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H8. Business – City Centre Zone

H8.1. Zone description

The city centre is the ~~top of the centres hierarchy~~ and plays a pivotal role in Auckland's present and future success. The Business – City Centre Zone seeks to ensure the city centre is an international centre for business and learning, innovation, entertainment, culture and urban living.

To maintain and enhance the vibrancy of the city centre, the zone permits a wide range of activities to establish in most parts of the city centre. The zone also manages activities that have the potential to adversely affect the amenity of the city centre or that have the potential to generate reverse sensitivity effects on identified marine and port activity areas.

The provisions in this zone give effect to Policies 3 and 4 of the National Policy Statement on Urban Development 2020 (NPS-UD) in accordance with sections 77N and 77O of the Resource Management Act 1991.

The Plan enables the greatest intensity of development in terms of height and floor area to occur in the city centre. Within the city centre itself, development potential is concentrated in the core central business district. Development potential reduces towards the ridgelines and transitions to lower heights on the waterfront and landward periphery whilst allowing for variation and interest in built form outcomes. The Business – City Centre zone enables building heights and forms which maximise the benefits of intensification and reflect that the city centre sits at the top of the centres' hierarchy in the Auckland Unitary Plan.

The zone also manages the scale of development in order to protect ~~important special character areas~~ sunlight admission to parks and public spaces, the relationship to the Waitematā Harbour, historic heritage, significant views to the volcanic cones maunga and other landmarks including identified views to historic heritage places; and to maintain and enhance the distinctiveness of particular areas including special character areas.

The city centre makes an important contribution to our sense of place and identity. The significant height and scale of buildings in the city centre increases their visibility from many places, affecting the quality of both public and private views at local and city-wide scales. The zone seeks to maintain Auckland's balanced landscape identity as both a city of harbours and maunga. In addition to managing the scale of development, the zone manages the quality of building design to ensure new buildings successfully integrate with the city centre's existing and planned built form and public realm to create an attractive and recognisable skyline.

Within the city centre are precincts and overlays, which have their own distinct features, character and/or function. For example, the Port Precinct allows for the ongoing use, development and expansion of port and marine activities at the Port of Auckland.

H8.2. 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; ~~and~~
 - (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;
 - (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 – City Centre Zone objectives

- (6) The city centre is an internationally significant centre for business.
- (7) The city centre is an attractive place to live, learn, work and visit with 24-hour vibrant and vital business, education, entertainment and retail areas.
- (8) Development in the city centre is managed to accommodate growth and the greatest intensity of development in Auckland and New Zealand while respecting its existing and planned built form and character ~~valley and ridgeline form~~ and waterfront setting.

- (9) The distinctive built form, identified special character and functions of particular areas within and adjoining the city centre are maintained and enhanced.
- (10) A hub of an integrated regional transport system is located within the city centre.
- (11) The city centre is accessible by a range of transport modes with an increasing percentage of residents, visitors, students and workers choosing walking, cycling and public transport.
- (12) Development maintains and enhances the city's physical, cultural and visual connections with the waterfront as a public space and with the Waitematā Harbour and maunga.
- (13) Building heights are enabled to realise as much development capacity as possible, unless qualifying matters apply which modify the relevant building height and/or density of urban form.

H8.3. 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 centres zones and Business – Mixed Use Zone 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 impact 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 centres zones and enable dwellings above ground floor in centres 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 (21m) within walkable catchments unless a qualifying matter applies that reduces height.
- (13) Enable greater building height than the standard height in identified locations identified within the Height Variation Control centres zones, Business – Mixed Use Zone, Business – General Business Zone and Business – Business Park Zone enable greater building height than the standard zone height, having regard to whether the greater height:
- (za) is commensurate with the level of commercial activities and community services;
- (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; and
- (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 identified locations identified within the Height Variation Control centre zones, Business – Mixed Use Zone, Business – General Business Zone and Business – Business Park Zone, reduce building height below the standard zone height, where the standard zone height would have significant adverse effects on identified special character, identified landscape features, or amenity or other qualifying matters.

Business – City Centre Zone policies

Land use activities

- (15) Provide for a wide range and diverse mix of activities that enhance the vitality, vibrancy and amenity of the city centre including:
- (a) commercial and residential activities;
 - (b) arts, entertainment, events, civic and community functions;
 - (c) high-quality visitor experiences, visitor accommodation and associated services; and
 - (d) learning, teaching and research activities, with a particular concentration in the learning precinct.
- (16) Enable a significant and diverse residential population to be established and maintained within a range of living environments and housing sizes.
- (17) Enable the most significant concentration of office activity in Auckland to locate in the city centre by providing an environment attractive to office workers, with a focus on the core central business district of the city centre.
- (18) Provide for a wide range of retail activities throughout the city centre while maintaining and enhancing the vitality, vibrancy and amenity of core retail areas within the city centre and centres outside of the city centre. In particular:
- (a) enable smaller scale retail activities to occur throughout the city centre;
 - (b) encourage large department stores and integrated retail developments to locate within the core retail area; and
 - (c) avoid large department stores and integrated retail developments locating outside the core retail area where they would adversely affect the amenity, vitality and viability of core retail areas within the city centre and/or centres outside of the city centre.
- (19) Provide for a wide range of activities along the waterfront, while continuing to provide for those activities requiring a harbour location.
- (20) Enhance the waterfront as a major gateway to the city centre and Auckland.
- (21) Enable the efficient use and development of the Port of Auckland and identified marine and port activity areas.
- (22) Support the development of public transport, pedestrian and cycle networks and the ability to efficiently change transport modes.

Precincts

- (23) Identify and encourage specific outcomes in areas of the city centre that relate to:

- (a) a distinctive built character; and/or
 - (b) a concentration of particular activities; and/or
 - (c) activities that have specific functional requirements; and/or
 - (d) significant transformational development opportunities.
- (24) Encourage comprehensive and integrated development of key development sites or precincts in the city centre.
- (25) Limit activities that would have reverse sensitivity effects on established and future marine and port activities.
- (26) Limit activities within the residential and learning precincts that would adversely affect the amenity and character of those precincts.

Historic heritage and special character

- (27) Encourage the retention and conservation of the city centre's historic heritage through scheduling ~~and through development incentives.~~
- (28) Maintain and enhance the special character values of pre 1940 buildings in the Queen Street Valley precinct and buildings outside this precinct identified on Map H8.11.1 of the Business – City Centre Zone as making a strong or significant contribution to the special character of the surrounding area, in particular by:
- (a) ~~[Deleted] awarding transferable development rights where an identified special character building is protected in perpetuity and restored in accordance with an approved character plan;~~
 - (b) requiring all development proposals for identified special character buildings to have considered adaptive re-use;
 - (c) avoiding the demolition of identified special character buildings where it would adversely affect the built character of the surrounding area; and
 - (d) requiring alterations and additions to existing buildings and new buildings to give consideration to, and be sympathetic to the existing and planned character of the area.

City form

- (29) Enable the tallest buildings and the greatest density of development to occur in the core of the city centre~~central business district.~~
- (29A) Ensure high quality building design which recognises the city centre's role in reinforcing Auckland's sense of place and identity, including a thriving and authentic mana whenua identity that is genuinely visible throughout the city centre.
- (30) Manage adverse effects associated with building height and form by:

- (a) transitioning building height and development densities down to neighbourhoods adjoining the city centre and to the harbour edge;
 - (b) protecting sunlight to identified public open spaces and view shafts;
 - (c) requiring the height, ~~and form, and design~~ of new buildings to ~~respect the valley and ridgeline form of the city centre and building design~~ to be complementary to existing ~~or~~ and planned built form and character of the zone and precincts; and
 - (d) managing the scale, form and design of buildings to:
 - (i) avoid adverse dominance and/or amenity effects on streets and public open space; and
 - (ii) encourage well-designed, human scale podiums with slender towers above with adequate separation between towers; or on sites where towers are not possible, encourage well-designed buildings which complement the streetscape and skyline on sites identified within the special height area on Map H8.11.3.
- (30A) In identified locations, modify building height and/or density of urban form to provide for qualifying matters.
- (31) ~~Maximise~~ Ensure adequate sunlight, daylight, and outlook around buildings.
- (31A) Ensure adequate separation between buildings to avoid adverse effects on the physical, cultural and visual connections between the city centre and the Waitemata Harbour and maunga.
- (32) Encourage public amenities to be provided within developments, including publicly accessible open space, ~~artworks of art~~ and through site links.
- (32A) Require that existing public amenities within developments be retained, including publicly accessible open space, artworks and through site links.

Public realm

- (33) Require building and development of the highest quality that contributes to the city centre's role as an international centre for business, learning, innovation, entertainment, culture and urban living.
- (34) Require building frontages along identified public open spaces and streets to be designed in a way that provides a sense of intimacy, character, interest and variation, human scale and enclosure at street level.
- (35) Require the demolition of buildings and structures to avoid, remedy or mitigate significant adverse effects on the pedestrian amenity of the city centre and the safety and efficiency of the road network.

(36) Protect identified sightlines along streets and public open spaces from the city centre to the Waitematā Harbour, Rangitoto Island, the North Shore and identified sightlines along roads and public open spaces within the city centre to natural features and landmarks.

(37) Enable high-quality public open spaces along the waterfront that are accessible and provide spaces for recreational opportunities, facilities and events.

(38) Ensure adequate sunlight and daylight to public open spaces and streets.

H8.4. Activity table

Table H8.4.1 specifies the activity status of land use and development activities in the Business – City Centre Zone pursuant to section 9(3) of the Resource Management Act 1991.

Table H8.4.1 Activity table

Activity		Activity status
General		
(A1)	Activities not provided for	NC
Use		
Residential		
(A2)	Boarding houses	P
(A3)	Dwellings	P
(A4)	Retirement villages	P
(A5)	Supported residential care	P
(A6)	Visitor accommodation	P
Commerce		
(A7)	Commercial services	P
(A8)	Entertainment facilities	P
(A9)	Offices	P
(A10)	Retail	P
(A11)	Conference facilities	P
(A12)	Drive-through facilities	NC
(A13)	Service stations not otherwise provided for	NC
(A14)	Service stations on sites with frontage to Beach Road between Ronayne St and Stanley Street	D
Community		
(A15)	Artworks	P
(A16)	Public amenities	P
(A17)	Care centres	P
(A18)	Community facilities	P

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(A19)	Education facilities	P
(A20)	Emergency services	P
(A21)	Healthcare facilities	P
(A22)	Hospitals	P
(A23)	Information facilities	P
(A24)	Recreation facilities	P
(A25)	Major recreation facilities	P
(A26)	Tertiary education facilities	P
Industry		
(A27)	Industrial laboratories	P
(A28)	Manufacturing	P
(A29)	Repair and maintenance services	P
(A30)	Warehousing and storage	P
Mana Whenua		
(A31)	Marae complex	P
Development		
(A32)	New Buildings	RD
(A32A)	Demolition of buildings	C
(A33)	Minor cosmetic alterations to a building (including special character buildings identified on Map H8.11.1 and buildings constructed prior to 1940 within the Queen Street Valley precinct) that do not change its external design and appearance	P
(A34)	Internal alterations to buildings	P
(A35)	External alterations and additions to a special character building identified on Map H8.11.1 and buildings constructed prior to 1940 within the Queen Street Valley precinct not otherwise provided for	RD
(A36)	Alterations and additions to buildings not otherwise provided for	RD
(A37)	Conversion of a building or part of a building to dwellings, visitor accommodation or boarding houses	RD
(A38)	The total or substantial demolition (more than 30 per cent by volume), or any demolition of the front facade of a special character building identified on Map H8.11.1	RD
(A39)	Activities not provided for	NC
(A40)	A building that does not comply with Standard H8.6.3 Admission of sunlight to public places	NC
(A41)	A building that does not comply with Standard H8.6.4 Aotea Square height control plane	NC
(A42)	A building that does not comply with Standard H8.6.5 Harbour edge height control plane or Standard H8.6.6 Exception to the harbour edge height control	RD

Qualifying matter as per s770(j) of the RMA

Qualifying matter as per s770(j) of the RMA

Qualifying matter as per s770(j) of the RMA

Qualifying matter as per s770(a) of the RMA

(A43)	A building that does not comply with Standard H8.6.7 Railway station building and gardens view protection plane	NC
(A44)	[Deleted]A building that exceeds the basic floor area ratio specified for the site in Standard H8.6.10 Basic floor area ratio without providing a bonus feature	NC
(A45)	[Deleted]A building that exceeds the maximum total floor area ratio in Standard H8.6.21 Maximum total floor area ratio	NC

H8.5. Notification

- (1) An application for resource consent for a controlled activity listed in Table H8.4.1 above will be considered without public or limited notification or the need to obtain written approval from affected parties unless the Council decides that special circumstances exist under section 95A(9) of the Resource Management Act 1991.
- (2) Any application for resource consent for an activity listed in Table H8.4.1 Activity table and which is not listed in H8.5(1) 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\(4\)](#).
- (4) 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 H8.6.33. Minimum dwelling size.

H8.6. Standards

All activities listed as permitted, controlled or restricted discretionary in Table H8.4.1 Activity table must comply with the following standards.

H8.6.1. Retail

Purpose: to maintain and enhance the vitality, vibrancy and amenity of the core retail area shown on Map H8.11.2.

- (1) The land use activity status of retail outside of the core retail area shown on Map H8.11.2 will be determined in accordance with the Table H8.6.1.1 below.
- (2) Trade suppliers, marine retail, motor vehicle sales, garden centres, markets and food and beverage activities are not subject to this standard.

Table H8.6.1.1 Retail

Activity	Activity status
Retail (excluding department stores and integrated shopping malls) less than 1000m ² gross floor area per site	P
Retail (excluding department stores and integrated shopping malls) between 1000m ² and 5000m ² gross floor area per site	RD
Retail (excluding department stores and integrated shopping malls) over 5000m ² gross floor area per site	D
Department stores and integrated shopping malls over 1000m ² gross floor area per site	D

H8.6.2. General building height

Purpose: manage the height of buildings within the city centre to:

- enable the tallest buildings within the ~~core central business district of the city centre; and~~ core central business district of the city centre;
- transition heights down to neighbourhoods adjoining the city centre and to the harbour edge;
- consolidate the city centre as the top of the centres hierarchy in Auckland;
- respect the ~~valley and ridgeline form of the city centre and the existing or~~ planned built form and character of the zone and precincts; and
- avoid adverse dominance, shading and/or visual amenity effects of building height on streets and public open spaces.
- provide for variations to building height to recognise the character and amenity of particular areas, including heritage places.

Qualifying matter as per s770(a) of the RMA

- (1) The height of a building must not exceed the limits shown on Map H8.11.3.
- (2) Where height limits shown on Map H8.11.3 and Map H8.11.4 overlap, the lowest height limit applies as the first level of control.
- (3) The measurement of height for the purposes of Standards H8.6.2(1) and H8.6.2(2) above shall be undertaken in accordance with Standard H8.6.8 below.

H8.6.3. Admission of sunlight to public places

Purpose: manage the scale of development around identified public open spaces to ensure they receive adequate sunlight when those spaces are most used.

- (1) The height of a building within a defined sunlight admission cone shown on Map H8.11.4 must not exceed the allowable building heights detailed on the relevant diagrams in Appendix 11 Business – City Centre Zone sunlight admission into public places.

Qualifying matter as per s770(j) of the RMA

Qualifying matter
as per s770(j) of
the RMA

- (2) Where part of an existing building does not comply with this standard, any reconstruction, alteration or addition to the building must not further reduce sunlight admission to public open spaces identified in [Appendix 11 Business – City Centre Zone](#) sunlight admission into public places.

Qualifying matter
as per s770(j) of
the RMA

H8.6.4. Aotea Square height control plane

Purpose: manage the scale of buildings:

- to ensure that Aotea Square receives adequate sunlight when the space is most used;
- to maintain views from Aotea Square to landmark buildings and views to Aotea Square; and
- so that tall buildings do not dominate the open character of Aotea Square.

- (1) The height of a building subject to this standard must not exceed the height plane shown on Figure 5 in [Appendix 11 Business – City Centre Zone](#) sunlight admission into public places.

H8.6.5. Harbour edge height control plane

Purpose: manage the scale of buildings at the western end of Quay Street to:

- provide a city form which transitions in building height from the ~~core central business district~~ core of the city centre down towards the waterfront;
- maximise ~~views~~ visual connections and visual permeability between the harbour and the city centre; and
- reinforce the Quay Street east west connection running from the corner of The Strand and Quay Street to the east and Jellicoe Street in Wynyard Precinct to the west by the alignment of tall buildings frontages.

- (1) The height of a building subject to this standard must not exceed the height plane shown in Figure ~~H8.6.6.4~~H8.6.5.1 Harbour edge height control plane. The height plane starts at a line 40m above the centre line of Quay Street and continues as a tilted plane at 45 degrees to the horizontal from that line in a southerly direction.

- (2) For the purpose of this standard, the centre line of Quay Street extends between the eastern boundary of Britomart Place and the western boundary of Lower Hobson Street and is defined by a straight line passing through the coordinates specified in Figure ~~H8.6.6.2~~H8.6.5.2 Harbour edge height control co-ordinates.

Qualifying matter as per s770(j) of the RMA

Figure H8.6.5.1 Harbour edge height control plane

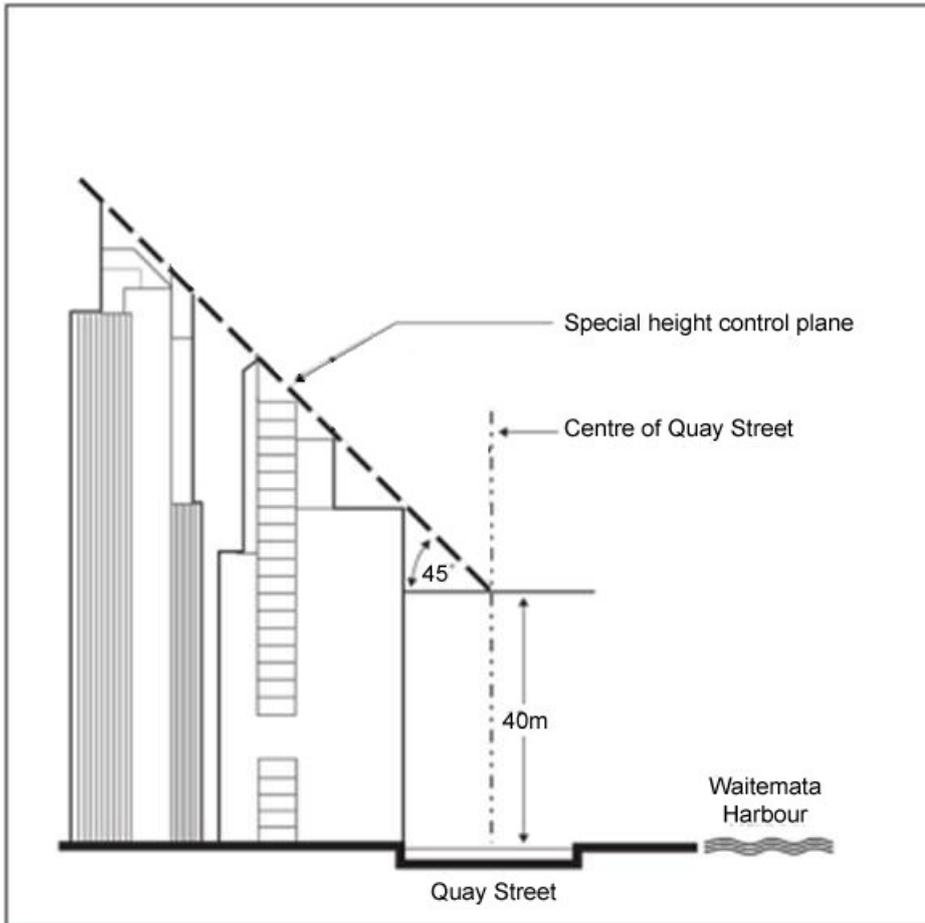
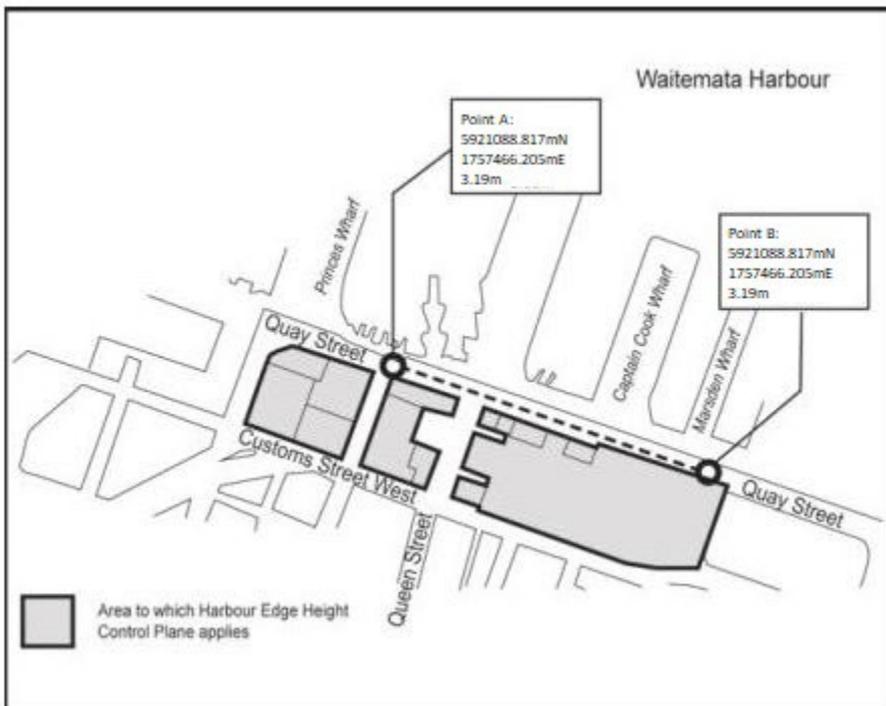


Figure H8.6.5.2 Harbour edge height control co-ordinates



H8.6.6. ~~[Deleted]~~Exception to the harbour edge height control plane

~~(1) Where the building or structure is located on a site within the area bounded by Customs Street, Lower Hobson Street, Quay Street and Queen Elizabeth Square, an application may be made as a restricted discretionary activity to exceed the Harbour Edge Height Control Plane by no more than 20m, where the following requirements are met:~~

~~(a) any penetration of building bulk through the Harbour Edge Height Control Plane must be compensated for by equivalent open space “corridors” which are situated below the plane and which must:~~

- ~~(i) be continuous and run approximately north to south through the development site to provide some permeability of appearance when looking from a northerly or southerly direction; and~~
- ~~(ii) have a minimum width equating to 15 per cent of the widest east-west dimension for the site.~~

~~(a) the method of calculating the compensatory open space for Standard H8.6.6.1(a) above is as follows:~~

- ~~(i) establish a maximum total floor area ratio for the site;~~
- ~~(ii) calculate and demonstrate the obtainable floor area ratio for the building proposal within the Special Height Control Plane;~~
- ~~(iii) determine the floor area which the building proposal could qualify for above the Special Height Control Plane;~~
- ~~(iv) add that floor space to the building or structure above the Special Height Control Plane and also add a theoretical compensatory floor area (equal to that calculated in Standard H8.6.6.1(b)(iii) above) to the building or structure below the Special Height Control Plane, assuming a floor to floor distance the same as applies to the building or structure at that level; and~~
- ~~(v) then recalculate any light and outlook bonus claimed, as if the theoretical compensatory floor area Standard H8.6.6.1(b)(iv) existed.~~

Figure H8.6.6.1 Harbour edge height control plane ~~[Deleted]~~

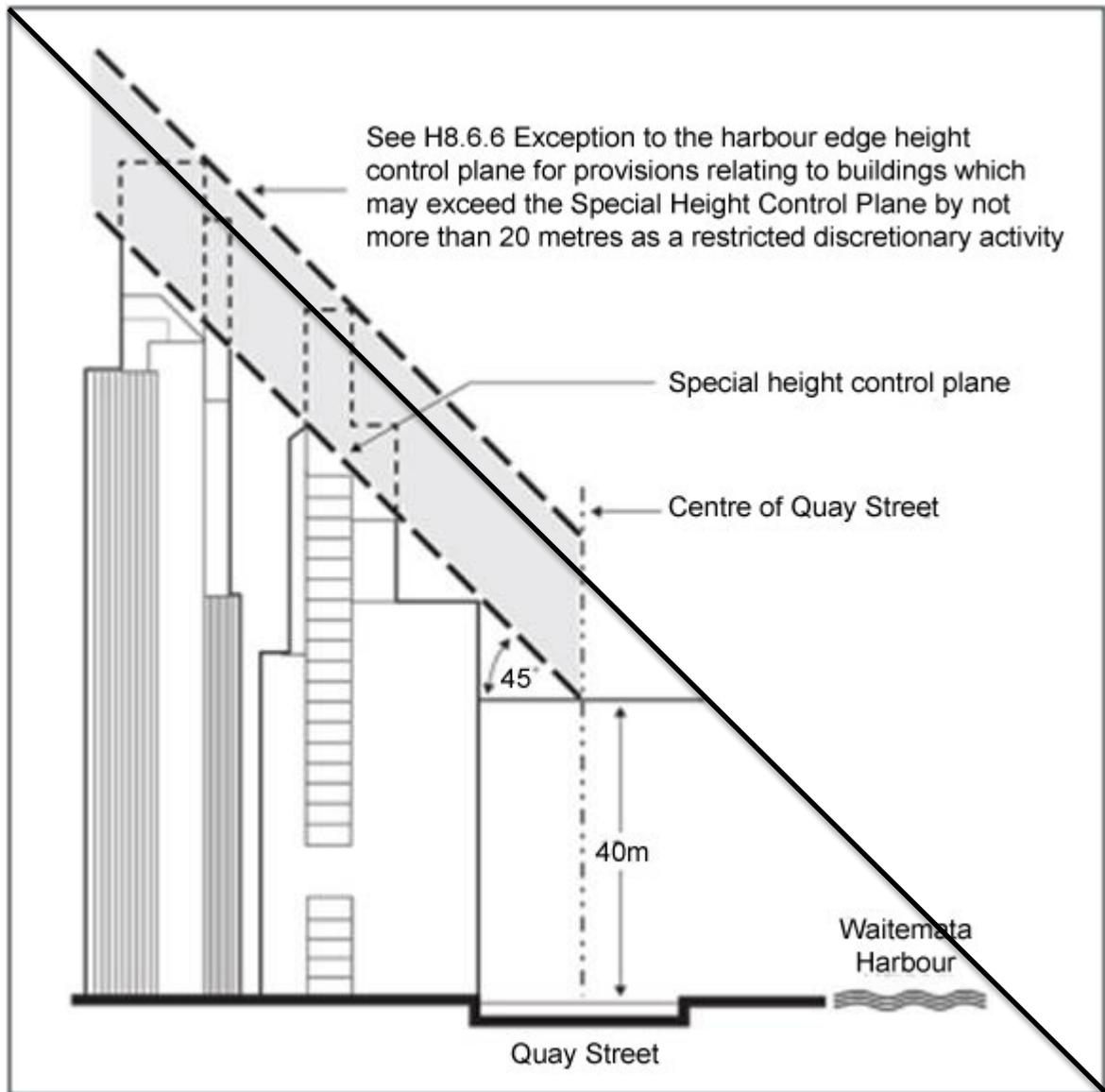
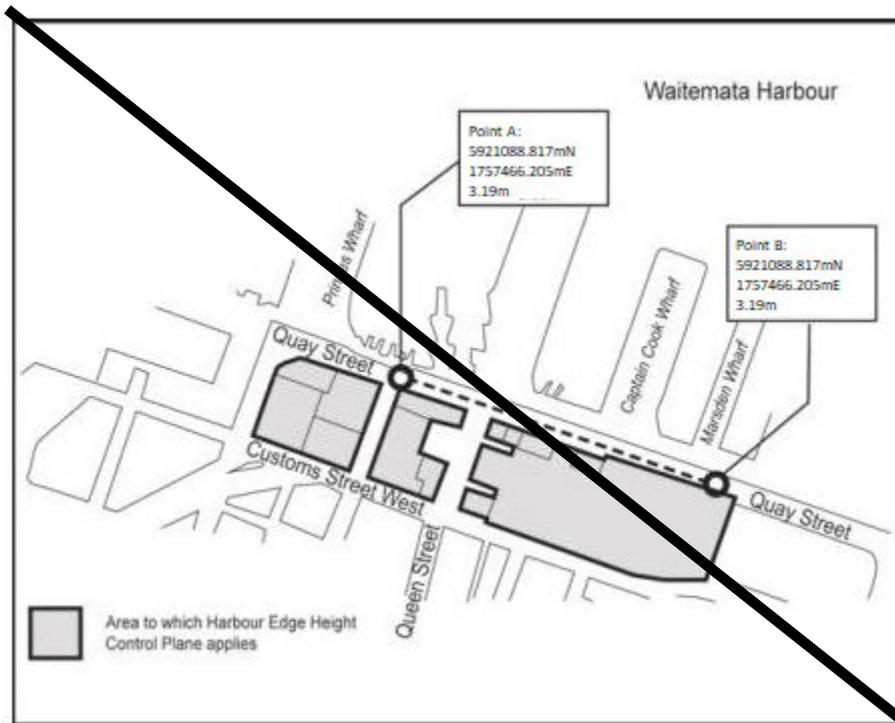


Figure H8.6.6.2 Harbour edge height control co-ordinates~~[Deleted]~~



Qualifying matter
as per s770(a) of
the RMA

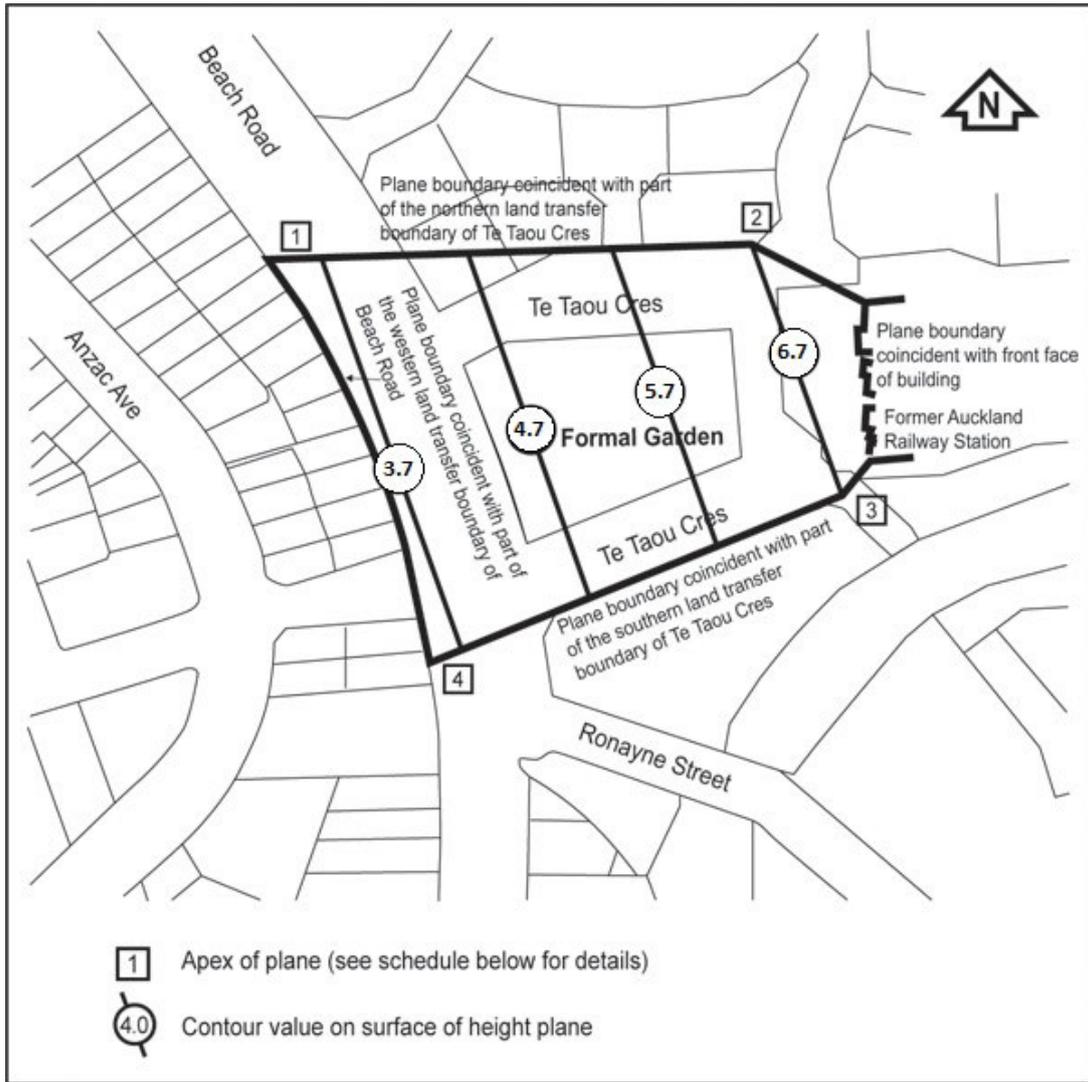
H8.6.7. Railway station building and gardens view protection plane

Purpose: manage the scale of development to protect the view of the railway station buildings and gardens when viewed from Beach Road.

- (1) The height of a building, including any structures on the roof of a building, subject to this standard must not exceed the height limits specified on Figure H8.6.7.1 Railway station buildings and garden view protection plane. This figure defines achievable reduce level (RL in terms of NZVD2016).

Figure H8.6.7.1 Railway station buildings and garden view protection plane

Qualifying matter as per s770(a) of the RMA



Note 1

Maximum allowable building height above NZVD2016.

Table H8.6.7.1 Coordinate schedule

Point	Mount Eden Circuit 2000		Height (NZVD2016)	New Zealand Transverse Mercator 2000	
1	400857.401	803543.872	3.40	1758145.255	5920544.863
2	401027.91	803554.641	6.68	1758316.137	5920552.488
3	401058.48	803464.612	6.68	1758344.839	5920461.903
4	400906.611	803407.863	3.44	1758191.949	5920407.968

Note 1

Coordinates in terms of Geodetic Datum 2000.

H8.6.8. Measuring building height

Purpose: require height to be measured using the rolling height method where the maximum height varies across the site (contours) or average street level method where a general height limit is specified.

(1) Building height will be the same as the definition of height when measuring the:

(a) height planes for admission of sunlight to public places and the special height limits (refer Map H8.11.4); and

(b) ~~[deleted] height of buildings within the blocks bounded by Hobson Street, Fanshawe Street, Halsey Street, Victoria Street West, and Union Street.~~

(1) Unless otherwise stated all other heights will be measured as the vertical distance between mean street level and a horizontal plane above that level (being the specified height limit).

(2) For the sites fronting Nelson Street within the block bounded by Union Street to the south and Cook Street to the north, height may be determined from the mean street level of Nelson Street to a maximum depth of 26m from the site boundary with Nelson Street.

H8.6.9. Rooftops

Purpose: ensure the roofs of buildings are uncluttered when viewed from the street and surrounding buildings.

(1) Rooftop projections including ~~towers~~, turrets, chimneys, lift towers, machinery rooms and water towers that exceed the height of all parts of a parapet surrounding the roof on which the projections are located, must be enclosed in a maximum of three structures and integrated within the overall roof design.

(2) ~~[Deleted] All floor space forming part of rooftop projections that meet the requirements of this standard is excluded from the calculation of gross floor area for the development.~~

(3) For the purpose of this standard rooftop includes the roof of building podiums in addition to its ordinary meaning.

(4) For the purpose of this standard, rooftop projections do not include:

(a) ~~[Deleted] any part of a building included in the definition of gross floor area;~~

(b) any rooftop ornamental projections including finials, pediments and cornices integral to the design of the building; and

(c) telecommunications antennas and aerials.

H8.6.10. ~~[Deleted] Basic floor area ratio~~

~~Purpose: manage the scale of development in the city centre.~~

(1) The basic floor area ratio applying to any site in the city centre is as shown on Map H8.11.7.

H8.6.11. [Deleted] Bonus floor area ratio

Purpose: encourage developments to be designed, contain activities or provide features that provide a benefit to the public.

- (1) In addition to the basic floor area, bonus floor area is available where development incorporates one or more of the features listed in Table H8.6.11.1.
- (2) The area of a feature for which a bonus is obtained cannot be claimed for twice.
- (3) Floor space approved for publicly accessible open space and through-site links are exempt from the calculation of gross floor area.
- (4) To qualify for the bonus, the bonus feature must comply with the bonus standards. A bonus feature that does not comply with the relevant standards is a restricted discretionary activity.
- (5) The amount of bonus floor area available per m² of feature provided and the locations within which they apply are set out in Table H8.6.11.1 except that the methods for calculating the amount of bonus floor area available per m² of feature provided for, historic heritage and special character floor space, through-site links and works of art are detailed in Standards H8.6.15, H8.6.16, H8.6.18, H8.6.19 and H8.6.20 respectively.
- (6) Table H8.6.11.1 lists the bonus features as permitted, controlled or restricted discretionary activities.
- (7) The bonus areas referenced in Table H8.6.11.1 are shown on Map H8.11.8.

Table H8.6.11.1 Bonus floor area

Bonus feature	Activity type	Bonus floor area available per m ² of feature provided						Maximum floor area ratio limit to bonuses on a site								
		1a	1b 1c	2	3	4	5	6	1a	1b	1c	2	3	4	5	6
See Map H8.11.8 Bonus areas and Map H8.11.7 Site intensity																
Use or transfer of historic heritage and special character building floor space	C	Refer to Standard H8.6.13						NA	NA	NA	NA	NA	NA	NA	NA	NA
Securing historic heritage and special character	RD	Refer to Standard H8.6.14						4:1	4:1	4:1	4:1	4:1	1:5:1	1:5:1	1:1	

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building floor space																
Activities																
Dwellings	RD	2m ²	2m ²	2m ²	2m ²	2m ²	2m ²	2m ²	2:1	2:1	2:1	2:1	2:1	1:1	1:1	1:1
Home occupations	RD	2m ²	2m ²	2m ²	2m ²	2m ²	2m ²	2m ²	2:1	2:1	2:1	2:1	2:1	1:1	1:1	1:1
Visitor accommodation	RD	2m ²	2m ²	2m ²	2m ²	2m ²	2m ²	2m ²	2:1	2:1	2:1	2:1	2:1	1:1	1:1	1:1
Camping grounds	RD	2m ²	2m ²	2m ²	2m ²	2m ²	2m ²	2m ²	2:1	2:1	2:1	2:1	2:1	1:1	1:1	1:1
Boarding houses	RD	2m ²	2m ²	2m ²	2m ²	2m ²	2m ²	2m ²	2:1	2:1	2:1	2:1	2:1	1:1	1:1	1:1
Student accommodation	RD	2m ²	2m ²	2m ²	2m ²	2m ²	2m ²	2m ²	2:1	2:1	2:1	2:1	2:1	1:1	1:1	1:1
Integrated residential development	RD	2m ²	2m ²	2m ²	2m ²	2m ²	2m ²	2m ²	2:1	2:1	2:1	2:1	2:1	1:1	1:1	1:1
Retirement village	RD	2m ²	2m ²	2m ²	2m ²	2m ²	2m ²	2m ²	2:1	2:1	2:1	2:1	2:1	1:1	1:1	1:1
Supported residential care	RD	2m ²	2m ²	2m ²	2m ²	2m ²	2m ²	2m ²	2:1	2:1	2:1	2:1	2:1	1:1	1:1	1:1
Public amenities																
Public open space	RD	8m ²	6m ²	6m ²	4m ²	4m ²	3-5 m ²	3m ²	3:1	3:1	2:1	3:1	3:1	2:1	1:1	1:1
Through-site links*	RD	Refer to Standard H8.6.18							1:1	1:1	1:1	0.5:1	0.5:1	0.5:1	1:1	0.5:1
Works of art	RD	Refer to Standard H8.6.20							1:1	1:1	1:1	1:1	1:1	1:1	1:1	
Light and outlook																
Light and outlook	P	Refer to Standard H8.6.12								NA	NA					

*See Standard H8.6.19 for the additional bonus floor space available for through site links on identified blocks.

H8.6.12. [Deleted] Bonus floor area ratio – light and outlook

Purpose: provide additional floor area where buildings are setback from site boundaries to encourage:

- slender buildings that are not overly bulky in appearance;
- sunlight access to streets, public open space and nearby sites;
- light and outlook around buildings; and
- views through the city centre.

(1) Bonus floor area is available as a permitted activity for light and outlook as calculated below.

(2) A bonus will be awarded where that part of a building to which calculated floor area relates is reduced in coverage as set out in Table H8.6.12.1 except for sites in bonus areas 1b and 1c (refer to Standard H8.6.21).

(3) For the purpose of this standard, ~~calculated floor area has the same meaning as average floor area except that it is calculated by averaging the area of that floor or part of a floor immediately below a horizontal plane of a set height above mean street level and all floors above that plane. The height of the horizontal plane must be:~~

~~(a) for bonus areas 1a and 2: 28m above mean street level; or~~

~~(b) for bonus areas 3, 4, 5 and 6: 12.5m above mean street level.~~

(4) On sites identified as special height area on Map H8.11.3, the building must comply with Standard H8.6.24 to qualify for the bonus.

Table H8.6.12.1 Calculating the light and outlook bonus

Bonus area 1a		
Where:		Bonus FAR equals
(A46)	$\frac{CFA}{SA} < 0.25$	4:1
(A47)	$0.25 < \frac{CFA}{SA} < 0.75$	$5.75 - \frac{(7 \times CFA)}{SA} : 1$
(A48)	$CFA > 0.75$	Nil
Bonus area 2, 3, 4, 5, and 6		
Where:		Bonus FAR equals
(A49)	$\frac{CFA}{SA} < 0.3$	1.5:1
(A50)	$0.3 \leq \frac{CFA}{SA} \leq 0.8$	$2.4 - \frac{(3 \times CFA)}{SA} : 1$
(A51)	$\frac{CFA}{SA} > 0.8$	Nil

H8.6.13. ~~[Deleted] Bonus floor area – use or transfer of historic heritage and special character floor space bonus~~

~~Purpose: encourage the retention and enhancement of scheduled historic heritage and identified special character buildings by enabling those buildings to sell or transfer their unrealisable floor space to another site.~~

~~(1) The use or transfer of bonus floor space obtained by the conservation of a scheduled heritage building or the protection of an identified special character building is a controlled activity.~~

~~(2) The historic heritage or special character building floor space bonus may be used in whole or in part on the site of that building where that site is located within the Business – City Centre Zone or transferred in whole or in part from the site of the scheduled building to one or more sites within the Business – City Centre Zone, subject to compliance with the following:~~

~~(a) upon use of historic heritage or special character building floor space within the donor site or transfer of historic heritage or special character~~

~~building floor space, the registered covenant on the title of the donor site must be amended to show the corresponding reduction of the historic heritage or special character building floor space bonus; and~~

~~(b) the amount of any historic heritage or special character building floor space bonus transferred from a recipient site and any remaining floor space bonus must be recorded by covenant registered against the title of the recipient site.~~

~~(3) The transfer of all or part of the historic heritage or special character building floor space bonus may be postponed and used at a later date subject to securing the necessary resource consent under this standard.~~

H8.6.14. ~~[Deleted] Bonus floor area – securing historic heritage and special character floor space bonus~~

~~Purpose:~~

~~• to ensure that a conservation plan is prepared and able to be implemented prior to awarding transferable floor space to scheduled historic heritage buildings; and~~

~~• to ensure that a character plan is prepared and able to be implemented prior to awarding transferable floor space to identified special character buildings.~~

~~(1) Securing bonus floor space for the conservation of a scheduled heritage building or the protection of identified special character buildings is a restricted discretionary activity.~~

~~(2) The amount of floor space claimed must be assessed in accordance with the method of calculation set out below.~~

~~(3) For scheduled historic heritage buildings, the applicant must prepare a conservation plan in accordance with the requirements of the Historic Heritage Overlay rules in [D17.11\(4\)](#) and demonstrate that a programme of works will be undertaken including a maintenance plan to guide ongoing regular maintenance and cleaning.~~

~~(4) For identified special character buildings, the applicant must prepare a character plan that details how the significant features of the building that contribute to streetscape amenity will be retained and enhanced. The plan must demonstrate that a programme of works will be undertaken, including a maintenance plan to guide ongoing regular maintenance and cleaning.~~

~~(5) The applicant must pay a bond to ensure that the works will be completed in accordance with the conservation plan or character plan.~~

~~(6) The area of the heritage floor plate and the amount of heritage or special character floor space must be recorded by way of a registered covenant on the certificate of title.~~

~~(7) Once the heritage or special character floor space has been recorded on the certificate or certificates of title, the Council will maintain a register that~~

~~records the following for the purpose of monitoring the acquisition and use of such floor space:~~

- ~~(a) the address and legal description of the donor site;~~
- ~~(b) the address and legal description of the recipient site or sites;~~
- ~~(c) the amount of heritage floor space secured by the donor site;~~
- ~~(d) the amount of heritage floor space used on the donor site or transferred to a recipient site; and~~
- ~~(e) the date of the use or transfer and the residual floor area remaining after the use or transfer.~~

H8.6.15. ~~[Deleted] Bonus floor area – bonus floor space calculation for scheduled heritage buildings~~

~~Purpose: calculate the transferable floor area available to scheduled historic heritage buildings based on the lost development potential arising as a result of the building being scheduled and the relative costs of conservation.~~

- ~~(1) The following formula must be used to determine bonus floor space for identified historic heritage buildings:~~

$$\text{Bonus floor area} = \frac{(A \times B) - C + \frac{(C \times D)}{100}}{100}$$

~~A = Area of historic heritage floor plate~~

~~B = MTFAR applying to the site. For sites with no MTFAR: 2.5~~

~~C = Gross floor area of the scheduled building~~

~~D = Heritage schedule point ranking.~~

- ~~(2) 'Historic heritage floor plate' means that part of a site which is covered by a scheduled building including a curtilage of a minimum depth of 2m contained within the legal boundaries of the site and surrounding the scheduled building except that as part of the application for securing historic heritage floor space the depth of the curtilage may be increased where the Council is satisfied that the increased depth would enhance the visual integrity of the scheduled building.~~

- ~~(3) The 'equivalent schedule point ranking' must be determined as follows:~~

~~(a) Category A scheduled buildings: 110 points; and~~

~~(b) Category B scheduled buildings: 74 points.~~

- ~~(4) In determining the amount of gross floor area allowed on the balance of a site or residual site area but not contained within the historic heritage floor plate, that portion of the site area occupied by the historic heritage floor plate must not be included for the purpose of calculating the BFAR.~~

- ~~(5) Where a scheduled building is incorporated in a development or a new development is proposed on the residual site area and the scheduled building is subject to an approved conservation plan, the gross floor area of the scheduled building is excluded from floor area ratio calculations.~~
- ~~(6) Where any public amenity bonus element has been granted on the historic heritage floor plate, this bonus floor space, subject to compliance with all other requirements of the Plan, may be included in the permitted floor area for the development on the residual site.~~

H8.6.16. ~~[Deleted] Bonus floor area – bonus floor space calculation for identified special character buildings~~

~~Purpose: calculate the transferable floor area available to identified special character buildings based on the lost development potential arising as a result of the building being retained as special character and the relative costs of protection.~~

- ~~(1) A floor space bonus may be granted when the significant features of identified special character buildings that contribute to streetscape amenity are protected. The bonus comprises the sum of the following two items:~~
- ~~(a) recognition of the loss of development potential that arises as a consequence of the special character building being retained; and~~
 - ~~(b) recognition of the cost of protection~~

~~The sum of (a) and (b) above is calculated by the following formula:~~

$$\text{Bonus floor area} = (A \times B) - C + \frac{(C \times 49)}{100}$$

~~A = Area of the identified special character building floor plate~~

~~B = MTFAR applying to the site. For sites with no MTFAR: 2.5~~

~~C = Gross floor area of the identified special character building~~

- ~~(2) For the purpose of this standard:~~
- ~~(a) 'identified special character buildings' are all pre 1940s buildings within the Queen Street Valley precinct and those identified on Map H8.11.1;~~
 - ~~(b) 'character building floor plate' means that part of a site which is covered by an identified special character building including a curtilage of a minimum depth of 2m contained within the legal boundaries of the site and surrounding the building except that as part of the application for securing special character floor space the depth of the curtilage may be increased where the Council is satisfied that the increased depth would enhance the visual integrity of those parts of the buildings that are identified as significant features.~~

- ~~(3) In determining the amount of gross floor area permitted on the balance of a site or residual site area but not contained within the identified special character building floor plate, that portion of the site area occupied by the special character building floor plate will not be included for the purpose of calculating the basic FAR.~~
- ~~(4) Where any public amenity bonus element has been granted on the identified special character building floor plate, this bonus floor space, subject to compliance with all other requirements of the Plan, may be included in the permitted floor area for the development on the residual site.~~
- ~~(5) Where an identified special character building is incorporated in a development or a new development is proposed on the residual site area and the special character building is subject to an approved character plan, the gross floor area of the special character building is excluded from floor area ratio calculations.~~

H8.6.17. ~~[Deleted] Bonus floor area – public open space~~

~~Purpose: provide additional floor area where a high-quality public open space is incorporated into the development.~~

- ~~(1) The Council will consider as a restricted discretionary activity an application to obtain bonus floor space for the provision of a public open space.~~
- ~~(2) In order to qualify for the bonus, the public open space must:~~
 - ~~(a) be readily accessible to the public 24 hours a day, seven days a week, except where required to be closed from time to time for public safety or maintenance reasons, and signposted accordingly;~~
 - ~~(b) adjoin the street for a minimum length of 10m;~~
 - ~~(c) be capable of containing a 10m diameter circle;~~
 - ~~(d) the level of the public open space must be at the same level of the adjoining street for a minimum depth of 10m, except that where the adjoining street slopes along the site frontage, the public open space must be no more than 1.2m above or below the level of the site frontage;~~
 - ~~(e) the entrance of the public open space must be at street level;~~
 - ~~(f) exclude any area nominated as a through site link or a service lane/s; and~~
 - ~~(g) be kept clear and unobstructed from the ground or floor level upwards except that any part of a building may project by not more than 1.5m over the public open space if not more than 10 per cent of the public open space is so covered.~~
- ~~(3) The public open space must connect at grade with the street, with vertical differences traversed by ramps or escalators.~~

~~(4) Where located on a site subject to Map H8.11.6 Verandahs, provide a verandah along the street for the full length of the public open space in accordance with Standard H8.6.26(4)–(7).~~

~~(5) This standard does not exempt or offset the payment of development contributions for public open space.~~

H8.6.18. ~~[Deleted] Bonus floor area – through-site link~~

~~Purpose: provide additional floor area where a high-quality through-site link is incorporated into a development that will enhance the pedestrian amenity of the city centre.~~

~~(1) The Council will consider any application to obtain bonus floor space for the provision of a through-site link as a restricted discretionary activity.~~

~~(2) The through-site link bonus applies to lanes, arcades and covered links.~~

~~(3) For the purpose of this standard, lanes, arcades and covered links are defined as follows:~~

~~(a) lanes are uncovered external spaces that provide permanent pedestrian connections at all times;~~

~~(b) arcades are enclosed pedestrian routes within buildings which feature active uses, such as retail, along their length; and~~

~~(c) covered links are enclosed pedestrian routes within buildings, that are not arcades.~~

~~(4) To qualify for the bonus, all forms of through-site link must:~~

~~(a) be a separately defined, continuous and clearly identifiable public walkway taking the most direct route, which is designed specifically to traverse a site to connect roads or other public places or other through-site links and provides a shorter and more convenient route than the existing alternative; and~~

~~(b) have an access easement registered on the title to which the link applies to ensure preservation of the link and its ongoing maintenance by the owner of the title.~~

~~(5) A through-site link may be a combination of lanes, arcades and covered links along its length. The particular length of the link must comply with the requirements below as they apply to that length.~~

~~(6) To qualify for the bonus, lanes, arcades and covered links must comply with the standards below.~~

Lanes

~~(7) Lanes must be fully pedestrian or have only limited vehicular access and be kept clear and unobstructed from the ground or floor level upwards.~~

~~(8) Lanes must be publicly accessible 24 hours a day, seven days a week.~~

- ~~(9) Lanes must maintain a minimum unobstructed width of 3.5m. The unobstructed width of the lane must be free of any buildings and fixtures that disrupt the passage of pedestrians.~~

~~*Arcades*~~

- ~~(10) Arcades must be pedestrian only and covered.~~
- ~~(11) Arcades must be publicly accessible, the minimum hours of operation being 7.30am to 6pm Monday to Friday, excluding public holidays, and such other times when the site is open for business or for its principal purpose.~~
- ~~(12) Arcades must maintain a minimum unobstructed width of 3.5m. The unobstructed width of the arcade must be free of any buildings and fixtures that disrupt the passage of pedestrians.~~

~~*Covered links*~~

- ~~(13) Covered links must be pedestrian only and covered.~~
- ~~(14) Covered links must be publicly accessible, the minimum hours of operation being 7.30am to 6pm Monday to Friday, excluding public holidays, and such other times when the site is open for business or for its principal purpose.~~
- ~~(15) Covered links must have a minimum unobstructed width of 3.5m. The unobstructed width of the covered link must be free of any buildings and fixtures that disrupt the passage of pedestrians.~~

~~*Method of calculation*~~

- ~~(16) The through-site link bonus, be it a lane, arcade or covered link, or those in combination is calculated in accordance with the formula below:~~
- ~~(a) The bonus floor area achievable per square metre of through-site link provided is expressed by the ratio L1:L2 where:~~
- ~~(i) L1 = the shortest distance between points A and B measured along the road boundary; and~~
- ~~(ii) L2 = the shortest pedestrian route between points A and B (refer Figure H8.6.18.1 below).~~
- ~~(b) except that subject to the maximum FAR limit for a through-site link bonus set out in Table H8.6.11.1:~~
- ~~(i) the bonus floor area available per square metre of through-site link provided will not exceed 10m² (i.e. where L1:L2 = 10:1); and~~
- ~~(ii) the bonus floor area available per square metre of through-site link provided will be no less than 5m² (i.e. where L1:L2 = 5:1 or less) provided that through-site links that attain less than 2m² will not be eligible for a bonus.~~
- ~~(c) for the purpose of these measurements the following apply:~~

- (i) road boundary includes the shortest distance between points at either end of a pedestrian access which is protected by a registered easement or similar form of dedication (refer Figure H8.6.18.2);
- (d) no part of a through-site link is counted more than once for the measurement of L2;
- (e) where either an escalator is included in a through-site link, the calculation of L2 includes the plan distance of the escalator (refer Figure H8.6.18.3 below);
- (f) where stairs are included in a through-site link their actual travel distance applies (refer Figure H8.6.18.4 below); and
- (g) the maximum width of the through-site link will be regarded as 6m.

Figure H8.6.18.1 Calculating through-site link bonus [Deleted]

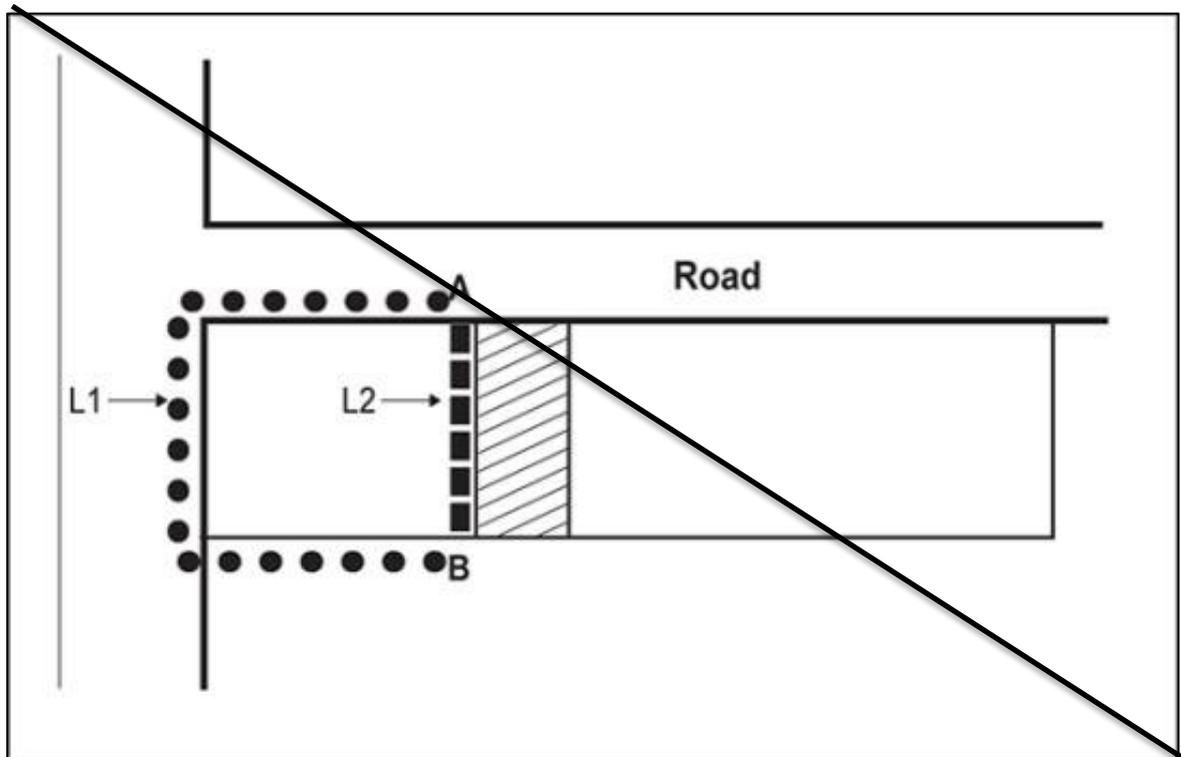


Figure H8.6.18.2 Calculating through-site link bonus 2 [Deleted]

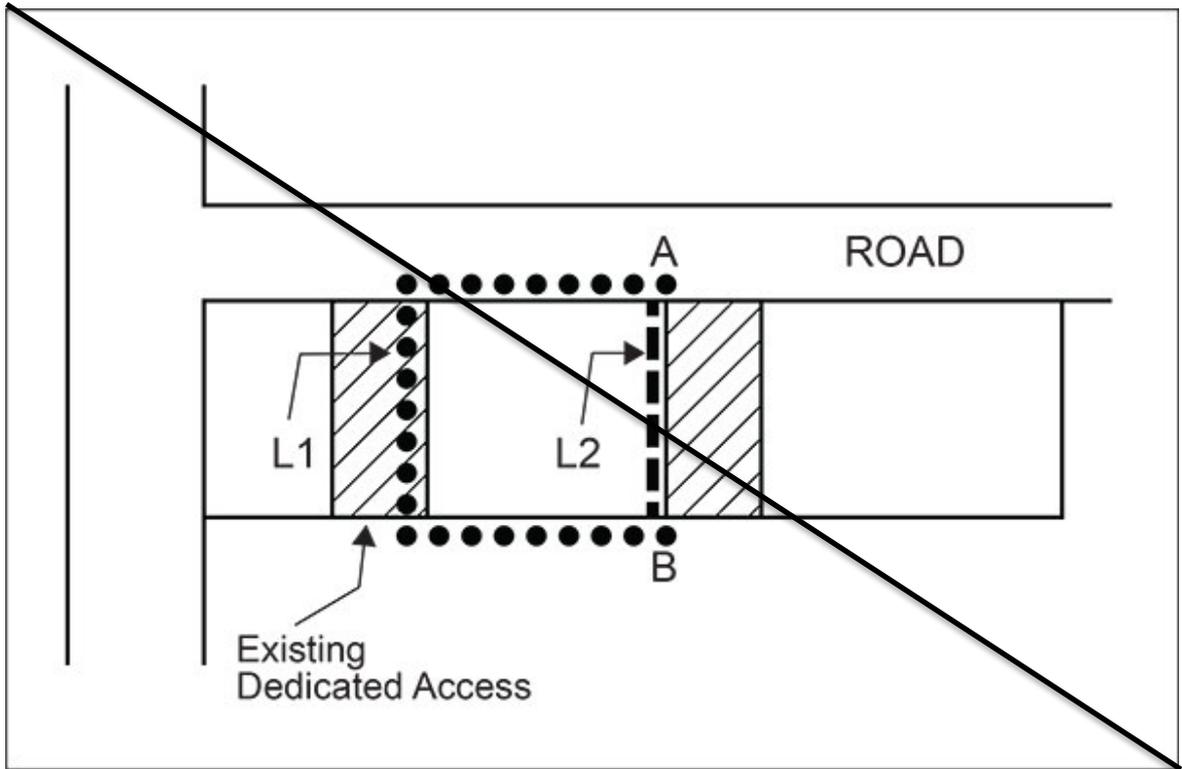


Figure H8.6.18.3 Escalator plan distance [Deleted]

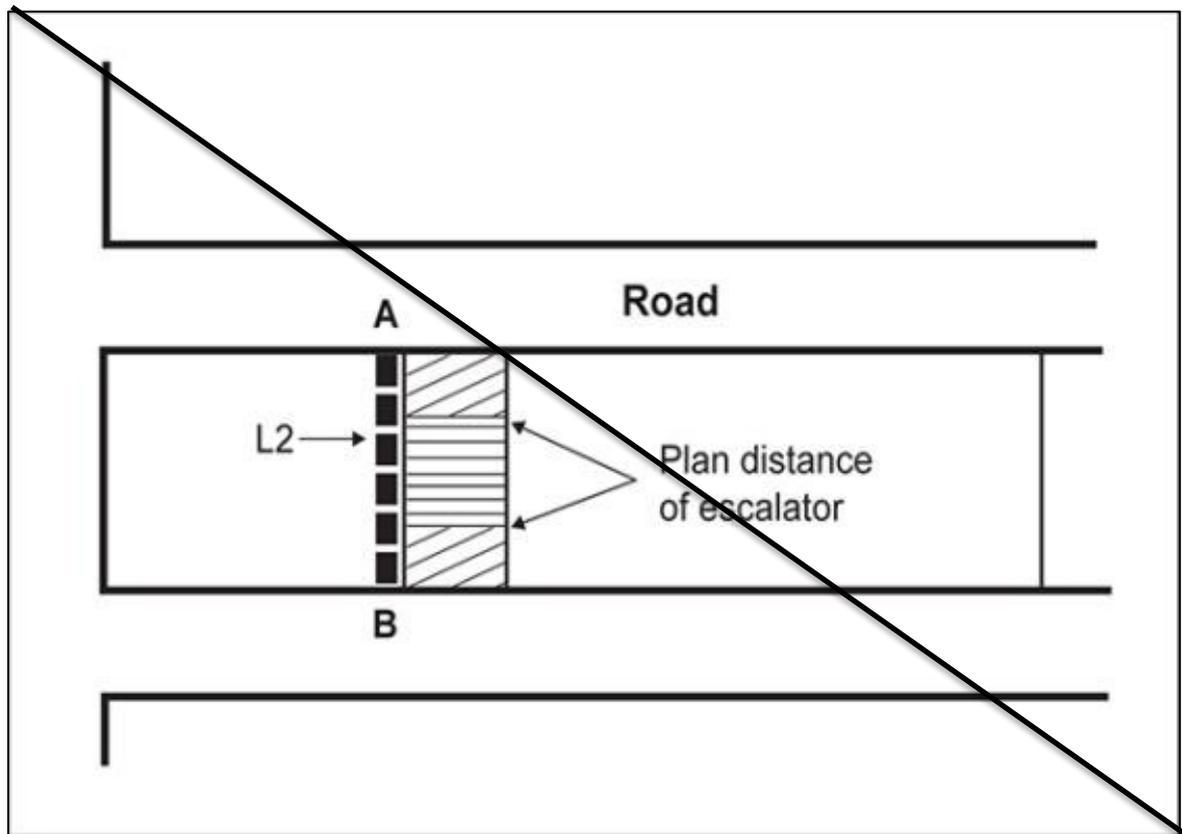
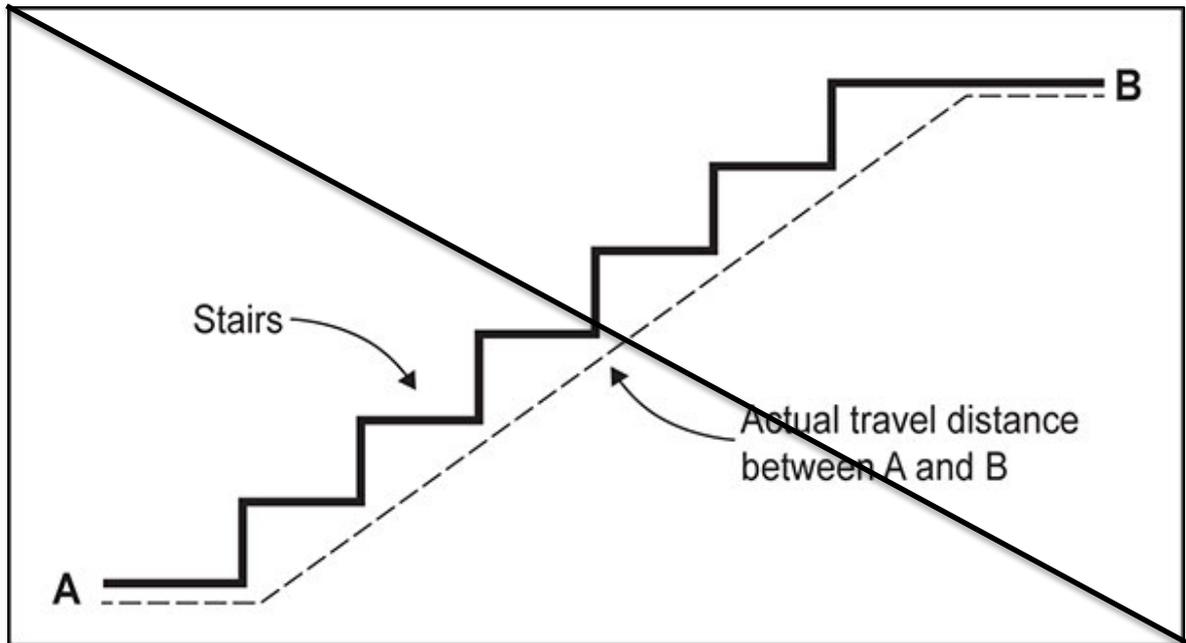


Figure H8.6.18.4 Stair plan distance measurement



H8.6.19. ~~[Deleted] Bonus floor area – through-site links through identified blocks~~

~~Purpose: provide additional floor area where a through-site link is incorporated into a development that will significantly improve the permeability and accessibility of the block.~~

- ~~(1) Where a through-site link is provided through a block identified on Map H8.11.9, the above standards apply, except that:
 - ~~(a) an additional 0.5:1 will be awarded to any through-site link on the blocks identified on Map H8.11.9 and will apply in addition to the bonus calculated above using the ratio of L1:L2.~~~~

H8.6.20. ~~[Deleted] Bonus floor area – works of art~~

~~Purpose: provide additional floor area where a high-quality work of art is incorporated into the development that will enhance the cultural richness of the city centre.~~

- ~~(1) Securing bonus floor space for the provision of works of art is a restricted discretionary activity.~~
- ~~(2) To qualify for the bonus:
 - ~~(a) works of art must be located so they are accessible or visible to the public 24 hours a day, seven days a week; and~~
 - ~~(b) a covenant must be registered on the title to which the work of art applies to ensure preservation of the work of art and its ongoing maintenance by the owner of the title.~~~~

- ~~(3) The bonus floor area available is assessed at the following ratio:~~
- ~~(a) five per cent extra floor area for each one per cent of total construction cost spent on the commission and execution of the work of art;~~
 - ~~(b) for calculating the extra floor area which can be claimed, five per cent will be taken off the total floor area which has resulted from the calculation of the addition of all of the following:~~
 - ~~(i) the floor area permitted by the basic floor area ratio for the site;~~
 - ~~(ii) all bonus floor area claimed and awarded (apart from the extra floor area claimed for provision of a work of art);~~
 - ~~(iii) areas contained within a building occupied by through site links for which consent has been granted; and~~
 - ~~(iv) any entrance foyer/lobby or part of it including any void forming an integral part of it. The entrance foyer/lobby must be publicly accessible, accessed directly from a street or public open space and have an overhead clearance of at least 6m.~~
 - ~~(c) for the purpose of this standard, ‘total construction cost’ means the total cost of completing the development (or in the case of an existing development, the replacement cost of that development) for which extra floor area is claimed to an initial tenable condition, including all external and internal structural walls of the building to a finished standard (but excluding non-structural partitioning and furnishings); all building services; floor coverings; and all site works but not including land cost or the cost of the proposed work of art;~~
 - ~~(d) a certificate prepared and signed by a registered quantity surveyor or registered architect must be supplied to the Council to verify total construction cost as defined in H8.6.20(3)(c) above, land cost and cost of the proposed work of art; and~~
 - ~~(e) a fraction of the one per cent of total construction cost, either more or less, may be spent on the commission and execution of the work and where this occurs the amount of extra floor area granted will be increased or reduced in the same proportion.~~

H8.6.21. ~~[Deleted]~~ Maximum total floor area ratio

~~Purpose: manage the overall scale of development in the city centre.~~

- ~~(1) The basic FAR plus the accumulation of any bonus FAR must not exceed the MTFAR identified on Map H8.11.7.~~
- ~~(2) The MTFAR achievable in bonus areas 1a, 2 and 3 is limited by the ratio of average floor area to site area to the extent shown in Table H8.6.21.1 and Figure H8.6.21.1 MTFAR bonus areas 1a and 2 and Figure H8.6.21.2 MTFAR bonus area 3.~~

Table H8.6.21.1 Maximum total floor area ratio [Deleted]

Bonus area 1a		
Where:		MTFAR equals
(A52)	$\frac{AFA}{SA} < 0.25$	13:1
(A53)	$0.25 < \frac{AFA}{SA} \leq 0.75$	$15 - \frac{(8 \times AFA)}{SA} : 1$
(A54)	$\frac{AFA}{SA} > 0.75$	6.5:1
Bonus area 2		
(A55)	$\frac{AFA}{SA} < 0.35$	10:1
(A56)	$0.35 \leq \frac{AFA}{SA} \leq 0.8$	$12.8 - \frac{(8 \times AFA)}{SA} : 1$
(A57)	$\frac{AFA}{SA} > 0.8$	6.5:1
Bonus area 3		
(A58)	$\frac{AFA}{SA} < 0.6$	8:1
(A59)	$0.6 \leq \frac{AFA}{SA} \leq 0.75$	$10.8 - \frac{(8 \times AFA)}{SA} : 1$
(A60)	$\frac{AFA}{SA} > 0.75$	4.5:1

Figure H8.6.21.1 MTFAR bonus areas 1a and 2 [Deleted]

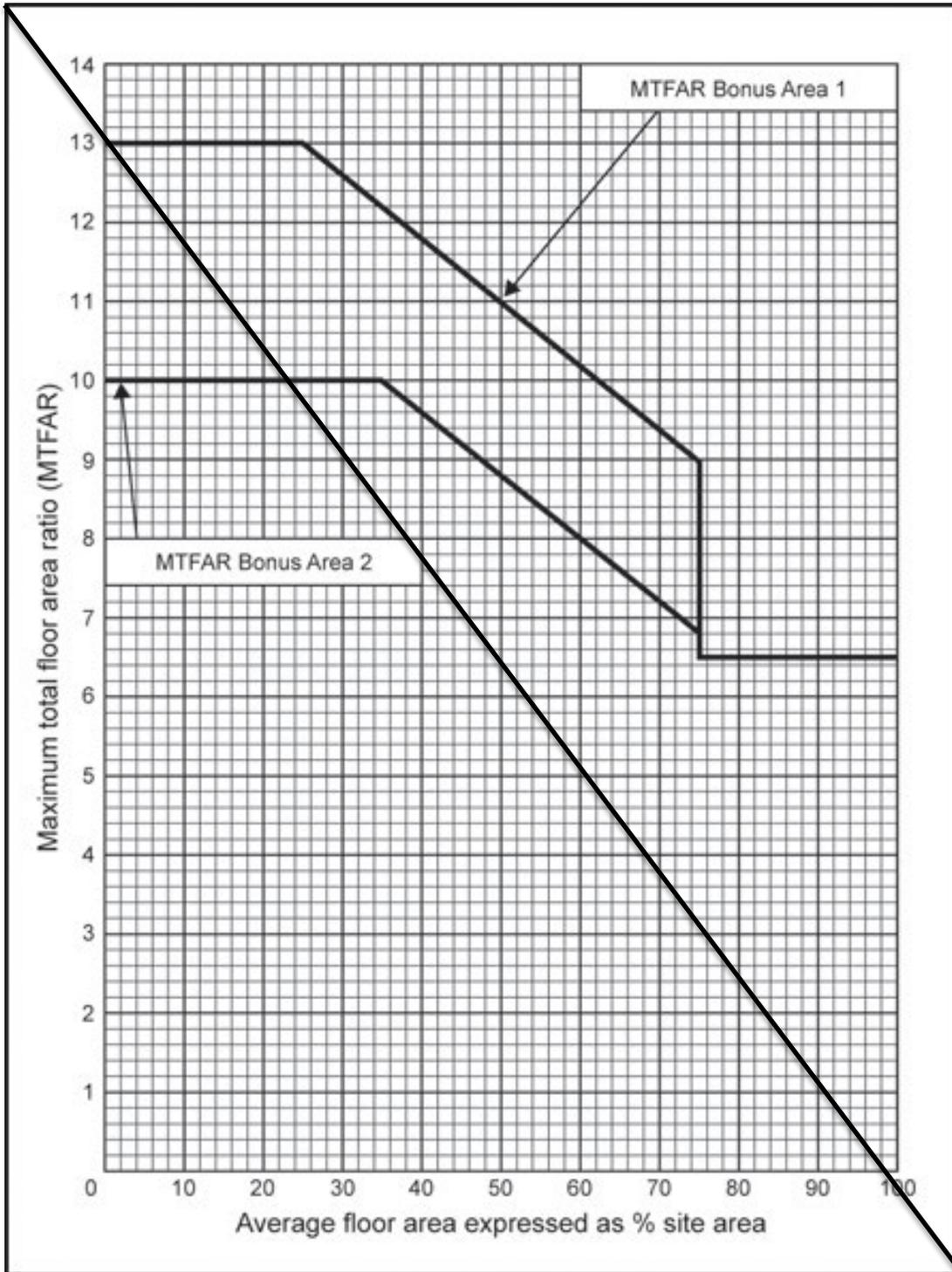
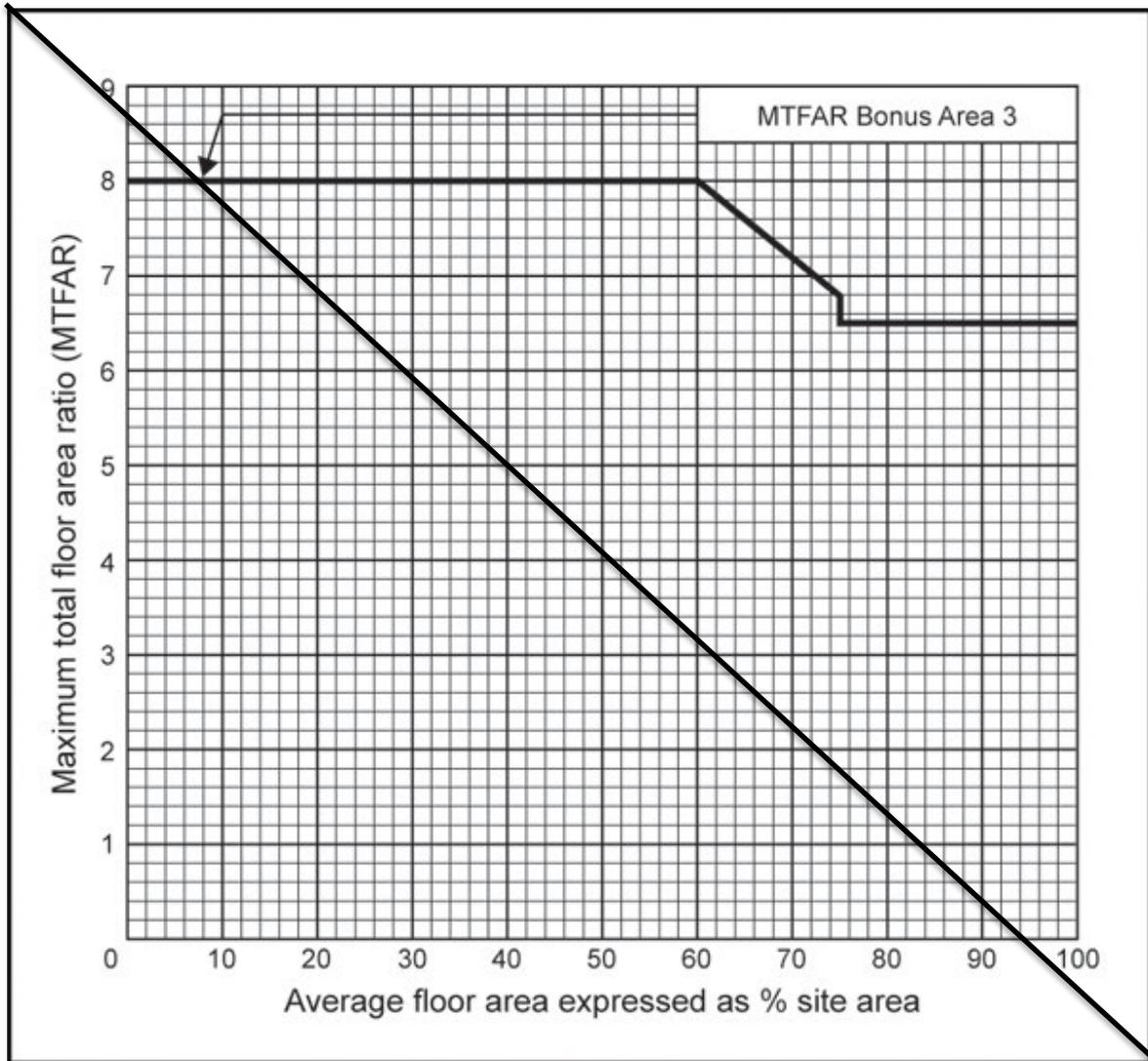


Figure H8.6.21.2 MTFAR bonus area 3 [Deleted]



Qualifying matter as per s770(j) of the RMA

H8.6.22. Building in relation to boundary

Purpose: retain the spacious landscaped character and maximise sunlight admission to public open spaces in the areas that the standard applies.

- (1) A building located on a site identified as being subject to this standard on Map H8.11.7A must comply with the indicators set out in [Appendix 10 Business – City Centre Zone](#) building in relation to boundary except that:
 - (a) this standard only applies to the shared boundaries of identified sites or where the boundary of an identified site adjoins open space zones; and
 - (b) the effective site boundary for the purpose of this standard may be taken as the furthest pedestrian accessway, entrance strip or access site, where a site adjoins such accessway, entrance strip or access site, or adjoins a series of contiguous entrance strips or access sites.

H8.6.23. Streetscape improvement and landscaping

Purpose: maintain landscaped qualities in the areas that the standard applies.

- (1) For those sites identified on Figure H8.6.23.1 as being subject to the site frontage standard:
 - (a) not less than 50 per cent of that part of the site, between the street and a parallel line 6m from the street frontage must be landscaped;
 - (b) no part of any building or parking and manoeuvring space may be located within an area between the street and a line 3m parallel from the street frontage; and
 - (c) Standards H8.6.23(1)(a)-(b) above do not apply to rear sites.
- (2) For the sites identified on Figure H8.6.23.1 as 'Sites requiring not less than 30 per cent net site area landscaping', at least 30 per cent of the net site area must be landscaped.
- (3) For the sites identified on Figure H8.6.23.1 as 'Sites requiring not less than 10 per cent net site area landscaping', at least 10 per cent of the net site area must be landscaped. The landscaping must include a special amenity yard between the north-eastern boundary and a parallel line 8m from that boundary, as shown on Figure H8.6.23.1, in which no part of any building or parking may be located.
- (4) The landscaping required above must incorporate both:
 - (a) low level shrubs; and
 - (b) specimens of trees capable of reaching a minimum height at maturity of 8m. The trees must be at least 1.5m high at the time of planting.
- (5) ~~[Deleted]The following applies in relation to the site that adjoins and is to the south of the St Andrew's Presbyterian Church site:~~
 - ~~(a) no part of any building, or parking and manoeuvring space, or service area may be located on the site between the street and a parallel line 8m from the street frontage; and~~
 - ~~(b) at least 50 per cent of the 8m set-back area must be landscaped.~~

Figure H8.6.23.1 Streetscape improvement and landscaping

Qualifying matter as per s770(j) of the RMA



H8.6.24. Maximum tower dimension, setback from the street and tower separation in special height area (shown on Map H8.11.3)

Purpose: ensure that high-rise buildings:

- are not overly bulky and are slender in appearance;
- provide adequate sunlight and daylight access to streets and public spaces;
- provide a consistent human-scaled edge to the street;
- provide adequate sunlight, daylight and outlook around buildings;
- enable ~~views~~ visual connections through the city centre; and
- mitigate adverse wind effects.

(1) On every site identified as special height area on Map H8.11.3 a new building or addition to an existing building must comply with the following:

(a) the maximum plan dimension of that part of the building above 28m (above mean street level) must not exceed 50m; and

(b) the part of a building above 28m must be located set back at least 6m from all boundaries of the site by at least:

(i) 6m; or

(ii) 6 per cent of the total building height

whichever is the greater (refer Figure H8.6.24.2)

(2) The maximum plan dimension is the horizontal dimension between exterior faces of the two most separate points of the building (refer Figure H8.6.24.1).

(3) If there is more than one tower on a site, a tower separation distance of at least 12m must be provided between the parts of the buildings above 28m.

Figure H8.6.24.1 Maximum plan dimension

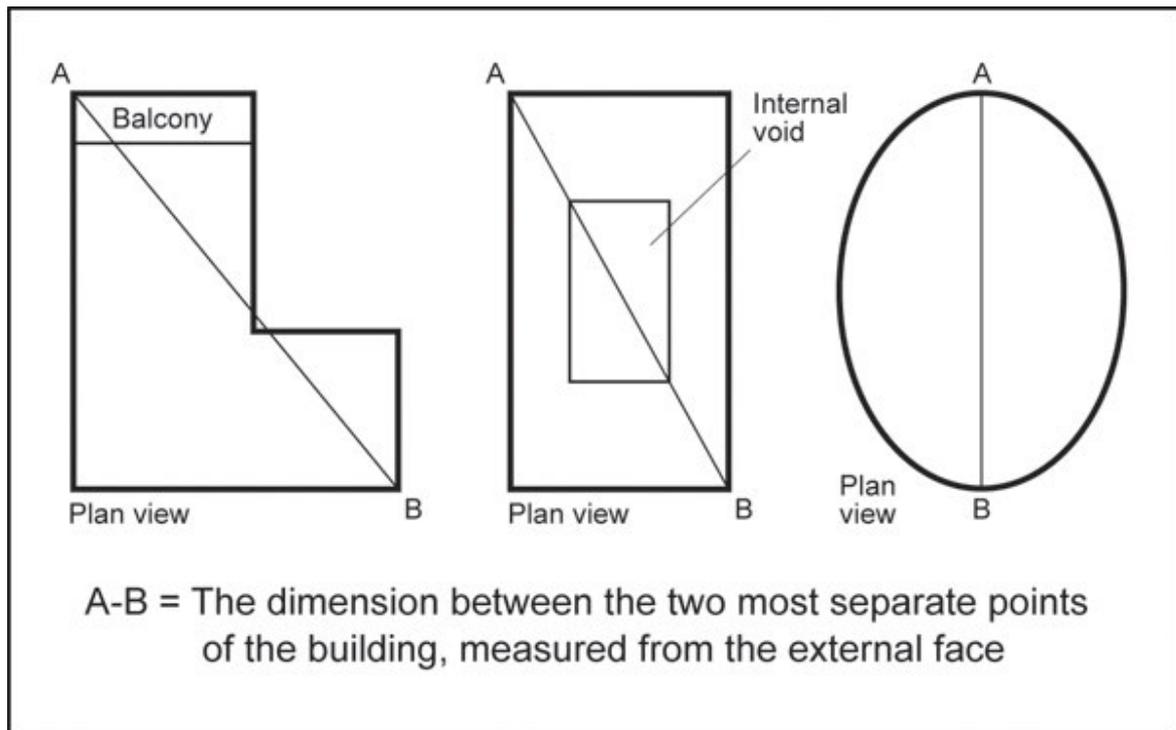
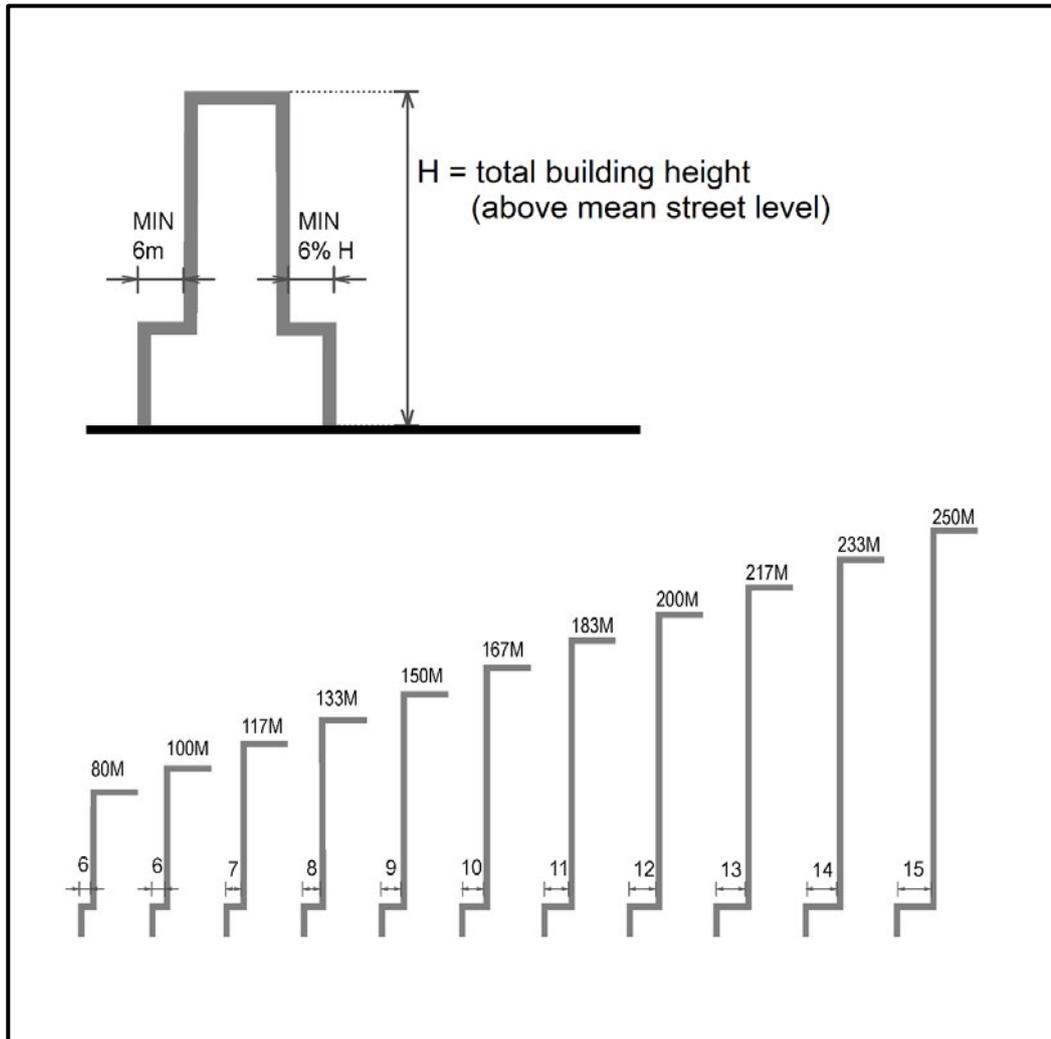


Figure H8.6.24.2 Tower set back



H8.6.24A Maximum east-west tower dimension

Purpose: ensure that high-rise buildings provide adequate physical, cultural and visual connections with, and visual permeability to, the Waitematā Harbour.

(1) On every site identified as subject to the east-west tower dimension standard on Map 8.11.10 a new building or addition to an existing building must comply with the following:

(a) the maximum plan dimension of any part of a building in the east-west direction must not exceed 30m for that part of the building above:

(i) 28m, for sites identified as special height area on Map H8.11.3.

(ii) 32.5m for all other sites.

(2) This standard applies in addition to the maximum plan dimension stated in H8.6.24 and H8.6.25A.

H8.6.25. Building frontage alignment and height

Purpose: ensure streets are well defined by human-scaled buildings and provide a sense of enclosure to enhance pedestrian amenity, while still providing adequate sunlight and daylight access to streets.

(1) On every frontage identified on Map H8.11.5, a new building or addition to an existing building must comply with the following:

(a) the building must adjoin the entire length of the frontage excluding vehicle and pedestrian access and public open spaces for the minimum frontage height specified in H8.6.25(1)(a)(i) and (ii) below:

(i) for frontages identified as '19m', the building must have minimum contiguous height of 19m for a minimum depth of 6m from the frontage; and

(i) for frontages identified as '13m', the building must have minimum contiguous height of 13m for a minimum depth of 6m from the frontage.

(2) On every frontage identified on Map H8.11.5A, a new building or addition to an existing building must comply with the following:

(a) for frontages identified as "28m", the maximum frontage height must not exceed 28m for a minimum depth of 6m from the frontage;

(b) for frontages identified as "1:1 to street width" the maximum frontage height must not exceed the lesser of:

(i) a 1:1 ratio to the width of the street which that frontage is on, for a minimum depth of 6m from the frontage, or

(ii) 32.5m, for a minimum depth of 6m from the frontage.

(c) where the street width referenced in H8.6.25(2)(b)(i) is less than the minimum frontage height requirement on Map H8.11.5, then the maximum frontage height is equal to the minimum frontage height.

H8.6.25A Building setback from boundaries

Purpose: ensure that buildings:

- provide adequate sunlight and daylight access to streets and public open spaces;
- provide a consistent human-scaled edge to the street;
- provide adequate sunlight, daylight and outlook around buildings;
- enable visual connections through the city centre; and
- mitigate adverse wind effects.

(1) On every site identified as subject to this standard on Map H8.11.11) a new building or addition to an existing building must comply with the following:

(a) For boundaries which have a maximum frontage height (refer H8.6.25(2)), the set back is as stated in H8.6.25(2).

(b) For all other boundaries, the part of the building above 32.5m-must be set back from the boundary by at least 6m.

(c) The maximum plan dimension, as defined in H8.6.24(2), of that part of the building above 32.5m must not exceed 50m.

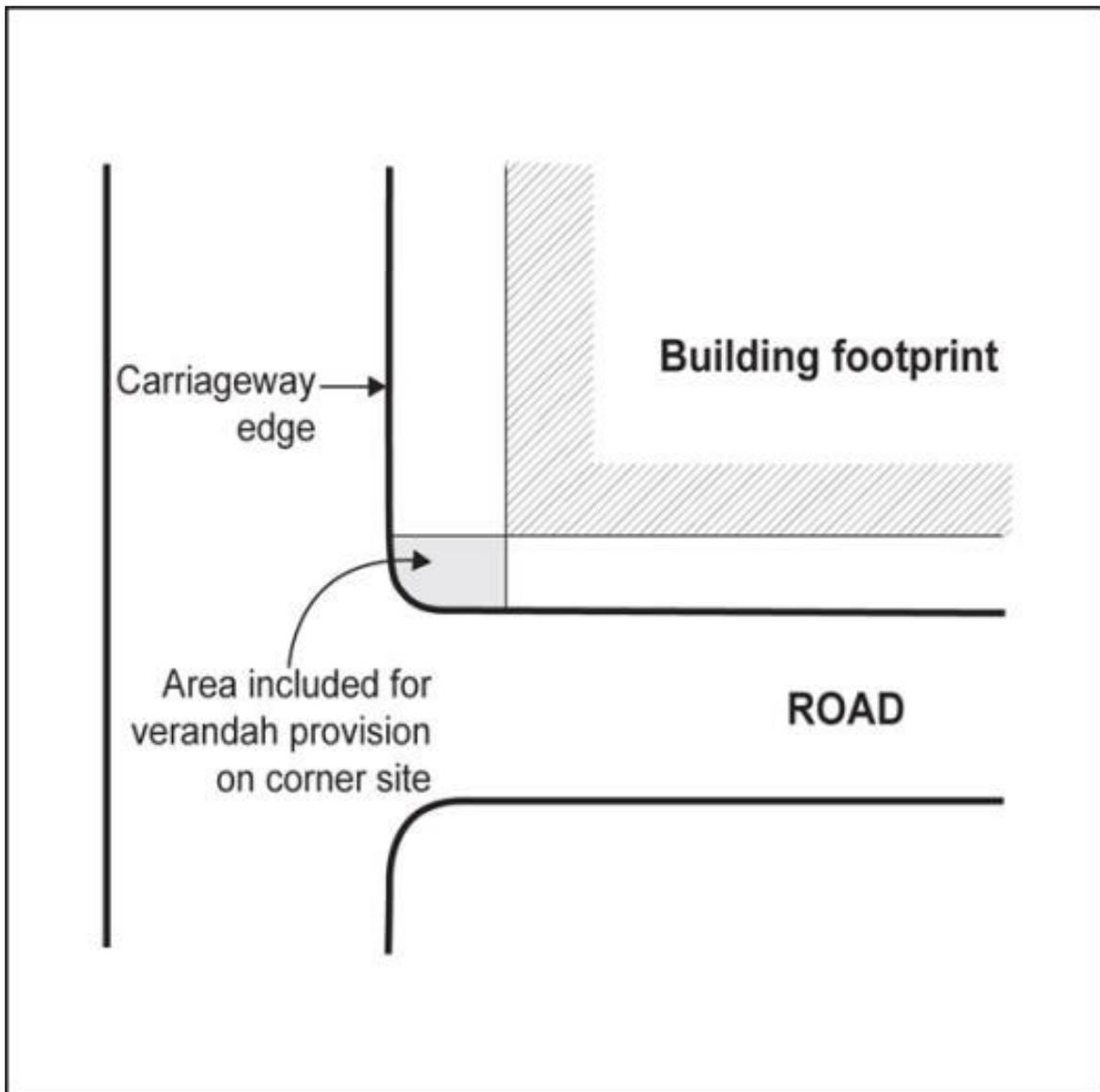
(d) If there is more than one tower on a site, a tower separation distance of at least 12m must be provided between the parts of the buildings above 32.5m.

H8.6.26. Verandahs

Purpose: provide pedestrians with weather protection on main streets.

- (1) A new building, external alteration or substantial internal alteration to an existing building, excluding minor cosmetic alterations or repairs which do not change its design and appearance, on a site identified on Map H8.11.6 must provide a continuous verandah along the full width of its building frontage.
- (2) For the purpose of this standard, substantial internal alterations means the alteration or reconstruction of an existing building to a value of \$500,000 or more assessed at the time a building consent is lodged with the Council.
- (3) If an existing verandah is removed, it must be replaced in accordance with the requirements of this standard.
- (4) A verandah on a corner site must comply with Figure H8.6.26.1.

Figure H8.6.26.1 Verandah on corner site



(5) All verandahs must:

- (a) have a minimum height of 3m and a maximum height of 4m above the footpath immediately below;
- (b) be no closer than 700mm in plan to the edge of the road carriageway notwithstanding any other requirement of this standard;
- (c) include drainage to control rain run-off;
- (d) where glazed, be opaque or patterned glass; and
- (e) comply with the minimum widths in Table H8.6.26.1.

Table H8.6.26.1 Minimum width

Location	Minimum width
Queen Street, north of Wakefield Street except the western side between Aotea Square and Wellesley Street	4m
Karangahape Road	4m
Swanson Street between Mills Lane and Queen Street	3m
Vulcan Lane, south side	3m
Queen Street, west side between Aotea Square and Wellesley Street	5m
All other frontages identified on the plan	3m or setback no further than 700mm in plan from the edge of the road carriageway, whichever is the lesser

- (6) Lighting outside daylight hours must be provided under a verandah to a minimum of 20 lux (light illumination) on the footpath, where the lux level is measured at ground level on a horizontal plane at 2m from the building adjoining the footpath. Lighting of the footpath must have a uniformity ratio of 0.5.
- (7) The lighting levels required above may be met by one or more of the following methods:
- (a) providing lighting beneath a street verandah;
 - (b) providing lighting within the shop/office that spills out through windows to the outside footpath;
 - (c) the use of advertising signage of light colour which will spill light out onto the footpath; or
 - (d) providing downwardly directed lighting on the exterior of the building.

H8.6.27. Minimum floor to floor height

Purpose: ensure that:

- commercial buildings are adaptable to a wide variety of uses over time; and
 - adequate sunlight and/or daylight is provided into the interior spaces of commercial buildings.
- (1) The ground floor of a new building and alterations and additions that change the floor to floor height must have a minimum finished floor to floor height of 4.5m for a minimum depth of 10m where it adjoins a street or public open space.

- (2) The finished floor to floor height of new buildings above ground floor and any alterations and additions that change the floor to floor height above ground floor must be at least 3.6m where those floors will accommodate non-residential activities.

H8.6.28. Wind

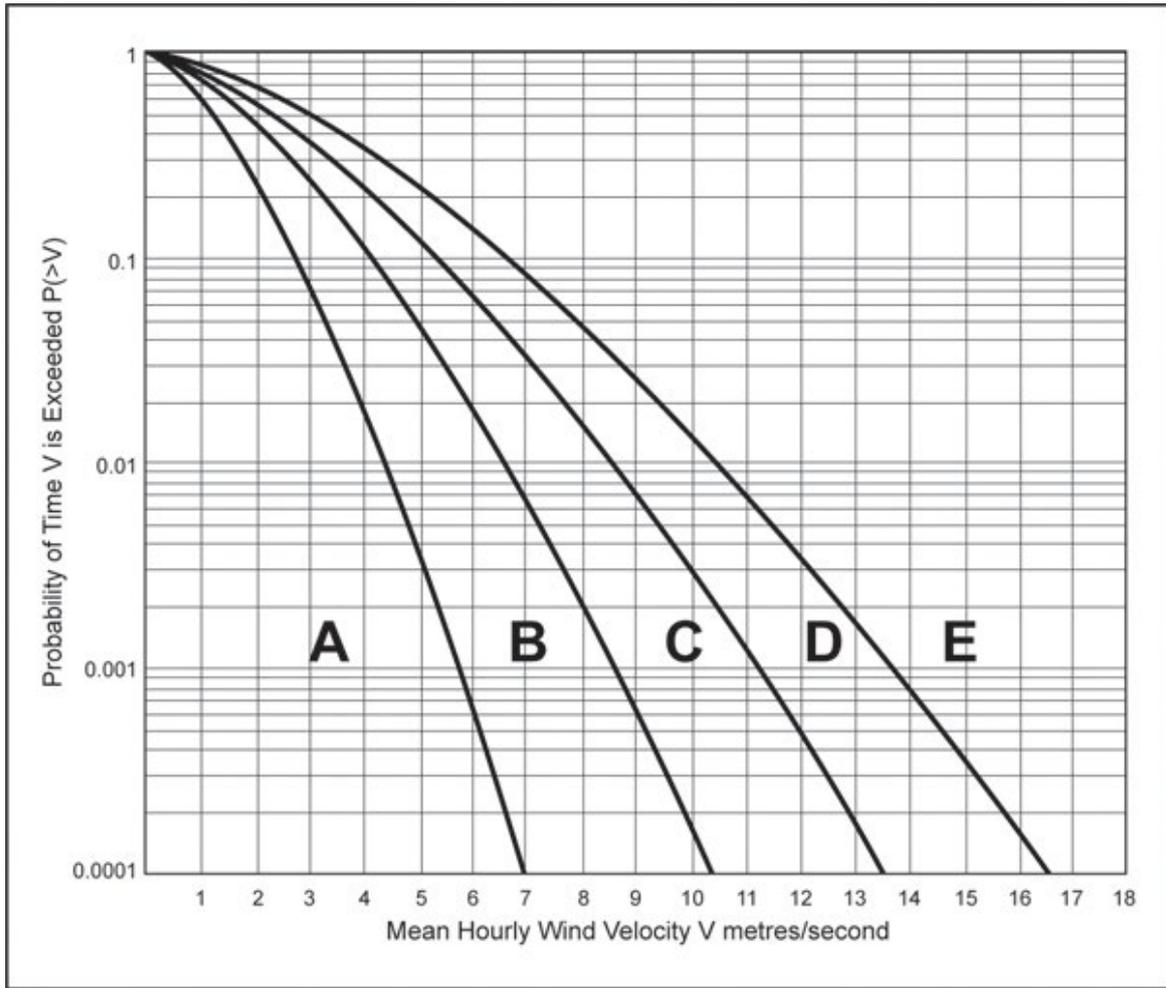
Purpose: mitigate the adverse wind effects generated by high-rise buildings.

- (1) A new building and additions to existing buildings that increase the height of any part of the building 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 H8.6.28.1 and Figure H8.6.28.1 Wind environment control;
 - (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 H8.6.28(1)(a) or Standard H8.6.28(1)(b) above to increase.

Table H8.6.28.1 Performance categories

Category	Description
Category A	Areas of pedestrian use containing significant formal elements and features intended to encourage longer term recreational or relaxation use, such as major and minor public squares, parks and other open spaces, including Aotea Square, Queen Elizabeth Square, Albert Park, Myers Park, St Patrick’s Square, and Freyberg Place
Category B	Areas of pedestrian use containing minor elements and features intended to encourage short-term recreation or relaxation, such as minor pedestrian open spaces, pleasure areas in road reserves, streets with significant groupings of landscaped seating features, including Khartoum Place, Mayoral Drive pleasure areas, and Queen Street
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 where 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	Represents conditions which are dangerous to the elderly and infants and of considerable cumulative discomfort to others. Category E conditions are unacceptable and are not allocated to any physically defined areas of the city
Note: All through-site links and other private land given over to public use as bonus features, or subject to public access easements, must be subject to the wind environmental categories.	

Figure H8.6.28.1 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

H8.6.29. Glare

Purpose: ensure non-reflective materials are used on buildings to avoid, remedy and mitigate the adverse effects of glare on pedestrians and motorists.

- (1) Buildings must be designed and built so that the reflectivity of all external surfaces does not exceed 20 per cent of white light. This means that glass and other materials with reflectivity values that exceed 20 per cent may only be used provided they are covered or screened in such a way that the external surfaces will still meet this standard.

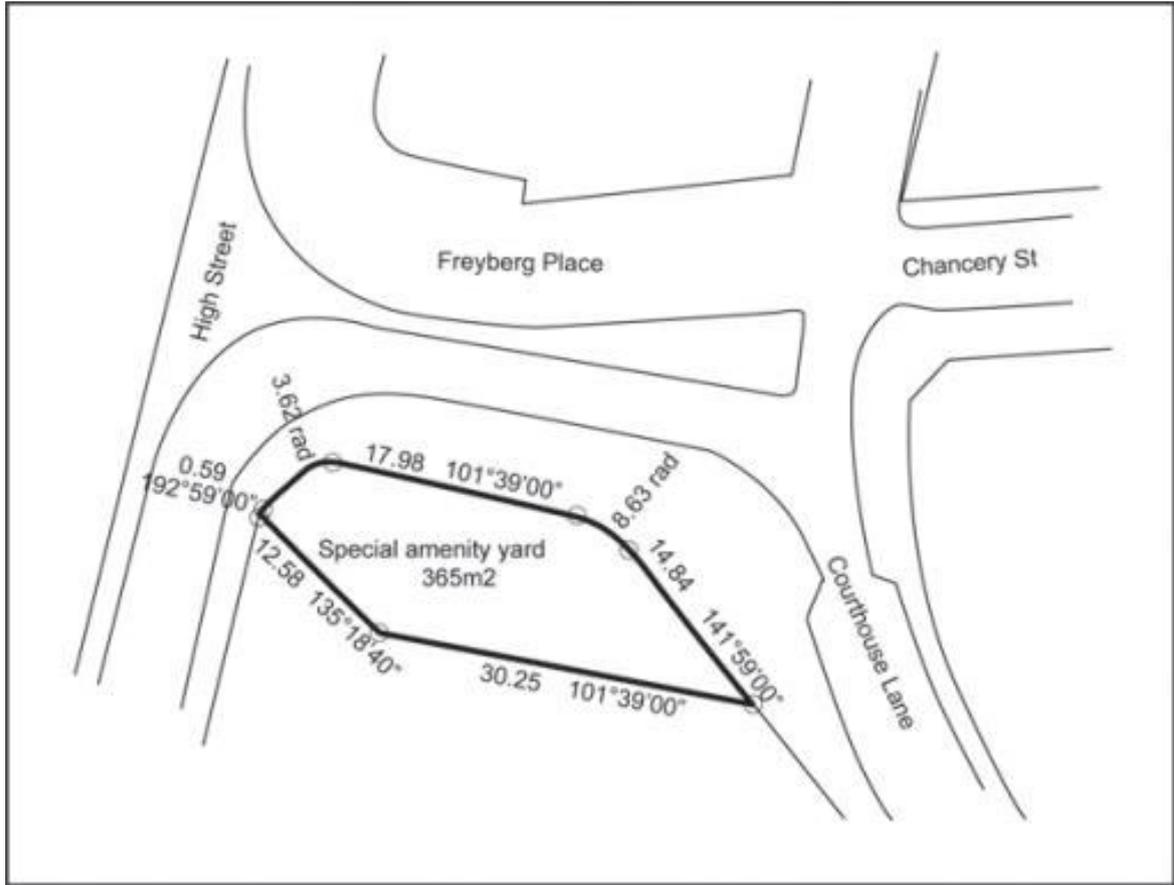
Qualifying matter
as per s77O(f)
and s77O(j) of the
RMA

H8.6.30. Special amenity yards

Purpose: avoid buildings locating in areas that would have a significant adverse effect on pedestrian and/or streetscape amenity.

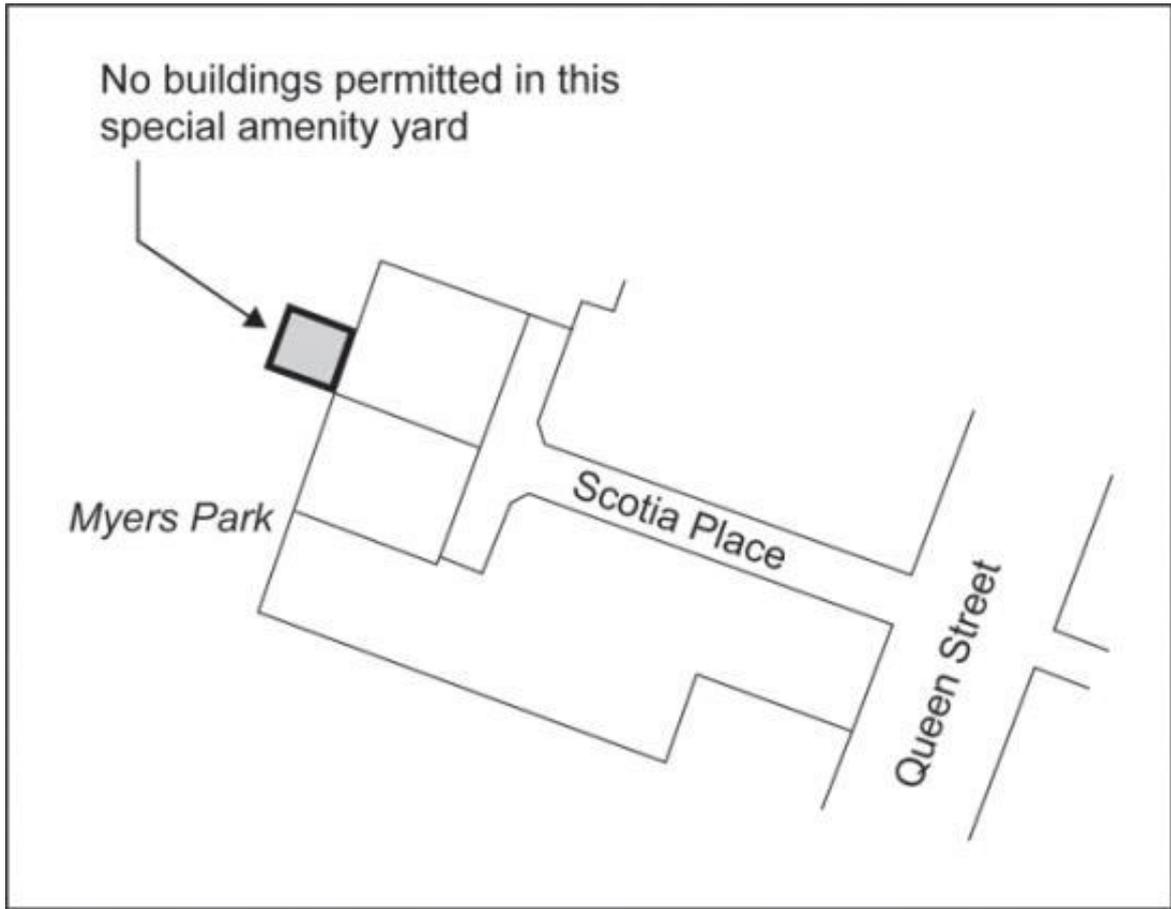
- (1) A building must not be at or above ground level within the yards shown on Figures H8.6.30.1, H8.6.30.2 and H8.6.30.3
- (2) In the Freyberg Place special amenity yard, the existing contour of the land and the existing Phoenix palms within the yard must be retained.

Figure H8.6.30.1 Freyberg Place special amenity yard



Qualifying matter as per s77O(f) and s77O(j) of the RMA

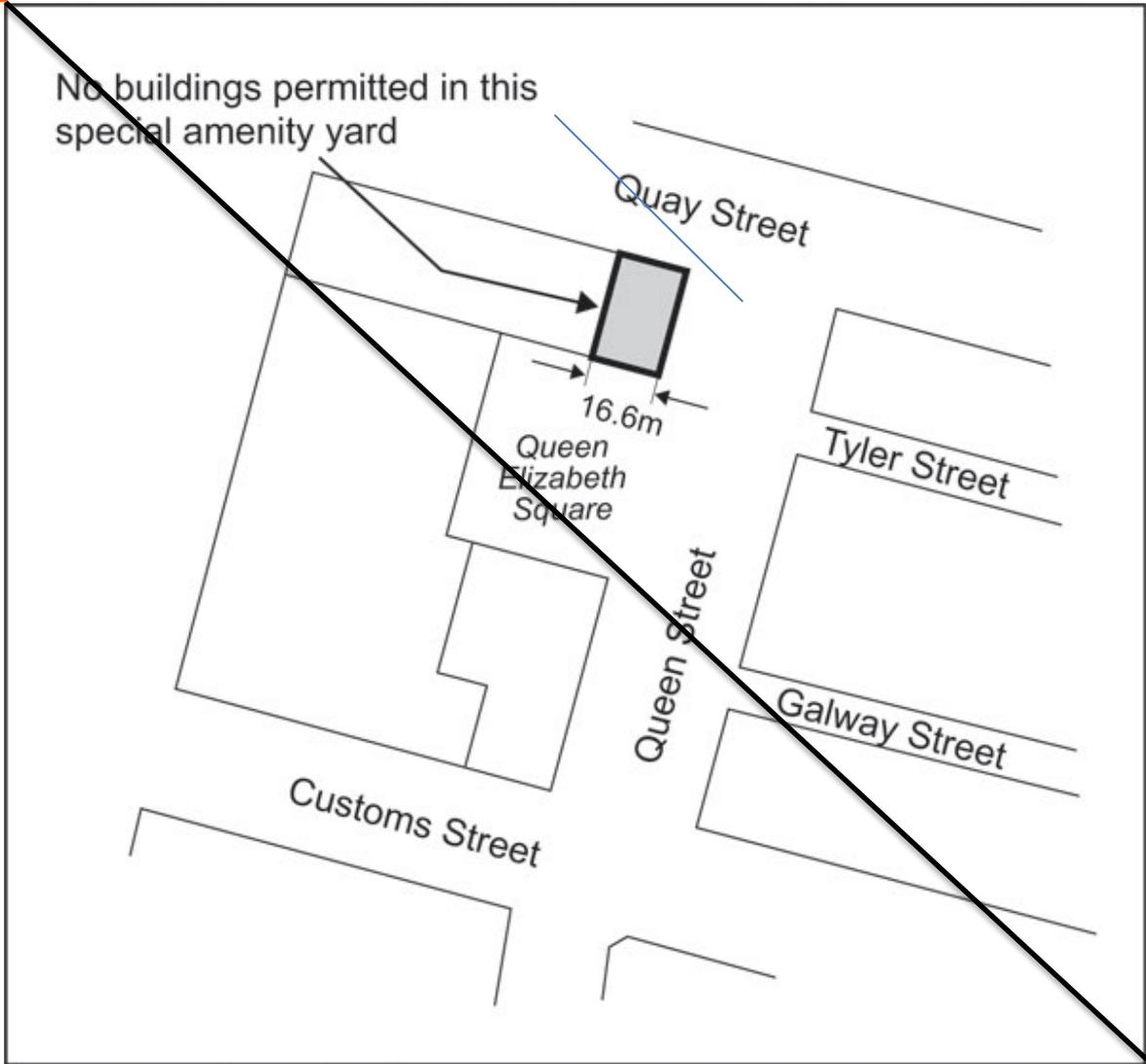
Figure H8.6.30.2 Myers Park special amenity yard



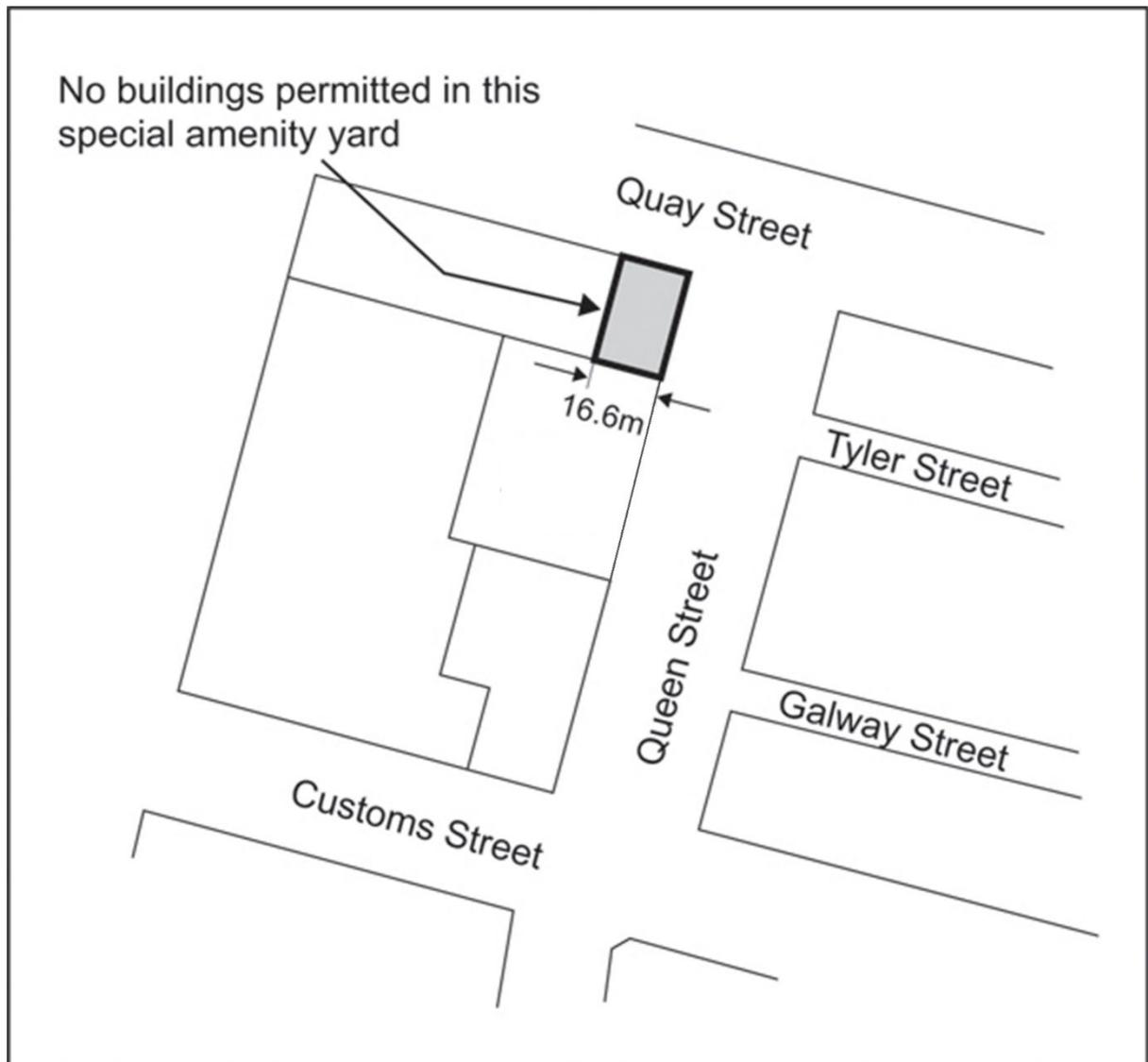
Qualifying matter as per s770(f) and s770(j) of the RMA

Qualifying matter as per s77O(f) and s77O(j) of the RMA

Figure H8.6.30.3 Queen Street special amenity yard



Qualifying matter as per s770(f) and s770(j) of the RMA



Qualifying matter as per s770(j) of the RMA

H8.6.31. Street sightlines

Purpose: retain views from key locations in the city centre to significant landmarks and the harbour.

- (1) Views from public open space or along streets to the harbour to Rangitoto Island and to the North Shore or to other natural features and landmarks from within the city centre are protected as shown in [Appendix 9 Business – City Centre Zone](#) sight lines. Except for the eastern ray of Street Line No. 23 (which affects part of the Maritime Square site (being Lot 1A DP 198984), this standard does not apply beyond the streets affected. Refer to [Appendix 9 Business – City Centre Zone](#) sight lines, where the sightlines are shown in detail.
- (2) Buildings or structures must not locate within the sightlines identified in [Appendix 9 Business – City Centre Zone](#) sight lines, except as otherwise provided for in [Table E26.2.3.1 Activity table](#) in [E26 Infrastructure](#) and Standard H8.6.26 Verandahs.

H8.6.32. Outlook space

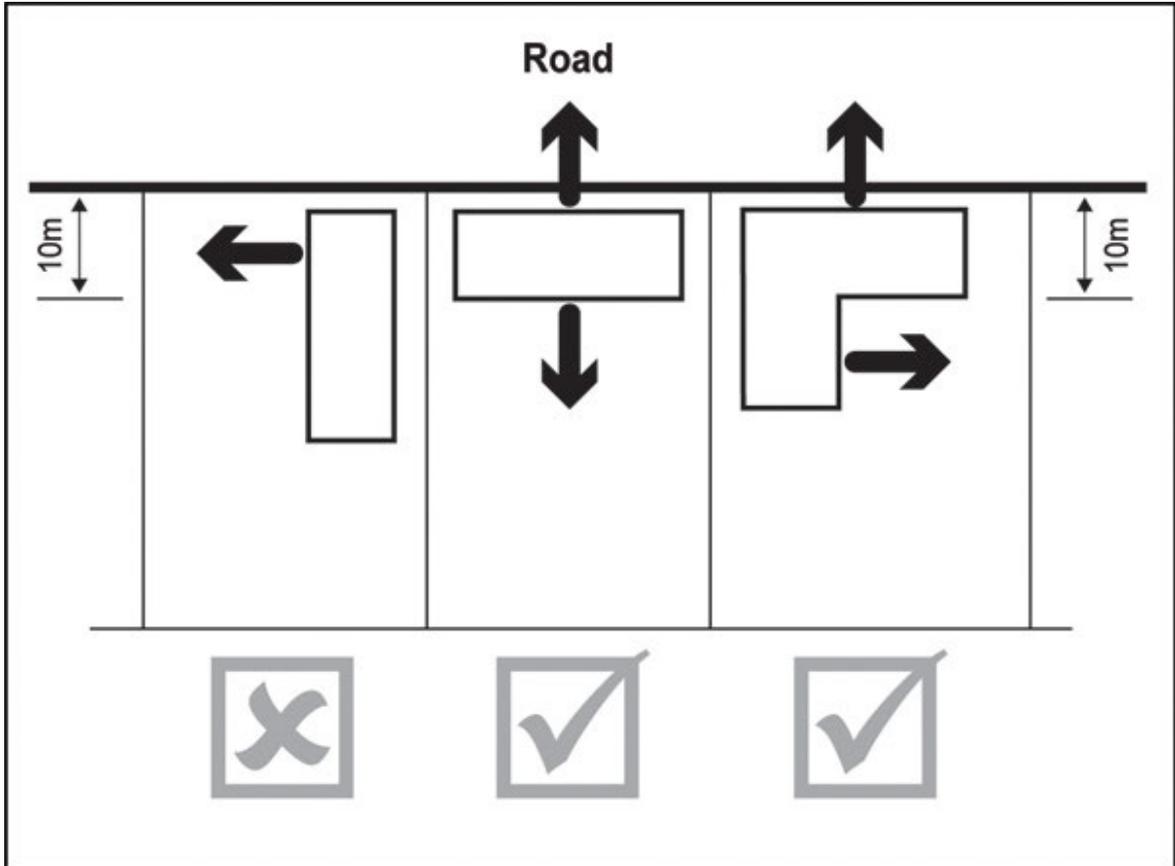
Purpose:

- ensure a reasonable standard of visual and acoustic privacy between different dwellings, including their outdoor living space, on the same or adjacent sites; and
 - 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.
- (1) The standard below applies to new buildings containing dwellings, visitor accommodation and boarding houses, and buildings that are converted to dwellings, visitor accommodation and boarding houses.
 - (2) An outlook space must be provided from each face of the building containing windows to principal living areas or bedrooms of any dwelling. Where windows to a principal living area or bedroom are provided from two or more faces of a building, outlook space must be provided to the face with the greatest window area of outlook.
 - (3) The minimum dimensions for outlook space are:
 - (a) for principal living areas, the dimensions of the outlook space, measured perpendicular to the exterior face of the building, must be in accordance with Figure H8.6.32.2, for the relative height of the floor above the average ground level along each building face; and
 - (b) for bedrooms, the outlook space must be a minimum of 6m, measured perpendicular to the exterior face of the building.
 - (4) The outlook space must extend from the exterior wall of the principal living room or bedroom and not the windows.
 - (5) The outlook space may be over:
 - (a) the site on which the building is located, but not towards a side boundary if the building is within 10m of the site frontage (refer Figure H8.6.32.1);
 - (b) the street;
 - (c) public open space; or
 - (d) another site, only if:
 - (i) the outlook space is secured in perpetuity for the benefit of the building by a legal instrument to be put in place prior to the commencement of construction; and
 - (ii) the written approval of the owner of the adjoining site for the outlook space is provided when the application for resource consent is lodged.

Qualifying matter as per s77O(j) of the RMA

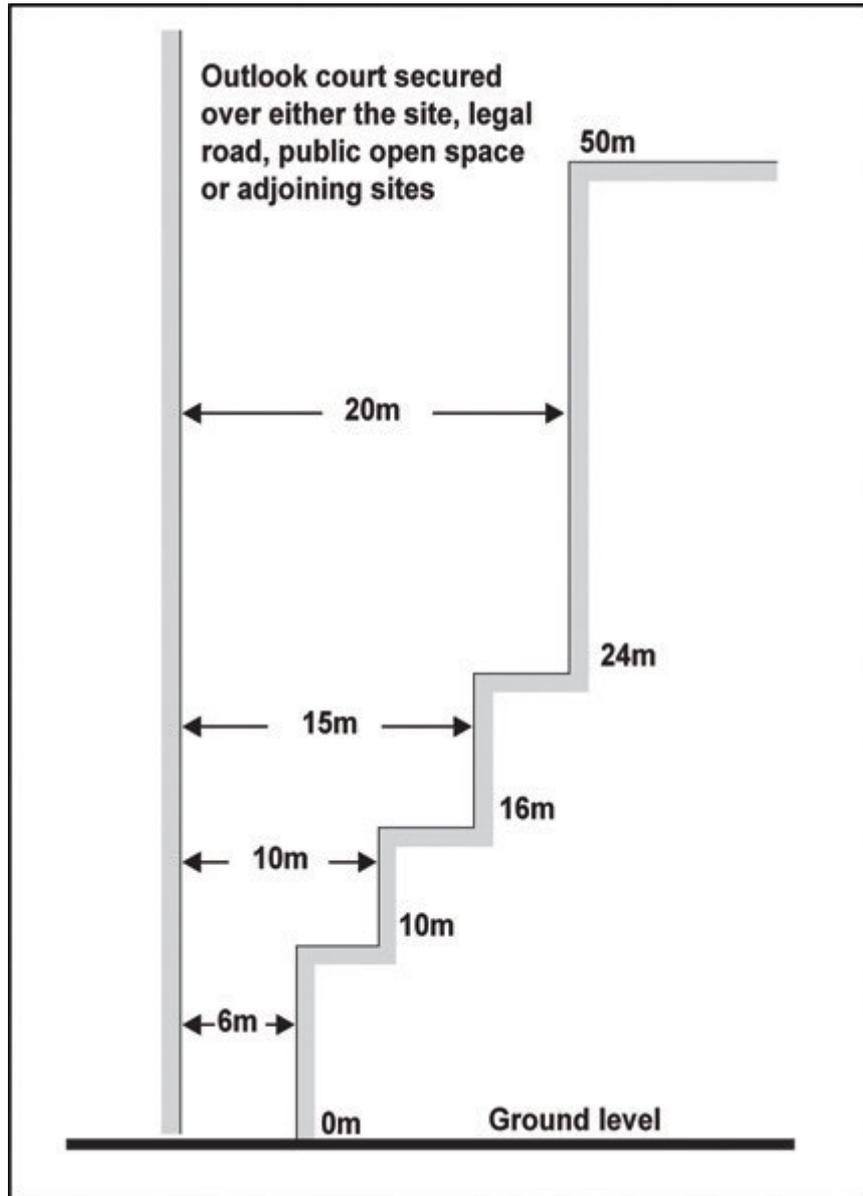
- (6) In the situation where an outlook space is provided over a legal road narrower than the width specified in Figure H8.6.32.2, the street width is deemed to satisfy the minimum outlook space requirement.
- (7) More than one building on the site may share an outlook space.

Figure H8.6.32.1 Outlook over the street



Qualifying matter
as per s770(j)
of the RMA

Figure H8.6.32.2 Outlook space



H8.6.33. Minimum dwelling size

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

(b) 35m² for studio dwellings.

The minimum net internal floor area for studio dwellings may be reduced by 5m² where a balcony, ground floor terrace or roof terrace of 5m² or greater is provided.

(c) 50m² for one or more bedroom dwellings.

The minimum net internal floor area for one or more bedroom dwellings may be reduced by 8m² where a balcony, ground floor terrace or roof terrace of 8m² or greater is provided.

(d) Provided that for the purpose of Standard H8.6.33(1)(a) and H8.6.33(1)(b) above, the balcony, ground floor terrace or roof terrace:

- (iii) is for the exclusive use of the dwelling occupants;
- (iv) has a minimum depth of 1.2m for studios;
- (v) has a minimum depth of 1.8m for one or more bedroom dwellings; and
- (vi) balconies and ground floor terraces shall be directly accessible from the principal living room space.

H8.6.34. Through-site links

Purpose: Ensure that through-site links enhance pedestrian access, amenity and safety, and contribute to an improved city centre environment.

(1) Map H8.11.9 sets out where through-site links are most needed in the city centre. This standard applies to any through-site link, even if not identified on Map H8.11.9.

(2) All forms of through site link must:

(a) be a separately defined, continuous and clearly identifiable public walkway taking the most direct route, which is designed specifically to traverse a site to connect roads or other public places or other through-site links and provides a shorter and more convenient route than the existing alternative; and

(b) have an access easement registered on the title to which the link applies to ensure preservation of the link and its ongoing maintenance by the owner of the title.

(3) A through-site link may be a combination of lanes, arcades and covered links along its length.

Lanes

(4) Lanes must:

(a) be fully pedestrian or have only limited vehicular access and be kept clear and unobstructed from the ground or floor level upwards.

(b) be publicly accessible 24 hours a day, seven days a week.

(c) maintain a minimum unobstructed width of 3.5m. The unobstructed width of the lane must be free of any buildings and fixtures that disrupt the passage of pedestrians.

Arcades

(5) Arcades must:

(a) be pedestrian-only and covered.

(b) be publicly accessible, the minimum hours of operation being 7.30am to 6pm Monday to Friday, excluding public holidays, and such other times when the site is open for business or for its principal purpose.

(c) maintain a minimum unobstructed width of 3.5m. The unobstructed width of the arcade must be free of any buildings and fixtures that disrupt the passage of pedestrians.

Covered links

(6) Covered links must:

(a) be pedestrian only and covered.

(b) be publicly accessible, the minimum hours of operation being 7.30am to 6pm Monday to Friday, excluding public holidays, and such other times when the site is open for business or for its principal purpose.

(c) have a minimum unobstructed width of 3.5m. The unobstructed width of the covered link must be free of any buildings and fixtures that disrupt the passage of pedestrians.

H8.7. Assessment – controlled activities

H8.7.1. Matters of control

The Council will reserve its control to all of the following matters when assessing a controlled activity resource consent application:

- (1) demolition of buildings:
 - (a) pedestrian amenity and safety;
 - (b) reuse of building materials;
 - (c) site condition post-demolition; and
 - (d) traffic generation.

H8.7.2. Assessment criteria

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

- (1) demolition of buildings:
 - (a) pedestrian amenity and safety:
 - (i) whether sites containing buildings that are proposed to be demolished have significant adverse effects on the quality and amenity of the public realm and the safety and efficiency of the surrounding transport network. In particular:
 - whether a high-quality and safe temporary hard or landscaped edge is provided along the site boundaries so that a defined

boundary to streets and public open spaces is maintained. Including the provision and maintenance of continuous pedestrian cover within areas subject to the verandah standard; and

- whether an edge treatment designed to reduce its vulnerability to graffiti and vandalism is maintained;

(b) reuse of building materials:

- (i) the extent to which demolished materials are reused and recycled as much as possible;

(c) site condition post-demolition:

- (i) if the site is not developed following demolition, the extent to which the site is landscaped to provide a good standard of visual amenity and whether the site will not be used for temporary or permanent parking.

(d) traffic generation:

- (i) with regard to the effects of building demolition on the transport network:

- proposed hours of operation;
- the frequency and timing of truck movements to and from the site; and
- the location of vehicle access.

H8.8. Assessment – restricted discretionary activities

H8.8.1. Matters of discretion

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

- (1) new buildings and external alterations and additions to buildings not otherwise provided for:

- (a) building design and external appearance;
- (b) form and design of buildings adjoining historic heritage places;
- (c) design of parking, access and servicing;
- (d) design and layout of dwellings, visitor accommodation and boarding houses; and
- (e) functional requirements;

- (2) external alterations and additions to a special character building identified on Map H8.11.1 and buildings constructed prior to 1940 within the Queen Street Valley precinct:

- (a) building design and external appearance;

- (b) architectural style and retention of original building features; and
- (c) consistency with an approved character plan;
- (3) conversion of a building or part of a building to dwellings, visitor accommodation or boarding houses:
 - (a) design and layout of dwellings, visitor accommodation and boarding houses;
- (4) retail (excluding department stores) between 1000m² and 5000m² gross floor area per site:
 - (a) centre amenity and vitality;
- (5) the total or substantial demolition (more than 30 per cent by volume), or any demolition of the front façade of a special character building identified on Map H8.11.1:
 - (a) the matters of control identified in H8.8.1(1) above; and
 - (b) special character values;
- (6) infringement of general building height, building in relation to boundary, streetscape improvement and landscaping, maximum tower dimension, setback from the street and tower separation in special height area, and building setback from boundaries standards:
 - (a) effects of additional building bulk and scale on neighbouring sites, streets and public open spaces (sunlight and daylight access, dominance, visual amenity, and landscape character);
 - (b) consistency with the existing and planned built future form and character of the area/zone; including enabling well-designed buildings which have a human scale podium and slender towers above to maximise sunlight, daylight and outlook, or where towers are not possible, buildings should be well-designed and complement the streetscape and skyline; and
 - (c) site specific characteristics;
- (7) infringement of rooftops standard:
 - (a) amenity effects;
- (8) ~~[Delete] exception to the harbour edge height control plane standard:~~
 - ~~(a) form, scale and dominance effects;~~
 - ~~(b) amenity effects;~~
 - ~~(c) consistency with the streetscape; and~~
 - ~~(d) design of buildings or structures;~~

(8A) Infringement of the harbour edge height control plane standard

(a) The effects of height, form, and scale on:

(i) A city form which transitions in building height down towards the harbour edge

(ii) Maximising visual connections and visual permeability between the city centre and the Waitematā Harbour;

(b) Amenity effects on the streetscape, and adjacent waterfront public open spaces

(8B) infringement of maximum east-west tower dimension standard:

(a) The effects of building form, scale and bulk on providing adequate visual permeability between the city centre and the Waitematā Harbour.

(9) infringement of minimum floor to floor height, building frontage alignment and height and verandahs standards:

(a) effects on the vitality and amenity of streets and public open spaces;

(b) effects on historic heritage and special character buildings; and

(c) effects on the potential of the building to accommodate other uses over time;

(d) for infringements of maximum frontage height (H8.6.25(2)):

(i) building bulk and scale;

(ii) consistency with the existing and planned built form and character of the zone; including enabling well-designed buildings which have a human scale podium and slender towers above to maximise sunlight, daylight and outlook;

(e) site specific characteristics.

(10) infringement of outlook space standard:

(a) privacy and outlook for dwellings;

(b) daylight access and ventilation for dwellings; and

(c) privacy, outlook, daylight access and ventilation for visitor accommodation;

(11) infringement of wind standard:

(a) pedestrian and public amenity;

(12) infringement of glare standard:

(a) pedestrian amenity; and

- (b) traffic safety and efficiency;
- (13) infringement special amenity yards standard
 - (a) effects on amenity; and
 - (b) design of buildings or structures;
- (14) infringement of street sightlines standard:
 - (a) design of buildings or structures.
- (15) infringement of minimum dwelling size standard:
 - (a) effects of reduced living and circulation space.
- (16) infringement of through site links standard:
 - (a) pedestrian access, safety and amenity.

H8.8.2. Assessment criteria

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

- (1) new buildings and external alterations and additions to buildings not otherwise provided for:
 - (a) building design and external appearance:

Contributing to a sense of place

- (i) the extent to which the design of buildings contribute to the local streetscape and sense of place by responding positively to the existing and planned built form and character of the zone and surrounding area and significant natural landforms and landscape features including the Waitematā Harbour;
- (ii) the extent to which the silhouette of the building as viewed from areas surrounding the city centre positively contributes to the city centre's skyline while reinforcing the existing and planned built form and character of the city centre;
 - (iia) the extent to which buildings are designed to create human scale podiums at street level and slender towers above which allow daylight and sunlight into buildings and daylight and sky views to filter down to streets and public places, while respecting the relationship of the city centre with the Waitematā Harbour.
 - (iib) the extent to which buildings are designed to ensure adequate sunlight and daylight access to streets, public places and nearby sites.
 - (iic) The extent to which sunlight, daylight and outlook is provided around buildings at all levels above the podium, to enable light to filter to streets

and complimenting the relationship between the city centre and its surrounds including the Waitematā Harbour by through site views.

Creating a positive frontage

- (iii) the extent to which buildings have clearly defined public frontages that address the street and public open spaces to positively contribute to the public realm and pedestrian safety;
- (iv) whether the ground floor of a new building is at the same level as the adjoining street;
- (v) the extent to which pedestrian entrances are located on the street frontage and are clearly identifiable and level with the adjoining frontage;
- (vi) *[deleted]*
- (vii) for mixed use buildings, whether separate pedestrian entrances are provided for residential uses;
- (viii) where not required by a standard, activities that engage and activate streets and public spaces are encouraged at ground and first floor levels;
- (ix) the extent to which internal space at all levels within buildings is designed to maximise outlook onto street and public open spaces;
- (x) the extent to which dwellings located on the ground floor of buildings fronting streets and public open spaces adversely affect:
 - amenity values and the vitality of the street or public open space, such as on frontages that are subject to the verandah standard; and
 - amenity values in terms of noise and air quality effects, such as on streets that carry high volumes of vehicle traffic.
- (xi) where dwellings are considered to be appropriate at ground floor, the extent to which they are designed to enable passive surveillance of the street/public open space and provide privacy for residents. This could be achieved by:
 - providing balconies over-looking the street or public open space;
 - providing a planted and/or fenced setback where the site adjoins streets or public open space. Fences or landscaping should be low enough to allow direct sight lines from a pedestrian in the public realm to the front of a balcony; or
 - raising the balcony and floor plate of the ground floor dwellings above the level of the adjoining street or public open space to

a height sufficient to provide privacy for residents and enable them to overlook the public realm;

Variation in building form/visual interest

- (xii) the extent to which buildings, including alterations and additions, are designed as a coherent scheme and demonstrate an overall design strategy that contributes positively to the visual quality of the development;
- (xiii) where the proposed development is an addition or alteration to an existing building, the extent to which it is designed with consideration to the architecture to the original building and respond positively to the visual amenity of the surrounding area;
- (xiv) the extent to which buildings are designed to:
 - avoid long, unrelieved frontages and excessive bulk and scale when viewed from streets and public open spaces;
 - visually break up their mass into distinct elements to reflect a human scale and the typical pattern of development in the area; and
 - differentiate ground, middle and upper level;techniques to achieve this include the use of recesses, variation in building height and roof form, horizontal and vertical rhythms and facade modulation and articulation;
- (xv) whether blank walls are avoided on all levels of building frontages to streets and public open spaces;
- (xvi) whether side or rear walls without windows or access points are used as an opportunity to introduce creative architectural solutions that provide interest in the facade including modulation, relief or surface detailing;
- (xvii) the extent to which buildings provide a variety of architectural detail at ground and middle levels including maximising doors, windows and balconies overlooking the streets and public open spaces;
- (xviii) the extent to which roof profiles are designed as part of the overall building form and contribute to the architectural quality of the skyline as viewed from both ground level and the surrounding area. This includes integrating plant, exhaust and intake units and other mechanical and electrical equipment into the overall rooftop design;
- (xix) the extent to which colour variation and landscaping are used- Noting they should not be used to mitigate a lack of building articulation or design quality;
- (xixa) the extent to which glazing is provided on street and public open space frontages and the benefits it provides in terms of:

- the attractiveness and pleasantness of the street and public open space and the amenity for people using or passing through that street or space;
- the degree of visibility that it provides between the street and public open space and the building interior; and
- the opportunities for passive surveillance of the street and public open space from the ground floor of buildings.

(xixb) the extent to which adequate separation between buildings is provided:

- to ensure sunlight and/or daylight reaches the street
- to ensure streetscape amenity
- to avoid a sense of dominance to the street and neighbouring sites
- to ensure gaps are created between buildings which allow physical, cultural and visual connections to the Waitematā Harbour and maunga.

(xx) for residential development:

- the extent to which the mechanical repetition of unit types is avoided;
- the extent to which balconies are designed as an integral part of the building. A predominance of cantilevered balconies should be avoided;
- whether apartments above ground floor can be accessed from internal corridors or entrance way. External walkways/breezeways should generally be avoided;

Materials and finishes

- (xxi) the extent to which buildings use quality, durable and easily maintained materials and finishes on the façade, particularly at street level;
- (xxii) where provided, the extent to which signs are designed as an integrated part of the building façade;

Cultural identity

- (xxiii) the extent to which development integrates mātauranga, ~~and~~ tikanga and Māori design principles into the design of new buildings and public open spaces; and

Functional requirements

- (xxiv) whether the design recognises the functional requirements of the intended use of the building;

(b) form and design of buildings adjoining historic heritage places:

- (i) buildings adjoining a scheduled historic heritage place:
- whether the proposed building is located and designed to have regard to the significant historic heritage elements and built form of the place. This does not mean a rigid adherence to the height of the place, nor does it reduce the development potential of the site, but it does require careful consideration in terms of the form and design of the building to minimise the effects of dominance;
 - may not be required to adjoin the site frontage if a better design outcome could be achieved by respecting the setback and/or spatial location of the place; or
 - whether the proposed building uses materials and/or design detail that respect rather than replicate any patterns or elements existing in the place, however new and contemporary interpretations in form and detail may be used;
- (c) design of parking, access and servicing:
- (i) whether parking is located, in order of preference, underground, to the rear of building or separated from the street frontage by uses that activate the street;
- (ii) where parking is provided at lower building levels, the extent to which it is fully sleeved with active uses or activities that provide passive surveillance of the street and contribute to pedestrian interest and vitality. Above this, the extent to which car parking is fully screened on all sides of the building using design methods that present facades that are visually attractive and avoid night time light spill, noise and air quality effects on nearby sites and streets and public open spaces;
- (iii) whether vehicle crossings and accessways are designed to reduce vehicle speed, be visually attractive and clearly signal to pedestrians the presence of a vehicle crossing or accessway;
- (iv) whether pedestrian access between parking areas, building entrances/lobbies and the street provide equal access for people of all ages and physical abilities, a high level of pedestrian safety and be visually attractive;
- (v) whether separate vehicle and pedestrian access are provided within parking areas. Shared pedestrian and vehicle access may be appropriate where a lane or street is proposed within a development site. The shared space should prioritise pedestrian movement;
- (vi) whether ramps visible from the street are avoided, however, where necessary, whether they are minimal in length and integrated into the design of the building;

- (vii) for commercial activities, whether suitable provision is made for on-site rubbish storage and sorting of recyclable materials that:
 - is a sufficient size to accommodate the rubbish generated by the proposed activity;
 - is accessible for rubbish collection; and
 - for new buildings, is located within the building
- (viii) where appropriate, whether a waste management plan is provided and:
 - includes details of the vehicles to be used for rubbish collection to ensure any rubbish truck can satisfactorily enter and exit the site; and
 - provides clear management policies to cater for different waste management requirements of the commercial tenancy and residential activities.
- (ix) for alterations or additions to existing buildings where it is not possible to locate the storage area within the building, whether they are located in an area not visible from the street or public open spaces;
- (x) whether the development is able to be adequately served by wastewater and transport infrastructure; and
- (xi) whether servicing elements (including venting and air-conditioning units) are located on the roof of the building or internal to the site and not on street-facing facades. Where this is not possible (e.g. alterations to a shop front), the extent to which servicing:
 - forms an integrated element of the building façade; and
 - is located so that it minimises adverse effects such as noise/odour on neighbouring sites and the public realm;
- (d) design and layout of dwellings, visitor accommodation and boarding houses:
 - (i) the extent to which dwellings are located, proportioned and orientated within a site to maximise the amenity of future residents by:
 - clearly defining communal, semi-communal and private areas within a development;
 - maximising passive solar access while balancing the need for buildings to front the street; and
 - providing for natural cross-ventilation by window openings facing different direction.

(ii) the extent to which visitor accommodation and boarding houses are designed to achieve a reasonable standard of internal amenity. Taking into account:

- any specific internal design elements that facilitate the more efficient use of internal space;
- the relationship of windows or balconies to principal living rooms; and
- the provision of larger indoor or outdoor living spaces whether communal or exclusive to the visitor accommodation and boarding houses is more important for units that are not self-contained.

(iii) whether suitable provision is made for on-site rubbish storage and sorting of recyclable materials that:

- is a sufficient size to accommodate the rubbish generated by the proposed activity;
- is accessible for rubbish collection;
- for new buildings, is located within the building; and
- for alterations or additions to existing buildings where it is not possible to locate the storage area within the building, whether the storage area is enclosed and not visible from the street or public open spaces.

(iv) whether a waste management plan:

- includes details of the vehicles to be used for rubbish collection to ensure any rubbish truck can satisfactorily enter and exit the site; and
- provides clear management policies to cater for different waste management requirements of the commercial tenancy and residential activities;

(2) external alterations and additions to special character buildings identified on Map H8.11.1 and buildings constructed prior to 1940 within the Queen Street Valley precinct:

(a) building design and external appearance:

(i) refer to the assessment criteria in H8.8.2(1)(a), H8.8.2(1)(b) and H8.8.2(1)(c) above.

(b) architectural style and retention of original building features:

(i) whether alterations and additions to special character buildings:

- are in keeping with the building's architectural form, proportions and style and whether materials that are sympathetic to those originally used;
- retain as much of the existing building façade as practicable by refurbishing, restoring and adapting parts of the building rather than replacing them;
- are in a contemporary architectural style and whether they are designed to be sympathetic to the form, bulk, proportions and articulation of the existing building or buildings on the site; and
- avoid additional structures such as aerials and air-conditioning units on street-facing facades of the special character building. However, where they are necessary, whether they are appropriately located and designed to reduce the appearance of visual clutter.

(c) consistency with an approved character plan:

- (i) whether alterations and additions are consistent with a character plan, where one has been approved for the site;

(3) conversion of a building or part of a building to dwellings, visitor accommodation or boarding houses:

(a) design and layout of dwellings, visitor accommodation and boarding houses:

- (i) refer to the assessment criteria in H8.8.2(1)(d) above;

(4) retail (excluding department stores) between 1000m² and 5000² gross floor area per site:

(a) centre amenity and vitality:

- (i) whether retail greater than 1000m² and less than 5000m² gross floor area per site outside of the core retail area:

- significantly adversely affect the amenity values and functions of the core retail area having regard to the activity's proposed size, composition and characteristics; and
- provide a net positive benefit in terms of the community's convenient access to commercial activities and community services, including having regard to whether locating within the core retail area would result in adverse environmental effects on the form, function or capacity of the core retail area;

(5) the total or substantial demolition (more than 30 per cent by volume) or any demolition of the front façade of a special character building identified on Map H8.11.1:

(a) the assessment criteria in H8.7.2(1) above apply in addition to the criteria below;

(b) special character values:

(i) whether the total or substantial demolition (more than 30 per cent by volume) or any demolition of the front facade of a special character building significantly adversely affect the built form and streetscape character of the surrounding area. In considering this, the Council will have regard to the following:

- whether the building forms part of a cohesive group of buildings similar in age, scale, proportion or design and the extent to which the building's demolition would detract from the shared contribution that group makes to streetscape, the unique special character or the history and context of the area;
- whether the building makes a significant contribution to the historic context, character or cohesiveness of the surrounding streetscape;
- whether the building is a remnant example of a building type that reflects the history of the area;
- the extent of the building's contribution to any adjoining or nearby scheduled places, either through the context and the relationship of the building to the scheduled place or through the building's mass, height or rhythm of facades;
- whether demolition would adversely affect the historic heritage values of any neighbouring scheduled historic heritage places; and
- whether the proposal has fully considered whether reasonable use of the site could be achieved through the adaptive re-use of the building rather than through demolition and replacement.

(ii) notwithstanding the above, other factors will be considered and balanced when assessing an application for the demolition of a special character building, including:

- whether the building is beyond rehabilitation in terms of poor structural or physical condition, and the costs of the repair work or upgrading necessary to extend the useful life of the building are prohibitive in comparison to the costs of a new building of similar size; and
- whether the building is beyond rehabilitation to its original state and the costs of the rehabilitation to reproduce the qualities of the building and enhance the architectural qualities and special

characteristics of the streetscape and the surrounding area, in comparison to the costs of a new building of a similar size;

- (6) infringement of general building height, building in relation to boundary, streetscape improvement and landscaping, maximum tower dimension, setback from the street and tower separation in special height area, and building setback from boundaries standards:
- (a) effects of additional building bulk and scale on neighbouring sites and streets and public open spaces (sunlight and daylight access, dominance, streetscape amenity, visual amenity and landscape character):
 - (i) whether minor height infringements may be appropriate where it would provide an attractive and integrated roof form that also meets the purpose of the standard;
 - (ii) whether height or setback infringements may be appropriate on corner sites to reinforce the prominence of the corner where it meets the relevant standard infringement criteria and makes a positive contribution to the streetscape; and
 - (iii) whether ~~minor~~ infringements to the building in relation to boundary standard or the streetscape improvement and landscaping standard may be appropriate where the spacious landscaped character of the area is retained.
 - (b) consistency with the existing and planned future built form and character of the zone/area:
 - (i) where building height or maximum tower dimension, setback from the street and tower separation in special height area, and building setback from boundaries standards is infringed whether the proposal demonstrates that Policies H8.3(29), H8.3(29A), H8.3(30), and H8.3(31) and H8.3(38) of the Business – City Centre Zone are met.
 - (c) site specific characteristics:
 - (i) whether there are particular site specific characteristics in terms of narrow site size, unusual site size, shape or orientation, or the location and nature of existing buildings which have constrained the form of the development proposed;
 - (ii) where towers are not possible, the extent to which buildings are well-designed and complement the streetscape and skyline;
- (7) infringement of rooftops standard:
- (a) amenity effects:
 - (i) whether rooftop projections result in a cluttered roof appearance when viewed from the street and surrounding buildings;
- (8) [Deleted] exception to the harbour edge height control plane standard:

~~(a) visual profile:~~

- ~~(i) the effects of the building profile on the form of the city centre when viewed from the main city centre approaches by land and water and from public places which offer comprehensive views. Whether the building must be of a scale, bulk, appearance and location which represents a visually compatible addition to the city centre.~~

~~(b) waterfront amenity:~~

- ~~(i) whether the building bulk penetrating the Harbour Edge Height Control Plane results in significant loss of amenity to adjacent waterfront public areas. Particular consideration will be given to sunlight admission, shading and air movement at street level and at public gathering places.~~

~~(c) streetscape and street corners:~~

- ~~(i) the extent to which the proposed building is consistent with the scale, visual harmony and form of the existing streetscape, in particular the relationship to street corners, especially for sites fronting Quay Street, Customs Street and Queen Elizabeth Square.~~

~~(d) effects on surrounding properties:~~

- ~~(i) whether the building allows for adequate light, space and general amenity around the development and where possible through the site while noting that it is not the intention of this provision to protect views from private property to the harbour.~~

~~(e) design of upper parts of buildings or structures:~~

- ~~(i) the extent to which the part of the building which protrudes through the harbour edge height control plane is designed in a manner which avoids abrupt or arbitrary truncation of the upper parts of the building or structure.~~

~~(f) particular constraints:~~

- ~~(i) whether there are particular site development characteristics in terms of unusual site size, shape or orientation, or the location and nature of existing buildings which have constrained the form of the development proposed.~~

(8A) infringement of the harbour edge height control plane standard:

(a) Height, form, and scale:

(i) The extent to which the building (including roof structures) are designed to reinforce the planned built form of the city centre and the waterfront when viewed from:

- within the city centre and main approaches to the city centre by land and water; and
- public spaces which offer comprehensive views.

(ii) The extent to which the part of the building which protrudes through the harbour edge height control plane:

- Avoids abrupt or arbitrary truncation of the upper parts of the building or structure.
- Is visually compatible with its proximity to the Waitematā Harbour, taking into account:
 - Whether the expression of the building provides visual interest and variation;
 - Whether the design visually reinforces the building's sense of place on the waterfront; and
 - The clustering of building heights to reinforce transitioning to a lower density waterfront setting.
- Maintains visual and physical connections and visual permeability to the Waitematā Harbour through the city centre by providing adequate airspace, sunlight, daylight and amenity around towers.

(b) Amenity effects on the streetscape and adjacent public open spaces along the waterfront:

(i) The extent to which building bulk above the harbour edge height control plane results in loss of amenity to adjacent public open spaces along the waterfront, including:

- Sunlight admission.
- Shading and dominance at street level and public spaces, in particular Quay St, Queen St, and Customs St.

(c) Particular constraints:

(i) Whether there are particular site development characteristics in terms of unusual site size, shape or orientation, or the location and nature of existing buildings which have constrained the form of the development.

(8B) infringement of maximum east-west tower dimension standard:

(a) The effects of building form, scale and bulk on providing adequate physical, cultural and visual connections, and visual permeability between the city centre and the Waitematā Harbour:

(i) The extent to which towers have spaces between and around them providing north-south views of the harbour.

(ii) the extent to which towers have a square or north-south alignment.

(iii) the extent to which buildings avoid creation of a wall of built form which reduces views to the harbour from the city centre.

(9) infringement of minimum floor to floor height, building frontage alignment and height and verandahs standards:

(a) effects on the vitality and amenity of streets and public open spaces;

(b) effects on historic heritage and special character buildings:

(i) the Council will give priority to protecting important features of historic heritage and special character building ground floor facades over compliance with the street frontage standard.

(c) effects on the potential of the building to accommodate other uses over time.

(d) for infringement of maximum frontage height (H8.6.25(2)):

(i) effects of additional building scale on neighbouring sites, streets and public open spaces (sunlight and daylight access, dominance, visual amenity, and landscape character):

- the extent to which buildings have clearly defined human scale frontages that address the street and public open spaces to positively contribute to the public realm and pedestrian safety;
- the extent to which buildings are designed to provide adequate sunlight, daylight and sky view access to streets, public places and nearby sites.
- whether maximum frontage height infringements may be appropriate on corner sites to reinforce the prominence of the corner where it meets the relevant standard infringement criteria and makes a positive contribution to the streetscape;

(ii) whether the proposal demonstrates that Policies H8.3(30), H8.3(31), H8.3(34) and H8.3(38) of the Business – City Centre Zone are met.

(iii) whether there are particular site specific characteristics in terms of unusual site size, shape or orientation, or the location and nature of existing buildings which have constrained the form of the development proposed.

(10) infringement of outlook space standard:

(a) privacy and outlook for dwellings:

(i) dwellings that infringe the outlook standard, whether they will have a good standard of outlook and visual and acoustic privacy between principal living rooms and bedrooms of dwellings on the same and between dwellings on adjacent sites and will not prevent a complying residential development on an adjoining site.

(b) daylight access and ventilation for dwellings:

- (i) dwellings that infringe the outlook standard, whether the dwellings will receive a good degree of natural light and ventilation, particularly those at lower building levels.
- (c) privacy, outlook, daylight access and ventilation for visitor accommodation:
 - (i) the criteria for dwellings in H8.8.2(10)(a) and H8.8.2(10)(b) above apply, except that a lesser dimension of outlook separation to a minimum of 6.0m from bedrooms or principle living areas may be acceptable in some cases where the intent of criteria H8.8.2(10)(a) and H8.8.2(10)(b) above are satisfied and, with the exception of Crown land, where certainty can be provided, through a registered covenant in favour of the Council or another equally restrictive mechanism, that the building or area within a building is not to be used for accommodation other than visitor accommodation and is to be managed as a single entity in perpetuity;
- (11) infringement of wind standard:
 - (a) pedestrian amenity:
 - (i) whether development avoids excessive wind velocity and turbulence in outdoor pedestrian spaces; and
 - (ii) consideration will be given to the potential for mitigation measures to be incorporated into the development to minimise exacerbation of existing wind conditions;
- (12) infringement of glare standard:
 - (a) pedestrian amenity:
 - (i) the extent to which glare from external surfaces may cause discomfort or hazards to pedestrians.
 - (b) traffic safety and efficiency:
 - (i) the extent to which glare may generate hazards for drivers;
- (13) special amenity yards:
 - (a) effects on amenity:
 - (i) the extent to which buildings within special amenity yards avoid significant adverse effects on pedestrian and/or streetscape amenity.
 - (b) design of buildings or structures:
 - (i) the nature, extent and form of any building element or feature proposed within a special amenity yard;
 - (ii) the extent to which any building element or feature proposed within the Queen Street special amenity yard obscures:

- views of the Ferry Building and harbour glimpses available through the special amenity yard from Queen Elizabeth Square and the Central Post Office building; or
- views of the Central Post Office Building through the special amenity yard from the Ferry Building.

(iii) the extent to which the proposed building element constitutes a visually competing intrusion into the foreground or background of the protected sightline(s);

(14) street sightlines:

(a) design of buildings or structures:

- (i) the nature, extent and form of the proposed non-complying feature;
- (ii) the extent to which the proposed non-complying built element will obscure the protected sightline from the key location in the city centre to significant landmarks and the harbour; or
- (iii) the extent to which the proposed non-complying element constitutes a visually competing intrusion into the foreground or background of the protected sightline.

(15) infringement of minimum dwelling size standard:

(b) Effects of reduced living and circulation space, on residential amenity

(iv) Dwellings that do not comply with the minimum dwelling size standard must demonstrate that:

- the proposed dwelling size provides a good standard of amenity for the number of occupants the dwelling is designed for
- there is adequate circulation around standard sized furniture.

(v) Methods to achieve (i) above may include use of built in furniture and mezzanine areas with good access and head height. Provision of a larger private outdoor space may provide amenity that mitigates a smaller dwelling size.

(16) infringement of through-site link standard:

(a) pedestrian access, safety and amenity:

(i) whether pedestrians including mobility-aid users can safely and easily navigate the through-site link;

(ii) whether through-site links provide a connection between two streets or other public areas to create interest in the city and have a clearly visible origin and destination;

(iii) the extent to which the design of the through-site link takes the pedestrian's desired routes into consideration when determining location;

(iv) the extent to which through-site links are of a width proportionate to the scale of development to create a sense of enclosure, with a ratio of 1:5 being encouraged;

(v) the extent to which through-site links have active uses along at least one side; and

(vi) the extent of the hours of public accessibility.

H8.9. ~~[Deleted]~~Assessment – bonus floor area

H8.9.1. ~~Controlled activities~~

H8.9.1.1. ~~Matters of control~~

~~The Council will reserve its control to all of the following matters when assessing a controlled activity resource consent application for development seeking to obtain bonus floor space:~~

~~(1) the use or transfer of historic heritage and special character floor space:~~

~~(a) recording the use/transfer of floor space on the certificate of title.~~

H8.9.1.2. ~~Assessment criteria~~

~~The Council will consider the relevant assessment criteria below for controlled activities:~~

~~(1) the use or transfer of historic heritage and historic special character floor space:~~

~~(a) recording the use/transfer of floor space on the certificate of title.~~

H8.9.2. ~~Restricted discretionary activities~~

H8.9.2.1. ~~Matters of discretion~~

~~The Council will reserve its discretion to all of the following matters when assessing a restricted discretionary resource consent application for development seeking to obtain bonus floor space:~~

~~(1) public open space:~~

~~(a) pedestrian safety, interest and amenity;~~

~~(b) universal access;~~

~~(c) sunlight access; and~~

~~(d) landscaping, lighting and materials;~~

~~(2) through-site links:~~

~~(a) pedestrian safety, interest and amenity;~~

~~(b) universal access;~~

- ~~(c) daylight access; and~~
- ~~(d) landscaping, lighting and materials.~~
- ~~(3) works of art:~~
 - ~~(a) artistic quality; and~~
 - ~~(b) public access;~~
- ~~(4) securing historic heritage building floor space:~~
 - ~~(a) effects on historic heritage;~~
- ~~(5) securing special character building floor space:~~
 - ~~(a) effects on special character;~~
- ~~(6) Residential activities:~~
 - ~~(b) internal and on-site amenity;~~
- ~~(7) infringements to bonus floor area standards:~~
 - ~~(a) public benefit.~~

~~H8.9.2.2. Assessment criteria~~

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

- ~~(1) public open space:~~
 - ~~(a) pedestrian safety, interest and amenity:~~
 - ~~(i) the extent to which pedestrian desire lines are provided to, from and within the public open space;~~
 - ~~(ii) the extent to which the design of the public open space has have a sense of order and proportion and have regard to the human scale;~~
 - ~~(iii) the extent to which orientation and design provides pedestrians with protection from the wind, particularly in those locations where seating is provided;~~
 - ~~(iv) the extent to which a significant area of the public open space is visible from its entrance onto the street;~~
 - ~~(v) the extent to which buildings adjoining the public open space are designed to provide for, or facilitate the establishment of, those activities which attract people, especially at night. For example upper level residential accommodation with windows or balconies~~

~~overlooking the amenity area would be appropriate, as would adjoining cafes, restaurants or small shops. Blank facades, offices and activities with very large frontages, especially those which are traditionally closed at night and weekends should be avoided; and~~

~~(vi) the extent to which good visibility to, from and within the public open space is provided to ensure public safety;~~

~~(b) sunlight access:~~

~~(i) the extent to which sunlight access into the space is maximised. The extent to which seating areas are located to avoid being shaded from 10am to 3pm in mid-winter where practical;~~

~~(c) landscaping, lighting and materials:~~

~~(i) the extent to which areas of landscaping dominate any paved pedestrian area;~~

~~(ii) the extent to which seating and landscaping is in pleasant, clearly visible, convenient and safe locations. As a guide landscaping may comprise low shrubs and plants or tall open trees and shrubs which do not screen an area off;~~

~~(iii) the extent to which high quality and durable materials are used; and~~

~~(iv) whether the public open space is well lit. Whether the lighting provides a high vertical luminance so that shadows of people and indications of movement are easily seen, even at a distance;~~

~~(2) through-site links:~~

~~(a) the assessment criteria in H8.9.2.2(1)(a)(v) – (vi), H8.9.2.2(1)(b)(i) and H8.9.2.2(1)(d)(iii) above apply;~~

~~(b) pedestrian safety, interest and amenity:~~

~~(i) whether through-site links provide a connection between two streets or other public areas to create interest in the city and have a clearly visible origin and destination;~~

~~(ii) the extent to which the design of the through-site link take the pedestrian's desired routes into consideration when determining location;~~

~~(iii) the extent to which lanes are of a width proportionate to the scale of development to create a sense of enclosure, with a ratio of 1:5 being encouraged; and~~

~~(iv) the extent to which lanes have active uses along at least one side.~~

~~(c) daylight access:~~

- ~~(i) the extent to which arcades are covered and lined with active uses at the level of the arcade; and~~
- ~~(ii) the extent to which arcades are of generous height to maximise a sense of space and maximise daylight penetration to their interior;~~

~~(3) works of art:~~

~~(a) artistic quality:~~

- ~~(i) the extent to which the work of art is in media adequate for the site such as a sculpture, mural, glass, or water feature; and~~
- ~~(ii) the extent to which the work of art aesthetically enhances the public space to which it relates having regard to its artistic merit, scale and placement as adjudged by the Council;~~

~~(b) public access:~~

- ~~(i) whether works of art are freely accessible from public space during daylight hours by being incorporated as a feature into the development or on the facade of the building for which the bonus is claimed, or be in the form of a night time feature;~~

~~(4) securing historic heritage building floor space:~~

- ~~(a) refer to the relevant policies and assessment criteria in [D17 Historic Heritage Overlay](#);~~

~~(5) securing special character building floor space:~~

~~(a) effects on special character:~~

- ~~(i) whether the character plan outlines the significant features of the building that contribute to the built and streetscape character of the surrounding area, and how any future works should be undertaken to respect the significant features of the building identified in the plan;~~

~~(6) residential activities:~~

~~(a) internal and on-site amenity:~~

- ~~(i) the extent to which the residential development provides a high standard of internal amenity and on-site amenity for occupants of the residential development.~~
- ~~(ii) To demonstrate this, and in order for the bonus floor space to be awarded for residential activities, residential developments must~~

~~comply with all of the relevant standards and be consistent with the assessment criteria for residential developments.~~

~~In some circumstances it may be appropriate to award the bonus floor space where the development (or part thereof) does not comply with the relevant standards. In this instance, the applicant will need to demonstrate that an equal or better standard of amenity can be achieved when compared with a development that complies with the relevant standards.~~

~~(7) infringements to bonus floor area standards:~~

~~(a) public benefit:~~

~~(iii) whether the proposal meets the intent of the bonus as contained in its associated stated purpose or it is unreasonable or impractical to enforce the standard; and~~

~~(iv) whether the application to infringe the standard would achieve the objectives and policies of the Business – City Centre Zone.~~

H8.10. Special information requirements

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

H8.10.1. Alterations and additions to buildings identified as historic heritage and special character

(1) For scheduled historic heritage buildings, the applicant must prepare a conservation plan (or update an existing conservation plan where one already exists) and demonstrate that a programme of works will be undertaken including a maintenance plan to guide ongoing regular maintenance and cleaning. This information shall be provided where the application is for:

(a) substantial demolition or destruction;

(b) relocation within the scheduled extent of place; or

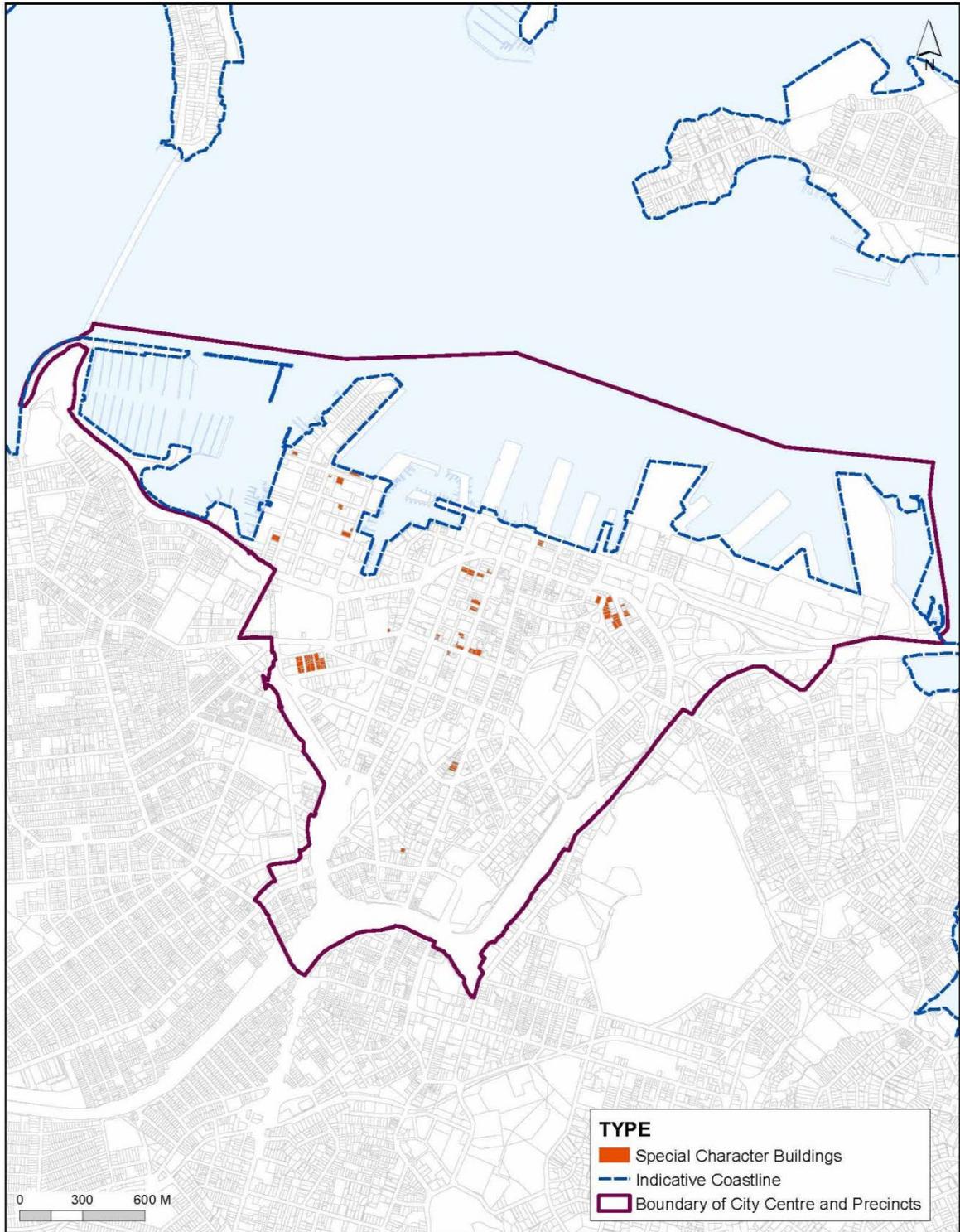
(c) significant restoration or modification works.

(2) For any application for works affecting identified special character buildings, the applicant must prepare a character plan that details how the significant features of the building that contribute to streetscape amenity will be retained and enhanced. The plan must demonstrate that a programme of works will be undertaken, including a maintenance plan to guide ongoing regular maintenance and cleaning. The plan shall be commensurate with the effects of the proposed works on special character values. For the purpose of this information requirement, 'identified special character buildings' are all pre-1940s buildings within the Queen Street Valley precinct and those identified on Map H8.11.1.

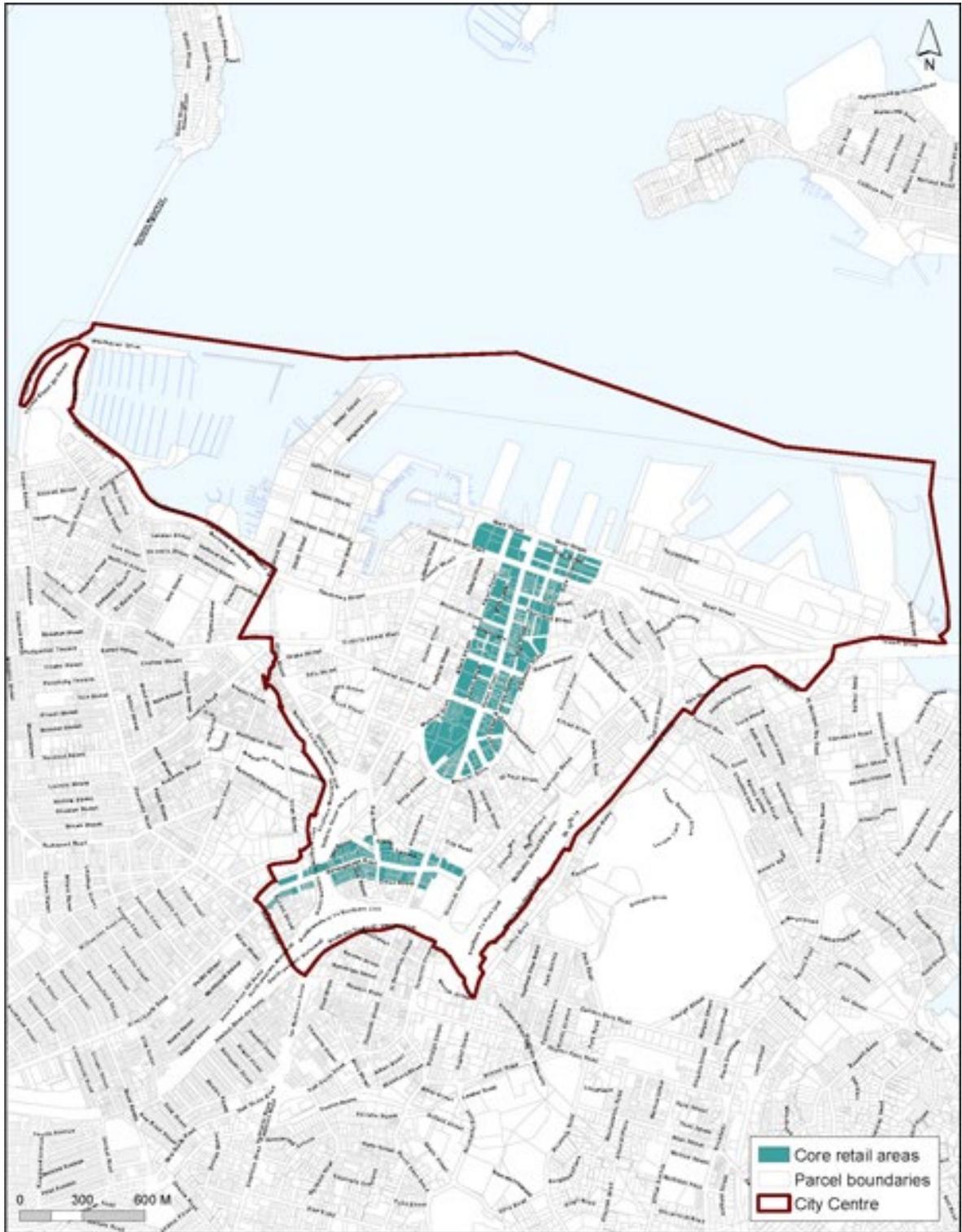
Qualifying matter
as per s770(j)
of the RMA

H8.11. Maps

Map H8.11.1 Special character buildings

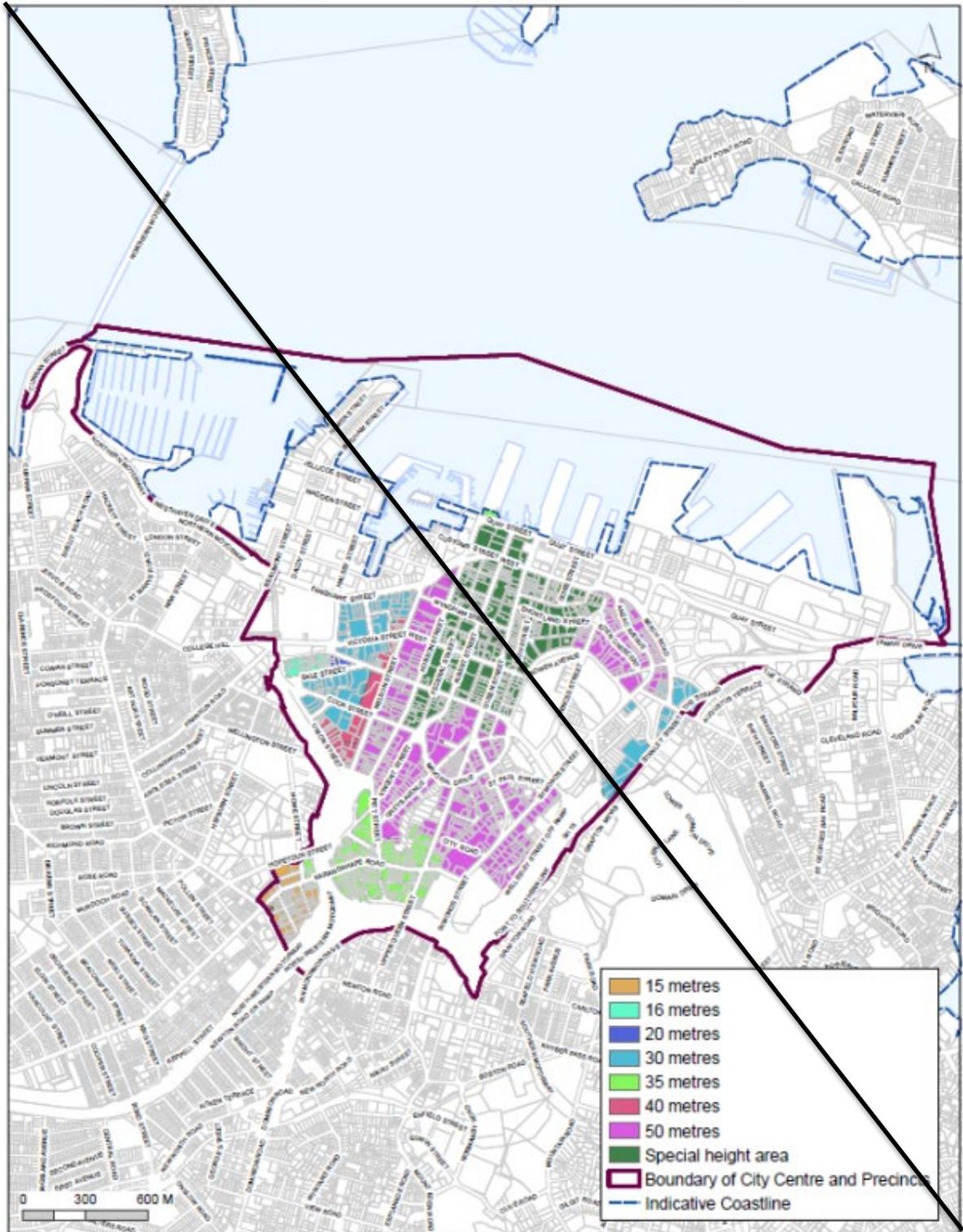


Map H8.11.2 Core retail areas



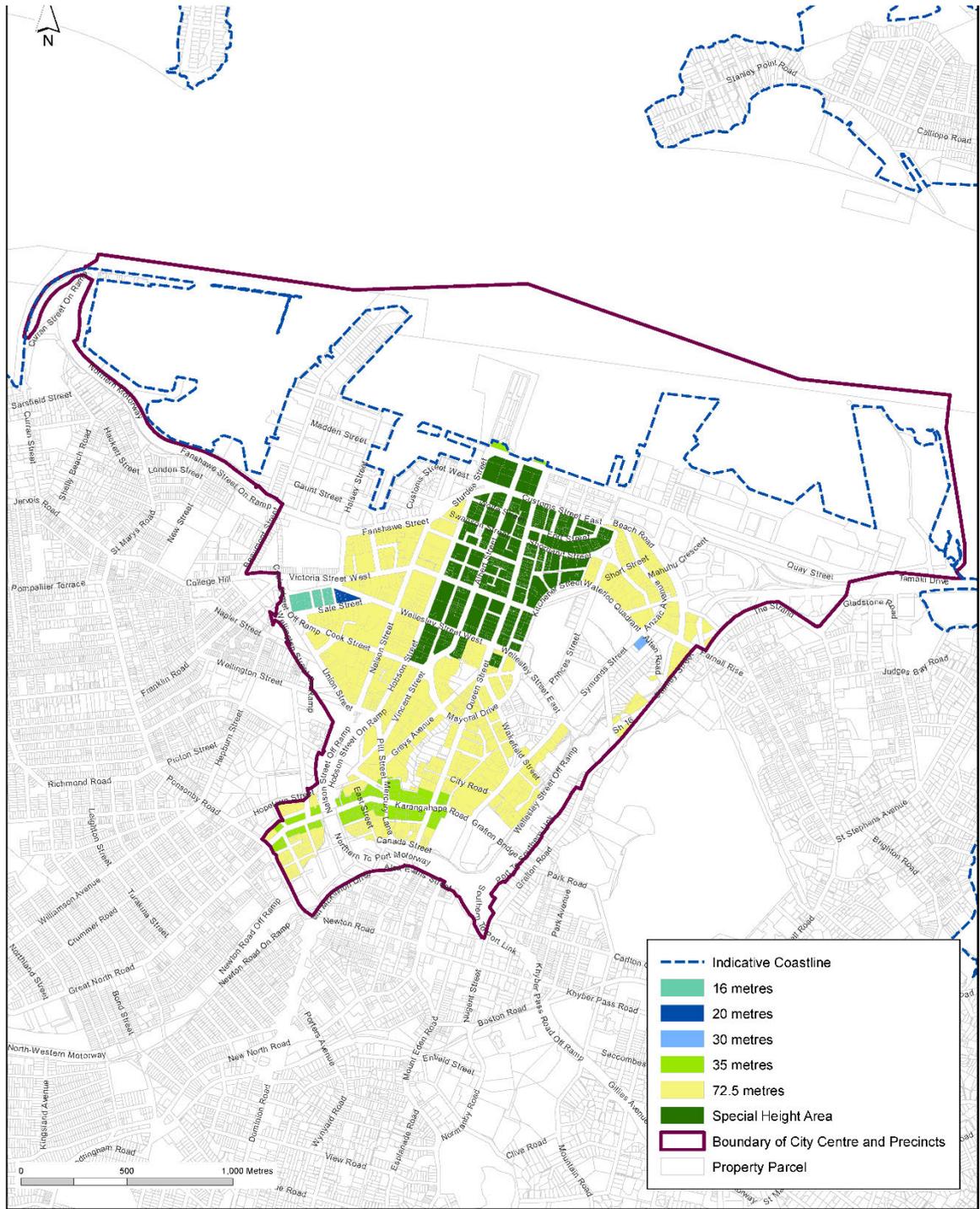
Qualifying matter as per s770(a) of the RMA

Map H8.11.3 General height controls

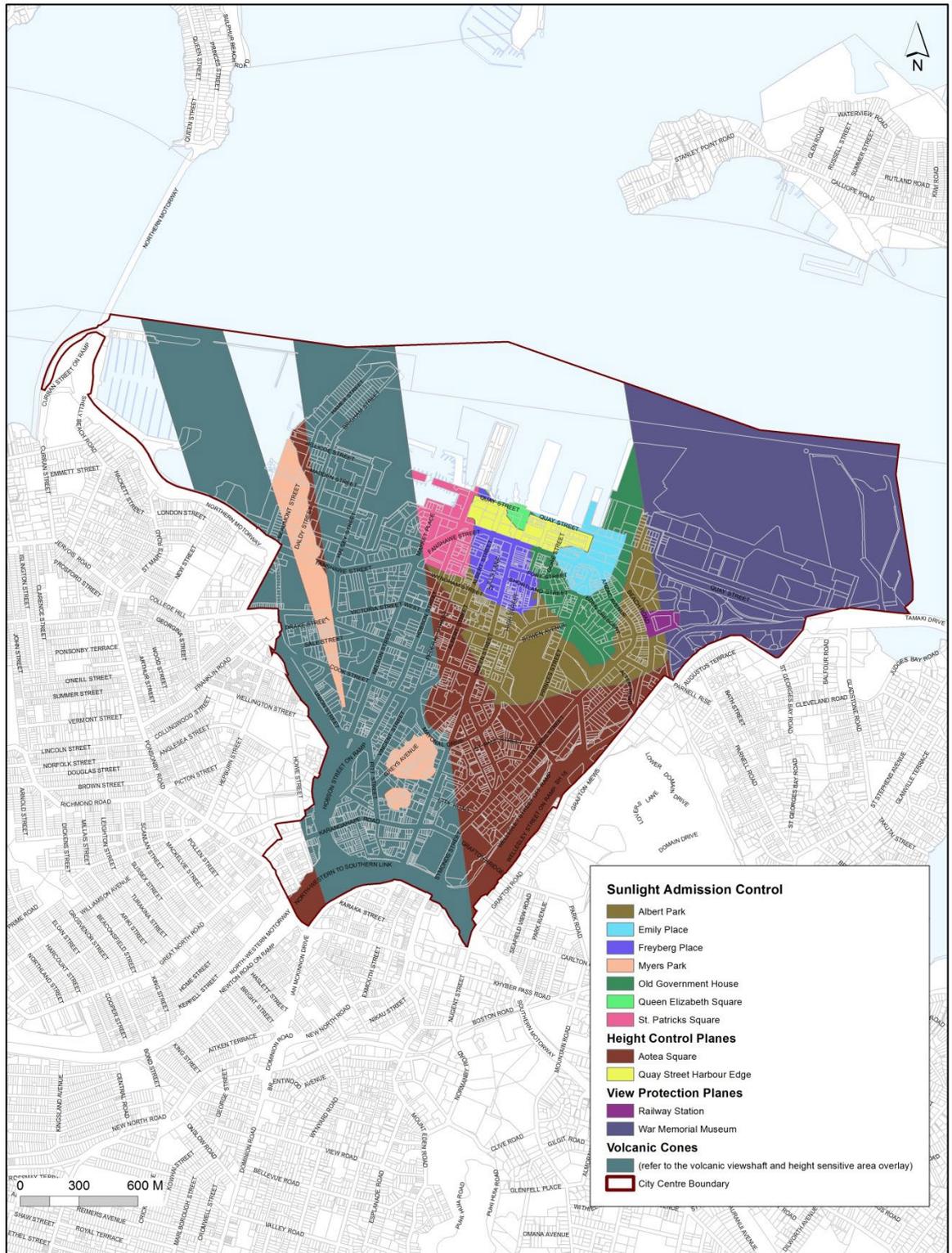


H8 Business – City Centre Zone

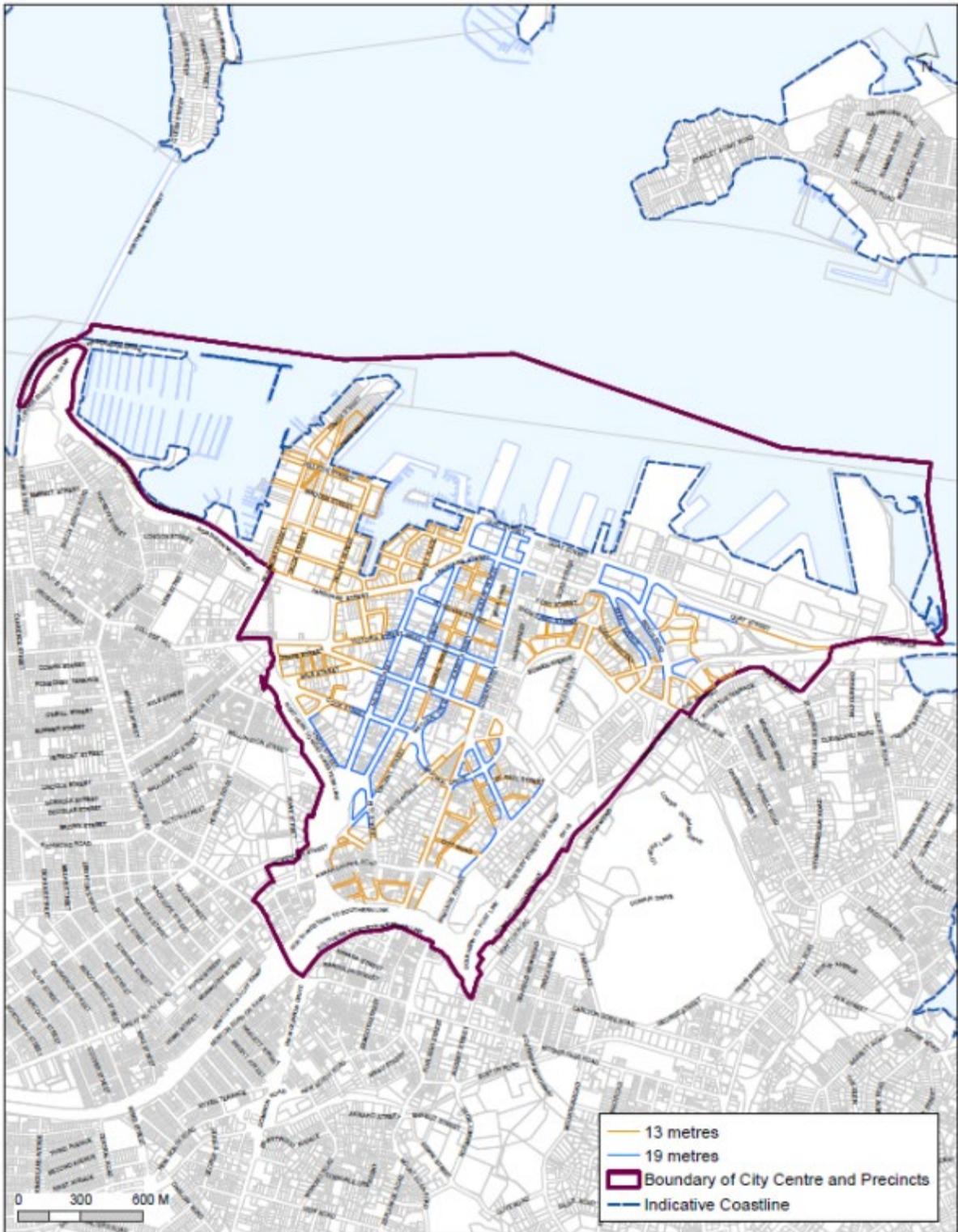
Qualifying matter as per s770(a) of the RMA



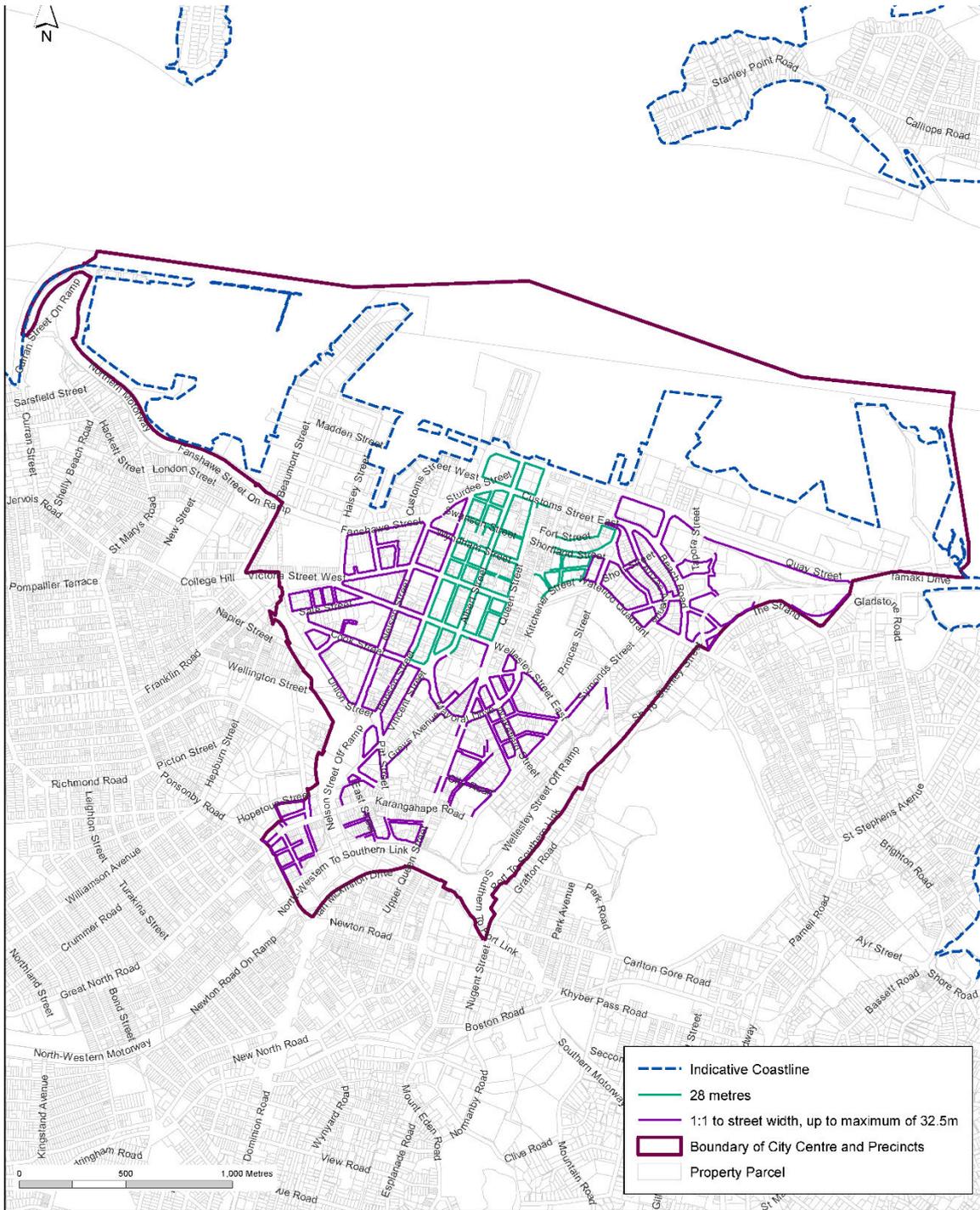
Map H8.11.4 Special height controls



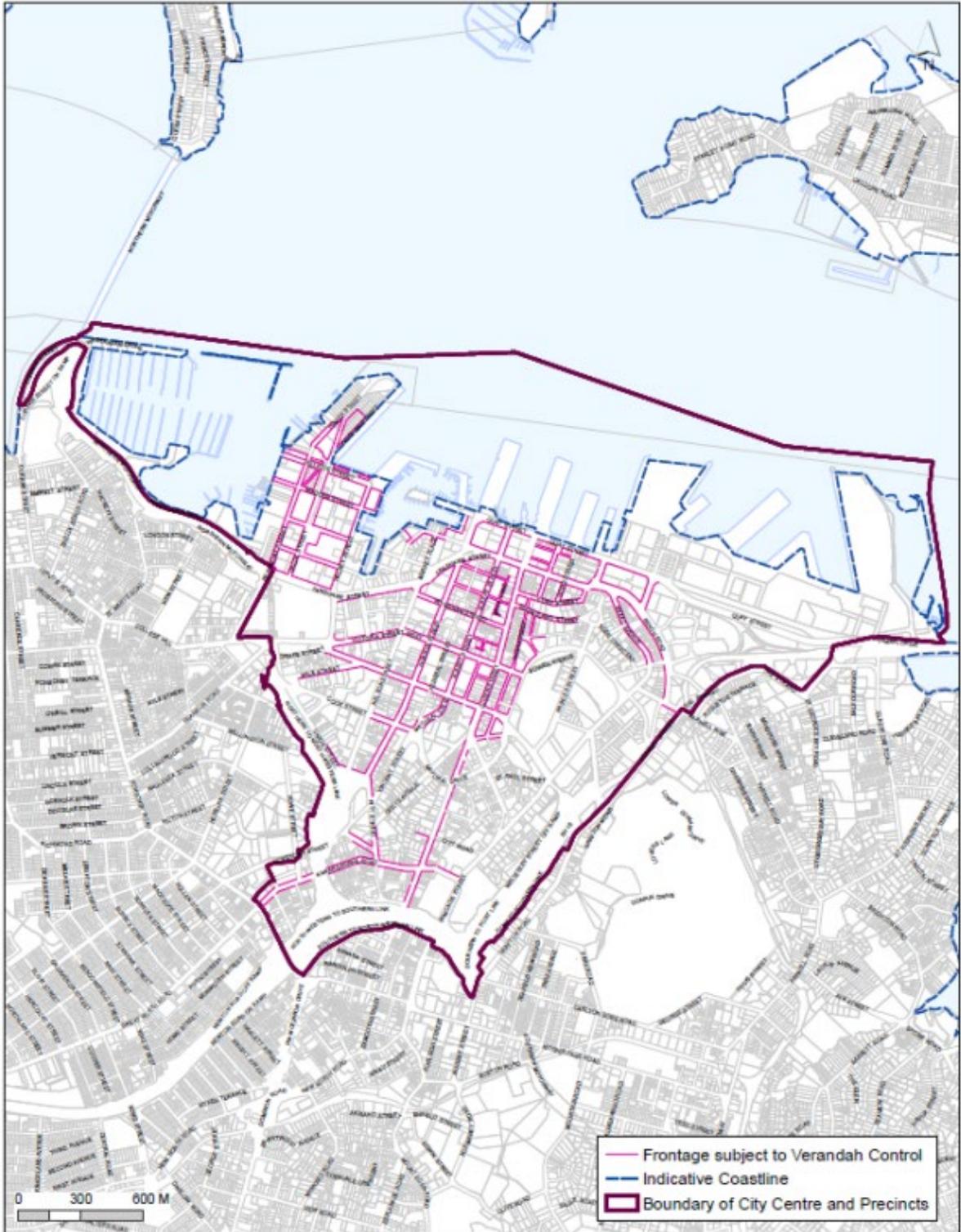
Map H8.11.5 Minimum frontage height



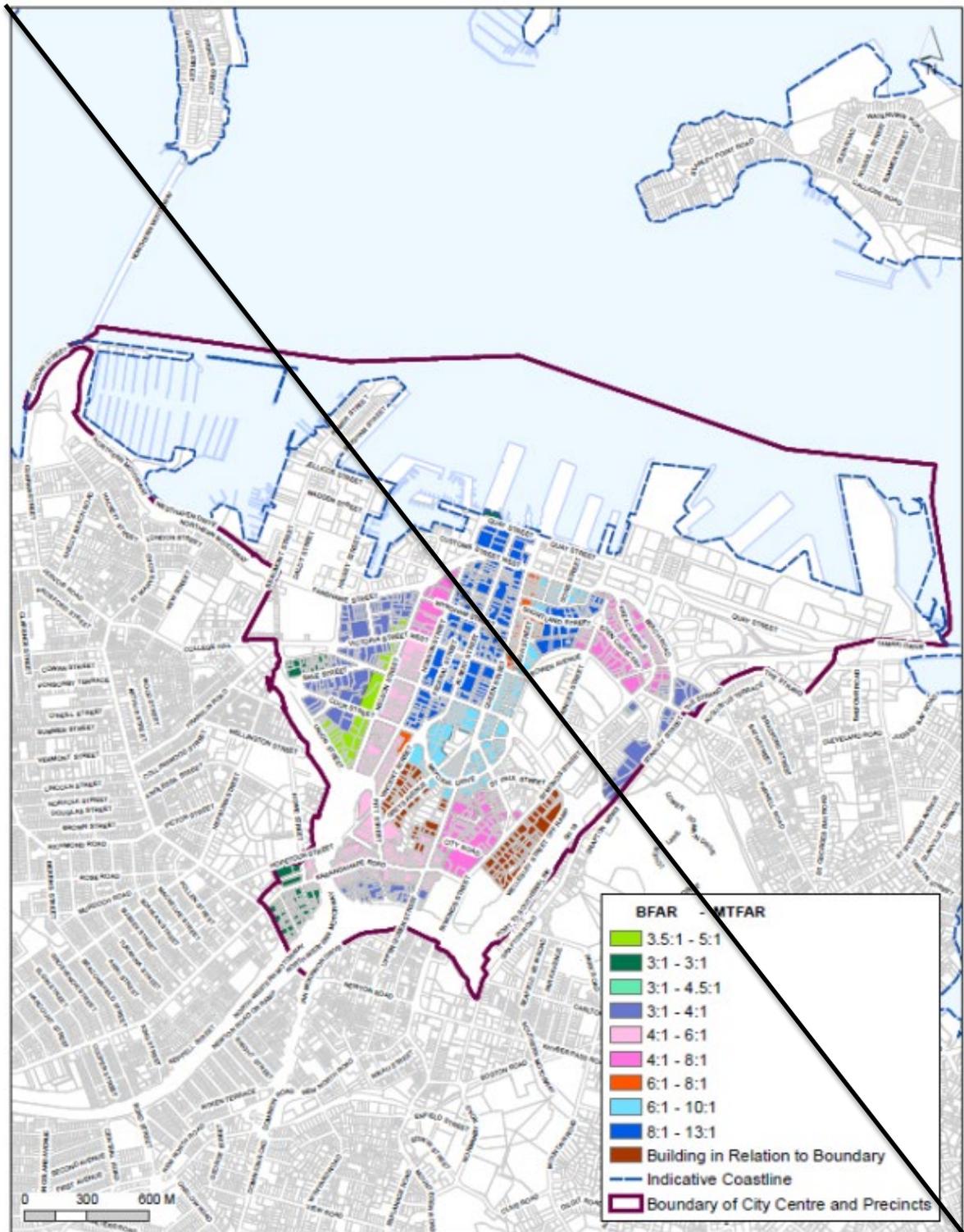
Map H8.11.5A Maximum frontage height



Map H8.11.6 Verandahs

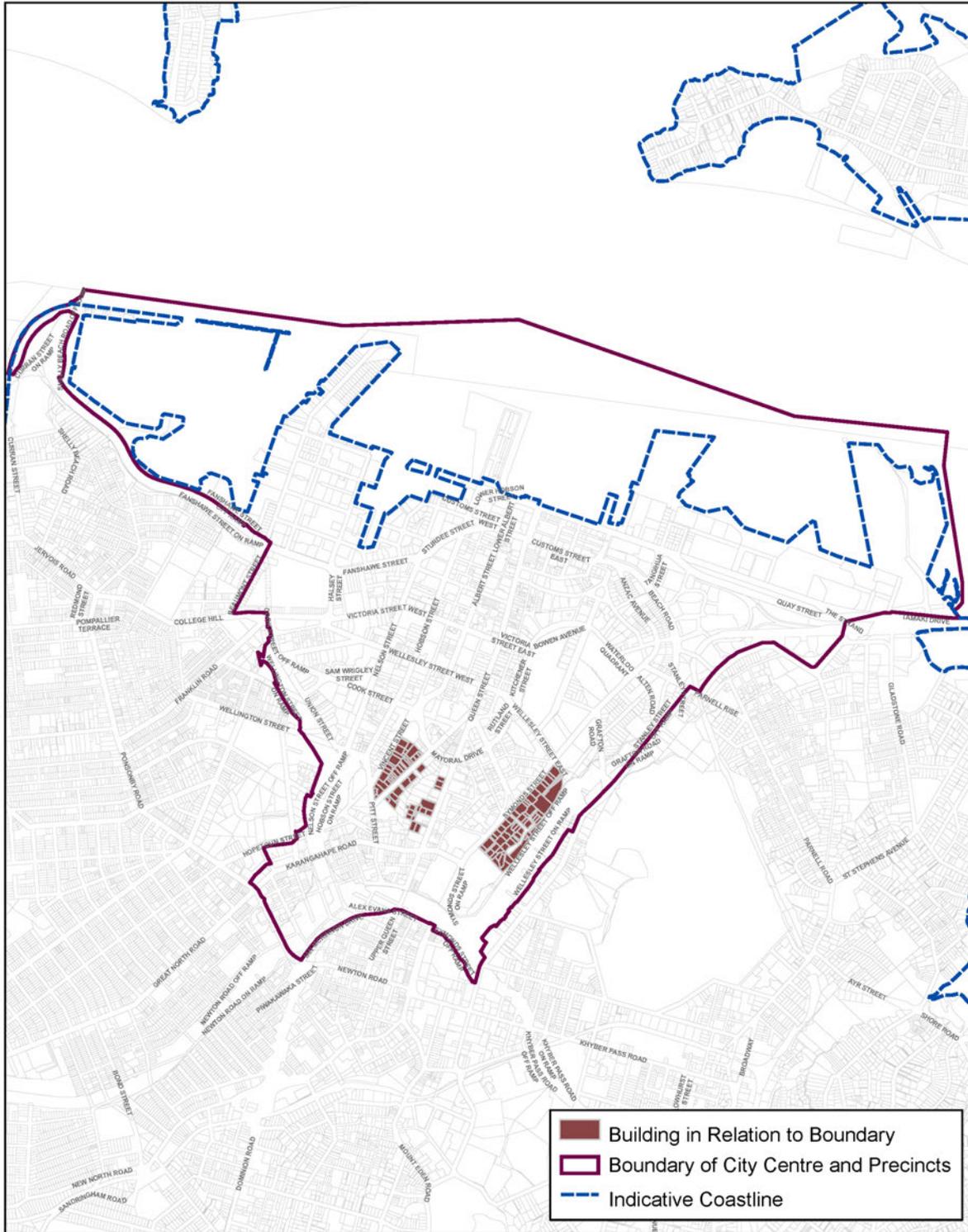


Map H8.11.7 [Deleted] Site intensity

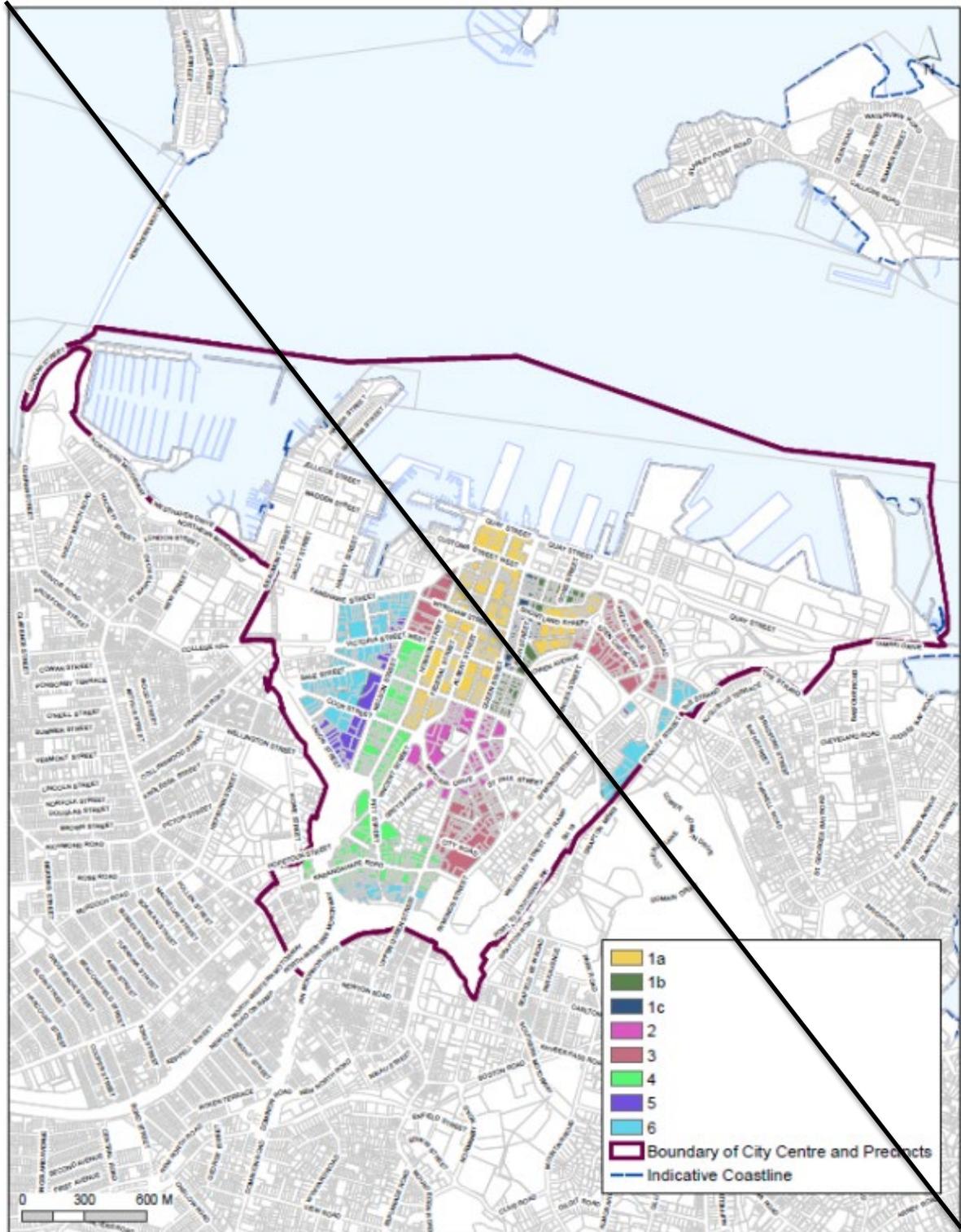


Map H8.11.7A Building in relation to boundary

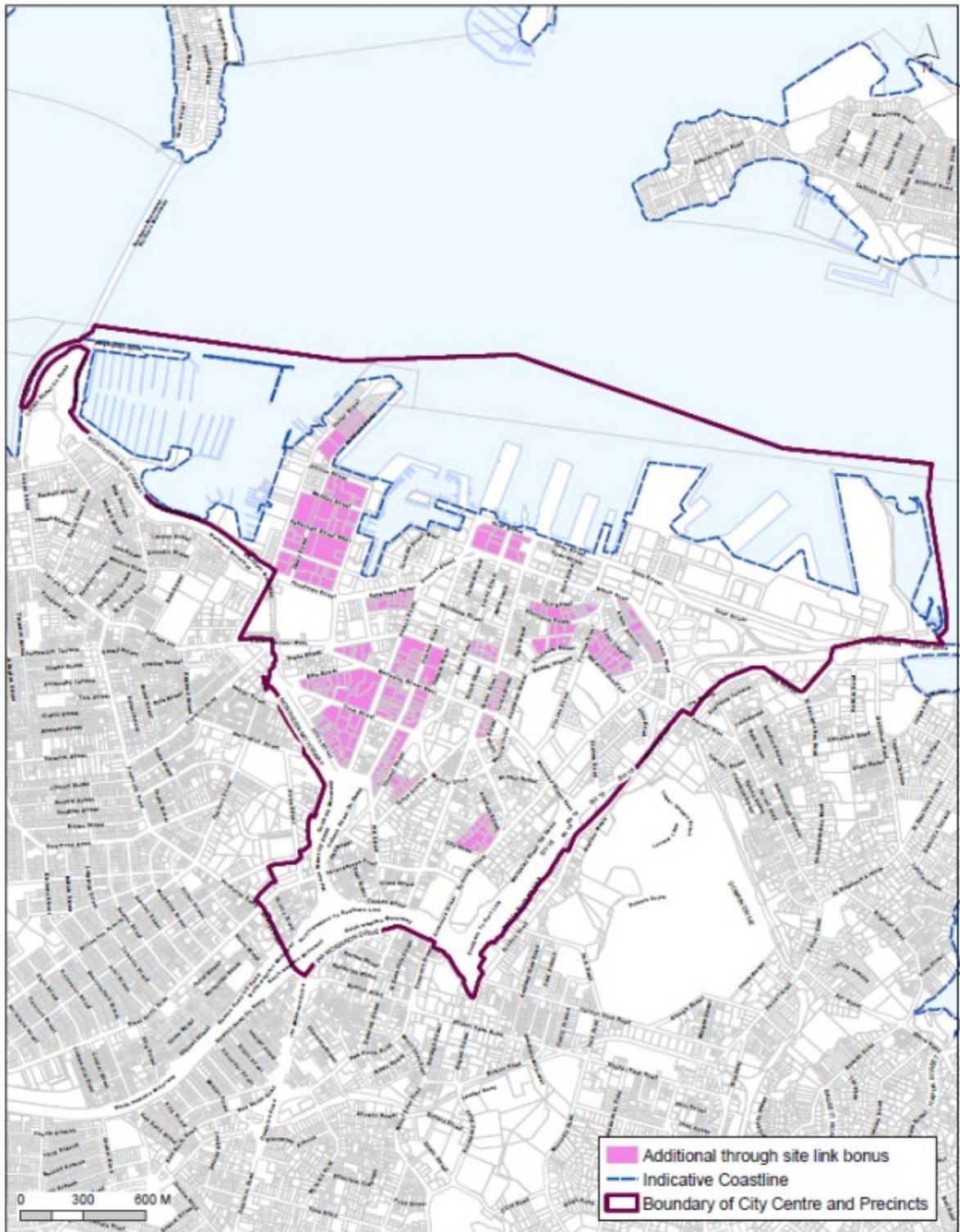
Qualifying matter as per s770(j) of the RMA



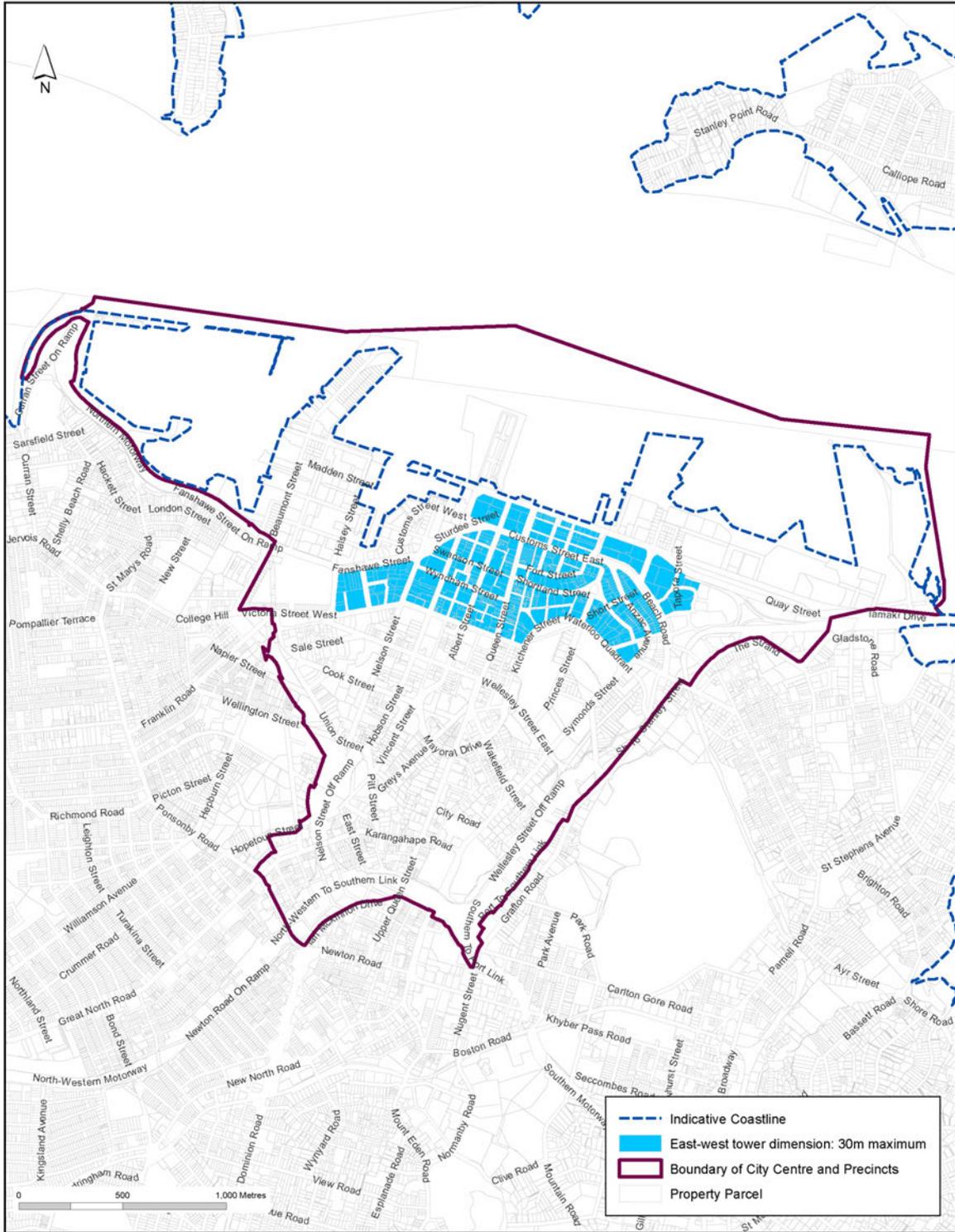
Map H8.11.8 ~~[Deleted]~~ Bonus areas



Map H8.11.9 Additional Through-site link bonus



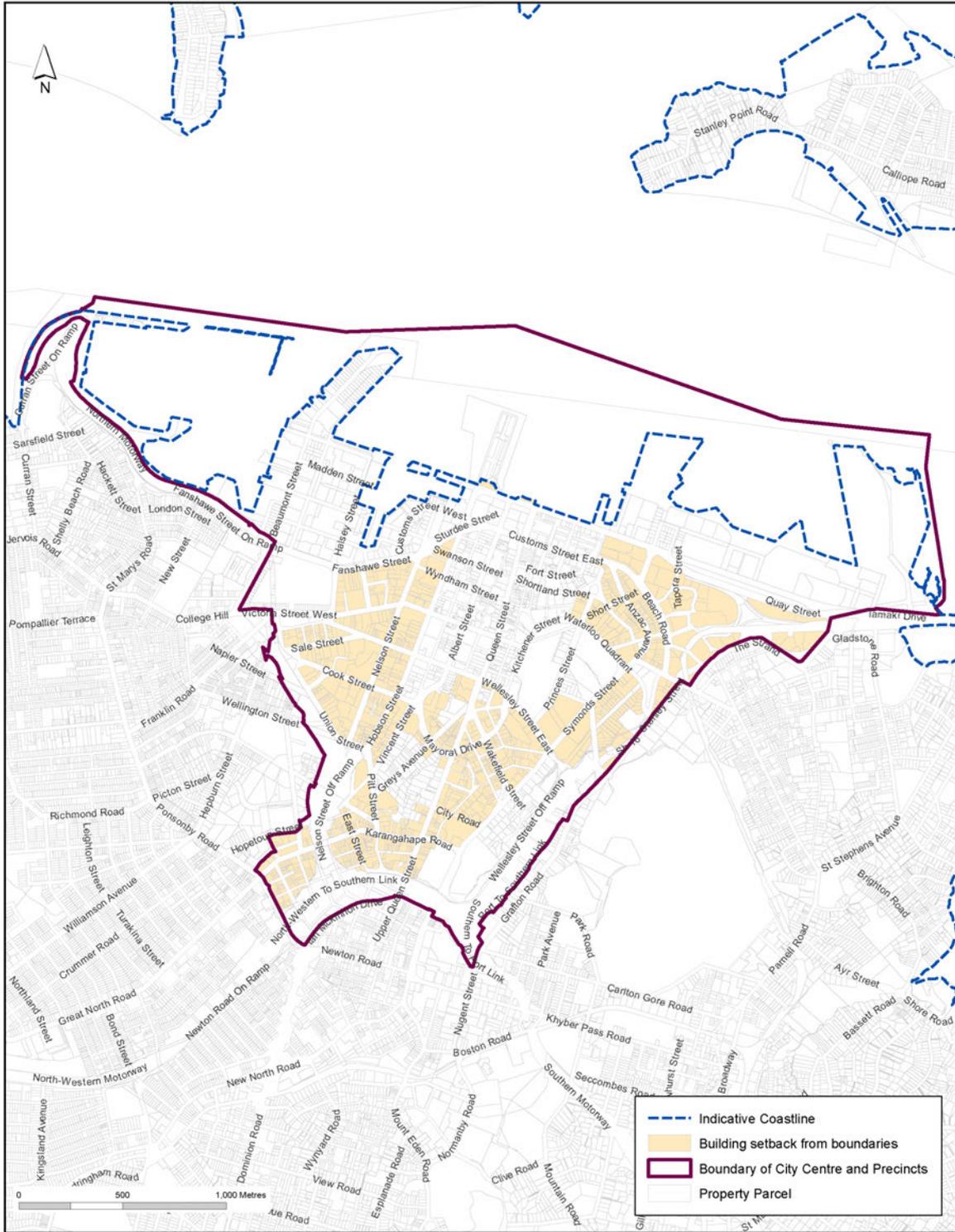
Map H8.11.10 East-west tower dimension



Map H8.11.10 East-west tower dimension

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Map H8.11.11 Building setback from boundaries



H9. Business – Metropolitan Centre Zone

H9.1. Zone description

The Business – Metropolitan Centre Zone applies to centres located in different sub-regional catchments of Auckland. These centres are second only to the city centre in overall scale and intensity and act as focal points for community interaction and commercial growth and development and contain hubs serving high frequency transport.

The zone provides for a wide range of activities including commercial, leisure, high-density residential, tourist, cultural, community and civic services. Zone provisions, in conjunction with rules in the other business zones, reinforce metropolitan centres as locations for all scales of commercial activity.

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

Precincts and overlays that modify the underlying zone or have additional provisions apply to some of the metropolitan centres. Generally, however, to support an intense level of development, the zone allows for high-rise buildings. Building heights and density of urban form reflect demand for housing and business use, and building heights of at least six storeys are enabled, unless qualifying matters apply.

Some street frontages within the zone are subject to Key Retail Frontage Control or General Commercial Frontage Control provisions as shown on the planning maps. Key retail streets are a focus of pedestrian activity within the centre. General commercial streets play a supporting role. Development fronting these streets is expected to reinforce this function. New vehicle crossings are generally to be avoided on site frontages subject to the Key Retail Frontage Control provisions and this is addressed in [E27 Transport](#).

Buildings within the zone require resource consent to ensure that they are designed to a high standard, which enhance the quality of the centre's streets and public open spaces.

H9.2. 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; ~~and~~
 - (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 – Metropolitan Centre Zone objectives

- (6) Metropolitan centres are reinforced and developed for commercial, community and civic activities and provide for residential intensification.
- (7) Metropolitan centres are an attractive place to live, work and visit with vibrant and vital commercial, entertainment and retail areas.
- (8) Key Retail Frontage streets are a focus for pedestrian activity, with identified General Commercial Frontage streets supporting this role.
- (9) Metropolitan centres enable building heights and density of urban form to reflect demand for housing and business use.

H9.3. 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 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 (21m) within walkable catchments unless a qualifying matter applies that modifies height.
- (13) Enable greater building height than the standard height in locations identified ~~locations within the Height Variation Control centres zones, Business – Mixed Use Zone, Business – General Business Zone and Business – Business Park Zone enable greater building height than the standard zone height,~~ having regard to whether the greater height:

(za) is commensurate with the level of commercial activities and community services;

(a) is an efficient use of land;

(b) supports public transport, community infrastructure and contributes to centre vitality and vibrancy;

(c) considering the size and depth of the zoned area, can be accommodated without significant adverse effects on adjacent residential zones; ~~and~~

(d) is supported by the status of the centre in the centres hierarchy, or is adjacent to such a centre; and

(e) supports the role of centres.

(14) Reduce building height below the standard zone height in locations identified ~~locations within the Height Variation Control centre zones, Business – Mixed Use Zone, Business – General Business Zone and Business – Business Park Zone,~~ reduce building height below the standard zone height, where the standard zone height would have significant adverse effects on identified special character, identified landscape features, ~~or amenity,~~ or other qualifying matters.

Business – Metropolitan Centre Zone policies

(15) Enable significant growth and intensification in metropolitan centres.

(15A) Enable greater building heights and density of urban form in metropolitan centres, than in town, local or neighbourhood centres, to reinforce their role as regional focal points.

(16) Manage development in metropolitan centres so that it contributes to the function and amenity of the centre.

(17) Encourage a wide range, and a high concentration, of commercial, leisure, tourist, cultural and community activities and civic services in metropolitan centres.

(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 a reasonable level of street activation, building continuity along the frontage, pedestrian amenity and safety and visual quality.

(20) Encourage developments to support a range of transport modes serving metropolitan centres and the ability to change transport modes.

- (21) Encourage the location of supermarkets and department stores within metropolitan 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.
- (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.

H9.4. Activity table

Table H9.4.1 Activity table specifies the activity status of land use and development activities in the Business – Metropolitan Centre Zone pursuant to section 9(3) of the Resource Management Act 1991.

Table H9.4.1 Activity table

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

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

H9.5. Notification

- (1) An application for resource consent for a controlled activity listed in Table H9.4.1 Activity table above will be considered without public or limited notification or the need to obtain written approval from affected parties unless the Council decides

that special circumstances exist under section 95A(9) of the Resource Management Act 1991.

- (2) Any application for resource consent for an activity listed in Table H9.4.1 Activity table and which is not listed in H9.5(1) 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\(4\)](#).
- (4) 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 H9.6.11 Minimum dwelling size.

H9.6. Standards

All activities listed as permitted, controlled and restricted discretionary in Table H9.4.1 Activity table must comply with the following standards.

H9.6.0 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.

H9.6.1. 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 72.5m, 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 in Table H9.6.1.1 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 H9.6.1.1 Total building height shown in the Height Variation Control on the planning maps

Occupiable building height	Height for roof form	Total building height shown on Height Variation Control on the planning maps
11m	2m	13m
16m	2m	18m
19m	2m	21m
25m	2m	27m
Same as on the planning maps	NA	Exceeding 27m

Qualifying matter as per s77O(f) of the RMA

H9.6.2. 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 H9.6.2.1 and Figure H9.6.2.1 or Figure H9.6.2.2 below.

- (2) The recession plane extends for only 30m into sites within the zone (refer to Figure H9.6.2.1).
- (3) 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.
- (4) Figure H9.6.2.3 will be used to define what is a north, south, east or west boundary, where this is referred to in Table H9.6.2.1. The recession plane angle is calculated by orientating both site plan and Figure H9.6.2.3 to true north. Figure H9.6.2.3 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 H9.6.2.3 touches the site boundary, the recession plane angle and height at which it begins, will be indicated by Table H9.6.2.1

Table H9.6.2.1 Height in relation to boundary

Location	Zoning of adjacent site	Angle of recession plane (identified as x in Figure H9.6.2.1 or Figure H9.6.2.2)	Height above ground level which the recession plane will be measured from (identified as y in Figure H9.6.2.1 or Figure H9.6.2.2)
NA	Residential – Single House Zone; or Residential – Mixed Housing Suburban Zone	45°	2.5m
	Residential – Mixed Housing Urban Zone	45°	3m
	Residential – Low Density Residential Zone; Residential – Mixed Housing Urban Zone; Residential – Terrace Housing and Apartment Buildings Zone; Special Purpose – Māori Purpose Zone; Special Purpose – School Zone; Business – Mixed Use Zone; Business – General Business Zone; Open Space – Conservation Zone; Open Space – Informal	60°	819m

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	<u>Recreation Zone;</u> <u>Open Space – Sport and Active Recreation Zone;</u> <u>Open Space – Civic Spaces Zone;</u> or <u>Open Space – Community Zone</u>		
	Special Purpose – Māori Purpose Zone; or Special Purpose – School Zone	45°	6m
	Business – Mixed Use Zone; or the Business – General Business Zone	60°	8m
Buildings located on the northern boundary of the adjacent site (Refer to Figure H9.6.2.3)	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 located on the southern, eastern or western 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

Figure H9.6.2.1 Height in relation to boundary

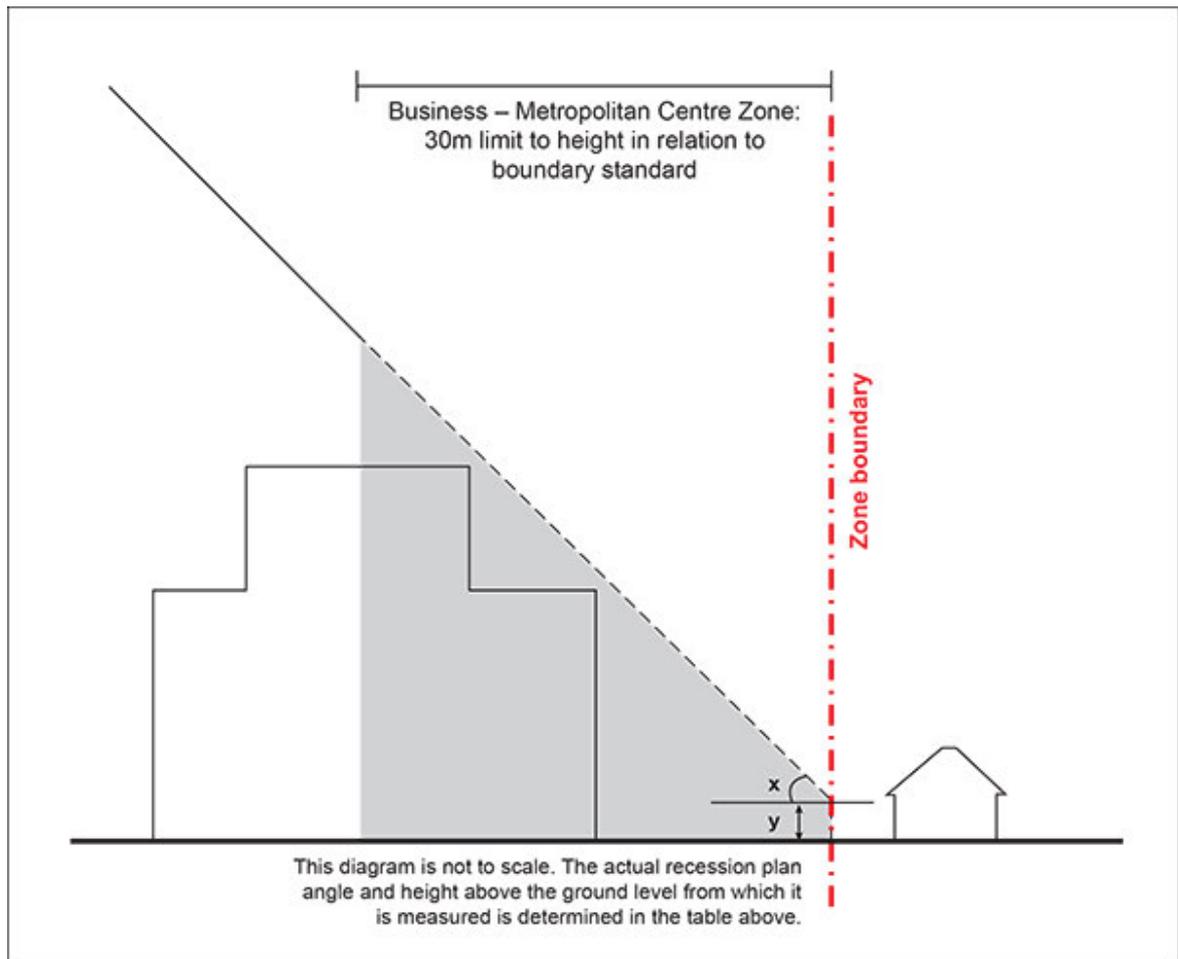


Figure H9.6.2.2 Height in relation to boundary opposite a road

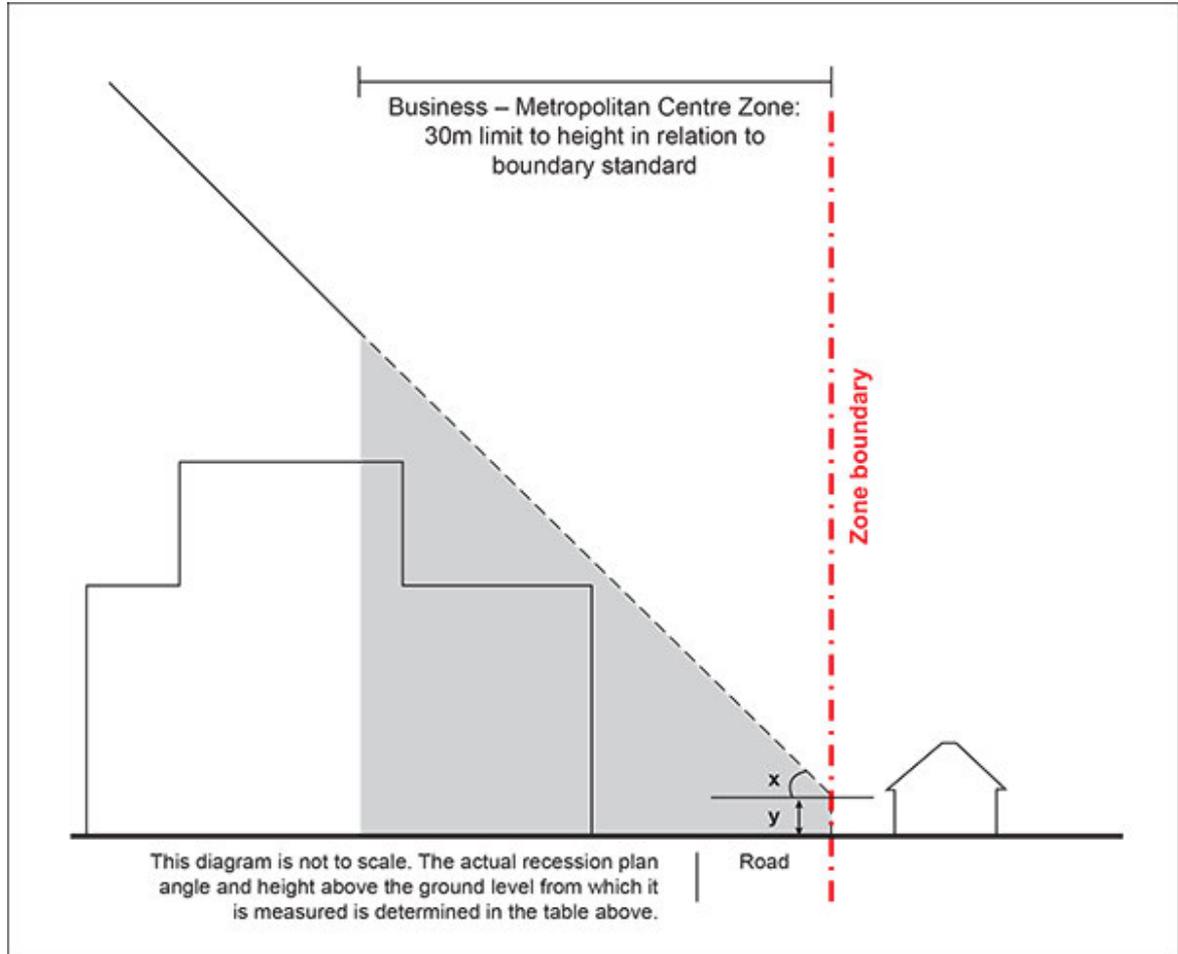
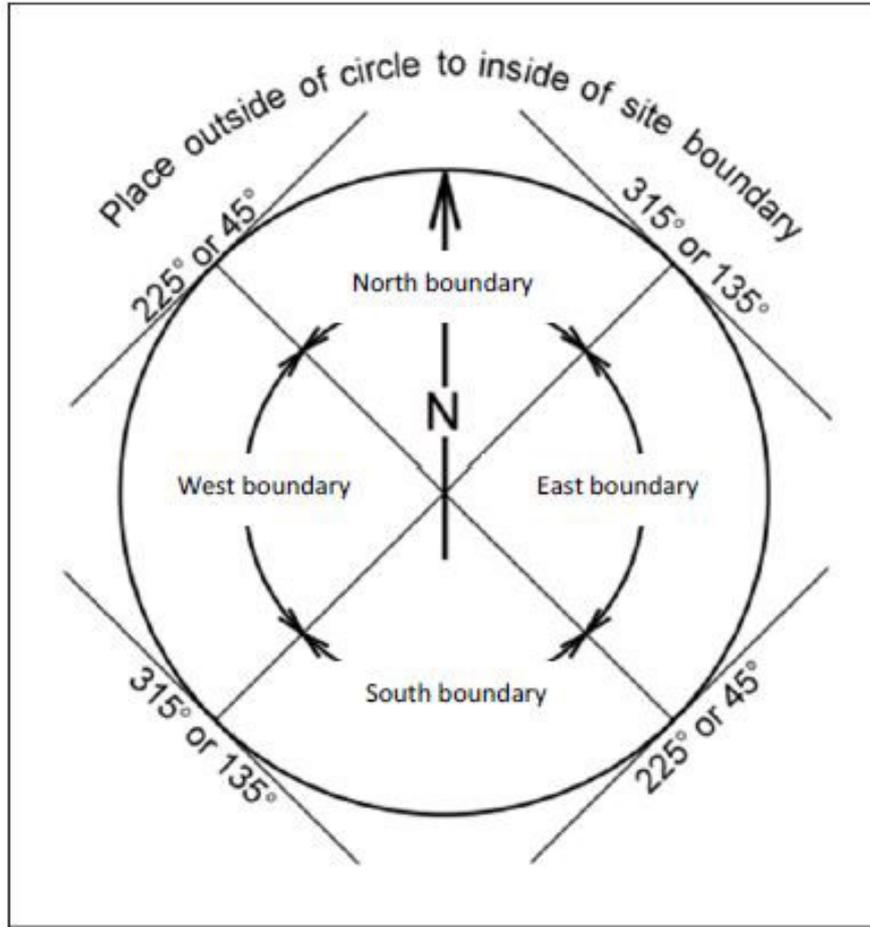


Figure H9.6.2.3 Recession plane indicator for sites adjacent to an open space zone



H9.6.3. Building setback at upper floors

Purpose:

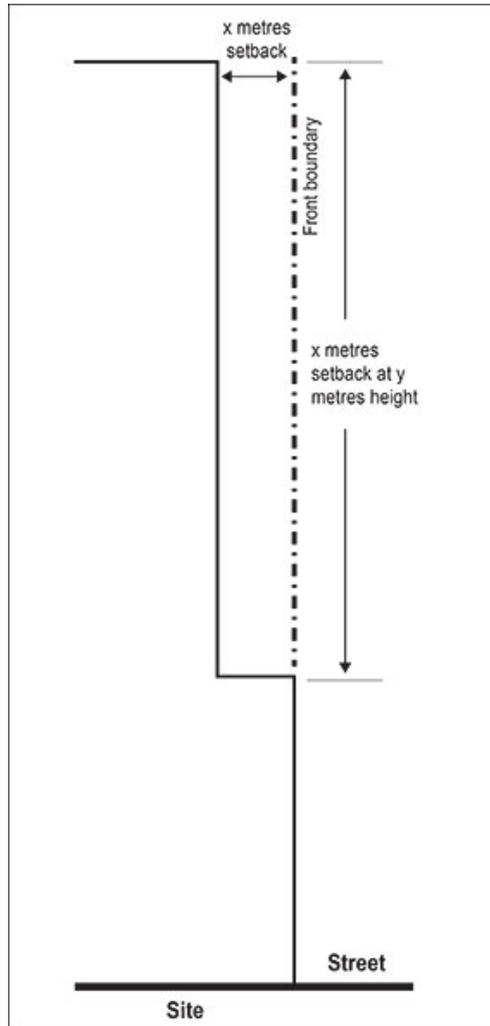
- provide adequate daylight access to streets;
- manage visual dominance effects on streets;
- manage visual dominance, residential amenity and privacy effects on residential zones; and
- mitigate adverse wind effects.

(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 H9.6.3.1.

Table H9.6.3.1 Building setback at upper floors

Minimum setback (identified as x in Figure H9.6.3.1)	Height (identified as y in Figure H9.6.3.1)
6m	32.5m

Figure H9.6.3.1 Building setback at upper floors



H9.6.4. Maximum tower dimension and tower separation

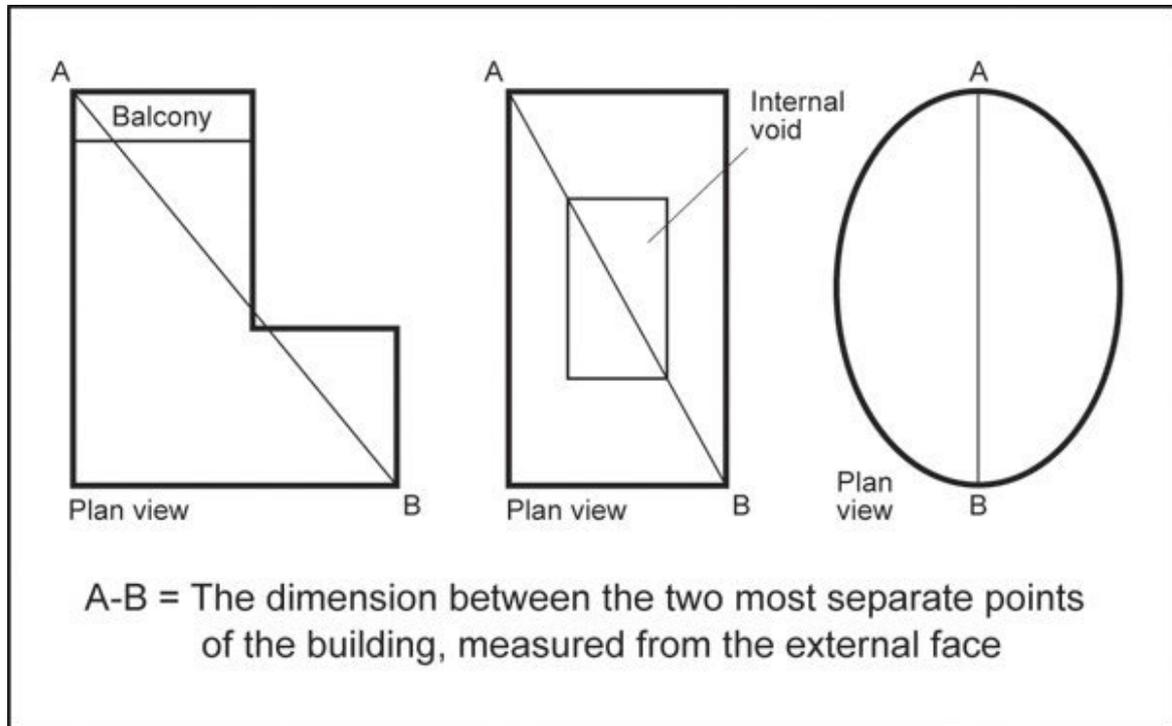
Purpose: ensure that high-rise buildings:

- 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) The maximum plan dimension of that part of the building above 32.5m 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 32.5m must be located at least 6m from any side or rear boundary of the site.

Figure H9.6.4.1 Maximum tower dimension plan view



H9.6.5. 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.

H9.6.6. 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 H9.6.6.1 below.

Table H9.6.6.1 Yards

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

Note 1

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

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

H9.6.7. 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 H9.6.7(1) above must comprise a mix of trees, shrubs or ground cover plants (including grass).

H9.6.8. 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.

H9.6.9. Wind

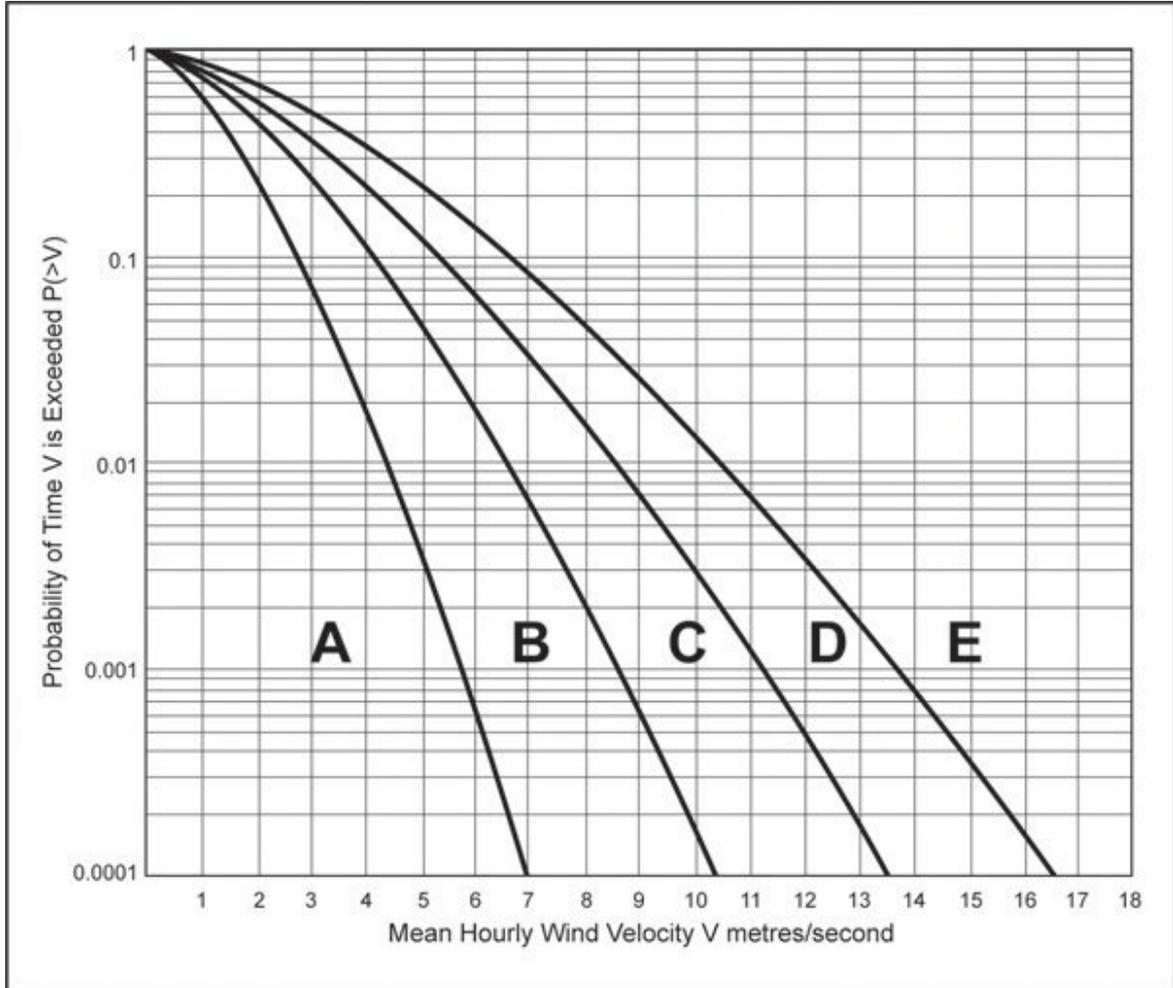
Purpose: mitigate the adverse wind effects generated by tall buildings.

- (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 H9.6.9.1 and Figure H9.6.9.1 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 H9.6.9(1)(a) or Standard H9.6.9(1)(b) above to increase.
- (2) A report and certification from a suitably qualified and experienced person, showing that the building complies with Standard H9.6.9(1) above, will demonstrate compliance with this standard.
- (3) If the information in Standard H9.6.9(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 H9.6.9.1 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 relaxation 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 H9.6.9.1 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

H9.6.10 Outlook space

Purpose:

- ensure a reasonable standard of visual and acoustic privacy between different dwellings, including their outdoor living space, on the same or adjacent sites; and
- 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.

(1) The standard below applies to new buildings containing dwellings, units in an integrated residential development, visitor accommodation and boarding houses and buildings that are converted to dwellings, units in an integrated residential development, visitor accommodation and boarding houses.

(2) An outlook space must be provided from each face of the building containing windows to principal living areas or bedrooms of any dwelling. Where windows to a principal living area or bedroom are provided from two or more faces of a building, outlook space must be provided to the face with the greatest window area of outlook.

(3) The minimum dimensions for outlook space are:

(a) for principal living areas, the dimensions of the outlook space, measured perpendicular to the exterior face of the building, must be in accordance with Figure H9.6.10.2, for the relative height of the floor above the average ground level along each building face; or

(b) for bedrooms, the outlook space must be a minimum of 6m, measured perpendicular to the exterior face of the building.

(4) The outlook space must extend from the exterior wall of the principal living room or bedroom and not the windows.

(5) The outlook space may be over:

(a) the site on which the building is located, but not towards a side boundary if the building is within 10m of the site frontage (refer Figure H9.6.10.1);

(b) the street;

(c) public open space; or

(d) another site, only if:

- (i) the outlook space is secured in perpetuity for the benefit of the building by a legal instrument to be put in place prior to the commencement of construction; and
- (ii) the written approval of the owner of the adjoining site for the outlook space is provided when the application for resource consent is lodged.

(6) In the situation where an outlook space is provided over a legal road narrower than the width specified in Figure H9.6.10.2, the street width is deemed to satisfy the minimum outlook space requirement.

(7) More than one building on the site may share an outlook space.

Figure H9.6.10.1 Outlook over the street

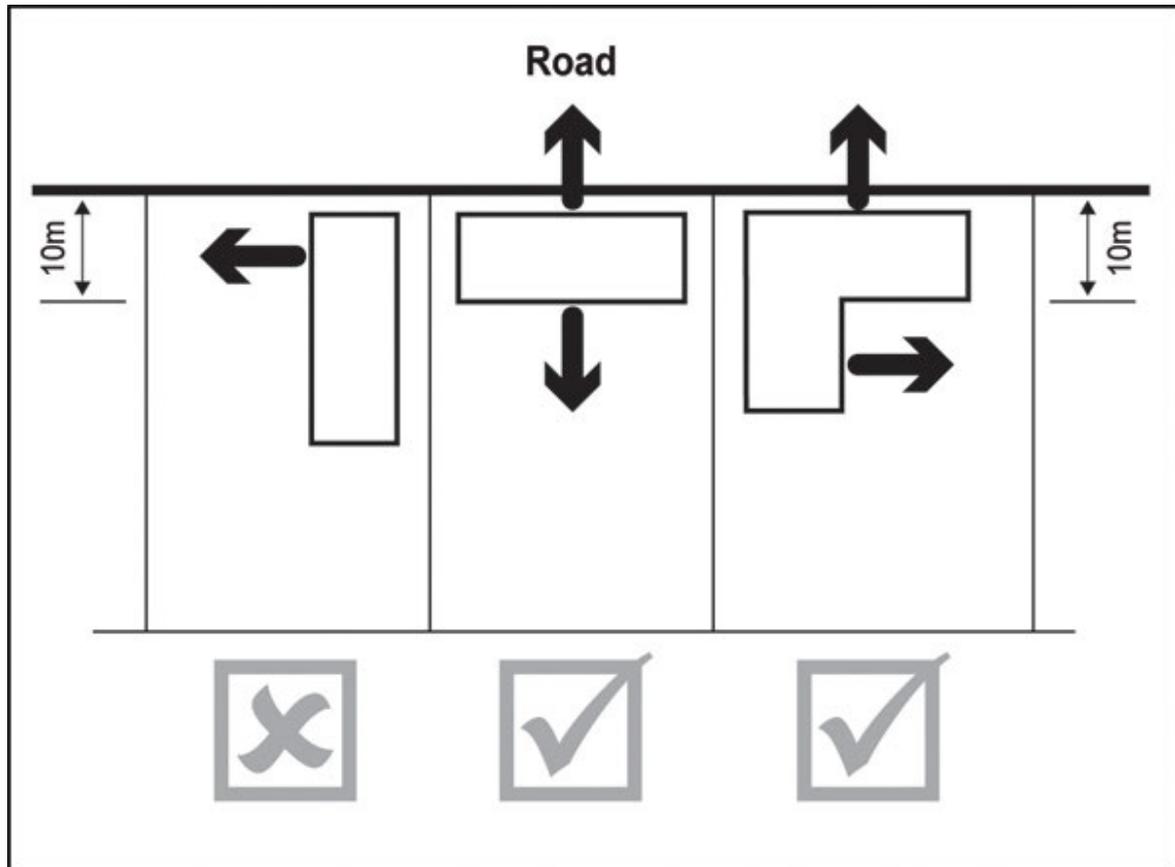
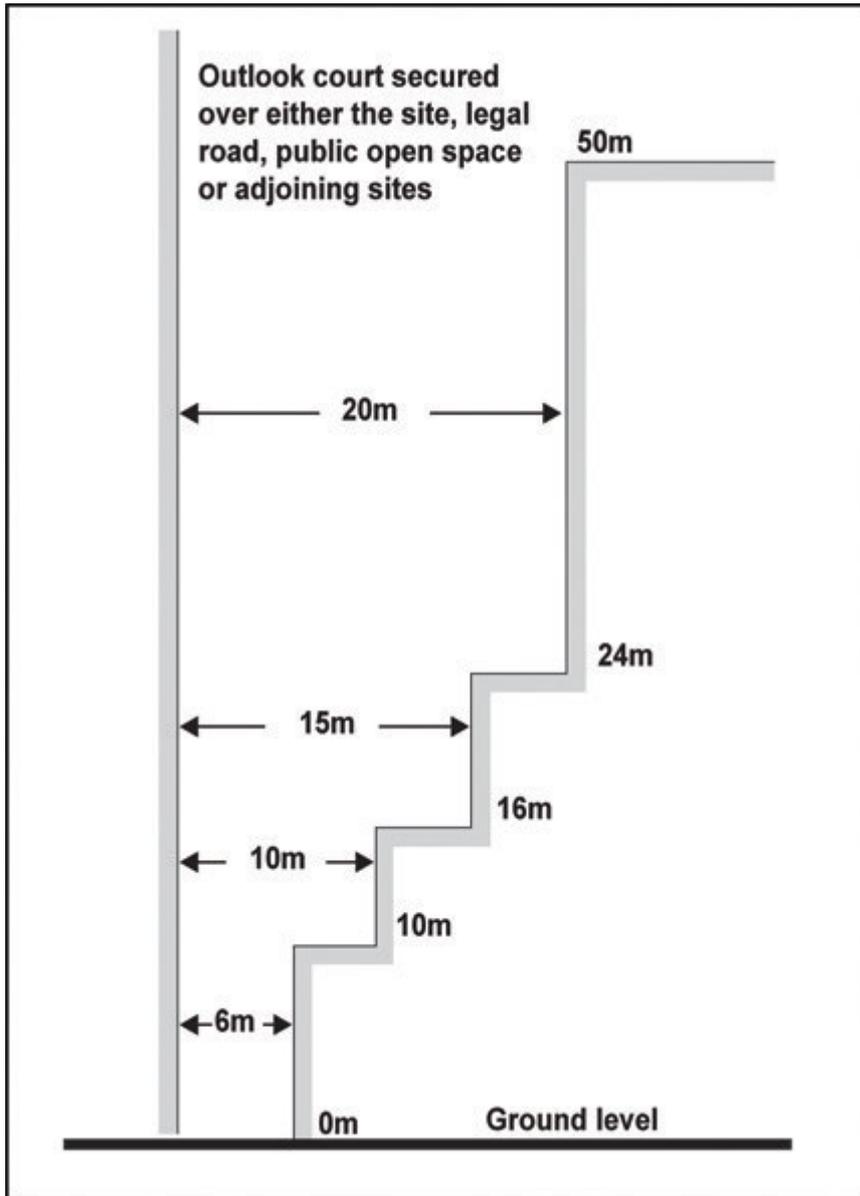


Figure H9.6.10.2 Outlook space



H9.6.11 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 net internal floor area as follows:

(a) 35m² for studio dwellings.

The minimum net internal floor area for studio dwellings may be reduced by 5m² where a balcony, ground floor terrace or roof terrace of 5m² or greater is provided.

(b) 50m² for one or more bedroom dwellings.

The minimum net internal floor area for one or more bedroom dwellings may be reduced by 8m² where a balcony, ground floor terrace or roof terrace of 8m² or greater is provided.

- (c) Provided that for the purpose of Standard H9.6.11(1)(a) or Standard H9.6.11(1)(b) above, the balcony, ground floor terrace or roof terrace:
 - (i) is for the exclusive use of the dwelling occupants;
 - (ii) has a minimum depth of 1.2m for studios;
 - (iii) has a minimum depth of 1.8m for one or more bedroom dwellings; and
 - (iv) balconies and ground floor terraces shall be directly accessible from the principal living room space.

H9.7. Assessment – controlled activities

H9.7.1. Matters of control

The Council will reserve its control to the following matters when assessing a controlled activity resource consent application:

- (1) demolition of buildings:
 - (a) measures required to manage potential adverse effects on the quality and amenity of adjoining streets and public open spaces including pedestrian safety and protection from the weather; and
 - (b) measures required to manage potential adverse traffic effects on the surrounding transport network.

H9.7.2. Assessment criteria

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

- (1) demolition of buildings:
 - (a) for Matter H9.7.1(1)(a) refer to Policy H9.3(3)(b) and Policy H9.3(3)(c); and
 - (b) for Matter H9.7.1(1)(b) refer to Policy H9.3(3)(b) and Policy H9.3(3)(c).

H9.8. Assessment – restricted discretionary activities

H9.8.1. Matters of discretion

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

- (1) drive-through restaurants, activities within 30m of a residential zone, emergency services and service stations:
 - (a) the compatibility of:

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

- (ii) the degree of visibility that it provides between the public space and the building interior; and
 - (iii) the opportunities for passive surveillance of the street from the ground floor of buildings.
- (d) the provision of verandahs to provide weather protection in areas used, or likely to be used, by significant numbers of pedestrians;
 - (e) the application of Crime Prevention through Environmental Design principles to the design and layout of buildings adjoining public spaces;
 - (f) the effects of creation of new roads and/or service lanes on the matters listed above;
 - (g) the positive effects that landscaping, including required landscaping, on sites adjoining public spaces is able to contribute to the amenity values of the people using or passing through the public space;
 - (h) taking an integrated stormwater management approach; and
 - (i) all the above matters to be assessed having regard to the outcomes set out in this Plan and the functional requirements of the activities that the buildings are intended to accommodate;
- (3) in addition to the matters for new buildings stated above the Council will restrict its discretion to the following matter in regard to:
- integrated retail developments; or
 - supermarkets, department stores and large format retail where the activity or integrated retail development exceeds 1000m² gross floor area per tenancy;
- (a) the manner in which these building/developments are integrated with the adjacent existing and planned future centre and zone activities and public spaces and provide for the continuity of active public frontages and associated pedestrian amenity that is appropriate to those centres and zones having regard to the outcomes set out in this Plan and the functional requirements of the activities that the buildings are intended to accommodate. This will include the effects of the design and location of parking areas, vehicle access and servicing arrangements on the visual amenity of the streetscape and on pedestrian safety;
- (4) in addition to the matters for new buildings stated above the Council will retain 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 H9.6.10 or Standard H9.6.11 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.

H9.8.2. 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 H9.8.1(1)(a)(i) refer to Policy H9.3(3)(a), Policy H9.3(3)(b), Policy H9.3(3)(c), Policy H9.3(8), Policy H9.3(16); Policy H9.3(17), Policy H9.3(18), Policy H9.3(19) and Policy H9.3(22);
 - (b) for Matter H9.8.1(1)(a)(ii) refer to Policy H9.3(3)(a), Policy H9.3(3)(b), Policy H9.3(3)(c), Policy H9.3(8); Policy H9.3(16); Policy H9.3(17), Policy H9.3(18), Policy H9.3(19) and Policy H9.3(22);

- (c) for Matter H9.8.1(1)(b) refer to Policy H9.3.(3)(c), Policy H9.3(7), Policy H9.3(16), Policy H9.3(18) and Policy H9.3(19);
- (d) for Matter H9.8.1(1)(c) refer to Policy H9.3(22).
- (e) for Matter H9.8.1(1)(d) refer to Policy H9.3(12);
- (2) new buildings and alterations and additions to buildings not otherwise provided for:
- (a) for Matter H9.8.1(2)(a)(i) refer to Policy H9.3(3)(a), Policy H9.3(3)(b) and Policy H9.3(16)
- (b) for Matter H9.8.1(2)(a)(ii) refer to Policy H9.3(3)(c), Policy H9.3(16), Policy H9.3(18) and Policy H9.3(19);
- (c) for Matter H9.8.1(2)(a)(iii) refer to Policy H9.3(4);
- (d) for Matter H9.8.1(2)(a)(iv) refer to Policy H9.3(3)(a);
- (e) for Matter H9.8.1(2)(a)(v) refer to Policy H9.3(7);
- (f) for Matter H9.8.1(2)(b) refer to Policy H9.3(6);
- (g) for Matter H9.8.1(2)(c)(i) refer to Policy H9.3(3)(a) and Policy H9.3(3)(b);
- (h) for Matter H9.8.1(2)(c)(ii) refer to Policy H9.3(3)(a) and Policy H9.3(3)(b);
- (i) for Matter H9.8.1(2)(c)(iii) refer to Policy H9.3(3)(a) and Policy H9.3(3)(b);
- (j) for Matter H9.8.1(2)(d) refer to Policy H9.3(3)(c);
- (k) for Matter H9.8.1(2)(e) refer to Policy H9.3(3)(c);
- (l) for Matter H9.8.1(2)(f) refer to Policy H9.3(3)(b);
- (m) for Matter H9.8.1(2)(g) refer to Policy H9.3(3)(c);
- (n) for Matter H9.8.1(2)(h) refer to Policy E1.3(10); and
- (o) for Matter H9.8.1(2)(i) refer to Policy H9.3(3)(12);
- (3) in addition to the policies for new buildings stated above the Council will have regard to the following policies when considering new buildings for the following purposes:
- integrated retail developments; or
 - supermarkets, department stores and large format retail where the activity or integrated retail development exceeds 1000m² gross floor area per tenancy:
- (a) refer to Policy H9.3(1), Policy H9.3(5), Policy H9.3(15) and Policy H9.3(21);

(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 H9.3(3)(a), Policy H9.3(3)(b), Policy H9.3(3)(c), Policy H9.3(7), Policy H9.3(8), Policy H9.3(12); Policy H9.3(16), Policy H9.3(17), Policy H9.3(18), Policy H9.3(19) and Policy H9.3(22);

(5) conversion of a building or part of a building to dwellings, retirement villages, visitor accommodation and boarding houses:

(a) refer to Policy H9.3(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 H9.3(3)(a), Policy H9.3(3)(b), Policy H9.3(8), Policy H9.3(12A), Policy H9.3(13), Policy H9.3(14), ~~and~~ Policy H9.3(15) and Policy H9.3(15A);

(b) residential at ground floor:

(i) refer to Policy H9.3(10) and Policy H9.3(18);

(c) yards and landscaping:

(i) refer to Policy H9.3(3)(b), Policy H9.3(3)(c), Policy H9.3(7) and Policy H9.3(8);

(d) maximum impervious area in a riparian yard:

(i) refer to Policy H9.3(23);

(e) wind:

(i) refer to Policy H9.3(11);

(f) outlook space, minimum dwelling size:

(i) refer to Policy H9.3(2).

H9.9. Special information requirements

There are no special information requirements in this zone.

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 and may be located in walkable catchments. 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. 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, building heights of at least six storeys are enabled, unless qualifying matters apply that reduce height. The height opportunities within the centres will facilitate increased intensification, including office and dwellings 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; ~~and~~
 - (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.

(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.

(10) Building height of at least six storeys is enabled within walkable catchments unless qualifying matters apply that modifies height.

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 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 (21m) within walkable catchments unless a qualifying matter applies that modifies height.
- (13) Enable greater building height than the standard height in locations identified within the Height Variation Control centres zones, Business – Mixed Use Zone, Business – General Business Zone and Business – Business Park Zone enable greater building height than the standard zone height, having regard to whether the greater height:
 - (za) is commensurate with the level of commercial activities and community services;

- (a) is an efficient use of land;
 - (b) supports public transport, community infrastructure and contributes to centre vitality and vibrancy;
 - (c) considering the size and depth of the zoned area, can be accommodated without significant adverse effects on adjacent residential zones; and
 - (d) is supported by the status of the centre in the centres hierarchy, or is adjacent to such a centre; and
 - (e) supports the role of centres.
- (14) Reduce building height below the standard zone height in locations identified ~~locations within the Height Variation Control centre zones, Business – Mixed Use Zone, Business – General Business Zone and Business – Business Park Zone,~~ reduce building height below the standard zone height, where the standard zone height would have significant adverse effects on identified special character, identified landscape features, ~~or 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.

H10.4. Activity table

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

Table H10.4.1 Activity table

Activity		Activity status
General		
(A1)	Activities not provided for	NC
Use		
Accommodation		
(A2)	Dwellings	P
(A3)	Conversion of a building or part of a building to dwellings, residential development, visitor accommodation or boarding houses	RD
(A4)	Integrated residential development	P
(A5)	Supported residential care	P
(A6)	Visitor accommodation and boarding houses	P
Commerce		
(A7)	Commercial services	P
(A8)	Conference facilities	D
(A9)	Drive-through restaurants	RD
(A10)	Entertainment facilities	P
(A11)	Entertainment facilities within 30m of a residential zone	RD
(A12)	Cinemas	P
(A13)	Offices	P
(A14)	Retail	P

H10 Business – Town Centre Zone

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

H10.5. Notification

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

H10.6. Standards

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

H10.6.0 Activities within 30m of a residential zone

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

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

H10.6.1. Building height

Purpose:

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

- allow an occupiable height component to the height limit, and an additional height for roof forms that enables design flexibility, to provide variation and interest in building form when viewed from the street;
- enable greater height in areas identified for intensification including within walkable catchments; and
- provide for variations to the standard zone height through the Height Variation Control, to recognise the character and amenity of particular areas, including Special Character Areas – Business, 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 subject to the Height Variation Control on the planning maps.

(1A) In walkable catchments, buildings must not exceed 21m (6 storeys) in height, unless otherwise specified in the Height Variation Control on the planning maps.

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

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

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

Qualifying matter as per s770(f) of the RMA

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
	<u>Residential – Low Density Residential Zone</u> ; or Residential – Mixed Housing Urban Zone	45°	3.4m
	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 –	45°	8.5m

H10 Business – Town Centre Zone

	<p>Conservation Zone; Open Space – Informal Recreation Zone; Open Space – Sports and Active Recreation Zone; Open Space – Civic Spaces Zone; or Open Space – Community Zone</p>		
<p><u>Buildings outside walkable catchments</u> located on the southern boundary of the adjacent site</p>	<p>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</p>	45°	16.5m
<p><u>Buildings within walkable catchments</u></p>	<p><u>Residential – Low Density Residential Zone;</u> <u>Residential – Mixed Housing Urban Zone;</u> <u>Residential – Terrace Housing and Apartment Buildings Zone;</u> <u>Special Purpose – Māori Purpose Zone;</u> or <u>Special Purpose School Zone;</u> <u>Business – Mixed Use Zone;</u> <u>Business – General Business 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> or <u>Open Space – Community Zone</u></p>	60°	19m

Figure H10.6.2.1 Height in relation to boundary

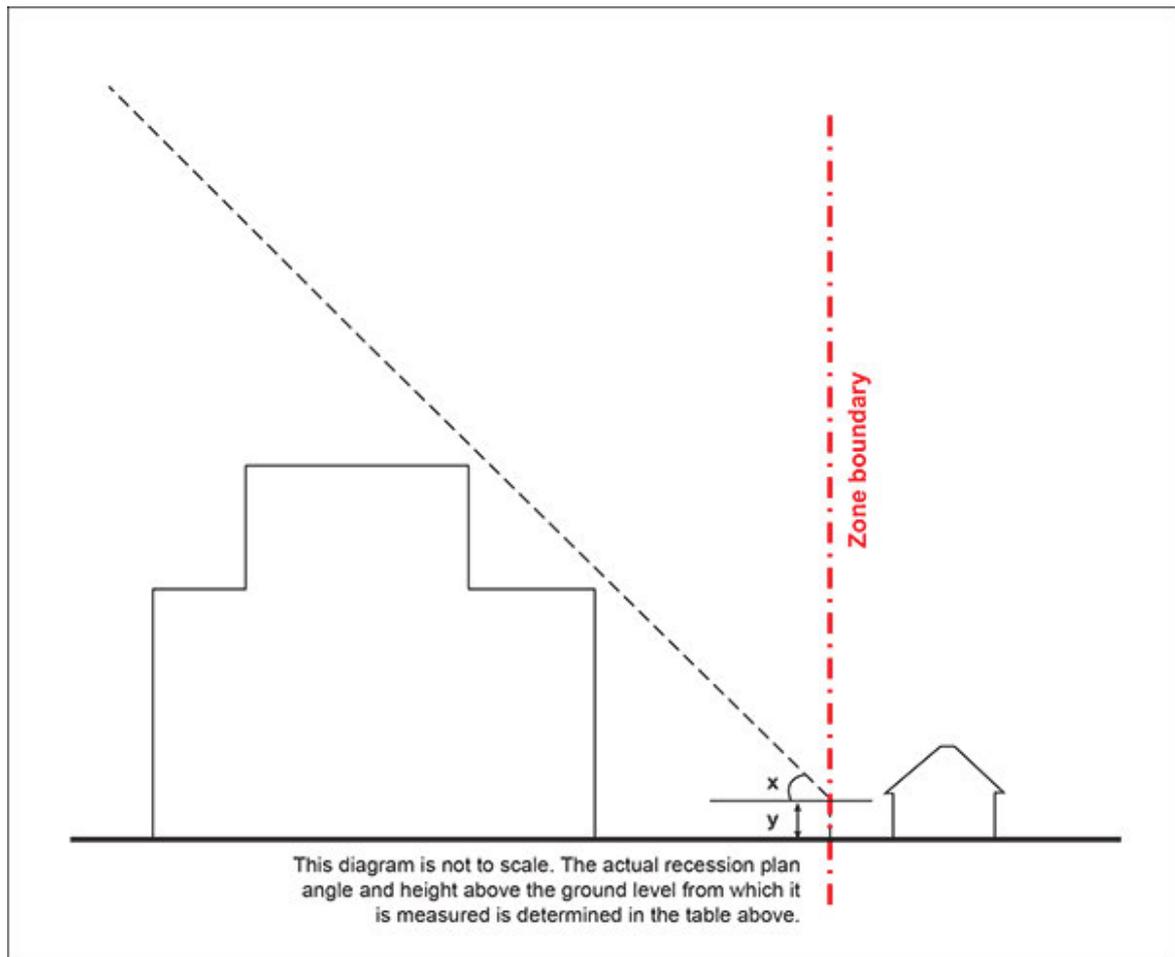


Figure H10.6.2.2 Height in relation to boundary opposite a road

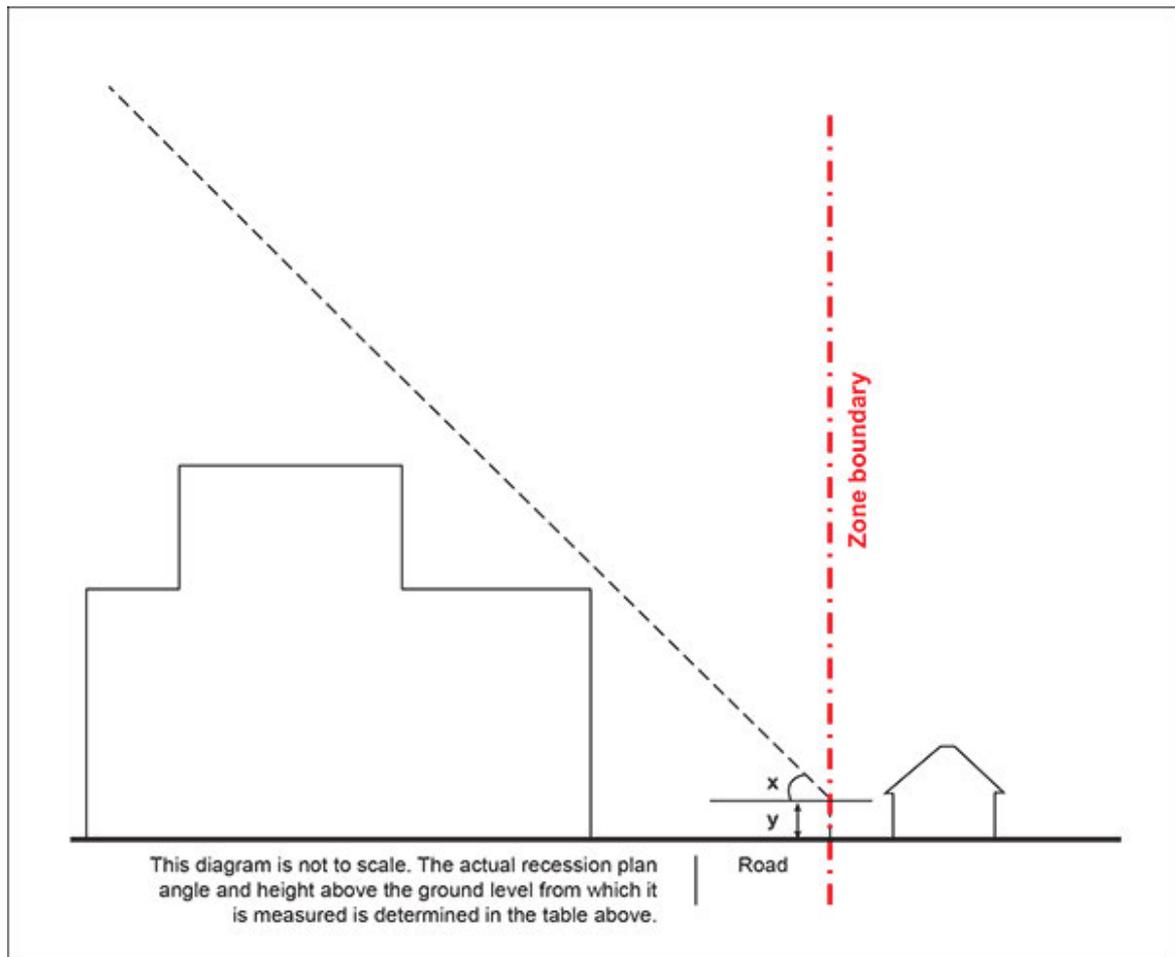
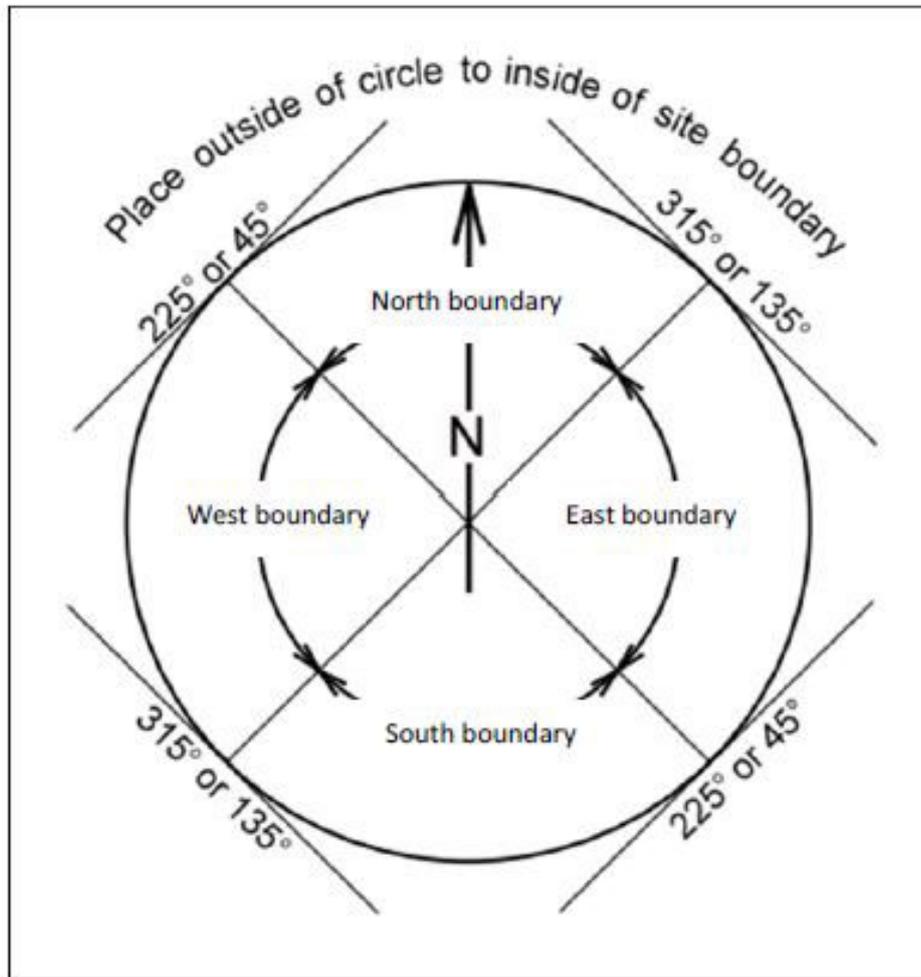


Figure H10.6.2.3 Recession plane indicator for sites adjacent to an open space zone



H10.6.3. Building setback at upper floors

Purpose:

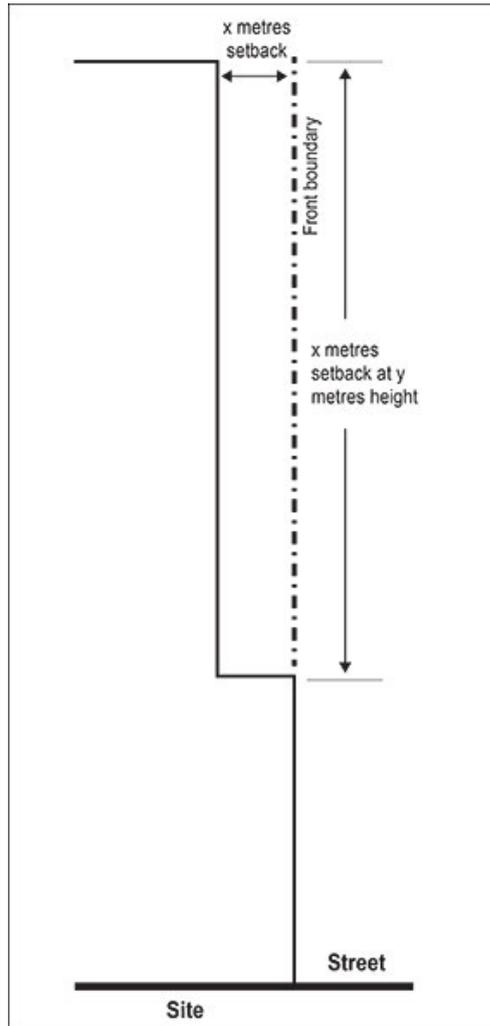
- provide adequate daylight access to streets;
- manage visual dominance effects on streets;
- manage visual dominance, residential amenity and privacy effects on residential zones; and
- mitigate adverse wind effects.

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

Table H10.6.3.1 Building setback at upper floors

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



H10.6.4. Maximum tower dimension and tower separation

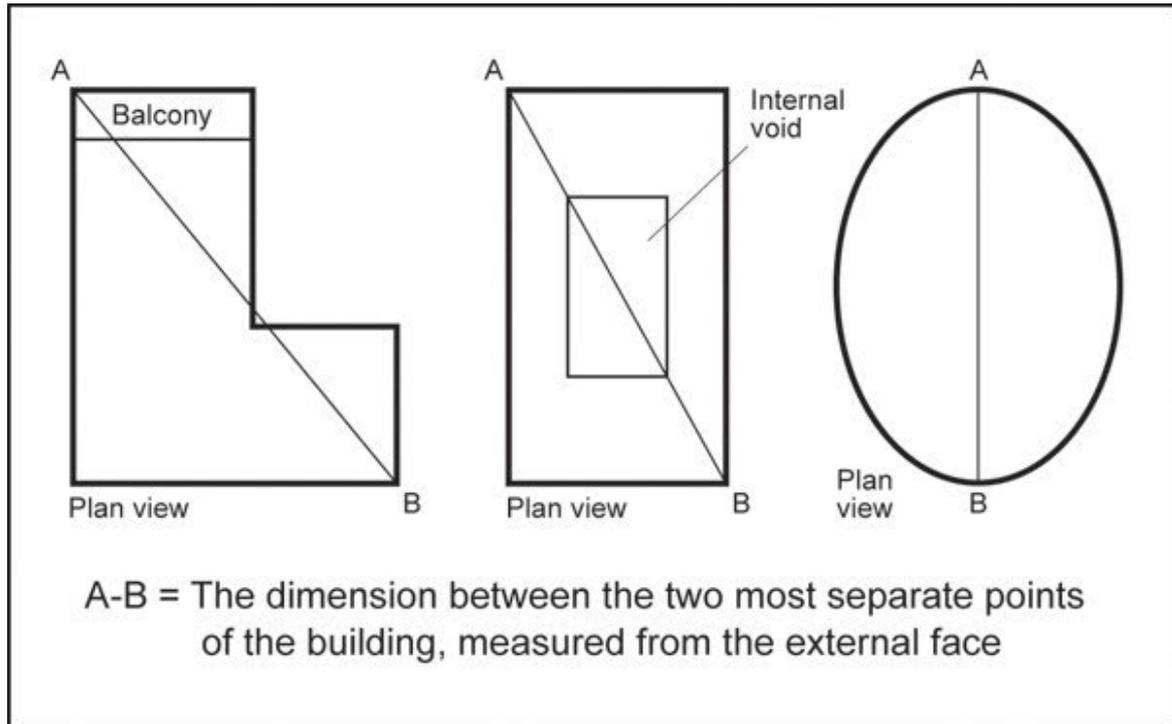
Purpose: ensure that high-rise buildings:

- 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) The maximum plan dimension of that part of the building above 27m 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.

Figure H10.6.4.1 Maximum tower dimension plan view



H10.6.5. Residential at ground floor

Purpose:

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

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

H10.6.6. Yards

Purpose:

- provide a landscaped buffer between buildings and activities and adjoining residential zones and some special purpose zones, to mitigate adverse visual and nuisance effects; and

- ensure buildings are adequately setback from lakes, streams and the coastal edge to maintain water quality, amenity, provide protection from natural hazards, and potential access to the coast.
- (1) A building or parts of a building must be set back from the relevant boundary by the minimum depth listed in Table H10.6.6.1.

Table H10.6.6.1 Yards

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

Note 1

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

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

H10.6.7. Landscaping

Purpose:

- ensure landscaping provides a buffer and screening between car parking, loading, or service areas commercial activities and the street; and
 - ensure landscaping is of sufficient quality as to make a positive contribution to the amenity of the street.
- (1) A landscape buffer of 2m in depth must be provided along the street frontage between the street and car parking, loading, or service areas which are visible from the street frontage. This rule excludes access points.
- (2) The required landscaping in Standard H10.6.7(1) above must comprise a mix of trees, shrubs or ground cover plants (including grass).

H10.6.8. Maximum impervious area in the riparian yard

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

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

H10.6.9. Wind

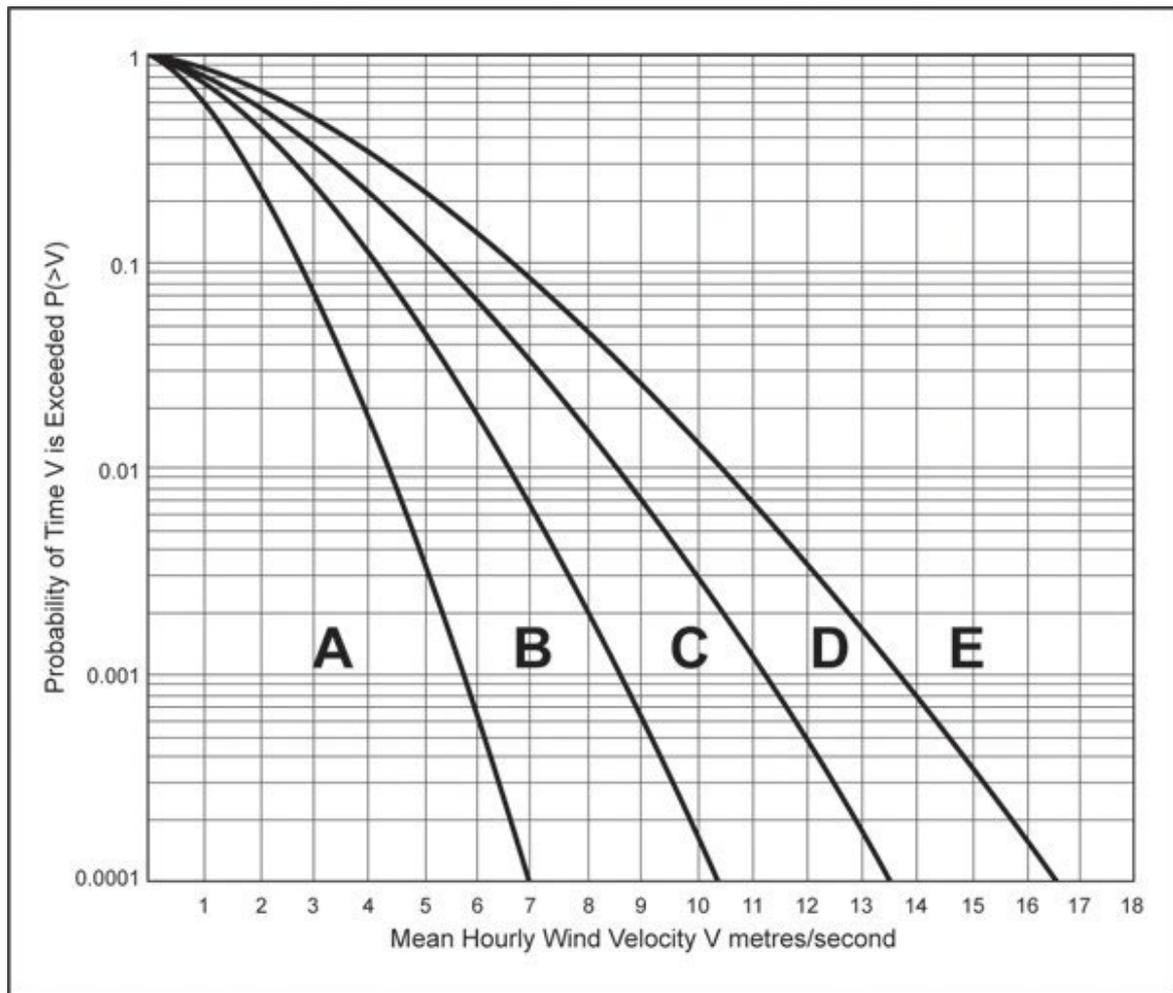
Purpose: mitigate the adverse wind effects generated by tall buildings.

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

Table H10.6.9.1 Categories

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

Figure H10.6.9.1 Wind environment control



Derivation of the wind environment control graph:

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

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

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

and where:

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

e = The Napierian base 2.7182818285

v = the velocity selected;

k = the constant 1.5; and

c = a variable dependent on the boundary being defined:

A/B, c = 1.548

B/C, c = 2.322

C/D, c = 3.017

D/E, c = 3.715

H10.6.10. Outlook space

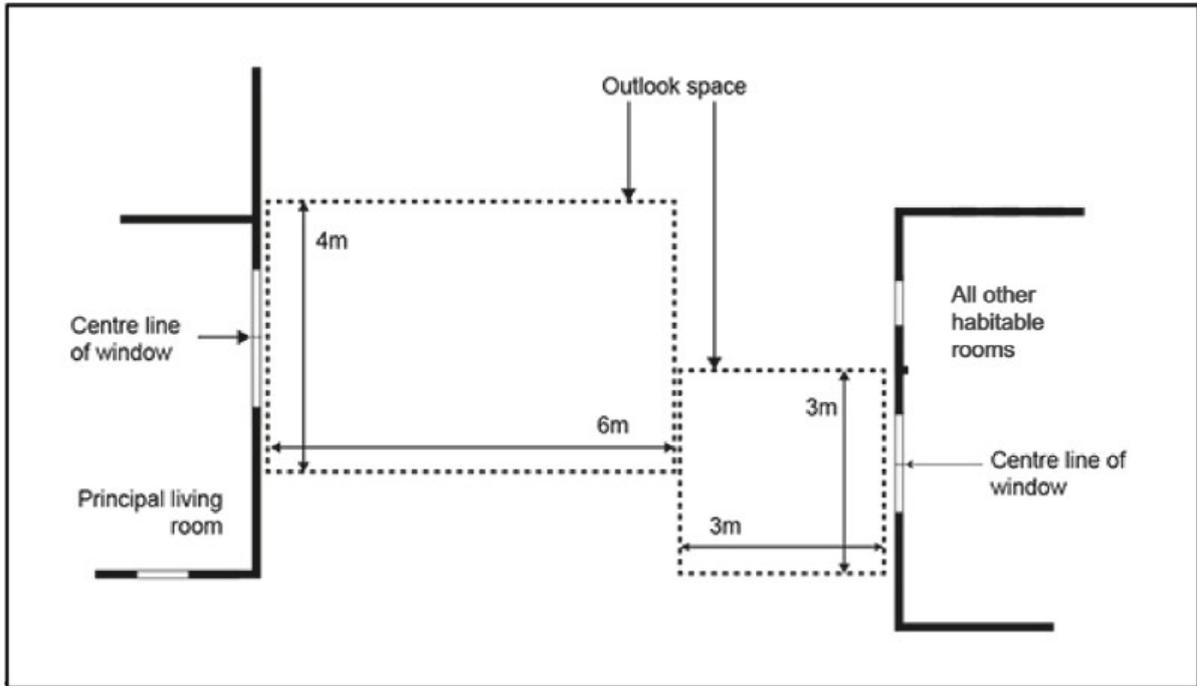
Purpose:

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

- (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 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.
- (4) The depth of the outlook space is measured at right angles to and horizontal from the window to which it applies.
- (5) The width of the outlook space is measured from the centre point of the largest window on the building face to which it applies.
- (6) The height of the outlook space is the same as the floor height, measured from floor to ceiling, of the building face to which the standard applies.
- (7) Outlook spaces may be within the site, over a public street, or other public open space.
- (8) Outlook spaces required from different rooms within the same building may overlap.
- (9) Outlook spaces may overlap where they are on the same wall plane.
- (10) Outlook spaces must:
 - (a) be clear and unobstructed by buildings;

- (b) not extend over adjacent sites, except for where the outlook space is over a public street or public open space as outlined in H10.6.10(7) above; and
- (c) not extend over an outlook spaces or outdoor living space required by another dwelling.

Figure H10.6.10.1 Required outlook space



H10.6.11 Minimum dwelling size

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

- (1) Dwellings must have a minimum net internal floor area as follows:
 - (a) 30m² for studio dwellings.
 - (b) 45m² for one or more bedroom dwellings.

H10.7. Assessment – controlled activities

There are no controlled activities in this zone.

H10.8. Assessment – restricted discretionary activities

H10.8.1. Matters of discretion

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

- (1) drive-through restaurants, activities within 30m of a residential zone, emergency services and service stations:
 - (a) the compatibility of:

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

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

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

H10.8.2. Assessment criteria

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

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

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

(a) refer to Policy H10.3(1), Policy H10.3(5), Policy H10.3(16) and Policy H10.3(20);

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

- Drive-through restaurants; or
- service stations:

(a) refer to Policy H10.3(3)(a), Policy H10.3(3)(b), Policy H10.3(3)(c), Policy H10.3(7), Policy H10.3(8), Policy H10.3(12), Policy H10.3(15)(a); Policy H10.3(17), Policy H10.3(18); Policy H10.3(19) and Policy H10.3(21);

(5) conversion of a building or part of a building to dwellings, retirement villages, visitor accommodation and boarding houses:

(a) refer to Policy H10.3(2);

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

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

(i) refer to Policy H10.3(3)(a), Policy H10.3(3)(b), Policy H10.3(8), Policy H10.3(12A), Policy H10.3(13), Policy H10.3(14) and Policy H10.3(15);

(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).

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 and may be located in walkable catchments. 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. Provisions typically enable buildings up to four storeys high. Within walkable catchments, as identified on the planning maps, building heights of at least six storeys are enabled, unless qualifying matters apply that reduce height., enabling residential use at upper floors.

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; ~~and~~
 - (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.
- (8) Local centres are an attractive place to live, work and visit.
- (9) Building height of at least six storeys is enabled within walkable catchments unless qualifying matters apply that modifies height.

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 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 (21m) within walkable catchments unless a qualifying matter applies that modifies height.
- (13) Enable greater building height than the standard height in locations identified ~~locations within the Height Variation Control centre zones, Business – Mixed Use Zone, Business – General Business Zone and Business – Business Park Zone enable greater building height than the standard zone height,~~ having regard to whether the greater height:
 - (za) is commensurate with the level of commercial activities and community services;
 - (a) is an efficient use of land;
 - (b) supports public transport, community infrastructure and contributes to centre vitality and vibrancy;
 - (c) considering the size and depth of the zoned area, can be accommodated without significant adverse effects on adjacent residential zones; ~~and~~
 - (d) is supported by the status of the centre in the centres hierarchy, or is adjacent to such a centre; ~~and~~
 - (e) supports the role of centres.
- (14) Reduce building height below the standard zone height in locations identified ~~locations within the Height Variation Control centre zones, Business – Mixed Use Zone, Business – General Business Zone and Business – Business Park Zone,~~

~~reduce building height below the standard zone height, where the standard zone height would have significant adverse effects on identified special character, identified landscape features, or 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.

H11.4. Activity table

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

Table H11.4.1 Activity table

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

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Activity		Activity status
(A25)	Trade suppliers	D
Community		
(A26)	Artworks	P
(A27)	Care centres	P
(A28)	Community facilities	P
(A29)	Education facilities	P
(A30)	Emergency services	RD
(A31)	Healthcare facilities	P
(A32)	Hospitals	NC
(A33)	Justice facilities	D
(A34)	Recreation facilities	P
(A35)	Tertiary education facilities	RD
Industry		
(A36)	Industrial activities	NC
(A37)	Industrial laboratories	P
(A38)	Light manufacturing and servicing	P
(A39)	Repair and maintenance services	P
(A40)	Storage and lock-up facilities	NC
(A41)	Waste management facilities	NC
(A42)	Warehousing and storage	P
Mana Whenua		
(A43)	Marae complex	P
Development		
(A44)	New buildings	RD
(A45)	Demolition of buildings	P
(A46)	Alterations to building facades that are less than 25m ²	P
(A47)	Additions to buildings that are less than: (a) 25 per cent of the existing gross floor area of the building; or (b) 250m ² whichever is the lesser	P
(A48)	Internal alterations to buildings	P
(A49)	Additions and alterations to buildings not otherwise provided for	RD

H11.5. Notification

- (1) Any application for resource consent for an activity listed in Table H11.4.1 Activity table above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.

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

H11.6. Standards

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

H11.6.0 Activities within 30m of a residential zone

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

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

H11.6.1. Building height

Purpose:

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

- provide for variations to the standard zone height through the Height Variation Control, to recognise the character and amenity of particular areas, including Special Character Areas – Business, 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</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</u>	<u>NA</u>	<u>NA</u>	<u>21m (6 storeys)</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) 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

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

Qualifying matter as per s77O(f) of the RMA

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
	<u>Residential – Low Density Residential Zone; or Residential - Mixed Housing Urban Zone</u>	45 <u>60</u> °	3 <u>4</u> m
	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;	45°	4.5m

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	Open Space - Informal Recreation Zone; Open Space -Sport and Active Recreation Zone; Open Space -Civic Spaces Zone; or Open Space -Community Zone		
<u>Buildings outside walkable catchments</u> located on the southern boundary of the adjacent site	Open Space - Conservation Zone; Open Space - Informal Recreation Zone; Open Space -Sport and Active Recreation Zone; Open Space - Civic Spaces Zone; or Open Space -Community Zone	45°	8.5m
<u>Buildings within walkable catchments</u>	<u>Residential – Low Density Residential Zone; Residential – Mixed Housing Urban Zone;</u> <u>Residential – Terrace Housing and Apartment Buildings Zone;</u> <u>Business – Mixed Use Zone; Special Purpose - Māori Purpose Zone;</u> <u>Special Purpose - School Zone</u> <u>Business – General Business Zone; 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; or Open Space – Community Zone</u>	<u>60°</u>	<u>19m</u>

Figure H11.6.2.1 Height in relation to boundary

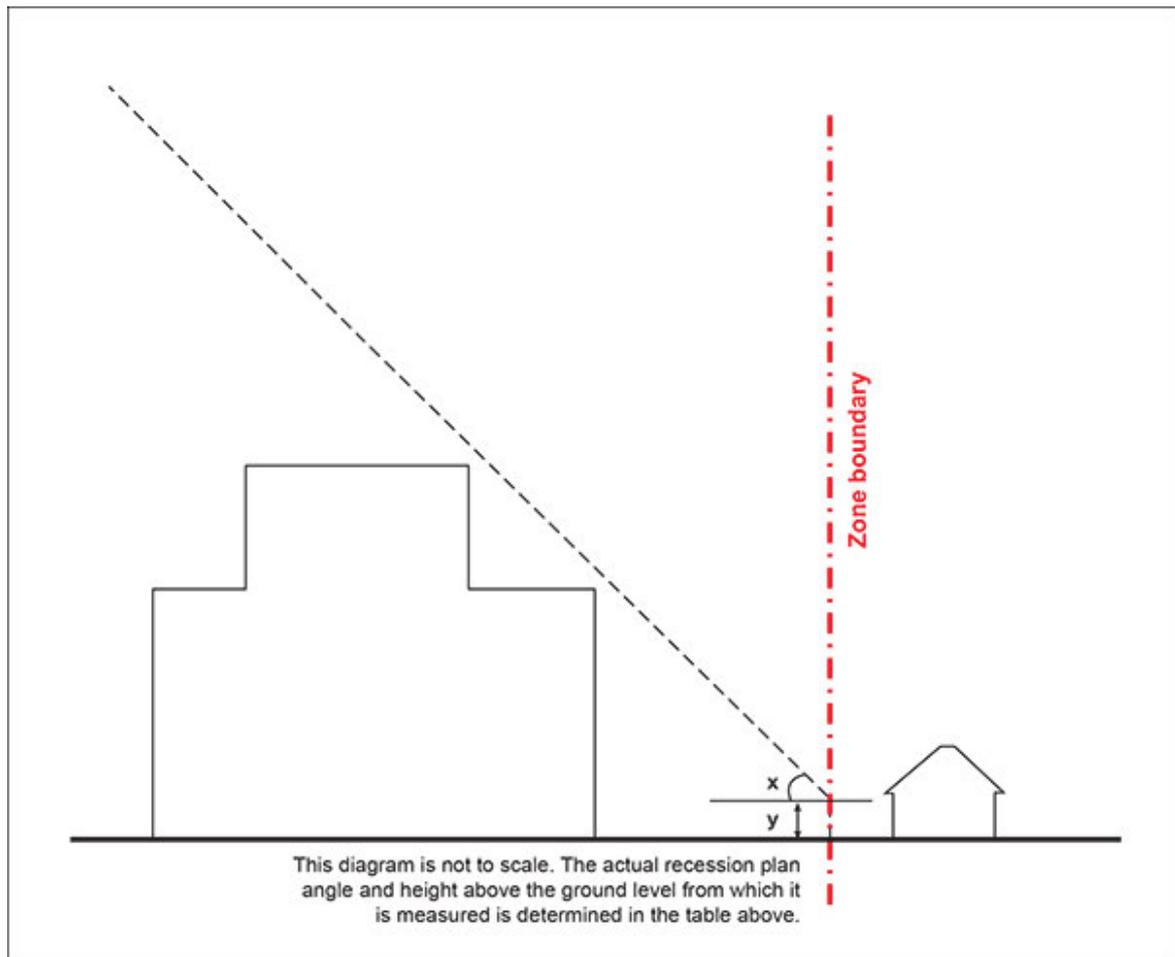


Figure H11.6.2.2 Height in relation to boundary opposite a road

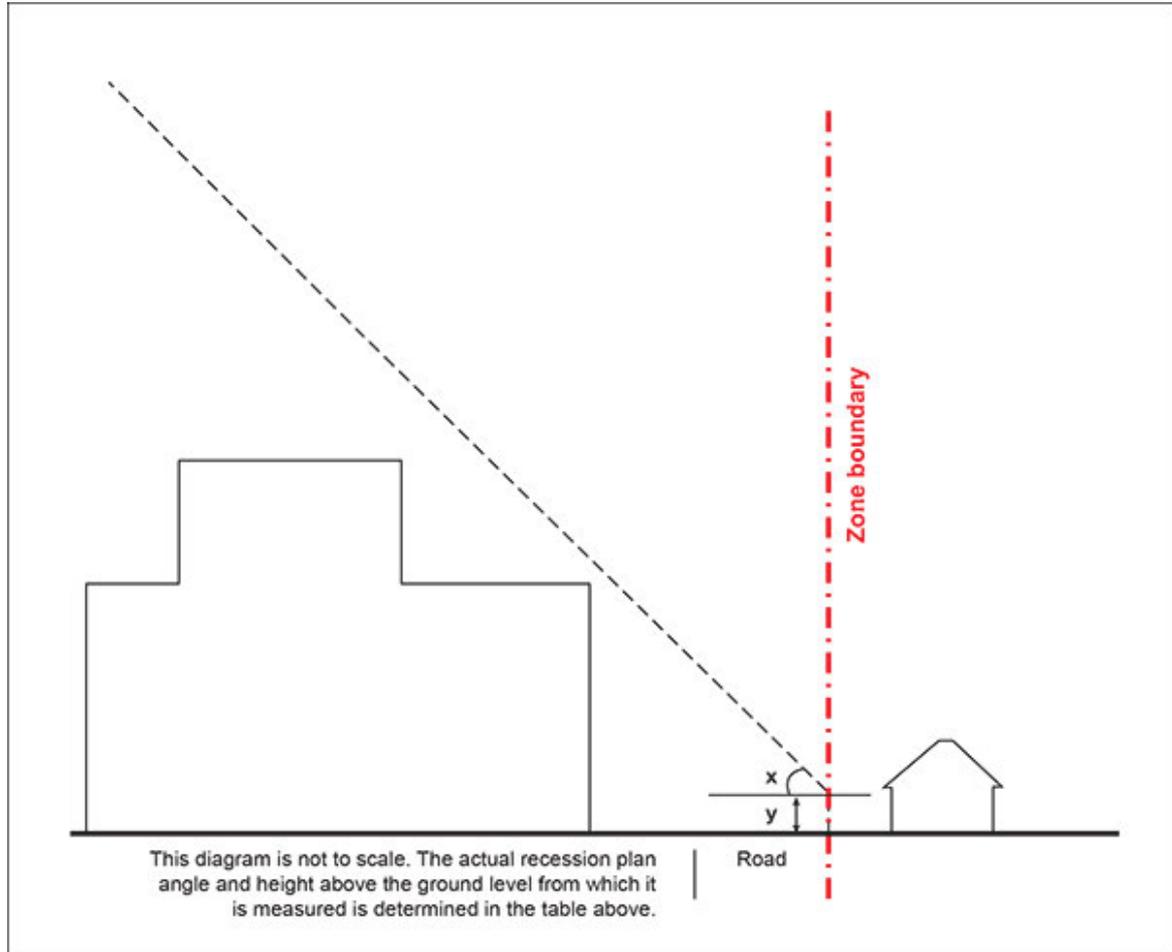
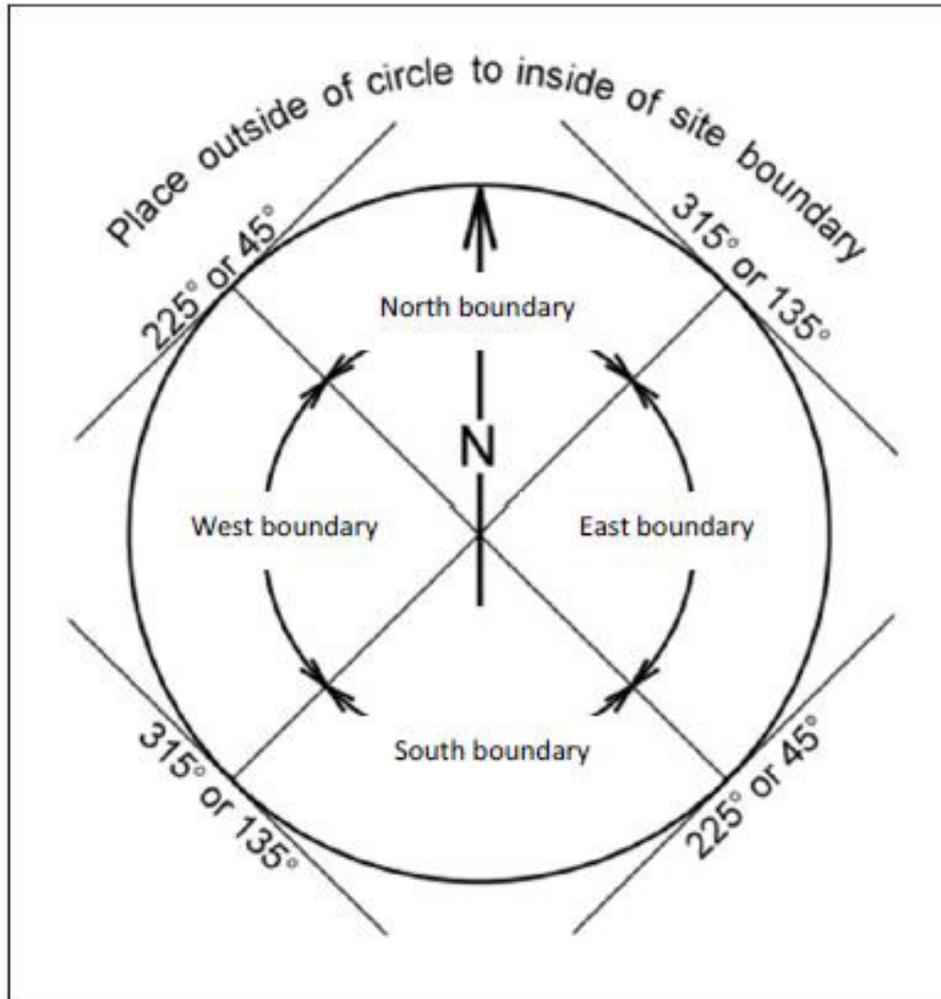


Figure H11.6.2.3 Recession plane indicator for sites adjacent to an open space zone



H11.6.3. Residential at ground floor

Purpose:

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

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

H11.6.4. Yards

Purpose:

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

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

Table H11.6.4.1 Yards

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

Note 1

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

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

H11.6.5. Landscaping

Purpose:

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

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

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

H11.6.6. Maximum impervious area in the riparian yard

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

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

H11.6.7. Wind

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

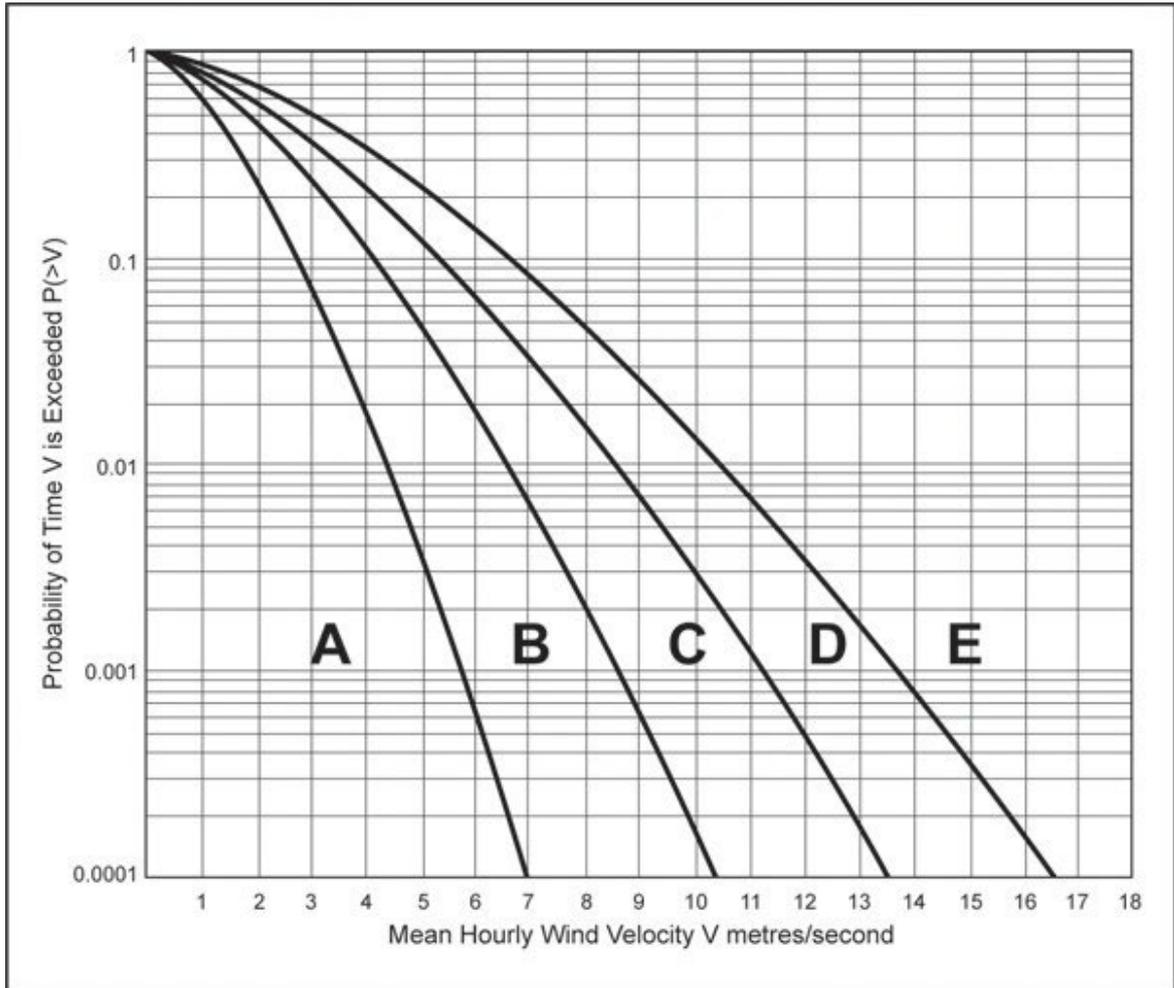
- (1) A new building exceeding 25m in height and additions to existing buildings that increase the building height above 25m must not cause:
 - (a) the mean wind speed around it to exceed the category for the intended use of the area as set out in Table H11.6.7.1 and Figure H11.6.7.1 below;
 - (b) the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

Table H11.6.7.1 Categories

(B1)	Category A	Areas of pedestrian use or adjacent dwellings containing significant formal elements and features intended to encourage longer term recreational or relaxation use i.e. public open space and adjacent outdoor living space
(B2)	Category B	Areas of pedestrian use or adjacent dwellings containing minor elements and features intended to encourage short term recreation or relaxation, including adjacent private residential properties
(B3)	Category C	Areas of formed footpath or open space pedestrian linkages, used primarily for pedestrian transit and devoid of significant or repeated recreational or relaxational features, such as footpaths not covered in categories A or B above
(B4)	Category D	Areas of road, carriage way, or vehicular routes, used primarily for vehicular transit and open storage, such as roads generally where devoid of any features or form which would include the spaces in categories A

		- C above.
(B5)	Category E	Category E represents conditions which are dangerous to the elderly and infants and of considerable cumulative discomfort to others, including residents in adjacent sites. Category E conditions are unacceptable and are not allocated to any physically defined areas of the city

Figure H11.6.7.1 Wind environment control



Derivation of the wind environment control graph:

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

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

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

and where:

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

e = The Napierian base 2.7182818285

v = the velocity selected;

k = the constant 1.5; and

c = a variable dependent on the boundary being defined:

A/B, c = 1.548

B/C, c = 2.322

C/D, c = 3.017

D/E, c = 3.715

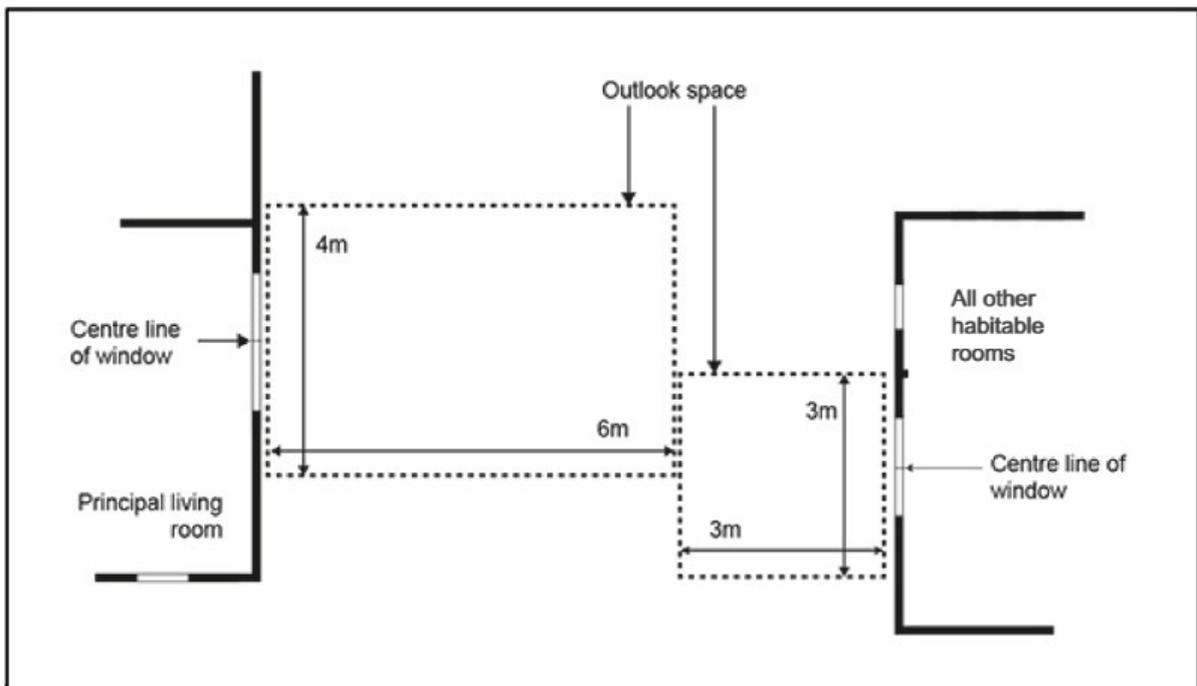
H11.6.8. Outlook space

Purpose:

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



H11.6.9 Minimum dwelling size

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

- (1) Dwellings must have a minimum net internal floor area as follows:
 - (a) 30m² for studio dwellings.
 - (b) 45m² for one or more bedroom dwellings.

H11.7. Assessment – controlled activities

There are no controlled activities in this section.

H11.8. Assessment – restricted discretionary activities

H11.8.1. Matters of discretion

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

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

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

- (f) the effects of creation of new roads and/or service lanes on the matters listed above;
 - (g) the positive effects that landscaping, including required landscaping, on sites adjoining public spaces is able to contribute to the amenity values of the people using or passing through the public space;
 - (h) taking an integrated stormwater management approach; and
 - (i) all the above matters to be assessed having regard to the outcomes set out in this Plan and the functional requirements of the activities that the buildings are intended to accommodate;
- (5) in addition to the matters for new buildings stated above the Council will restrict its discretion to the following matter in regard to:
- integrated retail developments; or
 - supermarkets, department stores and large format retail where the activity or integrated retail development exceeds 1000m² gross floor area per tenancy;
- (a) the manner in which these building/developments are integrated with the adjacent existing and planned future centre and zone activities and public spaces and provide for the continuity of active public frontages and associated pedestrian amenity that is appropriate to those centres and zones having regard to the outcomes set out in this Plan and the functional requirements of the activities that the buildings are intended to accommodate. This will include the effects of the design and location of parking areas, vehicle access and servicing arrangements on the visual amenity of the streetscape and on pedestrian safety;
- (6) in addition to the matters for new buildings stated above the Council will restrict its discretion to the following matter in regard to:
- drive-through restaurants; or
 - service stations.
- (a) the effects of the location and design of:
- (i) buildings and associated equipment, parking and service areas;
 - (ii) access for vehicles including service vehicles; and
 - (iii) landscaping
- on the amenity of surrounding areas (particularly residential areas), on streetscapes and on pedestrian amenity and any methods by which those effects can be appropriately managed;
- (7) conversion of a building or part of a building to dwellings, retirement villages, visitor accommodation and boarding houses:

- (a) any matters that do not meet the standards set out for the activity in Standard H11.6.8 or Standard H11.6.9 having regard to the need to ensure a good standard of amenity within and between dwellings, visitor accommodation, boarding houses and retirement villages;
- (8) activities that do not meet the standards
 - (a) any policy which is relevant to the standard;
 - (b) the purpose of the standard;
 - (c) the effects of the infringement of the standard;
 - (d) the effects on the amenity of neighbouring sites;
 - (e) the effects of any special or unusual characteristic of the site which is relevant to the standard;
 - (f) the characteristics of the development;
 - (g) any other matters specifically listed for the standard; and
 - (h) where more than one standard will be infringed, the effects of all infringements.

H11.8.2. Assessment criteria

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

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

(c) for Matter H11.8.1(2)(c) refer to Policy H11.3(1); H11.3(17)(b)

(d) for Matter H11.8.1(2)(d) refer to Policy H11.3(12);

(3) tertiary education facilities:

(a) for Matter H11.8.1(3)(a) refer to Policy H11.3(3)(a), Policy H11.3(3)(b), Policy H11.3(3)(c) and H11.3(16);

(4) new buildings and alterations and additions to buildings not otherwise provided for:

(a) for Matter H11.8.1(4)(a)(i) refer to Policy H11.3(3)(a) and Policy H11.3(3)(b);

(b) for Matter H11.8.1(4)(a)(ii) refer to Policy H11.3(3)(c);

(c) for Matter H11.8.1(4)(a)(iii) refer to Policy H11.3(4);

(d) for Matter H11.8.1(4)(a)(iv) refer to Policy H11.3(3)(a);

(e) for Matter H11.8.1(4)(a)(v) refer to Policy H11.3(7);

(f) for Matter H11.8.1(4)(b) refer to Policy H11.3(6);

(g) for Matter H11.8.1(4)(c)(i) refer to Policy H11.3(3)(a) and Policy H11.3(3)(b);

(h) for Matter H11.8.1(4)(c)(ii) refer to Policy H11.3(3)(a) and Policy H11.3(3)(b);

(i) for Matter H11.8.1(4)(c)(iii) refer to Policy H11.3(3)(a) and Policy H11.3(3)(b);

(j) for Matter H11.8.1(4)(d) refer to Policy H11.3(3)(c);

(k) for Matter H11.8.1(4)(e) refer to Policy H11.3(3)(c);

(l) for Matter H11.8.1(4)(f) refer to Policy H11.3(3)(b);

(m) for Matter H11.8.1(4)(g) refer to Policy H11.3(3)(c);

(n) for Matter H11.8.1(4)(h) refer to Policy [E1.3\(10\)](#); and

(o) for Matter H11.8.1(4)(i) refer to Policy H11.3(3)(12);

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

- integrated retail developments; or

- supermarkets, department stores and large format retail where the activity or integrated retail development exceeds 1000m² gross floor area per tenancy:
 - (a) refer to Policy H11.3(1), Policy H11.3(5), Policy H11.3(17), Policy H11.3(18) and Policy H11.3(19);
- (6) in addition to the policies for new buildings stated above the Council will have regard to the following policies when considering new buildings for the following purposes:
 - drive-through restaurants; or
 - service stations:
 - (a) refer to Policy H11.3.(3)(a), Policy H11.3(3)(b), Policy H11.3(3)(c), Policy H11.3(7), Policy H11.3(8), Policy H11.3(12), Policy H11.3(16) and H11.3(20);
- (7) conversion of a building or part of a building to dwellings, retirement villages, visitor accommodation and boarding houses:
 - (a) refer to Policy H11.3(2);
- (8) buildings that do not comply with the standards:
 - (a) height and height in relation to boundary:
 - (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);
 - (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).

H11.9. Special information requirements

There are no special information requirements in this section.

Business – Neighbourhood Centre Zone

H12.1. Zone description

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

Provisions typically enable buildings of up to three storeys high. Within walkable catchments, as identified on the planning maps, developments of at least six storeys are enabled, unless qualifying matters apply that reduce height, and residential use at upper Dwellings above the ground floors is permitted. Development is expected to be in keeping with the surrounding planned urban built character ~~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; ~~and~~
 - (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) Building height of at least six storeys is enabled within walkable catchments unless qualifying matters apply that modifies height.

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 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 (21m) within walkable catchments unless a qualifying matter applies that modifies height.
- (13) ~~Enable greater building height than the standard height in locations identified within the Height Variation Control centres zones, Business – Mixed Use Zone, Business – General Business Zone and Business – Business Park Zone enable greater building height than the standard zone height, having regard to whether the greater height:~~
 - (za) is commensurate with the level of commercial activities and community services;
 - (a) is an efficient use of land;
 - (b) supports public transport, community infrastructure and contributes to centre vitality and vibrancy;
 - (c) considering the size and depth of the zoned area, can be accommodated without significant adverse effects on adjacent residential zones; ~~and~~

- (d) is supported by the status of the centre in the centres hierarchy, or is adjacent to such a centre; and
- (e) supports the role of centres.

(14) Reduce building height below the standard zone height in locations identified ~~locations within the Height Variation Control centre zones, Business – Mixed Use Zone, Business – General Business Zone and Business – Business Park Zone,~~ reduce building height below the standard zone height, where the standard zone height would have significant adverse effects on identified special character, identified landscape features, or 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.

H12.4. Activity table

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

Table H12.4.1 Activity table

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

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

H12.5. Notification

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

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

H12.6. Standards

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

H12.6.0 Activities within 30m of a residential zone

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

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

H12.6.1. Building height

Purpose:

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

- provide for variations to the standard zone height through the Height Variation Control, to recognise the character and amenity of particular areas, including Special Character Areas – Business, 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>	Occupiable building height	Height for roof form	Total building height
<u>Buildings outside a walkable catchment</u>	11m	2m	13m
<u>Buildings in a walkable catchment</u>	<u>NA</u>	<u>NA</u>	<u>21m (6 storeys)</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

Qualifying matter as per s770(f) of the RMA

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
	<u>Residential – Low Density Residential Zone; or Residential – Mixed Housing Urban Zone</u>	45/60°	3/4m
	Residential – Terrace Housing and Apartment Buildings Zone	60°	8m
	Special Purpose – Māori Purpose Zone; or Special Purpose School Zone	45°	6m

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	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
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°	8.5m
<u>Buildings within walkable catchments</u>	<u>Residential – Low Density Residential Zone;</u> <u>Residential – Mixed Housing Urban Zone;</u> <u>Residential – Terrace Housing and Apartment Buildings Zone;</u> <u>Special Purpose – Māori Purpose Zone;</u> <u>Special Purpose - School Zone;</u> <u>Business – Mixed Use Zone;</u> <u>Business – General Business 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> or <u>Open Space – Community Zone</u>	60°	19m

Figure H12.6.2.1 Height in relation to boundary

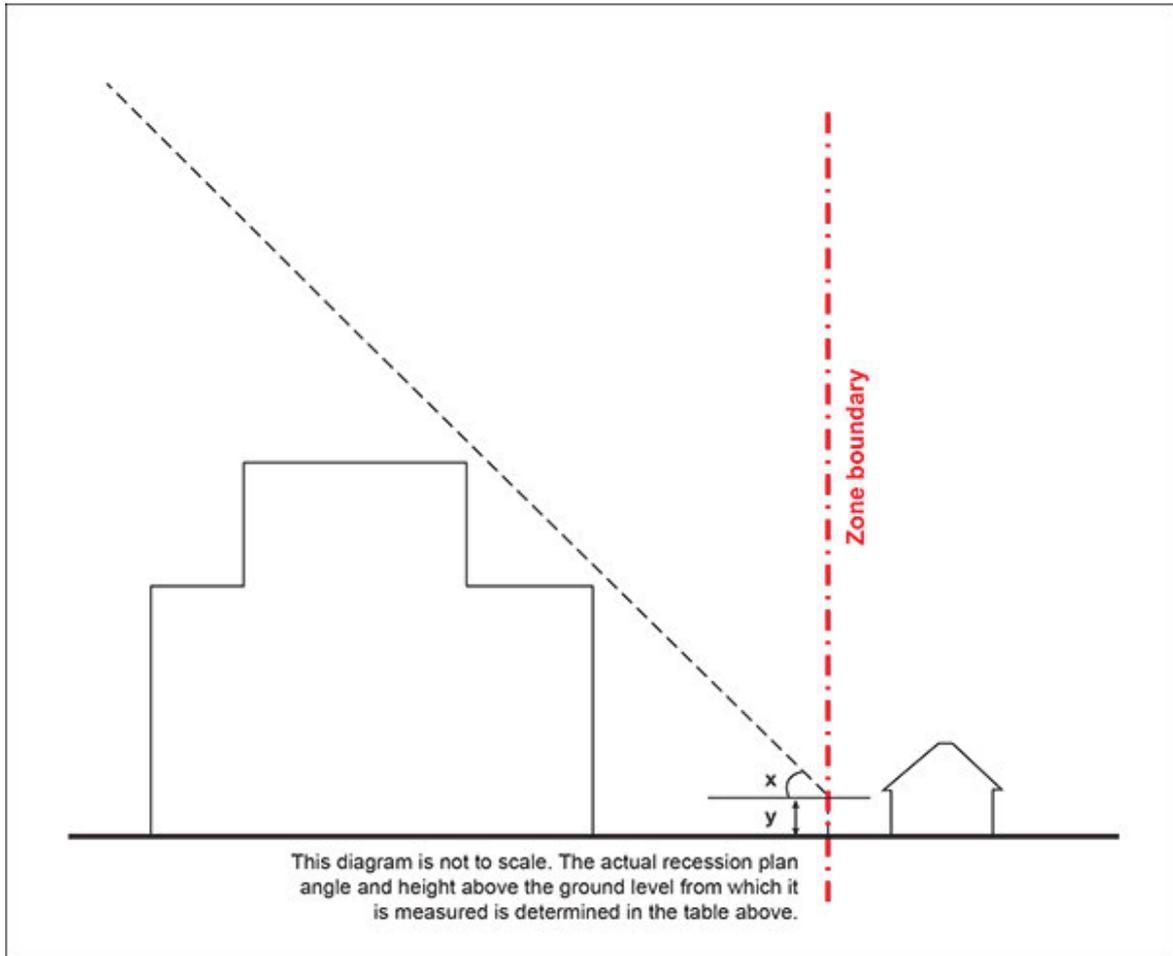


Figure H12.6.2.2 Height in relation to boundary opposite a road

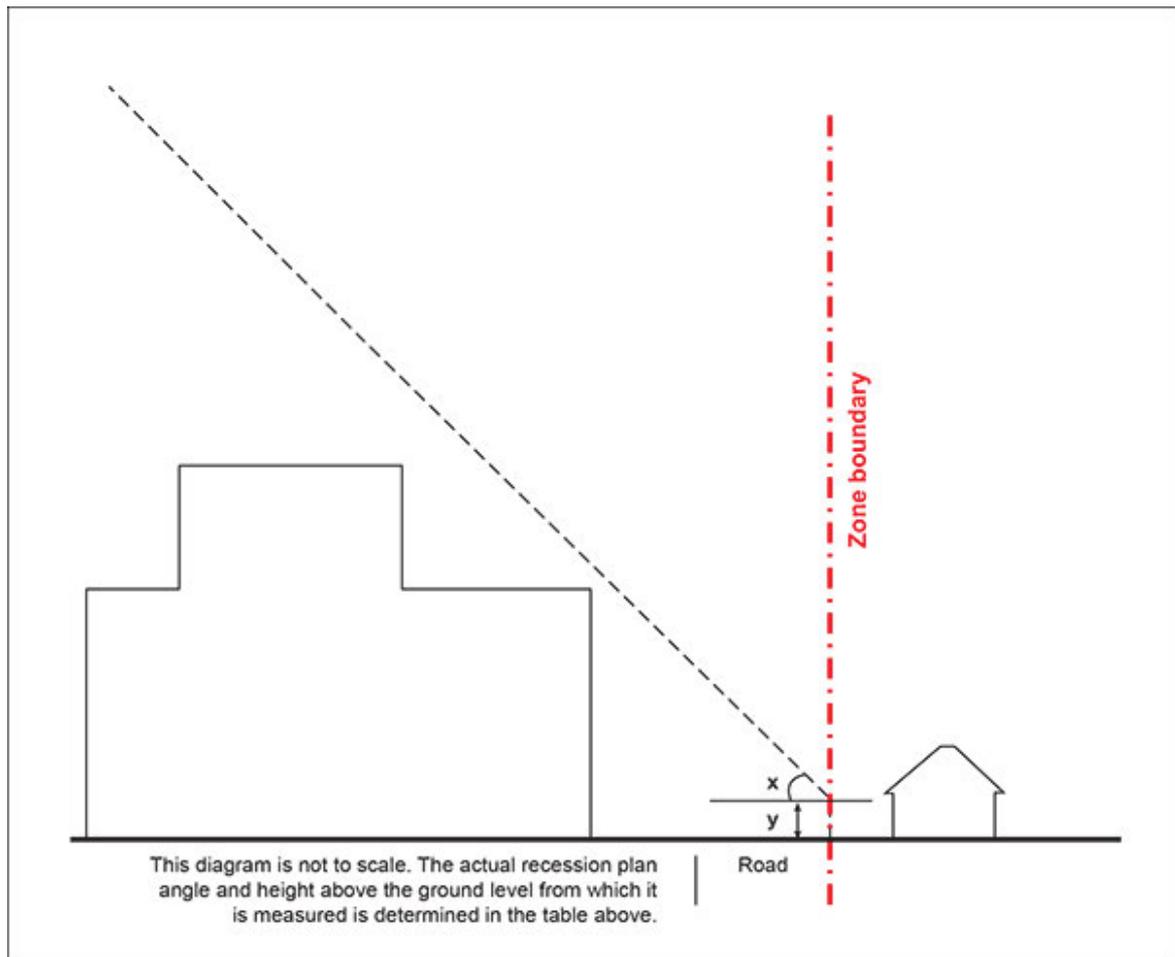
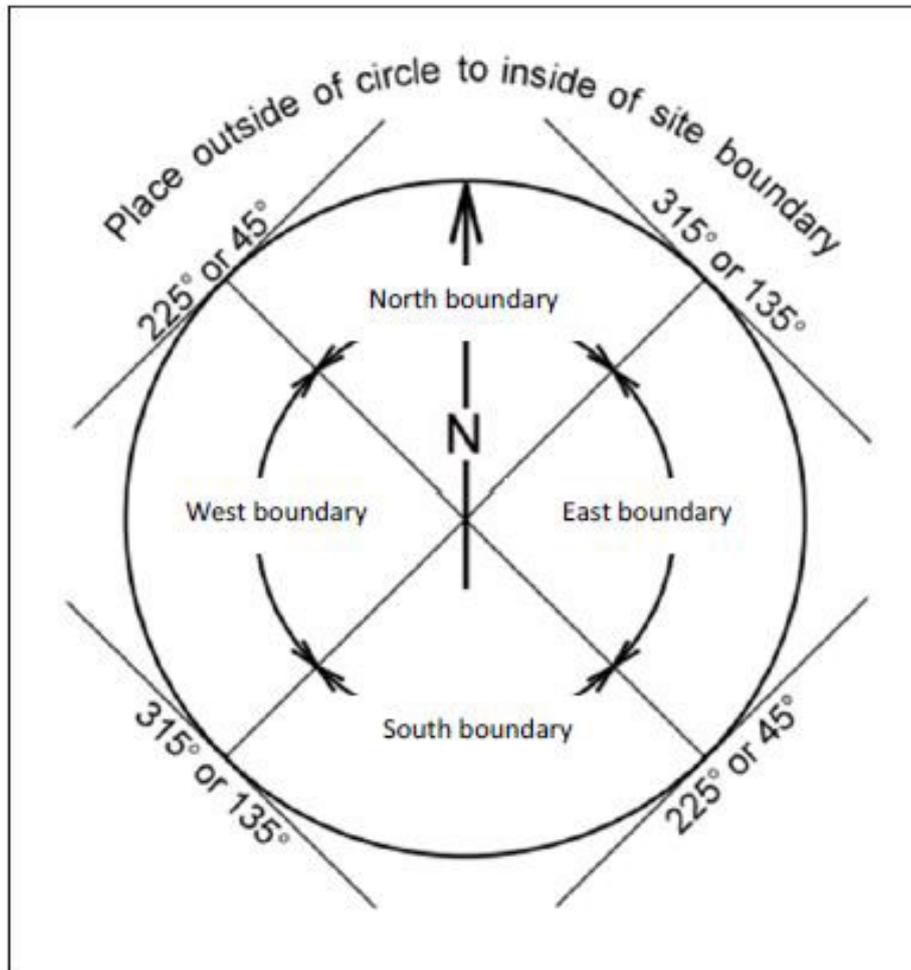


Figure H12.6.2.3 Recession plane indicator for sites adjacent to an open space zone



H12.6.3. Residential at ground floor

Purpose:

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

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

H12.6.4. Yards

Purpose:

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

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

Table H12.6.4.1 Yards

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

Note 1

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

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

H12.6.5. Landscaping

Purpose:

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

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

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

H12.6.6. Maximum impervious area in the riparian yard

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

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

H12.6.7. Wind

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

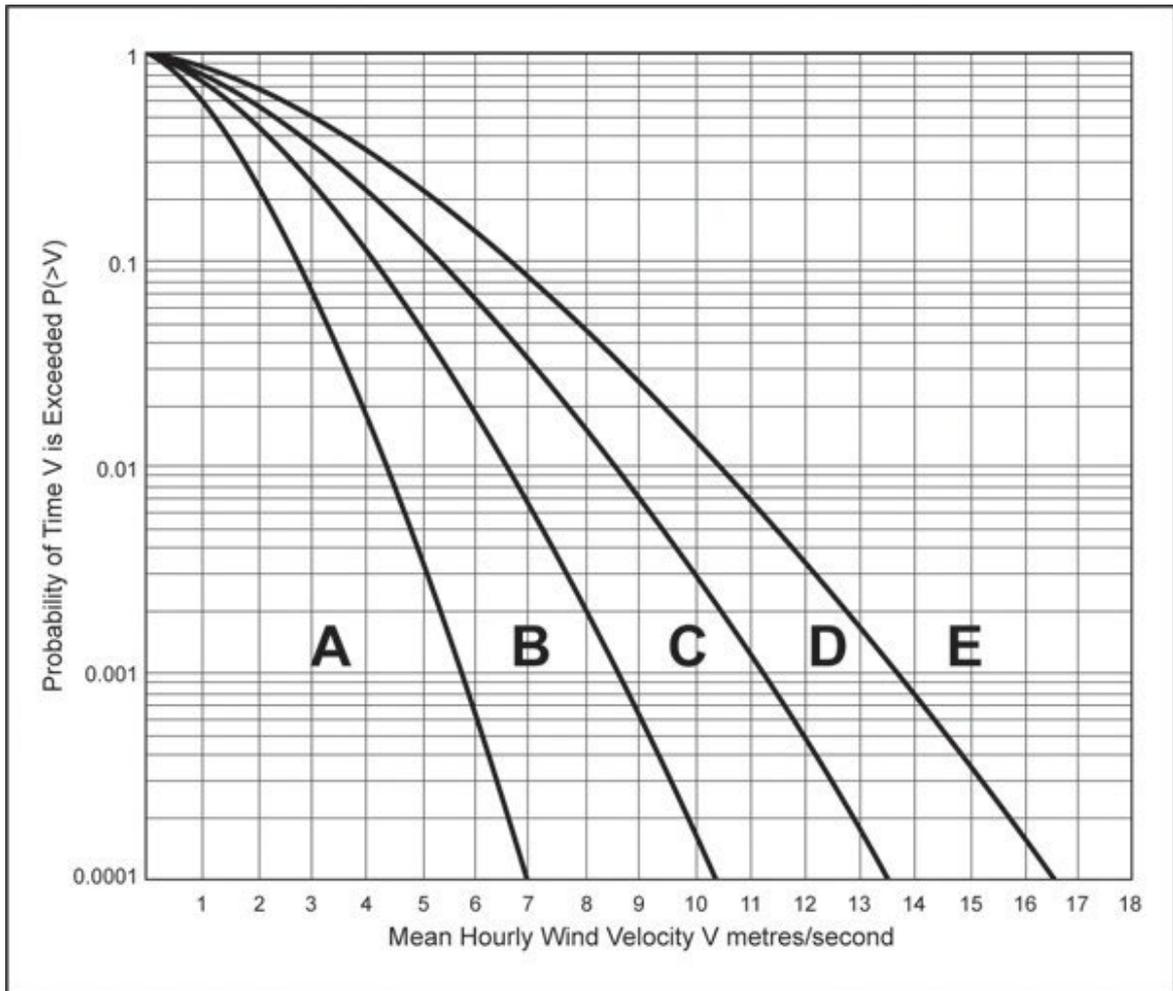
- (1) A new building exceeding 25m in height and additions to existing buildings that increase the building height above 25m must not cause:
- (a) the mean wind speed around it to exceed the category for the intended use of the area as set out in Table H12.6.7.1 and Figure H12.6.7.1 below;
 - (b) the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

Table H12.6.7.1 Categories

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

	would include the spaces in categories A - C above.
Category E	Category E represents conditions which are dangerous to the elderly and infants and of considerable cumulative discomfort to others, including residents in adjacent sites. Category E conditions are unacceptable and are not allocated to any physically defined areas of the city

Figure H12.6.7.1 Wind environment control



Derivation of the wind environment control graph:

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

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

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

and where:

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

e = The Napierian base 2.7182818285

v = the velocity selected;

k = the constant 1.5; and

c = a variable dependent on the boundary being defined:

A/B, c = 1.548

B/C, c = 2.322

C/D, c = 3.017

D/E, c = 3.715

H12.6.8. Outlook space

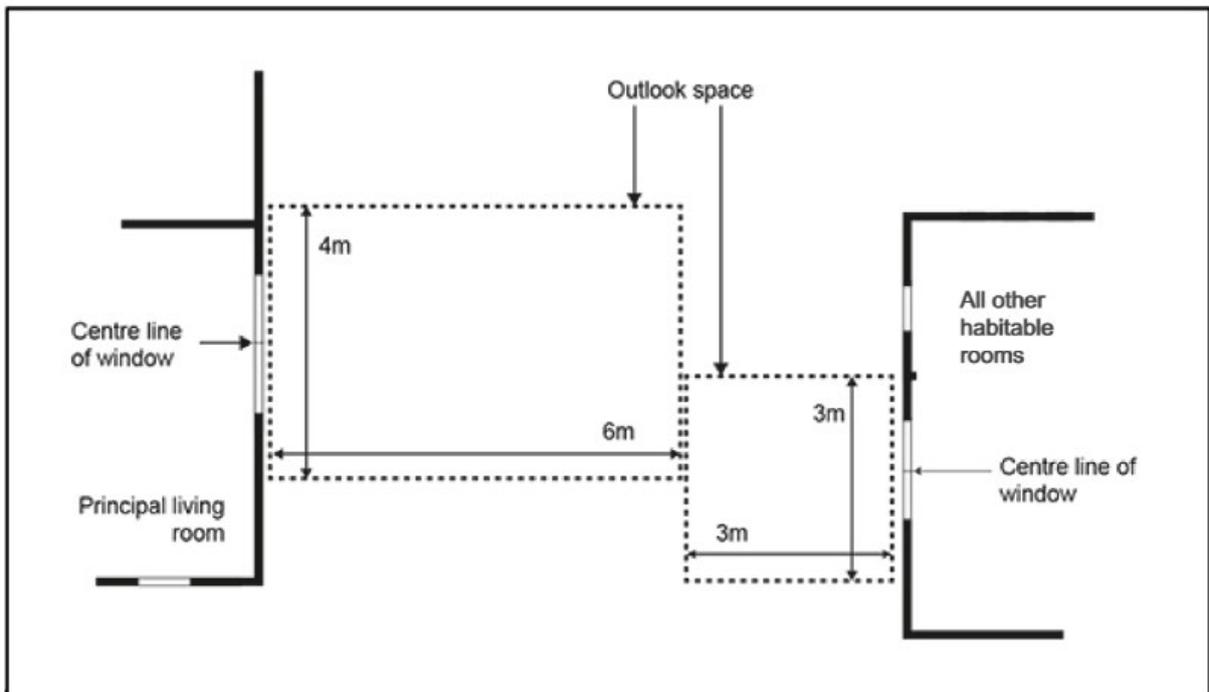
Purpose:

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

- (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 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
- (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



H12.6.9 Minimum dwelling size

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

- (1) Dwellings must have a minimum net internal floor area as follows:
 - (a) 30m² for studio dwellings.
 - (b) 45m² for one or more bedroom dwellings.

H12.7. Assessment – controlled activities

There are no controlled activities in this zone.

H12.8. Assessment – restricted discretionary activities

H12.8.1. Matters of discretion

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

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

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

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

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

H12.8.2. Assessment criteria

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

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

- (d) for Matter H12.8.1(3)(a)(iv) refer to Policy H12.3(3)(a);
 - (e) for Matter H12.8.1(3)(a)(v) refer to Policy H12.3(7);
 - (f) for Matter H12.8.1(3)(b) refer to Policy H12.3(6);
 - (g) for Matter H12.8.1(3)(c)(i) refer to Policy H12.3(3)(a) and Policy H12.3(3)(b);
 - (h) for Matter H12.8.1(3)(c)(ii) refer to Policy H12.3(3)(a) and Policy H12.3(3)(b);
 - (i) for Matter H12.8.1(3)(c)(iii) refer to Policy H12.3(3)(a) and Policy H12.3(3)(b);
 - (j) for Matter H12.8.1(3)(d) refer to Policy H12.3(3)(c);
 - (k) for Matter H12.8.1(3)(e) refer to Policy H12.3(3)(c);
 - (l) for Matter H12.8.1(3)(f) refer to Policy H12.3(3)(b);
 - (m) for Matter H12.8.1(3)(g) refer to H12.3(3)(c);
 - (n) for Matter H12.8.1(3)(h) refer to Policy [E1.3\(10\)](#);
 - (o) for Matter H12.8.1(3)(i) refer to Policy H12.3(3)(12);
- (4) in addition to the policies for new buildings stated above the Council will have regard to the following policies when considering new buildings for the following purposes:
- supermarkets, department stores and large format retail where the activity or integrated retail development exceeds 1000m² gross floor area per tenancy:
- (a) refer to Policy H12.3(1), Policy H12.3(5), and Policy H12.3(16);
- (5) in addition to the policies for new buildings stated above the Council will have regard to the following policies when considering new buildings for the following purposes:
- drive-through restaurants; or
 - service stations:
- (a) refer to Policy H12.3(3)(a), Policy H12.3(3)(b), Policy H12.3(3)(c), Policy H12.3(7), Policy H12.3(8), Policy H12.3(12), Policy H12.3(15) and H12.3(17);
- (6) conversion of a building or part of a building to dwellings, retirement villages, visitor accommodation and boarding houses:
- (a) refer to Policy H12.3(2);

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

(a) height and height in relation to boundary:

(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);

(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).

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 and may be located in walkable catchments. 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. 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, building heights of at least six storeys are enabled, unless qualifying matters apply that reduce height.

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; ~~and~~

(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.

(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.

(10) Building height of at least of six storeys is enabled within walkable catchments unless qualifying matters apply that modifies height.

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 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 (21m) within walkable catchments unless a qualifying matter applies that modifies height.

- (13) Enable greater building height than the standard height in locations identified ~~locations within the Height Variation Control, Business – Mixed Use Zone, Business – General Business Zone and Business – Business Park Zone enable greater building height than the standard zone height,~~ having regard to whether the greater height:

(za) is commensurate with the level of commercial activities and community services;

(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; ~~and~~

(d) is supported by the status of the centre in the centres hierarchy, or is adjacent to such a centre; and

(e) supports the role of centres.

- (14) Reduce building height below the standard zone height in locations identified ~~locations within the Height Variation Control, Business – Mixed Use Zone, Business – General Business Zone and Business – Business Park Zone, reduce building height below the standard zone height,~~ where the standard zone height would have significant adverse effects on identified special character, identified landscape features, ~~or amenity, or other qualifying matters.~~

- (15) In areas surrounding the city centre, recognising their proximity and accessibility to the Business – City Centre Zone and Business – Metropolitan Centre Zone at Newmarket, provide opportunities for substantial office activities in the Business – Local Centre Zone and Business – Mixed Use Zone.

Business – Mixed Use Zone policies

- (16) Locate the Business – Mixed Use Zone in suitable locations within a close walk of the City Centre Zone, Business – Metropolitan Centre Zone and Business – Town Centre Zone or the public transport network.

- (17) Provide for a range of commercial activities that will not compromise the function, role and amenity of the City Centre Zone, Business – Metropolitan Centre Zone, Business – Town Centre Zone and Business – Local Centre Zone, beyond those effects ordinarily associated with trade effects on trade competitors.

- (18) Enable the development of intensive residential activities.

- (19) Require those parts of buildings with frontages subject to the General Commercial Frontage Control to achieve a reasonable level of street activation,

building continuity along the frontage, pedestrian amenity and safety and visual quality.

(20) Promote and manage development to a standard that:

- (a) recognises the moderate scale, intensity and diversity of business, social and cultural activities provided in the zone;
- (b) recognises the increases in residential densities provided in the zone; and
- (c) avoids significant adverse effects on residents.

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

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

H13.4. Activity table

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

Table H13.4.1 Activity table

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

H13 Business – Mixed Use Zone

Activity		Activity status
(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 ² gross floor area per site	P
(A19)	Offices greater than 500m ² gross floor area per site	D
(A20)	Retail up to 200m ² gross floor area per tenancy	P
(A21)	Retail greater than 200m ² gross floor area per tenancy	D
(A22)	Service stations	RD
(A23)	Supermarkets up to 450m ² gross floor area per tenancy	P
(A24)	Supermarkets exceeding 450m ² and up to 2000m ² gross floor area per tenancy	RD
(A25)	Supermarkets greater than 2000m ² gross floor area per tenancy	D
(A26)	Trade suppliers	D
Community		
(A27)	Artworks	P
(A28)	Care centres	P
(A29)	Community facilities	P
(A30)	Education facilities	P
(A31)	Emergency services	RD
(A32)	Healthcare facilities	P
(A33)	Hospitals	D
(A34)	Justice facilities	D
(A35)	Recreation facility	P
(A36)	Tertiary education facilities	P
Industry		
(A37)	Industrial activities	NC
(A38)	Industrial laboratories	P
(A39)	Light manufacturing and servicing	P
(A40)	Repair and maintenance services	P
(A41)	Storage and lock-up facilities	D
(A42)	Waste management facilities	NC
(A43)	Warehousing and storage	P

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

H13.5. Notification

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

H13.6. Standards

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

H13.6.0 Activities within 30m of a residential zone

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

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

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

H13.6.1. Building height

Purpose:

- manage the effects of building height;
 - manage shadowing effects of building height on public open space, excluding streets;
 - manage visual dominance effects;
 - allow an occupiable height component to the height limit, and an additional height for roof forms that enables design flexibility, to provide variation and interest in building form when viewed from the street;
 - enable greater height in areas identified for intensification including within walkable catchments, unless a qualifying matter applies; and
 - provide for variations to the standard zone height through the Height Variation Control, to recognise the character and amenity of particular areas and provide a transition in building scale to lower density zones.
- (1) Buildings must not exceed the height in metres specified in Table H13.6.1.1 below, unless otherwise specified in the Height Variation Control on the planning maps.

Table H13.6.1.1 Building height

<u>Location</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</u>	<u>NA</u>	<u>NA</u>	<u>21m (6 storeys)</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

	Occupiable building height	Height for roof form	Total building height shown on Height Variation Control on the planning maps
Qualifying matter as per s770(f) of the RMA	Same as on the planning maps	NA	Less than or equal to 11m
Qualifying matter as per s770(a) and s770(f) of the RMA	11m	2m	13m
	16m	2m	18m
	19m	2m	21m
	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
	<u>Residential – Low Density Zone; or Residential – Mixed Housing Urban Zone</u>	45 60°	3 4m
	Residential – Terrace Housing and Apartment Buildings Zone	60°	8m
	Special Purpose – Māori Purpose Zone; or Special Purpose School Zone	45°	6m
	Open Space – Conservation Zone; Open Space – Informal Recreation Zone; Open Space -Sport and Active Recreation Zone; Open Space – Civic Spaces Zone; or Open Space – Community Zone	45°	8.5m
<u>Buildings outside walkable catchments located on the southern boundary of the adjacent site</u>	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</u>	<u>Residential – Low Density Residential</u>	<u>60°</u>	<u>19m</u>

<p><u>catchments</u></p>	<p><u>Zone; Residential – Mixed Housing Urban</u> <u>Zone; Residential – Terrace Housing and Apartment Buildings</u> <u>Zone; Special Purpose – Māori Purpose Zone;</u> <u>Special Purpose - School Zone; Open Space – Conservation</u> <u>Zone; Open Space – Informal Recreation</u> <u>Zone; Open Space – Sports and Active Recreation Zone;</u> <u>Open Space – Civic Spaces Zone; or Open Space – Community Zone</u></p>		
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Figure H13.6.2.1 Height in relation to boundary

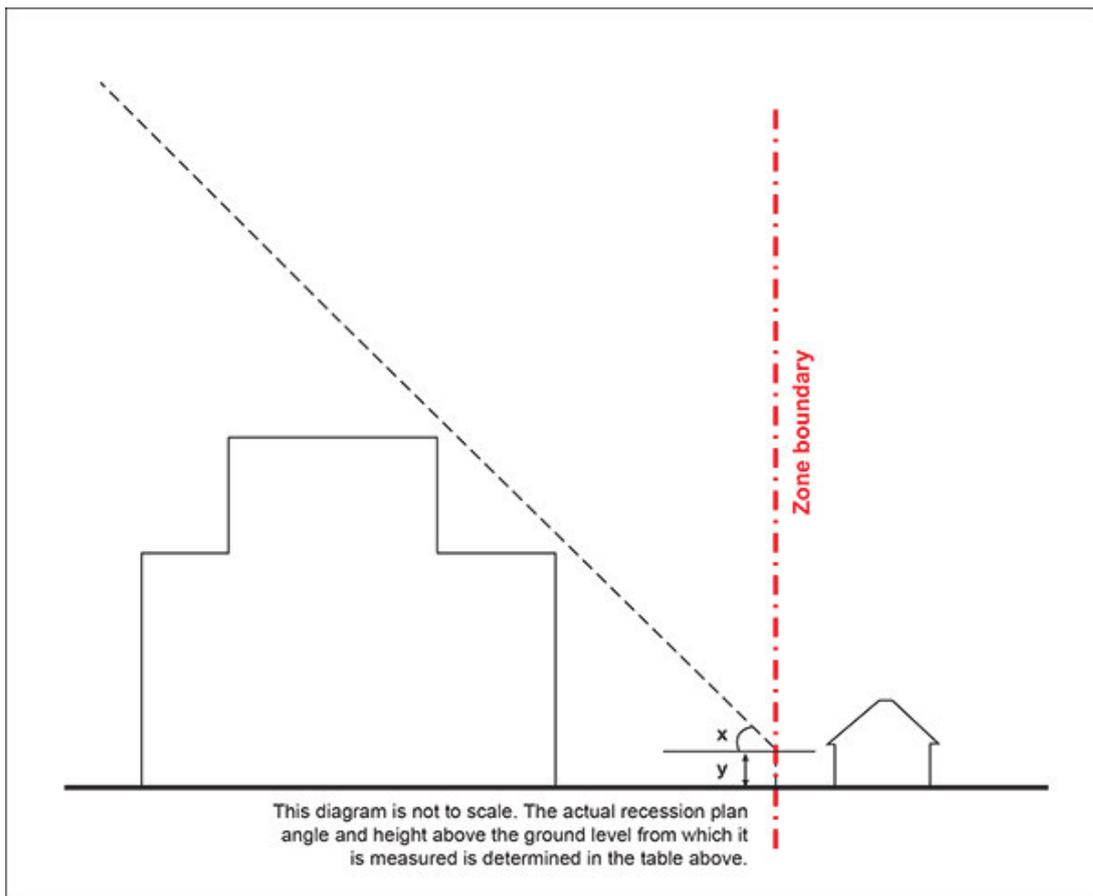


Figure H13.6.2.2 Height in relation to boundary opposite a road

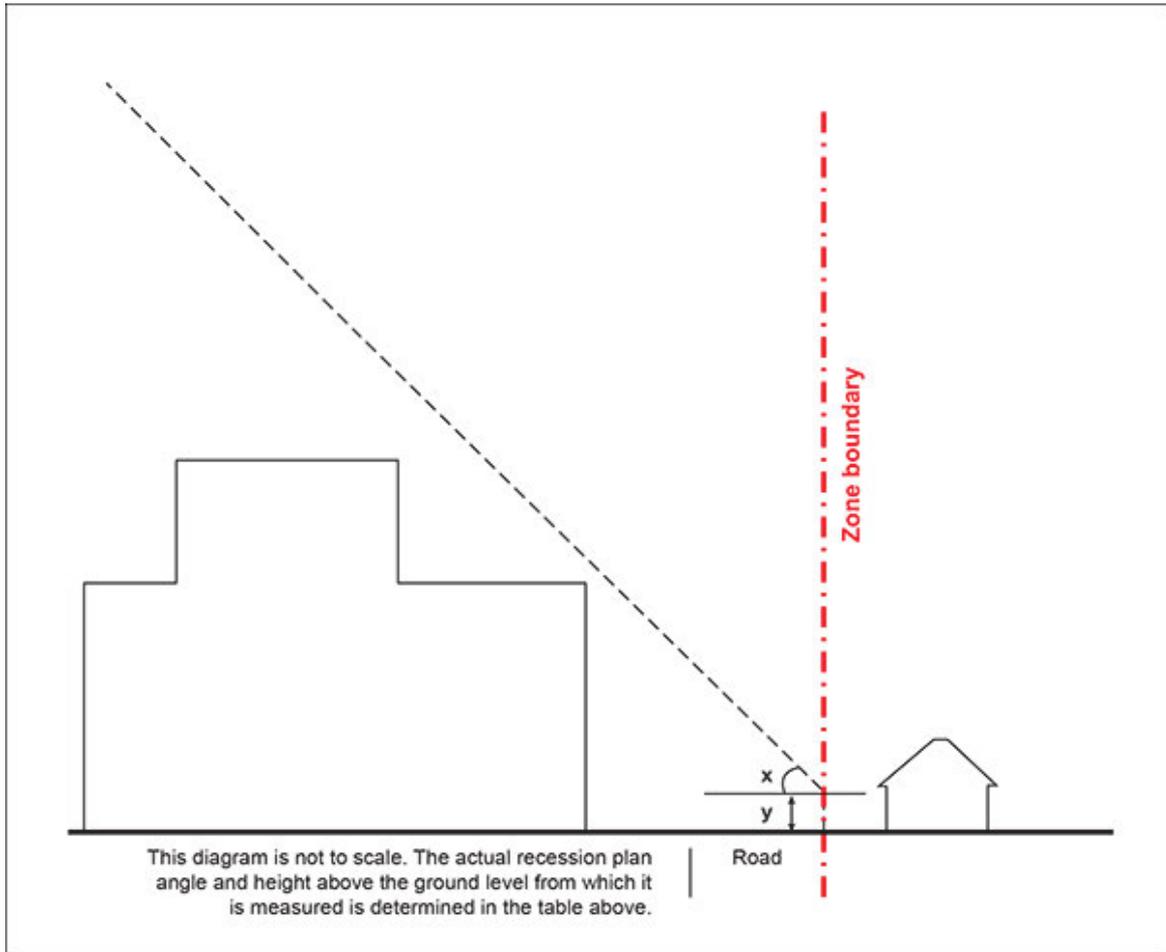
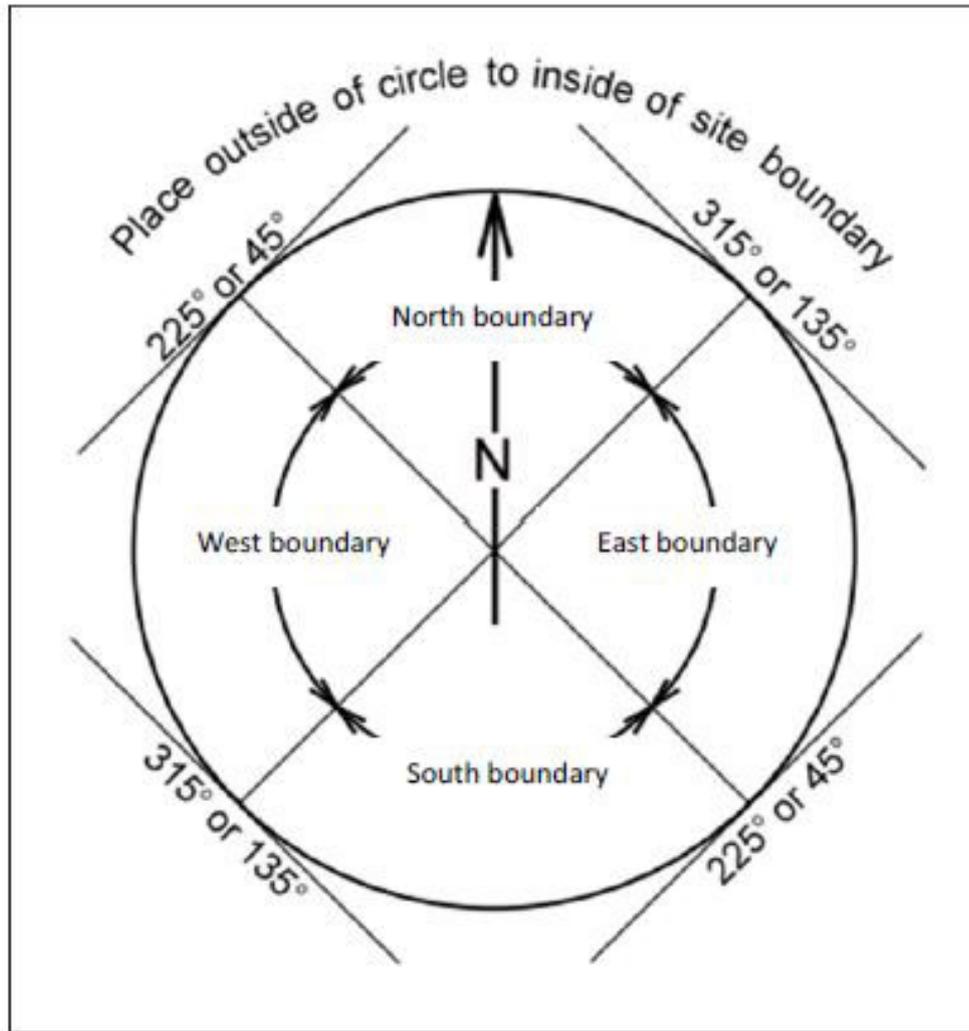


Figure H13.6.2.3 Recession plane indicator for sites adjacent to an open space zone



H13.6.3. Building setback at upper floors

Purpose:

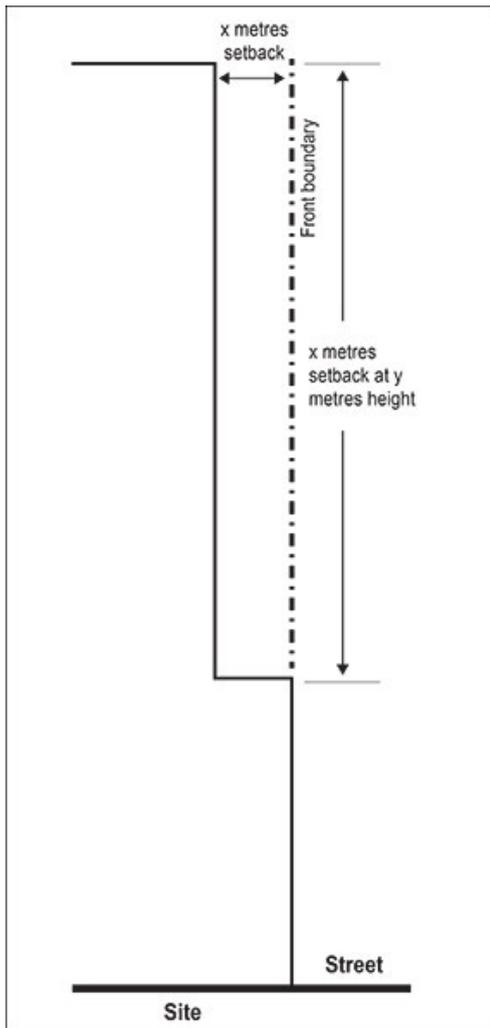
- provide adequate daylight access to streets;
- manage visual dominance effects on streets;
- manage visual dominance, residential amenity and privacy effects on residential zones; and
- mitigate adverse wind effects.

(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.

Table H13.6.3.1 Building setback at upper floors

Opposite zone		Minimum setback (identified as x in Figure H13.6.3.1)	Height (identified as y in Figure H13.6.3.1)
(B1)	When opposite a residential zone	6m	18m
(B2)	All other zones	6m	27m

Figure H13.6.3.1 Building setback at upper floors



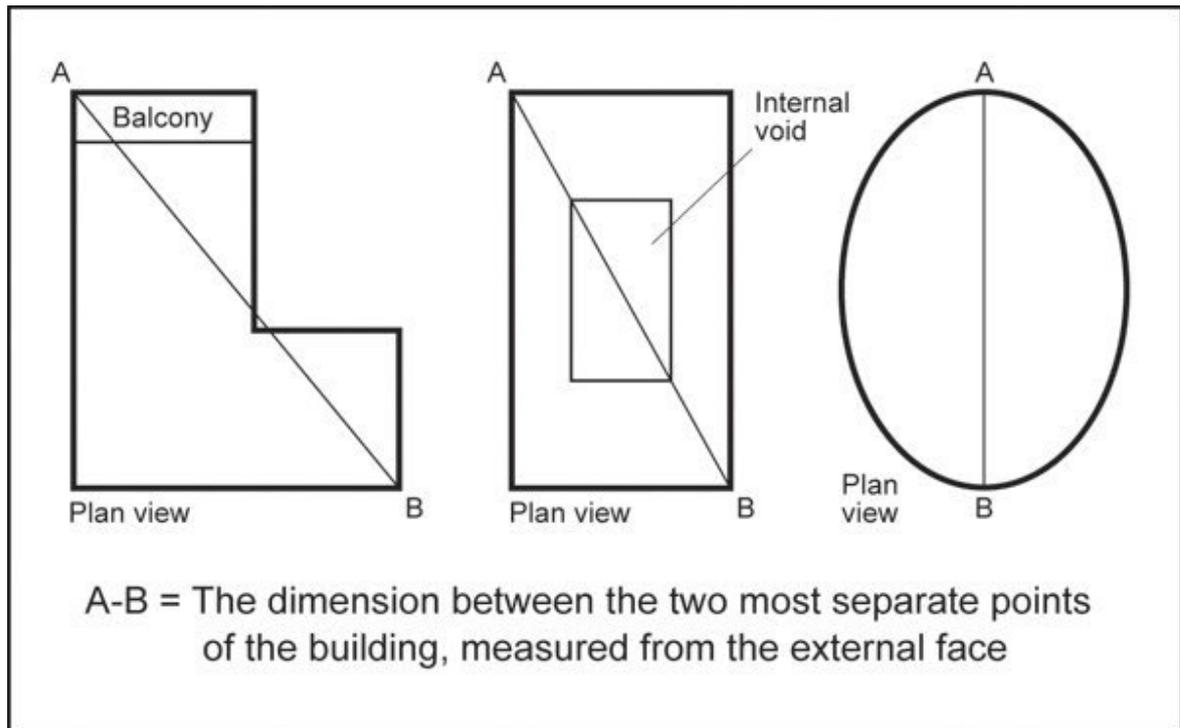
H13.6.4. Maximum tower dimension and tower separation

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) The maximum plan dimension of that part of the building above 27m 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.

Figure H13.6.4.1 Maximum tower dimension plan view



H13.6.5. Yards

Purpose:

- provide a landscaped buffer between buildings and activities and adjoining residential zones and some special purpose zones, to mitigate adverse visual and nuisance effects; and
 - ensure buildings are adequately setback from lakes, streams and the coastal edge to maintain water quality, amenity, provide protection from natural hazards, and potential access to the coast.
- (1) A building or parts of a building must be set back from the relevant boundary by the minimum depth listed in Table H13.6.5.1 below.

Table H13.6.5.1 Yards

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

Note 1

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

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

H13.6.6. Landscaping

Purpose:

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

- (1) A landscape buffer of 2m in depth must be provided along the street frontage between the street and car parking, loading, or service areas which are visible from the street frontage. This rule excludes access points.
- (2) The required landscaping in Standard H13.6.6(1) above must comprise a mix of trees, shrubs or ground cover plants (including grass).

H13.6.7. Maximum impervious area in the riparian yard

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

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

H13.6.8. Wind

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

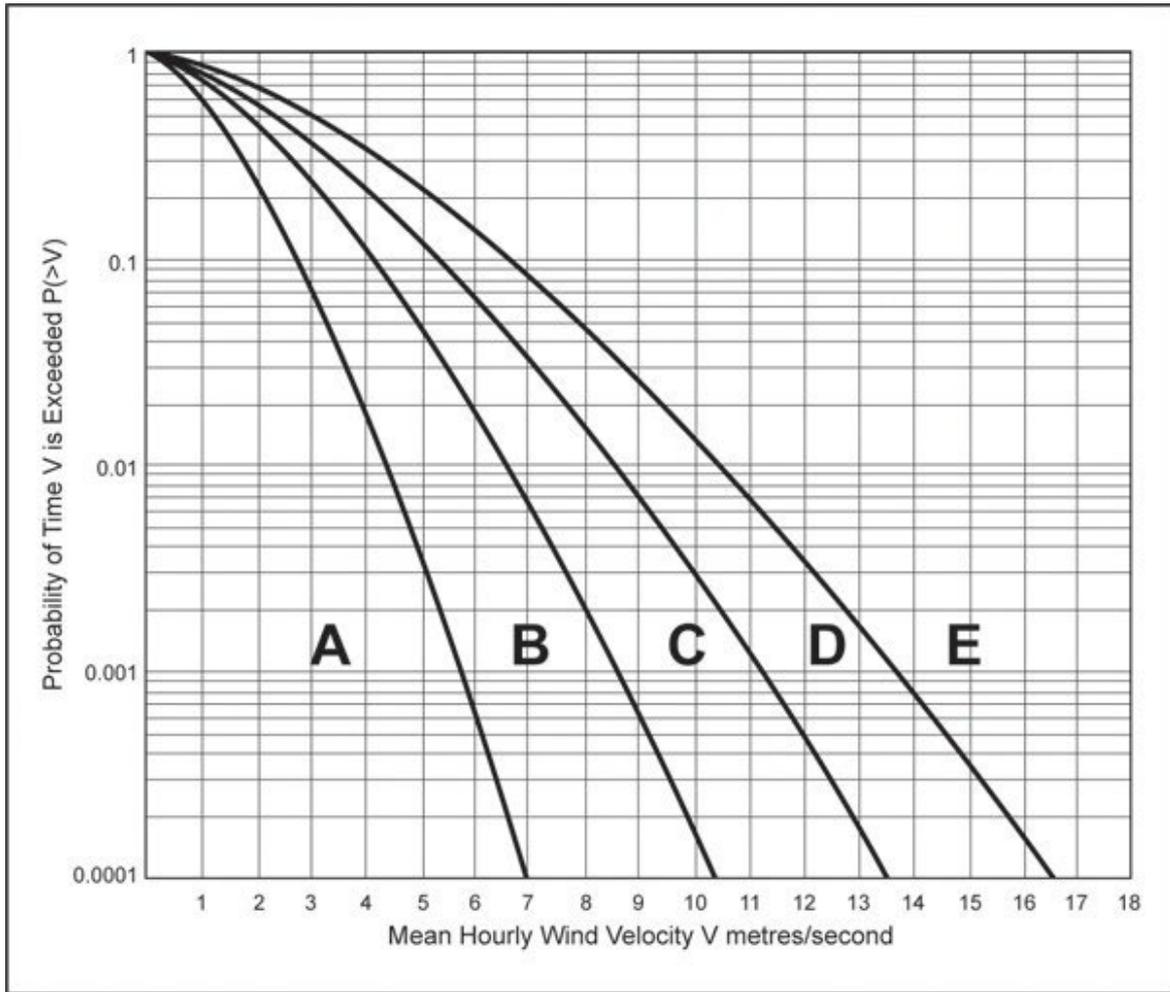
- (1) A new building exceeding 25m in height and additions to existing buildings that increase the building height above 25m must not cause:

- a) the mean wind speed around it to exceed the category for the intended use of the area as set out in Table H13.6.8.1 and Figure H13.6.8.1 below;
 - b) the average annual maximum peak 3-second gust to exceed the dangerous level of 25m/second; and
 - c) an existing wind speed which exceeds the controls of Standard H13.6.8(1)(a) or Standard H13.6.8(1)(b) above to increase.
- (2) A report and certification from a suitably qualified and experienced person, showing that the building complies with Standard H13.6.8(1) above, will demonstrate compliance with this standard.
- (3) If the information in Standard H13.6.8(2) above is not provided, or if such information is provided but does not predict compliance with the rule, a further wind report including the results of a wind tunnel test or appropriate alternative test procedure is required to demonstrate compliance with this standard.

Table H13.6.8.1 Categories

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

Figure H13.6.8.1 Wind environment control



Derivation of the wind environment control graph:

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

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

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

and where:

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

e = The Napierian base 2.7182818285

v = the velocity selected;

k = the constant 1.5; and

c = a variable dependent on the boundary being defined:

$$A/B, c = 1.548$$

B/C, c = 2.322

C/D, c = 3.017

D/E, c = 3.715

H13.6.9. Outlook space

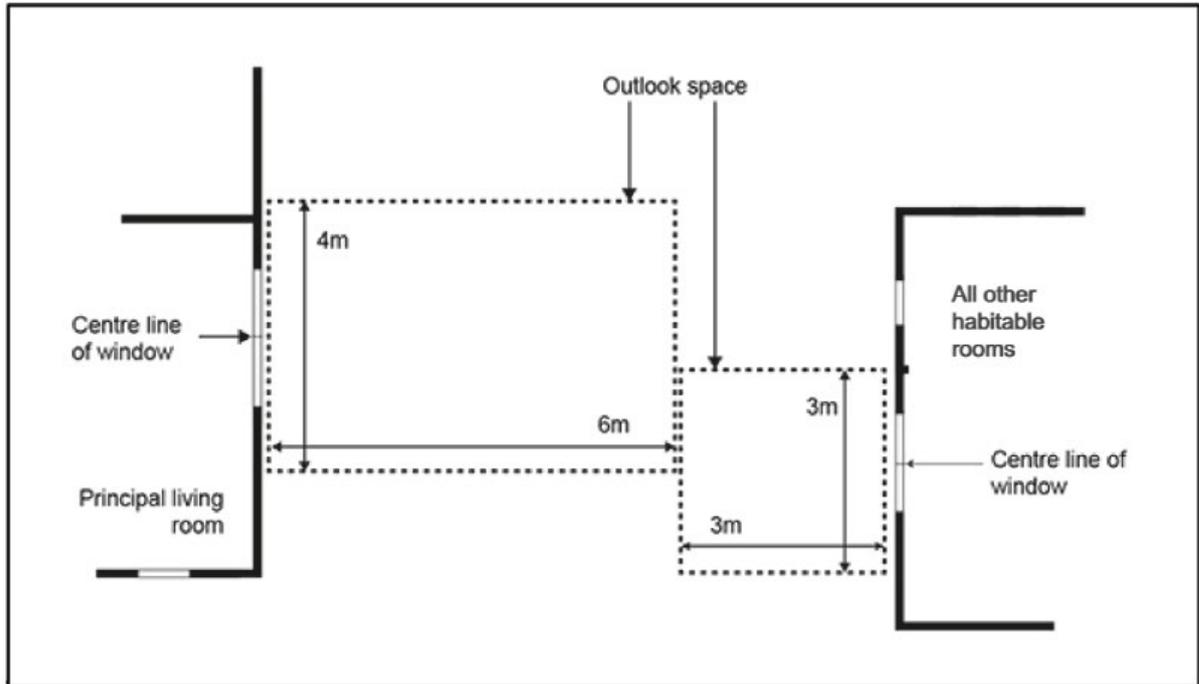
Purpose:

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

- (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 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.
- (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



H13.6.10 Minimum dwelling size

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

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

(a) 30m² for studio dwellings.

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

H13.7. Assessment – controlled activities

There are no controlled activities in this zone.

H13.8. Assessment – Restricted discretionary activities

H13.8.1. Matters of discretion

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

- (1) activities within 30m of a residential zone, emergency services and service stations:
 - (a) the compatibility of:
 - (i) the effects of intensity and scale of the development arising from the numbers of people and/or vehicles using the site; and
 - (ii) the effects of the operation of the activity;
on the existing and expected future amenity values of the surrounding area and any practicable mitigation measures that would be appropriate to manage those effects;
 - (b) the effects of the design and location of parking areas and vehicle access and servicing arrangements on visual amenity of the streetscape and on pedestrian safety;
 - (c) the effects of location, design and management of storage and servicing facilities on the amenity values of nearby residential properties including potential visual effects, adequacy of access for service vehicles (including waste collection) and any night time noise effects; and
 - (d) the assessment of the above matters having regard to the need to provide for the functional requirements of the activity;
- (2) supermarkets greater than 450m² and up to 2000m²:
 - (a) the compatibility of the effects of intensity and scale of the development arising from the numbers of people and/or vehicles using the site, with the existing and expected future amenity values of the surrounding area and any practicable mitigation measures that would be appropriate to manage those effects;
 - (b) the effects of the design and location of parking areas and vehicle access and servicing arrangements on visual amenity of the streetscape and on pedestrian safety;
 - (c) the effects of the size, composition and characteristics of retail activities proposed on the existing and expected future function, role and amenity of other centre zones having regard to the need to enable convenient access of communities to commercial and community services while disregarding any effects ordinarily associated with trade effects on trade competitors; and
 - (d) the assessment of the above matters having regard to the need to provide for the functional requirements of the activity;
- (3) new buildings and alterations and additions to buildings not otherwise provided for:

- (a) the design and appearance of buildings in so far as it affects the existing and future amenity values of public streets and spaces used by significant numbers of people. This includes:
 - (i) the contribution that such buildings make to the attractiveness pleasantness and enclosure of the public space;
 - (ii) the maintenance or enhancement of amenity for pedestrians using the public space or street;
 - (iii) the provision of convenient and direct access between the street and building for people of all ages and abilities;
 - (iv) measures adopted for limiting the adverse visual effects of any blank walls along the frontage of the public space; and
 - (v) the effectiveness of screening of car parking and service areas from the view of people using the public space;
- (b) the provision of floor to floor heights that will provide the flexibility of the space to be adaptable to a wide variety of use over time.
- (c) the extent of glazing provided on walls fronting public streets and public spaces and the benefits it provides in terms of:
 - (i) the attractiveness and pleasantness of the public space and the amenity for people using or passing through that space;
 - (ii) the degree of visibility that it provides between the public space and the building interior; and
 - (iii) the opportunities for passive surveillance of the street from the ground floor of buildings;
- (d) the provision of verandahs to provide weather protection in areas used, or likely to be used, by significant numbers of pedestrians;
- (e) the application of Crime Prevention through Environmental Design principles to the design and layout of buildings adjoining public spaces;
- (f) the effects of creation of new roads and/or service lanes on the matters listed above;
- (g) the positive effects that landscaping, including required landscaping, on sites adjoining public spaces is able to contribute to the amenity values of the people using or passing through the public space;
- (h) taking an integrated stormwater management approach; and
- (i) all the above matters to be assessed having regard to the outcomes set out in this Plan and the functional requirements of the activities that the buildings are intended to accommodate;

(4) in addition to the matters for new buildings stated above the Council will restrict its discretion to the following matter in regard to:

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

(a) the manner in which these building/developments are integrated with the adjacent existing and planned future centre and zone activities and public spaces and provide for the continuity of active public frontages and associated pedestrian amenity that is appropriate to those centres and zones having regard to the outcomes set out in this Plan and the functional requirements of the activities that the buildings are intended to accommodate. This will include the effects of the design and location of parking areas, vehicle access and servicing arrangements on the visual amenity of the streetscape and on pedestrian safety;

(5) In addition to the matters for new buildings stated above the Council will restrict its discretion to the following matter in regard to:

- drive-through restaurants; or
- service stations:

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

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

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

(6) conversion of a building or part of a building to dwellings, retirement villages, visitor accommodation and boarding houses:

(a) any matters that do not meet the standards set out for the activity in Standard H13.6.9 or Standard H13.6.10 having regard to the need to ensure a good standard of amenity within and between dwellings, visitor accommodation, boarding houses and retirement villages;

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

- (a) any policy which is relevant to the standard;
- (b) the purpose of the standard;
- (c) the effects of the infringement of the standard;
- (d) the effects on the amenity of neighbouring sites;

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

H13.8.2. Assessment criteria

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

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

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

H13 Business – Mixed Use Zone

- (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);
- (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).

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.

Additional building height of six storeys (21m) 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; ~~and~~

(c) manages adverse effects on the environment, including effects on infrastructure and residential amenity; and

(d) accommodates qualifying matters.

(5) A network of centres that provides:

(a) a framework and context to the functioning of the urban area and its transport network, recognising:

(i) the regional role and function of the city centre, metropolitan centres and town centres as commercial, cultural and social focal points for the region, sub-regions and local areas; and

(ii) local centres and neighbourhood centres in their role to provide for a range of convenience activities to support and serve as focal points for their local communities.

(b) a clear framework within which public and private investment can be prioritised and made; and

(c) a basis for regeneration and intensification initiatives.

Business – General Business Zone objectives

(6) A range of business activities outside centres are provided for, while ensuring activities within the zone do not compromise the function, role and amenity of centres.

(7) The zone is located primarily in areas close to the Business – City Centre Zone, Business – Metropolitan Centre Zone and Business – Town Centre Zone, or in other areas where appropriate.

(8) The adverse effects on amenity values and the quality of the environment at the interface with other zones are managed.

(9) Building height of six storeys (21m) 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 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.
- (13) Enable greater building height than the standard zone height in locations identified within the Height Variation Control, ~~In identified locations within the centres zones, Business – Mixed Use Zone, Business – General Business Zone and Business – Business Park Zone enable greater building height than the standard zone height,~~ having regard to whether the greater height:

(za) is commensurate with the level of commercial activities and community services;

- (a) is an efficient use of land;
- (b) supports public transport, community infrastructure and contributes to centre vitality and vibrancy;
- (c) considering the size and depth of the zoned area, can be accommodated without significant adverse effects on adjacent residential zones; ~~and~~
- (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 ~~locations within the Height Variation Control centre zones, Business – Mixed Use Zone, Business – General Business Zone and Business – Business Park Zone,~~ reduce building height below the standard zone height, where the standard zone height would have significant adverse effects on identified special character, identified landscape features, ~~or amenity,~~ or qualifying matters.

Business – General Business Zone policies

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

- (19) Enable light industrial activities to locate within the zone but discourage activities which have objectionable odour, dust or noise emissions.
- (20) Manage compatibility issues of activities within and between developments through site layout and design measures.
- (21) Manage adverse effects on the safe and efficient operation of the transport network.
- (22) Require activities adjacent to residential zones to avoid, remedy or mitigate adverse effects on amenity values of those areas.
- (23) Restrict maximum impervious area within a riparian yard in order to ensure that adverse effects on water quality, water quantity and amenity values are avoided or mitigated.
- (24) Enable greater building height of six storeys (21m) in walkable catchments, unless qualifying matters apply that reduce height.

H14.4. Activity table

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

Table H14.4.1 Activity table

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

H14 Business – General Business Zone

Activity		Activity status
(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 ² gross floor area per site	P
(A21)	Offices greater than 500m ² gross floor area per site	D
(A22)	Retail up to 200m ² gross floor area per tenancy	NC
(A23)	Retail exceeding 200m ² per tenancy and up to 450m ² gross floor area per tenancy	D
(A24)	Retail greater than 450m ² gross floor area per tenancy	P
(A25)	Service stations	RD
(A26)	Supermarkets up to 450m ² gross floor area per tenancy	D
(A27)	Supermarkets greater than 450m ² gross floor area per tenancy	RD
(A28)	Trade suppliers	P
Community		
(A29)	Artworks	P
(A30)	Care centres	D
(A31)	Community facilities	D
(A32)	Education facilities	D
(A33)	Emergency services	RD
(A34)	Healthcare facilities	D
(A35)	Hospitals	D
(A36)	Justice facilities	D
(A37)	Recreation facility	P
(A38)	Tertiary education facilities	D
Industry		
(A39)	Industrial activities	P
(A40)	Waste management facilities	NC
Mana Whenua		
(A41)	Marae complex	P

Activity		Activity status
Development		
(A42)	New buildings	RD
(A43)	Demolition of buildings	P
(A44)	Alterations to building facades that are less than 25m ²	P
(A45)	Additions to buildings that are less than: (a) 25 per cent of the existing gross floor area of the building; or (b) 250m ² 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.
- (2) Buildings located in a walkable catchment must not exceed 21m in height.

H14.6.2. Height in relation to boundary

Purpose:

- manage the effects of building height;
 - allow reasonable sunlight and daylight access to public open space excluding streets, and neighbouring zones; and
 - manage visual dominance effects on neighbouring zones where lower height limits apply.
- (1) Buildings must not project beyond a recession plane that begins vertically above ground level along the zone boundary. The angle of the recession plane and the height above ground level from which it is measured is specified in Table H14.6.2.1 and Figure H14.6.2.1 or Figure H14.6.2.2 below.
- (2) Where the boundary forms part of an entrance strip, access site or pedestrian access-way, the standard applies from the farthest boundary of that entrance strip or access site. However, if an entrance strip, access site or pedestrian

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

Table H14.6.2.1 Height in relation to boundary

	Zoning of adjacent site	Angle of recession plane (identified as x in Figure H14.6.2.1 or Figure H14.6.2.2)	Height above ground level which the recession plane will be measured from (identified as y in Figure H14.6.2.1 or Figure H14.6.2.2)
<u>Buildings outside walkable catchments</u>	Residential – Single House Zone; or Residential – Mixed Housing Suburban Zone	45°	2.5m
	<u>Residential - Low Density Residential Zone; or</u> Residential – Mixed Housing Urban Zone	45° 60°	3m 4m
	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 within walkable catchments</u>	<u>Residential – Low Density Residential Zone;</u> <u>Residential – Mixed Housing Urban Zone;</u> <u>Residential – Terrace Housing and Apartment Buildings Zone;</u>	60°	19m
	<u>Special Purpose –</u>	60°	19m

	<u>Māori Purpose Zone; or Special Purpose – School Zone</u>		
	<u>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>	60°	19m

Figure H14.6.2.1 Height in relation to boundary

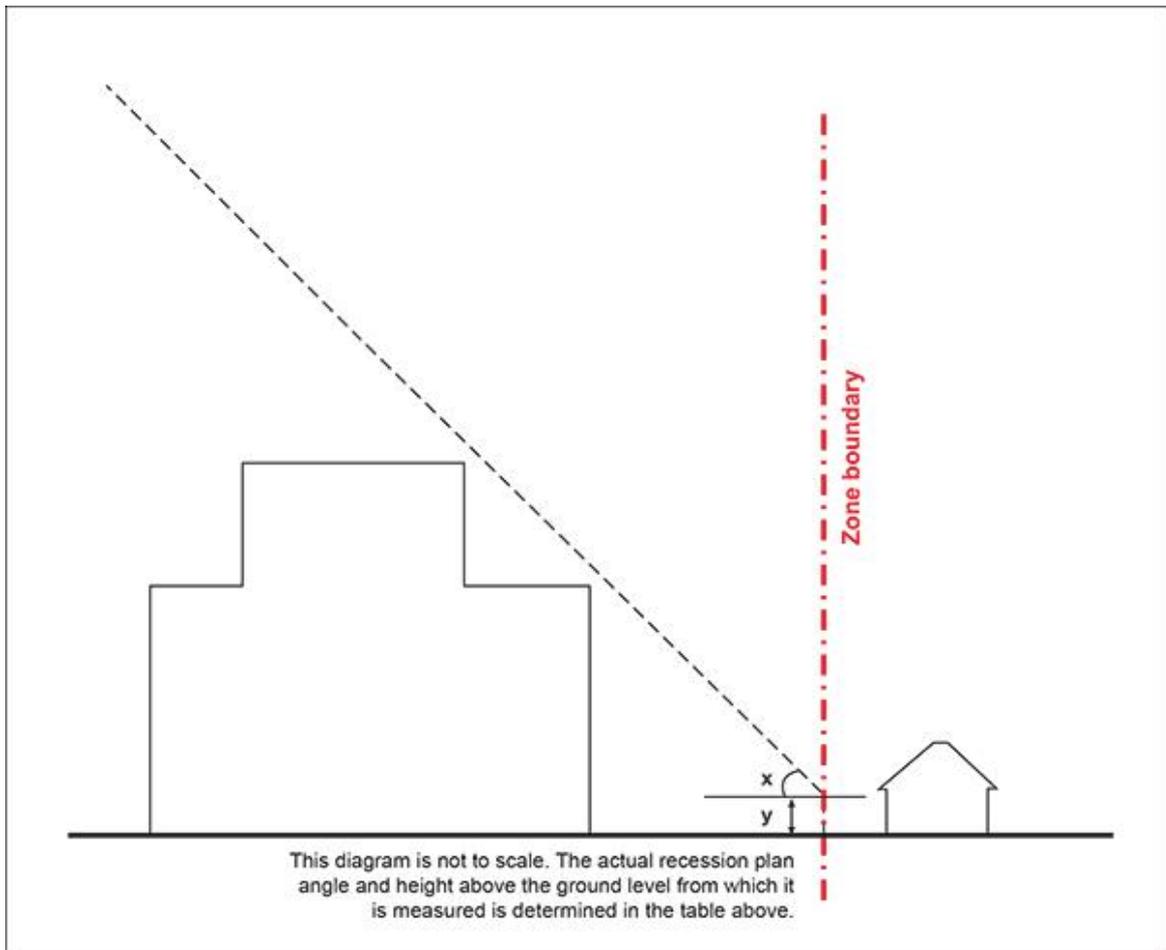
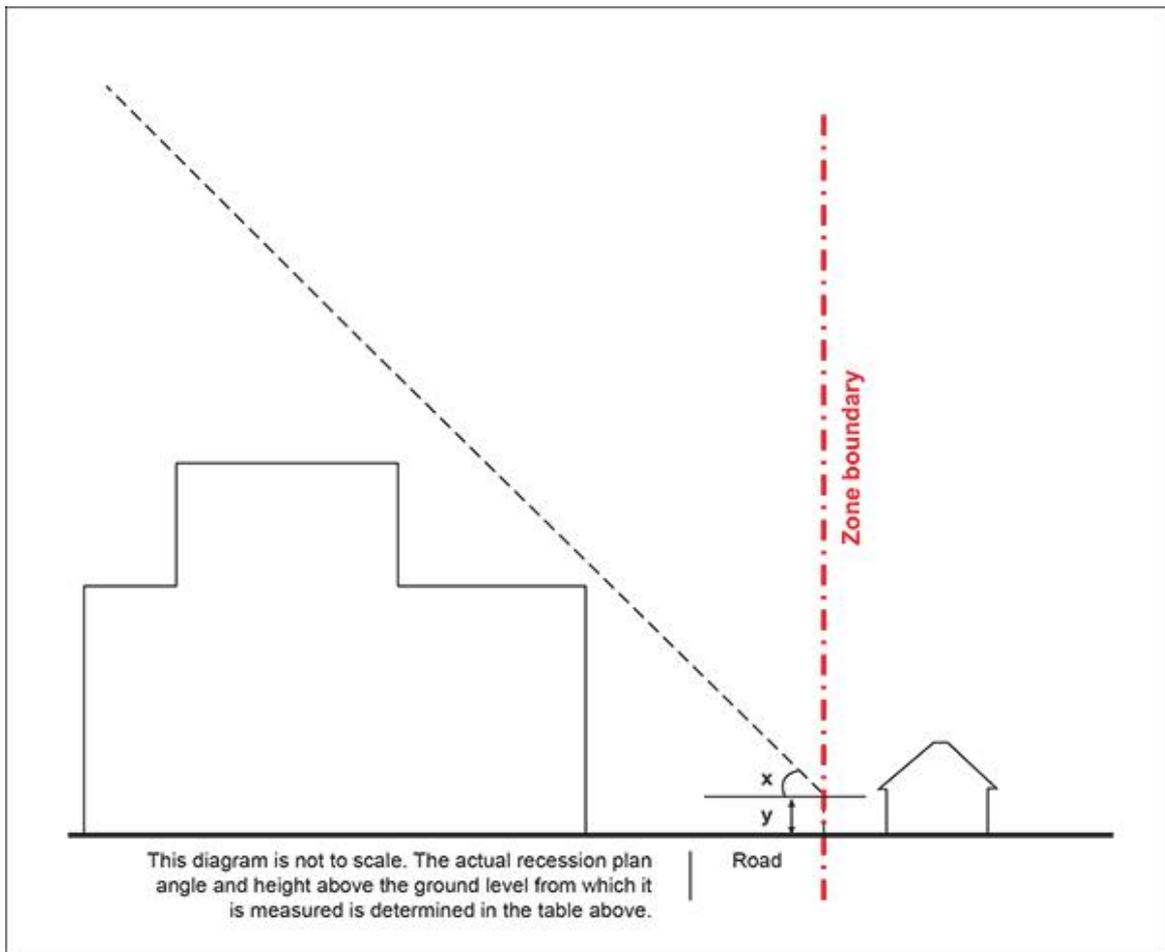


Figure H14.6.2.2 Height in relation to boundary opposite a road



H14.6.3. Yards

Purpose:

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

(1) A building or parts of a building must be set back from the relevant boundary by the minimum depth listed in Table H14.6.3.1 below.

Table H14.6.3.1 Yards

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

Riparian	10m from the edge of all permanent and intermittent streams
Lakeside yard	30m
Coastal protection yard	25m, or as otherwise specified in Appendix 6 Coastal protection yard

Note 3

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

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

H14.6.4. Landscaping

Purpose:

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

- (1) A landscape buffer of 2m in depth must be provided along the street frontage between the street and car parking, loading, or service areas which are visible from the street frontage. This rule excludes access points.
- (2) The required landscaping in Standard H14.6.4(1) above must comprise a mix of trees, shrubs or ground cover plants (including grass).

H14.6.5. Maximum impervious area in the riparian yard

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

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

H14.6.6. Wind

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

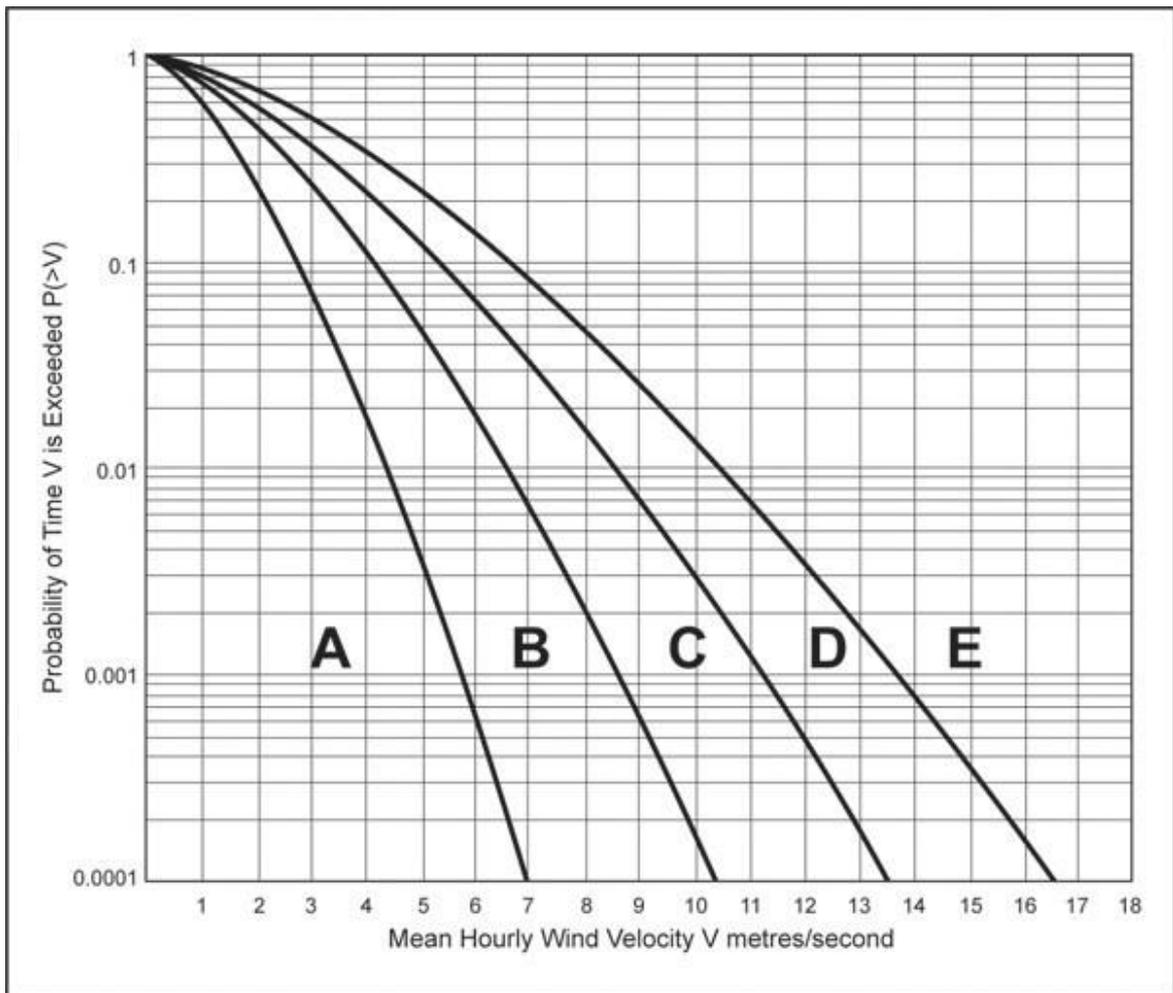
- (1) A new building exceeding 25m in height and additions to existing buildings that increase the building height above 25m must not cause:
- (a) the mean wind speed around it to exceed the category for the intended use of the area as set out in Table H14.6.6.1 and Figure H14.6.6.1 below;
 - (b) the average annual maximum peak 3-second gust to exceed the dangerous level of 25m per second; and
 - (c) an existing wind speed which exceeds the controls of Standard H14.6.6(1)(a) or Standard H14.6.6(1)(b) above to increase.

- (2) A report and certification from a suitably qualified and experienced person, showing that the building complies with Standard H14.6.6(1) above, will demonstrate compliance with this standard.
- (3) If the information in Standard H14.6.6(2) above is not provided, or if such information is provided but does not predict compliance with the rule, a further wind report including the results of a wind tunnel test or appropriate alternative test procedure is required to demonstrate compliance with this standard.

Table H14.6.6.1 Categories

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

Figure H14.6.6.1 Wind environment control



Derivation of the wind environment control graph:

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

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

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

and where:

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

e = The Napierian base 2.7182818285

v = the velocity selected;

k = the constant 1.5; and

c = a variable dependent on the boundary being defined:

$$A/B, c = 1.548$$

B/C, c = 2.322

C/D, c = 3.017

D/E, c = 3.715

H14.7. Assessment – controlled activities

There are no controlled activities in this zone.

H14.8. Assessment – restricted discretionary activities

H14.8.1. Matters of discretion

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

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

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

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

- (6) in addition to the matters for new buildings stated above the Council will restrict its discretion to the following matter in regard to:
- drive through restaurants; or
 - service stations:
- (a) the effects of the location and design of:
- (i) buildings and associated equipment, parking and service areas;
 - (ii) access for vehicles including service vehicles; and
 - (iii) landscaping;
- on the amenity of surrounding areas (particularly residential areas), on streetscapes and on pedestrian amenity and any methods by which those effects can be appropriately managed;
- (7) buildings that do not comply with the standards:
- (a) any policy which is relevant to the standard;
 - (b) the purpose of the standard;
 - (c) the effects of the infringement of the standard;
 - (d) the effects on the amenity of neighbouring sites;
 - (e) the effects of any special or unusual characteristic of the site which is relevant to the standard;
 - (f) the characteristics of the development;
 - (g) any other matters specifically listed for the standard; and
 - (h) where more than one standard will be infringed, the effects of all infringements.

H14.8.2. Assessment criteria

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

- (1) activities within 30m of a residential zone, emergency services and service stations:
- (a) for Matter H14.8.1(1)(a)(i) refer to Policy H14.3(3)(a), Policy H14.3(3)(b), Policy H14.3(3)(c), Policy H14.3(8) and Policy H14.3(22);
 - (b) for Matter H14.8.1(1)(a)(ii) refer to Policy H14.3(3)(a), Policy H14.3(3)(b), Policy H14.3(3)(c), Policy H14.3(8) and Policy H14.3(22);
 - (c) for Matter H14.8.1(1)(b) refer to Policy H14.3(3)(c) and Policy H14.3(7);
 - (d) for Matter H14.8.1(1)(c) refer to Policy H14.3(22); and

- (e) for Matter H14.8.1(1)(d) refer to Policy H14.3(12);
- (2) supermarkets greater than 450m² gross floor area and department stores:
 - (a) for Matter H14.8.1(2)(a) refer to Policy H14.3(3)(a), Policy H14.3(3)(b), Policy H14.3(3)(c), Policy H14.3(8) and Policy H14.3(20);
 - (b) for Matter H14.8.1(2)(b) refer to Policy H14.3(7);
 - (c) for Matter H14.8.1(2)(c) refer to Policy H14.3(1) and H14.3(17); and
 - (d) for Matter H14.8.1(2)(d) refer to Policy H14.3(12);
- (3) food and beverage activities that form part of an integrated development, with more than 5 food and beverage activities:
 - (a) for Matter H14.8.1(3)(a) refer to Policy H14.3(2); and
 - (b) for Matter H14.8.1(3)(a) refer to Policy H14.3(1) and Policy H14.3(17);
- (4) new buildings and alterations and additions to buildings not otherwise provided for:
 - (a) for Matter H14.8.1(4)(a)(i) refer to Policy H14.3(3)(a) and Policy H14.3(3)(b);
 - (b) for Matter H14.8.1(4)(a)(ii) refer to Policy H14.3(3)(c);
 - (c) for Matter H14.8.1(4)(a)(iii) refer to Policy H14.3(4);
 - (d) for Matter H14.8.1(4)(a)(iv) refer to Policy H14.3(3)(a);
 - (e) for Matter H14.8.1(4)(a)(v) refer to Policy H14.3(7);
 - (f) for Matter H14.8.1(4)(b) refer to Policy H14.3(6);
 - (g) for Matter H14.8.1(4)(c)(i) refer to Policy H14.3(3)(a) and Policy H14.3(3)(b);
 - (h) for Matter H14.8.1(4)(c)(ii) refer to Policy H14.3(3)(a) and Policy H14.3(3)(b);
 - (i) for Matter H14.8.1(4)(c)(iii) refer to Policy H14.3(3)(a) and Policy H14.3(3)(b);
 - (j) for Matter H14.8.1(4)(d) refer to Policy H14.3(3)(c);
 - (k) for Matter H14.8.1(4)(e) refer to Policy H14.3(3)(c);
 - (l) for Matter H14.8.1(4)(f) refer to Policy H14.3(3)(b);
 - (m) for Matter H14.8.1(4)(g) refer to H14.3(3)(c);
 - (n) for Matter H14.8.1(4)(h) refer to [E1.3\(10\)](#)

(o) for Matter H14.8.1(4)(i) refer to Policy H14.3(3)(12);

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

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

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

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

- drive through restaurants; or
- service stations:

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

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

(a) height and height in relation to boundary:

(i) refer to Policy H14.3(3)(a), Policy H14.3(3)(b), ~~and Policy H14.3(8)~~, Policy H14.3(13), Policy H14.3(14) and Policy H14.3(24);

(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 and may be located in walkable catchments.

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.

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; ~~and~~
 - (c) manages adverse effects on the environment, including effects on infrastructure and residential amenity; and
 - (d) accommodates qualifying matters.
- (5) A network of centres that provides:
 - (a) a framework and context to the functioning of the urban area and its transport network, recognising:
 - (i) the regional role and function of the city centre, metropolitan centres and town centres as commercial, cultural and social focal points for the region, sub-regions and local areas; and

- (ii) local centres and neighbourhood centres in their role to provide for a range of convenience activities to support and serve as focal points for their local communities.
- (b) a clear framework within which public and private investment can be prioritised and made; and
- (c) a basis for regeneration and intensification initiatives.

Business – Business Park Zone objectives

- (6) Existing business parks are efficiently and effectively developed.
- (7) New business parks for office-based employment are enabled where they:
 - (a) are comprehensively planned;
 - (b) achieve high amenity;
 - (c) avoid adverse effects on the function and amenity of the Business – City Centre Zone, Business – Metropolitan Centre Zone, Business – Town Centre Zone and neighbouring zones; and
 - (d) are easily accessible to public transport.
- (8) Retail activities which support intensive employment activities are enabled.
- (9) Building height of at least of six storeys is enabled within walkable catchments unless qualifying matters apply that modifies height

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 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 (21m) within walkable catchments unless a qualifying matter applies that modifies height.
- (13) Enable greater building height than the standard height in locations identified ~~locations within the Height Variation Control centres zones, Business – Mixed Use Zone, Business – General Business Zone and Business – Business Park Zone enable greater building height than the standard zone height,~~ having regard to whether the greater height:
 - (za) is commensurate with the level of commercial activities and community services;
 - (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; ~~and~~

(d) is supported by the status of the centre in the centres hierarchy, or is adjacent to such a centre; and

(e) supports the role of centres.

(14) Reduce building height below the standard zone height in locations identified ~~locations within the Height Variation Control centre zones, Business – Mixed Use Zone, Business – General Business Zone and Business – Business Park Zone,~~ reduce building height below the standard zone height, where the standard zone height would have significant adverse effects on identified special character, identified landscape features, or 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.

H15.4. Activity table

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

Table H15.4.1 Activity table

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

H15 Business – Business Park Zone

Activity		Activity status
(A14)	Funeral directors' premises	NC
(A15)	Offices other than in H15.4.1(A16) and (A17)	P
(A16)	Offices up to the maximum gross floor area shown for the area on the Business Park Zone Office Control as shown on the planning maps	P
(A17)	Offices that exceed the maximum gross floor area shown for the area on the Business Park Zone Office Control as shown on the planning maps	NC
(A18)	Retail	D
(A19)	Supermarkets up to 450m ² gross floor area per tenancy	P
(A20)	Supermarkets greater than 450m ² gross floor area per tenancy	NC
Community		
(A21)	Artworks	P
(A22)	Care centres	P
(A23)	Community facilities	D
(A24)	Education facilities	D
(A25)	Emergency services	RD
(A26)	Healthcare facilities	P
(A27)	Hospitals	NC
(A28)	Justice facilities	D
(A29)	Recreation facility	P
(A30)	Tertiary education facilities	D
Industry		
(A31)	Industrial activities	NC
(A32)	Industrial laboratories	P
(A33)	Light manufacturing and servicing	P
(A34)	Repair and maintenance services	P
(A35)	Storage and lock-up facilities	D
(A36)	Waste management facilities	NC
(A37)	Warehousing and storage	P
Mana Whenua		
(A38)	Marae complex	D
Development		
(A39)	New buildings	RD
(A40)	Demolition of buildings	P
(A41)	Alterations to building facades that are less than 25m ²	P
(A42)	Additions to buildings that are less than: (a) 25 per cent of the existing gross floor area of the	P

Activity		Activity status
	building; or (b) 250m ² whichever is the lesser	
(A43)	Internal alterations to buildings	P
(A44)	Additions and alterations to buildings not otherwise provided for	RD

H15.5. Notification

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

H15.6. Standards

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

H15.6.0 Activities within 30m of a residential zone

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

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

H15.6.1. Building height

Purpose:

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

- provide for variations to the standard zone height through the Height Variation Control, to recognise the character and amenity of particular areas and provide a transition in building scale to lower density zones.

(1) Buildings must not exceed ~~210~~5m in height, unless otherwise specified in the Height Variation Control on the planning maps.

H15.6.2. Height in relation to boundary

Purpose:

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

(1) Buildings must not project beyond a recession plane that begins vertically above ground level along the zone boundary. The angle of the recession plane and the height above ground level from which it is measured is specified in Table H15.6.2.1 and Figure H15.6.2.1 or Figure H15.6.2.2 below.

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

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

Table H15.6.2.1 Height in relation to boundary

Location	Zoning of adjacent site	Angle of recession plane (identified as x in Figure H15.6.2.1 or Figure H15.6.2.2)	Height above ground level which the recession plane will be measured from (identified as y in Figure H15.6.2.1 or Figure H15.6.2.2)
<u>NA Buildings outside walkable</u>	Residential – Single House Zone; or Residential - Mixed Housing Suburban Zone	45°	2.5m
	<u>Residential – Low Density</u>	45 <u>60</u> °	<u>3</u> 4m

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<u>catchments</u>	<u>Zone; or Residential – Mixed Housing Urban Zone</u>		
	Residential – Terrace Housing and Apartment Buildings Zone	60°	8m
	Special Purpose – Māori Purpose Zone; or Special Purpose School Zone	45°	6m
	Open Space – Conservation Zone; Open Space – Informal Recreation Zone; Open Space – Sport and Active Recreation Zone; Open Space – Civic Spaces Zone; or Open Space – Community Zone	45°	4.5m
<u>Buildings outside walkable catchments</u> located on the southern boundary of the adjacent site	Open Space – Conservation Zone; Open Space – Informal Recreation Zone; Open Space – Sport and Active Recreation Zone; Open Space – Civic Spaces Zone; or Open Space – Community Zone	45°	8.5m
<u>Buildings within walkable catchments</u>	<u>Residential – Low Density Residential 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>19m</u>

Figure H15.6.2.1 Height in relation to boundary

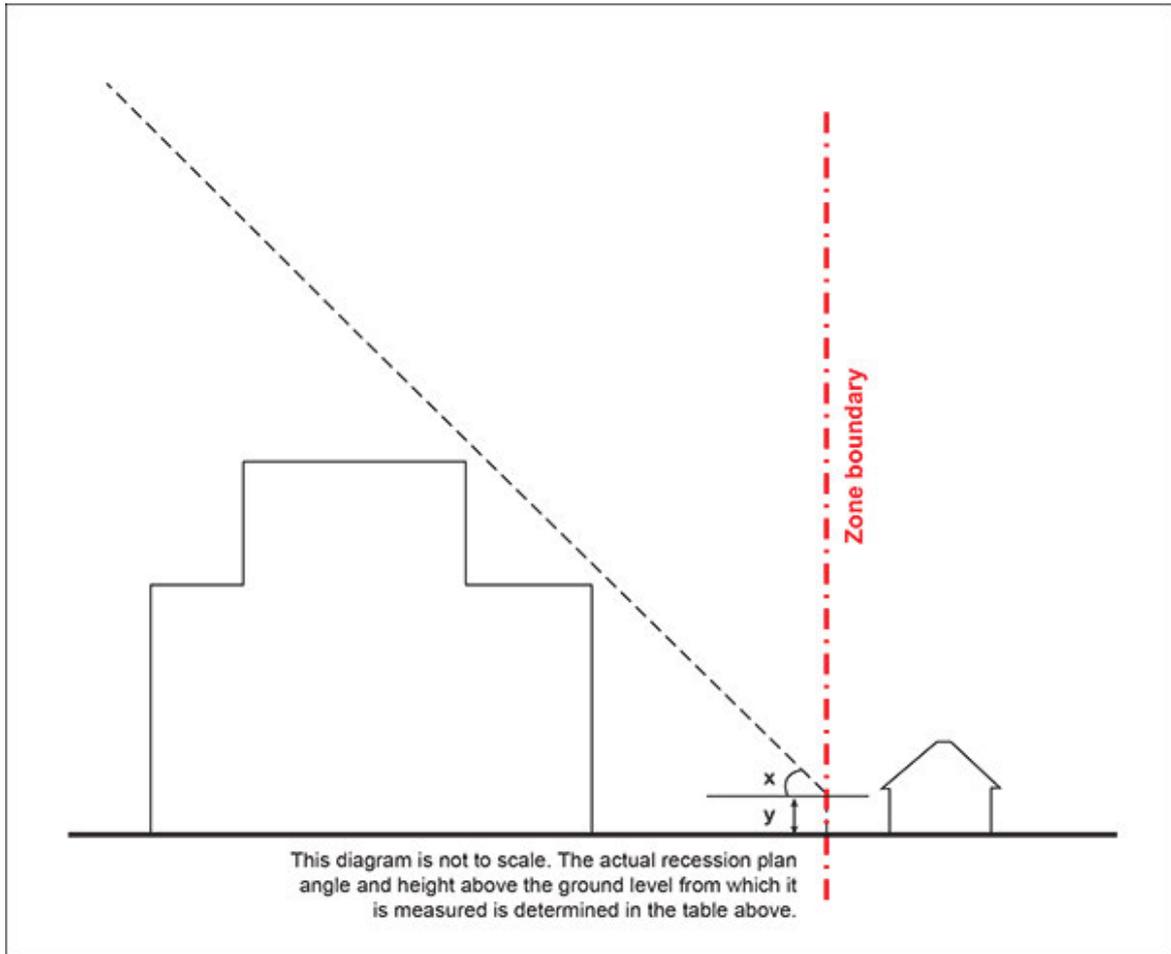


Figure H15.6.2.2 Height in relation to boundary opposite a road

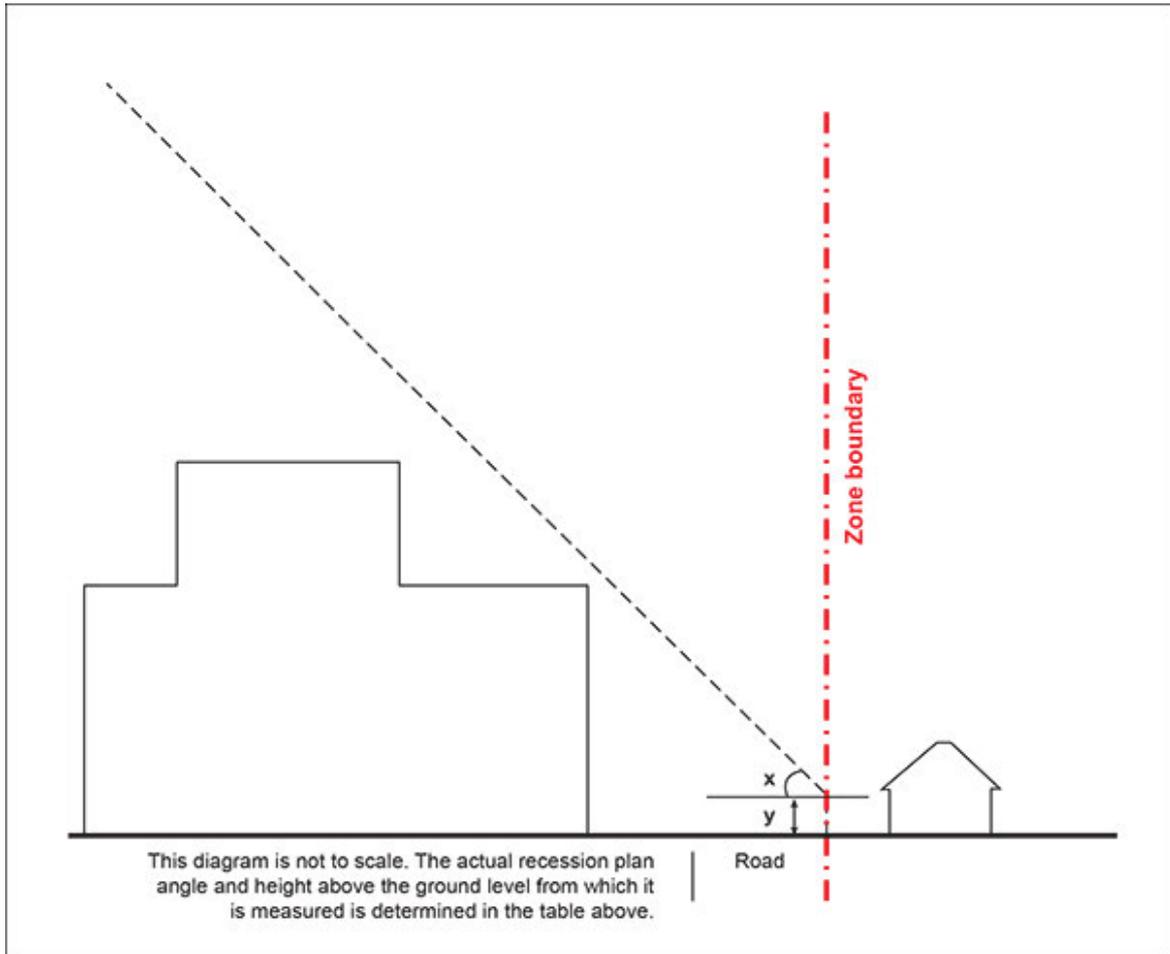
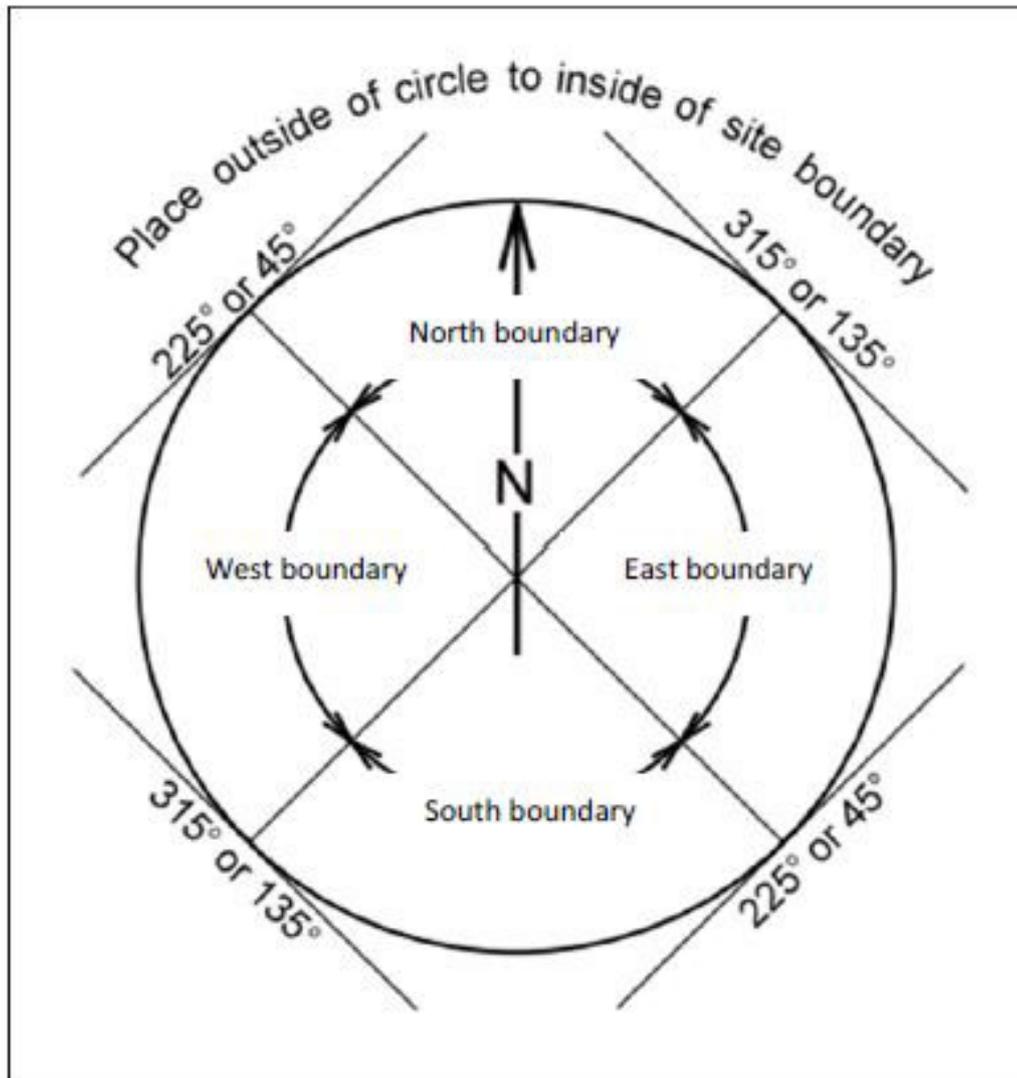


Figure H15.6.2.3 Recession plane indicator for sites adjacent to an open space zone



H15.6.3. Yards

Purpose:

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

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

Table H15.6.3.1 Yards

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

Note 1

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

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

H15.6.4. Landscaping and maximum impervious area

Purpose: ensure:

- the zone achieves a spacious landscaped character;
- landscaping provides a buffer and screening between car parking, loading, or service areas commercial activities and the street;
- landscaping is of sufficient quality as to make a positive contribution to the amenity of the street; and
- to manage the amount of stormwater runoff generated by a development, particularly in relation to the capacity of the stormwater network and potential flood risks.

- (1) Landscaped areas which in total comprise at least 20 per cent of a site must be provided.
- (2) A landscape buffer of 2m in depth must be provided along the street frontage between the street and car parking, loading, or service areas which are visible from the street frontage. This rule excludes access points.
- (3) The required landscaping in Standard H15.6.4(2) above must comprise a mix of trees, shrubs or ground cover plants (including grass).
- (4) The maximum impervious area in the zone is 80 per cent of the site.

H15.6.5. Maximum impervious area in the riparian yard

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

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

H15.6.6. Wind

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

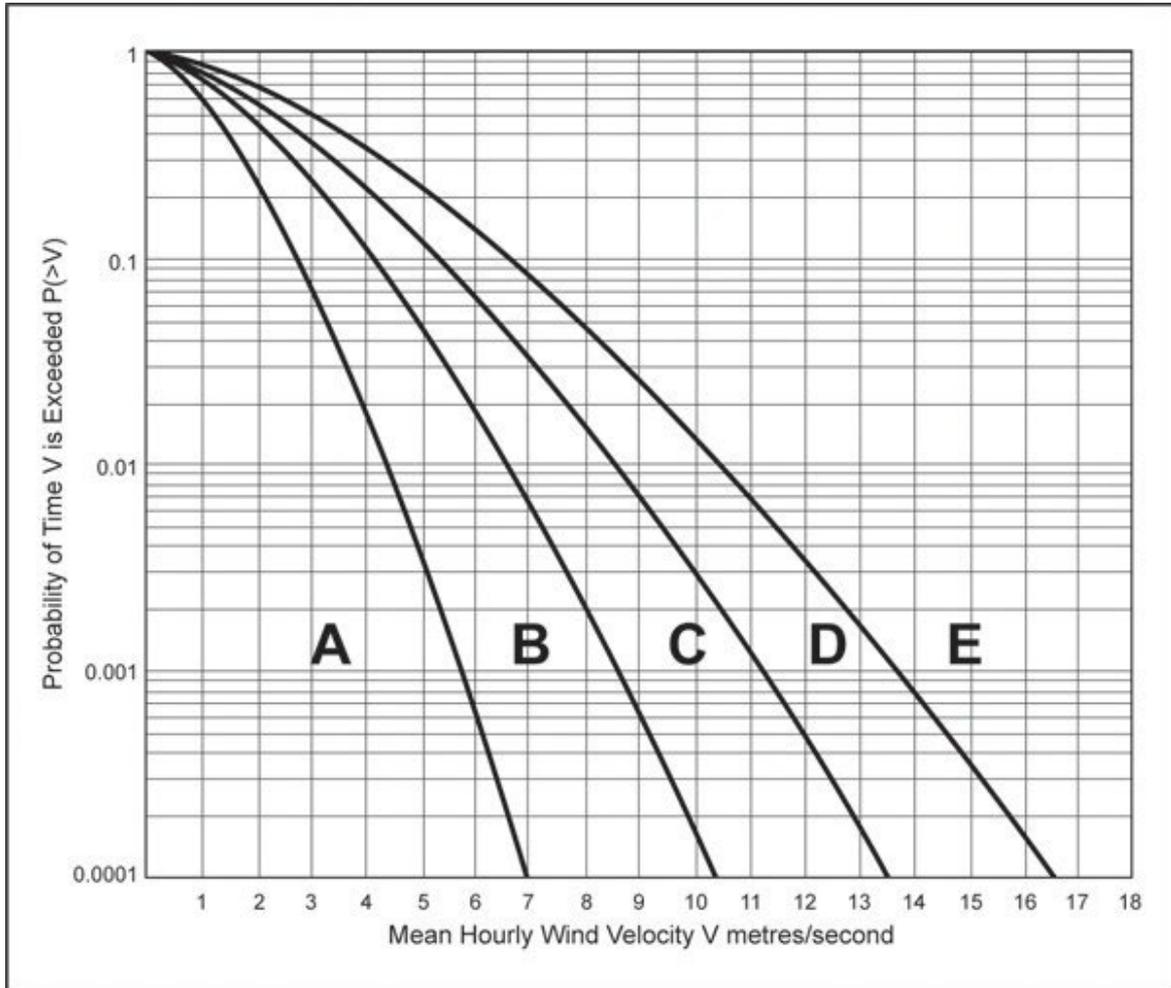
- (1) A new building exceeding 25m in height and additions to existing buildings that increase the building height above 25m must not cause:
 - (a) the mean wind speed around it to exceed the category for the intended use of the area as set out in Table H15.6.6.1 and Figure H15.6.6.1 below;
 - (b) the average annual maximum peak 3-second gust to exceed the dangerous level of 25m per second; and
 - (c) an existing wind speed which exceeds the controls of Standard H15.6.6(1)(a) or Standard H15.6.6(1)(b) above to increase.
- (2) A report and certification from a suitably qualified and experienced person, showing that the building complies with Standard H15.6.6(1) above, will demonstrate compliance with this standard.
- (3) If the information in Standard H15.6.6(2) above is not provided, or if such information is provided but does not predict compliance with the rule, a further wind report including the results of a wind tunnel test or appropriate alternative test procedure is required to demonstrate compliance with this standard.

Table H15.6.6.1 Categories

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

Category E	Category E represents conditions which are dangerous to the elderly and infants and of considerable cumulative discomfort to others, including residents in adjacent sites. Category E conditions are unacceptable and are not allocated to any physically defined areas of the city
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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

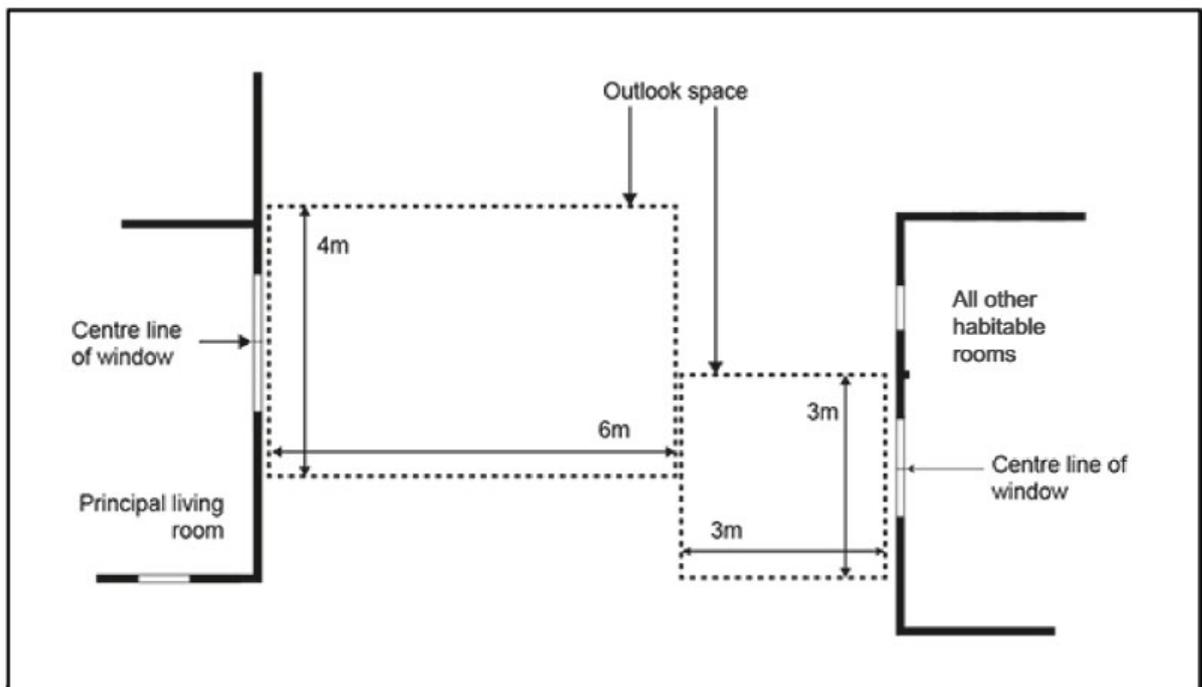
Purpose:

- 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.

- (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 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.
- (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



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);
 - (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:

- (i) refer to Policy H15.3(3)(a), Policy H15.3(3)(b), ~~and~~ Policy H15.3(8), and Policy H15.3(12A);
- (b) yards and landscaping:
 - (i) refer to Policy H15.3(7), Policy H15.3(8) and Policy H15.3(21);
- (c) maximum impervious area in a riparian yard:
 - (i) refer to Policy H15.3(21);
- (d) wind:
 - (i) refer to Policy H15.3(11);
- (e) outlook space:
 - (i) refer to Policy H15.3(2).

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.

Additional building height of six storeys (21m) is enabled within walkable catchments unless a qualifying matter applies.

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

H16.2. Objectives

- (1) Heavy industry operates efficiently and is not unreasonably constrained by other activities.
- (2) Business – Heavy Industry Zone zoned land, and activities that are required to locate there because of the nature of their operation, are protected from the encroachment of:
 - (a) activities sensitive to air discharges and activities sensitive to noise; and
 - (b) commercial activities that are more appropriately located in other business zones.
- (3) The supply of large sites within the zone is not reduced by inappropriate fragmentation of those sites by subdivision.
- (4) Adverse effects on the natural environment within the zone and on the amenity values of neighbouring zones are managed.
- (5) Building height of six storeys (21m) is enabled within walkable catchments unless qualifying matters apply that reduce height.

H16.3. Policies

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

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

(5) Enable greater building height of six storeys (21m) within walkable catchments, unless qualifying matters apply that reduce height.

H16.4. Activity table

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

Table H16.4.1 Activity table

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

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

H16.5. Notification

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

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

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

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

H16.6. Standards

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

H16.6.1. Building height

Purpose:

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

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

(2) Buildings located in a walkable catchment must not exceed 21m in height.

H16.6.2. Height in relation to boundary

Purpose:

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

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

Figure H16.6.2.1 Height in relation to boundary

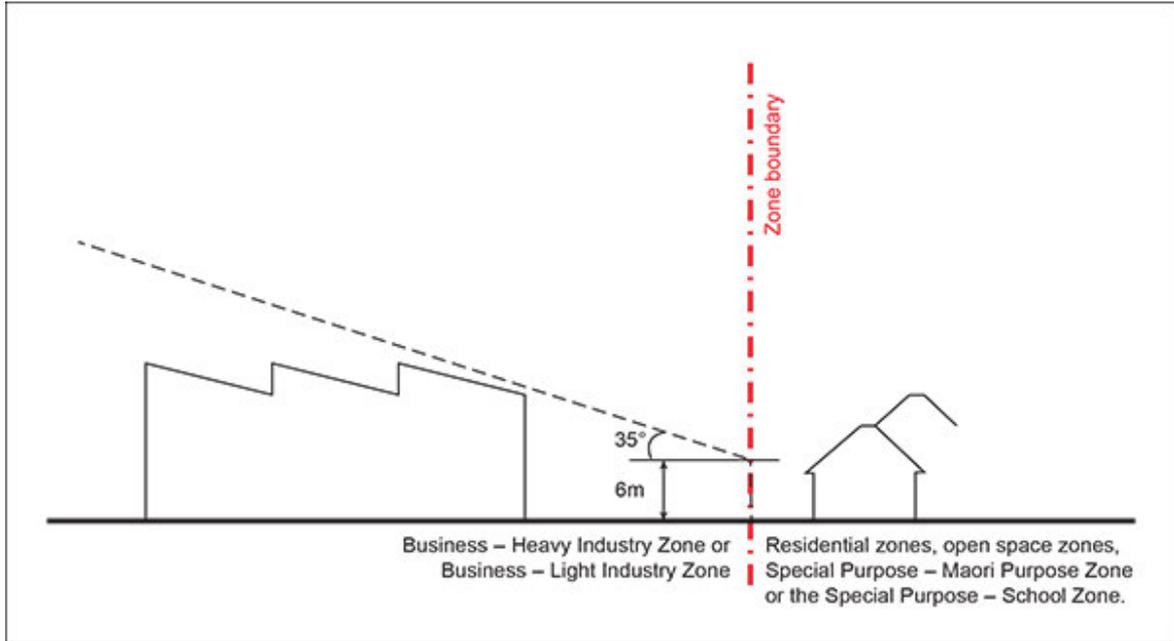
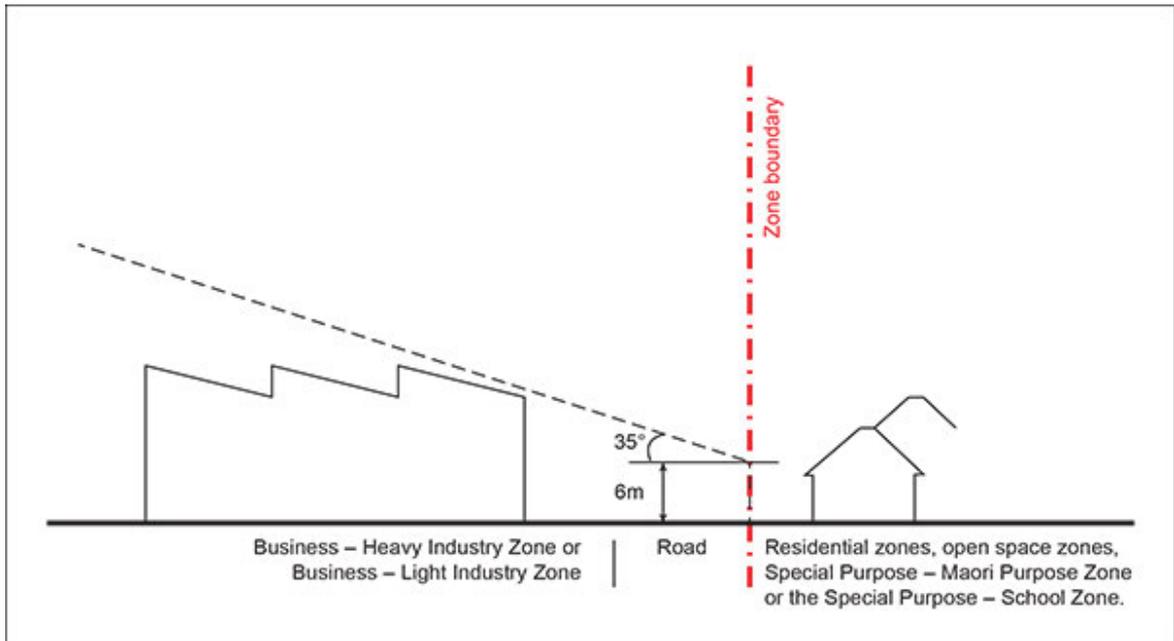


Figure H16.6.2.2 Height in relation to boundary opposite a road



H16.6.3. Maximum impervious area within the riparian yard

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

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

H16.6.4. Yards

Purpose:

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

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

Table H16.6.4.1 Yards

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

Note 1

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

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

H16.6.5. Storage and screening

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

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

H16.7. Assessment – controlled activities

There are no controlled activities in this zone.

H16.8. Assessment – restricted discretionary activities

H16.8.1. Matters of discretion

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

- (1) emergency services:
- (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) and Policy H16.3(5);

(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.

Additional building height of six storeys (21m) 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](#).

H17.2. Objectives

- (1) Light industrial activities locate and function efficiently within the zone.
- (2) The establishment of activities that may compromise the efficiency and functionality of the zone for light industrial activities is avoided.
- (3) Adverse effects on amenity values and the natural environment, both within the zone and on adjacent areas, are managed.
- (4) Development avoids, remedies or mitigates adverse effects on the amenity of adjacent public open spaces and residential zones.
- (5) Building height of six storeys (21m) is enabled within walkable catchments unless qualifying matters apply that reduce height.

H17.3. Policies

- (1) Enable light industrial activities to locate in the zone.
- (2) Avoid reverse sensitivity effects from activities that may constrain the establishment and operation of light industrial activities.
- (3) Avoid activities that do not support the primary function of the zone.
- (4) Require development adjacent to open space zones, residential zones and special purpose zones to manage adverse amenity effects on those zones.
- (5) In identified locations enable greater building height than the standard zone height, having regard to whether the greater height:
 - (a) is an efficient use of land; and
 - (b) can be accommodated without significant adverse effects on adjacent residential zones; considering the size and depth of the area.

(5A) Enable greater building height of six storeys (21m) within walkable catchments, unless qualifying matters apply that reduce height.

- (6) Avoid reverse sensitivity effects from activities within the Business – Light Industry Zone that may constrain the establishment and operation of heavy industrial activities within the Business – Heavy Industry Zone.
- (7) Require activities adjacent to residential zones to avoid, remedy or mitigate adverse effects on amenity values of those areas.
- (8) Restrict maximum impervious area within the riparian yard in order to ensure that adverse effects on water quality, water quantity and amenity values are avoided or mitigated.

H17.4. Activity table

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

Table H17.4.1 Activity table

Activity		Activity status
Use		
(A1)	Activities not provided for	NC
Accommodation		
(A2)	Workers accommodation - one per site	P
(A3)	Dwellings	NC
(A4)	Integrated residential development	NC
Commerce		
(A5)	Commercial services	D
(A6)	Dairies up to 100m ² gross floor area	P
(A7)	Drive-through restaurant	P
(A8)	Entertainment facilities	D
(A9)	Food and beverage up to 120m ² gross floor area per site	P
(A10)	Garden centres other than in H17.4.1(A11)	P
(A11)	Garden centres within 100m of a Business – Heavy Industry Zone	RD
(A12)	Motor vehicle sales other than in H17.4.1(A13)	P
(A13)	Motor vehicle sales within 100m of a Business – Heavy Industry Zone	RD
(A14)	Marine retail other than in H17.4.1(A15)	P
(A15)	Marine retail within 100m of a Business – Heavy Industry Zone	RD
(A16)	Offices up to 100m ² gross floor area per site	RD

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(A17)	Offices that are accessory to the primary activity on the site and: (a) the office gross floor area does not exceed 30 per cent of all buildings on the site; or (b) the office gross floor area does not exceed 100m ²	P
(A18)	Offices that are accessory to the primary activity on the site and the office gross floor area exceeds 30 per cent of all buildings on the site	RD
(A19)	Offices not otherwise provided for	NC
(A20)	Retail accessory to an industrial activity on the site, where the goods sold are manufactured on site and the retail gross floor area does not exceed 10 per cent of all buildings on the site	P
(A21)	Retail not otherwise provided for	NC
(A22)	Service stations	P
(A23)	Show homes	P
(A24)	Trade suppliers	P
Community		
(A25)	Care centres	D
(A26)	Community facilities up to 450m ² per site	D
(A27)	Community facilities exceeding 450m ² per site	NC
(A28)	Emergency services	P
(A29)	Hospitals	D
(A30)	Recreation facilities	D
(A31)	Tertiary education facilities that are accessory to an industrial activity on the site	P
(A32)	Tertiary education facilities not otherwise provided for	D
Industry		
(A33)	Industrial activities	P
(A34)	Wholesaler	P
(A35)	Storage and lock-up facilities	P
Rural		
(A36)	Animal breeding or boarding	P
(A37)	Horticulture	P
Development		
(A38)	New buildings	P
(A39)	Additions and alterations to buildings	P
(A40)	Demolition of buildings	P

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 greater building height of six storeys within walkable catchments unless a qualifying matter applies.

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

(2) Buildings located in a walkable catchment must not exceed 21m in height.

H17.6.2. Height in relation to boundary

Purpose:

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

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

Figure H17.6.2.1 Height in relation to boundary

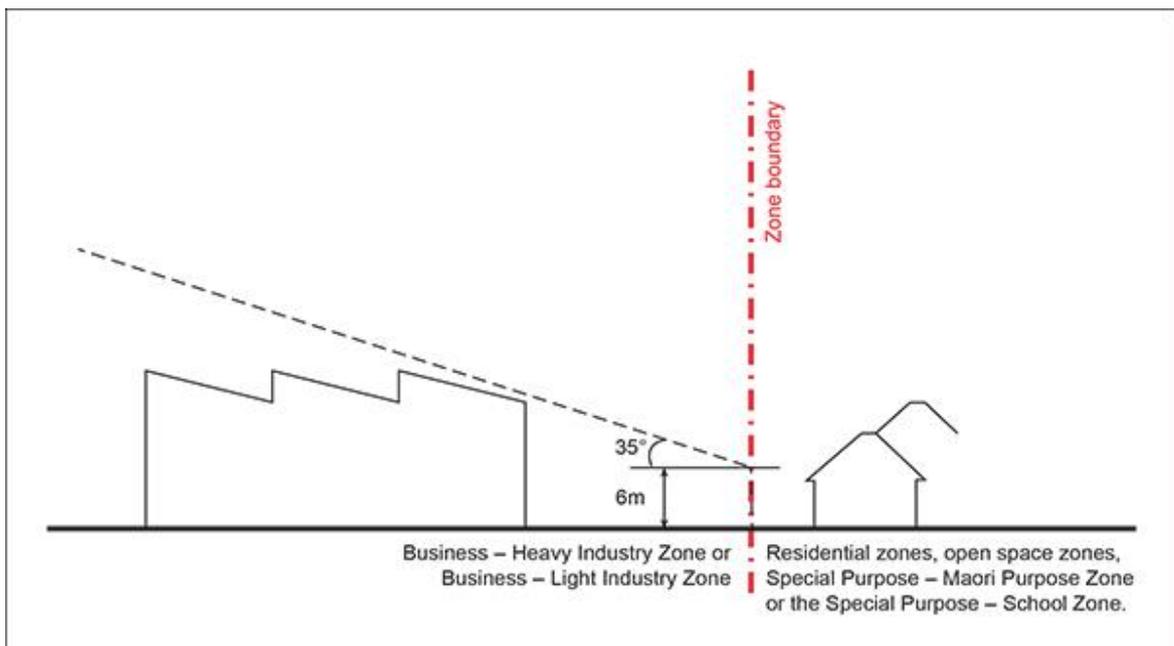
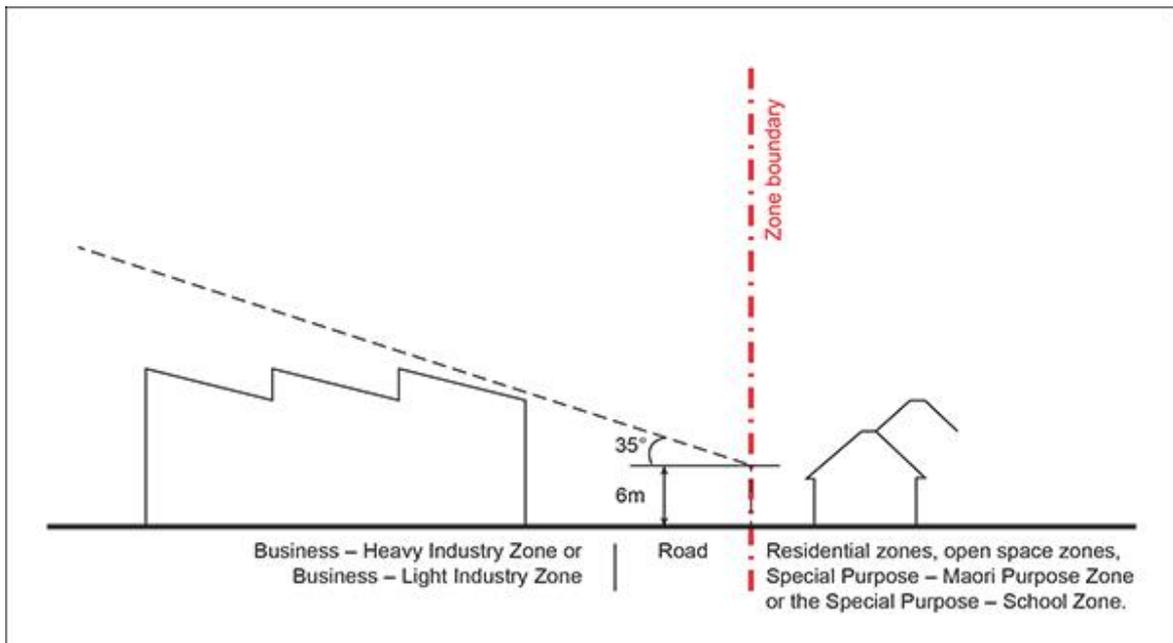


Figure H17.6.2.2 Height in relation to boundary opposite a road



H17.6.3. Maximum impervious area within the riparian yard

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

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

H17.6.4. Yards

Purpose:

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

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

Table H17.6.4.1 Yards

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

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

Note 1

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

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

H17.6.5. Storage and screening

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

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

H17.7. Assessment – controlled activities

There are no controlled activities in this zone.

H17.8. Assessment – restricted discretionary activities

H17.8.1. Matters of discretion

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

- (1) activities within 30m of a residential zone:
 - (a) the compatibility of:

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

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

H17.8.2. Assessment criteria

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

- (1) buildings 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), Policy H17.3(5) and Policy H17.3(5A).~~
 - (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.