

## A1. Introduction

***Kotahi te kōhao o te ngira e kuhuna ai te miro mā, te miro pango, te miro whereo. Ā muri, kia mau ki te whakapono, kia mau ki ngā ture, kia mau ki te aroha.***

There is but one eye of the needle through which must pass the white thread, the black thread, and the red thread. Hold fast to faith, hold fast to the laws, hold fast to the love.

Kīngi Pōtatau Te Wherowhero

### A1.1. Purposes of the Auckland Unitary Plan

The purpose of the Resource Management Act 1991 is to promote the sustainable management of natural and physical resources. Sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while:

- (1) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations;
- (2) safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and
- (3) avoiding, remedying, or mitigating any adverse effects of activities on the environment.

The functions of the Auckland Council (the Council) for the purpose of giving effect to the Resource Management Act 1991 as a regional council and as a territorial authority are set out in sections 30 and 31 of the Resource Management Act 1991.

The statutory purposes of the Auckland Unitary Plan (the Plan) are:

- (1) for the part which is the regional policy statement: to achieve the purpose of the Resource Management Act 1991 by providing an overview of the resource management issues of the region and policies and methods to achieve integrated management of the natural and physical resources of the whole region;
- (2) for the parts which are the regional coastal plan: to assist the Council, in conjunction with the Minister of Conservation, to achieve the purpose of the Resource Management Act 1991 in relation to the coastal marine area of the region; and
- (3) for the parts which are the regional plan and the district plan: to assist the Council to carry out any of its functions as a regional council and as a territorial authority in order to achieve the purpose of the Resource Management Act 1991.

The Plan therefore has three key roles:

- (1) it describes how the people and communities of the Auckland region will manage Auckland's natural and physical resources while enabling growth

and development and protecting the things people and communities value;

- (2) it provides the regulatory framework to help make Auckland a quality place to live, attractive to people and businesses and a place where environmental standards are respected and upheld; and
- (3) it is a principal statutory planning document for Auckland. Other relevant planning documents include the Auckland Plan, the Auckland Long-Term Plan and the Auckland Regional Land Transport Plan.

### **A1.2. Replacement of operative plans**

The Plan replaces all of the following resource management documents:

- Auckland Regional Policy Statement;
- Auckland Regional Plan: Air, Land and Water;
- Auckland Regional Plan: Dairy Farm Discharges;
- Auckland Regional Plan: Coastal;
- Auckland Regional Plan: Sediment Control;
- Auckland Council District Plan - Operative Auckland City - Central Area Section 2005;
- Auckland Council District Plan - Operative Auckland City - Isthmus Section 1999;
- Auckland Council District Plan - Operative Franklin Section 2000;
- Auckland Council District Plan - Operative Manukau Section 2002;
- Auckland Council District Plan - Operative North Shore Section 2002;
- Auckland Council District Plan - Operative Papakura Section 1999;
- Auckland Council District Plan - Operative Rodney Section 2011;
- Auckland Council District Plan - Operative Waitakere Section 2003; and
- Waikato Regional Policy Statement and Waikato Regional Plan to the extent that they have applied to parts of the Auckland Region since boundary amendments on 11 March 2010.

The Plan does not replace the Auckland Council District Plan – Operative Hauraki Gulf Islands Section 2013. This section of the Auckland Council District Plan applies to subdivision, land use and development in the Hauraki Gulf islands until a plan change is made to incorporate the Hauraki Gulf Islands Section of the Auckland Council District Plan into the Plan. However, the Hauraki Gulf islands are subject to the Plan regional policy statement, the regional coastal plan and the regional plan.

### **A1.3. Structure of the Auckland Unitary Plan**

The Plan combines the regional policy statement, regional coastal plan, regional plans and district plans into one combined plan. The Plan has a hierarchical policy framework with the regional policy statement at the top, then with regional and district plan provisions giving effect to the regional policy statement.

The text of the Plan is structured into 14 chapters:

Chapter A	Introduction
Chapter B	Regional policy statement
Chapter C	General rules
Chapter D	Overlays
Chapter E	Auckland-wide
Chapter F	Coastal
Chapter G	Rural urban boundary
Chapter H	Zones
Chapter I	Precincts
Chapter J	Definitions
Chapter K	Designations
Chapter L	Schedules
Chapter M	Appendices
Chapter N	Glossary of Māori terms

Each chapter generally provides the objectives and policies and, in the case of the regional and district plans, the rules for a particular resource management matter or issue or a location or other information to support the use of the Plan.

The Plan maps (the planning maps) show overlays, zones, precincts and designations affecting land, water and airspace. They also show zone and Auckland-wide standards that have a spatial component to them such as the Height Variation Control or the Subdivision Variation Control. Qualifying matters in the urban environment are shown where a spatial component enables their identification. Additional maps for specific matters are also included within the text of the Plan.

### **A1.4. Identifying the different functions of provisions within the Auckland Unitary Plan**

The Plan is a combined plan under section 80 of the Resource Management Act 1991. The Council is responsible for the observance of each provision of the Plan.

The Council is required to identify the provisions in the Plan that are the:

- regional policy statement
- regional coastal plan **[rcp]**

- regional plan [rp]
- district plan [dp].

It does this by a number of methods.

#### **A1.4.1. Identification of regional policy statement objectives and policies**

The regional policy statement objectives and policies are separate from other objectives and policies in the plan. All regional policy statement objectives and policies are found in Chapter B. They are not identified in any other particular way.

#### **A1.4.2. Identification of objectives and policies in the regional coastal plan, regional plan and district plan**

The objectives and policies for the regional coastal plan, regional plan and district plan in the Plan are identified using the tag [rcp] or [rp] or [dp] or any relevant combination of these. The tag is located at the end of the objective or policy title, or the objective or policy, to identify the relevant functional level of the objective or policy. Where the objectives and policies are district plan provisions only, there is no tag.

An example of a tag located at the end of the objective or policy title is as follows:

##### **X1.2 Objectives [rcp/rp/dp]**

##### **X1.3 Policies [rcp/rp/dp]**

Or, an example of a tag located at the end of the objective or policy is as follows:

- (1) Consider hard protection works to protect development only where existing natural features will not provide protection from the natural hazard and enhancement of natural defences is not practicable. **[rcp/dp]**

Or, an example of a district plan objective or policy with no tag is a follows:

##### **X2.2 Objective**

- (1) Development is in keeping with the neighbourhood's existing or planned suburban built character of predominantly one to two storeys buildings.

#### **A1.4.3. Identification of rules, standards, matters of control or discretion and assessment criteria in the regional coastal plan, regional plan and district plan**

The rules for the various plans are identified by the sentence located above the activity table according to the section or sections of the Resource Management Act 1991 which are the basis for the activity or part of the activity table. For example:

<b>Resource Management Act 1991 section</b>	<b>Resource management purpose</b>	<b>Identification of relevant plan</b>
Section 9(2)	Regional land use	Regional plan rules
Section 9(3)	District land use	District plan rules
Section 11	Subdivision	District plan or regional coastal plan rules



Section 12(1)	Coastal works: <ul style="list-style-type: none"> <li>• reclaim or drain foreshore or seabed;</li> <li>• erect, reconstruct, place, alter, extend, remove or demolish a structure;</li> <li>• disturb foreshore or seabed;</li> <li>• deposit in, on or under foreshore or seabed;</li> <li>• destroy damage or disturb foreshore of seabed; or introduce a plant</li> </ul>	Regional coastal plan rules
Section 12(2)	Coastal occupation	Regional coastal plan rules
Section 12(3)	Coastal activity	Regional coastal plan rules
Section 13	Activities in, on, under or over the beds of lakes and rivers	Regional plan rules
Section 14	Take, use, dam or divert water, heat or energy	Regional plan rules or regional coastal plan rules
Section 15	Discharge of contaminants or water into water; or discharges of contaminants into air, or onto or into land or water	Regional plan rules or regional coastal plan rules

In some instances the rules have a dual resource management function and resource consent may be required for an activity under any one, or a combination of a number of sections of the Resource Management Act 1991 and therefore under one or more of the regional coastal plan, regional plan and/or district plan.

The standards, matters for control or discretion and any assessment criteria follow the same identified section of the Resource Management Act 1991 and resource management plan as the rule in the activity table to which they relate.

#### **A1.4.4. Identification of the Introduction, General rules, Definitions, and Glossary of Māori terms in the Plan**

The following chapters apply to the whole Plan:

- Chapter A Introduction
- Chapter J Definitions
- Chapter N Glossary of Māori terms

and are to be treated as regional policy statement, regional coastal plan, regional plan and district plan provisions in their entirety.

Chapter C General rules do not apply to the regional policy statement but do apply to the regional coastal plan, regional plan and district plan in their entirety.

**A1.4.5. Identification of the Designations in the Plan**

The provisions in Chapter K Designations and the related maps are district plan provisions. Some designations in the urban environment are qualifying matters.

**A1.4.6. Identification of the Schedules in the Plan**

The provisions in Chapter L Schedules and the related maps are regional coastal plan or regional plan or district plan provisions depending on the type and location of activity being undertaken. The exceptions to this are [Schedule 3 Significant Ecological Areas – Terrestrial Schedule](#) and [Schedule 4 Significant Ecological Areas – Marine Schedule](#) which are regional policy statement, regional coastal plan, regional plan and district plan provisions.

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Modifications)

**A1.4.7. Identification of Appendices in the Plan**

The provisions of Chapter M Appendices, with one exception, are regional coastal plan or regional plan or district plan provisions. The one exception to this is [Appendix 1 Structure plan guidelines](#) which is a regional policy statement appendix.

**Table A1.4.8.1 Qualifying matters in zones, overlays and Auckland-wide provisions**

Qualifying matters	Zones, overlays and Auckland-wide qualifying matter provisions:	Qualifying matter provisions related to zones', overlays', or Auckland-wide qualifying matter provisions
Matters required for ensuring the safe or efficient operation of nationally significant infrastructure	Land adjacent to the rail corridor in the City Centre Zone E25 Noise and Vibration	Chapter H Zones Chapter K Designations including 1100, 1101, 1102, 6500, 6501, 9100, 9101, 9102 and 9104
Matters for giving effect to designations	Chapter K Designations	Chapter K Designations including airspace restriction designations
Matters required to give effect to any other National Policy Statement or NZCPS	Chapter D9 Significant Ecological Areas Chapter D10 Outstanding Natural Features and Outstanding Natural Character Chapter D26 National Grid Corridor Overlay	Chapter H Zones Chapter K Designations Chapter L Schedules: Schedule 3 Schedule 2

**Table A1.4.8.2 Qualifying matters in precincts**

Qualifying matters	Precincts – Chapter I
Matters of national importance that decision-makers are required to recognise and provide for	Areas within precincts that protect matters of national importance including: Historic heritage - I201 Britomart Precinct, I202 Central Wharves Precinct, I206 Karangahape Road Precinct...

### **A1.5. Content of the regional coastal plan**

The Plan is a combined plan which includes the Auckland regional coastal plan.

Any provision of the Plan which applies to activities or natural or physical resources in the coastal marine area is a provision of the Auckland regional coastal plan.

### **A1.6. Plan provisions**

The Plan uses six main types of plan provisions:

#### **A1.6.1. General rules**

There are a number of general rules which apply throughout the Plan except in the regional policy statement and where otherwise specified. These include rules applicable to the consent process and notification of applications, how applications involving multiple activities and different types of plan provisions will be assessed, and how infringements of standards for activities will be assessed.

#### **A1.6.2. Overlays**

Overlays manage the protection, maintenance or enhancement of particular values associated with an area or resource. Overlays can apply across zones and precincts and overlay boundaries do not follow zone or precinct boundaries. Overlays also manage specific planning issues such as addressing reverse sensitivity effects between different land uses.

Overlays generally apply more restrictive rules than the Auckland-wide, zone or precinct provisions that apply to a site, but in some cases they can be more enabling. Overlay rules apply to all activities on the part of the site to which the overlay applies unless the overlay rule expressly states otherwise.

Overlay rules are identified in the activity tables where they are located in sections of the Plan dealing with Auckland-wide rules, for example Land disturbance – Regional or the Coastal – General Coastal Marine Zone.

Overlay provisions are located in Chapter D of the Plan and overlays are identified on the planning maps.

#### **A1.6.3. Auckland-wide provisions**

Auckland-wide provisions apply to the use and development of natural and physical resources across Auckland regardless of the zone in which they occur.

Auckland-wide provisions are located in Chapter E of the Plan and cover natural resources, Mana Whenua, the built environment, infrastructure, environmental risk, subdivision and temporary activity matters. Auckland-wide provisions generally apply more restrictive rules than the zone or precinct provisions that apply to a site, but in some cases they can be more enabling.

Auckland-wide rules which have a spatial component such as the Subdivision Variation Control or the Stormwater Management Area Control – Flow 1 and Flow 2 are identified on the planning maps.

#### **A1.6.4. Zones**

Zones manage the way in which areas of land and the coastal marine area are to be used, developed or protected. The spatial application of zones generally identifies where similar uses and activities are anticipated. All land and all of the coastal marine area within the Auckland region is zoned, except for roads.

Zone provisions are located in Chapters F and H of the Plan. Zones are identified on the planning maps. In addition, zone rules which have a spatial component such as the Height Variation Control are identified on the planning maps.

#### **A1.6.5. Precincts**

Precincts enable local differences to be recognised by providing detailed place-based provisions which can vary the outcomes sought by the zone or Auckland-wide provisions and can be more restrictive or more enabling. In certain limited circumstances the rules in a precinct vary the controls of an overlay, either by being more restrictive or more enabling. However, the general approach is that overlays take precedence over a precinct.

Precinct provisions are located in Chapter I and grouped according to their location as Auckland-wide, central, north, west and south. Precinct areas are identified on the planning maps.

#### **A1.6.6. Standards**

Activities provided for as permitted, controlled or restricted discretionary activities are normally subject to standards. Standards set limits on the extent to which an activity is permitted or may be assessed as a controlled or restricted discretionary activity. Exceedance of a standard normally results in the activity being considered as a more restrictive class of activity.

Standards are located following the activity tables in the overlay, zone, Auckland-wide and precinct provisions.

#### **A1.7. Activity status**

The Resource Management Act 1991 provides for activities to be classed as set out below. The classification of an activity is usually referred to as its activity status. The class or status of an activity determines the nature and extent of matters that must be considered for consenting. The class or status of an activity does not determine whether an application for consent will be notified or not.

Where more than one activity status may apply to a proposal, General rule [C1.6](#) applies to determine the overall activity status.

There is a hierarchy of the classes in terms of both the basis for assessment and the nature of conditions that may be imposed on any grant of consent. The hierarchy runs from the most enabling permitted status to the most restrictive prohibited status. The Plan has been prepared on the basis of this classification and consenting hierarchy. The following statements are provided to assist users of the Plan to understand how this hierarchy has been applied.

#### **A1.7.1. Permitted activity**

No resource consent is required for a permitted activity and the activity is allowed as of right. The activity may be subject to permitted activity standards which must be objectively certain and not subject to a discretionary assessment. Exceedance of a permitted activity standard normally results in the activity being considered as a restricted discretionary activity.

Activities are classed as permitted where the character, intensity and scale of their effects are expected to be in keeping with the quality of the existing environment or the relevant objectives and policies of the relevant zone or precinct.

#### **A1.7.2. Controlled activity**

Resource consent is required for a controlled activity but the Council must grant consent and only has power to impose conditions on the consent in relation to those matters over which control is reserved by the Plan or a national environmental standard. The activity may be subject to controlled activity standards. Exceedance of a controlled activity standard normally results in the activity being considered as a restricted discretionary activity.

Activities are classed as controlled where the activity is in keeping with the existing environment and the likely effects are well understood and able to be avoided, remedied or mitigated by conditions.

#### **A1.7.3. Restricted discretionary activity**

Resource consent is required for a restricted discretionary activity. Consent may be either granted or refused, but only for reasons which are relevant to the matters stated in the Plan or a national environmental standard over which the discretion can be exercised. The activity may be subject to restricted discretionary activity standards. If consent is granted, then any conditions of consent may only be in relation to the matters stated in the Plan or a national environmental standard.

Activities are classed as restricted discretionary where they are generally anticipated in the existing environment and the range of potential adverse effects is able to be identified in the Plan, so that the restriction on the Council's discretion is appropriate.

#### **A1.7.4. Discretionary activity**

Resource consent is required for a discretionary activity and may be granted or refused for any relevant resource management reason. An application for resource consent for a discretionary activity will be fully assessed in terms of the relevant provisions of the Plan, including all relevant objectives and policies, and the Resource Management Act 1991, including in particular Part 2.

Activities are classed as discretionary where they are not generally anticipated to occur in a particular environment, location or zone or where the character, intensity and scale of their environmental effects are so variable that it is not possible to prescribe standards to control them in advance. A full assessment is required to determine whether the activity, subject to any conditions, would be appropriate in terms of the provisions of the Plan, the effects of the activity on the environment and the suitability of the proposed location.

As well, any activity that is not specifically classed in a rule is deemed to be a discretionary activity under General rule [C1.7\(1\)](#).

#### **A1.7.5. Non-complying activity**

Resource consent is required for a non-complying activity. As threshold matters, the proposal must be assessed to determine whether its adverse effects on the environment will be no more than minor or whether it will not be contrary to the objectives and policies of the Plan. If the proposal is found not to breach one or other of those thresholds, then its merits may be considered on a broadly discretionary basis and consent may be granted (with or without conditions) or refused. If it is found to breach both thresholds, then consent must be refused.

Activities are classed as non-complying where greater scrutiny is required for some reason. This may include:

- where they are not anticipated to occur; or
- where they are likely to have significant adverse effects on the existing environment; or
- where the existing environment is regarded as delicate or vulnerable; or
- otherwise where they are considered less likely to be appropriate.

#### **A1.7.6. Prohibited activity**

An activity which is classed as prohibited cannot be the subject of an application for resource consent. Any proposal for a prohibited activity must first be the subject of a plan change to change the activity status (either generally or in respect of a particular proposal) to one of the other classes of activity.

Activities are classed as prohibited where they are expected to cause significant adverse effects on the environment which cannot be avoided, remedied or mitigated by conditions of consent or otherwise where it may be appropriate to adopt a precautionary approach.

#### **A1.7.7. Not applicable**

Where an activity table states that an activity is 'not applicable' or 'NA' this means that the activity is not relevant in that particular part of the activity table.

Where an activity table for a precinct leaves the status for a particular activity blank, then the activity status in the relevant overlay, zone or Auckland-wide provision applies.

**A1.7.8. Abbreviation of activity classes**

The Plan uses the following abbreviations to identify the class of activity:

Activity class abbreviation	Activity class abbreviation meaning
P	Permitted activity
C	Controlled activity
RD	Restricted discretionary activity
D	Discretionary activity
NC	Non-complying activity
Pr	Prohibited activity

PC 78 ([see  
Modifications](#))

[new text to be inserted]

## **D14. Maunga Viewshafts and Height Sensitive Areas Overlay**

### **D14.1. Overlay description**

The purpose of the Maunga Viewshafts and Height Sensitive Areas Overlay is to appropriately protect significant views of Auckland's maunga cones through the use of viewshafts and height sensitive areas. The maunga viewshafts and height sensitive areas are identified on the planning maps.

This overlay contributes to Auckland's unique identity by protecting the natural and cultural heritage values of significant maunga cones.

This overlay incorporates three elements:

- (1) Regionally significant maunga viewshafts which protect regionally significant views to the Auckland maunga. Buildings that intrude into a regionally significant maunga viewshaft require restricted discretionary activity consent up to 9m in height, beyond which they are a non-complying activity.
- (2) Locally significant maunga viewshafts manage development to maintain locally significant views to the Auckland maunga. Buildings that intrude into a locally significant maunga viewshaft are a permitted activity up to 9m in height, beyond which they are a restricted discretionary activity.
- (3) Height sensitive areas are areas of land located on the slopes and surrounds of the maunga cones. These areas are mapped and are identified as a layer on the planning maps and are marked with the following symbol: ▼.

Height sensitive areas enable reasonable development in areas where the floor of the viewshaft is less than 9m (the maximum height in Residential – Single House Zone and Residential – Mixed Housing Suburban Zone). They also ensure that development is of a scale and/or location that does not dominate the local landscape or reduce the visual significance or amenity values of the maunga feature. Buildings are a permitted activity up to a defined maximum height beyond which they are a non-complying activity. An additional height control applies at the boundary of a maunga feature.

### **D14.2. Objectives [rcp/dp]**

- (1) The regionally significant views to and between Auckland's maunga are protected.
- (2) The locally significant views to Auckland's maunga are managed to maintain and enhance the visual character, identity and form of the maunga in the views.

PC 78 ([see Modifications](#))

**[new text to be inserted]**

### **D14.3. Policies [rcp/dp]**

- (1) Protect the visual character, identity and form of regionally significant maunga, together with local views to them, by:
  - (a) locating height sensitive areas around the base of the maunga; and



- (b) imposing height limits which prevent future encroachment into views of the maunga that would erode the visibility to their profile and open space values, while allowing a reasonable scale of development.
- (2) Manage subdivision, use and development to ensure that the overall contribution of the regionally significant maunga scheduled as outstanding natural features to the landscape of Auckland is maintained and where practicable enhanced, including by protecting physical and visual connections to and views between the maunga.
- (3) Protect the historic, archaeological and cultural integrity of regionally significant maunga features and their surrounds by avoiding activities that detract from these values and the mana of the maunga.
- (4) Avoid new buildings or structures that intrude into maunga viewshafts scheduled in [Schedule 9 Maunga Viewshafts Schedule](#), except:
- (a) where they would have no adverse effect on the visual integrity of the maunga as seen from the identified viewing point or line; or
  - (b) to allow development up to a two-storey height to intrude into a maunga viewshaft, where any adverse effect of development is avoided or mitigated; or
  - (c) to allow development located within an identified height sensitive area up to defined appropriate height limits; or
  - (d) to allow the provision of infrastructure where there are particular functional or operational needs that necessitate a structure that penetrates the floor of a maunga viewshaft, there is no reasonably practicable alternative and adverse effects of development are avoided or mitigated.
- (5) Avoid new buildings or structures that exceed two storeys in height in a height sensitive area, except where they would have no adverse effect on the visual integrity of any maunga to which that height sensitive area relates, as seen from any public place.
- [new text to be inserted]**
- (6) Require urban intensification to be consistent with the protection of maunga features and viewshafts.

PC 78 ([see Modifications](#))

#### **D14.4. Activity table [rcp/dp]**

Table D14.4.1 specifies the activity status of land use and development activities in the Maunga Viewshafts and Height Sensitive Areas Overlay pursuant to sections 9(3) and 12 of the Resource Management Act 1991.

- The rules that apply to network utilities and electricity generation in the Maunga Viewshafts and Height Sensitive Areas Overlay are located in Section E26 Infrastructure.

Table D14.4.1 Activity table

Activity		Activity status	
Buildings (where they intrude into a scheduled maunga viewshaft), excluding network utilities, electricity generation facilities, broadcasting facilities and road networks			
		Regionally Significant Maunga Viewshaft	Locally Significant Maunga Viewshaft
(A1)	Buildings that do not intrude into a viewshaft scheduled in <a href="#">Schedule 9 Maunga Viewshafts Schedule</a>	P	P
(A2)	Temporary activities	P	P
(A3)	Buildings, except for fences and walls, up to 9m in height	RD	P
(A4)	Fences and walls, where their height does not exceed 2.5m	RD	P
(A5)	Towers associated with fire stations operated by Fire and Emergency New Zealand that are no higher than the height allowed as a permitted activity in the zone.	RD	P
(A6)	Buildings not otherwise provided for or that do not comply with the standards under D14.6	NC	RD
Buildings in a height sensitive area, excluding network utilities, electricity generation facilities, broadcasting facilities and road networks			
(A7)	Buildings up to 9m in height except as specified in Standard D14.6.3.	P	
<a href="#">[new text to be inserted]</a>	<a href="#">[new text to be inserted]</a>	<a href="#">[new text to be inserted]</a>	
(A8)	Buildings up to 13m in height in the areas identified in Figure D14.10.1	P	
(A9)	Temporary activities	P	
(A10)	Towers associated with fire stations operated by Fire and Emergency New Zealand that are no higher than the height allowed as a permitted activity in the zone	RD	
(A11)	Buildings not otherwise provided for or that do not comply with the standards	NC	

PC 78 ([see Modifications](#))

PC 78 ([see Modifications](#))

#### **D14.5. Notification**

- (1) Any application for resource consent for any of the following non-complying activities must be publicly notified:
  - (a) D14.4.1(A6) Buildings not otherwise provided for or that do not comply with the standards (non-complying only); and
  - (b) D14.4.1(A11) Buildings not otherwise provided for or that do not comply with the standards.
- (2) Any application for resource consent for an activity listed in Table D14.4.1 Activity table and which is not listed in D14.5(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\(4\)](#).

#### **D14.6. Standards**

All activities listed as permitted and restricted discretionary in Table D14.4.1 must comply with the following standards.

##### **D14.6.1. Height**

- (1) In applying these standards, height must be measured using the rolling height method except if using standards D14.6.3(1)(a)(i), D14.6.3(1)(a)(iii) and D14.6.3(1)(c) where maximum height is restricted by another method.
- (2) Flagpoles, masts, lighting poles, chimneys and water overflow pipes must not exceed 300mm in any horizontal cross-sectional dimension and must be located at least 10m from any other flagpole, mast, lighting pole, chimney or water overflow pipe.
- (3) Except for guy wires and chain link or other open or transparent fences, the list of exclusions in the plan's definition of height do not apply.

##### **D14.6.2. Buildings and structures that do not intrude into a viewshaft scheduled in Schedule 9 Maunga Viewshafts Schedule**

- (1) Compliance must be confirmed by a report from a registered surveyor that the building does not intrude into the scheduled viewshaft (from the identified viewpoint or line) because of the presence of landform. The presence of existing vegetation is not to be taken into account when confirming compliance and the report shall include identification of the landform used to confirm compliance.

**D14.6.3. Buildings on sites that have a contiguous boundary with a site with a maunga feature mapped as an outstanding natural feature**

- (1) Buildings on sites that have a contiguous boundary with a site with a maunga feature mapped as an outstanding natural feature must not exceed a height of:
- (a) the height sensitive area maximum of 9m except where the lesser height of the following applies;
    - (i) the average height above NZVD2016 of the highest points of the nearest two buildings (not including accessory buildings) on adjoining sites where those sites also have contiguous boundary with the maunga feature; or
    - (ii) *[deleted]*
    - (iii) where D14.6.3(1)(a)(i) cannot be applied, the average height above NZVD2016 of the site boundary which is contiguous with the maunga feature. Average height will be calculated using the average of measurements of height above NZVD2016, taken along the contiguous boundary at 1m intervals.
  - (b) 7.3m for buildings on 14A Pickens Crescent Mt Albert (Lot 1 DP 394305; CT 377258); or
  - (c) RL (in terms of NZVD2016) 103.08 for buildings on 47A Mount St John Avenue Epsom (Lot 1 DP 359371; CT 241868).

**D14.6.4. Temporary construction and safety structures (other than in Business – City Centre Zone)**

- (1) Temporary construction and safety structures must be removed within 30 days or upon completion of the construction works, whichever is the lesser.

**D14.6.4A Temporary construction and safety structures (Business - City 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.

## **D14.7. Assessment – controlled activities**

### **D14.7.1. Matters of control**

There are no controlled activities in this overlay.

## **D14.8. Assessment – restricted discretionary activities**

### **D14.8.1. Matters of discretion**

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

- (1) all restricted discretionary activities:
  - (a) effects on the visual integrity of the view of the maunga from the identified viewing point or line;
  - (b) location, nature, form and extent of proposed works;
  - (c) mana whenua values associated with the maunga; and
  - (d) the functional or operational need for the proposal and any alternatives considered to fulfil that need without the intrusion into the viewshaft or exceeding the maximum height limit of a height sensitive area.

[new text to be inserted]

### **D14.8.2. Assessment criteria**

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

- (1) all restricted discretionary activities:
  - (a) having regard to the viewshaft or height sensitive area statement in [Appendix 20 Maunga Viewshafts and Height Sensitive Areas – Values Assessments](#), whether the nature, form and extent of the building adversely affects the visual integrity of the maunga;
  - (b) whether the proposed building has a functional or operational requirement to be in the location proposed and the proposed height of the building is consistent with that requirement;
  - (c) whether there are practicable alternatives available that will not intrude into, or will minimise the intrusion into the viewshaft or exceedance of the maximum height of a height sensitive area;
  - (d) whether the proposed building will impact on Mana Whenua values associated with the maunga; and
  - (e) the relevant objectives and policies in [B4.3](#), D14.2 and D14.3

[new text to be inserted]

PC 78 ([see Modifications](#))

PC 78 ([see Modifications](#))

PC 78 ([see Modifications](#))

**D14.9. Special information requirements**

There are no special information requirements in this overlay.

## D14.10. Figures

**Figure D14.10.1 Devonport Height Sensitive Area height**

PC 78 ([see](#)  
[Modifications](#))



## D19. Auckland War Memorial Museum Viewshaft Overlay

### D19.1. Background

Auckland War Memorial Museum is located in a prominent location within Auckland Domain.

The museum is a landmark building with historic, community and architectural significance and is one of Auckland's most popular vantage points. Sited on relatively low grounds in relation to the surrounding ridges, the view to and from the museum could be easily compromised or lost through the erection of tall buildings. The combination of landform, dominant building presence and setting contribute to the museum's unique visual quality. Special visual protection measures are applied to secure the highly appreciated views and aspect qualities associated with this historic heritage place. The overlay rules limit building height and include provision for parapets, chimneys communications antennae, support structures, housing, building services components and advertising signs.

PC 78 ([see Modifications](#))

[new text to be inserted]

### D19.2. Objective

- (1) Significant views to and from the Auckland War Memorial Museum are protected.

### D19.3. Policy

- (1) Prevent the visual intrusion of buildings and structures into current identified views to and from the museum.

### D19.4. Activity table

Table D19.4.1 Activity table specifies the activity status of development activities in the Auckland War Memorial Museum Viewshaft Overlay pursuant to section 9(3) of the Resource Management Act 1991.

- The rules that apply to network utilities and electricity generation in the Auckland War Memorial Museum Viewshaft Overlay are located in Section [E26 Infrastructure](#).
- Refer to the applicable zone rules for the permitted height limit
- The Auckland War Memorial Museum Viewshaft Overlay provisions do not apply to structures that do not exceed the height limits specified on Figures D19.6.1.1, D19.6.1.2 and D19.6.1.3 within the areas identified on the planning maps.

**Table D19.4.1 Activity table**

Activity		Activity status
Development		
(A1)	Temporary construction and safety structures	P
(A2)	Buildings, structures, parapets, chimneys, communication devices, tanks or building services components, ornamental towers, lift towers or advertising signs that exceed the height limits specified on Figures D19.6.1.1 Height limit surface, D19.6.1.2 Height limit surface – 2 and D19.6.1.3	NC



	Height limit surface – 3 within the areas identified on the planning maps to protect views to or from the Auckland War Memorial Museum	
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#### **D19.5. Notification**

- (1) Any application for resource consent for an activity listed in Table D19.4.1 Activity table will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.
- (2) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule [C1.13\(4\)](#).

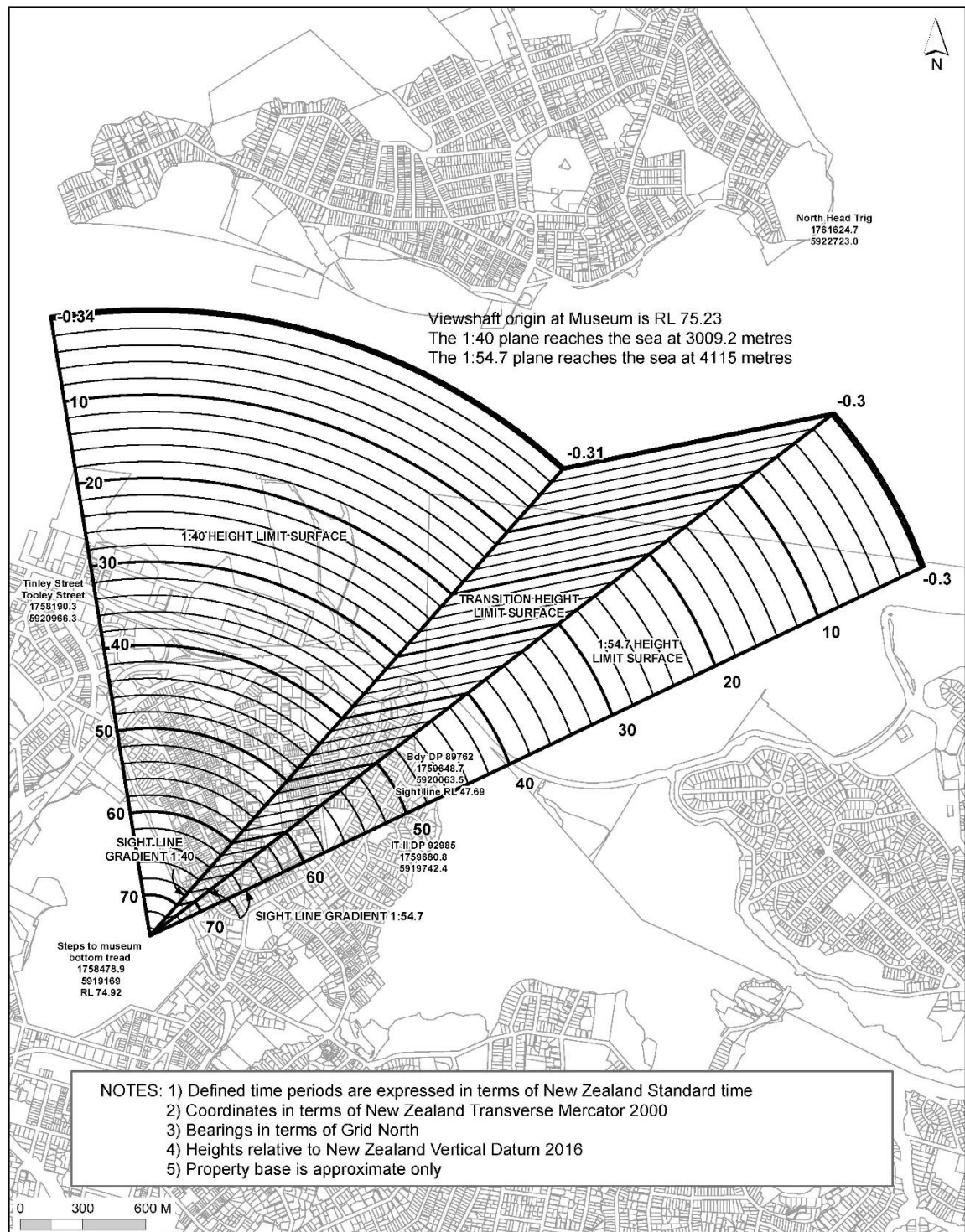
#### **D19.6. Standards**

All activities listed as a permitted activity in Table D19.4.1 Activity table must comply with the following standard.

##### **D19.6.1. Building coverage**

- (1) For sites where the view protection height limit surface is lower than the height limit in the zone, the maximum building coverage is 40 per cent, unless a greater building coverage is allowed in the zone.

Figure D19.6.1.1 Height limit surface



**Figure D19.6.1.2 Height limit surface - 2**

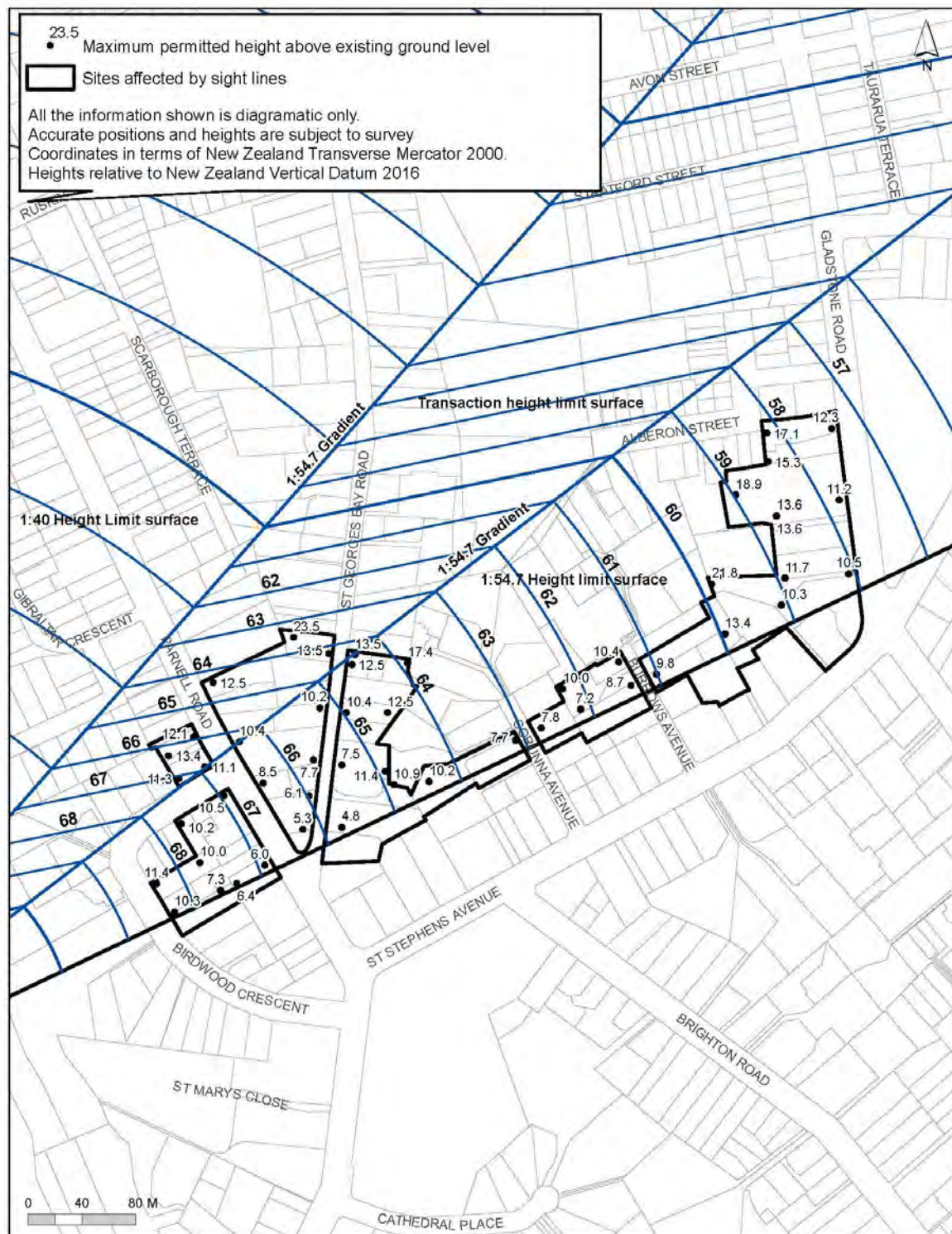
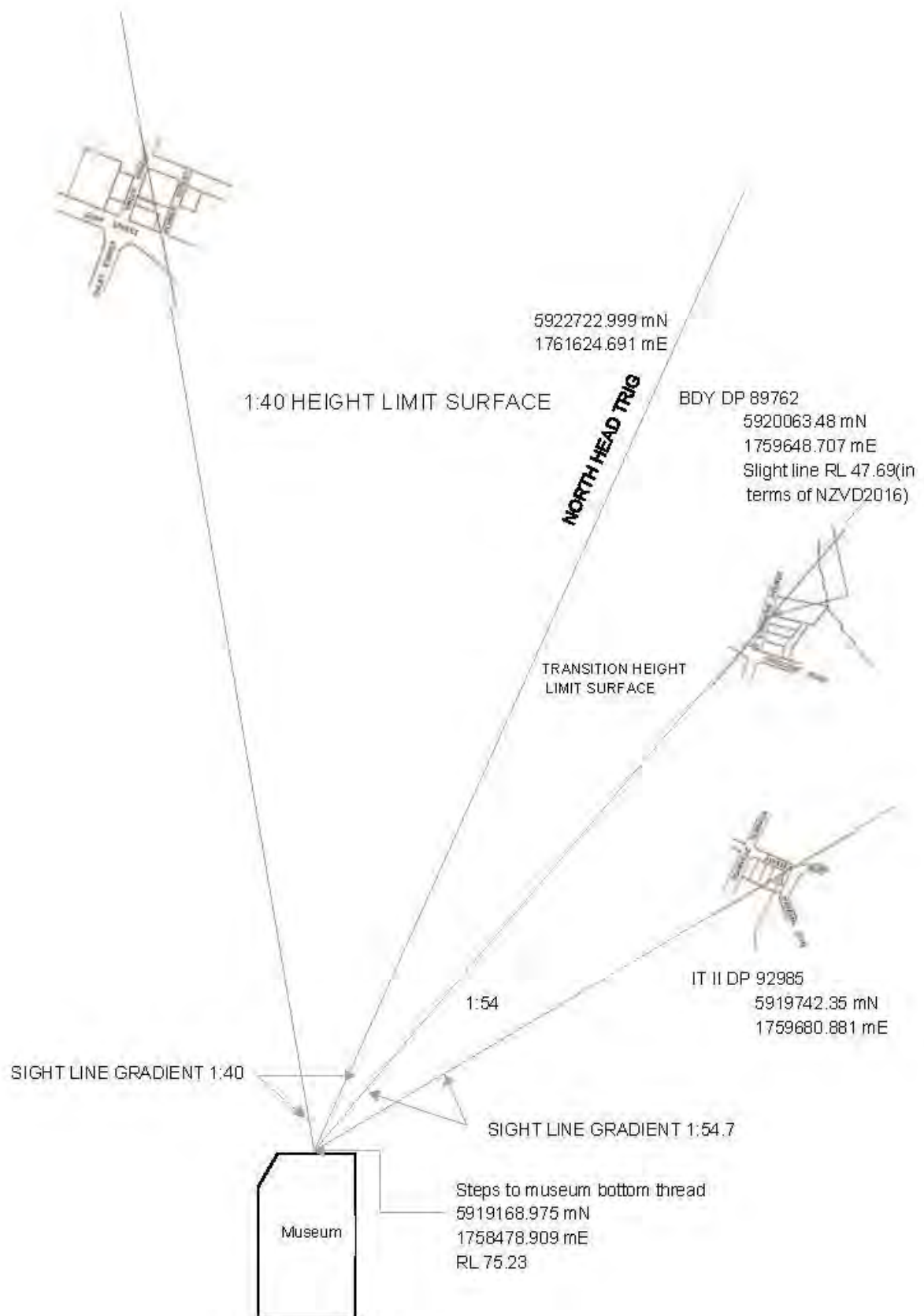


Figure D19.6.1.3 Height limit surface - 3



**D19.7. Assessment – controlled activities**

There are no controlled activities in this overlay.

**D19.8. Assessment – restricted discretionary activities**

There are no restricted discretionary activities in this overlay.

**D19.9. Special information requirements**

- (1) A non-complying activity application for resource consent made under Rule D19.4.1 (A2) must be accompanied by a Landscape Assessment prepared by a suitably qualified Landscape Architect. The assessment must include (but not be limited to) effects on views between Takarunga / Mount Victoria and Maungawhau / Mount Eden having regard to:
  - (a) whether the nature, form and extent of the building adversely affects the visual integrity of views between each maunga;
  - (b) whether the proposed building has a functional or operational requirement to be in the location proposed and the proposed height of the building is consistent with that requirement;
  - (c) whether there are practicable alternatives available that will not adversely affect the visual integrity of views between each maunga;
  - (d) whether the proposed building will impact on Mana Whenua values associated with each maunga; and
  - (e) the relevant objectives and policies in B4.3, D14.2 and D14.3



## D26. National Grid Corridor Overlay

PC 78 ([see  
Modifications](#))

[new text to be inserted]

### D26.1. Overlay description

The National Grid is important to the social and economic well-being of Aucklanders and New Zealanders. All infrastructure owned or operated by Transpower New Zealand Limited comprises the National Grid.

Under the National Policy Statement on Electricity Transmission 2008, the Council is required to recognise and provide for the national significance of the National Grid, including through identifying and providing a buffer corridor and associated rules to avoid sensitive activities in the corridor and manage the actual and potential adverse effects of other activities on the National Grid. The National Grid Corridor Overlay crosses the coastal marine area, but no specific rules apply in this area.

Amenity values within the National Grid Corridor Overlay can be expected to be lower than elsewhere, due to the presence of the National Grid but this must be balanced against the benefits that an efficient and reliable National Grid provides.

The purpose of the National Grid Corridor Overlay is to manage sensitive activities and potentially incompatible development (including land disturbance) within close proximity to the National Grid in order to:

- prevent risks to people and property;
- protect the National Grid;
- preserve line access for inspection and maintenance;
- preserve a corridor for the operation, maintenance, upgrade and development of National Grid infrastructure; and
- manage potential reverse sensitivity effects.

Subdivision is managed so that future development achieves the objective and policies of the National Grid Corridor Overlay, including that the National Grid is not compromised and its long-term upgrading and development is facilitated in accordance with the National Policy Statement on Electricity Transmission 2008.

High voltage transmission lines pose a risk of electrical hazard in situations where development occurs too close and may result in injury to persons and/or damage to property, either as a result of direct or indirect contact with National Grid infrastructure.

Conversely, development in close proximity to the National Grid can pose risks to the National Grid itself including the potential for loss of security of supply through outages or physical damage, and through constraints on access for inspection and maintenance and undertaking line upgrades.

The areas within the National Grid Yard (Compromised and Uncompromised) are shown on the planning maps. The National Grid Yard (Uncompromised) areas are not generally compromised by the presence of existing buildings and are subject to limitations on new development. The National Grid Yard (Compromised) areas are generally compromised by the presence of existing

buildings and are subject to fewer limitations than the National Grid Yard (Uncompromised). All parts of the National Grid Yard are subject to limitations on new activities sensitive to the National Grid.

The location of the National Grid Corridor Overlay must be updated if any National Grid line, support structure or substation is added, relocated or removed. The overlay's location will be updated automatically on sites where the overlay will no longer apply. However, a plan change under Schedule One of the RMA will still be required in circumstances where the overlay is proposed to apply to new locations or areas, including new areas of existing properties which are already impacted by the overlay.

#### **D26.2. Objective [rcp/dp]**

- (1) The efficient development, operation, maintenance and upgrading of the National Grid is not compromised by subdivision, use and development.

#### **D26.3. Policies [rcp/dp]**

- (1) Require subdivision, use and development within the National Grid Corridor Overlay to be undertaken so that it:
  - (a) meets the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001);
  - (b) does not compromise security of supply and/or the integrity of National Grid assets;
  - (c) does not compromise ongoing access to conductors and support structures for maintenance and upgrading works;
  - (d) does not foreclose future cable routes into substations in roads in urban areas;
  - (e) does not foreclose operation and maintenance options or the carrying out of planned upgrade works;
  - (f) manages all activities to avoid exposure to health and safety risk from the National Grid;
  - (g) manages activities sensitive to the National Grid to minimise exposure to nuisance, such as noise and line drip from the National Grid;
  - (h) avoids the establishment or expansion of activities sensitive to transmission lines in the National Grid Yard and around substations;
  - (i) provides for use and development, except for activities sensitive to the National Grid, in the National Grid Yard (Compromised);
  - (j) avoids new structures and buildings within the National Grid Yard (Uncompromised), except for buildings for low intensity rural activities and minor structures; and

- (k) limits, as far as practicable, potential reverse sensitivity effects.
- (2) Require structure plans to take into account the National Grid Corridor overlay to ensure that the National Grid is not compromised by reverse sensitivity and other effects from future subdivision, use and development.
- (3) Require activities within the National Grid Corridor overlay within the coastal marine area to be undertaken so that they achieve all relevant items in Policy D26.3(1).

#### **D26.4. Activity table**

Table D26.4.1 Activity table – within the National Grid Yard specifies the activity status for use, development and subdivision activities within the National Grid Yard pursuant to sections 9(3) and 11 of the Resource Management Act 1991.

Table D26.4.2 Activity table – within the National Grid Substation Corridor specifies the activity status for land use, development and subdivisions activities pursuant to sections 9(3) and 11 of the Resource Management Act 1991.

Table D26.4.3 Activity table – within the National Grid Subdivision Corridor specifies the activity status for subdivision activities pursuant to section 11 of the Resource Management Act 1991.

Tables D26.4.1, D26.4.2 and D26.4.3 do not apply to Transpower's activities.

Where activities are shown in the Activity table below, the applicable zone, precinct and Auckland- wide rules also apply.

For subdivision within the National Grid Corridor overlay, the relevant zone rules in [E38 Subdivision – Urban](#) or [E39 Subdivision – Rural](#), D26.6.2 (controlled activity development standards) and D26.8 (Assessment - restricted discretionary activities) apply. A blank in Table D26.4.1 below means that the Auckland-wide subdivision provisions apply.

The National Grid Corridor Overlay rules cease to have effect and the maps can be updated accordingly where:

- (a) a National Grid line or part of a line is dismantled, undergrounded or moved;  
or
- (b) a National Grid substation is dismantled, or the site boundary of a National Grid substation reduces in size;

and the following has occurred:

- (c) Transpower New Zealand Limited has advised the Council in writing; and
- (d) The council has advised owners of the property from which the overlay will be removed in writing;

That the National Grid Corridor Overlay provisions are no longer required for that line or part of that line, or for that substation or that part of that substation.

In circumstances where the National Grid Corridor Overlay is proposed to apply to a new area or location, then a plan change under Schedule One of the RMA will be required.



**Table D26.4.1 Activity table – within the National Grid****Yard (Compromised and Uncompromised)**

<b>Activity</b>		<b>Activity status</b>
(A1)	Establishing activities sensitive to the national grid in an existing building or a new building	NC
(A2)	Any activity including land disturbance that permanently physically impedes existing vehicular access to a national grid support structure	NC
(A3)	Network utilities (excluding buildings and structures for irrigation) and electricity generation that connect to the national grid	P
(A4)	Any storage or use of hazardous substances or hazardous wastes (excluding motor vehicle fuel tanks and the accessory use and storage of hazardous substances in domestic scale quantities)	NC
(A5)	<i>[deleted]</i>	
(A6)	Any permitted activity that does not meet the permitted activity standards	RD
(A7)	Any activity, building or structure that fails to comply with the requirements of NZECP 34:2001	NC
<b>Development</b>		
(A8)	External building extensions for an activity sensitive to the National Grid	NC
(A9)	Any building or structure unless it is otherwise provided for below	NC
(A10)	Fences	P
(A11)	Within the National Grid Yard (Compromised) any new building or structure, and alterations, that is not for activities sensitive to the national grid	P
(A12)	Accessory buildings (excluding buildings containing sleeping areas) for activities sensitive to the national grid	P
(A13)	Alterations to existing buildings that do not increase the building envelope or footprint	P
(A13A)	Within the National Grid Yard (Uncompromised) any structures that do not meet the definition of Building in <a href="#">Chapter J</a>	P
<b>Buildings and structures in addition to the above in rural zones and the Future Urban Zone</b>		
(A14)	Horticultural structures between 8m and 12m from a pole (but not a tower) support structure	P
(A15)	An agricultural or horticultural structure located within 12m of a tower or 8m of a pole support structure that complies with clause 2.4.1 of NZECP34:2001	P

Qualifying Matter as per s771(b) and s771(e) and s770(b) and s770(e) of the RMA

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(A16)	Uninhabited farm buildings and structures, surrounding platforms and stockyards associated with milking sheds, animal feed lots and 3-sided calf rearing sheds, and alterations to these buildings and structures	P
(A17)	Uninhabited horticultural buildings and structures and alterations to these buildings and structures	P
(A18)	Principal buildings for intensive farming activities (excluding animal feed lots), milking shed buildings (excluding the surrounding platform and any stockyards), wintering barns, commercial greenhouses and immovable protective canopies	NC
<b>Land disturbance</b>		
(A19)	Land disturbance that complies with Standards D26.6.1.1(1)(a), D26.6.1.1(1)(b), D26.6.1.1(1)(c) and D26.6.1.1(1)(d)	P
(A20)	Land disturbance that does not comply with Standards D26.6.1.1(1)(a), D26.6.1.1(1)(b), D26.6.1.1(1)(c) and D26.6.1.1(1)(d)	RD
(A21)	Land disturbance that does not comply with Standard D26.6.1.1(1)(e) – (f)	NC
<b>Subdivision</b>		
(A22)	Creation of lots involving a new building platform in the National Grid Yard for activities sensitive to the National Grid	NC
(A23)	Creation of lots involving a new building platform in the National Grid Yard (Uncompromised)	NC
(A24)	For all other subdivision on land within an urban zone the activity status listed in <a href="#">E38 Subdivision – Urban</a> under Tables <a href="#">E38.4.1</a> to <a href="#">E38.4.5</a> will apply	
(A25)	For all other subdivision on land within a rural zone the activity status listed in <a href="#">E39 Subdivision – Rural</a> under Tables <a href="#">E39.4.1</a> to <a href="#">E39.4.5</a> will apply	
(A26)	Subdivision for controlled activities in <a href="#">E38 Subdivision – Urban</a> and <a href="#">E39 Subdivision – Rural</a> that do not comply with Standards D26.6.2.1(1) and D26.6.2.1(2)	NC

**Table D26.4.2 Activity table – within the National Grid Substation Corridor**

<b>Activity</b>		<b>Activity status</b>
(A27)	Network utilities and electricity generation that connects to the National Grid	P
(A28)	Roading activities, and network utilities or electricity generation that connects to the National Grid that are above ground or comply with Standard D26.6.1.2(1), and electricity transmission infrastructure in a road carriageway	P

## D26 National Grid Corridor Overlay

(A29)	New underground network utilities (except for electricity generation that connects to the National Grid) in a road carriageway identified in Table D26.6.1.2.1 that do not comply with Standard D26.6.1.2(1)	RD
<b>Buildings and structures</b>		
(A30)	New buildings for activities sensitive to the National Grid	RD

<b>Subdivision</b>		
(A31)	Subdivision for activities sensitive to the National Grid which are listed as permitted or controlled in <a href="#">E38 Subdivision – Urban</a> under Tables <a href="#">E38.4.1</a> to <a href="#">E38.4.5</a>	RD
(A32)	Subdivision for activities sensitive to the National Grid which are listed as permitted or controlled in <a href="#">E39 Subdivision – Rural</a> under Tables <a href="#">E39.4.1</a> to <a href="#">E39.4.5</a>	RD

**Table D26.4.3 Activity table – within the National Grid Subdivision Corridor**

Activity		Activity status
<b>Subdivision</b>		
(A34)	Subdivision within the National Grid Subdivision Corridor	RD

### D26.5. Notification

- (1) An application for resource consent for a controlled activity listed in Table D26.4.1 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 D26.4.1 or Table D26.4.2 and which is not listed in D26.5(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\(4\)](#).

### D26.6. Standards

#### D26.6.1. Permitted activity standards

All activities listed as permitted in Tables D26.4.1 or D26.4.2 must comply with the following permitted activity standards.

##### D26.6.1.1. Land disturbance within the National Grid Yard

- (1) Land disturbance must:

- (a) be no deeper than 300mm within 6m of the outer visible edge of the foundations of a national grid tower support structure;

- (b) be no deeper than 300mm within 2.2m of a national grid pole support

D26 National Grid Corridor Overlay  
structure or stay wire;

- (c) be no deeper than 3m between 6 to 12m from the outer edge of the visible foundation of a national grid tower support structure;
  - (d) be no deeper than 750mm within 2.2 to 5m of a National Grid pole support structure; except that vertical holes not exceeding 500mm in diameter beyond 1.5 from the outer edge of pole support structure or stay wire are exempt;
  - (e) not create an unstable batter that will affect a National Grid support structure; and
  - (f) not result in a reduction in the ground to conductor clearance distances below what is required by Table 4 of NZECP34:2001.
- (2) Standards D26.6.1.1(1)(a) – (d) do not apply to:
- (a) land disturbance for a network utility (excluding buildings and structures for irrigation), as part of an electricity transmission activity, or for electricity infrastructure;
  - (b) land disturbance undertaken as part of agricultural, horticultural or domestic cultivation, or repair, sealing or resealing of a road, footpath or driveway (including a farm track); and
  - (c) land disturbance for a network utility (excluding buildings and structures for irrigation).

**D26.6.1.2. Underground network utilities in the road carriageways**

- (1) All network utilities within the road carriageways identified in Table D26.6.1.2.1 must comply with the following standards:
- (a) the network utility is an electrical cable that has a maximum continuous current carrying capability of 250A or less, a telecommunication cable, or a gas, water supply or sewer pipe connection to one or more properties; and
  - (b) the pipe or cable is buried to a depth no greater than 1.2m below the surface of the road.
- (2) Except that:
- (a) underground telecommunications fibre cables need not comply with Standard D26.6.1.2.1(a) and (b) if they are located in an area no deeper than 1.5m below the surface and no wider than 500mm inside the underground National Grid Substation Corridor; and
  - (b) underground electricity cables need not comply with Standards D26.6.1.2.1(a) and (b) if a suitably qualified expert, commissioned by both the owner of the National Grid and the local distribution lines company supplied by the particular substation, certifies that any such cable does not foreclose (physically or due to heat transfer

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of the transmission cable) the ability to install other underground  
electricity transmission cables to the substation.

**Table D26.6.1.2.1 Underground network utilities in the  
road carriageways**

Substation	Road	Distance
Henderson	Lincoln Park Avenue, Triangle Road, Cartmel Avenue	250m
Hepburn Road	Hepburn Road, Akatea Road, Bancroft Crescent	250m
Mangere	Tennessee Avenue, Massey Road, Ferguson Street, Driver Road	250m
Mt Roskill	May Road, Richardson Road, Nirvana Way, Ellis Avenue, Jana Place, Subritzky Avenue, White Swan Road	500m
Otahuhu	Bairds Road, Hellabys Road, Gilbert Road, Kaitawa Street	250m
Pakuranga	Golfland Drive, Nandina Avenue, Ti Rakau Drive, Greenmount Drive	500m
Penrose	Gavin Street	500m
Wairau Road	Wairau Road	250m
Wiri	Te Irirangi Drive, Great South Road	500m

#### **D26.6.1.3. Fences**

(1) Fences must:

- (a) be located at least 5m from a National Grid support structure; and
- (b) be no more than 2.5m in height.

#### **D26.6.1.4. Buildings and structures**

(1) Buildings, structures and alterations including uninhabited horticultural buildings and structures (except those subject to Standard D26.6.1.6) and uninhabited farming buildings, structures and surrounding platforms and stockyards must be located at least 12m from a National Grid support structure.

#### **D26.6.1.5. Accessory buildings**

Qualifying  
Matter as  
per s771(b)  
and s771(e)  
and s770(b)  
and s770(e)  
of the RMA

(1) Accessory buildings must:

- (a) be located at least 12m from a National Grid support structure;
- (b) be no more than 2.5m in height; and
- (c) have a floor area of no more than 10m<sup>2</sup>.

#### **D26.6.1.6. Horticultural structures between 8m and 12m from a pole support structure**

(1) Horticultural structures between 8m and 12m from a pole (but not a tower) support structure must:

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- (a) be no more than 2.5m in height;
- (b) be removable or temporary, to allow a clear working space 12m from the pole where necessary for maintenance purposes; and
- (c) allow all weather access to the pole and a sufficient area for maintenance equipment, including a crane.

### **D26.6.2. Controlled activity standards**

All controlled activities must comply with the following controlled activity standards.

#### **D26.6.2.1. Subdivision**

- (1) The design and construction of subdivision including land disturbance and the location of buildings and structures must comply with NZECP34:2001.
- (2) The design and construction of subdivision must maintain vehicular access to any National Grid support structure.

### **D26.7. Assessment – controlled activities**

The council will consider the relevant assessment criteria for controlled activities contained in [E38.11](#) and [E39.7](#).

### **D26.8. Assessment – restricted discretionary activities**

#### **D26.8.1. Matters of discretion**

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

- (1) Subdivision within the National Grid yard and the National Grid Substation Corridor:
  - (a) effects of the subdivision on the efficient operation, maintenance, upgrade and development of the national grid;
  - (b) risk of electrical hazards affecting public or individual safety, and the risk of property damage;
  - (c) the ability to provide a complying building platform;
  - (d) location, design and use of the proposed building platform or structure as it relates to the national grid;
  - (e) the nature and location of any vegetation associated with the subdivision to be planted in the vicinity of the national grid;
  - (f) where the proposed subdivision is part of a more extensive greenfields development, consistency with the planned future form and character of the area or zone, and the potential impacts on the National Grid, including reverse sensitivity effects and potential effects on the operation, maintenance, development and upgrade of the affected part of the National Grid; and
  - (g) technical advice from an Electrical Engineer specialising in transmission or

D26 National Grid Corridor Overlay  
the National Grid operator.

- (h) the matters for discretion set out in [E38 Subdivision – Urban](#) under [E38.12.1](#), where the land under subdivision is within an urban zone, and provided the matters are not inconsistent with matters listed as (a) to (g) above; and
  - (i) the matters for discretion set out in [E39 Subdivision – Rural](#) under [E39.8.1](#) where the land under subdivision is within a rural zone, and provided the matters are not inconsistent with matters listed as (a) to (g) above.
- (1A) subdivision within the National Grid Subdivision Corridor:
- (a) vehicular access to a National Grid support structure;
  - (b) risk of electrical hazards affecting public or individual safety, and the risk of property damage;
  - (c) potential impacts on the operation of the National Grid from reverse sensitivity relating to visual amenity; and
  - (d) The nature and location of any proposed vegetation.
- (2) land disturbance that does not comply with Standard D26.6.1(1)(a) – (d):
- (a) the degree of non-compliance with the standard(s) and the effects on the efficient operation, maintenance, upgrade and development of the national grid;
  - (b) risk of electrical hazards affecting public or individual safety, and the risk of property damage;
  - (c) the risk to the structural integrity of the National Grid; and
  - (d) technical advice from an Electrical Engineer specialising in transmission or the National Grid operator.
- (3) new buildings for activities sensitive to the National Grid in the National Grid Substation Corridor:
- (a) effects of the development on the efficient operation, maintenance, upgrade and development of the substation;
  - (b) risk of electrical hazards affecting public or individual safety, and the risk of property damage; and
  - (c) technical advice from an Electrical Engineer specialising in transmission or the National Grid operator.
- (4) new underground network utilities (except for electricity generation that connects to the National Grid) in a road carriageway that do not comply with Standards D26.6.1.2(1), (2)(a) and (2)(b):
- (a) the degree of non-compliance with the standard(s);

- (b) the effects on the efficient operation, maintenance, upgrade and development of the national grid, including foreclosing options to install underground cables to the substation; and
  - (c) technical advice from an Electrical Engineer specialising in transmission or the National Grid operator.
- (5) buildings and structures that do not comply with Standards D26.6.1.3, D26.6.1.4, D26.6.1.5 and D26.6.1.6:
- (a) the degree of non-compliance with the standard(s);
  - (b) the effects on the efficient operation, maintenance, upgrade and development of the national grid;
  - (c) risk of electrical hazards affecting public or individual safety, and the risk of property damage; and
  - (d) technical advice from an Electrical Engineer specialising in transmission or the National Grid operator.

#### **D26.8.2. Assessment criteria**

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

- (1) subdivision within the National Grid Yard and National grid Substation Corridor:
  - (a) whether the requirements of Policy D26.3(1) will be met;
  - (b) whether a building platform complies with national grid corridor overlay rules, including those relating to sensitive activities;
  - (c) the extent to which the location, height, scale, orientation and use of the any proposed building platform, structure or planting will compromise the efficient operation, maintenance, upgrade and development of the National Grid;
  - (d) the extent to which the subdivision design and consequential development will minimise the potential reverse sensitivity on and amenity and nuisance effects of the National Grid;
  - (e) any implications arising from any technical advice from an Electrical Engineer specialising in transmission or the National Grid operator;
- (1A) subdivision within the National Grid Subdivision Corridor:
  - (a) the extent to which the location of any proposed building platform, structure or planting will create a permanent physical impediment to vehicular access to any National Grid support structure;
  - (b) the extent to which the requirements of the New Zealand Electrical Code of Practice for electrical safe Distance (NZECP 34:2001) are able to be met, including whether a building platform can comply;

- (c) the extent to which the use of conductive materials in infrastructure or



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structures (including fences) in a subdivision will increase the risk  
associated with earth potential rise;

- (d) the extent to which the subdivision design and layout manages visual amenity of future residents in order to address, as far as practicable, the potential for reverse sensitivity effects on the operation of the National Grid;
  - (e) the extent to which the mature size of any proposed planting will compromise the efficient operation, maintenance, upgrade and development of the National Grid; and
  - (f) any implications arising from technical advice from an Electrical Engineer specializing in transmission or the National grid operator in relation to clauses (b) and (c) above.
- (2) land disturbance that does not comply with Standards D26.6.1(1)(a) – (d):
- (a) whether the requirements of Policy D26.3(1) will be met;
  - (b) where more than one standard is not complied with, consideration of the cumulative effects of the non-compliances; and
  - (c) any implications arising from any technical advice from an Electrical Engineer specialising in transmission or the National Grid operator.
- (3) new buildings for activities sensitive to the National Grid in the National Grid Substation Corridor:
- (a) whether the requirements of Policy D26.3(1) will be met;
  - (b) the extent to which the location, height, scale, orientation and use of the any development will compromise the efficient operation, maintenance, upgrade and development of the National Grid;
  - (c) the extent to which the development will minimise the potential reverse sensitivity on and amenity and nuisance effects of the National Grid; or
  - (d) any implications arising from any technical advice from an Electrical Engineer specialising in transmission or the National Grid operator.
- (4) new underground network utilities (except for electricity generation that connects to the National Grid) in a road carriageway that do not comply with Standard D26.6.1.2(1):
- (a) the implications in terms of the continuing ability to install operate and maintain underground cables to the substation;
  - (b) where more than one standard is not complied with, consideration of the cumulative effects of the non-compliances; and
  - (c) any implications arising from any technical advice from an Electrical Engineer specialising in transmission or the National Grid operator.
- (5) buildings and structures that do not comply with Standards D26.6.1.3, D26.6.1.4, D26.6.1.5 and D26.6.1.6:

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- (a) whether the requirements of Policy D26.3(1) will be met;
- (b) the extent to which the non-compliance will compromise the efficient operation, maintenance, upgrade and development of the National Grid;
- (c) where more than one standard is not complied with, consideration of the cumulative effects of the non-compliances; and
- (d) any implications arising from any technical advice from an Electrical Engineer specialising in transmission or the National Grid operator.

**D26.9. Special information requirements**

- (1) An electrical engineering assessment prepared by a suitably qualified person may be required.

## **E25. Noise and vibration**

### **E25.1. Background**

Noise and vibration may cause adverse effects on amenity depending on:

- when and where it occurs;
- its duration;
- physical characteristics, including the sound pressure level (loudness) and frequency (pitch);
- its steadiness;
- variations of these properties; and
- whether special audible characteristics are present.

Within urban areas, the background noise environment is most often dominated by traffic. Generally, the higher the traffic volumes nearby, the higher the background noise level. In low traffic areas, background noise may occur naturally from waves, high winds, animals or insects. The Plan cannot control either traffic noise or natural noise.

The objectives and policies for noise and vibration seek to control the levels of noise and vibration created by activities to limit the adverse effects of noise and vibration on amenity values, human health and to protect existing noisy activities from reverse sensitivity effects.

### **E25.2. Objectives [rcp/dp]**

- (1) People are protected from unreasonable levels of noise and vibration.
- (2) The amenity values of residential zones are protected from unreasonable noise and vibration, particularly at night.
- (3) Existing and authorised activities and infrastructure, which by their nature produce high levels of noise, are appropriately protected from reverse sensitivity effects where it is reasonable to do so.
- (4) Construction activities that cannot meet noise and vibration standards are enabled while controlling duration, frequency and timing to manage adverse effects.

### **E25.3. Policies [rcp/dp]**

- (1) Set appropriate noise and vibration standards to reflect each zone's function and permitted activities, while ensuring that the potential adverse effects of noise and vibration are avoided, remedied or mitigated.
- (2) Minimise, where practicable, noise and vibration at its source or on the site from which it is generated to mitigate adverse effects on adjacent sites.

- (3) Encourage activities to locate in zones where the noise generated is compatible with other activities and, where practicable, adjacent zones.
- (4) Use area or activity specific rules where the particular functional or operational needs of the area or activity make such rules appropriate.
- (5) Prevent significant noise-generating activities other than roads and railway lines from establishing in or immediately adjoining residential zones.
- (6) Avoid activities sensitive to noise from establishing in industrial zones where adverse effects (including reverse sensitivity effects) arise that cannot be otherwise appropriately remedied or mitigated.
- (7) Require activities to be appropriately located and/or designed to avoid where practicable or otherwise remedy or mitigate reverse sensitivity effects on:
  - (a) existing or authorised infrastructure;
  - (b) adjacent Business – Light Industry Zone and Business – Heavy Industry Zone;
  - (c) existing lawfully established rural production activities;
  - (d) major recreation facilities;
  - (e) existing lawfully established commercial activities within Business – City Centre Zone, Business – Metropolitan Centre Zone, Business – Town Centre Zone, Business – Local Centre Zone, Business – Neighbourhood Centre Zone, Business – Mixed Use Zone; or
  - (f) regionally significant mineral extraction activities.

*Noise arising from lakes, rivers and the coastal marine area*

- (8) Require activities to be insulated or protected, from unreasonable manmade noise and vibration emitted from the use and development of neighbouring lakes, rivers or the coastal marine area.

*Noise arising from or affecting rural zones*

- (9) Avoid, remedy or mitigate the adverse effects of noise in the rural environment, having regard to the working nature of this environment.

*Construction, demolition and maintenance activities*

- (10) Avoid, remedy or mitigate the adverse effects of noise and vibration from construction, maintenance and demolition activities while having regard to:
  - (a) the sensitivity of the receiving environment; and
  - (b) the proposed duration and hours of operation of the activity; and

(c) the practicability of complying with permitted noise and vibration standards.

#### *Events and activities*

- (11) Recognise that activities occurring in the Open Space – Sport and Active Recreation Zone may generate high levels of noise and ensure that adverse effects are avoided, remedied or mitigated having regard to the sensitivity of the receiving environment.

#### **E25.4. Activity table**

Table E25.4.1 Activity table specifies the activity status of land use and development activities pursuant to section 9(3) of the Resource Management Act 1991 and the activity status of coastal use, occupation and activity pursuant to sections 12(1); 12(2) and 12(3) of the Resource Management Act 1991.

#### ***Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017***

If any activity listed in rules (including standards) E25.4.1 to E25.6.33 is regulated by the Resource Management (National Environmental Standard for Plantation Forestry) Regulations 2017 (“NESPF”) then the NESPF applies and prevails.

However, the NESPF allows the plan to include more restrictive rules in relation to one or more of the following:

- Significant Ecological Areas Overlay;
- Water Supply Management Areas Overlay;
- Outstanding Natural Character Overlay;
- High Natural Character Overlay;
- Outstanding Natural Landscapes Overlay;
- Outstanding Natural Features Overlay; or
- activities generating sediment that impact the coastal environment.

Where there is a rule in the plan that relates to any of the matters listed above then the plan rule will apply. In the event that there is any conflict between the rules in the plan and the NESPF in relation to any of the above, the most restrictive rule will prevail.

If the NESPF does not regulate an activity then the plan rules apply.

**Table E25.4.1 Activity table [rcp/dp]**

<b>Activity</b>		<b>Activity status</b>
(A1)	Activities that comply with all the relevant permitted activity standards	P
(A2)	Activities that do not comply with a permitted activity standard	RD

### **E25.5. Notification**

- (1) Any application for resource consent for an activity listed in Table E25.4.1 Activity table will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.
- (2) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule [C1.13\(4\)](#).

### **E25.6. Standards**

All activities must comply with the following relevant permitted activity standards.

#### **E25.6.1. General standards**

- (1) Noise levels arising from activities must be measured and assessed in accordance with the New Zealand Standard NZS 6801:2008 Measurement of environmental sound and the New Zealand Standard NZS 6802:2008 Acoustics - Environmental noise except where more specific requirements apply.
- (2) The application of an adjustment for noise containing special audible characteristics in terms of Appendix B4 Special Audible Characteristics in New Zealand Standard NZS 6802:2008 Acoustics – Environmental noise may apply to the A weighted level for any measurement but an adjustment must not be applied to any level measured in the 63Hz and 125Hz octave bands.
- (3) The noise from any construction work activity must be measured and assessed in accordance with the requirements of New Zealand Standard NZS6803:1999 Acoustics – Construction noise. Construction work is defined in New Zealand Standard NZS6803:1999 Acoustics – Construction noise.
- (4) The noise limits of the Plan do not apply to emergency service sirens and callout sirens during emergency situations.
- (5) Where more than one standard applies that requires insulation of a noise-sensitive space from an external noise source, the standards must be applied cumulatively.
- (6) Where standards are provided for specific activities, the zone interface standards and the zone standards do not apply to that activity.

*Noise levels arising from activities within zones*

#### **E25.6.2. Maximum noise levels in residential zones**

- (1) The noise (rating) levels and maximum noise level arising from any activity in the Residential – Large Lot Zone, Residential – Rural and Coastal Settlement Zone, Residential – Single House Zone, Residential – Mixed Housing Suburban Zone, Residential – Mixed Housing Urban Zone and the Residential – Terrace Housing and Apartment Buildings Zone measured

within the boundary of an adjacent site in these residential zones must not exceed the levels in Table E25.6.2.1 Noise levels in residential zones below:

**Table E25.6.2.1 Noise levels in residential zones**

Time	Noise level
Monday to Saturday 7am-10pm	50dB L <sub>Aeq</sub>
Sunday 9am-6pm	
All other times	40dB L <sub>Aeq</sub> 75dB L <sub>AFmax</sub>

- (2) The levels for the daytime hours in Table E25.6.2.1 Noise levels in residential zones may be exceeded by intermittent noise for reasonable periods where that noise is associated with normal household activities, such as lawn mowing or home handyman work.

### **E25.6.3. Noise levels in rural and future urban zones**

- (1) The noise (rating) level from any activity in the Rural – Mixed Rural Zone, Rural – Rural Production Zone, Rural – Rural Coastal Zone or the Future Urban Zone measured within the notional boundary on any site in any rural zone must not exceed the limits in Table E25.6.3.1 Noise levels in the Rural – Mixed Rural Zone, Rural – Rural Production Zone, Rural – Rural Coastal Zone or the Future Urban Zone below:

**Table E25.6.3.1 Noise levels in the Rural – Mixed Rural Zone, Rural – Rural Production Zone, Rural – Rural Coastal Zone or the Future Urban Zone**

Time	Noise level
Monday to Saturday 7am-10pm	55dB L <sub>Aeq</sub>
Sunday 9am-6pm	
All other times	45dB L <sub>Aeq</sub> 75dB L <sub>AFmax</sub>

- (2) The noise (rating) level from any activity in the Rural – Rural Conservation Zone; Rural – Countryside Living Zone, Rural – Waitākere Foothills Zone; or the Rural – Waitākere Ranges Zone measured within the notional boundary on any site in any rural zone must not exceed the limits in Table E25.6.3.2 Noise levels in the Rural – Rural Conservation Zone, Rural – Countryside Living Zone, Rural – Waitākere Foothills Zone; or Rural – Waitākere Ranges Zone below:

**Table E25.6.3.2 Noise levels in the Rural – Rural Conservation Zone  
Countryside Living Zone, Rural – Waitākere Foothills Zone; or the Rural  
– Waitākere Ranges Zone**

Time	Noise level
Monday to Saturday 7am-10pm	50 dB $L_{Aeq}$
Sunday 9am-6pm	
All other times	40 dB $L_{Aeq}$ 75 dB $L_{AFmax}$

(3) Standards E25.6.3(1) and E25.6.3(2) above do not apply to any of the following:

- (a) animal noise on farms unless they are confined within a building or enclosure on a permanent or semi-permanent basis;
- (b) the use of mobile agricultural horticultural or forestry vehicles or machinery, or other mobile or portable agricultural, horticultural or forestry equipment; and

**Note 1**

The operator of such vehicles or machinery is required by the Resource Management Act 1991 to adopt the best practicable option to ensure that noise emissions do not exceed a reasonable level, which will depend on the time they are used, how loud they are, how long it is used for and how often it is used near rural dwellings.

- (c) the use of post-harvest facilities including vehicle access ways and milking sheds set back at least 100m from a notional boundary.

**E25.6.4. Bird scaring devices in the Rural – Mixed Rural Zone, Rural – Rural Production Zone, Rural – Rural Coastal Zone and the Future Urban Zone**

- (1) Bird scaring or bird repelling devices in the in the Rural – Mixed Rural Zone, Rural – Rural Production Zone, Rural – Rural Coastal Zone and the Future Urban Zone must not operate:
  - (a) between the hours of sunset and sunrise; and
  - (b) at a frequency of more than six times in any 60-minute period with no more than three shots in rapid succession; and
  - (c) where the noise level measured within the notional boundary on any other site exceeds 85dB  $L_{Zpeak}$ .



- (2) Standard E25.6.4(1) above does not apply to bird scaring devices that generate a noise level less than 70 dB  $L_{Zpeak}$  measured at the notional boundary on another site.

#### **E25.6.5. Noise levels in the Business – Heavy Industry Zone or the Business – Light Industry Zone**

- (1) The noise (rating) level arising from an activity in the Business – Heavy Industry Zone or the Business – Light Industry Zone measured within the boundary of any other site in those zones must not exceed the limits in Table E25.6.5.1 Noise levels in the Business – Heavy Industry Zone or the Business – Light Industry Zone below:

**Table E25.6.5.1 Noise levels in the Business – Heavy Industry Zone or the Business – Light Industry Zone**

<b>Time</b>	<b>Business – Heavy Industry Zone</b>	<b>Business – Light Industry Zone</b>
All times	70dB $L_{Aeq}$	65dB $L_{Aeq}$

#### **E25.6.6. Noise levels in the Business – General Business Zone or the Business – Business Park Zone**

- (1) The noise (rating) level arising from an activity in the Business – General Business Zone or the Business – Business Park Zone measured within the boundary of any other site in those zones must not exceed the limits in Table E25.6.6.1 Noise levels in the Business – General Business Zone and the Business – Business Park Zone below:

**Table E25.6.6.1 Noise levels in the Business – General Business Zone or the Business – Business Park Zone**

<b>Time</b>	<b>Business – General Business Zone</b>	<b>Business – Business Park Zone</b>
All times	65dB $L_{Aeq}$	60dB $L_{Aeq}$

#### **E25.6.7. Noise levels in the Business – Local Centre Zone or the Business – Neighbourhood Centre Zone**

- (1) The noise (rating) level and maximum noise level arising from any activity in the Business – Local Centre Zone or the Business – Neighbourhood Centre Zone measured or assessed as the incident level on the façade of any building on any other site in the Business – Local Centre Zone or the Business – Neighbourhood Centre Zone must not exceed the levels in Table E25.6.7.1 Noise levels in the Business – Local Centre Zone or the Business – Neighbourhood Centre Zone below:

**Table E25.6.7.1 Noise levels in the Business – Local Centre Zone or the Business – Neighbourhood Centre Zone**

Time	Business – Local Centre Zone	Business – Neighbourhood Centre Zone
7am - 10pm	60dB L <sub>Aeq</sub>	60dB L <sub>Aeq</sub>
10pm - 7am	50dB L <sub>Aeq</sub> 60dB at 63 Hz L <sub>eq</sub> 55dB at 125 Hz L <sub>eq</sub> 75dB L <sub>AFmax</sub>	50dB L <sub>Aeq</sub> 60dB at 63 Hz L <sub>eq</sub> 55dB at 125 Hz L <sub>eq</sub> 75dB L <sub>AFmax</sub>

**E25.6.8. Noise levels in the Business – City Centre Zone, Business – Metropolitan Centre Zone, Business – Town Centre Zone or the Business – Mixed Use Zone**

The noise (rating) level and maximum noise level arising from any activity in the Business – City Centre Zone, Business – Metropolitan Centre Zone, Business – Town Centre Zone or the Business – Mixed Use Zone measured or assessed as the incident level on the façade of any building on any other site in the Business – City Centre Zone, Business – Metropolitan Centre Zone, Business – Town Centre Zone or the Business – Mixed Use Zone must not exceed the limits in Table E25.6.8.1 Noise levels in the Business – City Centre Zone, Business – Metropolitan Centre Zone, Business – Town Centre Zone or the Business – Mixed Use Zone below:

**Table E25.6.8.1 Noise levels in the Business – City Centre Zone, Business – Metropolitan Centre Zone, Business – Town Centre Zone or the Business – Mixed Use Zone**

Time	Business – City Centre Zone	Business – Metropolitan Centre Zone	Business – Town Centre Zone	Business – Mixed Use Zone
7am - 11pm	65 dB L <sub>Aeq</sub>	65 dB L <sub>Aeq</sub>	65dB L <sub>Aeq</sub>	65dB L <sub>Aeq</sub>
11pm – 7am	60dB L <sub>Aeq</sub> 65dB at 63 Hz L <sub>Aeq</sub> 60dB at 125 Hz L <sub>Aeq</sub> 75dB L <sub>AFmax</sub>	60dB L <sub>Aeq</sub> 65dB at 63 Hz L <sub>Aeq</sub> 60dB at 125 Hz L <sub>Aeq</sub> 75dB L <sub>AFmax</sub>	55dB L <sub>Aeq</sub> 65dB at 63 Hz L <sub>eq</sub> 60dB at 125 Hz L <sub>eq</sub> 75dB L <sub>AFmax</sub>	55dB L <sub>Aeq</sub> 65dB at 63 Hz L <sub>eq</sub> 60dB at 125 Hz L <sub>eq</sub> 75dB L <sub>AFmax</sub>

- (2) The 63Hz and 125Hz octave band limits do not apply to fixed mechanical plant.

**E25.6.9. Noise levels between units in the Business – City Centre Zone, Business – Metropolitan Centre Zone, Business – Town Centre Zone, Business – Local Centre Zone, Business – Neighbourhood Centre Zone or the Business – Mixed Use Zone**

- (1) In situations where common building elements such as floors and walls connect two units in the Business – City Centre Zone, Business – Metropolitan Centre Zone, Business – Town Centre Zone, Business – Local Centre Zone, Business – Neighbourhood Centre Zone or the Business – Mixed Use Zone the noise (rating) level arising from any activity measured in any unit must not exceed the levels in Table E25.6.9.1 Noise levels between units in the Business – City Centre Zone, Business – Metropolitan Centre Zone, Business – Town Centre Zone, Business – Local Centre Zone, Business – Neighbourhood Centre Zone or the Business – Mixed Use Zone. below:

**Table E25.6.9.1 Noise levels between units in the Business – City Centre Zone, Business – Metropolitan Centre Zone, Business – Town Centre Zone, Business – Local Centre Zone, Business – Neighbourhood Centre Zone or the Business – Mixed Use Zone**

Unit affected	Time	Noise level
In all units except those containing activities sensitive to noise	At all times	50dB L <sub>Aeq</sub>
In bedrooms and sleeping areas within units containing activities sensitive to noise	Between 10pm and 7am in Business – Local Centre Zone and Business – Neighbourhood Centre Zone and Between 11pm and 7am in Business – City Centre Zone, Business – Metropolitan Centre Zone, Business – Town Centre Zone and the Business – Mixed Use Zone	35dB L <sub>Aeq</sub> 45dB at 63 Hz L <sub>eq</sub> 40dB at 125 Hz L <sub>eq</sub>
	Between 7am and 10pm in Business – Local Centre Zone and Business – Neighbourhood Centre Zone and Between 7am and 11pm in Business – City Centre Zone, Business – Metropolitan Centre Zone, Business – Town Centre Zone and the Business – Mixed Use Zone	40dB L <sub>Aeq</sub>
Other noise sensitive spaces	At all other times	40 dB L <sub>Aeq</sub>
<b>Note:</b> Adjustments for noise containing Special Audible Characteristics will only apply to A weighted levels		

- (2) The 63Hz and 125Hz octave band limits do not apply to fixed mechanical plant.

**E25.6.10. Noise levels for noise sensitive spaces in the Business – City Centre Zone, Business – Metropolitan Centre Zone, Business – Town Centre Zone, Business – Local Centre Zone, Business – Neighbourhood Centre Zone, Business – Mixed Use Zone, Business – Heavy Industry Zone or the Business – Light Industry Zone**

- (1) Noise sensitive spaces must be designed and/or insulated so that the internal noise levels do not exceed the levels in Table E25.6.10.1 Noise levels for noise sensitive spaces in the Business – City Centre Zone, Business – Metropolitan Centre Zone, Business – Town Centre Zone, Business – Local Centre Zone, Business – Neighbourhood Centre Zone, Business – Mixed Use Zone, Business – Heavy Industry Zone or the Business – Light Industry Zone below:

**Table E25.6.10.1 Noise levels for noise sensitive spaces in the Business – City Centre Zone, Business – Metropolitan Centre Zone, Business – Town Centre Zone, Business – Local Centre Zone, Business – Neighbourhood Centre Zone, Business – Mixed Use Zone, Business – Heavy Industry Zone or the Business – Light Industry Zone**

Unit affected	Time	Level
Bedrooms and sleeping areas in the Business – Local Centre Zone and in the Business – Neighbourhood Centre Zone	Between 10pm and 7am	35dB LAeq 45dB at 63 Hz Leq; and 40dB at 125 Hz Leq
Bedrooms and sleeping areas in the Business – City Centre Zone, Business – Metropolitan Centre Zone, Business – Town Centre Zone, Business – Mixed Use Zone, Business – Heavy Industry Zone or the Business – Light Industry Zone	Between 11pm and 7am	35dB LAeq 45dB at 63 Hz Leq and 40dB at 125 Hz Leq
Other noise sensitive spaces	At all other times	40 dBA LAeq

- (2) The levels in Table E25.6.10.1 Noise levels for noise sensitive spaces in the Business – City Centre Zone, Business – Metropolitan Centre Zone, Business – Town Centre Zone, Business – Local Centre Zone, Business – Neighbourhood Centre Zone, Business – Mixed Use Zone, Business – Heavy Industry Zone or the Business – Light Industry Zone above must be met based on the maximum level of noise permitted by the zone or precinct standards or any adjacent zone or precinct standards.
- (3) Where a new room is constructed that is subject to Standard E25.6.10(1) (internal acoustic insulation requirement) and the noise levels in Table E25.6.10.1 Noise levels for noise sensitive spaces in the Business – City Centre Zone, Business – Metropolitan Centre Zone, Business – Town Centre Zone, Business – Local Centre Zone, Business – Neighbourhood Centre

Zone or the Business – Mixed Use Zone, Business – Heavy Industry Zone or the Business – Light Industry Zone (internal design noise level) can only be complied with when doors or windows to those rooms are closed, those rooms must, as a minimum:

(a) be constructed to ensure compliance with the noise limits in Table E25.6.10.1 Noise levels for noise sensitive spaces in the Business – City Centre Zone, Business – Metropolitan Centre Zone, Business – Town Centre Zone, Business – Local Centre Zone, Business – Neighbourhood Centre Zone, Business – Mixed Use Zone, Business – Heavy Industry Zone or the Business – Light Industry Zone; and

(b) for residential dwellings be mechanically ventilated and/or cooled to achieve either:

- (i) an internal temperature no greater than 25 degrees celsius based on external design conditions of dry bulb 25.1 degrees celsius and wet bulb 20.1 degrees celsius; or

Note 1

Mechanical cooling must be provided for all habitable rooms (excluding bedrooms) provided that at least one mechanical cooling system must service every level of a dwelling that contains a habitable room (including bedrooms).

- (ii) a high volume of outdoor air supply to all habitable rooms with an outdoor air supply rate of no less than:

- six air changes per hour (ACH) for rooms with less than 30 per cent of the façade area glazed; or
- 15 air changes per hour (ACH) for rooms with greater than 30 per cent of the façade area glazed; or
- three air changes per hour for rooms with facades only facing south (between 120 degrees and 240 degrees) or where the glazing in the façade is not subject to any direct sunlight.

(c) for all other noise sensitive spaces provide mechanical cooling to achieve an internal temperature no greater than 25 degrees celsius based on external design conditions of dry bulb 25.1 degrees celsius and wet bulb 20.1 degrees celsius; and

(d) provide relief for equivalent volumes of spill air; and

(e) be individually controllable across the range of airflows and temperatures by the building occupants in the case of each system; and

(f) have a mechanical ventilation and/or a cooling system that generates a noise level no greater than  $L_{Aeq}$  35 dB when measured 1m from the

diffuser at the minimum air flows required to achieve the design temperatures and air flows in Standard E25.6.10(3)(b)(i) and (ii) above.

**E25.6.10A Noise levels for noise sensitive spaces in the Business – City Centre Zone Quay within 100 metres of the Strategic Transport Corridor Zone subject to a KiwiRail designation**

- (1) Noise sensitive spaces, within 100 metres of the Strategic Transport Corridor Zone subject to a KiwiRail designation, must be designed and/or insulated so that the internal noise levels do not exceed the levels in Table E25.6.10A.1 below; or
- (2) Is at least 50 metres from any railway network and is designed so that a noise barrier completely blocks line-of-sight from all parts of doors and windows, to all points 3.8 metres above railway tracks.
- (3) The levels in Table E25.6.10A.1 must be met based on an assumed level of 70 dB LAeq(1h) at a distance of 12 metres from the track and reduce at a rate of 3 dB per doubling of distance of up to 40m and 6 dB per doubling of distance beyond 40m.
- (4) Where a new room is constructed that is subject to Standard E25.6.10A(1) (internal acoustic insulation requirement) and the noise levels in Table E25.6.10A.1 can only be complied with when doors or windows to those rooms are closed, those rooms must, as a minimum:
  - (a) be constructed to ensure compliance with the noise limits in Table E25.6.10A.1; and
  - (b) meet the ventilation and heating/cooling requirements provided at Standard E25.6.10(3)(b)-(f) above.

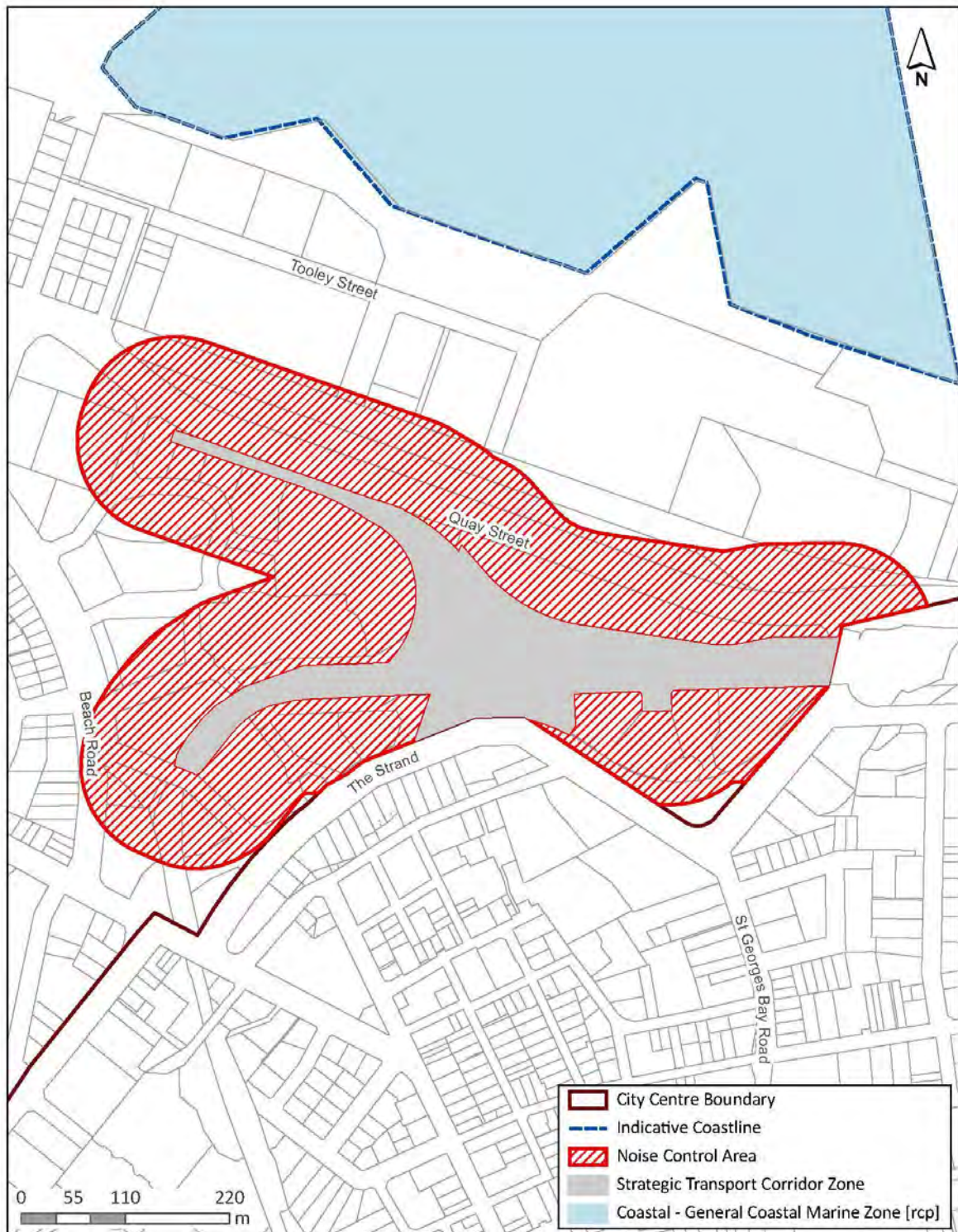
**Table E25.6.10A.1 Noise levels for noise sensitive spaces in the Business – City Centre Zone adjoining parts of the Strategic Transport Corridor Zone subject to a KiwiRail designation**

Building Type	Occupancy/activity	Maximum internal noise level LAeq(1h)
Residential	Sleeping spaces	35 dB
	All other habitable rooms	40 dB
Education	Lecture rooms/theatres, music studios, assembly halls	35 dB
	Teaching areas, conference rooms, drama studios, sleeping areas	40 dB

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	Library	45 dB
Health	Overnight medical care, wards	40 dB
	Clinics, consulting rooms, theatres, nurses' stations	45 dB
Cultural	Places of worship, marae	35 dB

**Figure E25.6.10A.1 Area within 100 metres of the Strategic Transport Corridor Zone subject to a KiwiRail designation (in the Business – City Centre Zone)**





**E25.6.11. Noise levels in the Coastal – Marina Zone [rcp/dp]**

- (1) The noise (rating) level arising from an activity in the Coastal – Marina Zone measured within the boundary of any other site in this zone must not exceed the levels in Table E25.6.7.1 Noise levels in the Coastal – Marina Zone.

**Table E25.6.7.1 Noise levels in the Coastal – Marina Zone**

Time	Coastal – Marina Zone
All times	60dB $L_{Aeq}$

**E25.6.12. Noise levels in the Special Purpose – Cemetery Zone or the Special Purpose – Māori Purpose Zone**

- (1) The noise (rating) level and maximum noise level from any activity measured within the boundary of any site in the Special Purpose – Cemetery Zone or the Special Purpose – Māori Purpose Zone must not exceed the levels in Table E25.6.12.1 Noise levels in the Special Purpose – Cemetery Zone or the Special Purpose – Māori Purpose Zone.

**Table E25.6.12.1 Noise levels in the Special Purpose – Cemetery Zone or the Special Purpose – Māori Purpose Zone**

Time	Special Purpose – Cemetery Zone or Special Purpose – Māori Purpose Zone
Monday to Saturday 7am-10pm	50 dB $L_{Aeq}$
Sunday 9am-6pm	
All other times	40 dB $L_{Aeq}$ 75 dB $L_{AFmax}$

**E25.6.13. Noise levels in the Special Purpose – Healthcare Facility and Hospital Zone**

- (1) The noise (rating) level from any activity measured within the boundary of any site in the Special Purpose – Healthcare Facility and Hospital Zone must not exceed the levels in Table E25.6.13.1 Noise levels in the Special Purpose – Healthcare Facility and Hospital Zone below:

**Table E25.6.13.1 Noise levels in the Special Purpose – Healthcare Facility and Hospital Zone**

Time	Special Purpose – Health Care Facility and Hospital Zone
Monday to Saturday 7am-10pm	55 dB $L_{Aeq}$
Sunday 9am-6pm	

All other times	45 dB L <sub>Aeq</sub> 75 dB L <sub>AFmax</sub>
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*Noise levels for activities between zones*

**E25.6.14. Noise levels at the coastal interface [rcp/dp]**

- (1) The noise (rating) level generated by any activity in the coastal marine area or on a lake or river must not exceed the levels in Table E25.6.14.1 Noise levels at the coastal interface when measured within the boundary of a site in a residential zone or notional boundary of any site in the Rural – Rural Production Zone, Rural – Mixed Rural Zone, Rural – Rural Coastal Zone; Rural – Rural Conservation Zone, Rural – Countryside Living Zone, Rural – Waitākere Foothills Zone and Rural – Waitākere Ranges Zone.

**Table E25.6.14.1 Noise levels at the coastal interface**

Time	Noise level
7am-10pm	50dB L <sub>Aeq</sub>
10pm-7am	40dB L <sub>Aeq</sub> 75dB L <sub>AFmax</sub>

- (2) The noise levels in Standard E25.6.14(1) above do not apply to:
- (a) the operational requirements of vessels (including cargo vessels, tugs, passenger liners, naval vessels and commercial fishing vessels); and
  - (b) temporary activities in E40 Temporary activities defined as “noise events”.

**E25.6.15. Rural – Mixed Rural Zone, Rural – Rural Production Zone, Rural – Rural Coastal Zone or Future Urban Zone interface**

- (1) The noise (rating) level and maximum noise level from any activity in the Rural – Mixed Rural Zone, Rural – Rural Production Zone, Rural – Rural Coastal Zone or Future Urban Zone measured within the boundary of any site in a residential zone must not exceed the levels in Table E25.6.15.1 Noise levels at the Rural – Mixed Rural Zone, Rural – Rural Production Zone, Rural – Rural Coastal Zone or Future Urban Zone interface below:

**Table E25.6.15.1 Noise levels at the Rural – Mixed Rural Zone, Rural – Rural Production Zone, Rural – Rural Coastal Zone or Future Urban Zone interface**

Time	Noise level
Monday to Saturday 7am-10pm	55dB L <sub>Aeq</sub>
Sunday 9am-6pm	
All other times	45dB L <sub>Aeq</sub> 75dB L <sub>AFmax</sub>

(2) Standard E25.6.15(1) above does not apply to:

- (a) animal noise on farms unless they are confined within a building or enclosure on a permanent or semi-permanent basis; or
- (b) the use of mobile agricultural horticultural or forestry vehicles or machinery, or other mobile or portable agricultural, horticultural or forestry equipment; or

**Note 1**

The operator of such vehicles or machinery is required by the Resource Management Act 1991 to adopt the best practicable option to ensure that noise emissions do not exceed a reasonable level, which will depend on the time they are used, how loud they are, how long it is used for and how often it is used near dwellings.

- (c) the use of post-harvest facilities including vehicle access ways and milking sheds set back at least 100m from any residential zone.

**E25.6.16. Rural – Rural Conservation Zone, Rural – Countryside Living Zone Rural – Waitākere Foothills Zone or Rural – Waitākere Ranges Zone interface**

- (1) The noise (rating) level and maximum noise level from any activity in the Rural – Rural Conservation Zone, Rural – Countryside Living Zone, Rural – Waitākere Foothills Zone or the Rural – Waitākere Ranges Zone measured within the boundary of any site in a residential zone must not exceed the levels in Table E25.6.16.1 Noise levels at the Rural – Rural Conservation Zone, Rural – Countryside Living Zone, Rural – Waitākere Foothills Zone or the Rural – Waitākere Ranges Zone.

**Table E25.6.16.1 Noise levels at the Rural – Rural Conservation Zone, Rural – Countryside Living Zone, Rural – Waitākere Foothills Zone or the Rural – Waitākere Ranges Zone**

Time	Noise level
Monday to Saturday 7am-10pm	50dB L <sub>Aeq</sub>
Sunday 9am-6pm	
All other times	40dB L <sub>Aeq</sub> 75dB L <sub>AFmax</sub>

(2) Standard E25.6.16(1) above does not apply to:

- (a) animal noise on farms unless they are confined within a building or enclosure on a permanent or semi-permanent basis; or

- (b) the use of mobile agricultural horticultural or forestry vehicles or machinery, or other mobile or portable agricultural, horticultural or forestry equipment; or

**Note 1**

The operator of such vehicles or machinery is required by the Resource Management Act 1991 to adopt the best practicable option to ensure that noise emissions do not exceed a reasonable level, which will depend on the time they are used, how loud they are, how long it is used for and how often it is used near dwellings.

- (c) the use of post-harvest facilities including vehicle access ways and milking sheds set back at least 100m from any residential zone.

**E25.6.17. Open Space – Sport and Active Recreation Zone interface**

- (1) The noise (rating) level and maximum noise level arising from any recreational activity in the Open Space – Sport and Active Recreation Zone measured within the boundary of a site in a residential zone or notional boundary of a site in a rural zone must not exceed the levels in Table E25.6.17.1 Noise levels at the Open Space – Sport and Active Recreation Zone interface below:

**Table E25.6.17.1 Noise levels at the Open Space – Sport and Active Recreation Zone interface**

<b>Time</b>	<b>Noise level</b>
Monday to Saturday 7am-10pm	55dB $L_{Aeq}$ Except that for a cumulative period of: (i) 3 hours per day between 7am and 9.30pm Monday to Friday; and (ii) 6 hours between 7am and 10pm on Saturdays. the noise level must not exceed 60dB $L_{Aeq}$
Sundays and Public Holidays 9am to 6pm outside the daylight saving period	55dB $L_{Aeq}$ Except that for a cumulative period of 3 hours between 10am and 3pm on Sundays the noise level must not exceed 60dB $L_{Aeq}$
Sundays and Public Holidays 8am to 7pm during the daylight saving period	55dB $L_{Aeq}$ Except that for a cumulative period of 3 hours between 10am and 3pm Sundays the noise level must not exceed 60dB $L_{Aeq}$
All other times	40dB $L_{Aeq}$ 55dB $L_{eq}$ at 63 Hz 50dB $L_{eq}$ at 125 Hz 75dB $L_{AFmax}$

## Note 1

Compliance with the lower noise limit of 40dB  $L_{Aeq}$  applying at all other times in Table E25.6.17.1 Noise levels at the Open Space – Sport and Active Recreation Zone interface may preclude intense, noisy activities or activities involving teams or groups from being undertaken where the receivers of noise are close to boundaries.

- (2) The noise (rating) level and maximum noise level from the use of any voice or music amplification system associated with recreational activity in the Open Space – Sport and Active Recreation Zone measured within the boundary of a site in a residential zone or notional boundary of a site in a rural zone must not exceed the levels in Table E25.6.17.2 Noise levels from any voice or music amplification system associated with recreational activity on land zoned Open Space – Sport and Active Recreation Zone below:

**Table E25.6.17.2 Noise levels from any voice or music amplification system associated with recreational activity on land zoned Open Space – Sport and Active Recreation Zone**

Time	Noise level
Monday to Saturday 7am-10pm	50dB $L_{Aeq(5min)}$
Sunday and Public Holidays 9am-6pm	
All other times	40dB $L_{Aeq(5min)}$ 55dB $L_{eq(5min)}$ at 63 Hz 50dB $L_{eq(5min)}$ at 125 Hz 75dB $L_{AFmax}$

- (a) No five minute measurement may exceed the stated limit.

**E25.6.18. Open Space – Conservation Zone, Open Space – Informal Recreation Zone, Open Space – Civic Spaces Zone or Open Space – Community Zone interface**

- (1) The noise (rating) level and maximum noise level from any activity in the Open Space – Conservation Zone, Open Space – Informal Recreation Zone, Open Space – Civic Spaces Zone or Open Space – Community Zone when measured within the boundary of a site in a residential zone or notional boundary of a site in a rural zone must not exceed the levels in Table E25.6.18.1 Noise levels at the Open Space – Conservation Zone, Open Space – Informal Recreation Zone, Open Space – Civic Spaces Zone or Open Space – Community Zone interface below:

**Table E25.6.18.1 Noise limits at the Open Space – Conservation Zone, Open Space – Informal Recreation Zone, Open Space – Civic Spaces Zone or Open Space – Community Zone interface**

Time	Noise level
Monday to Saturday 7am-10pm	50dB L <sub>Aeq</sub>
Sunday 9am-6pm	
All other times	40dB L <sub>Aeq</sub> 75dB L <sub>AFmax</sub>

#### **E25.6.19. Business zones interface**

- (1) The noise (rating) and maximum noise level from any activity in the business zones must not exceed the levels in Table E25.6.19.1 Noise levels at the business zone interface when measured within the boundary of a site in a residential zone or within the notional boundary of property in a rural zone.

**Table E25.6.19.1 Noise levels at the business zone interface**

Time	Noise level
Monday to Saturday 7am-10pm	55dB L <sub>Aeq</sub>
Sunday 9am-6pm	
All other times	45dB L <sub>Aeq</sub> 60dB L <sub>eq</sub> at 63 Hz 55dB L <sub>eq</sub> at 125 Hz 75dB L <sub>AFmax</sub>

- (2) These noise limits in Standard E25.6.19(1) above do not apply to any of the following:
- (a) the noise from vehicles moving on roads controlled by Auckland Council or Auckland Transport; or
  - (b) the noise affecting 11, 13, and 15 Harrison Road as generated on the Fulton Hogan sites at 7 Reliable Way (Lot 2, DP 114222, CT NA65A/209) and 4 Reliable Way Mt Wellington (Lot 3, DP 363738, CT 259289). Instead, the noise (rating) level arising from the Fulton Hogan sites must comply with a limit of 60dB L<sub>Aeq</sub> when measured within the boundary of 11, 13 or 15 Harrison Road; or
  - (c) the noise affecting the sites identified in Table E25.6.19.2 Affected sites and on Figure E25.6.19.1 Affected sites as generated on the DB Waitemata Breweries site and 3 Bairds Road, Ōtahuhu (being PT Lot 4 DP 22498, Lot 1, DP 29149, PT Lot 4 DP 15832, PT Lot 2 DP 31817, PT Lot 9 DP 26107, Lot 1 DP 31104, PT Lot 10 DP 7281 all on CT 443069). Instead, the noise (rating) level arising from the DB Waitemata Breweries site must comply with a limit of 65dB L<sub>Aeq</sub> with a maximum noise limit of

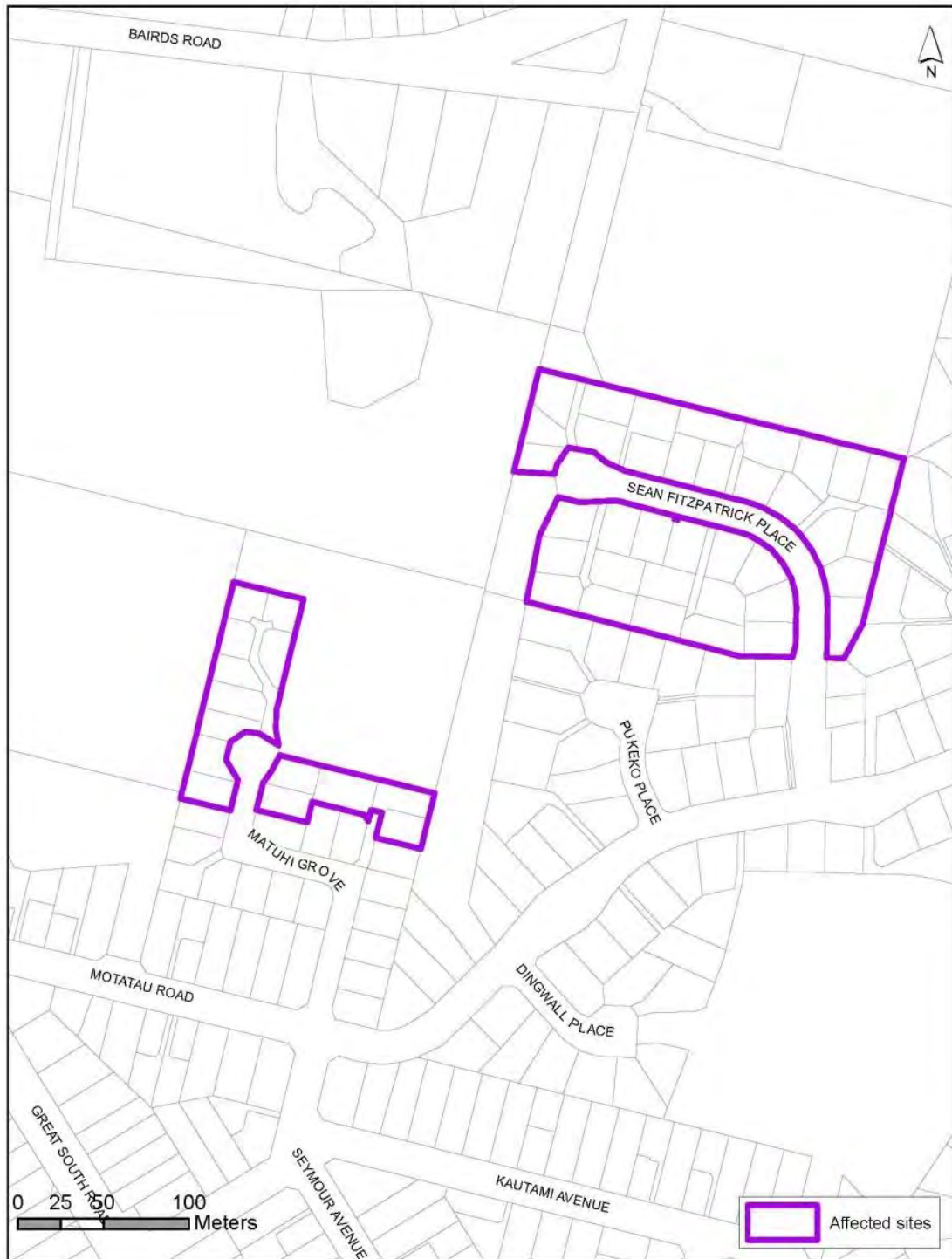
90dB  $L_{AFmax}$  applying only between the hours of 10pm and 7am when measured within the boundary of the sites identified in Table E25.6.19.2 Affected sites and shown on Figure E25.6.19.1 Affected sites below:

**Table E25.6.19.2 Affected sites**

Lot 1 DP 205759	Lot 10 DP 205759
Lot 14 DP 205759	Lot 2 DP 205759
Lot 22 DP 205759	Lot 4 DP 205759
Lot 25 DP 205759	Lot 8 DP 205759
Lot 26 DP 205759	Lot 17 DP 205759
Lot 31 DP 205759	Lot 12 DP 205759
Lot 304 DP 205759	Lot 11 DP 205759
Lot 6 DP 205759	Lot 15 DP 205759
Lot 302 DP 205759	Lot 300 DP 205759
Lot 301 DP 205759	Lot 24 DP 205759
Lot 18 DP 205759	Lot 28 DP 205759
Lot 19 DP 205759	Lot 34 DP 205759
Lot 23 DP 205759	Lot 35 DP 205759
Lot 29 DP 205759	Lot 14 DP 335896
Lot 33 DP 205759	Lot 18 DP 335896
Lot 13 DP 205759	Lot 7 DP 335896
Lot 16 DP 205759	Lot 8 DP 335896
Lot 7 DP 205759	Lot 9 DP 335896
Lot 9 DP 205759	Lot 13 DP 335896
Lot 3 DP 205759	Lot 15 DP 335896
Lot 5 DP 205759	Lot 16 DP 335896
Lot 21 DP 205759	Lot 17 DP 335896
Lot 27 DP 205759	Lot 31 DP 341162
Lot 30 DP 205759	Lot 28 DP 341162
Lot 32 DP 205759	Lot 29 DP 341162
Lot 303 DP 205759	Lot 30 DP 341162
Lot 36 DP 205759	Lot 100 DP 341162
Lot 37 DP 205759	Lot 27 DP 341162

- (3) For measurement of noise in the Warkworth: Clayden Road Precinct, noise shall be measured from the Noise Measurement Line as shown on Precinct Plan I552.9.1 and as set out in Rule I552.6.6 Noise Management Area, Noise Measurement Line and Covenants

**Figure E25.6.19.1 Affected sites**





**E25.6.20. Noise levels at the Coastal – Marina Zone interface**

- (1) The noise (rating) levels and maximum noise level from any activity on land in the Coastal – Marina Zone must not exceed the levels in Table E25.6.20.1 Noise levels at the Coastal Marina Zone interface when measured within the boundary of a site in a residential zone or within the notional boundary of property in a rural zone.

**Table E25.6.20.1 Noise levels at the Coastal – Marina Zone interface**

Time	Noise level
Monday to Saturday 7am-10pm	55dB L <sub>Aeq</sub>
Sunday 9am-6pm	
All other times	45dB L <sub>Aeq</sub> 60dB L <sub>eq</sub> at 63 Hz 55dB L <sub>eq</sub> at 125 Hz 75dB L <sub>AFmax</sub>

- (2) The noise levels in Standard E25.6.20(1) above do not apply to the noise from vehicles moving on roads controlled by Council or Auckland Transport.

**E25.6.21. Schools interface**

- (1) The noise (rating) level and maximum noise level from any neighbouring activity measured within the boundary of any school not located in the Special Purpose – School Zone must not exceed the levels in Table E25.6.21.1 Noise levels from any neighbouring activity measured within the boundary of any school not located in a Special Purpose – School Zone.

**Table E25.6.21.1 Noise levels from any neighbouring activity measured within the boundary of any school not located in a Special Purpose – School Zone:**

Time	Noise level
Monday to Saturday 7am-10pm	55dB L <sub>Aeq</sub>
Sunday 9am-6pm	
All other times	45dB L <sub>Aeq</sub> 75dB L <sub>AFmax</sub>

**E25.6.22. All other zone interfaces**

- (1) Except as provided for in Standards E25.6.14 to E25.6.21 above, where noise generated by any activity on a site in one zone is received by any activity on a site in a different zone, the activity generating the noise must comply with the noise limits and standards of the zone at the receiving site.

*Noise arising from specific activities***E25.6.23. Noise levels for care centres for a childcare centre, creche, kindergarten, kohanga reo, play centre, play group, early childhood learning service or an after school care centre**

- (1) The noise (rating) level arising from any care centres for a childcare centre, creche, kindergarten, kohanga reo, play centre, play group, early childhood learning service or an after school care centre in any zone when measured within the boundary of any site in a residential zone must not exceed the levels in Table E25.6.23.1 Noise levels for care centres for a childcare centre, creche, kindergarten, kohanga reo, play centre, play group, early childhood learning service or an after school care centre unless the relevant zone in which the care centres for a childcare centre, creche, kindergarten, kohanga reo, play centre, play group, early childhood learning service or an after school care centre is located provides for higher levels.

**Table E25.6.23.1 Noise levels for care centres for a childcare centre, creche, kindergarten, kohanga reo, play centre, play group, early childhood learning service or an after school care centre**

Time	Noise level
Monday to Friday 7am-6pm	55dB L <sub>Aeq</sub>
All other times	40dB L <sub>Aeq</sub> 75dB L <sub>AFmax</sub>

**E25.6.24. Noise levels for a primary school, intermediate school, secondary school or tertiary education facility**

- (1) The noise (rating) level arising from the operation of a primary, intermediate school, secondary school or tertiary education facility must comply with the noise levels in Table E25.6.24.1 Noise levels for a primary school, intermediate school, secondary school or tertiary education facility when measured within the boundary of any residentially zoned site.

**Table E25.6.24.1 Noise levels for a primary school, intermediate school, secondary school or tertiary education facility**

Time	Noise level
Monday to Saturday 7am to 10pm	55dB L <sub>Aeq</sub>
Sunday 9am to 6pm	
All other times	45dB L <sub>Aeq</sub> 75dB L <sub>AFmax</sub>

**Note 1**

Compliance with the noise levels of 45dB  $L_{Aeq}$  and 75dB  $L_{AFmax}$  applying at all other times in Table E25.6.24.1 Noise levels for a primary school, intermediate school, secondary school or tertiary education facility may mean that functions, events, and other activities utilising buildings, car parks, accessways and open space proximate to any activity sensitive to noise may need to be restricted in terms of finishing time or noise level.

- (2) These noise limits do not apply to noise from school sports and school recreational activities occurring between 8am and 6pm Monday to Saturday.

**E25.6.25. Noise levels for wind turbines or wind farms**

- (1) At any wind speed, the  $L_{A90 (10min)}$  sound level from a wind turbine generator or wind farm must not exceed the background sound level by more than 5dB, or a level of 40dB  $L_{A90 (10min)}$  whichever is the greater when measured within the notional boundary on any property which is a noise sensitive location as defined in New Zealand Standard 6808: 2010 Acoustics – Wind farm noise.
- (2) The noise level generated by wind farms must be measured and assessed in accordance with New Zealand Standard 6808:2010 Acoustics – Wind farm noise.

**E25.6.26. Noise levels for electricity generators**

- (1) The noise (rating) level and maximum noise level arising from the use of any electricity generator in a rural zone or a residential zone powered by an internal combustion engine measured within the boundary of any site in a residential zone or the notional boundary of any site in a rural zone must not exceed the levels in Table E25.6.26.1 Noise levels for electricity generators.

**Table E25.6.26.1 Noise levels for electricity generators**

Time	Noise level
7am to 10pm	40dB $L_{Aeq}$
10pm to 7am	30dB $L_{Aeq}$ 75dB $L_{AFmax}$

- (2) Standard E25.6.26(1) does not apply to generators in use prior to the 30 September 2013. For generators established on or before 30 September 2013 the noise limits for the relevant zone or zone interface apply.

*Construction noise***E25.6.27. Construction noise levels in all zones except the Business – City Centre Zone and the Business – Metropolitan Centre Zone**

- (1) Noise from construction activities in all zones except the Business – City Centre Zone and the Business – Metropolitan Centre Zone must not exceed the levels in Table E25.6.27.1 Construction noise levels for activities sensitive to noise in all zones except the Business – City Centre Zone and the

Business – Metropolitan Centre Zone when measured 1m from the façade of any building that contains an activity sensitive to noise that is occupied during the works.

**Table E25.6.27.1 Construction noise levels for activities sensitive to noise in all zones except the Business – City Centre Zone and the Business – Metropolitan Centre Zone**

Time of week	Time Period	Maximum noise level (dBA)	
		L <sub>eq</sub>	L <sub>max</sub>
Weekdays	6:30am - 7:30am	60	75
	7:30am - 6:00pm	75	90
	6:00pm - 8:00pm	70	85
	8:00pm - 6:30am	45	75
Saturdays	6:30am - 7:30am	45	75
	7:30am - 6:00pm	75	90
	6:00pm - 8:00pm	45	75
	8:00pm - 6:30am	45	75
Sundays and public holidays	6:30am - 7:30am	45	75
	7:30am - 6:00pm	55	85
	6:00pm - 8:00pm	45	75
	8:00pm - 6:30am	45	75

- (2) Noise from construction activities in all zones except the Business – City Centre Zone and the Business – Metropolitan Centre Zone must not exceed the levels in Table E25.6.27.2 Construction noise levels for noise affecting any other activity when measured 1m from the façade of any other building that is occupied during the works.

**Table E25.6.27.2 Construction noise levels for noise affecting any other activity**

Time Period	Maximum noise levels Leq dBA
7:30am – 6:00pm	75
6:00pm – 7:30am	80

- (3) For a project involving a total duration of construction work that is less than 15 calendar days, the noise levels in Table E25.6.27.1 Construction noise levels for activities sensitive to noise in all zones except the Business – City Centre Zone and the Business – Metropolitan Centre Zone and Table E25.6.27.2 Construction noise levels for noise affecting any other activity above shall be increased by 5dB in all cases.
- (4) For a project involving a total duration of construction work that is more than 20 weeks the noise limits in Table E25.6.27.1 Construction noise levels for

activities sensitive to noise in all zones except the Business – City Centre Zone and the Business – Metropolitan Centre Zone and Table E25.6.27.2 Construction noise levels for noise affecting any other activity above shall be decreased by 5dB in all cases.

**E25.6.28. Construction noise levels in the Business – City Centre Zone and the Business – Metropolitan Centre Zone**

- (1) Construction activities in the Business – City Centre Zone and the Business – Metropolitan Centre Zone must comply with Standard E25.6.27(1) above for any receiver not in a Business – City Centre Zone or a Business – Metropolitan Centre Zone and must not exceed the levels in Table E25.6.28.1 Construction noise levels for construction less than 15 consecutive calendar days duration in the Business – City Centre Zone and the Business – Metropolitan Centre Zone and Table E25.6.28.2 Construction noise levels for construction of 15 consecutive calendar days or more duration in the Business – City Centre Zone and the Business – Metropolitan Centre Zone when measured for any 30 minute period 1m from the façade of any building in the Business – City Centre Zone or the Business – Metropolitan Centre Zone that is occupied during the work.

**Table E25.6.28.1 Construction noise levels for construction less than 15 consecutive calendar days duration in the Business – City Centre Zone and the Business – Metropolitan Centre Zone**

<b>Construction of less than 15 consecutive calendar days duration (total duration of works)</b>		
<b>Time</b>	<b>L<sub>Aeq</sub>(30 min)</b>	<b>L<sub>AFmax</sub></b>
Monday to Friday 6.30am - 10.30pm	80 dB	90 dB
Saturday 7am - 11pm	85 dB	90 dB
Sunday 9am - 7pm	80 dB	90 dB
All other times (night time)	60 dB	75 dB
All other times in the City Centre Residential Precinct and the Learning Precinct	55 dB	75 dB

**Table E25.6.28.2 Construction noise levels for construction of 15 consecutive calendar days or more duration in the Business – City Centre Zone and the Business – Metropolitan Centre Zone**

<b>Construction of 15 consecutive calendar days or more (total duration of works)</b>		
<b>Time</b>	<b>L<sub>Aeq</sub>(30 min)</b>	<b>L<sub>AFmax</sub></b>
Monday to Friday 6.30am-10.30pm	75 dB	90 dB
Saturday 7am-11pm	80 dB	90 dB
Sunday 9am-7pm	65 dB	85 dB
All other times (night time)	60 dB	75 dB
All other times in the City Centre Residential Precinct and the Learning Precinct	55 dB	75dB

Where external measurement of construction noise is impractical or inappropriate, the upper limits for the noise measured inside the building will be 20dB less than the relevant levels in Table E25.6.28.1 Construction noise levels for construction less than 15 consecutive calendar days duration in the Business – City Centre Zone and the Business – Metropolitan Centre Zone and Table E25.6.28.2 Construction noise levels for construction of 15 consecutive calendar days or more duration in the Business – City Centre Zone and the Business – Metropolitan Centre Zone above.

**E25.6.29. Construction noise and vibration levels for work within the road**

- (1) Noise from any construction, maintenance and demolition activities in the road must comply with the relevant noise levels in the following relevant table:
  - (a) Table E25.6.27.1 Construction noise levels for activities sensitive to noise in all zones except the Business – City Centre Zone and the Business – Metropolitan Centre Zone; or
  - (b) Table E25.6.27.2 Construction noise levels for noise affecting any other activity; or
  - (c) Table E25.6.28.1 Construction noise levels for construction less than 15 consecutive calendar days duration in the Business – City Centre Zone and the Business – Metropolitan Centre Zone; or
  - (d) Table E25.6.28.2 Construction noise levels for construction of 15 consecutive calendar days or more duration in the Business – City Centre Zone and the Business – Metropolitan Centre Zone.

(1A) Vibration from any construction, maintenance and demolition activities in the road must comply with the relevant vibration levels in the following relevant table or standard:

(a) the limits set out in E25.6.30(1)(a) German Industrial Standard DIN 4150-3 (1999): Structural vibration – Part 3 Effects of vibration on structures; and

(b) Table E25.6.30.1 Vibration limits in buildings.

(2) The noise levels specified in Standard E25.6.29(1) above do not apply to unplanned repair or maintenance works or planned works in the road between the hours of 10pm and 7am where:

(a) the number of nights where the noise generated by the works exceeds the relevant noise levels in the following tables:

(i) Table E25.6.27.1 Construction noise levels for activities sensitive to noise in all zones except the Business – City Centre Zone and the Business – Metropolitan Centre Zone; or

(ii) Table E25.6.27.2 Construction noise levels for noise affecting any other activity; or

(iii) Table E25.6.28.1 Construction noise levels for construction less than 15 consecutive calendar days duration in the Business – City Centre Zone and the Business – Metropolitan Centre Zone; or

(iv) Table E25.6.28.2 Construction noise levels for construction of 15 consecutive calendar days or more duration in the Business – City Centre Zone and the Business – Metropolitan Centre Zone;

at any one receiver is 3 nights or less; and

(b) the works cannot practicably be carried out during the day or because the road controlling authority requires this work to be done at night time; or

(c) because of the nature of the works the noise produced cannot be practicably be made to comply with the relevant noise levels of the following tables:

(i) Table E25.6.27.1 Construction noise levels for activities sensitive to noise in all zones except the Business – City Centre Zone and the Business – Metropolitan Centre Zone; or

(ii) Table E25.6.27.2 Construction noise levels for noise affecting any other activity; or

(iii) Table E25.6.28.1 Construction noise levels for construction less than 15 consecutive calendar days duration in the Business – City Centre Zone and the Business – Metropolitan Centre Zone; or

- (iv) Table E25.6.28.2 Construction noise levels for construction of 15 consecutive calendar days or more duration in the Business – City Centre Zone and the Business – Metropolitan Centre Zone; or
  - (d) for planned works, a copy of the works access permit issued by Auckland Transport or approval from the New Zealand Transport Agency is provided to the Council five days prior to work commencing; or
  - (e) for minor planned works a construction noise and vibration management plan is provided to the Council no less than five days prior to the works commencing in accordance with the applicable provisions of Standard E25.6.29(5) below.
- (3) The noise levels specified in Standard E25.6.29(1) above do not apply to unplanned repair or maintenance works or planned works in the road between the hours of 7am and 10pm where:
- (a) the number of days where the noise generated by the works exceeds the relevant noise levels in the following tables:
    - (i) Table E25.6.27.1 Construction noise levels for activities sensitive to noise in all zones except the Business – City Centre Zone and the Business – Metropolitan Centre Zone; or
    - (ii) Table E25.6.27.2 Construction noise levels for noise affecting any other activity; or
    - (iii) Table E25.6.28.1 Construction noise levels for construction less than 15 consecutive calendar days duration in the Business – City Centre Zone and the Business – Metropolitan Centre Zone; or
    - (iv) Table E25.6.28.2 Construction noise levels for construction of 15 consecutive calendar days or more duration in the Business – City Centre Zone and the Business – Metropolitan Centre Zone;at any one receiver is 10 days or less; or
  - (b) because of the nature of the works and the proximity of receivers the noise generated cannot practicably be made to comply with the relevant noise levels of the following tables:
    - (i) Table E25.6.27.1 Construction noise limits for activities sensitive to noise in all zones except the Business – City Centre Zone and the Business – Metropolitan Centre Zone; or
    - (ii) Table E25.6.27.2 Construction noise limits for noise affecting any other activity; or
    - (iii) Table E25.6.28.1 Construction noise limits for construction less than 15 consecutive calendar days duration in the Business – City Centre Zone and the Business – Metropolitan Centre Zone; or



- (iv) Table E25.6.28.2 Construction noise limits for construction of 15 consecutive calendar days or more duration in the Business – City Centre Zone and the Business – Metropolitan Centre Zone; or
  - (c) for planned works, a copy of the works access permit issued by Auckland Transport or approval from the New Zealand Transport Agency is provided to the Council five days prior to work commencing; or
  - (d) for planned works where the works will take more than 8 hours to complete a construction noise and vibration management plan is provided to the Council no less than five days prior to the works commencing in accordance with the applicable provisions of Standard E25.6.29(5) below.
- (4) The noise levels specified in Standard E25.6.29(1) do not apply to road rehabilitation works that comprise the substantial removal and replacement of the road structural base and pavement in the road where:
- (a) the number of nights where the noise generated by the works exceeds the relevant noise levels in the following tables:
    - (i) Table E25.6.27.1 Construction noise levels for activities sensitive to noise in all zones except the Business – City Centre Zone and the Business – Metropolitan Centre Zone; or
    - (ii) Table E25.6.27.2 Construction noise levels for noise affecting any other activity; or
    - (iii) Table E25.6.28.1 Construction noise levels for construction less than 15 consecutive calendar days duration in the Business – City Centre Zone and the Business – Metropolitan Centre Zone; or
    - (iv) Table E25.6.28.2 Construction noise levels for construction of 15 consecutive calendar days or more duration in the Business – City Centre Zone and the Business – Metropolitan Centre Zone;at any one receiver is 20 days or less; and
  - (b) milling, concrete cutting, percussive demolition are completed by 10.30pm; and
  - (c) the works cannot practicably be carried out during the day or because the road controlling authority requires this work to be done at night time; and
  - (d) because of the nature of the works the noise produced cannot be practicably be made to comply with the relevant noise levels of the following tables:
    - (i) Table E25.6.27.1 Construction noise levels for activities sensitive to noise in all zones except the Business – City Centre Zone and the Business – Metropolitan Centre Zone; or

- (ii) Table E25.6.27.2 Construction noise levels for noise affecting any other activity; or
  - (iii) Table E25.6.28.1 Construction noise levels for construction less than 15 consecutive calendar days duration in the Business – City Centre Zone and the Business – Metropolitan Centre Zone; or
  - (iv) Table E25.6.28.2 Construction noise levels for construction of 15 consecutive calendar days or more duration in the Business – City Centre Zone and the Business – Metropolitan Centre Zone; and
  - (e) a copy of the works access permit issued by Auckland Transport or approval from the New Zealand Transport Agency is provided to the Council five days prior to work commencing; and
  - (f) a construction noise and vibration management plan is provided to the Council no less than five days prior to the works commencing in accordance with the applicable provisions of Standard E25.6.29(5) below.
- (4A) The vibration levels specified in Standard E25.6.29(1A)(b) do not apply to works within the road where:
- (a) for planned works, a copy of the works access permit issued by Auckland Transport or approval from the New Zealand Transport Agency is provided to the Council five days prior to work commencing; and
  - (b) a construction noise and vibration management plan is provided to the Council no less than five days prior to the works commencing in accordance with the applicable provisions of Standard E25.6.29(5) below.
- (5) A construction noise and vibration management plan must be prepared by a suitably qualified and experienced person and include the following:
- (a) details of the community consultation to be undertaken to advise the occupiers of properties located within 100m of the proposed works of all of the following:
    - (i) the area affected by the work;
    - (ii) why the work is required to be undertaken at night (where relevant);
    - (iii) the times and days when the noise and vibration is likely to be generated;
    - (iv) a contact name and number of the works supervisor who can be contacted if any issues arise; and
    - (v) how noise and vibration complaints will be managed and responded to;

- (b) a description of the works and its duration, anticipated equipment to be used, the processes to be undertaken and the predicted noise and vibration levels; and
- (c) identification of the best practicable options that will be undertaken to mitigate and minimise any noise and vibration being produced that is likely to exceed the relevant levels of the following tables:
  - (i) Table E25.6.27.1 Construction noise levels for activities sensitive to noise in all zones except the Business – City Centre Zone and the Business – Metropolitan Centre Zone; or
  - (ii) Table E25.6.27.2 Construction noise levels for noise affecting any other activity; or
  - (iii) Table E25.6.28.1 Construction noise levels for construction less than 15 consecutive calendar days duration in the Business – City Centre Zone and the Business – Metropolitan Centre Zone; or
  - (iv) Table E25.6.28.2 Construction noise levels for construction of 15 consecutive calendar days or more duration in the Business – City Centre Zone and the Business – Metropolitan Centre Zone; or
  - (v) Table E25.6.30.1 Vibration limits in buildings.
- (6) For the purpose of Standards E25.6.29(1) to E25.6.29(4A) above:
  - (a) planned work means work that has been planned to take place at least seven days before the work commences;
  - (b) the measurement and assessment of all construction noise must be in accordance with New Zealand Standard NZS 6803:1999 Acoustics – Construction noise; and
  - (c) the measurement of all vibration must be in accordance with E25.6.30 Vibration.

#### *Vibration*

#### **E25.6.30. Vibration**

- (1) Construction and demolition activities must be controlled to ensure any resulting vibration does not exceed:
  - (a) the limits set out in German Industrial Standard DIN 4150-3 (1999): Structural vibration – Part 3 Effects of vibration on structures when measured in accordance with that Standard on any structure not on the same site; and
  - (b) the limits in Table E25.6.30.1 Vibration limits in buildings in any axis when measured in the corner of the floor of the storey of interest for multi-storey

buildings, or within 500mm of ground level at the foundation of a single storey building.

**Table E25.6.30.1 Vibration limits in buildings**

Receiver	Period	Peak Particle Velocity Limit millimetres/second
Occupied activity sensitive to noise	Night-time 10pm to 7am	0.3 mm/s
	Daytime 7am to 10pm	2 mm/s
Other occupied buildings	At all times	2 mm/s

Works generating vibration for three days or less between the hours of 7am to 6pm may exceed the limits in Table E25.6.30.1 Vibration limits in buildings above, but must comply with a limit of 5mm/s peak particle velocity in any axis when measured in the corner of the floor of the storey of interest for multi-storey buildings, or within 500mm of ground level at the foundation of a single storey building, where:

- (i) all occupied buildings within 50m of the extent of the works generating vibration are advised in writing no less than three days prior to the vibration-generating works commencing; and
  - (ii) the written advice must include details of the location of the works, the duration of the works, a phone number for complaints and the name of the site manager.
- (2) Permanently installed stationary vibrating, reciprocating and rotating machinery and all piping, ducting and other equipment attached to such machinery must be installed and maintained so that any resulting vibration does not exceed the limits of Table E25.6.30.2 Vibration levels for stationary machinery when measured in any occupied room of any building on another site or in any occupied unit under different ownership from the source of the vibration. Vibration must be measured in accordance with ISO 2631-2:2003 Mechanical vibration and shock – Evaluation of human exposure to whole-body vibration – Part 2: Vibration in buildings (1Hz to 80Hz):

**Table E25.6.30.2 Vibration levels for stationary machinery**

Affected occupied building or area	Time of day	Maximum vibration level in root mean square velocity (mm/s) between 8 and 80Hz
Noise sensitive spaces	7am-10pm	0.20
Bedrooms and sleeping areas only within activities sensitive to noise	10pm-7am	0.14

- (3) For vibration levels applying to work within the road, refer to E25.6.29.

*Blasting*

**E25.6.31. Noise levels for blasting**

- (1) The noise created by the use of explosives for any blasting activity measured at the boundary of the site on which the explosives are used must not exceed a peak sound pressure of 120 dB ( $L_{zpeak}$ ).
- (2) The noise created by the use of explosives for construction activities must not exceed a peak sound pressure level of 120dBC measured 1m from the façade of any occupied building.

*Helicopter noise*

**E25.6.32. Noise levels for helicopters take-off or landing**

- (1) The take-off or landing of a helicopter on any site except for emergency services must not exceed  $L_{dn}$  50dB or 85dB  $L_{AFmax}$  measured within the boundary or the notional boundary of any adjacent site containing activities sensitive to noise and  $L_{dn}$  60dBA within the boundary of any other site.

*Transport noise*

**E25.6.33. Noise levels for traffic from new and altered roads**

- (1) All new roads and all altered roads that are within the scope of New Zealand Standard NZS 6806: 2010 Acoustics – Road traffic noise – New and altered roads must comply with the requirements of New Zealand Standard NZS 6806: 2010 Acoustics – Road traffic noise – New and altered roads.

**E25.7. Assessment – controlled activities**

There are no controlled activities in this section.

**E25.8. Assessment – restricted discretionary activities**

**E25.8.1. Matters of discretion**

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

- (1) for noise and vibration:
- (a) the effects on adjacent land uses particularly activities sensitive to noise;  
and
  - (b) measures to avoid, remedy or mitigate the adverse effects of noise.
- (2) for internal noise levels of noise sensitive spaces in the Business – City Centre Zone, Business – Metropolitan Centre Zone, Business – Town Centre Zone, Business – Local Centre Zone, Business – Neighbourhood Centre

Zone, Business – Mixed Use Zone, or the Business – City Centre Zone adjoining parts of the Strategic Transport Corridor subject to a KiwiRail designation:

- (a) reverse sensitivity effects;
- (b) alternative temperature control solutions; and
- (c) mitigating environmental conditions.

#### **E25.8.2. Assessment criteria**

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

(1) for noise and vibration:

- (a) whether activities can be managed so that they do not generate unreasonable noise and vibration levels on adjacent land uses particularly activities sensitive to noise;
- (b) the extent to which the noise or vibration generated by the activity:
  - (i) will occur at times when disturbance to sleep can be avoided or minimised; and
  - (ii) will be compatible with activities occurring or allowed to occur in the surrounding area; and
  - (iii) will be limited in duration, or frequency or by hours of operation; and
  - (iv) will exceed the existing background noise and vibration levels in that environment and the reasonableness of the cumulative levels; and
  - (v) can be carried out during daylight hours, such as road works and works on public footpaths.
- (c) the extent to which the effects on amenity generated by vibration from construction activity:
  - (i) will be mitigated by written advice of the activity to adjacent land uses prior to the activity commencing; and
  - (ii) can be mitigated by monitoring of structures to determine risk of damage to reduce occupant concern; and
  - (iii) can be shown to have been minimised by the appropriate assessment of alternative options; and
  - (iv) are reasonable taking into account the level of vibration and the duration of the activity (where levels of 10mm/s peak particle velocity may be tolerated only for very brief periods).
- (d) whether the measures to minimise the noise or vibration generated by the activity represent the best practicable option.

- (2) for works in the road or rail corridor:
  - (a) whether the effects on amenity values and sleep quality generated by construction activity in the road or rail corridor are reasonable taking into account the background noise levels.
- (3) for reverse sensitivity effects:
  - (a) whether the activity or infringement proposed will unduly constrain the operation, of existing activities (excluding construction or demolition activities); and
  - (b) for land in the Business - City Centre Zone within 100m of the Strategic Transport Corridor Zone subject to a KiwiRail designation, the outcome of any consultation with KiwiRail
- (4) for noise in the Business – City Centre Zone, Business – Metropolitan Centre Zone, Business – Town Centre Zone, Business – Local Centre Zone, Business – Neighbourhood Centre Zone or the Business – Mixed Use Zone:
  - (a) in addition to the assessment criteria in E25.8.2(1) above, all of the following will be considered:
    - (i) the background noise at the affected receivers and the extent to which this is proposed to be exceeded;
    - (ii) the level of existing sound insulation (where that information is available) and ventilation options for affected receivers existing as at the date of notification of the Plan; and
    - (iii) the frequency and duration of the exceedance.
- (5) for alternative temperature control solutions:
  - (a) whether alternative solutions such as passive or mixed-mode cooling can provide a sufficient thermal comfort level that can be maintained having regard to ASHRAE (US) Standard 55:2013 - Thermal environmental conditions for human occupancy, CIBSE (UK) Technical Memorandum TM52:2013 – The limits of thermal comfort: avoiding overheating in European buildings, BS EN 15251:2007 – Indoor environmental input parameters for design and assessment of energy performance of buildings addressing indoor air quality, thermal environment, lighting and acoustics.

#### **E25.9. Special information requirements**

There are no special information requirements in this section.

## **H8. Business – City Centre Zone**

### **H8.1. Zone description**

The city centre 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 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 sunlight admission to parks and public spaces, the relationship to the Waitematā Harbour, historic heritage, significant views to the 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.

An area within the zone which may experience vibration levels higher than would normally be expected because of proximity to the rail corridor is identified in H8.12.1 Appendix 1.

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

*Business – 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 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.
- (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]
  - (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.
- (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, form, and design of new buildings to be complementary to existing 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.
- (30A) In identified locations, modify building height and/or density of urban form to provide for qualifying matters.
- (31) 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 Waitematā Harbour and maunga.
- (32) Encourage public amenities to be provided within developments, including publicly accessible open space, artworks 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
<b>General</b>		
(A1)	Activities not provided for	NC
<b>Use</b>		
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
(A19)	Education facilities	P
(A20)	Emergency services	P

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(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
<b>Industry</b>		
(A27)	Industrial laboratories	P
(A28)	Manufacturing	P
(A29)	Repair and maintenance services	P
(A30)	Warehousing and storage	P
<b>Mana Whenua</b>		
(A31)	Marae complex	P
<b>Development</b>		
(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	RD



(A43)	A building that does not comply with Standard H8.6.7 Railway station building and gardens view protection plane	NC
(A44)	[Deleted]	
(A45)	[Deleted]	
(A46)	A building that does not comply with Standard H8.6.33 H8.1.1. Strategic Transport Corridor Zone – Railway corridor setback	RD

### 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**

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

- (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.
- (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.

#### **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**

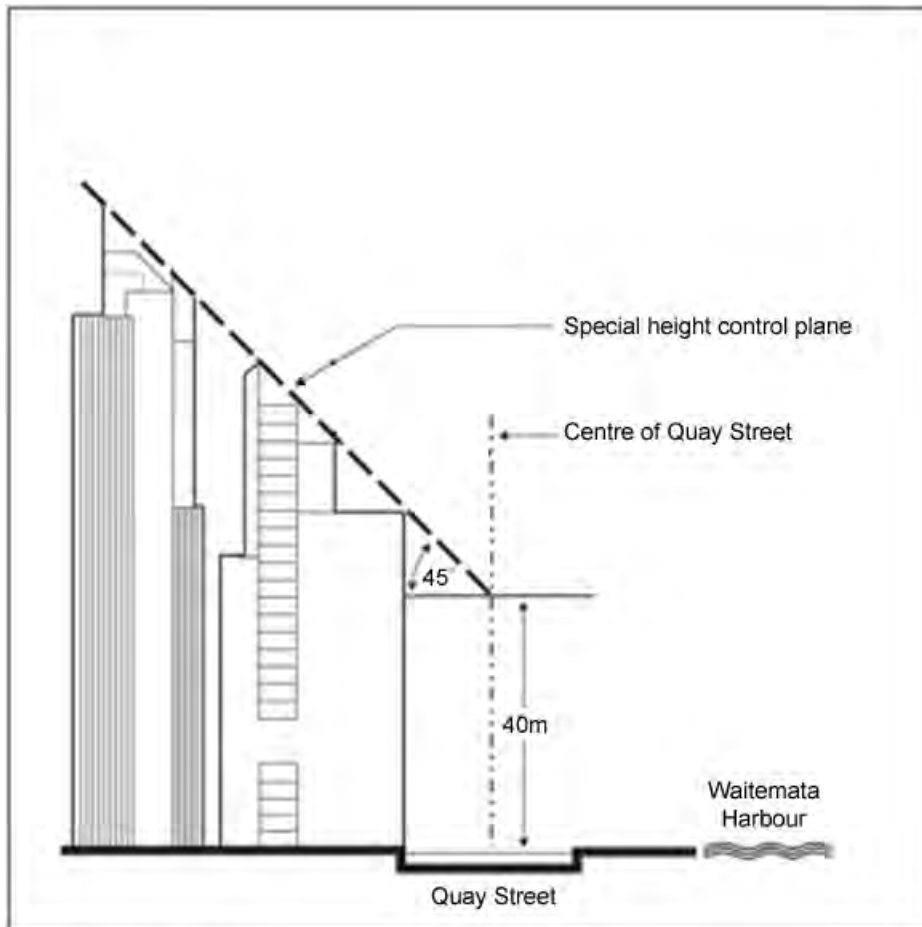
Purpose: manage the scale of buildings at the western end of Quay Street to:

- provide a city form which transitions in building height from the core of the city centre down towards the waterfront;
- maximise 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.

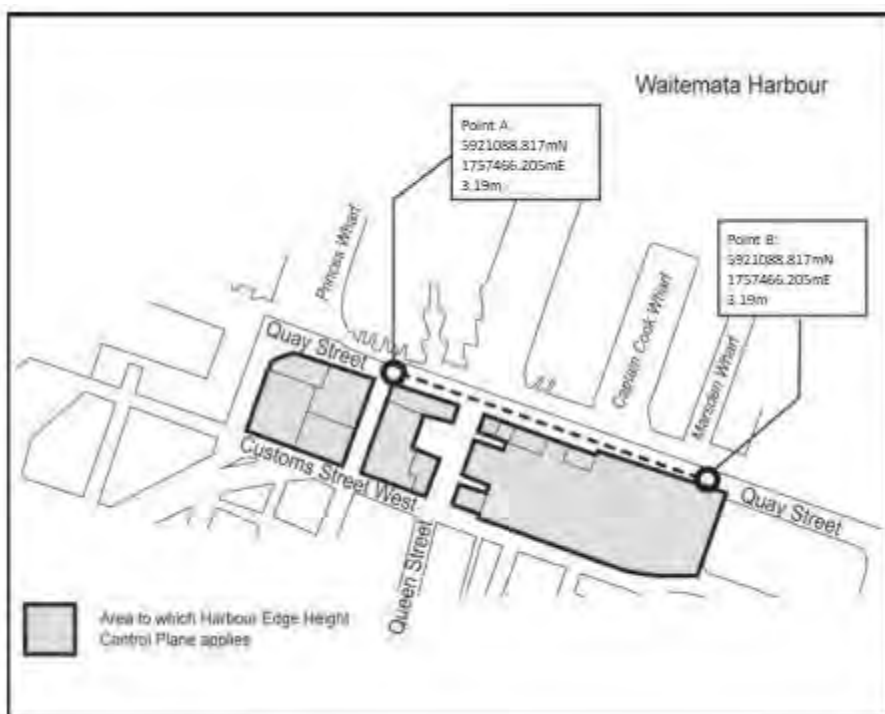
(1) The height of a building subject to this standard must not exceed the height plane shown in Figure H8.6.5.1 Harbour edge height control plane. The height plane starts at a line 40m above the centre line of Quay Street and continues as a tilted plane at 45 degrees to the horizontal from that line 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 H8.6.5.2 Harbour edge height control co-ordinates.

**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]**

**Figure H8.6.6.1 [Deleted]**

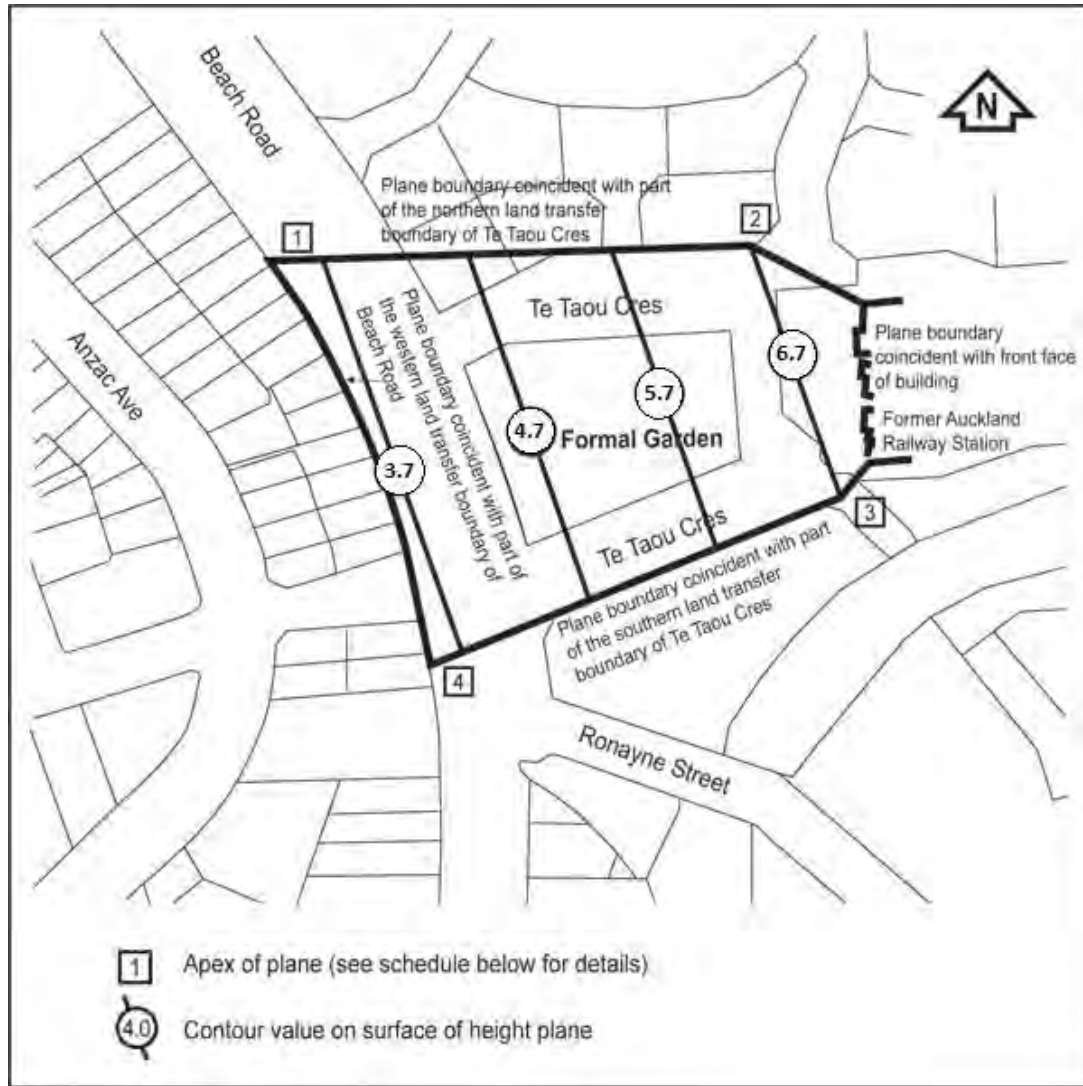
**Figure H8.6.6.2 [Deleted]**

**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**



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) height of buildings within the blocks bounded by Hobson Street, Fanshawe Street, Halsey Street, Victoria Street West, and Union Street.
- (2) 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).
- (3) 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 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]
- (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]
  - (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]**

#### **H8.6.11. [Deleted]**

#### **Table H8.6.11.1 [Deleted]**

#### **H8.6.12. [Deleted]**

#### **Table H8.6.12.1 [Deleted]**

**H8.6.13. [Deleted]**

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**H8.6.15. [Deleted]**

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**H8.6.17. [Deleted]**

**H8.6.18. [Deleted]**

**Figure H8.6.18.1 [Deleted]**

**Figure H8.6.18.2 [Deleted]**

**Figure H8.6.18.3 [Deleted]**

**Figure H8.6.18.4 [Deleted]**

**H8.6.19. [Deleted]**

**H8.6.20. [Deleted]**

**H8.6.21. [Deleted]**

**Table H8.6.21.1 [Deleted]**

**Figure H8.6.21.1 [Deleted]**

**Figure H8.6.21.2 [Deleted]**

**H8.6.22. [Deleted]**

### **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]

**Figure H8.6.23.1 Streetscape improvement and landscaping**



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

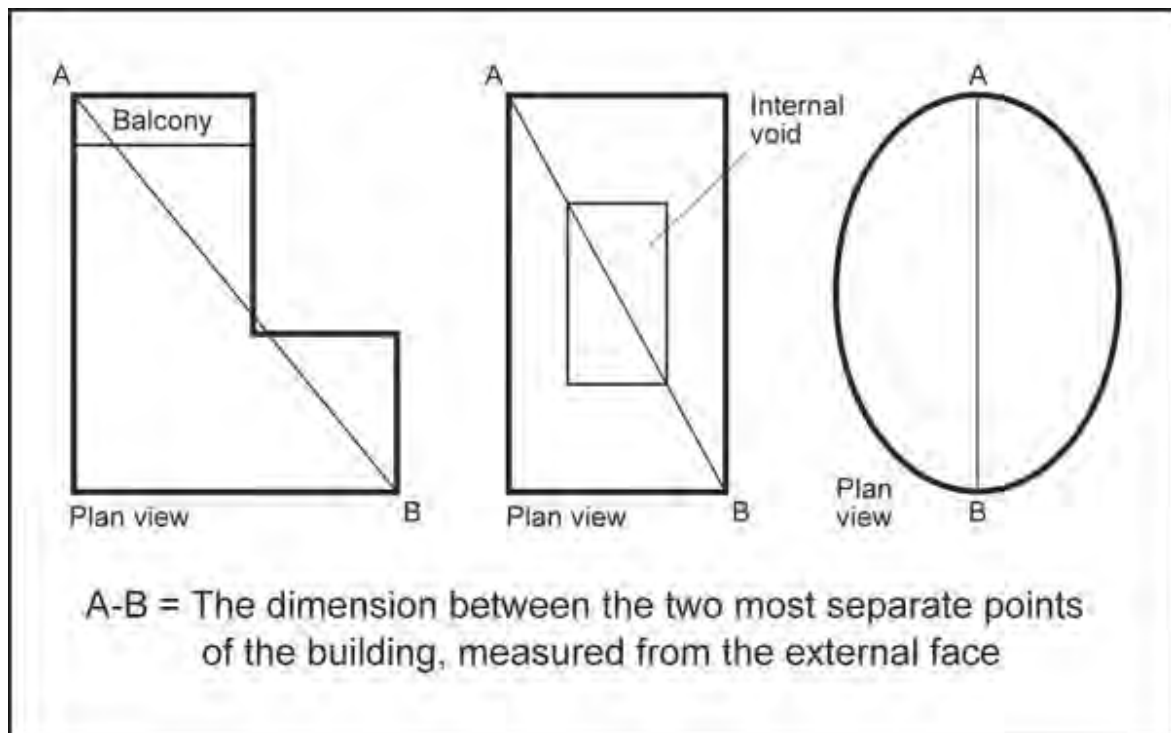
Purpose: ensure that high-rise buildings:

- 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 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 an average of 55m; and
  - (b) the part of a building above 28m must be set back at least 6m from all boundaries of the site.
- (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**



#### **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 45m 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
    - (ii) 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:

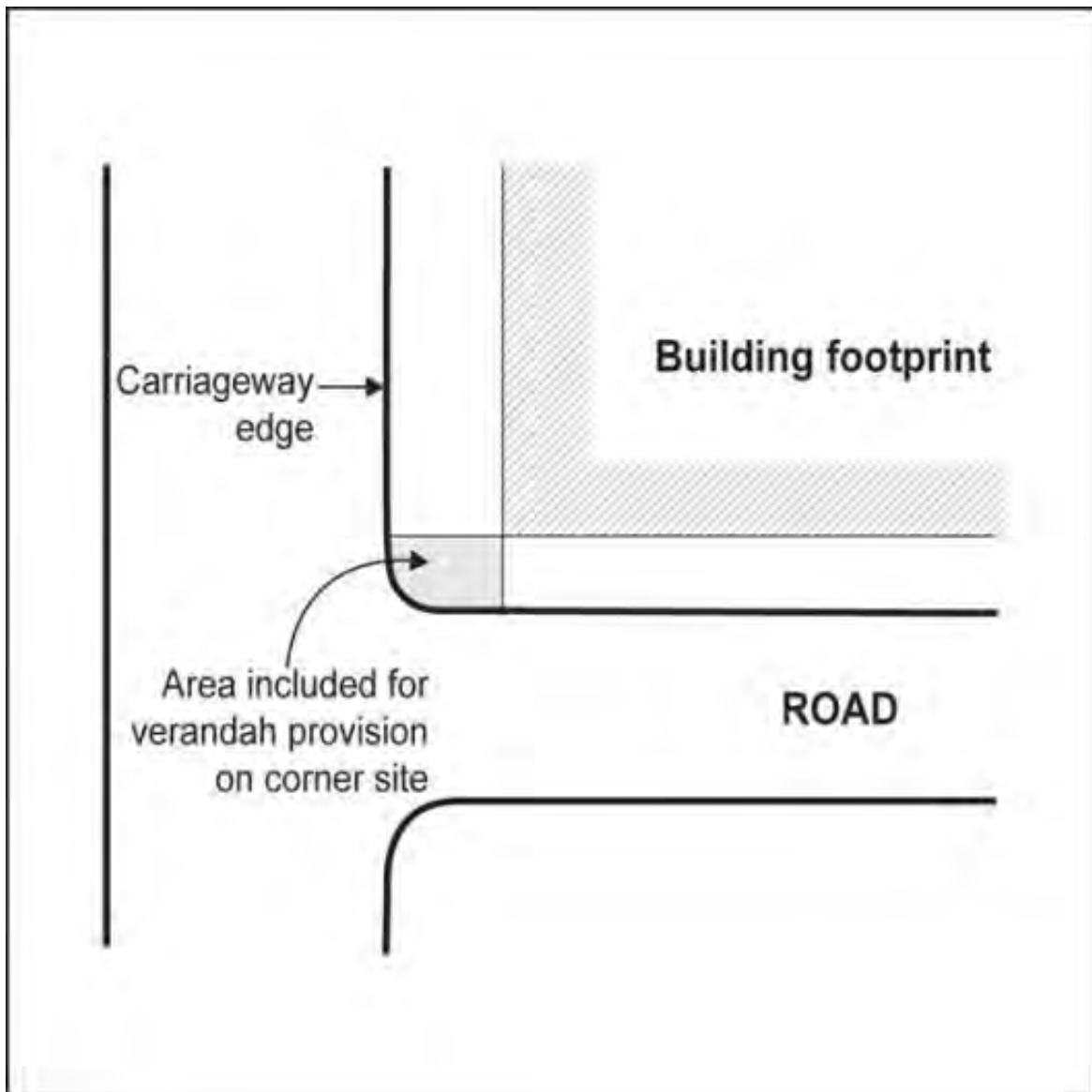
- (a) For boundaries which have a maximum frontage height (refer H8.6.25(2)), the set back is as stated in H8.6.25(2).
- (b) For all other boundaries, the part of the building above 32.5m-must be set back from the boundary by at least 6m.
- (c) The maximum plan dimension, as defined in H8.6.24(2), of that part of the building above 32.5m must not exceed an average 55m.
- (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**

<b>Location</b>	<b>Minimum width</b>
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.

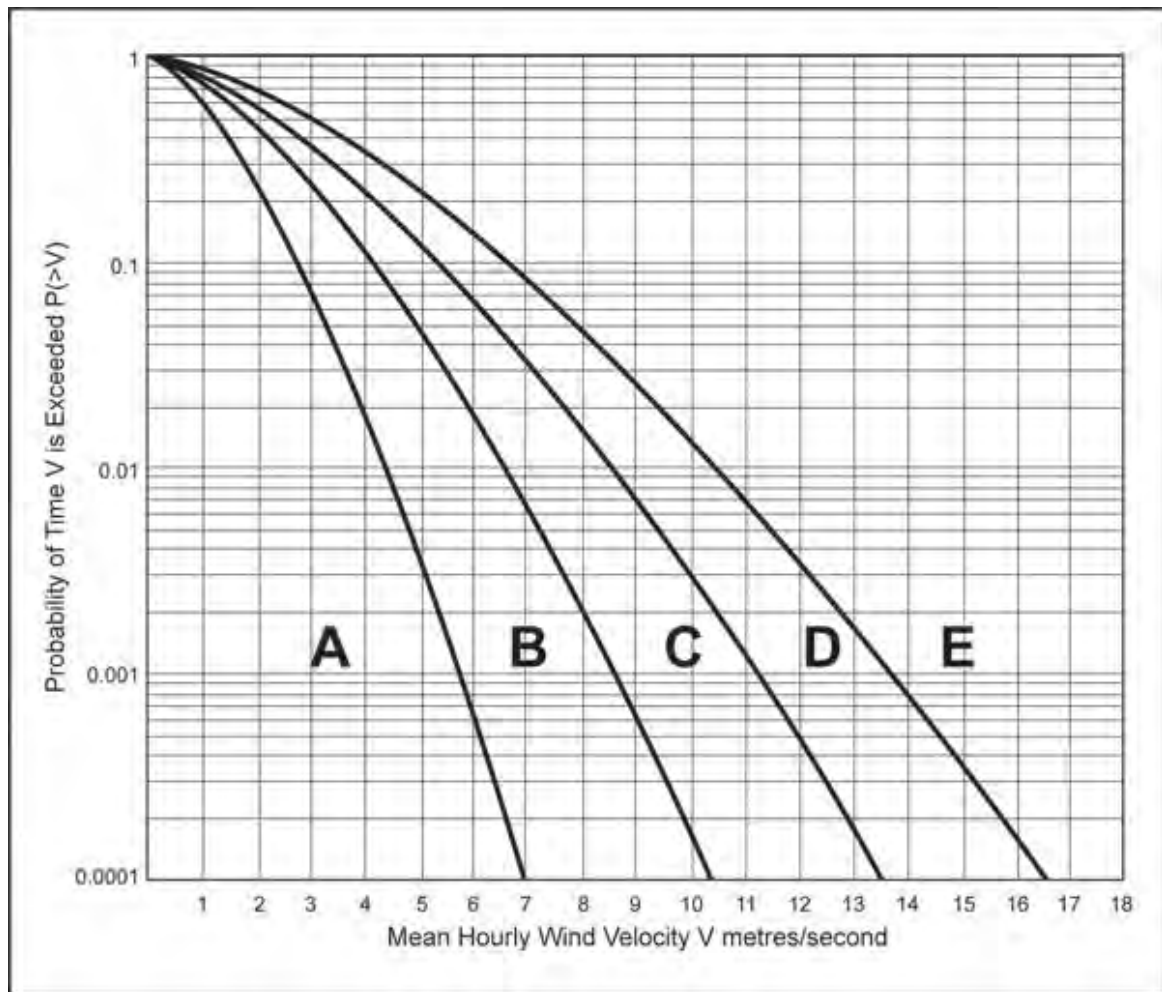
#### H8.6.28. Wind

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.

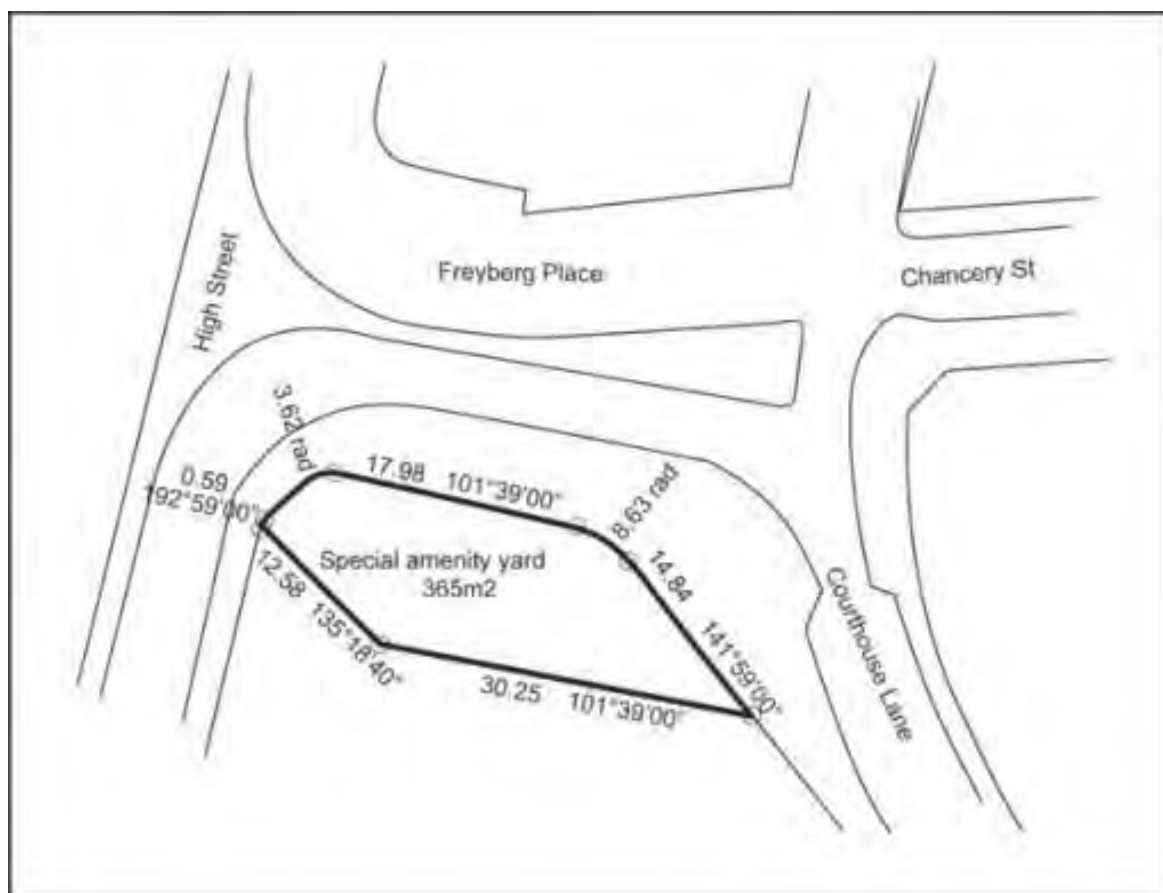
- (1) Buildings must be designed and built so that the reflectivity of all external surfaces does not exceed 20 per cent of white light. This means that glass and other materials with reflectivity values that exceed 20 per cent may only be used provided they are covered or screened in such a way that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

#### **H8.6.30. Special amenity yards**

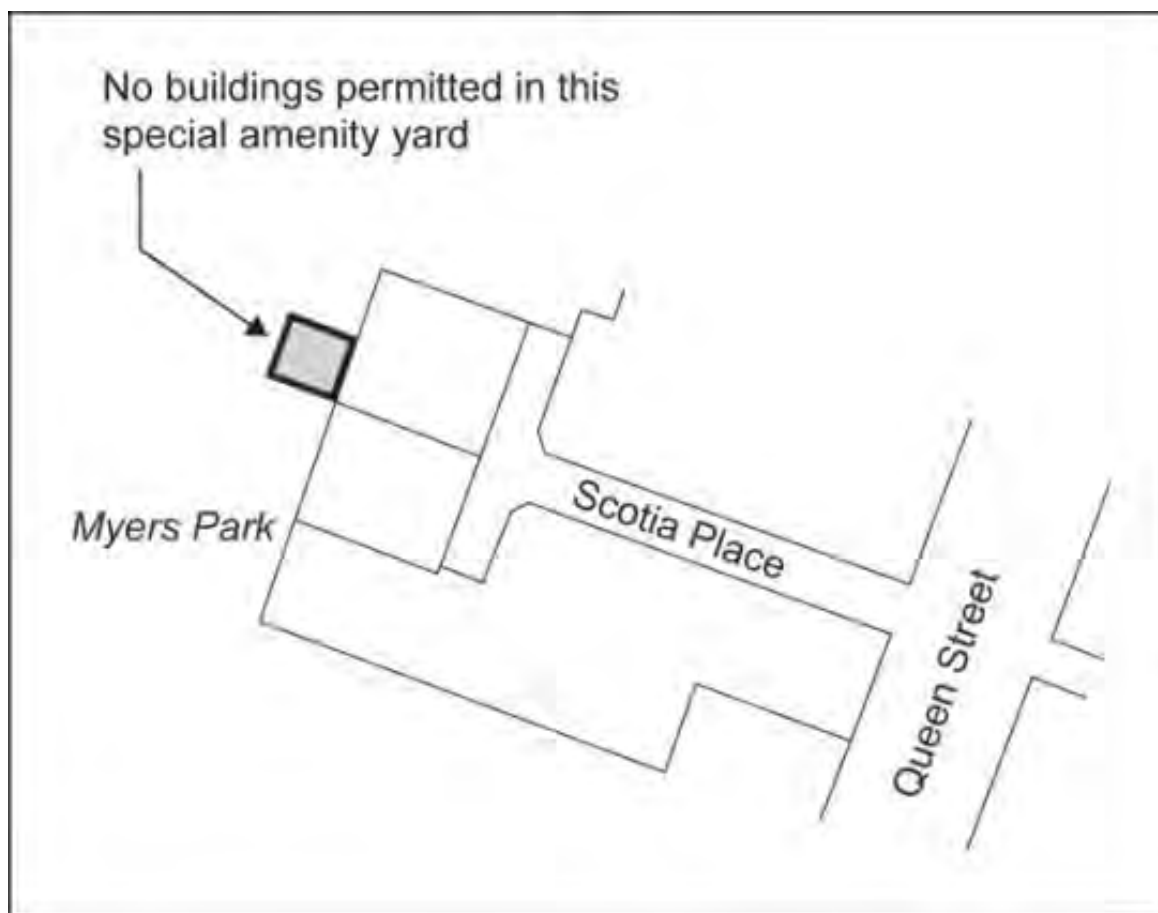
Purpose: avoid buildings locating in areas that would have a significant adverse effect on pedestrian and/or streetscape amenity.

- (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, H8.6.30.3 and H8.6.30.4.
- (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.

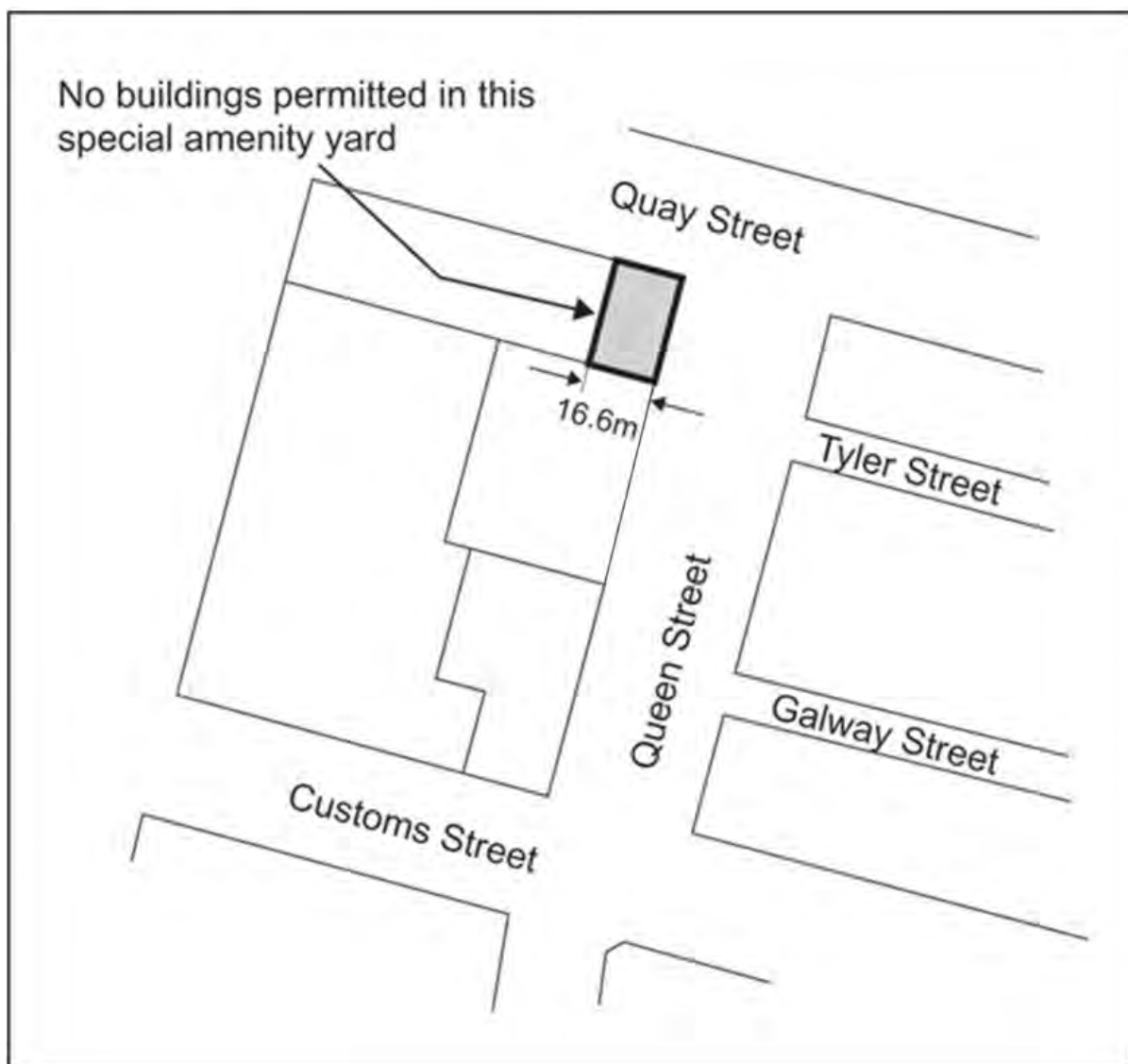
**Figure H8.6.30.1 Freyberg Place special amenity yard**



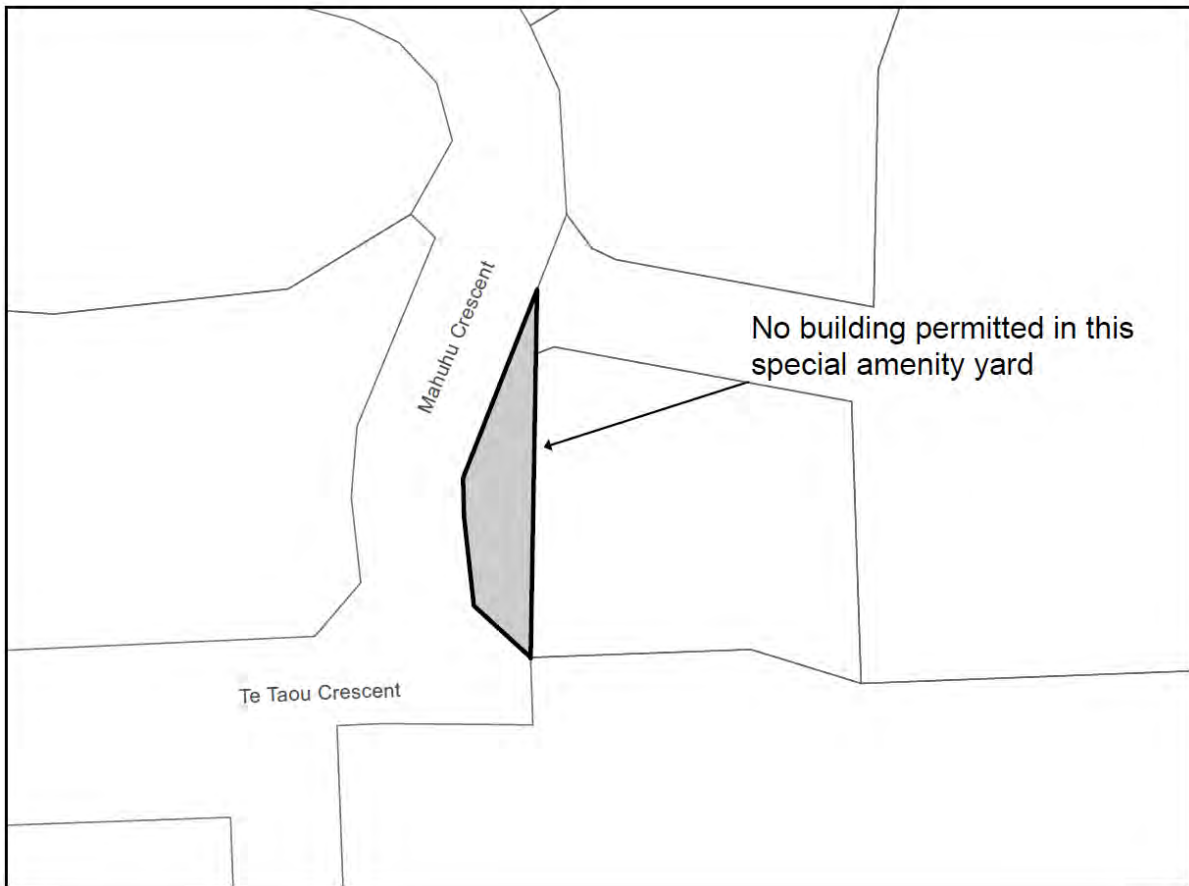
**Figure H8.6.30.2 Myers Park special amenity yard**



**Figure H8.6.30.3 Queen Street special amenity yard**



**Figure H8.6.30.4 Mahuhu Crescent special amenity yard**



#### **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.

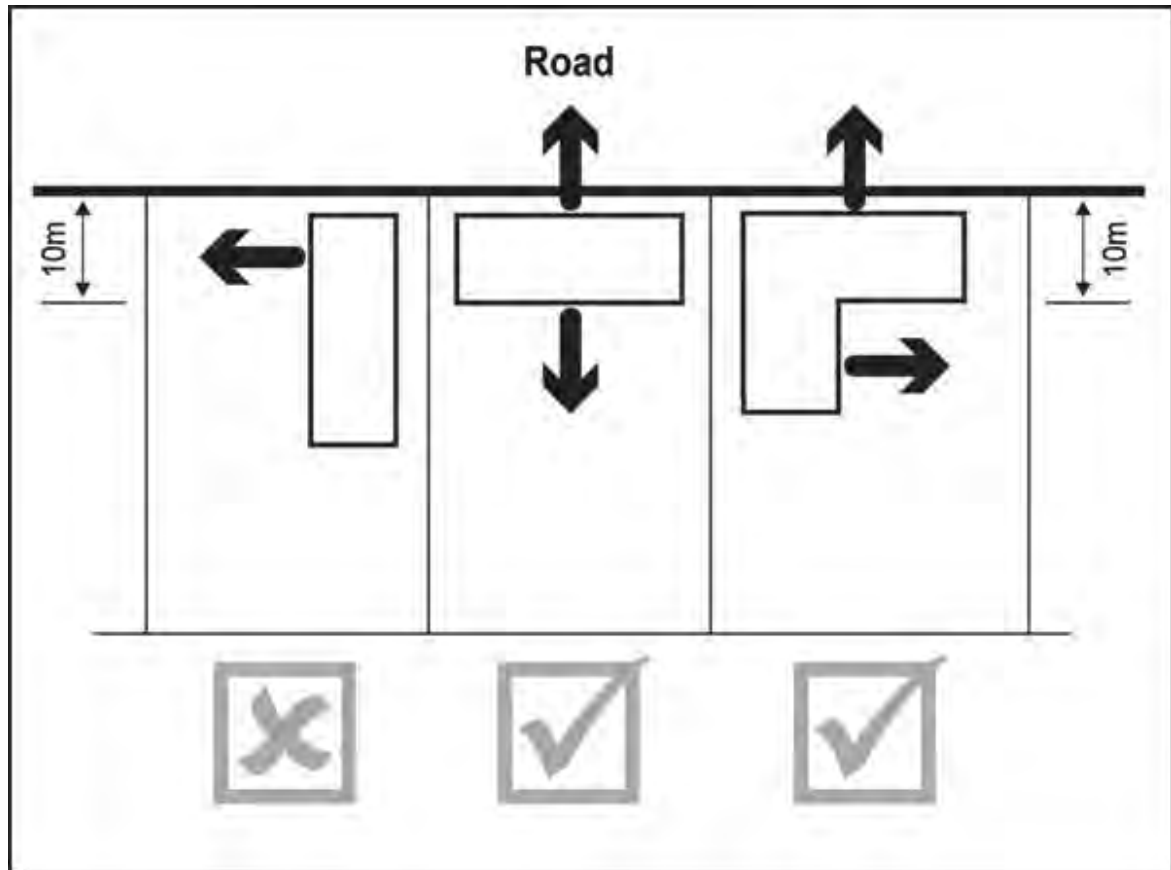
### **H8.6.32. Outlook space**

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 6m; 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.

- (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**



**Figure H8.6.32.2 [Deleted]**

### **H8.6.33. Minimum dwelling size**

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

- (a) 35m<sup>2</sup> for studio dwellings.

The minimum net internal floor area for studio dwellings may be reduced by 5m<sup>2</sup> where a balcony, ground floor terrace or roof terrace of 5m<sup>2</sup> or greater is provided.

- (b) 50m<sup>2</sup> for one or more bedroom dwellings.

The minimum net internal floor area for one or more bedroom dwellings may be reduced by 8m<sup>2</sup> where a balcony, ground floor terrace or roof terrace of 8m<sup>2</sup> or greater is provided.

- (c) 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:

- (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.

#### **H8.6.34. Strategic Transport Corridor Zone – Railway corridor setback**

Purpose: to ensure the safe or efficient operation of the railway corridor by providing sufficient space for people to safely and efficiently conduct activities within their own land.

- (1) A building or parts of building or structure must be set back 5m from the boundary of a site adjoining the Strategic Transport Corridor Zone subject to a KiwiRail designation.

### **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;
- (e) functional requirements; and
- (f) layout and design of through-site links.

(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 1000m<sup>2</sup> and 5000m<sup>2</sup> 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, 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 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, or where towers are not possible, buildings should be well-designed and complement the streetscape and skyline;
  - (c) site specific characteristics; and
  - (d) the provision of effective and efficient emergency responder servicing.
- (7) infringement of rooftops standard:
  - (a) amenity effects;
- (8) [Deleted]
- (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 Strategic Transport Corridor Zone – Railway corridor setback standard:

- (a) The location and design of the building as it relates to the ability to safely use, access and maintain buildings without requiring access on, above or over the rail corridor.

#### **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, 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;
- (e) The extent to which the proposed development facilitates convenient pedestrian connections between streets and public spaces, considering the existing network and potential future connections; and
- (f) Where a through-site link is proposed:
  - (i) the extent to which visibility to, from, and within the through-site link is provided to support public safety, and wayfinding elements are integrated to guide pedestrians and enhance navigability;
  - (ii) The extent to which the quality of the pedestrian experience within the through-site link is enhanced, including the provision of safety measures, comfort features such as seating and shelter, and amenities that contribute to a pleasant and engaging environment;

- (iii) (iii) The extent to which the proposed through-site link contributes positively to the overall urban design and public realm of the city centre; and
  - (iv) (iv) The extent to which the through-site link accommodates for the needs of diverse users, including people with disabilities or mobility impairments, and its adaptability to changing conditions and demands.
- (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 1000m<sup>2</sup> and 5000<sup>2</sup> gross floor area per site:

(a) centre amenity and vitality:

(i) whether retail greater than 1000m<sup>2</sup> and less than 5000m<sup>2</sup> 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, 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) [deleted]
- (b) consistency with the existing and planned 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), 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]

(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.

- (iia) the extent to which any new or alteration to existing building element or feature proposed within the Mahuhu Crescent special amenity yard obscures:

- views of the Railway Station building available through the special amenity yard from Mahuhu Crescent and Māhuhu-ki-te-Rangi park.

- (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:

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

(i) 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.

(ii) 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 Strategic Transport Corridor Zone – Railway corridor setback standard:

(a) Location of the building or structure

(b) Methods of providing for building maintenance within site boundaries on a permanent basis.

(c) The outcome of any consultation with KiwiRail.

#### **H8.9. [Deleted]**

#### **H8.10. Special information requirements**

##### **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:

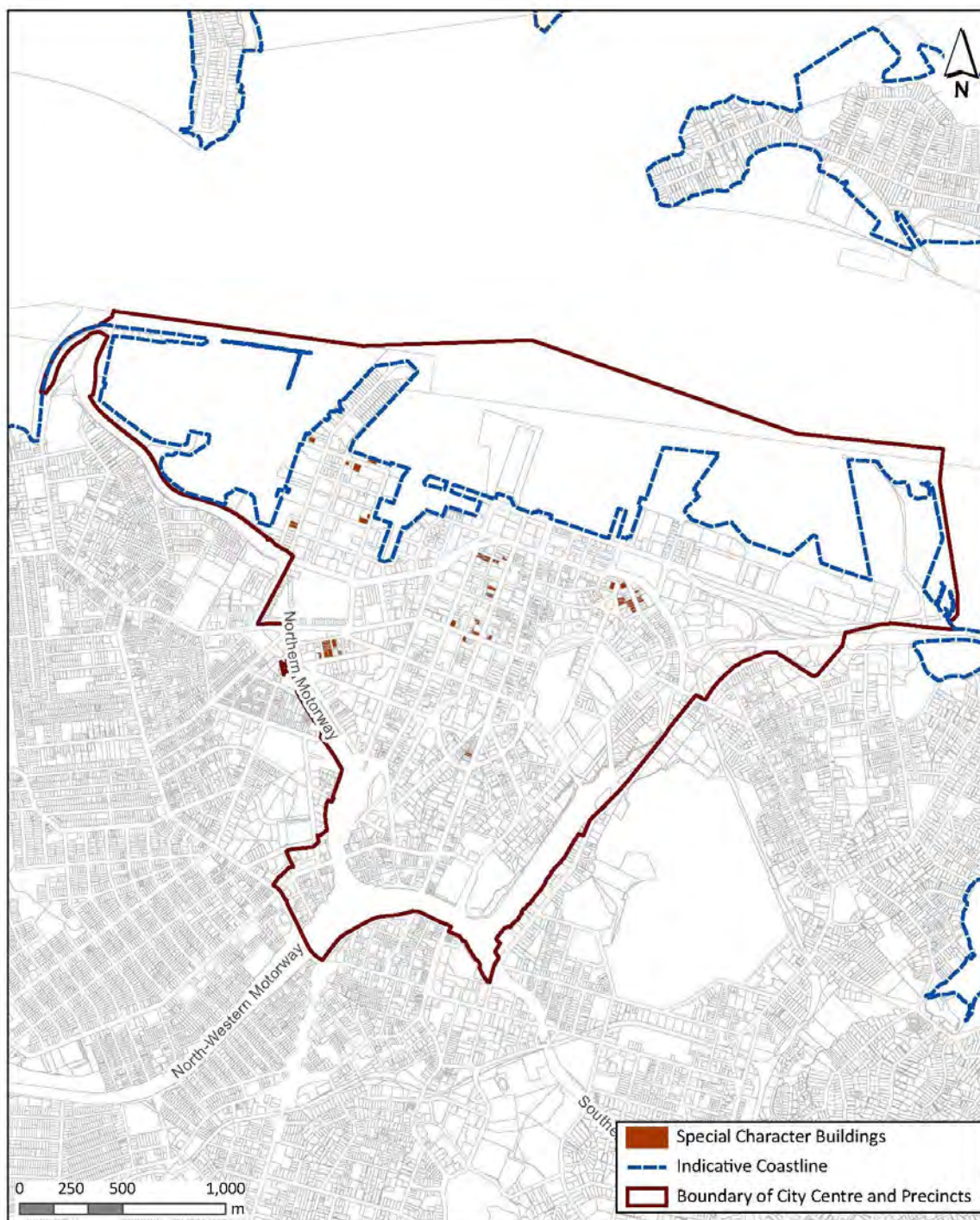
- (a) substantial demolition or destruction;
- (b) relocation within the scheduled extent of place; or
- (c) significant restoration or modification works.

(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.

## H8.11. Maps

### Map H8.11.1 Special character buildings

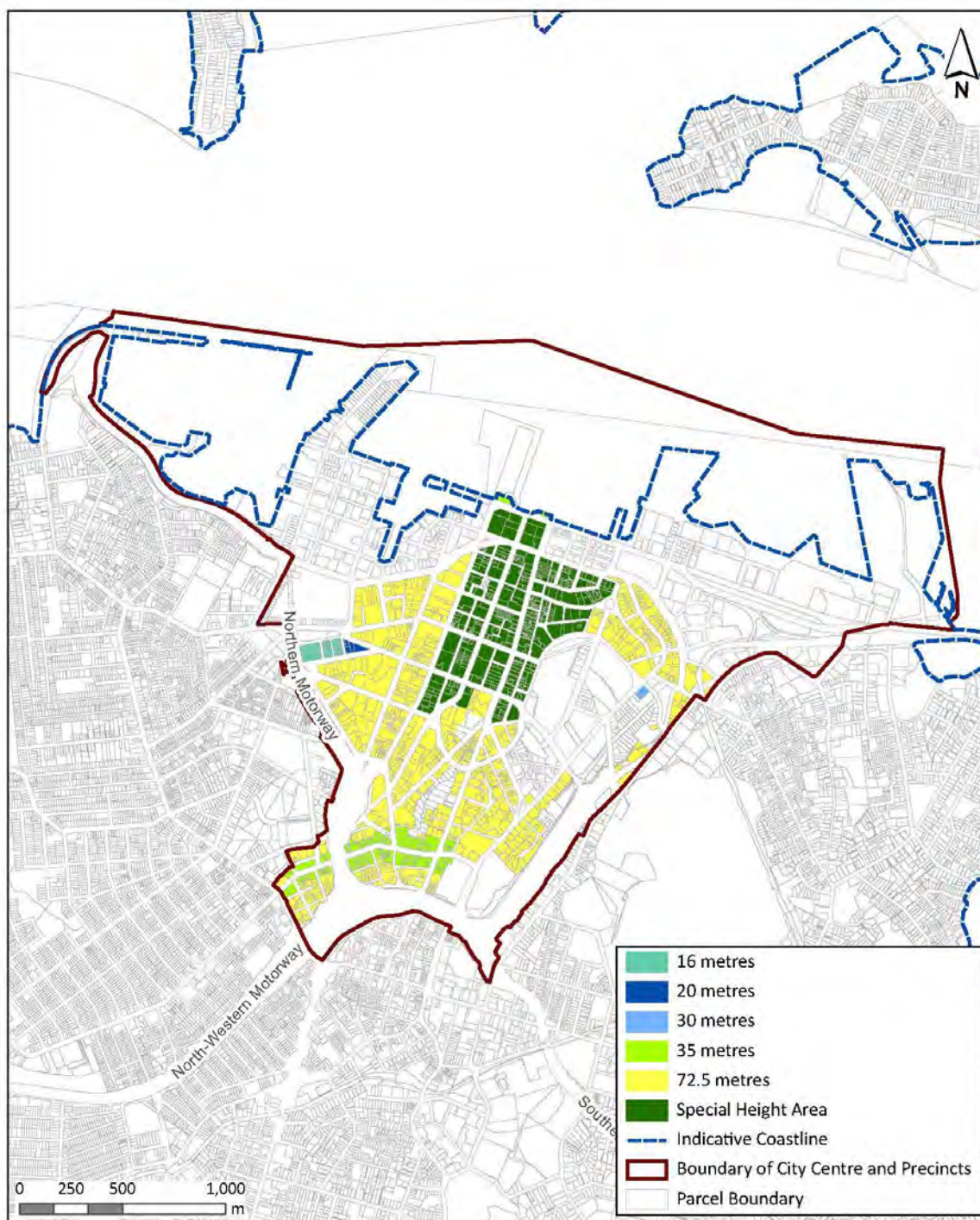


**Map H8.11.2 Core retail areas**

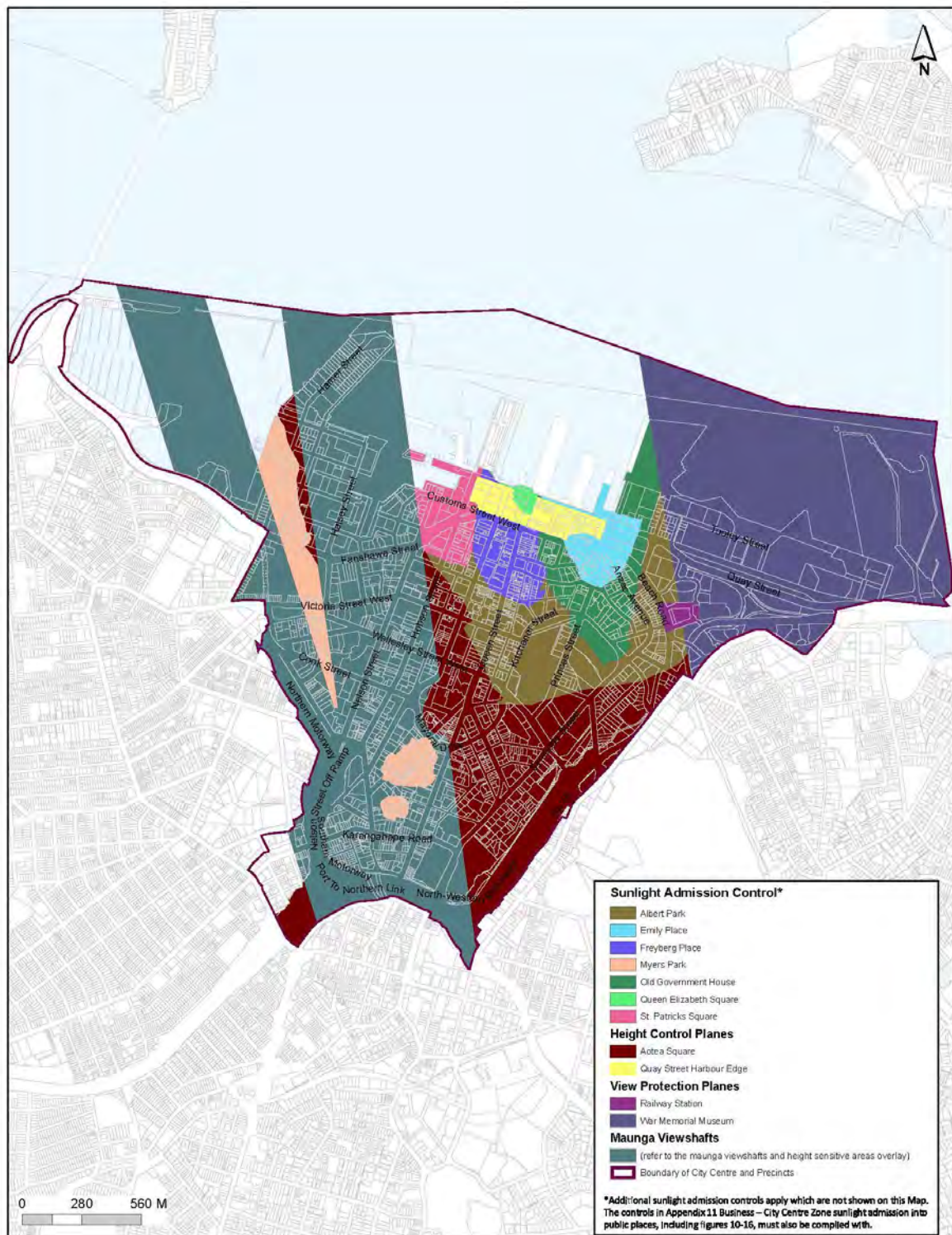




**Map H8.11.3 General height controls**

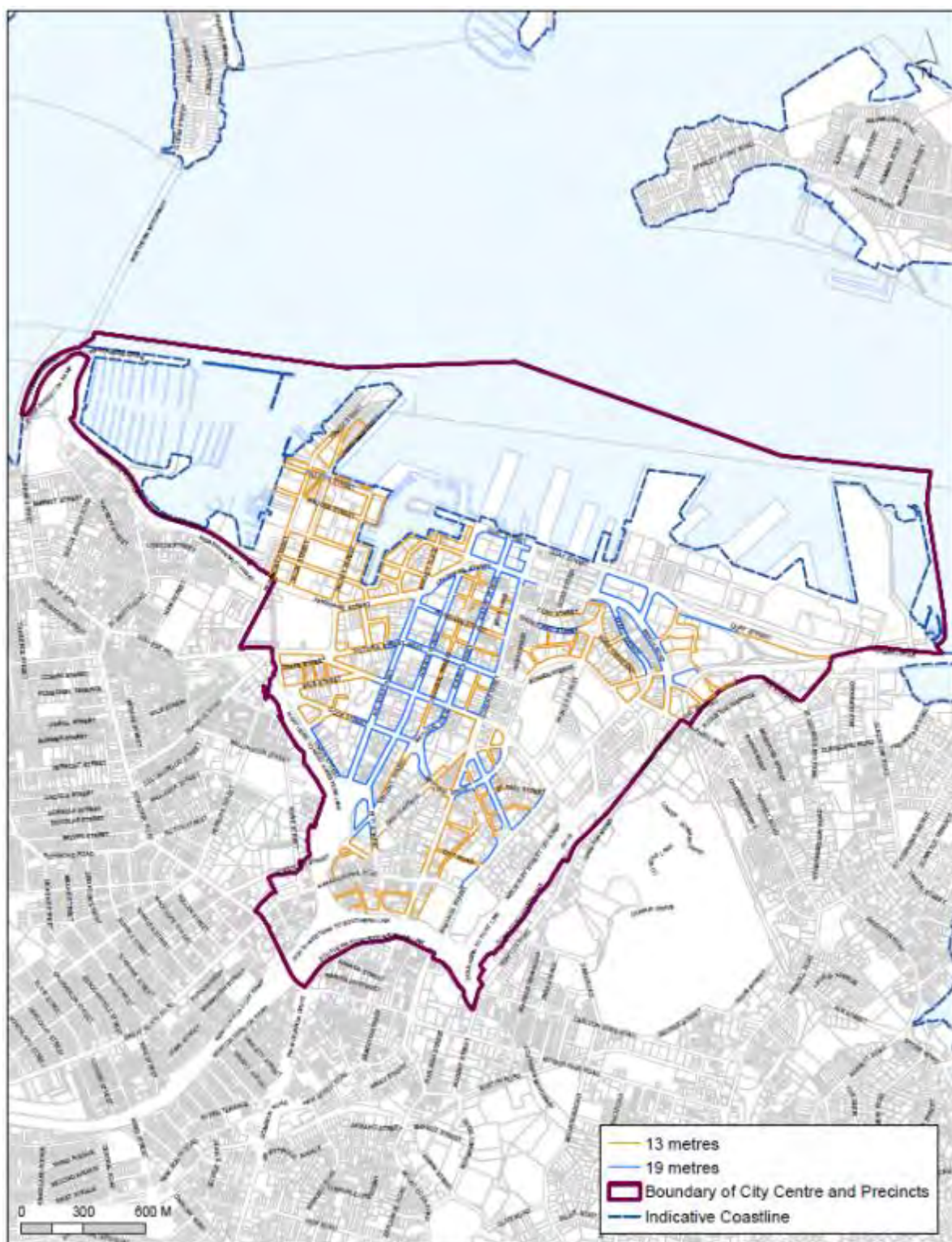


Map H8.11.4 Special height controls



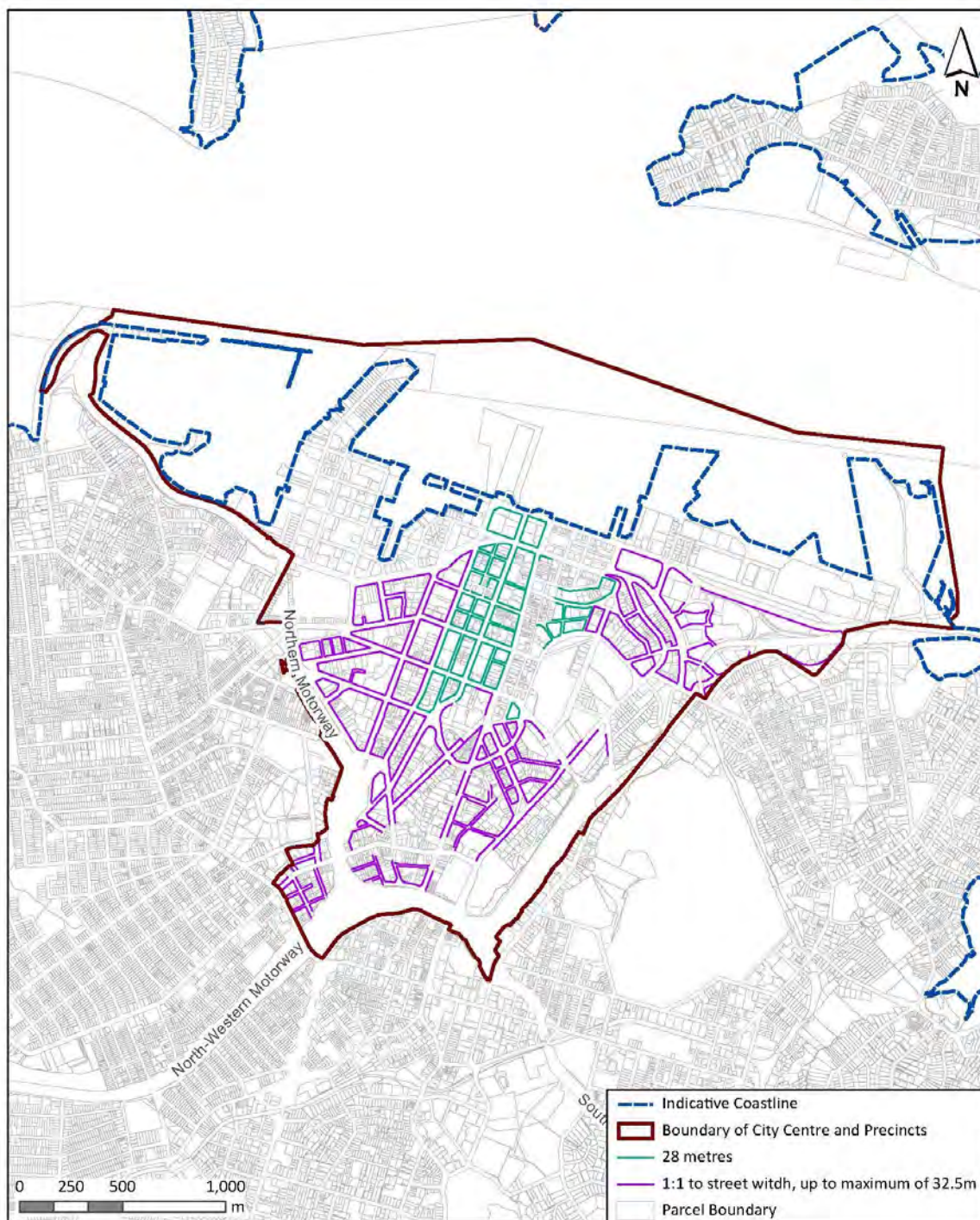


**Map H8.11.5 Minimum frontage height**

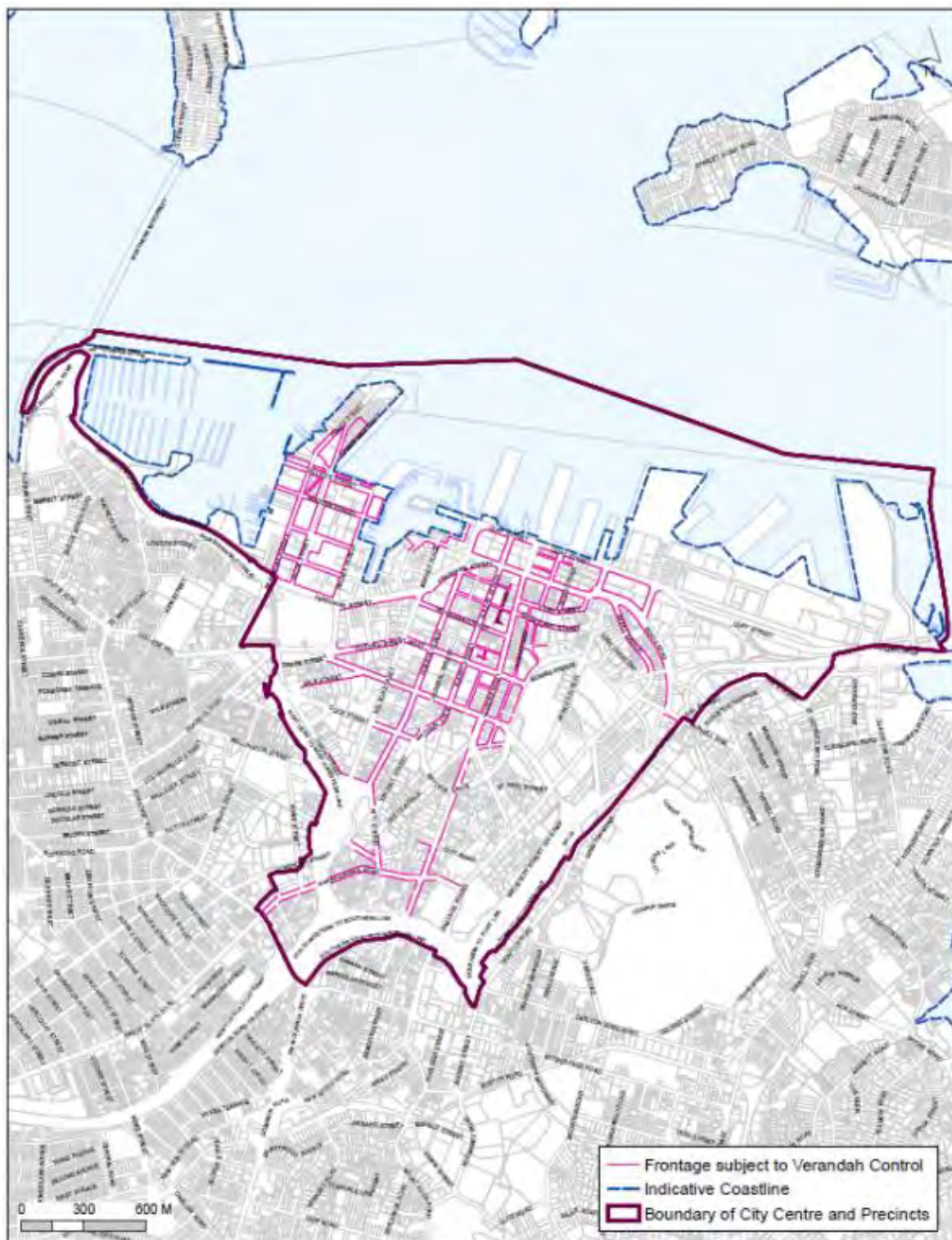




Map H8.11.5A Maximum frontage height



Map H8.11.6 Verandahs





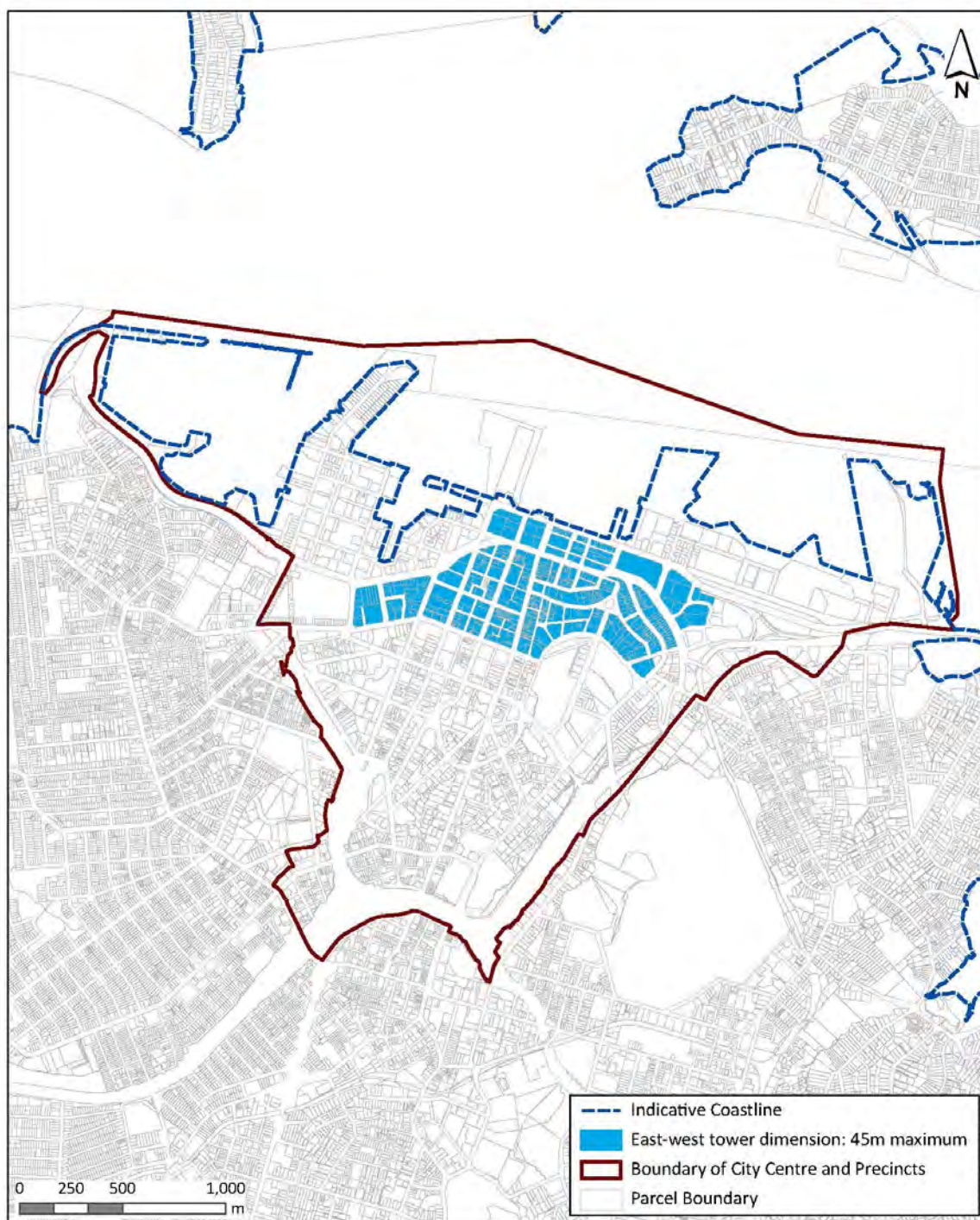
Map H8.11.7 [Deleted]

Map H8.11.7A [Deleted]

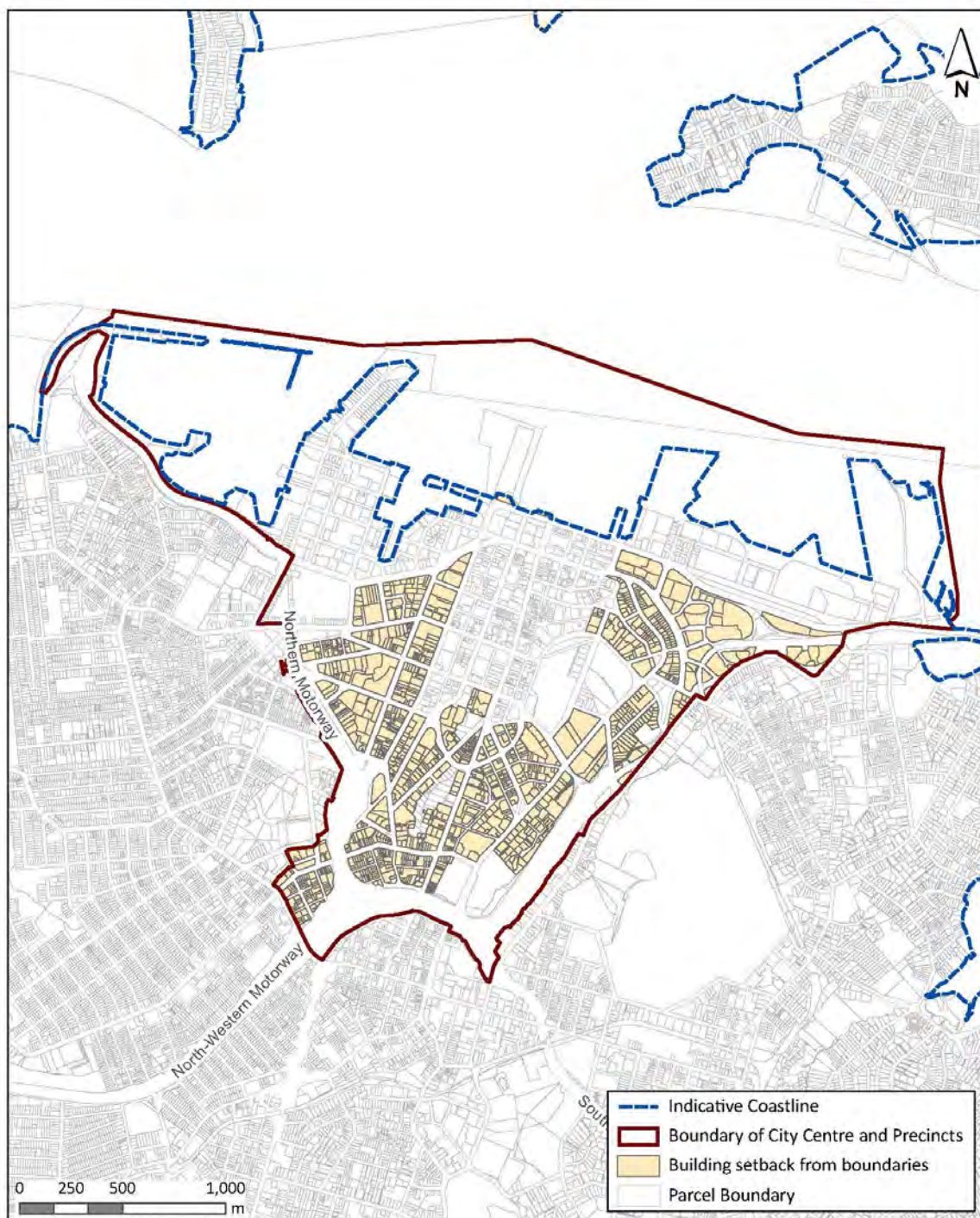
Map H8.11.8 [Deleted]

Map H8.11.9 [Deleted]

Map H8.11.10 East-west tower dimension



**Map H8.11.11 Building setback from boundaries**



## **H8.12. Appendices**

### **H8.12.1. Appendix 1 – Rail Vibration Alert Area (Business – City Centre Zone)**

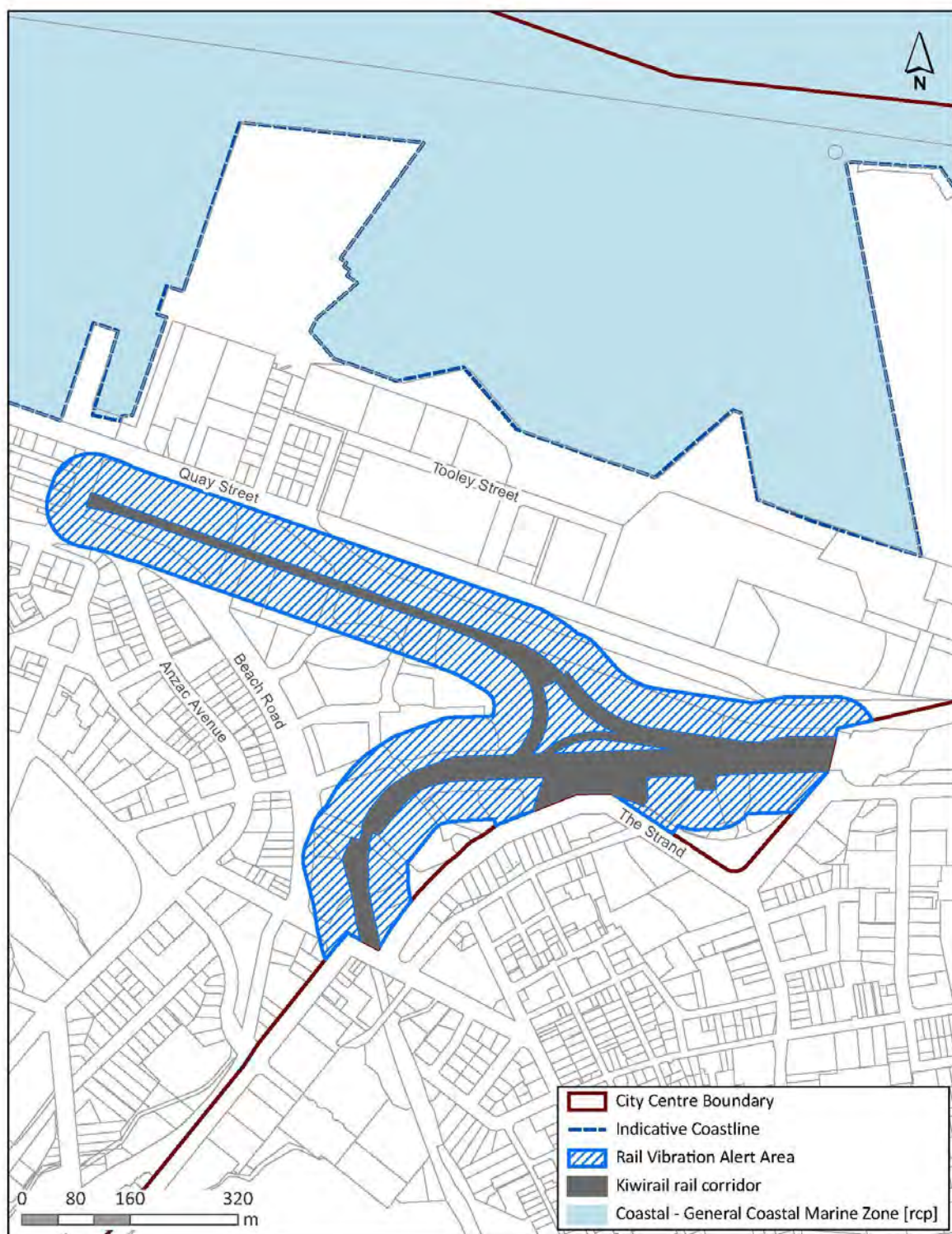
A Rail Vibration Alert Area has been applied which identifies the vibration-sensitive area within 60 metres each side of the railway designation boundary as properties within this area may experience rail vibration effects.

No specific district plan provisions apply in relation to vibration controls as a result of this Rail Vibration Alert Area.

The Rail Vibration Alert Area is to advise property owners of the potential vibration effects but leaves the site owner to determine an appropriate response.



**Figure H8.12.1.1 Rail Vibration Alert Area**



## 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.

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 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

PC 78 ([see Modifications](#))

PC 78 ([see Modifications](#))

PC 78 ([see Modifications](#))

PC 78 ([see  
Modifications](#))

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

[new text to be inserted]

(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.

PC 78 ([see  
Modifications](#))

[new text to be inserted]

### **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 reduces height.
  - (13) Enable greater building height than the standard height in locations identified within the Height Variation Control, having regard to whether the greater height:
    - (za) is commensurate with the level of commercial activities and community services;
    - (zaa) is compatible with a qualifying matter that requires reduced height and/or density;
    - (a) is an efficient use of land;

- (b) supports public transport, community infrastructure and contributes to centre vitality and vibrancy;
- (c) considering the size and depth of the area, can be accommodated without significant adverse effects on adjacent residential zones;
- (d) is supported by the status of the centre in the centres hierarchy, or is adjacent to such a centre; and
- (e) support the role of centres.

PC 78 ([see Modifications](#))

- (14) In identified locations within the 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.

*Business – Metropolitan Centre Zone policies*

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

PC 78 ([see Modifications](#))

**[new text to be inserted]**

- (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
<b>General</b>		
(A1)	Activities not provided for	NC
<b>Use</b>		
<b>Accommodation</b>		
(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
<b>Commerce</b>		
(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
(A14)	Service stations	RD
<b>Community</b>		
(A15)	Artworks	P
(A16)	Care centres	P
(A17)	Community facilities	P

Activity		Activity status
(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 <sup>2</sup>	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 <sup>2</sup> 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; 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.

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- (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

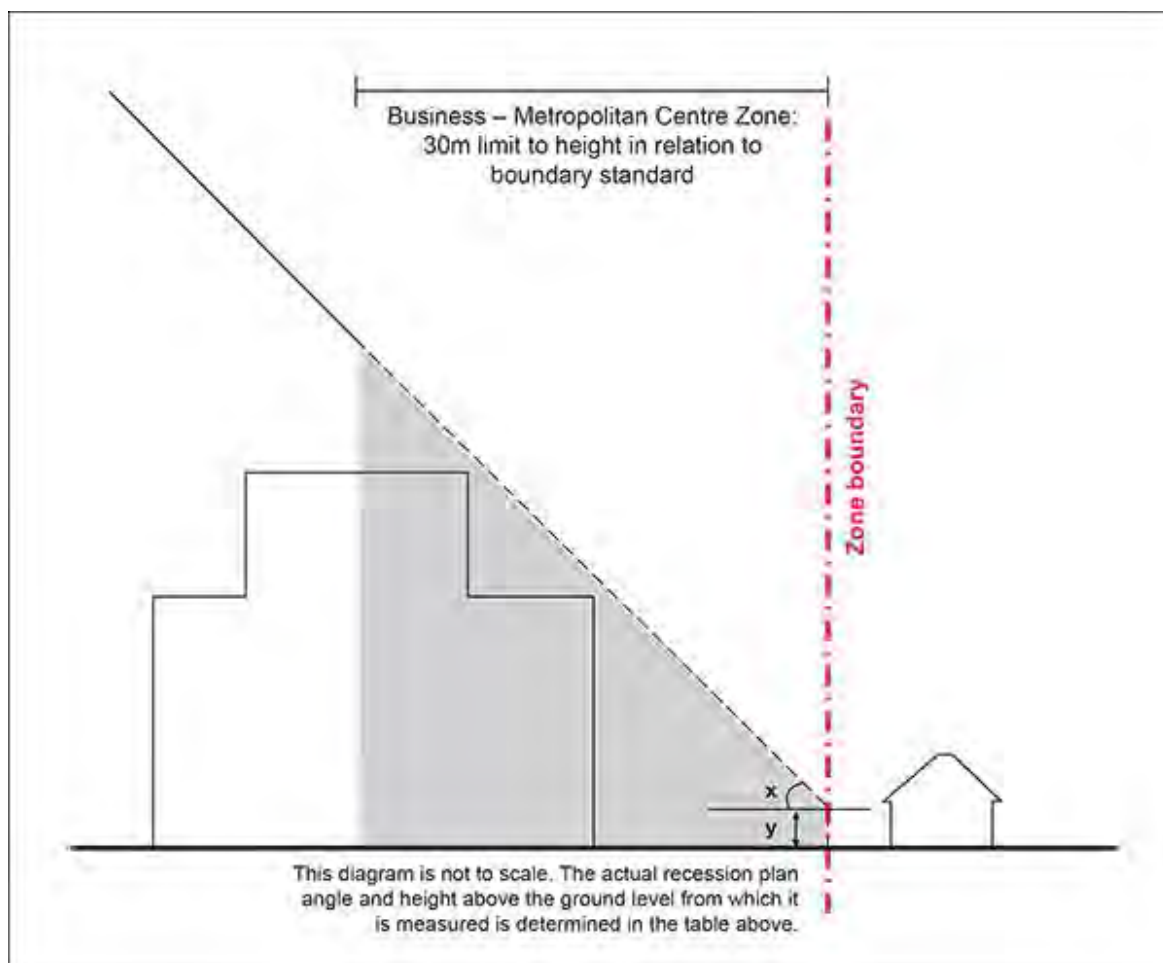
**Table H9.6.2.1 Height in relation to boundary**

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
	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 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	45°	16.5m

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Modifications)

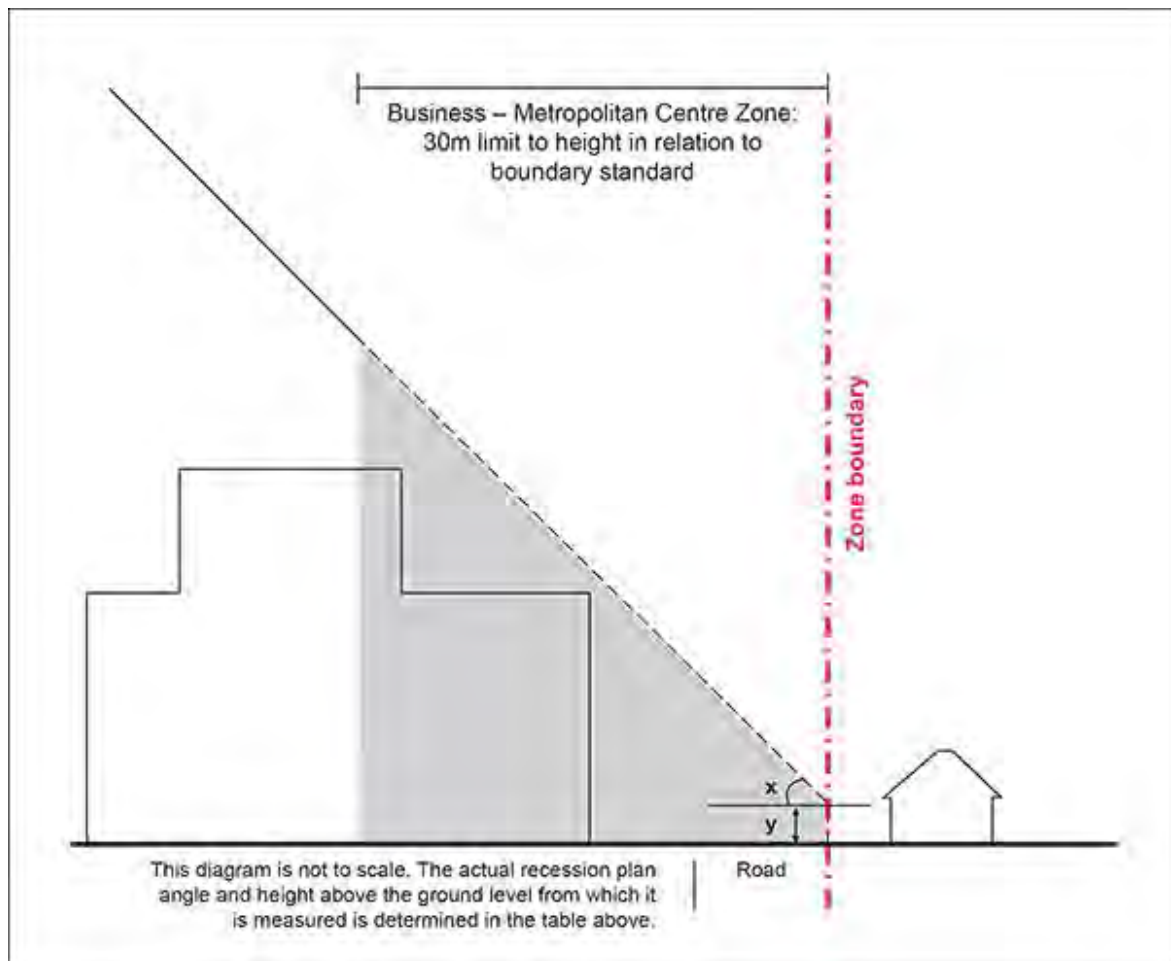
	Space – Community Zone		
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**Figure H9.6.2.1 Height in relation to boundary**

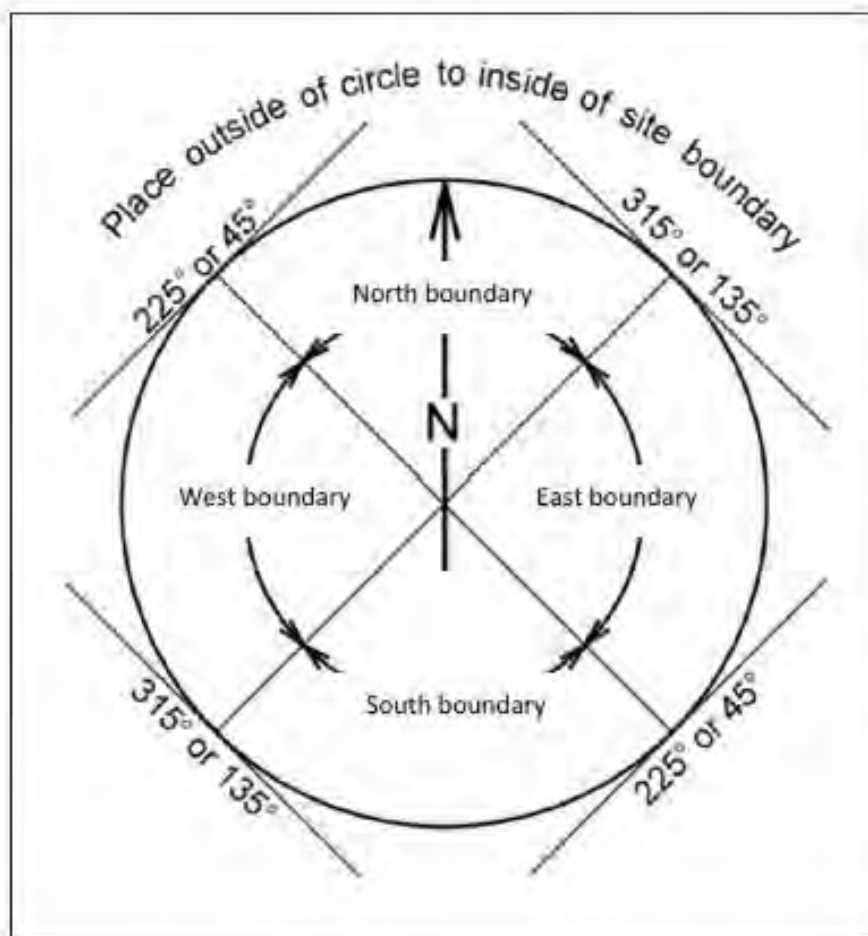




**Figure H9.6.2.2 Height in relation to boundary opposite a road**



**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:

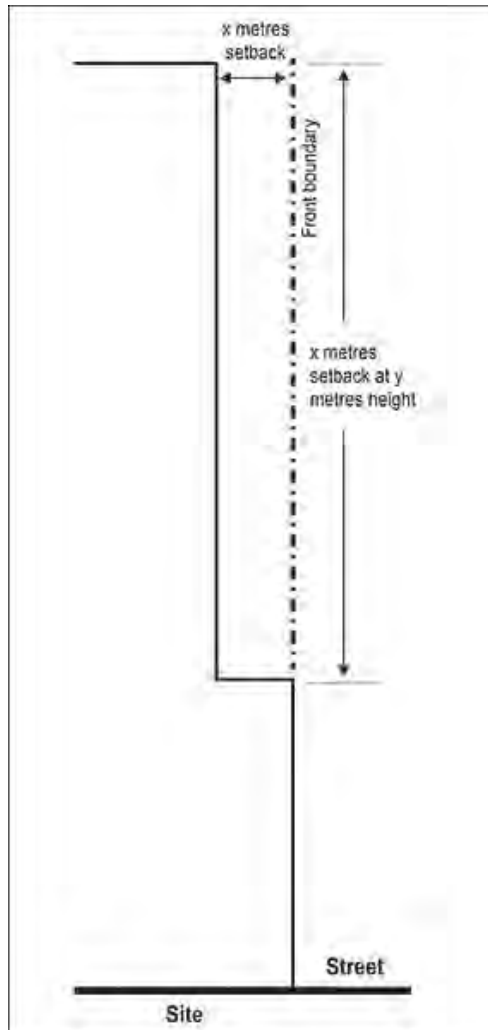
- provide adequate daylight access to streets;
- manage visual dominance effects on streets;
- manage visual dominance, residential amenity and privacy effects on residential zones; and
- mitigate adverse wind effects.

(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:

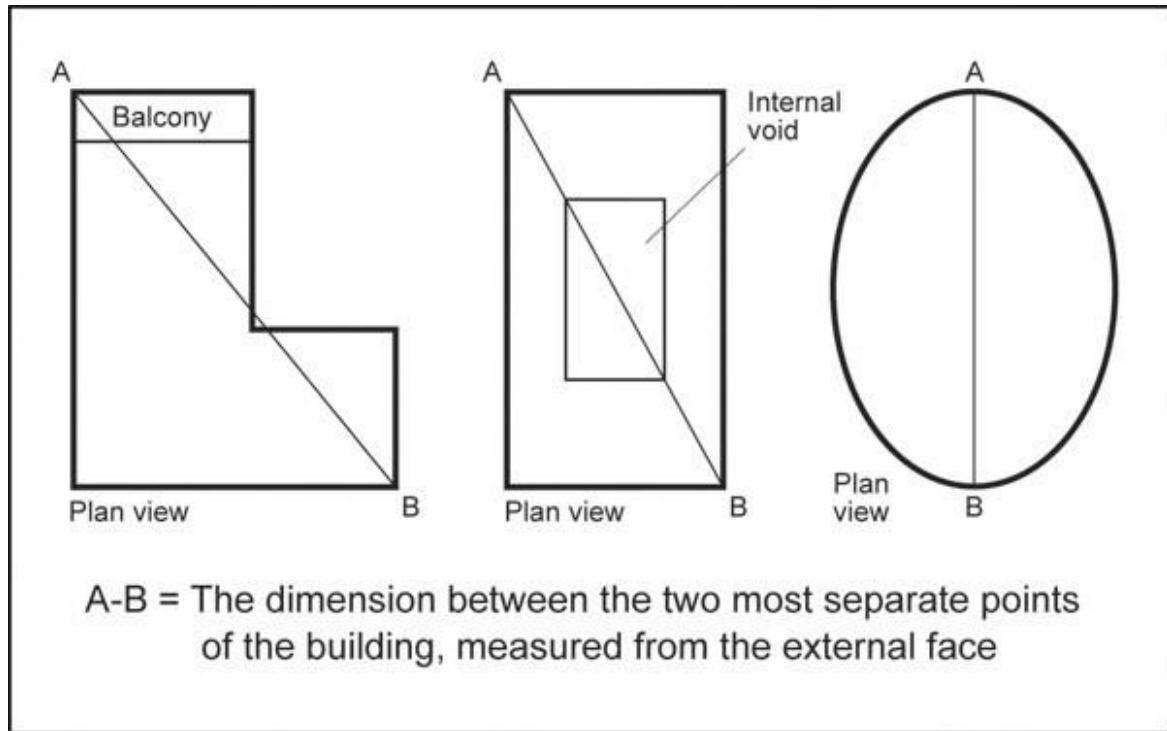
- are not overly bulky in appearance and manage significant visual dominance effects;
- allow adequate sunlight and daylight access to streets, public open space and nearby sites;
- provide adequate sunlight and outlook around and between buildings; and
- mitigate adverse wind effects.

(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**

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

**Note 1**

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

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

**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.

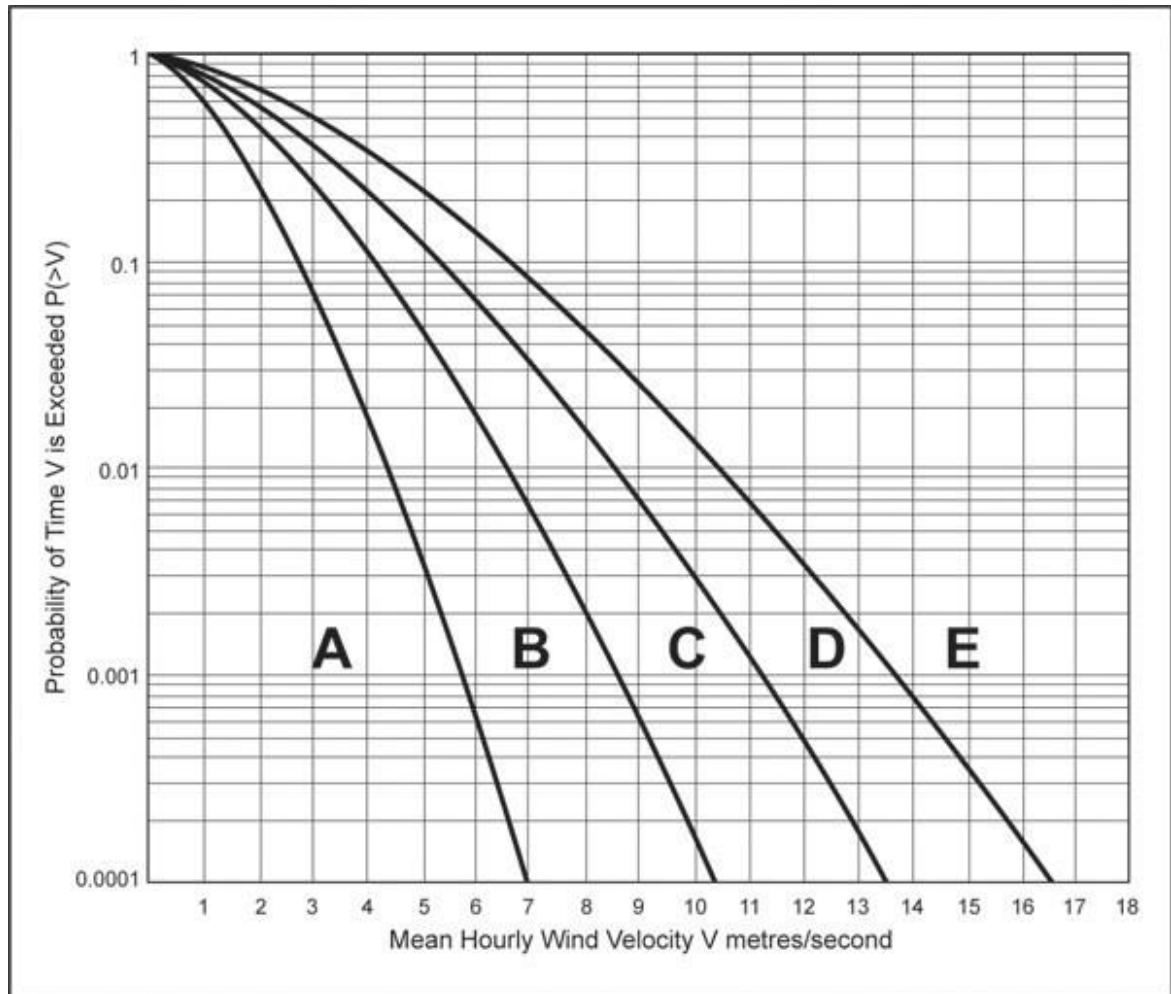
- (1) A new building exceeding 25m in height and additions to existing buildings that increase the building height above 25m must not cause:

- (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**

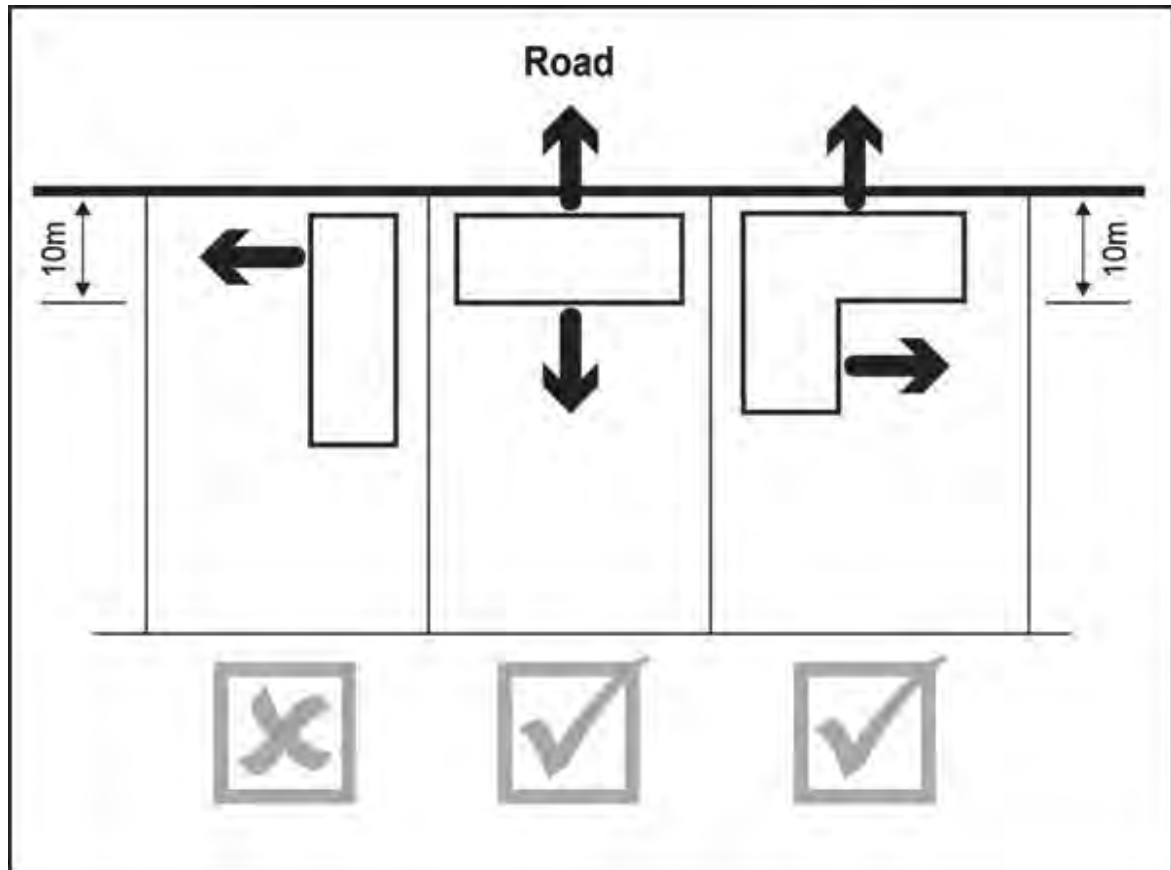
Purpose:

- 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;

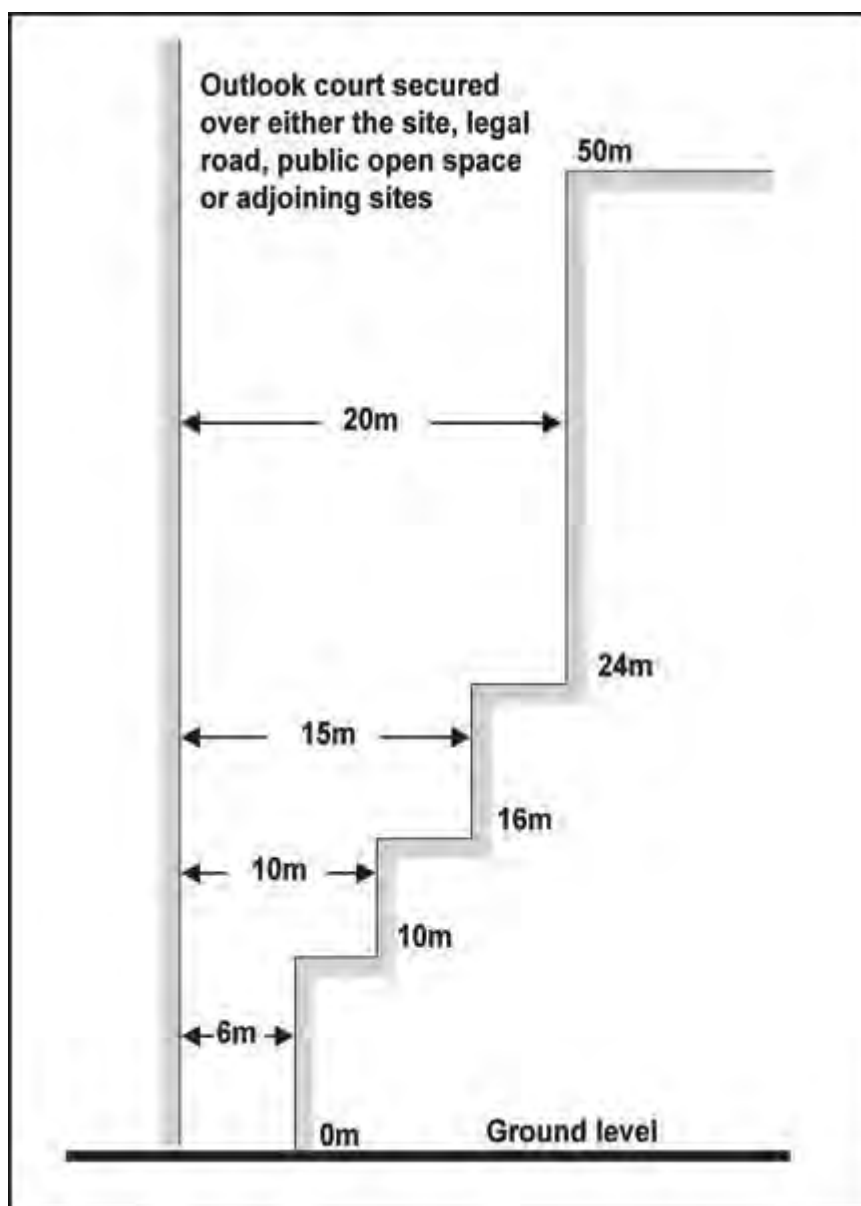


- (c) public open space; or
  - (d) another site, only if:
    - (i) the outlook space is secured in perpetuity for the benefit of the building by a legal instrument to be put in place prior to the commencement of construction; and
    - (ii) the written approval of the owner of the adjoining site for 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) 35m<sup>2</sup> for studio dwellings.

The minimum net internal floor area for studio dwellings may be reduced by 5m<sup>2</sup> where a balcony, ground floor terrace or roof terrace of 5m<sup>2</sup> or greater is provided.

(b) 50m<sup>2</sup> for one or more bedroom dwellings.

The minimum net internal floor area for one or more bedroom dwellings may be reduced by 8m<sup>2</sup> where a balcony, ground floor terrace or roof terrace of 8m<sup>2</sup> 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 1000m<sup>2</sup> gross floor area per tenancy;
- (a) the manner in which these building/developments are integrated with the adjacent existing and planned future centre and zone activities and public spaces and provide for the continuity of active public frontages and associated pedestrian amenity that is appropriate to those centres and zones having regard to the outcomes set out in this Plan and the functional requirements of the activities that the buildings are intended to accommodate. This will include the effects of the design and location of parking areas, vehicle access and servicing arrangements on the visual amenity of the streetscape and on pedestrian safety;

(4) in addition to the matters for new buildings stated above the Council will 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 1000m<sup>2</sup> 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(13), Policy H9.3(14) and Policy H9.3(15);

(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. 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. The height opportunities within the centres will facilitate increased intensification, including office and 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 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.

[new text to be inserted]

- (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.

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[new text to be inserted]

**H10.3. Policies**

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

- (1) Reinforce the function of the city centre, metropolitan centres and town centres as the primary location for commercial activity, according to their role in the hierarchy of centres.
- (2) Enable an increase in the density, diversity and quality of housing in the centre zones and Business – Mixed Use Zone, where it is compatible with any qualifying matters and while managing any reverse sensitivity effects including from the higher levels of ambient noise and reduced privacy that may result from non-residential activities.
- (3) Require development to be of a quality and design that positively contributes to:

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

- (b) supports public transport, community infrastructure and contributes to centre vitality and vibrancy;
- (c) considering the size and depth of the area, can be accommodated without significant adverse effects on adjacent residential zones;
- (d) is supported by the status of the centre in the centres hierarchy, or is adjacent to such a centre; and
- (e) support the role of centres.

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- (14) In identified locations within the 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.

*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
<b>General</b>		
(A1)	Activities not provided for	NC
<b>Use</b>		
<b>Accommodation</b>		
(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
<b>Commerce</b>		
(A7)	Commercial services	P
(A8)	Conference facilities	D
(A9)	Drive-through restaurants	RD
(A10)	Entertainment facilities	P
(A11)	Entertainment facilities within 30m of a residential zone	RD
(A12)	Cinemas	P
(A13)	Offices	P
(A14)	Retail	P
(A15)	Service stations	RD
<b>Community</b>		
(A16)	Artworks	P
(A17)	Care centres	P

## H10 Business – Town Centre Zone

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

### H10.5. Notification

- (1) Any application for resource consent for an activity listed in Table H10.4.1 Activity table above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.
- (2) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule [C1.13\(4\)](#).

- (3) Any application for resource consent for the following activity will be considered without public or limited notification or the need to obtain the written approval from affected parties unless the Council decides that special circumstances exist under section 95A(9) of the Resource Management Act 1991:

- (a) Development which does not comply with Standard H10.6.11 Minimum dwelling size.

## **H10.6. Standards**

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

### **H10.6.0 Activities within 30m of a residential zone**

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

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

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

### **H10.6.1. Building height**

Purpose:

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

PC 78 ([see Modifications](#))



- (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.

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**[new text to be inserted]**

- (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
22m	2m	24m
25m	2m	27m
Same as on the planning maps	NA	Exceeding 27m

## 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)
NA	Residential – Single House Zone; or Residential – Mixed Housing Suburban Zone	45°	2.5m
	Residential – Mixed Housing Urban Zone	45°	3m
	Residential – Terrace Housing and Apartment Buildings Zone	60°	8m
	Special Purpose – Māori Purpose Zone; or Special Purpose School Zone	45°	6m
	Business – Mixed Use Zone; or Business – General Business Zone	60°	8m
	Open Space – Conservation Zone; Open Space – Informal Recreation Zone; Open Space – Sports and Active Recreation Zone; Open Space – Civic Spaces Zone; or Open Space – Community Zone	45°	8.5m
Buildings located on the southern boundary of the adjacent site	Open Space – Conservation Zone; Open Space – Informal Recreation Zone; Open Space – Sports and Active Recreation Zone; Open Space – Civic Spaces Zone; or Open Space –Community Zone	45°	16.5m
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PC 78 (see Modifications)

PC 78 (see Modifications)

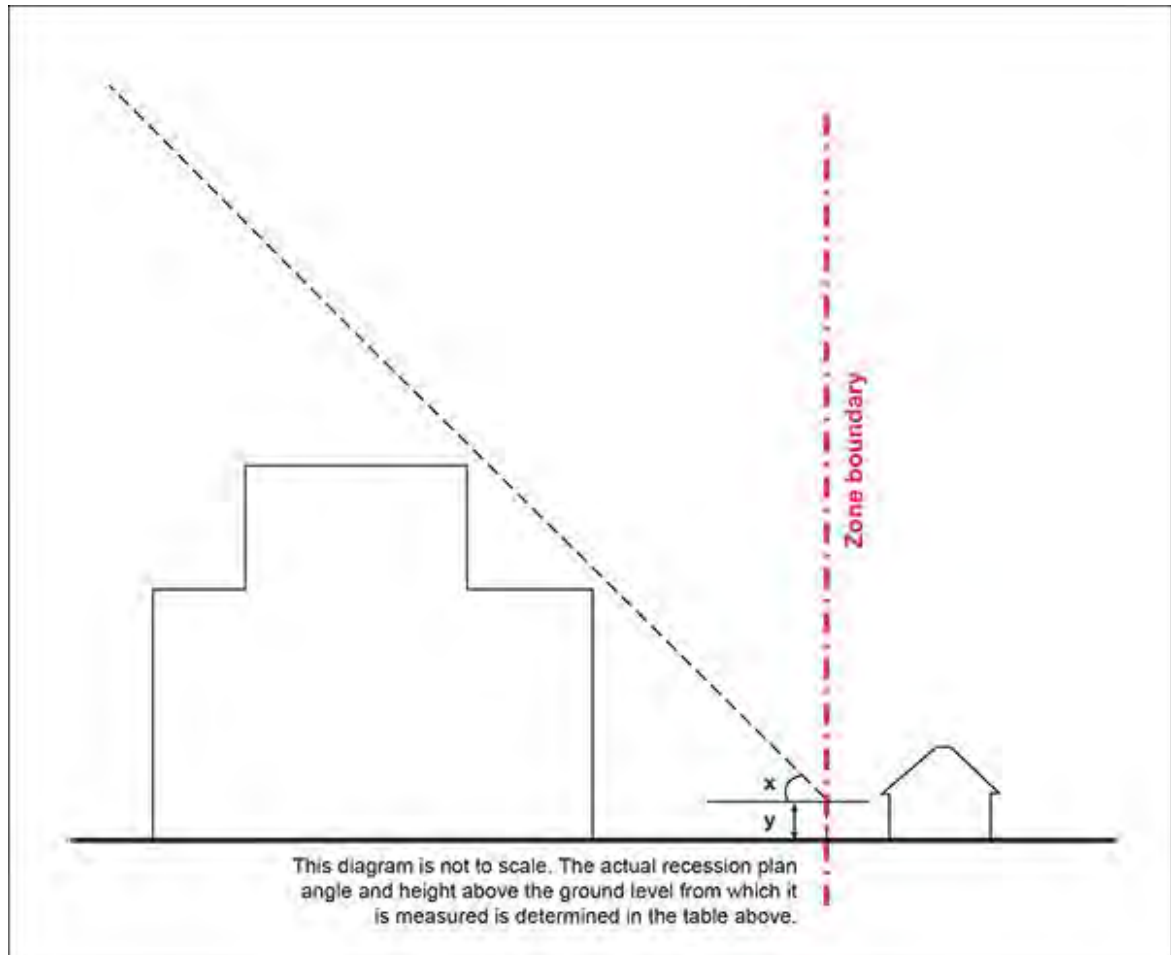
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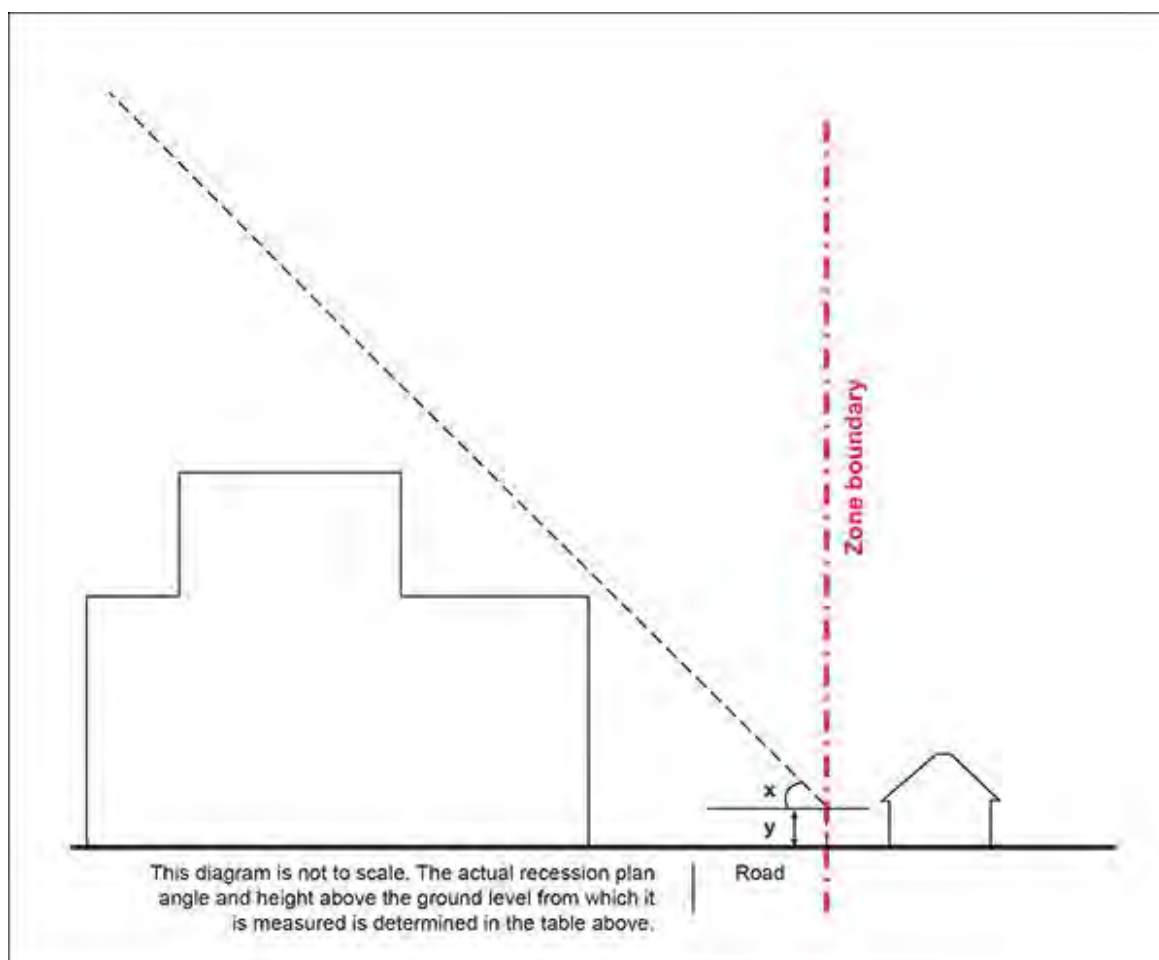
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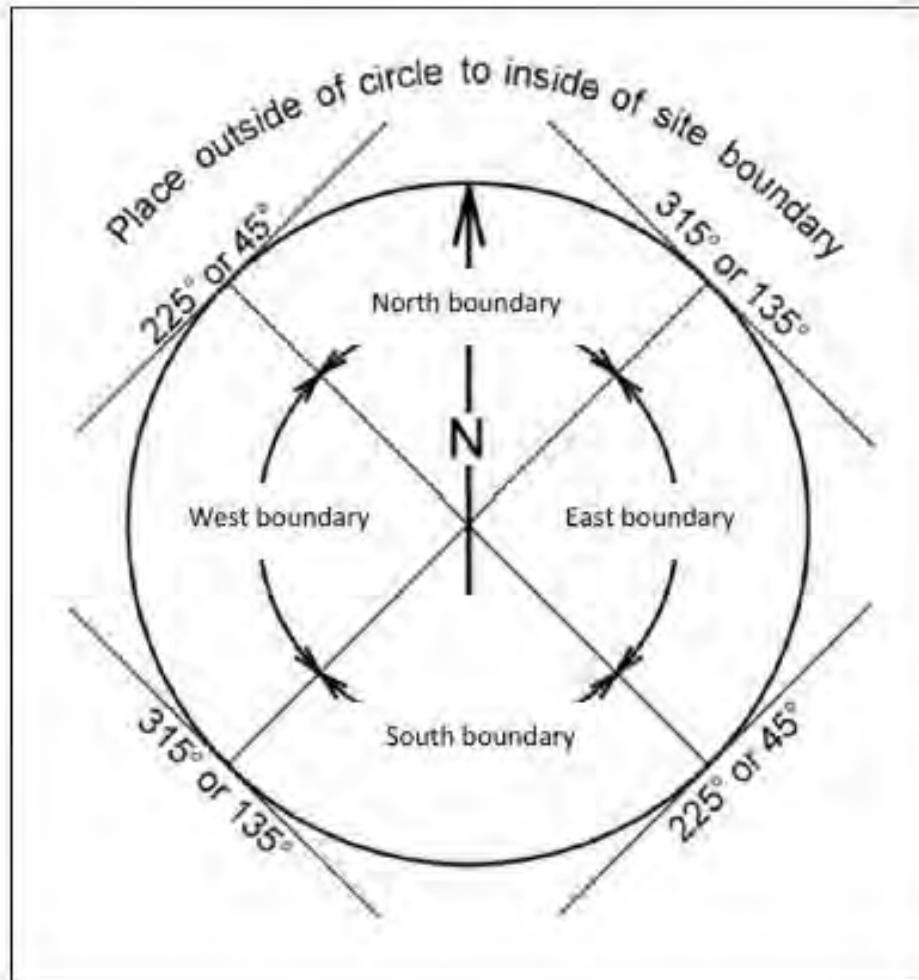
**Figure H10.6.2.1 Height in relation to boundary**



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



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



### H10.6.3. Building setback at upper floors

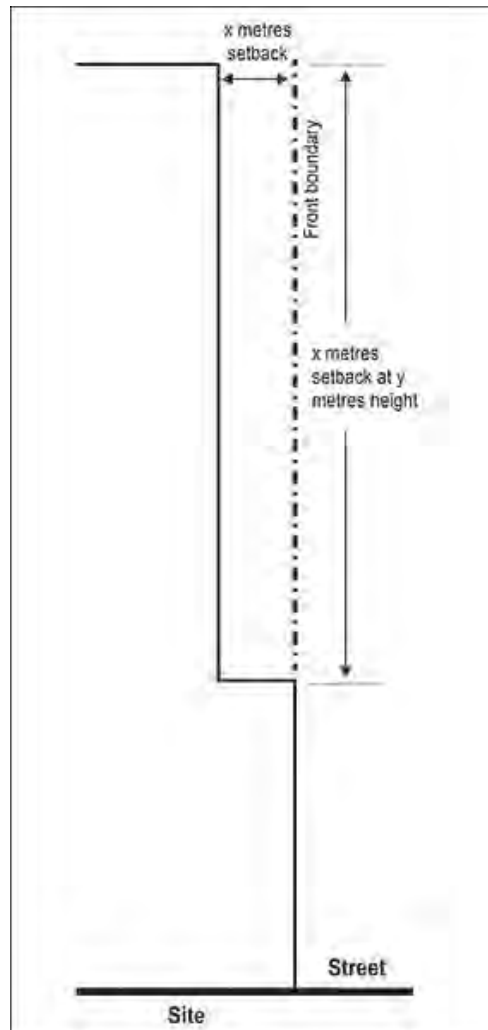
Purpose:

- 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**


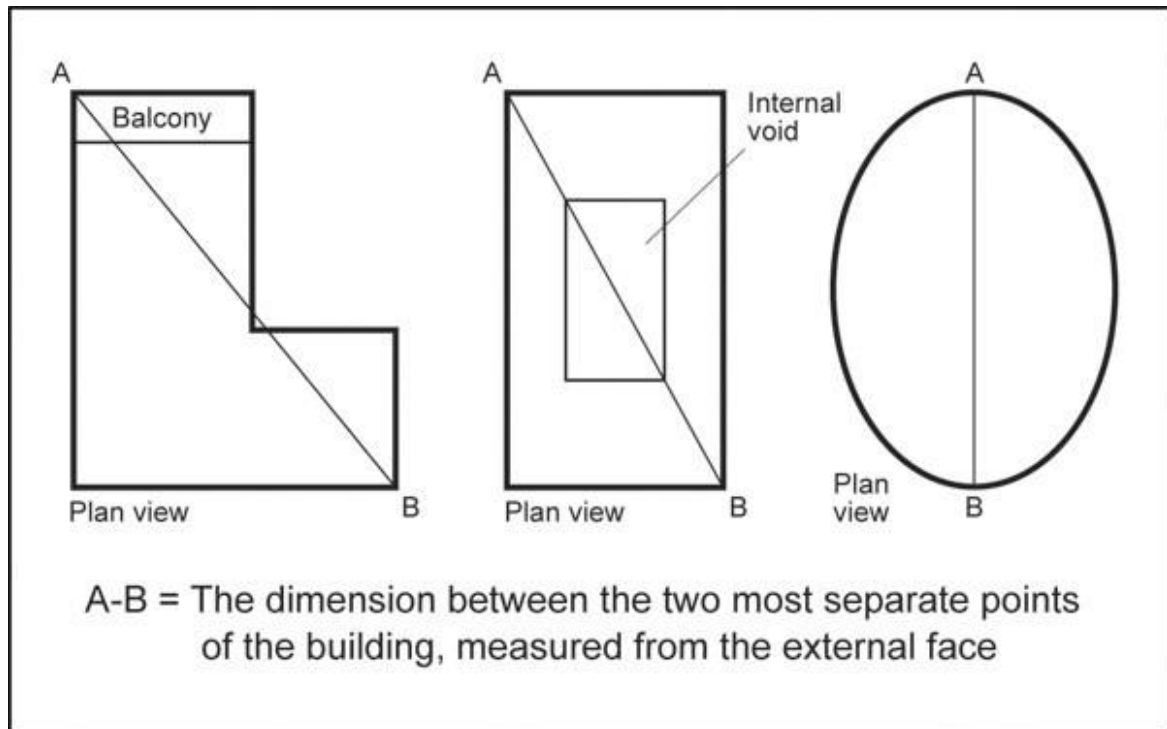
#### H10.6.4. Maximum tower dimension and tower separation

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 <a href="#">Appendix 6 Coastal protection yard</a>

**Note 1**

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

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

**H10.6.7. Landscaping**

Purpose:

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

**H10.6.8. Maximum impervious area in the riparian yard**

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

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



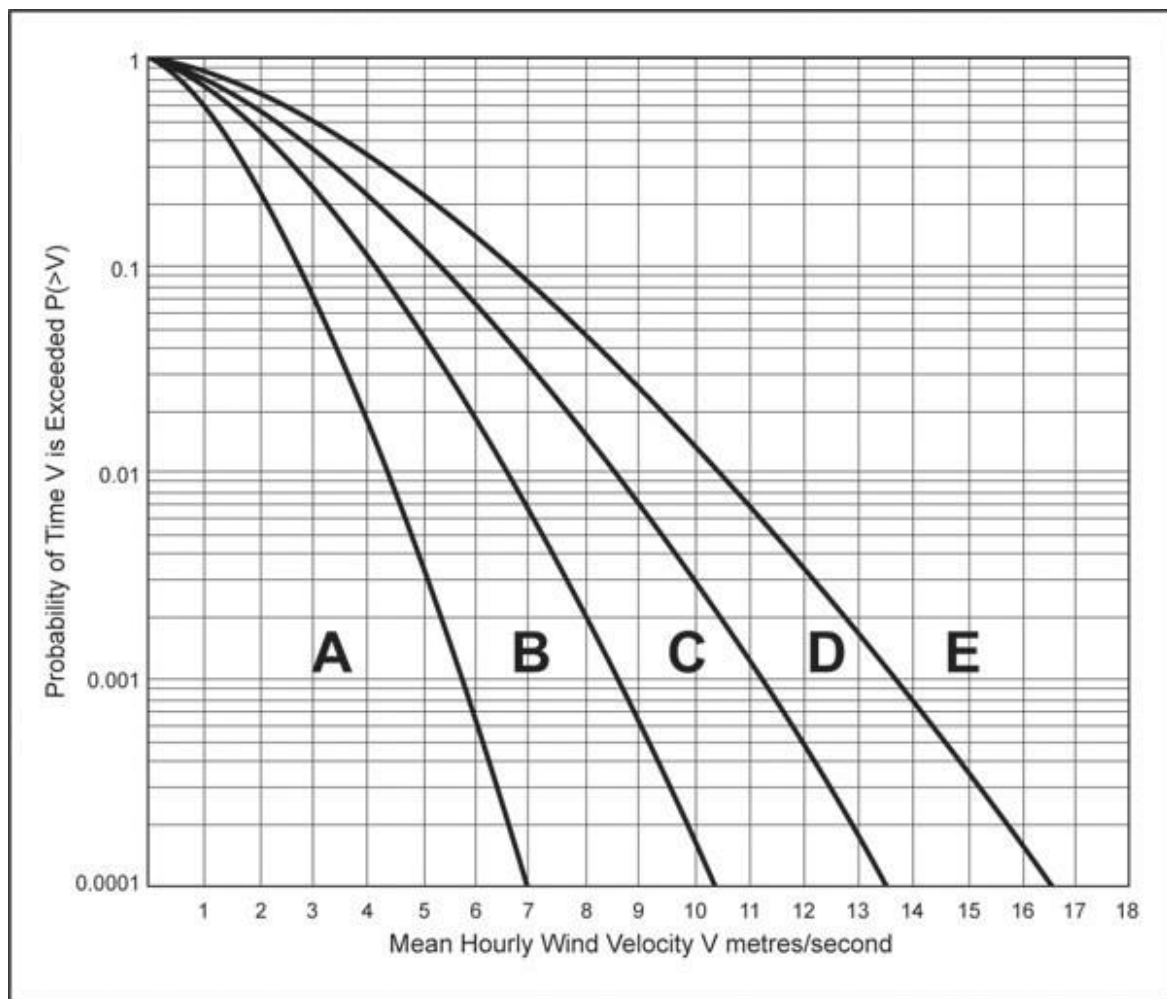
### H10.6.9. Wind

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

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

**Table H10.6.9.1 Categories**

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

**Figure H10.6.9.1 Wind environment control**

Derivation of the wind environment control graph:

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

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

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

and where:

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

e = The Napierian base 2.7182818285

v = the velocity selected;

k = the constant 1.5; and

c = a variable dependent on the boundary being defined:

$$A/B, c = 1.548$$

B/C,  $c = 2.322$

C/D,  $c = 3.017$

D/E,  $c = 3.715$

#### **H10.6.10. Outlook space**

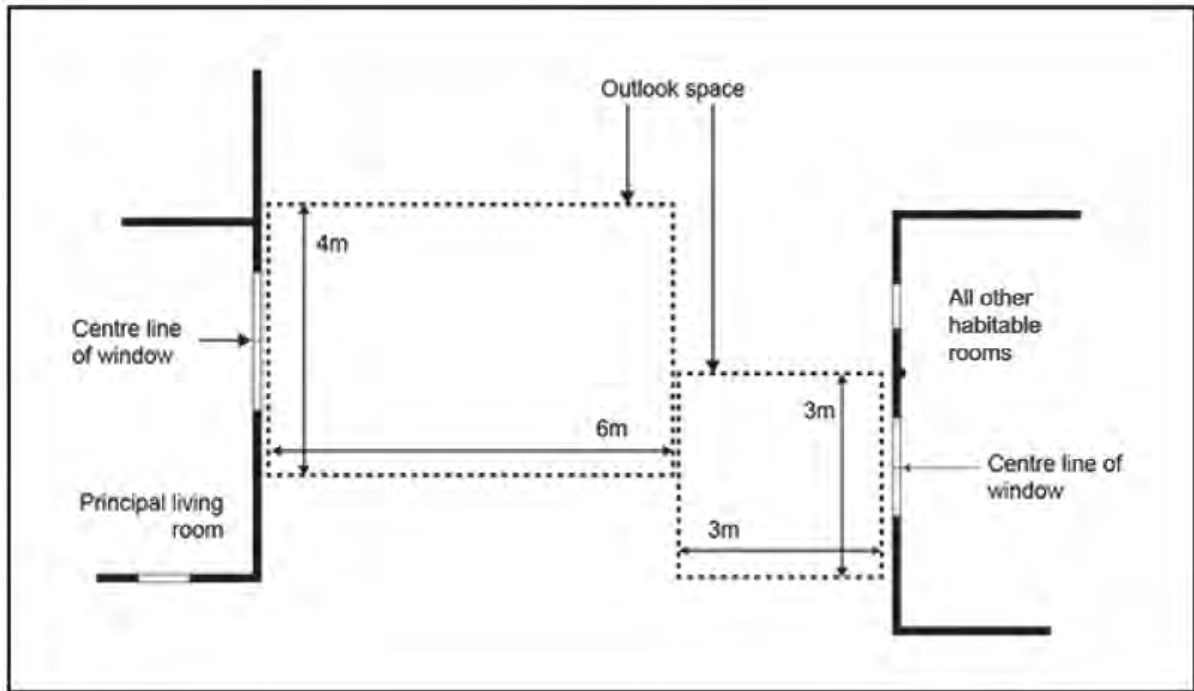
Purpose:

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

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

#### **H10.7. Assessment – controlled activities**

There are no controlled activities in this zone.

#### **H10.8. Assessment – restricted discretionary activities**

##### **H10.8.1. Matters of discretion**

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

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

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

- (ii) the degree of visibility that it provides between the public space and the building interior; and
  - (iii) the opportunities for passive surveillance of the street from the ground floor of buildings;
  - (d) the provision of verandahs to provide weather protection in areas used, or likely to be used, by significant numbers of pedestrians;
  - (e) the application of crime prevention through environmental design principles to the design and layout of buildings adjoining public spaces;
  - (f) the effects of creation of new roads and/or service lanes on the matters listed above;
  - (g) the positive effects that landscaping, including required landscaping, on sites adjoining public spaces is able to contribute to the amenity values of the people using or passing through the public space;
  - (h) taking an integrated stormwater management approach; and
  - (i) all the above matters to be assessed having regard to the outcomes set out in this Plan and the functional requirements of the activities that the buildings are intended to accommodate;
- (3) in addition to the matters for new buildings stated above the Council will restrict its discretion to the following matter in regard to:
- integrated retail developments; or
  - supermarkets, department stores and large format retail where the activity or integrated retail development exceeds 1000m<sup>2</sup> gross floor area per tenancy:
- (a) the manner in which these building/developments are integrated with the adjacent existing and planned future centre and zone activities and public spaces and provide for the continuity of active public frontages and associated pedestrian amenity that is appropriate to those centres and zones having regard to the outcomes set out in this Plan and the functional requirements of the activities that the buildings are intended to accommodate. This will include the effects of the design and location of parking areas, vehicle access and servicing arrangements on the visual amenity of the streetscape and on pedestrian safety;
- (4) In addition to the matters for new buildings stated above the Council will restrict its discretion to the following matter in regard to:
- drive-through restaurants; or
  - service stations:
- (a) the effects of the location and design of:

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

#### **H10.8.2. Assessment criteria**

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

- (1) drive-through restaurants, activities within 30m of a residential zone emergency services and service stations:
- (a) for Matter H10.8.1(1)(a)(i) refer to Policy H10.3(3)(a), Policy H10.3(3)(b), Policy H10.3(3)(c), Policy H10.3(8); Policy H10.3(15)(a); Policy H10.3(17), Policy H10.3(18), Policy H10.3(19) and Policy H10.3(21);
  - (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 1000m<sup>2</sup> gross floor area per tenancy:



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

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

- Drive-through restaurants; or
- service stations:

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

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

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

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

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

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(i) refer to Policy H10.3(3)(a), Policy H10.3(3)(b), Policy H10.3(8), 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. 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. 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, 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 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.
- (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.

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[new text to be inserted]

**H11.3. Policies**

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

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

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

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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**

<b>Activity</b>		<b>Activity status</b>
<b>General</b>		
(A1)	Activities not provided for	NC
<b>Use</b>		
<b>Accommodation</b>		
(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
<b>Commerce</b>		
(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 <sup>2</sup> gross floor area per site	P
(A19)	Offices greater than 500m <sup>2</sup> gross floor area per site	RD
(A20)	Retail up to 450m <sup>2</sup> gross floor area per tenancy	P
(A21)	Retail greater than 450m <sup>2</sup> gross floor area per tenancy	RD
(A22)	Service stations	RD
(A23)	Supermarkets up to 2000m <sup>2</sup> gross floor area per tenancy	P
(A24)	Supermarkets greater than 2000m <sup>2</sup> gross floor area per tenancy	RD
(A25)	Trade suppliers	D
<b>Community</b>		
(A26)	Artworks	P
(A27)	Care centres	P
(A28)	Community facilities	P

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

### H11.5. Notification

- (1) Any application for resource consent for an activity listed in Table H11.4.1 Activity table above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.
- (2) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule [C1.13\(4\)](#).
- (3) Any application for resource consent for the following activity will be considered without public or limited notification or the need to obtain the written approval of

affected parties unless the Council decides that special circumstances exist under section 95A(9) of the Resource Management Act 1991:

- (a) Development which does not comply with Standard H11.6.9 Minimum dwelling size.

### **H11.6. Standards**

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

#### **H11.6.0 Activities within 30m of a residential zone**

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

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

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

#### **H11.6.1. Building height**

Purpose:

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

PC 78 ([see Modifications](#))

- (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**PC 78 ([see Modifications](#))

<b>[new text to be inserted]</b>	<b>Occupiable building height</b>	<b>Height for roof form</b>	<b>Total building height</b>
<b>[new text to be inserted]</b>	16m	2m	18m
<b>[new text to be inserted]</b>	<b>[new text to be inserted]</b>	<b>[new text to be inserted]</b>	<b>[new text to be inserted]</b>

(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**

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

**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)
NA	Residential - Single House Zone; or Residential - Mixed Housing Suburban Zone	45°	2.5m
	Residential - Mixed Housing Urban Zone	45°	3m
	Residential - Terrace Housing and Apartment Building Zone	60°	8m
	Special Purpose - Māori Purpose Zone; or Special Purpose - School Zone	45°	6m
	Open Space - Conservation Zone; Open Space - Informal Recreation Zone; Open Space -Sport and Active Recreation Zone; Open Space -Civic Zone; or Open Space - Community Zone	45°	4.5m
Buildings located on the southern boundary of the adjacent site	Open Space - Conservation Zone; Open Space - Informal Recreation Zone; Open Space -Sport and Active Recreation Zone; Open Space -Civic	45°	8.5m

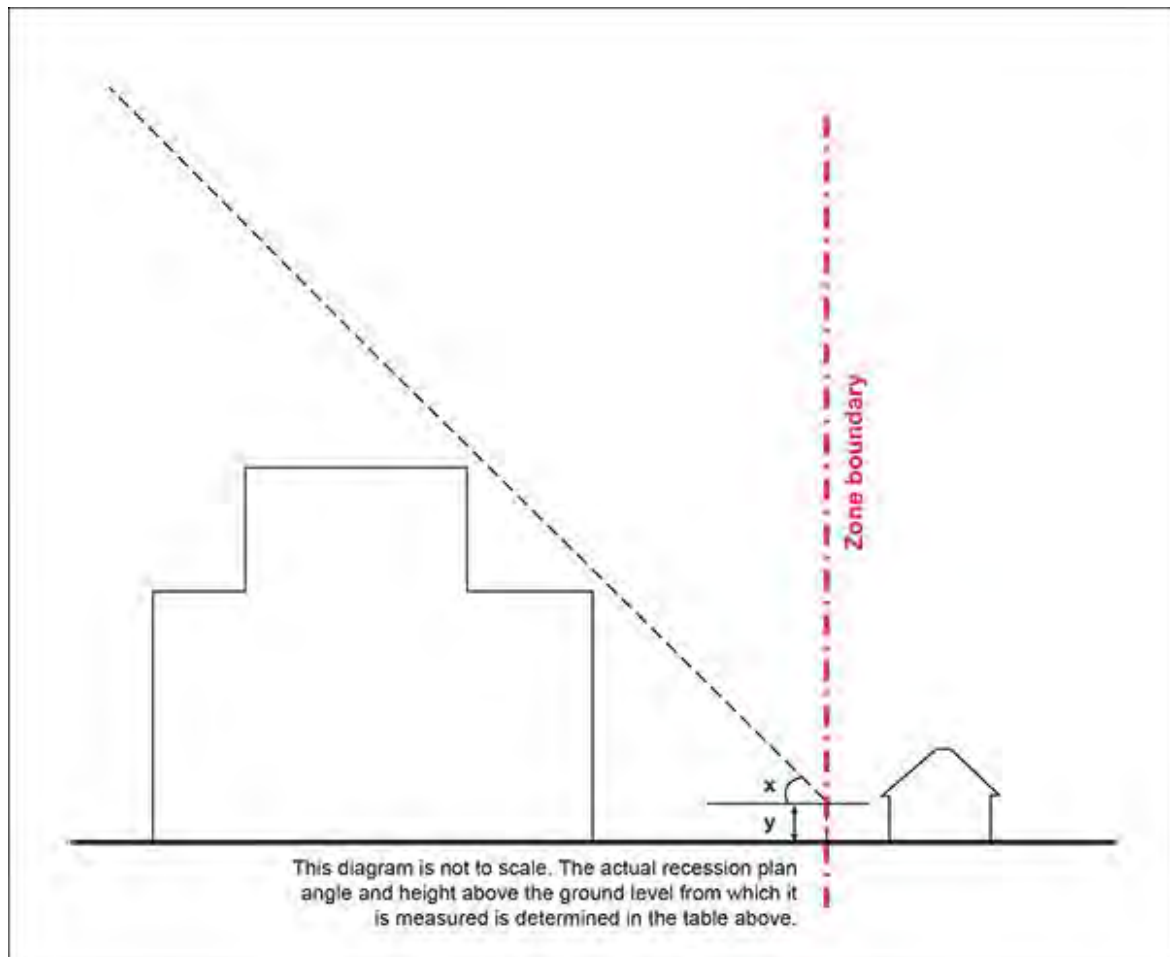
PC 78 (see  
Modifications)

PC 78 (see  
Modifications)

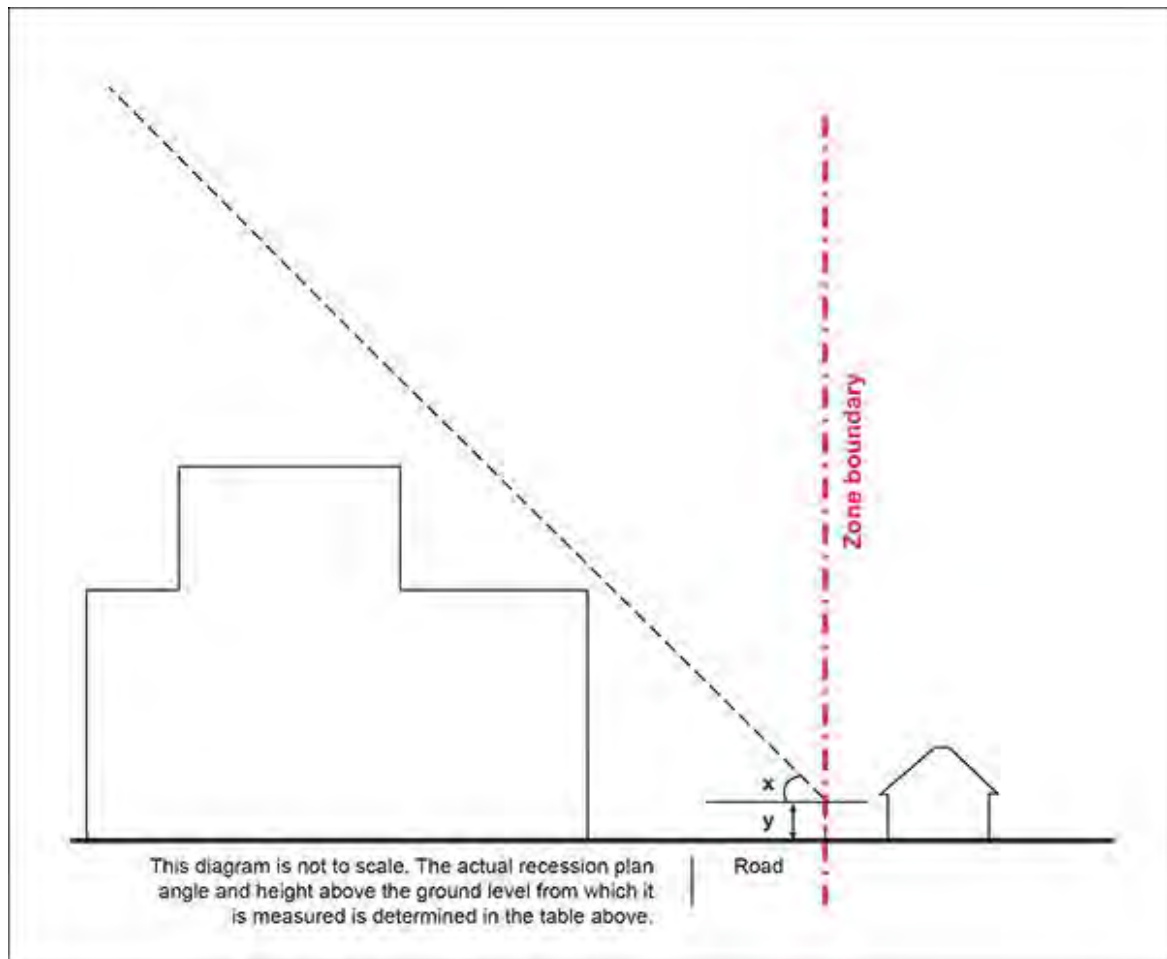
PC 78 ([see  
Modifications](#))

	Zone; or Open Space - Community Zone		
[new text to be inserted]	[new text to be inserted]	[new text to be inserted]	[new text to be inserted]

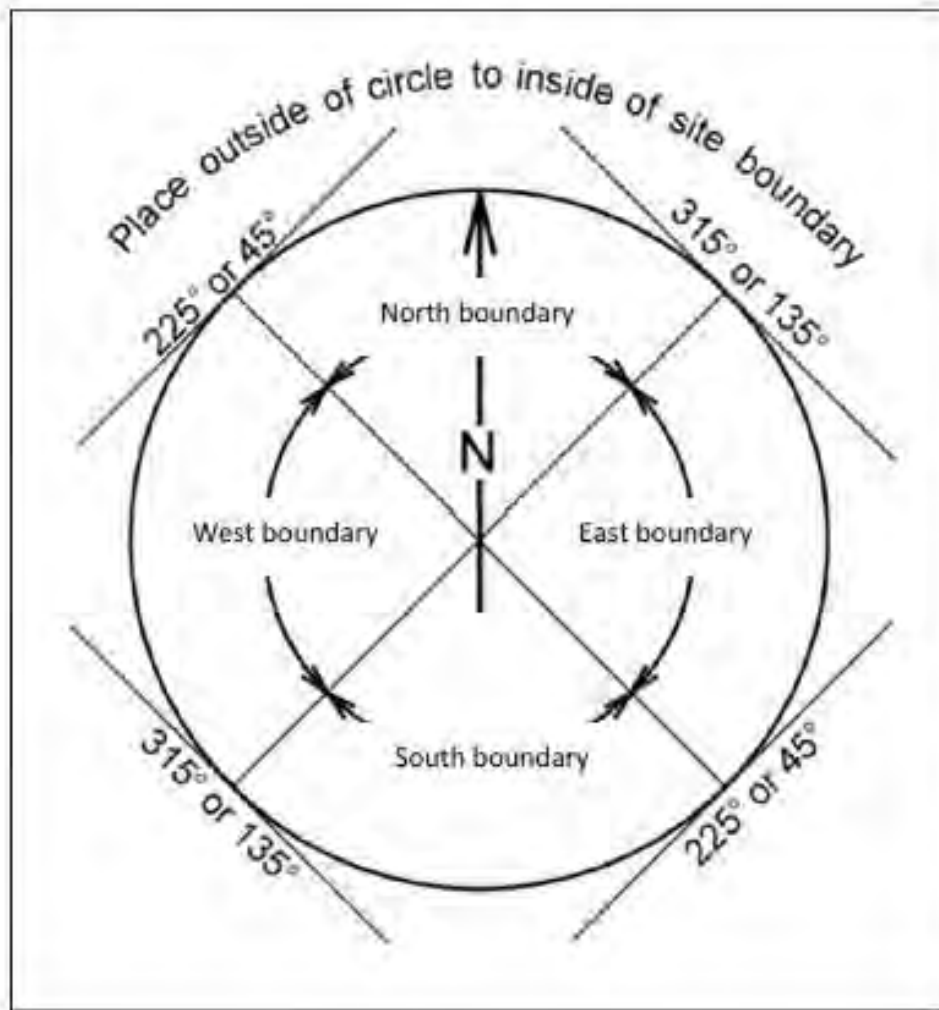
**Figure H11.6.2.1 Height in relation to boundary**



**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**

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

**Note 1**

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

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

**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

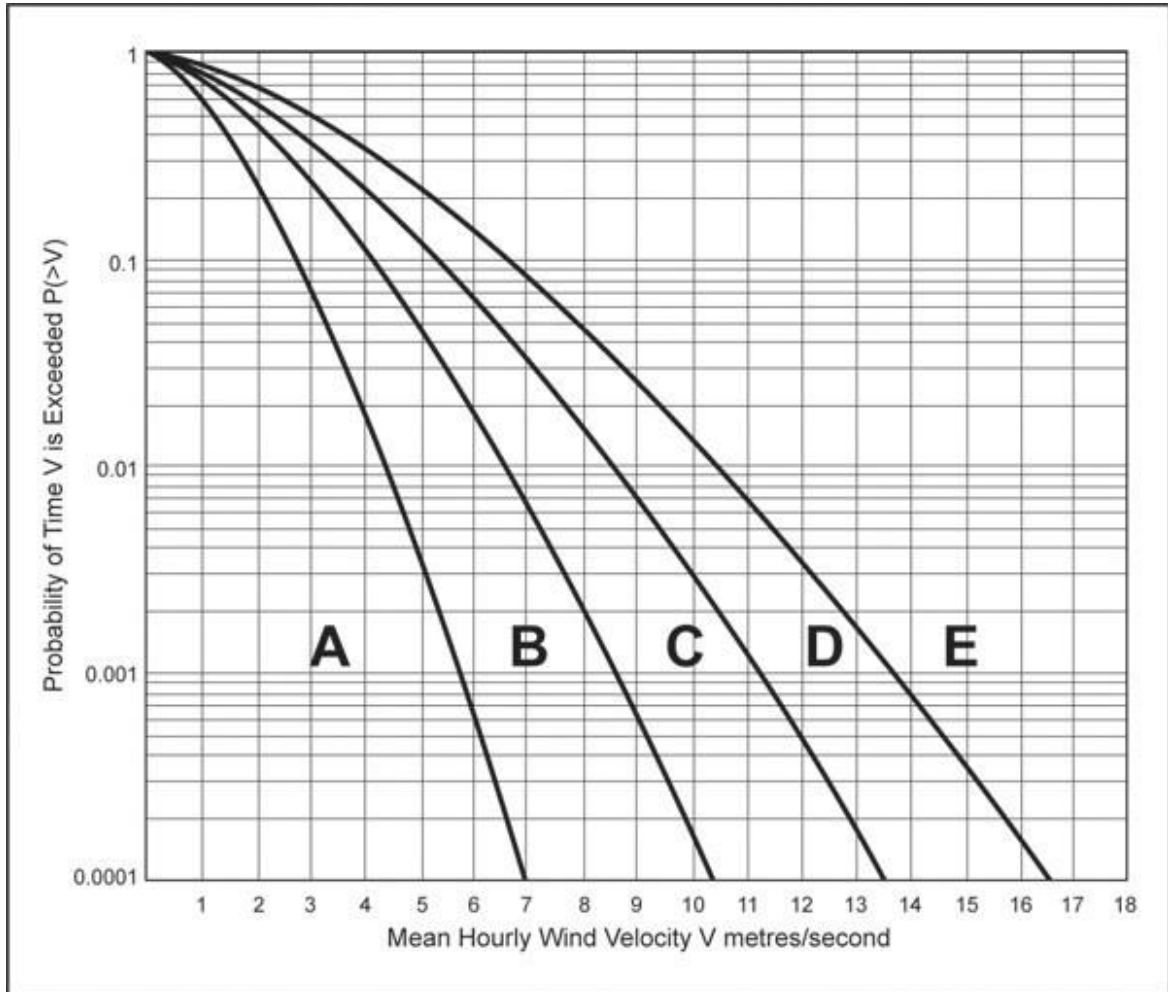
Purpose: mitigate the adverse wind effects generated by tall buildings.

- (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**

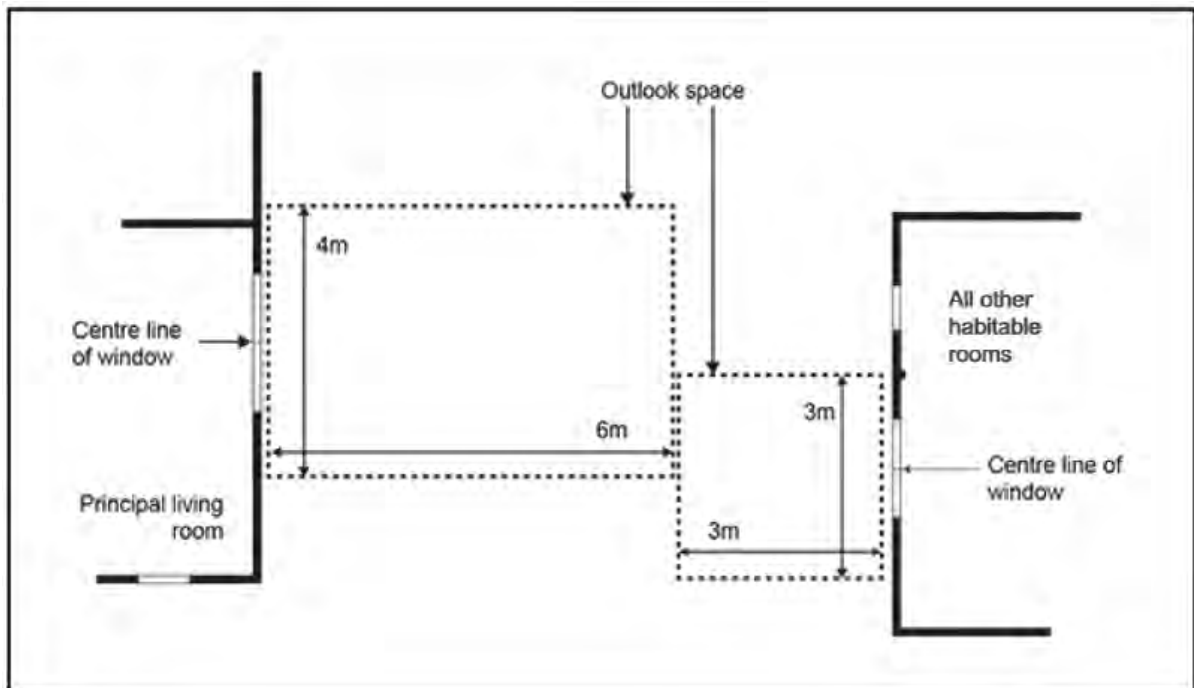
Purpose:

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

### **H11.7. Assessment – controlled activities**

There are no controlled activities in this section.

## **H11.8. Assessment – restricted discretionary activities**

### **H11.8.1. Matters of discretion**

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

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

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

- (f) the effects of creation of new roads and/or service lanes on the matters listed above;
  - (g) the positive effects that landscaping, including required landscaping, on sites adjoining public spaces is able to contribute to the amenity values of the people using or passing through the public space;
  - (h) taking an integrated stormwater management approach; and
  - (i) all the above matters to be assessed having regard to the outcomes set out in this Plan and the functional requirements of the activities that the buildings are intended to accommodate;
- (5) in addition to the matters for new buildings stated above the Council will restrict its discretion to the following matter in regard to:
- integrated retail developments; or
  - supermarkets, department stores and large format retail where the activity or integrated retail development exceeds 1000m<sup>2</sup> gross floor area per tenancy;
- (a) the manner in which these building/developments are integrated with the adjacent existing and planned future centre and zone activities and public spaces and provide for the continuity of active public frontages and associated pedestrian amenity that is appropriate to those centres and zones having regard to the outcomes set out in this Plan and the functional requirements of the activities that the buildings are intended to accommodate. This will include the effects of the design and location of parking areas, vehicle access and servicing arrangements on the visual amenity of the streetscape and on pedestrian safety;
- (6) in addition to the matters for new buildings stated above the Council will restrict its discretion to the following matter in regard to:
- drive-through restaurants; or
  - service stations.
- (a) the effects of the location and design of:
- (i) buildings and associated equipment, parking and service areas;
  - (ii) access for vehicles including service vehicles; and
  - (iii) landscaping
- on the amenity of surrounding areas (particularly residential areas), on streetscapes and on pedestrian amenity and any methods by which those effects can be appropriately managed;
- (7) conversion of a building or part of a building to dwellings, retirement villages, visitor accommodation and boarding houses:

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

#### **H11.8.2. Assessment criteria**

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

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

- (c) for Matter H11.8.1(2)(c) refer to Policy H11.3(1); H11.3(17)(b)
- (d) for Matter H11.8.1(2)(d) refer to Policy H11.3(12);
- (3) tertiary education facilities:
  - (a) for Matter H11.8.1(3)(a) refer to Policy H11.3(3)(a), Policy H11.3(3)(b), Policy H11.3(3)(c) and H11.3(16);
- (4) new buildings and alterations and additions to buildings not otherwise provided for:
  - (a) for Matter H11.8.1(4)(a)(i) refer to Policy H11.3(3)(a) and Policy H11.3(3)(b);
  - (b) for Matter H11.8.1(4)(a)(ii) refer to Policy H11.3(3)(c);
  - (c) for Matter H11.8.1(4)(a)(iii) refer to Policy H11.3(4);
  - (d) for Matter H11.8.1(4)(a)(iv) refer to Policy H11.3(3)(a);
  - (e) for Matter H11.8.1(4)(a)(v) refer to Policy H11.3(7);
  - (f) for Matter H11.8.1(4)(b) refer to Policy H11.3(6);
  - (g) for Matter H11.8.1(4)(c)(i) refer to Policy H11.3(3)(a) and Policy H11.3(3)(b);
  - (h) for Matter H11.8.1(4)(c)(ii) refer to Policy H11.3(3)(a) and Policy H11.3(3)(b);
  - (i) for Matter H11.8.1(4)(c)(iii) refer to Policy H11.3(3)(a) and Policy H11.3(3)(b);
  - (j) for Matter H11.8.1(4)(d) refer to Policy H11.3(3)(c);
  - (k) for Matter H11.8.1(4)(e) refer to Policy H11.3(3)(c);
  - (l) for Matter H11.8.1(4)(f) refer to Policy H11.3(3)(b);
  - (m) for Matter H11.8.1(4)(g) refer to Policy H11.3(3)(c);
  - (n) for Matter H11.8.1(4)(h) refer to Policy [E1.3\(10\)](#); and
  - (o) for Matter H11.8.1(4)(i) refer to Policy H11.3(3)(12);
- (5) in addition to the policies for new buildings stated above the Council will have regard to the following policies when considering new buildings for the following purposes:
  - integrated retail developments; or

- supermarkets, department stores and large format retail where the activity or integrated retail development exceeds 1000m<sup>2</sup> gross floor area per tenancy:

(a) refer to Policy H11.3(1), Policy H11.3(5), Policy H11.3(17), Policy H11.3(18) and Policy H11.3(19);

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

- drive-through restaurants; or
- service stations:

(a) refer to Policy H11.3.(3)(a), Policy H11.3(3)(b), Policy H11.3(3)(c), Policy H11.3(7), Policy H11.3(8), Policy H11.3(12), Policy H11.3(16) and H11.3(20);

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

(a) refer to Policy H11.3(2);

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

(a) height and height in relation to boundary:

PC 78 ([see Modifications](#))

(i) refer to Policy H11.3(3)(a), Policy H11.3(3)(b), Policy H11.3(8), 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

PC 78 ([see Modifications](#))

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

Provisions typically enable buildings of up to three storeys high and residential use at upper floors is permitted. Development is expected to be in keeping with the surrounding 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 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.
- [new text to be inserted]**
- (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

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- (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.

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[new text to be inserted]

**H12.3. Policies**

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

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

- (6) Encourage buildings at the ground floor to be adaptable to a range of uses to allow activities to change over time.
- (7) Require at grade parking to be located and designed in such a manner as to avoid or mitigate adverse effects on pedestrian amenity and the streetscape.
- (8) Require development adjacent to residential zones and the Special Purpose – School Zone and Special Purpose – Māori Purpose Zone to maintain the amenity values of those areas, having specific regard to dominance, overlooking and shadowing.
- (9) Discourage activities, which have noxious, offensive, or undesirable qualities from locating within the centres and mixed use zones, while recognising the need to retain employment opportunities.
- (10) Discourage dwellings at ground floor in centre zones and enable dwellings above ground floor in centre zones.
- (11) Require development to avoid, remedy or mitigate adverse wind and glare effects on public open spaces, including streets, and shading effects on open space zoned land.
- (12) Recognise the functional and operational requirements of activities and development.
- (12A) Enable building height of at least six storeys within mapped walkable catchments unless a qualifying matter applies that reduces height.
- (13) Enable greater building height than the standard height in locations identified within the Height Variation Control, having regard to whether the greater height:
  - (za) is commensurate with the level of commercial activities and community services;
  - (zaa) is compatible with a qualifying matter that requires reduced height and/or density;
  - (a) is an efficient use of land;
  - (b) supports public transport, community infrastructure and contributes to centre vitality and vibrancy;
  - (c) considering the size and depth of the area, can be accommodated without significant adverse effects on adjacent residential zones;
  - (d) is supported by the status of the centre in the centres hierarchy, or is adjacent to such a centre; and
  - (e) support the role of centres.

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- (14) In identified locations within the 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.

#### *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
<b>General</b>		
(A1)	Activities not provided for	NC
<b>Use</b>		
Accommodation		
(A2)	Dwellings	P
(A3)	Conversion of a building or part of a building to dwellings, integrated residential development, visitor accommodation or boarding houses	RD

Activity		Activity status
(A4)	Integrated residential development	D
(A5)	Supported residential care	P
(A6)	Visitor accommodation and boarding houses	P
Commerce		
(A7)	Commercial services	P
(A8)	Conference facilities	D
(A9)	Department stores	NC
(A10)	Drive-through restaurants	RD
(A11)	Entertainment facilities	D
(A12)	Cinemas	D
(A13)	Food and beverage	P
(A14)	Funeral directors' premises	D
(A15)	Garden centres	NC
(A16)	Marine retail	NC
(A17)	Motor vehicle sales	NC
(A18)	Offices up to 500m <sup>2</sup> gross floor area per site	P
(A19)	Offices greater than 500m <sup>2</sup> gross floor area per site	NC
(A20)	Retail up to 450m <sup>2</sup> gross floor area per tenancy	P
(A21)	Retail greater than 450m <sup>2</sup> gross floor area per site tenancy	NC
(A22)	Service stations	D
(A23)	Supermarkets up to 450m <sup>2</sup> gross floor area per tenancy	P
(A24)	Supermarkets exceeding 450m <sup>2</sup> and up to 2000m <sup>2</sup> gross floor area per tenancy	RD
(A25)	Supermarkets exceeding 2000m <sup>2</sup> per tenancy and up to 4000m <sup>2</sup> gross floor area per tenancy	D
(A26)	Supermarkets greater than 4000m <sup>2</sup> gross floor area per tenancy	NC
(A27)	Trade suppliers	NC
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

Activity		Activity status
(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 <sup>2</sup>	P
(A50)	Additions to buildings that are less than: (a) 25 per cent of the existing gross floor area of the building; or (b) 250m <sup>2</sup> whichever is the lesser	P
(A51)	Internal alterations to buildings	P
(A52)	Additions and alterations to buildings not otherwise provided for	RD

### H12.5. Notification

- (1) Any application for resource consent for an activity listed in Table H12.4.1 Activity table above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.
- (2) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule [C1.13\(4\)](#).
- (3) Any application for resource consent for the following activity will be considered without public or limited notification or the need to obtain the written approval of affected parties unless the Council decides that special circumstances exist under section 95A(9) of the Resource Management Act 1991:

- (a) Development which does not comply with Standard H12.6.9 Minimum dwelling size.

## **H12.6. Standards**

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

### **H12.6.0 Activities within 30m of a residential zone**

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

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

### **H12.6.1. Building height**

Purpose:

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

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- (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.

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**Table H12.6.1.1 Building height**

<b>[new text to be inserted]</b>	<b>Occupiable building height</b>	<b>Height for roof form</b>	<b>Total building height</b>
<b>[new text to be inserted]</b>	11m	2m	13m
<b>[new text to be inserted]</b>	<b>[new text to be inserted]</b>	<b>[new text to be inserted]</b>	<b>[new text to be inserted]</b>

- (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**

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

**H12.6.2. Height in relation to boundary**

Purpose:

- manage the effects of building height;
  - allow reasonable sunlight and daylight access to public open space excluding streets, and neighbouring zones; and
  - manage visual dominance effects on neighbouring zones where lower height limits apply.
- (1) Buildings must not project beyond a recession plane that begins vertically above ground level along the zone boundary. The angle of the recession plane and the height above ground level from which it is measured is specified in Table H12.6.2.1 and Figure H12.6.2.1 or Figure H12.6.2.2 below.
- (2) Where the boundary forms part of an entrance strip, access site or pedestrian access-way, the standard applies from the farthest boundary of that entrance



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

- (3) Figure H12.6.2.3 will be used to define what is a north, south, east or west boundary, where this is referred to in Table H12.6.2.1. The recession plane angle is calculated by orientating both site plan and Figure H12.6.2.3 to true north. Figure H12.6.2.3 is placed over the site plan with the outside of the circle touching the inside of the site boundary under consideration. At the point where Figure H12.6.2.3 touches the site boundary, the recession plane angle and height at which it begins, will be indicated by Table H12.6.2.1

**Table H12.6.2.1 Height in relation to boundary**

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

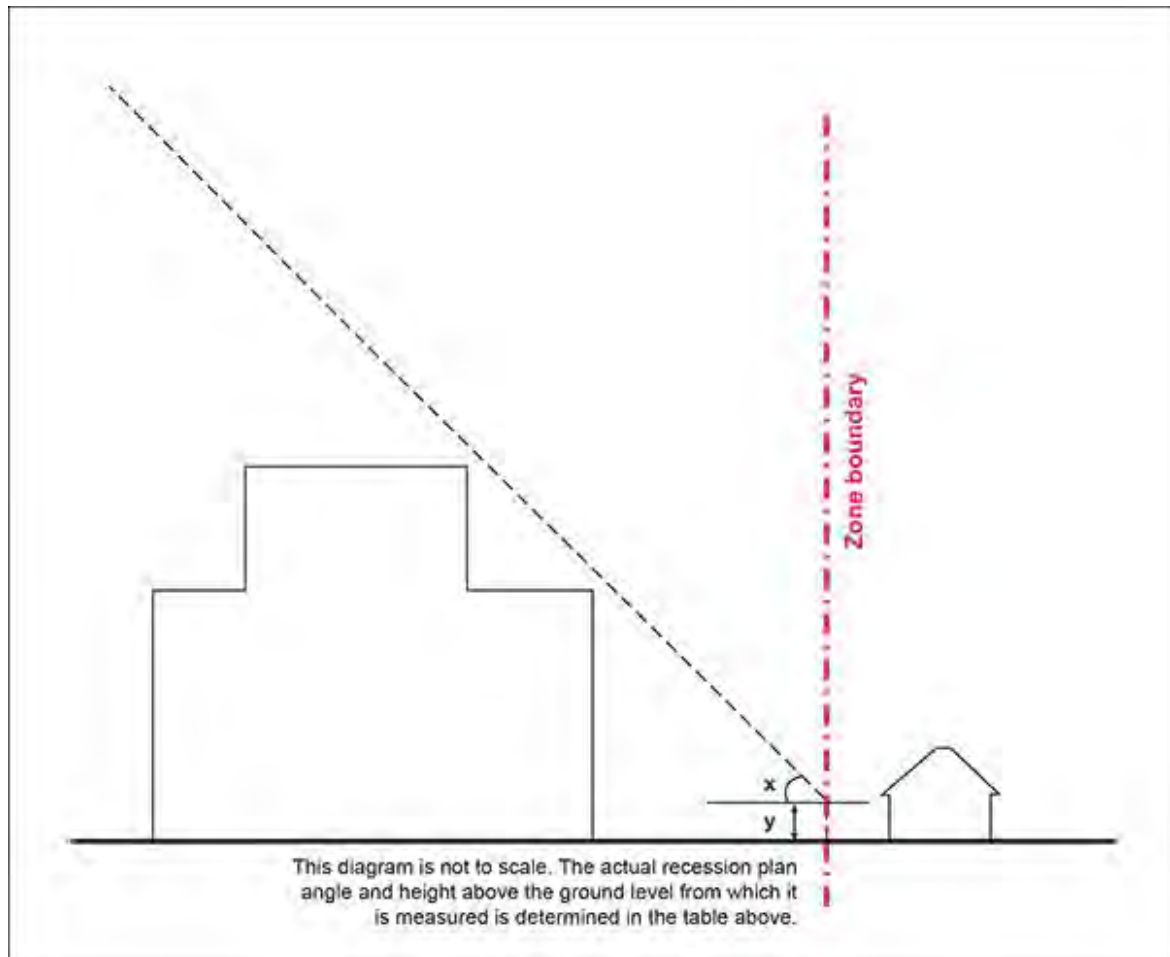
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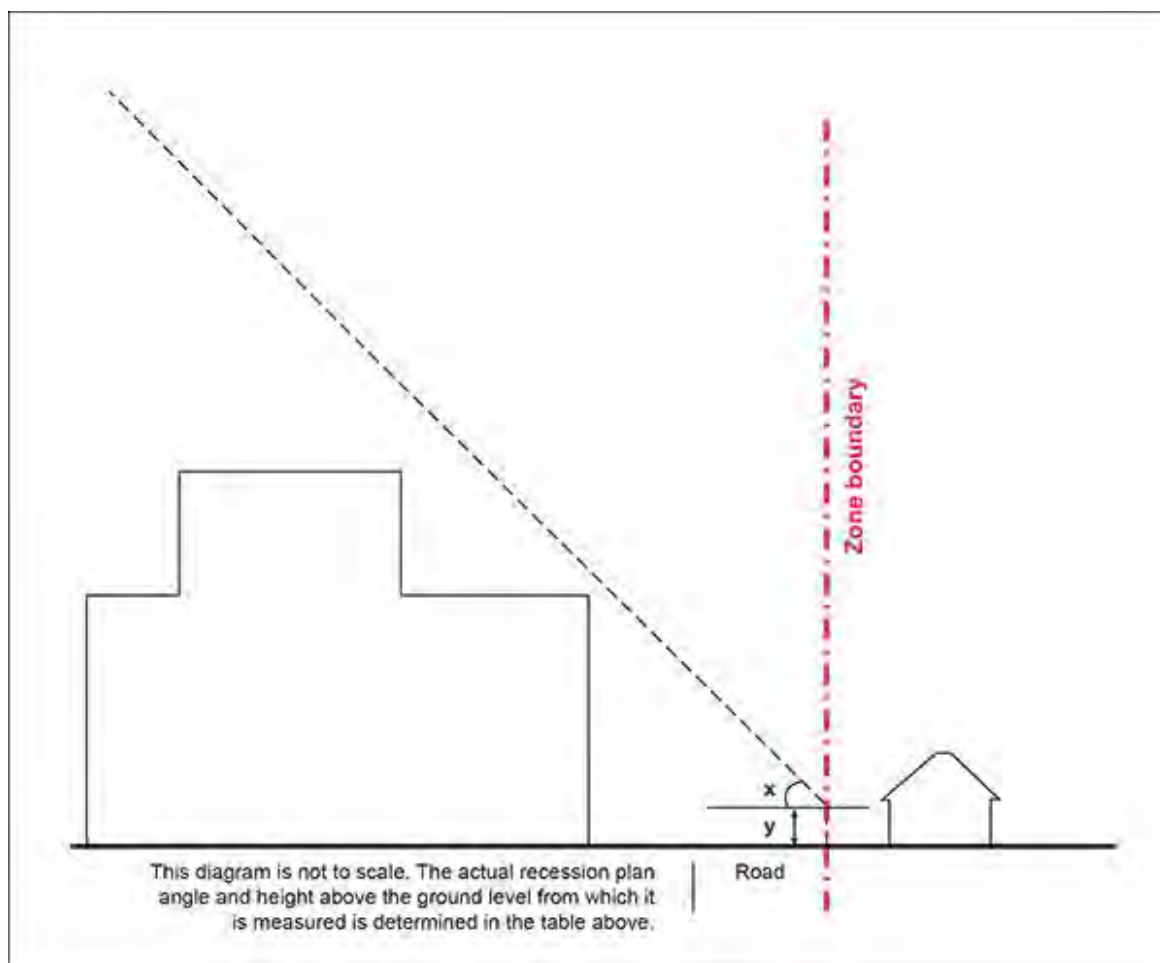
PC 78 ([see  
Modifications](#))

	SpacesZone; or Open Space – Community Zone		
[new text to be inserted]	[new text to be inserted]	[new text to be inserted]	[new text to be inserted]

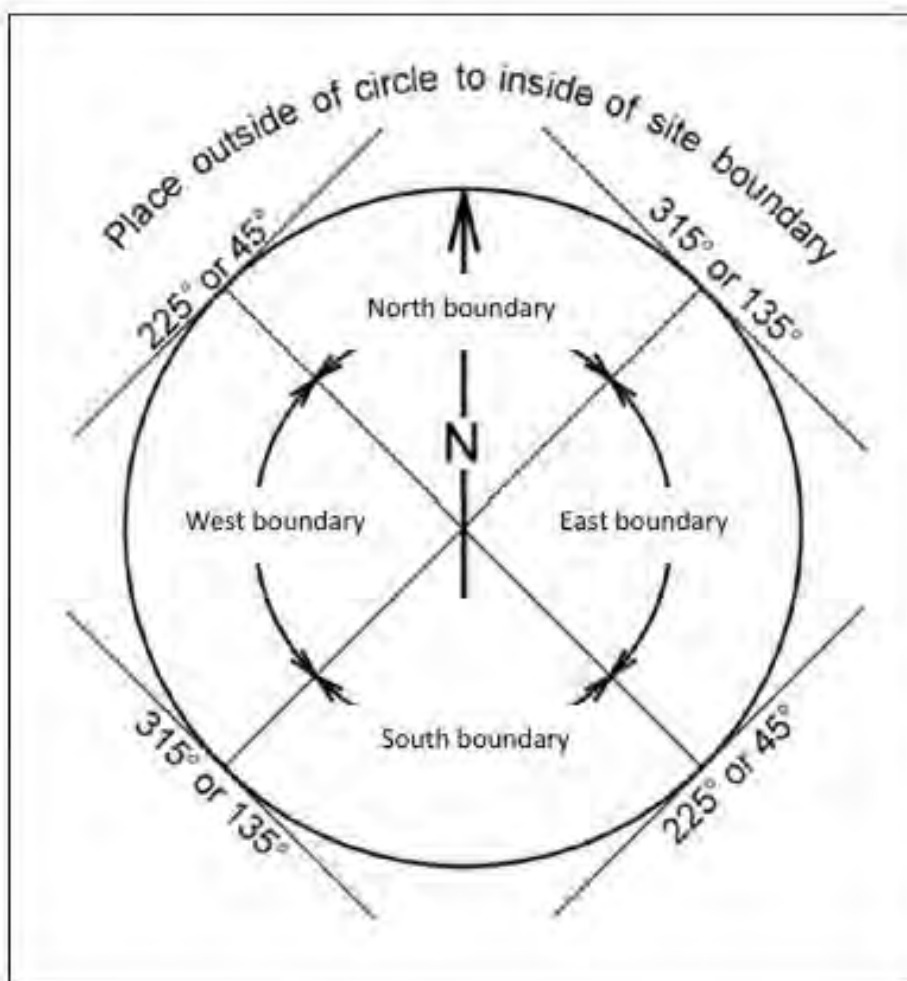
**Figure H12.6.2.1 Height in relation to boundary**



**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 <a href="#">Appendix 6 Coastal protection yard</a>

**Note 1**

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

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

### **H12.6.5. Landscaping**

Purpose:

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

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

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

### **H12.6.6. Maximum impervious area in the riparian yard**

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

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

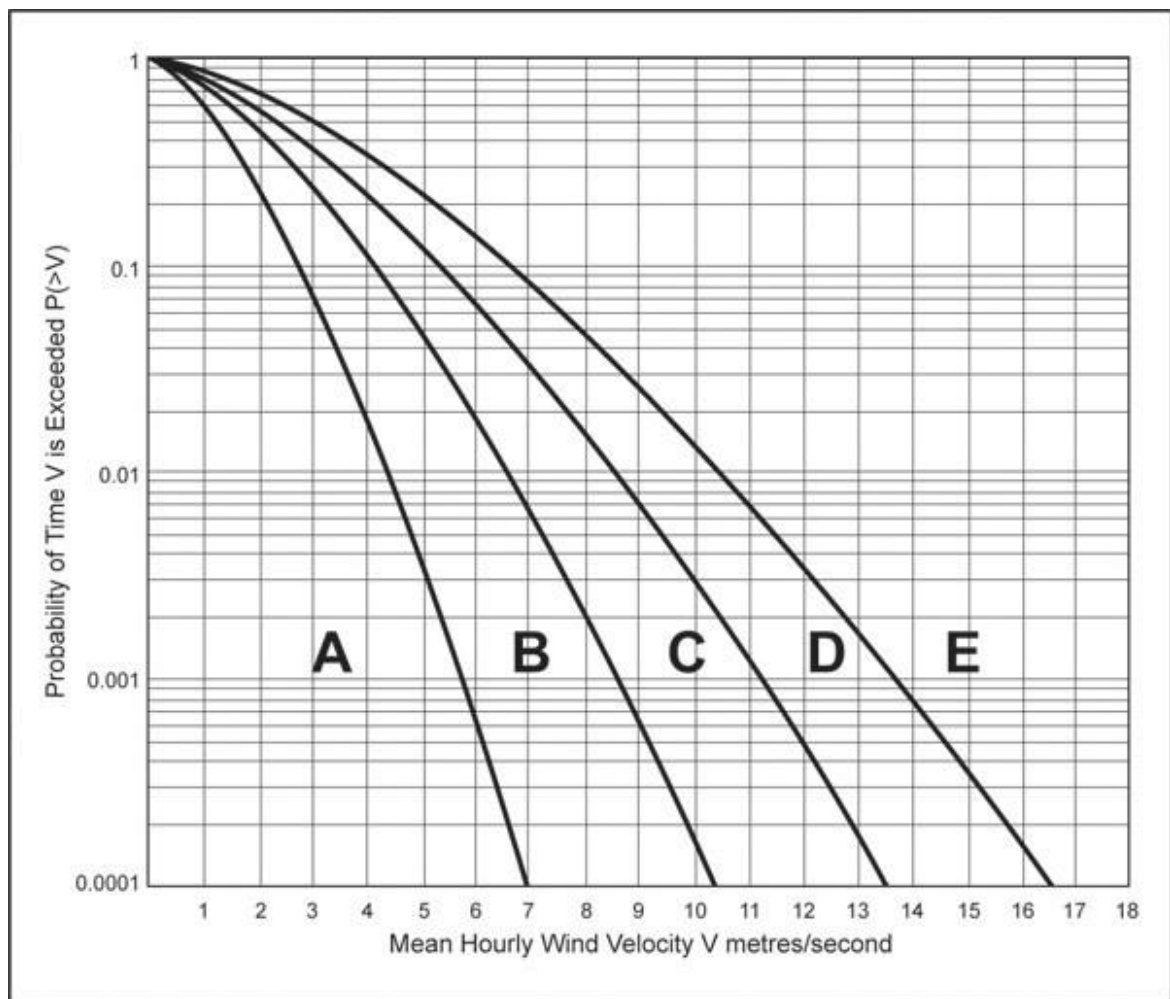
**H12.6.7. Wind**

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

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

**Table H12.6.7.1 Categories**

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

**Figure H12.6.7.1 Wind environment control**

Derivation of the wind environment control graph:

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

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

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

and where:

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

e = The Napierian base 2.7182818285

v = the velocity selected;

k = the constant 1.5; and

c = a variable dependent on the boundary being defined:

A/B, c = 1.548

B/C, c = 2.322

C/D, c = 3.017

D/E, c = 3.715

#### **H12.6.8. Outlook space**

Purpose:

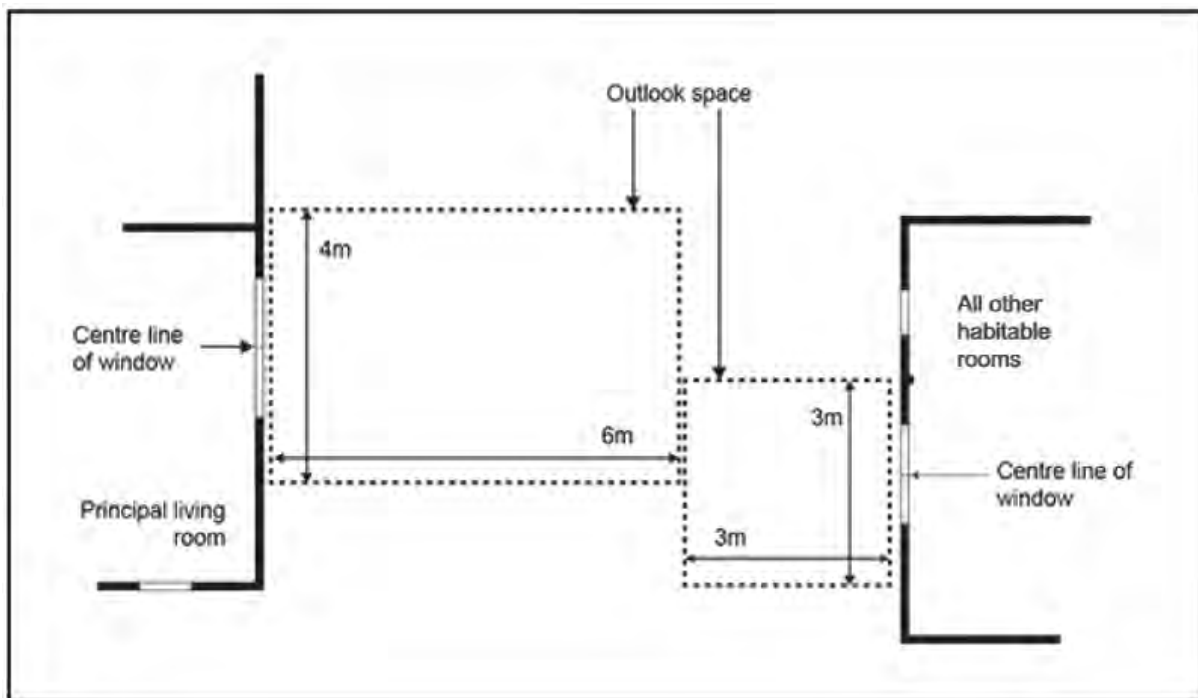
- to ensure a reasonable standard of visual privacy between habitable rooms of different buildings, on the same or adjacent sites; and
- manage visual dominance effects within a site by ensuring that habitable rooms have an outlook and sense of space.

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

### H12.7. Assessment – controlled activities

There are no controlled activities in this zone.

### H12.8. Assessment – restricted discretionary activities

#### H12.8.1. Matters of discretion

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

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

- (ii) the effects of the operation of the activity  
on the existing and expected future amenity values of the surrounding area and any practicable mitigation measures that would be appropriate to manage those effects.
  - (b) the effects of the design and location of parking areas and vehicle access and servicing arrangements on visual amenity of the streetscape and on pedestrian safety;
  - (c) the effects of location, design and management of storage and servicing facilities on the amenity values of nearby residential properties including potential visual effects, adequacy of access for service vehicles (including waste collection) and any night time noise effects; and
  - (d) the assessment of the above matters having regard to the need to provide for the functional requirements of the activity;
- (2) supermarkets greater than 450m<sup>2</sup> and up to 2000m<sup>2</sup>:
- (a) the compatibility of the effects of intensity and scale of the development arising from the numbers of people and/or vehicles using the site, with the existing and expected future amenity values of the surrounding area and any practicable mitigation measures that would be appropriate to manage those effects;
  - (b) the effects of the design and location of parking areas and vehicle access and servicing arrangements on visual amenity of the streetscape and on pedestrian safety;
  - (c) the effects of the size, composition and characteristics of retail activities proposed on the existing and expected future function, role and amenity of other centre zones having regard to the need to enable convenient access of communities to commercial and community services while disregarding any effects ordinarily associated with trade effects on trade competitors; and
  - (d) the assessment of the above matters having regard to the need to provide for the functional requirements of the activity;
- (3) new buildings and alterations and additions to buildings not otherwise provided for:
- (a) the design and appearance of buildings in so far as it affects the existing and future amenity values of public streets and spaces used by significant numbers of people. This includes:
    - (i) the contribution that such buildings make to the attractiveness pleasantness and enclosure of the public space;

- (ii) the maintenance or enhancement of amenity for pedestrians using the public space or street;
  - (iii) the provision of convenient and direct access between the street and building for people of all ages and abilities;
  - (iv) measures adopted for limiting the adverse visual effects of any blank walls along the frontage of the public space; and
  - (v) the effectiveness of screening of car parking and service areas from the view of people using the public space.
- (b) the provision of floor to floor heights that will provide the flexibility of the space to be adaptable to a wide variety of use over time;
- (c) the extent of glazing provided on walls fronting public streets and public spaces and the benefits it provides in terms of:
- (i) the attractiveness and pleasantness of the public space and the amenity for people using or passing through that space;
  - (ii) the degree of visibility that it provides between the public space and the building interior; and
  - (iii) the opportunities for passive surveillance of the street from the ground floor of buildings.
- (d) the provision of verandahs to provide weather protection in areas used, or likely to be used, by significant numbers of pedestrians;
- (e) the application of Crime Prevention through Environmental Design principles to the design and layout of buildings adjoining public spaces;
- (f) the effects of creation of new roads and/or service lanes on the matters listed above;
- (g) the positive effects that landscaping, including required landscaping, on sites adjoining public spaces is able to contribute to the amenity values of the people using or passing through the public space;
- (h) taking an integrated stormwater management approach; and
- (i) all the above matters to be assessed having regard to the outcomes set out in this Plan and the functional requirements of the activities that the buildings are intended to accommodate;
- (4) in addition to the matters for new buildings stated above the Council will restrict its discretion to the following matter in regard to:
- supermarkets, department stores and large format retail where the activity or integrated retail development exceeds 1000m<sup>2</sup> gross floor area per tenancy;

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

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

#### **H12.8.2. Assessment criteria**

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

- (1) drive-through restaurants, activities within 30m of a residential zone emergency services and service stations:
  - (a) for Matter H12.8.1(1)(a)(i) refer to Policy H12.3(3)(a), Policy H12.3(3)(b), Policy H12.3(3)(c), Policy H12.3(8), Policy H12.3(15) and H12.3(17);
  - (b) for Matter H12.8.1(1)(a)(ii) refer to Policy H12.3(3)(a), Policy H12.3(3)(b), Policy H12.3(3)(c), Policy H12.3(8), Policy H12.3(15); and H12.3(17);
  - (c) for Matter H12.8.1(1)(b) refer to Policy H12.3(3)(c) and Policy H12.3(7);
  - (d) for Matter H12.8.1(1)(c) refer to Policy H12.3(17);
  - (e) for Matter H12.8.1(1)(d) refer to Policy H12.3(12);
- (2) supermarkets greater than 450m<sup>2</sup> and up to 2000m<sup>2</sup>:
  - (a) for Matter H12.8.1(2)(a) refer to Policy H12.3(3)(a), Policy H12.3(3)(b), Policy H12.3(3)(c) and Policy H12.3(8);
  - (b) for Matter H12.8.1(2)(b) refer to Policy H12.3(7);
  - (c) for Matter H12.8.1(2)(c) refer to Policy H12.3(1);
  - (d) for Matter H12.8.1(2)(d) refer to Policy H12.3(12);
- (3) new buildings and alterations and additions to buildings not otherwise provided for:
  - (a) for Matter H12.8.1(3)(a)(i) refer to Policy H12.3(3)(a) and Policy H12.3(3)(b);
  - (b) for Matter H12.8.1(3)(a)(ii) refer to Policy H12.3(3)(c);
  - (c) for Matter H12.8.1(3)(a)(iii) refer to Policy H12.3(4);
  - (d) for Matter H12.8.1(3)(a)(iv) refer to Policy H12.3(3)(a);
  - (e) for Matter H12.8.1(3)(a)(v) refer to Policy H12.3(7);
  - (f) for Matter H12.8.1(3)(b) refer to Policy H12.3(6);
  - (g) for Matter H12.8.1(3)(c)(i) refer to Policy H12.3(3)(a) and Policy H12.3(3)(b);

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

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

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

There is a range of possible building heights depending on the context. 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.

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.

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- (3) Development positively contributes towards planned future form and quality, creating 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.

**[new text to be inserted]**

- (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.

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[new text to be inserted]

**H13.3. Policies**

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

- (1) Reinforce the function of the city centre, metropolitan centres and town centres as the primary location for commercial activity, according to their role in the hierarchy of centres.
- (2) Enable an increase in the density, diversity and quality of housing in the centre zones and Business – Mixed Use Zone, where it is compatible with any qualifying matters and while managing any reverse sensitivity effects including from the higher levels of ambient noise and reduced privacy that may result from non-residential activities.
- (3) Require development to be of a quality and design that positively contributes to:
  - (a) planning and design outcomes identified in this Plan for the relevant zone;

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

- (b) supports public transport, community infrastructure and contributes to centre vitality and vibrancy;
- (c) considering the size and depth of the area, can be accommodated without significant adverse effects on adjacent residential zones;
- (d) is supported by the status of the centre in the centres hierarchy, or is adjacent to such a centre; and
- (e) support the role of centres.

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- (14) In identified locations within the 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.
- (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
<b>General</b>		
(A1)	Activities not provided for	NC
<b>Use</b>		
Accommodation		
(A2)	Dwellings	P
(A3)	Conversion of a building or part of a building to dwellings, residential development, visitor accommodation or boarding houses	RD
(A4)	Integrated residential development	P
(A5)	Supported residential care	P
(A6)	Visitor accommodation and boarding houses	P
Commerce		
(A7)	Commercial services	P
(A8)	Conference facilities	D
(A9)	Department stores	D
(A10)	Drive-through restaurants	P
(A11)	Entertainment facilities	P
(A12)	Cinemas	NC
(A13)	Food and beverage	P
(A14)	Garden centres	D
(A15)	Marine retail	D
(A16)	Motor vehicle sales	D
(A17)	Offices within the Centre Fringe Office Control as shown on the planning maps	P
(A18)	Offices up to 500m <sup>2</sup> gross floor area per site	P
(A19)	Offices greater than 500m <sup>2</sup> gross floor area per site	D
(A20)	Retail up to 200m <sup>2</sup> gross floor area per tenancy	P
(A21)	Retail greater than 200m <sup>2</sup> gross floor area per tenancy	D

## H13 Business – Mixed Use Zone

Activity		Activity status
(A22)	Service stations	RD
(A23)	Supermarkets up to 450m <sup>2</sup> gross floor area per tenancy	P
(A24)	Supermarkets exceeding 450m <sup>2</sup> and up to 2000m <sup>2</sup> gross floor area per tenancy	RD
(A25)	Supermarkets greater than 2000m <sup>2</sup> gross floor area per tenancy	D
(A26)	Trade suppliers	D
Community		
(A27)	Artworks	P
(A28)	Care centres	P
(A29)	Community facilities	P
(A30)	Education facilities	P
(A31)	Emergency services	RD
(A32)	Healthcare facilities	P
(A33)	Hospitals	D
(A34)	Justice facilities	D
(A35)	Recreation facility	P
(A36)	Tertiary education facilities	P
Industry		
(A37)	Industrial activities	NC
(A38)	Industrial laboratories	P
(A39)	Light manufacturing and servicing	P
(A40)	Repair and maintenance services	P
(A41)	Storage and lock-up facilities	D
(A42)	Waste management facilities	NC
(A43)	Warehousing and storage	P
Mana Whenua		
(A44)	Marae complex	P
Development		
(A45)	New buildings	RD
(A46)	Demolition of buildings	P
(A47)	Alterations to building facades that are less than 25m <sup>2</sup>	P
(A48)	Additions to buildings that are less than: (a) 25 per cent of the existing gross floor area of the building; or (b) 250m <sup>2</sup> whichever is the lesser	P
(A49)	Internal alterations to buildings	P
(A50)	Additions and alterations to buildings not otherwise	RD

Activity	Activity status
provided for	

### 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;

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- enable greater height in areas identified for intensification; 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**

[new text to be inserted]	Occupiable building height	Height for roof form	Total building height
[new text to be inserted]	16m	2m	18m
[new text to be inserted]	[new text to be inserted]	[new text to be inserted]	[new text to be inserted]

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

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

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

planning maps		
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### 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)
NA	Residential – Single House Zone; or Residential – Mixed Housing Suburban Zone	45°	2.5m
	Residential – Mixed Housing Urban Zone	45°	3m
	Residential – Terrace	60°	8m

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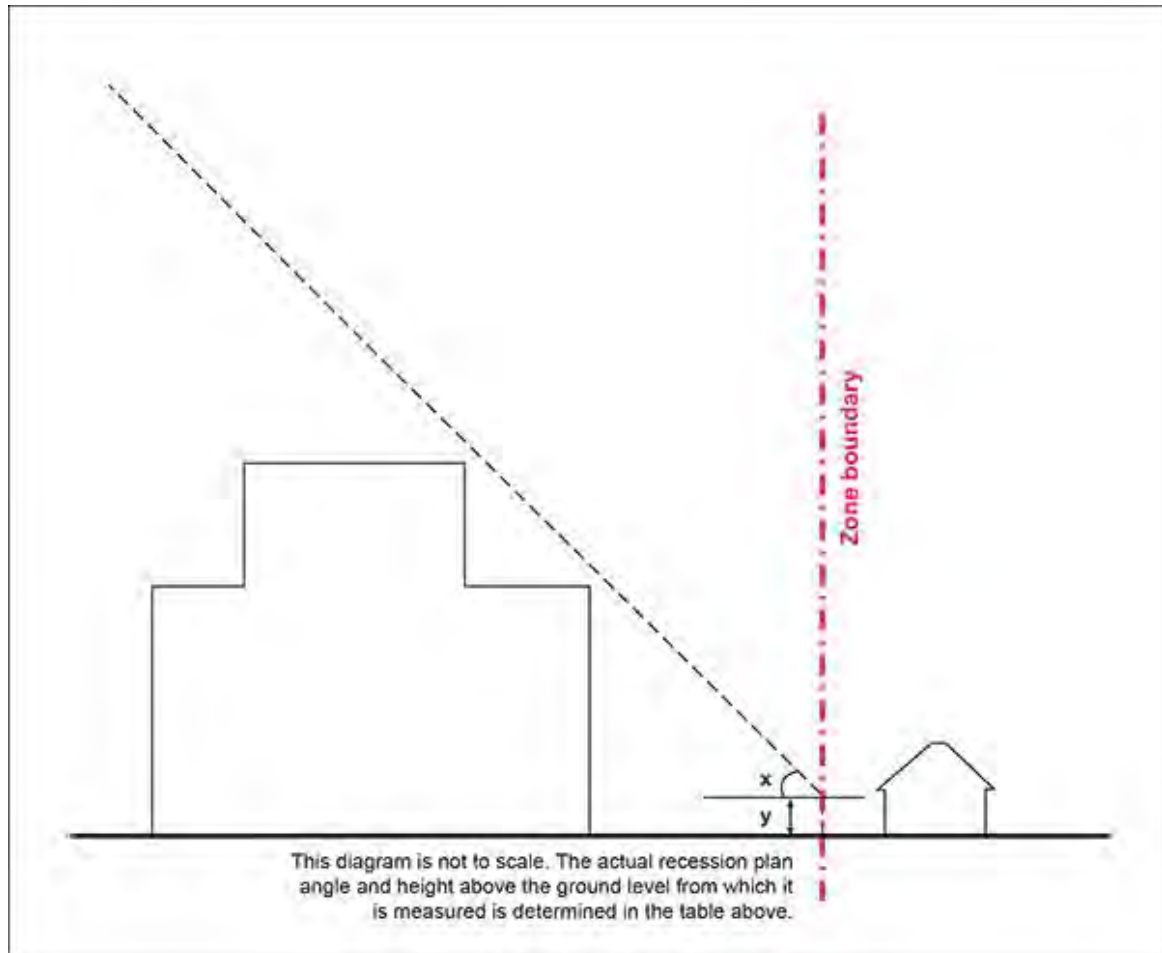
H13 Business – Mixed Use Zone

PC 78 ([see Modifications](#))

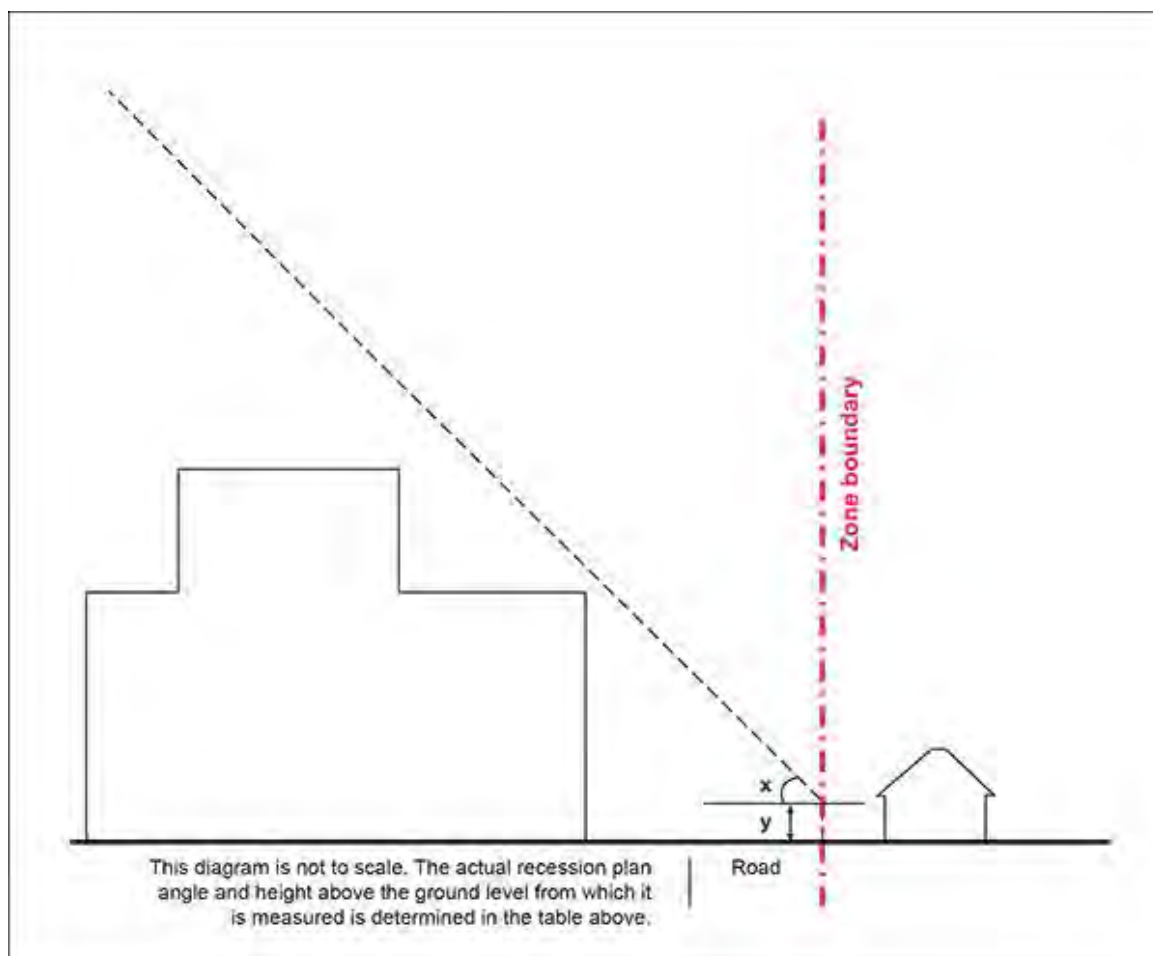
PC 78 ([see Modifications](#))

	Housing and Apartment Buildings Zone		
	Special Purpose – Māori Purpose Zone; or Special Purpose School Zone	45°	6m
	Open Space – Conservation Zone; Open Space – Informal Recreation Zone; Open Space -Sport and Active Recreation Zone; Open Space – Civic Spaces Zone; or Open Space – Community Zone	45°	8.5m
Buildings located on the southern boundary of the adjacent site	Open Space – Conservation Zone; Open Space – Informal Recreation Zone; Open Space – Sport and Active Recreation Zone; Open Space – Civic Spaces Zone; or Open Space – Community Zone	45°	16.5m
[new text to be inserted]	[new text to be inserted]	[new text to be inserted]	[new text to be inserted]

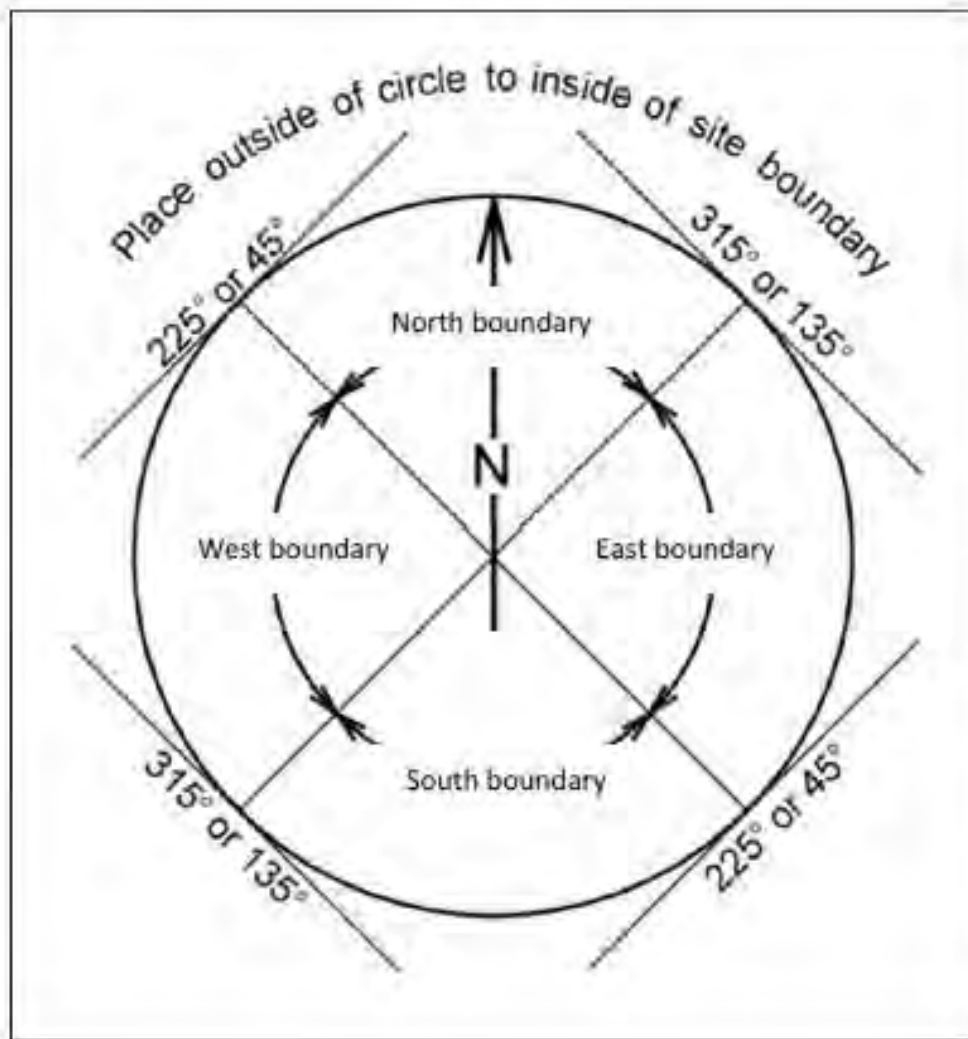
**Figure H13.6.2.1 Height in relation to boundary**



**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

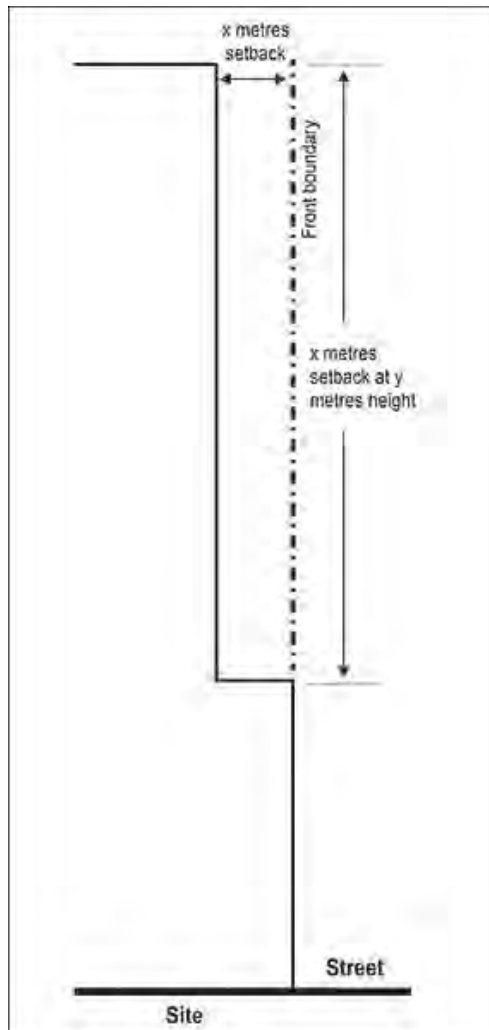
Purpose:

- 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**


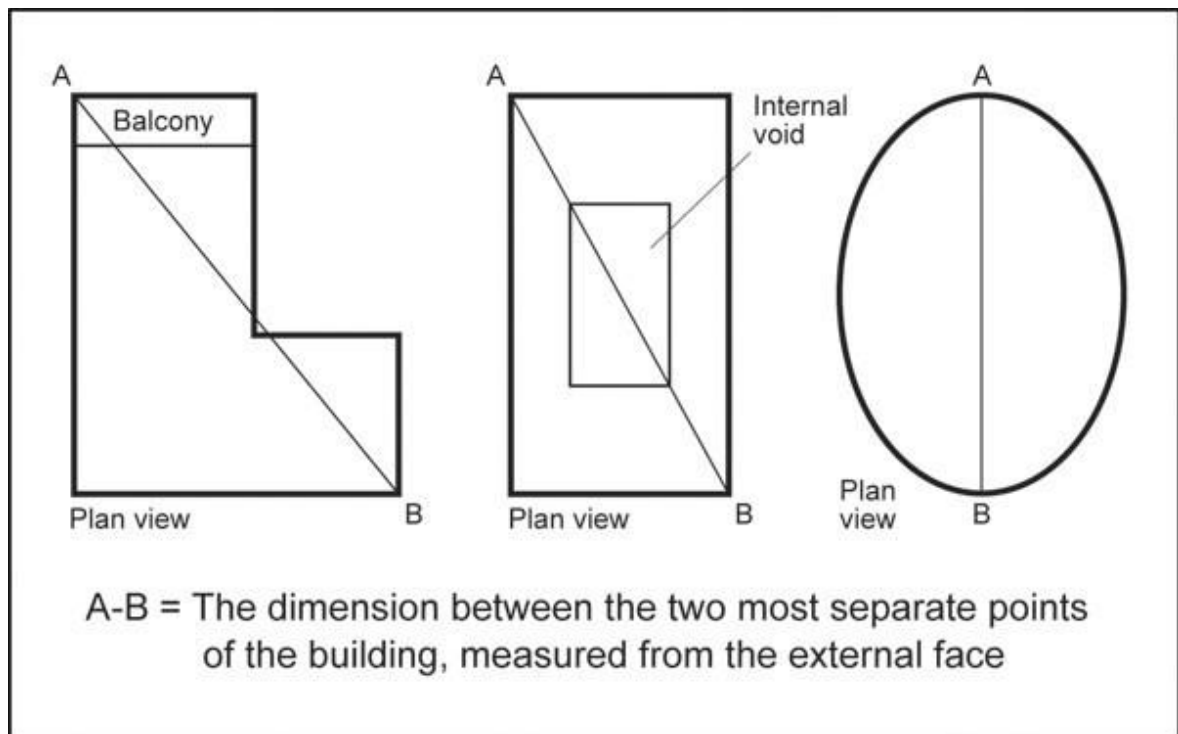
#### H13.6.4. Maximum tower dimension and tower separation

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**

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

**Note 1**

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

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

**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.

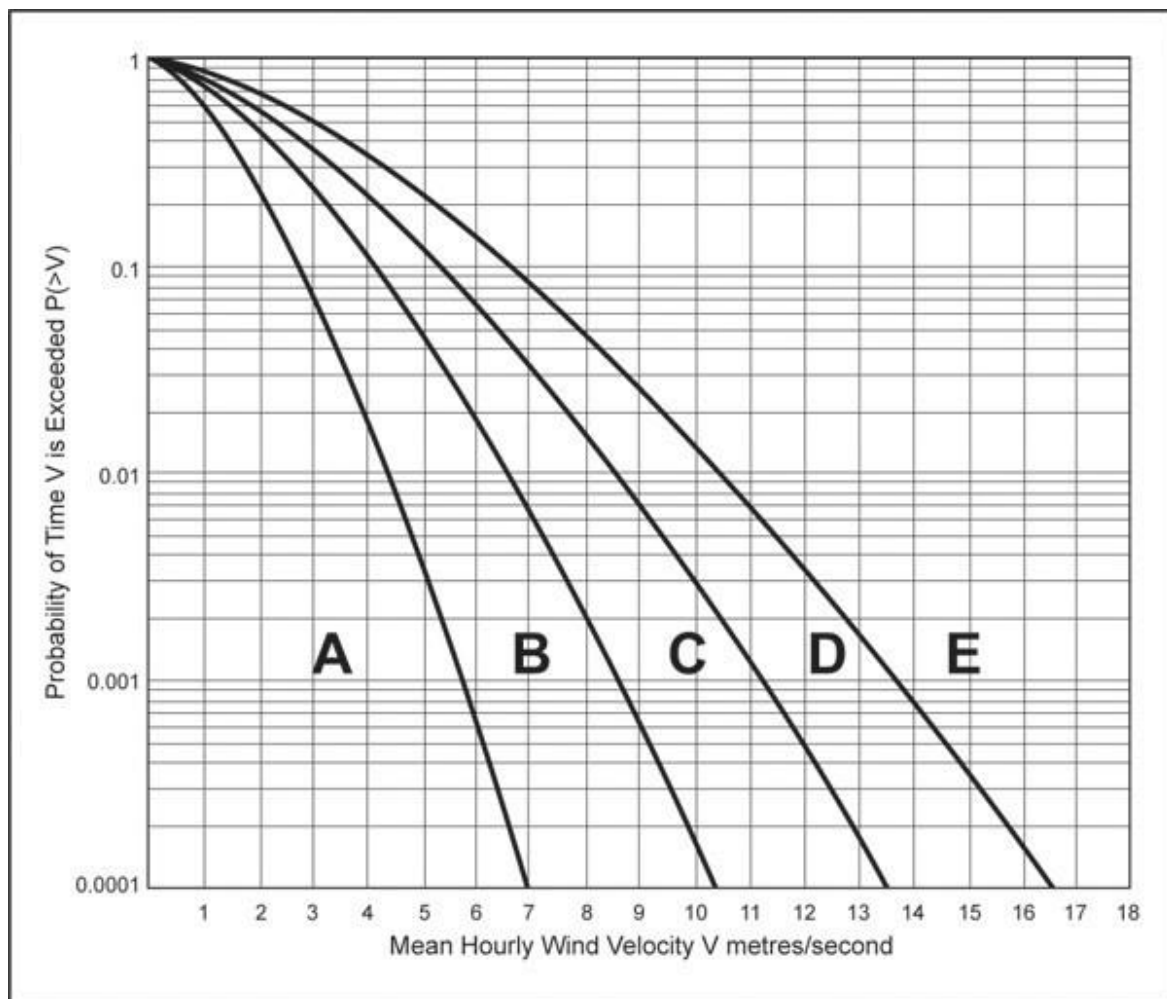
- (1) A new building exceeding 25m in height and additions to existing buildings that increase the building height above 25m must not cause:

- 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**

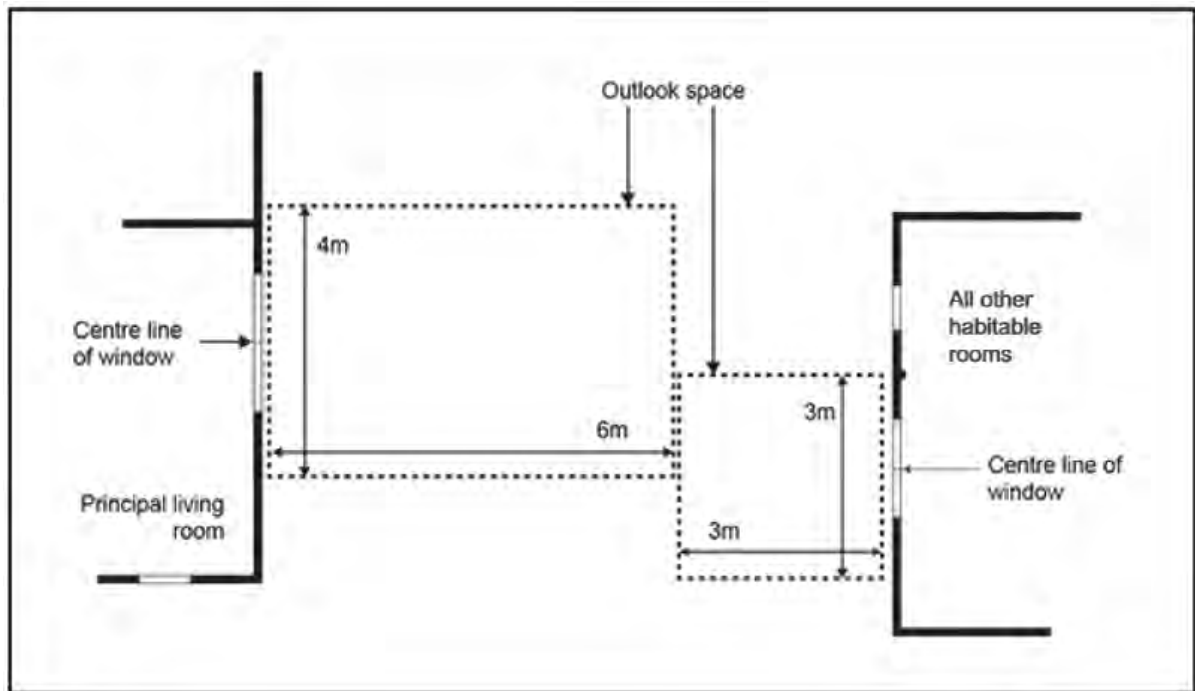
Purpose:

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

### **H13.7. Assessment – controlled activities**

There are no controlled activities in this zone.

### **H13.8. Assessment – Restricted discretionary activities**

#### **H13.8.1. Matters of discretion**

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

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

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

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

- supermarkets, department stores and large format retail where the activity or integrated retail development exceeds 1000m<sup>2</sup> gross floor area per tenancy:
- (a) the manner in which these building/developments are integrated with the adjacent existing and planned future centre and zone activities and public spaces and provide for the continuity of active public frontages and associated pedestrian amenity that is appropriate to those centres and zones having regard to the outcomes set out in this Plan and the functional requirements of the activities that the buildings are intended to accommodate. This will include the effects of the design and location of parking areas, vehicle access and servicing arrangements on the visual amenity of the streetscape and on pedestrian safety;
- (5) In addition to the matters for new buildings stated above the Council will restrict its discretion to the following matter in regard to:
- drive-through restaurants; or
  - service stations:
- (a) the effects of the location and design of:
- (i) buildings and associated equipment, parking and service areas;
  - (ii) access for vehicles including service vehicles; and
  - (iii) landscaping;
- on the amenity of surrounding areas (particularly residential areas), on streetscapes and on pedestrian amenity and any methods by which those effects can be appropriately managed;
- (6) conversion of a building or part of a building to dwellings, retirement villages, visitor accommodation and boarding houses:
- (a) any matters that do not meet the standards set out for the activity in Standard H13.6.9 or Standard H13.6.10 having regard to the need to ensure a good standard of amenity within and between dwellings, visitor accommodation, boarding houses and retirement villages;
- (7) buildings that do not comply with the standards:
- (a) any policy which is relevant to the standard;
  - (b) the purpose of the standard;
  - (c) the effects of the infringement of the standard;
  - (d) the effects on the amenity of neighbouring sites;
  - (e) the effects of any special or unusual characteristic of the site which is relevant to the standard;

- (f) the characteristics of the development;
- (g) any other matters specifically listed for the standard; and
- (h) where more than one standard will be infringed, the effects of all infringements.

#### **H13.8.2. Assessment criteria**

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

- (1) activities within 30m of a residential zone, emergency services and service stations:
  - (a) for Matter H13.8.1(1)(a)(i) refer to Policy H13.3(3)(a), Policy H13.3(3)(b), Policy H13.3(3)(c), Policy H13.3(8) and Policy H13.3(21);
  - (b) for Matter H13.8.1(1)(a)(ii) refer to Policy H13.3(3)(a), Policy H13.3(3)(b), Policy H13.3(3)(c), Policy H13.3(8) and Policy H13.3(21);
  - (c) for Matter H13.8.1(1)(b) refer to Policy H13.3(3)(c) and Policy H13.3(7);
  - (d) for Matter H13.8.1(1)(c) refer to Policy H13.3(21); and
  - (e) for Matter H13.8.1(1)(d) refer to Policy H13.3(12);
- (2) supermarkets greater than 450m<sup>2</sup> and up to 2000m<sup>2</sup>:
  - (a) for Matter H13.8.1(2)(a) refer to Policy H13.3(3)(a), Policy H13.3(3)(b), Policy H13.3(3)(c) and Policy H13.3(8);
  - (b) for Matter H13.8.1(2)(b) refer to Policy H13.3(7);
  - (c) for Matter H13.8.1(2)(c) refer to Policy H13.3(1); and
  - (d) for Matter H13.8.1(2)(d) refer to Policy H13.3(12);
- (3) new buildings and alterations and additions to buildings not otherwise provided for:
  - (a) for Matter H13.8.1(3)(a)(i) refer to Policy H13.3(3)(a) and Policy H13.3(3)(b);
  - (b) for Matter H13.8.1(3)(a)(ii) refer to Policy H13.3(3)(c);
  - (c) for Matter H13.8.1(3)(a)(iii) refer to Policy H13.3(4);
  - (d) for Matter H13.8.1(3)(a)(iv) refer to Policy H13.3(3)(a);
  - (e) for Matter H13.8.1(3)(a)(v) refer to Policy H13.3(7);
  - (f) for Matter H13.8.1(3)(b) refer to Policy H13.3(6);

- (g) for Matter H13.8.1(3)(c)(i) refer to Policy H13.3(3)(a) and Policy H13.3(3)(b);
  - (h) for Matter H13.8.1(3)(c)(ii) refer to Policy H13.3(3)(a) and Policy H13.3(3)(b);
  - (i) for Matter H13.8.1(3)(c)(iii) refer to Policy H13.3(3)(a) and Policy H13.3(3)(b);
  - (j) for Matter H13.8.1(3)(d) refer to Policy H13.3(3)(c);
  - (k) for Matter H13.8.1(3)(e) refer to Policy H13.3(3)(c);
  - (l) for Matter H13.8.1(3)(f) refer to Policy H13.3(3)(b);
  - (m) for Matter H13.8.1(3)(g) refer to Policy H13.3(3)(c);
  - (n) for Matter H13.8.1(3)(h) refer to Policy [E1.3\(10\)](#);
  - (o) for Matter H13.8.1(3)(i) refer to Policy H13.3(3)(12);
- (4) in addition to the policies for new buildings stated above the Council will have regard to the following policies when considering new buildings for the following purposes:
- supermarkets, department stores and large format retail where the activity or integrated retail development exceeds 1000m<sup>2</sup> gross floor area per tenancy:
- (a) refer to Policy H13.3(1), Policy H13.3(5) and Policy H13.3(20);
- (5) in addition to the policies for new buildings stated above the Council will have regard to the following policies when considering new buildings for the following purposes:
- drive-through restaurants; or
  - service stations:
- (a) refer to Policy H13.3(3)(a), Policy H13.3(3)(b), Policy H13.3(3)(c), Policy H13.3(7), Policy H13.3(8), Policy H13.3(12) and Policy H13.3(21);
- (6) conversion of a building or part of a building to dwellings, retirement villages, visitor accommodation and boarding houses:
- (a) refer to Policy H13.3(2);
- (7) buildings that do not comply with the standards:
- (a) height, height in relation to boundary, building setbacks at upper floors, maximum tower dimension and tower separation:
- (i) refer to Policy H13.3(3)(a), Policy H13.3(3)(b), Policy H13.3(8), Policy H13.3(13), Policy H13.3(14) and Policy H13.3(21);



(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.

PC 78 ([see  
Modifications](#))

[new text to be inserted]

### 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 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

PC 78 ([see  
Modifications](#))

PC 78 ([see  
Modifications](#))

PC 78 ([see  
Modifications](#))

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

[new text to be inserted]

(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.

PC 78 ([see  
Modifications](#))

[new text to be inserted]

### **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 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;
  - (zaa) is compatible with a qualifying matter that requires reduced height and/or density;

- (a) is an efficient use of land;
- (b) supports public transport, community infrastructure and contributes to centre vitality and vibrancy;
- (c) considering the size and depth of the area, can be accommodated without significant adverse effects on adjacent residential zones;
- (d) is supported by the status of the centre in the centres hierarchy, or is adjacent to such a centre; and
- (e) support the role of centres.

PC 78 ([see Modifications](#))

- (14) In identified locations within the 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.

*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.

PC 78 ([see Modifications](#))

[new text to be inserted]

#### H14.4. Activity table

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

**Table H14.4.1 Activity table**

Activity		Activity status
<b>General</b>		
(A1)	Activities not provided for	NC
<b>Use</b>		
Accommodation		
(A2)	Dwellings	NC
(A3)	Conversion of a building or part of a building to dwellings, residential development, visitor accommodation or boarding houses	NC
(A4)	Integrated residential development	NC
(A5)	Supported residential care	NC
(A6)	Visitor accommodation and boarding houses	NC
Commerce		
(A7)	Commercial services	P
(A8)	Commercial sexual services	D
(A9)	Conference facilities	D
(A10)	Department stores	RD
(A11)	Drive-through restaurants	P
(A12)	Entertainment facilities	P
(A13)	Cinemas	NC
(A14)	Food and beverage	P
(A15)	Food and beverage activities that form part of an integrated development, with more than 5 food and beverage activities	RD*
(A16)	Funeral directors' premises	D

Activity		Activity status
(A17)	Garden centres	P
(A18)	Marine retail	P
(A19)	Motor vehicle sales	P
(A20)	Offices up to 500m <sup>2</sup> gross floor area per site	P
(A21)	Offices greater than 500m <sup>2</sup> gross floor area per site	D
(A22)	Retail up to 200m <sup>2</sup> gross floor area per tenancy	NC
(A23)	Retail exceeding 200m <sup>2</sup> per tenancy and up to 450m <sup>2</sup> gross floor area per tenancy	D
(A24)	Retail greater than 450m <sup>2</sup> gross floor area per tenancy	P
(A25)	Service stations	RD
(A26)	Supermarkets up to 450m <sup>2</sup> gross floor area per tenancy	D
(A27)	Supermarkets greater than 450m <sup>2</sup> gross floor area per tenancy	RD
(A28)	Trade suppliers	P
Community		
(A29)	Artworks	P
(A30)	Care centres	D
(A31)	Community facilities	D
(A32)	Education facilities	D
(A33)	Emergency services	RD
(A34)	Healthcare facilities	D
(A35)	Hospitals	D
(A36)	Justice facilities	D
(A37)	Recreation facility	P
(A38)	Tertiary education facilities	D
Industry		
(A39)	Industrial activities	P
(A40)	Waste management facilities	NC
Mana Whenua		
(A41)	Marae complex	P
Development		
(A42)	New buildings	RD
(A43)	Demolition of buildings	P
(A44)	Alterations to building facades that are less than 25m <sup>2</sup>	P
(A45)	Additions to buildings that are less than: (a) 25 per cent of the existing gross floor area of the building; or (b) 250m <sup>2</sup> whichever is the lesser	P

Activity		Activity status
(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; 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.

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PC 78 ([see Modifications](#))

- (1) Buildings must not exceed 16.5m in height, unless otherwise specified in the Height Variation Control on the planning maps.

[new text to be inserted]

### H14.6.2. Height in relation to boundary

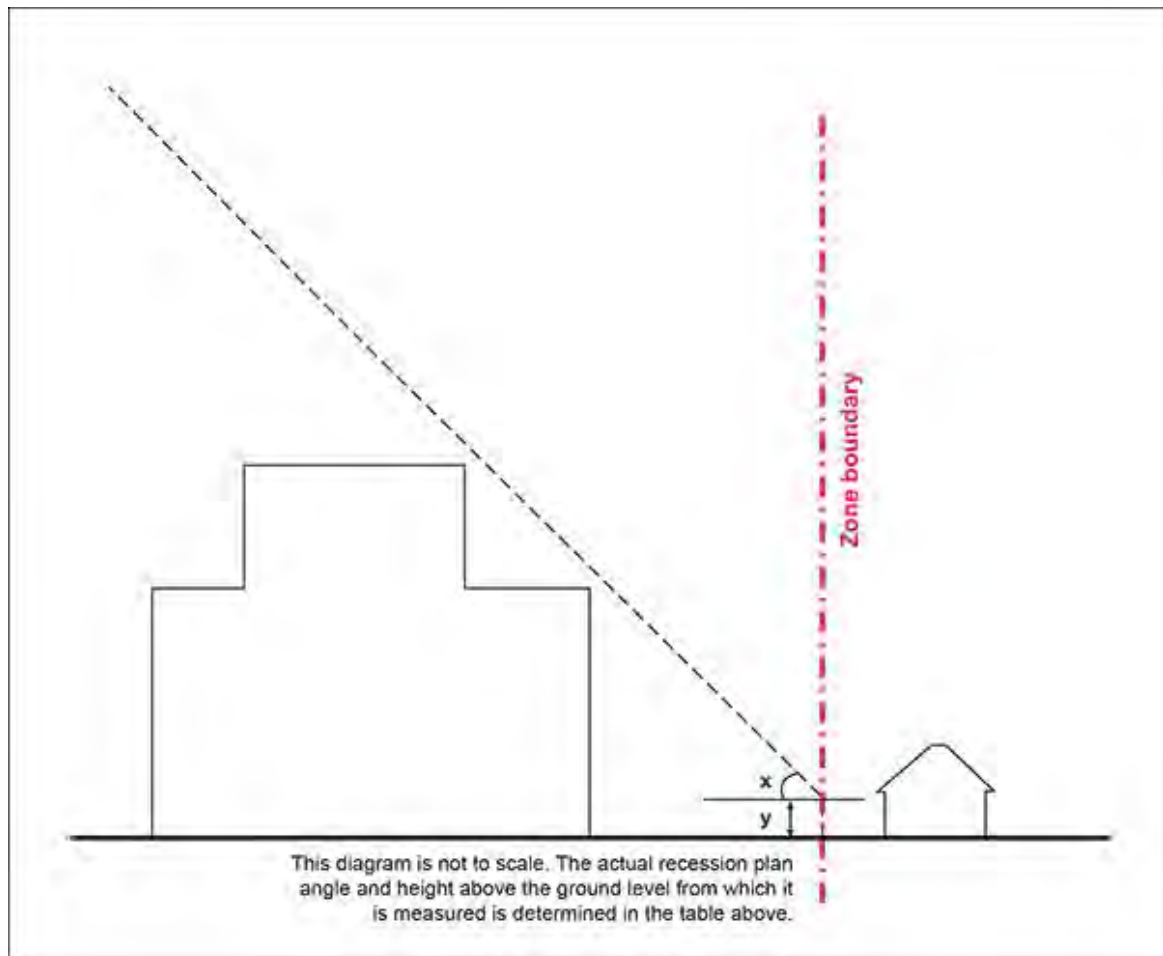
Purpose:

- 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.

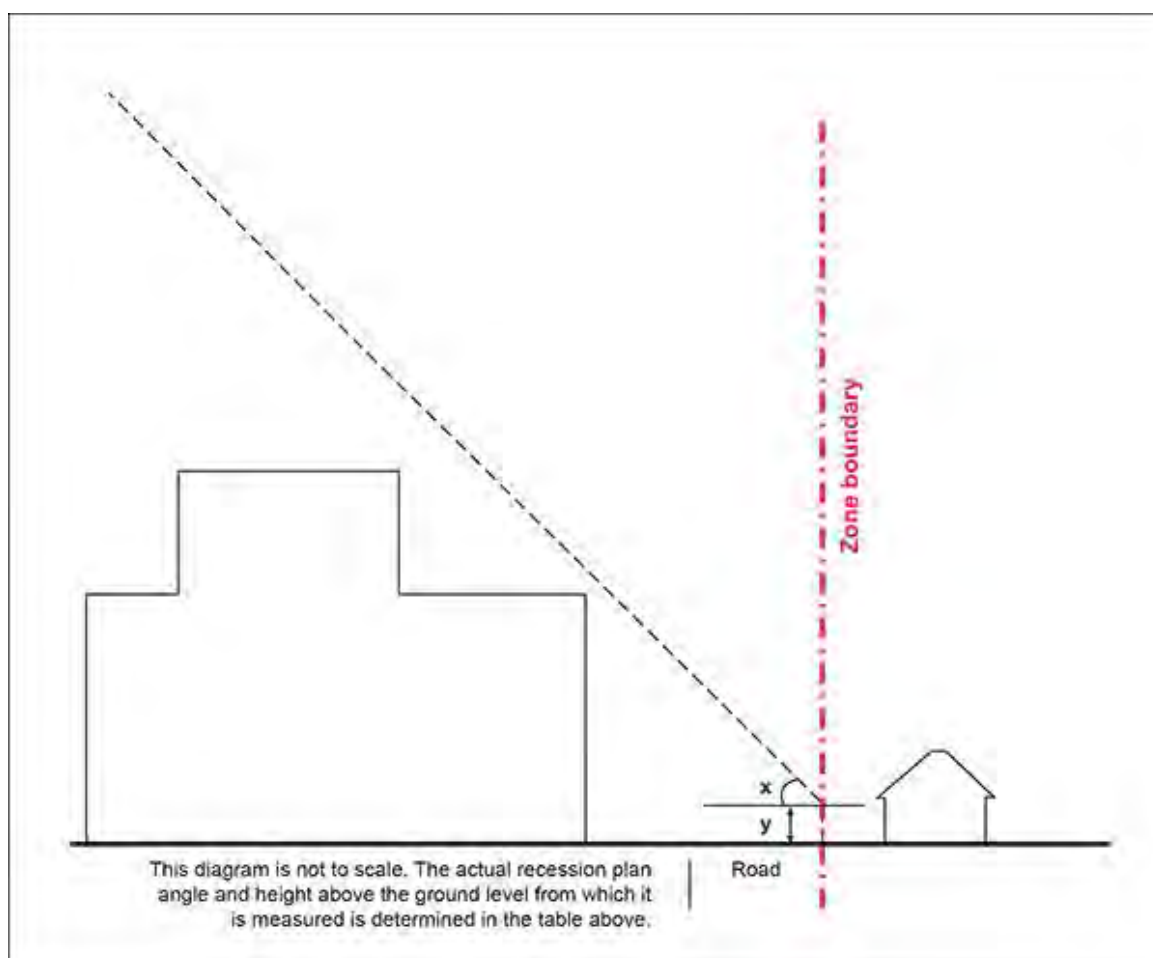
Table H14.6.2.1 Height in relation to boundary

	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)
PC 78 ( <a href="#">see Modifications</a> )	[new text to be inserted]	Residential – Single House Zone; or Residential – Mixed Housing Suburban Zone	45° 2.5m
PC 78 ( <a href="#">see Modifications</a> )		Residential – Mixed Housing Urban Zone	45° 3m
		Residential – Terrace Housing and Apartment Buildings Zone	60° 8m
		Special Purpose – Māori Purpose Zone; or Special Purpose – School Zone	45° 6m
		Open Space – Conservation Zone; Open Space – Informal Recreation Zone; Open Space – Sports and Active Recreation Zone; Open Space – Civic Spaces Zone; or Open Space – Community Zone	45° 4.5m
PC 78 ( <a href="#">see Modifications</a> )	[new text to be inserted]	[new text to be inserted]	[new text to be inserted]
		[new text to be inserted]	[new text to be inserted]
		[new text to be inserted]	[new text to be inserted]

**Figure H14.6.2.1 Height in relation to boundary**



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



### H14.6.3. Yards

Purpose:

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

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

**Table H14.6.3.1 Yards**

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

**Note 3**

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

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

**H14.6.4. Landscaping**

Purpose:

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

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

**H14.6.5. Maximum impervious area in the riparian yard**

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

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

**H14.6.6. Wind**

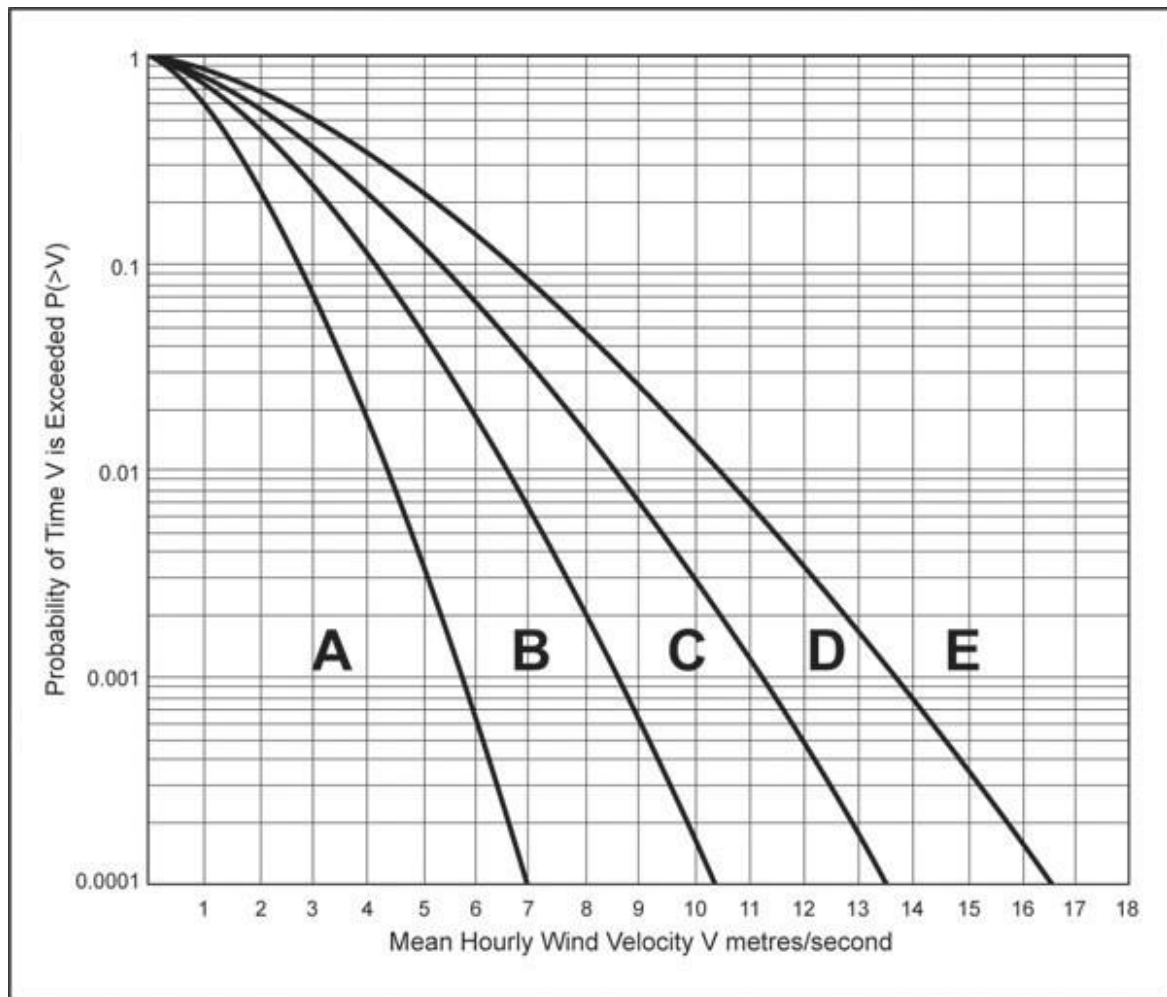
Purpose: mitigate the adverse wind effects generated by tall buildings.

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

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

**Table H14.6.6.1 Categories**

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

**Figure H14.6.6.1 Wind environment control**

Derivation of the wind environment control graph:

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

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

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

and where:

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

e = The Napierian base 2.7182818285

v = the velocity selected;

k = the constant 1.5; and

c = a variable dependent on the boundary being defined:

A/B, c = 1.548

B/C, c = 2.322

C/D, c = 3.017

D/E, c = 3.715

#### **H14.7. Assessment – controlled activities**

There are no controlled activities in this zone.

#### **H14.8. Assessment – restricted discretionary activities**

##### **H14.8.1. Matters of discretion**

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

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



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

- (i) the attractiveness and pleasantness of the public space and the amenity for people using or passing through that space;
  - (ii) the degree of visibility that it provides between the public space and the building interior; and
  - (iii) the opportunities for passive surveillance of the street from the ground floor of buildings.
- (d) the provision of verandahs to provide weather protection in areas used, or likely to be used, by significant numbers of pedestrians;
- (e) the application of Crime Prevention through Environmental Design principles to the design and layout of buildings adjoining public spaces;
- (f) the effects of creation of new roads and/or service lanes on the matters listed above;
- (g) the positive effects that landscaping, including required landscaping, on sites adjoining public spaces is able to contribute to the amenity values of the people using or passing through the public space;
- (h) taking an integrated stormwater management approach; and
- (i) all the above matters to be assessed having regard to the outcomes set out in this Plan and the functional requirements of the activities that the buildings are intended to accommodate;
- (5) in addition to the matters for new buildings stated above the Council will restrict its discretion to the following matter in regard to:
- supermarkets, department stores and large format retail where the activity or integrated retail development exceeds 1000m<sup>2</sup> gross floor area per tenancy; or
  - trade suppliers where the activity or integrated retail development exceeds 1000m<sup>2</sup> gross floor area per tenancy:
- (a) the manner in which these building/developments are integrated with the adjacent existing and planned future centre and zone activities and public spaces and provide for the continuity of active public frontages and associated pedestrian amenity that is appropriate to those centres and zones having regard to the outcomes set out in this Plan and the functional requirements of the activities that the buildings are intended to accommodate. This will include the effects of the design and location of parking areas, vehicle access and servicing arrangements on the visual amenity of the streetscape and on pedestrian safety;
- (6) in addition to the matters for new buildings stated above the Council will restrict its discretion to the following matter in regard to:
- drive through restaurants; or

- service stations:

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

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

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

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

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

#### **H14.8.2. Assessment criteria**

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

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

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

(2) supermarkets greater than 450m<sup>2</sup> gross floor area and department stores:

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

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

- supermarkets, department stores and large format retail where the activity or integrated retail development exceeds 1000m<sup>2</sup> gross floor area per tenancy; or
- trade suppliers where the activity or integrated retail development exceeds 1000m<sup>2</sup> gross floor area per tenancy:

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

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

- drive through restaurants; or
- service stations:

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

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

(a) height and height in relation to boundary:

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

(b) yards and landscaping:

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

(c) wind:

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

(d) maximum impervious area in a riparian yard:

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

#### **H14.9. Special information requirements**

There are no special information requirements in this zone.

## H15. Business – Business Park Zone

### H15.1. Zone description

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

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

### 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 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.

**[new text to be inserted]**

- (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.

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**[new text to be inserted]**

**H15.3. Policies**

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

- (1) Reinforce the function of the city centre, metropolitan centres and town centres as the primary location for commercial activity, according to their role in the hierarchy of centres.
- (2) Enable an increase in the density, diversity and quality of housing in the centre zones and Business – Mixed Use Zone, where it is compatible with any qualifying matters and while managing any reverse sensitivity effects including from the higher levels of ambient noise and reduced privacy that may result from non-residential activities.
- (3) Require development to be of a quality and design that positively contributes to:
  - (a) planning and design outcomes identified in this Plan for the relevant zone;
  - (b) the visual quality and interest of streets and other public open spaces; and
  - (c) pedestrian amenity, movement, safety and convenience for people of all ages and abilities.

- (4) Encourage universal access for all development, particularly medium to large scale development.
- (5) Require large-scale development to be of a design quality that is commensurate with the prominence and visual effects of the development.
- (6) Encourage buildings at the ground floor to be adaptable to a range of uses to allow activities to change over time.
- (7) Require at grade parking to be located and designed in such a manner as to avoid or mitigate adverse effects on pedestrian amenity and the streetscape.
- (8) Require development adjacent to residential zones and the Special Purpose – School Zone and Special Purpose – Māori Purpose Zone to maintain the amenity values of those areas, having specific regard to dominance, overlooking and shadowing.
- (9) Discourage activities, which have noxious, offensive, or undesirable qualities from locating within the centres and mixed use zones, while recognising the need to retain employment opportunities.
- (10) Discourage dwellings at ground floor in centre zones and enable dwellings above ground floor in centre zones.
- (11) Require development to avoid, remedy or mitigate adverse wind and glare effects on public open spaces, including streets, and shading effects on open space zoned land.
- (12) Recognise the functional and operational requirements of activities and development.
- (12A) Enable building height of at least six storeys within mapped walkable catchments unless a qualifying matter applies that reduces height.
- (13) Enable greater building height than the standard height in locations identified within the Height Variation Control, having regard to whether the greater height:
  - (za) is commensurate with the level of commercial activities and community services;
  - (zaa) is compatible with a qualifying matter that requires reduced height and/or density;
  - (a) is an efficient use of land;
  - (b) supports public transport, community infrastructure and contributes to centre vitality and vibrancy;
  - (c) considering the size and depth of the area, can be accommodated without significant adverse effects on adjacent residential zones;

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- (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.

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Modifications](#))

- (14) In identified locations within the 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.

*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
<b>General</b>		
(A1)	Activities not provided for	NC
<b>Use</b>		
Accommodation		
(A2)	Dwellings	NC
(A3)	Conversion of a building or part of a building to dwellings, integrated residential development, visitor accommodation or boarding houses	NC
(A4)	Integrated residential development	NC
(A5)	Supported residential care	NC
(A6)	Visitor accommodation and boarding houses	RD
Commerce		
(A7)	Commercial services	P
(A8)	Commercial sexual services	D
(A9)	Conference facilities	D
(A10)	Drive-through restaurants	NC
(A11)	Entertainment facilities	NC
(A12)	Cinemas	NC
(A13)	Food and beverage	P
(A14)	Funeral directors' premises	NC
(A15)	Offices other than in H15.4.1(A16) and (A17)	P

Activity		Activity status
(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 <sup>2</sup> gross floor area per tenancy	P
(A20)	Supermarkets greater than 450m <sup>2</sup> gross floor area per tenancy	NC
Community		
(A21)	Artworks	P
(A22)	Care centres	P
(A23)	Community facilities	D
(A24)	Education facilities	D
(A25)	Emergency services	RD
(A26)	Healthcare facilities	P
(A27)	Hospitals	NC
(A28)	Justice facilities	D
(A29)	Recreation facility	P
(A30)	Tertiary education facilities	D
Industry		
(A31)	Industrial activities	NC
(A32)	Industrial laboratories	P
(A33)	Light manufacturing and servicing	P
(A34)	Repair and maintenance services	P
(A35)	Storage and lock-up facilities	D
(A36)	Waste management facilities	NC
(A37)	Warehousing and storage	P
Mana Whenua		
(A38)	Marae complex	D
Development		
(A39)	New buildings	RD
(A40)	Demolition of buildings	P
(A41)	Alterations to building facades that are less than 25m <sup>2</sup>	P
(A42)	Additions to buildings that are less than: (a) 25 per cent of the existing gross floor area of the building; or (b) 250m <sup>2</sup> whichever is the lesser	P

Activity		Activity status
(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.

PC 78 ([see Modifications](#))

- (1) Buildings must not exceed 20.5m 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)
NA	Residential – Single House Zone; or Residential - Mixed Housing Suburban Zone	45°	2.5m
	Residential – Mixed Housing Urban Zone	45°	3m

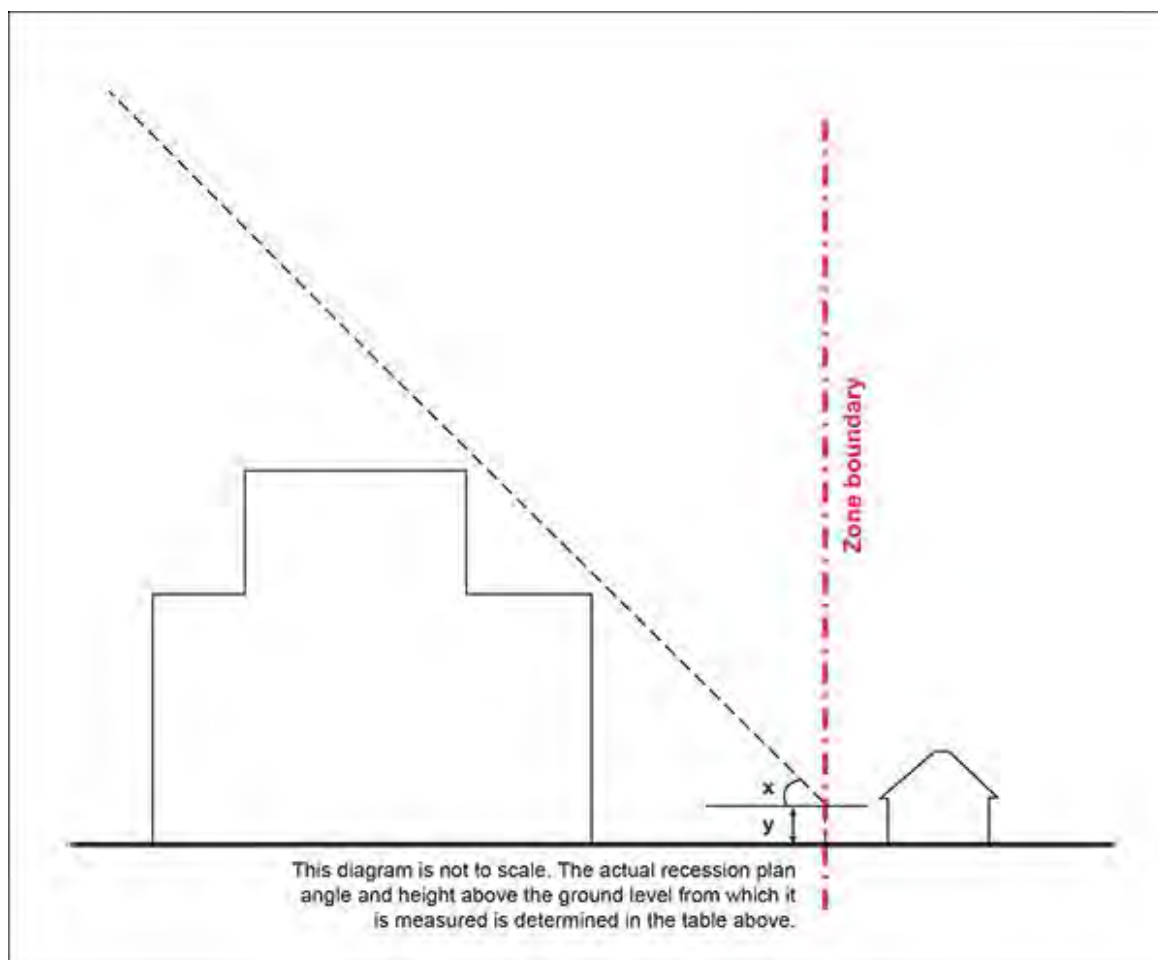
PC 78 ([see Modifications](#))

H15 Business – Business Park Zone

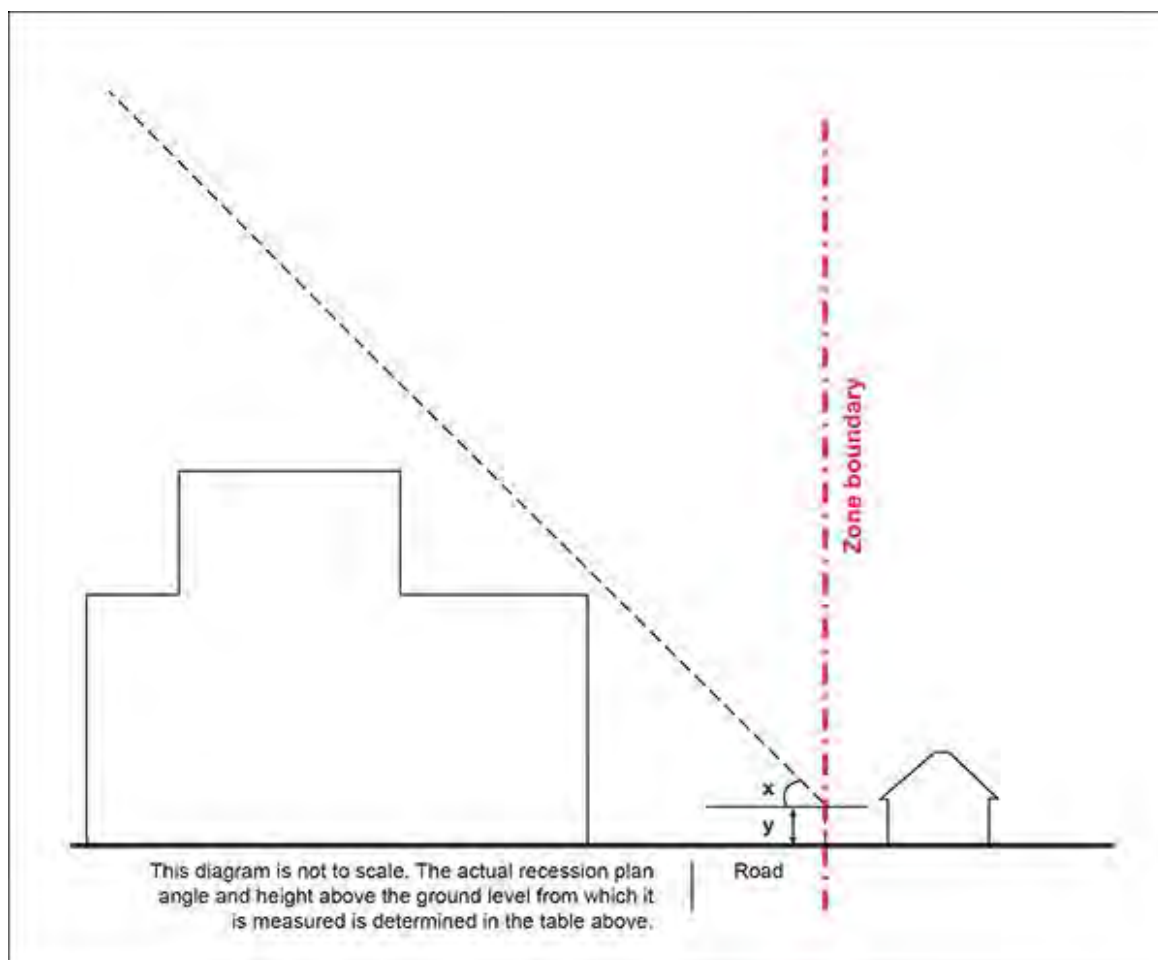
PC 78 ([see Modifications](#))

	Residential – Terrace Housing and Apartment Buildings Zone	60°	8m
	Special Purpose – Māori Purpose Zone; or Special Purpose School Zone	45°	6m
	Open Space – Conservation Zone; Open Space – Informal Recreation Zone; Open Space – Sport and Active Recreation Zone; Open Space – Civic Spaces Zone; or Open Space – Community Zone	45°	4.5m
Buildings 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
[new text to be inserted]	[new text to be inserted]	[new text to be inserted]	[new text to be inserted]

**Figure H15.6.2.1 Height in relation to boundary**

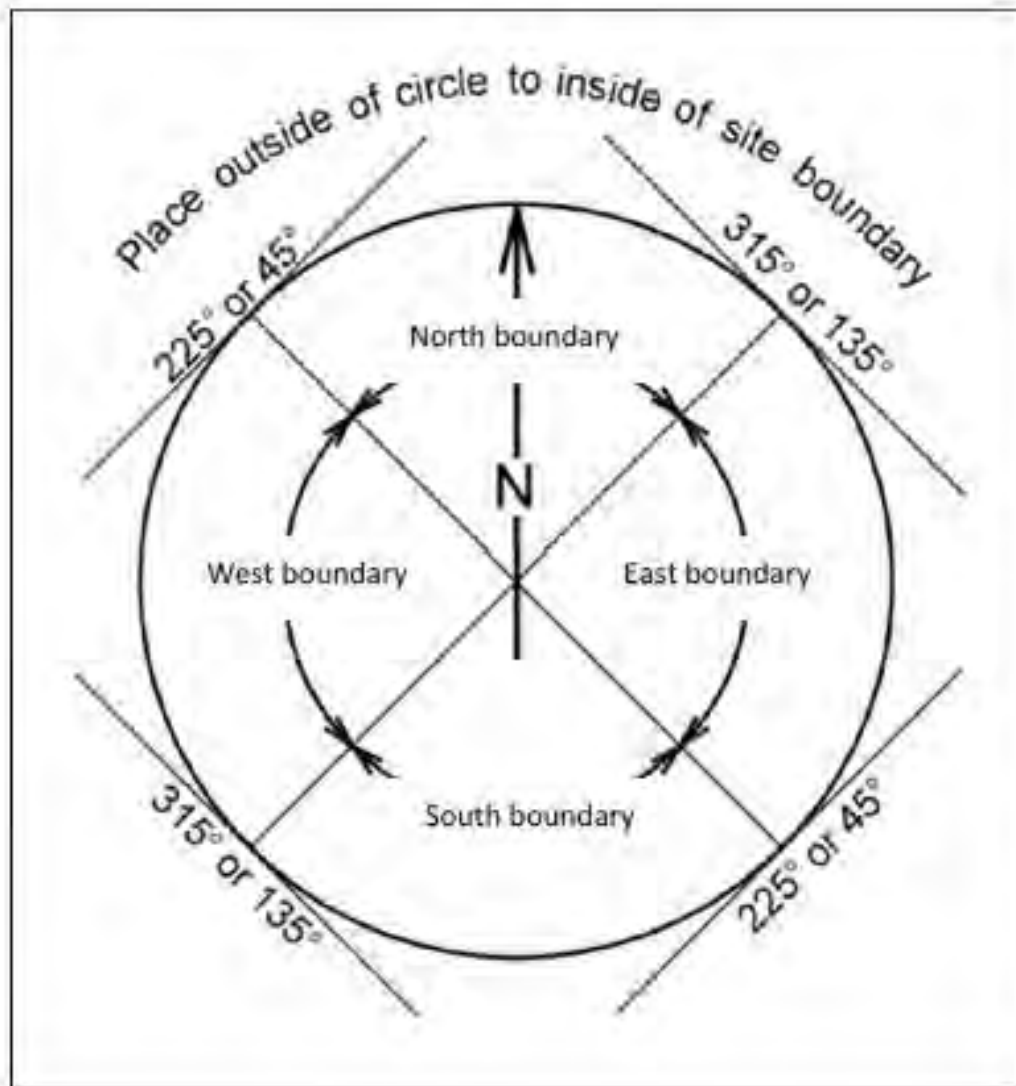


**Figure H15.6.2.2 Height in relation to boundary opposite a road**





**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 <a href="#">Appendix 6 Coastal protection yard</a>

**Note 1**

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

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

**H15.6.4. Landscaping and maximum impervious area**

Purpose: ensure:

- the zone achieves a spacious landscaped character;
- landscaping provides a buffer and screening between car parking, loading, or service areas commercial activities and the street;
- landscaping is of sufficient quality as to make a positive contribution to the amenity of the street; and
- to manage the amount of stormwater runoff generated by a development, particularly in relation to the capacity of the stormwater network and potential flood risks.

- (1) Landscaped areas which in total comprise at least 20 per cent of a site must be provided.
- (2) A landscape buffer of 2m in depth must be provided along the street frontage between the street and car parking, loading, or service areas which are visible from the street frontage. This rule excludes access points.
- (3) The required landscaping in Standard H15.6.4(2) above must comprise a mix of trees, shrubs or ground cover plants (including grass).
- (4) The maximum impervious area in the zone is 80 per cent of the site.

#### **H15.6.5. Maximum impervious area in the riparian yard**

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

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

#### **H15.6.6. Wind**

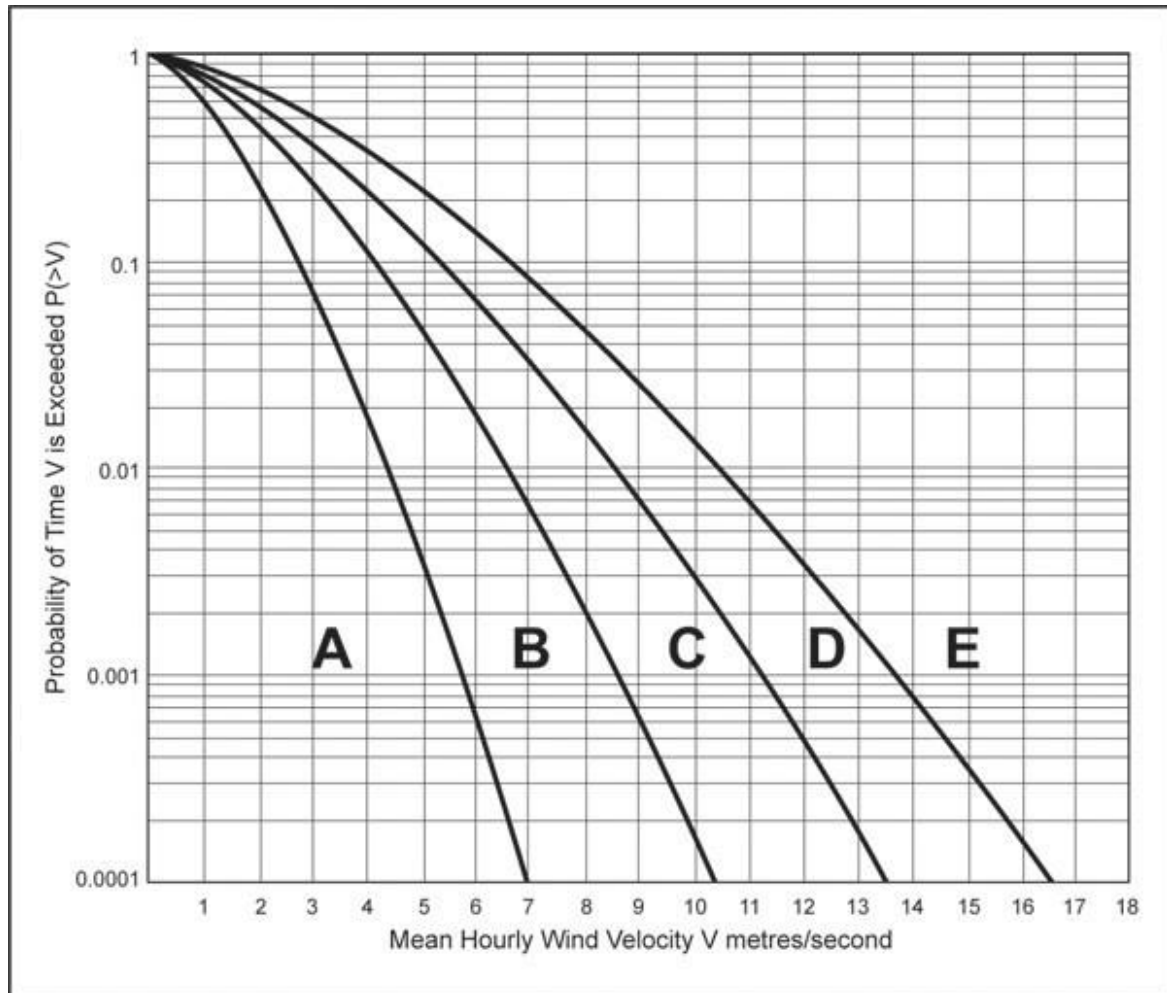
Purpose: mitigate the adverse wind effects generated by tall buildings.

- (1) A new building exceeding 25m in height and additions to existing buildings that increase the building height above 25m must not cause:
  - (a) the mean wind speed around it to exceed the category for the intended use of the area as set out in Table H15.6.6.1 and Figure H15.6.6.1 below;
  - (b) the average annual maximum peak 3-second gust to exceed the dangerous level of 25m per second; and
  - (c) an existing wind speed which exceeds the controls of Standard H15.6.6(1)(a) or Standard H15.6.6(1)(b) above to increase.
- (2) A report and certification from a suitably qualified and experienced person, showing that the building complies with Standard H15.6.6(1) above, will demonstrate compliance with this standard.
- (3) If the information in Standard H15.6.6(2) above is not provided, or if such information is provided but does not predict compliance with the rule, a further wind report including the results of a wind tunnel test or appropriate alternative test procedure is required to demonstrate compliance with this standard.

**Table H15.6.6.1 Categories**

<b>Category</b>	<b>Description</b>
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**

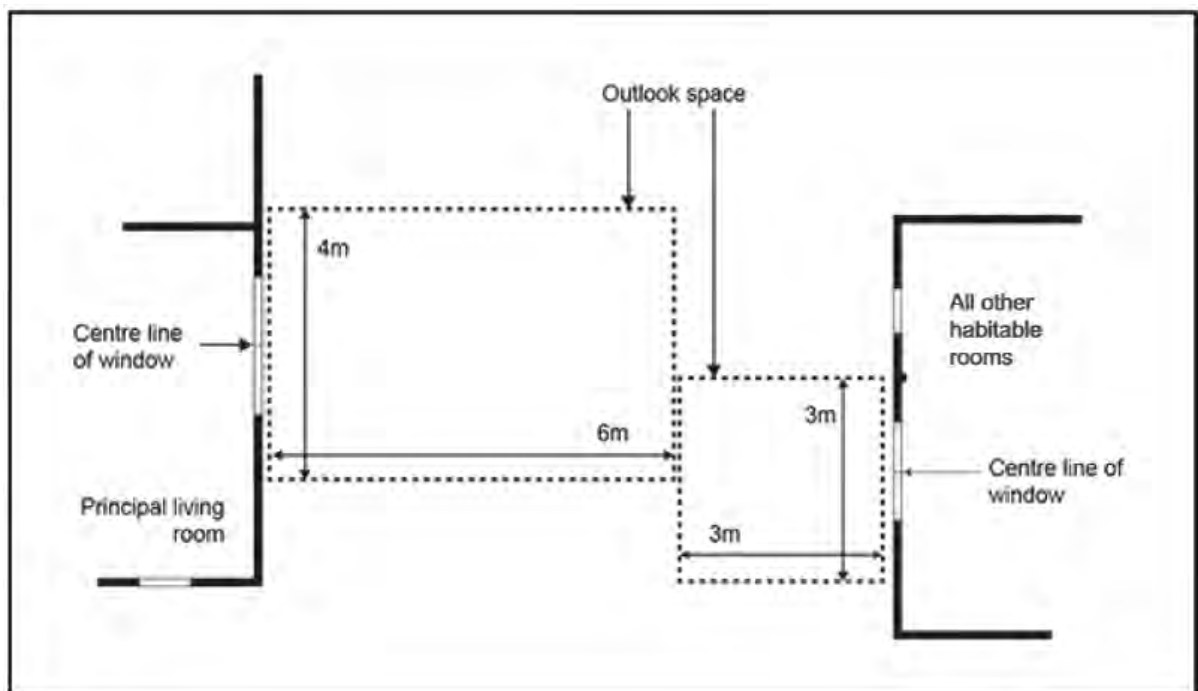
Purpose:

- 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; andnot 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);

(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.

## **I201. Britomart Precinct**

### **I201.1. Precinct background**

The Britomart Precinct is bordered by Lower Queen Street, Quay Street, Britomart Place and Customs Street East and its zoning is Business - City Centre zone. The precinct re-establishes traditional grid street pattern through the extension of Gore and Commerce streets from Customs Street to Quay Street. The extent of the Britomart precinct is shown on Britomart Precinct: Precinct plan 1.

The purpose of the precinct is to act as a regional transport centre, provide for comprehensive development and provide a link between the core central business district and the harbour edge, while preserving identified special character and historic heritage values and enabling adaptive reuse of those buildings. Britomart's proximity to the harbour edge and the core central business district of the city centre provides an important context for existing and new development. The convenience and location of transport services is an important aspect of the precinct, along with providing a safe, attractive pedestrian environment with good sheltered connections to both the harbour edge and the city core.

The precinct is comprised largely of low and medium rise buildings including scheduled historic heritage places and identified special character buildings on its perimeter. The identified historic heritage building and special character buildings and general streetscape contribute to its character, enclosure, and sense of human scale. In combination with the precinct's function as a regional transport interchange, the identified historic heritage places and special character buildings form a framework for future redevelopment. It is noted however, that the north western perimeter of the precinct is comprised of high rise modern buildings. It is also proposed to develop new medium to high rise buildings within the central spine of the precinct.

The precinct is also in a critical location for providing a better link between the city centre and the harbour and also Viaduct Harbour to the west and the Quay Park precinct (the site of Auckland's former rail station and shunting yards) and the arena site to the east. Provision for an attractive and safe pedestrian network and public squares, with good quality connections to the harbour edge and the city core, is vital.

Station Plaza and Takutai Square are the two major public open spaces within the precinct and Te Ara Tahuhu (walking street) provides the main east-west pedestrian link connecting Commerce Street to Britomart Place.

The precinct provisions require future above-ground development to occur in a comprehensive and coordinated manner.

The land in the Britomart Precinct is zoned Business – City Centre Zone.

### **I201.2. Objectives**

- (1) An attractive, safe and lively environment that reflects the importance of the precinct's role as a regional transport interchange, and provides a link between the core central business district and the harbour edge.

- (2) Britomart is comprehensively developed as a mixed use precinct that:
- (a) integrates with the facilities and functions of the Britomart regional transport centre;
  - (b) maintains a perimeter built form that is of an appropriate scale in relation to the form and scale of existing heritage buildings and waterfront edge location, and is in keeping with or complementary to established development within the precinct;
  - (c) acknowledges and reinforces the lower scale Customs Street heritage frontage, the Quay Street frontage and the medium to high rise new central spine of the precinct;
  - (d) provides a high level of physical and visual accessibility within the precinct, and to the city centre and the waterfront; and
  - (e) has high quality pedestrian connections and open spaces.
- (3) The historic heritage values of identified buildings within the precinct are retained, and where appropriate conserved.
- (4) The Port of Auckland is protected from potential reverse sensitivity effects generated by residential activities within the precinct.

The overlay, Auckland-wide and Business – City Centre Zone objectives apply in this precinct in addition to those specified above.

### **I201.3. Policies**

- (1) Limit development to a scale that is sensitive to the values of heritage buildings within the precinct and the Waterfront setting.
- (2) Require development within Sub-precinct B to maintain an overall built form outcome that supports a lower scale heritage Customs Street frontage, a medium to high rise central spine and a mixed low, medium and high rise Quay Street frontage.
- (3) Reduce any potential adverse visual effects of buildings in relation to the harbour edge and as viewed from the southern side of Customs Street East, from Britomart Place through to the Chief Post Office building.
- (4) Require buildings and public open spaces to achieve a high standard of urban design while maintaining or enhancing the values of heritage buildings within the precinct.
- (5) Require development of building frontages to streets or other public spaces to maintain a height above street level that retains a sense of intimacy, character and human scale, particularly on the Customs Street frontage, and preserves sunlight access.

- (6) Reinforce pedestrian activity and adjoining public open spaces by requiring significant portions of ground floor frontages be made available for retail and commercial service activities.
- (7) Manage the scale, form and intensity of development to maintain the character of the Britomart Precinct.
- (8) Reinforce and acknowledge the Quay Street waterfront edge of the CBD, which runs from the Port Precinct through to Beaumont Street, through a mixture of lower buildings punctuated by taller buildings along the Britomart Precinct Quay Street frontage, while restricting tall new buildings along the Quay Street edge between Britomart Place and Gore Street to one location at 110 to 114 Quay Street.
- (9) Provide an opportunity on the Seafarers' site to create a contemporary medium to high rise building that acknowledges the surrounding heritage buildings but is also consistent with the scale of the existing medium to high rise contemporary buildings on the north-western frontage of the Precinct.

The above objectives and policies cannot be used to justify additional height above the maximum permitted height on sites along the Quay Street frontage of the Britomart Precinct, other than on the Seafarers' site.

#### *Heritage*

- (10) Enable the adaptive re-use of historic heritage buildings while ensuring that their valued features are maintained or enhanced.
- (11) Avoid insensitive development or objects adjacent to historic heritage places that detract from the heritage values for which the building is protected.

#### *Open space and pedestrian connections*

- (12) Maintain and enhance the environmental qualities and amenities of the precinct.
- (13) Establish an interconnected system of public open spaces, of varying size and pedestrian connections which can cater for a range of appropriate activities, events and support the regional transport interchange function of the precinct.
- (14) Preserve sunlight access to identified public open spaces by managing building height and form.
- (15) Provide strong visual and physical connections between the public open spaces within the Precinct, the waterfront and the city centre core.

#### *Land uses*

- (16) Encourage the distinction of different areas within the precinct, each with its own character.

(17) Require accommodation in the precinct to be located and designed to provide for amenity and well-being of residents while mitigating potential adverse effects of port operations and avoiding the likelihood of reverse sensitivity effects on the Port of Auckland.

(18) Limit parking to the eastern end of the precinct and to the Britomart carpark site located on the eastern side of Britomart Place to maintain main pedestrian thoroughfares and retain the visual amenity provided by heritage buildings.

The overlay, Auckland-wide and Business – City Centre Zone policies apply in this precinct in addition to those specified above.

#### **I201.4. Activity table**

The provisions in any relevant overlays, zone and the Auckland-wide apply in this precinct unless otherwise specified below.

Table I201.4.1 specifies the activity status of development activities in the Britomart Precinct pursuant to section 9(3) of the Resource Management Act 1991.

- The activities in the Business – City Centre Zone apply in the Britomart Precinct except in those areas identified as public open space on Precinct plan 4, and as specified in the following table.

**Table I201.4.1. Activity table - Britomart Precinct**

<b>Activity</b>		<b>Activity status</b>
<b>Development</b>		
(A1)	Minor cosmetic alterations to a building that does not change its external design and appearance	P
(A2)	New buildings, and alterations and additions to buildings not otherwise provided for	RD
(A3)	Dwellings and visitor accommodation that do not comply with Standard I201.6.1(1)	D
(A4)	Development that does not comply with Standard I201.6.7(1)-(2) or I201.6.8(1)	D
(A5)	Development that does not comply with Standard I201.6.5(1) or I201.6.6(1)-(5)	NC

Table I201.4.1 specifies the activity status of land use activities in the Britomart Precinct pursuant to section 9(3) of the Resource Management Act 1991.

- The following table specifies the activity status of activities within the identified public open spaces shown on Britomart Precinct: Precinct plan 4.

**Table I201.4.2. Activity table - Britomart precinct (identified public open spaces shown on Britomart Precinct: Precinct plan 4)**

Activity		Activity status
<b>Community</b>		
(A6)	Informal recreation	P
(A7)	Landscaping	P
(A8)	Artworks	P
(A9)	Playgrounds	RD
(A10)	Seating and picnic tables	P
(A11)	Awnings, canopies or similar weather protection structures accessory to tables and seating	RD
(A12)	Kiosks and market stalls	RD
<b>Development</b>		
(A13)	Glazed roof structures/atrium and/or glazed verandahs and physical connections	RD
(A14)	New buildings	D
(A15)	Dwellings and visitor accommodation that do not comply with Standard I201.6.1(1)	D
(A16)	Development that does not comply with Standard I201.6.7(1)-(2) or I201.6.8(1)	D
(A17)	Development that does not comply with Standard I201.6.5(1) or I201.6.6(1)-(5)	NC

**I201.5. Notification**

- (1) Any application for resource consent for an activity listed in Table I201.4.1 Activity table - Britomart and Table I201.4.2. Activity table - Britomart precinct (identified public open spaces shown on Britomart Precinct: Precinct plan 4) 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\(4\)](#).

**I201.6. Standards**

The overlay, zone and Auckland-wide standards apply in this precinct unless otherwise specified below.

All permitted and restricted discretionary activities listed in Table I201.4.1 Activity table - Britomart and Table I201.4.2. Activity table - Britomart precinct (identified public open spaces shown on Britomart Precinct: Precinct plan 4) must comply with the following standards.

### **I201.6.1. Dwellings and visitor accommodation**

Purpose: to avoid the potential for reverse sensitivity effects on the Port of Auckland.

- (1) Dwellings and visitor accommodation must be subject to a restrictive non-complaint covenant\* in favour of the Ports of Auckland.
- (2) For the purposes of this rule a 'restrictive non-complaint covenant' is defined as a restrictive covenant registered on the Title to the property or a binding agreement to covenant, in favour of Ports of Auckland Limited, by the landowner (and binding any successors in title) not to complain as to effects generated by the lawful operation of the port. The restrictive non-complaint covenant is limited to the effects that could be lawfully generated by the port activities at the time the agreement to covenant is entered into. This does not require the covenantor to forego any right to lodge submissions in respect of resource consent applications or plan changes in relation to port activities (although an individual restrictive non-complaint covenant may do so). Details of the existence of covenant documents may be obtained from Ports of Auckland Limited, its solicitors, or in the case of registered covenants by searching the Title to the relevant property.

### **I201.6.2. Building height**

Purpose: manage the height of buildings to achieve Policies I201.3(1), (2), (3), (7), (8), (9) and (14) of the Britomart Precinct.

- (1) Buildings must not exceed the heights specified on Britomart Precinct: Precinct plan 1
- (2) The Britomart station ventilation stacks may exceed the maximum building height specified on Britomart Precinct: Precinct plan 1 provided that they do not exceed 10m above the roof to the storey immediately below.
- (3) A single lift machine room or over-run within the 50m height area shown on Britomart Precinct: Precinct plan 1 may exceed the maximum building height provided that:
  - (a) the height of the projection does not exceed 5.4m above the maximum permitted height; and
  - (b) the area of the projection does not exceed a floor area equal to 10 per cent of the area of the roof to the storey immediately below.

- (4) Seafarers' Height Controls as specified on Britomart Precinct: Precinct plan 1

A building on the Seafarers site is composed of two elements, each with the maximum permitted height as follows:

- (a) a larger element located at the eastern end of the site with an east-west footprint dimension two thirds of the east-west dimension of the site area (or up to a maximum of five metres either side of this dimension) and no taller than 55.24m above mean street level (AMSL); and



- (b) a smaller element located on the (remaining) western-most one third of the site (or up to a maximum of five metres either side of this dimension) and no taller than 35.40m AMSL

#### Explanation

The Seafarers site is a potential redevelopment site on the Quay Street frontage of the Precinct. The varied height limits provide an opportunity to develop a contemporary building that is complementary to both the taller existing buildings to the south and west and the lower heritage character buildings to the east. The larger element corresponds to the lower of the two Quay Street Harbour Edge Height Control Planes (HEHCP), while the smaller building element corresponds to the height of the parapet on the second step back on the western elevation of the East Building, facing Takutai Square.

#### **I201.6.3. Minimum frontage height**

Purpose: ensure streets are well defined by buildings and provide a sense of enclosure to enhance pedestrian amenity.

- (1) New buildings and additions to buildings must adjoin the site frontage for its entire length excluding vehicle and pedestrian access areas and have a minimum frontage height of 16m above mean street level.

#### **I201.6.4. Paving of public open spaces**

Purpose: Maintain and enhance the amenity of public open space.

- (1) Paving of areas of public open space, as shown on Britomart Precinct: Precinct plan 3, must be provided by adjacent site owners in conjunction with any new development of the site.
- (2) Applications for any new building or external alteration or addition to any existing building on sites adjacent to areas identified for paving in Britomart Precinct: Precinct plan 3 must provide details of ground surface designs particularly in relation to the paving materials to be laid and the pattern of their layout.
- (3) The pavers must be at least equal to the standard of paving and detailing in Station Plaza.

#### **I201.6.5. View shaft**

Purpose: manage development to maintain views from Britomart Place through to the Chief Post Office building and provide an important visual guide for pedestrians moving into and through the Precinct. The view shaft is intended to protect this view for the benefit of pedestrians.

- (1) Buildings must not locate within the areas of the view shaft shown on Britomart Precinct: Precinct plan 3, except for:
  - (a) temporary buildings which are permitted activities or for which resource consent has been granted;

- (b) parts of buildings or structures above first floor level; and
- (c) verandahs required by [H8.6.26](#) of the Business – City Centre Zone rules or for which resource consent has been granted.

#### **I201.6.6. Site intensity**

Purpose: manage the scale, form and intensity of development to maintain the character of the Britomart Precinct.

- (1) The basic and the maximum floor area ratios permitted within the Britomart precinct are as shown on Britomart Precinct: Precinct plan 2.
- (2) [Deleted]
- (3) In Sub-precinct B the maximum total FAR is the gross floor area allowed as a permitted activity, except that for the sites notated on Britomart Precinct: Precinct plan 2 the floor area ratio must be limited to the gross floor area achievable within the existing special character building or scheduled historic heritage place.
- (4) In Sub-precinct B the 11:1 FAR shown in Britomart Precinct: Precinct plan 2 for sites to the east of Takutai Square is the maximum total FAR for a building or combination of structures covering all sites, and is not the maximum total FAR for individual sites.
- (5) On the Seafarers' site, the permitted site intensity shall be the floor area required to achieve the maximum permitted height as provided for within rule I201.6.2(4) Seafarers' Height Controls.

#### **I201.6.7. Heritage buildings**

Purpose: manage heritage buildings to achieve Policies I201.3(10) and (11) of the Britomart precinct.

- (1) All works relating to identified historic heritage buildings must be subject to conservation plans and obtain all necessary resource consents required by the Historic Heritage overlay rules and the Heritage New Zealand Pouhere Taonga Act 2014.
- (2) All works relating to the following non-scheduled buildings must be subject to approved conservation plans:
  - (a) Charter House, 54-58 Customs Street East (Part Lot 2 DP 382501);
  - (b) Newdick Building, 104 Quay Street (Part Lot 1 DP 369895);
  - (c) Quay Buildings, 106-108 Quay Street (Part Lot 1 DP 369895); and
  - (d) Maritime Building, 130 Quay Street (Lot 57 DP 317575).

### **I201.6.8. Noise**

Purpose: Manage noise to maintain amenity.

- (1) Any activity must comply with [E25 Noise and Vibration](#) of the Auckland-wide rules for noise and vibration except that noise from events and temporary activities must be measured 1m from the façade of the nearest dwelling or visitor accommodation building located outside of the Britomart precinct.

### **I201.6.9. Parking**

Purpose: Limit parking to the eastern end of the precinct to maintain main pedestrian thoroughfares and retain the visual amenity provided by heritage buildings.

- (1) For the purpose of calculating the maximum permitted parking, [E27.6.2](#) of the Auckland-wide - Transport rules apply except that:
  - (a) Sub-precinct B and Lot 5 DP 325137 in the Quay Park precinct is defined as a site. Parking accumulated within this area is limited to the areas marked with an asterisk on Precinct Plan 2 and to Lot 5 DP 325 137 within the Quay Park precinct; and
  - (b) for the sites identified with an asterisk and bounded by Customs Street East, Gore Street, Galway Street and Rouakai Lane, parking must be confined to basement levels and vehicle access must be from Galway Street only.

### **I201.7. Assessment – controlled activities**

There are no controlled activities in this precinct

### **I201.8. Assessment – Restricted discretionary activities**

#### **I201.8.1. Matters of discretion**

The Council will restrict its discretion to all of the following matters when assessing a restricted discretionary activity resource consent application, in addition to the matters specified for the relevant restricted discretionary activities in the overlay, Auckland wide or zone provisions:

- (1) new buildings, and alterations and additions to existing buildings not otherwise provided for:
  - (a) the matters of discretion in [H8.8.1\(1\)](#) of the Business – City Centre Zone rules apply;
- (2) restricted discretionary activities within the public open spaces identified on Precinct plan 4:
  - (a) location, design and external appearance of temporary or permanent buildings, structures and signs;
- (3) infringing the building height standard:

- (a) building scale, dominance and visual amenity effects; and
  - (b) effects on the current or planned future form and character of the precinct;
- (4) infringing the minimum frontage height standard:
- (a) building scale, dominance and visual amenity effects; and
  - (b) pedestrian amenity;
- (5) infringing the paving of public open spaces standard:
- (a) pedestrian amenity.

#### **I201.8.2. Assessment criteria**

The Council will consider the relevant assessment criteria below for restricted discretionary activities, in addition to the assessment criteria specified for the relevant restricted discretionary activities in the overlay, Auckland wide or zone provisions:

- (1) new buildings, and alterations and additions to existing buildings not otherwise provided for:
- (a) building design and external appearance - contributing to sense of place:
    - (i) whether the consistency of the existing character in a cohesive streetscape is maintained, with new buildings acknowledging traditional design and detailing. However, new buildings and additions need not replicate this style.
  - (b) building design and external appearance - variation in building form/visual interest:
    - (i) the extent to which buildings contain a predominance of vertical or neutral emphases on their elevations (rather than horizontal), and thus contribute to the visual reduction in the scale of buildings, and an appropriate scale close to public places;
  - (c) building design and external appearance - creating a positive frontage:
    - (ii) the extent to which the ground floor level of buildings adjacent to public spaces make use of architectural elements of columns, windows, doors, verandahs, colonnades, and recessed entrance ways to achieve a strong visual and physical integration of public and private space;
    - (iii) the extent to which the treatment of exterior walls continuously define the edge of the street (or open space) but with individual variation in architectural character to avoid long, dull, monotonous lengths of undifferentiated wall;

- (iv) the extent to which buildings are designed to address and align to the street boundaries and adjoining public spaces to develop a strong visual axis along streets and at intersections;
  - (v) the extent to which buildings contain activities that have a strong interaction with the use of adjoining public space in order to provide increased security and surveillance and contribute to the vitality of the area;
  - (vi) whether buildings adjacent to public open space dominate it or 'privatise' it by giving the impression that the open space is a forecourt to any private development adjoining it; and
  - (vii) the extent to which verandahs, where required, are continuous along the length of the street but should be designed separately on a site by site basis. The architecture of each verandah should relate directly to the building on that site and should not be designed as a uniform or standardised building element.
- (d) building design and external appearance - materials and finishes:
- (i) the extent to which materials and colour used in new buildings complement existing buildings, but may use new and contemporary interpretations in form and detail;
  - (ii) the extent to which the design of ground surfaces ensures conformity of detail and material where private developments are integrated with streets or adjacent public open spaces; and
  - (iii) the extent to which new buildings or external alterations or additions to buildings on sites adjacent to areas identified for paving in precinct plan 4 ensure the adjoining ground surface design is appropriate and sensitive and has regard to the manner in which the development is integrated with adjacent public spaces.
- (e) signage and temporary buildings:
- (i) the extent to which signage is designed to a high standard and complements the architectural qualities, materials, details and colours of the buildings to which it relates;
  - (ii) the extent to which temporary buildings, including structures, show design sensitivity, be located in areas that will not compromise pedestrian access, and be simple in colour, form and materials and not conflict with the architectural style of permanent buildings.
- (f) design and scale of buildings adjoining historic heritage places:
- (i) the extent to which redevelopment of sites adjoining scheduled historic and character buildings on Quay Street incorporates a podium of similar height, complementing the building form of the existing adjoining buildings in terms of scale and proportion.

(g) design of access and parking:

- (i) service access points to buildings should not be located in pedestrian intensive areas and, where possible, should be combined with access to parking areas; and
- (ii) where vehicles and pedestrians share the same circulation network, the ground surface should be pedestrian orientated, that is, designed primarily for people on foot, but across which vehicles may have clearly defined and free access.

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

- (i) the extent to which buildings to be used for any form of dwelling or visitor accommodation are appropriately located and designed to reduce reverse sensitivity effects and any adverse noise effects from the surrounding environment (including noise from the port, traffic and other uses in the Britomart precinct such as entertainment). The extent to which the design of such buildings takes into account the location of bedrooms, the type and thickness of glass, and the presence or otherwise of opening windows or doors to the exterior.

(2) new buildings on the Seafarer's site:

Heritage New Zealand Pouhere Taonga shall be considered to be a potentially adversely affected person for any application involving a new building on the Seafarer's site (as opposed to re-furbishment of the existing building). Accordingly, Heritage New Zealand Pouhere Taonga written approval shall be required if the application is non-notified. Alternatively, the application shall be served on Heritage New Zealand Pouhere Taonga if the application is to be processed on a limited notified basis or is publicly notified.

(a) general design principles:

- (i) any new building and its primary elements (including the upper and lower building elements) shall have inherent design integrity, coherence and demonstrate high quality architectural design;
- (ii) any new building shall be constructed using high quality materials;
- (iii) the building design shall recognise the unique quality of its setting, within a block of important heritage buildings, while enhancing the qualities of the adjacent heritage buildings and the urban form of Auckland, particularly when viewed from the North Shore, the Waitemata Harbour, elsewhere in the CBD, the wider Britomart Precinct, Quay Street and Takutai Square;
- (iv) the site shall be fully developed to all boundaries approximately to the height of the adjoining heritage Quay Building in the city block bounded by Quay Street, Gore Street, Tyler Street and Britomart Place;

- (v) the cadastral boundaries of the site shall be respected and no parts of the building shall extend or be cantilevered beyond these boundaries;
  - (vi) the floor plan footprint and the corresponding vertical expression of the floor plan shall acknowledge and reflect the historic cadastral plan pattern of land subdivision between Britomart Place and Gore Street;
  - (vii) a sustainable approach to building design shall be utilised through the use of durable, low maintenance materials, maximisation of solar access and natural light and ventilation, and the incorporation of mechanical and electrical systems that optimise energy efficiency;
- (b) base Building (designed to relate to Quay Buildings and Union Fish building):
- (i) building frontage at street level must contribute to pedestrian vitality, interest and public safety. This will require a variety of architectural detail and maximising the number of doors and both the number and size of window openings;
  - (ii) a pedestrian through-site link shall be provided in close proximity to the western boundary of the Seafarers' site between Quay and Tyler Streets and shall be open to the public during normal working hours;
  - (iii) the rhythm and scale of architectural features, fenestrations, finishes and colour shall harmonise with and complement the streetscapes on both the northern and southern sides of the site;
  - (iv) the overall mass of the base building shall be broken down and articulated to reflect the scale and rhythm and masonry character of existing heritage buildings. The three dimensional form of the building should express the historic cadastral plan pattern of land subdivision. Facades should acknowledge primary structural elements, solid to void ratios of heritage buildings, compositional and elemental proportions and materials which induce detail, surface complexity, light and shade;
- (c) Upper Building
- (i) any new building shall consider high quality architectural design references to existing or adjacent/nearby buildings as follows:
    - first reference: The height of the main horizontal component of the parapet on the adjoining heritage Union Fish Building (8.61m AMSL);
    - second reference: The height of the parapet on the adjoining Quay Building (20.27m AMSL).
    - third reference: The height of the parapet of the more recently constructed Union House on the corner of Quay and Commerce Streets (46.40m AMSL);

- fourth reference: The heights of the Nathan and Australis Buildings forming the southern edge of Takutai Square (22.84m AMSL and 23.89m AMSL respectively), and the height of the very western end of the East Building forming the eastern edge of Takutai Square (23.25m AMSL);

The architectural references should not replicate existing building features but, instead, provide an appropriate high quality contemporary interpretation that is complementary to the architecture of the existing heritage buildings. These references may include vertically stratified changes in the composition and character of the elevations, balconies recessed back from the Quay Street and Tyler Street boundaries, upper level set-backs, or a combination of two or more of these or some other architectural design referencing techniques. The three dimensional form of the upper building should reflect the historic cadastral plan pattern of land subdivision. The upper building is to be architecturally differentiated from the base building. A quite different character is required for the Upper Building with a preference for elevations of a transparent or translucent nature. All elevations are to be designed to achieve a lighter character for the upper building relative to the Base Building.

- (ii) above the tallest adjoining heritage building, the new building will be seen in the round and its plan form and corresponding elevations shall be architecturally articulated and modulated to acknowledge their exposure to public view. The articulation and modulation of the east and west elevations is as equally important as the north and south elevations and shall be designed to the highest quality and constructed using high quality materials;
- (iii) the building facades, above the tallest heritage buildings in the vicinity, should express differentially their two 'front' (Quay and Tyler) and two 'side' (east and west) boundaries. The design of these facades should establish a hierarchy whereby the 'front' facades are 'primary' and the 'side' facades are 'secondary', although the quality of design of each of the four facades should be of an equally high order;
- (iv) building facades must provide richness, interest and depth. Blank walls shall not be permitted (except where necessary for services);

(d) rooftops

- (i) roof profiles shall be designed as part of the overall building form and contribute to the architectural quality of the skyline when viewed from street level and the harbour. The roof design should also be attractive when viewed from higher surrounding buildings. This will require integration of plant, exhaust and intake units and other mechanical and electrical equipment into the overall rooftop design so that they are not visible from outside the site;

(e) Takutai Square:



- (i) when viewed from Takutai Square, the building design shall be complementary to the scale, design composition and modulation of the other buildings surrounding the square, particularly but not restricted to the East Building, the Westpac Charter Building and the Australis and Nathan heritage buildings;
- (ii) Takutai Square shall not be subject to adverse wind effects that would infringe the Unitary Plan rules.
- (iii) in urban design terms, the space of Takutai Square is positively 'commanded'/'dominated' by the East Building, and by its 'direct' dialogue with the Central Building planned to define and contain the opposite (western) side of Square. The axial strength and primacy of this 'dialogue' between the East Building and the yet to be constructed Central Building should not be formally, spatially or visually challenged by a building on the Seafarers' site;
- (iv) the architectural expression and character of a building on the Seafarers' site shall clearly differentiate itself from that of the East and Central buildings whose similarities assist the east-west axial 'dialogue' across the urban space that is Takutai Square;
- (v) notwithstanding the requirement to differentiate its architectural character from that of the East and Central buildings, the architectural composition and expression of a building on the Seafarers' site should draw upon and reference the various heights and set-backs on the north-western corner and the western elevation of the East building and the Westpac Charter Building, in response to the height and scale of the Australis and Nathan Buildings;

#### Explanation

The purpose of the above criteria is to ensure that any new building on the Seafarers' site is of high quality design and complementary to the character and scale of the other buildings on the Quay Street frontage, the buildings which spatially define and contain Takutai Square and the wider Precinct. It is also particularly important that any new building on the Seafarers' site is complementary to the formal and visual primacy of the East Building when viewed from Takutai Square;

- (3) restricted discretionary activities within the public open spaces identified on Britomart Precinct: Precinct plan 4:

- (a) location, design and external appearance of temporary or permanent buildings, structures and signs:

Buildings and structures within Britomart public open space should be consistent with the purpose and function of the open space as follows:

Station Plaza:

- (i) Station Plaza is intended to complement the ground level transport focus of the surrounding streets and the use of the plaza as a primary taxi drop-off/collection point for passengers. Given the potential mix of traffic and pedestrians in the area, emphasis is primarily on ensuring clarity for pathways, visibility of different transport modes, and safety and convenience for users;

Te Ara Tahuu ("walking street"):

- (ii) the walking street is intended to provide for an attractive, safe, convenient and unrestricted pedestrian through-traffic while stimulating lively and interactive private development on adjacent sites. Features of the walking street include a central row of light cones providing light to the tunnel below, a glazed atrium and other connections linking the upper floors of the adjacent buildings;

Takutai Square:

- (iii) all four sides of Takutai Square have sheltered active edges, with the focus of adjoining tenancies being retail and food and beverage related. Takutai Square is intended to be a dynamic and pedestrian-filled open space at the heart of the precinct, maximising lunch time sunshine and providing for regular informal use by shoppers and passers-by, while being of a sufficient size to allow for reasonable sized crowds for events;
- (iv) the extent to which activities within the public open space enhance the precinct as a 'people place' and promote pedestrian flows through the precinct while integrating with adjacent land uses;
- (v) the extent to which temporary buildings and structures show design sensitivity, are located in areas that will not compromise pedestrian access, and are simple in colour, form and materials and not conflict with the architectural style of adjacent permanent buildings, including heritage buildings;
- (vi) the extent to which buildings and structures are compatible in height and scale to adjoining buildings and should not compromise or dominate the use of the open space for public recreational use;
- (vii) the extent to which signage proposed as part of a resource consent application is designed to a high standard and should complement the architectural qualities, materials, details and colours of the buildings, facilities or open space to which it relates;

(4) infringing the building height standard:

- (a) building height may be exceeded where it would provide an attractive and integrated roof form that also meets the purpose of the standard; and

(b) where building height is exceeded, Policies I201.3(1), (2), (3), (7), (8), (9) and (14) of the Britomart Precinct and Policy [H8.3\(30\)](#) of the Business – City Centre Zone should be considered.

(5) infringing the minimum frontage height standard:

(a) the extent to which buildings frame the street to provide a sense of enclosure; and

(b) whether pedestrian amenity is maintained or enhanced.

(6) infringing the paving of public open spaces standard:

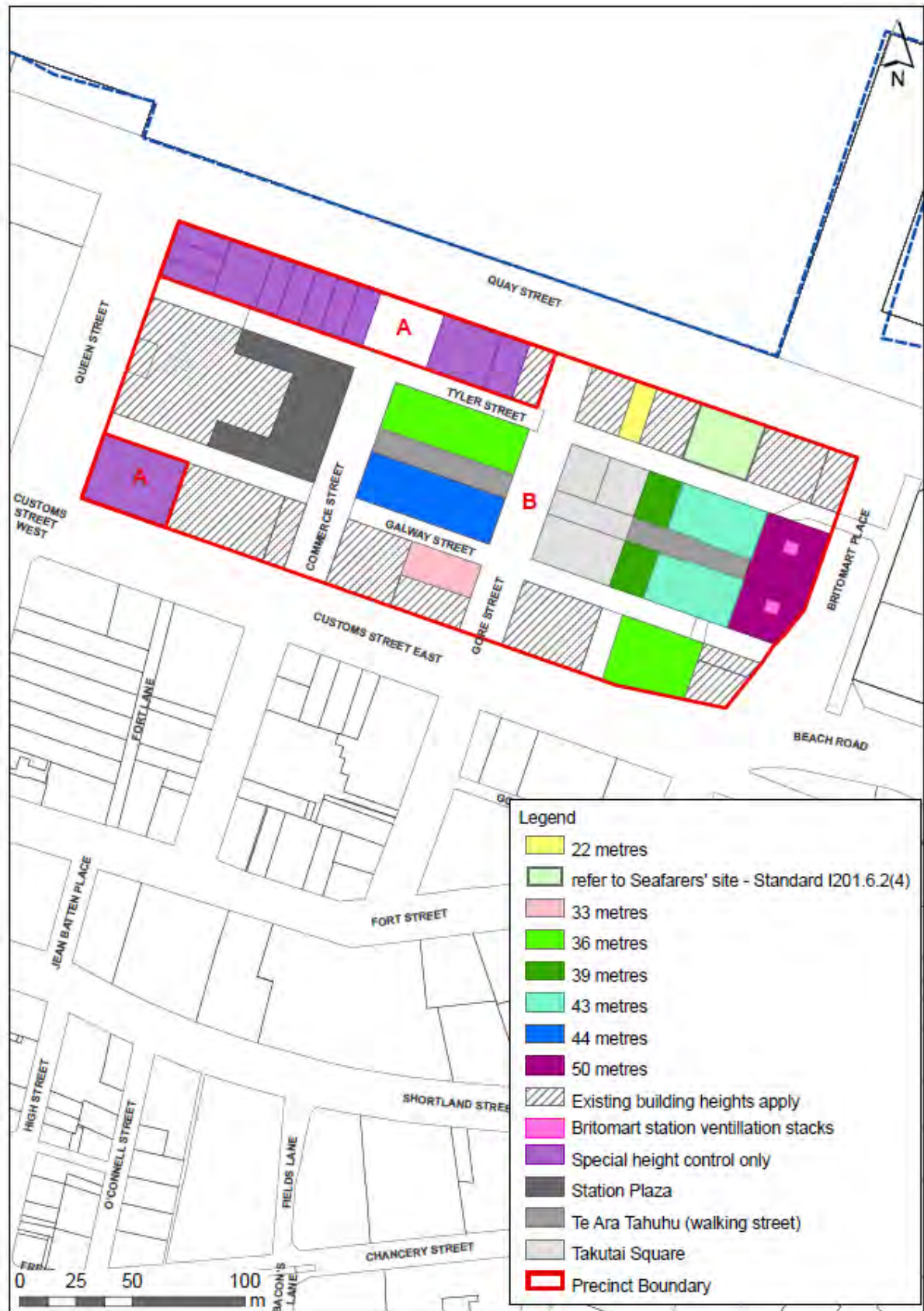
(a) whether public open space is maintained and is functional.

#### **I201.9. Special information requirements**

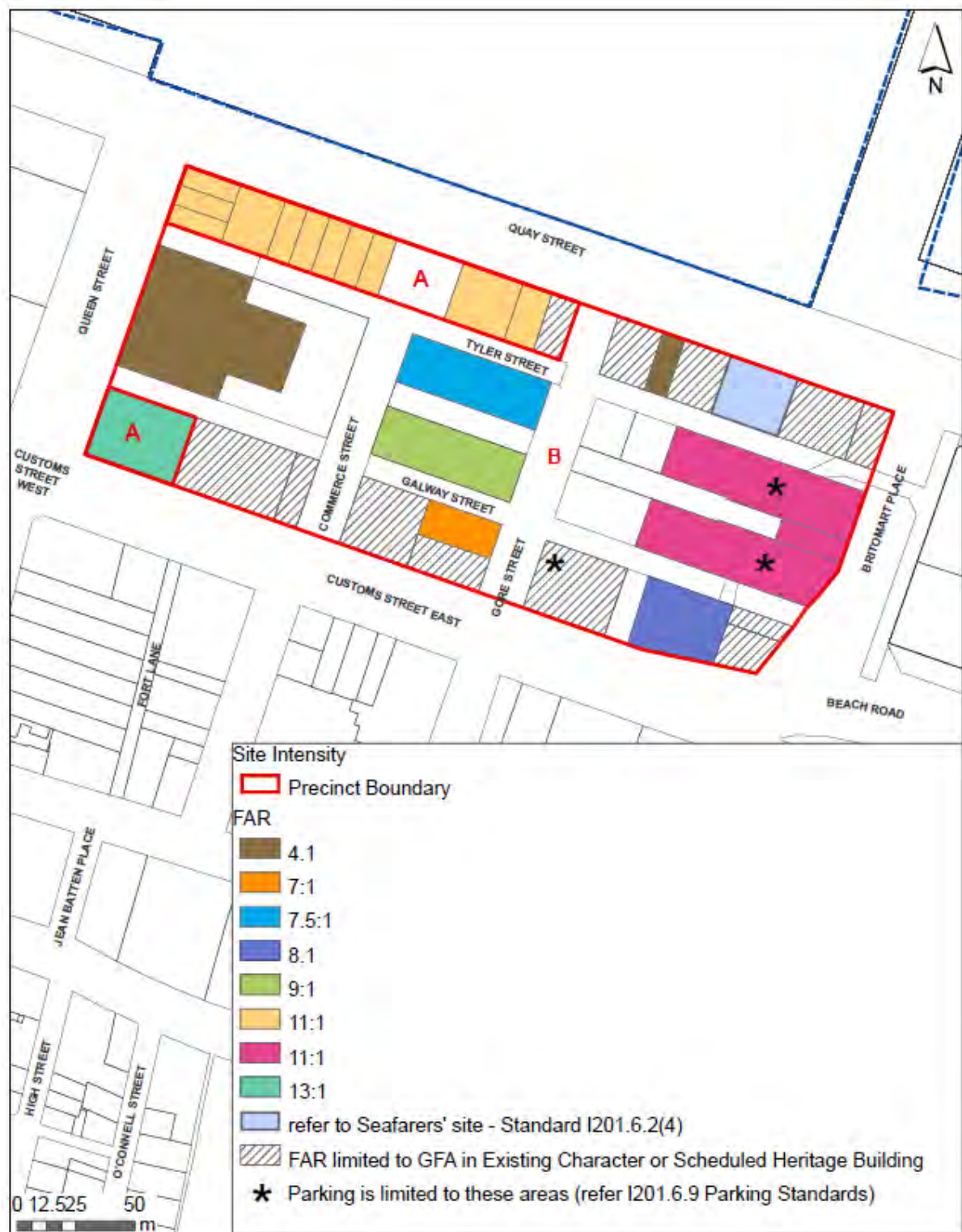
There are no special information requirements in this precinct.

## I201.1. Precinct plans

### I201.10.1 Britomart Precinct: Precinct plan 1 - Building height



**I201.10.2 Britomart Precinct: Precinct plan 2 - Site intensity**





**I201.10.3 Britomart Precinct: Precinct plan 3 - Paving and viewshafts**



I201.10.4 Britomart Precinct: Precinct plan 4 - Public open space



## **I202. Central Wharves Precinct**

### **I202.1. Precinct description**

The zoning of the land within the Central Wharves Precinct is the Business – City Centre Zone and the underlying zoning of the part of the Central Wharves Precinct within the coastal marine area is the Coastal – General Coastal Marine Zone.

The Central Wharves Precinct incorporates the finger wharves between Viaduct Harbour precinct and the Port Precinct, including Princes Wharf, Queens Wharf and Captain Cook Wharf and the adjacent coastal marine area. The extent of the Central Wharves Precinct is shown on Precinct plan 1. Coordinates for the precinct boundary in the coastal marine area are shown on Precinct plan 3.

The precinct is characterised by its active water edge, maritime passenger operations (including cruise ships), marine and port activities, proximity to the city core, and areas of low-rise character buildings.

Captain Cook Wharf currently forms part of the working port infrastructure where public access is necessarily restricted. It may be appropriate to provide for public access and development if this wharf is no longer required for port operations.

The purpose of the precinct is to provide for ongoing use for maritime passenger operations and other marine and port activities, and in parts of the precinct to provide an environment and an appropriate scale of built form for public activities, marine facilities and events, while maintaining public access to the waterfront and providing for sustainable land and coastal management within the precinct.

### **I202.2. Objectives [rcp/dp]**

- (1) A world-class visitor destination that is recognised for its quality buildings, public open spaces, recreational opportunities, marine and port activities and facilities and events.
- (2) Development which is of a medium to low scale on the waterfront which integrates and does not conflict with the scale of development in neighbouring precincts.
- (3) A safe, convenient and interesting environment, which optimises pedestrian and cycling use and connections to the waterfront and to the core central business district, in public areas of the precinct.
- (4) Public wharf space developed and used for predominantly public activities for the benefit of the people of Auckland and visitors while also enabling marine and port activities and maritime passenger operations.
- (5) Adverse effects arising from activities and development are avoided, remedied or mitigated, in an integrated manner across mean high water springs.

The overlay, Auckland-wide, Business – City Centre Zone and Coastal – General Coastal Marine Zone objectives apply in this precinct in addition to those specified above.



### **I202.3. Policies [rcp/dp]**

The policies are as listed in the Coastal – General Coastal Marine Zone for the coastal marine area in the precinct in addition to those specified below, with the exception of Policy [F2.5.3\(4\)](#).

For Captain Cook Wharf, the Business – City Centre Zone Policies [H8.3\(19\)-\(23\),\(25\),\(30\),\(34\) and \(36\)](#) apply to land within the precinct in addition to those specified below while the wharf is still being operated by Ports of Auckland Ltd for marine and port activities.

For all other areas in the precinct, and for Captain Cook Wharf when it is available for public use, the Business – City Centre Zone policies apply in addition to those specified below:

- (1) Enable the efficient operation and development of the precinct by providing for activities which have a functional need to locate in or adjacent to the coastal marine area, including maritime passenger operations, marine and port activities and maritime passenger facilities including for the cruise ship industry.
- (2) Enable the use of Captain Cook Wharf for marine and port activities while also:
  - (a) enabling the potential future redevelopment of this wharf for other activities in accordance with the objectives and policies for the Central Wharves Precinct; and
  - (b) enabling public access, events, and associated activities in a manner that does not constrain or conflict with the use of the wharf for marine and port activities.
- (3) Enable a diverse range of activities while:
  - (a) avoiding, mitigating or remedying potential adverse effects in an integrated manner across mean high water springs, including reverse sensitivity effects on marine and port activities and maritime passenger operations; and
  - (b) maintaining and enhancing public access to the water's edge, except where public access must be excluded for safety, security, biosecurity, Customs, maintenance or operational purposes.
- (4) Provide for continued use of all berthage areas adjacent to public open spaces for maritime passenger operations and other marine and port activities.
- (5) Manage building height to:
  - (a) achieve an appropriate scale in relation to the street network and the precinct's prominent waterfront location;
  - (b) provide a sense of intimacy along streets and waterfront public space frontages;

- (c) complement the height enabled in the adjacent Britomart, and Viaduct Harbour precincts; and
- (d) provide a transition in height between the core city centre and the harbour.
- (6) Encourage the development of a diverse range of high-quality visitor experiences including promenading, coastal recreation and temporary activities.
- (7) Provide for a network of different-sized public open spaces in key locations along the water's edge to cater for a range of recreational opportunities and provide vantage points.
- (8) Enable public access and events along Queens Wharf in a manner that does not constrain or conflict with the use of this wharf as a terminal and berthage for maritime passenger operations, cruise ship operations, other visiting non-cargo vessels and public transport facilities.
- (9) Enable public access, events, and associated activities along Captain Cook wharf in a manner that does not constrain or conflict with the use of the Port Precinct for marine and port activities.
- (10) Manage the land and coastal marine area to avoid significant adverse effects and avoid, remedy or mitigate other adverse effects on the ecology of the city centre coastal environment.
- (11) Limit the loss of identified significant public views from the city to the harbour and adjacent landscape features.
- (12) Enable dredging within the precinct that is necessary to provide for the safe and efficient navigation, manoeuvring, and berthing of vessels, while avoiding, remedying or mitigating any adverse effects.

#### **I202.4. Activity table**

Table I202.4.1 Activity table specifies the activity status for land use and development activities pursuant to section 9(3) of the Resource Management Act 1991 and the activity status for works, occupation and use (including dredging) in the coastal marine area pursuant to sections 12(1), 12(2), and 12(3) of the Resource Management Act 1991, including any associated discharges of contaminants or water into water pursuant to section 15 of the Resource Management Act 1991, or any combination of all of the above sections where relevant.

- (1) The activities in the Coastal – General Coastal Marine Zone apply to the coastal marine area in the Central Wharves Precinct unless otherwise specified in Table I202.4.1 Activity table.
- (2) The activities in the Business – City Centre Zone apply to land in the Central Wharves Precinct unless otherwise specified in Table I202.4.1 Activity table.
- (3) Those activities marked with \* have the listed activity status only when that activity is located on a coastal marine area structure (e.g. a new building on an

existing wharf). If that activity is located directly in the coastal marine area (e.g. a new wharf) a different activity status will apply.

- (4) The temporary activities provisions applying to the use of public places within the Business – City Centre Zone as set out in [E40 Temporary Activities](#) apply to existing coastal marine area structures within the Central Wharves Precinct.

### **Resource Management (National Environmental Standards for Freshwater) Regulations 2020**

The Resource Management (National Environmental Standards for Freshwater) Regulations 2020 ('Freshwater NES') came into force on 3 September 2020. Currently, there may be duplication or conflict between specific plan rules and the Freshwater NES.

The Resource Management (National Environmental Standards for Freshwater) Regulations 2020 apply to any part of the coastal marine area that is upstream from the mouth of a river.

If an activity provided for in rules I202.4.1 to I202.9, including any associated matters of discretion, is also regulated by the Freshwater NES, where there is conflict then the most restrictive provision will prevail.

If the Freshwater NES regulations do not apply to an activity, then the plan rules apply.

Duplication or conflict between plan rules and the Freshwater NES will be addressed in the plan as soon as practicable.

**Table I202.4.1 Activity table**

Activity		Activity status	
		CMA [rcp]	Land [dp]
<b>Reclamation, declamation, drainage, deposition and dumping</b>			
(A1)	Maintenance or repair of a reclamation or drainage system	P	P
(A2)	Minor reclamation for the purpose of maintaining, repairing or upgrading a reclamation	RD	NA
(A3)	Reclamation or drainage not otherwise provided for	D	NA
(A4)	Declamation	RD	RD
<b>Dredging, extraction and disturbance</b>			
(A5)	Maintenance dredging	C	NA
(A6)	Capital works dredging	RD	NA
<b>Use and activities and associated occupation</b>			
<b>Residential</b>			

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(A7)	Dwellings on Princes Wharf	P	NA
(A8)	Visitor accommodation on Princes Wharf	RD	NA
<b>Commerce</b>			
(A9)	Aquaculture activities	Pr	NA
(A10)	Commercial services on Princes Wharf	P*	NA
(A11)	Entertainment facilities on Princes Wharf	P*	NA
(A12)	Maritime passenger operations	P*	P
(A13)	Offices on Princes Wharf	P*	NA
(A14)	Parking on wharves accessory to marine and port activities, maritime passenger operations and events	P*	NA
(A15)	Parking on wharves that is not accessory to marine and port activities and maritime passenger operations and events (excluding Princes Wharf)	NC*	NA
(A16)	Parking on Princes Wharf	P*	NA
(A17)	Retail on Princes Wharf	P*	NA
(A18)	Offices, retail, commercial services and entertainment facilities not specified as a permitted or non-complying activity	D*	D
<b>Community</b>			
(A19)	Public amenities	P*	P
<b>Industry</b>			
(A20)	Marine and port activities	P	P
(A21)	Industrial activities not otherwise specified as a permitted or restricted discretionary activity	D	D
<b>Development</b>			
(A22)	Occupation of the CMCA by an activity that would otherwise be permitted where the area to be occupied is already the subject of an existing occupation consent	RD	NA
(A23)	Permanent refuelling facilities for boats	RD	RD
(A24)	Marine and port facilities except for permanent refuelling facilities for boats	P*	P
(A25)	Marine and port accessory structures and services, excluding new pile moorings	P	P
(A26)	Marinas	P	NA
(A27)	Demolition or removal of any buildings or coastal marine area structures	P	P
(A28)	Hard protection structures including wave attenuation devices	RD	RD

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(A29)	Observation areas, viewing platforms, and boardwalks	RD	RD
(A30)	New and existing swing moorings including occupation and use by vessel to be moored	P	NA
(A31)	Pile moorings existing at 30 September 2013 including occupation and use by the vessel to be moored	P	NA
(A32)	New pile moorings established after 30 September 2013 including occupation and use by the vessel to be moored	RD	NA
(A33)	Maimai	NC	NC
(A34)	Minor cosmetic alterations and repairs to a building that does not changes its external design and appearance	P*	P
(A35)	New buildings, and alterations and additions to buildings not otherwise provided for	RD*	RD
(A36)	Coastal marine area structures or buildings not otherwise provided for	D	NA
(A37)	Development that does not comply with Standard I202.6.1.2	NC	NC
(A38)	Development that does not comply with Standard I202.6.1.8	NC	NC
(A39)	Development that does not comply with I202.6.1.10(1)-(3)	NC	NC

### I202.5. Notification

- (1) An application for resource consent for a controlled activity listed in Table I202.4.1 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 I202.4.1 Activity table and which is not listed in I202.5(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\(4\)](#).

### I202.6. Standards

#### I202.6.1. Land and water use standards

The standards in the Coastal – General Coastal Marine Zone apply to the coastal marine area in the Central Wharves Precinct and the standards in the Business –

City Centre Zone apply to land in the Central Wharves Precinct unless otherwise specified below, except that:

- (a) the Coastal – General Coastal Marine Zone Standard [F2.21.9.4](#) Parking on coastal marine area structures for loading and unloading passengers and cargo to vessels does not apply to Captain Cook Wharf while it is still operated by Ports of Auckland Limited for marine and port activities; and
- (b) the Auckland-wide Noise rules [E25.6.2-E25.6.13](#); [E25.6.23-E25.6.26](#); [E25.6.27-E25.6.29](#) and [E25.6.31](#); [E25.6.32](#); [E25.6.33](#) do not apply to land and coastal marine area in the Central Wharves Precinct..

#### **I202.6.1.1. Activities on Princes Wharf**

- (1) Activities on Princes Wharf must comply with the following in Table I202.6.1.1.1:

**Table I202.6.1.1.1 Activities on Princes Wharf**

<b>Activity</b>	<b>Maximum gross floor area allowed as a proportion of the overall gross floor area of buildings on Princes Wharf allowed in I202.6.1.8 Site intensity below</b>
Visitor accommodation	30 per cent
Retail	5 per cent
Offices (except the Ports of Auckland building or offices that are accessory to marine and port activities)	10 per cent
Parking buildings and areas	35 per cent

#### **I202.6.1.2. Parking**

- (1) The number of parking spaces on Princes Wharf must not exceed 850, of which:
  - (a) at least 60 per cent of the spaces must be for short term parking (non-accessory); and
  - (b) at least five must be loading spaces.
- (2) On Princes Wharf, parking buildings or areas must not locate within 80m of the northern end of the wharf. This rule does not apply to parking associated with marine and port activities or loading associated with a permitted activity.

#### **I202.6.1.3. Maintenance or repair of a lawful reclamation or drainage system**

- (1) The work must not change the area occupied by the reclamation or drainage system.

- (2) Any visible disturbance to the substrate of the coastal marine area must be remedied or restored within 48 hours of the completion of the works in ONC, ONF and SEA-M1 overlay areas and within seven days in other areas of the coastal marine area.
- (3) There must be an emergency spill plan in place to address the unforeseen release of contaminants from equipment being used for the activity.
- (4) All equipment and materials must be removed from the foreshore and seabed on the completion of works or activities.
- (5) Written advice must be given to the council at least 10 working days prior to the work starting.

#### **I202.6.1.4. Noise**

- (1) These standards do not apply to temporary activities allowed under the [E40 Temporary Activities](#) rules.
- (2) These standards do not apply to the operational requirements of commercial vessels including cargo vessel, tugs, passenger liners, naval vessels and commercial fishing vessels operating within the coastal marine area.
- (3) The noise level arising from any activity within the Central Wharves Precinct must not exceed the following:
  - (a) when measured beyond the inner control boundary shown on Precinct Plan 3 in the Port Precinct:

**Table I202.6.1.4.1 Noise limits**

<b>Time</b>	<b>Noise level</b>
7am – 11pm	65 dB LAeq
11pm to 7am	60 dB LAeq 70 dB Leq at 63 Hz 65 dB Leq at 125 Hz 75 dB LAFmax

#### **I202.6.1.5. Construction noise**

- (1) Construction activity within the Central Wharves Precinct must not exceed the noise levels specified in [E25.6.28](#) Construction noise levels in the Business – City Centre Zone and the Business – Metropolitan Centre Zone, when measured 1m from the façade of any building on the south side of Quay Street.

#### **I202.6.1.6. Lighting**

- (1) Artificial lighting illuminance associated with marine and port activities must not exceed 150 lux, measured at any point on the site containing the light source, in a horizontal or vertical plane at ground level.

Illumination associated with vehicles, mobile plant, and quay cranes are exempt from this standard.

- (2) Lighting sources associated with marine and port activities must be sited, directed and screened to avoid, as far as practicable, creating a navigation and transport safety hazard.
- (3) Lighting sources associated with marine and port activities must be sited, directed and screened to ensure, as far as practicable, that glare resulting from the lighting does not cause an unreasonable and appreciable level of discomfort to any persons.
- (4) Lighting sources associated with marine and port activities shall not exceed an added illuminance of 50 lux measured horizontally or vertically at any point on or directly above the kerbline on the southern side of Quay Street.
- (5) Artificial lighting illuminance not associated with marine and port activities must comply with the [E24 Lighting](#) rules.

#### **I202.6.1.7. Building height**

Purpose: manage the height of buildings to achieve Policy I202.3(5) of the Central Wharves precinct.

- (1) Buildings must not exceed the heights specified on Precinct plan 1.

#### **I202.6.1.8. Site intensity**

Purpose: manage the scale, form and intensity of development to maintain the character of Princes Wharf.

- (1) The gross floor area of all buildings on Princes Wharf must not exceed 100,000m<sup>2</sup>.

#### **I202.6.1.9. Public spaces and accessways**

Purpose: manage public spaces and accessways to achieve Policy I202.3(9) of the Central Wharves Precinct and Policy [H8.3\(37\)](#) of the Business – City Centre Zone.

- (1) Public accessways must be provided at ground level around the perimeter of Princes Wharf and Queens Wharf. The public accessways must have minimum dimensions as follows:
  - (a) Princes Wharf: 6m



(b) Queens Wharf: 10m

- (2) All public accessways within and around Princes Wharf and Queens Wharf must be available to the public at all times except where it is necessary to temporarily restrict access for security, safety or operational needs associated with marine and port activities or temporary events permitted under the Auckland-wide temporary activity rules or by resource consent.
- (3) Buildings or structures must not locate within the accessways. This standard does not apply to verandahs or lawful temporary buildings or structures.

(4) On Princes Wharf:

- (a) a minimum of 35 per cent of the overall wharf deck area must be maintained as external public space. A minimum of 30 per cent of this space must be located at the northern end of the wharf. For a length of 64m, external steps, ramps or landings must be provided to enable access from within the development down to the public areas at wharf deck level; and
- (b) a minimum of 15 per cent of the total gross floor area of the wharf deck level and the first upper level of all buildings must be in the form of internal public spaces and accessways and must include:
  - (i) internal pedestrian access to the northern end of the first upper level of any development, leading to the stairs or ramps required to provide access down to the wharf deck; and
  - (ii) an internal public space of at least 500m<sup>2</sup> on the first upper level of any development, commencing within 80m of the northern exterior wall, and designed to enable maximum views of the coastal marine area.

#### **I202.6.1.10. Viewshafts**

Purpose: manage development to maintain identified public views from the city to the harbour and adjacent landscape features.

- (1) Buildings or structures must not locate within those areas of land identified as viewshafts on Precinct plan 2. This standard does not apply to verandahs, existing buildings or structures, temporary activities, or marine and port accessory structures and services.
- (2) Coastal marine area structures must not locate within or over those parts of wharves and waterspace identified as viewshafts on Precinct plan 2. This standard does not apply to existing coastal marine area structures or

their reconstruction, temporary activities, or marine and port accessory structures and services.

- (3) Marine and port facilities that do not comply with I202.6.1.10(1)-(2) above are a restricted discretionary activity.

## **I202.7. Assessment – controlled activities**

### **I202.7.1. Matters of control**

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

- (1) maintenance dredging:
  - (a) effects on coastal processes, ecological values and water quality;
  - (b) effects on other users of the coastal marine area, navigation and safety; and
  - (c) consent duration and monitoring.

### **I202.7.2. Assessment criteria**

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

- (1) maintenance dredging:
  - (a) whether methods are implemented to avoid, remedy or mitigate the release of contaminated sediment;
  - (b) whether methods are implemented to avoid, remedy or mitigate effects on other users of the coastal marine area, navigation and safety;
  - (c) whether measures are taken to avoid, remedy or mitigate significant adverse effects on sediment quality;
  - (d) whether measures are taken to avoid, remedy or mitigate significant adverse ecological effects; and
  - (e) whether monitoring, including periodic monitoring of sediment quality, is required in order to demonstrate the extent and type of effects of the dredging on water and sediment quality and the degree to which the effects are remedied or mitigated during the activity.

## **I202.8. Assessment – restricted discretionary activities**

### **I202.8.1. Matters of discretion**

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

- (1) declamation:
  - (a) construction or works methods, timing and hours of construction works;

- (b) location, extent, design and materials used;
  - (c) effects on coastal processes, ecological values, water quality;
  - (d) effects on public access, navigation and safety;
  - (e) effects on existing uses and activities; and
  - (f) consent duration
- (2) capital works dredging:
- (a) effects on coastal processes, ecological values, and water quality;
  - (b) effects on other users of the coastal marine area, navigation and safety; and
  - (c) consent duration and monitoring.
- (3) visitor accommodation on Princes Wharf:
- (a) the matters of discretion in [H8.8.1\(3\)](#) of the Business – City Centre Zone rules apply.
- (4) hard protection structures including wave attenuation devices:
- (a) location and design of the hard protection structure;
  - (b) effects on navigation and safety;
  - (c) effects on coastal processes including wave hydraulics;
  - (d) construction or works methods, timing and hours of operation; and
  - (e) consent duration and monitoring.
- (5) minor reclamation for the purpose of maintaining, repairing or upgrading a reclamation:
- (a) form and design of the reclamation;
  - (b) contaminated material;
  - (c) the safe and efficient operation of marine and port activities;
  - (d) identified landscapes or sites of significance to Mana Whenua;
  - (e) construction or works methods, timing and hours of operation; and
  - (f) effects on natural hazards, coastal process, ecological values, water quality.
- (6) observation areas, viewing platforms, boardwalks and boat launching facilities:

- (a) the matters of discretion in [F2.23.1\(1\)](#) of the Coastal – General Coastal Marine Zone rules apply.
- (7) new buildings, and alterations and additions to buildings not otherwise provided for:
  - (a) the matters of discretion in [H8.8.1\(1\)](#) of the Business - City Centre Zone rules apply; and
  - (b) effects on public access, navigation and safety.
- (8) pile moorings established after the date of notification of this Unitary Plan including occupation and use by the vessel to be moored:
  - (a) the matters of discretion in [F5.8.1\(8\)](#) of the Coastal – Minor Port Zone apply.
- (9) permanent refuelling facilities for boats
  - (a) the matters of discretion in [F2.23.1\(1\)](#) of the Coastal – General Coastal Marine Zone apply.
- (10) occupation of the CMCA by an activity that would otherwise be permitted where the area to be occupied is already the subject of an existing occupation consent:
  - (a) the matters of discretion in [F2.23.1\(1\)](#) and [F2.23.1\(2\)\(c\)](#) of the Coastal – General Coastal Marine Zone apply; and
  - (b) effects on the safe and efficient use, operation and development of the CMCA subject to Ports of Auckland's existing occupation consents.
- (11) noise and construction noise:
  - (a) effects on land uses beyond the precinct;
  - (b) measures to avoid, remedy and mitigate the adverse effects of noise; and
  - (c) operational requirements of the Port of Auckland.
- (12) lighting:
  - (a) effects on adjacent land uses;
  - (b) measures to avoid, remedy and mitigate the adverse effects of lighting; and
  - (c) operational requirements of the Port of Auckland.
- (13) building height:
  - (a) building scale and dominance / visual amenity effects;
  - (b) effects on the current or planned future form and character of the precinct; and

(c) pedestrian access and amenity.

(14) public spaces and accessways:

(a) pedestrian access and amenity; and

(b) operational requirements.

(15) marine and port facilities within identified viewshafts:

(a) effects on the visual integrity of the identified viewshaft; and

(b) operational requirements of the Port of Auckland.

#### **I202.8.2. Assessment criteria**

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

(1) declamation:

(a) whether the adverse effects of declamation are avoided, remedied or mitigated in respect of the effects of the final land/water configuration on:

(i) the marine environment (including coastal processes, water quality, sediment quality and ecology) of the coastal marine area;

(ii) hydrogeology (ground water) and hydrology; and

(iii) sediment accumulation and the need for ongoing maintenance dredging of the coastal marine area.

(b) whether declamation works, including the construction of seawalls, avoid, remedy or mitigate the adverse effects of construction, particularly through the management of silt, contaminated soils and groundwater, and other contaminants;

(c) whether declamation is located and designed so that the adjacent land area can provide adequate public open space adjacent to, and public access around along the waters edge whether on land or on the adjacent water space.

(2) capital works dredging:

(a) whether measures are taken to avoid, remedy or mitigate adverse effects on coastal processes, ecological values, and water quality;

(b) whether effects on other users of the coastal marine area during the dredging are avoided, remedied or mitigated;

(c) whether consent duration is limited to the minimum duration reasonably necessary for the functional or operational needs of the activity;

- (d) whether monitoring is required in order to demonstrate the extent and type of effects of the dredging, and the degree to which the effects are remedied or mitigated during and after the activity.
- (3) hard protection structures including wave attenuation devices:
- (a) whether the location and design of the hard protection structure consider existing activities including marine related industries, other marine activities and/or adjoining residential/coastal activities;
  - (b) whether the location and design of the hard protection device consider the effects of wave hydraulics on other users of the coastal marine area and on the adjacent coastline;
  - (c) whether construction works avoid, remedy or mitigate the adverse effects of construction, particularly through the management of silt, contaminated sediments, and other contaminants.
- (4) minor reclamation for the purpose of maintaining, repairing or upgrading a reclamation:
- (a) whether reclamation, as far as practicable, mitigates adverse effects through their form and design, taking into account:
    - (i) the compatibility of the design with the location;
    - (ii) the degree to which the materials used are visually compatible with the adjoining coast;
    - (iii) the ability to avoid consequential erosion and accretion, and other natural hazards;
    - (iv) the effects on coastal processes;
    - (v) the effects on hydrology.
  - (b) whether the use of contaminated material in a reclamation is avoided unless it is contained in a way that avoids, remedies or mitigates adverse effects on water quality, aquatic ecosystems and biodiversity;
  - (c) the Council will consider the extent to which the reclamation will affect identified landscapes or sites of significance to Mana Whenua;
  - (d) whether construction works avoid, remedy or mitigate the adverse effects of construction, particularly through the management of silt, contaminated sediments, and other contaminants.
- (5) visitor accommodation on Princes Wharf:
- (e) the assessment criteria in [H8.8.2\(3\)](#) of the Business – City Centre Zone rules apply.
- (6) observation areas, viewing platforms, and boardwalks:

- (a) the assessment criteria in --clauses [F2.23.2\(1\)](#) and [F2.23.2\(17\)](#) of the Coastal –General Coastal Marine Zone rules apply in addition to the criteria below;
  - (b) the extent to which the design and finish complement and enhance the coastal environment, open spaces and pedestrian linkages.
- (7) new buildings, and alterations and additions to buildings not otherwise provided for:
- (a) the assessment criteria in [H8.8.2\(1\)](#) of the Business – City Centre Zone rules apply in addition to the criteria below;
  - (b) whether effects on public access, navigation and safety are avoided or mitigated.
- (8) new pile moorings established after 30 September 2013 including occupation and use by the vessel to be moored:
- (a) the assessment criteria in [F5.8.2\(8\)](#) of the Coastal – Minor Port Zone apply.
- (9) permanent refuelling facilities for boats:
- (a) the assessment criteria in [F2.23.2\(1\)](#) of the Coastal – General Coastal Marine zone apply.
- (10) occupation of the CMCA by an activity that would otherwise be permitted where the area to be occupied is already the subject of an existing occupation consent:
- (a) the assessment criteria in [F2.23.2\(1\)](#) and [F2.23.2\(9\)](#) of the Coastal – General Coastal Marine Zone apply in addition to the criteria below;
  - (b) whether the actual or potential adverse effects on the safe and efficient use, operation and development of the coastal marine area occupied by Ports of Auckland are avoided.
- (11) noise and construction noise:
- (a) the extent to which adverse effects on the health and amenity values of people who may be affected are avoided, remedied and mitigated, taking into account the existing noise environment, the frequency and duration of the proposed infringement and the practicality of managing the noise emissions; and
  - (b) the operational requirements of the Port of Auckland.
- (12) lighting:
- (a) the extent to which adverse effects on the health and amenity values of people who may be affected are avoided, remedied and mitigated, taking into account existing light levels; and

(b) the operational requirements of the Port of Auckland.

(13) building height:

(a) building height may be exceeded where it would provide an attractive and integrated roof form that also meets the purpose of the standard;

(b) where building height is exceeded, Policy I202.3(5) of the Central Wharves Precinct and Policy [H8.3\(30\)](#) of the Business – City Centre Zone should be considered.

(14) public spaces and accessways:

(a) whether public access to the water's edge is provided;

(b) whether operation of marine and port activities are enabled.

(15) marine and port facilities within identified viewshafts:

(a) whether the location, number, design and operation of the marine and port facilities limit the loss of identified significant public views from the city to the harbour and adjacent landscape features;

(b) the operational requirements of the Port of Auckland.

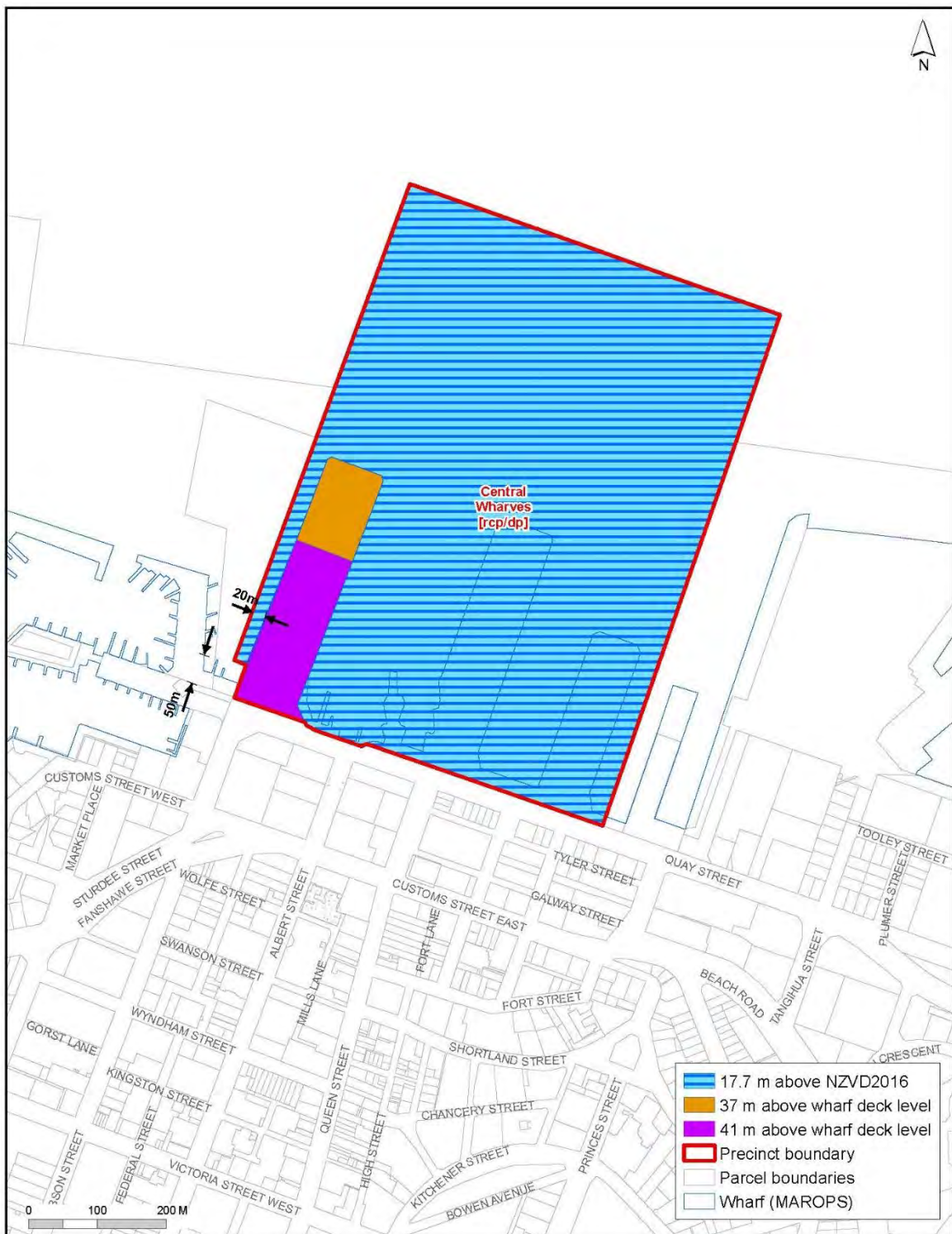
#### **I202.9. Special information requirements**

There are no special information requirements in this section.

#### **I202.10. Precinct plans**



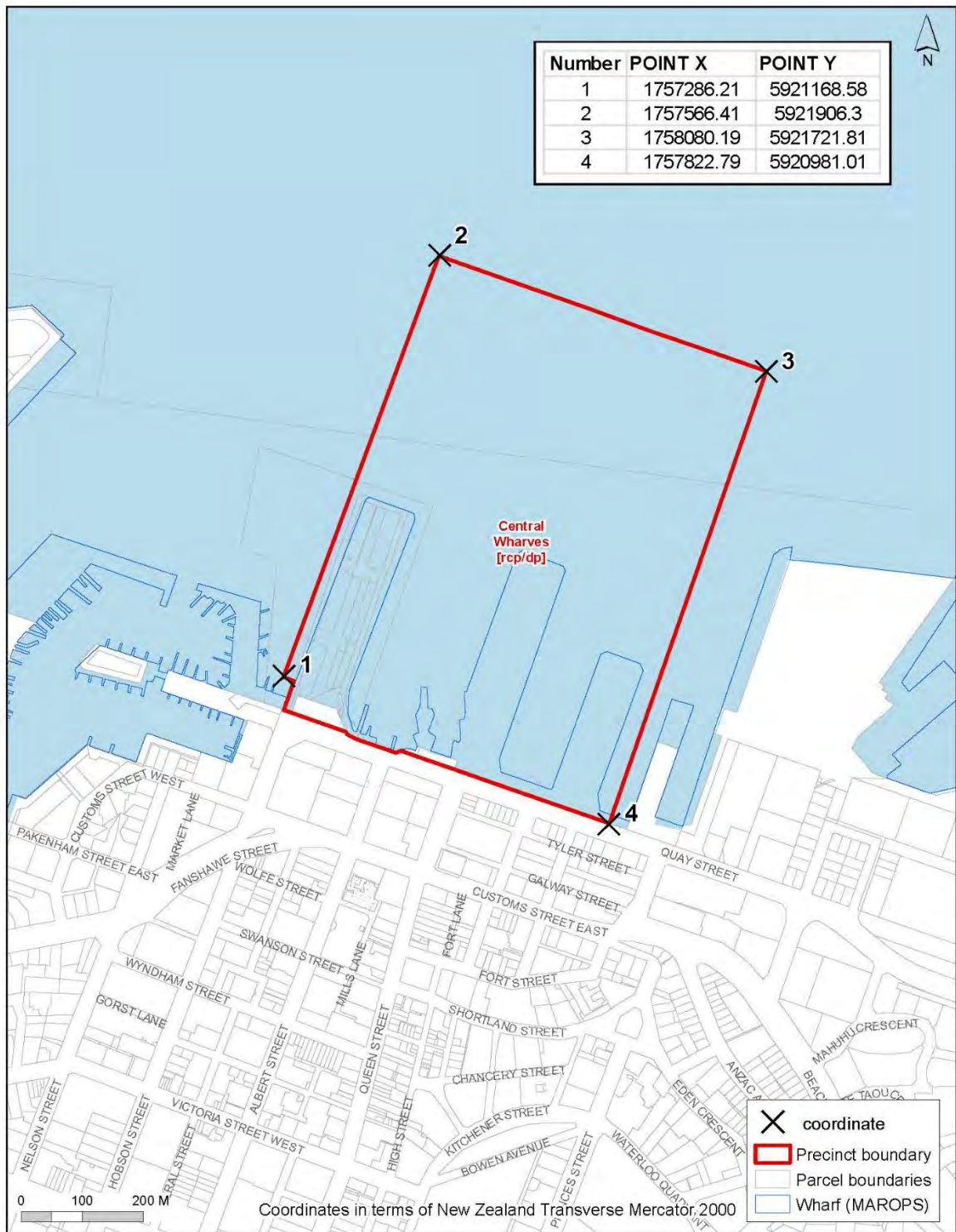
**I202.10.1 Central Wharves: Precinct plan 1 - Building heights**



**I202.10.2 Central Wharves: Precinct plan 2 - Viewshafts**



**I202.10.3 Central Wharves: Precinct plan 3 - Precinct boundary coordinates in the coastal marine area**





## **I205. Downtown West Precinct**

### **I205.1. Precinct description**

The Downtown West Precinct is located within the heart of the city centre waterfront, between the established Viaduct Harbour Precinct and regenerating Britomart Precinct. The precinct has a mix of commercial and residential land uses including a major hotel and open spaces.

The block bounded by lower Queen Street, Customs Street West, lower Albert Street and Quay Street is generally held in single ownership and has significant redevelopment potential. Queen Elizabeth Square is legally recognized as a road with pedestrian mall status under the Local Government Act 1974. As such, no zone has been applied to the square. As part of any future development proposal, alternative locations for the square should be investigated and identified, potentially including a combination of both publicly provided open spaces, pedestrian and cycle connections and enhanced through site links within the block.

Council has confirmed approval to sell or lease part of Queen Elizabeth Square to ensure that redevelopment of the block is of the highest 'world class' design quality and the proceeds from the sale of Queen Elizabeth Square are reinvested in new or enhanced downtown public space/s and collectively, these alternative spaces should achieve a better street and open space network than is presently offered within or immediately adjoining the precinct. If the road stop process is approved, the square can be closed and the precinct provisions together with the Business – City Centre Zone objectives, policies and rules will apply.

The land in the Downtown West Precinct is zoned Business – City Centre Zone and Open Space – Informal Recreation Zone.

### **I205.2. Objectives**

- (1) The precinct contains a mix of uses and the form and scale of development is integrated with the core central business district and the waterfront.
- (2) High quality public open space is provided and pedestrian connectivity from the core central business district to the waterfront and from Britomart to the west is enhanced.
- (3) Development recognises the precinct's location as part of Auckland's primary transport centre and supports the transport facilities within and around the precinct.

The overlay, Auckland-wide and zone objectives apply in this precinct in addition to those specified above.

### **I205.3. Policies**

- (1) Enable and encourage a diverse range of activities within the precinct including residential (including visitor accommodation), commercial, recreational, temporary activities and events.

- (2) Encourage an integrated network of attractive streets, lanes and pedestrian connections to improve pedestrian permeability and accessibility through the precinct and supports the transport interchange function of the area.
- (3) Provide for an interconnected network of high quality public open spaces and publicly accessible spaces which vary in form and function in highly accessible locations within the precinct that are activated by uses around their periphery.

The overlay, Auckland-wide and zone policies apply in this precinct in addition to those specified above.

#### **I205.4. Activity table**

Table I205.4.1 Activity table – Sub-precinct A and Table I205.4.2 Activity table – Sub-precinct B specifies the activity status of land use activities in the Downtown West Precinct pursuant to section 9(3) of the Resource Management Act 1991.

- (1) The activities listed in the Business – City Centre Zone apply in the Downtown West Precinct except to Area A identified on Precinct plan 1, or otherwise specified in the activity table below.
- (2) The activity status of activities within existing roads, including streets and lanes (including Area A), is the same as for roads.
- (3) If the legal road within Area A or Sub-precinct B on Precinct plan 1 is closed, the area will be classified as Business – City Centre Zone and Downtown West Precinct.

**Table I205.4.1. Activity table - Sub-precinct A**

Activity		Activity status
(A1)	Activities in Table <a href="#">H8.4.1</a> Activity table in the H8 Business – City Centre Zone	
(A2)	Development that does not comply with Standard I205.6.2 Pedestrian connections	RD

**Table I205.4.2. Activity table - Sub-precinct B**

Activity		Activity status
<b>Development</b>		
(A3)	Minor cosmetic alterations to a building that does not change its external design and appearance	P
(A4)	New buildings, and alterations and additions to buildings	RD
(A5)	Open space or through-site links	RD
(A6)	Vehicle, cycle and pedestrian access	RD

(A7)	Development that does not comply with Standard I205.6.2 Pedestrian connections	RD
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### **I205.5. Notification**

- (1) Any application for resource consent for an activity listed in Table I205.4.1. Activity table - Sub-precinct A and Table I205.4.2. Activity table - Sub-precinct B 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\(4\)](#).

### **I205.6. Standards**

The overlay, zone and Auckland-wide standards apply in this precinct unless otherwise specified below.

All permitted and restricted discretionary activities listed in Table I205.4.1. Activity table - Sub-precinct A and Table I205.4.2. Activity table - Sub-precinct B must comply with the following standards.

#### **I205.6.1. Area A**

- (1) When the legal road within Area A on Downtown West: Precinct plan 1 or the legal road within Sub-precinct B is closed, the standards applying to the adjoining land within the precinct will apply except that Standard [H8.6.3](#) Admission of sunlight to public places does not apply to a building up to 19 metres above mean street level within Area A on Downtown West: Precinct plan 1. The minimum frontage height (19 metres) does apply between points A and B as shown on the Downtown West: Precinct plan 1.

#### **I205.6.2. Pedestrian connections**

- (1) Upon the erection of any new building on either of the blocks between Lower Queen Street and Lower Hobson Street, and unless already provided, an east-west pedestrian connection across the block must be provided, and must achieve the following:
  - (a) provide straight pedestrian routes between streets, with a clear pedestrian movement width of at least 5 metres;
  - (b) protect pedestrians from the weather;
  - (c) incorporate natural daylight through glazed canopies of glazed roof structures;
  - (d) be publicly accessible 24 hours a day, 7 days a week; and
  - (e) incorporate active uses at ground floor level framing the pedestrian connection; and

- (f) provide accessible, direct and unobstructed transitions between levels, including through ramps or lifts as required.

Purpose: To support the transport interchange function of the area by facilitating clear and unobstructed pedestrian movement through the precinct at-grade.

Note: The above requirement applies only to the development site, and accordingly it is acknowledged that the laneway may be developed incrementally, particularly across the block bounded by Lower Albert Street, Customs Street West, Lower Hobson Street and Quay Street.

- (2) Redevelopment of the block between Lower Queen Street and Lower Albert Street must include an at-grade, north-south pedestrian laneway connection between Customs Street West and Quay Street.

Purpose: To support pedestrian movement between the City Centre Core and the waterfront.

- (3) Redevelopment of the block between Lower Albert Street and Lower Hobson Street must include an at-grade, north-south pedestrian laneway connection between Customs Street West and Quay Street, being generally aligned with Federal Street.

Purpose: To support pedestrian movement between the City Centre Core and the waterfront.

#### **I205.7. Assessment – controlled activities**

There are no controlled activities in this precinct.

#### **I205.8. Assessment – restricted discretionary activities**

##### **I205.8.1. Matters of discretion**

The Council will restrict its discretion to all of the following matters when assessing a restricted discretionary activity resource consent application, in addition to the matters specified for the relevant restricted discretionary activities in the overlay, Auckland wide or zone provisions:

- (1) new buildings, and alterations and additions to buildings:
  - (a) the matters of discretion in [H8.8.1\(1\)](#) for new buildings and external alterations and additions to buildings not otherwise provided for; and
  - (b) the location, bulk and scale of buildings relative to overall development, including the layout and design of roads, pedestrian linkages, open spaces, earthworks areas and land contours, and infrastructure location; and
  - (c) design, bulk and location of buildings;
- (2) open spaces or through-site links
  - (a) the location, physical extent and design of the transport network;
  - (b) the location, physical extent and design of open space;

- (c) integration of development with neighbouring areas, including integration of the transport network with the transport network of the wider area; and
  - (d) layout and design of public open space should meet the demand of future occupants of the site and be of a high quality, providing for public use and accessibility, views, sunlight access and wind protection within the application area.
- (3) vehicle, cycle and pedestrian access and circulation:
- (a) the location, physical extent and design of the transport network; and
  - (b) integration of development with neighbouring areas, including integration of the transport network with the transport network of the wider area;
- (4) infringing the pedestrian connections standard:
- (a) functional, safe, and convenient pedestrian access between Lower Queen Street and Lower Hobson Street, and between Customs Street West and Quay Street.

#### **I205.8.2. Assessment criteria**

The Council will consider the relevant assessment criteria below for restricted discretionary activities, in addition to the assessment criteria specified for the relevant restricted discretionary activities in the overlay, Auckland wide or zone provisions:

- (1) new buildings, and alterations and additions to buildings:
  - (b) the assessment criteria in [H8.8.2\(1\)](#) of the Business - City Centre zone rules for new buildings and/or alterations and additions to buildings apply.
  - (c) the proposed building, alteration or addition relative to the location of infrastructure servicing the area and open space should result in an integrated network that is adequate to meet the needs of the overall development area;
- (2) open spaces or through-site links:
  - (a) the transport network (roads, public transport connections, pedestrian connections and cycle connections) is generally provided in the location identified in the precinct plan to achieve a legible street network. Where no location is identified, an integrated and efficient street and pedestrian network should be provided, including connections to existing and future streets and networks;
  - (b) public open spaces are generally provided in the location(s) identified in the precinct plan to meet the needs of the local community. Where no location is identified, open space should be provided to and located to serve the future needs of the local community; and



- (c) layout and design of public open space should meet the demand of future occupants of the site and be of a high quality, providing for public use and accessibility, views, sunlight access and wind protection within the application area.

(3) vehicle, cycle and pedestrian access and circulation:

- (a) the transport network (roads, public transport connections, pedestrian connections and cycle connections) is generally provided in the location identified in the precinct plan to achieve a legible street network. Where no location is identified, an integrated and efficient street and pedestrian network should be provided, including connections to existing and future streets and networks;

(4) infringing the pedestrian connections standard:

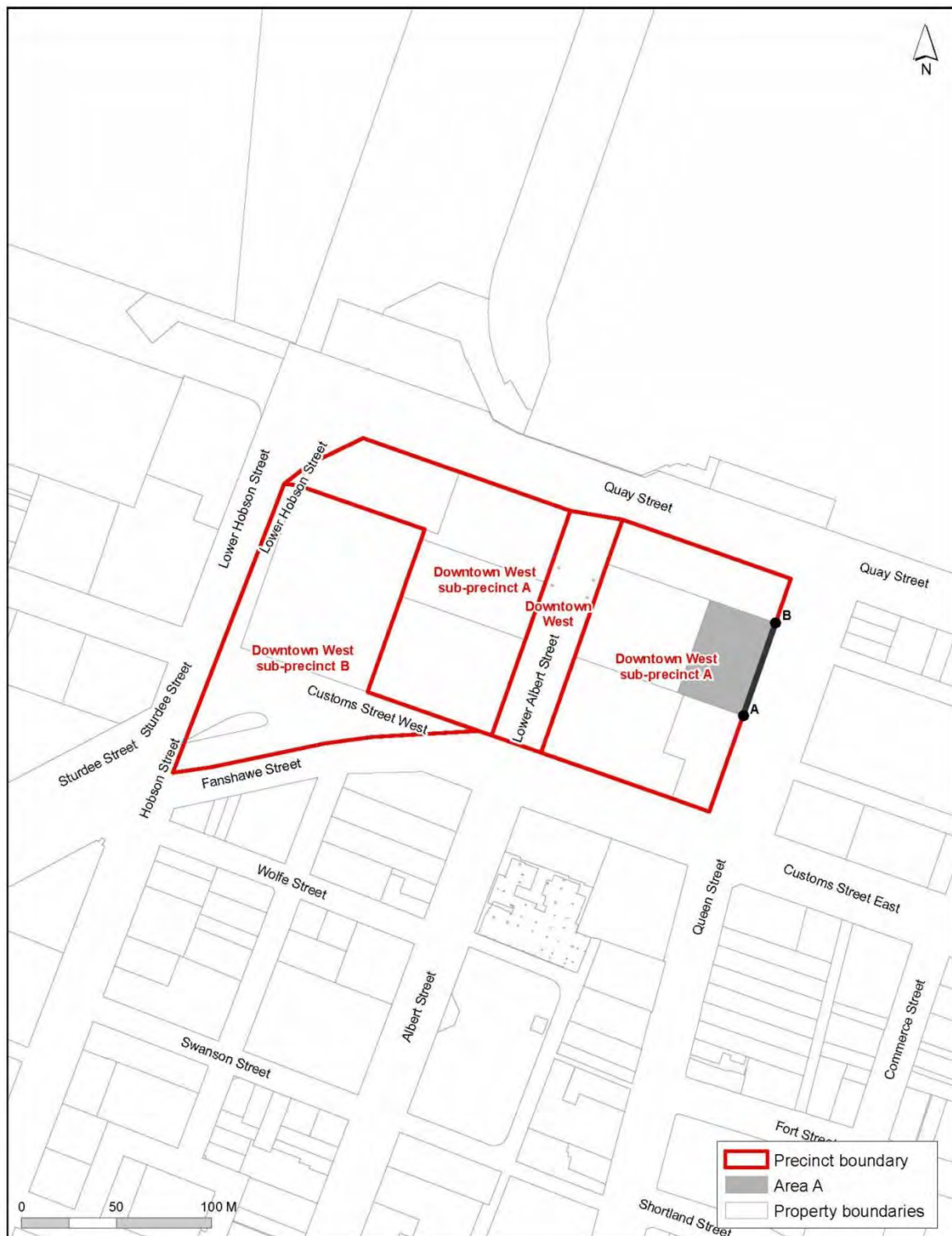
- (a) whether development that infringes the pedestrian connection standard demonstrates that:
  - (i) there is a safe, legible, accessible and direct link through the block;
  - (ii) the width of the lane or link is sufficient to provide a functional connection between the adjoining streets;
  - (iii) there is adequate provision for pedestrian movement in support of existing east-west options, and in support of the transport interchange function of the area; and
  - (iv) north-south pedestrian movement options are increased through blocks in support of pedestrian flows between the City Centre core and the waterfront, with a focus on the quality and interest provided through and along those routes.
- (b) consistency with the planned future form and character of the Downtown Precinct:
  - (i) where the pedestrian connection standard is infringed, whether the proposal demonstrates that Policies I205.3(2) and I205.3(3) above are met.
- (c) The extent to which:
  - (i) visibility to, from, and within the pedestrian connection is provided to support public safety; and
  - (ii) wayfinding elements are integrated to guide pedestrians and enhance navigability with consideration to potential obstructions, level changes, signage and intersections with other pathways.

#### **I205.9. Special information requirements**

There are no special information requirements in this precinct.

## I205.10. Precinct plans

### I205.10.1. Downtown West Precinct: Precinct plan 1 – Extent of sub-precincts A and B, and Area A



## **I206. Karangahape Road Precinct**

### **I206.1. Precinct description**

The Karangahape Road Precinct seeks to maintain and enhance the area's distinctive built form and streetscape character. This distinctive character is derived from its:

- ridge top location, orientation and aspect;
- concentration of historic heritage and special character buildings and features; and
- diverse and multi-cultural mix of activities.

Built form and the street frontages of buildings are significant components of the precinct's character. While there is disparity in the age and detail of the frontages, there is an overall coherence. The design and appearance of building frontages is controlled to require new and altered buildings to be sympathetic to the existing qualities and character of the area.

Building form and scale in the precinct is controlled to maintain the spatial integrity of the street and the quality of street-level amenity where the east-west orientation of Karangahape Road enables good standards of sunlight penetration and contributes to the amenity of the area. These attributes are maintained by the frontage control applied to specific sites identified within the precinct and by the maximum height controls applied within and adjacent to the precinct through the general standards

The land in the Karangahape Road Precinct is zoned Business – City Centre Zone.

### **I206.2. Objectives**

- (1) The distinctive built form and streetscape character of the Karangahape Road Precinct is maintained and enhanced.

The overlay, Auckland-wide and Business – City Centre Zone objectives apply in this precinct in addition to those specified above.

### **I206.3. Policies**

- (1) Require building design to respect the form, scale and architecture of scheduled historic heritage places and special character buildings in the Karangahape Road Precinct.
- (2) Maintain the precinct's character and architectural style by requiring new buildings to be compatible in style, including scale, material, colour and detailing.
- (3) Require proposals for new buildings or additions to existing buildings adjoining or adjacent to scheduled historic heritage places or special character buildings to be sympathetic and provide contemporary and high-quality design which enhances the precinct's built form and streetscape character.
- (4) Require new buildings to be built to the street and manage height and building setbacks above street frontages in a manner that:

- (a) respects the general scale and form of existing buildings and avoids adverse dominance effects;
- (b) enhances the street environment for pedestrians by reducing down-drafts and wind tunnel effects, and maintains sunlight and daylight access to the street; and
- (c) contributes to the continuity of pedestrian interest and vitality.

The overlay, Auckland-wide and Business – City Centre Zone policies apply in this precinct in addition to those specified above.

#### **I206.4. Activity table**

The provisions in any relevant overlays, zone and the Auckland-wide apply in this precinct unless otherwise specified below.

Table I206.4.1 Activity table specifies the activity status of development activities in the Karangahape Road Precinct pursuant to section 9(3) of the Resource Management Act 1991.

**Table I206.4.1. Activity table**

<b>Activity</b>		<b>Activity status</b>
<b>Development</b>		
(A1)	Minor cosmetic alterations to a building that does not change its external design and appearance	P
(A2)	New buildings, and alterations and additions to buildings not otherwise provided for	RD
(A3)	Development that does not comply with Standard I206.6.1 Frontage height and setback	NC

#### **I206.5. Notification**

- (1) Any application for resource consent for an activity listed in Table I206.4.1 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\(4\)](#).

#### **I206.6. Standards**

The overlay, zone and Auckland-wide standards apply in this precinct unless otherwise specified below.

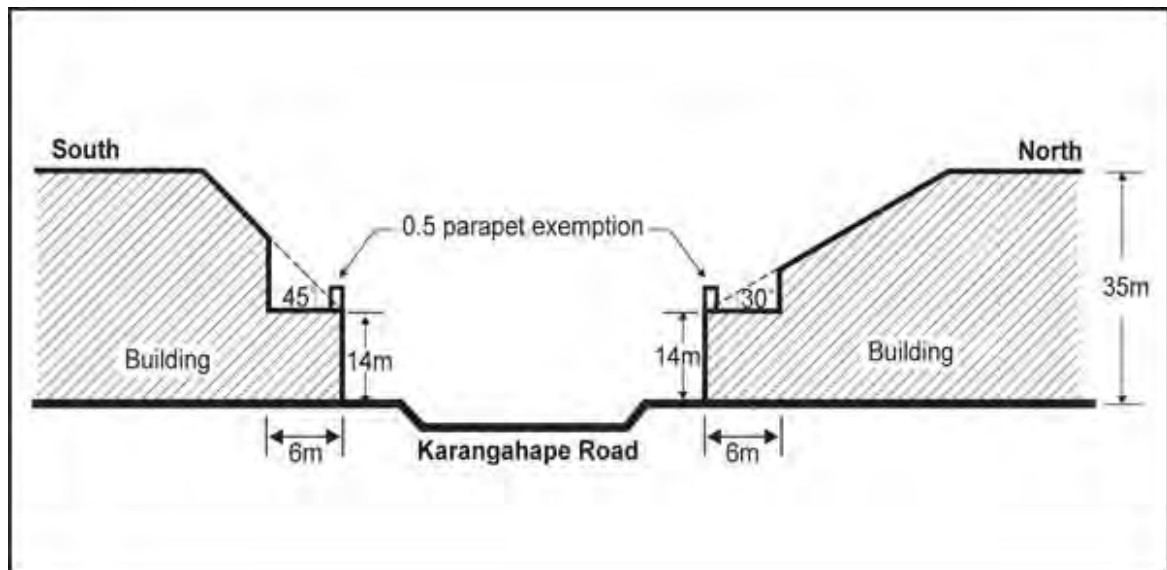
All permitted and restricted discretionary activities listed in Table I206.4.1 Activity table must comply with the following standards.

### **I206.6.1. Frontage height and setback**

Purpose: manage the scale of development to maintain and enhance pedestrian amenity, and to avoid buildings dominating public open space.

- (1) For frontages shown in Precinct plan 1 - Frontage height and setback, buildings must:
  - (a) adjoin the site frontage for its entire length excluding vehicle and pedestrian access areas;
  - (b) not have a building frontage that exceeds 14m in height above mean street level; and:
    - (i) where the building is located on the southern side of Karangahape Road, not project beyond a 45 degree recession plane measured at all points along the site frontage from 14 metres above mean street level; or
    - (ii) where the building is located on the northern side of Karangahape Road, not project beyond a 30 degree recession plane measured at all points along the site frontage from 14 metres above mean street level.
- (2) I206.6.1(1) above does not apply to towers, turrets or similar structures located on a corner site at the intersection of Karangahape Road and the following roads: Queen Street, Upper Queen Street, Pitt Street, Mercury Lane, East Street, and West Terrace.
- (3) Towers, turrets or similar structures located on a corner site at the intersection of Karangahape Road and the following roads: Queen Street, Upper Queen Street, Pitt Street, Mercury Lane, East Street, and West Terrace must not:
  - (a) exceed the maximum height by more than 5 metres;
  - (b) exceed an area of 18m<sup>2</sup>;
  - (c) exceed a horizontal dimension of 4 metres measured along the site frontage; and
  - (d) contain signs at a height greater than 12.5 metres above mean street level.

**Figure I206.6.1.1 Karangahape Road frontage height and setback**



#### **I206.7. Assessment – controlled activities**

There are no controlled activities in this precinct.

#### **I206.8. Assessment – restricted discretionary activities**

##### **I206.8.1. Matters of discretion**

The Council will restrict its discretion to all of the following matters when assessing a restricted discretionary activity resource consent application, in addition to the matters specified for the relevant restricted discretionary activities in the overlay, Auckland wide or zone provisions:

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

##### **I206.8.2. Assessment criteria**

The Council will consider the relevant assessment criteria below for restricted discretionary activities, in addition to the assessment criteria specified for the relevant restricted discretionary activities in the overlay, Auckland wide or zone provisions:

- (1) new buildings, and alterations and additions to buildings not otherwise provided for:
  - (a) building design and external appearance - creating a positive frontage:
    - (i) whether buildings are designed to address and align to the street boundary. Minor modulation and variance of the frontage such as recessed pedestrian entrances is encouraged to avoid architectural monotony;

(b) building design and external appearance - variation in building form/visual interest:

(i) whether building levels incorporate design elements which acknowledge the existing human scale and character of the precinct.

In particular:

- whether frontage height and design have regard to existing buildings in the vicinity and to maintain a consistent scale. This does not mean a rigid adherence to a single height but it does mean a respect for the general scale of the surrounding buildings to avoid dominance;
- whether the design of building frontages include vertical and horizontal details that avoid dominance of frontage design elements larger than historically present. Where existing sites are amalgamated, whether the frontage design has regard to the existing grain of development and convey a residual sense of the original subdivision pattern;
- whether the consistency of the existing character in a cohesive streetscape is maintained with the design of new buildings acknowledging the scale, sense of proportion and level of intricacy of detail on neighbouring buildings in the precinct;
- whether the design of the ground level contributes to the continuity of pedestrian interest and vitality. However, frontages entirely of glass (curtain walling or continuous shopfront glazing) or of solid materials (including roller shutter doors of any size), should not be used at street level as they detract from the streetscape. Where feasible, restoration of original ground level detail should be included in plans for buildings adjoining historic heritage buildings or for alterations to historic heritage buildings;
- at upper levels, whether large expanses of glass or blank walls are avoided. This will tend to favour solid walls penetrated by a pattern of windows above verandah level, articulation of floor levels and an appropriate treatment of the parapet level;

(ii) whether the design of upper setback levels relate naturally to the lower frontage height levels in an acceptable architectural manner such as continuation of an elevational rhythm or recognisable visual theme or proportions;

(iii) whether the design of buildings on corner sites and at the terminus of significant axial views use special features to accentuate focus and should have a landmark quality which can be easily identified from many directions, creating a sense of place;

- (iv) whether signs and logos on frontages and fasciae are carefully integrated and visually clear so that they are unobtrusive and sympathetic with the architectural pattern of the buildings;
- (c) building design and external appearance - materials and finishes:
  - (i) whether materials, decoration and colour used for the exterior of new buildings or for alterations to the frontage of existing buildings have regard to existing buildings. New and contemporary interpretations in form and details may be used; and
  - (ii) whether frontage colour integrates with the existing vibrant streetscape, with colour considered as a whole, integrating under-verandah shop fronts with the frontage above. A frontage may be unified through the use of subdued colours or be given a sense of individuality by emphasising architectural features in contrasting colour.

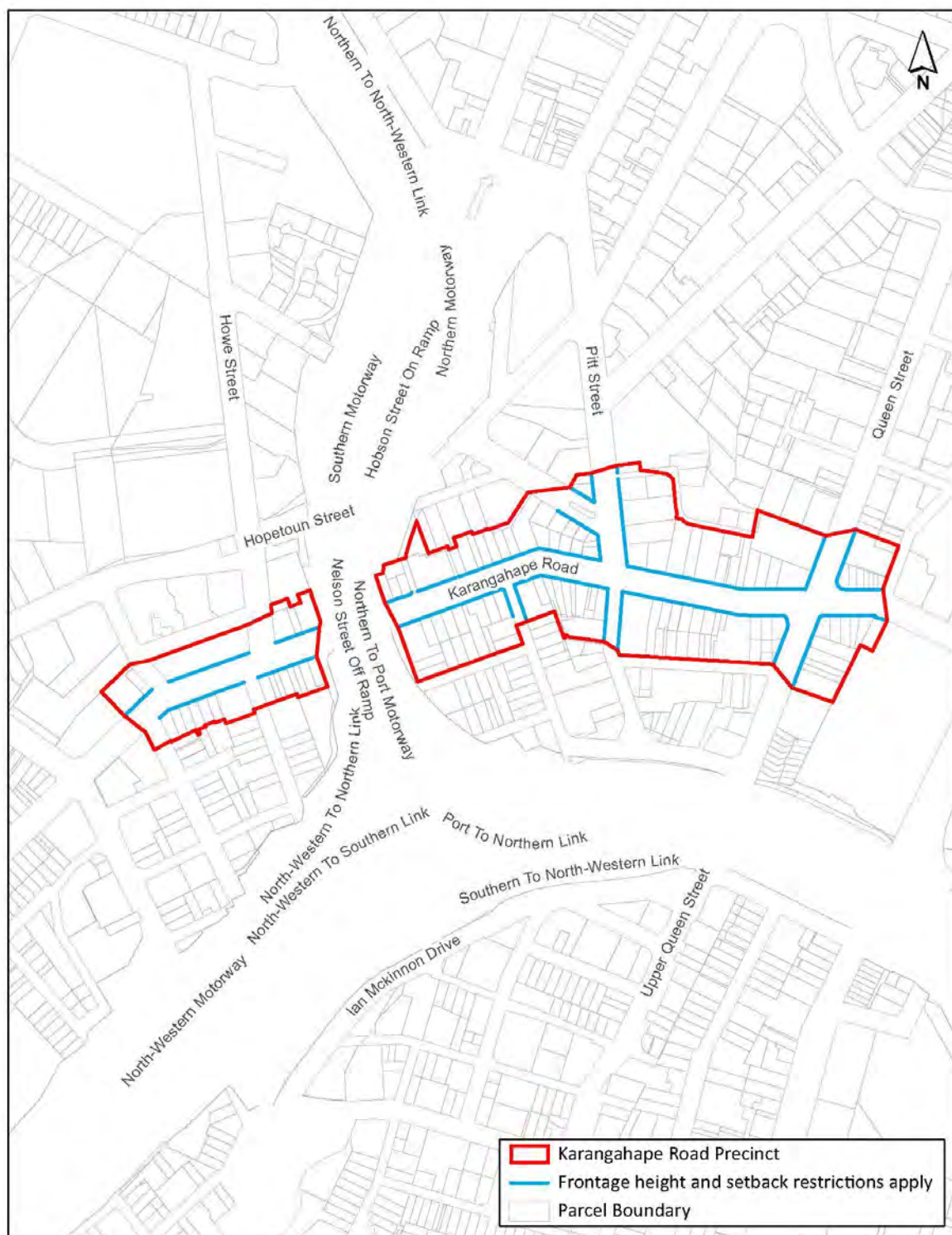
**I206.9. Special information requirements**

There are no special information requirements in this precinct.



## I206.10. Precinct plans

### I206.10.1. Karangahape Road: Precinct plan 1 - Frontage height and setback



## **I207. Learning Precinct**

### **I207.1. Precinct description**

The Learning Precinct is centred on the Symonds Street ridge where the University of Auckland and Auckland University of Technology have the majority of their properties and have created a tertiary education hub. The location and extent of the Learning Precinct is shown on Precinct plan 1. The Learning Precinct contains Sub-precinct A which specifically addresses parking controls for the University of Auckland land and Sub-precinct B, as shown in Precinct plan 5, which contains the Old Government House site.

The land in the Learning Precinct is zoned Business – City Centre Zone and Open Space – Conservation Zone.

The purpose of the Learning Precinct is to ensure the stimulation of education, research, business and cultural experiences by identifying key actions to enhance economic and social benefits to the city, add value and vitality to the central business district and raise awareness of opportunities for learning in the precinct.

The Council intends the precinct to remain the focus of the tertiary education sector in the city centre, with development retaining and enhancing the particular qualities of the location. The council acknowledges that further expansion will be necessary within the precinct, but has also made provision for education activities outside the precinct, subject to relevant standards. The precinct includes other activities such as offices, residential, retail and food and beverage.

The precinct is one of the most significant destinations in the city, with a large number of students and workers travelling to the area daily. This will increase over time as the University of Auckland consolidates its campuses into the central city.

The physical characteristics of the precinct include historic heritage places, and parks and gardens around the campuses.

#### *Sub-precinct B: Old Government House*

The Old Government House sub-precinct is located at the corner of Princes Street and Waterloo Quadrant. The land forms part of the University of Auckland complex. The buildings located on the site include the MacClaurin Chapel, the old gate keeper's cottage, and Old Government House.

The Old Government House Grounds, whilst in private ownership, are available for public use and provide a key open space within the city centre and in particular the University. The amenity of the area contrasts with the intensity of the surrounding building form.

The purpose of this sub-precinct is to ensure that the grounds remain predominantly an open space for passive recreation. As a result the range of activities allowed in this precinct is limited to education and associated activities. A number of features included within the grounds have been scheduled for protection.

## **I207.2. Objectives**

The overlay, Auckland-wide and Business – City Centre Zone objectives apply in this precinct in addition to those specified below:

- (1) Tertiary education and related activities are enabled to allow for growth and change within the precinct.
- (2) Campus buildings appropriate to education needs are developed to:
  - (a) respect and enhance the built character of the precinct;
  - (b) incorporate high-quality urban design; and
  - (c) avoid or mitigate adverse effects associated with development.
- (3) The predominance of existing tertiary education and accessory activities which characterise the precinct is continued while also providing for growth, change and diversification of activities over time.
- (4) Heritage values including historic heritage places, Māori sites of significance and notable trees, and the contribution they make to the precinct's character, are recognised, protected and enhanced.
- (5) Open spaces and pedestrian connections from the precinct to the wider city centre, including connections between activities and open spaces, are provided for and enhanced.
- (6) The transportation demands of the precinct are provided for and travel demand planning and operations are used to manage their effects on traffic and pedestrians on campuses.

### *Objective for Sub-precinct B: Old Government House*

The overlay, Auckland-wide and Open Space – Conservation Zone objectives apply in this precinct in addition to the objective specified below:

- (7) Education and related activities are enabled.

## **I207.3. Policies**

The overlay, Auckland-wide and Business – City Centre Zone policies apply in this precinct in addition to those specified below.

- (1) Enable a range of tertiary education activities and ancillary activities to occur within the precinct and recognise the functional requirements for those activities.
- (2) Support the efficient operation of the existing campuses while respecting, and where appropriate protecting, the particular built form, amenity and heritage values which contribute to the character of the precinct.

- (3) Provide for the growth and development of the existing campuses to meet existing needs and respond to future demand and changes in teaching, learning, research requirements and campus environments.
- (4) Require new buildings to be designed in a manner that respects existing buildings, provides for amenity, protects heritage values and, where appropriate, enhances the streetscape and gateway locations of the campuses.
- (5) Require new buildings to interface appropriately with the public realm by encouraging building frontages and activities to interact with the street and other public places.
- (6) Limit building height so that it is appropriate to its location, and:
  - (a) enhances and defines the landform;
  - (b) is generally consistent with the adjoining urban form and supports a distinctive urban form; and
  - (c) maintains views across the ridge from buildings in the core central business district.
- (7) Require proposals for new buildings or additions to existing buildings adjoining or adjacent to scheduled historic heritage places to be sympathetic and provide contemporary and high-quality design which enhances the precinct's built form.
- (8) Enable appropriate community use of the educational and research facilities, buildings and campus open spaces.
- (9) Require development to maintain and provide a varied network of key pedestrian connections, open space, and plazas within the campuses, consistent with education activities and campus operations.
- (10) Require pedestrian connections to be well-designed, safe, and improve connectivity for all users.
- (11) Require development to incorporate integrated transport planning that:
  - (a) promotes and enhances opportunities for bicycle and public transport
  - (b) avoids adverse traffic effects on pedestrian safety and amenity
  - (c) limits the amount of car parking in recognition of the limited carrying capacity of the road network and the desirability of maintaining the pedestrian-oriented character of the campuses
  - (d) recognises and provides for some roads within and adjoining the campuses.

*Policy Sub-precinct B: Old Government House*

The overlay, Auckland-wide and Open Space - Conservation Zone policies apply in this precinct in addition to the policy specified below.

- (12) Enable a range of education activities and accessory activities to occur within the Old Government House Grounds precinct

#### I207.4. Activity table

The provisions in any relevant overlays, zone and the Auckland-wide apply in this precinct unless otherwise specified below.

Table I207.4.1 Activity table specifies the activity status of land use and development activities in the Learning Precinct pursuant to section 9(3) of the Resource Management Act 1991.

**Table I207.4.1. Activity table - Learning Precinct including Sub-precinct A**

Activity		Activity status
<b>Residential</b>		
(A1)	Boarding houses	P
(A2)	Dwellings	P
(A3)	Visitor accommodation	P
<b>Commerce</b>		
(A4)	Commercial services	P
(A5)	Conference facilities	P
(A6)	Entertainment facilities	P
(A7)	Industrial laboratories	P
(A8)	Manufacturing	P
(A9)	Offices	P
(A10)	Retail	P
<b>Community</b>		
(A11)	Artworks	P
(A12)	Care centres	P
(A13)	Community facilities	P
(A14)	Educational facilities	P
(A15)	Emergency services	P
(A16)	Healthcare facilities	P
(A17)	Hospitals	P
(A18)	Information facilities	P
(A19)	Organised sport and recreation	P
(A20)	Marae Complex	P
(A21)	Recreational Facilities	P
(A22)	Tertiary Education	P

<b>Development</b>		
(A23)	An entry canopy (and any associated steps, balustrades and retaining walls defined as “building”) located in the position indicated by the symbol “#” in Precinct plan 1 within the “No buildings except as provided for by entry canopy and fire egress stair criteria” area	RD
(A24)		
(A25)	Demolition	C
(A26)	New buildings, relocation of buildings, and alterations and additions to buildings not otherwise provided for	RD
(A27)	Minor cosmetic alterations to a building that does not change its external design and appearance	P
(A28)	Internal alterations to existing buildings	P
(A29)	Conversion of a building or part of a building to dwellings, visitor accommodation or boarding houses	C
(A30)	The transfer and utilisation of unrealised parking within Sub-precinct A complying with Standard I207.6.1	RD
(A31)	Development that does not comply with Standard I207.6.1	NC

Table I207.4.2 Activity table specifies the activity status of land use and development activities in the Learning Precinct pursuant to section 9(3) of the Resource Management Act 1991.

Activities in the Open Space - Conservation Zone apply in Sub-precinct B Old Government House Grounds unless otherwise specified in the activity table below.

**Table I207.4.2. Activity table - Sub-precinct B Old Government House**

<b>Activity</b>		<b>Activity status</b>
<b>Community</b>		
(A32)	Tertiary education facilities	P
(A33)	Temporary activities	P
<b>Development</b>		
(A34)	Storage and maintenance building - not exceeding 50m <sup>2</sup>	P

## **I207.5. Notification**

- (1) An application for resource consent for a controlled activity listed in Table I207.4.1. Activity table - Learning precinct including Sub-precinct A 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 I207.4.1. Activity table - Learning precinct including Sub-precinct A above and which is not listed in I207.5(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\(4\)](#).

## **I207.6. Standards**

The overlay, zone and Auckland-wide standards apply in this precinct unless otherwise specified below.

All permitted, controlled and restricted discretionary activities listed in Table I207.4.1 Activity table – Learning Precinct including Sub-precinct A and Table I207.4.2 Activity table - Sub-precinct B Old Government House must comply with the following standards.

### **I207.6.1. Parking**

- (1) The total number of parking spaces within Sub-precinct A must not exceed 2000.
- (2) Where a site is located within Sub-precinct A and is accessed from either Grafton Road or Alten Road, an application for a restricted discretionary activity may be made to transfer to the recipient site the unrealised permitted parking from any other site or sites within Sub-precinct A held in the same ownership as the recipient site. Any transferred parking may be provided in addition to the amount of parking permitted on the recipient site in respect of any building or buildings erected on, or proposed for that site.
- (3) The unrealised permitted parking able to be transferred from the donor site, is the difference between the amount of parking permitted on the donor site and the amount actually provided, but only if the number of parking spaces provided on the donor site is less than that permitted.
- (4) For the purpose of monitoring the total number of parking spaces a register must be maintained by the council and the following must be recorded in it:
  - (a) the address and legal description of the donor and recipient sites;
  - (b) the number of parking spaces transferred to the recipient site and/or retained on the donor site; and
  - (c) the date of the consent permitting a transfer.

### **I207.6.2. Temporary activities in Sub-precinct B**

The following standards apply to Sub-precinct B.

- (1) Temporary activities must be limited to functions and ceremonies.

- (2) Temporary activities can include temporary structures associated with functions and ceremonies including the erection of tents and marquees that meet the following:
  - (a) for up to 12 consecutive days and up to six times in a calendar year;
  - (b) not involving ground disturbance of more than 500mm; and
  - (c) includes storage and maintenance building not exceeding 50m<sup>2</sup>.

### **I207.6.3. Building height**

Purpose: manage the height of buildings to achieve Policy I207.3(6) of the Learning Precinct.

- (1) Buildings must not exceed the heights specified on Precinct plan 1.
- (2) Building height will be measured as the vertical distance between mean street level and a horizontal plane above that level for sites where no contour applies on Precinct plan 3. For all other sites on Precinct plan 3, building height will be measured in accordance with [H8.6.8](#) Measuring building height.
- (3) No additional height is permitted for buildings within the area shown on Precinct plan 1 as “existing buildings only”.

### **I207.6.4. Frontage Height and Setback**

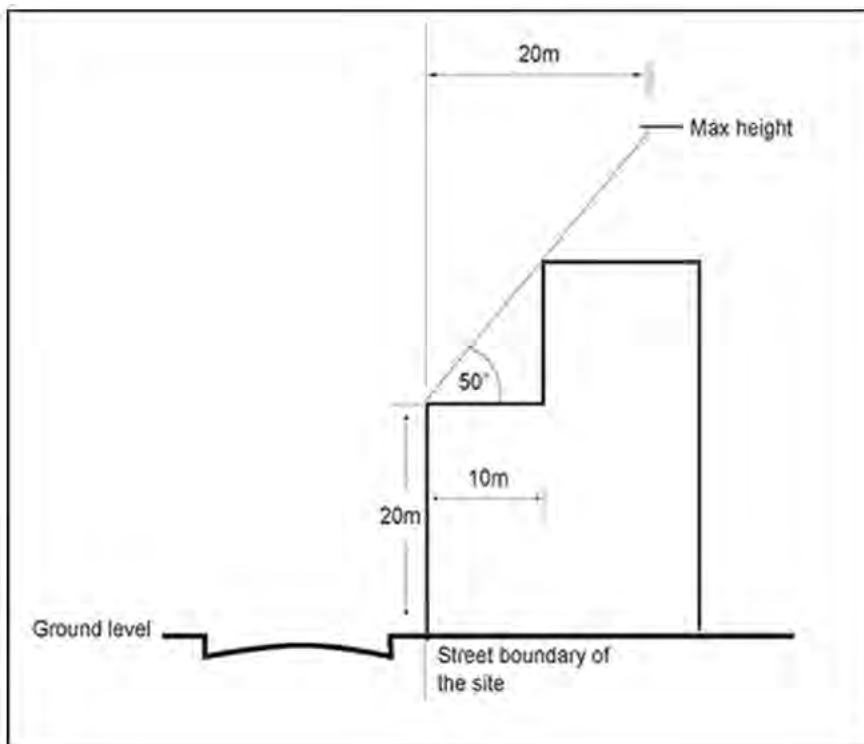
Purpose: manage the scale of development to maintain and enhance pedestrian amenity, and to avoid buildings dominating public open space.

- (1) On every frontage shown as “A” on Precinct plan 4:
  - (a) the building frontage must not exceed a height of 20m for a minimum depth of 10m from the site frontage;
  - (b) the building must not project beyond a 50 degree recession plane measured at all points along the site frontage from 20m above street level. This recession plane applies for a horizontal distance of 20m into the site from the street boundary;
  - (c) the building setback must be an emphatic or a stepped profile of at least two stories and must not be a literal regression of the 50 degree angle; and
  - (d) where the building is on a corner site, the requirements of clauses I207.6.4(1)(a) and (b) above apply to both frontages.
- (2) On every frontage shown as “B” on Precinct plan 4:
  - (a) the building frontage must not exceed a height of 30m for a minimum depth of 10m from the site frontage.
- (3) On every frontage shown as “C” on Precinct plan 4:

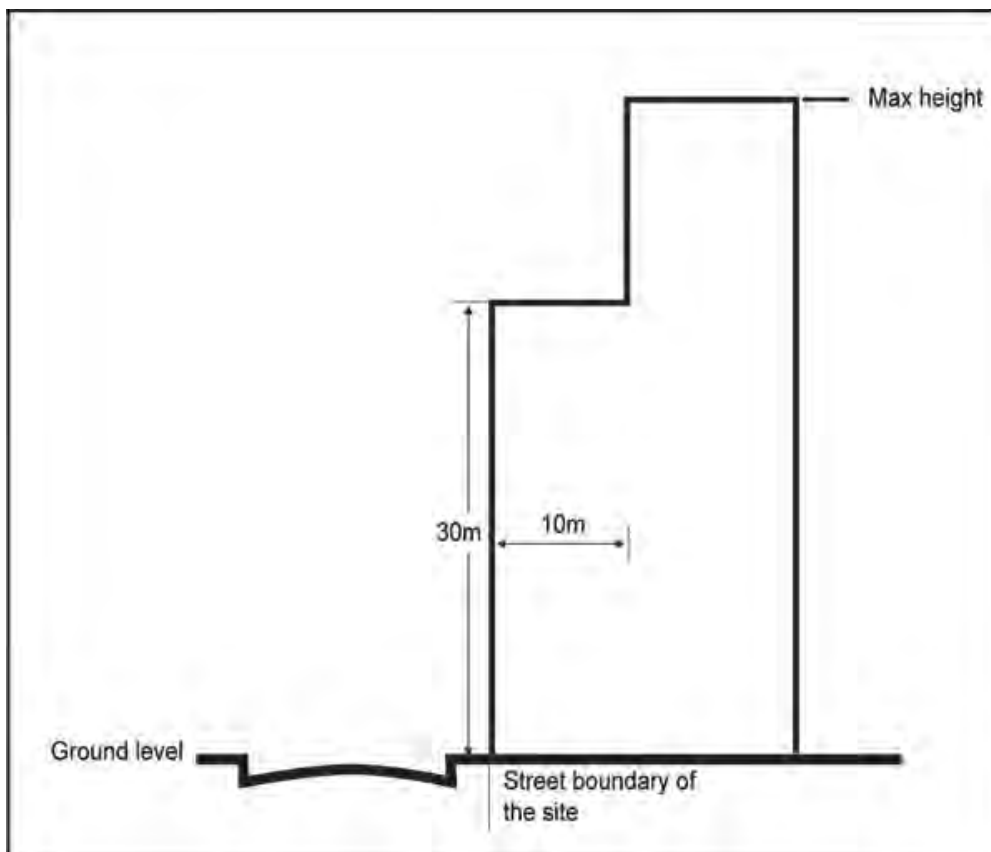


- (a) the building frontage must not exceed a height of 15m for a minimum depth of 15m from the site frontage;
  - (b) the building must not project beyond a 45 degree recession plane measured at all points along the site frontage of the site from 15m above street level. This recession plane applies for a horizontal distance of 20m into the site from the street boundary;
  - (c) the building setback must be an emphatic or a stepped profile of at least two stories and must not be a literal regression of the 45 degree angle;
  - (d) Where the building is on a corner site, the requirements of clauses I207.6.4(3)(a) and (b) above apply to both frontages.
- (4) On every frontage shown as “D” on Precinct plan 4:
- (a) the building frontage must not exceed a height of 35m for a minimum depth of 10m from the site frontage.
- (5) On every frontage shown as “E” on Precinct plan 4:
- (a) the building frontage must not exceed a height of 41.3m (New Zealand Vertical Datum 2016) for a minimum depth of 15m from the site frontage
  - (b) This recession plane applies for a horizontal distance of 20m into the site from the street boundary.

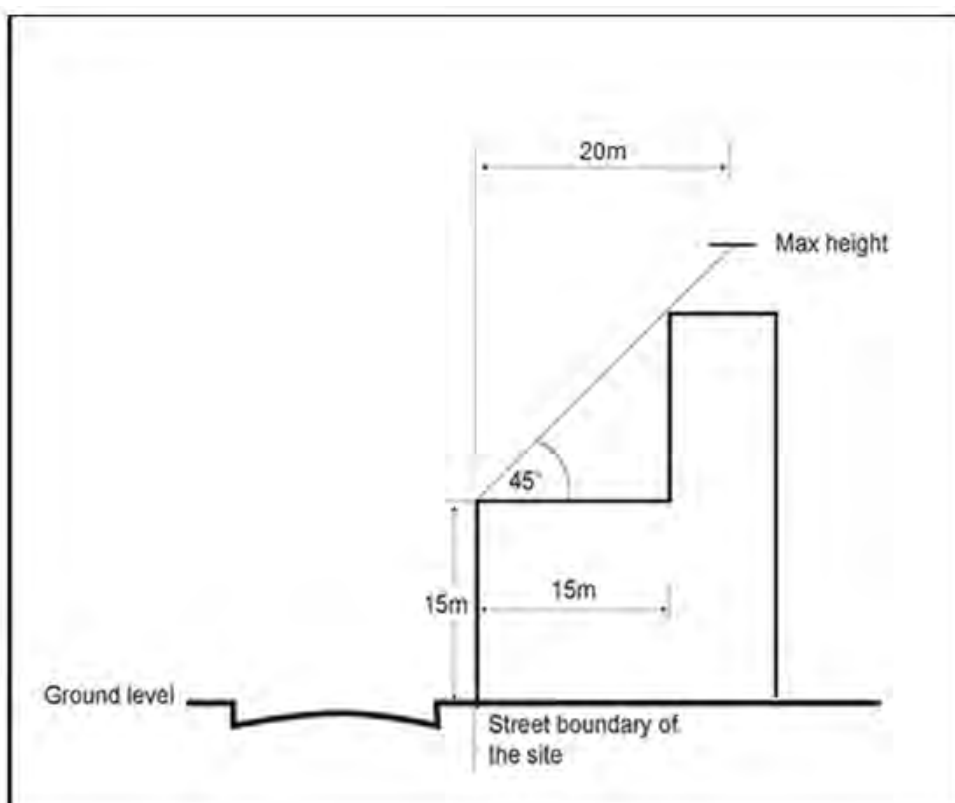
**Figure I207.6.4.1 Frontage control A**



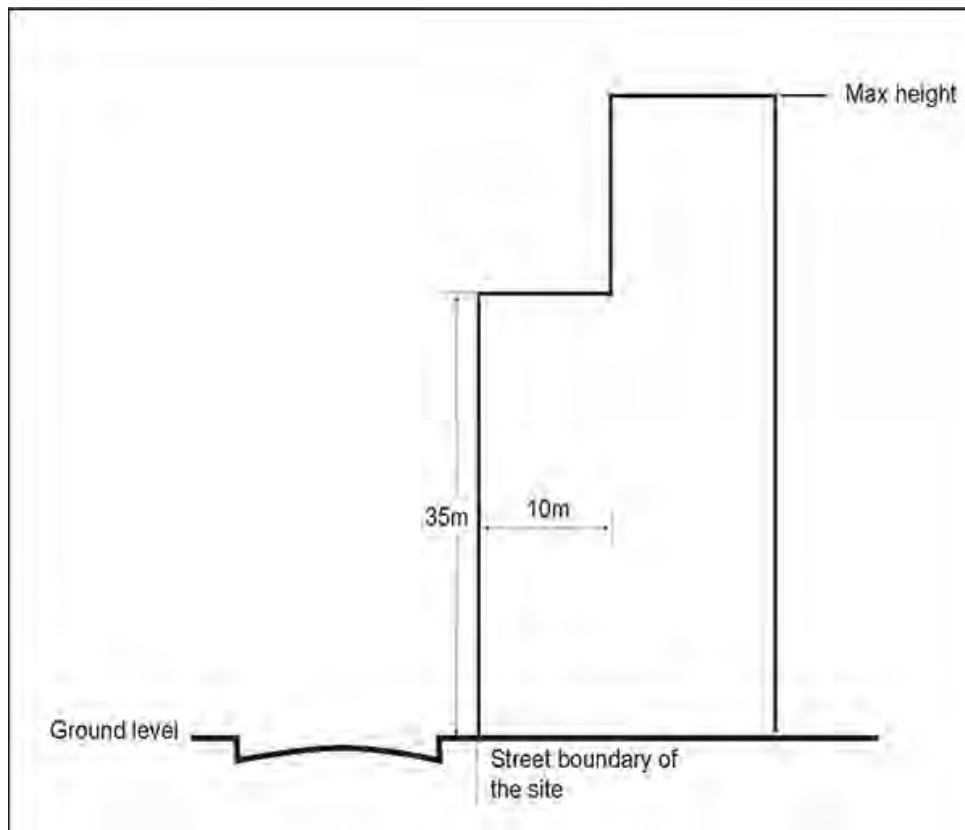
**Figure I207.6.4.2 Frontage control B**



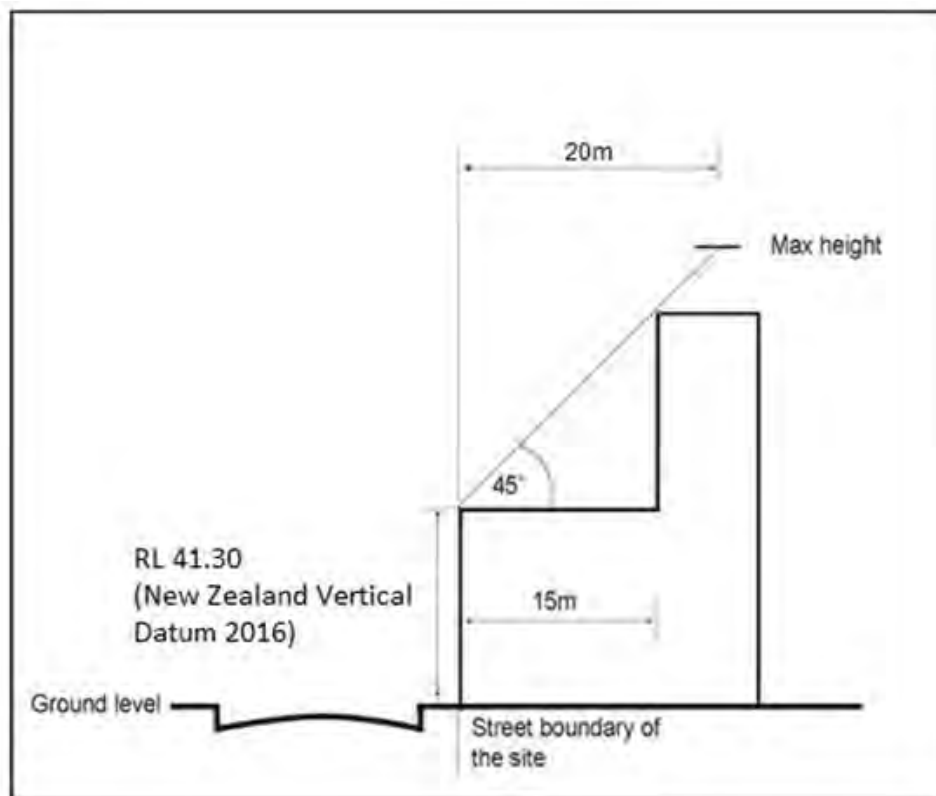
**Figure I207.6.4.3 Frontage control C**



**Figure I207.6.4.4 Frontage control D**



**Figure I207.6.4.5 Frontage control E**



### **I207.6.5. Wynyard Street Coverage and Pedestrian Link**

Purpose: manage the scale, form and intensity of development to maintain and enhance pedestrian amenity within the precinct.

- (1) For areas shown on Precinct plan 1 as being subject to the “Wynyard Street coverage and pedestrian link control”:
  - (a) the maximum building coverage is 50 per cent;
  - (b) a continual pedestrian link must be provided from Grafton Road to Alten Road:
    - (i) that includes a continuous minimum width of 10m. This does not apply to the first 50m from the Alten Road boundary where the width may be reduced to a minimum of 6m;
    - (ii) that is open to the air and aligned so as to maintain a clear line of sight for pedestrians on Grafton Road through to Alten Road; and
    - (iii) of which sections may be covered by glazing for weather protection and narrow pedestrian over bridges for pedestrian connectivity to upper floors of adjacent buildings providing that Wynyard Street remains open to the air for the majority of its length and a clear line of sight for pedestrians on Grafton Road through to Alten Road is maintained. Pedestrian over bridges and glazing will be counted as coverage for the purpose of this control.

### **I207.6.6. Sub-precinct B: Old Government House**

- (1) Buildings must not exceed 7.5m in height in Sub-precinct B.
- (2) A building or parts of a building in Sub-precinct B must be set back from the relevant boundary by the minimum depth listed in Table I207.6.6.1 Yards below.

**Table I207.6.6.1 Yards**

<b>Yard</b>	<b>Sub-precinct B</b>
Front	3m
Side	3m
Rear	3m

- (3) The maximum permitted site coverage or cumulative total area of buildings in Sub-precinct B must not exceed 5 percent of the sub-precinct area.

### **I207.7. Assessment – controlled activities**

#### **I207.7.1. Matters of control**

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

- (1) for demolition refer to the matters of control in [H8.7.1\(1\)](#) of the Business – City Centre Zone.
- (2) for the conversion of a building or part of a building to dwellings, visitor accommodation or boarding houses refer to matter of assessment in [H8.8.1\(3\)](#) of the Business – City Centre Zone.

#### **I207.7.2. Assessment criteria**

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

- (1) for demolition refer to the assessment criteria in clause [H8.7.2\(1\)](#) of the Business – City Centre Zone.
- (2) for the conversion of a building or part of a building to dwellings, visitor accommodation or boarding houses refer to matter of assessment in clause [H8.8.2\(3\)](#) of the Business – City Centre Zone.

#### **I207.8. Assessment – Restricted discretionary activities**

##### **I207.8.1. 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, relocated buildings, and alterations and additions to buildings not otherwise provided for:
  - (a) building design and external appearance;
  - (b) effects of buildings on historic heritage places;
  - (c) safety;
  - (d) the design of covered plazas, open spaces and pedestrian linkages;
  - (e) the design and location of parking; and
  - (f) travel plans and integrated transport assessments;
- (2) an entry canopy (and any associated steps, balustrades and retaining walls defined as “building”) in the position indicated by the symbol “#” in Precinct plan 1 within the “No buildings except as provided for by entry canopy and fire egress stair criteria”
  - (a) design and scale;
- (3) [Deleted]
- (4) the transfer and utilisation of unrealised parking within sub-precinct A:
  - (a) traffic generation and safety;
  - (b) pedestrian safety; and
  - (c) design of parking areas.

- (5) infringing the building height standard (I207.6.3 Building height):
  - (a) building scale and dominance/visual amenity effects; and
  - (b) effects on current or planned future form and character
- (6) infringing the frontage height and setback standard:
  - (a) building scale and form, and dominance/visual amenity effects; and
  - (b) effects on streetscape character
- (7) infringing the Wynyard Street coverage and pedestrian link standard:
  - (a) building scale and form, and dominance/visual amenity effects; and
  - (b) effects on public open space and pedestrian access
- (8) infringing the temporary activities standard in Sub-precinct B:
  - (a) noise, lighting and hours of operation; and
  - (b) traffic;
- (9) infringing the height (I207.6.6(1)), yards and building coverage standards in Sub-precinct B:
  - (a) intensity, scale and design.

#### **I207.8.2. Assessment criteria**

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

- (1) new buildings, relocated buildings, and alterations or additions to buildings not otherwise provided for:
  - (a) building design, and external appearance - creating a positive frontage:
    - (i) whether buildings and their uses maintain and where practicable enhance the quality and usability of streets, the public realm and campus pedestrian linkages through appropriate building scale, design and location. Generally, buildings should have interactive frontages where they face public streets to enable a public experience of activities within the campuses. 'Interactive frontages' are frontages which enable some form of public view or experience of activities within the campus, whether directly through openings and glazed areas into internal campus spaces or indirectly through landscaping, façade design, or artwork expressive of campus activities;
    - (ii) in areas shown on Precinct plan 2 as being within an active use node, active commercial and retail or entertainment uses are encouraged that provide for the needs of students, as well as residents, workers and visitors. Where not feasible buildings are encouraged to be

designed with a ground floor that could adapt to these activities in the future.

- (iii) When adjacent to public streets, whether buildings are designed to encourage visual and physical interaction with the street to support its safety and amenity for pedestrians;
  - (iv) the main entries for all buildings adjacent to streets shall generally be from the street or directly visible from the street and when a building has more than one street frontage, multiple entries are encouraged. If the main entry is internal to the site a secondary street entry is encouraged;
  - (v) whether generous canopies are provided at all entries and encouraged in intermittent locations along street frontages to provide pedestrian shelter, when this can be incorporated into the design of the building. Verandahs are encouraged on streets and within campuses;
  - (vi) the extent to which artwork is encouraged to be incorporated into the street facades of buildings, open spaces and plazas;
- (b) building design and external appearance - variation in building form/visual interest:
- (i) the extent to which buildings are designed to address the street, through alignment, façade modulation, windows, pedestrian entrances/plazas and materials that are appropriate for a contemporary university and compatible with heritage buildings and objects;
  - (ii) the extent to which buildings fronting streets and open spaces incorporate design elements which acknowledge the adjacent built form, and enhance pedestrian comfort and amenity, and the character of the precinct. In particular:
    - the extent to which frontage height and design have regard to existing buildings in the vicinity and maintain a compatible scale. This does not mean a rigid adherence to a single height but it does mean a respect for the general appearance of the surrounding blocks;
    - the extent to which buildings ensure high levels of visual quality and visual interest, as viewed from near and afar, by the use of the number and composition of elements on the building's façade, and the contrasting relationships between them, having regard to the scale and proportions of components on existing buildings within the vicinity. At every scale, from a range of viewing distances, building surfaces should appear rich in detail;

- the extent to which buildings employ the use of human scale proportions in the components of a façade, especially at the lower levels where pedestrians are experiencing the building from closer distances in order to maintain high levels of pedestrian visual interest;
- at all levels, whether large expanses of blank walls are avoided and whether they are visible from streets or public open spaces. If blank walls cannot be avoided, they should be minimal in relation to the overall size and length of the building frontage or located within campuses and mitigated with architectural detailing, artwork or landscaping;
- where the frontage height and setback standard applies, the extent to which the design of upper setback levels relate naturally to the lower frontage height levels in an acceptable architectural manner such as continuation of an elevational rhythm or recognisable visual theme or proportion;
- the extent to which the design of buildings on corner sites enhance the particular spatial qualities of street intersections that contribute to the prominence of sites. Building design on such sites should consider the relationship to other buildings and open spaces on opposite and adjacent corner sites;
- whether materials used in new buildings are durable and of high quality, particularly at ground level to enhance the pedestrian experience;
- the extent to which designs provide strong architectural cues to access-ways and pedestrian routes that reflect the hierarchy of routes and clearly express pedestrian entrances to enhance the visibility of pedestrian access to and through the campuses and their buildings;
- the extent to which frontages are designed to avoid service and access interruptions to frontage continuity, by locating and agglomerating such requirements internally within the campuses where practicable;
- where the proposed development is an extension or alteration to an existing building, the extent to which it is designed with consideration to the architecture of the original building;
- the extent to which building form and height consider the impact of shading and wind on the internal communal spaces of the campus and public streets;
- the extent to which building and landscape design include environmentally sustainable design features, such as passive solar design on-site stormwater conservation measures,



rainwater harvesting devices, green roofs, site landscaping, rain gardens and wetland treatment systems and stormwater planter boxes.

(c) development on the corners of Symonds Street and Wellesley Street:

- (i) for buildings on the corner sites of Symonds and Wellesley Street, a high standard of architecture is expected due to its high profile, landmark location on the crest of the Wellesley Street axis, the location of scheduled historic heritage places in close proximity to the corner sites, its prominence as a significant gateway to the city centre from the Grafton Gully, and to the campuses from Wellesley and Symonds Street. Particular attention is required to the views of the building along Wellesley Street from the direction of both the city and motorway ends, and along Symonds Street;
- (ii) on the north-eastern corner of the intersection where a 72.5m height limit is applied without a precinct frontage control, the architectural detailing on both frontages of the corner should support the articulation of the corner as distinctive from the rest of the building, and include a vertical emphasis in keeping with its location on the crest of the ridge. It should support the creation of a distinctive landmark that in the horizontal proportions of its façade complements the historic forms of the nearby heritage buildings; and
- (iii) the extent to which a development on the corner of Wellesley Street East and St Paul Street is sympathetic to the heritage building at 59-67 Wellesley Street East.

(d) Grafton Gully:

- (i) the extent to which all buildings that adjoin the motorway corridor or connecting streets, as shown on Precinct plan 2 as subject to the “Grafton Gully landscaped edge”, are designed to incorporate a varied building form that responds to the landscape context of this area, is organic in character, and does not present the appearance of a solid wall. Particular attention is required to the view of proposed buildings from Grafton Bridge, along Grafton Gully, from within the Domain, and from Auckland Hospital. The landscape context is the valley with the green open space of the Domain; the steep slopes, mature trees and vertical towers of the city centre, and the unfolding views of Rangitoto and the Harbour. Geological and ecological heritage values are present in this gully and should be recognised and protected from significant adverse effects. Building podiums and parking levels along this corridor must exhibit a high quality of architectural design befitting their prominent location and be planted at their base using eco-sourced species naturally occurring in the area;

- (ii) an emphasis on enhancing the vertical characteristics of buildings and limiting the appearance of dominant horizontal elements along the Grafton Gully landscaped edge is encouraged. The extent to which buildings provide architectural interest along this edge, provide fronts rather than backs to this edge, and where practical maintain views in between buildings into and from the campus, to enhance Grafton Gully's role as a gateway to the city centre.
- (e) effect of buildings on historic heritage places:
- (i) whether the scale, form and design of new buildings have regard to the significant heritage elements and built form of any scheduled heritage places adjacent to or in close proximity to the development site. This will require careful consideration to avoid the potential for dominance due to height and bulk. In doing so, the full development potential otherwise offered by the development controls may not be able to be achieved;
  - (ii) whether new buildings and additions to existing buildings adjacent to or in close proximity with a scheduled heritage building have regard to and respect the latter's contribution to the streetscape, so that the historic heritage building is able to maintain its contribution to the streetscape and its historical relationship with its site surrounds and wider area, including any adjacent open space;
  - (iii) the extent to which landscaping, where contextually appropriate, acknowledges both the natural and cultural heritage of the area, particularly when in proximity to or adjacent to any scheduled heritage building, its surrounds or conservation area;
  - (iv) the extent to which design features that reflect the cultural heritage of the area, including Māori cultural values associated with the historic settlement and use of the area, are encouraged. For example, in the design of buildings, landscaping, artwork, signs and place names. This should be undertaken in consultation with the council and Mana Whenua;
  - (v) whether new and upgraded buildings avoid inappropriate adverse effects on scheduled street trees and must respect their visual prominence on the streetscape;
- (f) safety:
- (i) whether new and upgraded buildings and public open spaces are designed in accordance with CPTED principles. For the purpose of this assessment, internal open spaces, plazas, foyers, lanes and pedestrian linkages within the campuses will be considered as if they are public open spaces.
  - (ii) for open spaces, plazas, foyers, lanes and pedestrian linkages, multiple entrances and exits are generally considered more

appropriate in a campus environment rather than a single way in and out of such places and spaces.

(g) the design of covered plazas, open spaces and pedestrian linkages:

- (i) Precinct plan 2 shows the long term aspirations for covered plazas, open spaces and pedestrian linkages. With the exception of Wynyard Street, the location and orientation of these covered plazas, and pedestrian linkages are indicative only, however, building and open space design should seek to incorporate these elements, whether internally within buildings or externally, in a manner that provides for the same degree of permeability, legibility and accessibility within the campuses and beyond as envisaged by the indicative layout of open spaces and pedestrian linkages shown on Precinct plan 2;
- (ii) Wynyard Street is part of the historical street network and must maintain its historic alignment and become primarily a pedestrian route and linear open space. It must maintain a minimum width of 10m, except for the first 50m from the Alten Road boundary where the width may be reduced to a minimum of 6m, to reinforce its primacy as a major pedestrian route through the campus. Wynyard Street must be open to the air for the majority of its length. Pedestrian over bridges and sections of the street may be covered by glazing for weather protection. These must be designed and located to enhance the amenity of the street and to maintain views along its length;
- (iii) whether the network of covered plazas, open spaces and linkages ensure a cohesive, permeable and legible or 'self-explaining' network of pedestrian links and routes to create efficient, safe and attractive circulation around the campuses for people of all movement ability levels;
- (iv) the extent to which building heights and form allow a reasonable level of natural light into existing and planned communal open spaces within the campuses, appropriate to their intended use and limit the adverse effects of shading on student amenity. This may require building form to be modified to the north of such spaces;
- (v) the extent to which buildings are designed to support high quality open spaces and where appropriate provide views to the wider landscape and/or surrounding streets, to enhance the legibility, accessibility and character of the campuses;
- (vi) whether buildings provide legible entrances and exits to covered plazas, open spaces and pedestrian linkages.
- (vii) the extent to which the detailed design of pedestrian routes also supports the legibility of the campuses from the public realm (namely adjoining streets and open spaces);

- (viii) whether provision for cycle access and cycle parking is included along major entries where practicable.

(h) Parking

- (i) parking, whether at-grade or within buildings is screened from public open spaces and streets.

(i) travel plans and integrated transport assessments:

- (i) where no current travel plan exists for the precinct or that part of a campus within which a development is proposed, one must be submitted with a development with gross floor area greater than 2,500m<sup>2</sup>; and
- (ii) where additional floor area greater than 2,500m<sup>2</sup> is provided for within a development, then it must be subject to an integrated transport assessment scoping process to determine whether it is required. If an integrated transport assessment is required by the council, then it should be prepared in accordance with current best practice guidelines adopted by Auckland Transport.

(2) an entry canopy (and any associated steps, balustrades and retaining walls defined as “building”) in the position indicated by the symbol “#” in Precinct plan 1 within the “No building except as provided for by entry canopy and fire egress stair criteria”:

(a) design and scale:

- (i) the extent to which the canopy enhances the visibility, legibility and overall quality of the entrance at this position; and
- (ii) the extent to which the canopy is designed and has a scale that maintains the open space qualities of the no-building area and the character of the street and its context, including the scheduled building, identified surrounds and the street trees.

(3) [Deleted]

(4) the transfer and utilisation of unrealised parking within Sub-precinct A:

(a) traffic generation and safety:

- (i) whether vehicle access to and from the site provide adequate sight distances and avoid, remedy or mitigate congestion likely to have more than minor adverse effects;
- (ii) whether traffic generated from the parking area on the site adversely affect the surrounding roading network, having regard to the current and future traffic volumes in the area and any traffic problems in the area e.g. high accident rates;

(b) pedestrian safety:

- (i) whether vehicle access-ways are designed to ensure the safety of pedestrians;
- (c) design of parking areas:
  - (i) Parking areas should be designed to enable safe and efficient on-site vehicle circulation to avoid or mitigate adverse effects on the road network;
- (5) infringing the building height standard (I207.6.3 Building height):
  - (a) building height may be exceeded where it would provide an attractive and integrated roof form that also meets the purpose of the control; and
  - (b) where building height is exceeded, Policy I207.3(6) of the Learning Precinct and Policy [H8.3\(30\)](#) of the Business – City Centre Zone should be considered;
- (6) infringing the frontage height and setback standard:
  - (a) development should be of a scale and form appropriate to the setting;
  - (b) the extent to which the scale of the development is consistent with the current and future character of the Learning Precinct as established through the objectives and policies for the Learning Precinct; and
  - (c) the extent to which pedestrian amenity is maintained or enhanced;
- (7) infringing the Wynyard Street coverage and pedestrian link standard:
  - (a) whether the amenity of the pedestrian link is maintained;
  - (b) the extent to which buildings on Wynyard street are of a scale and form appropriate to the character of the Learning Precinct.
- (8) infringing the temporary activities standard in Sub-precinct B:
  - (a) whether noise and lighting from the activity have a significant adverse effect on the amenity of surrounding residential properties. In determining this, consideration will be given to:
    - (i) the location, duration and timing of the activity and the day of the week on which it will occur;
    - (ii) the measures to mitigate noise and light spill; and
    - (iii) any proposed measures to manage levels of low frequency noise, particularly for night events.
  - (b) traffic:
    - (i) the extent to which the location, scale and intensity of the activity and any associated parking, including provision for public transport will

affect the efficiency of traffic movements and the safety of pedestrians;  
and

- (ii) the extent to which the activity will impact on other activities at the location, including the impact on public access;

(9) infringing the height (I207.6.6(1)), yards and building coverage in Sub-precinct B:

(a) intensity, scale and design:

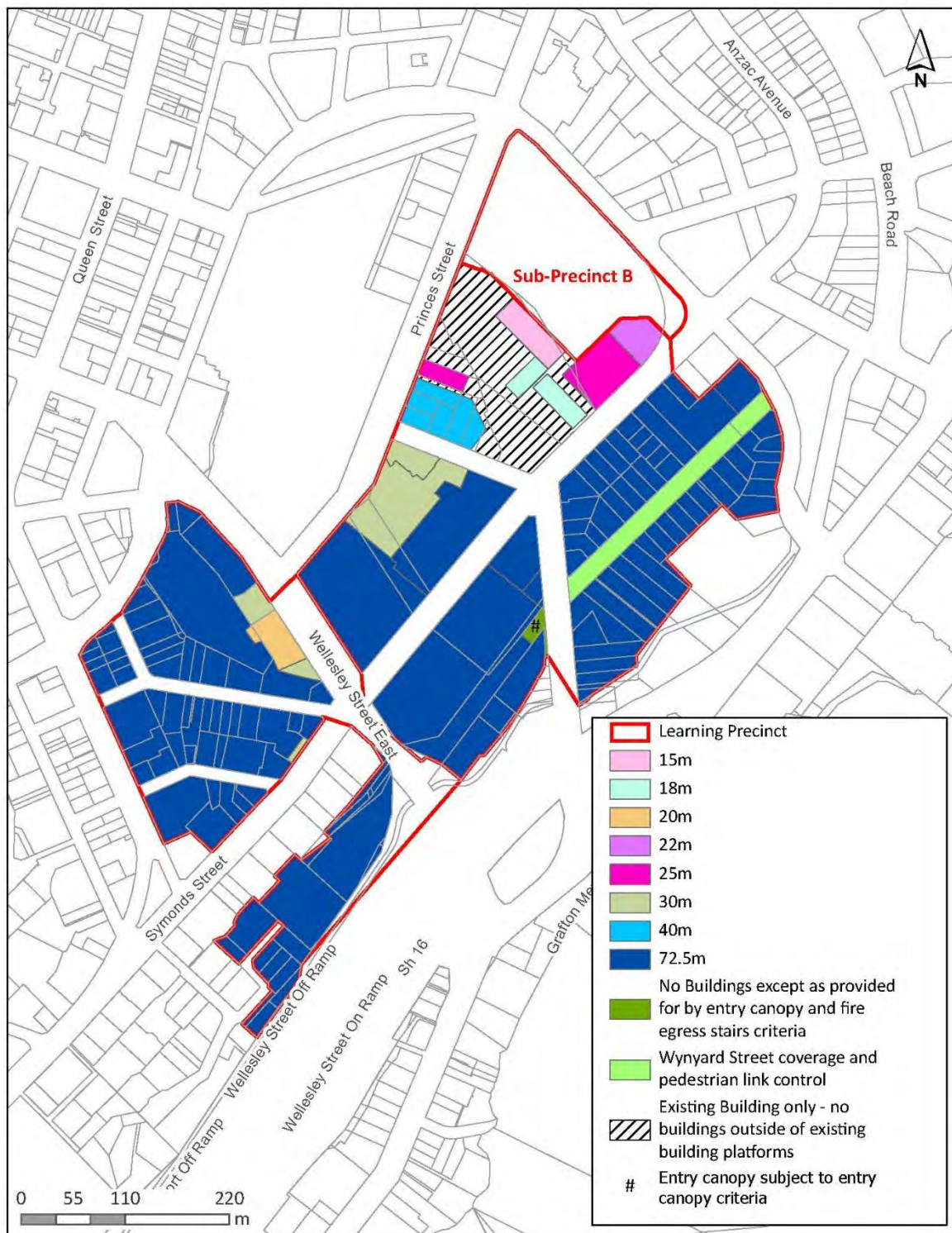
- (i) whether adequate public open space for visual amenity and recreations is maintained; and
- (ii) the extent to which the design of buildings and structures maintains the character of the open space and should be sympathetic to the existing development and open space in the Sub-precinct B.

#### **I207.9. Special information requirements**

There are no special information requirements in this precinct.

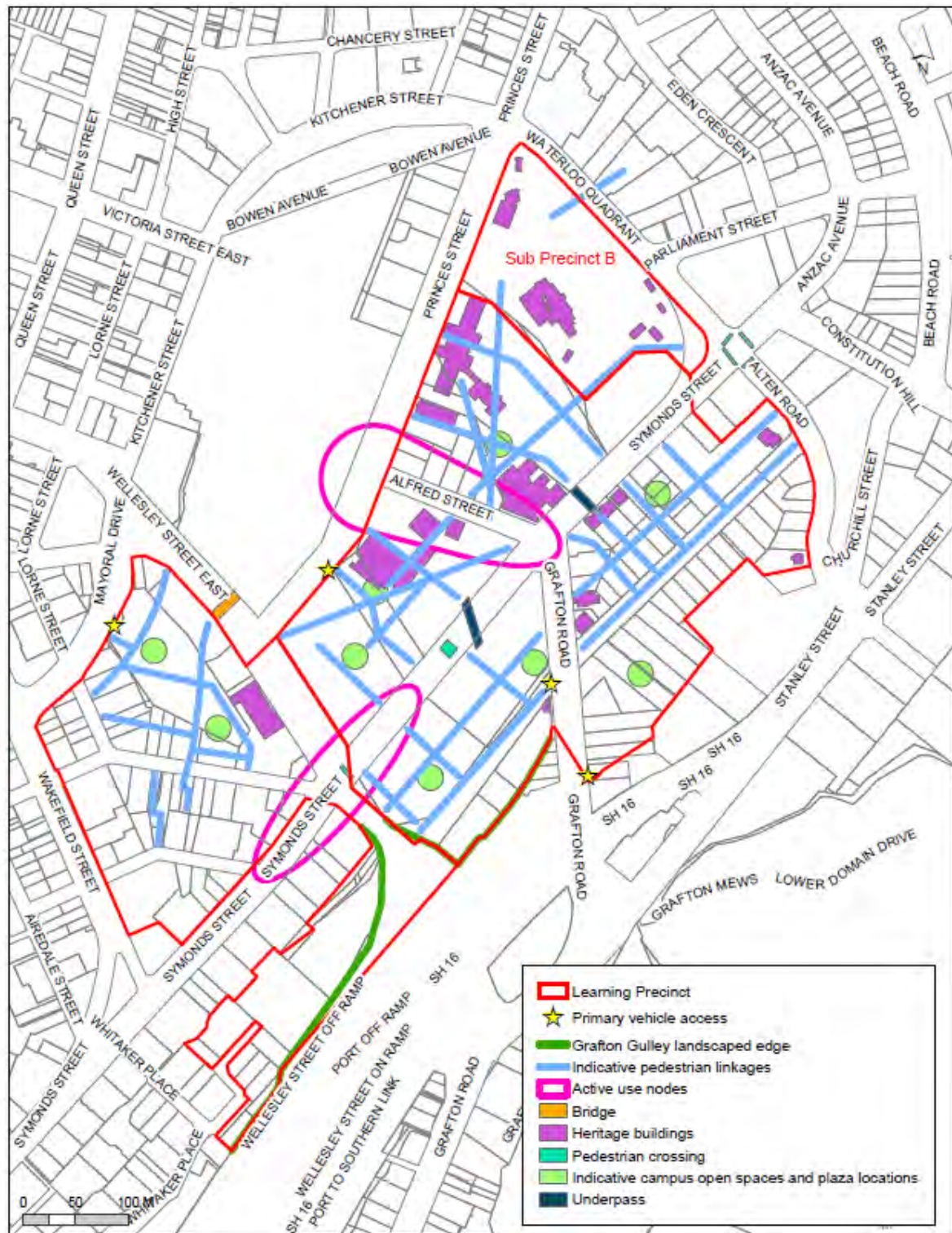
## I207.10. Precinct plans

### I207.10.1. Learning: Precinct plan 1 - Building height controls





**I207.10.2. Learning: Precinct plan 2 - Open spaces and pedestrian linkages**

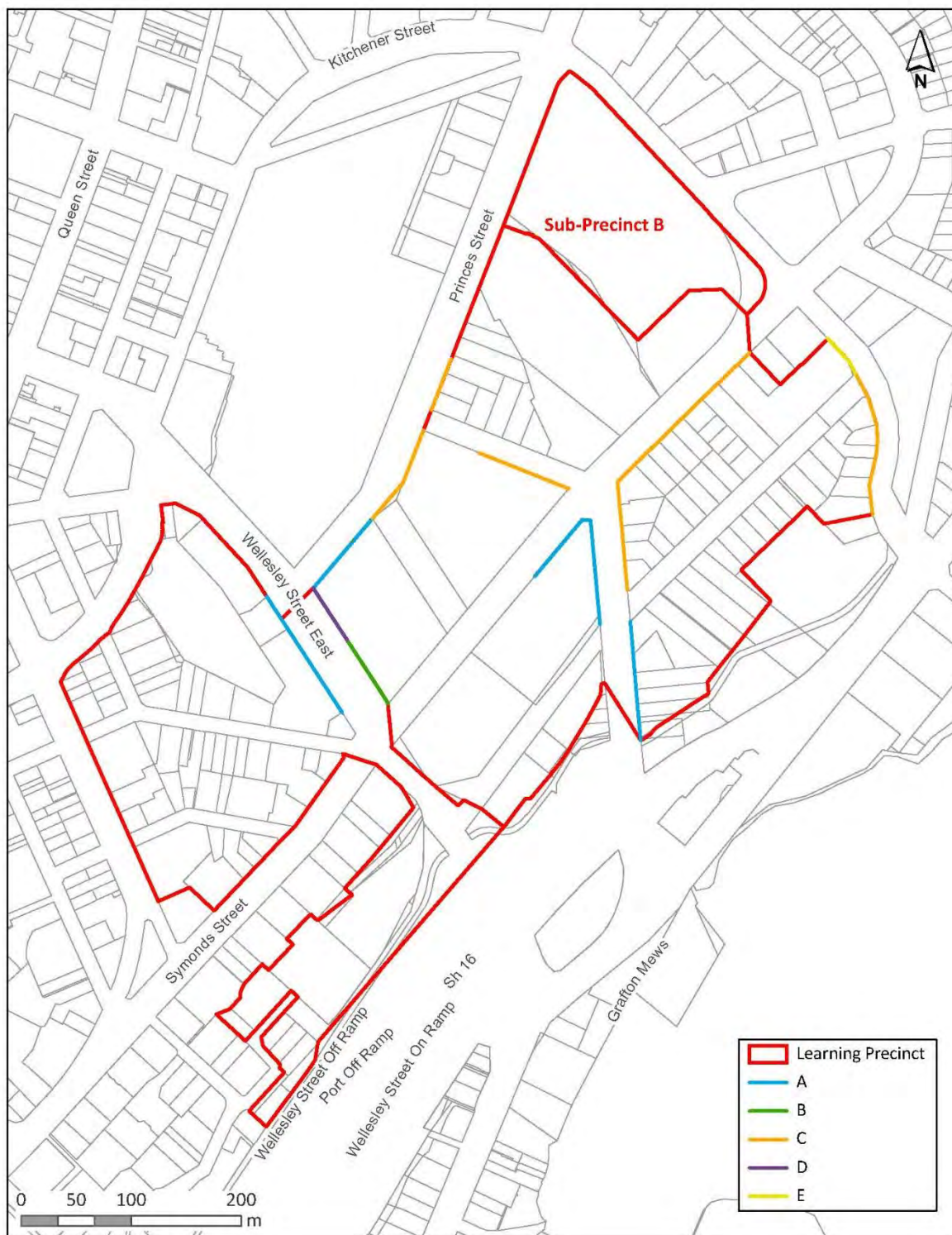




I207.10.3. Learning: Precinct plan 3 - Contours

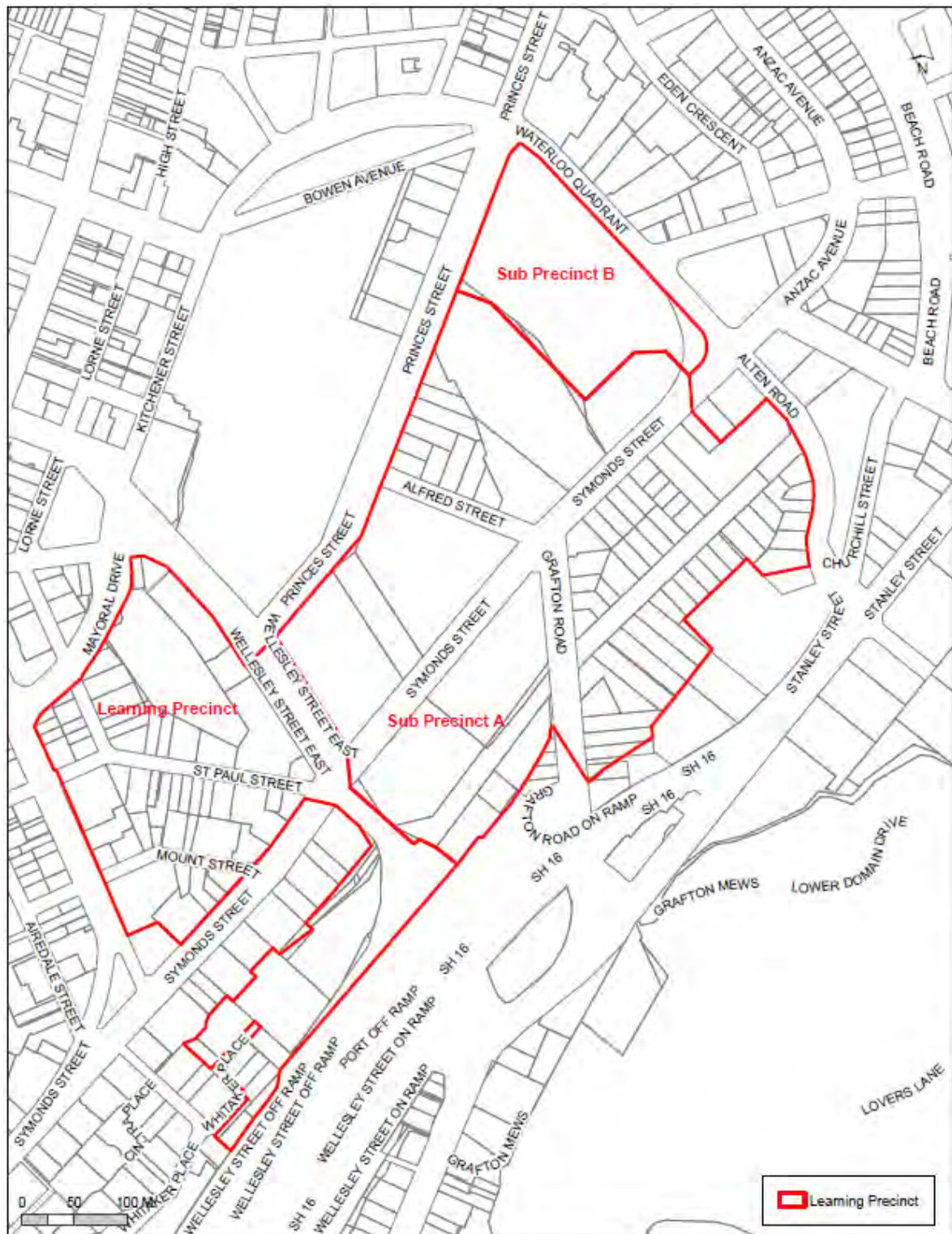


**I207.10.4. Learning: Precinct plan 4 - Frontage types**





**I207.10.5. Learning: Precinct plan 5 - Sub-precinct B Old Government House**



## **I208. Port Precinct**

### **I208.1. Precinct description**

The purpose of the Port Precinct is to provide for a nationally and regionally significant component of Auckland and New Zealand's transport infrastructure and trade network. The precinct primarily consists of land and coastal areas owned or controlled by Ports of Auckland Limited.

The zoning of the land within the Port Precinct is the Business – City Centre Zone and the zoning of the part of the Port Precinct within the coastal marine area is the Coastal – General Coastal Marine Zone.

The Port Precinct includes the land and the coastal marine area north of Quay Street between the western side of Marsden Wharf and the eastern side of the Fergusson Reclamation. The reclaimed land and wharf structures named Bledisloe Terminal, Bledisloe Wharf, Jellicoe Wharf, Freyberg Wharf, and Fergusson Wharf and Fergusson Terminal are primary vessel loading and unloading areas. Cargo storage, cargo handling and ancillary port activities are undertaken on the balance of the area fronting Quay Street. Teal Park and a range of community and emergency facilities and food and beverage activities are located at the eastern end of the precinct.

The Port Precinct includes structures and activities located both on land and within the coastal marine area. For this reason, the activities and development within the precinct on land and within the coastal marine area (including wharves) are generally defined under the same activity category.

Within the precinct it is recognised that the coastal environment has already been modified by structures and port activities and that the land adjoining the coastal marine area provides for the infrastructure to service the marine and port activities. It is therefore appropriate to suitably recognise this, and make provision for the continued use and development of the precinct, while avoiding, remedying, or mitigating adverse effects.

Development within the precinct is guided by Precinct plans 1 – 3. Precinct plan 1 sets out the maximum height controls across the Port Precinct. Precinct plan 2 shows the area (named Area A) within the Port Precinct where buildings require design assessment due to their proximity and visibility from Quay Street and Queens Wharf. Precinct Plan 3 sets out the inner and outer noise control boundaries. Coordinates for the precinct boundary in the coastal marine area are shown on Precinct plan 4.

### **I208.2. Objectives [rcp/dp]**

- (1) The efficient operation, growth and intensification of marine and port activities and marine and port facilities, including the development of the Port's capacity for shipping and its connections with other transport modes.
- (2) The use and development of non-port related activities and buildings do not compromise the existing or future operation of the precinct.
- (3) Adverse effects arising from activities and development are avoided, remedied or mitigated.

- (4) Adverse reverse sensitivity effects on the efficient and safe operation of marine and port activities are avoided, remedied or mitigated.
- (5) Buildings adjacent to Quay Street complement and enhance the gateway to the city centre, while recognising any functional and operational requirements of marine and port activities.
- (6) Public access to, and use and enjoyment of, the coastal marine area is maintained, and where practicable, enhanced, provided it does not adversely affect the efficient and safe operation of marine and port activities and development of the precinct.

The overlay, Auckland-wide, Business – City Centre Zone and Coastal – General Coastal Marine Zone objectives apply in this precinct in addition to those specified above.

### **I208.3. Policies [rcp/dp]**

The policies are as listed in the Coastal – General Coastal Marine Zone for the coastal marine area in the precinct in addition to those specified below, with the exception of Policy [F2.5. 3\(4\)](#).

The Business – City Centre Zone Policies [H8.3\(1\), \(11\), \(19\), \(21\) – \(23\), \(25\), \(30\), \(35\) and \(37\)](#) apply to land within the precinct in addition to those specified below.

- (1) Enable the consolidation, intensification, redevelopment and growth within the precinct for a wide range of marine and port activities and associated structures, to provide for the development of the Port's capacity for shipping, and its connections with other transport modes.
- (2) Provide a wide range of berthage facilities to accommodate vessels of different types and sizes.
- (3) Ensure that non-port related activities or non-port related development within the precinct does not compromise the primary function or development of the precinct for marine and port activities and marine and port facilities.
- (4) Require activities within the precinct to avoid, remedy or mitigate adverse effects on the land and coastal environment, particularly noise, lighting and amenity effects and effects on the surrounding road network.
- (5) Require the establishment of dwellings outside of the precinct to avoid, remedy or mitigate adverse effects on efficient and safe operation of marine and port activities.
- (6) Restrict public access to the coastal marine area only where it is necessary to protect human health and/or safety, to facilitate the efficient and safe operation of activities including the requirements of customs and quarantine, or to maintain security.

- (7) Provide for intensification, development and maintenance of marine and port facilities and associated works which contribute to the efficient use, operation, and management of marine and port activities while avoiding, remedying or mitigating potential adverse effects on the environment.
- (8) Limit maximum building height to an appropriate scale to provide a transition in height between the city centre core and the harbour, with the exception of specifically identified container and cargo-handling facilities, vessels, structures and equipment associated with marine and port activities.
- (9) Encourage buildings within Area A on Precinct plan 2, to be of a high quality design to complement and enhance this city centre gateway and to contribute positively to the visual quality, amenity, interest and public safety of streets and public open spaces, while recognising any functional and operational requirements of marine and port activities.
- (10) Avoid further reclamation, unless:
  - (a) there are no practicable alternative methods of providing the proposed activity, including on land outside the coastal marine area;
  - (b) the activity which requires reclamation can only occur in or adjacent to the coastal marine area;
  - (c) it will provide a significant regional or national benefit;
  - (d) it is the most appropriate form and design of development; and
  - (e) potential adverse effects will be avoided, remedied or mitigated.
- (11) Provide for minor reclamations and for reclamations carried out as part of rehabilitation or remedial works of an existing reclamation or coastal marine area structure, while avoiding, remedying or mitigating any adverse effects on the environment.
- (12) Enable dredging within the precinct that is necessary to provide for the safe and efficient navigation, manoeuvring, and berthing of vessels, while avoiding, remedying or mitigating any adverse effects.
- (13) Require port operators to take all practicable steps to avoid contamination of coastal waters, substrate, ecosystems and habitats that is more than minor.
- (14) Require the provision of adequate and convenient facilities for:
  - (a) the collection of rubbish from vessels;
  - (b) sewage and waste from vessels; and
  - (c) the containment and disposal of residues from vessel servicing, repairs and maintenance.

#### **I208.4. Activity table**

The activities, standards and assessment criteria in the overlays and Auckland-wide rules apply in the Port Precinct, unless otherwise specified below.

The activities, standards and assessment criteria in the underlying General Coastal Marine zone apply to the coastal marine area in the Port Precinct, unless otherwise specified below.

The activities, standards and assessment criteria in the Business – City Centre Zone do not apply to land in the Port Precinct, unless otherwise specified below.

Table I208.4.1 Activity table specifies the activity status for land use and development activities pursuant to section 9(3) of the Resource Management Act 1991 and the activity status for works, occupation and use in the coastal marine area pursuant to sections 12(1), 12(2), and 12(3) of the Resource Management Act 1991, including any associated discharges of contaminants or water into water pursuant to section 15 of the Resource Management Act 1991, or any combination of all of the above sections where relevant. The activities in the Coastal – General Coastal Marine Zone apply to the coastal marine area in the Port Precinct unless otherwise specified in the Port Precinct activity table below.

- (1) The following table also specifies the activity status of activities on land in the Port Precinct.
- (2) Those activities marked with \* have the listed activity status only when that activity is located on a coastal marine area structure (e.g. a new building on an existing wharf). If that activity is located directly in the coastal marine area (e.g. a new wharf) a different activity status will apply.
- (3) In this table, the activity status for occupation of the common marine and coastal area (section 12(2) of the Resource Management Act 1991) has the same activity status for the use or activity (section 12(3) of the Resource Management Act 1991) or for the construction of a structure (section 12(1) of the Resource Management Act 1991) that the occupation relates to.

#### ***Resource Management (National Environmental Standards for Freshwater) Regulations 2020***

The Resource Management (National Environmental Standards for Freshwater) Regulations 2020 ('Freshwater NES') came into force on 3 September 2020. Currently, there may be duplication or conflict between specific plan rules and the Freshwater NES.

The Resource Management (National Environmental Standards for Freshwater) Regulations 2020 apply to any part of the coastal marine area that is upstream from the mouth of a river.

If an activity provided for in rules I208.4.1 to I208.9, including any associated matters of discretion, is also regulated by the Freshwater NES, where there is conflict then the most restrictive provision will prevail.

If the Freshwater NES regulations do not apply to an activity, then the plan rules apply.

Duplication or conflict between plan rules and the Freshwater NES will be addressed in the plan as soon as practicable.

**Table I208.4.1 Activity table**

Activity		Activity status	
		CMA [rcp]	Land [dp]
<b>Works in the coastal marine area</b>			
(A1)	Maintenance or repair of a reclamation or drainage system	P	P
(A2)	Minor reclamation for the purpose of maintaining, repairing or upgrading a reclamation	RD	NA
(A3)	Reclamation or drainage not otherwise provided for	D	NA
(A4)	Declamation	RD	RD
(A5)	Maintenance dredging, including dredging within a historic heritage overlay area	C	NA
(A6)	Capital works dredging, including dredging within a historic heritage overlay area	RD	NA
<b>Use and activities and associated occupation</b>			
Residential			
(A7)	Workers accommodation	P*	P
Commerce			
(A8)	Offices accessory to marine and port activities	P*	P
(A9)	Offices within a building existing at 22 January 2015 located within the 30m height area identified on Precinct Plan 1 not accessory to marine and port activities	NA	RD
(A10)	Maritime passenger operations	P	P
(A11)	Food and beverage east of Solent Street	NA	P
(A12)	Marine retail	NA	P
(A13)	Alterations, additions or the total or partial reconstruction of the existing service station located on the corner of Quay and Tinley Streets	NA	RD
(A14)	Service stations not otherwise provided for on those sites with frontage to Quay Street, between the western boundary of the Port Precinct and Plumer Street	NA	D
(A15)	Aquaculture activities (including any activities	Pr	NA



	under sections 12(1), 12(2), 12(3) and 15 of the Resource Management Act 1991)		
<b>Community</b>			
(A16)	Artworks	P	P
(A17)	Community facilities, education facilities and healthcare facilities east of Solent Street	P*	P
(A18)	Information facilities	P*	P
(A19)	Emergency services	P	P
(A20)	Helicopter facilities (including the landing and taking off of helicopters and associated fuelling and service facilities), except as specified below	D	D
<b>Industry</b>			
(A21)	Marine and port activities, including the landing and taking off of helicopters associated with the loading and unloading of cargo	P	P
(A22)	Artificial lighting	P*	P
<b>Development</b>			
(A23)	Marine and port facilities other than wharves, landings and drydocks	P	P
(A24)	Wharves, landings and drydocks, including alterations and additions to these structures	RD	RD
(A25)	Maritime passenger facilities	P	P
(A26)	Marine and port accessory structures and services	P	P
(A27)	Repair and maintenance services ancillary to marine and port activities	NA	P
(A28)	New buildings and alterations and additions to buildings on land or on coastal marine area structures outside of Area A shown on Precinct plan 2	P*	P
(A29)	Minor cosmetic alterations and additions to a building within Area A shown on Precinct plan 2 that does not change its external design or appearance	P*	P
(A30)	Maintenance, repair and reconstruction of existing coastal marine area structures or buildings	P	P
(A31)	New buildings, and alterations and additions to buildings not otherwise provided for within Area A shown on Precinct Plan 2	RD*	RD
(A32)	Alterations and additions to existing coastal marine area structures or buildings not otherwise provided for	P	P
(A33)	Demolition or removal of buildings or coastal	P	P

	marine area structures except as otherwise specified below		
(A34)	Public amenities	P*	P
(A35)	Hard protection structures including wave attenuation devices	RD	RD
(A36)	Observation areas, viewing platforms and boardwalks	P	P
(A37)	New and existing swing moorings and pile moorings including occupation and use by vessel to be moored	P	NA
(A38)	Occupation of the CMCA by an activity that would otherwise be permitted where the area to be occupied is already the subject of an existing occupation consent	RD	NA
(A39)	Buildings not listed as a permitted or restricted discretionary activity	D	D

### **I208.5. Notification**

- (1) An application for resource consent for a controlled activity listed in Table I208.4.1 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 I208.4.1 which is not listed in I208.5(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\(4\)](#).

### **I208.6. Standards**

#### **I208.6.1. Land and water standards**

The land and water use standards in the Coastal – General Coastal Marine Zone apply to the coastal marine area in the Port Precinct, unless otherwise specified below, except that the following Coastal – General Coastal Marine Zone standards do not apply:

- [F2.21.1.1](#) Noise and vibration;
- [F2.21.1.2](#) Lighting;
- [F2.21.2.1](#) Maintenance or repair of a lawful reclamation or drainage systems; and
- [F2.21.9.4](#) Parking on coastal marine area structures for loading and unloading passengers and cargo to vessels.

The Business – City Centre Zone standards do not apply to land in the Port Precinct, unless otherwise specified below.

The Auckland-wide Lighting rules [E24](#) and Noise rules [E25.6.2 - E25.6.29](#) and [E25.6.31 - E25.6.33](#) do not apply to land and the coastal marine area in the Port Precinct.

#### **I208.6.1.1. Noise**

- (1) These standards do not apply to temporary activities allowed under the [E40 Temporary activities](#) rules.
- (2) Within the coastal marine area, these standards do not apply to the operational requirements of commercial vessels including cargo vessels, tugs, passenger liners, naval vessels and commercial fishing vessels.
- (3) The  $L_{Aeq}$  (15 min) noise level and maximum noise levels ( $L_{AFmax}$ ) arising from any activity (except construction or blasting activities) within the Port Precinct must not exceed the following:
  - (a) when measured 1m from the façade of any building (measured as the incident level with facade reflections excluded) located on the southern side of Quay Street, beyond the inner control boundary shown on Precinct plan 3:

**Table I208.6.1.1 Noise levels 1**

Time	Noise level
11pm to 7am	60dB $L_{Aeq}$ 85dB $L_{AFmax}$

- (b) when measured 1m from the façade of any residential building (measured as the incident level with facade reflections excluded) located beyond the outer control boundary shown on Precinct plan 3:

**Table I208.6.1.2 Noise levels 2**

Time	Noise level
7am to 11pm	55dB $L_{Aeq}$
11pm to 7am	50dB $L_{Aeq}$ 75dB $L_{AFmax}$

- (4) In determining compliance with the above the following applies:
- (a) the long term average sound level, averaged over any 7 days (i.e. 7 days of short-term average levels) must not exceed the specified levels by more than 3dBA due to statistical variation over those days;
  - (b) there must be no exceedance of the specified short-term average levels by more than 5dBA. The short-term  $L_{Aeq(15\text{ min})}$  sound level will be the average of any four  $L_{Aeq(15\text{ min})}$  values obtained during a single night or day when the wind speed at the site where measurement is taken is less than 2m per second. If the wind speed in the vicinity of both the subject site and the receiver, or any intervening area is known to have exceeded 2m per second during any measurement interval or a temperature inversion is present, then that measurement must not be used to determine the short-term average sound level. Measurements must be accompanied by records of air temperature. There must be no other restrictions on weather conditions;
  - (c) care must be taken to ensure that the short-term average sound level represents noise from port activities and is not influenced by noise from other sources. The time period between 3:00am and 5:00am is the preferred time for noise measurements. If the short-term average level is wholly or partly determined from measurements at other times, then records must be adequate to demonstrate that the short-term average sound level was not influenced by noise from non-port sources;
  - (d) except as noted above, the noise levels must be measured and assessed in accordance with New Zealand Standard on Acoustics - Measurement of Environmental Sound (NZS 6801:2008) and New Zealand Standard on Acoustics – Environmental Noise (NZS 6802:2008).

#### **I208.6.1.2. Construction noise**

- (1) Construction noise within the Port Precinct must not exceed the levels specified in [E25.6.28](#) Construction noise levels in the Business – City Centre Zone and the Business – Metropolitan Centre Zone, when measured 1m from the façade of any building located outside of the Port Precinct.

#### **I208.6.1.3. Lighting**

- (1) Artificial lighting illuminance must not exceed 150 lux, measured at any point on the site containing the light source, in a horizontal or vertical plane at ground level.
- (2) Illumination associated with vehicles, mobile plant, and quay cranes are exempt from this control.

- (3) Lighting sources must be sited, directed and screened to avoid, as far as practicable, creating a navigation safety hazard.

#### **I208.6.1.4. Parking**

- (1) Standard [E27.6.2](#) Number of parking and loading spaces does not apply to land and coastal marine area west of Solent Street.

#### **I208.6.1.5. Maintenance or repair of a lawful reclamation or drainage system**

- (1) The work must not change the area occupied by the reclamation or drainage system.
- (2) Any visible disturbance to the substrate of the coastal marine area must be remedied or restored within 48 hours of the completion of the works in ONC, ONF and SEA-M1 overlay areas and within seven days in other areas of the coastal marine area.
- (3) There must be an emergency spill plan in place to address the unforeseen release of contaminants from equipment being used for the activity.
- (4) All equipment and materials must be removed from the foreshore and seabed on the completion of works or activities.
- (5) Written advice must be given to the council at least 10 working days prior to the work starting.

#### **I208.6.1.6. Public access**

- (1) Standard [E38.7.3.2](#) Subdivision establishing an esplanade reserve does not apply to subdivision within the Port Precinct.

#### **I208.6.1.7. Natural Hazards and flooding:**

The activity status for activities listed in Table [E36.4.1](#) of [E36 Natural hazards and flooding](#) do not apply and are replaced by standards I208.6.1.7.1 and I208.6.1.7.2 below:

- (1) Buildings or structures including fences and retaining walls located in 1 per cent annual exceedance probability (AEP) overland flow paths:
  - (a) any ponding of floodwater caused by any new building or structure must not extend beyond (upstream of) the inland boundary of the Port Precinct; or an alternative flow path of equivalent hydraulic capacity must be provided within the site; and
  - (b) the entry point of the flow path into the Precinct must not be altered.
- (2) Habitable rooms of new buildings shall be located above the coastal storm inundation 1 per cent annual exceedance probability (AEP) plus 1m sea level rise (CSI1).

#### **I208.6.1.8. Building height**

Purpose: manage the height of buildings to achieve Policy I208.3(8) of the Port Precinct.

- (1) Buildings, structures, marine and port facilities, maritime passenger facilities and marine and port accessory structures and services must not exceed the heights specified on Precinct Plan 1.
- (2) For the avoidance of doubt, building height excludes: reefer gantries, cargo and containers, telecommunications equipment, masts, lighting poles and associated equipment and aerials that are accessory to marine and port activities.
- (3) The height of buildings and structures on land must be measured in accordance with Standard [H8.6.8](#) Measuring building height in the Business – City Centre Zone rules.
- (4) The height of buildings and structures within the coastal marine area must be measured above NZVD2016.

#### **I208.7. Assessment – controlled activities**

##### **I208.7.1. Matters of control**

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

- (1) maintenance dredging:
  - (a) effects on water quality;
  - (b) effects on harbour traffic, navigation and safety; and
  - (c) duration and monitoring.

##### **I208.7.2. Assessment criteria**

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

- (1) maintenance dredging:
  - (a) effects on water quality:
    - (i) whether methods are implemented to avoid, remedy or mitigate the release of contaminated sediment.
  - (b) effects on harbour traffic, navigation and safety:
    - (i) whether methods are implemented to avoid, remedy or mitigate effects on harbour traffic, navigation and safety.
  - (c) duration and monitoring:

- (i) whether monitoring, including periodic monitoring of sediment quality, is required in order to demonstrate the extent and type of effects of the dredging on water and sediment quality and the degree to which the effects are remedied or mitigated during the activity.

## **I208.8. Assessment – restricted discretionary activities**

### **I208.8.1. Matters of discretion**

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

- (1) minor reclamation for the purpose of maintaining, repairing or upgrading a reclamation and reclamation or drainage carried out as part of rehabilitation or remedial works:
  - (a) form and design of the reclamation;
  - (b) contaminated material;
  - (c) the safe and efficient operation of marine and port activities;
  - (d) construction or works methods, timing and hours of operation;
  - (e) effects on natural hazards, coastal processes, ecological values and water quality; and
  - (f) consent duration and monitoring
- (2) declamation:
  - (a) construction or works methods, timing and hours of construction works;
  - (b) location, extent, design and materials used;
  - (c) effects on coastal processes, ecological values and water quality;
  - (d) effects on public access, navigation and safety;
  - (e) effects on existing uses and activities;
  - (f) effects on Mana Whenua values; and
  - (g) consent duration and monitoring
- (3) capital works dredging:
  - (a) effects on coastal processes, ecological values and water quality;
  - (b) effects on other users of the coastal marine area, navigation and safety; and
  - (c) consent duration and monitoring.
- (4) hard protection structures including wave attenuation devices:

- (a) location and design of the hard protection structure;
  - (b) effects on navigation, safety and existing activities;
  - (c) effects on coastal processes including wave hydraulics;
  - (d) construction or works methods, timing and hours of operation; and
  - (e) consent duration and monitoring.
- (5) new buildings, and alterations and additions to buildings not otherwise provided for within Area A shown on Precinct Plan 2:
- (a) building design and external appearance;
  - (b) effects on public access, navigation and safety; and
  - (c) potential adverse effects of any ponding or diversion of floodwater upstream of the Port Precinct caused by changes to the overland flow path.
- (6) offices within a building existing at 22 January 2015 located within the 30m height area identified on Precinct Plan 1 not accessory to marine and port activities:
- (a) efficient use of port precinct land and resources;
  - (b) public access; and
  - (c) duration of consent.
- (7) alterations, additions or the total or partial reconstruction of the existing service station located on the corner of Quay and Tinley Streets:
- (a) the matters of discretion in [H8.8.1\(1\)](#) of the Business – City Centre Zone rules apply;
  - (b) location and design of vehicle and pedestrian access; and
  - (c) provision for the on-site manoeuvring of vehicles and pedestrians.
- (8) occupation of the CMCA by an activity that would otherwise be permitted where the area to be occupied is already the subject of an existing occupation consent:
- (a) the matters of discretion in [F2.23.1\(1\)](#) and [F2.23.1\(2\)\(c\)](#) of the Coastal – General Coastal Marine Zone apply; and
  - (b) effects on the safe and efficient use, operation and development of the coastal marine area subject to Ports of Auckland's existing occupation consents.
- (9) wharves, landings and drydocks within the Port Precinct:



- (a) location and design;
  - (b) construction or works methods, timing and hours of operation;
  - (c) effects on coastal processes;
  - (d) effects on navigation and safety;
  - (e) effects on the visual amenity values of the Waitemata Harbour;
  - (f) effects on Mana Whenua values; and
  - (g) consent duration and monitoring.
- (10) noise and construction noise
- (a) effects on land uses beyond the precinct;
  - (b) measures to avoid, remedy and mitigate the adverse effects of noise; and
  - (c) operational requirements of the Port of Auckland.
- (11) lighting:
- (a) effects on adjacent land uses;
  - (b) measures to avoid, remedy and mitigate the adverse effects of lighting;  
and
  - (c) operational requirements of the Port of Auckland.
- (12) building height:
- (a) building scale and dominance / visual amenity effects;
  - (b) effects on the current or planned future form and character of the precinct;  
and
  - (c) reasons for the non-compliance.

#### **I208.8.2. Assessment criteria**

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

- (1) minor reclamation for the purpose of maintaining, repairing or upgrading a reclamation and reclamation or drainage carried out as part of rehabilitation or remedial works:
  - (a) whether reclamation, as far as practicable, mitigates adverse effects through their form and design, taking into account:
    - (i) the compatibility of the design with the location;
    - (ii) the ability to avoid consequential erosion and accretion, and other natural hazards;

- (iii) the effects on coastal processes; and
    - (iv) the effects on hydrology.
  - (b) whether the use of contaminated material in a reclamation is avoided unless it is contained in a way that avoids, remedies or mitigates adverse effects on water quality, aquatic ecosystems and biodiversity;
  - (c) whether the reclamation enables the efficient operation of port infrastructure; and
  - (d) whether construction works avoid, remedy or mitigate the adverse effects of construction, particularly through the management of silt, contaminated sediments, and other contaminants.
- (2) declamation:
- (a) whether the adverse effects of declamation are avoided, remedied or mitigated in respect of the effects of the final land/water configuration on:
    - (i) the marine environment including coastal processes, water quality, sediment quality and ecology of the coastal marine area;
    - (ii) hydrogeology (ground water) and hydrology; and
    - (iii) sediment accumulation and the need for on-going maintenance dredging of the coastal marine area.
  - (b) whether declamation works, including the construction of seawalls, avoid, remedy or mitigate the adverse effects of construction, particularly through the management of silt, contaminated soils and groundwater, and other contaminants; and
  - (c) whether declamation east of Solent Street is located and designed so that the adjacent land area can provide adequate public open space adjacent to, and public access around along the water's edge whether on land or on the adjacent water space;
  - (d) the extent to which declamation will affect Mana Whenua values.
- (3) capital works dredging:
- (a) whether measures are taken to avoid, remedy or mitigate adverse effects on coastal processes, ecological values, and water quality;
  - (b) whether effects on other users of the coastal marine area during the dredging are avoided, remedied or mitigated;
  - (c) whether consent duration is limited to the minimum duration reasonably necessary for the functional or operational needs of the activity; and

- (d) whether monitoring is required in order to demonstrate the extent and type of effects of the dredging, and the degree to which the effects are remedied or mitigated during and after the activity.
- (4) hard protection structures including wave attenuation devices:
- (a) whether the location and design of the hard protection structure avoid, remedy or mitigate adverse effects on existing activities including marine related industries, other marine activities and/or adjoining coastal activities;
  - (b) whether the location and design of the hard protection structure avoid, remedy or mitigate adverse effects of wave hydraulics on other users of the coastal marine area and on the adjacent coastline; and
  - (c) whether construction works avoid, remedy or mitigate the adverse effects of construction, particularly through the management of silt, contaminated sediments, and other contaminants.
- (5) new buildings, and alterations and additions to buildings not otherwise provided for within Area A shown on Precinct plan 2:
- (a) the assessment [H8.8.2\(1\)\(a\)\(i\), \(ix\), \(xii\), \(xiii\), \(xv\), \(xvi\), \(xviii\), \(xix\) and \(c\)\(xi\)](#) of the Business – City Centre Zone rules apply in addition to the criteria below;
  - (b) the extent to which buildings within Area A shown on precinct plan 2 have clearly defined public fronts that address the street to positively contribute to the public realm and pedestrian safety. Where this is not possible, where practicable be designed to avoid long, unrelieved frontages and excessive bulk and scale when viewed from Quay Street;
  - (c) the extent to which building mass is visually broken up into distinct elements. Techniques include the use of recesses, variation in building height and roof form, horizontal and vertical rhythms and façade modulation and articulation;
  - (d) the extent to which any parking, loading and servicing activities including the storage and collection of wastes associated with a building is screened and occur behind the buildings and away from Quay Street;
  - (e) the extent to which the quality of building design reflects and recognises Quay Street's importance as a gateway to the city centre. In particular, it should have regard to the area's high visibility in views along Quay Street
  - (f) the extent to which the functional and operational requirements of marine and port activities to be accommodated within the building are recognised when considering the assessment criteria above; and

- (g) the extent to which the adverse effects of any ponding or diversion of floodwater upstream of the Port Precinct caused by changes to the overland flow path will be avoided or mitigated.
- (6) offices within a building existing at 22 January 2015 located within the 30m height area identified on Precinct plan 1 not accessory to marine and port activities:
- (a) whether the office activity reduces or compromises the efficient use of port land or resources or the future growth or intensification of port activities and facilities;
  - (b) whether safe and unencumbered public access is provided between the building and the city centre; and
  - (c) whether the duration of consent is limited to ensure the building is available for marine and port activity when the demand arises.
- (7) alterations, additions or the total or partial reconstruction of the existing service station located on the corner of Quay and Tinley Streets:
- (a) the assessment criteria in [H8.8.2\(1\)](#) of the Business – City Centre Zone rules apply;
  - (b) whether separate pedestrian and vehicle access is provided to and through the site and there is adequate manoeuvring space for vehicles on the site; and
  - (c) the extent to which the design of any alterations or additions contribute to the visual quality, interest and safety of Quay Street and Tinley Street, where practicable.
- (8) occupation of the CMCA by an activity that would otherwise be permitted where the area to be occupied is already the subject of an existing occupation consent:
- (a) the assessment criteria in clause [F2.23.2\(1\)](#) and [F2.23.2\(9\)](#) of the Coastal – General Coastal Marine Zone apply in addition to the criteria below; and
  - (b) whether the actual or potential adverse effects on the safe and efficient use, operation and development of the coastal marine area occupied by Ports of Auckland are avoided.
- (9) wharves, landings and drydocks within the Port Precinct:
- (a) whether the location and design of the structure avoid, remedy or mitigate adverse effects on existing activities, marine related industries, other marine and port activities and navigation and safety;

- (b) whether the location and design of the structure avoid, remedy or mitigate adverse effects on coastal processes and on other users of the coastal marine area;
  - (c) whether construction works avoid, remedy or mitigate the adverse effects of construction, particularly through the management of silt, contaminated sediments, and other contaminants;
  - (d) whether duration for construction is limited to the minimum duration reasonably necessary;
  - (e) the extent to which monitoring of construction is required in order to demonstrate the extent and type of effects of the activity, and the degree to which the effects are remedied or mitigated during and after the activity; and
  - (f) whether the form, scale and design of the wharf, landing or drydock structures avoid, remedy or mitigate adverse visual amenity effects to and from the Waitemata Harbour;
- (10) noise and construction noise:
- (a) the extent to which adverse effects on the health and amenity values of people who may be affected beyond the Port precinct are avoided, remedied and mitigated, taking into account the existing noise environment, the frequency and duration of the proposed infringement and the practicality of managing the noise emissions;
  - (b) the operational requirements of the Port of Auckland.
- (11) lighting:
- (a) the extent to which adverse effects on the health and amenity values of people who may be affected beyond the Port precinct are avoided, remedied and mitigated, taking into account existing light levels;
  - (b) the operational requirements of the Port of Auckland.
- (12) building height:
- (a) building height may be exceeded where it would provide an attractive and integrated roof form that also meets the purpose of the standard;
  - (b) where building height is exceeded, Policy I208.3(1) and (8) of the Port Precinct and Policy [H8.3\(30\)](#) of the Business – City Centre Zone should be considered.

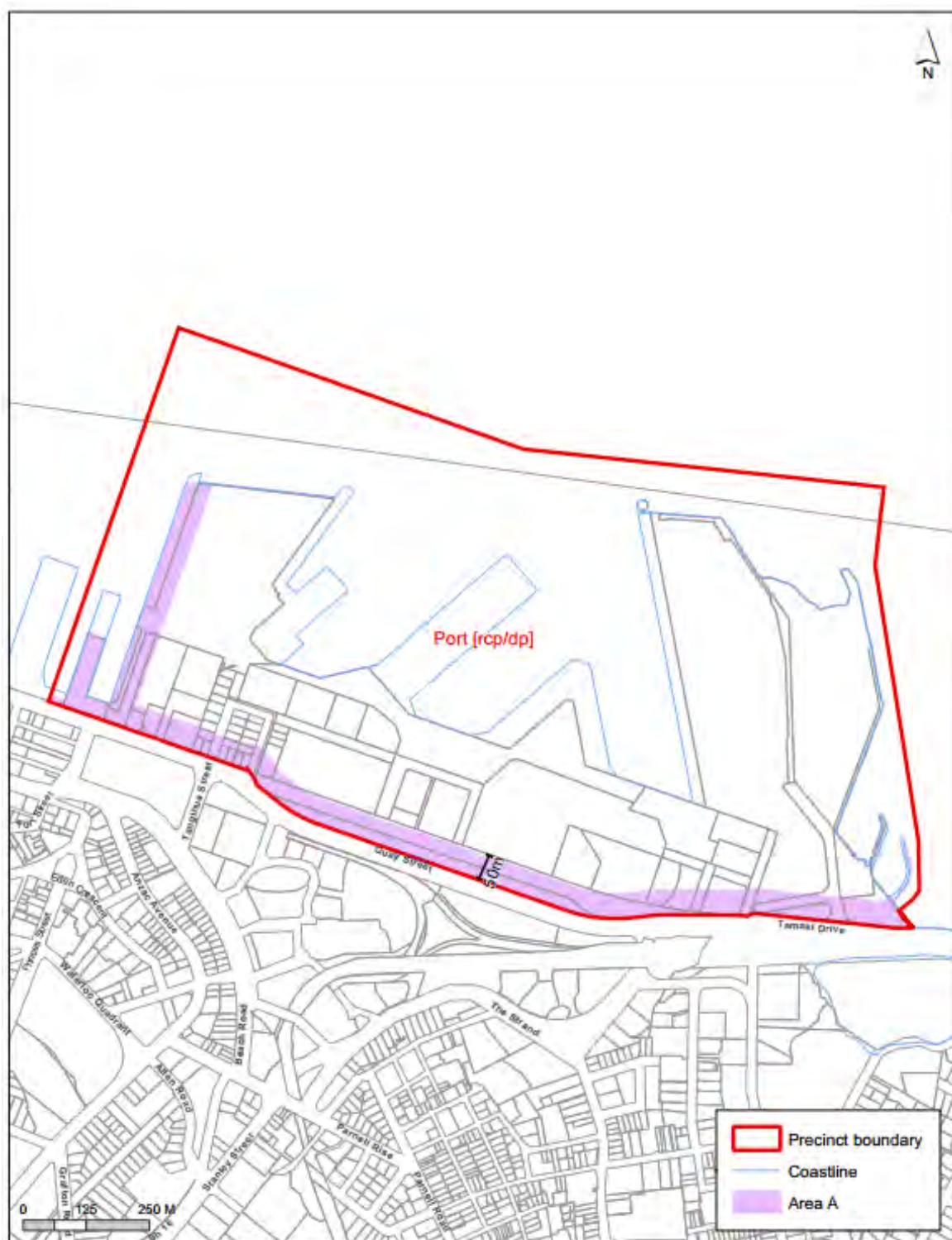
#### **I208.9. Special information requirements**

- (1) The special information requirements of the Coastal – General Coastal Marine Zone do not apply in the Port Precinct.





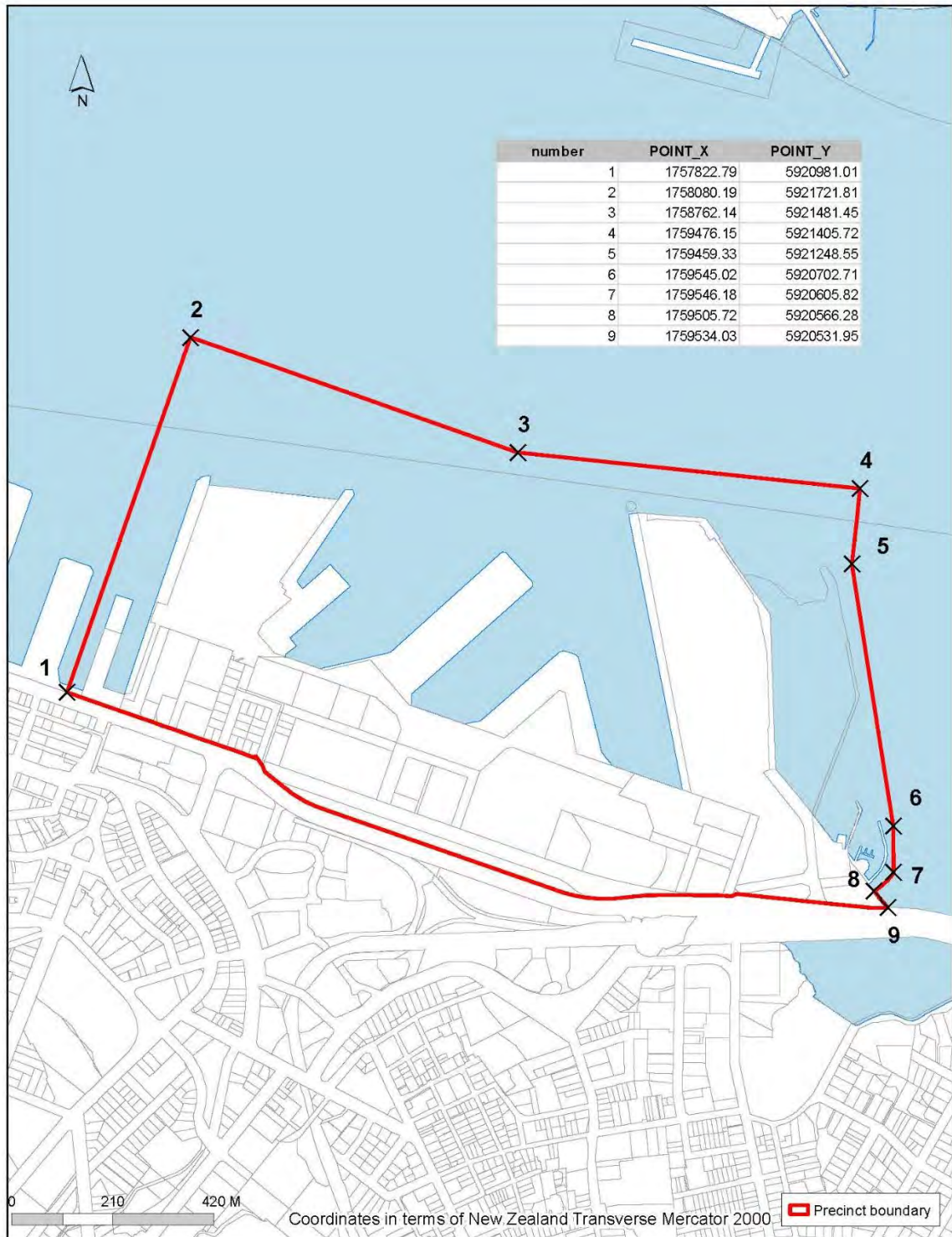
**I208.10.2 Port: Precinct plan 2 - Extent of Area A**







**I208.10.4 Port: Precinct plan 4 - Precinct boundary coordinates in the coastal marine area**



## **I209. Quay Park**

### **I209.1. Precinct description**

The Quay Park Precinct is located on reclaimed land at the eastern end of the city centre and along the City Centre waterfront. It is dissected to the east and south-east by a designated rail corridor and flanked to the north and south by two major roads, Quay Street and The Strand. The major infrastructure within and surrounding the precinct has made it difficult to achieve a well-connected and high-amenity precinct. Development within the precinct includes the arena, office, retail and accommodation activities

Redevelopment of the precinct should recognise the importance in protecting historic heritage and maintaining and enhancing amenity in public open spaces within the precinct, whilst responding innovatively to potential adverse noise and amenity effects generated by the port and the strategic transport network.

The zoning of land is Business – City Centre Zone and Strategic Transport Corridor Zone.

### **I209.2. Objectives**

- (1) A mix of activities compatible with its location on the eastern edge of the city centre and its proximity to the port and transport network.
- (2) The scale and form of development within the precinct:
  - (a) [Deleted]
  - (b) [Deleted]
  - (c) maintains and enhances the amenity of public streets and identified open spaces;
  - (ca) protects and enhances the former Railway Station Building and gardens and its surrounding context,
  - (d) enhances and defines street networks; and
  - (e) provides a variation in building height and form.

The overlay, Auckland-wide and zone objectives apply in this precinct in addition to those specified above.

### **I209.3. Policies**

#### *Land use activities*

- (1) Enable the establishment of a wide range of activities to support and complement the activities in the city centre.
- (2) Limit the size and type of retail activity to maintain the vibrancy and amenity of the city centre's core retail areas.

- (3) Require the design of any residential apartments to protect occupants from the potential adverse effects of noise from the port and transport network.

*Built form*

- (4) Require the location and design of development to respect the scale and architecture of Te Taoū Crescent and the scheduled former Railway Station and gardens.
- (5) [Deleted]
- (6) Limit building height in particular parts of the precinct to protect views to significant historic heritage places.
- (4) Require the scale and design of development to maintain and enhance sunlight access and amenity to identified public open spaces, by managing building height and form.

The overlay, Auckland-wide and zone policies apply in this precinct in addition to those specified above.

**I209.4. Activity table**

The provisions in any relevant overlays, zone and the Auckland-wide apply in this precinct unless otherwise specified below.

Table I209.4.1 Activity table specifies the activity status of use and development activities in the Quay Park Precinct pursuant to section 9(3) of the Resource Management Act 1991.

**Table I209.4.1. Activity table**

Activity		Activity status
<b>Use</b>		
Commerce		
(A1)	Drive-through restaurants in Sub-precinct A	RD
<b>Development</b>		
(A2)	Minor cosmetic alterations and repairs to a building that does not change its external design and appearance	P
(A3)	New buildings, and alterations and additions to buildings	RD
(A4)	Transport network for roads, lanes, pedestrian connections	RD
(A5)	Public open space	RD
(A6)	Subdivision	RD
[Deleted]	[Deleted]	[Deleted]

### **I209.5. Notification**

- (1) Any application for resource consent for an activity listed in Table I209.4.1 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\(4\)](#).

### **I209.6. Standards**

The overlay, zone and Auckland-wide standards apply in this precinct unless otherwise specified below.

All permitted and restricted discretionary activities listed in Table I209.4.1 Activity table must comply with the following standards.

#### **I209.6.1. Building height**

Purpose: manage the height of buildings to achieve Policies I209.4(6) and I209.4(7) of the Quay Park Precinct.

- (1) Buildings must not exceed the heights shown on Quay Park Precinct: Precinct plans 2 and 3.

#### **I209.6.2. Building frontage height and setback**

Purpose: manage the frontage height and setback of buildings to maintain pedestrian amenity, and outlook around identified public open spaces and streets.

- (1) On every frontage identified on Quay Park Precinct: Precinct plan 1, buildings must not project beyond a 45 degree recession plane measured at all points along the frontage of the site from 18m above mean street level. The building setback must be an emphatic or a stepped profile of at least two storeys and must not be a literal regression of the 45 degree angle.

#### **I209.6.3. [Deleted]**

### **I209.7. Assessment – controlled activities**

There are no controlled activities in this precinct.

### **I209.8. Assessment – restricted discretionary activities**

#### **I209.8.1. Matters of discretion**

The Council will restrict its discretion to all of the following matters when assessing a restricted discretionary activity resource consent application, in addition to the matters specified for the relevant restricted discretionary activities in the overlay, Auckland wide or zone provisions:

- (1) new buildings, and alterations and additions to buildings:
  - (a) the matters of discretion in [H8.8.1\(1\)](#) for new buildings and external alterations and additions to buildings not otherwise provided for; and

- (b) the proposed building, alteration or addition relative to the location of infrastructure servicing the area and open space should result in an integrated network that is adequate to meet the needs of the overall development area; and
  - (c) Form and design of buildings adjacent or in close proximity to a historic heritage places.
- (2) subdivision:
  - (a) the assessment criteria set out [in E38 Subdivision - Urban under E38.12.2](#); and
  - (b) the location of infrastructure servicing the area, and open space, should result in an integrated network that is adequate to meet the needs of the overall development area.
- (3) transport network including roads, lanes, pedestrian connection:
  - (a) the location, physical extent and design of the transport network;
  - (b) the location and capacity of infrastructure to service the land for its intended use;
  - (c) integration of development with neighbouring areas, including integration of the transport network with the transport network of the wider area; and
  - (d) the location of the roads, lanes and pedestrian connections relative to the overall development, including open spaces, earthworks areas and land contours and infrastructure location.
- (4) public open space network
  - (a) the location, physical extent and design of open space; and
  - (b) the location of the public open space relative to the overall development, including roads, pedestrian linkages, existing open spaces, earthworks areas and land contours and infrastructure location.
- (5) drive-through restaurants in Sub-precinct A:
  - (a) the matters in I209.8.1(1), where the matters for new buildings, or for additions and alterations, are inconsistent with the matters listed below, the matters listed below take precedence;
  - (b) building design and external appearance; and
  - (c) design of parking, access and servicing;
- (6) infringing the building height standard:
  - (a) building scale, dominance and visual amenity effects;

- (b) effects on the current or planned future form and character of the precinct;  
and
  - (c) effects on amenity of public streets and public open spaces.
- (7) infringing the building frontage height standard:
- (a) building scale, dominance and visual amenity effects;
  - (b) effects on the planned future form and character of the precinct;
  - (c) pedestrian amenity and function; and
  - (d) effects on the vitality and amenity of streets and open spaces.

#### **I209.8.2. Assessment criteria**

The Council will consider the relevant assessment criteria below for restricted discretionary activities, in addition to the assessment criteria specified for the relevant restricted discretionary activities in the overlay, Auckland wide or zone provisions:

- (1) new buildings, and alterations and additions to buildings:
- (a) the assessment criteria in clause [H8.8.2\(1\)](#) of the Business – City Centre Zone rules for new buildings and/or alterations and additions to buildings apply;
  - (b) the proposed building, alteration or addition relative to the location of infrastructure servicing the area and open space should result in an integrated network that is adequate to meet the needs of the overall development area; and
  - (g) where adjacent or in close proximity to a historic heritage place, the extent to which the new building and/ or alteration and addition to buildings has regard to and respects the scheduled heritage building's contribution to the streetscape and its historical relationship with its site surrounds and wider area, including any adjacent open space.
- (2) subdivision:
- (a) the matters of discretion set out in [E38 Subdivision - Urban](#) under [E38.12.1](#); and
  - (b) the location of infrastructure servicing the area, and open space, should result in an integrated network that is adequate to meet the needs of the overall development area.
- (3) transport network including roads, lanes, pedestrian connection:
- (a) the transport network (roads, public transport connections, pedestrian connections and cycle connections) is generally provided in the location identified in the precinct plan to achieve a legible street network. Where no location is identified, an integrated and efficient street and pedestrian

network should be provided, including connections to existing and future streets and networks; and

- (a) the layout of the transport network relative to the location of infrastructure servicing the area and open space should result in an integrated network that is adequate to meet the needs of the overall development area.
- (b) safe, practical and efficient 24 hour through-site links are encouraged through the block. Where provided, the through-site link should comply with the requirements for through-site links in the City Centre zone.

(4) public open space network:

- (a) layout and design of public open space should meet the demand of future occupants of the site and be of a high quality, providing for public use and accessibility, views, sunlight access and wind protection within the application area; and
- (b) public open spaces are generally provided in the location(s) identified in the precinct plan to meet the needs of the local community. Where no location is identified, open space should be provided to and located to serve the future needs of the local community.

(5) drive-through restaurants in Sub-precinct A:

- (a) the assessment criteria in I209.8.2(1), where the assessment criteria for new buildings, or for additions and alterations, are inconsistent with the assessment criteria listed below, the assessment criteria listed below take precedence;
- (b) building design and external appearance:
  - (i) the extent to which buildings have clearly defined public frontages that positively contribute to public open spaces including streets (excluding service lanes);
  - (ii) the extent to which streetscape amenity and continuity of built form is maintained as far as is practicable and be supplemented by landscaping;
  - (iii) the extent to which buildings, landscaping and site layout are designed to ensure that the development maintains the amenity of surrounding residential or business zoned sites.
- (c) design of parking, access and servicing:
  - (i) the extent to which drive-through ordering and collection points are designed and located to avoid or mitigate any adverse effects of noise, light, glare and fumes on adjacent residential zoned sites, including any effects of vehicles stopping and starting on-site;

- (ii) whether the site is designed to accommodate any queuing of vehicles within the site;
  - (iii) the extent to which outdoor storage and rubbish containers are screened from the street, public open space and adjoining residential zoned sites by fencing or landscaping;
  - (iv) the extent to which the location of vehicle accesses have regard to effects on the continuity of activities and pedestrian movement at street level;
- (6) infringing the building height standard:
- (a) building height may be exceeded where it would provide an attractive and integrated roof form that also meets the purpose of the standard;
  - (aa) effects of additional building scale on neighbouring sites and streets and public open spaces (dominance, visual amenity and landscape character);
  - (ab) consistency with the planned future form and character of the zone area; and
  - (b) where building height is exceeded, Policies I209.3(6) and I209.4(7) of the Quay Park Precinct and Policy [H8.3\(30\)](#) of the Business – City Centre Zone should be considered.
- (7) infringing the building frontage height and setback standard:
- (a) the extent to which the scale of the development is consistent with the planned future character of Quay Park as established through the objectives and policies for the Quay Park Precinct;
  - (b) the extent to which pedestrian amenity is maintained or enhanced; and
  - (c) 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.

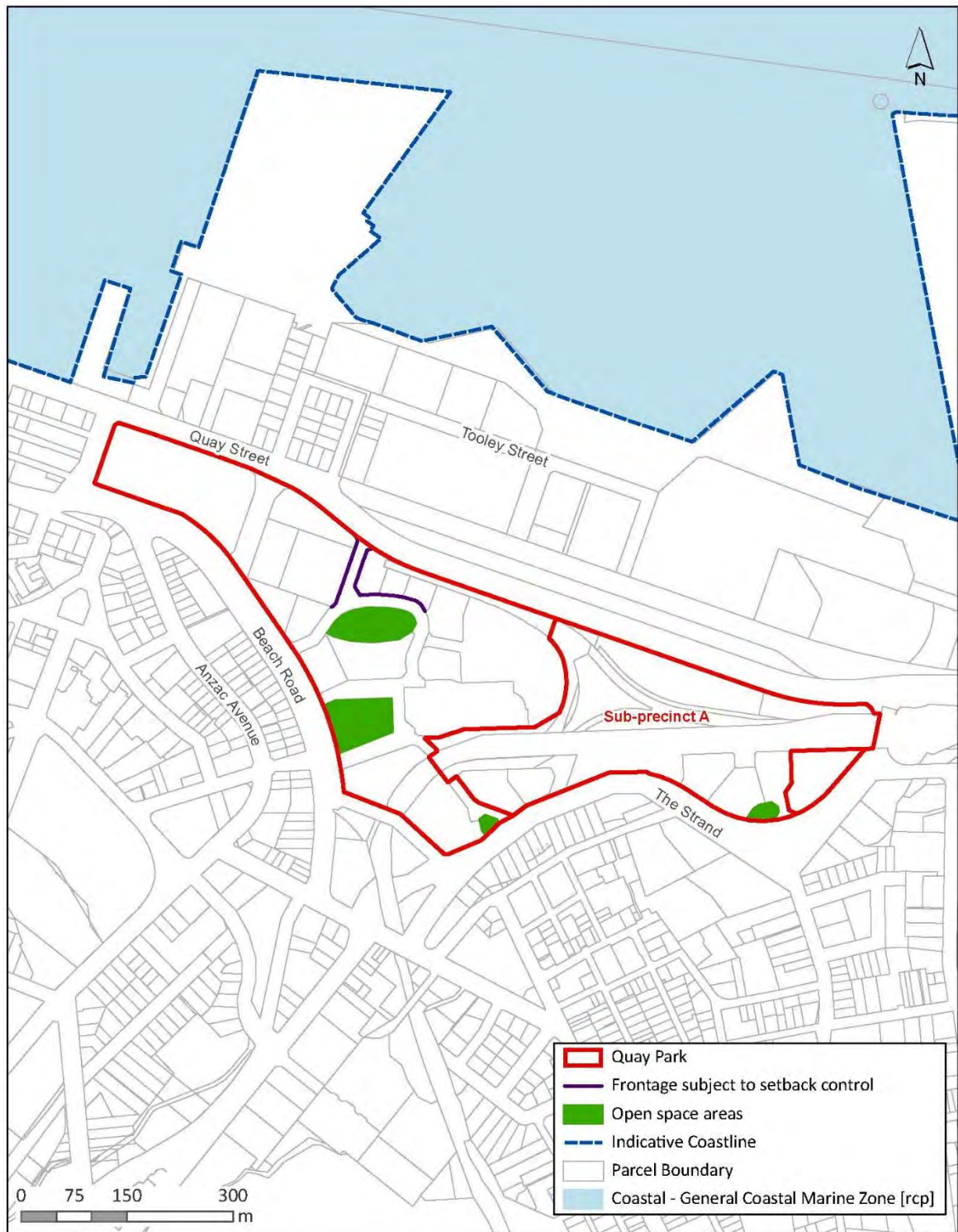
#### **I209.9. Special information requirements**

There are no special information requirements in this section.

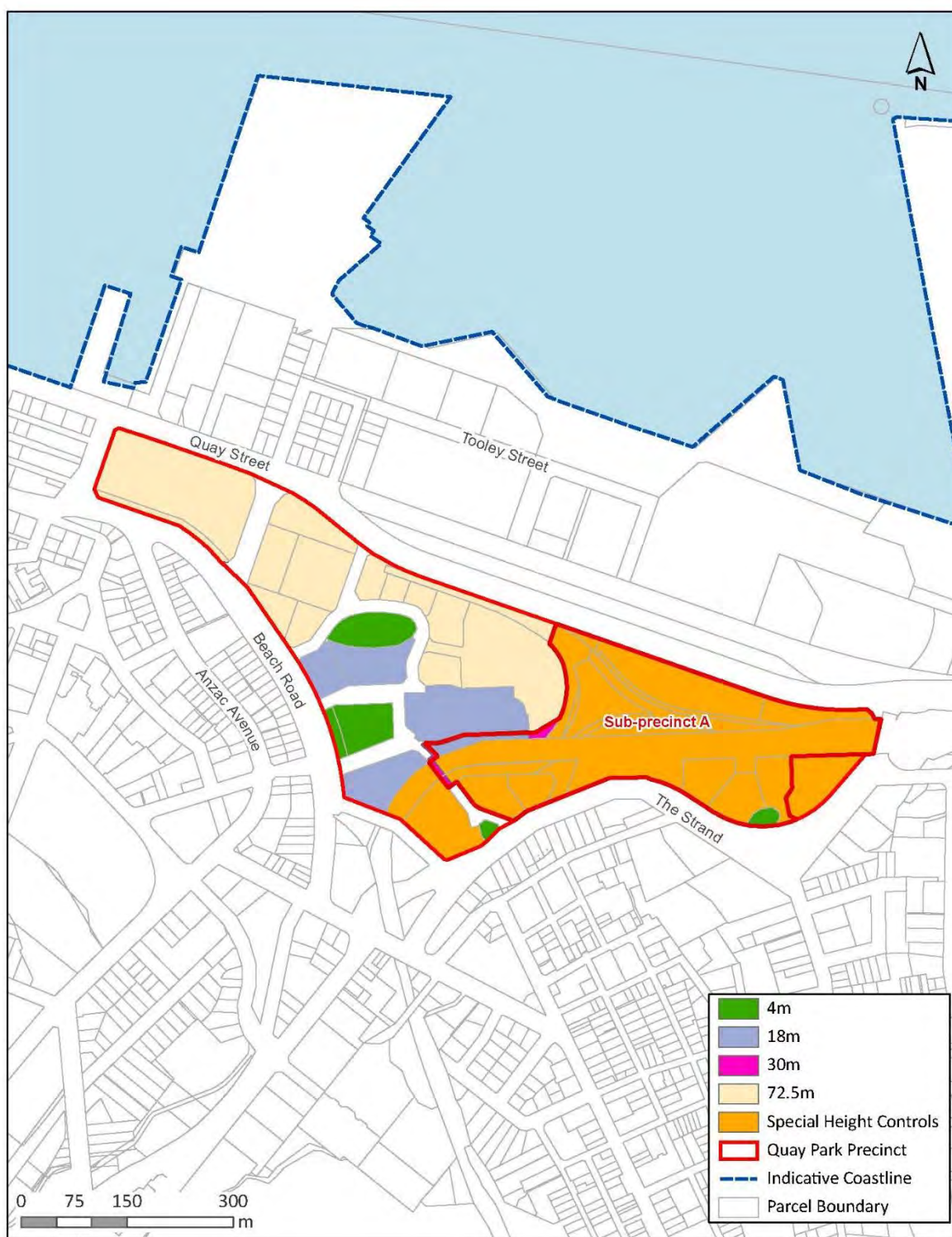
#### **I209.10. Precinct plans**



**I209.10.1 Quay Park: Precinct plan 1 - Frontage height and setback and identified public open spaces**



**I209.10.2 Quay Park: Precinct plan 2 - Building height controls**



**I209.10.3 [Deleted]**

## **I210. Queen Street Valley Precinct**

### **I210.1. Precinct description**

The Queen Street Valley precinct is centred on Queen Street and includes the areas surrounding High, Lorne, O'Connell, and Fort streets.

Part of the special character of the Queen St Valley precinct is its varying topography, which includes a north-facing valley running between the Hobson Street and Princes Street ridges and the original shoreline which runs across Queen Street in the vicinity of Fort Street.

The precinct is located within the core central business district and therefore accommodates a wide range of retail and commercial activities that contribute to its vibrancy and amenity. The precinct has a strong pedestrian focus and provides important connections from the city centre to the harbour's edge.

Buildings within the Queen Street Valley precinct are characterised by a highly diverse range of ages, styles, levels of detail, height and bulk. To the east of Queen Street, the streets are generally narrow, creating a sense of enclosure. Small site sizes and building footprints also mean that the architectural character is diverse. The older buildings in this area exert a strong presence in the streetscape, contributing to the precinct's character and sense of human scale. This results in a sense of place with identifiable and unique qualities.

Pre-1940s buildings largely define the precinct. A key purpose of the precinct is to maintain the integrity and coherence of the built form and architecture as this is important to retaining the precinct's streetscape character.

The land in the Queen Street Valley Precinct is zoned Business – City Centre Zone.

### **I210.2. Objective**

- (1) The built and streetscape character and the amenity of the Queen Street Valley Precinct is maintained and enhanced.

The overlay, Auckland-wide and Business – City Centre Zone objectives apply in this precinct in addition to those specified above.

### **I210.3. Policies**

- (1) Require building form and scale to maintain the character, sense of scale within the precinct and maintain sky views and sunlight access to streets.
- (2) Require building design to respect the form, scale and architecture of scheduled historic heritage places and pre-1940s buildings within the precinct.
- (3) Control demolition or removal of pre-1940s buildings, or parts of those buildings, to ensure it does not adversely affect the built form and streetscape character of the precinct.
- (4) Require proposals for new buildings or additions to existing buildings adjoining or adjacent to scheduled historic heritage places or pre-1940s buildings to be

sympathetic and provide contemporary and high-quality design which enhances the precinct's built form and streetscape character.

The overlay, Auckland-wide and Business – City Centre Zone policies apply in this precinct in addition to those specified above.

#### **I210.4. Activity table**

The provisions in any relevant overlays, zone and the Auckland-wide apply in this precinct unless otherwise specified below.

Table I210.4.1 specifies the activity status of development activities in the Queen Street Precinct pursuant to section 9(3) of the Resource Management Act 1991.

**Table I210.4.1. Activity table**

<b>Activity</b>		<b>Activity status</b>
<b>Development</b>		
(A1)	Minor cosmetic alterations to a building that does not change its external design and appearance	P
(A2)	New buildings, and alterations and additions to buildings not otherwise provided for	RD
(A3)	<p>The total demolition or substantial demolition (more than 30% by volume), or any demolition of the front façade of a building constructed prior to 1 January 1940, excluding the buildings substantially located on Computer Freehold Register Identifiers NA386/116, NA988/291, NA37/143, NA2D/160 (North Auckland), which include:</p> <ul style="list-style-type: none"> <li>(a) The Lippincott Building;</li> <li>(b) The former Civic Tavern (also known as the former United Services Hotel);</li> <li>(c) The Original Smith &amp; Caughey Premises [c. 1880] and 1921 Addition;</li> <li>(d) The Mahoney Building; and</li> <li>(e) The McArthur Warehouse.</li> </ul> <p>Except that the Lippincott façade (extending from the parapet to the footpath) of the Smith and Caughey buildings facing Queen Street shall be subject to rule I210.4.1(A3).</p>	RD

#### **I210.5. Notification**

- (1) Any application for resource consent for an activity listed in Table I210.4.1 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\(4\)](#).

## **I210.6. Standards**

The overlay, zone and Auckland-wide standards apply in this precinct unless otherwise specified below.

All restricted discretionary activities listed in Table I206.4.1 Activity table must comply with the following standards.

### **I210.6.1. Frontage height and setback**

Purpose: manage the scale of development to maintain and enhance pedestrian amenity, and to avoid buildings dominating public open space.

- (1) For frontages shown as Frontage Type A on Queen Street Valley Precinct:

Precinct plan 1 - Frontage types:

- (a) the height of the building frontage must be at least 19m above MSL (mean street level) and must not exceed 28m above MSL (mean street level); and
- (b) above the frontage height, the building must be setback from the site frontage at least 5m.

- (2) For frontages shown as Frontage Type B on Queen Street Valley Precinct:

Precinct plan 1 - Frontage types:

- (a) the height of the building frontage must be at least 19m above MSL (mean street level) and must not exceed 28m above MSL (mean street level);
- (b) above the frontage height, the building must not project beyond a 65 degree recession plane measured at all points along the site frontage for a depth of at least 5m; and
- (c) the building setback must be an emphatic or a stepped profile of at least two stories and must not be a literal regression of the 65 degree angle.

- (3) For frontages shown as Frontage Type C on Queen Street Valley Precinct:

Precinct plan 1 - Frontage types:

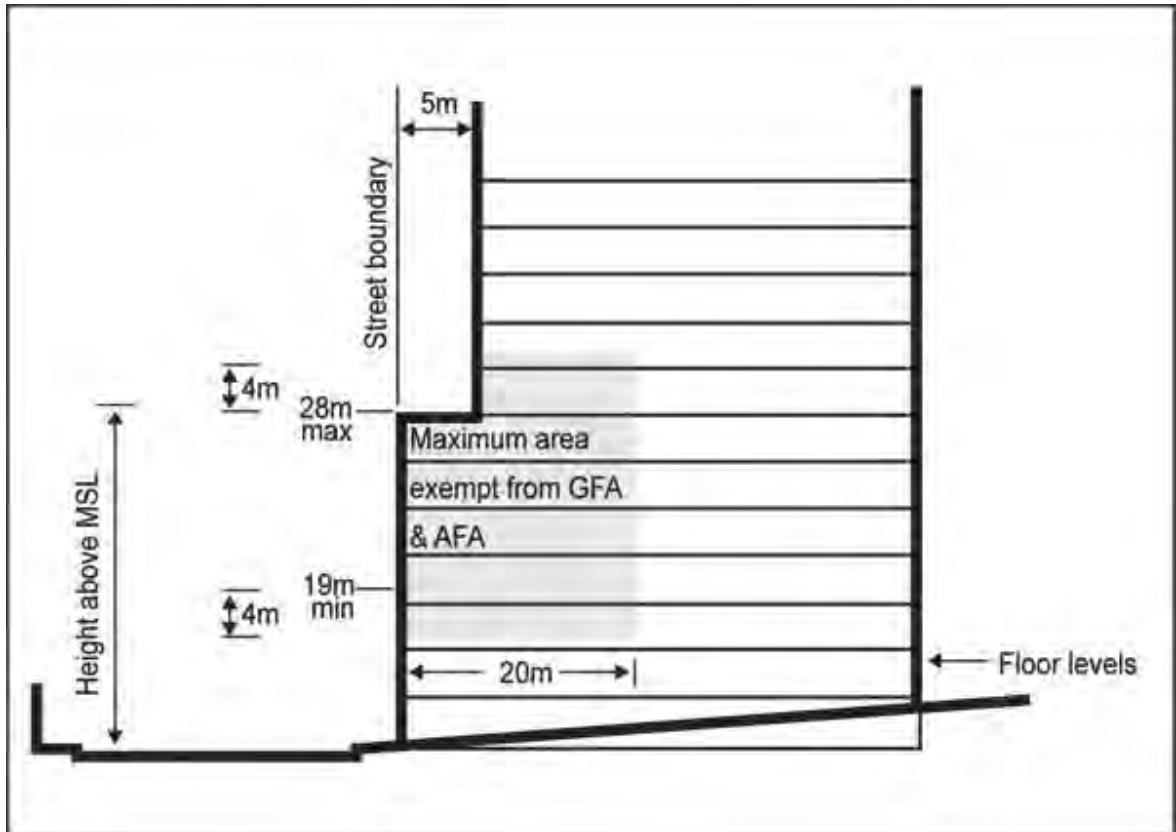
- (a) the height of the building frontage must be at least 13m above MSL (mean street level) and must not exceed 19m above MSL (mean street level);
- (b) above the frontage height, the building must not project beyond a 65 degree recession plane measured at all points along the site frontage for a depth of at least 5m; and
- (c) the building setback must be an emphatic or a stepped profile of at least two stories and must not be a literal regression of the 65 degree angle.

- (4) [Deleted]

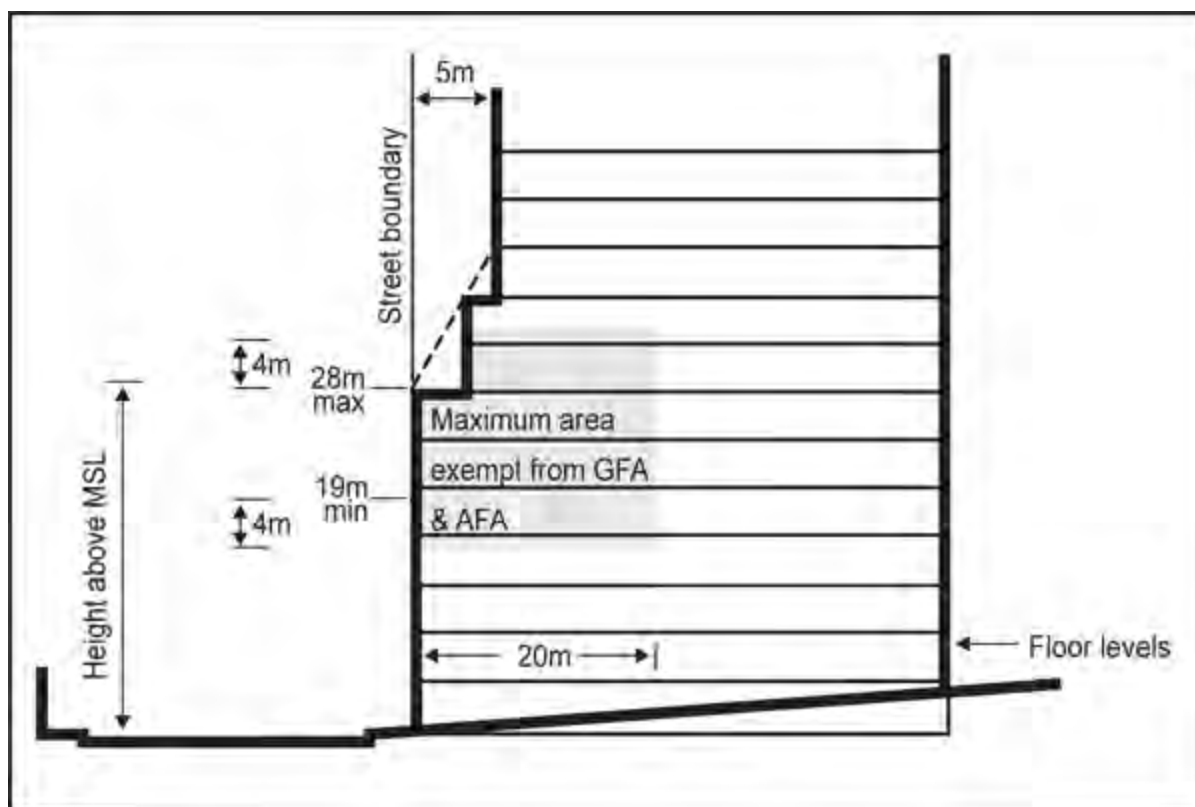


- (5) Buildings on sites with two frontages do not need to comply with I210.6.1(1)-(3) above for that part of the building:
- (a) located within 8m of the intersection of the two frontages; and
  - (b) three stories above the maximum frontage height specified in I210.6.1(1)-(3) above where the maximum floor to floor height is 4m.

**Figure I210.6.1.1 Frontage height and setback - type A**

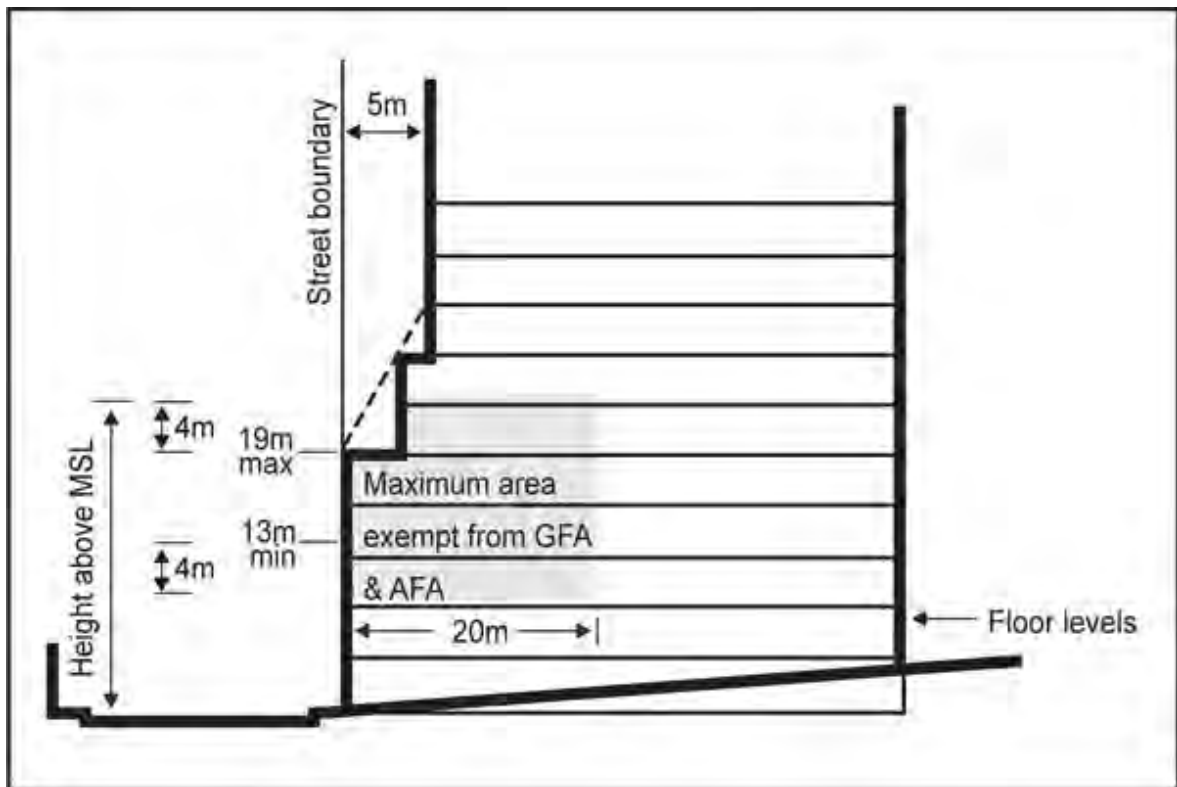


**Figure I210.6.1.2 Frontage height and setback - type B**

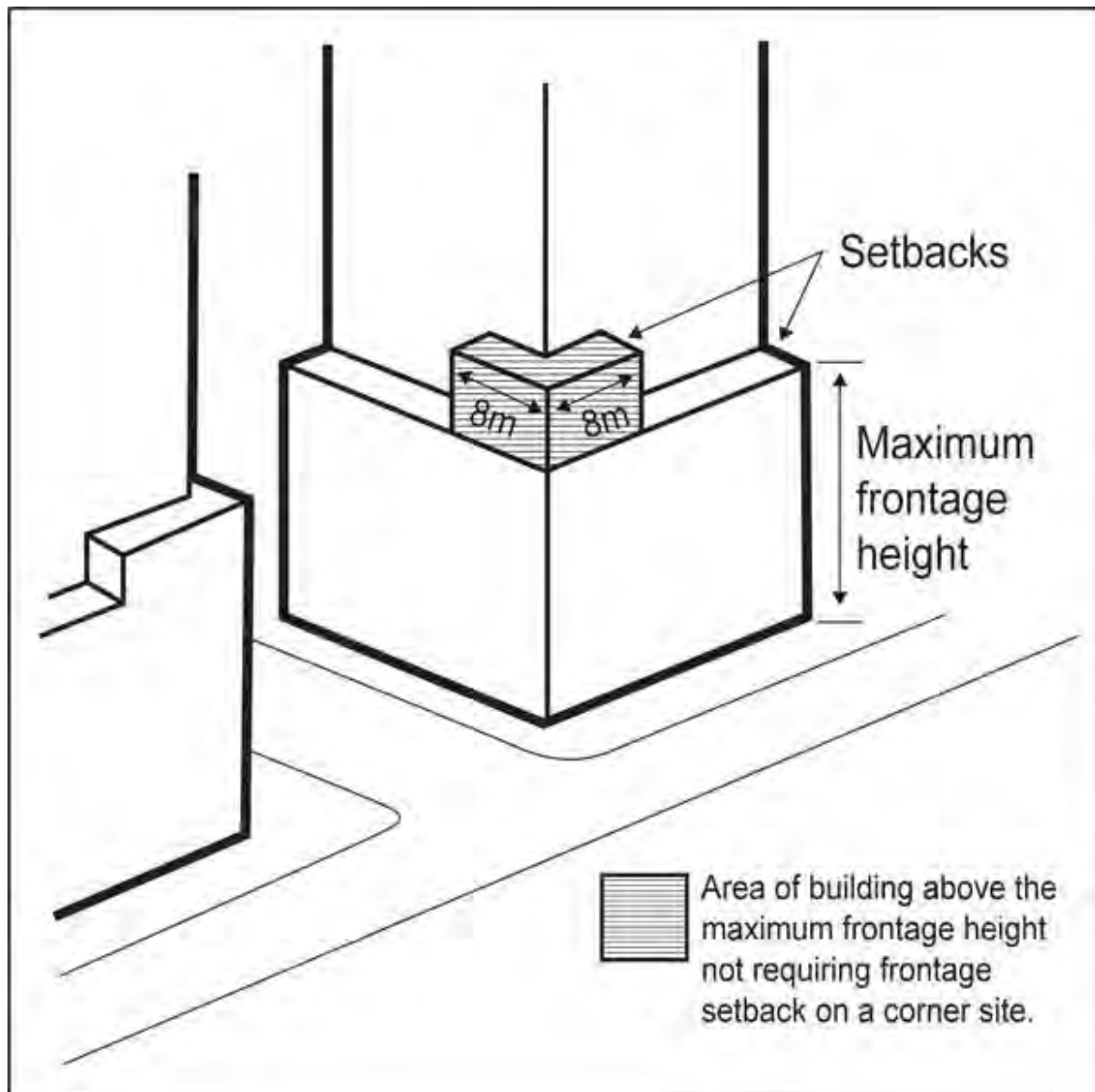




**Figure I210.6.1.3 Frontage height and setback - type C**



**Figure I210.6.1.4 Setback exemption for corner sites**



#### **I210.7. Assessment – controlled activities**

There are no controlled activities in this precinct.

#### **I210.8. Assessment – restricted discretionary activities**

##### **I210.8.1. Matters of discretion**

The Council will restrict its discretion to all of the following matters when assessing a restricted discretionary activity resource consent application, in addition to the matters specified for the relevant restricted discretionary activities in the overlay, Auckland-wide or zone provisions:

- (1) new buildings, and alterations and additions to buildings and structures not otherwise provided for:
  - (a) building design and external appearance.
- (2) buildings that do not comply with the frontage height and setback standards:

- (a) building scale, dominance and visual effects; and
  - (b) effects on public open space and pedestrian access.
- (3) The total demolition or substantial demolition (more than 30 per cent by volume), or any demolition of the front façade of a building constructed prior to 1 January 1940.
- (a) The effects of building demolition on built form and streetscape character.

#### **I210.8.2. Assessment criteria**

The Council will consider the relevant assessment criteria below for restricted discretionary activities, in addition to the assessment criteria specified for the relevant restricted discretionary activities in the overlay, Auckland-wide or zone provisions:

- (1) new buildings and alterations and additions to buildings and structures not otherwise provided for:
  - (a) building design and external appearance - creating a positive frontage:
    - (i) whether the design of buildings at ground level contribute to the continuity of pedestrian interest and vitality. However, frontages entirely of glass (curtain walling or continuous shop-front glazing) should not be used at street level as they detract from the streetscape; and
    - (ii) where feasible, whether restoration of original ground level detail is included in plans for buildings adjoining heritage buildings or for alterations to heritage buildings.
  - (b) building design and external appearance - variation in building form and visual interest:
    - (i) whether building levels aligned to the street boundaries incorporate design elements which acknowledge the existing human scale and character of the precinct. In particular:
      - whether frontage height and design have regard to existing buildings in the vicinity and maintain a consistent scale. This does not mean a rigid adherence to a single height but it does mean a respect for the general appearance of the surrounding blocks;
      - whether the design of frontages include vertical and horizontal details which avoid dominance of frontage elements larger than historically present. Where existing sites are amalgamated, the frontage design should have regard to the existing “grain” of development and convey a residual sense of the original subdivision pattern; and
      - whether the consistency of the existing character in a cohesive streetscape is maintained with new buildings acknowledging

the scale, sense of proportion and level of intricacy of adjacent heritage and special historic character buildings in the precinct. However, new buildings should be sympathetic to those buildings and should not replicate or imitate the architectural detailing or style.

(c) building design and external appearance - materials and finishes

- (i) whether materials used in new buildings have regard to existing buildings, but new and contemporary interpretations in form and detail may be used.

(2) buildings that do not comply with the frontage height and setback standards:

- (a) whether development is of a scale and form appropriate to the setting;
- (b) whether the scale of the development is consistent with the current and future character of Queen Street valley as established through the objectives and policies for the Queen Street Valley Precinct; and
- (c) whether pedestrian amenity is maintained or enhanced.

(3) the total demolition or substantial demolition (more than 30 per cent by volume), or any demolition of the front façade of a building constructed prior to 1 January 1940.

(a) Effects of building demolition on built form and streetscape character

- (i) The demolition or removal of a pre-1940s building within the precinct should not significantly adversely affect the built form and streetscape character of the precinct. In particular, consideration will be given to:
  - whether the existing building forms part of a cohesive group of buildings in terms of similarity of 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 character or the history and context of the precinct.
  - whether the existing building is a remnant example of a building type that reflects the history of the area.
  - the contribution the individual building makes to the context, character or cohesiveness of the streetscape or precinct.
  - the contribution the building makes to adjoining or nearby scheduled historic heritage buildings, either through the context and the relationship of the building to the scheduled historic heritage building or through the building's mass, height or rhythm of facades, and whether its demolition would adversely impact on the historic heritage values of the building.

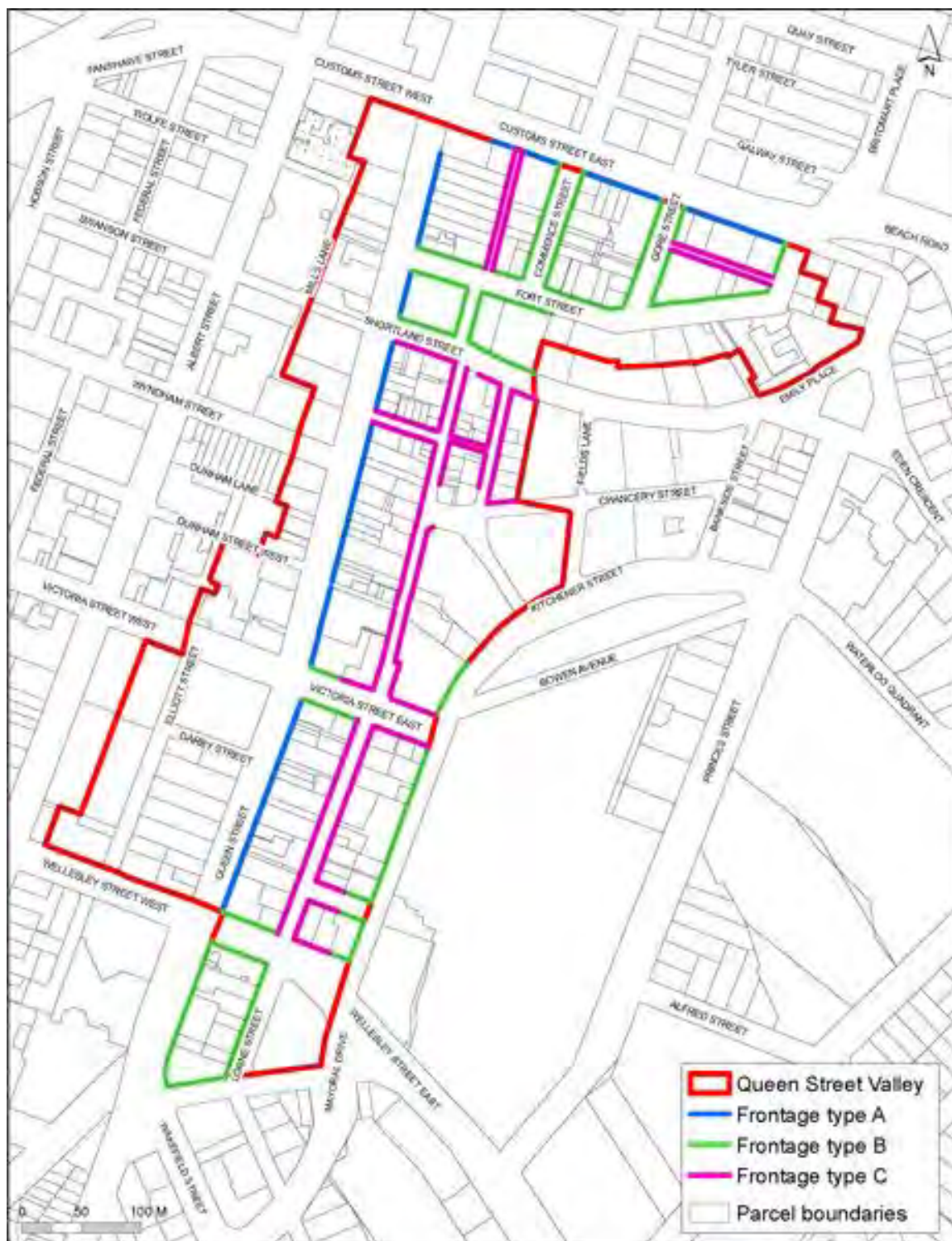
- whether reasonable use of the site can be achieved through adaptive re-use of the building rather than through its demolition and replacement.
- (ii) Notwithstanding the above, whether the building is beyond rehabilitation in terms of poor structural or physical condition, and the costs of the repair 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).

**I210.9. Special information requirements**

There are no special information requirements in this precinct.

## I210.10. Precinct plans

### I210.10.1 Queen Street Valley Precinct: Precinct plan 1 - Frontage types



## **I211. Viaduct Harbour Precinct**

### **I211.1. Precinct description**

The Viaduct Harbour precinct incorporates Viaduct Harbour and the land fronting the harbour (including Hobson Wharf), and the adjacent coastal marine area. The precinct is characterised by its enclosed water space, interesting water edge, proximity to the city core, and areas of low-rise character buildings close to the water edge and public spaces. Refer to Viaduct Harbour Precinct plan 1 for the location and extent of the precinct. Coordinates for the precinct boundary in the coastal marine area are shown on Precinct plan 6.

The purpose of the Viaduct Harbour precinct is to provide for a scale of development and a range of uses which reflect and complement the Viaduct Harbour as a special place of character within the city centre. Building height, bulk and design controls are intended to provide a framework which, while providing flexibility in building design, encourages well-defined edges to public spaces, a sense of enclosure at the built edges of public space and a visual transition in the height of built form extending from the water's edge of Viaduct Harbour to the established central commercial area.

To build upon and reinforce the Viaduct Harbour's attributes, provision is made for a wide range of activities. In particular, the establishment of a mix of recreation, leisure, retail, entertainment and community/cultural activities is encouraged along the water's edge, open spaces and certain roads where pedestrian activity is likely to be highest.

The open space network, identified as sub-precinct B, incorporates a range of different sizes, widths and shapes to cater for varying recreational needs. The width of space around the Basin perimeter is also sufficient for the coexistence of maritime-related activities, pedestrian promenades, open air cafe seating and similar activities.

The residential area, identified as Sub-precinct C, recognises the established high quality residential environment and the benefits that a permanent residential population provides to the character, vitality, safety and amenity of the precinct.

The zoning in the Viaduct Harbour Precinct is Business – City Centre Zone and Coastal – General Coastal Marine Zone.

### **I211.2. Objectives [rcp/dp]**

- (1) An attractive public waterfront and world-class visitor destination that is recognised for its distinctive character, quality buildings, public open spaces, recreational opportunities, community and cultural facilities and events.
- (2) Maintain and enhance the Viaduct Harbour land and adjacent water space as a special place of character in the City Centre and retain significant views of the water and areas within and adjacent to the precinct.
- (3) A safe, convenient and interesting environment, which optimises pedestrian and cycling use and improves connectivity within the precinct and to adjacent areas of the City.

- (4) An attractive place for business and investment is provided for marine and port activity, maritime passenger operations and commercial business activity which benefit from a high amenity waterfront location.
- (5) Adverse effects arising from activities and development are avoided, remedied or mitigated, in an integrated manner across mean high water springs.
- (6) A mix of activities is encouraged including residential, business, tourism and events that create a vibrant environment.
- (7) Maintain the residential character and amenity in Sub-precinct C as an attractive place for permanent residents.

The overlay, Auckland-wide and Business – City Centre Zone objectives apply in this precinct in addition to those specified above.

### **I211.3. Policies [rcp/dp]**

- (1) Enable the efficient operation and development of the precinct by providing for activities which have a functional need to locate in or adjacent to the coastal marine area.
- (2) Enable a diverse range of activities while:
  - (a) avoiding, mitigating or remedying potential adverse effects in an integrated manner across mean high water springs, including reverse sensitivity effects on marine and port activities; and
  - (b) maintaining and enhancing public access to the waters edge.
- (3) Provide for continued use of all berthage areas adjacent to public open spaces for commercial vessel activities and other marine and port activities and marina-activities.
- (4) Manage building height and bulk to:
  - (a) achieve an appropriate scale in relation to the street network and the precinct's prominent waterfront location;
  - (b) complement and maintain the distinctive low-medium rise character to achieve a sense of intimacy along streets and other public space frontages; and
  - (c) [deleted]
  - (d) provide a transition in height between the core city centre and the harbour.
- (5) Encourage the development of a diverse range of high-quality visitor experiences including promenading, coastal recreation, community and cultural activities and temporary activities.



- (6) Encourage the construction of a bridge for pedestrians, cyclists and local public transport connecting the Eastern Viaduct with Jellicoe Street to improve public connectivity between Wynyard precinct and the city centre.
- (7) Encourage an integrated network of attractive streets and lanes to increase pedestrian and cycling permeability and accessibility through the precinct.
- (8) Enable and maintain a network of different-sized public open spaces in key locations along the water's edge to cater for a range of recreational opportunities and provide vantage points.
- (9) Manage the land and coastal marine area to avoid significant adverse effects and avoid, remedy or mitigate other adverse effects on the water quality and ecology of the city centre coastal environment.
- (10) Limit the loss of significant public views from the city to the harbour and adjacent landscape features.
- (11) Maintain the residential character and amenity values in Sub-precinct C by avoiding activities that adversely affect the residential character and its related amenity values.
- (12) Provide for permanent residents in Sub-precinct C to:
  - (a) maintain and enhance the character and vitality of the precinct; and
  - (b) promote the safety and amenity for pedestrians through passive surveillance.

The overlay, Auckland-wide and Business – City Centre Zone policies apply in this precinct in addition to those specified above.

#### **I211.4. Activity table**

Table I211.4.1 Activity table specifies the activity status for land use and development activities pursuant to section 9(3) of the Resource Management Act 1991 and the activity status for works, occupation and use in the coastal marine area pursuant to sections 12(1), 12(2), and 12(3) of the Resource Management Act 1991, including any associated discharges of contaminants or water into water pursuant to section 15 of the Resource Management Act 1991, or any combination of all of the above sections where relevant.

- Within sub-precinct B, activities marked # in the activity table are limited to the area of the Eastern Viaduct shown on Precinct plan 1.
- Those activities marked with \* have the listed activity status only when that activity is located on a coastal marine area structure (e.g. a new building on an existing wharf). If that activity is located directly in the coastal marine area (e.g. a new wharf) a different activity status will apply.
- The activities in the Coastal – General Coastal Marine Zone and Business – City Centre Zone apply in the Viaduct Harbour Precinct unless otherwise specified in the activity table below.

- For parking on land refer to [E27 Transport](#), except where a more specific activity status applies in the table below.

### **Resource Management (National Environmental Standards for Freshwater) Regulations 2020**

The Resource Management (National Environmental Standards for Freshwater) Regulations 2020 ('Freshwater NES') came into force on 3 September 2020. Currently, there may be duplication or conflict between specific plan rules and the Freshwater NES.

The Resource Management (National Environmental Standards for Freshwater) Regulations 2020 apply to any part of the coastal marine area that is upstream from the mouth of a river.

If an activity provided for in rules I211.4.1 to I211.9, including any associated matters of discretion, is also regulated by the Freshwater NES, where there is conflict then the most restrictive provision will prevail.

If the Freshwater NES regulations do not apply to an activity, then the plan rules apply.

Duplication or conflict between plan rules and the Freshwater NES will be addressed in the plan as soon as practicable.

**Table I211.4.1. Activity table**

Activity		CMA [rcp]	Land [dp]
<b>Works in the coastal marine area</b>			
(A1)	Maintenance or repair of existing seawalls, reclamations or drainage systems	P	NA
(A2)	Minor reclamation for the purpose of maintaining, repairing or upgrading a reclamation	RD	NA
(A3)	Reclamation or drainage not otherwise provided for	D	NA
(A4)	Declamation#	RD	RD
(A5)	Maintenance dredging	RD	NA
(A6)	Capital works dredging	RD	NA
<b>Use and activities and associated occupation</b>			
<b>Residential</b>			
(A7)	Dwellings and visitor accommodation within Sub-precinct C	NA	P
<b>Commerce</b>			
(A8)	Dairies, restaurants and cafes, hairdressers, drycleaning agents, retail and healthcare facilities on the ground floor of an existing building within	NA	RD

## I211 Viaduct Harbour Precinct

	Area A of Sub-precinct C		
(A9)	Office activities within Sub-precinct C	NA	D
(A9A)	Swimming, exercising and leisure activities in the part of the site legally described as Lot 4 Deposited Plan 317103 within Sub-Precinct C by occupants of the site undertaking office activities	NA	P
(A10)	Maritime passenger operations, excluding freight movement and storage#	P*	P
(A11)	Parking accessory to marine and port activities, maritime passenger operations and events within Te Wero Island and the Eastern Viaduct in sub-precinct B	P*	NA
(A12)	Parking that is not accessory to marine and port activities and maritime passenger operations and events on coastal marine area structures	NC*	NA
(A13)	Short-term parking (non accessory) within sub-precinct B	NA	RD
(A14)	Aquaculture activities	Pr	NA
<b>Industry</b>			
(A15)	Permanent refuelling facilities for boats	RD	RD
(A16)	Marine and port activities except for permanent refuelling facilities for boats	P	P
(A17)	Industrial activities not specified as a permitted or restricted activity	D*	D
<b>Community</b>			
(A18)	Artworks, open air markets, kiosks, stalls, displays, tables and seating within Waitemata Plaza and Market Square, including those used in association with food and beverage activities located on adjacent sites	NA	P
(A19)	Marinas	P	P
(A20)	Marina berths	P	N/A
(A21)	Community facilities#	P	P
(A22)	Public amenities	P*	P
(A23)	Activities within sub-precinct B and C listed in the City Centre zone activity table and not specified in this activity table	NC	NC
<b>Development</b>			
(A24)	Marine and port facilities within sub-precinct A or B	NA	RD
(A25)	Marine and port facilities located outside of sub-precinct A and B	P*	P
(A26)	Marine and port accessory structures and	P	P

	services, excluding new pile moorings		
(A27)	Wave attenuation devices	RD	RD
(A28)	Observation areas, viewing platforms and boardwalks	RD	RD
(A29)	Pile moorings existing at 30 September 2013 including occupation and use by the vessel to be moored	P	NA
(A30)	New pile moorings established after 30 September 2013 including occupation and use by the vessel to be moored	RD	NA
(A31)	Maimai	NC	NC
(A32)	A bridge across the Viaduct Harbour	RD	RD
(A33)	Minor cosmetic alterations to a building that does not change its external design or appearance	P*	P
(A34)	New buildings, and alterations and additions to buildings not otherwise provided for	RD*	RD
(A35)	Coastal marine area structures or buildings not otherwise provided for	D	NA
(A36)	Development that does not comply with Standard I211.6.10(1)-(3) or I211.6.11(1)-(2)	NC	NC

### I211.5. Notification

- (1) Any application for resource consent for an activity listed in Table I211.4.1 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\(4\)](#).

### I211.6. Standards

The standards in the Coastal – General Coastal Marine Zone apply to the coastal marine area in the Viaduct Harbour Precinct and the standards in the Business – City Centre Zone apply to land in the Viaduct Harbour Precinct unless otherwise specified below

#### I211.6.1. Temporary activities Events

- (1) Temporary activities within the Viaduct Harbour precinct must comply with the general noise limit in [E25 Noise and Vibration](#). Temporary activities may exceed the general noise limit (deemed to be a noise event) no more than 15 times in total within the Viaduct Harbour Precinct (regardless of venue) in any calendar year (1 January to 31 December inclusive).
- (2) The general noise levels in [E25 Noise and Vibration](#) may be exceeded for a cumulative duration of not more than 6 hours within any 24 hour period for a noise event.

- (3) For the purpose of this rule and except where otherwise stated, the Eastern Viaduct, Te Wero, Waitemata Plaza and Market Square as defined on Precinct plan 1, are all separate venues.
- (4) For the 15 noise events, the maximum noise levels must not exceed:
- (a) For no more than 3 of the 15 noise events and for a cumulative duration of not more than 3 of the total 6 hours permitted in I211.6.1(1) above (exclusive of one sound check of no more than one hour duration prior to each event):  
  
82dB  $L_{Aeq}(15min)$   
90dB  $L_{A1}(15min)$   
76dB  $L_{eq}(15min)$  at 63Hz 1/1 Octave Band  
76dB  $L_{eq}(15min)$  at 125Hz 1/1 Octave Band  
(high noise event)  
  
At all other times during the 15 noise events:  
  
72dB  $L_{Aeq}(15min)$   
80dB  $L_{A1}(15min)$   
76dB  $L_{eq}(15min)$  at 63Hz 1/1 Octave Band  
76dB  $L_{eq}(15min)$  at 125Hz 1/1 Octave Band  
(medium noise event)
- (5) Except as provided elsewhere in this rule, noise levels must be measured in accordance with the requirements of NZS6801:2008 Acoustics – Measurement of environmental sound and must be assessed in accordance with NZS6802:2008 Acoustics – Environmental Noise except that clause 6.3 must not be used.
- (6) Within Waitemata Plaza and Market Square as shown on Precinct plan 2 the following additional restrictions apply:
- (a) there must be no high noise events;
  - (b) there must be no more than two noise events in any four week period;
  - (c) of the total 15 noise events there must be no more than six in any one calendar year and the general noise level in in [E25 Noise and Vibration](#) of the Auckland-wide rules must not be exceeded for a cumulative duration of more than three hours for any one noise event.
- (7) For the purpose of the restrictions in I211.6.1(6) above, Waitemata Plaza and Market Square are counted as a single venue.
- (8) Noise levels exceeding the standard in [E25 Noise and Vibration](#) of the Auckland-wide rules including sound checks, must start no earlier than 9am and must finish no later than 10:30 pm Sunday to Thursday inclusive, 11pm Friday and Saturday and 1am New Year's Day.

- (9) The noise limits applying to noise events must be met when measured as the incident level 1m from any adjacent building outside the venue that is occupied during the event.
- (10) Not less than four weeks prior to the commencement of the noise event, the organiser must notify the council in writing of:
  - (a) the names and types of the acts and whether they are anticipated to be within the medium noise level or high noise level as defined in clause 4 above;
  - (b) the person(s) and procedures for monitoring of compliance with noise levels; and
  - (c) the nominated alternative date in the event of postponement due to the weather.
- (11) The council will keep a record of all noise events held and provide this information upon reasonable request.
- (12) Consultation must be undertaken with the majority freehold land owner within the Viaduct Harbour Precinct.

#### **I211.6.2. Parking**

- (1) There must be no parking on Hobson Wharf except for parking accessory to marine and port activities, including any short-term servicing requirements.
- (2) The number of parking spaces must not exceed the maximum rates specified in Table I211.6.2.1.

**Table I211.6.2.1. Maximum parking rates**

Activity/site			New development
(T37)	Dwellings	Dwellings <75m <sup>2</sup> GFA	0.7 per dwelling
(T38)		Dwellings ≥75 and < 90m <sup>2</sup> GFA	1.4 per dwelling
(T39)		Dwellings ≥90m <sup>2</sup> GFA	1.7 per dwelling
(T40)		Visitor spaces	0.2 per dwelling
(T41)	All other activities		1:150m <sup>2</sup> GFA

#### **I211.6.3. Public access**

- (1) Standard [E38.7.3.2](#) Subdivision establishing an esplanade reserve does not apply to subdivision within the Viaduct Harbour Precinct.

#### **I211.6.4. Building height**

Purpose: manage the height of buildings to achieve Policy I211.3(4) of the Viaduct Harbour precinct and respect the heritage values of specifically identified buildings.

- (1) Buildings must not exceed the heights specified on Precinct plan 3.
- (2) The height of buildings and structures on land will be measured in accordance with [H8.6.8](#) of the Business – City Centre Zone rules.
- (3) The height limit in Sub-precinct A and Sub-precinct C may be exceeded by no more than 2m for roofs, including any roof top projections, subject to the building complying with I211.6.5 below (site intensity).
- (4) Buildings must not exceed a height of 52m on the site legally described as LOT 1 DP 183125, except that buildings must be setback at least 15m from the northern facade and 5m from the eastern facades of the former Auckland Harbour Board Workshops building, referenced as 01969 in Schedule 14.1 Schedule of Historic Heritage, above 16.5m, measured above mean street level.

#### **I211.6.5. Site intensity**

Purpose: manage the scale, form and intensity of development to maintain the character and amenity of the precinct.

- (1) Buildings must not exceed the floor area ratios shown on Precinct plan 4.

#### **I211.6.6. Building coverage**

Purpose: manage the scale of development within Waitemata Plaza and Market Square to maintain their open space character.

- (1) Buildings, temporary tents, marquees, air supported canopies, structures and tables and seating must not occupy more than 20 per cent in area of Waitemata Plaza or Market Square as shown on Precinct plan 2.

#### **I211.6.7. Vehicle access restriction**

Purpose: ensure safe and efficient access from and to Sturdee Street and Fanshawe Street.

- (1) Vehicular access from and to Sturdee Street and Fanshawe Street (except 7-9 Fanshawe Street, being the land in Certificate of Title 7B/1437), must be for left turn manoeuvres only, provided that nothing in this clause will limit the Council's powers in relation to roads under the Local Government Act 1974 and, in particular, its powers to construct median strips in roads where it considers that such works are necessary for traffic safety reasons.

#### **I211.6.8. Special yard A**

Purpose: ensure that buildings do not restrict public access along the water's edge.

- (1) Buildings must not locate within special yard A shown on Precinct plan 5.
- (2) The yard applies from average ground level of the land affected to a height of 3m.

- (3) The yard must have a minimum width of 7m.

#### **I211.6.9. Special yard B**

Purpose: maintain unobstructed pedestrian access between Customs Street West and the water's edge in Waitemata Plaza.

- (1) Buildings, tents, marquees, air supported canopies, tables, seating and structures must not be located within 10m of special yard B shown on Precinct plan 5.

#### **I211.6.10. Public spaces and accessways**

Purpose: manage public spaces and accessways to achieve Policies I211.3(2), (3), (7) and (8) of the Viaduct Harbour Precinct.

- (1) The pedestrian accessway on the southern side of the eastern viaduct shown on Precinct plan 5 must be not less than 10m wide.
- (2) All public accessways within sub-precinct B must be available to the public at all times except when written approval has been obtained from the council to temporarily restrict access for security, safety or operational needs associated with port activities or events or where restricted for operational or safety reasons specified in the conservation covenants applying to the area.
- (3) Buildings or structures must not be located within the accessways. This standard does not apply to verandahs or lawful temporary buildings or structures.

#### **I211.6.11. Viewshafts**

Purpose: manage development to maintain significant views of the water and adjacent areas within, and to, the Viaduct Harbour precinct.

- (1) Buildings or structures must not be located within those areas of land identified as landward viewshafts on Precinct plan 5. This standard does not apply to the following:
  - (a) verandahs;
  - (b) lawful temporary buildings or structures;
  - (c) road lighting and support structures;
  - (d) traffic and direction signs and road name signs;
  - (e) traffic control devices, traffic signals and support structures, cabinets and other equipment accessory to traffic signals;
  - (f) parking meters, pay and display kiosks and traffic cameras; or
  - (g) cycle facilities.
- (2) Buildings and structures must not be located within or over those parts of coastal marine area structures and waterspace identified as viewshafts coastal marine area and viewshaft horizontal plane 5m above existing wharf deck



level on Precinct plan 4. This control does not apply to lawful temporary buildings or structures.

#### **I211.7. Assessment – controlled activities**

There are no controlled activities in this precinct.

#### **I211.8. Assessment – restricted discretionary activities**

##### **I211.8.1. Matters of discretion**

The Council will restrict its discretion to all of the following matters when assessing a restricted discretionary activity resource consent application, in addition to the matters specified for the relevant restricted discretionary activities in the overlay, Auckland-wide or zone provisions:

(1) declamation:

- (a) construction or works methods, timing and hours of construction works;
- (b) location, extent, design and materials used;
- (c) effects on coastal processes, ecological values, water quality and natural character;
- (d) effects on public access, navigation and safety;
- (e) effects on existing uses and activities;
- (f) consent duration and monitoring; and
- (g) effects on Mana Whenua values.

(2) maintenance dredging and capital works dredging:

- (a) effects on coastal processes, ecological values, and water quality;
- (b) effects on other users of the coastal marine area, navigation and safety; and
- (c) consent duration and monitoring;

(3) wave attenuation devices:

- (a) location and design of the wave attenuation device;
- (b) effects on navigation, safety, and existing activities;
- (c) effects on wave hydraulics;
- (d) construction or works methods, timing and hours of operation; and
- (e) consent duration and monitoring;

(4) marine and port facilities within sub-precinct A or B:

- (a) The matters of discretion in [F2.23.1 of the Coastal - General Coastal Marine Zone](#) apply.
- (5) minor reclamation for the purpose of maintaining, repairing or upgrading a reclamation:
  - (a) form and design of the reclamation;
  - (b) contaminated material;
  - (c) the safe and efficient operation of marine and port activities;
  - (d) effects on Mana Whenua values;
  - (e) construction or works methods, timing and hours of operation; and
  - (f) effects on natural hazards, coastal processes, ecological values and water quality.
- (6) short-term parking (non-accessory) within Sub-precinct B:
  - (a) location, extent, design and materials used;
  - (b) effects on existing uses and activities; and
  - (c) amenity, effects on views and visual amenity;
- (7) observation areas, viewing platforms and boardwalks
  - (a) The matters of discretion in [F2.23.1\(1\) of the Coastal – General Coastal Marine Zone](#) rules apply.
- (8) a bridge across the Viaduct Harbour:
  - (a) construction or works methods, timing and hours of operation;
  - (b) location, extent, design and materials used;
  - (c) effects on coastal processes, ecological values, water quality and natural character;
  - (d) effects on public access, navigation and safety;
  - (e) effects on existing uses and activities;
  - (f) amenity, effects on views and visual amenity; and
  - (g) consent duration and monitoring;
- (9) new buildings, and alterations and additions to buildings not otherwise provided for
  - (a) the matters of discretion in clause [H8.8.1\(1\)](#) of the Business – City Centre Zone rules apply; and

- (b) effects on public access, navigation and safety.
- (10) new pile moorings established after 30 September 2013 including occupation and use by the vessel to be moored:
  - (a) the matters of discretion in [F2.23.1\(1\) of the Coastal - General Coastal Marine Zone](#) rules apply.
- (11) permanent refuelling facilities for boats:
  - (a) the matters of discretion in [F2.23.1\(1\) of the Coastal - General Coastal Marine Zone](#) apply;
- (12) infringing the building height standard:
  - (a) building scale, dominance and visual effects;
  - (b) effects on current or planned future form and character; and
  - (c) pedestrian amenity and function;
- (13) infringing the site intensity standard:
  - (a) building scale, dominance and visual effects;
  - (b) effects on current or planned future form and character; and
  - (c) effects on the transportation network including safety and efficiency;
- (14) infringing the building coverage standard:
  - (a) building scale, dominance and visual effects; and
  - (b) public use amenity and function of the Waitemata Plaza;
- (15) infringing the vehicle access restriction standard:
  - (a) effects on the transportation network (including safety and efficiency); and
  - (b) pedestrian amenity and function;
- (16) infringing the special yards A and B standard:
  - (a) effects on public open space and pedestrian access.
- (17) activities on the ground floor within Area A of sub-precinct C:
  - (a) effects on the residential character and amenity values; and
  - (b) noise, lighting and hours of operation.

### **I211.8.2. Assessment criteria**

The Council will consider the relevant assessment criteria below for restricted discretionary activities, in addition to the assessment criteria specified for the relevant restricted discretionary activities in the overlay, Auckland-wide or zone provisions:

(1) declamation:

- (a) whether the adverse effects of declamation are avoided, remedied or mitigated in respect of the effects of the final land/water configuration on:
  - (i) the marine environment including coastal processes, water quality, sediment quality and ecology of the coastal marine area
  - (ii) hydrogeology (ground water) and hydrology; and
  - (iii) sediment accumulation and the need for on-going maintenance dredging of the coastal marine area;
- (b) whether declamation works, including the construction of seawalls, avoid, remedy or mitigate the adverse effects of construction, particularly through the management of silt, contaminated soils and groundwater, and other contaminants;
- (c) whether declamation is located and designed so that the adjacent land area can provide adequate public open space adjacent to, and public access along the water's edge whether on land or on the adjacent water space; and
- (d) The extent to which declamation will affect Mana Whenua values;

(2) maintenance dredging and capital works dredging:

- (a) whether measures are taken to avoid, remedy or mitigate adverse effects on coastal processes, ecological values, and water quality;
- (b) whether effects on other users of the coastal marine area during the dredging are avoided, remedied or mitigated;
- (c) whether consent duration is limited to the minimum duration reasonably necessary for the functional or operational needs of the activity;
- (d) whether monitoring may be required in order to demonstrate the extent and type of effects of the dredging, and the degree to which the effects are remedied or mitigated during and after the activity;

(3) wave attenuation devices:

- (a) whether the location and design of the wave attenuation device consider existing activities including marine related industries, other marine activities and/or adjoining coastal activities;
- (b) whether the location and design of the wave attenuation device consider the effects of wave hydraulics on other users of the coastal marine area;

- (c) whether construction works avoid, remedy or mitigate the adverse effects of construction, particularly through the management of silt, contaminated sediments, and other contaminants;
- (4) marine and port facilities within sub-precinct A or B:
  - (a) the assessment criteria in [F2.23.2](#) of the Coastal – General Coastal Marine Zone rules apply;
- (5) minor reclamation for the purpose of maintaining, repairing or upgrading a reclamation:
  - (a) whether reclamation, as far as practicable, mitigate adverse effects through their form and design, taking into account:
    - (i) the compatibility of the design with the location;
    - (ii) the degree to which the materials used are visually compatible with the adjoining coast;
    - (iii) the ability to avoid consequential erosion and accretion, and other natural hazards;
    - (iv) the effects on coastal processes; and
    - (v) the effects on hydrology;
  - (b) whether the use of contaminated material in a reclamation is avoided unless it is contained in a way that avoids, remedies or mitigates adverse effects on water quality, aquatic ecosystems and biodiversity;
  - (c) the extent to which the reclamation will affect Mana Whenua values; and
  - (d) whether construction works avoid, remedy or mitigate the adverse effects of construction, particularly through the management of silt, contaminated sediments, and other contaminants;
- (6) short-term parking (non-accessory) within sub-precinct B:
  - (a) the extent to which the short-term parking is located and designed to:
    - (i) maintain safe public access to and along the edge of the coastal marine area and the perimeter of existing wharves;
    - (ii) avoid or mitigate and adverse amenity effects on public access areas and residents; and
    - (iii) avoid or mitigate effects on existing marine and port facilities;
- (7) observation areas, viewing platforms and boardwalks:
  - (a) the assessment criteria in [F2.23.2\(1\)](#) and [F2.23.2\(17\)](#) for coastal marine area structures and buildings in the Coastal - General Coastal Marine Zone rules apply in addition to the criteria below; and

- (b) the extent to which the design and finish complement and enhance the coastal environment, open spaces and pedestrian linkages;

(8) a bridge across the Viaduct Harbour:

- (a) whether the bridge contributes to a high quality maritime and urban environment and meet the following outcomes:

- (i) the bridge design avoids significant visual intrusion into views from public areas across the harbour, or from the harbour out to the wider Waitemata Harbour;
- (ii) the bridge contributes to the pedestrian character and amenity of the Viaduct Harbour and Wynyard precincts by:
- providing safe and pleasant pedestrian and cycle access east and west across the Viaduct Harbour;
  - having a landscape design, character and quality which integrates with existing pedestrian priority areas and other accessways around the Viaduct Harbour;
  - not causing significant adverse effects on the use and enjoyment of Te Wero Island as an area of pedestrian-oriented public space; and
  - ensuring the operation or use of the bridge, or lighting will not cause significant adverse effects on the operation of nearby activities or on the amenity values of surrounding land or water uses;

(iii) the bridge is designed and operated to provide for:

- vessel access to and from the inner Viaduct Harbour without undue delay;
- navigation and berthage by the existing range of vessels in the inner Viaduct Harbour;
- any reduction in berthage area to be minimised as far as practicable;
- convenient and easily accessible systems for communicating with vessel users regarding scheduled and unscheduled bridge opening/closing;
- appropriate lighting, navigation aids, safety systems and fail-safe mechanisms; and
- a minimum clearance height of 3m above mean high water springs for a 10m wide navigable channel;

- (iv) the ongoing viable use of the Viaduct Harbour (particularly the Wynyard Precinct mixed use sub-precinct) to accommodate marine

and port activities and marine events, such as boat shows and internationally recognised boating events such as the America's Cup event, is maintained;

(v) the bridge has a high quality design that:

- enhances the character of the Viaduct Harbour;
- is simple and elegant;
- is appropriate within the context of the Viaduct Harbour locality and Auckland's coastal setting;
- has an appropriate relationship with the Viaduct Lifting Bridge identified in the Historic Heritage Overlay; and
- utilises high quality and low maintenance materials and detailing;

(vi) the bridge is designed in a manner which may provide in the future for enhanced connectivity for the public between the Wynyard Precinct and the city centre; and

(vii) the bridge has no more than minor adverse effects on coastal processes including sedimentation within the Viaduct Harbour;

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

(a) the assessment criteria in clause [H8.8.2\(1\)](#) of the Business – City Centre Zone rules apply in addition to the criteria below; and

(b) the building should avoid or mitigate effects on public access, navigation and safety;

(10) new pile moorings established after 30 September 2013 including occupation and use by the vessel to be moored:

(a) the assessment criteria in [F2.23.2](#) of the Coastal – General Coastal Marine Zone apply in addition to the criteria below; and

(b) whether the new pile moorings avoid or mitigate effects on public access, navigation and safety;

(11) permanent refuelling facilities for boats:

(a) refer to the assessment criteria in [F2.23.2\(1\)](#) of the Coastal - General Coastal Marine Zone;

(12) infringing the building height standard:

(a) building height may be exceeded where it would provide an attractive and integrated roof form that also meets the purpose of the standard; and

- (b) where building height is exceeded, Policy I211.3(4) of the Viaduct Harbour Precinct and Policy [H8.3\(30\)](#) of the Business – City Centre Zone should be considered;

(13) infringing the site intensity standard:

- (a) the extent to which development is of a scale and form appropriate to the setting;
- (b) the extent to which the scale of the development is consistent with the current and future character of Viaduct Harbour as established through the objectives and policies for the Viaduct Harbour Precinct;
- (c) whether adverse effects on the transportation network are avoided, minimised or mitigated; and
- (d) whether development compromises marine and port activities;

(14) infringing the building coverage standard:

- (a) the extent to which the scale and form of development within Waitemata Plaza and Market Square maintains their open space character;

(15) infringing the vehicle access restriction standard:

- (a) whether access from and to Sturdee Street and Fanshawe Street is safe and efficient; and
- (b) unobstructed operation of the transportation network should be safe and efficient;

(16) infringing the Special Yards A and B standard:

- (a) whether unobstructed public access to and along the water's edge is maintained;

(17) activities on the ground floor within Area A of sub-precinct C:

- (a) the extent to which activities are compatible with and do not detract from the residential character and amenity values of sub-precinct C; and
- (b) whether activities generate noise levels that would adversely affect residential amenity. The Council may impose conditions on the activity's hours of operation and/or permitted levels of low frequency noise.

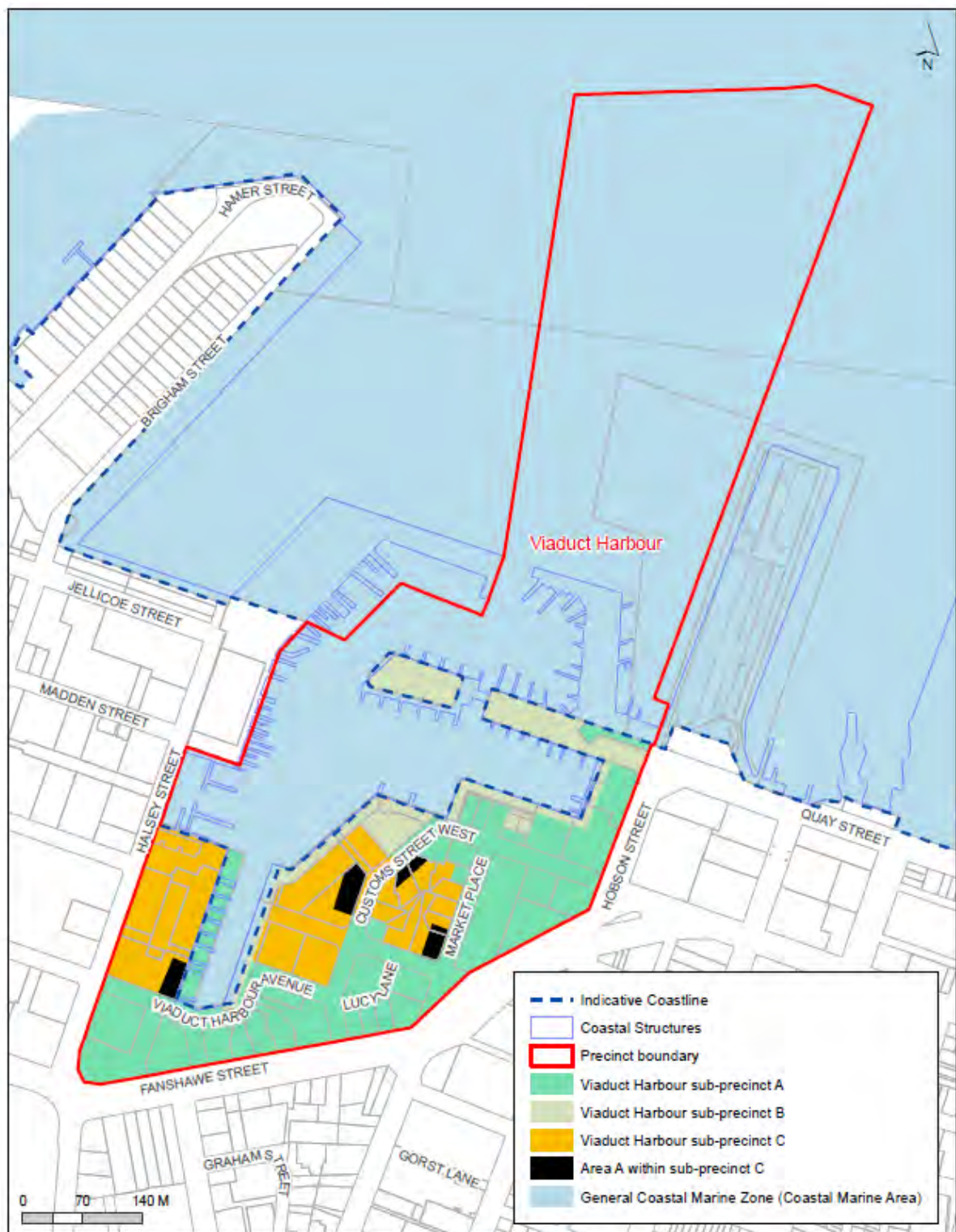
**I211.9. Special information requirements**

- (1) An application for marine and port facilities on land within the Viaduct Harbour area shown on Precinct plan 1 must be accompanied by a site management plan detailing operational procedures and physical measures to be put in place to avoid, remedy or mitigate public safety effects.

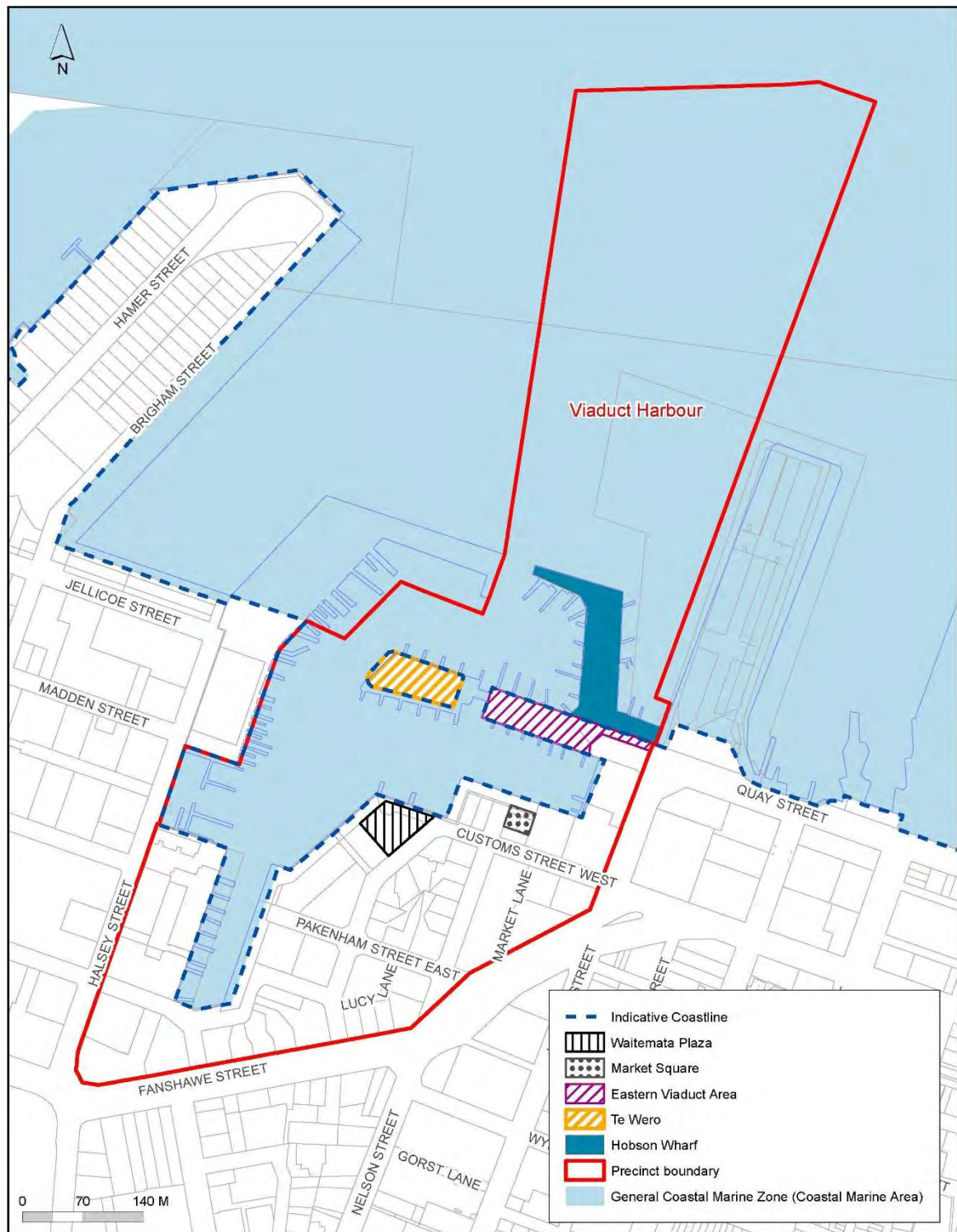


## I211.10. Precinct plans

### I211.10.1 Viaduct Harbour: Precinct plan 1 – Precinct and sub-precincts

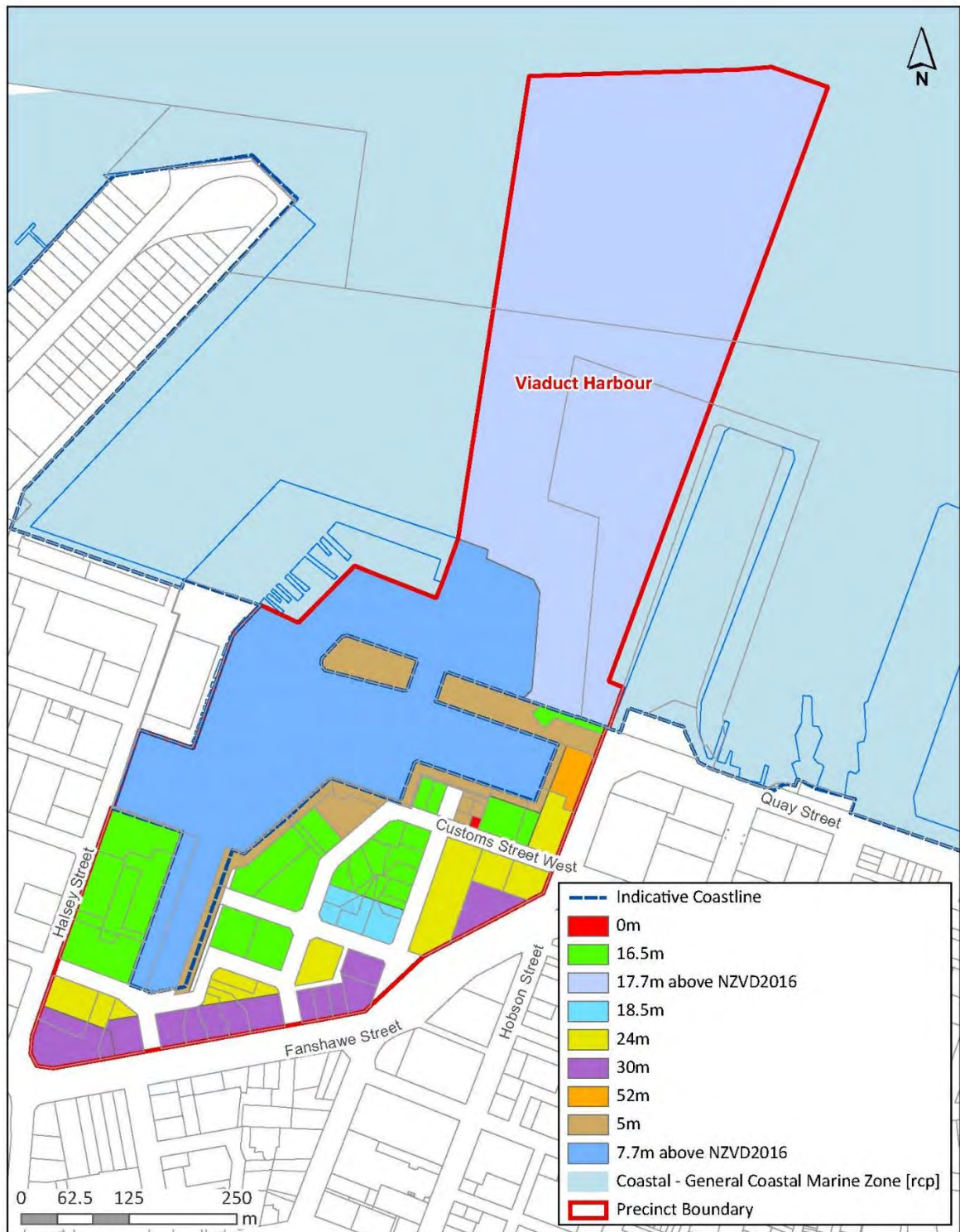


**I211.10.2 Viaduct Harbour: Precinct plan 2 - Wharves and open spaces**

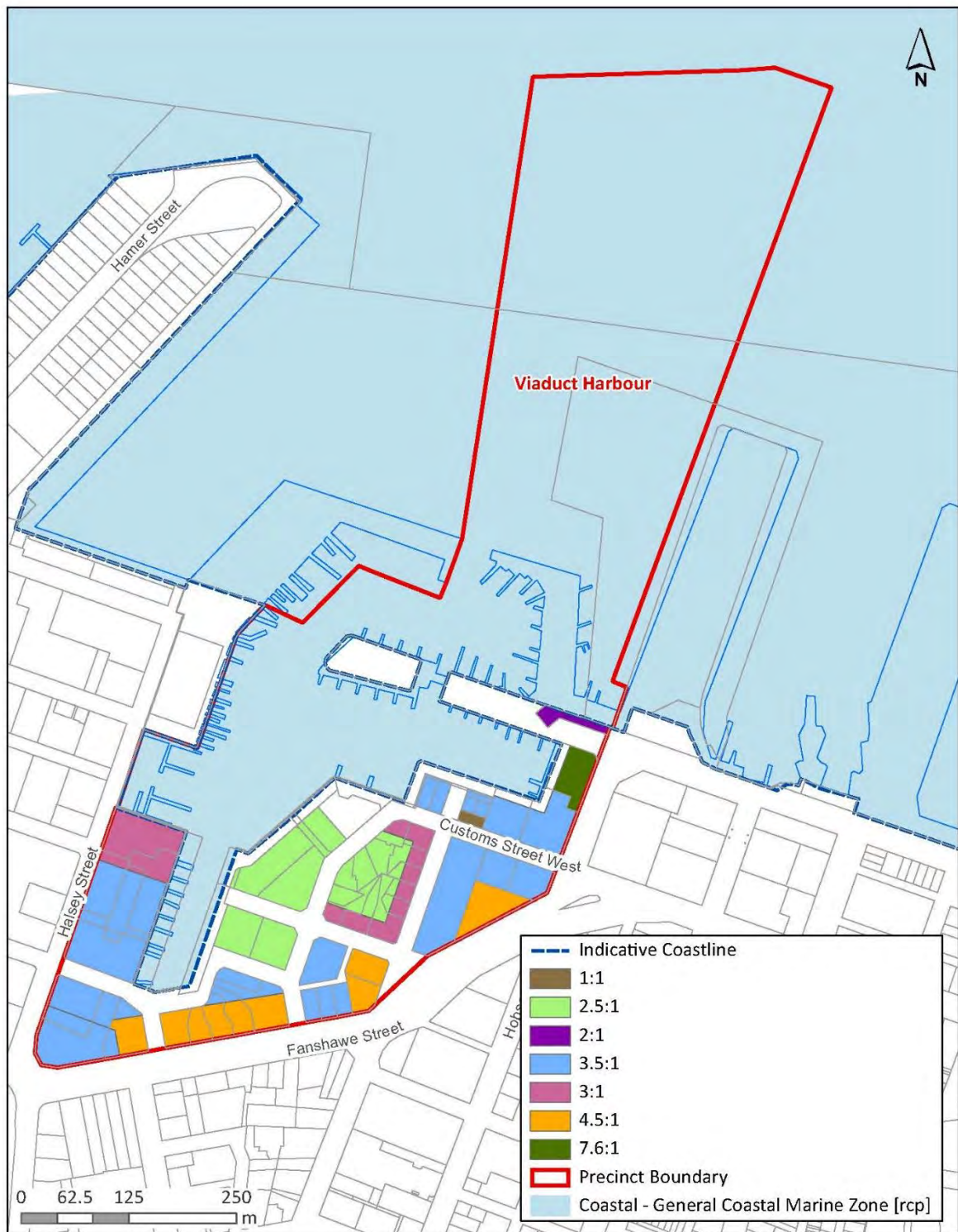




### I211.10.3 Viaduct Harbour: Precinct plan 3 - Building height controls

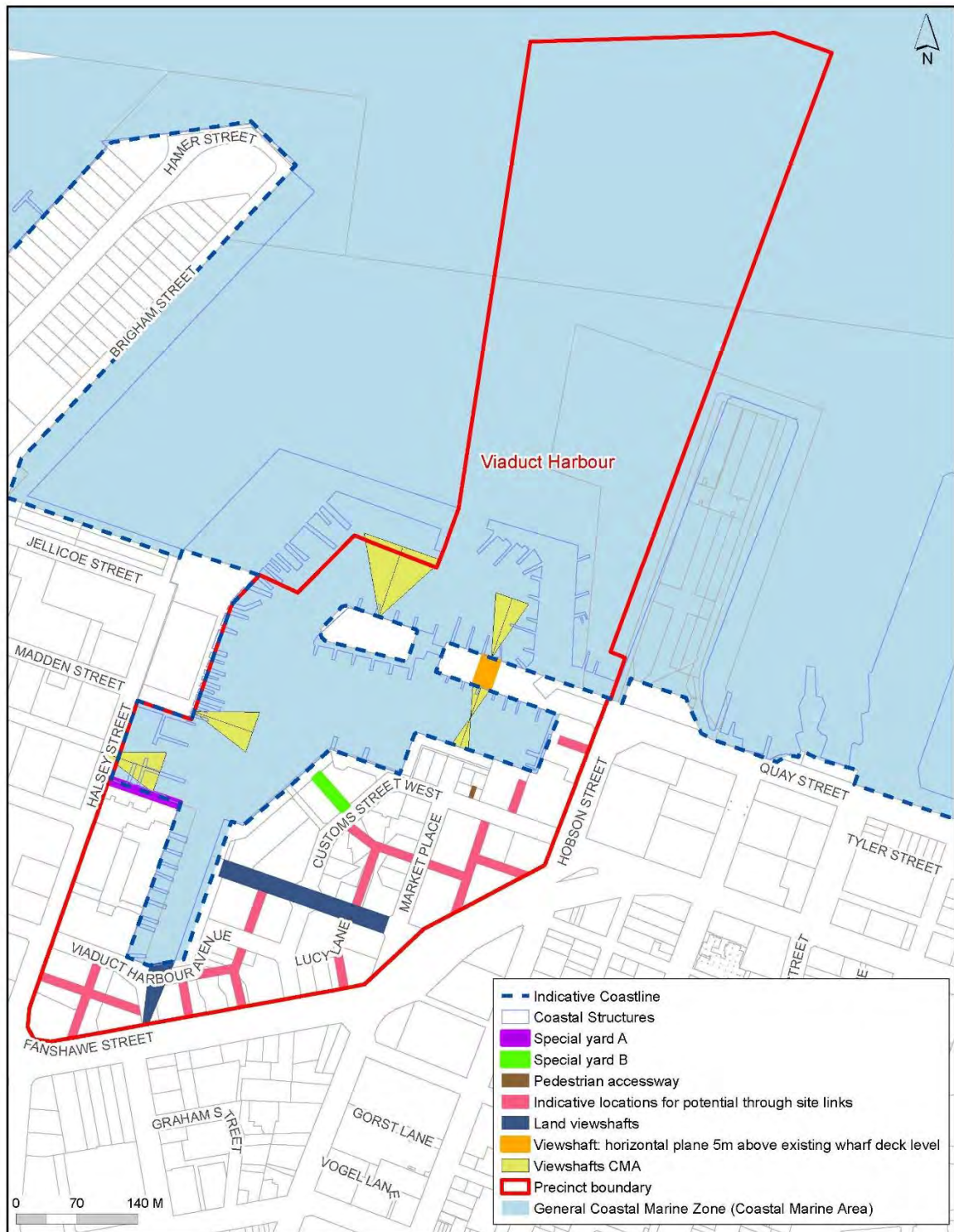


**I211.10.4 Viaduct Harbour: Precinct plan 4 - Site intensity controls**

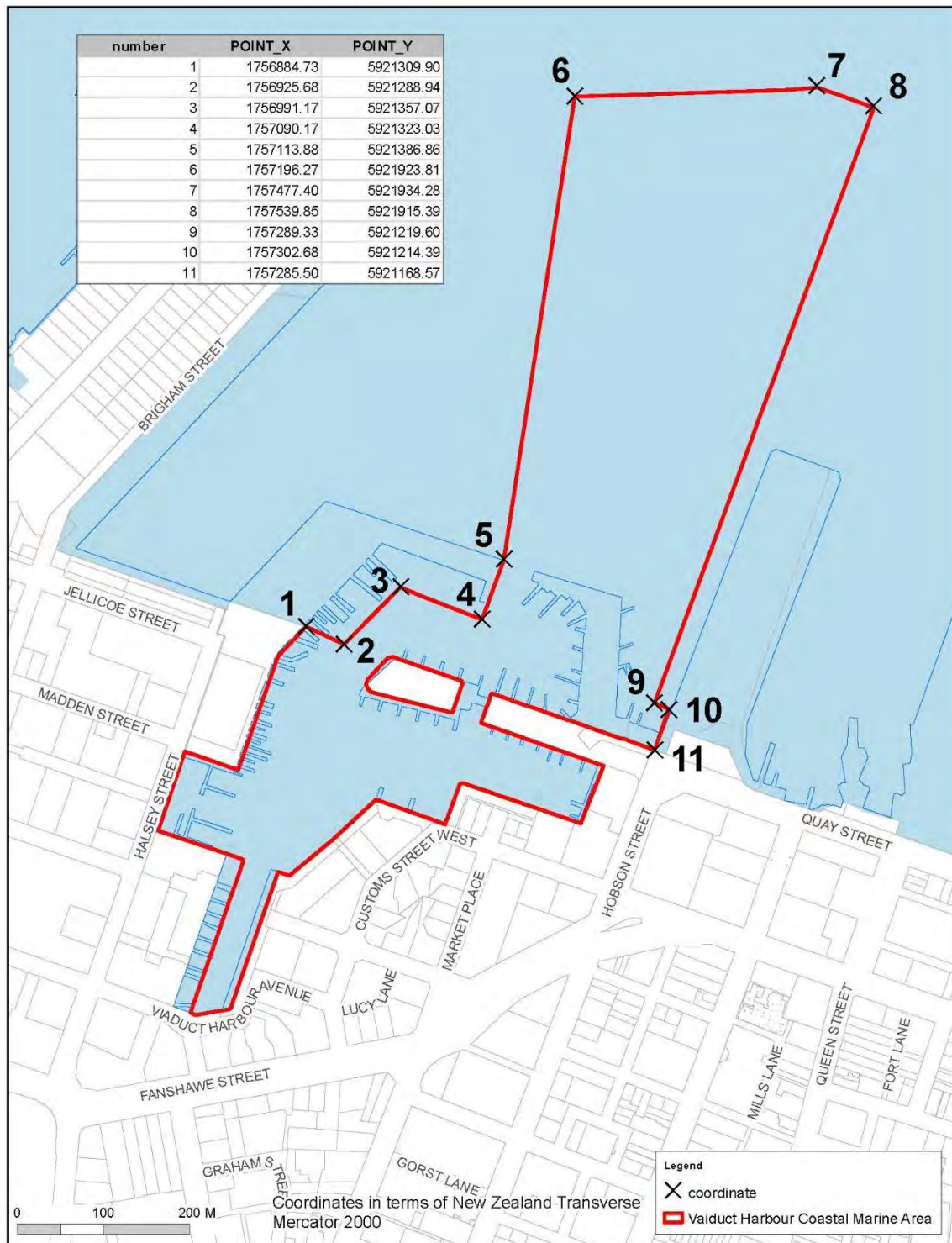




## I211.10.5 Viaduct Harbour: Precinct plan 5 - Pedestrian accessways and viewshafts



**I211.10.6 Viaduct Harbour: Precinct plan 6 - Precinct boundary coordinates in the coastal marine area**



## **I212. Victoria Park Market Precinct**

### **I212.1. Precinct description**

The precinct applies to the Victoria Park Market site which is located between Drake Street and Victoria Street West.

The purpose of the Victoria Park Market Precinct is to maintain the heritage values and the existing distinctive character of the market area.

The scale and form of the former city destructor/market brick buildings and high chimney are primary to the market's character, making it a unique city centre attraction. The area is complemented by the dominant retail and food and beverage activity. The high level of pedestrian activity in the courtyard and at street level should be maintained.

The precinct provides for a mix of other activities where they either occupy an area above the courtyard or do not occupy more than a specified percentage of the courtyard-level floor space. This enables flexibility for development without undermining the site's dominant retail activity. Specific activity provisions also apply to the Drake Street frontage which is an important interface of the precinct with its surrounds.

The precinct provides for existing buildings to be refurbished in a manner complementary to existing historic heritage buildings within the precinct. The precinct also encourages the removal of unsympathetic additions to buildings that detract from the historic heritage and historic special character of the precinct. Any major commercial redevelopment of the western portion of the site that adversely affects heritage qualities is inappropriate.

Specific view shafts are identified on the precinct plans to maintain views from the original cliff line along the Drake Street frontage down to Victoria Park. Additionally, views to the historic brick western wall of the destructor buildings from outside the site are considered important and should be retained.

The land in the Victoria Park Market Precinct is zoned Business – City Centre Zone.

### **I212.2. Objective**

- (1) The special character and overall coherence of the Victoria Park Market Precinct, including its heritage values and pedestrian focus in the courtyard and at street level, and significant view shafts, are maintained and enhanced.

The overlay, Auckland-wide and Business – City Centre Zone objectives apply in this precinct in addition to those specified above.

### **I212.3. Policies**

- (1) Protect and enhance the grouping of scheduled historic heritage places and historic elements and features within the precinct that collectively form a unique special character.
- (2) Enable development within the precinct that maintains and enhances the heritage qualities of its historic heritage places and features and historic character, in particular:

- (a) require development to conform with the form, massing, proportion and detailing of historic heritage places within the precinct; and
- (b) require development to respect the consistent scale of historic heritage places along the Victoria Street and Drake Street frontages.
- (3) Require activities at courtyard and street level to provide pedestrian interest and contribute to the liveliness of street and courtyard level frontages.
- (4) Identify and preserve significant view shafts to Victoria Park and to the historic brick western wall of the destructor buildings from outside the site.
- (5) Encourage built form and public amenity features that enhance public awareness of the former Freeman's Bay shoreline.

The overlay, Auckland-wide and Business – City Centre Zone policies apply in this precinct in addition to those specified above.

#### **I212.4. Activity table**

The provisions in any relevant overlays, zone and the Auckland-wide apply in this precinct unless otherwise specified below.

Table I212.4.1 specifies the activity status of development activities in the Queen Street Precinct pursuant to section 9(3) of the Resource Management Act 1991.

**Table I212.4.1. Activity table**

<b>Activity</b>		<b>Activity status</b>
<b>Development</b>		
(A1)	Minor cosmetic alterations to a building that does not change its external design and appearance	P
(A2)	New buildings, and alterations and additions to buildings not otherwise provided for	RD
(A3)	Buildings or external alterations to buildings within the areas identified as scheduled buildings on Precinct plan 1.	NC
(A4)	Buildings that do not comply with Standards I212.6.1(1)-(6), I212.6.2(1)-(2), I212.6.3(1), I212.6.4(1) or I212.6.5(1)	NC

#### **I212.5. Notification**

- (1) Any application for resource consent for an activity listed in Table I212.4.1 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\(4\)](#).



## I212.6. Standards

The overlay, zone and Auckland-wide standards apply in this precinct unless otherwise specified below.

All permitted and restricted discretionary activities listed in Table I212.4.1 Activity table must comply with the following standards.

### I212.6.1. Activities at courtyard level

Purpose: manage the location of activities to maintain and enhance amenity of courtyards and residential amenity.

- (1) Community facilities and offices must locate at least 3m above courtyard level.
- (2) Dwellings and visitor accommodation fronting Drake Street must locate at least 3m above mean street level using the Drake Street frontage.
- (3) Dwellings and visitor accommodation not fronting Drake Street must locate at least 3m above courtyard level
- (4) The combined gross floor area of community facilities, education facilities, entertainment facilities and commercial services (excluding all related nested activities) must not exceed 25 per cent of the total gross floor area at the courtyard level (excluding the Building Platforms A and B shown on Victoria Park Market Precinct: Precinct plan 1).
- (5) The gross floor area of any individual tenancy for community facilities, education facilities, entertainment facilities and commercial services at courtyard level (excluding all related nested activities) must not exceed 100m<sup>2</sup>.
- (6) In I212.6.1(1)-(5) above, "courtyard level" is defined as mean street level using the Victoria Street frontage.

### I212.6.2. Building height

Purpose: manage the height of buildings to achieve policy 2 of the Victoria Park Market precinct.

- (1) Buildings on platforms A to J shown on Victoria Park Market Precinct: Precinct plan 1 must not exceed the heights set out below:

**Table I212.6.1.1 Building height**

Building platform	Height
A	24m above mean street level
B	16m above mean street level
C	ridge and parapet height not to exceed existing ridge and parapet height of adjacent scheduled building 3
D	ridge and parapet height not to exceed existing ridge and parapet height of adjacent scheduled building 4
E	ridge and parapet height not to exceed existing ridge and

	parapet height of adjacent scheduled building 5
F	Max. RL. 11.36
G	Max. RL. 8.68
H	Max. RL. 9.33
I	Max. RL. 13.18
J	31m above mean street level

Note 1

Datum 0.00 = LINZ (RL in terms of NZVD2016)

- (2) Canopies, verandah and walkway shelters within the courtyard shown on precinct plan 1 must not exceed a height of RL 15.18.

**I212.6.3. Courtyard**

Purpose: manage the location of buildings to maintain the amenity of the courtyard

- (1) Buildings must not locate within the courtyard shown on Victoria Park Market Precinct: Precinct plan 1. This control does not apply to canopies, verandahs and walkway shelters.

**I212.6.4. Adelaide Street Viewshaft**

Purpose: manage the location of buildings to achieve policy 5 of the Victoria Park Market Precinct.

- (1) Buildings must not locate with the Adelaide Street viewshaft shown on Victoria Park Market Precinct: Precinct plan 1 and in Figures 1 and 2 below.

Figure I212.6.4.1 Adelaide Street viewshaft

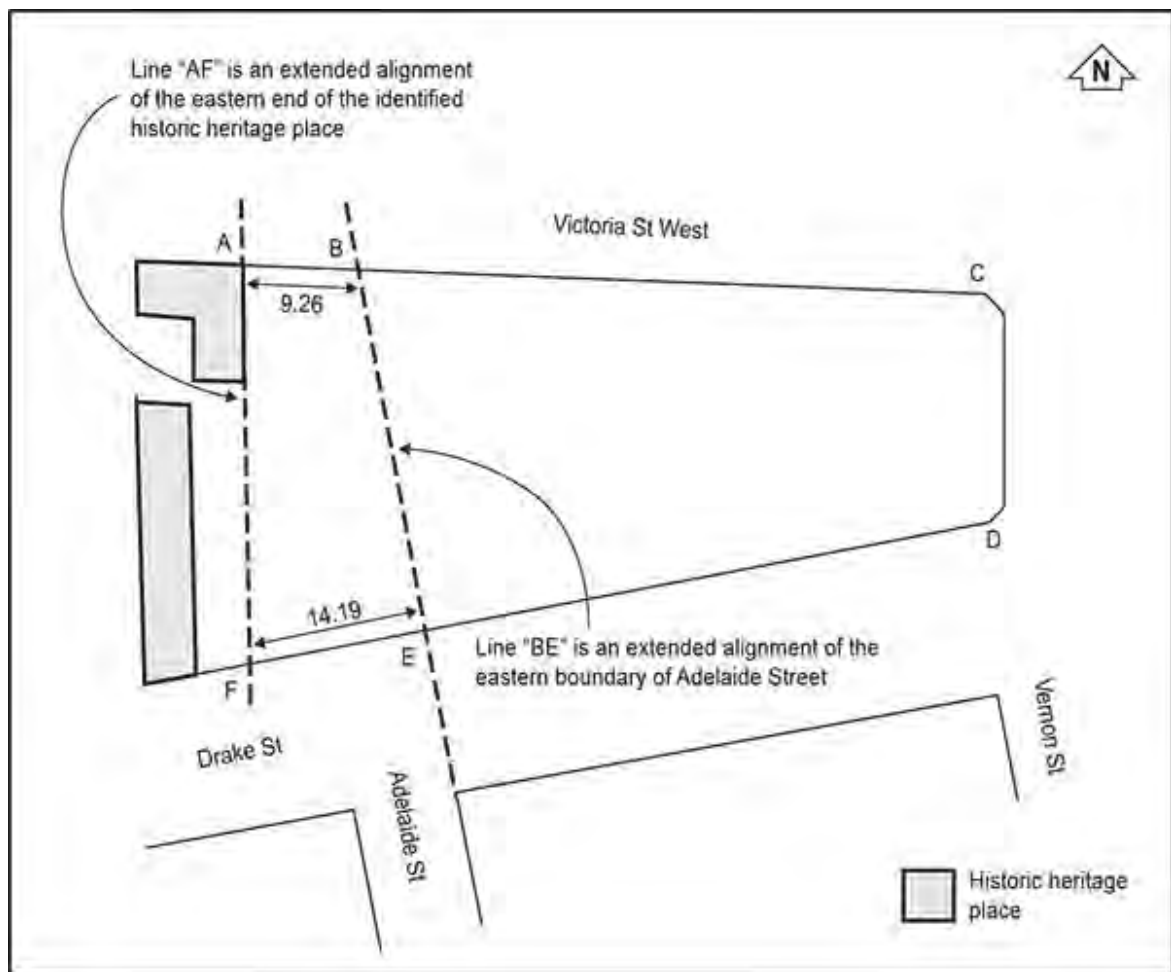
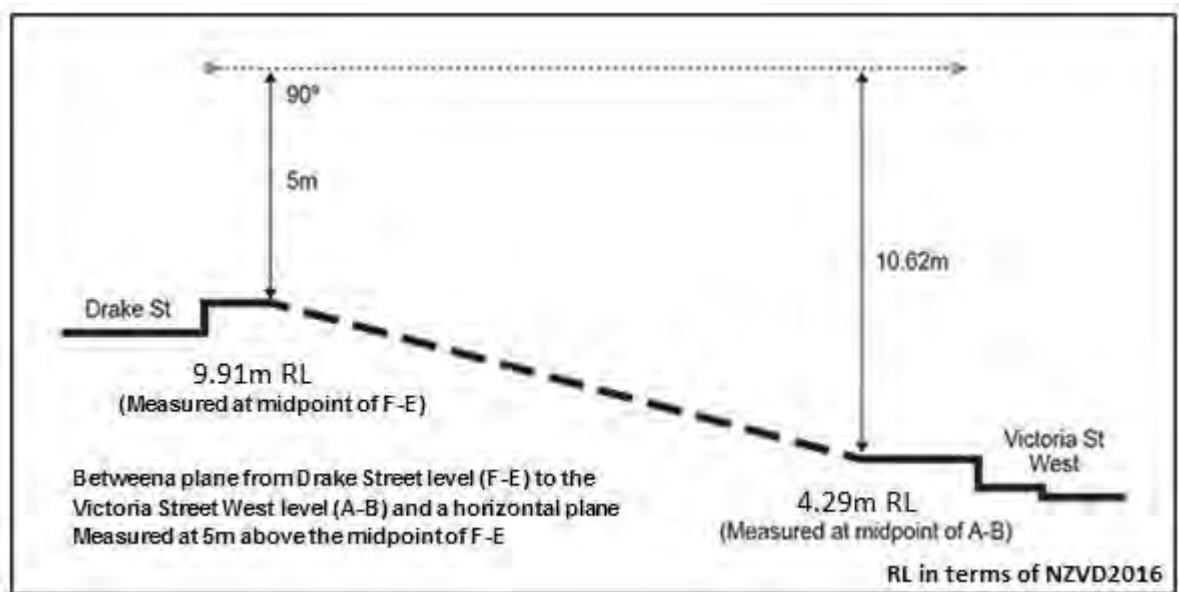


Figure I212.6.4.2 Adelaide Street viewshaft elevation



#### **I212.6.5. Building setback - Building platform 4**

Purpose: manage the location of buildings to maintain and enhance amenity.

- (1) Buildings must be setback 2.5m from building platform D shown on Victoria Park Market Precinct: Precinct plan 1.

#### **I212.7. Assessment – controlled activities**

There are no controlled activities in this precinct.

#### **I212.8. Assessment – restricted discretionary activities**

##### **I212.8.1. Matters of discretion**

The Council will restrict its discretion to all of the following matters when assessing a restricted discretionary activity resource consent application, in addition to the matters specified for the relevant restricted discretionary activities in the overlay, Auckland wide or zone provisions:

- (1) new buildings, and alterations and additions to buildings not otherwise provided for:
  - (a) the effects of development on historic heritage values.

##### **I212.8.2. Assessment criteria**

The Council will consider the relevant assessment criteria below for restricted discretionary activities, in addition to the assessment criteria specified for the relevant restricted discretionary activities in the overlay, Auckland wide or zone provisions:

- (1) new buildings, and alterations and additions to buildings not otherwise provided for:
  - (a) the effects of development on historic heritage values:
    - (i) whether the form, mass, proportion and materials conform to the architectural character and heritage value of the scheduled heritage buildings;
    - (ii) whether any alterations retain the consistency of profile which characterises the Victoria Street and Drake Street frontages. In this respect, the vertical profile of the scheduled heritage buildings are considered particularly sensitive to change;
    - (iii) whether permanent canopies over any part of the courtyard detract from the architectural character and heritage value of the buildings. Whether through the use of height, design and materials, canopies maintain the appearance of openness and light in the courtyard area. In this respect, glazing and translucent materials and/or retention of openings to the sky are potentially important design elements to achieve this;

- (iv) new buildings should not detract from the heritage features of existing buildings within the site, particularly the western brick wall of the destructor building;
- (v) whether the open view to the courtyard from Drake Street as shown on Precinct plan 1 is retained;
- (vi) whether new buildings are designed to read as contemporary structures to maintain a distinction between them and the historic market buildings. They should however, be sympathetic in terms of their scale, form and materials used;
- (vii) the extent to which new buildings are generally separated from the historic buildings. Any connections between the two should be lightweight and only touch the historic buildings lightly;
- (viii) whether historic site elements and features such as basalt cobblestones are retained and protected as far as possible. Where cobblestones are affected by new building works, such as the western courtyard building, whether they can be uplifted and stored for future reinstatement. Any other cobblestones that are uncovered during the course of the work should also be retrieved. The final location of the cobblestones should be determined in the course of discussions between the heritage architect, Heritage New Zealand Pouhere Taonga and the Council;
- (ix) whether existing historic fabric assessed as having significance in the conservation plan is retained and protected wherever possible. This includes brickwork, joinery and internal fabric such as original wall linings, roof trusses and match-lined ceilings;
- (x) particular care should be taken to retain and protect any fabric that dates from the building's original uses as the Auckland City Destructor and works depot. This may include steel columns and beams, pulleys, furnace doors and the like;
- (xi) later fabric deemed not to be significant may be removed after consultation with the heritage architect, Heritage New Zealand Pouhere Taonga and the Council;
- (xii) whether historic fabric is repaired as required. This may include replacement of severely eroded bricks, repointing where mortar has weathered and repairs of cracks and other defects. Whether bricks are carefully selected to match the original bricks and mortar should be lime based to match the original. Whether roofs and gutters are repaired or replaced as necessary, either with like materials or to match the original. Some joinery may also need to be repaired or replaced;
- (xiii) whether repairs to the heritage buildings are carried out under the guidance of a heritage architect;

- (xiv) whether the historic buildings on the Victoria Park Market site are returned to an earlier form where possible. This may involve the reconstruction of missing elements such as windows and doors, the restoration or reinstatement of elements to their original locations and the removal of later accretions such as conservatories or canopies;
- (xv) whether the overhead walkway is cut back in various locations where it currently encroaches on the heritage buildings including the chimney, stables, destructor and generator/powerhouse/battery house complex. This will enable these buildings to be reconstructed or restored to their earlier form;
- (xvi) In general, the historic buildings should not be extended or added to other than the provision of two new levels above the battery building and another bay alongside. Some additional space is proposed to be constructed towards the western end of the western depot building in an area that has previously been extensively modified. The eastern depot is also proposed to be extended over part of its length;
- (xvii) some minor modifications may be required to adapt the heritage buildings for a new use. These include the destructor building, the depot buildings, the stables and generator/powerhouse building. In general, work to adapt these buildings may involve the provision of new openings and the installation of appropriate new doors and windows in the exterior fabric;
- (xviii) whether new joinery is detailed to have a consistency of design and appearance and shall be sympathetic to the character of the historic buildings. For example, the destructor building has steel windows and any new windows shall be fabricated to match. The remaining heritage buildings have timber windows;
- (xix) whether new joinery is designed to "read" as being new so as to maintain the distinction between old and new fabric. Some new joinery will also be required in areas such as the shop fronts in the depot buildings;
- (xx) whether all work to adapt the buildings for their new uses are designed in conjunction with the heritage architect, following consultation with Heritage New Zealand Pouhere Taonga and the Council;
- (xxi) In general, in terms of internal fit-outs tenants should be encouraged to leave original fabric exposed. This includes brick walls, trusses, raking ceilings with match lining and original trim.

- (xxii) it is accepted that some tenants may wish to provide new ceilings and wall linings to create a modern retail environment and that this may involve covering over or concealing significant heritage fabric such as brickwork. Any heritage fabric that is not wanted to be seen should be covered over, rather than be removed;
- (xxiii) whether new linings are sympathetic to the historic buildings and not to detract from their heritage values. For example, modern suspended ceilings with tiles set into exposed rails would not be considered appropriate;
- (xxiv) tenants should avoid damage to heritage fabric when installing new wall and ceiling linings. The later linings should also be able to be removed at some future date without damaging fabric and the spaces returned to their earlier form;
- (xxv) whether reticulation of new services is considered at an early stage to minimise their impact on heritage fabric. The location of all duct work and other services shall be discussed with the heritage architect, the council and Heritage New Zealand Pouhere Taonga and the Council;
- (xxvi) in particular, whether large scale ductwork such as kitchen extracts are run within the building envelope and large ducts should not be run on the outside of buildings. Consideration should be given to routing ductwork through new buildings. Service providers are encouraged to co-ordinate the installation of services to prevent a proliferation of ductwork and cabling;
- (xxvii) the location of air-conditioning services should similarly be carefully considered with the aim of avoiding a proliferation of exposed ductwork and air-conditioning plant on walls and roof areas. The location of such equipment must be discussed at an early stage with the heritage architect, Heritage New Zealand Pouhere Taonga and the Council and the council. Where appropriate, plant may be screened to reduce its impact;
- (xxviii) whether other services such as electrical and data cabling is concealed wherever possible. Television aerials and dishes must be concealed behind parapets and the like;
- (xxix) Any significant new development within the precinct should involve the substantial restoration of scheduled buildings identified on the Precinct plan 1; and
- (xxx) whether any lightweight shelters to the proposed new courtyard buildings are constructed of steel and glass and are designed to avoid visual conflict/obfuscation with existing heritage buildings on the site. All such structures should be designed in consultation with the council;

- (xxxi) where possible, whether development of sites along the original shoreline cliff near the northern edge of Drake Street avoids the destruction of, and should identify and enhance that natural and historic feature.

#### **I212.9. Special information requirements**

There are no special information requirements in this precinct.

#### **I212.10. Precinct plans**



**I212.10.1 Victoria Park Markets Precinct: Precinct plan 1**



## **I214. Wynyard Precinct**

### **I214.1. Precinct description**

The Wynyard Precinct represents the north-western end of the city centre. The land is bound on three sides by the sea and by Fanshawe Street on its southern boundary. It is the largest brownfield area within the city centre. The precinct also includes an area of the coastal marine area to the west and the north. Coordinates for the precinct boundary in the coastal marine area are shown on Precinct plan 11.

The purpose of the Wynyard Precinct is to provide for the comprehensive and integrated redevelopment of this large brownfields area while enabling the continued operation of marine industry and hazardous industry.

Wynyard Precinct is an evolving environment characterised by a mix of activities and development including:

- high-quality open space areas, restaurants, offices and cafés fronting Jellicoe Street and North Wharf;
- office activity fronting Fanshawe Street;
- a marine focus along the western edge; and
- a bulk liquids storage industrial activity focus within the northern finger of the precinct.

Marine-related activities, including marine services, ship repairs, fish processing, berthage and marine-related events, will continue to play an important economic and social role for the area.

Existing built form includes a collection of special character buildings, marine and industrial structures, and features that provide a background context to the area's stages of development. Collectively, these elements create an overall industrial aesthetic of structures and buildings, with robust materials and simple details.

To retain the existing character of the area, a design-based approach has been implemented, with all building development and redevelopment requiring assessment.

Although hazardous industry is likely to relocate progressively from the area, risk must still be managed in the transition period, particularly within the northern part of Wynyard Precinct.

Redevelopment of this area should have regard to the existing and planned infrastructure connections that are adjacent to or pass through the precinct, for example, the Additional Waitemata Harbour Crossing.

The zoning in the Wynyard Precinct is Business – City Centre Zone and Coastal – General Coastal Marine Zone.

### **I214.2. Objectives [rcp/dp]**

#### *Social and economic*

- (1) Wynyard precinct is redeveloped while managing potential conflicts between different uses to achieve:

- (a) a high-quality visitor destination which showcases the City's diverse communities and the importance of the harbour;
- (b) maintenance and enhancement of the regionally significant economic function of the marine, fishing and other industries and maritime passenger operations to the Hauraki Gulf islands;
- (c) a vibrant community with a mix of activities and experiences for all people including a community focal point, high quality public open space and community facilities;
- (d) public open space on the waterfront, and an area for events and entertainment activity for the social and economic benefit of the wider Auckland Region;
- (e) access to and along the coast and enjoyment of the coastal environment with a network of open space while recognising the need to manage access with competing commercial activities; and
- (f) the maintenance and where practicable enhancement of navigation and berthage within the Wynyard Precinct coastal marine area for a wide range of recreational and commercial vessels, including maritime passenger transport and fishing industry operations, excluding in areas subject to potential risk and public safety effects.

*Built form*

- (2) An integrated urban environment is created which:
  - (a) exhibits high-quality and diverse built form and urban design which reflects the marine attributes of the precinct;
  - (b) has appropriate building heights that enhance its prominent waterfront location and which complements the central area and wider city landforms, skyline and views; and
  - (c) avoids, remedies or mitigates adverse effects on existing infrastructure.
- (3) Individual buildings or collections of buildings are designed to achieve an appropriate form and scale in relation to:
  - (a) existing and proposed public open spaces; and
  - (b) identified view shafts.

*Special character*

- (4) Identified special character buildings are protected and enhanced and the unique character within Wynyard precinct, which is reflective of its maritime and industrial history, is retained.

(5) *Public open space*

- (6) A significant area of waterfront public park space is provided for the benefit of the Auckland Region with a complementary hierarchy of interconnected, high quality, public open space for current and future residential and commercial occupants and visitors.

*Risk and public safety*

- (7) Adverse environmental effects and risks presented by hazardous or dangerous activities or facilities within the precinct are avoided or mitigated.

*Remediation*

- (8) The adverse effects of contamination are minimised through comprehensive management of contaminated sites and materials.

*Reverse sensitivity and amenity*

- (9) Conflicts between different uses are managed to ensure the efficient operation of marine industry and fishing industry, other industry and regionally significant transport infrastructure while enabling the marine events centre and public spaces to be used for a range of public events.

*Pedestrian access, street quality and safety*

- (10) A safe, convenient and interesting environment, which optimises pedestrian and cycling use and improves connectivity within the precinct and to adjacent areas of the City.

*Transport*

- (11) The safety and capacity of the transport network is maintained and, where appropriate, enhanced.

*Integrated development*

- (12) The development of buildings and activities and the provision of infrastructure in a comprehensive and integrated manner which achieves high quality urban design outcomes and which avoids, remedies or mitigates adverse effects on existing and planned infrastructure.

The overlay, Auckland-wide and zone objectives apply in this precinct in addition to those specified above.

**I214.3. Policies [rcp/dp]**

*Built form*

- (1) Encourage the location, bulk, outlook, access to, and servicing of buildings to be planned and designed on a comprehensive and integrated basis rather than on an ad hoc individual building basis.
- (2) Encourage the integration of built form with the existing and proposed public open space network on a comprehensive land area basis, rather than a site by site

basis, to create a sound framework for a well-designed and high-quality environment.

- (3) Ensure that maximum building height:
  - (a) is appropriate in scale to the street network and the prominent waterfront location;
  - (b) provides a transition between the core of the precinct and the coastal edge with site-specific opportunities for taller buildings located and designed to reinforce key public open space and waterfront connections while avoiding intrusion of public views into and through Wynyard Precinct;
  - (c) complements development in the Viaduct Harbour Precinct; and
  - (d) provides a transition in height between the core central business district and the harbour.
- (4) Identify and protect public view shafts from open space across, within, and to Wynyard precinct to reinforce connections with the central area, harbour, and wider Auckland.
- (5) Promote excellence and diversity in architecture and urban design that enhances the relationship of buildings with public open space, and reflects the coastal, topographical, and historical qualities of the precinct.

*Special character*

- (6) Recognise the contribution that identified special character buildings make to the marine, fishing, and industrial heritage aesthetic within the precinct.
- (7) Encourage the retention and re-use of identified special character buildings, features, structures and elements within the precinct.
- (8) Encourage developments adjoining or adjacent to identified special character buildings to respond sympathetically to the historic context by reference to characteristics such as form, scale, materials and setbacks.
- (9) Encourage development and design that is reflective of the precinct's maritime location.
- (10) Promote and encourage the important role the marine and fishing industries play in defining the character and amenity of the precinct.

*Social and economic*

- (11) Enabling a diverse range of activities, high quality visitor experiences, entertainment, events and development to occur, while recognising and maintaining the economic importance of the marine and fishing industry, the bulk liquid industry and Hauraki Gulf Islands maritime passenger operations to the Auckland Region.

- (12) Recognise the significant local and regional socio-economic benefits associated with providing high-quality waterfront public open space and events activity while also providing for the operational and access requirements of the marine and fishing industries, other industrial activities and maritime passenger operations.
- (13) Ensure that sufficient and suitably located land, wharf, waterspace and appropriate, convenient and adequate navigation and berthing facilities are provided to accommodate the current and future operation and growth of the marine and fishing industries and maritime passenger operations, including Sub-precinct C, North Wharf, the southern face of the Western Viaduct Wharf and the western face of the Halsey Street Extension Wharf together with the adjacent waterspace for use primarily by the fishing industry.
- (14) Encourage activities and built form which contribute to the maintenance of pedestrian interest and vitality at ground level at Jellicoe Harbour to foster a vibrant community focal point.
- (15) Establish and maintain a network of coastal edge, public open space and public access along waterfront areas, linking the precinct to the wider central area while also providing the operational and access requirements of the marine and fishing industries, other industrial activities and maritime passenger operations.

*Public open space*

- (16) Establish a framework which supports the development of key interconnected public open space across the precinct, including:
  - (a) a high-quality waterfront park of regional significance, including the potential for a high quality public building;
  - (b) a network of coastal edge promenades and pedestrian accessways enabling access to and along the coast comprising a minimum width of 20 metres, with the exception of Sub-precinct C;
  - (c) a high-quality linear park linking Victoria Park to the waterfront park;
  - (d) High quality areas of public open space for the public, residents, workers and local occupants designed to enliven the urban core of the precinct, including a significant park space within Sub-precinct B; and
  - (e) a network of small pocket parks, linking spaces and plazas.
- (17) Encourage the use of the precinct's internal street network to function as part of the public open space network, and provide for the creation of internal canals, ponds and plazas.

*Pedestrian access, street quality and safety*

- (18) Encourage the construction of a bridge for pedestrians, cyclists and local public transport connecting the Eastern Viaduct with Jellicoe Street to improve public connectivity between Wynyard precinct and the city centre.

- (19) Facilitate the reconnection of Daldy Street between Pakenham Street and Madden Street to provide a physical north-south connection through Wynyard precinct and enable the establishment of activities with greater people-or traffic-generation potential.
- (20) Provide mechanisms to manage and, in some cases temporarily restrict, public access to and along some parts of the water's edge to enable marine and fishing industry, maritime passenger operations and events to operate.
- (21) Encourage an integrated network of streets and lanes to increase pedestrian permeability and accessibility through the precinct.
- (22) Encourage a high level of pedestrian amenity along identified existing and future routes, including Te Wero Bridge, which reinforces the ease, comfort and safety of the pedestrian environment.
- (23) Enhance the connection between Wynyard precinct and adjoining areas through the provision of additional pedestrian linkages across Fanshawe Street.
- (24) Discouraging parking within buildings visible from existing and proposed public open space.
- (25) Require planning and development of transport and road changes within and on the fringe of the precinct, including Fanshawe Street, to consider any effects on or contribution to the amenity of the precinct and adjacent areas.

*Risk and public safety*

- (26) Require new activities, buildings and works to be designed, located, and managed to avoid unacceptable levels of risk.
- (27) Require new hazardous industry or changes to existing hazardous industry to be designed, located and managed to avoid levels of risk which are incompatible with existing sensitive activities.
- (28) Require new industry or changes to existing industry at existing or future public interfaces to implement management measures to avoid, remedy or mitigate existing or potential adverse public safety effects.

*Reverse sensitivity and amenity*

- (29) Provide for the continued efficient operation of existing and future marine, fishing and other industries, including maritime passenger operations.
- (30) Manage establishing permanent or temporary accommodation within or directly adjacent to areas identified for marine or fishing operations or events, or on sites subject to potentially unacceptable levels of risk associated with existing hazardous industry.

- (31) Require new development, or changes to existing marine, fishing and other industries, to protect and enhance amenity values of specified existing and future public interfaces.

*Remediation*

- (32) Encourage remediation, including clean-up and mitigation methods, to be addressed on a comprehensive basis.
- (33) Encourage remediation of contaminated land to include consideration of future activity and prospective site topography and likely pathways to the contaminant.

*Transport*

- (34) Constrain and manage private vehicle travel in and out of Wynyard Precinct, particularly during peak travel periods.
- (35) Encourage walking, cycling and the provision of passenger transport services and facilities compatible with the character and amenity of the area.
- (36) Enable the improvement of public connectivity between Wynyard Precinct and the city centre for pedestrians, cyclists and public transport.
- (37) Maintain and enhance maritime passenger transport operations by providing adequate vehicular, pedestrian and public transport access to ferry terminal facilities.
- (38) Protect the safe and efficient operation of Fanshawe Street as a key arterial route connecting the central city area with wider Auckland and an important element of Auckland's frequent and rapid transit network.

*Integrated development*

- (39) Use integrated assessment for future development that has regard to:
  - (a) land ownership;
  - (b) character;
  - (c) activities;
  - (d) existing and proposed street pattern; and
  - (e) existing and planned infrastructure.
- (40) Encourage built form, activities, public open spaces and infrastructure to be planned and designed on a comprehensive land area basis, rather than on an individual site basis.

The overlay, Auckland-wide and zone policies apply in this precinct in addition to those specified above



#### **I214.4. Activity table**

Table I214.4.1 and I214.4.2 specifies the activity status for land use and development activities pursuant to section 9(3) of the Resource Management Act 1991 and the activity status for works, occupation and use in the coastal marine area pursuant to sections 12(1), 12(2) and 12(3) of the Resource Management Act 1991, including any associated discharges of contaminants or water into water pursuant to section 15 of the Resource Management Act 1991, or any combination of all of the above sections where relevant.

- (1) The activities on land in the precinct are as specified in the table below and are also subject to compliance with Precinct plan 7.
- (2) The activities in the Coastal – General Coastal Marine Zone and Business – City Centre Zone apply in the Wynyard Precinct unless otherwise specified in the activity table below.
- (3) Activities marked # in the activity table are deemed to be risk-sensitive activities and are subject to additional assessment.
- (4) Within Sub-precinct F and Area 1 and Area 3 shown on Precinct plan 10, the activity status of activities marked \* in the activity table applies until the date when all hazardous industry located within Sub-precinct F discontinue operation. After that time, those activities are permitted unless an alternative activity status not marked \* is shown.
- (5) The requirements in [E40 Temporary activities](#) apply to:
  - (a) all temporary activities within Sub-precincts A, B, C (south of Area 3 as shown on Precinct plan 10), G, Halsey Street Extension Wharf and Western Viaduct Wharf;
  - (b) all sports events provided that the event only passes through, and is not based in, sub-precincts D, E, F or areas 1, 3, 4, 5, and 6 as shown on Precinct Plan 10: Risk areas, and the event does not involve motor racing; and
  - (c) all temporary activities occurring within Sub-precincts D, E, F and areas 1, 3, 4, 5, and 6 as shown on Precinct plan 10: Risk areas, except an event.
- (6) Events located within sub-precincts D, E and F and areas 1, 3, 4, 5, and 6 as identified on Precinct plan 10, will be subject to the requirements set out in Wynyard Precinct. From the date on which all hazardous industry located within Sub-precinct F and Area D discontinue operations, the requirements set out in [E40 Temporary activities](#) apply to events within Sub-precinct F and areas 1, 3, 4, 5, and 6 as identified on Precinct plan 10 - Risk areas.

### **Resource Management (National Environmental Standards for Freshwater) Regulations 2020**

The Resource Management (National Environmental Standards for Freshwater) Regulations 2020 ('Freshwater NES') came into force on 3 September 2020. Currently, there may be duplication or conflict between specific plan rules and the Freshwater NES.

The Resource Management (National Environmental Standards for Freshwater) Regulations 2020 apply to any part of the coastal marine area that is upstream from the mouth of a river.

If an activity provided for in rules I214.4.1 to I214.9, including any associated matters of discretion, is also regulated by the Freshwater NES, where there is conflict then the most restrictive provision will prevail.

If the Freshwater NES regulations do not apply to an activity, then the plan rules apply.

Duplication or conflict between plan rules and the Freshwater NES will be addressed in the plan as soon as practicable.

**Table I214.4.1. Activity table – Land use**

Activity		Sub-precinct A and Sub-precinct B	Sub-precinct C	Sub-precinct D	Sub-precinct E and Sub-precinct G	Sub-precinct F	Coastal marine area [rcpl]
(A1)	Dwellings or visitor accommodation #	P	NC	RD*	RD*	NC*	NA
(A2)	Dwellings in the areas identified on Precinct plan 7, as being subject to a no-complaint covenant where no such covenant has been entered into #	Sub-precinct A NA Sub-precinct B D	D	D	D	NC* D	NA
(A3)	Workers accommodation #	P	Areas 1 and 3 - RD*  South of Area 3 - P	RD*	RD*	RD*	Areas 4 – 6 RD*  Outside of Areas 4 - 6 P
(A4)	Offices accessory to marine and port activities and marine retail located on another site within Sub-precinct C or on land fronting Beaumont Street identified on Precinct plan 7, as 'areas where ground level activity is limited to	NA	C	C	C	NA	NA

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	marine and port industry and marine retail only' #						
(A5)	Artworks	P	P	P	P	P	P
(A6)	Community facilities #	P	NC	RD*	RD*	NC*	NC* D
(A7)	Education facilities #	P	NC	RD*	RD*	NC*	NC* D
(A8)	Entertainment facilities, except within lawfully established buildings on Halsey Street extension wharf #	P	NC	RD*	RD*	NC*	NC* D
(A9)	Entertainment facilities, food and beverage up to 100m2 gross floor area and ancillary office activities on the Halsey Street extension wharf within lawfully established buildings	NA	NA	NA	NA	NA	P
(A10)	An event and associated buildings and structures that: i. attracts no more than 1000 people at any one time; and ii. occupies a venue for a maximum cumulative duration of not more than 5 days inclusive of the time required for the establishment and removal of structures	NA	Areas 1 and 3 - P  South of Area 3 - NA	P	P	NC	Area 5 - NC  Area 6 - P  Area 4 - RD  Outside of Areas 4, 5 and 6 – NA
(A11)	An event and associated buildings and structures that: i. attracts no more than 1000 people at any one time; and ii. occupies a venue for a maximum cumulative duration of more than 5 days but not more than 21 days inclusive of the time required for the establishment and removal of structures	NA	Areas 1 and 3 - C  South of Area 3 - NA	C	C	NC	Area 5 - NC  Area 4 - RD  Area 6 - C  Outside of Areas 4, 5 and 6 - NA
(A12)	An event and associated buildings and structures that either: i. attracts more than 1000 people at any one time; or ii. occupies a venue for a maximum cumulative duration of more than 21 days inclusive of the time required for the establishment and removal of structures	NA	Areas 1 and 3 - RD  South of Area 3 - NA	RD	RD	NC	Area 5 - NC  Areas 4 and 6 - RD  Outside of Areas 4, 5 and 6 - NA
(A13)	A major marine event up to 60	NA	NA	NA	NA	NA	P –

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	consecutive days						Halsey St extension wharf and the Western Viaduct wharf
(A14)	Food and beverage up to 100m <sup>2</sup> gross floor area per site #	P	Areas 1 and 3 - RD*  South of Area 3 - P	RD*	RD*	NC*	Area 5 – NC* - D  Outside of Area 5 - D
(A15)	Food and beverage greater than 100m <sup>2</sup> gross floor area per site #	P	D	RD*	RD*	NC*	Area 5 – NC* - D  Outside of Area 5 - D
(A16)	Industrial activities	D	D	D	D	D	D
(A17)	Information facilities	P	P	P	P	NC*	NC*
(A18)	Marine retail #	P	Areas 1 and 3 - RD*  South of Area 3 - P	RD*	RD*	RD*	NC
(A19)	Marine and port activities	RD	C	RD	RD	RD	P
(A20)	Maritime passenger operations #	P	Areas 1 and 3 - RD*  South of Area 3 - P	RD*	RD*	NC*	Area 5 - NC* P  Outside of Area 5 - P
(A21)	Offices located within the area identified on Precinct plan 7	P	NA	NA	NA	NA	NA
(A22)	Offices located outside of the area identified for offices on Precinct plan 7 #	P	NC	RD*	RD*	NC*	NC
(A23)	Office activity that exceeds the maximum office activity gross floor area in I214.6.2(1) below, subject to compliance with the maximum office activity gross floor area in I214.6.2(2) below #	RD	NC	RD	RD	RD	NA
(A24)	Private use of coastal access areas either vested in the council or areas over which council has a covenant for public access	NA	RD	RD	RD	RD	NA
(A25)	Public amenities, excluding Wynyard Wharf #	P	P	P	P	NC*	P
(A26)	Public amenities on Wynyard Wharf #	NA	NA	NA	NA	NA	NC*

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(A27)	Drive-through facilities on sites fronting onto Fanshawe Street	D	NA	NA	NA	NA	NA
(A28)	Retail, excluding marine retail, up to 1000m <sup>2</sup> gross floor area per retail tenancy or shop #	P	NC	RD*	RD*	NC*	NC
(A29)	Retail, excluding marine retail, greater than 1000m <sup>2</sup> but not greater than 5000m <sup>2</sup> per retail tenancy or shop #	RD	NC	RD*	RD*	NC*	NC
(A30)	Retail, excluding marine retail, greater than 5000m <sup>2</sup> per retail tenancy or shop #	D	NC	D*	D*	NC*	NC
(A31)	Commercial services #	P	NC	RD*	RD*	NC*	NC
(A32)	Short term car parking (non-accessory)	D	NC	D	D	D	NA
(A33)	Short term parking (accessory) on coastal marine area structures	NA	NA	NA	NA	NA	P
(A34)	Offices, offices accessory to marine retail and marine and port activities, maritime passenger operations, marine retail, retail, food and beverage, entertainment facilities and education facilities greater than 100m <sup>2</sup> gross floor area per site	RD	RD	RD	RD	NC* RD	RD
(A35)	Any activity not listed as a permitted, controlled, restricted discretionary or non-complying activity which has a functional need to locate in the coastal marine area	NA	NA	NA	NA	NA	D

**Table I214.4.2. Activity table – development**

Activity		Land	Coastal marine area [rcp]
<b>Works in the coastal marine area</b>			
(A36)	Reclamation	NA	D
(A37)	Declamation	RD	RD
(A38)	Maintenance dredging	NA	RD
(A39)	Capital works dredging	NA	RD
<b>Buildings and structures including construction in the coastal marine area and occupation of the common marine and coastal area</b>			
(A40)	Marine and port accessory structures and services	P	P
(A41)	Marine and port facilities	RD	RD
(A42)	Maintenance, repair or reconstruction of lawful marine and port facilities	P	P
(A43)	Demolition or removal of marine and port facilities	P	P
(A44)	Structures below the surface of the foreshore and seabed	NA	P
(A45)	Construction of a bridge across the Viaduct Harbour, linking the Eastern Viaduct to Jellicoe Street	RD	RD

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(A46)	Conversion of a buildings or part of buildings to dwellings or visitor accommodation	RD	NC
(A47)	Demolition or removal of any buildings or coastal marine area structures	C	P
(A48)	Substantial demolition or any demolition of the front facade of a special character building within the Wynyard precinct identified on Business – City Centre Zone – Map <a href="#">H8.11.1</a>	RD	RD
(A49)	Coastal marine area structures and buildings, and alterations and additions to coastal marine area structures and buildings	NA	RD
(A50)	Minor cosmetic alterations to a building that does not change its external design and appearance	P	NA
(A51)	New buildings, and alterations and additions to buildings (not otherwise provided for as a permitted activity)	RD	NA
(A52)	Roads or lanes	RD	NA
(A53)	Subdivision	RD	NA
(A54)	[Deleted]		
(A55)	Development that does not comply with Standard I214.6.1(1) Parking ratios	NC	NC
(A56)	Development that does not comply with Standard I214.6.2(2) Maximum office gross floor area	NC	NC
(A57)	Development that does not comply with Standard I214.6.3(1)-(3) Calculating maximum office gross floor area	NC	NC
(A58)	Development that does not comply with I214.6.7(1) Maximum site intensity	NC	NC
(A59)	[Deleted]		
(A60)	A lane that does not meet the requirements of I214.6.12(5) Lanes and view shafts	NC	NC
(A61)	Development that does not comply with I214.6.6. Building height	D	D

### I214.5. Notification

(1) Any application for resource consent for a controlled and restricted discretionary risk-sensitive activity marked with a # in Table I214.4.1. Activity table – Land use will be considered without public notification, except that limited notification may be undertaken to the parties listed for the risk sensitive activities below:

- (a) for dwellings or visitor accommodation within Area 1 or Area 3 shown on Precinct plan 10, notice of an application will not be served on any person or party other than any hazardous industry owner or operator within Sub-precinct F who has not provided written approval;
- (b) for dwellings or visitor accommodation within Area 2 shown on Precinct plan 10, notice of an application will not be served on any person or party other

than any fish processing plant owner or operator located within Sub-precinct E who has not provided written approval;

- (c) for events within sub-precincts D and E or Area 1, 2, 3, 4, 5 and 6 shown on Precinct plan 10, notice of an application will not be served on any person or party other than any hazardous industry owner or operator within Sub-precinct F or fish processing plant owner or operator within Sub-precinct E who has not provided written approval.
- (2) Notwithstanding the requirements of I214.5(1)(a) and (b) above, notice of an application need not be served on hazardous industry owners or operators if it can be clearly demonstrated that the land area subject to the application falls outside the hazardous industry toxic injury risk contour caused by the particular hazardous industry owner or operator within Sub-precinct F.
- (3) Any application for resource consent for a restricted discretionary activity to exceed the maximum office activity gross floor area requirement in Standard I214.6.2(1), and which complies with Standard I214.6.2(2) below, will be considered without public notification or served on any person or party other than the freehold land owner of the subject land and the relevant national and regional statutory roading agency or authority.
- (4) An application for resource consent for a controlled activity listed in Table I214.4.1. Activity table – Land use and Table I214.4.2. Activity table – development above and which is not listed in I214.5(1)-(3) 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.
- (5) New buildings, and alterations and additions to buildings provided for as a restricted discretionary activity 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.
- (6) Any application for resource consent for an activity listed in Table I214.4.1. Activity table – Land use and Table I214.4.2. Activity table – development and which is not listed in I214.5(1)-(5) will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.
- (7) 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\(4\)](#).

#### **I214.6. Standards**

All permitted, controlled and restricted discretionary activities listed in Table I214.4.1 and Table I214.4.2 must comply with the following standards.

The land and water use standards in the Coastal – General Coastal Marine Zone apply to the coastal marine area in the Wynyard Precinct.

The following standards in the Business – City Centre Zone apply to land in the Wynyard Precinct:

- [H8.6.26](#) Verandahs;
- [H8.6.28](#) Wind;
- [H8.6.29](#) Glare;
- [H8.6.32](#) Outlook space; and
- [H8.6.25](#) Building frontage alignment and height except as specified in I214.6.8 below

All other standards that apply to land in the precinct are specified below.

#### **I214.6.1. Parking**

Purpose: To maintain or enhance both the safety and capacity of the internal and wider road network and to significantly reduce single occupancy vehicle commuter trips to and from the Wynyard precinct.

(1) Parking ratios:

- (a) the number of parking spaces on a site on land within the precinct must not exceed the rates specified in Table I214.6.1.1:

**Table I214.6.1.1 Parking ratios**

<b>Activity</b>	<b>Maximum parking ratio</b>
Offices	1 space per 150m <sup>2</sup> of gross floor area
Retail	1 space per 150m <sup>2</sup> of gross floor area
Visitor accommodation	1 space per 200m <sup>2</sup> of gross floor area
Dwellings - excluding gross floor area of servicing and common areas within buildings	1 space per 80m <sup>2</sup> of gross floor area
All other listed activities	1 space per 105m <sup>2</sup> of gross floor area

- (i) on Wynyard wharf, parking accessory to marine and port activities operating from buildings on the wharf must not exceed a ratio of one space per 105m<sup>2</sup> of gross floor area of the building;
- (ii) the combined number of parking spaces on Halsey Street Extension and Western Viaduct wharves must not exceed 50.

#### **I214.6.2. Maximum office gross floor area**

Purpose: To limit office activity, because of its potential to generate traffic during morning and evening peak travel times and particularly in the direction of peak traffic flow.



- (1) The amount of office gross floor area allowed on a site must not exceed the rates specified in Table I214.6.2.1:

**Table I214.6.2.1. Maximum office gross floor area 1**

Sub-precinct	Maximum permitted office gross floor area per sub-precinct	Maximum permitted office activity ratio per site
A	98,000m <sup>2</sup>	Lot 1 DP 179403 0:1 Lots 2-10 DP9097, Lot 1 DP197609, Lot 2 DP360738, Lot 3 DP8709 and Part Blk V Deeds Plan 226 - 3:1 All other sites - 3.62:1
B	69,300m <sup>2</sup>	2.48:1
C	5000m <sup>2</sup>	Only on Lot 28 DP133386 - 0.41:1
D	34,000m <sup>2</sup>	0.94:1
E	35,000m <sup>2</sup>	1.02:1
F	13,000m <sup>2</sup>	0.86:1
G	0m <sup>2</sup>	0

- (2) It is a restricted discretionary activity to exceed the maximum office gross floor area rates specified in I214.6.2(1), provided the amount of office gross floor area on a site does not exceed the rates specified in Table I214.6.2.2:

**Table I214.6.2.2. Maximum office gross floor area 2**

Sub-precinct	Maximum additional office gross floor area	Maximum restricted discretionary office activity ratio per site	Total office gross floor area - permitted + restricted discretionary
A	12,000m <sup>2</sup>	Only on Lot 1 DP179403 - 3:1	110,000m <sup>2</sup>
B	14,700m <sup>2</sup>	3:1	84,000m <sup>2</sup>
D	14,000m <sup>2</sup>	1.32:1	48,000m <sup>2</sup>
E	8500m <sup>2</sup>	1.27:1	43,500m <sup>2</sup>
F	5000m <sup>2</sup>	1.18:1	18,000m <sup>2</sup>

### I214.6.3. Calculating maximum office gross floor area

Purpose: To provide a methodology for calculating office gross floor area which meets the purpose of I214.6.2 Maximum office gross floor area above.

- (1) When calculating or allocating office activity in accordance with I214.6.2 above:

- (a) the maximum permitted office activity ratio and restricted discretionary office activity ratio is to be applied to the site area excluding any area of land shown on Precinct plan 6, as 'public open space inclusive of land subject to public access easement', but including any land shown as 'indicative lane'.
- (2) Office activity may be transferred between sub-precincts A, B, D, E, F and G subject to:
  - (a) the maximum amount of office activity able to be established on the donor land in accordance with I214.6.2(1) above not being increased as a consequence of the transfer;
  - (b) office activity must not be transferred from Lot 1 DP360738 and Lot 1 DP309925 to any other site.
- (3) Offices accessory to marine and port activities and marine retail must not exceed:
  - (a) 15 per cent of the total gross floor area on any site, unless otherwise specified in I214.6.3(3)(b) below;
  - (b) 3000m<sup>2</sup> or 15 per cent total gross floor area on the Sanford site (Lot 1 DP 70740 (NA27B/649), Lot 1 DP 57246 (NA29A/54), Lots 27 & 28 Block VI Deeds 226 (NA29A/56) and Lot 1 DP 89281 (NA46B/682)) in Sub-precinct E, whichever is the greater.

#### **I214.6.4. Noise**

Purpose: to minimise reverse sensitivity effects on existing industrial and maritime land uses by providing a minimum level of internal acoustic amenity for occupants of buildings from external noise sources generated by activities in the Wynyard Precinct and a maximum level of noise that activities other than accommodation may generate.

- (1) Sound insulation of accommodation buildings:
  - (a) All dwellings must be designed and constructed to provide an indoor noise level of 35dBA L10 in every bedroom and 45dBA L10 in any other habitable spaces (as defined in the NZ Building Code), based on both:
    - (i) an external traffic noise level of 65dBA L10 at the boundary of any road between 11pm and 7am;
    - (ii) the noise levels standards in I214.6.4(2) below as applicable to the Noise Area within which the accommodation units are located as shown on Precinct plan 9;
  - (b) At the same time and under the same physical conditions as the above internal noise levels will be achieved, all bedrooms and other habitable spaces are to be adequately ventilated in accordance with clause G4 of the NZ Building Code.

## (2) External noise levels:

- (a) Noise from activities in Wynyard Precinct must comply with the following limits in Table I214.6.4.1, measured at 1m from the façade of any building containing habitable spaces (as defined in the NZ Building Code) located in the noise areas shown on Precinct plan 9.

**Table I214.6.4.1. External noise levels**

Noise source location	Noise limit		Noise receiver location
	Day - 7am-11pm	Night - 11pm-7am	
Noise Areas 1,2	L10 60dBA	55dB L <sub>Aeq</sub> (15 min) 66dB L <sub>eq</sub> (15 min) @ 63Hz 62dB L <sub>eq</sub> (15 min) @ 125Hz 90dB L <sub>AFmax</sub>	Noise Area 2
Noise Areas 1,2	L10 70dBA	70dB L <sub>Aeq</sub> (15 min) 76dB L <sub>eq</sub> (15 min) @ 63Hz 73dB L <sub>eq</sub> (15 min) @ 125Hz 90dBA L <sub>AFmax</sub>	Noise Area 1

## (3) Internal noise levels for adjacent tenancies:

- (a) Where an activity shares a common building element such as floor or wall with a separate tenancy it must not exceed the following noise levels in Table I214.6.4.2 when measured in any habitable spaces (as defined in the NZ Building Code):

**Table I214.6.4.2 Internal noise levels**

Time	Noise limit
7:00am to 11:00pm	L10 45dBA
11:00pm to 7:00am	L10 40dBA L10 55dB @ 63Hz L10 50dB @ 125Hz

## (4) Noise levels for events:

- (a) events in sub-precincts D, E, F and G and on coastal marine area structures must comply with I214.6.4(2) above, except that for no more than 15 noise events in any calendar year (1 January to 31 December inclusive) those levels may be exceeded subject to:
- (i) the noise level specified in I214.6.4(2) above not exceeding a cumulative duration of more than six hours within any 24 hour period for a noise event, and
  - (ii) the maximum noise levels not exceeding:

- 75dBA L10 and 80dBA L01 (medium noise level) for at least 12 of the 15 noise events, and
  - 85dBA L10 and 90dBA L01 (high noise level) for a cumulative duration of not more than 3 of the total 6 hours permitted in I214.6.4(4)(a)(i) above exclusive of one sound check of no more than one hour duration prior to each event, and for no more than 3 of the 15 noise events.
- (iii) the medium and high noise levels must be determined from the logarithmic average of the L10 values for any measurement periods not exceeding 15 minutes during the event. The L01 values must be determined from the logarithmic average of the L01 values for representative periods not exceeding 15 minutes within the timeframe of the event. The noise levels must not be exceeded by more than 5 dBA for medium noise levels and 3dBA for high noise levels in any representative measurement period not exceeding 15 minutes during the noise event.
- (iv) Noise levels exceeding the standard in I214.6.4(4)(a)(iii), including sound checks, must start no earlier than 10.00am and must finish no later than 10.30 pm Sunday to Thursday inclusive, 11.00pm Friday and Saturday and 1.00am New Year's Day.
- (b) at least 4 weeks prior to the commencement of the noise event, the organiser must notify the council in writing of:
- (i) the names and types of the acts and whether they are anticipated to be within the medium noise level or high noise level as defined in I214.6.4(4)(a)(ii) above;
  - (ii) the person(s) and procedures for monitoring compliance with noise levels; and
  - (iii) the nominated alternative date in the event of postponement due to the weather;
- (c) the council will keep a record of all noise events held and provide this information upon reasonable request.
- (5) Noise measurement and assessment:
- (a) measurement and assessment must be in accordance with the requirements of NZS 6801:1991 "Measurement of Sound" and NZS 6802:1991 "Assessment of Environmental Sounds". Noise must be measured with a sound level meter complying with at least the International Standard IEC 651 (1979): Sound Level Meter, Type 1.

#### **I214.6.5. Financial contributions**

Purpose: to provide for the acquisition and development of public open space in the Wynyard precinct, and/or for enhancing public pedestrian facilities, and/or for enabling public access to and enjoyment of the coastal environment.

(1) Public open space:

- (a) a financial contribution may be taken for development on any site for the specific purposes of providing for the acquisition and development of public open space in the precinct, and/or for enhancing public pedestrian facilities;
- (b) financial contributions must not be levied for subdivisions or refurbishments.

(2) Public access to the coastal environment:

- (a) with the exception of Sub-precinct C, a financial contribution may be taken in the form of either a conservation covenants, or land to be vested in the council for development on any site adjoining the coastal marine area or any site within 20m of the coastal marine area for the specific purpose of enabling public access to and enjoyment of the coastal environment. This rule does not apply to any site where an esplanade reserve or conservation covenant of 20m or greater in width (or such lesser width as provided by I214.6.4(2)(c) below) has been created prior to 13 July 2007.
- (b) within sub-precincts E and F, where the site adjoins the coastal marine area, the land to be vested in the council or otherwise secured shall be of a minimum width of 20m and shall not exceed 30m in width measured perpendicular from the coastal mean high water springs mark, except where specified in I214.6.5(2)(c), below.
- (c) the total width of land over which public access is secured within Sub-precinct G is limited to the area identified as public open space as shown on Precinct plan 6.
- (d) Standard [E38.7.3.2](#) Subdivision establishing an esplanade reserve does not apply to subdivision or development within the Wynyard Precinct.

(3) Interpretation:

- (a) for the purpose of this rule "development" includes site works, building construction and alterations; and
- (b) for the purpose of this rule "refurbishment" means the cosmetic alteration, restoration or redecoration to the interior or exterior of a building or site and includes replacement of services such as lifts or air-conditioning. "Refurbishment" excludes increases to the gross floor area of a building and changes in activity such as conversion of office premises to retail premises or conversion of offices to residential apartments.

### **I214.6.6. Building height**

Purpose: To ensure the height of buildings complements and reinforces key public open spaces within Wynyard Precinct and development within the Viaduct Harbour precinct while providing an appropriate scale and transition in relation to the street network, lanes, the harbour and coastal environment and the core central business district. Refer Policy I214.3(3) of the Wynyard Precinct.

- (1) Buildings must not exceed the heights specified on Precinct plan 5.
- (2) For sites on precinct plan 5 with a maximum permitted height of 52m, the maximum cumulative floor plate area per floor must not exceed:
  - (a) sub-precinct B: 1200m<sup>2</sup> GFA and a maximum dimension of 45m by 45m for that part of the building exceeding a height of 31m;
  - (b) sub-precinct E at the corner of Halsey and Jellicoe streets: 1200m<sup>2</sup> GFA and a maximum dimension of 40m by 30m for that part of the building exceeding a height of 27m; and
  - (c) sub-precincts C and E, except for the site at the corner of Halsey and Jellicoe streets: 900m<sup>2</sup> GFA and a maximum dimension of 30m by 30m for that that part of the building exceeding a height of 31m.
- (3) In land areas shown on sub-precinct E with a height limit of 25m, the height limit may be exceeded by no more than 2m for roofs, including any roof top projections, subject to a maximum of 6 building storeys and compliance with clause I214.6.7 below for maximum site intensity.

### **I214.6.7. Maximum site intensity**

Purpose: manage the scale, form and intensity of development in the Wynyard precinct. Refer Policies I214.3(1)-(4) of the Wynyard Precinct.

- (1) Buildings on a site must not exceed the maximum site intensity specified for the site on Precinct plan 3.
- (2) [Deleted]
- (3) When calculating gross floor area, where the vertical distance between building storeys exceeds 6m, the gross floor area of the building or part of the building so affected must be calculated as gross floor area as opposed to the volume of that airspace.
- (4) 'Character building floor plate' means that part of the site covered by a special character building identified on Map [H8.11.1 of the Business – City Centre Zone](#) including a curtilage of a depth of 2m contained within the legal boundaries of the site and surrounding the character building to enhance the visual integrity of the character building.
- (5) Where a 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 the floor area ratio calculations.

- (6) For the purpose of calculating maximum site intensity the subject land area of any proposed development may be considered as one site, provided the maximum total cumulative gross floor area across all sites within the subject land area is not exceeded.

#### **I214.6.8. Building frontage alignment and height**

Purpose: ensure streets are well defined by buildings and provide a sense of enclosure to enhance pedestrian amenity, while avoiding buildings dominating public open space.

- (1) [H8.6.25](#) Building frontage alignment and height applies except that:
  - (a) where the maximum building height is less than the minimum frontage height requirement in Map [H8.11.5 of the Business – City Centre Zone](#), [H8.6.25 of the Business – City Centre Zone](#) rules does not apply; and
  - (b) in Sub-precinct G, the ground floor along the eastern boundary must be set back from the public open space identified on Precinct plan 6 by a minimum width of 2.5m measured perpendicular from the public open space for a minimum height of 4m.

#### **I214.6.9. Special industrial frontage**

Purpose: avoid unacceptable levels of human injury risk associated with accidental ammonia release from the fish processing plant

- (1) For any building proposed for dwellings or visitor accommodation, facades of buildings fronting the Industrial Frontage identified on Precinct plan 8 must not incorporate opening windows or balconies.

#### **I214.6.10. Marine retail at ground level**

Purpose: Provide for marine and fishing industry and marine and fishing retail activity at ground level on specific sites identified on Precinct plan 7. Some flexibility has also been built into the control to allow specific sites identified as Transitional Ground Level Activity to accommodate other activities in the future.

- (1) Except as specified in I214.6.10(2) below, activities at ground level must be restricted to the extent and in the manner identified on Precinct plan 7.
- (2) Activities at ground level on a site identified on Precinct plan 7 as transitional ground level activity must be limited to marine and port activities and/or marine retail until any of the following occurs on that site:
  - (a) the marine and port activity and/or marine retail at ground level occurring on the site as at 1 November 2009 has either relocated off-site or ceased operating from the site, or

- (b) the lease (including all rights of renewal) for the site existing as at 1 November 2009 which, as at 1 November 2009, is used for marine and port activities and/or marine retail at ground level expires; or
  - (c) the road widening works along the frontage of the site authorised by a designation are constructed.
- (3) At any time any one of the Standards I214.6.10(2)(a)-(c) above occur on the site, the limitation to marine and port activities and/or marine retail is lifted from that site and those activities listed in the precinct activity table may establish at ground level.

#### **I214.6.11. Vehicle access**

Purpose: To avoid potential adverse traffic safety and efficiency effects on the regional arterial and rapid transit functions of Fanshawe Street, as well as protecting traffic capacity and pedestrian and cyclist amenity along Beaumont Street, Halsey Street, Daldy Street and Jellicoe Street.

- (1) Except from the land legally described as Pt Lot 2 DP179403 (contained in NA110C/761), vehicle entry or exit must not be established directly from Fanshawe Street.
- (2) Vehicle entry or exit from the land legally described as Pt Lot 2 DP179403 (contained in NA110C/761) to Fanshawe Street is limited to one entry and one exit providing left turn manoeuvres only.
- (3) Vehicle entry or exit must not be established directly from Beaumont Street (south of Jellicoe Street), Daldy Street, Jellicoe Street or the western side of Halsey Street where alternative access via another road or service lane is available.
- (4) Notwithstanding I214.6.11(1)-(3), the total crossing width for any front or corner site must not exceed 50 per cent of the frontage to any road in which it adjoins.

#### **I214.6.12. Lanes and view shafts**

Purpose: To build upon the existing grid pattern of streets that characterise the precinct by requiring additional lane connections to serve a finer urban grain. The minimum required widths provide the opportunity for some lanes to be used as service lanes while also contributing to pedestrian permeability within the development blocks. The widths also provide the opportunity to include landscaping features, furniture and artworks.

The viewshafts identified along required lanes are designed to enhance the visual connections of the precinct with the harbour, other features of the surrounding landscape, the CBD and the wider city.

- (1) Lanes must be provided at ground level, generally in the locations shown on Precinct plan 6 and must comprise:



- (a) a minimum width of 10m where provided for pedestrians, cyclists and service vehicles; or
- (b) a minimum width of:
  - (i) 6m where lanes are 50m or less in length, or
  - (ii) 7m where lanes are up to 100m in length, or
  - (iii) 8m where lanes are over 100m in length
  - (iv) where provided for pedestrians and cyclists only.

For the purpose of this standard, the length of the lane must be measured as the dimension between the lane intersections and/or the lane termination points as shown on Precinct plan 6.

- (2) Where the lanes shown on Precinct plan 6 are also shown as view shafts on land, the minimum width must be 10m.
- (3) Where a view shaft on land is indicated alone, it must have a minimum width of 10m.
- (4) The minimum widths specified in I214.6.12(1)-(3) above, must be clear and unobstructed by buildings or structures from ground level upwards, except that verandahs may be provided where they meet [H8.6.26](#) Verandahs of the Business – City Centre Zone rules.
- (5) The lane must be available for public use at all times unless written approval has been obtained from the council. In all circumstances the lane must be available for public use between the hours of 7am and 11pm.
- (6) The registration of an access easement on the title to which the lane applies is required to ensure preservation of the lane and its ongoing maintenance by the owner(s) of the land concerned.
- (7) Structures and buildings, including marine and port facilities, must not be located within or over those parts of wharves and water space identified as coastal view shafts on Precinct plan 6.

#### **I214.6.13. Public access ways - wharves**

Purpose: Maintain and enhance public access to the Wynyard Precinct wharves.

- (1) Public access ways on wharves must be provided at ground level in the following locations and to the following dimensions in Table I214.6.13.1:

**Table I214.6.13.1. Public access ways - wharves**

Wharf	Location	Public accessway dimension
Halsey Street Extension	Western, northern and eastern edge	10m
Western Viaduct	Southern edge	10m

Wynyard	Eastern and northern edge	8m
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- (2) The access ways must be available to the public at all times unless written approval has been obtained from the council to be temporarily restrict access from time to time for security, safety or operational needs associated with marine and port activities, maritime passenger operations or temporary events.
- (3) Except as allowed by I214.6.13(2) above, the access ways must be clear and unobstructed by structures and buildings, including marine and port facilities from ground level upwards.
- (4) Structures and buildings, including marine and port facilities must not be erected or placed on North Wharf or the Western Viaduct Wharf other than temporary structures or buildings.

#### **I214.6.14. Buildings and structures on the Halsey Street extension wharf**

Purpose: Limit building and structures on the Halsey Street extension wharf

- (1) Structures and buildings, including marine and port facilities on the Halsey Street extension wharf must be located within the building platform area shown on Precinct plan 1 and must not cover more than 60 per cent of the building platform.

#### **I214.6.15. Temporary structures or buildings**

Purpose: to enable temporary structures while managing public access and risks associated with hazardous industry.

- (1) Temporary structures or buildings within sub-precinct D, and E, and Areas 1, 3, 4 and 6 as identified on Precinct plan 10 must comply with the following:
  - (a) no part of any venue that has been occupied by a building, tent, marquee or air supported canopy may be reoccupied by the same structure within a period of 5 days after the structure's removal.
- (2) Temporary structures or buildings within the Halsey Street extension wharf, and the Western Viaduct wharf as identified on Precinct plan 1:
  - (a) where the temporary structures or buildings wharf and are for the purpose of a major marine event related to an internationally recognised boat race or race series, the associated structures and buildings must not occupy any venue for more than 60 days within any 12 month period, inclusive of the time required for the establishment and removal of all structures and activities associated with the activity. Where the temporary structures or buildings are not for the purpose of a major marine event related to an internationally recognised boat race or race series, I214.6.15(1)(a) above applies;
  - (b) when it is necessary to place vehicles, tents, marquees, seating, canopies and other structures within the 10m wide public accessway around the

western, northern and eastern sides of the Halsey Street extension wharf, the southern side of the Western Viaduct wharf, or the 8m wide accessway along Wynyard wharf, alternative public accessways must be provided and be free of charge and clearly marked; and

- (c) public access around the Viaduct Events Centre shall be available at all time and free of charge except for special events when public access can be restricted provided the restriction is for no more than 60 days in any 12 month period and no more than 20 days consecutively.

#### **I214.7. Assessment – controlled activities**

##### **I214.7.1. Matters of control**

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

- (1) offices accessory to marine and port activities and marine retail specified as a controlled activity in the activity table:
  - (a) transfer of office space.
- (2) events and associated buildings and structures specified as a controlled activity in the activity table:
  - (a) duration, demographic and number of people attending the event;
  - (b) transportation effects and management;
  - (c) visual amenity;
  - (d) emergency response and management processes; and
  - (e) risk to the activity from adjacent storage and use of hazardous substances.
- (3) marine and port activities and marine and port facilities specified as a controlled activity in the activity table:
  - (a) construction or works methods, timing and hours of operation;
  - (b) location, extent, design and materials used;
  - (c) effects on coastal processes, ecological values, water quality and natural character;
  - (d) effects on views and visual amenity;
  - (e) effects on public access, navigation and safety;
  - (f) effects on existing uses and activities;
  - (g) consent duration; and

(h) traffic and parking.

(4) [Deleted]

(5) building demolition:

(a) the matters of control in [H8.8.1\(5\) of the Business – City Centre Zone](#) apply.

#### **I214.7.2. Assessment criteria**

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

(1) offices accessory to marine and port activities and marine retail specified as a controlled activity in the activity table:

(a) whether the amount of ancillary office gross floor area constructed on another site within Sub-precinct C or on land fronting Beaumont Street is recorded by covenant on the donor freehold and leasehold title(s) upon which the ancillary office gross floor area is transferred from to ensure the amount transferred does not exceed the limit specified in the definitions of marine and port activities and marine retail;

(2) events and associated buildings and structures specified as a controlled activity in the activity table:

(a) the relevant assessment criteria in [E40.8.2 Temporary activities](#) in addition to the following criteria; and

(b) whether adverse risk or transport related effects are able to be adequately remedied or mitigated through the preparation and implementation of an emergency evacuation and management plan and event transport plan;

(3) marine and port activities specified as a controlled activity in the activity table:

(a) the relevant assessment criteria in [F2.23.2 Coastal – General Coastal Marine Zone](#) rules apply in addition to the following criteria;

(b) the activity should protect and enhance amenity values and public safety at the sub-precinct interface with existing and proposed public open space (as shown on Precinct plan 6);

(4) [Deleted]

(5) building demolition:

(a) the relevant assessment criteria in [H8.8.2\(5\) of the Business – City Centre Zone](#) rules for building demolition apply in addition to the following criteria; and

(b) whether adverse effects on the marine environment (including water, sediment quality, and ecology) of the coastal marine area are avoided, remedied or mitigated;

## **I214.8. Assessment – Restricted discretionary activities**

### **I214.8.1. Matters of discretion**

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

- (1) risk sensitive activities marked # in the activity table identified as a restricted discretionary activity (excluding events):
  - (a) location, extent, design and staging of buildings;
  - (b) design occupancy;
  - (c) risk to the activity from adjacent storage and use of hazardous substances;
  - (d) emergency response processes, including accessibility and the content of evacuation plans; and
  - (e) reverse sensitivity effects;
- (2) an event and associated buildings and structures identified as a restricted discretionary activity in the activity table:
  - (a) duration, demographic and number of people attending the event;
  - (b) transportation effects and management;
  - (c) emergency response and management processes;
  - (d) risk to the activity from adjacent storage and use of hazardous substances; and
  - (e) effects on the navigation and safety of commercial vessels operation in these areas;
- (3) marine and port activities and marine and port facilities:
  - (a) construction or works methods, timing and hours of operation;
  - (b) location, extent, design and materials used;
  - (c) effects on coastal processes, ecological values, water quality and natural character;
  - (d) the location, bulk and scale of the activities and facilities relative to overall development, including the layout and design of roads, lanes, open spaces, earthworks areas and land contours, and infrastructure location;
  - (e) effects on public access, safety and navigation;
  - (f) effects on existing uses and activities including existing and planned significant infrastructure;

- (g) consent duration; and
- (h) traffic, parking and access;
- (4) private use of coastal access areas either vested in the council or areas over which council has a covenant for public access:
  - (a) duration and frequency of the activity; and
  - (b) public access and safety.
- (5) offices that exceed the thresholds of I214.6.2(1) above but do not exceed the restricted discretionary thresholds in I214.6.2(2) above:
  - (a) travel management;
  - (b) traffic generation; and
  - (c) operational capacity and safety of the adjacent road network;
- (6) offices, offices accessory to marine retail and marine and port activities, maritime passenger operations, marine retail, retail, food and beverage, entertainment facilities and education facilities greater than 100m<sup>2</sup> gross floor area per site:
  - (a) travel management; and
  - (b) traffic generation;
- (7) declamation:
  - (a) construction or works methods, timing and hours of operation;
  - (b) location, extent, design and materials used;
  - (c) effects on coastal processes, ecological values, water quality and natural character;
  - (d) effects on public access, navigation and safety;
  - (e) effects on existing uses and activities; and
  - (f) consent duration;
- (8) maintenance dredging and capital works dredging:
  - (a) effects on coastal processes, ecological values, and water quality;
  - (b) effects on other users of the coastal marine area, navigation and safety; and
  - (c) consent duration and monitoring;
- (9) a bridge across the Viaduct Harbour, linking the Eastern Viaduct to Jellicoe Street:

- (a) construction or works methods, timing and hours of operation;
  - (b) location, extent, design and materials used;
  - (c) effects on coastal processes, ecological values, water quality and natural character;
  - (d) effects on public access, navigation and safety;
  - (e) effects on existing uses and activities;
  - (f) amenity, effects on views and visual amenity; and
  - (g) consent duration and monitoring;
- (10) new buildings, and alterations and additions to buildings:
- (a) the matters of discretion in [H8.8.1\(1\) of the Business – City Centre Zone](#) rules for new buildings and/or alterations and additions to buildings apply;
  - (b) the location, bulk and scale of buildings relative to overall development, including the layout and design of roads, lanes, open spaces, earthworks areas and land contours, and infrastructure location; and
  - (c) where one or more buildings infringes the basic site intensity or basic building heights on Precinct plans 2 and 4, but complies with the maximum site intensity and maximum building heights on Precinct Plans 3 and 5:
    - (i) location, physical extent and design of streets, pedestrian connections and open space;
    - (ii) location, form and scale of buildings;
    - (iii) location and staging of activities;
    - (iv) provision of adequate infrastructure.
- (11) subdivision:
- (a) the matters of discretion set out in [E38 Subdivision - Urban under E38.12.1](#); and
  - (b) the location, bulk and scale of buildings relative to overall development, including the layout and design of roads, lanes, open spaces, earthworks areas and land contours, and infrastructure location;
- (12) conversion of a building or part of a building to dwellings or visitor accommodation:
- (a) the matters of discretion in [H8.8.1\(3\) in the Business – City Centre Zone](#) apply;

- (13) substantial demolition or any demolition of the front façade of a special character building within the Wynyard precinct identified on Business – City Centre Zone – Map [H8.11.1](#):
  - (a) the matters of discretion in of the Business – City Centre Zone apply;
- (14) retail specified as a restricted discretionary activity in the activity table:
  - (a) the matters of discretion in [H8.8.1\(4\) of the Business – City Centre Zone](#) apply;
- (15) roads or lanes:
  - (a) scale, form and dominance/ visual amenity effects;
  - (b) effects on the transportation network (including safety and efficiency);
  - (c) amenity and function of public open space and pedestrian access; and
  - (d) the location, physical extent and design of the transport network and any pedestrian linkages;
- (16) [Deleted]
- (17) building frontage alignment and height:
  - (a) building scale, form, dominance and visual amenity effects; and
  - (b) amenity and function of public open space and pedestrian access.
- (18) infringing the special industrial frontage standard:
  - (a) risk and safety;
- (19) infringing the access to sites with multiple frontages standard:
  - (a) effects on the transportation network (including safety and efficiency); and
  - (b) amenity and function of public open space and pedestrian access;
- (20) infringing the vehicle access over footpaths standard:
  - (a) effects on the transportation network (including safety and efficiency); and
  - (b) amenity and function of public open space and pedestrian access;
- (21) infringing the lanes and viewshafts standards:
  - (a) scale, form, dominance and visual amenity effects;
  - (b) effects on the transportation network (including safety and efficiency); and
  - (c) amenity and function of public open space and pedestrian access;
- (22) infringing the public accessways – wharves standard:
  - (a) building scale, form, dominance and visual amenity effects; and



- (b) amenity and function of public open space and pedestrian access;
- (23) infringing the buildings and structures on the Halsey Street extension wharf standard:
  - (a) building scale, form, dominance and visual amenity effects;
  - (b) reverse sensitivity effects;
  - (c) amenity and function of public open space and pedestrian access; and
  - (d) risk and safety;
- (24) infringing the temporary structures or buildings standard:
  - (a) building scale, form, dominance and visual amenity effects;
  - (b) reverse sensitivity effects; and
  - (c) amenity and function of public open space and pedestrian access.

#### **I214.8.2. Assessment criteria**

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

- (1) marine and port activities and marine and port facilities:
  - (a) the assessment criteria in [F2.23.2 of the Coastal – General Coastal Marine Zone](#) rules, including [F2.23.2\(17\)](#) for coastal marine area structures & buildings, apply in addition to the criteria below; and
  - (b) whether the activity protects and enhances amenity values and public safety at the interface with existing and proposed public open space (as shown on Precinct plan 6 and the amenity values of existing or approved residential activity, and, in particular, visual and aural privacy;
- (2) offices that exceed the thresholds in I214.6.2(1) above but do not exceed the restricted discretionary thresholds in I214.6.2(2) above:
  - (a) whether the activity together with existing, permitted and consented activities, will adversely affect the current and future operational capacity and safety of the adjacent road network and specifically the Beaumont Street/Fanshawe Street, Daldy Street /Fanshawe Street and Halsey Street/Fanshawe Street intersections. In determining the extent of any potential transportation effects, the following matters shall be taken into account:
    - (i) the extent to which it is demonstrated that the proposed office activity will result in vehicle trips consistent with a maximum formula of:
      - 0.38 trips per parking space, plus
      - 0.16 trips per 100m<sup>2</sup> proposed office gross floor area;

(ii) whether it is demonstrated that:

- the proposed office activity, together with all other existing, permitted and consented activities, will not exceed the following trip generation ceiling targets for all activities from Wynyard Precinct:
  - 3650 vehicles per hour two way; and
  - 2500 vehicles per hour one way inbound or outbound during the weekday morning peak (7.00am - 9.00 am)
  - 2500 vehicles per hour one way outbound or inbound during the weekday afternoon peak (4.00pm-6.00pm);
- the proposed office activity, together with all other existing, permitted and consented activities, will not exceed the total allowable gross floor area and the predicted total trips for the relevant sub-precinct set out in Table 2 of Part A of the Wynyard Precinct Transport Plan;
- the proposed office activity will not exceed the number of trips per hour inbound or outbound during the weekday morning and afternoon peaks for each sub-precinct set out in the table below:

Sub-precinct	Trips per hour one way in peak direction
A and B	968
C	21
D-F	451
G	0

- (iii) any available information demonstrating the success or otherwise of travel management measures implemented within the precinct;
- (iv) any planned or constructed transport infrastructure improvements;
- (v) the proximity of the site to a regular public transport service;
- (vi) when assessing any application in sub-precincts D, E and F, any agreed reduction in allowable office gross floor area provided in these sub-precincts or sites below that specified in I214.6.2 above;
- (vii) where the proposed activity does not comply with criteria I214.8.2(2)(a)(i) and (ii) above, the council shall have regard to whether the proposed activity could comply with these criteria if either:
  - less than the maximum permitted parking is proposed in the application for the proposed office activity gross floor area, or

- no parking is proposed in the application for the proposed office activity gross floor area;
- (b) in granting any resource consent the council may impose resource consent conditions relating to any of the matters listed in these criteria, including a requirement for ongoing morning and afternoon peak vehicle trip generation monitoring results and supporting review condition(s);
- (3) retail specified as a restricted discretionary activity in the activity table:
- (a) The assessment criteria in [H8.8.2\(4\) of the Business – City Centre Zone](#) rules apply;
- (4) offices (including offices accessory to marine and port activities and marine retail), maritime passenger operations, marine and fishing retail, retail, food and beverage, entertainment facilities or education facilities greater than 100m<sup>2</sup> per site:
- (a) whether it can be demonstrated by the measures and commitments outlined in a detailed site travel management plan that the activity or activities will be managed to minimise private vehicle travel to and from precinct to achieve Policies I214.3(34)-(37) of the Wynyard Precinct using methods outlined in Part A of the Wynyard Precinct Transport Plan (19 August 2010) refer I214.11.1 Appendix 1;
- (5) private use of coastal access areas either vested in the Council or areas over which council has a covenant for public access:
- (a) whether:
- (i) the requirement for the use of coastal access areas is based on the operational nature of the activity, including any available alternatives to avoid the use of coastal access areas;
  - (ii) the proposed duration and frequency of the use of the coastal access area is minimised, including the level of certainty provided (through conditions offered by the applicant, site management plans and monitoring) that usage will be appropriately managed and the conditions of use adhered to;
  - (iii) the existing and future potential public use of the subject coastal access area could be compromised, including the timing of the proposed use in relation to peak pedestrian activity;
  - (iv) alternative access along the coastline is available during any periods of closure;
  - (v) the level of public safety risk posed will be avoided, remedied or mitigated, including the provision of a site management plan;
- (6) risk sensitive activities marked # in the activity table identified as a restricted discretionary activity (excluding events):

- (a) whether any unacceptable levels of risk can be avoided or mitigated based on the following:
    - (i) the location of the development, including service areas, parking and outdoor areas, with respect to industrial hazard sources;
    - (ii) the design occupancy of the development, including anticipated design occupation numbers, the predominant and most vulnerable age demographic, hours of operation, estimated mean and maximum occupancy times for individual site dwellers in hours/days and any other pertinent occupancy information;
    - (iii) a description of alternative layout plans considered in order to mitigate risk arising from offsite hazard sources;
    - (iv) methods for advising occupiers of the development of potential safety risks including methods of risk mitigation and control;
    - (v) building design methods for avoiding or mitigating occupant risk resulting from exposure to toxic vapour, thermal radiation and explosion debris from offsite hazard sources;
    - (vi) details of any proposed development staging and any voluntary site occupancy controls to be implemented during the transition period leading up to hazardous industry relocation;
  - (b) for open markets that attract more than 1000 people at any one time, the criteria in I214.8.2(7) below also apply;
- (7) an event and associated buildings and structures identified as a restricted discretionary activity in the activity table:
- (a) whether measures outlined in an emergency, evacuation and management plan and event transport plan avoid or mitigate any unacceptable level of risk or adverse transport related effects associated with the type and duration of event and expected demographic and number of people attending the event including for events within Areas 4 and 6, whether the activity will adversely affect marine and port activities and the navigation, safety or commercial vessels operating in these areas;
- (8) substantial demolition or any demolition of the front façade of a special character building within the Wynyard precinct identified on Business – City Centre Zone Map [H8.11.1](#);
- (a) the assessment criteria in [H8.8.2\(5\) of the Business – City Centre Zone](#) rules for the demolition of special character buildings apply in addition to the criteria below; and
  - (b) the contribution the identified special character building (including its association with any nearby identified character buildings) makes to the character or streetscape quality of the precinct and whether its removal or partial demolition adversely impacts upon those qualities. In assessing

proposals against this criterion particular regard should be had to retaining a link to the past marine industrial aesthetic of the precinct;

(9) new buildings, and alterations and additions to buildings:

- (a) the relevant assessment criteria in [H8.8.2\(1\) of the Business – City Centre Zone](#) rules for buildings or alterations and additions to buildings apply in addition to the criteria below; and
- (b) the proposed building, or alteration or addition to buildings, relative to the location of infrastructure servicing the area and open space should result in an integrated network that is adequate to meet the needs of the overall development area;
- (c) whether internal space at all levels within the building are designed to maximise outlook onto existing public open space and proposed public open space, streets and lanes shown on Precinct plan 6;
- (d) the extent to which activities which engage and activate existing public open space and proposed public open space, streets and lanes shown on Precinct plan 6 at ground level are encouraged;
- (e) at grade private parking areas and parking areas located within buildings which are visible from existing public open space and proposed public open space, streets and lanes shown on Precinct plan 6 are strongly discouraged. It is expected that activated building space will be provided between parking areas within buildings and existing and proposed street and public open space frontages;
- (f) whether vehicle access to sites are designed and located to complement the road function and hierarchy, while avoiding conflict with the function of existing public open space and proposed public open space, streets and lanes shown on Precinct plan 6 and public transport priority lanes, balancing the requirements of access and through-movement;
- (g) where alternative vehicle access is available, the creation of new vehicle crossings across frontages along Jellicoe, Beaumont, Halsey and Daldy Streets is discouraged;
- (h) Precinct plan 6 illustrates the locations of publicly accessible lanes which should be provided to create alternative, shorter, or more convenient pedestrian routes at ground level;
- (i) whether a safe and practical 24hr east-west public pedestrian walkway is provided through the block bound by Daldy, Jellicoe, Beaumont and Madden Streets to provide connectivity between Beaumont and Daldy Streets;
- (j) where a building accommodates greater than 100m<sup>2</sup> gross floor area of office, marine and fishing retail, retail, food and beverage,

entertainment/gathering or education activity, the criteria listed in I214.8.2(4) above, also apply;

- (k) the design of building frontages and elevations facing streets and/or other public open spaces should have regard to the setback, form and character of any identified character building(s) adjoining or adjacent to the site. This requires consideration of important character elements and qualities through building design on frontages and elevations visible from streets and other public open spaces;
- (l) a new building abutting, or adjacent to, an identified character building which is set back from the street frontage, may not be required to be constructed predominantly to the street boundary, where a better urban design outcome could be achieved by respecting the spatial location of the character building;
- (m) building elevation, design and materials should respect (rather than replicate) the architectural design composition of the identified special character building(s), and new and contemporary interpretations in form, elevational composition, material and detail may be used;
- (n) where the building works are undertaken within the coastal marine area, the assessment criteria for buildings/structures in the Coastal - General Coastal Marine Zone apply in addition to the following:
  - (i) whether adverse effects associated with the methods of construction on water quality and coastal processes can be avoided, remedied or mitigated;
  - (ii) whether adverse effects on navigation and safety can be avoided, remedied or mitigated; and
  - (iii) whether the buildings or structures are of an appropriate scale, design, colour and location to complement its waterfront setting, maintain or enhance amenity values, and where practicable, maintain views from the land to the coastal marine area, particularly the viewshafts shown on Precinct plan 6; and
  - (iv) with the exception of Wynyard wharf and Halsey Street extension wharf, demonstrate that the purpose for which the structure is required cannot reasonably or practicably be accommodated on the land or by existing structures in the coastal marine area; and
  - (v) where practicable, enhance public access to the coastal marine area; and
  - (vi) whether the building or structure is required for significant infrastructure;
- (o) where one or more buildings infringes the basic site intensity or basic building heights on Precinct plans 2 and 4, but complies with the

maximum site intensity and maximum building heights on Precinct plans 3 and 5:

- (i) Refer to Policies 1, 2, 3, 39 and 40;
- (ii) Whether building footprints, profile and height (as opposed to detailed building design) establishes an integrated and legible built form and also:
  - 1. Integrates with other approved development (including approved Integrated Development Plans);
  - 2. Enhances the form and function of existing and proposed streets, lanes and public open space, including complementing and enhancing the function of Daldy Street as a major tree-lined boulevard linking Victoria Park to the public open space in sub-precinct F as shown on precinct plan 6;
  - 3. Avoids monotonous built form when viewed from public open space through variation in building footprints, height and form;
  - 4. Maintains the ability for marker buildings within sub-precincts B, C and E to be established to the maximum height provided for on Precinct plan 5;
  - 5. Within sub-precincts D, E, F and G, the extent to which the location or orientation of buildings, and the type and location of any known prospective activities marked # in the activity table, including the use of public open space areas:
    - a. Avoids or mitigates reverse sensitivity issues associated with existing industry, marine industry, fishing industry and maritime passenger operations;
    - b. Avoids unacceptable levels of risk associated with existing hazardous industry, including the adjacent ammonia refrigerant based fish processing plant;
  - 6. Enables or maintains efficient vehicle access to existing industry, marine industry, fishing industry and maritime passenger operations;
  - 7. Supports the role of Jellicoe Street as the major community and visitor focal point of the precinct;
- (iii) The extent to which the building footprints, height, floor to floor heights and profile of buildings enable them to accommodate a wide range of activities and to be adapted to accommodate differing uses in the future;
- (iv) Whether the location and staging of anticipated activity types and/or the location, orientation or layout of buildings avoids or mitigates

potential conflicts between activities within the subject land area and adjacent land areas;

- (v) Whether buildings may provide opportunities for the establishment of community facilities, such as health, educational and care facilities, for future people in the area;
  - (vi) Whether the layout and design of public open space within the subject land area will ensure well-connected, legible and safe vehicular and pedestrian routes with appropriate provision for footpaths, servicing, infrastructure services and landscape treatment;
  - (vii) Whether the layout and design of public open space and lanes within the subject land area will integrate with and complement the form and function of existing and proposed public open space and lanes network;
  - (viii) Whether stormwater, wastewater, water supply, electricity and telecommunication infrastructure will be provided to adequately service the nature and staging of anticipated development within the subject land area;
  - (ix) Whether consideration has been given to integration of parking, loading and servicing areas within the subject land area taking account of location and staging of anticipated activity types;
- (10) a bridge across the Viaduct Harbour:
- (a) the bridge should contribute to a high quality maritime and urban environment and meets the following outcomes:
    - (i) the bridge design avoids significant visual intrusion into views from public areas across the harbour, or from the harbour out to the wider Waitemata Harbour, particularly within the viewshafts identified on Precinct plan 6.
    - (ii) the bridge contributes to the pedestrian character and amenity of the Viaduct Harbour and Wynyard precinct by:
      - providing safe and pleasant pedestrian and cycle access east and west across the Viaduct Harbour;
      - having a landscape design, character and quality which integrates with existing pedestrian priority areas and other accessways around the Viaduct Harbour;
      - not causing significant adverse effects on the use and enjoyment of Te Wero Island as an area of pedestrian-oriented public space; and
      - ensuring the operation or use of the bridge, or lighting will not cause significant adverse effects on the operation of nearby



activities or on the amenity values of surrounding land or water uses;

(iii) the bridge is designed and operated to provide for:

- vessel access to and from the inner Viaduct Harbour without undue delay;
- navigation and berthage by the existing range of vessels in the inner Viaduct Harbour; and
- any reduction in berthage area to be minimised as far as practicable;

(iv) convenient and easily accessible systems for communicating with vessel users regarding scheduled and unscheduled bridge opening/closing;

(v) appropriate lighting, navigation aids, safety systems and fail-safe mechanisms; and

(vi) a minimum clearance height of 3m above mean high water springs for a 10m wide navigable channel;

(b) the ongoing viable use of the Viaduct Harbour (particularly the Wynyard Precinct mixed use Sub-precinct G) to accommodate marine and port activities and marine events, such as boat shows and internationally recognised boating events such as the America's Cup event, is maintained;

(c) the bridge has a high quality design that:

- (i) enhances the character of the Viaduct Harbour;
- (ii) is simple and elegant;
- (iii) is appropriate within the context of the Viaduct Harbour locality and Auckland's coastal setting;
- (iv) has an appropriate relationship with the Viaduct Lifting Bridge identified in the Historic Heritage overlay; and
- (v) utilises high quality and low maintenance materials and detailing;

(d) the bridge is designed in a manner which may provide in the future for enhanced connectivity for the public between the precinct and the city centre; and

(e) the bridge has no more than minor adverse effects on coastal processes including sedimentation within the Viaduct Harbour;

(11) declamation:

(a) whether the adverse effects of declamation are avoided, remedied or mitigated in respect of the effects of the final land/water configuration on:

- (i) the marine environment (including coastal processes, water quality, sediment quality and ecology) of the coastal marine area;
    - (ii) hydrogeology (ground water) and hydrology; and
    - (iii) sediment accumulation and the need for ongoing maintenance dredging of the coastal marine area;
  - (b) whether declamation works, including the construction of seawalls avoid, remedy or mitigate the adverse effects of construction, particularly through the management of silt, contaminated soils and groundwater, and other contaminants;
  - (c) whether declamation is located and designed so that the adjacent land area can provide adequate public open space adjacent to, and public access along the water's edge whether on land or on the adjacent water space;
- (12) maintenance dredging and capital works dredging:
- (a) the assessment criteria in [F2.23.2\(1\) and F2.23.2\(11\) of the Coastal - General Coastal Marine Zone](#) rules apply in addition to the criteria below;
  - (b) whether the dredging is necessary to achieve the outcomes sought by the objectives and policies for the Wynyard precinct.
- (13) conversion of a building or part of a building to dwellings or visitor accommodation:
- (a) the assessment criteria in [H8.8.2\(3\) in the Business – City Centre Zone](#) apply; and
- (14) subdivision:
- (a) the assessment criteria set out in [E38 Subdivision - Urban under E38.12.2](#); and
  - (b) the location of infrastructure servicing the area and open space should result in an integrated network that is adequate to meet the needs of the overall development area;
- (15) roads and lanes:
- (a) the extent to which pedestrian permeability is maintained and enhanced through the site layout;
  - (b) whether pedestrian access to the water's edge is maintained;
  - (c) the integration of the site with the wider Wynyard Precinct; and
  - (d) whether intrusion of public views into and through Wynyard Precinct are avoided;
- (16) [Deleted]

(17) infringing the building frontage alignment and height standards:

- (a) the extent to which buildings are of a scale and form appropriate to the setting; and
- (b) the extent to which pedestrian access and amenity is enhanced through the design of the building;

(18) infringing the special industrial frontage standard:

- (a) whether the design avoid, remedy or mitigate human injury risks associated with accidental ammonia release associated with the ammonia refrigerant based fish processing plant;

(19) infringing the access to sites with multiple frontages standard:

- (a) the extent to which access to sites are located to allow safe and efficient access to and from the site;
- (b) whether the access location and traffic generation from the site compromise the safe and efficient operation of the transportation network; and
- (c) whether pedestrian function, and safety of pedestrians on footpaths is compromised;

(20) infringing the vehicle access over footpaths standard:

- (a) whether the pedestrian function, and safety of pedestrians on footpaths is compromised; and
- (b) whether an alternative access location would better maintain pedestrian and cyclist safety and amenity.

(21) infringing the lanes and view shafts standard:

- (a) the extent to which pedestrian permeability is maintained and enhanced through the site layout;
- (b) whether pedestrian access to the water's edge is maintained;
- (c) the integration of the site with the wider Wynyard precinct; and
- (d) avoid intrusion of public views into and through Wynyard Precinct.

(22) infringing the public access ways – wharves:

- (a) the extent of public access to the water's edge; and
- (b) whether the development control infringement is required to enable marine and fishing industry, maritime passenger operations and events to operate;

- (23) infringing the buildings and structures on the Halsey Street extension wharf standard:
  - (a) Whether pedestrian access is maintained.
  - (b) the extent to which the building design is consistent with the character and amenity of Halsey Street extension wharf.
  - (c) whether buildings and structures adversely affect the current and future operation and growth of the marine and fishing industries and maritime passenger operations.
- (24) infringing the temporary structures or buildings standard:
  - (a) the extent to which buildings are of a scale appropriate to the waterfront setting; and
  - (b) whether building location compromises the function of the Wynyard Precinct.

#### **I214.9. Special information requirements**

In addition to the general information that must be submitted with a resource consent application (refer [C1.2\(1\)](#) Information requirements for resource consent applications), applications for the activities listed below must be accompanied by the additional information specified.

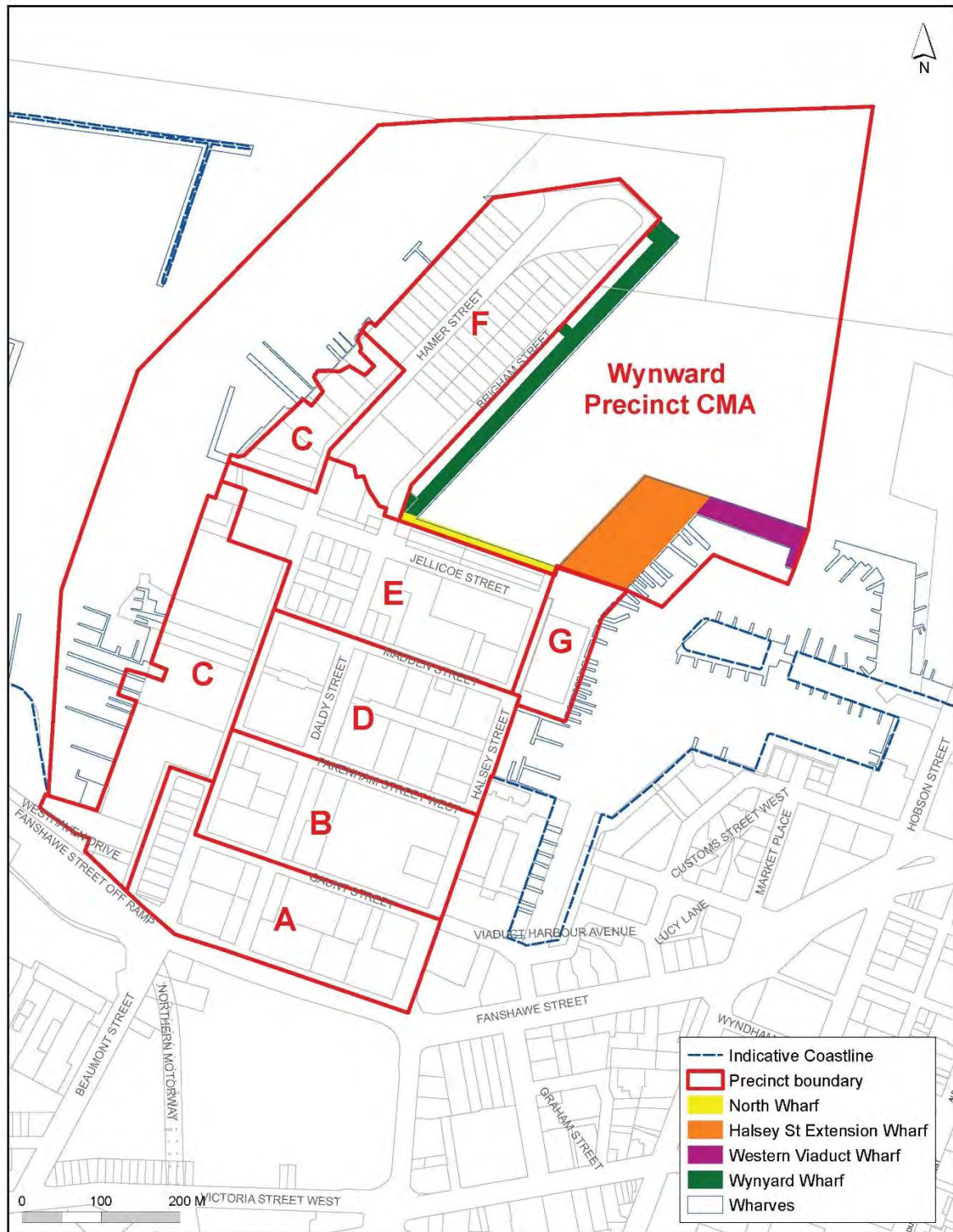
- (1) Events specified as a controlled activity in the activity table:
  - (a) an emergency evacuation and management plan and event transport plan.
- (2) Marine and port activities:
  - (a) a site management plan that details operational procedures and physical measures to be put in place to avoid, remedy or mitigate public safety effects.
- (3) [Deleted]
- (4) Offices that exceed the permitted thresholds in I214.6.2(1) above but do not exceed the restricted discretionary thresholds in I214.6.2(2) above:
  - (a) the Council will require independently verified actual morning and afternoon peak vehicle trip generation monitoring results from existing office activity within and, if appropriate, adjacent to the precinct with similar operational characteristics to the office activity proposed. The trip generation formula set out in the assessment criteria for the activity must be used to predict trips from the proposed, permitted and consented office activities.
- (5) Offices (including offices accessory to marine and port activities and marine retail), marine and fishing retail, retail, food and beverage, entertainment facilities or education facilities greater than 100m<sup>2</sup> per site:

- (a) a site travel management plan must be provided corresponding to the scale and significance of the activity and containing the following information as a minimum to demonstrate how the development will achieve the objectives of the Wynyard Precinct Transport Plan including:
  - (i) the physical infrastructure to be established or currently established on-site to support the use of alternative forms of transport, such as adequate covered facilities for cyclists, showering, locker and changing facilities; carpool parking areas, travel reduction information boards in foyer areas, such as timetables and route maps; internet service to enhance awareness of alternative transportation services;
  - (ii) the physical linkages to be provided on the site to link with surrounding pedestrian and cycle networks and existing public transport resources;
  - (iii) operational measures to be established or currently implemented on-site to encourage reduced vehicle trips to Wynyard precinct, including car sharing schemes, public transport use incentives, flexitime, staggered working hours;
  - (iv) operational measures to be established to restrict the use of any short term parking area(s) during peak periods;
  - (v) details of the management structure within the building or site in which the activity is to be located which has overall responsibility to oversee the implementation and monitoring of travel management measures;
  - (vi) the methods by which the effectiveness of the proposed measures outlined in the site travel management plan can be independently measured/monitored and reviewed, including a commitment to undertake travel surveys at the time of building occupation or as otherwise required to provide on-going information regarding travel behaviour; and
  - (vii) the methods by which the travel management measures complement the Precinct wide travel management measures outlined in part B of the Wynyard Precinct Transport Plan (refer I214.11.1 Appendix 1) and use the travel demand management measures outlined in part C of that plan, or other appropriate initiatives.
- (6) private use of the coast access areas either vested in the council or areas over which council has a covenant for public access:
  - (a) a site management plan corresponding to the scale and significance of the activity detailing the operational measures to be establish to address the matters listed in assessment criteria for the activity.
- (7) risk sensitive activities marked # in the activity table located in sub-precinct D, E, F, G or areas 1-6 shown on Precinct plan 10 (excluding events):

- (a) an emergency and evacuation plan prepared by an independent authority or competent safety professional, which clearly indicates communication roles and responsibilities, location of egress points and assembly areas.
- (8) events within sub-precinct D and E and areas 1, 3, 4 and 6 shown on Precinct plan 10:
- (a) an emergency, evacuation and management plan, prepared by an independent authority or competent safety professional, which clearly indicates communication roles and responsibilities, location and management of access and egress points, assembly areas and people movement for the event;
  - (b) an event transport plan, developed in consultation with adjacent hazardous industry, marine industry and maritime passenger operators, which addresses the following matters:
    - (i) measures to ensure the maintenance of safe and efficient access (including at least two access points for emergency service vehicles) to existing hazardous industry, marine industry and maritime passenger operations for the full duration of the event;
    - (ii) measures to prevent event attendees entering into, or parking within Sub-precinct F or Wynyard wharf for the full duration of the event;
    - (iii) communication channels and methods to respond to and remedy traffic issues as they may arise with existing hazardous industry, marine industry and maritime passenger operations; and
    - (iv) where multiple events are planned, review procedures with hazardous industry, marine industry and maritime passenger operators to ensure that issues identified are avoided, remedied or mitigated for future planned events.

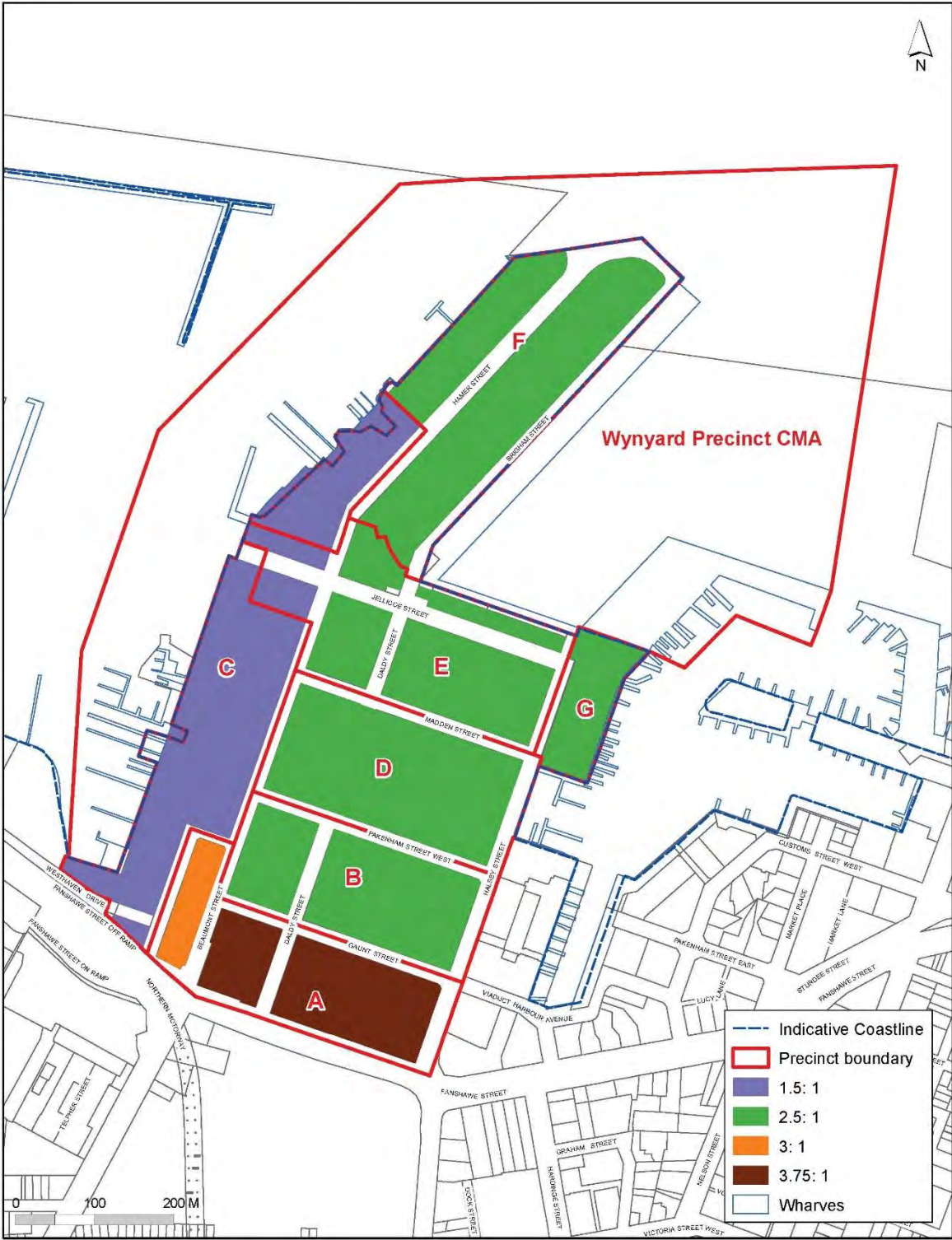
## I214.10. Precinct plans

### I214.10.1 Wynyard: Precinct plan 1 - Sub-precincts



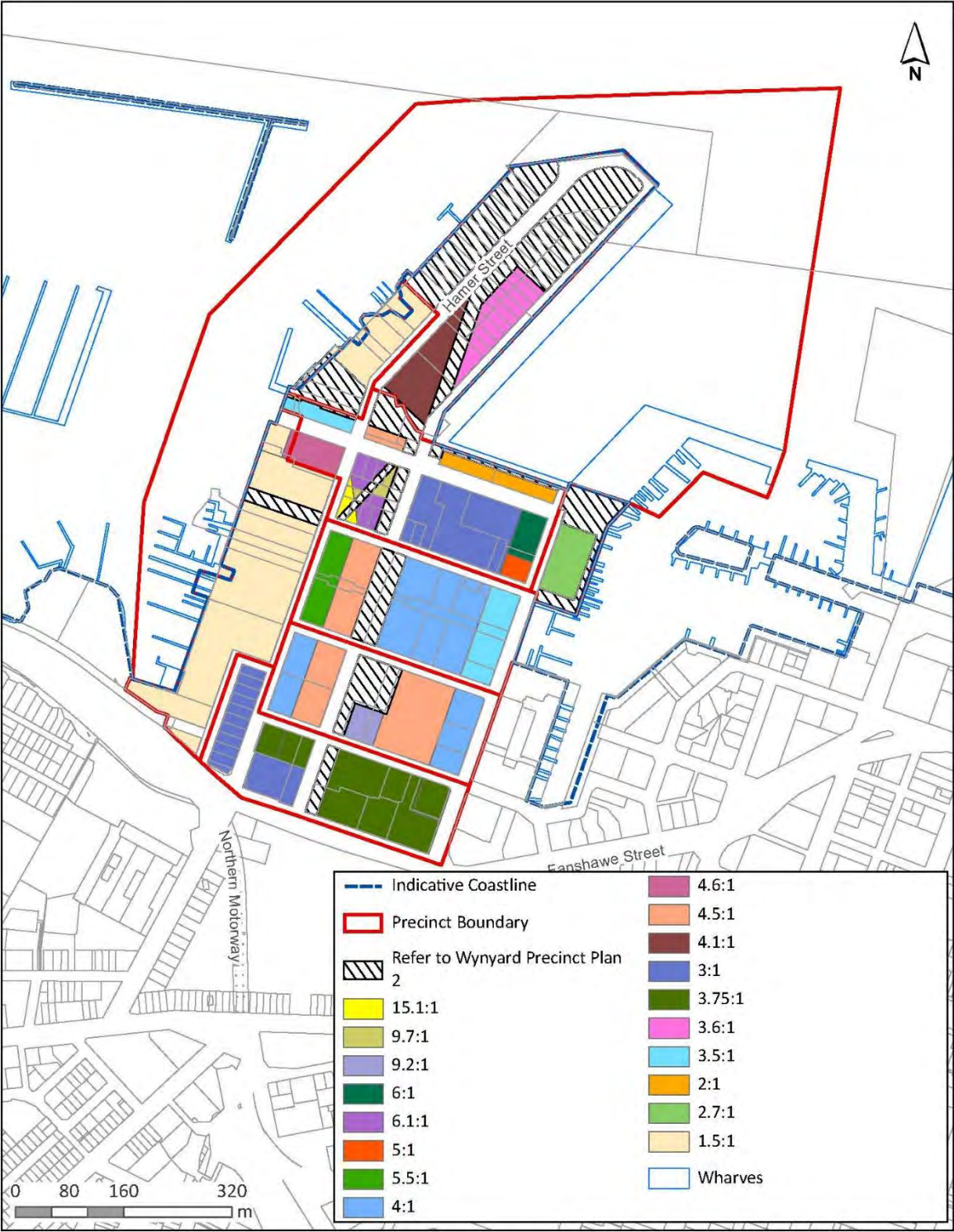


I214.10.2 Wynyard: Precinct plan 2 - Basic floor area ratio

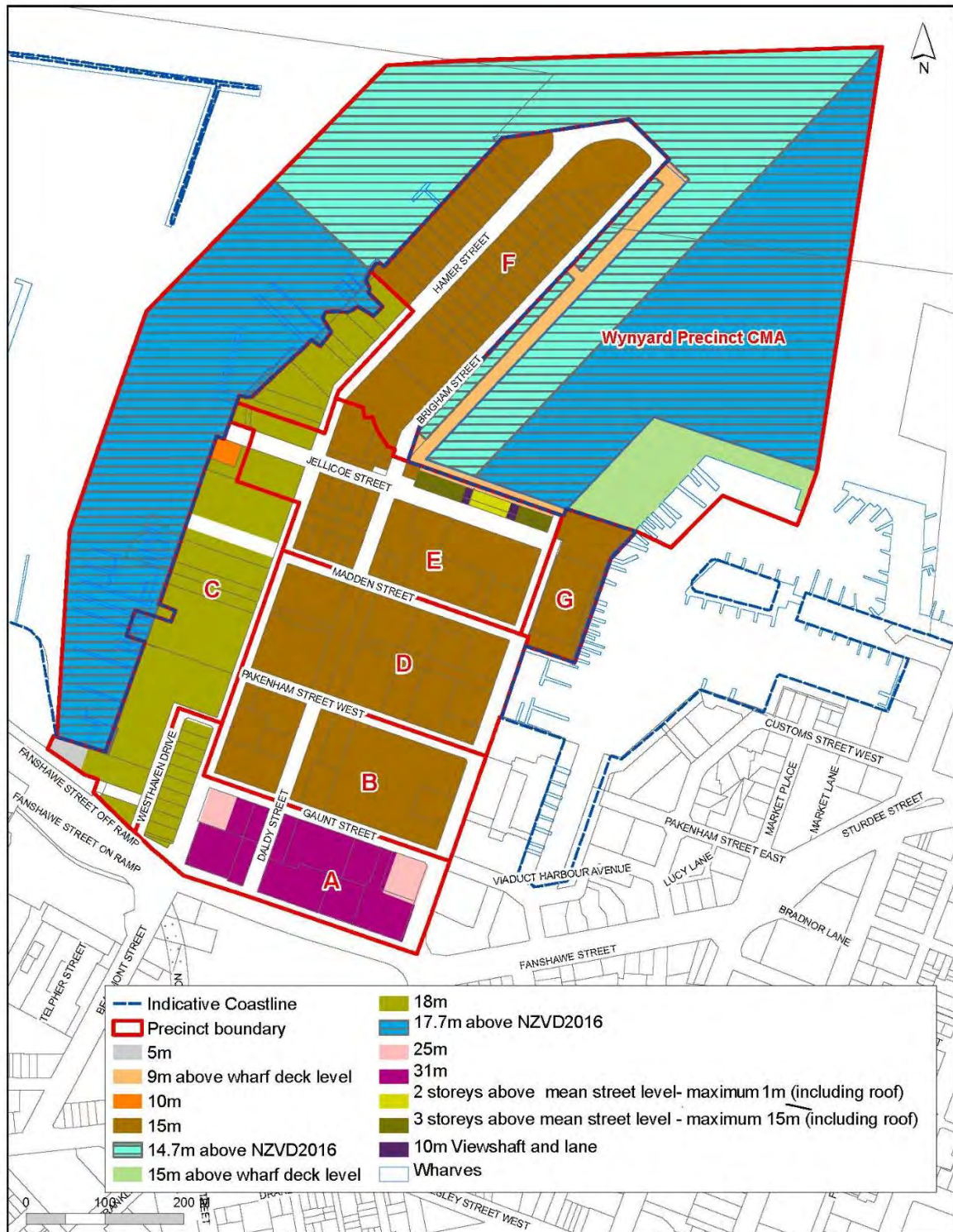




I214.10.3 Wynyard: Precinct plan 3 - Maximum floor area ratio

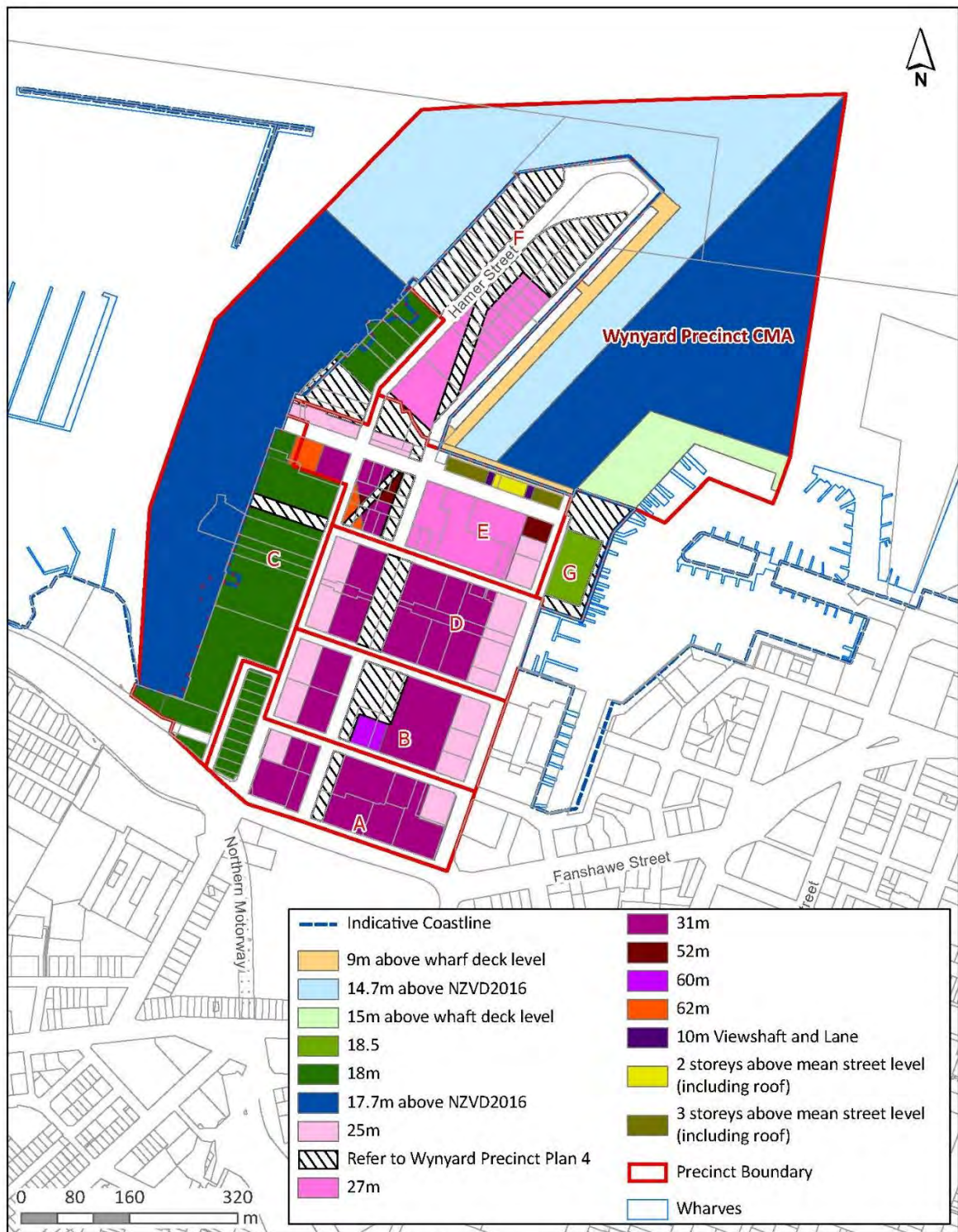


I214.10.4 Wynyard: Precinct plan 4 – Basic height

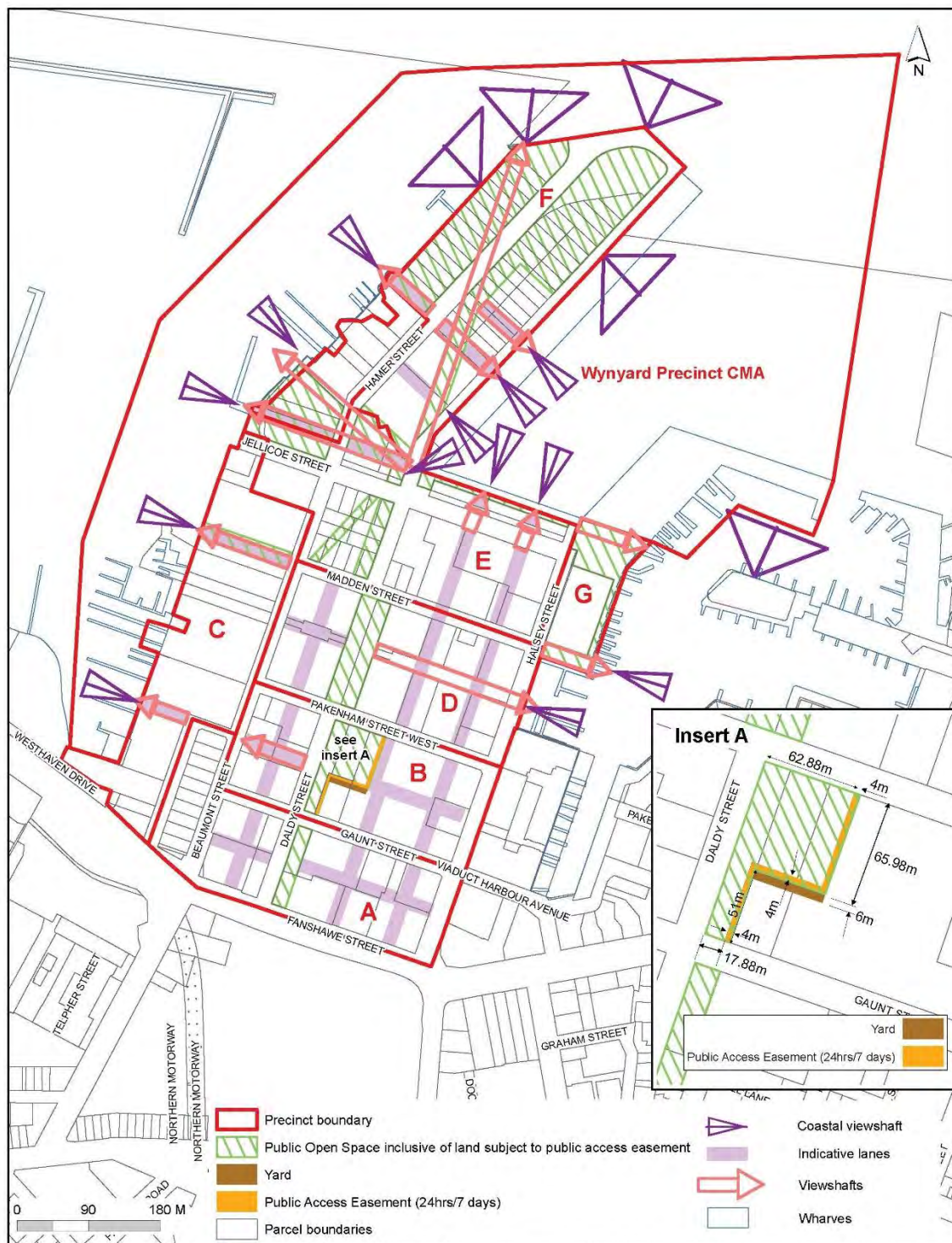




**I214.10.5 Wynyard: Precinct plan 5 – Maximum height**

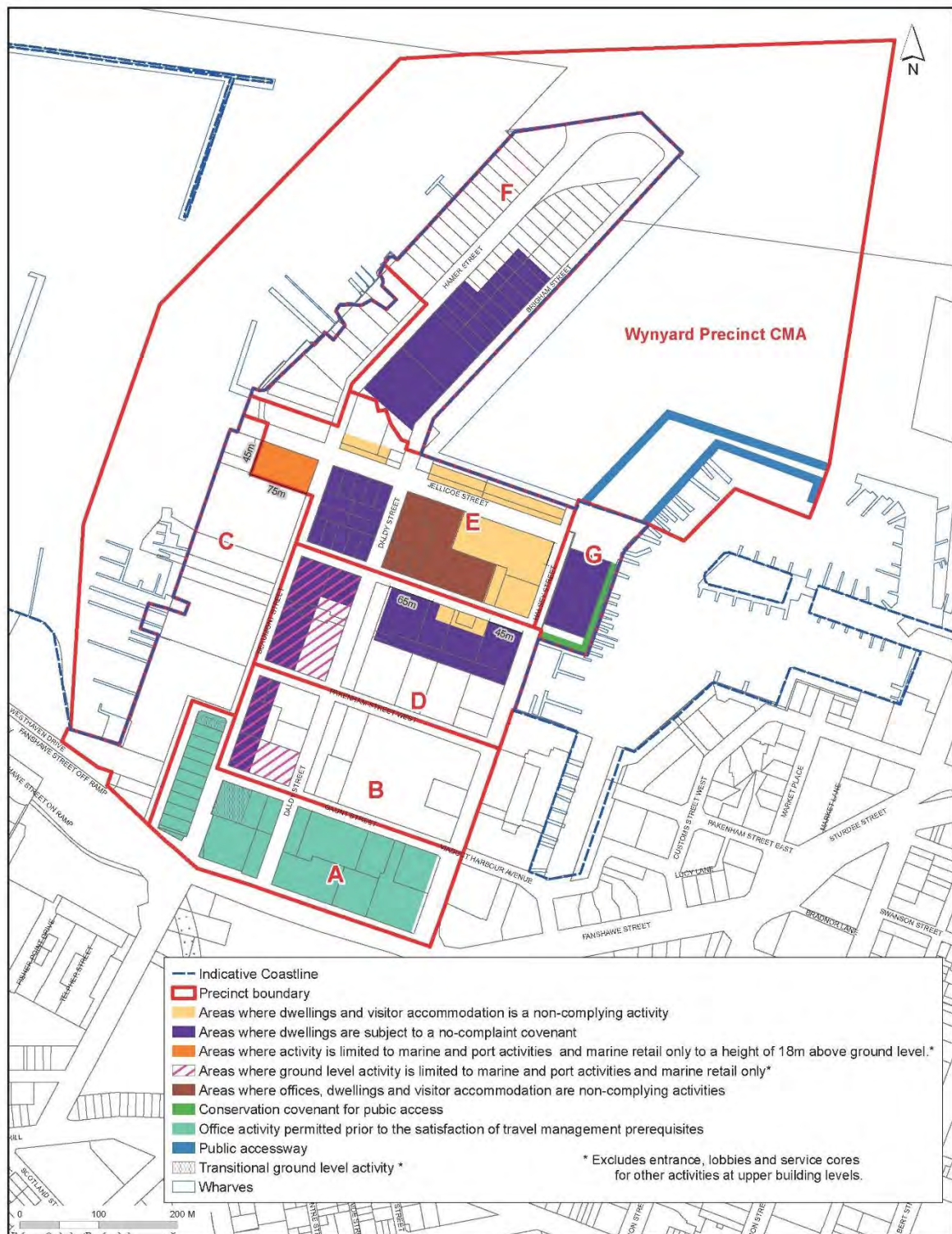


I214.10.6 Wynyard: Precinct plan 6 - Indicative lanes and viewshafts





I214.10.7 Wynyard: Precinct plan 7 – Additional activity restrictions

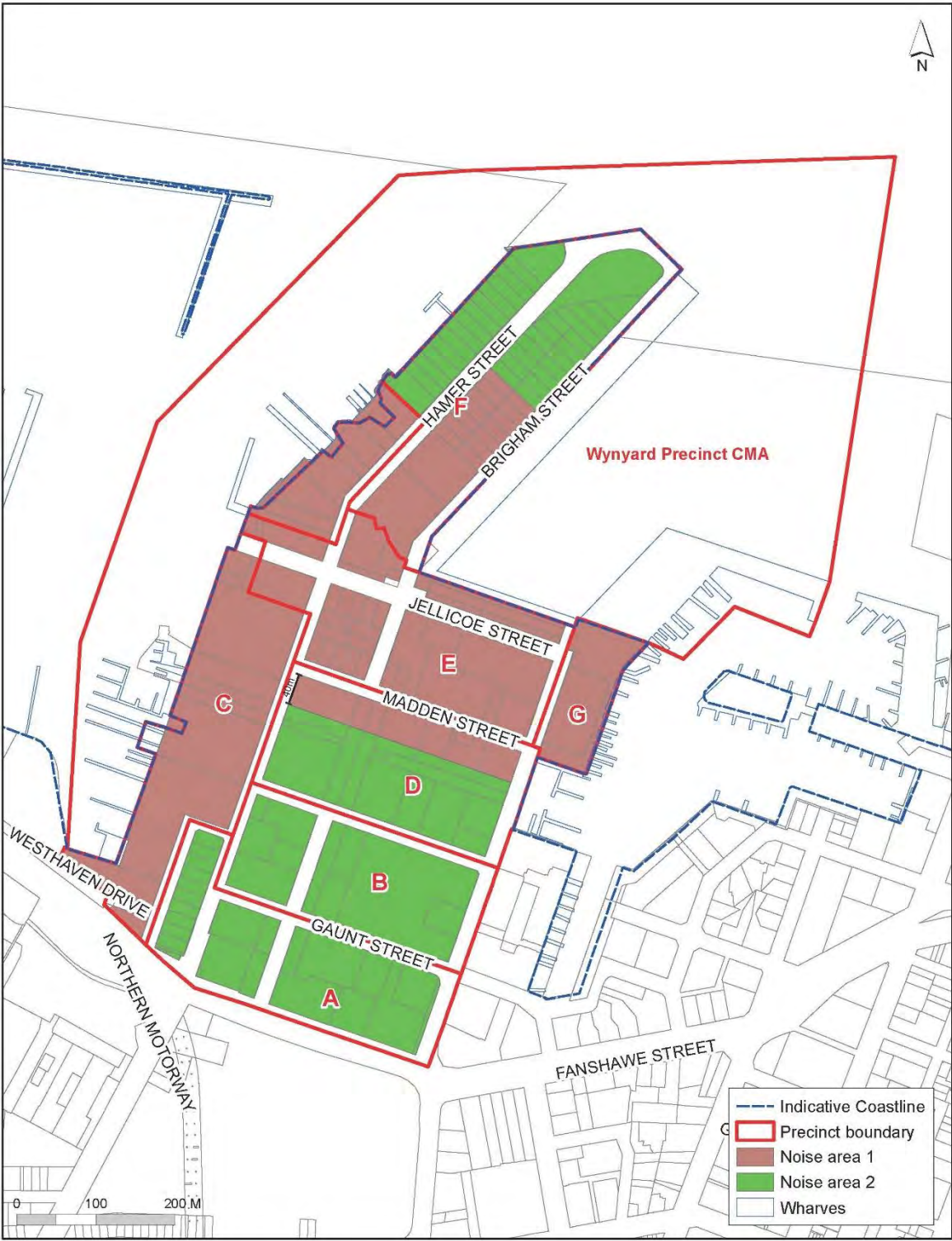


I214.10.8 Wynyard: Precinct plan 8 - Industrial frontages

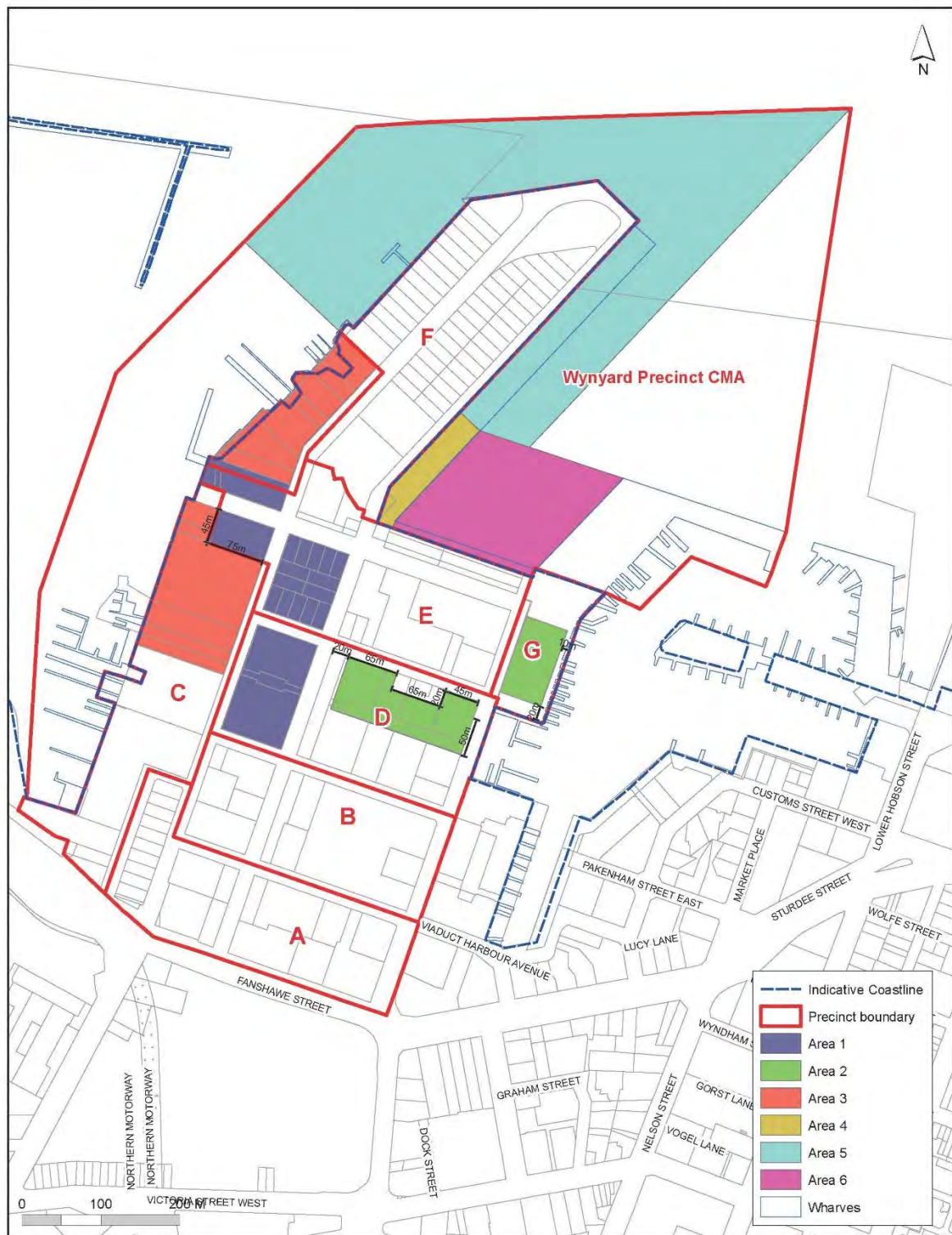




I214.10.9 Wynyard: Precinct plan 9 - Noise areas

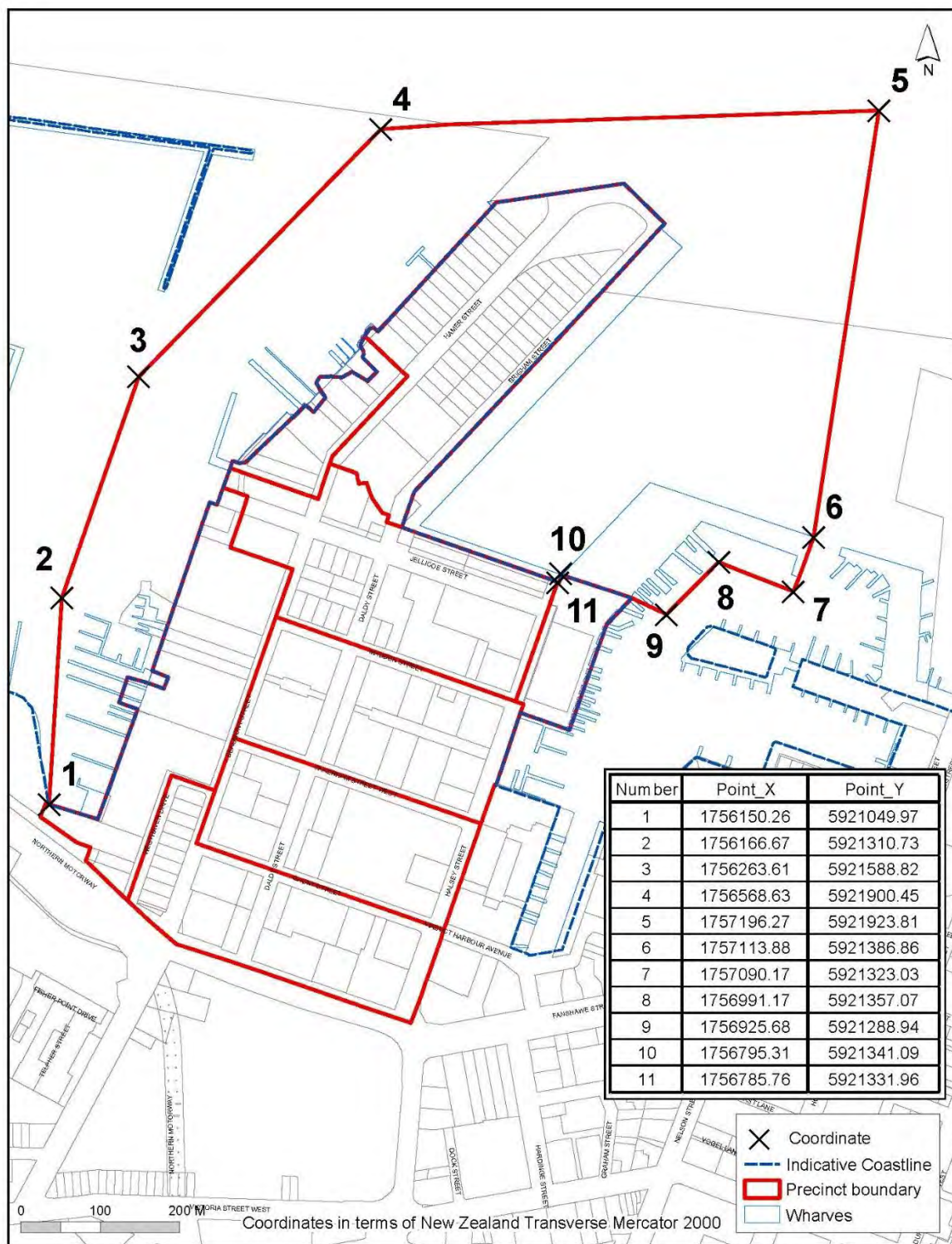


I214.10.10 Wynyard: Precinct plan 10 – Risk areas





**I214.10.11 Wynyard: Precinct plan 11 – Precinct boundary coordinates in the coastal marine area**



**I214.11. Appendices**

**I214.11.1 Appendix 1 - Methodology for undertaking traffic generation surveys in Wynyard Quarter (non-statutory)**

## Chapter K Designations

Some designations in the urban environment within relevant residential zones or urban non-residential zones are qualifying matters in accordance with sections 77I(g) and 77O(g) of the RMA.

### K1.1 Background

A designation is a provision in the Unitary Plan that gives effect to a notice of requirement for a public work or project by a requiring authority. Requiring authorities include a Minister of the Crown, local authority or approved network operator. A public work or project could include a school, police station, road, park, or a network utility.

Designations in the Unitary Plan include existing designations rolled over from previous district plans into the Unitary Plan either 'without modification' or 'with modification' and any new notices of requirement for a designation lodged with the council.

A designation can:

- 1.enable the use of land for a public work or infrastructure
- 2.restrict land, water, subsoil, or airspace where this is necessary for the safe or efficient functioning or operation of a public work or infrastructure
- 3.require written approval of the requiring authority responsible for the designation before a third party can undertake an activity within the designation.
4. enable activities that are exceptions to the district rules in the Unitary Plan.

Further guidance on designations, requiring authorities and the designations they are responsible for can be found in the designation section of the Unitary Plan.

### K1.2 Using Chapter K

Designations are shown in the Unitary Plan as:

A schedule for each requiring authority which summarises the designations and notices of requirement (NoRs) they are responsible for;

A full text version of each designation and NoR, which includes the purpose of the designation and any conditions; and

A “tan brown” or “dark brown” outline on the planning maps for each designation and NoR, which shows the extent of the designation boundaries.

#### K1.2.1 Schedules

The schedule(s) for each requiring authority are a quick reference list of all the designations a requiring authority is responsible. The schedules do not form part of a designation and the full text version of a designation should be relied upon for information on a designation.

The schedule identifies for each designation (from left to right):

- The number<sup>1</sup> of the designation;
- The purpose<sup>2</sup> of the designation; and
- The location<sup>3</sup> of the designation.

An example of the Auckland Council's schedule of designations is set out below.

### Designation Schedule - Auckland Council

Number	Description	Location
500	Auckland City Art Gallery ...	1 Kitchener Street, Auckland Central
501	Public open space	43-45 Viaduct Harbour Avenue to 119-117B and C Custom Street East, Central Auckland
....	....	....

### Notes

1. The letter "R" at the front of the designation number indicates this is a NoR. Once a NoR is confirmed the letter "R" will be removed.
2. Sometimes the purpose of the designation has been shortened to fit the schedule. The purpose of the designation in the full text version of the designation should always be relied upon for information on a designation.
3. The location is intended to describe where the designation can be found on the planning maps (GIS viewer), which will show the extent of the designation boundaries. The location is normally described as the street address or legal description of the whole or part of the designated site, or the general locality for a designation over a large area. If the location changes (i.e. change of address or legal description in a subdivision), the designation may be updated with these new details without an alteration to the designation using section 181 of the RMA.

#### K.1.2.2 Text

The full text version of a designation should be relied on for information on the designation.

The full text version of the designation identifies (from top to bottom):

- The number<sup>1</sup> and name of the designation (in the header);
- The number<sup>1</sup> of the designation (first line of the table);
- The requiring authority responsible for the designation;
- The location<sup>3</sup> of the designation;
- Whether it is a rollover designation from the previous district plan;
- The reference number of the rollover designation under the previous district plan;
- The lapse date<sup>4</sup> which is the date the designation lapses<sup>1</sup> unless it has been given effect (i.e. no lapse date) ;
- The purpose of the designation (beneath the table);
- The conditions of the designation; and
- Any attachments to the designation such as plans and diagrams.

An example of Auckland Council's full text version of the designation for the Auckland City Art Gallery is set out below.

**500 Auckland City Art Gallery**

<b>Reference Number</b>	500
<b>Requiring Authority</b>	Auckland Council
<b>Location</b>	1 Kitchener Street, Auckland Central
<b>Rollover Designation</b>	Yes
<b>Legacy Reference Number</b>	Designation 306, Auckland Council District Plan (Central Area) 2005
<b>Lapse Date</b>	Given effect to (i.e. no lapse date)

**Purpose**

This designation provides for the development, operation and maintenance of Auckland Art Gallery Toi o Tamaki and ancillary activities. The development works encompassed by this designation principally involve ...etc.

**Conditions****Plans and Information**

1. The height, shape, and bulk of the proposed building works shall be carried out generally in accordance with the plans listed in the table below and which are comprised in Appendix 1 to these conditions (*these plans available on request*): ... etc

**Attachments**

No attachments.

**Notes**

1. The letter "R" at the front of a designation number indicates this is a NoR. Once a NoR is confirmed the letter "R" will be removed.
2. The name of a designation in the header is non-statutory and does not form part of the purpose of a designation. If the non-statutory name changes (i.e. a park or road is renamed), the designation may be updated with these new details without an alteration to the designation using section 181 of the RMA.
3. The location is intended to describe where the designation can be found on the planning maps (GIS viewer), which will show the extent of the designation boundaries. The location is normally described as the street address or legal description of the whole or part of the designated site, or the general locality for a designation over a large area. If the location changes (i.e. change of address or legal description in a subdivision), the designation may be updated with these new details without an alteration to the designation using section 181 of the RMA.
4. If the lapse date of the designation is changed by giving effect to the designation or through an extension to the lapse date under section 184 or 184A of the RMA, the lapse date of the designation may be updated without an alteration to the designation using section 181 of the RMA.

### K1.2.3 Maps

The planning maps (GIS viewer) should be relied on for the extent of the designation boundaries<sup>1</sup>.

Designations on the planning maps are identified by:

- A "dark brown" outline and the number of the designation (in red) inside; or
- A "tan brown" outline, dotted infill and the number of the designation (in tan brown) inside. This generally applies to a designation that imposes a restriction over a large area of land, water, subsoil, or airspace. For example a height restriction around an airport flight path.

The following information can be obtained from the planning maps (GIS viewer) on a site to which a designation applies:

- The number<sup>2</sup> of the designation(s);
- The name<sup>3</sup> of the designation(s);
- The requiring authority;
- The address; and
- The legal description.

#### Notes

1. The planning maps (GIS viewer) introduce a scale and precision of mapping not achieved in previous planning documents. The Council has used its best endeavours (with the assistance of requiring authorities) to accurately map the extent of each designation boundary on the planning maps. Any concerns over the accuracy of any part of the mapping should be raised with the Council.
2. The letter "R" has not been used in the designation number to indicate a NoR on the planning maps (GIS viewer). However, "R" is used in the front of the designation number in the schedules and full text version of the designation to denote a NoR.
3. The name of the designation in the planning maps (GIS viewer) is non-statutory and does not form part of the purpose of a designation. The full text version of a designation should be relied upon for information on a designation.

## Schedule 9 Maunga Viewshafts Schedule [rcp/dp]

PC 78 (see  
Modifications)

[new text to be inserted]

ID	Name/ Location	PT	Mt Eden Circuit 2000		Height (NZVD2016)  (AGL – Above Ground Level)	New Zealand Transverse Mercator 2000		Maunga viewshaft category
			Northing	Easting		Northing	Easting	
A1	Mount Albert	1	798120.51	394355.80	49.62 (1m AGL)	5915242.59	1751544.58	Regionally significant
		2	798410.13	396194.87	98.81	5915498.16	1753388.67	
		3	799089.56	395945.45	98.81	5916182.07	1753151.85	
A2	Mount Albert	1	797503.08	396030.39	60.11 (1m AGL)	5914594.31	1753207.45	Regionally significant
		2	798711.13	395788.99	97.28	5915806.60	1752988.43	
		3	798708.43	396284.95	97.28	5915794.74	1753484.24	
A3	Mount Albert	1	795772.77	395590.56	56.29	5912872.45	1752735.70	Regionally significant
		2	798750.51	395816.19	98.21	5915845.47	1753016.35	
		3	798682.43	396262.70	98.21	5915769.15	1753461.52	
		4	796975.77	395796.51	73.43	5914071.42	1752963.86	
A7	Mount Albert	1	797135.04	398118.97	66.47 (1m AGL)	5914187.72	1755288.85	Regionally significant
		2	798527.29	395941.28	98.61	5915619.98	1753137.29	
		3	798927.83	396257.08	98.61	5916014.61	1753460.44	
A8	Mount Albert	1	797478.88	397719.01	65.63	5914538.89	1754889.32	Regionally significant
		2	798563.90	395971.41	95.11	5915656.03	1753168.09	
		3	798909.61	396241.05	95.11	5915996.69	1753444.07	
		4	798676.22	396261.92	92.66	5915762.96	1753460.62	
A9	Mount Albert	1	798274.64	396958.11	65.11 (1m AGL)	5915348.58	1754149.27	Regionally significant
		2	798492.33	395972.80	98.39	5915584.45	1753168.16	
		3	798952.02	396210.19	98.39	5916039.66	1753414.00	
A10	Mount Albert	1	799822.41	397241.37	39.89 (1m AGL)	5916890.84	1754461.09	Regionally significant
		2	798589.13	396188.35	98.01	5915677.24	1753385.46	
		3	798967.73	395863.20	98.01	5916061.78	1753067.37	
A13	Mount Albert	1	802373.59	390235.91	15.92	5919570.96	1747504.09	Regionally significant
		2	799099.67	396324.71	77.80	5916185.17	1753531.23	
		3	798421.54	395908.06	77.80	5915514.87	1753102.12	

Schedule 9 Maunga Viewshafts Schedule

		4	799738.99	394526.07	60.98	5916857.62	1751744.74	
B1	Browns Island	1	803911.30	405376.14	4.84 (1m AGL)	5920828.78	1762670.08	Regionally significant
		2	803539.10	406111.79	3.31 (1m AGL)	5920443.05	1763398.76	
		3	804838.04	411915.13	-	5921634.65	1769225.33	
		4	805970.40	411651.28	-	5922771.75	1768982.41	
B2	Browns Island	1	803619.30	406394.82	(1m AGL)	5920518.01	1763683.23	Regionally significant
		2	803210.10	407408.95	-	5920090.14	1764689.65	
		3	804909.67	411984.07	-	5921705.00	1769295.58	
		4	806106.87	411495.50	GRADE -1:100	5922911.08	1768829.17	
B3	Browns Island	1	803238.16	407508.52	4.12 (1m AGL)	5920116.36	1764789.74	Regionally significant
		2	806012.61	411495.50	-44.47	5922816.83	1768827.43	
		3	805568.27	411770.46	-44.47	5922367.47	1769094.16	
B5	Browns Island	1	803270.11	412139.67	40.51 (1m AGL)	5920062.77	1769420.88	Regionally significant
		2	809039.88	405731.69	-269.43	5925950.07	1763120.24	
		3	811892.55	412214.90	-269.42	5928682.80	1769655.22	
B6	Browns Island	1 East	799327.64	413830.71	56.09 (1m AGL)	5916089.50	1771038.87	Regionally significant
		1 West	799348.75	413784.07	51.35 (1m AGL)	5916111.47	1770992.63	
		2	809111.22	405967.53	-107.70	5926017.05	1763357.36	
		3	811668.76	411584.24	-116.59	5928470.66	1769020.51	
E1	Mount Eden	1	799524.36	399738.59	94.65 (1m AGL)	5916546.68	1756952.36	Regionally significant
		2	800276.82	399809.50	133.03	5917297.71	1757037.17	
		3	800105.52	400221.77	133.03	5917118.82	1757446.21	
E2	Mount Eden	1	799078.61	399670.85	89.07 (1m AGL)	5916102.26	1756876.39	Regionally significant
		2	800244.51	399817.80	128.61	5917265.25	1757044.87	
		3	800150.32	400152.87	128.61	5917164.89	1757378.15	
E3	Mount Eden	1	797934.14	399385.23	76.45 (1m AGL)	5914963.27	1756569.67	Regionally significant
		2	800262.09	399752.56	117.25	5917284.03	1756979.97	
		3	800117.06	400273.55	117.25	5917129.40	1757498.19	
E6	Mount	1	798871.98	396485.66	59.66	5915954.55	1753687.94	Regionally



Schedule 9 Maunga Viewshafts Schedule

	Eden	2	800736.06	399797.24	109.65	5917757.10	1757033.40	significant
		3		400123.64	109.66	5916985.48	1757345.59	
		4	800633.47	399615.02	106.90	5917657.89	1756849.31	
E8	Mount Eden	1	805319.33	403057.95	3.29	5922279.41	1760378.24	Regionally significant
		2	805334.39	403086.57	4.05	5922293.94	1760407.13	
		3	805312.59	403213.49	4.21	5922269.80	1760533.63	
		4	805324.57	403278.12	4.25	5922280.59	1760598.48	
		5	800059.14	400222.72	148.56	5917072.43	1757446.30	
		6	800144.62	400085.96	148.56	5917160.42	1757311.15	
		7	800354.89	399749.56	148.55	5917376.87	1756978.68	
		8	800383.60	399703.63	148.55	5917406.43	1756933.29	
E9	Mount Eden	1	802139.99	401078.99	66.58 (1m AGL)	5919137.12	1758340.88	Regionally significant
		2	800322.80	399790.76	139.95	5917344.03	1757019.28	
		3	800110.37	400161.16	139.96	5917124.79	1757385.70	
E10	Mount Eden	1	800223.53	400293.10	134.71	5917235.49	1757519.71	Regionally significant
		2	800149.08	399798.69	134.71	5917170.19	1757024.00	
		3	807004.24	398766.56	4.28 (1m AGL)	5924043.25	1756118.64	
		4	807083.55	398784.71	4.09 (1m AGL)	5924122.22	1756138.25	
		5	807226.75	398844.74	3.85 (1m AGL)	5924264.28	1756200.91	
		6	807673.35	399171.44	3.68 (1m AGL)	5924704.78	1756535.80	
E11	Mount Eden	1	802942.12	403298.74	3.66 (1m AGL)	5919898.12	1760575.10	Regionally significant
		2	803038.09	403737.59	4.13 (1m AGL)	5919985.97	1761015.65	
		3	799946.13	400224.14	134.71	5916959.41	1757445.63	
		4	800585.19	399709.67	134.70	5917607.87	1756943.05	
		A	802945.12	403384.68	3.75	5919899.53	1760661.08	
		B	802951.15	403449.98	3.82	5919904.35	1760726.48	
		C	802966.28	403517.72	3.89	5919918.23	1760794.49	
		D	803019.05	403688.17	4.08	5919967.84	1760965.89	
E12	Mount Eden	1 South	802691.97	404029.28	5.25 (1m AGL)	5919634.51	1761300.90	Regionally significant
		1 North	802765.05	403954.85	3.74 (1m AGL)	5919708.96	1761227.83	
		2	800632.50	399755.09	127.03	5917654.33	1756989.34	
		3	799961.76	400163.24	126.49	5916976.17	1757385.03	
E13	Mount	1	801984.01	405038.89	48.97	5918908.00	1762297.29	Regionally

Schedule 9 Maunga Viewshafts Schedule

	Eden	East			(1m AGL)			significant
		1 West	801961.28	404888.07	40.04 (1m AGL)	5918888.06	1762146.07	
		2	800695.18	399865.39	115.50	5917714.96	1757100.78	
		3	800017.44	400085.99	113.21	5917033.26	1757308.83	
E14	Mount Eden	1	800653.65	401155.98	81.74 (1m AGL)	5917649.59	1758390.39	Regionally significant
		2	800607.29	401248.17	80.79 (1m AGL)	5917601.53	1758481.71	
		3	800551.50	401332.03	79.85 (1m AGL)	5917544.20	1758564.52	
		4	800483.19	401408.09	78.88 (1m AGL)	5917474.50	1758639.31	
		5	800438.03	401443.76	78.33 (1m AGL)	5917428.69	1758674.14	
		6	800546.43	399935.43	110.45	5917564.95	1757168.06	
		7	799837.49	400125.38	110.46	5916852.62	1757344.88	
E16	Mount Eden	1	805189.94	398221.05	27.78 (1m AGL)	5922239.34	1755539.74	Regionally significant
		2	805771.19	398528.87	40.43 (1m AGL)	5922814.80	1755858.23	
		3	800270.29	400288.38	134.71	5917282.33	1757515.85	
		4	800145.88	399918.77	134.71	5917164.77	1757144.00	
E18	Mount Eden	1	801525.42	399758.00	88.22	5918547.05	1757008.75	Regionally significant
		2	800129.71	399835.62	102.81	5917150.14	1757060.57	
		3	800288.14	400408.50	102.81	5917297.96	1757636.28	
		4	801100.26	399946.89	93.08	5918118.47	1757189.75	
		5	801381.36	399796.94	89.76	5918402.29	1757045.03	
E19	Mount Eden	1	801639.01	400276.47	86.89 (1m AGL)	5918651.04	1757529.24	Regionally significant
		2	801516.46	400314.00	84.64 (1m AGL)	5918527.82	1757564.50	
		3	800101.49	400352.84	116.07	5917112.37	1757577.18	
		4	800296.98	399595.33	111.71	5917321.82	1756823.41	
		5	801561.85	400248.41	88.24	5918574.41	1757499.76	
E20	Mount Eden	1	802233.12	398974.72	71.99 (1m AGL)	5919269.10	1756238.68	Regionally significant
		2	800061.43	399821.36	122.44	5917082.14	1757045.04	
		3	800422.69	400442.85	122.43	5917431.85	1757673.11	
H1	Mount Hobson, Remuera	1	800747.73	401012.00	82.32	5917746.32	1758248.17	Regionally significant
		2	799949.22	401956.21	96.33	5916930.49	1759177.48	
		3	800241.86	402140.38	96.33	5917219.68	1759367.03	

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<b>H2</b>	Mount Hobson, Remuera	1 East	803098.28	402884.10	4.19 (1m AGL)	5920061.91	1760163.40	Regionally significant
		1 West	803202.27	402777.95	4.06 (1m AGL)	5920167.85	1760059.19	
		2	800226.36	401778.35	103.86	5917210.87	1759004.77	
		3	800100.31	402252.28	104.41	5917076.08	1759476.29	
<b>H3</b>	Mount Hobson, Remuera	1	802961.67	403159.80	3.50	5919920.23	1760436.53	Regionally significant
		2	802942.91	403276.60	3.64	5919899.32	1760552.98	
		3	802956.16	403479.15	2.97	5919908.82	1760755.74	
		4	803031.49	403720.39	3.20	5919979.69	1760998.33	
		5	800263.38	401804.66	100.01	5917247.40	1759031.76	
		6	800210.75	401914.05	100.01	5917192.75	1759140.16	
		7	800128.70	402084.58	100.01	5917107.57	1759309.14	
		8	800042.95	402262.80	100.01	5917018.54	1759485.75	
<b>H4</b>	Mount Hobson, Remuera	1 East	801984.01	405038.89	48.97 (1m AGL)	5918908.00	1762297.29	Regionally significant
		1 West	801961.28	404888.07	40.04 (1m AGL)	5918888.06	1762146.07	
		2	800417.86	401917.62	94.54	5917399.76	1759147.56	
		3	800008.91	402165.83	93.85	5916986.29	1759388.17	
<b>H5</b>	Mount Hobson, Remuera	1 East	802037.62	405647.33	58.89 (1m AGL)	5918950.37	1762906.62	Regionally significant
		1 West	802014.16	405471.28	58.87 (1m AGL)	5918930.17	1762730.17	
		2	800428.09	401936.65	93.02	5917409.64	1759166.77	
		3	800009.71	402153.31	92.92	5916987.32	1759375.66	
<b>H6</b>	Mount Hobson, Remuera	1	805319.33	403057.95	3.29	5922279.41	1760378.24	Regionally significant
		2	805334.39	403086.57	4.05	5922293.94	1760407.13	
		3	805312.59	403213.49	4.21	5922269.80	1760533.63	
		4	805324.57	403278.12	4.25	5922280.59	1760598.48	
		5	800108.57	402253.37	95.01	5917084.32	1759477.53	
		6	800138.49	402115.45	95.01	5917116.78	1759340.19	
		7	800201.99	401822.75	95.01	5917185.68	1759048.71	
		8	800214.22	401766.42	95.01	5917198.95	1758992.62	
<b>H7</b>	Mount Hobson, Remuera	1 North	802765.06	403954.83	3.74 (1m AGL)	5919708.97	1761227.81	Regionally significant
		1 South	802695.41	404025.85	4.97 (1m AGL)	5919638.02	1761297.54	
		2	800337.66	401827.97	95.61	5917321.23	1759056.44	
		3	800050.07	402205.85	95.30	5917026.71	1759428.94	

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K1	Big King, Three Kings	1	798860.59	399620.62	78.75	5915885.21	1756822.15	Regionally significant
		2	797381.84	399269.34	95.03	5914413.20	1756443.59	
		3	797443.40	399071.35	95.03	5914478.41	1756246.77	
		4	797878.25	399320.88	89.75	5914908.57	1756504.30	
K2	Big King, Three Kings	1	798347.26	399494.19	68.19	5915374.30	1756686.25	Regionally significant
		2	797390.49	399227.38	111.02	5914422.63	1756401.79	
		3	797445.37	399078.01	111.02	5914480.26	1756253.46	
		4	797878.25	399320.88	89.75	5914908.57	1756504.30	
M4	Mount Mangere	1	790521.80	403376.05	14.25	5907478.28	1760422.69	Regionally significant
		2	790626.14	403278.22	16.14	5907584.41	1760326.80	
		3	790744.38	403195.07	16.57	5907704.17	1760245.86	
		4	790832.95	403145.30	15.76	5907793.65	1760197.74	
		5	792649.07	401917.15	41.22	5909632.22	1759003.40	
		6	792355.13	401620.59	41.22	5909343.82	1758701.45	
		7	792096.17	401359.32	41.22	5909089.73	1758435.42	
		8	792063.21	401326.07	41.22	5909057.40	1758401.57	
M5	Mount Mangere	1	793594.01	402278.46	11.79	5910570.33	1759382.14	Regionally significant
		2	793819.97	402218.05	17.38	5910797.37	1759325.92	
		3	793918.14	402191.65	18.96	5910896.01	1759301.35	
		4	794011.62	402161.23	19.19	5910990.04	1759272.66	
		5	794101.08	402121.61	18.26	5911080.22	1759234.70	
		6	794183.89	402073.80	16.21	5911163.90	1759188.43	
		7	794259.68	402018.68	13.14	5911240.70	1759134.72	
		8	792294.93	401385.41	56.92	5909287.99	1758465.19	
		9	792264.54	401467.88	56.92	5909256.08	1758547.08	
		10	792235.87	401545.64	56.92	5909225.97	1758624.30	
		11	792209.32	401617.70	56.92	5909198.09	1758695.86	
		12	792185.58	401682.10	56.92	5909173.16	1758759.81	
		13	792162.67	401744.25	56.92	5909149.11	1758821.52	
		14	792110.11	401886.87	56.92	5909093.92	1758963.14	
M6	Mount Mangere	1 West	795157.00	400681.16	4.41 (1m AGL)	5912162.62	1757814.02	Regionally significant
		1 East	794773.57	401267.59	4.44 (1m AGL)	5911768.40	1758393.26	
		2	792218.43	401399.83	51.76	5909211.23	1758478.19	
		3	792349.22	402006.59	53.62	5909330.77	1759087.27	
O1	One Tree Hill	1 East	802025.99	405633.18	59.11 (1m AGL)	5918939.01	1762892.26	Regionally significant
		1 West	802004.86	405400.97	58.37 (1m AGL)	5918922.16	1762659.70	
		2	797962.51	401419.68	113.81	5914954.01	1758604.31	

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		3	797281.49	402208.69	111.57	5914258.52	1759380.60	
<b>O2</b>	One Tree Hill	1	799633.67	403827.79	57.62 (1m AGL)	5916580.39	1761042.93	Regionally significant
		2	798135.00	401364.85	109.75	5915127.49	1758552.67	
		3	797490.37	401899.47	109.76	5914473.08	1759075.29	
<b>O3</b>	One Tree Hill	1	796076.96	405546.22	23.13	5912992.44	1762695.35	Regionally significant
		2	797473.51	401586.04	116.50	5914462.01	1758761.60	
		3	797890.71	401758.93	116.50	5914875.95	1758942.17	
		4	797522.90	402496.90	98.17	5914494.56	1759673.23	
<b>O4</b>	One Tree Hill	1	795826.39	406380.94	23.10 (1m AGL)	5912726.47	1763525.31	Regionally significant
		2	797341.55	401535.74	119.00	5914331.01	1758708.87	
		3	798094.99	401839.45	118.99	5915078.71	1759026.46	
<b>O5</b>	One Tree Hill	1	798750.20	400160.96	82.03 (1m AGL)	5915764.85	1757360.36	Locally significant
		2	797568.65	401586.46	144.75	5914557.13	1758763.78	
		3	797936.87	401824.27	144.75	5914920.89	1759008.36	
<b>O6</b>	One Tree Hill	1	798668.05	400401.70	79.91 (1m AGL)	5915678.26	1757599.54	Regionally significant
		2	797577.36	401577.43	134.73	5914566.01	1758754.91	
		3	797866.64	401790.84	134.73	5914851.29	1758973.64	
<b>O7</b>	One Tree Hill	1	796209.58	401780.44	45.86 (1m AGL)	5913194.70	1758932.59	Regionally significant
		2	797728.81	401555.56	135.98	5914717.84	1758735.85	
		3	797744.56	401829.92	135.98	5914728.51	1759010.45	
<b>O8</b>	One Tree Hill	1	795969.39	401805.93	40.42 (1m AGL)	5912954.07	1758953.64	Regionally significant
		2	797729.68	401575.48	122.73	5914718.41	1758755.78	
		3	797744.64	401827.31	122.73	5914728.64	1759007.84	
<b>O9</b>	One Tree Hill	1	795681.13	401836.86	34.47 (1m AGL)	5912665.28	1758979.23	Regionally significant
		2	797727.81	401581.92	126.98	5914716.35	1758762.18	
		3	797742.37	401764.80	126.98	5914727.53	1758945.30	
<b>O10</b>	One Tree Hill	1 North	800092.34	406830.79	65.89 (1m AGL)	5916983.49	1764053.97	Locally significant
		1 South	800015.35	406793.86	60.93 (1m AGL)	5916907.20	1764015.63	
		2	797258.09	401901.04	97.36	5914240.81	1759072.56	
		3	798401.32	401562.17	95.53	5915390.12	1758754.89	

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<b>O11</b>	One Tree Hill	1	793272.62	402347.35	4.28	5910247.71	1759445.07	Regionally significant
		2	793819.83	402203.30	17.12	5910797.50	1759311.17	
		3	793949.59	402166.90	18.52	5910927.91	1759277.18	
		4	794022.72	402140.96	18.38	5911001.52	1759252.60	
		5	794111.64	402099.56	17.23	5911091.19	1759212.85	
		6	794178.35	402059.85	15.36	5911158.62	1759174.38	
		7	797678.83	401228.26	108.38	5914673.92	1758407.67	
		8	797704.28	401421.32	108.38	5914695.80	1758601.18	
		9	797728.70	401606.62	108.38	5914716.78	1758786.90	
		10	797742.12	401708.41	108.38	5914728.32	1758888.92	
		11	797758.00	401828.92	108.38	5914741.97	1759009.70	
		12	797817.19	402278.03	108.38	5914792.84	1759459.83	
<b>O12</b>	One Tree Hill	1	794368.68	397395.61	109.52 (1m AGL)	5911435.22	1754514.44	Regionally significant
		2	798020.69	401488.16	120.80	5915010.92	1758673.86	
		3	797146.93	402125.03	69.18	5914125.53	1759294.46	
<b>R1</b>	Mount Roskill	1	797103.54	396738.02	49.37	5914181.76	1753907.56	Regionally significant
		2	796515.04	397690.11	80.62	5913575.76	1754848.59	
		3	796263.54	397477.74	80.62	5913328.23	1754631.61	
		4	796453.32	397420.08	75.68	5913519.04	1754577.47	
<b>R2</b>	Mount Roskill	1	797238.24	398012.95	61.87 (1m AGL)	5914292.86	1755184.76	Regionally significant
		2	796335.37	397754.05	67.50	5913394.93	1754909.21	
		3	796501.05	397430.93	67.49	5913566.56	1754589.20	
<b>T1</b>	Rangitoto Island	1	802171.25	401220.53	79.76 (1.5m AGL)	5919165.76	1758482.97	Regionally significant
		2	811630.70	406741.74	-154.52	5928521.89	1764177.93	
		3	808963.12	409813.29	-154.41	5925798.03	1767199.87	
<b>T2</b>	Rangitoto Island	4	803798.34	404721.58	5.73 (1m AGL)	5920727.93	1762013.54	Regionally significant
		5	803198.55	408145.06	4.22 (1m AGL)	5920065.00	1765425.45	
		6	808594.66	413198.12	-	5925367.16	1770577.50	
		7	809002.15	411980.29	-	5925797.07	1769367.33	
		8	810694.89	406921.22	-	5927582.90	1764340.13	
		9	811088.09	405746.09	-	5927997.72	1763172.42	
<b>T3</b>	Rangitoto Island	1	805778.23	398515.59	40.43 (1m AGL)	5922822.09	1755845.09	Regionally significant
		2	808906.24	408960.22	58.51	5925756.88	1766345.87	
		3	811439.80	407833.39	58.51	5928310.89	1765265.91	

Schedule 9 Maunga Viewshafts Schedule

<b>T4</b>	Rangitoto Island	1	815914.52	397483.71	95.77 (1m AGL)	5932975.65	1755000.29	Regionally significant
		2	809058.13	407822.37	-24.29	5925929.74	1765210.97	
		3	811991.83	409252.80	-24.29	5928836.68	1766695.31	
<b>T8</b>	Rangitoto Island	1	802480.85	408568.45	48.57 (1m AGL)	5919339.58	1765835.53	Locally significant
		2	810213.01	407755.76	-40.69	5927085.70	1765165.67	
		3	810193.15	409551.85	-40.69	5927032.72	1766961.16	
<b>T9</b>	Rangitoto Island	1	800223.64	412896.97	34.14 (1m AGL)	5917002.66	1770121.81	Locally significant
		2	809682.00	407288.46	-46.70	5926563.39	1764688.64	
		3	810520.66	409038.54	-1.57	5927369.65	1766453.96	
<b>T10</b>	Rangitoto Island	1	802004.01	412026.98	3.53 (1m AGL)	5918798.90	1769284.82	Regionally significant
		C	802036.02	412027.71	3.64 (1m AGL)	5918830.89	1769286.14	
		B	802080.02	412059.01	3.45 (1m AGL)	5918874.31	1769318.25	
		A	802140.32	412098.71	3.38 (1m AGL)	5918933.87	1769359.06	
		2	802150.07	412100.60	3.60 (1m AGL)	5918943.58	1769361.13	
		4	811599.86	412373.25	-	5928387.22	1769808.16	
		3	809298.25	405782.44	-	5926207.46	1763175.75	
<b>V1</b>	Mount Victoria, Devonport	1	809018.91	401904.97	34.45 (1m AGL)	5925999.69	1759293.71	Regionally significant
		2	805845.19	402956.63	52.23	5922807.06	1760286.64	
		3	805965.73	403267.53	52.23	5922921.84	1760599.71	
<b>V2</b>	Mount Victoria, Devonport	1	807940.36	402315.84	29.92 (1m AGL)	5924913.73	1759684.62	Regionally significant
		2	805846.58	402961.98	50.62	5922808.35	1760292.01	
		3	805968.13	403270.68	50.62	5922924.18	1760602.91	
<b>V3</b>	Mount Victoria, Devonport	1	807253.90	402571.88	27.86 (1m AGL)	5924222.65	1759927.95	Regionally significant
		2	805847.59	402967.18	38.36	5922809.26	1760297.23	
		3	805967.08	403263.32	38.36	5922923.26	1760595.53	
<b>W1</b>	Mount Wellington	1	797942.08	405234.32	39.66 (1m AGL)	5914863.06	1762417.98	Regionally significant
		2	798389.31	407379.95	52.97	5915270.55	1764571.58	
		3	798730.50	407279.35	52.97	5915613.55	1764477.29	

Schedule 9 Maunga Viewshafts Schedule

<b>W2</b>	Mount Wellington	1	798032.18	405530.45	36.98 (1m AGL)	5914947.67	1762715.73	Regionally significant
		2	798389.39	407381.84	84.66	5915270.60	1764573.47	
		3	798784.58	407259.37	84.66	5915668.00	1764458.32	
<b>W3</b>	Mount Wellington	1	798143.09	406339.91	38.00	5915043.60	1763527.13	Regionally significant
		2	798776.57	407224.75	75.00	5915660.63	1764423.56	
		3	798389.74	407399.81	75.00	5915270.61	1764591.44	
		4	798190.65	406470.64	42.73	5915088.73	1763658.72	
<b>W4</b>	Mount Wellington	1	796906.97	406702.31	25.57 (1m AGL)	5913800.95	1763866.63	Regionally significant
		2	798627.70	407053.71	54.60	5915514.94	1764249.79	
		3	798418.51	407596.54	54.60	5915295.74	1764788.68	
<b>W5</b>	Mount Wellington	1	797936.25	407198.78	20.49 (1m AGL)	5914820.90	1764382.05	Regionally significant
		2	798571.26	407158.93	73.63	5915456.56	1764353.95	
		3	798445.32	407580.46	73.63	5915322.85	1764773.10	
<b>W6</b>	Mount Wellington	1	796710.05	407308.08	18.70	5913592.85	1764468.66	Regionally significant
		2	798521.23	407088.90	52.81	5915407.83	1764283.01	
		3	798511.65	407595.58	52.81	5915388.89	1764789.44	
		4	798371.87	407371.79	49.79	5915253.26	1764563.10	
<b>W8</b>	Mount Wellington	1	797834.43	407808.26	23.44 (1m AGL)	5914707.82	1764989.57	Regionally significant
		2	798416.23	407171.48	70.29	5915301.32	1764363.63	
		3	798674.36	407612.03	70.29	5915551.27	1764808.90	
<b>W9</b>	Mount Wellington	1	797619.01	408265.04	27.49	5914483.99	1765442.30	Regionally significant
		2	798373.59	407197.32	86.40	5915258.21	1764388.68	
		3	798698.66	407527.63	86.40	5915577.13	1764724.96	
		4	797765.86	408120.35	36.78	5914633.50	1765300.35	
<b>W12</b>	Mount Wellington	1	800462.16	412648.07	3.79	5917245.75	1769877.34	Regionally significant
		2	800582.90	412648.19	3.12	5917366.48	1769879.69	
		3	800774.14	412605.39	3.66	5917558.49	1769840.43	
		4	800943.27	412494.66	3.48	5917729.64	1769732.84	
		5	800942.50	412435.80	3.12	5917729.96	1769673.97	
		6	800994.74	412418.71	3.34	5917782.51	1769657.85	
		7	801056.18	412438.71	4.01	5917843.57	1769678.98	
		8	801202.03	412416.32	3.34	5917989.82	1769659.29	
		9	801421.83	412329.75	2.95	5918211.19	1769576.79	
		10	801566.00	412253.56	2.64	5918356.75	1769503.28	
		11	801774.26	412132.37	2.70	5918567.23	1769385.95	



Schedule 9 Maunga Viewshafts Schedule

		12	798876.13	407133.91	51.23	5915761.85	1764334.57	
		13	798774.23	407186.52	51.23	5915658.99	1764385.29	
		14	798705.20	407222.16	51.23	5915589.31	1764419.64	
		15	798605.68	407273.54	51.23	5915488.86	1764469.18	
		16	798546.45	407304.12	51.23	5915429.07	1764498.66	
		17	798493.11	407331.65	51.23	5915375.23	1764525.20	
		18	798407.97	407375.59	51.23	5915289.29	1764567.57	
		19	798327.71	407417.04	51.23	5915208.28	1764607.53	
		20	798282.29	407440.48	51.23	5915162.43	1764630.12	
W13	Mount Wellington	1	801191.95	409541.66	41.57	5918032.86	1766784.80	Locally significant
		2	798340.26	407552.71	65.14	5915218.31	1764743.40	
		3	798734.91	407081.77	65.14	5915621.62	1764279.83	
		4	799689.62	407780.70	47.66	5916563.28	1764996.31	
W18	Mount Wellington	1	799933.26	406732.86	53.16 (1m AGL)	5916826.25	1763953.12	Regionally significant
		2	800085.60	406810.64	64.79 (1m AGL)	5916977.13	1764033.70	
		3	798646.41	407653.84	55.08	5915522.55	1764850.19	
		4	798429.58	407134.47	55.08	5915315.36	1764326.87	
W19	Mount Wellington	1	802013.55	405342.04	56.82 (1m AGL)	5918931.94	1762600.94	Regionally significant
		2	802029.21	405572.83	58.77 (1m AGL)	5918943.34	1762831.98	
		3	798662.70	407586.97	102.03	5915540.08	1764783.63	
		4	798415.87	407141.45	76.33	5915301.52	1764333.60	
W24	Mount Wellington	1	796319.82	408561.05	16.06 (1m AGL)	5913179.50	1765714.25	Regionally significant
		2	796434.90	408283.25	20.64 (1m AGL)	5913299.70	1765438.61	
		3	798422.98	407180.64	45.17	5915307.90	1764372.91	
		4	798694.13	407650.27	46.90	5915570.33	1764847.50	
W25	Mount Wellington	1	798581.16	408189.48	27.04 (1m AGL)	5915447.41	1765384.54	Regionally significant
		2	798967.26	407361.51	56.76	5915848.76	1764563.82	
		3	798266.20	407331.92	56.76	5915148.35	1764521.27	
W26	Mount Wellington	1	797854.43	413470.44	43.75 (1m AGL)	5914623.12	1770651.41	Regionally significant
		2	797214.69	401689.49	102.23	5914201.33	1758860.25	
		3	798745.91	401705.86	102.22	5915732.00	1758904.93	
		4	798320.65	407317.82	74.35 Upper 48.05	5915203.05	1764508.18	

Schedule 9 Maunga Viewshafts Schedule

					Lower			
		5	798851.74	407384.71	80.97 Upper 48.05 Lower	5915732.83	1764584.89	
		6	798928.48	407394.37	48.05	5915809.38	1764595.97	
		7	800060.21	400010.51	126.01	5917077.42	1757234.14	
		8	800414.13	400073.30	126.00	5917430.12	1757303.46	
		9	800034.76	402058.86	113.81	5917014.12	1759281.69	
		10	800349.24	402123.46	113.81	5917327.35	1759352.09	

## **Appendix 11 Business – City Centre Zone sunlight admission into public places**

### Notes 1:

- (1) Defined time periods are expressed in terms of New Zealand Standard time and New Zealand Daylight time (NZDT). When NZDT applies, this will be stated on the figure.
- (2) Origin of coordinates in terms of Geodetic Datum 2000.
- (3) Coordinates in terms of New Zealand Transverse Mercator 2000.
- (4) Bearings in terms of Grid North.
- (5) Levels in terms of New Zealand Vertical Datum 2016.
- (6) Property base is approximate only.

### Notes 1 above relate to the following figures:

- Figure 2: Admission of Sunlight to St Patrick's Square (SP);
- Figure 3: Admission of Sunlight to Emily Place (EP);
- Figure 5: Admission of Sunlight to Aotea and Aotea Height Control Plane (AS);
- Figure 6: Admission of Sunlight to Albert Park (AP);
- Figure 7: Admission of Sunlight to Myers Park (MP);
- Figure 8: Admission of Sunlight to Old Government House (OG); and
- Figure 9: Admission of Sunlight to Queen Elizabeth Square (QE);
- Figure 10: Admission of Sunlight to Victoria Park (VP);
- Figure 11: Admission of Sunlight to Te Taou Reserve (TT);
- Figure 12: Admission of Sunlight to Mahuhu ki-te-Rangi Park (MR);
- Figure 13: Admission of Sunlight to Grafton Cemetery East (GE);
- Figure 14: Admission of Sunlight to Grafton Cemetery West (GW);
- Figure 15: Admission of Sunlight to Constitution Hill (CH);
- Figure 16: Admission of sunlight to Auckland Domain (AD).

### Notes 2:

- (1) Defined time periods are expressed in terms of New Zealand Standard time.
- (2) Origin of coordinates in terms of Geodetic Datum 2000.
- (3) Coordinates in terms of New Zealand Transverse Mercator 2000.
- (4) Bearings in terms of Grid North.

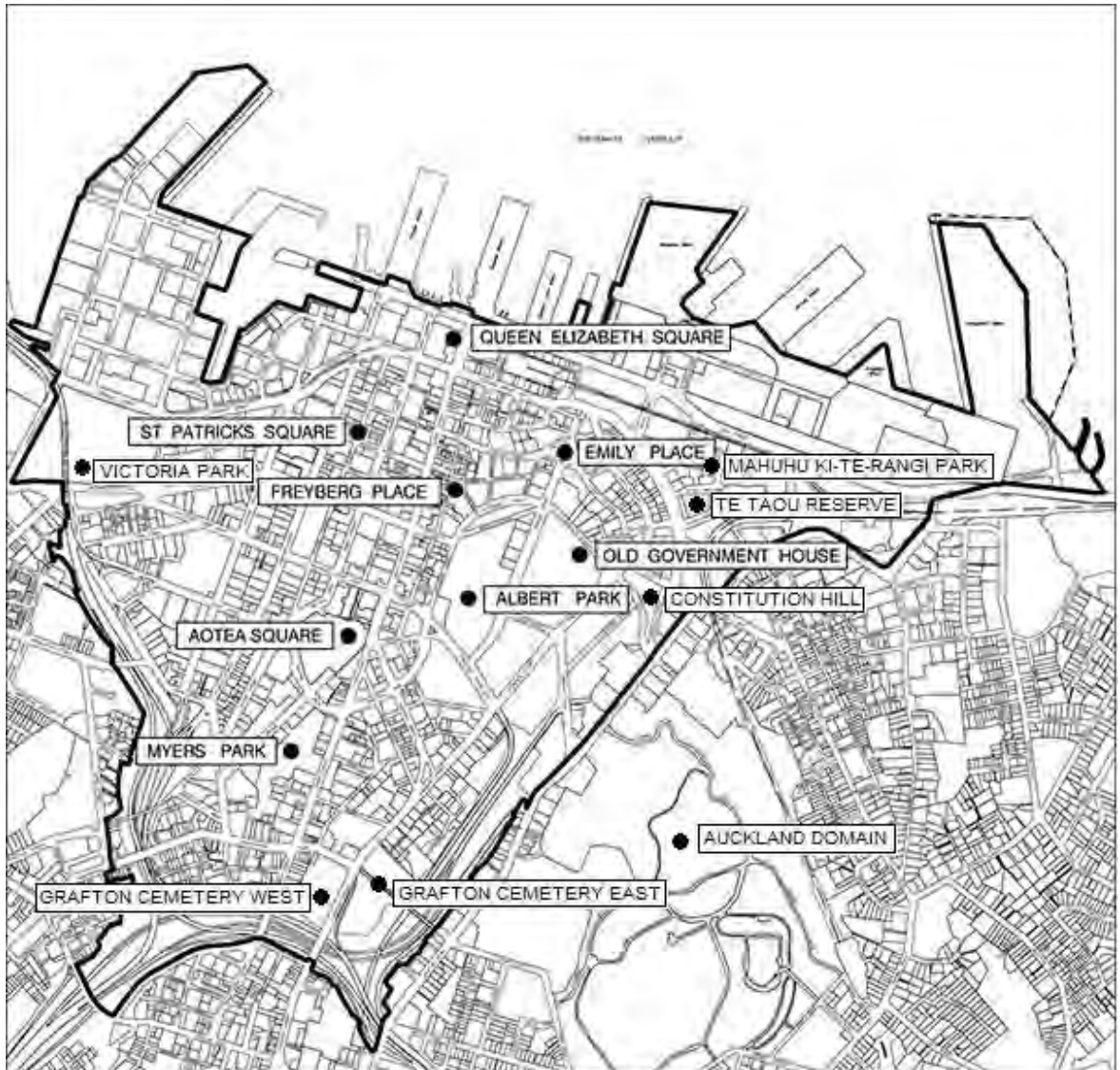
(5) Levels in terms of New Zealand Vertical Datum 2016.

(6) Property base is approximate only.

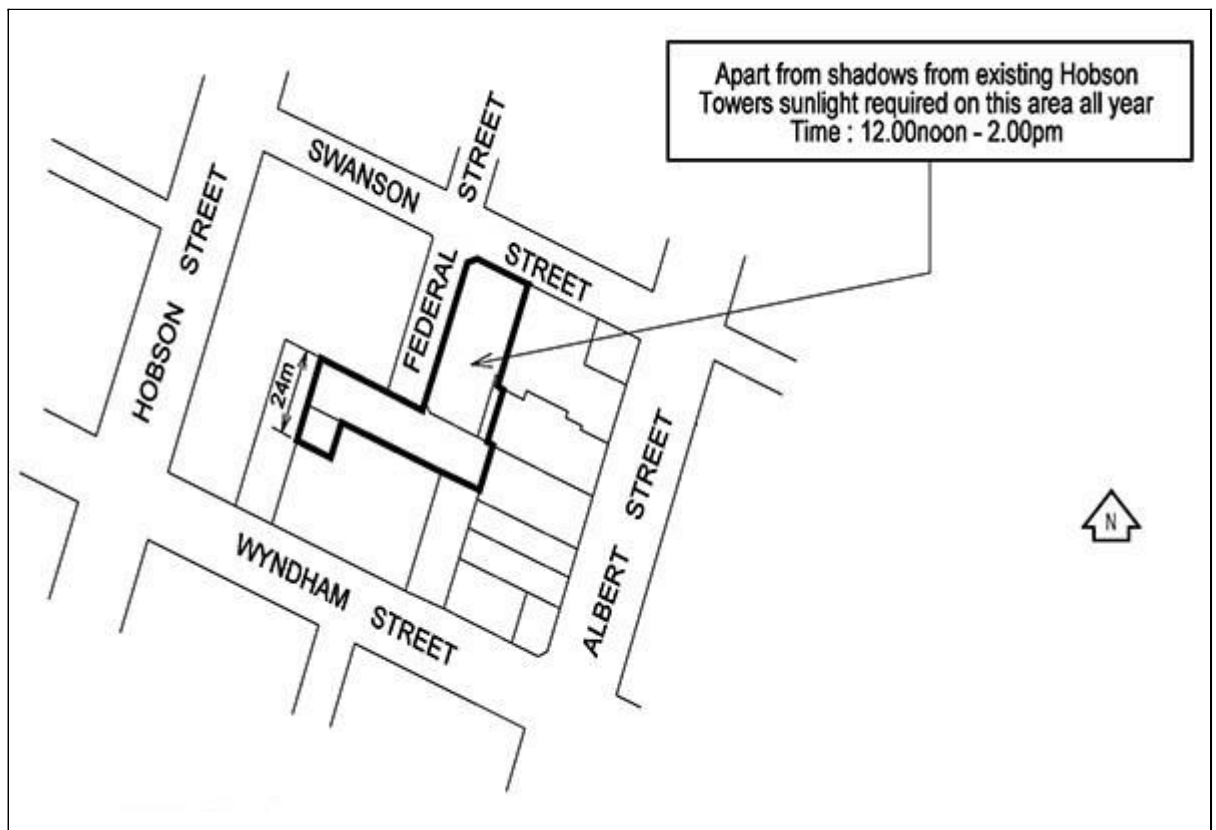
(7) RL12.7 for Baselines A, B and C.

Notes 2 above relate to the following figure – Figure 4: Admission of Sunlight to Freyberg Place (FP).

**Figure 1: Locations**



**Figure 2: Admission of sunlight to St Patrick's Square**



**Figure 3: Admission of sunlight to Emily Place**

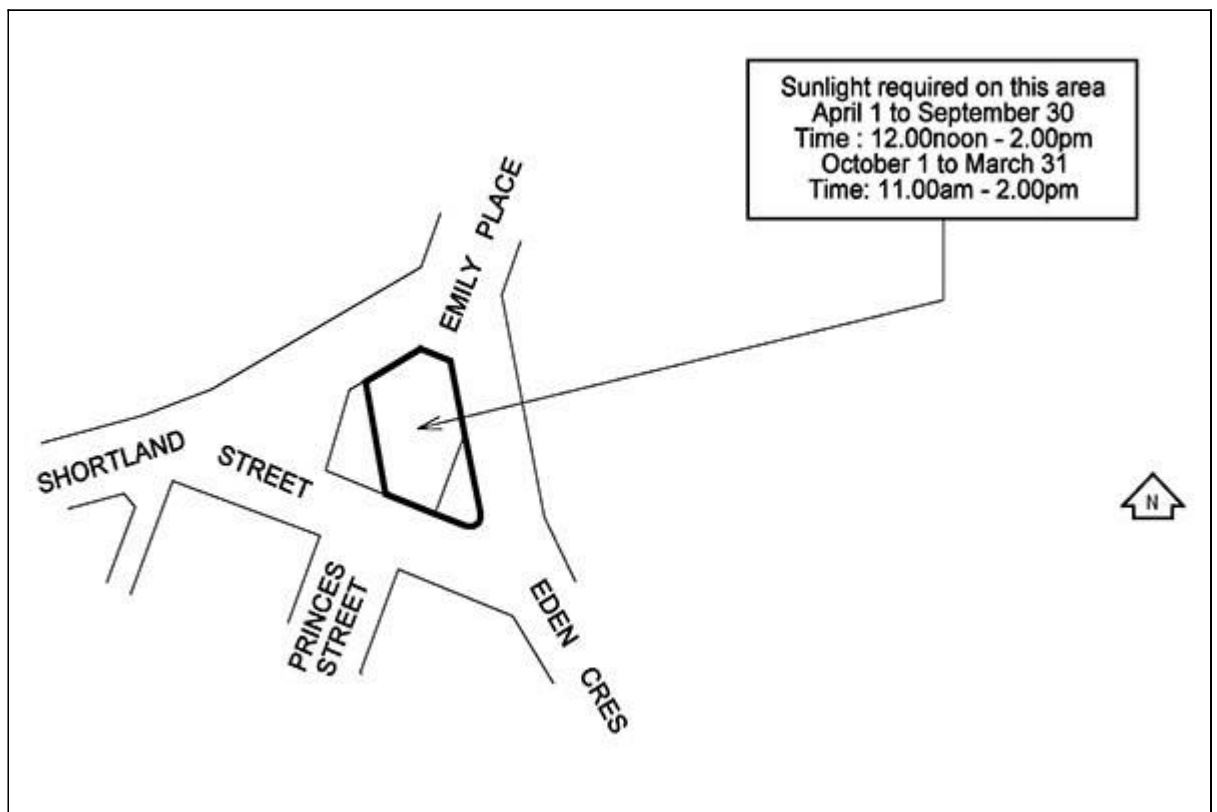


Figure 4: Admission of sunlight to Freyberg Place

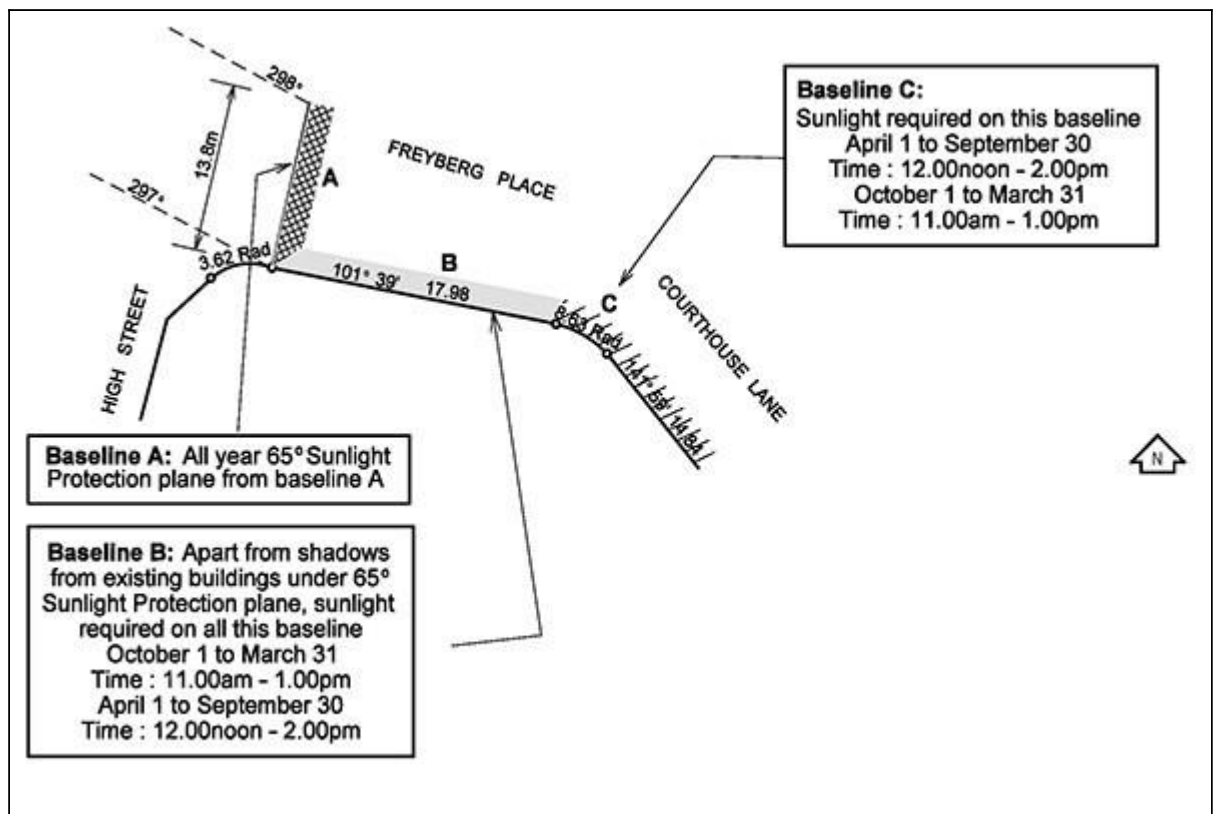
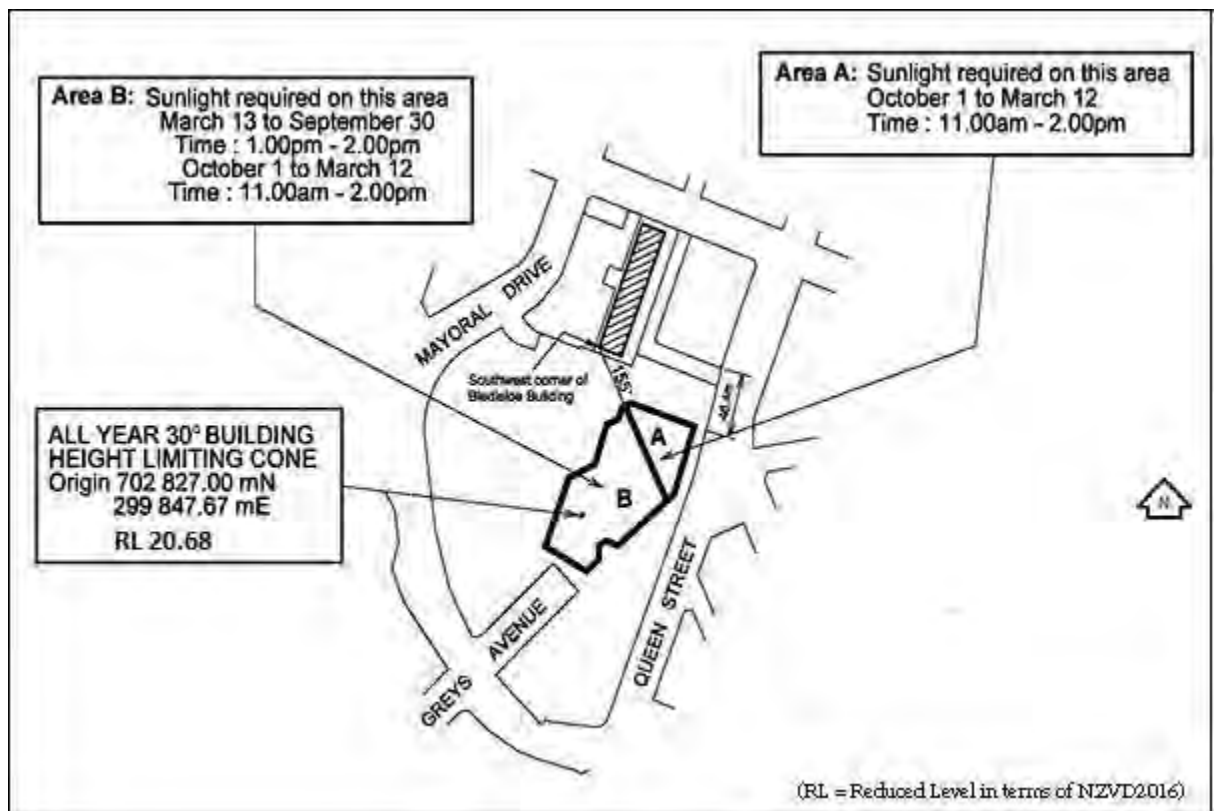
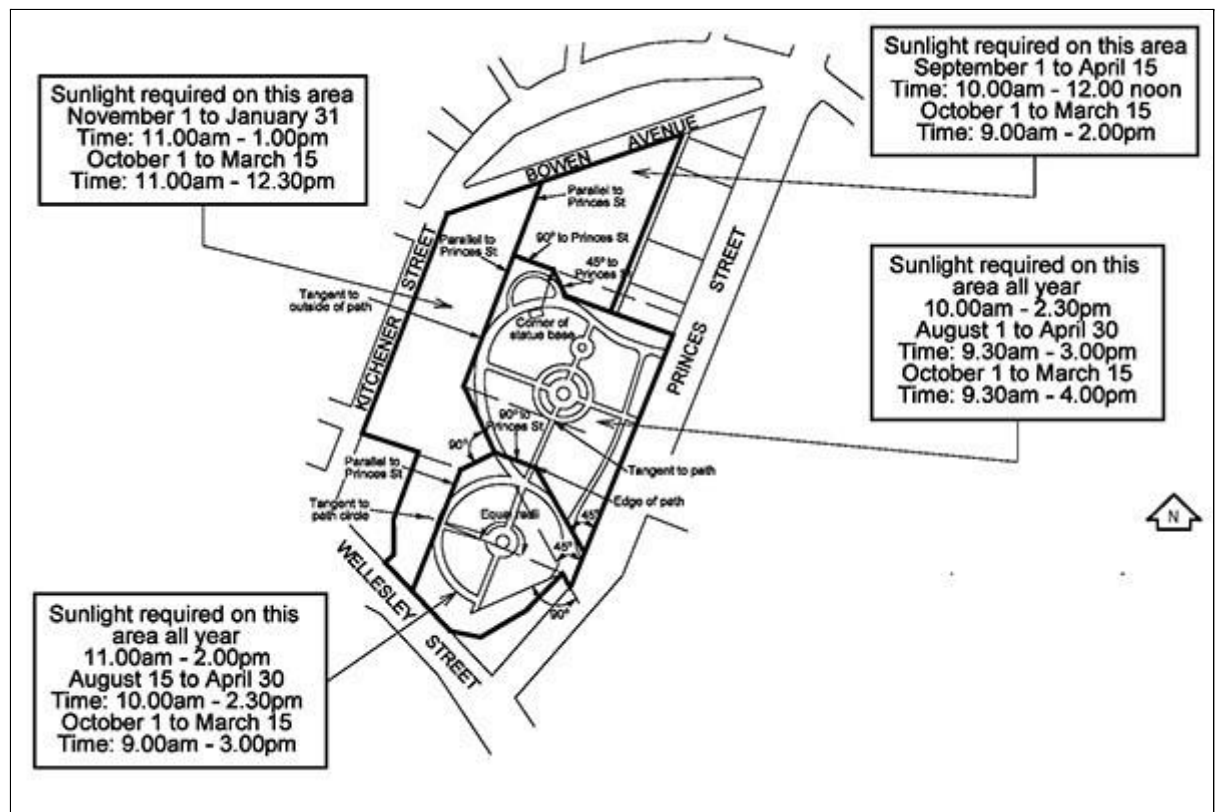


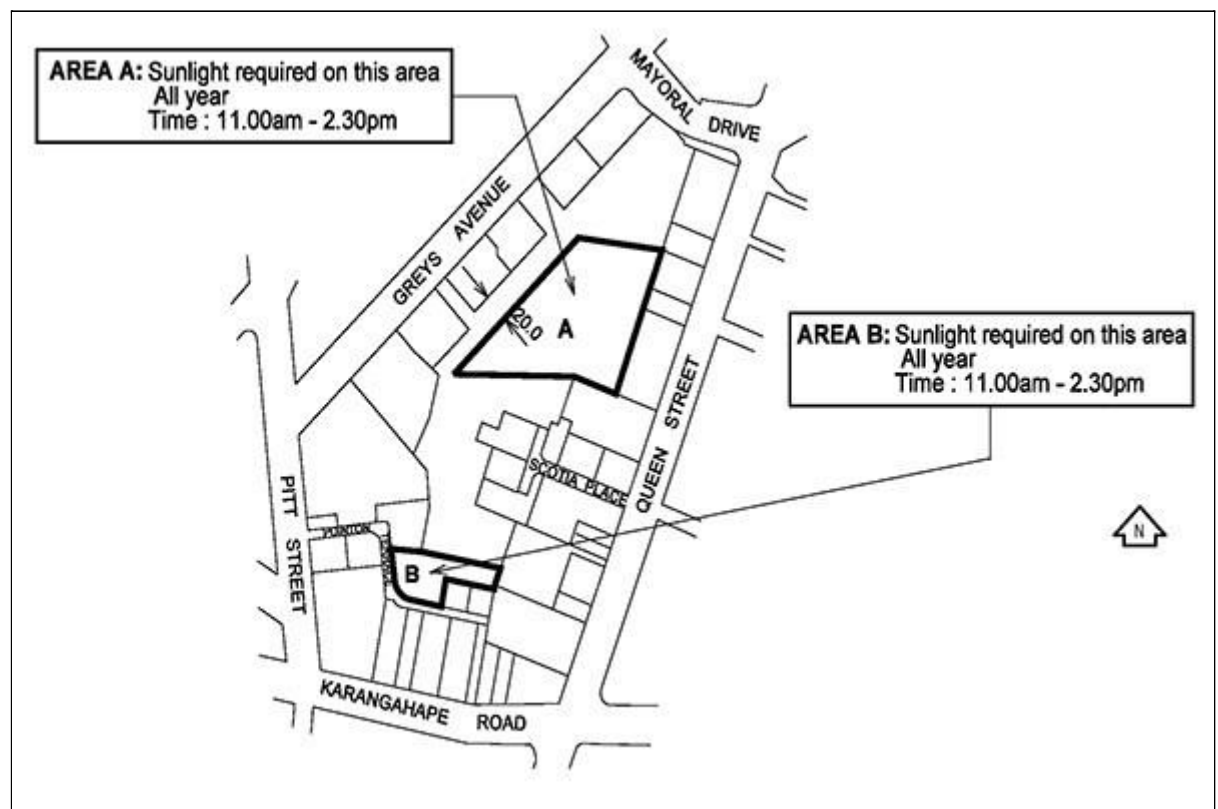
Figure 5: Admission of sunlight to Aotea and Aotea height control plane



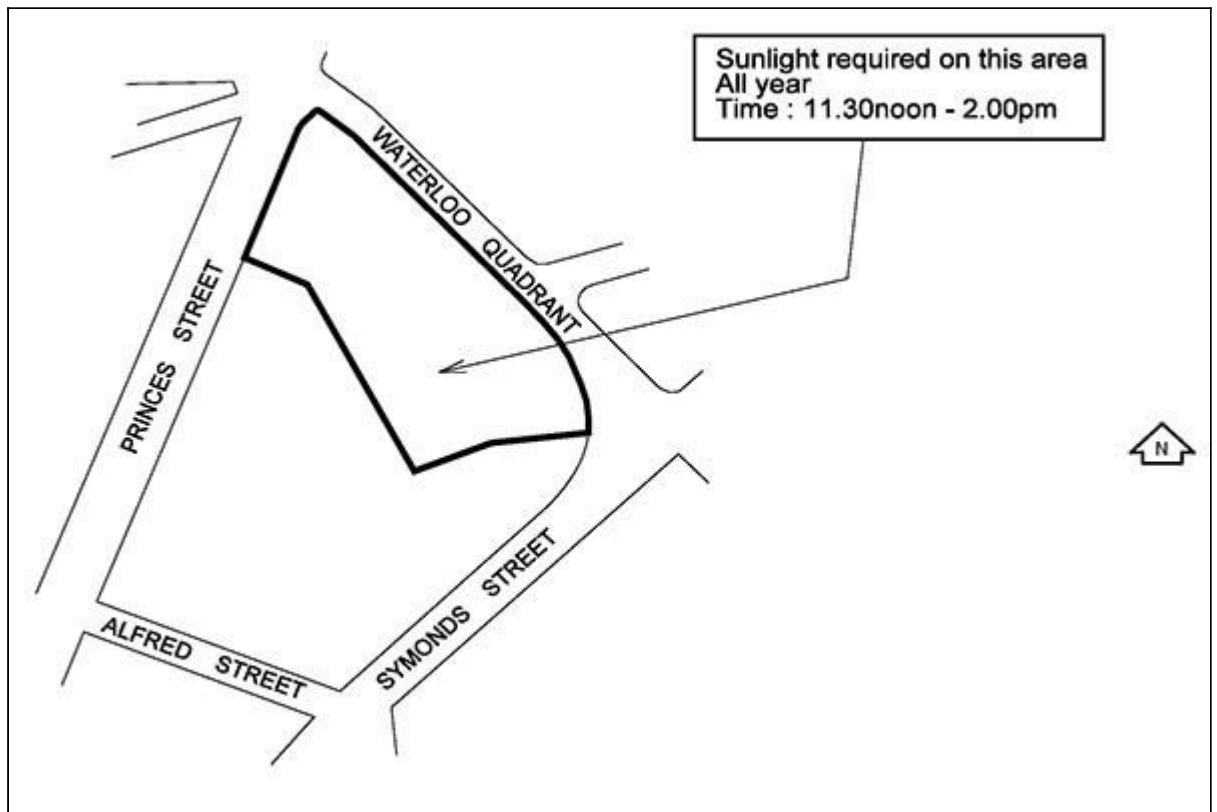
**Figure 6: Admission of sunlight to Albert Park**



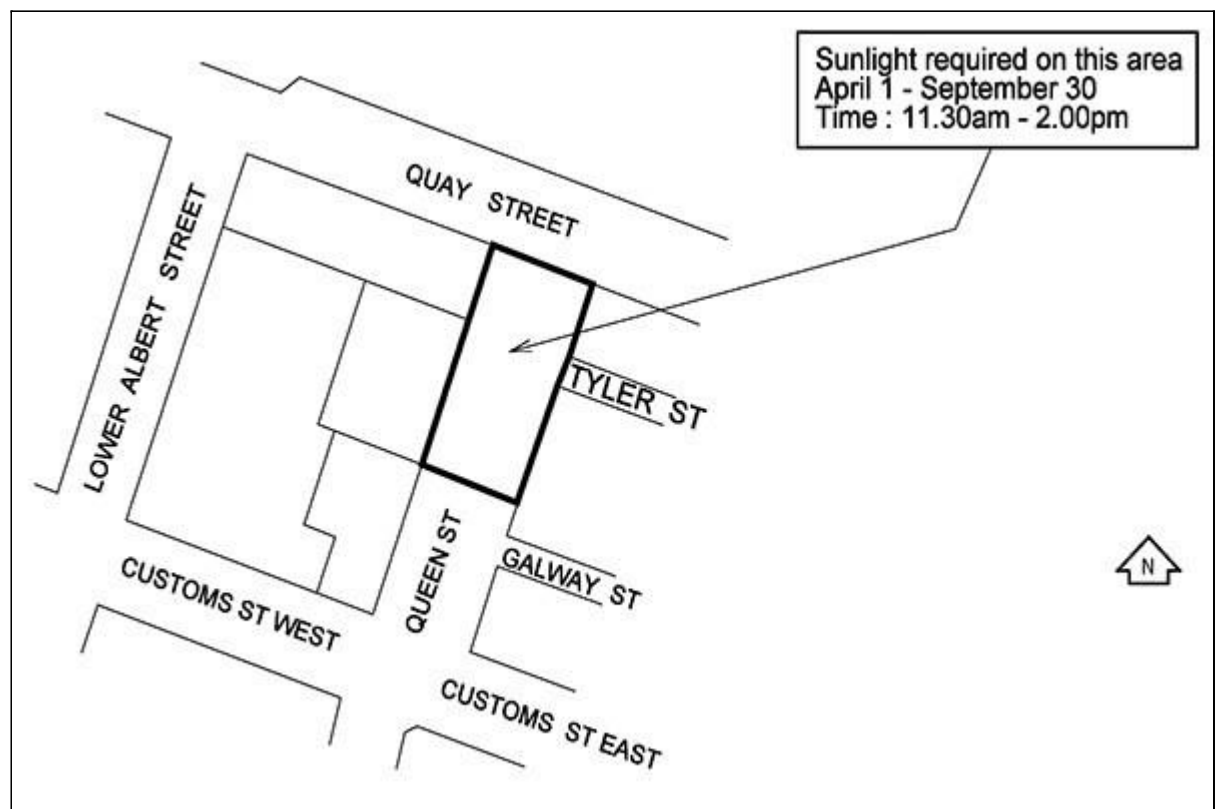
**Figure 7: Admission of sunlight to Myers Park**



**Figure 8: Admission of sunlight to Old Government House**

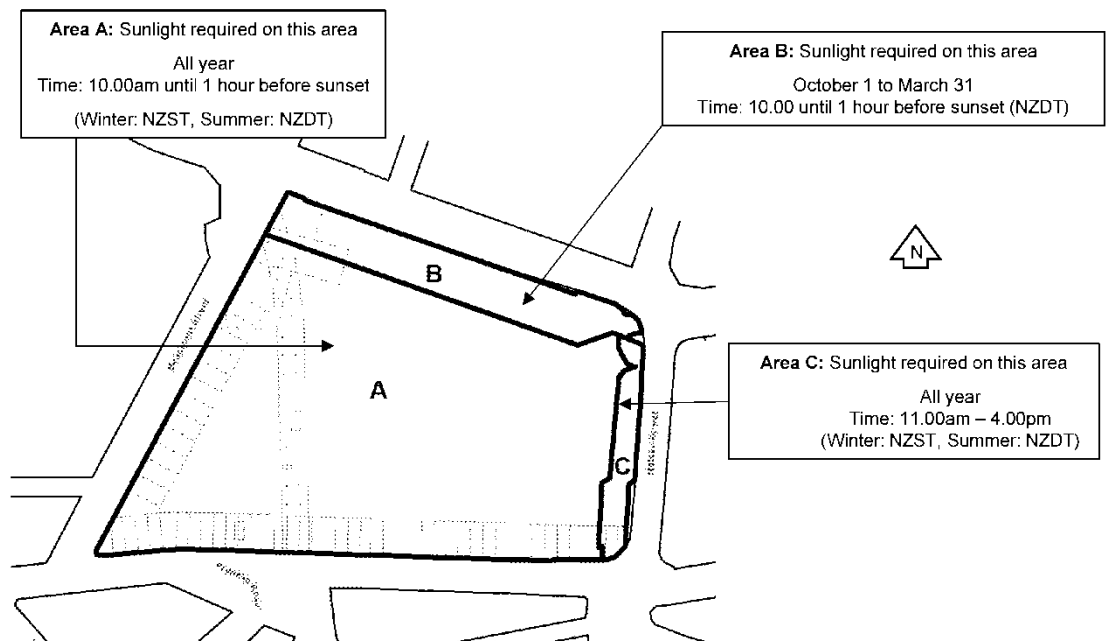


**Figure 9: Admission of sunlight to Queen Elizabeth Square**

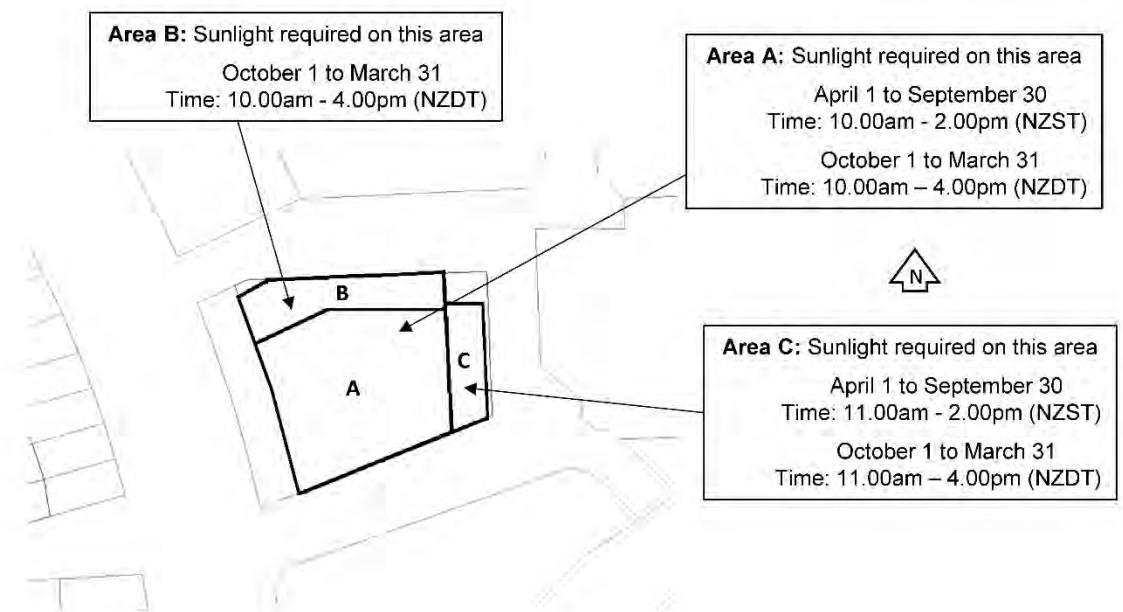




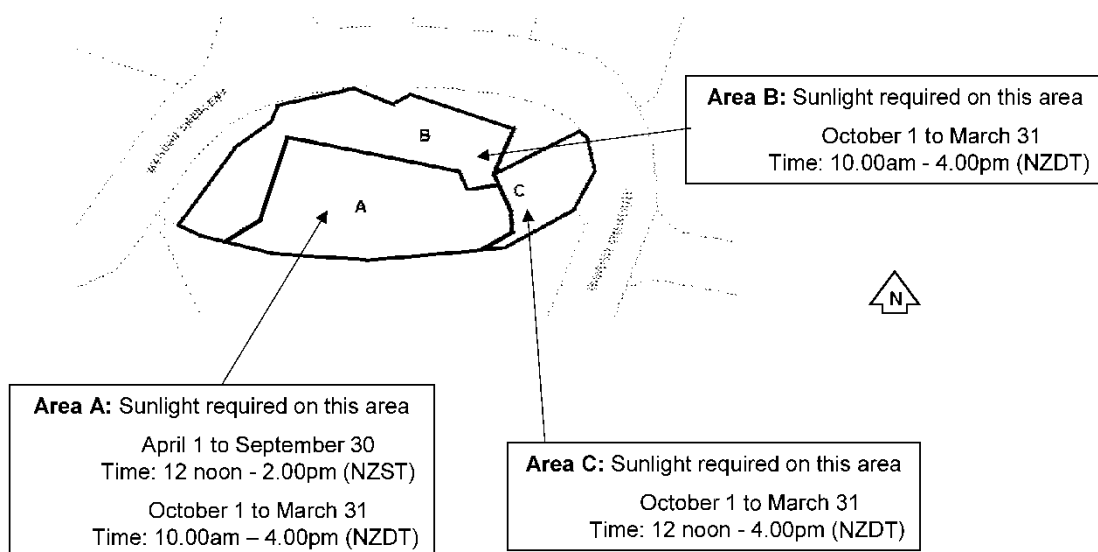
**Figure 10: Admission of sunlight to Victoria Park**



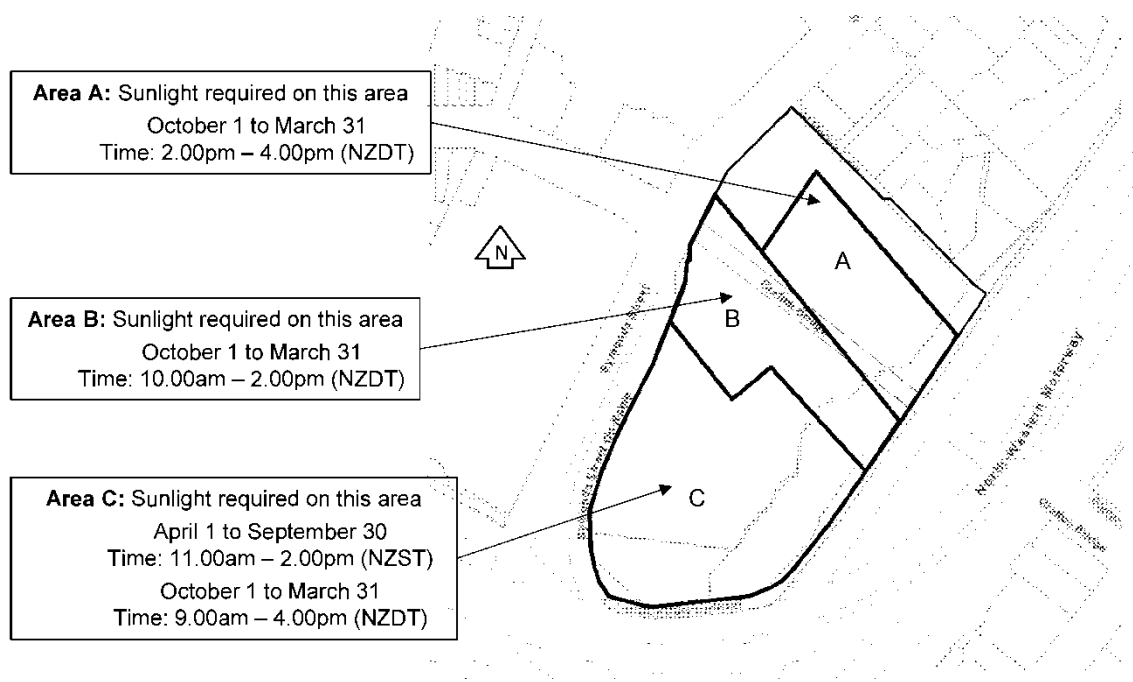
**Figure 11: Admission of sunlight to Te Taou Reserve**



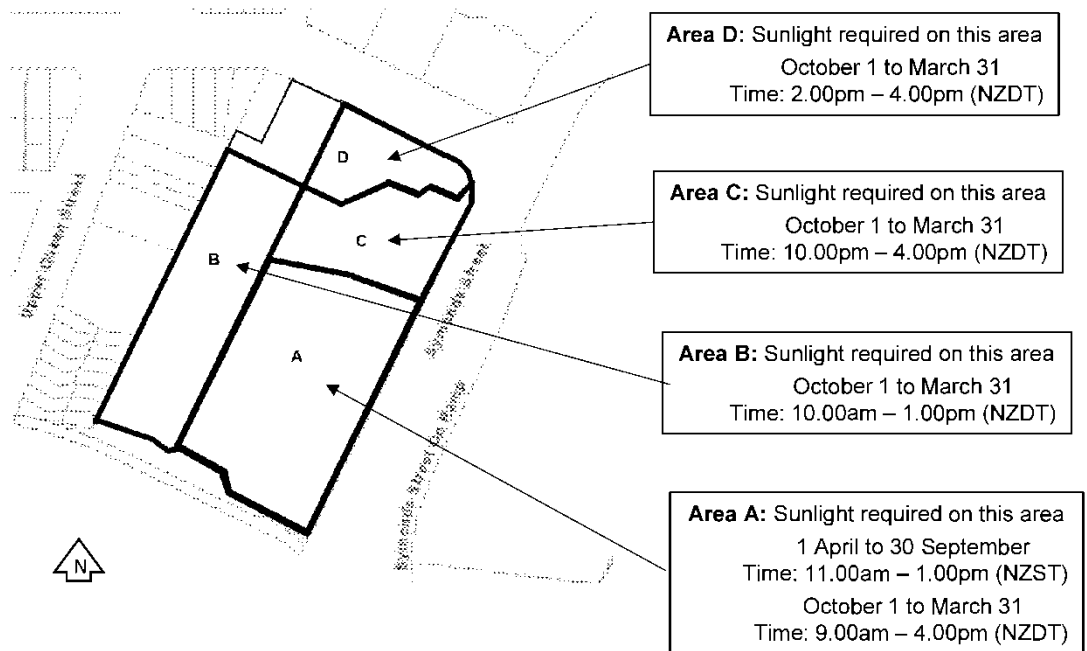
**Figure 12: Admission of sunlight to Mahuhu ki-te-Rangi Park**



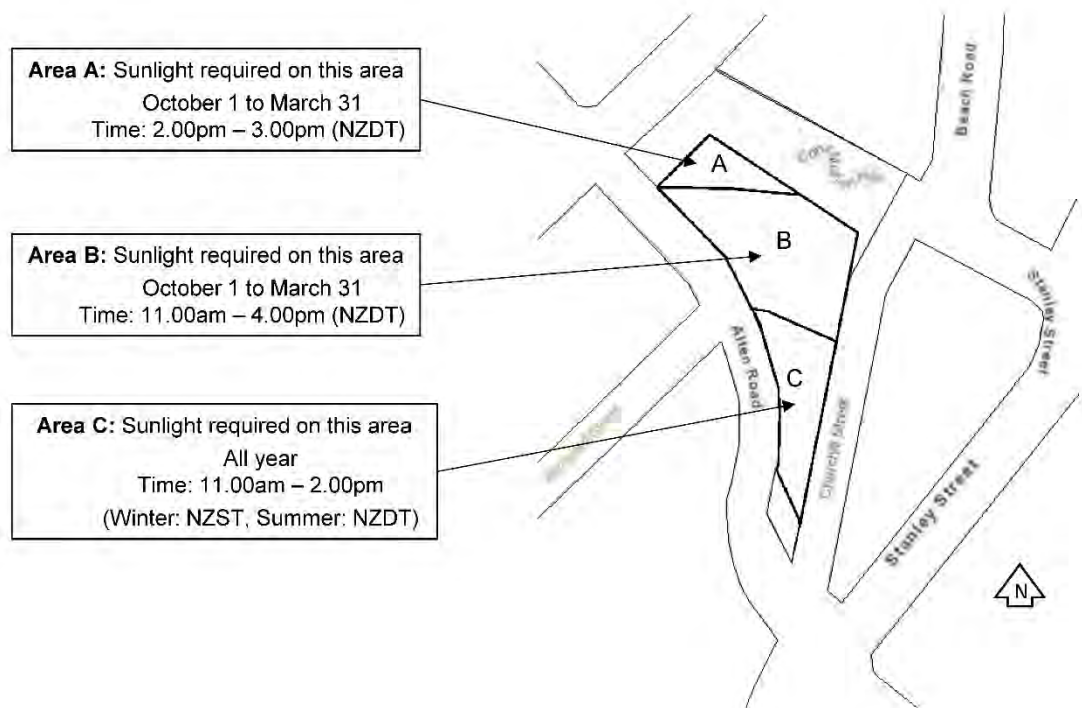
**Figure 13: Admission of sunlight to Grafton Cemetery East**



**Figure 14: Admission of sunlight to Grafton Cemetery West**



**Figure 15: Admission of sunlight to Constitution Hill**



**Figure 16: Admission of sunlight to Auckland Domain**

