)	Licensed premises accessory to tertiary education facilities	P
(A8)	Laboratories	P
(A9)	Retail accessory to tertiary education facilities	P
(A10)	Entertainment facilities accessory to tertiary education facilities	P
(A11)	Light manufacturing and servicing accessory to tertiary education facilities	P
(A12)	Office accessory to tertiary education facilities	P
(A13)	Conference facilities	P



### H30 Special purpose Tertiary Education Zone

Community		
(A14)	Care centres	P
(A15)	Community facilities	P
(A16)	Community use of education and tertiary education facilities	P
(A17)	Tertiary education facilities	P
(A18)	Informal recreation	P
(A19)	Organised sport and recreation	P
(A20)	Public amenities	P
(A21)	Displays and exhibitions	P
(A22)	Healthcare facilities	P
(A23)	Artworks	P
(A24)	Information facilities	P
Rural		
(A25)	Horticulture	P
(A26)	Pastoral farming accessory to tertiary education facilities and on sites larger than 4ha, excluding pig keeping and pig farming	P
Development		
(A27)	Accessory buildings	P
(A28)	Buildings, alterations, additions and demolition unless otherwise specified below	P
(A29)	New buildings or additions to existing buildings that increase the building footprint by more than 20 per cent that are visible from and located within 10m of a public road or open space zone	RD
(A30)	New parking buildings visible from and located within 10m of a public road or a residential zone or public open space zone	RD
(A31)	Parks maintenance	P

#### H30.5. Notification

- (1) Any application for resource consent for an activity listed in Table H30.4.1 Activity table 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\(4\)](#).

#### H30.6. Standards

All activities listed in Table H30.4.1 Activity table must comply with the following standards.

### H30.6.1. Building height

- (1) Buildings must not exceed the maximum height specified in Table H30.6.1.1 Building height

**Table H30.6.1.1 Building height**

Building location	Maximum building height
Less than 20m from a site in the residential zones, the Future Urban Zone or an open space zone	12m
<b>[new text to be inserted]</b>	<b>[new text to be inserted]</b>
<u>Less than 20m from a site in the residential zones, the Future Urban Zone or an open space zone inside walkable catchments</u>	<u>22m</u>
Greater than or equal to 20m from a boundary with a site in the residential zones, the Future Urban Zone or an open space zone	24m

### H30.6.2. Yards

- (1) Buildings must be located no closer than the yard dimension specified in Table H30.6.2.1 Yards.

**Table H30.6.2.1 Yards**

Yard	Dimension
Front, side and rear yards adjoining a site in the residential zones, the Future Urban Zone or an open space zone	3m
Riparian	10m from the edge of permanent and intermittent streams
Lake	30m
Coastal protection yard	25m or as otherwise specified in <a href="#">Appendix 6</a>

### H30.6.3. Building coverage

- (1) Maximum Building coverage: 50 per cent.

### H30.6.4. Height in relation to boundary

- (1) Where a site in the Special Purpose – Tertiary Education Zone directly adjoins a site in another zone, the height in relation to boundary standard that applies in the adjoining zone applies to the Special Purpose – Tertiary Education Zone site boundary.

- (2) Where the adjoining zone does not specify a height in relation to boundary rule, the yard and/or setback standards in the adjoining zone apply to the Special Purpose – Tertiary Education Zone boundary.

#### **H30.6.5. Screening**

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

#### **H30.6.6. Dwellings accessory to a tertiary education facilities, visitor accommodation accessory to tertiary education facilities and student accommodation**

- (1) Detached dwellings accessory to a tertiary education facilities must comply with the following Residential – Mixed Housing Suburban Zone standards:
- (a) [H4 Residential – Mixed Housing Suburban Zone – Standard H4.6.11 Outlook space](#)
  - (b) [H4 Residential – Mixed Housing Suburban Zone – Standard H4.6.12 Daylight](#); and
  - (c) [H4 Residential – Mixed Housing Suburban Zone – Standard H4.6.13 Outdoor living space](#).
- (2) Attached dwellings accessory to a tertiary education facilities must comply with the following Residential – Terrace Housing and Apartment Buildings Zone standards:
- (a) [H6 Residential – Terrace Housing and Apartment Buildings Zone – Standard H6.6.13 Outlook space](#);
  - (b) [H6 Residential – Terrace Housing and Apartment Buildings Zone – Standard H6.6.14 Daylight](#); and
  - (c) [H6 Residential – Terrace Housing and Apartment Buildings Zone – Standard H6.6.15 Outdoor living space](#).
- (3) Visitor accommodation and student accommodation must comply with the following Residential – Terrace Housing and Apartment Buildings Zone standard:
- (a) [H6 Residential – Terrace Housing and Apartment Buildings Zone – Standard H6.6.13 Outlook space](#).

### **H30.7. Assessment – controlled activities**

There are no controlled activities in this zone.

### **H30.8. Assessment – restricted discretionary activities**

#### **H30.8.1. Matters of discretion**

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

- (1) new buildings or additions to buildings that increase the building footprint by more than 20 per cent, that are visible from and located within 10m of a public road or an open space zone:
  - (a) the effects of the building design and external appearance on the adjoining streetscape and adjoining land zoned open space.
- (2) new parking buildings visible from and located within 10m of a public road or a residential zone or open space zone:
  - (a) the effects of the building design and external appearance on the adjoining streetscape and adjoining land zoned open space; and
  - (b) the adverse effects on amenity values of adjoining land zoned residential.
- (3) activities compatible with tertiary education facilities:
  - (a) the relationship of the activity with the tertiary education facility;
  - (b) the effects on the capacity of the zone to accommodate tertiary education facilities;
  - (c) the effects on the safe and efficient operation of other activities in the zone; and
  - (d) the effects on nearby town centres.

#### **H30.8.2. Assessment criteria**

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

- (1) new buildings or additions to buildings that increase the building footprint by more than 20 per cent, that are visible from and located within 10m of a public road or an open space zone:

- (a) the extent to which design features can be used to break up the bulk of the building by, for example varying building elevations, setting parts of the building back, and the use of architectural features without compromising the functional requirements of the use of the building;
  - (b) the extent to which the visual effects of the building can be softened by landscaping;
  - (c) the extent to which any service elements (roof plant, exhaust and intake units, and roof equipment) that could be viewed from the road or open space zone can be integrated as part of the façade or roof of the building; and
  - (d) whether the building complies with the standards.
- (2) new parking buildings visible from and located within 10m of a public road or a residential zone or open space zone:
- (a) the extent to which design features can be used to break up the bulk of the building by, for example varying building elevations, setting parts of the building back, and the use of architectural features without compromising the functional requirements of the use of the building;
  - (b) the extent to which the visual effects of the building can be softened by landscaping;
  - (c) the extent to which any service elements (roof plant, exhaust and intake units, and roof equipment) that could be viewed from the road or open space zone can be integrated as part of the façade or roof of the building; and
  - (d) whether the building complies with the standards.
- (3) activities compatible with tertiary education facilities:
- (a) whether the activity is compatible with tertiary education facilities;
  - (b) whether the activity will detract from the safe and efficient operation of the site;
  - (c) whether the activity is of a character and scale which will displace tertiary education facilities and compromise the use of the zone for tertiary education purposes; and
  - (d) the extent to which the activity will affect the function of nearby town centres.

#### **H30.9. Special information requirements**

There are no special information requirements in this zone.

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