

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 of at least six storeys and density of urban form to reflect demand for housing and business use unless a qualifying matter applies which modifies height or density.

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, where it is compatible with any qualifying

matters and while managing any reverse sensitivity effects including from the higher levels of ambient noise and reduced privacy that may result from non-residential activities.

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

- (za) is commensurate with the level of commercial activities and community services;
 - (zb) is compatible with a qualifying matter that requires reduced height and/or density;
 - (a) is an efficient use of land;
 - (b) supports public transport, community infrastructure and contributes to centre vitality and vibrancy;
 - (c) considering the size and depth of the zoned area, can be accommodated without significant adverse effects on adjacent residential zones; ~~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 within the Height Variation Control, where the standard zone height would have significant adverse effects on identified special character, identified landscape features, amenity, or other qualifying matters.

Business – 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, and in all cases building height of at least six storeys, unless a qualifying matter applies which modifies height or density.
- (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

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

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
	<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</u>	60°	819m

	<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

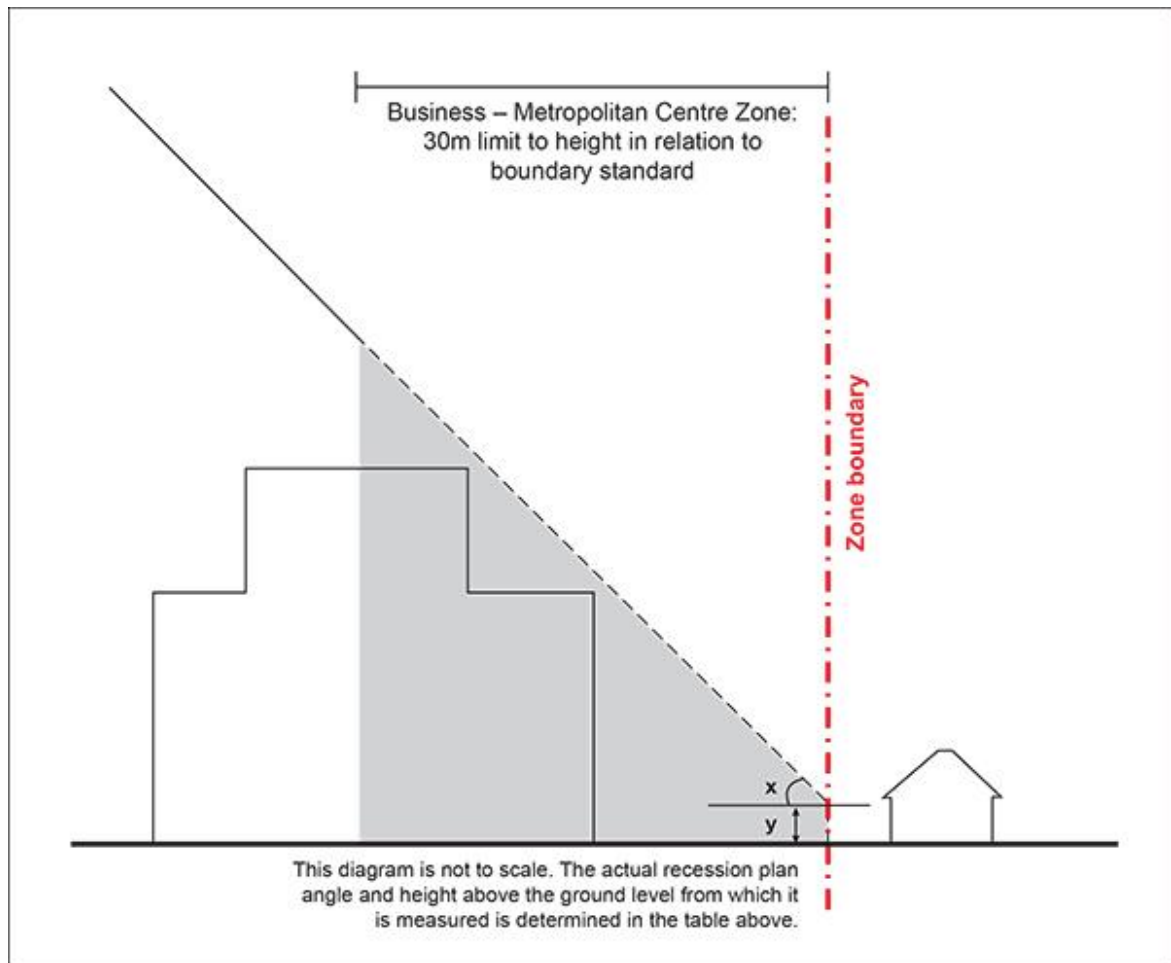


Figure H9.6.2.2 Height in relation to boundary opposite a road

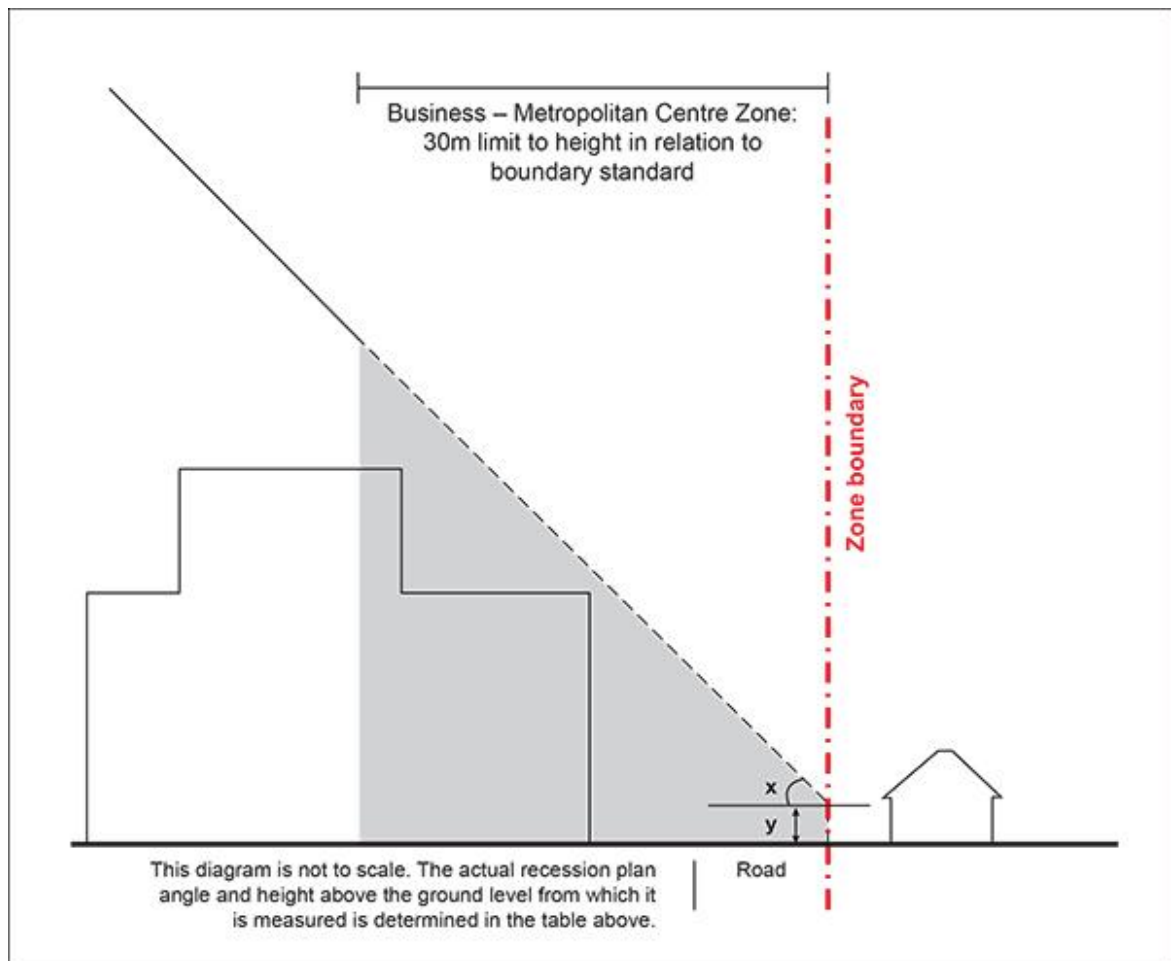
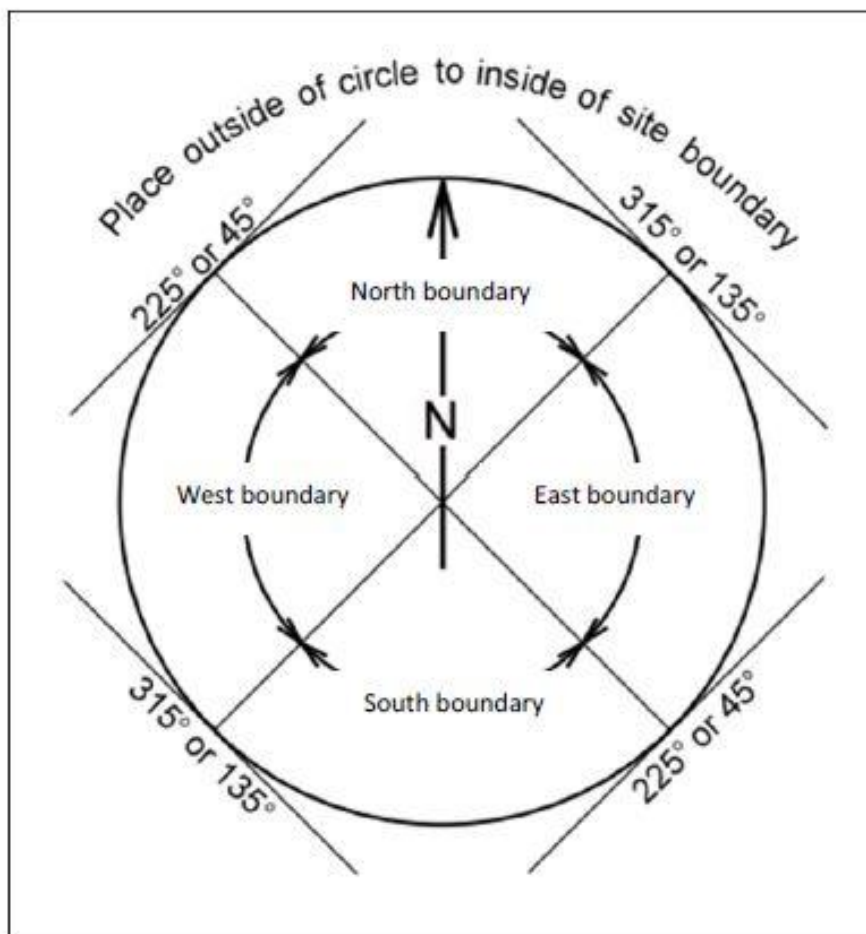


Figure H9.6.2.3 Recession plane indicator for sites adjacent to an open space zone



H9.6.3. Building setback at upper floors

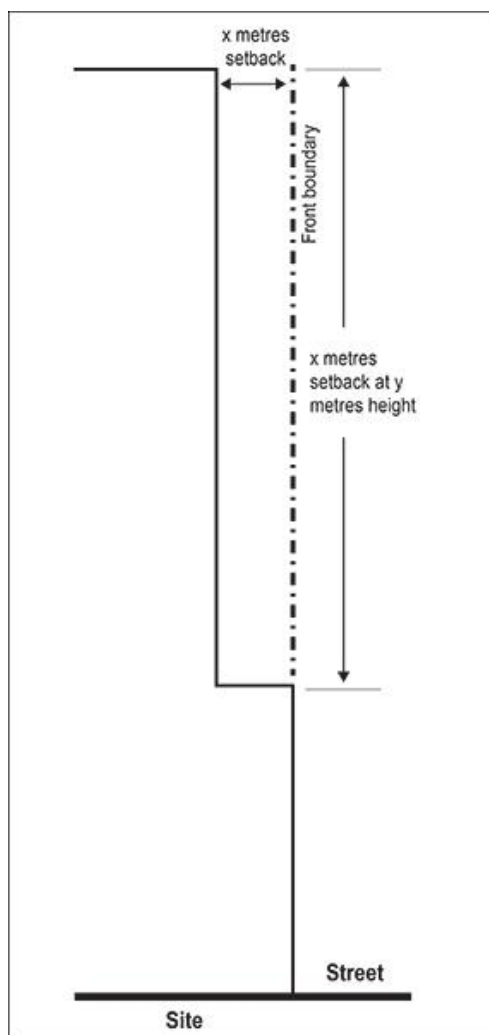
Purpose:

- 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**

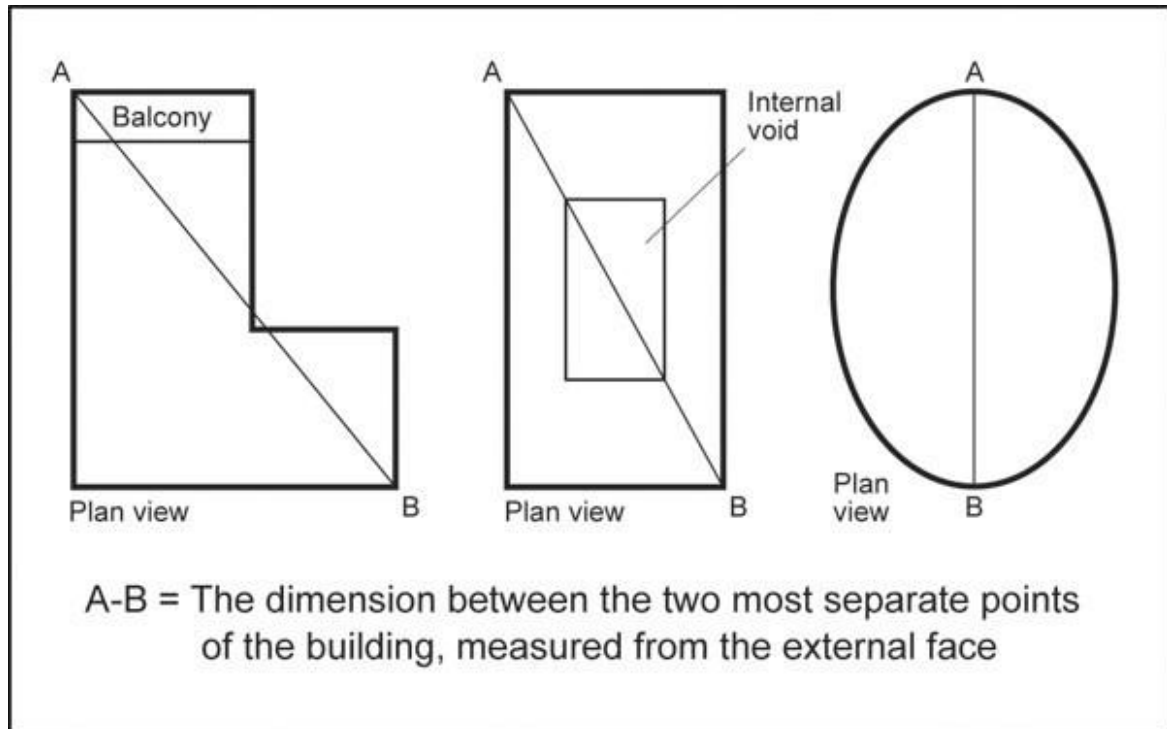
Purpose: ensure that high-rise buildings:

- 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

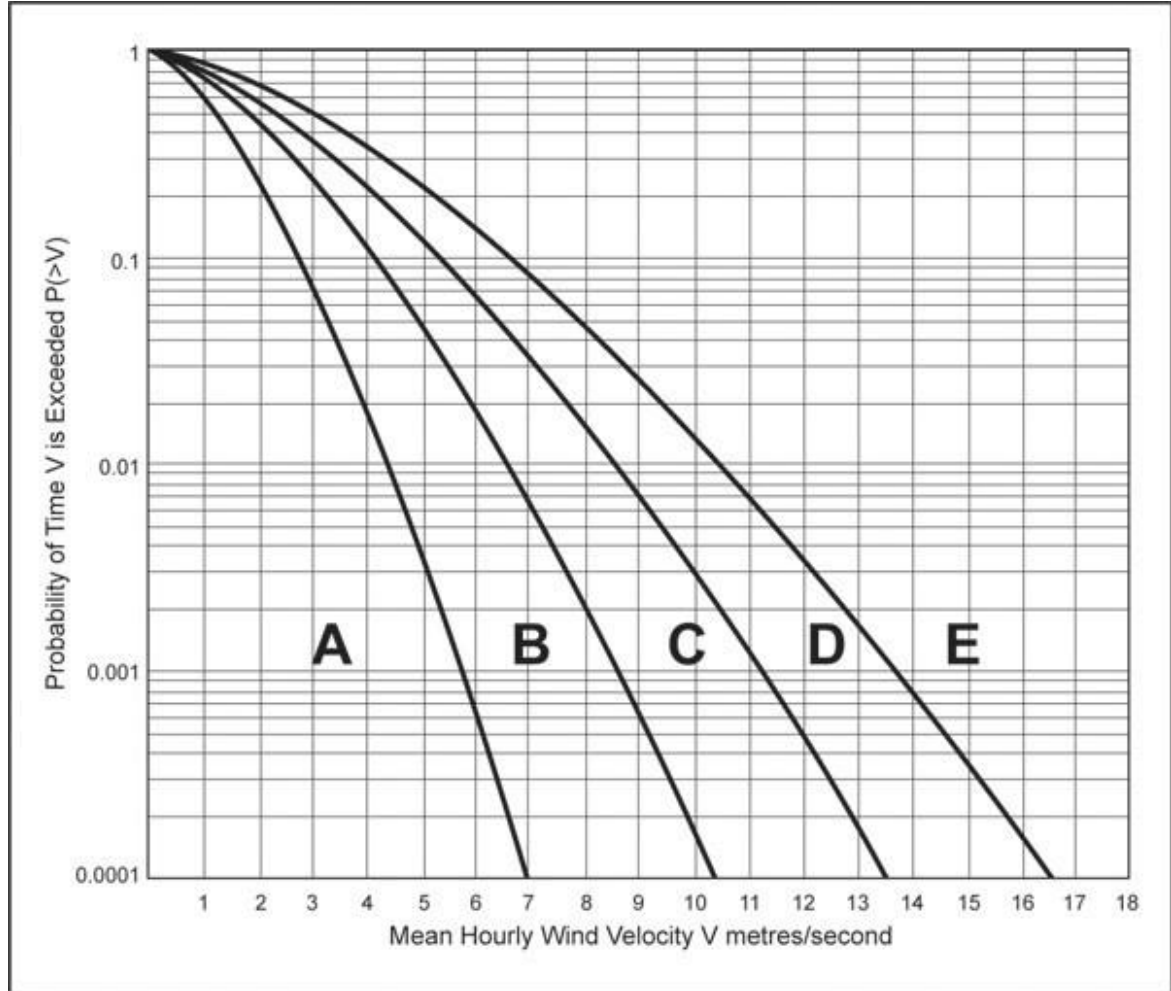
Purpose: mitigate the adverse wind effects generated by tall buildings.

- (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

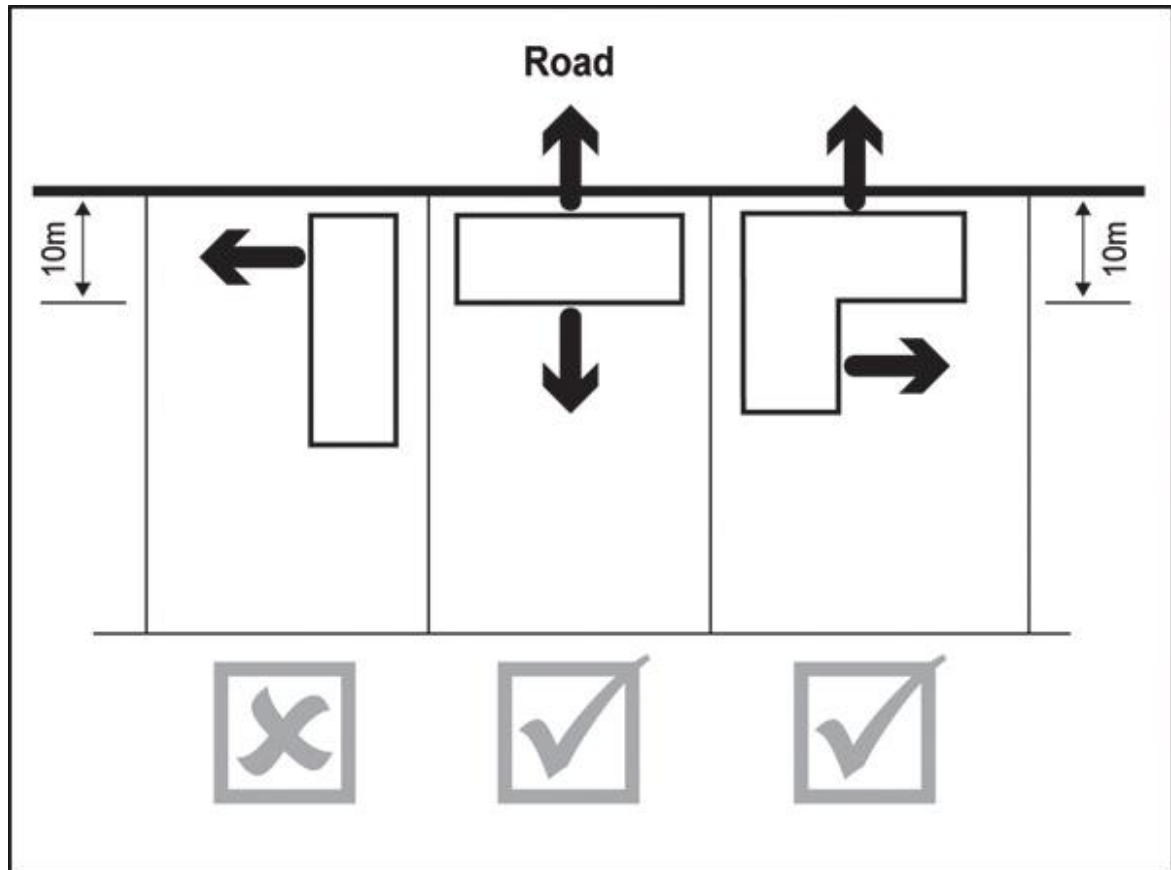
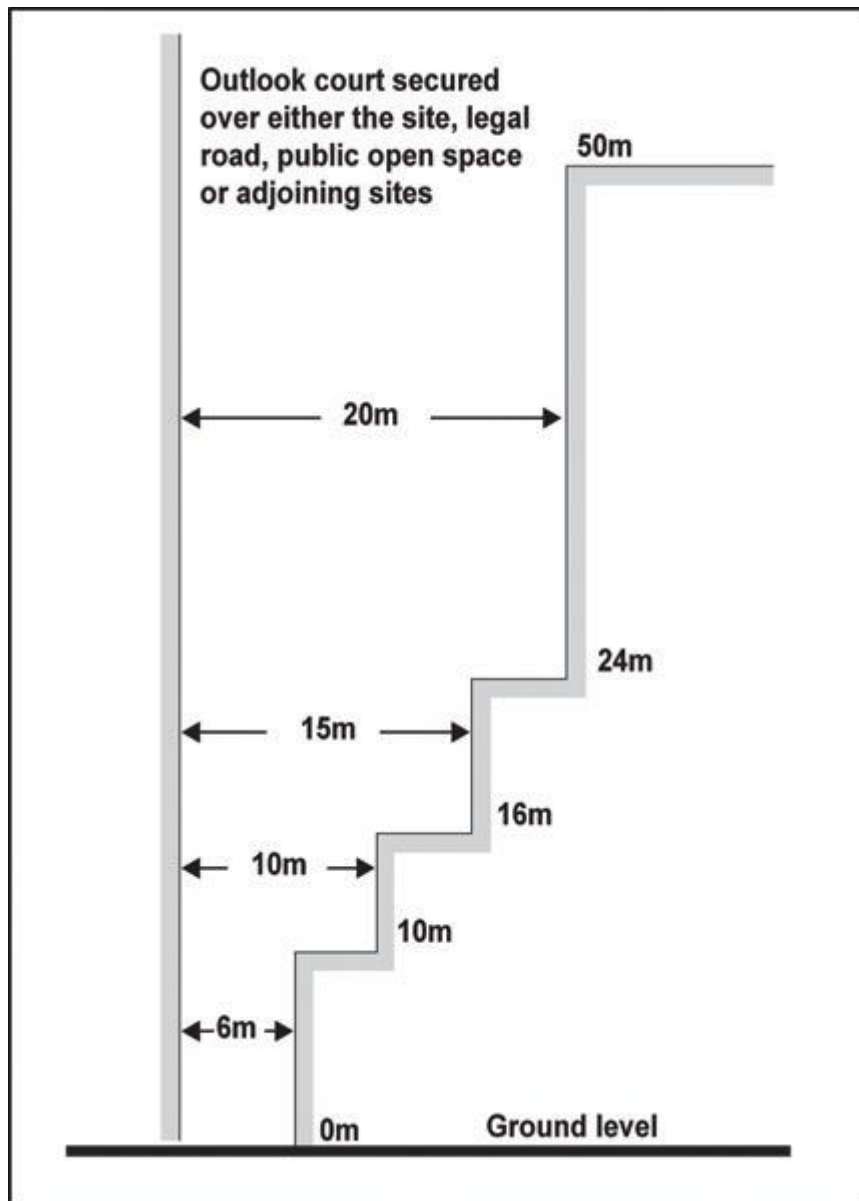


Figure H9.6.10.2 Outlook space



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.

Other recommended amendments to the AUP

Note to readers: New text inserted is underlined and deleted text is shown as ~~strikethrough~~

Chapter A Introduction

Consequential amendments to Table A1.4.8.1 Qualifying matters in zones, overlays and Auckland-wide provisions and A1.4.8.2 Qualifying matters in precincts to reflection the recommendations in the report.

Chapter D24 Aircraft Noise Overlay

Amend D24.1 Description as follows

The purpose of the Aircraft Noise Overlay is to manage the subdivision of land and location of activities sensitive to aircraft noise in areas of high cumulative noise around the region's airports and airfields, so that the continued operation of the airports and airfields is not compromised and reverse sensitivity issues are addressed.

This High and Moderate Aircraft Noise Areas around Auckland International Airport and specified areas within the noise boundaries around other Auckland airports and airfields are qualifying matters in accordance with sections 77I(e) and (g) and 77O(e) and (g) of the RMA.

The rules and standards of this overlay apply to activities sensitive to aircraft noise, except where more restrictive rules and standards apply in the underlying zoning or precinct.

Chapter D14 Volcanic Viewshafts and Height Sensitive Areas Overlay"

Amend Standard D14.6.4A as follows:

D14.6.4A Temporary construction and safety structures (Business - City Centre Zone and Business – Metropolitan Centre Zone Only)

- (1) Temporary construction and safety structures must be removed within 24 months or upon completion of the construction works, whichever is the lesser.
- (2) Temporary construction and safety structures that are in place for greater than 30 days must:
 - (a) Not display any sign except signs required for health, safety or operational requirements;
 - (b) Only display lighting that is limited to that necessary to comply with safety or civil aviation requirements; and
 - (c) Be non-reflective and have a matte finish.

Chapter J Definitions

Amend the note following the definition of flooplain as follows:

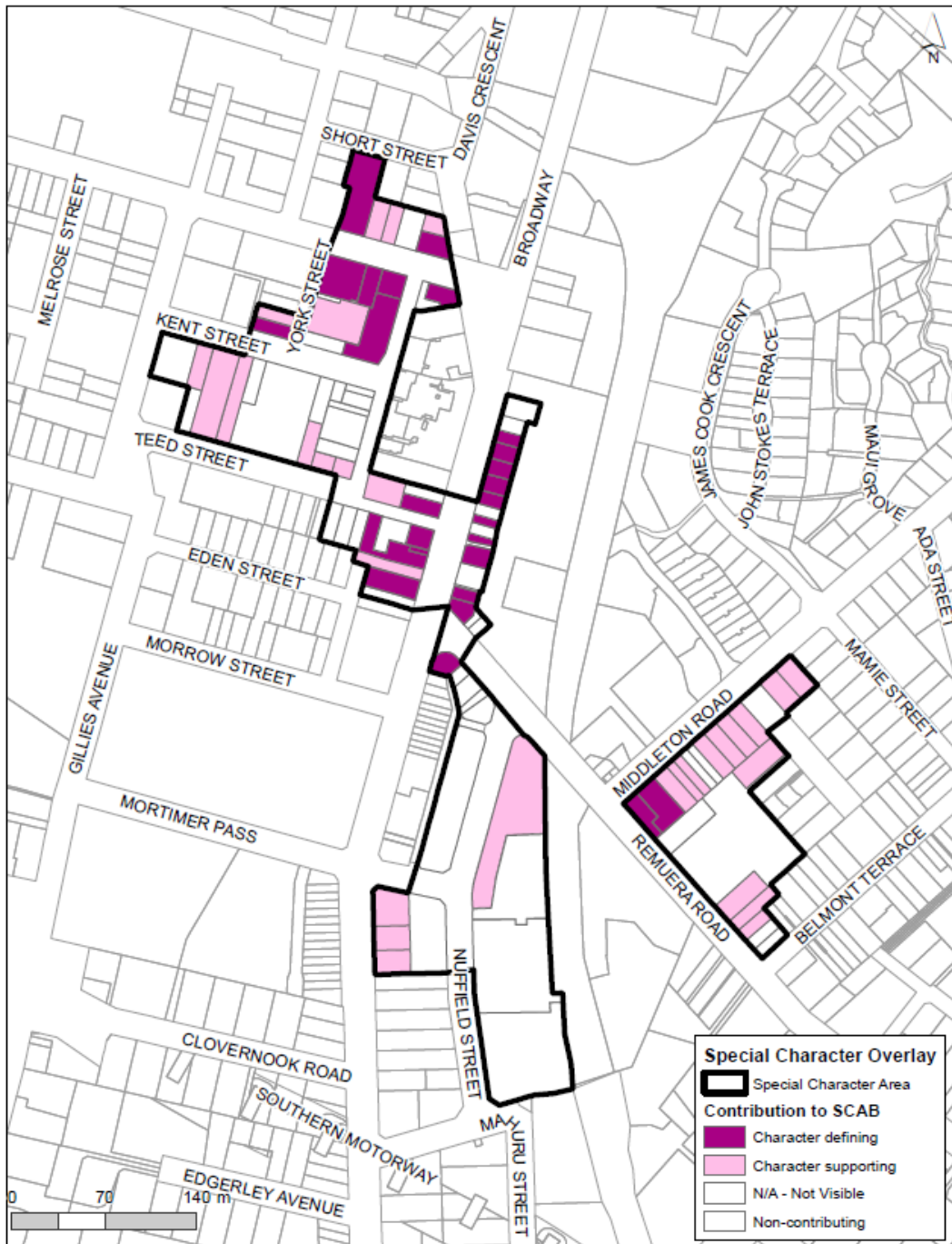
Note: The Council holds publicly available information showing the modelled extent of floodplains, developed at a catchment level, ~~affecting specific properties~~ in its GIS viewer for the one per cent annual exceedance probability (AEP) rainfall event (the floodplain maps). The floodplain maps ~~is~~are indicative only ~~although Council accepts its accuracy with regard to land shown on the floodplain map as being outside the floodplain~~. A party ~~may~~ will usually be required to provide the Council with a site specific technical report prepared by a suitably qualified and experienced person to establish the frequency, extent, depth and flow characteristics of the floodplain specific to their property and development proposal.

~~When taking~~ Site assessments will need to take account of impervious areas that would arise from changes in land use enabled by the policies and zonings of the Plan, and recognition should be given to ~~any~~ existing or planned flood attenuation works either existing or planned in an integrated catchment (or stormwater) management plan.

Council will continually update the floodplain mapss to reflect the best information available.

Schedule 15 Special Character Schedule, Statements and Maps

Insert new Figure 15.1.6.11.1 Extent of area for the Special Character Areas Overlay – Business: Newmarket as follows:



Mapping updates

1. Inclusion of Drury Metropolitan Centre Zone and all relevant QMs
2. Removal of the Albany-Henderson Transmission Line located in the Westgate metropolitan centre to reflect the operative AUP.
3. Identify the full extent of Designation 1102 Auckland International Airport, specification for obstacle limitation surfaces, runway end protection areas and restrictions non-aeronautical ground lights as a QM, as applicable to any parcel that is Metropolitan Centre Zone.
4. Removal of the Infrastructure – Combined Wastewater Network Control QM from all sites within the Metropolitan Centre Zone

*4. Retain the operative extent of area for the Special Character Area Overlay – Business:
Newmarket*