

# Proposed Plan Change 78 (PC78)

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to the Auckland Unitary Plan (Operative in part)

**SECTION 32 and sec 77K / sec 77Q alternative process for existing qualifying matters**

**EVALUATION REPORT for qualifying matter 77I(i) and qualifying matter 77O(i)**

*(i) the requirement in the NPS-UD to provide sufficient business land suitable for low density uses to meet expected demand*

- Business - Heavy Industry Zone
- Business - Light Industry Zone
- Business - General Business Zone

**8 August 2022**

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## 2. Executive summary

This evaluation report discusses the effects of the medium density residential standards (**MDRS**) of Schedule 3A of the Resource Management Act 1991 (**RMA**), and the implementation of Policy 3 of the National Policy Statement on Urban Development 2020 – updated May 2022 (**NPS-UD**) on the following Auckland Unitary Plan (Operative in Part)(**AUP**) zones:

- Business – Heavy Industry Zone (**HIZ**)
- Business – Light Industry Zone (**LIZ**)
- Business – General Business Zone (**GBZ**).

Auckland Council resolved that these three zones are the following existing qualifying matter as contained in section 771 and section 770 of the Resource Management Act 1991 (**RMA**):

*(i) the requirement in the NPS-UD to provide sufficient business land suitable for low density uses to meet expected demand:*

The 2017 Auckland Council Housing and Business Development Capacity Assessment<sup>1</sup> (**HBA**) concluded that there was sufficient capacity in the Commercial Zones<sup>2</sup> and Industrial Zones<sup>3</sup> in the long-term (by 2048) across Auckland, and for all sub-regional areas except for the Rural North. This evaluation relies on this assessment and the assumption that there is sufficient business land suitable for low density uses to meet expected demand.

These three zones are contained in the following chapters of the AUP:

- H14 Business – General Business Zone
- H16 Business – Heavy Industry Zone
- H17 Business – Light Industry Zone.

Various Auckland-wide chapters also support the management of these zones including H14 Air quality, H25 Noise and vibration and H38 Subdivision – Urban. The AUP also contains precincts that may be relevant to this qualifying matter, however this evaluation does not include consideration of any precincts.

These three zones provide for industrial and/or limited commercial activities that are often land-extensive. The zones also restrict activities that may be incompatible with their respective primary functions. Residential activities are generally not provided for in any of these zones. Buildings within these zones are often single level – with multi-level buildings generally not necessary, practical or cost-effective. Where buildings are more than one level this may be to accommodate activities accessory to the primary activity (e.g. offices).

Industrial and commercial activities provided for by these three zones play an important role, providing goods, services and employment opportunities and contribute to Auckland's economic growth.

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<sup>1</sup> Auckland Council (2017). National Policy Statement on Urban Development Capacity 2016: Housing and business development capacity assessment for Auckland

<sup>2</sup> Business - Business Park Zone and GBZ

<sup>3</sup> LIZ and HIZ

The HIZ provides for industrial activities that may produce objectionable odour, dust and noise emissions. Activities that do not support the primary function of the zone or that may unreasonably constrain the efficient operation of industrial activities are avoided. The zone is a low air quality area and activities sensitive to air discharges and activities sensitive to noise are not appropriate in the zone. Industrial activities provided for in the HIZ are often low density in nature and a key attribute of the zone is that it contains sites large enough to accommodate large-scale industrial activities. The zone is typically located close to key freight routes and buildings are expected to have a mainly functional standard of amenity. The existing permitted building height in the zone is 20 metres.

The LIZ provides for industrial activities that generally do not generate objectionable odour, dust or noise. Slightly more non-industrial activities are provided for than in the HIZ, but this is still relatively limited. Activities provided for include manufacturing, production, wholesalers, logistics, storage, transport and distribution activities. The existing permitted building height in the zone is 20 metres. Where possible the LIZ is located around the HIZ in a "sleeve" to form a buffer between the HIZ and more sensitive zones.

The GBZ also provides for industrial activities and larger scale business activities that are difficult to accommodate within centres, are more appropriately located outside of higher order centres or are already established in specific locations. Such activities include light industrial activities, large format retail, trade suppliers and to smaller offices. The GBZ anticipates a higher level of amenity than the HIZ or LIZ. The existing permitted building height in the zone is 16.5 metres.

This evaluation relies on the assumption that the existing AUP HIZ, LIZ and GBZ provisions are robust and are delivering the outcomes expected.

In relation to the application of Policy 3 of the NPS-UD to the HIZ, LIZ and GBZ this evaluation concludes that:

- The requirement of **Policy 3(c)** to enable building heights of 6 storeys within walkable catchments for these zones **does not need to be reduced to accommodate qualifying matter (i)**,<sup>4</sup> therefore it must be enabled.
- 21 metres is appropriate to enable building height of 6 storeys in the HIZ, LIZ and GBZ. This is based on the council's approach and proposed heights for many other non-residential zones within walkable catchments. Amendments to Chapters H14 GBZ, H16 HIZ and H17 LIZ are proposed to enable 6 storeys/21 metres within walkable catchments. Building height greater than 6 storeys is not proposed for these zones in the application of Policy 3(c).
- The requirement of Policy 3(d) is already considered to be provided for in these zones and no further amendments to the AUP are proposed.

In relation to the application of MDRS and Policy 3 of the NPS-UD to other zones in proximity to the HIZ, LIZ and GBZ various options were developed and evaluated to ascertain if modifications are required to accommodate qualifying matter (i).<sup>5</sup> This evaluation

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<sup>4</sup> RMA, Section 770

<sup>5</sup> RMA, Sections 771 and 770

identifies there is a potential risk that intensification, in particular residential intensification and an increase of sensitive activities, in proximity to the three zones does pose a risk to the function and integrity of these zones and their ability to provide business land suitable for low density uses, in particular the HIZ. This includes:

- Increasing the risk of reverse sensitivity, which can limit the establishment of new industrial activities and constrain the efficient use of industrial land (especially an issue for the HIZ).
- Increasing the risk of conflict between intensification and industry where travel patterns to and from the HIZ, LIZ and GBZ areas change, noting activities within these zones often require large trucks to deliver and transfer goods.
- Increasing pressure on the supply of land within the zones through the establishment of commercial, retail and other activities not appropriate within the zones. This can potentially increase land values and result in industrial and land extensive commercial activities being disenfranchised by competing land uses.
- Increasing operational and compliance costs, and uncertainty affecting long-term investment decisions.

MDRS and Policy 3 will enable significantly more residential intensification across Auckland, however the AUP already enables a reasonable level of residential intensification in proximity to the LIZ and GBZ without consideration of the effects this may have on these zones.

In evaluating the various options that could reduce potential risks to the supply of business land suitable for low density uses, it was considered that potential benefits would be limited and would likely be outweighed by potential costs. Overall this evaluation concludes that the existing AUP HIZ, LIZ and GBZ provisions<sup>6</sup> already provide a robust policy and consenting framework that should be sufficient to manage this potential risk in relation to qualifying matter (i). The use of the LIZ as a buffer around much of the HIZ is particularly important in protecting the HIZ from the effects of residential intensification.

Therefore in relation to the **application of MDRS and Policy 3 of the NPS-UD to zones in proximity to the HIZ, LIZ and GBZ** this evaluation concludes that these **do not need to be modified or reduced to accommodate qualifying matter (i)**.<sup>7</sup>

It is noted this evaluation report relies on the information currently available, and this information is limited in certain key aspects, meaning there is a reasonable level of uncertainty and risk associated with insufficient information. If the council's next updated HBA<sup>8</sup> shows there is insufficient supply/capacity to meet demands or results from the Section 35 monitoring shows the HIZ, LIZ or GBZ provisions are insufficient and not delivering the outcomes expected, then these zones and qualifying matter (i) may need to be reconsidered and amendments made to the AUP through a future plan change.

In addition to this future long-term monitoring and research are recommended to understand the effects of increased residential intensification enabled by MDRS and Policy 3 the

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<sup>6</sup> Including relevant Auckland-wide regional and district plan provisions.

<sup>7</sup> RMA, Sections 771 and 770

<sup>8</sup> Will only be completed in time to inform the 2024 Long-term Plan.

efficiency and effectiveness of the HIZ, LIZ and GBZ and whether it reduces the capacity of business land suitable for low density uses provided for by the zones.

### 3. Introduction

This report is prepared as part of the evaluation required by Section 32 and Sections 771 and 770 of the Resource Management Act 1991 (**the Act/RMA**) for proposed Plan Change 78 (**PC78**) to the Auckland Unitary Plan (Operative in Part) (**AUP**).

The background to and objectives of PC78 are discussed in the overview report, as is the purpose and required content of section 32 and 771 / 770 evaluations.

This report relates to the following qualifying matter:

*(i) the requirement in the NPS-UD to provide sufficient business land suitable for low density uses to meet expected demand.<sup>9</sup>*

This report discusses whether the Business - Heavy Industry Zone (**HIZ**), Business - Light Industry Zone (**LIZ**) and Business - General Business Zone (**GBZ**) need to be applied as a qualifying matter to the application of the medium density residential standards (**MDRS**) of Schedule 3A of the RMA and the implementation of Policy 3 of the National Policy Statement on Urban Development – updated May 2022 (**NPS-UD**). These zones provide for industrial and/or commercial activities that are generally low density in nature.

An existing qualifying matter is a qualifying matter referred to in Section 771 or 770 (a) to (i) that is operative in the relevant district plan when the IPI is notified.

- Section 771 relates to relevant residential zones
- Section 770 relates to urban non-residential zones.

The council may make the MDRS and the relevant building height or density requirements under NPS-UD Policy 3 less enabling of development in relation to an area within a relevant residential zone or urban non-residential zone only to the extent necessary to accommodate one or more of the qualifying matters listed in 771 or 770.

### 4. Integrated evaluation for existing qualifying matters

For the purposes of PC78, evaluation of the HIZ, LIZ and GBZ as an existing qualifying matter has been undertaken in an integrated way that combines Sections 32 and 77K / 77Q requirements. The report follows the evaluation approach described in the table below.

Preparation of this report has involved the following:

- review of the AUP to identify all relevant provisions that apply to this qualifying matter
- assessment of the identified relevant provisions within the AUP relating to this qualifying matter against the MDRS in accordance with Schedule 3A of the RMA
- review of the AUP Maps to assess the spatial application of the HIZ, LIZ and GBZ as a qualifying matter

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<sup>9</sup> RMA, Section 771 and Section 770

- review of relevant feedback received from mana whenua and through public consultation on the preliminary response
- section 32 options analysis for this qualifying matter and related amendments.

In addition to this the following has also been undertaken to help inform this section 32 options analysis:

- review of relevant section 32 reports on the Proposed Auckland Unitary Plan (**PAUP**)
- review of Auckland Council evidence on topics 013,<sup>10</sup> 035,<sup>11</sup> 040,<sup>12</sup> and 051-054<sup>13</sup> for the PAUP
- review of relevant Independent Hearings Panel (**IHP**) recommendation reports on the PAUP
- review of various technical documents, guidelines and case law related to reverse sensitivity and management of incompatible activities e.g. Ministry for the environment Good Practice Guide for Assessing Discharges to Air from Industry (2016).

The scale and significance of the issues is assessed to be **minor** based on the information available.

Because of this it is considered that the MDRS requirements do not need to be amended to accommodate qualifying matter (i). It is also considered that the application of Policy 3(c) to the HIZ, LIZ or GBZ does not need to be limited to accommodate qualifying matter (i).

As a result this evaluation report also includes the development and consideration of proposed amendments to the HIZ, LIZ and GBZ operative district plan provisions of the AUP to implement Policy 3 of the NPS-UD in these zones.

This section 32/77K/77Q evaluation report will continue to be refined in response to any consultation feedback provided to the council, and in response to any new information received.

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<sup>10</sup> RPS Urban Growth

<sup>11</sup> Air Quality

<sup>12</sup> Lighting, Noise and Vibration

<sup>13</sup> Centre zones, Business Park and industries zones, Business activities and Business controls



Table 1: Integration approach

Standard sec 32 steps	Plus sec 77K / 77Q steps for existing qualifying matter
<p>Issue</p> <p>Define the problem - provide overview/summary providing an analysis of the qualifying matter</p>	<p>Sec 77K or 77Q (1) (a)</p> <p>Describe the qualifying matter.</p> <p>Identify by location (for example, by mapping) where an existing qualifying matter applies</p>
<p>Identify and discuss objectives / outcomes</p>	<p>Sec 77K or 77Q(1) ( c )</p> <p>Identify relevant RPS objectives and policies. Describe why the Council considers that 1 or more existing qualifying matters apply to these areas and why the qualifying matter is necessary.</p>
<p>Identify and screen response options</p>	<p>Sec 77k or 77Q (1) (b)</p> <p>Consider a range of alternative density standards for those areas having considered the particular MDRS standards and/or Policy 3 intensification requirements</p>
<p>Collect information on the selected option(s)</p>	<p>Sec 77K or Q (1) (d)</p> <p>Describe in general terms for a typical site the level of development that would be prevented by accommodating the qualifying matter, in comparison with the level of development that would have been permitted by the MDRS and policy 3 having regard to the modified zone, with regard to the identified density options</p>
<p>Evaluate option(s) - environmental, social, economic, cultural benefits and costs</p>	<p>Sec 77K or Q (1) (b)</p> <p>Provide a general assessment of the benefits and costs of the options in the light of the new objectives introduced by the NPS-UD and MDRS relating to well-functioning urban environments</p>
<p>Overall judgement as to the better option (taking into account risks of acting or not acting)</p>	<p>Conclusion as to the implications of the qualifying matter for development capacity to be enabled by NPS-UD/MDRS in the areas where the qualifying matter applies</p>

## 5. Issues

The qualifying matter being evaluated is the HIZ, LIZ and GBZ under the following sections of the RMA.

### *Residential zones:*

#### Section 77I

The council may make the MDRS and NPS-UD Policy 3 requirements for residential zones less enabling of development, only to the extent necessary to accommodate one or more qualifying matters. This evaluation assesses whether the HIZ, LIZ or GBZ need to be applied as a qualifying matter under section 77I, clause (i) *the requirement in the NPS-UD to provide sufficient **business land suitable for low density uses** to meet expected demand.*

[emphasis added]

The HIZ, LIZ and GBZ are not residential zones therefore MDRS does not directly apply to them. However intensification of residential zones (either through MDRS or Policy 3) in proximity to these zones has the potential to adversely affect the qualifying matter by:

- Increasing the risk of reverse sensitivity, which can limit the establishment of new industrial activities and constrain the efficient use of industrial land (especially an issue for the HIZ).
- Increasing the risk of conflict between intensification and industry where travel patterns to and from the HIZ, LIZ and GBZ areas change, noting activities within these zones often require large trucks to deliver and transfer goods.
- Increasing pressure on the supply of land within the zones through the establishment of commercial, retail and other activities not appropriate within the zones. This can potentially increase land values and result in industrial and land extensive commercial activities being disenfranchised by competing land uses.
- Increasing operational and compliance costs, and uncertainty affecting long-term investment decisions.

#### Section 77K

The HIZ, LIZ and GBZ can be assessed as an existing qualifying matter in the district plan section of the AUP, therefore the alternative process for existing qualifying matters is appropriate.

### *Non-residential zones:*

#### Section 77O

Where the HIZ, LIZ and GBZ are located within a walkable catchment NPS-UD Policy 3 applies to them. The council may make Policy 3 requirements for non-residential zones less enabling of development **only to the extent necessary to accommodate one or more qualifying matters**. This evaluation assesses whether the HIZ, LIZ or GBZ need to be applied as a qualifying matter under section 77O, clause (i) *the requirement in the NPS-UD to provide sufficient **business land suitable for low density uses** to meet expected demand.* [emphasis added]

As noted under section 77I above, intensification in proximity to the HIZ, LIZ and GBZ has the potential to adversely affect the qualifying matter. This includes intensification through increased building height in other business zones, especially those that enable residential activities (e.g. the centres and Business – Mixed Use zones).

Increased building height within the HIZ, LIZ and GBZ has the potential to adversely affect the use and efficiency of the zones if it encourages the establishment of commercial, retail and other activities that may be incompatible with their respective primary functions.

Increased building height within the zones may also generate more adverse amenity effects on adjacent zones, which in turn could increase the risk of adverse reverse sensitivity effects.

#### *Section 77Q*

The HIZ, LIZ and GBZ can be assessed as an existing qualifying matter in the district plan section of the AUP, therefore the alternative process for existing qualifying matters is appropriate.

### **Overview of the HIZ, LIZ and GBZ as a potential qualifying matter**

This evaluation considers qualifying matter (i) which is related to the capacity and demand for business land suitable for low density uses.<sup>14</sup> While the NPS-UD requires the council to undertake a Housing and Business Development Capacity Assessment (HBA), this is not part of this plan change or evaluation report. The next council business land development capacity assessment will not be completed until after PC78 has been notified.

Demand for business land was last assessed by the council in 2017 under the NPS-UDC Housing and Business Assessment.<sup>15</sup> This concluded that there was sufficient capacity in the Commercial Zones<sup>16</sup> and Industrial Zones<sup>17</sup> in the long-term (by 2048) across Auckland, and for all sub-regional areas except for the Rural North.

The Auckland Council Planning Committee resolution<sup>18</sup> on Qualifying Matters identifies the HIZ, LIZ and GBZ as being qualifying matter (i).<sup>19</sup> This provided the direction to consider whether the MDRS and NPS-UD Policy 3 requirements need to be amended in order to accommodate these three zones as a qualifying matter.

These zones provide for industrial and/or limited commercial activities that are often land-extensive. They also restrict activities that may be incompatible with their respective primary functions. The HIZ, LIZ and GBZ are existing zones within the operative AUP, therefore

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<sup>14</sup> s77I and s77O (i) *the requirement in the NPS-UD to provide sufficient business land suitable for low density uses to meet expected demand*

<sup>15</sup> Auckland Council (2017). National Policy Statement on Urban Development Capacity 2016: Housing and business development capacity assessment for Auckland

<sup>16</sup> Business - Business Park Zone and GBZ

<sup>17</sup> LIZ and HIZ

<sup>18</sup> 1 July 2021

<sup>19</sup> RMA ss 77O and 77I (i) *the requirement in the NPS-UD to provide sufficient business land suitable for low density uses to meet expected demand*

these zones can be assessed as an existing qualifying matter in terms of sections 77K and 77Q .

Part 2 of the RMA sets out the purpose of the Act which is to promote the sustainable management of natural and physical resources. Sustainable management includes managing the use, development, and protection of natural and **physical resources** in way that “... enables people and communities to provide for their social, **economic**, and cultural well-being and for their health and safety while –...<sup>20</sup> “ [emphasis added]

Industrial and commercial activities provided for within the HIZ, LIZ and GBZ play an important role in Auckland’s economy, both in terms of providing employment opportunities but also in providing goods and services needed at a local, regional and national level. In turn this enables Auckland’s communities and people to provide for their social and economic well-being.

While it will be important for new areas to be zoned HIZ, LIZ or GBZ in the future to ensure capacity meets expected demand, it is also important the existing HIZ, LIZ and GBZ areas are retained and able to operate and function efficiently. For many industrial and commercial activities within these zones significant cost, resources and infrastructure have been built up over time to meet the operational and functional needs of the activity.

Different industrial and commercial businesses that operate within these zones will each have different needs and varying land requirements, but there are some common characteristics. For example, these activities often require large flat sites that can accommodate:

- large warehouse type buildings and manufacturing plants with ground level access for vehicles
- large outdoor hardstand areas for storage, loading, parking and manoeuvring heavy vehicles/equipment
- on-site methods to internalise and mitigate adverse effects generated by the activity e.g. separation distances between noxious and sensitive activities, acoustic and visual screening
- good access to transport networks, especially freight networks.

Some sites may accommodate a single business such as a storage/distribution centre, a manufacturing business, a single large format retailer or supermarket, while other sites may accommodate multiple businesses in smaller business units.

Industrial and commercial buildings within the zones are often a single level – with multi-level buildings generally not necessary, practical or cost-effective. Where buildings are more than one level this may be to accommodate activities associated with the primary industrial activity (e.g. office).

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<sup>20</sup> RMA section 5

It should be noted that qualifying matter (i),<sup>21</sup> as set out in the RMA is about the supply/capacity of business land suitable for low density uses rather than about avoiding adverse effects that may be generated by such uses.

A description of the three zones is below and includes examples of typical sites and buildings within the zones. Section 9 contains a description of the zones relevant objectives, policies and rules.

### **Heavy Industry Zone (HIZ)**

The HIZ provisions are primarily contained in Chapter H16 of the AUP. Other zone provisions are also contained in various Auckland-wide chapters, in particular Chapters E14 Air Quality, E25 Noise and Vibration and E38 Subdivision - Urban.

The HIZ provides for industrial activities that may produce objectionable odour, dust and noise emissions. Activities that do not support the primary function of the zone or that may unreasonably constrain the efficient operation of industrial activities are avoided.

The zone is a low air quality area and activities sensitive to air discharges and activities sensitive to noise are not appropriate in the zone. Notably most residential activity is prohibited. Chapters E14 and E25 are more enabling for heavy industrial activities in terms of air discharge or permitted noise levels, both within the zone and at the interface with other zones.

Only limited small scale retail or offices accessory to an industrial activity are permitted and most other activities are non-complying.

The location or intensification of activities sensitive to industrial activities in or in proximity to the HIZ can cause or increase adverse reverse sensitivity effects on the efficient operation, use and development of industrial activities enabled in the zone. The AUP GIS Viewer/planning maps usually situates a “sleeve” of LIZ around the HIZ to provide a buffer between the HIZ and other zones that are more sensitive to industrial activities. This helps reduce the risk of adverse reverse sensitivity effects on the HIZ.

Industrial activities provided for in the HIZ are often low density in nature and typically require large, flat sites that are able to accommodate land-extensive activities.

The zone is typically located close to key freight routes and buildings are expected to have a mainly functional standard of amenity. Zone standards manage the built form in order to manage adverse effects on the environment and the amenity of adjacent sites, in particular sites that are a residential or open space zones or the Special Purpose – Māori Purpose or the Special Purpose – School zones.

The examples below show four different locations of the HIZ. The AUP maps show the HIZ in dark purple. The aerial and street views are from Google Maps and demonstrate the use of extensive land and typical building typology for the zone.

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<sup>21</sup> RMA section 77I(i) and section 77O(i)

Figure 1: Example of HIZ area, corner of Dalgety Drive and Kerrs Road, Wiri showing large single level building with small corner of building accommodating two levels



Figure 2: Example of HIZ area in Avondale (Patiki Road) showing a refuse and recycling transfer station with a large single level building







Figure 3: HIZ at the corner of Edinburgh Street and Angle Street, Onehunga showing smaller sites with one to two level buildings accommodating smaller businesses



Figure 4: HIZ at the corner of McNab Road and Great South Road, Penrose showing large Visy Glass manufacturing site with buildings at varying heights to accommodate plant requirements



### Light Industry Zone (LIZ)

The LIZ provisions are primarily contained in Chapter H17 of the AUP. Other zone provisions are also contained in Auckland-wide chapters, in particular Chapters E14 Air Quality, E25 Noise and Vibration and E38 Subdivision - Urban.

The LIZ provides for industrial activities that generally do not generate objectionable odour, dust or noise. This includes manufacturing, production, wholesalers, logistics, storage, transport and distribution activities.

The anticipated level of amenity is lower than the GBZ, Business – Mixed Use Zone (MUZ) and the centres zones. The zone is a medium air quality area and due to the industrial nature of the zone, activities sensitive to air discharges are generally not provided for. Most residential activity is a non-complying activity.

Commercial activity is limited to activities not compatible with centres (such as motor vehicle sales, garden centres and trade suppliers) and accessory retail and offices.

Other activities such as horticulture, animal breeding or boarding and tertiary education facilities (accessory to onsite industrial activities) are also permitted.



The establishment of activities that may compromise the efficiency and functionality of the zone for light industrial activities is avoided. Activities within 100m of the HIZ which may compromise the HIZ are also restricted.

Like the HIZ standards manage the built form in order to manage adverse effects on the environment and the amenity of adjacent sites, in particular sites that are a residential or open space zones or the Special Purpose – Māori Purpose or the Special Purpose – School zones.

The examples below show three different locations of the LIZ. The AUP maps shows the LIZ in purple. The aerial and street views are from Google Maps and demonstrate the use of extensive land and typical building typology for the zone.

Figure 5: Example of LIZ on Business Parade Road North, Highbrook (East Tamaki) showing Mainfreight warehousing



Figure 6: LIZ area in Portage Road, New Lynn showing motor vehicle sales, older industrial units and small food and beverage/lunch bar



Figure 7: Example of small LIZ area along Cascades Road, Pakuranga Heights with adjacent residential sites







### **General Business Zone (GBZ)**

The GBZ provisions are primarily contained in Chapter H14 of the AUP. Other zone provisions are also contained in Chapter E Auckland-wide, in particular Chapter E25 Noise and Vibration.

The zone includes objectives and policies that are common to the Business - Mixed Use, Business – Business Park and centres zones as well as ones specific to the GBZ. These tend to focus on supporting a strong network of centres and a quality built environment. As such a higher level of amenity is expected within the GBZ than in the LIZ or HIZ. New development within the zone requires assessment in order to ensure that it is designed to a good standard.

The GBZ provides for larger scale business activities that are difficult to accommodate within centres, are more appropriately located outside of higher order centres or are already established in specific locations. Such activities include light industrial activities, large format retail, trade suppliers and to smaller offices.

The establishment of activities that may create an unplanned centre or that may compromise the function, role or amenity of the Business – City Centre Zone, Business – Metropolitan Centre Zone and Business – Town Centre Zone is discouraged. Residential activity is also not envisaged due to the potential presence of light industrial activities and the need to preserve land for appropriate commercial and industrial activities.

The examples below show three different locations of the GBZ. The AUP maps show the GBZ in purple stripes. The aerial and street views are from Google Maps and demonstrate the extensive land used by some activities and typical building typology for the zone.

Figure 8: Example of GBZ at 79 Apollo Road, Rosedale.





Figure 9: Examples of GBZ at Lincoln Road, Henderson. Mitre 10 and Pak n Save are single level buildings with large ground level parking areas



Figure 10: Example of GBZ at Lunn Avenue, Mount Wellington. Buildings are generally one or two levels with a few at three levels.



### Separation distances and reverse sensitivity

The use of separation distances (buffers) between incompatible industrial activities and sensitive activities is generally considered international best practice. The Ministry for the Environment (MfE) good practice guideline for assessing discharges to air from industry states that separation distances (buffers) are primarily intended to manage:

- the potential effects of unintended or accidental discharges
- the adverse effects of activities that cannot always be internalised without a separation distance, even with the adoption of best practice (for example, large quarries or landfills)
- reverse sensitivity effects.<sup>22</sup>

In preparation for the PAUP Auckland Council commissioned a report “Separation Distances for Industry – A discussion document”<sup>23</sup> which recommended a 500 metre buffer around industrial activities based on a review of Australian state EPA guidelines and known

<sup>22</sup> Ministry for the Environment. 2016. *Good Practice Guide for Assessing Discharges to Air from Industry*. Wellington: Ministry for the Environment, pages 38-39.

<sup>23</sup> Wickham, L (2012). *Separation Distances for Industry, A discussion document prepared for Auckland Council, July 2012*. Prepared by Emission Impossible Ltd. Included in PAUP s32 Appendix 3.45 2012

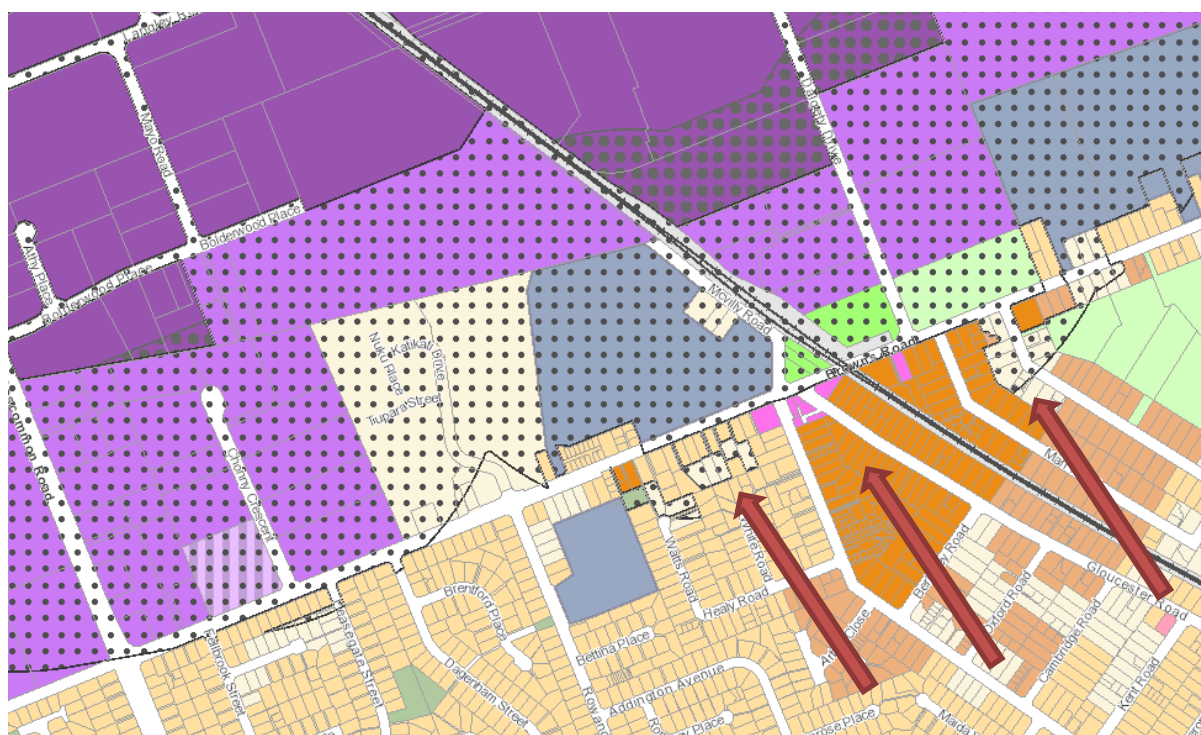
activities occurring in industrial zones in Auckland. This recommended 500 metres as a 50<sup>th</sup> percentile separation distance.

This report was used to support the Air Quality – Sensitive Activity Restriction (SAR) Overlay which was included in the PAUP. The purpose of this overlay was to protect the HIZ from reverse sensitivity by avoiding the location or intensification of activities sensitive to air discharges within the overlay area. The overlay created a 500 metre buffer around the HIZ. However the overlay was only applied to some zones, so it did not form a complete buffer around the zone. Notably the only residential zone it was applied to, was the Single House Zone (SHZ).

The following figure is an example of how the PAUP applied the SAR Overlay, noting it was applied to the SHZ but not the other residential zones. The HIZ area shown is in Wiri.



Figure 11: PAUP GIS Viewer. SAR Overlay shown by black dots. HIZ is dark purple, LIZ is medium purple and SHZ is beige. Other residential zones are the various shades of orange.



Through the PAUP hearing process this overlay was challenged. Ultimately the IHP did not support this overlay, stating:

*The Panel considers that the issue of reverse sensitivity for industrial discharges needs to be addressed in the provisions of the Unitary Plan and has recommended policy to that effect. However, the Panel also considers that the overlay is an ineffective method for various reasons, one of which is that there is not a strong relationship between the mapping of the overlay and the actual locations of industrial discharges to air. This is in turn partly a consequence of problems in the location of the industrial zones.*

Auckland Council adopted the IHP recommendations and deleted this overlay from the AUP.

The MfE good practice guide provides a useful explanation of reverse sensitivity:

*Reverse sensitivity occurs when sensitive activities, such as residential properties, are allowed to locate where they may be adversely affected by existing industrial or noxious activities. This has the adverse effect of limiting the ability of the industry or noxious activity to operate efficiently and with long-term certainty. Allowing sensitive activities to establish in close proximity to existing industry can potentially result in adverse effects on the health, safety or amenity values of people, as well as potentially adversely affecting the economic and safe operations of industries.<sup>24</sup>*

The potential for reverse sensitivity effects to arise can also make it more difficult or less desirable for new industrial activities to locate in the HIZ, LIZ or GBZ (e.g. increase in

<sup>24</sup> Ministry for the Environment. 2016. *Good Practice Guide for Assessing Discharges to Air from Industry*. Wellington: Ministry for the Environment, page 34



complaints from residents; difficult to get new resource consents, especially an air discharge consent which takes into account the sensitivity of the receiving environment).

Some existing locations of the zones may be more prone than others to some level of reverse sensitivity due to the way Auckland has grown over time, and previous planning decisions that have allowed sensitive activities to locate in proximity to existing industrial activities. Residential intensification may exacerbate reverse sensitivity problems where a residential zone is already located within proximity to either the HIZ, LIZ or GBZ.

While all three zones have the potential to be adversely affected by reverse sensitivity issues, the HIZ is particularly susceptible, and this is recognised in the AUP.<sup>25</sup>

### **Location of the HIZ, LIZ and GBZ**

The locations of the HIZ, LIZ and GBZ are shown on the AUP GIS Viewer using the following notations.

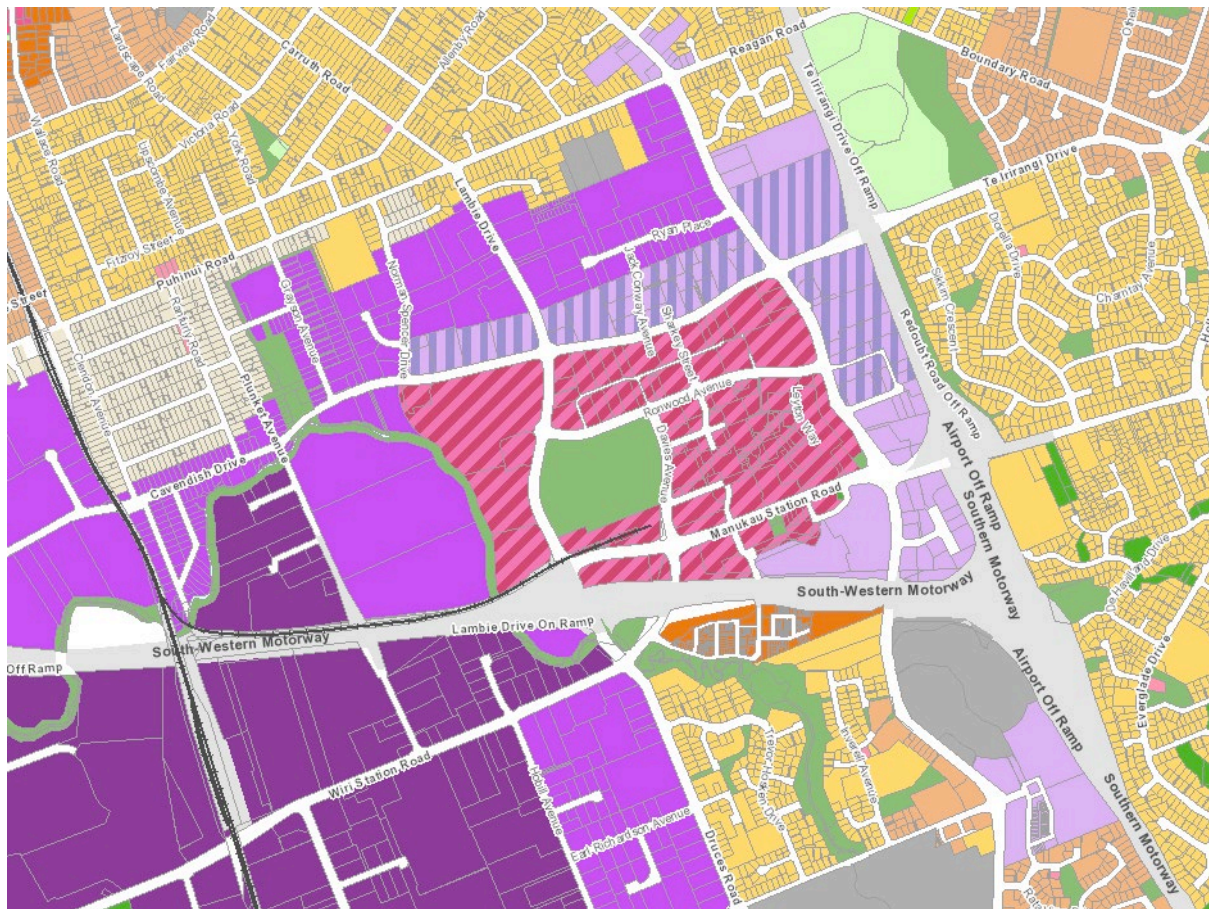
	Business - Heavy Industry Zone (HIZ)
	Business - Light Industry Zone (LIZ)
	Business - General Business Zone (GBZ)

The map below of Manukau Metropolitan Centre and surrounds shows how the HIZ, LIZ and GBZ are shown in the AUP GIS Viewer.

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<sup>25</sup> See Attachment 1 of this report for relevant objectives and policies

Map 1: Example showing HIZ, LIZ and GBZ in the AUP GIS Viewer



The HIZ is located in limited locations across Auckland, with most areas located in central or south Auckland.<sup>26</sup> There are only three smaller areas in west Auckland,<sup>27</sup> and one in north Auckland.<sup>28</sup> Most of the HIZ areas are well established and all but one (Glenbrook) are located within the rural urban boundary (RUB).

HIZ areas are generally large areas capable of internalising their adverse effects, such as Penrose/Onehunga, East Tamaki, Ōtāhuhu, Wiri, and Papakura. These large areas provide for an agglomeration of industrial activities.

The LIZ is more widespread across Auckland as the zone interface is generally considered compatible with residential zoning. The LIZ is typically used to sleeve the HIZ, forming a buffer between the HIZ and other more sensitive zones. There are also many LIZ areas that are not located in proximity to the HIZ. Substantial areas of LIZ are located in East Tamaki, Wiri, Māngere/airport, Penrose, Wairau Valley and Rosedale.

The GBZ is in limited locations across Auckland and is located primarily in areas close to the Business – City Centre Zone (CCZ), MCZ and Business – Town Centre Zone (TCZ) or within identified growth corridors, where there is good transport access and exposure to customers.

<sup>26</sup> Onehunga/Penrose, Mt Wellington, Ōtāhuhu, East Tamaki, Wiri, Takaanini, Papakura, Drury South, Glenbrook

<sup>27</sup> Rosebank Road/Avondale, Glendene and Te Atatu

<sup>28</sup> Silverdale

This includes established shopping centres or corridors with large format retail, such as in Lunn Avenue, Stoddard Road, Lincoln Road and Wairau Road. GBZ areas are usually a lot smaller than the HIZ or LIZ areas. In some instances the zone has been specifically applied to provide for activities that were already established through the legacy district plans.

The following table shows the amount of each zone located in each local board area.<sup>29</sup> The two local boards that have the largest amount of each zone are highlighted.

Table 2: Quantity of HIZ, LIZ and GBZ located in each local board area<sup>30</sup>

Local Board	HIZ (ha)	LIZ (ha)	GBZ (ha)	Total (ha)
Albert - Eden	0	8.25	1.09	9.34
Devonport - Takapuna	0	8.78	0	8.78
Franklin	384.77	409.93	33.54	828.25
Henderson - Massey	25.66	330.54	24.61	380.81
Hibiscus and Bays	28.83	92.99	84.56	206.39
Howick	200.08	366.12	1.25	567.44
Kaipātiki	0	178.89	13.42	192.31
Māngere – Ōtāhuhu	98.18	625.57	0	723.75
Manurewa	408.72	176.9	1.75	587.37
Maungakiekie - Tāmaki	460.34	439.04	32.1	931.48
Ōrākei	0	47.04	5.03	52.07
Ōtara - Papatoetoe	14.52	766.66	35.96	817.14
Papakura	131.76	195.5	2.52	329.78
Puketāpapa	0	46.76	12.4	59.16
Rodney	0	266.45	7.38	273.84
Upper Harbour	0	345.36	96.49	441.85
Waitākere Ranges	0	27.16	0	27.16
Waitematā	0	0.21	0.54	0.74
Whau	93.55	142.74	6.28	242.57
<b>Total (ha)</b>	<b>1846.43</b>	<b>4474.88</b>	<b>358.92</b>	<b>6680.23</b>

<sup>29</sup> Excludes Aotea / Great Barrier Local Board and Waiheke Local Board because AUP zones do not apply, and they are not affected by MDRS.

<sup>30</sup> Based on AUP GIS Viewer as of 31 May 2022. Numbers rounded.

## 6. AUP approach to managing qualifying matter (i)

The management approach in the AUP to provide sufficient land suitable for low density business uses (i.e. industrial activities and large scale commercial activities) includes:

- RPS provisions in Chapters B2.2, B2.4 Residential Growth, B2.5 Commercial and industrial growth, B7.5 Air
- District plan zone provisions in Chapters H14 GBZ, H16 HIZ and H17 LIZ
- Auckland-wide regional or district plan provisions in Chapters E14 Air Quality [rp], E25 Noise and Vibration [dp] and E38 Subdivision – Urban [dp]
- identifying the HIZ, LIZ and GBZ on the AUP maps
- locating the LIZ around the HIZ to form a buffer between the HIZ and more sensitive zones
- directing and intensifying commercial and other activities in centres, thereby leaving the HIZ, LIZ and GBZ available for industrial and commercial activities better suited to those zones.

There are also precincts contained in Chapter I of the AUP that may relate to qualifying matter (i), especially where they seek to protect existing industrial activities from residential intensification and adverse reverse sensitivity effects. These precincts are not considered in this evaluation report but may be addressed in other evaluation reports.

This approach in the AUP was extensively addressed through the PAUP hearings process 2014 – 2016.

### Objectives and policies (existing)

The AUP objectives and policies relating to industrial activities can be grouped into three broad outcomes:

- those seeking to enable and provide for industrial activities
- those seeking to manage potential adverse effects generated by the industrial activity e.g. effects on the natural environment, amenity of neighbouring zones or human health and safety
- those seeking to protect industrial activities or minimise potential adverse reverse sensitivity effects generated by sensitive or incompatible activities on the industrial activity.

In relation to commercial activities that are low density in nature the objectives and policies can be grouped into the following broad outcomes:

- those seeking to provide for larger scale business activities that are difficult to accommodate within centres, are more appropriately located outside of higher order centres or are already established in specific locations
- those seeking to manage potential adverse effects generated by the commercial activity e.g. effects on the natural environment, amenity of neighbouring zones, or in particular effects on the function and roles of centres
- those seeking to protect or minimise potential adverse reverse sensitivity effects generated by sensitive or incompatible activities on industrial activities.

The AUP objectives and policies relevant in the consideration of the HIZ, LIZ and GBZ as qualifying matter (i) are contained in the following chapters of the AUP:

#### Chapter B Regional Policy Statement (RPS)

- B2.4. Residential growth
- B2.5. Commercial and industrial growth
- B7.5 Air
- Appendix 1 Structure plan guidelines

#### Chapter E Auckland-wide

- H14 Air quality
- E26 Noise and vibration
- H38 Subdivision - Urban

#### Chapter H Zones

- H14 Business – General Business Zone
- H16 Business – Heavy Industry Zone
- H17 Business – Light Industry Zone

The relevant objectives and policies of each chapter are set out in Attachment 1.

## **Rules and methods**

### **Chapter H16 Heavy Industry Zone**

The HIZ provides for industrial activities as a permitted activity. It also provides for a limited number of other permitted land use activities. These are either accessory to the industrial activity (e.g. offices, retail, workers accommodation, tertiary education facilities), or those that provide specific goods and services for the local worker population (e.g. food and beverage, dairies and service stations). These other activities are usually limited to a relatively small scale, measured by gross floor area (GFA) or as a percentage of all buildings on a specific site.

Nearly all other land use activities are either non-complying or prohibited activities. These are activities that are sensitive to noise, air discharge or dust, or would generally compromise the integrity and functionality of the zone. Prohibited activities include dwellings and integrated residential development, retail greater than 450m<sup>2</sup> per site not otherwise provided for, and community facilities greater than 450m<sup>2</sup>.

There are only two restricted discretionary activities – emergency services or accessory offices that exceed the size thresholds. There are no discretionary activities. Activities not otherwise provided for are a non-complying activity.

The development of new buildings or additions and alterations to buildings is a permitted activity. Permitted standards apply to development to manage adverse effects on the environment or on the amenity of neighbouring residential and open space zones, or the Special Purpose – Schools Zone or the Special Purpose – Māori Purpose Zone. These standards include:

- Maximum building height: 20m<sup>31</sup>
- Height in relation to boundary: 6m + 35 degrees<sup>32</sup>
- Maximum impervious area within a riparian yard: 10 per cent of riparian yard<sup>33</sup>
- Minimum yards: front 2m, side 5m, rear 5m, riparian 10m, lakeside 30m, coastal protection 25m<sup>34</sup>
- Storage and screening.<sup>35</sup>

Infringement of these standards is a restricted discretionary activity and matters of discretion include effects on the amenity of neighbouring sites, the purpose of the standard being infringed and any policy relevant to the standard.<sup>36</sup>

### **Chapter H17 Light Industry Zone**

The LIZ provides for the same permitted activities as the HIZ. However it also provides for a wider range of other permitted land use activities. These include horticulture; animal breeding or boarding; emergency services; trade suppliers; show homes; drive through restaurants; garden centres; motor vehicle sales and marine retail. Wholesaler and storage and lock-up facilities are specifically provided for as permitted activities although these also fall within the nested definition of industrial activities.

Garden centres, motor vehicle sales and marine sales become a restricted discretionary activity where they are within 100m of the HIZ. This is in order to manage potential adverse reverse sensitivity effects that could inhibit or restrict the operation of heavy industrial activities within the HIZ.<sup>37</sup>

Some permitted activities also become a restricted discretionary activity where they are within 30m of a residential zone in order to manage potential adverse effects on the residential zone.<sup>38</sup> These activities include:

- bars and taverns (only those up to 120m<sup>2</sup> GFA per site)
- drive through restaurants
- outdoor eating areas accessory to restaurants (only those up to 120m<sup>2</sup> GFA per site)
- animal breeding or boarding.

Another example of how the zone uses different activities statuses to manage potential adverse effects such as reverse sensitivity and to maintain the integrity of the zone can be seen in the three different activity status' that apply to offices:

- Permitted - for offices that are accessory to primary activity on the site if they do not exceed a specific GFA.
- Restricted discretionary - for offices that are accessory to primary activity on the site if they exceed the specified GFA. Matters of discretion require consideration of

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<sup>31</sup> H16.6.1

<sup>32</sup> H16.6.2

<sup>33</sup> H16.6.3

<sup>34</sup> H16.6.4

<sup>35</sup> H16.6.5

<sup>36</sup> H16.8.1(3)

<sup>37</sup> See matters of discretion H17.8.1(3)

<sup>38</sup> See matters of discretion H17.8.1(1)



potential reverse sensitivity effects which could inhibit or discourage light industry from operating in the LIZ, and whether the activity would reduce the available opportunities for light industry to operate in the LIZ.

- Non-complying for offices not otherwise provided for.

Compared to the HIZ the LIZ has fewer non-complying activities, but more discretionary activities. Most residential activities are still non-complying as are activities not provided for. Discretionary activities include various community activities such as care centres, recreation facilities, hospitals and community facilities up to 450m<sup>2</sup>. Commercial services and entertainment facilities are also discretionary activities. Unlike the HIZ no activities are prohibited in the LIZ.

Like the HIZ the development of new buildings or additions and alterations to buildings is a permitted activity. The same standards that apply to development within the HIZ also apply to permitted and restricted discretionary activities within the LIZ. These are generally to manage adverse amenity effects on neighbouring zones in particular residential and open space zones. Also like the HIZ infringement of these standards is a restricted discretionary activity and the same matters of discretion apply.

#### **Chapter H14 General Business Zone**

The GBZ provides for industrial activities as a permitted activity, except for waste management facilities which is a non-complying activity.

The zone provides for some permitted commercial and/or community activities, some of which depends on GFA. Permitted activities include:

- garden centres, marine retail, motor vehicle sales and trade suppliers
- food and beverage, except where it forms part of an integrated development with more than 5 food and beverage activities, which is a restricted discretionary activity
- recreation facilities.

Retail is managed based on GFA per tenancy:

- permitted - for retail greater than 450m<sup>2</sup> GFA per tenancy
- discretionary – for retail greater than 200m<sup>2</sup> but less than 450m<sup>2</sup> GFA per tenancy
- non-complying – for retail up to 200m<sup>2</sup> GFA per tenancy.

Department stores are a restricted discretionary activity.

Supermarkets up to 450m<sup>2</sup> GFA per tenancy is a discretionary activity while supermarket greater than 450m<sup>2</sup> is a restricted discretionary activity.

Offices are also managed based on GFA; however it is smaller offices that are permitted (up to 500m<sup>2</sup> GFA per site) with larger offices being a discretionary activity (greater than 500m<sup>2</sup> GFA per tenancy).

The purpose of these restrictions is to avoid adverse effects on the role and function of centres. It also helps to ensure that the zone has sufficient capacity to provide low density and land extensive activities, such as large format retail.

Residential activities are not anticipated in the zone, and all are a non-complying activity. This is to avoid reverse sensitivity effects on industrial activities and to ensure the zone retains sufficient capacity for more land extensive activities.

Most community activities such as care centres,<sup>39</sup> education facilities, hospitals and healthcare facilities, community activities etc are a discretionary activity.

Unlike the LIZ and HIZ new buildings are a restricted discretionary activity. Some alterations and additions to existing buildings are permitted depending on the size of the alteration/addition. Otherwise this is also a restricted discretionary activity.

Similar to the LIZ some otherwise permitted activities become a restricted discretionary activity where they are within 30 metres of a residential zone. These include:

- bars and taverns
- drive-through restaurants
- outdoor eating areas accessory to restaurants
- entertainment facilities.

Development standards apply to all permitted and restricted discretionary activities and include:

- maximum building height: 16.5m<sup>40</sup>
- minimum yards: side and rear 3m where adjoins a residential zone or Special Purposes – Māori Purpose Zone, riparian 10m, lakeside 30m, coastal protection 25m. Additional requirements for the type of planting required for side and rear yards<sup>41</sup>
- landscaping: a landscape buffer of 2m in depth required along street frontage between the street and parking, loading or service area if these areas are visible from the street. Additional requirements for the type of planting required in this landscape buffer.<sup>42</sup>
- maximum impervious area within a riparian yard: 10 per cent of riparian yard<sup>43</sup>
- wind: only applies to buildings greater than 25 metres in height and includes various wind speeds/gusts that must not be exceeded. The purpose of this standard is to mitigate the adverse wind effects generated by tall buildings. This standard applies to all the centre zones.<sup>44</sup>
- height in relation to boundary (HIRB): unlike the HIZ and LIZ, HIRB in the GBZ various depends on what the adjacent zone is. See Table H14.6.2.1 below.

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<sup>39</sup> Includes childcare centres

<sup>40</sup> H14.6.1

<sup>41</sup> H14.6.3

<sup>42</sup> H14.6.4

<sup>43</sup> H14.6.5

<sup>44</sup> H14.6.6



**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)
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

Infringement of these standards is a restricted discretionary activity and matters of discretion when assessing an infringement are similar to the HIZ and LIZ. Assessment criteria for other restricted discretionary activities tend to focus on the design and location of buildings and parking areas; the compatibility of the effects of intensity and scale of the development; effects on amenity values (existing and planned future amenity) of the surrounding area including streets, open space and residential zones; and the functional requirement of the activity in question.<sup>45</sup>

### **Chapters E14 Air Quality, E25 Noise and Vibration, and E38 Subdivision - Urban**

Auckland-wide rules are an important aspect of the management of HIZ, LIZ and GBZ. While many Auckland-wide rules will apply to the HIZ, LIZ and GBZ, Chapter E14 Air Quality and Chapter E25 Noise and Vibration are particularly important. Chapter E38 Subdivision – Urban is also important, especially for the HIZ and LIZ.

#### Chapter E14 Air Quality

Chapter E14 contains regional plan provisions. E14.1 Description states:

*These provisions relate to the management of air quality. The range of residential, commercial and industrial land uses means there needs to be greater focus on the management of individual discharges to air from various sources and the separation of incompatible land uses. Industrial processes and their operation need to be recognised because they cannot avoid discharging contaminants into air. Their effects need to be*

<sup>45</sup> See H14.8 for all matters of discretion and assessment criteria.

*managed using suitable control technology and on-site management techniques. These industries also need to be located in appropriate areas.*

The air quality rules use different categories of “air quality areas” and ambient air quality targets to both enable specific activities in certain locations that generate noxious emissions while also managing adverse effects of these. Air quality areas relevant to the HIZ, LIZ and GBZ are:

- HIZ: Low air quality area – dust and odour area (Industry)
- LIZ: Medium air quality area – dust and odour area (Industry)
- GBZ: High air quality area – dust and odour area. This air quality category also applies to all centre zones and all residential zones.

There are 168 different activities listed in the activity table relating to air discharge (Table E14.4.1). The activity status for each activity is listed for each air quality area. In many instances the activity status is the same regardless of which air quality area it applies to. However in some instances the activity status for the high air quality area is more restrictive than for the medium or low air quality area. Of the 168 activities approximately 33 have a different activity status (less restrictive) for the low or medium air quality area compared to the high air quality area. There are approximately four activities that have a different activity status between the medium and low air quality areas.

There are a variety of standards that must be complied with for any permitted, restricted discretionary or discretionary activities.

### Chapter E25 Noise and Vibration

Chapter E25 Noise and Vibration contains district plan provisions. Rules within Chapter E25 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.

All activities that comply with the relevant permitted activity standards are a permitted activity. If an activity does not comply with the permitted standards, then it becomes a restricted discretionary activity.

The standards apply different maximum noise level ratings depending on the zone or for noise sensitive spaces within some zones. Different noise level ratings also apply to the interface between different zones.

The following maximum noise levels apply:

- HIZ: 70dB  $L_{Aeq}$ <sup>46</sup>
- LIZ: 65dB  $L_{Aeq}$ <sup>47</sup>
- GBZ: 65dB  $L_{Aeq}$ <sup>48</sup>

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<sup>46</sup> E25.6.5

<sup>47</sup> E25.6.5

<sup>48</sup> E25.6.6

Each of these levels apply when measured within the boundary of any other site within the same zone and at all times.

Specific noise levels also apply to “noise sensitive spaces” (e.g. sleeping areas/bedrooms) within certain zones, including the HIZ, LIZ, City Centre, Metropolitan Centres and Town Centre zones.

**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

These standards also require internal acoustic insulation and residential dwellings be mechanically ventilated and/or cooled. This means that noise arising from other activities within the zones can be effectively mitigated (i.e. windows can remain shut to manage noise).

These standards recognise that activities generally provided for by these zones may generate greater noise, but also provide an acceptable level of sleep protection where residential activities are located within the zone (e.g. workers accommodation in HIZ and LIZ).

Different noise level ratings are also provided for at the interface between different zones. For all business zones this noise level is the same.

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

Time	Noise level
Monday to Saturday 7am-10pm	55dB LAeq
Sunday 9am-6pm	
All other times	45dB LAeq 60dB Leq at 63 Hz 55dB Leq at 125 Hz 75dB LAFmax

There are three location specific exemptions from the interface noise levels contained in Table E25.6.19. These apply to the HIZ or LIZ/residential zone interface between:

- (a) the Fulton Hogan sites at 4 and 7 Reliable Way (HIZ and LIZ) and 11, 13 or 15 Harrison Way (THAB Zone). Applies a maximum level of 60dB LAeq at the interface with residential sites.<sup>49</sup>
- (b) the DB Waitemata Breweries site on Bairds Road/Great South Road (LIZ) and approximately 56 residential sites (MHS Zone). Applies a limit of 65dB LAeq with a maximum noise limit of 90dB LAFmax between 10pm and 7am when measured within the boundary of specific residential sites.<sup>50</sup>
- (c) the Warkworth Clayden Road Precinct (MHU Zone and Large Lot Zone) and LIZ. The precinct applies various methods including a Noise Management Area within which mechanical ventilation is required, a Noise Measurement Line where noise levels from industrial activity are to be measured and requires a no complaints covenant in the Industrial Covenant Area related to industrial activity.<sup>51</sup>

Each of these exemptions seek to protect existing industrial activities from reverse sensitivity.

#### Chapter E38 Subdivision – Urban

Chapter E38 contains district plan provisions. The chapter contains objectives and policies but also relies on zone specific objectives and policies that are contained in the zone chapters. Only the HIZ (Chapter H16) contains subdivision related objectives and policies.

For all three zones, subdivision in accordance with the relevant standards is generally a restricted discretionary activity.<sup>52</sup> The minimum site sizes are listed in the table below. Subdivision that does not comply with these is a non-complying activity.<sup>53</sup>

*Table 3: Minimum net site size and frontage for vacant site subdivision<sup>54</sup>*

	HIZ	LIZ	GBZ
<b>Minimum net site size</b>	2000m <sup>2</sup>	1000m <sup>2</sup>	200m <sup>2</sup>
<b>Minimum average site size</b>	5000m <sup>2</sup>	2000m <sup>2</sup>	N/A
<b>Minimum frontage</b>	20m	20m	N/A

These minimum site sizes for the LIZ and HIZ are the largest of all the business zones and reflect the large site sizes often needed by industrial activities. Subdivision of existing large

<sup>49</sup> E25.6.19(2)(b)

<sup>50</sup> E25.6.19(2)(c)

<sup>51</sup> E25.6.19(2)(d) and I552.6.6

<sup>52</sup> Table E38.4.3 (A33), (A34), (A35)

<sup>53</sup> Table E38.4.3 (A36)

<sup>54</sup> From Table E38.9.2.3.1

sites, especially within the HIZ, can reduce the supply of large sites and reduce opportunities for future industrial activities.

On the other hand, while the GBZ often provides for activities that are more land extensive (e.g. large format retail), the minimum site size is only 200m<sup>2</sup> which generally aligns with that of the various centre zones.

### **Locations of zones as a method**

A key method used in the AUP to manage the qualifying matter is the use of the LIZ located as a “sleeve” around the HIZ where possible. This is to form a buffer between the HIZ and more sensitive zones. While the location of some of Auckland’s HIZ areas is less than desirable in terms of providing sufficient separation distances between noxious activities and sensitive activities, the use of the LIZ as a buffer provides at least some level of separation between incompatible activities.

## **7. Development and evaluation of options**

Because qualifying matter (i) is potentially represented by three zones a number of different options have been considered in relation to:

- the application of Policy 3 to the HIZ, LIZ and GBZ (Options A1-A3 and B1-B3)
- the application of MDRS and Policy 3 to other zones in proximity to the HIZ, LIZ and GIZ (Options C1-C3 and D1-D3).

### **Application of Policy 3 to the HIZ, LIZ and GBZ**

Section 77N of the RMA requires that the council must give effect to Policy 3 of the NPS-UD in non-residential zones unless Section 77O applies (i.e. need to accommodate a qualifying matter). Therefore NPS-UD Policy 3(c) requirements apply to the HIZ, LIZ and GIZ where they are located within a walkable catchment. Policy 3(c) requires that building height of at least 6 storeys is enabled within walkable catchments.

Policy 3(d) is not considered necessary to apply to these three zones because the existing permitted zone building heights are already greater than 16 metres. The council approach to Policy 3(d) and what it considers to be the appropriate building height and densities of urban form is discussed in the Section 32 report on Policy 3 intensification. In summary that report considers a height of 16 metres is appropriate to meet the requirements of Policy 3(d).

### **Application of Policy 3(c) to the HIZ and LIZ**

The impact of applying Policy 3(c) to the HIZ and LIZ is considered below, including whether building heights of at least 6 storeys should not be enabled in order to accommodate qualifying matter (i).<sup>55</sup>

Policy 3(c) requires that at least 6 storeys is enabled in walkable catchments. This means that at a minimum 6 storeys **must** be enabled.<sup>56</sup> In the application of Policy 3(c) building

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<sup>55</sup> RMA Section 77O

<sup>56</sup> The only way this height limit can be modified to be less is to accommodate a qualifying matter (RMA Sections 77I and 77O)

height greater than 6 storeys **may also** be provided for within walkable catchments, but Policy 3(c) does not require that more than 6 storeys **must** be enabled.

Two questions are considered below in relation to the application of Policy 3(c) to the HIZ and LIZ:

- Is it necessary to **not enable 6 storeys** within walkable catchments in the HIZ or LIZ in order to accommodate qualifying matter (i)?
- If the answer to the question above is no, then **should more than 6 storeys be enabled** in the HIZ or LIZ?

The intent of Policy 3(c) is to increase capacity (either residential or business) by providing for increased building height. It does this through the use of storeys rather than specifying a height in metres. The existing permitted zone height for both zones is 20 metres. Due to the nature of land use activities provided for by the zones, “storeys” is not a particularly relevant metric to enable industrial activities or to manage the effects of building height in these zones. I note that when notified, the PAUP expressed height limits in both metres and in a number of storeys for the residential and centres zones.<sup>57</sup> However other zones, including the HIZ and LIZ, it did not use storeys as a metric and relied on expressing height limits in metres only.

While the operational requirements of a building will be different for each business within the HIZ or LIZ, often buildings are only one level. Generally industrial activities such as warehouses, manufacturing and storage facilities only require a single level building, but with a high floor to ceiling stud. This means a building may be a single level, but with a height in metres that is similar to a three or even four storey dwelling. Where a building may have more than one level (e.g. two or three levels) this is usually to accommodate accessory activities (e.g. offices). Often such a building is attached to a larger single level building (i.e. warehouse with attached offices). Other industrial activities may require extensive outside areas with only small or relatively few buildings. See Figures 1 - 7 for examples of existing buildings within the HIZ and LIZ.

Because “storeys” is not a particularly useful or relevant metric to manage building height within the HIZ and LIZ, it is considered most appropriate to adopt the same height in metres used by most other non-residential urban zones (e.g. centre zones) as a measurement to enable 6 storeys. This is because this is the building height that will typically be enabled within the same walkable catchments as the HIZ and LIZ. The council is proposing 21 metres as the appropriate height to enable 6 storeys for most of the centre zones. This is discussed in more detail, including the reasoning, in the Section 32 report on Policy 3 intensification.

Therefore for the purposes of applying Policy 3(c) to the HIZ and LIZ, 21 metres is considered to be the relevant building height that must at least be provided for unless it would adversely affect the ability of the zones to provide sufficient land suitable for low density business uses (i.e. to accommodate qualifying matter (i)).

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<sup>57</sup> This use of storeys as a metric to manage building height was removed through the PAUP hearings process.

The existing permitted height for the zones is 20 metres, which means the minimum increase required by Policy 3(c) is only an additional metre. While enabling an additional 1 metre of height is not likely to significantly increase capacity within the zones, it is also not likely to adversely affect the qualifying matter for the following reasons:

- Unlikely to increase risk of reverse sensitivity, especially for the HIZ which is mostly surrounded by the LIZ.
- Both zones have a strong policy and consenting framework to provide for low density business uses and to protect the integrity and purpose of the zones e.g. use of prohibited or non-complying activity status
- The purpose of managing building heights within the HIZ and LIZ is to manage potential adverse amenity effects (e.g. visual dominance, shading), in particular adverse effects on adjacent lower density zones. Given that permitted building heights across urban Auckland will increase, especially in walkable catchments (unless restricted by another qualifying matter), increasing the permitted zone heights from 20 metres to 21 metres is also unlikely to significantly change the level of potential adverse effects on amenity.

Because it is considered that enabling 6 storeys (21 metres) will not adversely affect the function of the HIZ and LIZ and their ability to provide business land suitable for low density uses, it is not necessary to limit the 6 storeys required by Policy 3(c) in these zones. This means that the HIZ and LIZ are not a qualifying matter in the context of Section 77O and a consideration of alternatives is not necessary.

Never-the-less the following options were considered to help inform this report. A high level costs and benefits analysis is contained in Table A. Note Options A2 and A3 are not considered necessary.

A1 Apply NPS-UD Policy 3(c) as legislated in the HIZ and LIZ.

A2 Do not apply NPS-UD Policy 3(c) as legislated in HIZ and LIZ - retain existing zone heights (maximum permitted is 20m).

A3 Apply NPS-UD Policy 3(c) height as legislated in HIZ and LIZ, and amend HIZ and LIZ provisions (more restrictive activity status for some activities).

While it is considered that 6 storeys/21 metres required by Policy 3(c) need to be enabled in the HIZ and LIZ, it is not considered necessary or appropriate to enable building heights of more than 6 storeys/21 metres within walkable catchments for the HIZ or LIZ for the reasons set out below.

As mentioned previously buildings in the HIZ and LIZ typically only require one of two levels and it is usually not practical or cost-effective to build multi-level facilities. Therefore any potential benefits to industrial activities by further increasing the building height limits are likely to be minimal. It is also unlikely to meaningfully increase capacity and supply of business land suitable for low density uses.

Enabling building heights greater than 21 metres in the HIZ and LIZ would also be out of step with what is enabled for the other business zones within the same walkable catchment. Where the HIZ and LIZ are at the outer edge of a walkable catchment this could also

increase interface issues with lower density zones (i.e. adjacent residential and open space zones that are not in a walkable catchment). Coupled with the often large and bulky nature of buildings in the HIZ and LIZ, a more significant increase in building height could result in a higher level of adverse amenity effects on adjacent residential and open space zones.

While amenity values are not a qualifying matter in their own right, if enabling building heights greater than 6 storeys/21 metres results in more significant adverse amenity effects, this could increase the risk of reverse sensitivity. As previously discussed, reverse sensitivity has the potential to adversely affect the function of the zones and qualifying matter (i).

Because new buildings and additions and alterations are a permitted activity in the zones, provided the relevant standards are met, it is important that the standards are able to adequately manage adverse effects. The existing building height standard, along with the HIRB and yard standards are designed to work together to manage adverse amenity effects such as visual dominance and shading and significantly changing one standard without reconsidering the others could mean that adverse effects are not able to be appropriately managed.

While some HIZ or LIZ sites within walkable catchments might be able to accommodate a building height greater than 21 metres without adverse effects, it is considered that this should be assessed through the consenting process where appropriate consideration of the specific site, development proposed, and effects can be undertaken.

In addition to this the LIZ also has existing provisions that support the use of the Height Variation Control (**HVC**) as a method to enable greater building height, where it is an efficient use of land and can be accommodated without significant adverse effects on adjacent residential zones. There are currently two sites in Onehunga that apply the HVC in this manner. Application of the HVC to specific sites would require a plan change process.

Overall enabling building heights of 6 storeys within walkable catchments in the HIZ and LIZ (option A1) is consistent with the NPS-UD objectives and policies, having either a positive or neutral level of effect on the outcomes sought by them.

It is also generally consistent with the HIZ and LIZ objectives and policies in that:

- increasing height by 1 metre is unlikely to significantly increase adverse amenity effects on surrounding residential or open space zones
- increasing height would enable use and development of industrial activities within the zones, or at least will not detract from them
- increasing height is unlikely to significantly increase risk of reverse sensitivity on the HIZ, especially as height of surrounding zones will also be increased.

However it should be noted that there is limited up-to-date information available about either business land capacity and demand, or an understanding of whether the AUP provisions are currently delivering the outcomes sought by the HIZ or LIZ (i.e. Section 35 monitoring). If the council's next updated HBA<sup>58</sup> shows there is insufficient supply/capacity of business land suitable for low density uses to meet demands, or results from the Section 35 monitoring

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<sup>58</sup> Will only be completed in time to inform the 2024 Long-term Plan.



shows the HIZ or LIZ provisions are not adequately “protecting” business land suitable for low density uses, then the HIZ and LIZ as qualifying matter (i) may need to be reconsidered and amendments made to the AUP through a future plan change.

### **Proposed amendments to the AUP**

Amendments to Chapters H16 HIZ and H17 LIZ are required to enable 6 storeys (21m) within walkable catchments. Each of these proposed amendments are considered necessary to give effect to Policy 3(c) of the NPS-UD. These are set out below and in Attachment 2.

The proposed wording of these new and amended provisions is intended to enable 6 storeys within walkable catchments as required by Policy 3(c) of the NPS-UD, whilst making it clear that in the context of these zones this is a height of 21 metres. Whilst infringement of standards in these zones is a restricted discretionary activity, many activities are a non-complying activity. Therefore it is particularly important that the amendments required cascade from the objectives and policies through to the rules to provide a robust framework.

### **Chapter H16 HIZ**

H16.1 Zone description: Add the following statement:

*Additional building height of six storeys (21m) is enabled within walkable catchments unless a qualifying matter applies.*

#### H16.2 Objectives

Add new Objective (5) to enable 6 storeys/21m in walkable catchments.

*(5) Building height of six storeys (21m) is enabled within walkable catchments unless qualifying matters apply that reduce height.*

#### H16.3 Policies

Add new Policy (5) to enable 6 storeys/21m in walkable catchments.

*(5) Enable greater building height of six storeys (21m) within walkable catchments, unless qualifying matters apply that reduce height.*

#### H16.6.1 Building height

Amend purpose statement and standard to enable 21m in walkable catchments.

*Purpose:*

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

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

*(2) Buildings located in a walkable catchment must not exceed 21m in height.*

#### H16.8.2 Assessment criteria

Amend to include reference to new Policy (5). This will allow any resource consent application seeking a building height greater than 21m in walkable catchments to take into consideration the new policy.

*(3) buildings that do not comply with the standards:*

*(a) building height, height in relation to boundary, yards or storage and screening:*

*(i) refer to Policy H16.3(3) and Policy H16.3(5);*

## **Chapter H17 LIZ**

H17.1 Zone description: Add the following statement:

*Additional building height of six storeys (21m) is enabled within walkable catchments unless a qualifying matter applies*

H17.2 Objectives

Add new Objective (5) to enable 6 storeys/21m in walkable catchments.

*(5) Building height of six storeys (21m) is enabled within walkable catchments unless qualifying matters apply that reduce height.*

H17.3 Policies

Add new Policy (5A) to enable 6 storeys/21m in walkable catchments.

*(5A) Enable greater building height of six storeys (21m) within walkable catchments, unless qualifying matters apply that reduce height*

H17.6.1 Building height

Amend purpose statement and standard to enable 21m in walkable catchments.

*Purpose:*

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

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

*(2) Buildings located in a walkable catchment must not exceed 21m in height.*

H17.8.2 Assessment criteria

Amend to include reference to new Policy (5A). This will allow any resource consent application seeking a building height greater than 21m in walkable catchments to take into consideration the new policy.

*(4) activities that do not comply with the standards:*

*(a) building height, height in relation to boundary, yards or storage and screening:*

*(i) refer to Policy H17.3(1), ~~and~~ Policy H17.3(4), Policy H17.3(5) and Policy H17.3(5A).*

### **Application of Policy 3(c) to the GBZ**

The impact of applying Policy 3(c) to the GBZ is considered below, including whether building heights of at least 6 storeys should not be enabled in order to accommodate qualifying matter (i).<sup>59</sup>

As discussed above for the HIZ and LIZ, 21 metres is the council's preferred height for the centres zones for Policy 3(c). Therefore for the purposes of applying Policy 3(c) to the GBZ, 21 metres is also considered the relevant height to enable unless it would adversely affect the ability of the zone to provide sufficient land suitable for low density business uses. Again this height would be consistent with many of the other non-residential zones within the same walkable catchment.

The existing GBZ building height is 16.5 metres, which means the increase required by Policy 3(c) is an additional 4.5 metres, making it a more substantial increase than for the HIZ and LIZ.

Similar to the LIZ, the GBZ provisions already enable increased building height through the use of the HVC.<sup>60</sup> This control does not currently apply to any sites zoned General Business.

Similar to the HIZ and LIZ, the use of "storeys" as a metric is not applicable for many activities provided for by the GBZ. Again many activities provided for by the zone are only likely to require buildings that are one or two levels e.g. large format retail,<sup>61</sup> garden centres, trade suppliers, motor vehicle sales, marine retail and industrial activities. This means there may be limited uptake of any potential development capacity provided by enabling a greater building height.<sup>62</sup> See Figures 8 - 10 for examples of existing buildings in the GBZ.

It is noted that a core tenet of the GBZ is to provide for activities that may not be appropriate for, or are unable to locate in, centres. These activities are appropriate in the GBZ only when they do not adversely affect the function, role and amenity of the Business - City Centre, Business - Metropolitan Centre and Business - Town Centre zones. However any adverse effect on the function or role of centres is not a qualifying matter in the context of Section 770.

It is considered that enabling 6 storeys/21 metres in the GBZ, as required by Policy 3(c), there is a greater risk, compared to the HIZ or LIZ, that this could potentially compromise the function and integrity of the GBZ. For example it could encourage other activities to establish in the zone that are not low density in nature or that may be incompatible with industrial or low density commercial activities provided for by the zone (either existing or future). This could limit or reduce the capacity of low density business land in Auckland. For example if more residential activities were allowed to establish in the zone these would generally be incompatible with industrial activities which are permitted within the zone. Alternatively the

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<sup>59</sup> RMA Section 770

<sup>60</sup> H14.3 Policy (13) and H14.6.1 (building height standard)

<sup>61</sup> i.e. greater than 450m<sup>2</sup> GFA per tenancy

<sup>62</sup> Note that any new building within the zone is a restricted discretionary activity regardless of compliance with the permitted standards.

zone could become more attractive to smaller retail activities or other businesses that would be better suited within centres. If the zone becomes a more attractive place for such activities to seek to establish in (and such consents are granted) this could increase land values and put pressure on industrial activities to relocate to Auckland's urban edge.

However this risk is considered to be relatively low due to the strong policy framework and a robust use of activity statuses in the existing GBZ provisions. See section 6 of this report for an outline of the zone provisions. These provisions should be sufficient to preserve land for low density industrial and commercial activities and to manage the establishment of incompatible activities.

Overall it is considered that enabling 6 storeys (21 metres) will not adversely affect the function of the GBZ or its ability to provide business land suitable for low density uses. Therefore it is not considered necessary to limit the 6 storeys required by Policy 3(c) in this zone. This means that the GBZ is not a qualifying matter in the context of Section 770 and a consideration of alternatives is not necessary.

Never-the-less the following options were considered to help inform this report. A high level costs and benefits analysis is contained in Table B. Note Options B2 and B3 are not considered necessary.

B1 Apply NPS-UD Policy 3(c) as legislated in GBZ

B2 Do not apply NPS-UD Policy 3(c) to GBZ - retain existing height (maximum permitted is 16.5m).

B3 Apply Policy 3(c) to GBZ but at a lesser height than 6 storeys and/or amend GBZ provisions (more restrictive activity status for some activities).

While it is considered that 6 storeys/21 metres required by Policy 3(c) need to be enabled in the GBZ, it is not considered necessary or appropriate to enable building height of more than 6 storeys/21 metres within walkable catchments for the GBZ. The reasons for this are similar to those discussed above in relation to the HIZ and LIZ.

In particular enabling even greater building height could make the zone a more attractive location for unintended activities to establish, placing even more pressure on the zone, despite the relatively robust policy and consenting framework. This could compromise the function and ability of the zone to provide for business land suitable for low density uses. It could also compromise the function and role of centres if activities better suited to centres were allowed to establish in the zone.

While some GBZ sites within walkable catchments might be able to accommodate a building height greater than 21 metres without adverse effects, it is considered that this should be assessed through the consenting process where appropriate consideration of the specific site, development proposed, and effects can be undertaken. Like the LIZ and the various centre zones, the GBZ provisions already enable even greater building height through the HVC.<sup>63</sup> Although the HVC does not currently apply to any GBZ sites, the option is never-the-less available for appropriate locations in the future.

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<sup>63</sup> Policy H14.3(13), Standard H14.6.1(1)

Overall enabling building heights of 6 storeys/21 metres in the GBZ (Option B1) is consistent with the NPS-UD objectives and policies, having either a positive or neutral level of effect on the outcomes sought by them. In particular this option is likely to have a positive effect in relation to Objectives 1, 3, and 4 and Policy 1(b).

However it is noted that there is limited up-to-date information available about the supply/capacity of the GBZ or what the expected demand is likely to be. Nor is there information about how the existing GBZ provisions are operating. If the council's next updated HBA<sup>64</sup> shows there is insufficient supply/capacity to meet demands or results from the Section 35 monitoring shows the zone provisions are insufficient, then the GBZ as a potential qualifying matter may need to be reconsidered and amendments made to the AUP through a future plan change. In addition to this further monitoring is recommended to assess whether increasing the GBZ height in walkable catchments has an adverse effect on the overall capacity of business land suitable for low density uses.

Increasing the GBZ height as legislated by Policy 3(c) (Option B1) is also generally consistent with the GBZ objectives and policies in that:

- increasing building height is unlikely to significantly increase adverse effects on amenity of neighbouring sites<sup>65</sup>, natural environment and centres, noting the height of surrounding zones will also increase. All new buildings and some alterations/additions to existing buildings require resource consent, and activities that could adversely affect the role and function of centres are still managed through robust AUP provisions.
- increasing building height will still enable industrial and commercial activities within the GBZ, or at least will not detract from those activities
- increasing building height is unlikely to significantly increase risk of reverse sensitivity on the GBZ, especially as height of surrounding zones will also be increased.

### **Proposed amendments to the AUP**

Amendments to Chapter H14 GBZ are required to enable 6 storeys (21m) within walkable catchments. Each of these proposed amendments are considered necessary to give effect to Policy 3(c) of the NPS-UD. These are set out below and in Attachment 2.

The proposed wording is intended to enable 6 storeys within walkable catchments as required by Policy 3(c) of the NPS-UD, whilst making it clear that in the context of this zone this is a height of 21 metres. Where possible the proposed amendments are consistent with those proposed in the HIZ and LIZ.

However the GBZ is different to the HIZ and LIZ in that it shares some general objectives and policies that are common to other business zones,<sup>66</sup> as well as having ones specific to the GBZ. It is considered that proposed Objective (9) and proposed Policy (24) that enable 6

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<sup>64</sup> Will only be completed in time to inform the 2024 Long-term Plan.

<sup>65</sup> Noting that NPS-UD Objective 4 states that amenity values will change over time

<sup>66</sup> E.g. centres, Business – Mixed Use Zone, Business – General Business Zone and Business – Business Park Zone (H14.2 Objectives (1)-(5) and H14.3 Policies (1)-(14))



storeys/21 metres should apply to just the GBZ rather than be contained in the general “shared” objectives and policies. Because of this it is not considered appropriate to include new proposed Policy (12A) which is part of the shared general policies, in Chapter H14. Proposed Policy (12A) is discussed and proposed in the Section 32 report on other business zones. This policy is not considered appropriate for the GBZ because it enables “at least 6 storeys” and including it in Chapter H14 would be slightly inconsistent with Policy (24) proposed in this evaluation. One of the other existing shared general policies – Policy (13) already provides for additional building height through the HVC and this is considered sufficient for the GBZ.

However all other amendments proposed to the shared general objectives and policies through the business zones Section 32 report are carried through into Chapter H14 for consistency.

This evaluation also proposes additional amendments to Chapter H14. These proposed amendments are to the GBZ HIRB standard<sup>67</sup> and the assessment criteria for infringement of standards.<sup>68</sup> These amendments are consequential and considered necessary to give effect to NPS-UD Policy 3 and MDRS requirements. The amendments proposed to the GBZ HIRB standard align with the approach proposed for the centre zones and includes:

- reference to the new Residential – Residential Low Density Zone
- differentiates between GBZ sites that are within and outside walkable catchments.

See the Section 32 report on other business zones for discussion on the centres approach to managing HIRB.

Minor amendments are also proposed to the assessment criteria for buildings that do not comply with the GBZ building height and HIRB standards. These amendments include reference to new proposed Policy (24) and existing Policies (13) and (14). These three policies relate to building height.

## **Chapter H14 GBZ**

H14.1 Zone description: Add the following statement:

*Additional building height of six storeys (21m) is enabled within walkable catchments unless a qualifying matter applies.*

H14.2 Objectives

Add new Objective (9) to enable 6 storeys/21m in walkable catchments. This objective applies to the GBZ only:

*Building height of six storeys (21m) is enabled within walkable catchments unless qualifying matters apply that reduce height.*

H14.3 Policies

Add new Policy (24) to enable 6 storeys/21m in walkable catchments. This policy applies to the GBZ only.

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<sup>67</sup> H14.6.2 Table H14.6.2.1

<sup>68</sup> H14.8.2(7)(a)(i)

Enable greater building height of six storeys (21m) in walkable catchments, unless qualifying matters apply that reduce height.

H14.6.1 Building height

Amend purpose statement and standard to enable 21m in walkable catchments.

*Purpose:*

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

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

*(2) Buildings located in a walkable catchment must not exceed 21m in height.*

H14.6.2 Height in relation to boundary

Amend Table H14.6.2.1 Height in relation to boundary, to include new residential zone, differentiate between and add new standard for sites within walkable catchments.

	<b>Zoning of adjacent site</b>	<b>Angle of recession plane (identified as x in Figure H14.6.2.1 or Figure H14.6.2.2)</b>	<b>Height above ground level which the recession plane will be measured from (identified as y in Figure H14.6.2.1 or Figure H14.6.2.2)</b>
<u>Buildings outside walkable catchments</u>	<i>Residential – Single House Zone; or Residential – Mixed Housing Suburban Zone</i>	45°	2.5m
	<u><i>Residential - Low Density Residential Zone; or</i></u> <i>Residential – Mixed Housing Urban Zone</i>	45° 60°	3m 4m
	<i>Residential – Terrace Housing and</i>	60°	8m

	<i>Apartment Buildings Zone</i>		
	<i>Special Purpose – Māori Purpose Zone; or Special Purpose – School Zone</i>	<i>45°</i>	<i>6m</i>
	<i>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</i>	<i>45°</i>	<i>4.5m</i>
<u><i>Buildings within walkable catchments</i></u>	<u><i>Residential – Low Density Residential Zone; Residential – Mixed Housing Urban Zone; Residential – Terrace Housing and Apartment Buildings Zone;</i></u>	<u><i>60°</i></u>	<u><i>19m</i></u>
	<u><i>Special Purpose – Māori Purpose Zone; or Special Purpose – School Zone</i></u>	<u><i>60°</i></u>	<u><i>19m</i></u>
	<u><i>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</i></u>	<u><i>60°</i></u>	<u><i>19m</i></u>

#### H16.8.2 Assessment criteria

Amend to include reference to Policies (13) and (14) and new proposed Policy (24). This will allow any resource consent application seeking a building height greater than 21m in walkable catchments to take into consideration the relevant policies related to building height.

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

*(a) height and height in relation to boundary:*

*(i) refer to Policy H14.3(3)(a), Policy H14.3(3)(b), ~~and Policy H14.3(8)~~, Policy H14.3(13), Policy H14.3(14) and Policy H14.3(24);*

These changes are shown in Attachment 2

Consequential amendments proposed through the Section 32 report on other business zones to the shared general Objectives (3) and (4) and Policies (13) and (14) are not set out here but are included in Attachment 2.

### **Application of MDRS and Policy 3 to other zones in proximity to HIZ, LIZ and GBZ**

MDRS does not apply directly to the HIZ, LIZ or GBZ because they are not residential zones. However increased intensification, in particular residential intensification, that is in proximity to these zones may adversely affect their ability to provide sufficient business land suitable for low density uses. This includes potential adverse reverse sensitivity effects. Policy 3 requirements that apply to other zones in proximity to these three zones may also adversely affect the HIZ, LIZ or GBZ for the same reasons. It should be noted that the centres zones and the Business - Mixed Use Zone provide for residential activities and these zones are located in walkable catchments. Therefore a number of options have been considered as to whether the application of MDRS or Policy 3 to zones in proximity to the HIZ, LIZ and GBZ, need to be modified in order to accommodate qualifying matter (i).<sup>69</sup>

These options are set out below.

#### **Application of MDRS and Policy 3 to other zones in proximity to HIZ**

The following options have been considered as to how MDRS and Policy 3 should be applied to other zones in proximity to the HIZ.

**C1. Status Quo: Apply 'MDRS' zone/s and Policy 3 as legislated; no change to operative HIZ provisions.**

C2. Apply amended/limited 'MDRS' zone/s and Policy 3 (e.g. amend MDRS standards, reduce height or require resource consent for more than one dwelling) to all sites within 500m of HIZ, no change to operative HIZ provisions.

C3. Do not apply 'MDRS' zone/s and Policy 3 as legislated to SHZ sites within 500m of HIZ, apply new "low density zone" instead; no change to operative HIZ provisions of AUP.

Option C1 is the preferred option.

#### Evaluation of Options C1, C2, and C3

As previously mentioned, the design of the built form (from residential intensification) is not likely to adversely affect the amenity of the HIZ in the context of qualifying matter (i).<sup>70</sup> For

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<sup>69</sup> RMA Section 771

<sup>70</sup> RMA Section 771

example overshadowing or visual dominance are not of concern to activities provided for within the zone.

Rather it is intensification, in particular residential intensification, in proximity to the HIZ that has the potential to adversely affect the function and integrity of the zone and its ability to provide sufficient business land suitable for low density uses by:

- increasing the risk of adverse reverse sensitivity effects
- increasing land values in industrial areas and putting pressure on noxious or more land extensive activities to relocate to the edges of urban Auckland or outside the Auckland region
- encouraging other non-industrial (and incompatible) activities to establish within the zone.

If any of these happen the HIZ may no longer be able to supply sufficient business land suitable for low density uses to meet expected demand.

The main AUP approach to managing reverse sensitivity effects on the HIZ relies on using the LIZ as a buffer between the HIZ and other zones that provide for sensitive activities. The HIZ and LIZ provisions seek to avoid sensitive activities from locating in those zones. Auckland-wide provisions also help manage reverse sensitivity. Otherwise the onus falls on the industrial activity to avoid or mitigate adverse effects it may generate on neighbouring residential zones.

Option C1 implements MDRS and Policy 3 as required to all zones in proximity to the HIZ, and relies on the existing AUP approach to manage adverse reverse sensitivity effects on the HIZ. It also relies on the existing HIZ and LIZ provisions to ensure other activities (not provided for by the zones), do not establish within the zones.

It should be noted that at the time of writing, there is limited up-to-date information available about either business land capacity and demand, or an understanding of whether the AUP provisions are currently delivering the outcomes sought for the HIZ (i.e. Section 35 monitoring). Assuming the existing AUP approach adequately manages reverse sensitivity and prevents unintended activities from establishing within the zones, Option C1 is the preferred option.

Costs and benefits of Option C1 are included in Table C. In summary overall costs are considered relatively low if existing AUP approach to managing and providing for industrial activities is working as anticipated. However costs could become high if this approach is not working. Such higher costs could affect:

- business owners/operators within the HIZ (economic)
- workers and communities reliant on specific industrial areas (economic, social, cultural)
- Auckland's economy and wider employment opportunities (economic)
- Auckland Council (economic)

Overall benefits are considered medium, primarily because residential capacity is not affected. Therefore wider social, economic, environmental and cultural benefits associated



with residential intensification may be realised. However benefits to business owners/operators within the HIZ are likely to be indirect and relatively low.

In evaluating Options C2 and C3 two main factors were taken into consideration:

- it is the increased number of sensitive activities in proximity to the HIZ rather than the built form of dwellings that is the potential issue for the HIZ
- the level of residential intensification in proximity to the HIZ that the AUP already enables.

As discussed in Section 5 of this report, a 500 metre “buffer” around at least part of the HIZ was contemplated through the PAUP process, in the form of the SAR Overlay. While this was ultimately rejected, the 500 metre distance provides a guide to what an ideal separation distance would be to manage reverse sensitivity effects, at least from an air quality perspective.

In effect Options C2 and C3 would create a type of buffer (based on 500m) around the HIZ limiting residential intensification to varying degrees.

The following table shows the residential and business zones that are within a 500 metre radius around the HIZ.<sup>71</sup> It also shows “other” zones (e.g. open space, rural zone, special purpose, Future Urban and Large Lot zones) within 500 metres of the HIZ. In effect these “other” zones also provide a type of buffer around the HIZ, at least in that they do not generally provide for residential activities or the MDRS does not apply to them.

*Table 4: Existing AUP zones within 500 metres of HIZ*

<b>Zone</b>	<b>Approximate area within 500m of the HIZ (ha)</b>	<b>Number of parcels within 500m of the HIZ</b>
Single House (SHZ)	234.37	2218
Mixed Housing Suburban (MHS)	339.23	3992
Mixed Housing Urban (MHU)	113.11	1226
Terrace Housing and Apartment Building (THAB)	64.24	1060
Mixed Use (MUZ)	36.52	274
Metropolitan Centre (MCZ)	25.34	24
Town Centre (TCZ)	30.59	231
Local Centre (LCZ)	2.45	9
Neighbourhood Centre (NCZ)	1.11	31
Light Industry (LIZ)	1404.10	2329
General Business (GBZ)	41.11	35
Open space zones	754.40	805

<sup>71</sup> Calculation of 500m buffer areas includes full parcels where the buffer intersects part of the site, therefore includes parts of sites that are technically further than 500m.

Zone	Approximate area within 500m of the HIZ (ha)	Number of parcels within 500m of the HIZ
Rural zones	625.22	121
Future Urban Zone (FUZ)	136.34	35
Special purpose zones	272.68	40
Large Lot Zone (Residential zone but not affected by MDRS)	25.86	30

This table shows that approximately 750.95 hectares of residentially zoned land<sup>72</sup> is within 500 metres of the HIZ. In addition to this there is approximately 96 hectares of business zoned land that also enables residential activities.

This shows that the AUP already enables a reasonable degree of residential intensification in proximity to the HIZ without any consideration of potential adverse reverse sensitive effects this may generate or exacerbate. For example, the Mixed Housing Suburban (MHS) Zone and Mixed Housing Urban (MHU) Zone already enable up to three dwellings per site as a permitted activity (provided standards are met). For four or more dwellings or any infringement of the permitted standards, there is no requirement to take into consideration any adverse reverse sensitivity effects this might have on any surrounding industrial activities. Similarly for the THAB Zone, while most dwellings are a restricted discretionary activity, potential effects on the HIZ or existing industrial activities are not a matter of discretion.

The figures below show examples of existing THAB, MHU or MHS zoned sites in close proximity to the HIZ, noting that all distances are approximate.

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<sup>72</sup> Excluding Large Lot Zone

Figure 12: HIZ area in East Tamaki and THAB zoned sites in close proximity

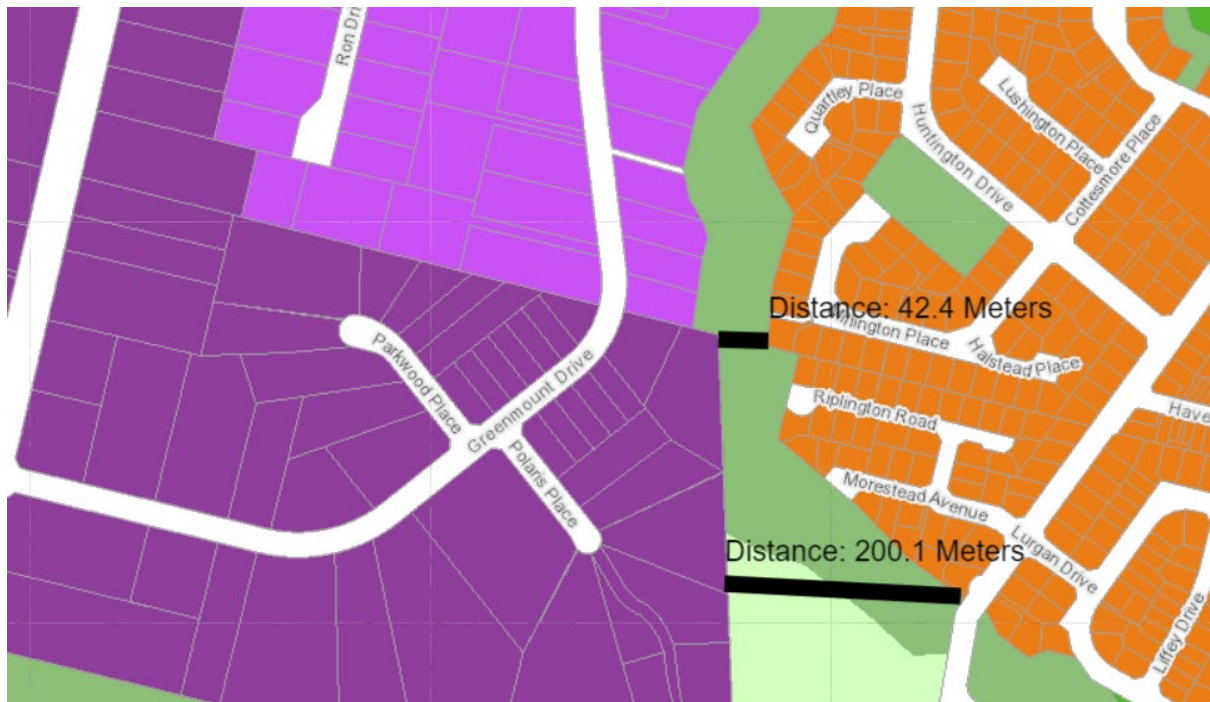


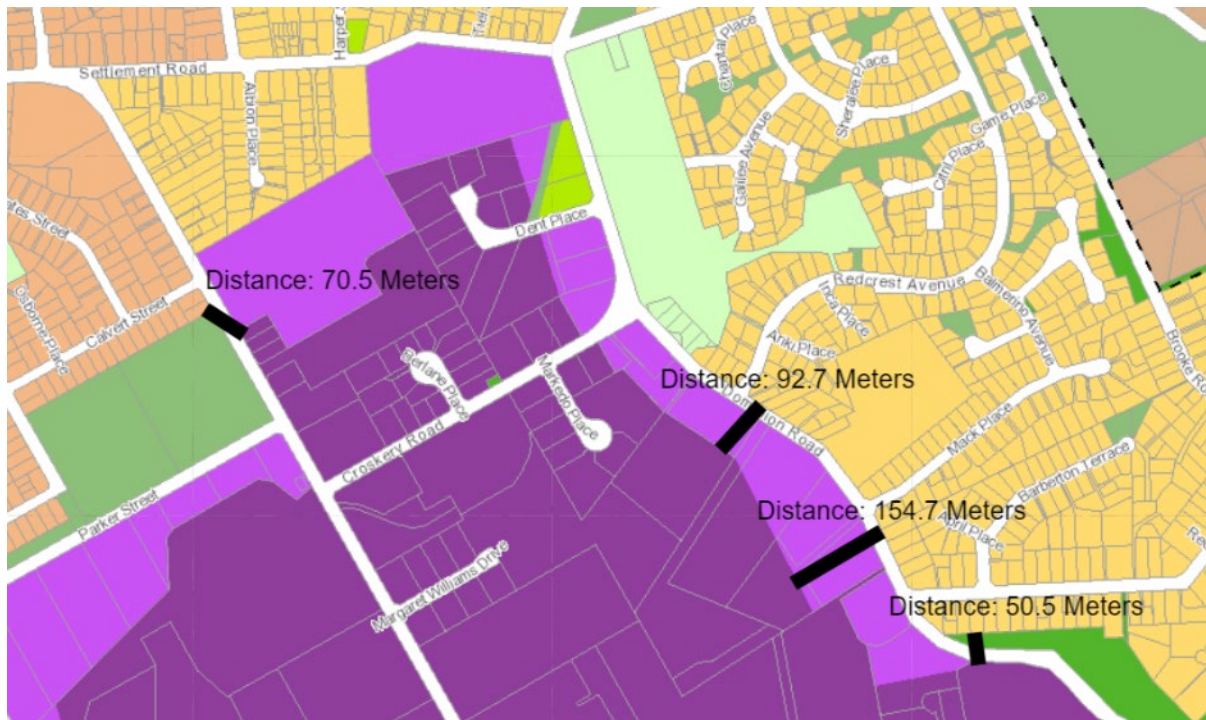
Figure 13: HIZ area just south of Manukau Metropolitan Centre and THAB zoned sites in close proximity.



The THAB zoned sites shown in the figure above have only recently been developed from vacant sites. These sites were proposed to be zoned MHS when the PAUP was notified but were zoned THAB through the PAUP hearings process.



Figure 14: HIZ area in Papakura and MHS and MHU zoned sites in close proximity



The figure above shows the LIZ buffer can be relatively narrow between the HIZ and residential zones.

Currently only the SHZ minimises opportunities to significantly increase the number of sensitive activities, through the minimum lot size, and only one dwelling permitted per site. Other than minor dwellings or conversion of an existing dwelling into two, more than one dwelling per site is a non-complying activity - or a discretionary activity for integrated residential development.

Option C2 would apply to all zones that enable residential activities and could include various amendments to MDRS or Policy 3 requirements. For example requiring a resource consent for more than one dwelling per site would enable assessment criteria to be added to consider potential reverse sensitivity effects on existing industrial activities. This would reduce the number of sensitive activities from establishing in proximity to the HIZ if such resource consent applications were declined. Alternatively residential development could be required to provide additional onsite mitigation such as acoustic fences/walls or acoustic insulation for sensitive spaces (similar to what is currently required for sensitive spaces within the business zones) or no complaints covenants.

However this would only allow consideration on a development by development basis and would be difficult to consider the cumulative effects. This would also place a greater restriction on development than what is currently enabled in the AUP (except where current zone is SHZ). This option would increase consenting costs and could result in a consenting burden on sites in proximity to the HIZ. Any benefits to the HIZ would likely be outweighed by such costs.

Likewise amending MDRS requirements such as setbacks, height in relation to boundary etc would place unnecessary restrictions on development without really minimising potential reverse sensitivity effects on the HIZ.

Reducing the height required by Policy 3 would reduce the number of sensitive activities that could be established in proximity to the HIZ. However given the level of intensification that is already enabled by the AUP, the potential benefits for the HIZ are likely to be outweighed by the costs to residential capacity.

Overall costs for Option C2 are considered medium, with potentially the greatest overall cost to residential capacity. However the level of effect would be dependent on the consenting process. No additional costs to business owners/occupiers within the HIZ.

Overall benefits are considered low-medium. While this option has the potential to provide the greatest benefit to industrial activities/HIZ by virtue of the number of residential properties it would apply to, the actual benefits realised might be much lower because potential adverse effects would be considered on a consent by consent basis which may not prevent cumulative adverse effects. Therefore it is more likely to place a high consenting burden on the development of residential sites with limited benefits to HIZ sites.

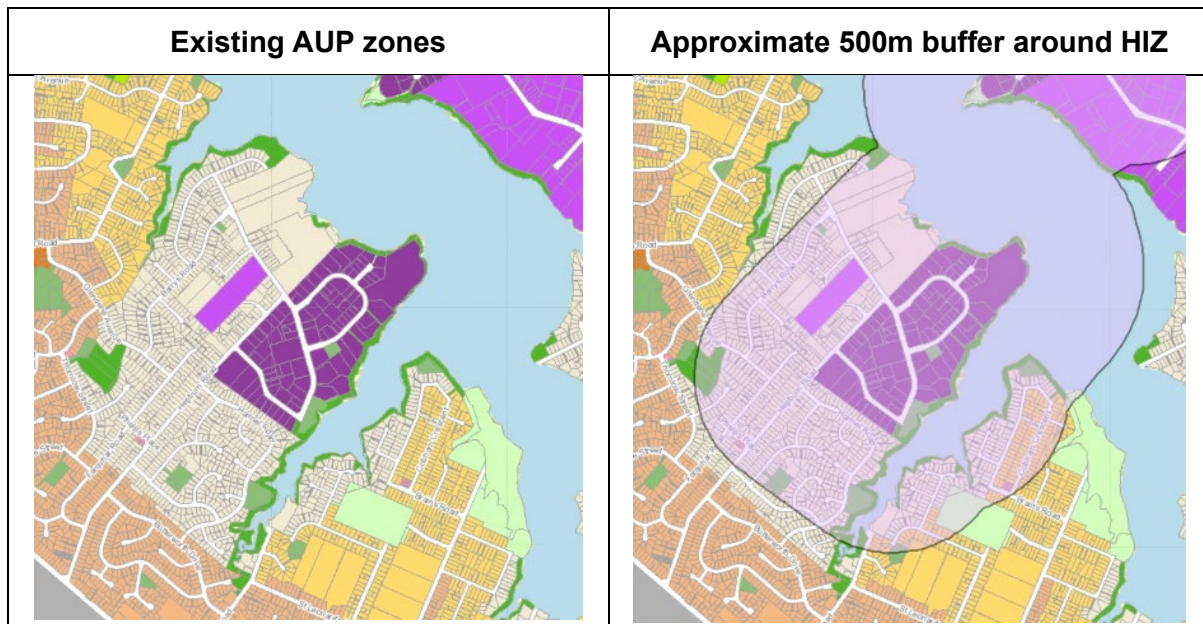
Therefore Option C2 is not supported for the reasons discussed above and in Table C.

As mentioned, the SHZ minimises opportunities to significantly increase residential intensification. The Section 32 evaluation on residential zones discusses the option for a new low density residential zone to be used to accommodate some qualifying matters. Option C3 would apply this low density residential zone where the SHZ is within 500 metres of the HIZ. This low density zone would not enable significant residential intensification and could keep the number of sensitive activities at a similar level to what is already enabled by the SHZ. This option could minimise the risk of exacerbating existing reverse sensitivity effects, but only in very limited locations.

There is one area where the SHZ is located adjacent to the HIZ without any form of “buffer” between them. This is in Glendene and is shown in the figure below. An example of what an approximate 500 metre buffer around the outside edge of this HIZ is shown overlaying the existing AUP zones. HIZ is shown in dark purple, LIZ is medium purple and SHZ is beige. Other residential zones are the various shades of orange.



Figure 15: Glendene HIZ area



This is one of the largest areas of SHZ in proximity to the HIZ, although it is noted that a large site directly adjoining the HIZ on its western boundary is a Transpower substation and is unlikely to be redeveloped in the near future.

Other areas where the SHZ is located within 500 metres of the HIZ include:

- East Tamaki (only a single site zoned SHZ)
- Ōtāhuhu (part of SHZ is within a walkable catchment)
- Takaanini (SHZ very small area)
- Te Atatu
- Wiri (part of SHZ is within a walkable catchment).

Of these SHZ areas only a relatively small amount is within a walkable catchment, and subject to Policy 3(c) requirements.

Maps showing the locations of the SHZ that is within 500 metres of the HIZ are in Attachment 3. These maps and Table 4 above show that in the context of the residential intensification that is expected across the other residential and business zones (within 500 metres of the HIZ), the SHZ is a relatively small proportion (approx. 234 hectares). While this means that the residential capacity lost by applying the low density zone would be relatively minimal compared to the overall residential intensification across Auckland, it also means that the likely benefit to the HIZ in protecting it from reverse sensitivity is likely to be minimal.

Overall costs of Option C3 are considered low-medium. Costs are similar to Option C2, although these costs would apply to a much smaller amount of land/owners. Costs to residential capacity could be high for specific sites, but overall lower than option C2 because it would apply to a lot less properties.

Overall benefits are considered relatively low. While some specific HIZ sites might have a higher level of benefit this is unlikely to benefit whole HIZ areas or the HIZ as a whole.

Overall it is considered that the costs would outweigh the benefits for Option C3, so it is not supported.

For the reasons set out above and on Table C Options C2 and C3 are not considered necessary in the context of Sections 77I and 77O of the RMA.

In addition to Options C1, C2 and C3 another option was considered to amend the HIZ and LIZ objectives and policies to make it more explicit that the LIZ should be used as a buffer between the HIZ and other more “sensitive” zones, being that this is a key method used in the AUP.

The RPS provides the policy framework for the various zones in the AUP, including where they should ideally be located. It also seeks to manage reverse sensitivity effects on existing industrial activities, including preventing inappropriate sensitive activities locating or intensifying in or adjacent to heavy industrial zones.<sup>73</sup> However there is no explicit direction at the district plan level that the LIZ should provide a buffer around the HIZ in order to protect the HIZ from adverse reverse sensitivity effects.

While adding additional objectives and policies would not mitigate or reduce existing adverse reverse sensitivity effects for existing locations of the HIZ where residential or centres zones are already located in proximity to the HIZ, it could strengthen future planning decisions about the appropriate location for new areas of HIZ and LIZ within greenfield development. This should avoid repeating poor planning decisions that did not adequately separate incompatible activities.

Ultimately this option was considered out of scope of this plan change and was not progressed further. However this could be reconsidered by a future plan change, especially if future monitoring identifies further amendments are required in order to accommodate qualifying matter (i).<sup>74</sup>

Option C1 is the preferred option. This option is consistent with the MDRS objectives and policies and most NPS-UD objectives and policies, having either a positive or neutral effect on the outcomes sought. In particular residential capacity would not be reduced by this option.

This option would not be entirely consistent with RPS B2.5.2 Policy (10) because it would not prevent inappropriate sensitive activities locating or intensifying adjacent to heavy industrial zones. However there are limited situations where residential zones are directly adjacent to the HIZ.

No changes are required to the existing AUP HIZ provisions, MDRS or Policy 3 heights as applied to other zones in proximity to the HIZ to accommodate qualifying matter (i). Because of this the HIZ is not considered to be a qualifying matter in the context of Sections 77I or 77O.

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<sup>73</sup> B2.5.2 Policy (10)

<sup>74</sup> RMA Sections 77I and 77O

However due to limited information available it is recommended that future monitoring and research is undertaken to better understand if residential intensification provided for by MDRS or Policy 3 is compromising the efficiency and effectiveness of the HIZ. If such monitoring and research shows that residential intensification is having an adverse effect on the HIZ further consideration of it as qualifying matter (i) and amendments to the AUP through a future plan change maybe required.

### **Application of MDRS and Policy 3 to other zones in proximity to LIZ and GBZ**

The following options have been considered as to how MDRS and Policy 3 should be applied to other zones in proximity to the LIZ and GBZ.

**D1. Status Quo: Apply 'MDRS' zone/s and NPS-UD Policy 3 as legislated; no change to LIZ and GBZ provisions of AUP.**

D2. Apply 'MDRS' zone/s and NPS-UD Policy 3 as legislated, and amend LIZ and GBZ provisions (more restrictive activity status for some activities)

D3. Apply 'MDRS' zone/s and NPS-UD Policy 3 to sites adjacent to LIZ and GBZ, but modify one or more of the standards/density controls or limit Policy 3 height, no change to operative LIZ and GBZ provisions of AUP

Option D1 is the preferred option.

### Evaluation of Options D1, D2, and D3

As previously mentioned, the design of the built form (from residential intensification) is not likely to adversely affect the amenity of LIZ and GBZ in the context of qualifying matter (i).<sup>75</sup> For example overshadowing or visual dominance are not of concern to activities provided for within the LIZ and GBZ.

Rather it is potential adverse reverse sensitivity effects, the encroachment of other unintended activities within the zones and a potential increase in land values that may pose a risk to the LIZ and GBZ and their ability to provide sufficient business land suitable for low density uses.

Unlike the HIZ, the LIZ and GBZ are generally not separated from other more “sensitive” zones. The presumption is that activities provided for by the LIZ and GBZ are generally “clean” or contained within a building. Therefore potential adverse effects generated by activities in these zones are able to be internalised or managed at the interface between sites and zones. Such interface controls apply to development within the LIZ or GBZ rather than to development within adjacent zones. There are multiple examples across Auckland where either the LIZ or GBZ are directly adjoining a residential zone.

Generally the sensitivity of the receiving environment around the LIZ and GBZ is less likely to cause adverse reverse sensitivity effects than for the HIZ. Therefore the AUP approach to managing potential reverse sensitivity effects on the LIZ and GBZ relies on avoiding sensitive or incompatible activities from establishing within the zones and Auckland-wide

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<sup>75</sup> RMA Section 771

rules (e.g. noise) help manage potential reverse sensitivity risks at the zone interface. The LIZ and GBZ provisions manage potential adverse amenity effects on adjacent zones.

Option D1 relies on the existing AUP provisions to manage any potential adverse effects on the LIZ and GBZ resulting from residential intensification in proximity to those zones. Generally these zones are less susceptible to reverse sensitivity effects than the HIZ, and the AUP already enables a reasonable degree of residential intensification in proximity to these zones without any consideration of potential adverse reverse sensitive effects this may generate or exacerbate e.g. MHS, MHU, THAB zones etc.

Never-the-less there is still a risk that changes to the surrounding receiving environment will make it more difficult or costly for some industrial or commercial activities to redevelop or establish within the LIZ or GBZ. For example greater on-site mitigation, reduced hours of operation etc may be required. Although as the amenity values of residential areas change over time<sup>76</sup> this may become less of an issue.

There is also a risk that increased residential intensification in proximity to the LIZ and GBZ will encourage activities to establish in the zones that are not low density in nature or that are incompatible with activities anticipated by the zones (either existing or future). Such encroachment could compromise the integrity of the LIZ and GBZ and ultimately the capacity of low density business land in Auckland.

Costs and benefits of Option D1 are included in Table D. In summary overall costs are considered relatively low if the existing AUP approach to managing and providing for industrial and commercial activities in these zones is working. This option does not constrain residential capacity. However costs could become much higher if the AUP provisions are not delivering outcomes anticipated and could adversely affect business land capacity. Such higher costs could affect:

- business owners/operators within the HIZ (economic)
- workers and communities reliant on specific industrial areas (economic, social, cultural)
- Auckland's economy and wider employment opportunities (economic)
- Auckland Council (economic).

Overall benefits are considered medium, noting that the option does not reduce residential intensification opportunities provided for by the MDRS and Policy 3 requirements.

Overall benefits are considered medium, primarily because residential capacity is not affected. Therefore wider social, economic, environmental and cultural benefits associated with residential intensification may be realised. However benefits to business owners/operators within the LIZ or GBZ are likely to be indirect and relatively low.

Option D2 would amend the existing LIZ and GBZ rules (and objectives and policies) to make it more difficult for activities not intended in the zones to establish there i.e. change

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<sup>76</sup> Consistent with NPS-UD Objective 5

activity status of specific activities such as dwellings, community activities, or smaller retail activities to be more restrictive.

However both zones already have a strong policy framework and robust use of activity statuses to preserve land for industrial and low density commercial activities and to manage the establishment of incompatible activities. Changing these rules to make them more restrictive would lessen the differences between these zones, and between these zones and the HIZ, and would lessen the ability of community activities to establish with these zones. This could increase unnecessary planning burden and costs while lessening the diversity of activities provided for by the zones, all with limited benefits gained. Overall costs of this option are considered medium, with any benefit primarily resulting from residential intensification. See Table D for further discussion of costs and benefits.

Therefore it is considered that the existing LIZ and GBZ provisions do not need to be amended in the context of qualifying matter (i).<sup>77</sup>

Option D3 would require the MDRS to be amended (e.g. making more than one dwelling per site a restricted discretionary activity) or limiting the height of buildings otherwise required by Policy 3.

Option D3 would amend MDRS or Policy 3 requirements for sites surrounding the LIZ or GBZ. This is similar to Options C2 and C3 (for the HIZ) but rather than applying to sites within 500m of the LIZ or GBZ it would only apply to sites adjacent to these zones. The 500m distance discussed under Options C2 and C3 was based on previous research undertaken for the PAUP, but only in relation to the HIZ. At this time, no such information is available as to whether a separation distance is needed between the LIZ, GBZ and other zones or what distance would be most appropriate if one is needed.

Therefore Option D3 applies to adjacent sites only and would only manage potential interface effects between different zones and the immediate receiving environment around the LIZ and GBZ. While this would allow consideration of adverse effects on the LIZ and GBZ and could reduce the number of sensitive activities from locating in close proximity to the LIZ or GBZ it is considered unnecessary and overall costs would outweigh any potential benefits.

Option D3 would adversely affect residential intensification opportunities, resulting in direct costs to residential capacity, with flow on economic, social, cultural and environmental costs. Overall costs of this option are likely to be medium with relatively low benefits. See Table D for further discussion of costs and benefits.

Options D2 and D3 are not considered necessary in the context of Section 771 and 770 of the RMA.

Option D1 is the preferred option and relies on the existing LIZ, GBZ and Auckland-wide AUP provisions to retain the integrity of those zones and their ability to provide business land suitable for low density uses. This option will not reduce residential capacity and will

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<sup>77</sup> Note that the LIZ and GBZ will be amended to enable Policy 3(c) in the zones. This is discussed under Options A1 and B1.

generally have a positive or neutral outcome for most NPS-UD and MDRS objectives and policies.

Option D1 does not require any changes to the AUP. Because of this the LIZ and GBZ are not considered to be a qualifying matter in the context of Sections 77I or 77O.

As noted previously there is currently limited information available. Therefore it is recommended that future monitoring and research is undertaken to better understand if residential intensification provided for by MDRS or Policy 3 compromises the efficiency and effectiveness of the LIZ and GBZ. If such monitoring and research shows that residential intensification is having an adverse effect on these zones, then further consideration of it as qualifying matter (i) and amendments to the AUP through a future plan change may be required.



## Costs and benefits of options

The following four tables identify costs and benefits of each option at a high level. It should be noted there is limited information available about the following matters which impacts the cost/benefit analysis:

- the future demand for the HIZ, LIZ and GBZ or whether there is sufficient capacity to meet current or future demands
- whether the existing AUP approach to managing these zones is delivering the outcomes intended. In particular whether they adequately avoid/minimise adverse reverse sensitivity effects or whether they are preventing industrial activities or low density commercial activities from being displaced by other activities establishing within the zones.

This lack of up-to-date information makes it difficult to quantify the costs and benefits of the options. If there is insufficient supply/capacity of the HIZ, LIZ or GBZ to meet demands, or if the AUP provisions are not delivering the outcomes intended then the level of costs may well be higher, or the level benefits may be lower.

**Table A: Application of Policy 3 to the HIZ and LIZ**

Qualifying matter	Status Quo - Option A1 <i>Apply NPS-UD Policy 3(c) as legislated in HIZ and LIZ</i> <b>Preferred option</b>	Option A2 <i>Do not apply NPS-UD Policy 3(c) as legislated in HIZ and LIZ - retain existing zone heights (maximum permitted is 20m)</i>	Option A3 <i>Apply NPS-UD Policy 3(c) height as legislated in HIZ and LIZ, and amend HIZ and LIZ provisions (more restrictive activity status for some activities)</i>
	<i>This option implements Policy 3(c) within the HIZ and LIZ. This option does not make any changes to the zones other than those needed to implement Policy 3 i.e. relies on the existing AUP HIZ, LIZ and Auckland-wide provisions to manage any potential adverse effects on qualifying matter (i).</i>	<i>This option does not implement Policy 3(c). This option does not make any changes to the HIZ and LIZ provisions.</i>	<i>This option implements Policy 3(c) within the HIZ and LIZ. This option would also require changes to the HIZ and LIZ provisions (i.e. change to activity statuses) to manage/minimise any potential adverse effects on the zones as qualifying matter (i).</i>
<b>Costs of applying the option – broader social, economic, environmental, cultural</b>	<p><b>No - low costs</b> Increasing height of HIZ and LIZ unlikely to compromise the function of the zones, therefore:</p> <ul style="list-style-type: none"> <li>• No economic costs to business owners (within HIZ or LIZ), unless they chose to redevelop. If they redevelop costs would be those ordinarily incurred with redevelopment.</li> <li>• No economic or social costs to workers within HIZ or LIZ.</li> <li>• Low economic or social cost to owners/occupiers of other zoned land (e.g. residential) adjacent to HIZ or LIZ sites that are redeveloped (where additional 1m in height is used). HIZ and LIZ provisions will continue to manage adverse effects generated by activities on amenity and health.</li> </ul>	<p><b>No - low costs</b> Retaining existing height of HIZ and LIZ will not compromise the function of the zones, therefore:</p> <ul style="list-style-type: none"> <li>• No economic costs to business owners (within HIZ or LIZ), unless they chose to redevelop. If they redevelop costs would be those ordinarily incurred with redevelopment.</li> <li>• No economic or social costs to workers within HIZ or LIZ.</li> <li>• No additional economic or social cost to owners/occupiers of other zoned land (e.g. residential) adjacent to HIZ or LIZ. HIZ and LIZ provisions will continue to manage adverse effects generated by activities on amenity and health.</li> <li>• No or minimal lost opportunity costs.</li> </ul>	<p><b>Low - medium costs</b> Costs would depend on the level of amendments to HIZ and LIZ provisions and additional consenting requirements. For example:</p> <ul style="list-style-type: none"> <li>• Changing activity status of specific activities from non-complying to prohibited in LIZ (e.g. dwellings) would remove ability of such activities to apply for resource consent, instead requiring a plan change process which has significant economic costs to applicant and the council.</li> <li>• Changing activity status of specific activities from discretionary to non-complying in LIZ (e.g. various community activities) could increase consenting costs or could further discourage such activities from establishing. This could result in social or cultural costs to communities (e.g. workers)</li> <li>• Such amendments could reduce the diversity of activities able to establish within the zones. This could constrain employment opportunities and place unnecessary economic burden on business owners. This could limit communities from providing for their social, economic or cultural needs.</li> </ul>
<b>Costs of applying the option – business land supply / capacity</b>	<p><b>No/low costs</b> Assuming there is currently sufficient HIZ and LIZ capacity and the AUP provisions are delivering outcomes intended then increasing zone heights by 1m, unlikely to adversely affect supply/capacity of business land suitable for low</p>	<p><b>No/low costs</b> Business land capacity gains unlikely to be high by increasing zone heights an additional 1 metre. Therefore retaining existing zone heights unlikely to result in significant lost development potential either</p>	<p><b>No/low costs</b> Similar to Option A1 this option unlikely to significantly affect the capacity/supply of business land.</p>

Qualifying matter	Status Quo - Option A1 <i>Apply NPS-UD Policy 3(c) as legislated in HIZ and LIZ</i> <b>Preferred option</b>	Option A2 <i>Do not apply NPS-UD Policy 3(c) as legislated in HIZ and LIZ - retain existing zone heights (maximum permitted is 20m)</i>	Option A3 <i>Apply NPS-UD Policy 3(c) height as legislated in HIZ and LIZ, and amend HIZ and LIZ provisions (more restrictive activity status for some activities)</i>
	density uses. However increasing height by 1m also unlikely to increase capacity of such land to any appreciable degree.  Potential risk that increasing zone heights could encourage other activities to establish in the zones however this risk is considered low. But if this happens could reduce supply/capacity of business land suitable for low density uses. If such costs occurred, they would not likely be felt in the short term and would likely become apparent in the medium to long-term.		Costs to business land supply/capacity would depend on the level of amendments to HIZ and LIZ provisions and additional consenting requirements. For example: <ul style="list-style-type: none"> <li>Making activity statuses more restrictive for some activities (e.g. residential, commercial not intended in the zones) could reduce development opportunities for those activities but this could increase overall capacity for industrial activities better suited to these zones. This could increase business land supply/capacity for low density uses but could decrease business land supply/capacity for higher density uses.</li> </ul>
<b>Benefits of the option – broader social, economic, environmental, cultural</b>	<b>No/low benefits</b> Increasing HIZ and LIZ building heights by 1m is unlikely to create significant broader benefits.	<b>No/low benefits</b> Retaining existing building height of 20m unlikely to create significant broader benefits to society i.e. benefits likely to be minimal	<b>No/low benefits</b> Without understanding how effectively existing HIZ and LIZ provisions are working difficult to determine if amendments to provisions would provide any real benefit that would outweigh costs.

**Table B: Application of Policy 3 to the GBZ**

Qualifying matter	Status Quo – Option B1 <i>Apply NPS Policy 3(c) as legislated in GBZ</i> <b>Preferred option</b>	Option B2 <i>Do not apply Policy 3(c) to GBZ - retain existing height (maximum permitted is 16.5m)</i>	New Option B3 <i>Apply Policy 3(c) to GBZ but at a lesser height than 6 storeys and/or amend GBZ provisions (more restrictive activity status for some activities)</i>
	<i>This option implements Policy 3(c) within the GBZ. This option does not make any changes to the GBZ other than those needed to implement Policy 3 i.e. relies on the existing AUP GBZ provisions to manage any potential adverse effects on the qualifying matter.</i>	<i>This option does not implement Policy 3(c). This option does not make any changes to the GBZ provisions.</i>	<i>This option implements Policy 3(c) within the GBZ, but to a limited degree. Alternatively it makes changes to the GBZ provisions (change activity status and/or assessment criteria) to manage/minimise any potential adverse effects on the ability of the zone to provide for business land suitable for low density uses.</i>
<b>Costs of applying the option – broader social, economic, environmental, cultural</b>	<b>Low - high costs</b> (depending on whether existing AUP provisions delivering outcomes as intended)  Assuming AUP GBZ provisions are delivering outcomes expected then costs of this option likely to be low.  However if existing GBZ provisions not delivering outcomes intended, then there is potential risk that increasing zone heights could encourage other activities (generally not intended) to establish in the zone. This could: <ul style="list-style-type: none"> <li>increase adverse reverse sensitivity effects resulting in economic costs for business owners within the zone</li> </ul>	<b>Low - medium costs</b>  Retaining existing zone height would not increase development opportunities within walkable catchments therefore lost opportunity costs. However if GBZ land supply/capacity is sufficient to meet expected demand then such costs are likely to be relatively low.	<b>Low - medium costs</b>  Reducing the height requirement of Policy 3(c) is a compromise between Options B1 and B2 e.g. enable a height somewhere between 16.5m and 21m, for example 18.5m. This would increase the development potential from what is currently provided for in the AUP but would not enable the full development intended by Policy 3. This could also result in lost opportunity costs although these are likely to be minimal.  If AUP GBZ provisions are not delivering outcomes as expected, then this option could minimise potential risks identified for Option B1.

Qualifying matter	<b>Status Quo – Option B1</b> <i>Apply NPS Policy 3(c) as legislated in GBZ</i> <b>Preferred option</b>	<b>Option B2</b> <i>Do not apply Policy 3(c) to GBZ - retain existing height (maximum permitted is 16.5m)</i>	<b>New Option B3</b> <i>Apply Policy 3(c) to GBZ but at a lesser height than 6 storeys and/or amend GBZ provisions (more restrictive activity status for some activities)</i>
	<ul style="list-style-type: none"> <li>increase land values and put pressure on more land extensive activities to relocate to urban edge or even outside the region, resulting in economic, environmental and social costs. Such costs could be experienced by business owners within the zone and workers.</li> <li>adversely affect the role and function of centres resulting in economic, social and cultural costs. Such costs could be experienced by business owners and workers within centre zones, and users of the centres. Costs could also be experienced by the council where benefits from investment on centres may not be realised.</li> </ul> <p>If existing GBZ provisions are not adequate to manage adverse amenity effects on neighbouring zones increasing zone height could result in economic, environmental and social costs to neighbouring landowners/occupants.</p> <p>If such costs occurred, they would only likely become apparent in the medium to long-term as redevelopment of sites in GBZ occurred.</p>		<p>Amending the GBZ provisions, for example making the activity status of some activities more restricted (e.g. discretionary to non-complying) or adding assessment criteria to require consideration of effects on the function and role of the zone would add to consenting costs.</p> <p>The existing GBZ provisions provide a strong “avoid” framework and robust use of activity statuses to preserve land for low density industrial/commercial activities and to manage the establishment of incompatible activities. Assuming these provisions are delivering the outcomes intended then amending the GBZ provisions would place additional burden/economic costs on business owners without any appreciable benefits.</p>
<b>Costs of applying the option – business supply / capacity</b>	<p><b>Low – medium costs</b> (depending on whether existing AUP provisions delivering outcomes as intended, and whether existing capacity is sufficient)</p> <p>Assuming there is currently sufficient GBZ capacity and the AUP provisions are delivering outcomes intended then costs to business land supply/capacity is likely to be low. However might be limited uptake of additional capacity provided given the typical building typologies required by activities provided for by the zone.</p> <p>If existing GBZ provisions not delivering outcomes intended, then there is potential risk that increasing zone heights could encourage other activities to establish in the zone. If this happens this could reduce supply/capacity of business land suitable for low density uses. If such costs occurred, they would not likely be felt in the short term and would likely become apparent in the medium to long-term.</p>	<p><b>Low - medium costs</b></p> <p>Retaining existing zone height would overall reduce business land capacity envisioned by NPS-UD Policy 3. However costs associated with this depend on demand and existing capacity, and whether existing AUP GBZ provisions are appropriately managing activities. For example costs to low density business land capacity would likely be low</p> <p>Due to typical building typologies of the zone (e.g. one or two levels, maybe three) cost of lost development opportunities likely to be minimal.</p>	<p><b>Low - medium costs</b></p> <p>Reducing Policy 3(c) height requirements to between 16.5m and 21m is a compromise between options B1 and B2. This option would theoretically provide greater capacity than Option B2, but less than Option B1.</p> <p>Similar to Option B1 there is a risk increased zone height could encourage other activities to establish in the zone if existing AUP provisions are inadequate. While this risk is considered low if that does happen overall business capacity could increase, but capacity could decrease for industrial activities or commercial activities that are more land extensive.</p> <p>If the zone only provides an additional 2m of height (i.e. 18.5m) there might be limited uptake of additional capacity provided given the typical building typologies required by activities provided for by the zone.</p> <p>Amending GBZ provisions is also similar to Option B1 in terms of costs to business supply/capacity.</p> <p>Again assuming the GBZ provisions are delivering the outcomes intended, then additional objectives/policies or more restrictive activity statuses are not considered</p>



Qualifying matter	Status Quo – Option B1 <i>Apply NPS Policy 3(c) as legislated in GBZ</i> <b>Preferred option</b>	Option B2 <i>Do not apply Policy 3(c) to GBZ - retain existing height (maximum permitted is 16.5m)</i>	New Option B3 <i>Apply Policy 3(c) to GBZ but at a lesser height than 6 storeys and/or amend GBZ provisions (more restrictive activity status for some activities)</i>
			necessary to minimise adverse effects on the supply of business land suitable for low density uses  If it is found that the existing GBZ provisions are not delivering the outcomes intended or if the increased zone height adversely effects capacity of business land suitable for low density uses, then further amendments to the zone provisions may be required in the future i.e. through a different plan change process.
<b>Benefits of the option – broader social, economic, environmental, cultural</b>	<b>Low - medium benefits</b> (depends on the level of redevelopment that takes advantage of increased zone height) Increased zone height may provide opportunities for more businesses to establish within the zone. This would provide social, economic and environmental benefits by increasing employment opportunities within a walkable catchment, many of which are based on an RTN station.  However because most activities provided for by the zone only require one or two level buildings (maybe three), may be limited redevelopment that takes advantage of increased height, therefore low benefits might be achieved.	<b>Low - medium benefits</b> This option retains existing GBZ height (16.5m). Compared to Option B1, benefits of this option include: <ul style="list-style-type: none"> <li>• reduces risk of increasing adverse reverse sensitivity effects (i.e. from more incompatible activities seeking to establish in the zone)</li> <li>• reduces risk of adverse effects on the role and function of centres, providing economic and social benefits.</li> <li>• reduces risk that land values might increase and put pressure on more land extensive activities to relocate resulting in economic, environmental and social benefits</li> <li>• reduces risk of adverse amenity effects on neighbouring residential or open space zones.</li> </ul>	<b>Low - medium benefits</b> Reducing the height required by Policy 3(c) is a compromise between Options B1 and B2. Potential benefits are likely to be the same as those options but just to a lesser extent, and therefore of low benefit.  Assuming the existing GBZ provisions are adequately preventing incompatible activities from establishing within the zone or are managing adverse effects if they do, then amending the GBZ provisions not considered necessary. Therefore compared to Option B1, this option unlikely to result in additional wider benefits.  For example, costs associated with making the activity status more restrictive for some commercial activities to ensure such activities do not seek to establish in the zone (to take advantage of increased height opportunities) likely to outweigh any benefits.

**Table C: Application of MDRS and Policy 3 to other zones in proximity to HIZ**

Qualifying matter	Status Quo – Option C1 <i>Apply 'MDRS' zone/s and Policy 3 as legislated; no change to operative HIZ provisions of AUP</i>	Option C2 <i>Apply amended/limited 'MDRS' zone/s and Policy 3 as legislated (e.g. amend MDRS standards, or require consideration of effects on HIZ by amending activity status for dwellings to require resource consent or adding as assessment criteria when development infringes standards) to all sites within 500m of HIZ, no change to operative HIZ provisions of AUP</i>	Option C3 <i>Do not apply 'MDRS' zone/s and Policy 3 as legislated to SHZ sites within 500m of HIZ, apply new "low density zone" instead; no change to operative HIZ provisions of AUP</i>
	<i>This option implements MDRS and Policy 3 to other zones as required. It "applies" the qualifying matter to the extent currently in the AUP i.e. it relies on the existing AUP provisions to provide for industrial activities and to manage any potential adverse effects on the qualifying matter/HIZ.</i>	<i>This option implements MDRS and Policy 3 in part but limits residential intensification. It "applies" the qualifying matter by amending MDRS/Policy 3 provisions to enable consideration of effects on HIZ. It also relies on the existing AUP provisions to provide for industrial activities and to help manage potential adverse effects on the qualifying matter/HIZ.</i>	<i>This option implements MDRS and Policy 3 to other zones as required, except for sites that are within 500m of the HIZ and are currently zoned SHZ. It applies the "low density zone" to those sites. It also relies on the existing AUP provisions to provide for industrial activities and to manage any potential adverse effects on the qualifying matter/HIZ.</i>

Qualifying matter	<b>Status Quo – Option C1</b> <i>Apply 'MDRS' zone/s and Policy 3 as legislated; no change to operative HIZ provisions of AUP</i>	<b>Option C2</b> <i>Apply amended/limited 'MDRS' zone/s and Policy 3 as legislated (e.g. amend MDRS standards, or require consideration of effects on HIZ by amending activity status for dwellings to require resource consent or adding as assessment criteria when development infringes standards) to all sites within 500m of HIZ, no change to operative HIZ provisions of AUP</i>	<b>Option C3</b> <i>Do not apply 'MDRS' zone/s and Policy 3 as legislated to SHZ sites within 500m of HIZ, apply new "low density zone" instead; no change to operative HIZ provisions of AUP</i>
<b>Costs – broader social, economic, environmental, cultural</b>	<p><b>Low - high costs</b></p> <p>If existing AUP approach is generally managing reverse sensitivity effects on most existing industrial activities in the HIZ adequately, then costs of this option are likely to be relatively low overall.</p> <p>However if/where existing industrial activities are not adequately separated from residential zones/sensitive activities, costs will potentially be significantly higher. These higher costs will be experienced by existing industrial activities differently depending on their location, how much residential land there is and how close it is to them, and the level of adverse effects the activity itself generates.</p> <p>If existing AUP approach not delivering outcomes intended, or specific HIZ areas/industrial activities are not sufficiently separated from residential zones then there is a risk that residential intensification in proximity to the HIZ could:</p> <ul style="list-style-type: none"> <li>• increase adverse reverse sensitivity effects</li> <li>• increase land values in industrial areas and put pressure on noxious or more land extensive activities to relocate to the edges of urban Auckland or outside of Auckland region</li> <li>• encourage other non-industrial activities to establish in the HIZ or LIZ (noting the AUP approach relies heavily on using the LIZ as a buffer)</li> <li>• increase the number of people affected by adverse amenity and health effects within residential zones, especially where these zones are adjacent to the HIZ e.g. Glendene</li> </ul> <p>This could result in the following costs:</p> <ul style="list-style-type: none"> <li>• Business owners in HIZ (existing and future): Increased operational or compliance costs (e.g. additional on-site mitigation measures, restrictions to operational hours, increased land costs, increased transport costs); potential increase of land value from other competing higher value land uses; uncertainty affecting long-term investment decisions. Ultimately these costs could make it economically unviable for businesses to remain or establish in the HIZ. Relocation costs can be high especially for</li> </ul>	<p><b>Medium - high costs</b></p> <p>The residential MDRS standards generally manage adverse effects on amenity of neighbouring sites. However the HIZ is not affected by such effects, and the HIZ already has standards to manage adverse amenity effects it might generate on neighbouring properties. Therefore amending the MDRS standards such as setbacks or height in relation to boundary will add unnecessary costs to residential landowners if they choose to redevelop.</p> <p>Amending activity statuses to require resource consent for more than one dwelling would mean lost or reduced development potential for property owners (residential or Mixed Use and centres zones). For sites currently zoned SHZ development potential would be reduced but still greater than currently enabled by the SHZ. For other residential, Mixed Use or centres zoned sites development potential would be reduced compared to Option C1 and also compared to what is currently enabled in the AUP. This could result in a reduction of property prices and potential capital gains.</p> <p>Increased consenting costs to property owners if they chose to redevelop, and to the council in terms of processing such consents where they might not otherwise have been required. The requirement to consider adverse reverse sensitivity effects on industrial activities/HIZ would likely be difficult for applicants to identify and address.</p> <p>This option could result in an unfair consenting burden and could increase development costs if on-site mitigation of reverse sensitivity effects is required for more than one dwelling (e.g. acoustic measures). Such costs would outweigh potential benefits gained by some industrial business owners/operators. For example there might only be a limited number of HIZ sites that would actually benefit from such an assessment.</p> <p>Overall such costs are likely to contribute to housing affordability issues and result in wider economic, social and environmental costs.</p>	<p><b>Medium costs</b></p> <p>Lost development potential to property owners where the low density zone would be applied. However development potential would not be significantly different from what is currently enabled in the AUP by the SHZ.</p> <p>Increased consenting costs to property owners if they chose to redevelop, and to the council in terms of processing such consents where they might not otherwise have been required. The requirement to consider adverse reverse sensitivity effects on existing industrial activities/HIZ would likely be difficult for applicants to identify and address.</p> <p>Like Option C3 this option could result in an unfair consenting burden and could increase development costs if on-site mitigation of reverse sensitivity effects is required for more than one dwelling (e.g. acoustic measures). Such costs are likely to outweigh potential benefits gained by some industrial business owners/operators. Such costs are likely to contribute to housing affordability issues and result in wider economic, social and environmental costs. However such costs would likely be less than Option C2, with less properties being affected.</p>

Qualifying matter	<b>Status Quo – Option C1</b> <i>Apply 'MDRS' zone/s and Policy 3 as legislated; no change to operative HIZ provisions of AUP</i>	<b>Option C2</b> <i>Apply amended/limited 'MDRS' zone/s and Policy 3 as legislated (e.g. amend MDRS standards, or require consideration of effects on HIZ by amending activity status for dwellings to require resource consent or adding as assessment criteria when development infringes standards) to all sites within 500m of HIZ, no change to operative HIZ provisions of AUP</i>	<b>Option C3</b> <i>Do not apply 'MDRS' zone/s and Policy 3 as legislated to SHZ sites within 500m of HIZ, apply new "low density zone" instead; no change to operative HIZ provisions of AUP</i>
	<p>businesses that have substantial infrastructure and plant facilities.</p> <ul style="list-style-type: none"> <li>Workers and communities based on specific industrial areas: economic, social, cultural costs if their work relocates (e.g. longer commute, less convenient/further away from social and cultural networks, may also need to relocate) or job insecurity/loss.</li> <li>Auckland's economy and wider employment opportunities, especially if industrial businesses relocate out of Auckland.</li> <li>Auckland Council: may need to provide for new locations of HIZ that are less affected by residential intensification (e.g. planning and infrastructure costs).</li> </ul> <p>While costs to individual sites may be felt as soon as residential redevelopment occurs, the accumulation of such effects likely to be evident in the medium to long term.</p>		
<b>Costs – housing supply / capacity and business land supply / capacity</b>	<p><b>No costs to housing supply / capacity</b></p> <p>This option does not have any additional costs to housing capacity i.e. it does not reduce residential intensification enabled. However uptake of residential intensification in areas close to the HIZ may be reduced or slower because of reduced amenity and risk to health (perceived or actual).</p> <p><b>Low - medium costs to business land supply / capacity (HIZ)</b></p> <p>This option relies heavily on existing AUP provisions to adequately provide for industrial activities and to manage adverse reverse sensitivity effects. If sufficient capacity and existing AUP provisions are adequate, then this option is likely to have limited costs to overall business land capacity, but with potential higher costs for specific geographic areas.</p> <p>If AUP provisions are not delivering outcomes intended, then increased residential intensification in proximity to the HIZ could reduce supply/capacity of industrial land, constraining the extent, scale and type of industrial operations within Auckland. The extent of potential loss in industrial land</p>	<p><b>Medium costs to housing supply / capacity</b></p> <p>There is approximately 750.95 hectares (8496 parcels) of residentially zoned land within 500 metres of the HIZ that would be affected by this option.</p> <p>There is approximately 96 hectares (569 parcels) of business zoned land that provides for residential activities that would be affected by this option.</p> <p>In total that is approximately 846.95 hectares of land that could be affected by this option.</p> <p>This option would constrain housing supply/capacity, but the level of effect would be dependent on the consenting process. For example, the number of dwellings may be constrained on some sites but not others.</p> <p><b>Low costs to business land supply / capacity (HIZ)</b></p> <p>This option would generate no or low costs to business land supply/capacity, being more likely to generate positive effects on supply/capacity.</p>	<p><b>Low - medium costs to housing supply / capacity</b></p> <p>This option could have the greatest cost to housing capacity for specific sites. There is approximately 234 hectares of land currently zoned SHZ that is within 500 metres of the HIZ. Costs to capacity of those specific sites is high, requiring consent for more than one dwelling per site. However those sites are a very small proportion of the residential zoned land across urban Auckland affected by MDRS or NPS-UD, so overall cost to housing supply is lower than Option C3.</p> <p><b>Low costs to business land supply / capacity (HIZ)</b></p> <p>This option would have the least cost to the supply/capacity of HIZ of the four options. However it would not prevent all costs i.e. would not reduce existing reverse sensitivity effects or prevent exacerbation of this where the existing AUP zoning already enables residential intensification in proximity to the HIZ.</p> <p>Significant intensification is enabled in all the other zones which would significantly increase the number of sensitive activities in proximity to the HIZ. However these costs are already</p>



<b>Qualifying matter</b>	<b>Status Quo – Option C1</b> <i>Apply 'MDRS' zone/s and Policy 3 as legislated; no change to operative HIZ provisions of AUP</i>	<b>Option C2</b> <i>Apply amended/limited 'MDRS' zone/s and Policy 3 as legislated (e.g. amend MDRS standards, or require consideration of effects on HIZ by amending activity status for dwellings to require resource consent or adding as assessment criteria when development infringes standards) to all sites within 500m of HIZ, no change to operative HIZ provisions of AUP</i>	<b>Option C3</b> <i>Do not apply 'MDRS' zone/s and Policy 3 as legislated to SHZ sites within 500m of HIZ, apply new "low density zone" instead; no change to operative HIZ provisions of AUP</i>
	supply/capacity would be different across Auckland as some areas will be affected more than others.  Cumulative adverse effects on supply/capacity of business land suitable for industrial activities would become more evident in the medium to longer-term, depending on speed/location of residential intensification uptake.		
<b>Benefits of the QM – broader social, economic, environmental, cultural</b>	<b>Medium benefits</b>  Because this option does not affect residential intensification opportunities, there are wider social, economic, environmental and cultural benefits associated with this. For example improved housing affordability, reduced commuting time/costs and emissions.  While industrial activities/HIZ may be adversely affected by the increased number of sensitivity activities that can establish in proximity to them, they may also benefit from this e.g. having a larger workforce living within a closer commuting distance.  Most industrial activities require workers on site (rather than being able to work from home) and wages for such jobs can also be at the lower end of the scale. Therefore more affordable housing opportunities within areas where jobs are located could indirectly benefit such businesses in attracting and retaining workers.	<b>Low - medium benefits</b>  This option has the potential to provide the greatest benefit to industrial activities/HIZ by virtue of the number of properties it would apply to. As noted above there is approximately 753.62 hectares of land that could be affected by this option. It could even potentially reduce existing adverse reverse sensitivity effects that are not currently managed in the AUP.  However the requirement to consider adverse reverse sensitivity effects on existing industrial activities in the HIZ would likely be difficult for residential applicants to identify and address, noting most applications would not require notification to nearby industrial activities making it difficult for business owners to participate in the process. Furthermore this option would only allow consideration of effects on a development by development basis and would be difficult to consider the cumulative effects. Therefore in practice any benefits of such a consenting regime may not be realised to an extent sufficient to outweigh costs.	<b>Low benefits</b>  This option will only benefit specific HIZ sites, and even then, the level of benefit to those specific HIZ sites may be limited i.e. some existing activities within the HIZ are more susceptible to adverse reverse sensitivity effects than others.  In particular if the existing activity being undertaken on the HIZ site is not likely to be adversely affected by increased residential activities.  In some cases this option will only benefit specific HIZ sites rather than whole HIZ areas because the HIZ areas have a variety of different residential zones in proximity e.g. Takaanini HIZ (see Attachment 3)

**Table D: Application of MDRS and Policy 3 to other zones in proximity to LIZ and GBZ**

<b>Qualifying matter</b>	<b>Status Quo – Option D1</b> <i>Apply 'MDRS' zone/s and Policy 3 as legislated; no change to operative LIZ and GBZ provisions of AUP.</i> <b>Preferred option</b>	<b>Option D2</b> <i>Apply 'MDRS' zone/s and Policy 3 as legislated, and amend LIZ and GBZ provisions (more restrictive activity status for some activities)</i>	<b>Option D3</b> <i>Apply 'MDRS' zone/s and Policy 3 to sites adjacent to LIZ and GBZ, but modify one or more of the standards/density controls or limit Policy 3 height, no change to operative LIZ and GBZ provisions of AUP</i>  <i>(e.g. amend MDRS [bulk and location], change activity status for 2 or more dwelling to restricted discretionary, require consideration of effects on LIZ/GBZ)</i>
	<i>This option implements MDRS and Policy 3 to other zones as required. It "applies" the qualifying matter to the extent</i>	<i>This option implements MDRS and Policy 3 to other zones as required. It "applies" the qualifying matter by amending the</i>	<i>This option implements MDRS and Policy 3 in part. It "applies" the qualifying matter by amending MDRS/Policy 3</i>

<b>Qualifying matter</b>	<b>Status Quo – Option D1</b> <i>Apply 'MDRS' zone/s and Policy 3 as legislated; no change to operative LIZ and GBZ provisions of AUP.</i> <b>Preferred option</b>	<b>Option D2</b> <i>Apply 'MDRS' zone/s and Policy 3 as legislated, and amend LIZ and GBZ provisions (more restrictive activity status for some activities)</i>	<b>Option D3</b> <i>Apply 'MDRS' zone/s and Policy 3 to sites adjacent to LIZ and GBZ, but modify one or more of the standards/density controls or limit Policy 3 height, no change to operative LIZ and GBZ provisions of AUP</i>  <i>(e.g. amend MDRS [bulk and location], change activity status for 2 or more dwelling to restricted discretionary, require consideration of effects on LIZ/GBZ)</i>
	<i>currently in the AUP i.e. it relies on the existing AUP provisions to provide for industrial activities and low density commercial activities and to manage any potential adverse effects on the qualifying matter/LIZ and GBZ.</i>	<i>LIZ and GBZ provisions to further restrict activities within the zones (e.g. residential, community or smaller retail activities). It also relies on the other existing AUP provisions to provide for industrial activities and low density commercial activities and to manage any potential adverse effects on the qualifying matter/LIZ and GBZ.</i>	<i>provisions but only for sites that are adjacent to the LIZ and GBZ. It also relies on the existing AUP provisions to provide for industrial activities and low density commercial activities and to manage any potential adverse effects on the qualifying matter/LIZ and GBZ.</i>
<b>Costs of applying the QM – broader social, economic, environmental, cultural</b>	<b>Low - high costs</b> <p>Similar to Option C1, the level and type of costs associated with Option D1 depends on whether the existing AUP provisions are delivering the outcomes as intended.</p> <p>If existing AUP provisions (LIZ, GBZ and Auckland-wide) are delivering the outcomes expected then costs of this option are likely to be relatively low overall. But again some business owners/operators may experience higher costs depending on what their activity is, their location, and the uptake of residential intensification around them.</p> <p>If the AUP provisions are not delivering outcomes anticipated, then costs could become high with risk of:</p> <ul style="list-style-type: none"> <li>increased adverse reverse sensitivity effects</li> <li>other unintended activities establishing in the zones</li> <li>increased land values that put pressure on industrial and more land extensive activities to relocate to the edges of urban Auckland or outside of Auckland region.</li> </ul> <p>Costs to business owners/operators in the LIZ or GBZ may increase. Such costs could include:</p> <ul style="list-style-type: none"> <li>increased operational or compliance costs (e.g. additional on-site mitigation measures, restrictions to operational hours, increased land costs, increased transport costs);</li> <li>potential increase of land value from other competing higher value land uses;</li> <li>uncertainty affecting long-term investment decisions.</li> </ul> <p>Ultimately these costs could make it economically unviable for some businesses to remain or establish in the LIZ or GBZ.</p>	<b>Medium costs</b> <p>This option would apply to all LIZ and GBZ across Auckland, not just those areas in proximity to areas subject to residential intensification.</p> <p>Making most residential activities a prohibited activity means a plan change would be required to establish in the zones. This process is significantly more costly (money, time, resources) than a resource consent process.</p> <p>Changing some activities from discretionary to non-complying i.e.:</p> <ul style="list-style-type: none"> <li>community activities such as care centres, hospitals, community and recreation facilities<sup>78</sup></li> <li>some commercial activities such as offices greater than 500m<sup>2</sup> GFA, retail between 200m<sup>2</sup> – 450m<sup>2</sup> GFA<sup>79</sup></li> </ul> <p>would reduce the opportunity for such activities to establish in the zones. No evidence at this stage as to what effect these activities are having if/when they establish within the LIZ or GBZ. A more restrictive activity status would increase consenting and compliance costs.</p> <p>Community activities, while not the primary purpose of the zones, can be important in providing for the social and cultural well-being of workers within these employment areas and nearby residents. Similarly further restricting commercial activities will limit employment opportunities within the zones.</p> <p>Therefore this option could result in social, cultural, environmental and economic costs.</p>	<b>Medium costs</b> <p>Potential costs to landowners of sites adjacent to LIZ and GBZ include:</p> <ul style="list-style-type: none"> <li>lost development potential</li> <li>increased consenting and redevelopment costs if chose to redevelop e.g. additional on-site mitigation measures (landscape planting, acoustic fencing and/or insulation) may be required.</li> <li>unfair consenting burden e.g. consent required but development may not .</li> </ul> <p>Such costs are likely to contribute to housing affordability issues and result in wider economic, social and environmental costs, in particular where adjacent sites are within a walkable catchment.</p> <p>Increased consenting costs to the council in terms of processing such consents where they might not otherwise have been required.</p> <p>For business owners in LIZ or GBZ potential costs could be similar to, but slightly less than Option D1. This option may not prevent the LIZ or GBZ from being adversely effected by residential intensification beyond the adjacent sites, especially if the commercial or industrial activity is likely to be adversely affected by reverse sensitivity. i.e. the receiving environment may be much wider than just the adjacent sites.</p> <p>This option still relies in part on the existing AUP provisions (LIZ, GBZ and Auckland-wide) delivering outcomes expected.</p>

<sup>78</sup> LIZ and GBZ

<sup>79</sup> GBZ

Qualifying matter	<b>Status Quo – Option D1</b> <i>Apply 'MDRS' zone/s and Policy 3 as legislated; no change to operative LIZ and GBZ provisions of AUP.</i> <b>Preferred option</b>	<b>Option D2</b> <i>Apply 'MDRS' zone/s and Policy 3 as legislated, and amend LIZ and GBZ provisions (more restrictive activity status for some activities)</i>	<b>Option D3</b> <i>Apply 'MDRS' zone/s and Policy 3 to sites adjacent to LIZ and GBZ, but modify one or more of the standards/density controls or limit Policy 3 height, no change to operative LIZ and GBZ provisions of AUP</i>  <i>(e.g. amend MDRS [bulk and location], change activity status for 2 or more dwelling to restricted discretionary, require consideration of effects on LIZ/GBZ)</i>
	<p>If this happens workers and communities reliant on these businesses could face indirect economic, social, cultural costs if their work relocates (e.g. longer commute, less convenient/further away from social and cultural networks, may also need to relocate) or job insecurity/loss.</p> <p>Costs to Auckland's economy and wider employment opportunities likely to be less than those discussed under Option C1, noting that the GBZ usually provides for activities that service Aucklanders rather than outside the region.</p> <p>While costs to individual sites may be felt as soon as residential redevelopment occurs, the accumulation of such effects is only likely to be evident in the medium to long term.</p>		
<b>Costs of applying QM – housing supply / capacity and business land supply / capacity</b>	<p><b>No costs to housing supply/capacity</b></p> <p>This option does not have any additional costs to housing capacity i.e. it does not reduce residential intensification enabled. However uptake of residential intensification in areas close to the LIZ or GBZ may be reduced or slower because of reduced amenity (perceived or actual), although this is less likely to be of an issue compared to residential sites in proximity to the HIZ.</p> <p><b>Low - medium costs to business land supply / capacity (LIZ/GBZ)</b></p> <p>This option relies on existing AUP provisions to adequately provide for industrial activities and low density commercial activities provided for by the zones. If sufficient capacity and existing AUP provisions are adequate, then this option is likely to have limited costs to overall business land capacity, but with potential higher costs for specific geographic areas.</p> <p>However if AUP provisions are not delivering outcomes intended, then increased residential intensification in proximity to the LIZ or GBZ could reduce supply/capacity of these zones, constraining the extent, scale and type of industrial and commercial operations within Auckland. The extent of potential loss in supply/capacity would be different across Auckland as some LIZ or GBZ areas may be affected more affected than others.</p> <p>Cumulative adverse effects on supply/capacity of business land suitable for industrial and commercial activities provided</p>	<p><b>No costs to housing supply/capacity</b></p> <p>This option does not have any additional costs to housing capacity i.e. it does not reduce residential intensification enabled by MDRS and Policy 3.</p> <p><b>Low - medium costs to business land supply/capacity</b></p> <p>Costs to business land supply/capacity similar to, but slightly less than Option D1, in that intensification is still fully enabled in surrounding zones.</p> <p>Making activity status for some activities in the LIZ and GBZ more restrictive unlikely to result in additional costs to overall business land supply/capacity i.e. may benefit supply/capacity for business land suitable for low density uses, but may also reduce capacity for other activities, in particular commercial activities.</p>	<p><b>Medium costs to housing supply/capacity</b></p> <p>This option would have the greatest cost to housing capacity anticipated by MDRS and NPS-UD, for sites adjacent to the LIZ or GBZ.</p> <p>For adjacent sites currently zoned SH capacity would not generally be reduced. However for other residential zoned sites adjacent to the LIZ or GBZ, capacity may be reduced from what is currently enabled.</p> <p>The level of effect on residential supply/capacity would be dependent on how MDRS/Policy 3 requirements are amended and the consenting process (i.e. what is consented). For example, the number of dwellings may be constrained on some sites but not others.</p> <p><b>Low costs to business land supply/capacity</b></p> <p>Of the three options this option would have the least cost to the supply/capacity of business land in the LIZ and GBZ.</p> <p>However it would not prevent all costs i.e. would not reduce existing reverse sensitivity effects or prevent exacerbation of this where the existing AUP zoning already enables residential intensification in proximity to the LIZ and GBZ.</p>

<b>Qualifying matter</b>	<b>Status Quo – Option D1</b> <i>Apply 'MDRS' zone/s and Policy 3 as legislated; no change to operative LIZ and GBZ provisions of AUP.</i> <b>Preferred option</b>	<b>Option D2</b> <i>Apply 'MDRS' zone/s and Policy 3 as legislated, and amend LIZ and GBZ provisions (more restrictive activity status for some activities)</i>	<b>Option D3</b> <i>Apply 'MDRS' zone/s and Policy 3 to sites adjacent to LIZ and GBZ, but modify one or more of the standards/density controls or limit Policy 3 height, no change to operative LIZ and GBZ provisions of AUP</i>  <i>(e.g. amend MDRS [bulk and location], change activity status for 2 or more dwelling to restricted discretionary, require consideration of effects on LIZ/GBZ)</i>
	for by these zones would become more evident in the medium to longer-term, depending on speed/location of residential intensification uptake.		
<b>Benefits of the QM – broader social, economic, environmental, cultural</b>	<b>Medium benefits</b> Because this option does not affect residential intensification opportunities, there are wider social, economic, environmental and cultural benefits associated with this. For example greater housing choice and improved housing affordability, reduced commuting time/costs and emissions.  While there is a risk that residential intensification in proximity to the LIZ and GBZ may adversely affect the function of the zones and their ability to provide business land suitable for low density uses, the zones may also benefit from this e.g. having a larger workforce living within a closer commuting distance.  Most industrial activities require workers on site (rather than being able to work from home) and wages for such jobs can also be at the lower end of the scale. Therefore more affordable housing opportunities within areas where jobs are located could indirectly benefit such businesses in attracting and retaining workers.	<b>Medium benefits</b> Benefits associated with residential intensification same as Option D1.  There may be limited additional benefits for business activities that are more low density in nature (e.g. land extensive). However noting the lack of information about whether the current AUP provisions are delivering the outcomes intended, potential benefits may be relatively low.	<b>Low – medium benefits</b> There will still be benefits associated with residential intensification – similar to those identified for Options D1 and D2. However these likely to be slightly less noting that this option only affects sites that are adjacent to the LIZ or GBZ.  There may be limited additional benefits (compared to Option D1) for business activities that are more low density in nature (e.g. land extensive). However noting the lack of information about whether the current AUP provisions are delivering the outcomes intended, potential benefits may be relatively low.



## **Risk of acting or not acting**

Section 32(2)(c) requires an assessment of the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules, or other methods.

This evaluation relies on the information currently available, and this information is limited in certain key aspects, meaning there is a reasonable level of uncertainty and risk associated with insufficient information. Unfortunately, the legislative requirements to notify this plan change by 20 August 2022 do not align with the business land capacity assessment and monitoring being undertaken by the council. Therefore in developing and considering these options there is a reasonable level of uncertainty and risk associated with insufficient information.

This qualifying matter is tied to the supply and demand of business land, however the last HBA completed by the council was in 2017. Since then a number of factors have changed that could affect the supply and demand of business land associated with the HIZ, LIZ and GBZ. A more up-to-date understanding of the expected supply and demand needs, including business trends across multiple business types, will be critical in the future. The council's next business land assessment will be completed in time to inform the 2024 long-term plan.

This qualifying matter, and the options developed to address it, largely rely on existing AUP provisions to ensure the HIZ, LIZ and GBZ are able to operate efficiently and effectively in the supply of business land suitable for low density uses. Findings from the council's Section 35 monitoring of these zones is currently not available, therefore it is unclear if the AUP provisions are being implemented and delivering the outcomes intended. This is particularly relevant in understanding whether resource consents are being granted for activities not intended in the zones and whether this is compromising the integrity and function of the zones.

The introduction of the MDRS has also significantly changed residential intensification requirements across Auckland since the 2017 HBA (or the housing assessment undertaken by the council in 2021).

Without an updated business land capacity assessment, or an understanding of whether the AUP provisions are currently delivering the outcomes sought for the HIZ, LIZ and GBZ (i.e. Section 35 monitoring) it is difficult to quantify the effects the options considered in this evaluation might have on this qualifying matter. If the existing AUP provisions are currently not delivering the outcomes intended, there is a risk that the significant intensification to be enabled across Auckland will adversely affect the supply of business land suitable for low density uses.

Therefore future monitoring is recommended to determine if residential intensification compromises the efficiency and effectiveness of the HIZ, LIZ and GBZ and a reduced capacity of business land suitable for low density uses. Additional research would also be useful to better understand the potential effects residential intensification in proximity to the HIZ, LIZ or GBZ might have on different industrial and commercial activities.

## Overall conclusion

Sections 77I and 77O of the RMA allow the requirements of MDRS and Policy 3 of the NPS-UD to be made less enabling in order to accommodate qualifying matter:

*(i) the requirement in the NPS-UD to provide sufficient business land suitable for low density uses to meet expected demand:*

The HIZ, LIZ and GBZ have been considered and evaluated in the context of this qualifying matter. These existing AUP zones provide for industrial activities, and restrict activities that may be incompatible with their respective primary functions.. In particular the HIZ provides for activities that may produce objectionable odour, dust and noise emissions. The GBZ, and to a more limited extent the LIZ provide for commercial activities that are often land-extensive.

This evaluation concludes, with the information currently available, that the existing AUP provisions that manage activities within these zones provide a strong policy and consenting framework and relies on these provisions delivering the outcomes anticipated.

In relation to the **application of Policy 3 of the NPS-UD to the HIZ, LIZ and GBZ** this evaluation concludes that:

- The requirement of **Policy 3(c)** to enable building heights of 6 storeys within walkable catchments for these zones **does not need to be reduced to accommodate qualifying matter (i)**, therefore it must be enabled.
- 21 metres is appropriate to enable building height of 6 storeys in the HIZ, LIZ and GBZ. This is based on the council's approach and proposed heights for many other non-residential zones within walkable catchments. Amendments to Chapters H14 GBZ, H16 HIZ and H17 LIZ are proposed to enable 6 storeys/21 metres within walkable catchments. Building height greater than 6 storeys is not proposed for these zones in the application of Policy 3(c).
- The requirement of Policy 3(d) is already considered to be provided for in these zones and no further amendments to the AUP are proposed.

In relation to the **application of MDRS and Policy 3 of the NPS-UD to zones in proximity to the HIZ, LIZ and GBZ** this evaluation concludes that these **do not need to be modified or reduced to accommodate qualifying matter (i)**. Therefore residential capacity is not affected or reduced.

The amendments to the AUP proposed through this evaluation are considered to be consistent with the relevant MDRS and NPS-UD objectives and policies.

### **Amendments required to district plan provisions in Chapters H14 GBZ, H16 HIZ and H17 LIZ**

In response to qualifying matter (i), no amendments are considered necessary to the MDRS required to be included in the AUP.

In response to qualifying matter (i), it is not considered necessary to make the requirements of Policy 3(c) less enabling in the HIZ, LIZ and GBZ.



Therefore amendments are required to Chapters H14 GBZ, H16 HIZ and H17 LIZ to enable 6 storeys/21 metres within walkable catchments. For each chapter amendments are proposed to the respective zone descriptions, objectives, policies, building height standards and assessment criteria for infringement of the building height standard. Each of these proposed amendments is discussed earlier in this report and are listed below. They are also set out in full in Attachment 2.

#### Chapter H16 HIZ

- H16.1 Zone description - amend
- H16.2 Objectives – add new Objective (5)
- H16.3 Policies – add new Policy (5)
- H16.6.1 Building height (standard) – amend and add new standard
- H16.8.2(3) Assessment criteria - amend

#### Chapter H17 LIZ

- H17.1 Zone description - amend
- H17.2 Objectives – add new Objective (5)
- H17.3 Policies – add new Policy (5A)
- H17.6.1 Building height (standard) – amend and add new standard
- H17.8.2(3) Assessment criteria - amend

#### Chapter H14 GBZ

- H14.1 Zone description – amend
- H14.2 Objectives – add new Objective (9)
- H14.3 Policies – add new Policy (24)
- H14.6.1 Building height (standard) – amend and add new standard
- H14.8.2(7) Assessment criteria - amend

In addition to these proposed amendments, consequential amendments are also proposed to Chapter H14 GBZ to align with amendments proposed to the objectives and policies that are common to the other business zones. Consequential amendments are also proposed to the HIRB standard to be consistent with the approach taken in the centre zones which is discussed in the Section 32 report on other business zones. These amendments are also listed below and included in Attachment 2.

#### Chapter H14 GBZ

- H14.2 Objectives – amendments to Objectives (3) and (4)
- H14.3 Policies – amendments to Policies (13) and (14)
- H14.6.2 Height in relation to boundary (HIRB) (standard) – amend Table H14.6.2.1.

### **Information Used**

The following information has been considered and has helped inform this evaluation:

- relevant AUP provisions
- Resource Management Act 1991
- National Policy Statement on Urban Development 2020 – updated May 2022
- Auckland Council (2017). National Policy Statement on Urban Development Capacity 2016: Housing and business development capacity assessment for Auckland
- relevant section 32 reports on the Proposed Auckland Unitary Plan (**PAUP**)
- Auckland Council evidence on topics 013,<sup>80</sup> 035,<sup>81</sup> 040,<sup>82</sup> and 051-054<sup>83</sup> for the PAUP
- Wickham, L (2012). Separation Distances for Industry, A discussion document prepared for Auckland Council, July 2012. Prepared by Emission Impossible Ltd
- relevant Independent Hearings Panel (**IHP**) recommendation reports on the PAUP
- various technical documents, guidelines and case law related to reverse sensitivity and management of incompatible activities including Ministry for the Environment Good Practice Guide for Assessing Discharges to Air from Industry (2016).

## Consultation

Schedule 1 of the RMA sets out the relevant consultation requirements.

Mana whenua have been engaged in the preparation of the IPI plan change at various stages in the process as required by Schedule 1 of the RMA. In particular two hui were held in June 2022 about qualifying matters. Generally no matters were raised by iwi representatives present at these hui that were directly related to qualifying matter (i). However some iwi noted concern about existing buildings and development within the HIZ, LIZ or GBZ where they are on or at the base of maunga or block views to maunga, for example views blocked to Matukutureia. This concern while related to the zones, cannot be dealt with through qualifying matter (i).

The council provided an opportunity to the Auckland community to comment on its 'preliminary response' proposals during the period April 19 to May 9, 2022.

The preliminary response planning maps did not show the HIZ, LIZ or GBZ as a qualifying matter, but the maps did show walkable catchments applying to these zones. None of the council's engagement questions specifically related to qualifying matter (i) or the HIZ, LIZ or GBZ, but one of the questions provided the opportunity to give feedback on qualifying matters in general.

From that feedback several people expressed concern about reverse sensitivity effects and suggested there should be some form of buffer between industrial/commercial zones and residential zones. Generally this feedback related to specific sites/areas.

In developing the options considered initial discussions were had with staff in council's Research and Evaluation Unit (RIMU) regarding separation distances and reverse sensitivity.

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<sup>80</sup> RPS Urban Growth

<sup>81</sup> Air Quality

<sup>82</sup> Lighting, Noise and Vibration

<sup>83</sup> Centre zones, Business Park and industries zones, Business activities and Business controls

## **8. Attachments**

## **Attachment 1: Relevant existing AUP objectives and policies**

## Attachment 1: Relevant existing AUP objectives and policies

Note this table does not include all zone objectives and policies.

AUP Chapter	Objective/Policy	Summary of matter addressed	HIZ, LIZ or GBZ?
<b>Regional Policy Statement (RPS)</b>			
<b>B2.4. Residential growth [RPS]</b>	<p>B2.4.2.</p> <p><i>Residential intensification</i></p> <p>Policy (7) Manage adverse reverse sensitivity effects from urban intensification on land with existing incompatible activities</p>	Reverse sensitivity	HIZ, LIZ & GBZ
<b>B2.5. Commercial and industrial growth [RPS]</b> B2.5.1	Objective (2) Commercial growth and activities are primarily focussed within a hierarchy of centres and identified growth corridors that supports a compact urban form.	Provide for commercial growth and activities - Centres hierarchy and compact urban form	GBZ
B2.5.2	<p>Policy (6) Enable commercial activities, where appropriate, in business zones in locations other than the city centre, metropolitan and town centres and identified growth corridors, having regard to all of the following:</p> <p>(a) the matters listed in Policy B2.5.2(5)(a) to Policy B2.5.2(5)(h) above;</p> <p>(b) the extent to which activities would compromise the achievement of policies B2.5.2(1) and B.2.5.2(2): and</p> <p>(c) the extent to which activities would compromise the hierarchy of locations identified in policies B2.5.2(1) to B.2.5.2(5).</p>	Enable low density commercial activities (where do not compromise role and function of centres)	LIZ, GBZ
B2.5.2	Policy (7) Enable the supply of land for industrial activities, in particular for land-extensive industrial activities and for	Enable industrial activities	HIZ, LIZ & GBZ

AUP Chapter	Objective/Policy	Summary of matter addressed	HIZ, LIZ or GBZ?
<b>Regional Policy Statement (RPS)</b>			
	heavy industry in areas where the character, scale and intensity of the effects from those activities can be appropriately managed.	Manage adverse effects of industrial activities	
B2.5.2	Policy (8) Enable the supply of industrial land which is relatively flat, has efficient access to freight routes, rail or freight hubs, ports and airports, and can be efficiently served by infrastructure	Enable industrial activities	HIZ, LIZ & GBZ
B2.5.2	<p>Policy (9) Enable the efficient use of industrial land for industrial activities and avoid incompatible activities by all of the following:</p> <p>(a) limiting the scale and type of non-industrial activities on land zoned for light industry;</p> <p>(b) preventing non-industrial activities (other than accessory activities) from establishing on land zoned for heavy industry; and</p> <p>(c) promoting co-location of industrial activities to manage adverse effects and to benefit from agglomeration.</p>	<p>Enable industrial activities</p> <p>Manage reverse sensitivity effects</p> <p>Manage adverse effects of industrial activities</p>	HIZ & LIZ
B2.5.2	Policy (10) Manage reverse sensitivity effects on the efficient operation, use and development of existing industrial activities, including by preventing inappropriate sensitive activities locating or intensifying in or adjacent to heavy industrial zones	Manage reverse sensitivity effects	HIZ, LIZ & GBZ
<b>B7.5 Air [RPS]</b> B7.5.1.	Objective (1) The discharge of contaminants to air from use and development is managed to improve region-wide air quality, enhance amenity values in urban areas and to maintain air	Manage adverse effects of industrial activities	HIZ, LIZ & GBZ



AUP Chapter	Objective/Policy	Summary of matter addressed	HIZ, LIZ or GBZ?
<b>Regional Policy Statement (RPS)</b>			
	quality at appropriate levels in rural and coastal areas.		
B7.5.1.	Objective (2) Industry and infrastructure are enabled by providing for reduced ambient air quality amenity in appropriate locations.	Enable industrial activities	HIZ & LIZ
B7.5.1.	Objective (3) Avoid, remedy or mitigate adverse effects from discharges of contaminants to air for the purpose of protecting human health, property and the environment.	Manage adverse effects of industrial activities	HIZ, LIZ & GBZ
B7.5.2.	<p>Policy (1)</p> <p>Manage discharge of contaminants to air from use and development to:</p> <p>(a) avoid significant adverse effects on human health and reduce exposure to adverse air discharges;</p> <p>(b) control activities that use or discharge noxious or dangerous substances;</p> <p>(c) minimise reverse sensitivity effects by avoiding or mitigating potential land use conflict between activities that discharge to air and activities that are sensitive to air discharges;</p> <p>(e) protect flora and fauna from the adverse effects of air discharges;</p> <p>(d) protect activities that are sensitive to the adverse effects of air discharges;</p> <p>(f) enable the operation and development of infrastructure, industrial activities and rural production activities that discharge contaminants into air, by providing for low air quality amenity in appropriate locations;</p>	<p>Manage adverse effects of industrial activities</p> <p>Manage reverse sensitivity effects</p> <p>Enable industrial activities</p>	HIZ, LIZ & GBZ

AUP Chapter	Objective/Policy	Summary of matter addressed	HIZ, LIZ or GBZ?
<b>Regional Policy Statement (RPS)</b>			
<b>Appendix 1</b> Structure plan guidelines [RPS] 1.4. Matters to identify, investigate and address	1.4.4 Use and activity  (7) The location and protection of use and development and management of reverse sensitivity effects on use and development.	Manage reverse sensitivity effects	HIZ, LIZ & GBZ

AUP Chapter	Objective/Policy	Summary of matter addressed	HIZ, LIZ or GBZ?
<b>H16 Heavy Industry Zone</b>			
H16.2	Objective (1) Heavy industry operates efficiently and is not unreasonably constrained by other activities.	Enable industrial activities  Manage reverse sensitivity effects	HIZ
H16.2	Objective (2) Business – Heavy Industry Zone zoned land, and activities that are required to locate there because of the nature of their operation, are protected from the encroachment of:  (a) activities sensitive to air discharges and activities sensitive to noise; and  (b) commercial activities that are more appropriately located in other business zones.	Manage reverse sensitivity effects	HIZ
H16.2	Objective (3) The supply of large sites within the zone is not reduced by inappropriate fragmentation of those sites by subdivision.	Enable industrial activities	HIZ

AUP Chapter	Objective/Policy	Summary of matter addressed	HIZ, LIZ or GBZ?
<b>H16 Heavy Industry Zone</b>			
H16.2.	Objective (4) Adverse effects on the natural environment within the zone and on the amenity values of neighbouring zones are managed.	Manage adverse effects of industrial activities	HIZ
H16.3	Policy (1) Avoid activities which do not support the primary function of the zone.	Enable industrial activities Manage reverse sensitivity effects	HIZ
H16.3	Policy (2) Require development adjacent to open space zones, residential zones and special purpose zones to manage adverse amenity effects on those zones.	Manage adverse effects of industrial activities	HIZ
H16.3	Policy (3) Require development adjacent to open space zones, residential zones and special purpose zones to manage adverse amenity effects on those zones	Manage adverse effects of industrial activities	HIZ
H16.3	Policy (4) Restrict maximum impervious area within the riparian yard in order to ensure that adverse effects on water quality, water quantity and amenity values are avoided or mitigated.	Manage adverse effects of industrial activities	HIZ

AUP Chapter	Objective/Policy	Summary of matter addressed	HIZ, LIZ or GBZ?
<b>H17 Light Industry Zone</b>			
H17.2	Objective (1) Light industrial activities locate and function efficiently within the zone.	Enable industrial activities	LIZ
H17.2	Objective (2) The establishment of activities that may compromise the efficiency and	Manage reverse sensitivity effects	LIZ

AUP Chapter	Objective/Policy	Summary of matter addressed	HIZ, LIZ or GBZ?
<b>H17 Light Industry Zone</b>			
	functionality of the zone for light industrial activities is avoided.		
H17.2	Objective (3) Adverse effects on amenity values and the natural environment, both within the zone and on adjacent areas, are managed.	Manage adverse effects of industrial activities	LIZ
H17.2	Objective (4) Development avoids, remedies or mitigates adverse effects on the amenity of adjacent public open spaces and residential zones.	Manage adverse effects of industrial activities	LIZ
H17.3	Policy (1) Enable light industrial activities to locate in the zone.	Enable industrial activities	LIZ
H17.3	Policy (2) Avoid reverse sensitivity effects from activities that may constrain the establishment and operation of light industrial activities.	Manage reverse sensitivity effects	LIZ
H17.3	Policy (3) Avoid activities that do not support the primary function of the zone.	Manage reverse sensitivity effects	LIZ
H17.3	Policy (4) Require development adjacent to open space zones, residential zones and special purpose zones to manage adverse amenity effects on those zones.	Manage adverse effects of industrial activities	LIZ
H17.3	<p>Policy (5) In identified locations enable greater building height than the standard zone height, having regard to whether the greater height:</p> <p>(a) is an efficient use of land; and</p> <p>(b) can be accommodated without significant adverse effects on adjacent residential zones; considering the size and depth of the area.</p>	Manage adverse effects	LIZ

AUP Chapter	Objective/Policy	Summary of matter addressed	HIZ, LIZ or GBZ?
<b>H17 Light Industry Zone</b>			
H17.3	Policy (6) Avoid reverse sensitivity effects from activities within the Business – Light Industry Zone that may constrain the establishment and operation of heavy industrial activities within the Business – Heavy Industry Zone.	Manage reverse sensitivity effects  Enable industrial activities	LIZ (& HIZ)
H17.3	Policy (7) Require activities adjacent to residential zones to avoid, remedy or mitigate adverse effects on amenity values of those areas.	Manage adverse effects of industrial activities	LIZ
H17.3	Policy (8) Restrict maximum impervious area within the riparian yard in order to ensure that adverse effects on water quality, water quantity and amenity values are avoided or mitigated.	Manage adverse effects of industrial activities	LIZ

AUP Chapter	Objective/Policy	Summary of matter addressed	HIZ, LIZ or GBZ?
<b>H14 General Business Zone</b>			
H14.2 <i>General objectives for all centres, Business – Mixed Use Zone, <b>Business – General Business Zone and Business – Business Park Zone</b></i>	Objective (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.	Enable commercial activities  Manage adverse effects (on role & function of centres)	GBZ
H14.2 <i>General objectives for all centres, Business – Mixed Use Zone,</i>	Objective (2) Development is of a form, scale and design quality so that	Manage adverse effects (including	GBZ

AUP Chapter	Objective/Policy	Summary of matter addressed	HIZ, LIZ or GBZ?
<b>H14 General Business Zone</b>			
<b>Business – General Business Zone and Business – Business Park Zone</b>	centres are reinforced as focal points for the community.	on role & function of centres)	
H14.2 <i>General objectives for all centres, Business – Mixed Use Zone, Business – General Business Zone and Business – Business Park Zone</i>	Objective (3) Development positively contributes towards planned future form and quality, creating a sense of place	Manage adverse effects	GBZ
H14.2 <i>General objectives for all centres, Business – Mixed Use Zone, Business – General Business Zone and Business – Business Park Zone</i>	Objective (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.	Manage adverse effects  Enable industrial & commercial activities	GBZ
H14.2 (GBZ only)	Objective (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.	Enable industrial & commercial activities  Manage adverse effects (on role &	GBZ



AUP Chapter	Objective/Policy	Summary of matter addressed	HIZ, LIZ or GBZ?
<b>H14 General Business Zone</b>			
		function of centres)	
H14.2 (GBZ only)	Objective (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.	Manage adverse effects (on role & function of centres)	GBZ
H14.2 (GBZ only)	Objective (8) The adverse effects on amenity values and the quality of the environment at the interface with other zones are managed.	Manage adverse effects of industrial or commercial activities	GBZ
H14.3 <i>General policies for all centres, Business – Mixed Use Zone, <b>Business – General Business Zone and Business – Business Park Zone</b></i>	Policy (5) Require large-scale development to be of a design quality that is commensurate with the prominence and visual effects of the development.	Manage adverse effects of industrial or commercial activities	GBZ
H14.3 <i>General policies for all centres, Business – Mixed Use Zone, <b>Business – General Business Zone and Business – Business Park Zone</b></i>	Policy (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.	Manage adverse effects of industrial or commercial activities	GBZ

AUP Chapter	Objective/Policy	Summary of matter addressed	HIZ, LIZ or GBZ?
<b>H14 General Business Zone</b>			
H14.3 <i>General policies for all centres, Business – Mixed Use Zone, <b>Business – General Business Zone and Business – Business Park Zone</b></i>	Policy (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.	Manage adverse effects of industrial or commercial activities  Manage adverse effects (on role & function of centres)	GBZ
H14.3 <i>General policies for all centres, Business – Mixed Use Zone, <b>Business – General Business Zone and Business – Business Park Zone</b></i>	Policy (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.	Manage adverse effects of industrial or commercial activities	GBZ
H14.3 <i>General policies for all centres, Business – Mixed Use Zone, <b>Business – General Business Zone and Business – Business Park Zone</b></i>	Policy (12) Recognise the functional and operational requirements of activities and development.	Enable industrial & commercial activities	GBZ
H14.3 <i>General policies for all centres, Business – Mixed Use Zone,</i>	Policy (13) In identified locations within the centres zones, Business – Mixed Use Zone, Business – General Business Zone and Business – Business Park Zone	Enable industrial & commercial activities  Manage adverse effects of	GBZ

AUP Chapter	Objective/Policy	Summary of matter addressed	HIZ, LIZ or GBZ?
<b>H14 General Business Zone</b>			
<b>Business – General Business Zone and Business – Business Park Zone</b>	enable greater building height than the standard zone height, having regard to whether the greater height:  (a) is an efficient use of land;  (b) supports public transport, community infrastructure and contributes to centre vitality and vibrancy;  (c) considering the size and depth of the area, can be accommodated without significant adverse effects on adjacent residential zones; and  (d) is supported by the status of the centre in the centres hierarchy, or is adjacent to such a centre.	industrial or commercial activities	
H14.3 <i>General</i> H14.3 <i>General policies for all centres, Business – Mixed Use Zone, Business –</i> <b>Business – General Business Zone and Business – Business Park Zone</b>	Policy (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.	Manage adverse effects of industrial or commercial activities	GBZ
H14.3 (GBZ only)	Policy (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.	Enable industrial & commercial activities  Manage adverse effects of industrial or commercial activities	GBZ

AUP Chapter	Objective/Policy	Summary of matter addressed	HIZ, LIZ or GBZ?
<b>H14 General Business Zone</b>			
H14.3 (GBZ only)	<p>Policy (16) Enable a range of business activities, including large format retail, trade suppliers, light industry and small service activities that are either:</p> <p>(a) difficult to accommodate within centres due to their scale and functional requirements;</p> <p>(b) more appropriately located outside of the Business – City Centre Zone, Business – Metropolitan Centre Zone or Business – Town Centre Zone; or</p> <p>(c) already established in locations where they are able to continue.</p>	<p>Enable industrial activities</p> <p>Enable commercial activities (low density)</p>	GBZ
H14.3 (GBZ only)	<p>Policy (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.</p>	<p>Manage adverse effects on role &amp; function of centres</p>	GBZ
H14.3 (GBZ only)	<p>Policy (18) Avoid small-scale retail activities locating within the zone except for commercial services and food and beverage activities.</p>	<p>Manage adverse effects on role &amp; function of centres</p>	GBZ
H14.3 (GBZ only)	<p>Policy (19) Enable light industrial activities to locate within the zone but discourage activities which have objectionable odour, dust or noise emissions.</p>	<p>Enable industrial activities</p> <p>Manage adverse effects of industrial activities</p>	GBZ

AUP Chapter	Objective/Policy	Summary of matter addressed	HIZ, LIZ or GBZ?
<b>H14 General Business Zone</b>			
H14.3 (GBZ only)	Policy (20) Manage compatibility issues of activities within and between developments through site layout and design measures.	Manage reverse sensitivity effects	GBZ
H14.3 (GBZ only)	Policy (22) Require activities adjacent to residential zones to avoid, remedy or mitigate adverse effects on amenity values of those areas.	Manage adverse effects of industrial or commercial activities	GBZ
H14.3 (GBZ only)	Policy (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.	Manage adverse effects of industrial or commercial activities	GBZ

AUP Chapter	Objective/Policy	Summary of matter addressed	HIZ, LIZ or GBZ?
<b>E14 Air Quality [rcp/rp]</b>			
E14.2	Objective (2) Human health, property and the environment are protected from significant adverse effects from the discharge of contaminants to air.	Manage adverse effects of industrial activities	HIZ & LIZ
E14.2	Objective (3) Incompatible uses and development are separated to manage adverse effects on air quality from discharges of contaminants into air and avoid or mitigate reverse sensitivity effects.	Manage adverse effects of industrial activities Manage reverse sensitivity effects	HIZ & LIZ
E14.2	Objective (4) The operational requirements of light and heavy industry, other location-specific industry, infrastructure, rural	Enable industrial activities	HIZ & LIZ

AUP Chapter	Objective/Policy	Summary of matter addressed	HIZ, LIZ or GBZ?
<b>E14 Air Quality [rcp/rp]</b>			
	activities and mineral extraction activities are recognised and provided for.		
E14.3	Policy (1) Manage the discharge of contaminants to air, including by having regard to the Auckland Ambient Air Quality Targets in Table E14.3.1, so that significant adverse effects on human health, including cumulative adverse effects, are avoided, and all other adverse effects are remedied or mitigated.	Manage adverse effects of industrial activities	
E14.3	Policy (4) Support the use and development in the Business – Light Industry Zone, Coastal – Minor Port Zone, the Port Precinct, Auckland Airport Precinct and Auckland Council District Plan - Hauraki Gulf Islands Commercial 5 Zone, by providing for medium dust and odour levels and avoiding, remedying or mitigating, the adverse effects of dust and odour.	Enable industrial activities  Manage adverse effects of industrial activities	LIZ
E14.3	Policy (5) Support the use and development in the Business – Heavy Industry Zone, Special Purpose – Quarry Zone and Auckland Council District Plan - Hauraki Gulf Islands Commercial 6 Zone by:  (a) providing for higher levels of dust and odour provided that any adverse effects on human health are avoided, remedied or mitigated;  (b) avoiding the establishment of activities sensitive to air discharges in these zones; and  (c) discouraging the establishment of activities sensitive to air discharges in areas adjacent to these zones.	Enable industrial activities  Manage reverse sensitivity effects	HIZ



AUP Chapter	Objective/Policy	Summary of matter addressed	HIZ, LIZ or GBZ?
<b>E26 Noise and Vibration</b>			
E25.2	Objective (1) People are protected from unreasonable levels of noise and vibration.	Manage adverse effects of industrial & commercial activities	HIZ, LIZ & GBZ
E25.2	Objective (2) The amenity values of residential zones are protected from unreasonable noise and vibration, particularly at night.	Manage adverse effects of industrial & commercial activities	HIZ, LIZ & GBZ
E25.2	Objective (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	Manage reverse sensitivity effects	HIZ, LIZ & GBZ
E26.3	Policy (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.	Enable industrial & commercial activities  Manage adverse effects of industrial & commercial activities	HIZ, LIZ & GBZ
E26.3	Policy (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.	Manage adverse effects of industrial & commercial activities	HIZ, LIZ & GBZ
E26.3	Policy (3) Encourage activities to locate in zones where the noise generated is compatible with other activities and, where practicable, adjacent zones.	Enable industrial & commercial activities	HIZ, LIZ & GBZ

AUP Chapter	Objective/Policy	Summary of matter addressed	HIZ, LIZ or GBZ?
<b>E26 Noise and Vibration</b>			
		Manage reverse sensitivity effects	
E26.3	Policy (4) Use area or activity specific rules where the particular functional or operational needs of the area or activity make such rules appropriate.	Enable industrial activities Manage reverse sensitivity effects Manage adverse effects of industrial & commercial activities	HIZ, LIZ & GBZ
E26.3	Policy (5) Prevent significant noise-generating activities other than roads and railway lines from establishing in or immediately adjoining residential zones.	Manage reverse sensitivity effects Manage adverse effects of industrial & commercial activities	HIZ, LIZ & GBZ
E26.3	Policy (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.	Enable industrial activities Manage reverse sensitivity effects Manage adverse effects of industrial & commercial activities	HIZ & LIZ
E26.3	Policy (7) Require activities to be appropriately located and/or designed to avoid where practicable or otherwise remedy or mitigate reverse sensitivity effects on:  (b) adjacent Business – Light Industry Zone and Business – Heavy Industry Zone;	Enable industrial activities Manage reverse sensitivity effects	HIZ, LIZ & GBZ

AUP Chapter	Objective/Policy	Summary of matter addressed	HIZ, LIZ or GBZ?
<b>E26 Noise and Vibration</b>			
	(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		

AUP Chapter	Objective/Policy	Summary of matter addressed	HIZ, LIZ or GBZ?
<b>E38 Subdivision – Urban</b>			
E38.2	Objective (1) Land is subdivided to achieve the objectives of the residential zones, business zones, open space zones, special purpose zones, coastal zones, relevant overlays and Auckland-wide provisions.	Enable industrial activities Manage adverse effects of industrial & commercial activities	HIZ, LIZ & GBZ
E38.3	Policy (1) Provide for subdivision which supports the policies of the Plan for residential zones, business zones, open space zones, special purpose zones, coastal zones, relevant overlays and Auckland-wide provisions.	Enable industrial activities Manage adverse effects of industrial & commercial activities	HIZ, LIZ & GBZ

**Attachment 2: Proposed amendments to Chapters H14 GBZ, H16 HIZ and H17 LIZ**

## H14. Business – General Business Zone

### H14.1. Zone description

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

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

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

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

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

Additional building height of six storeys (21m) is enabled within walkable catchments unless a qualifying matter applies.

### H14.2. Objectives

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

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

(b) improves community access to goods, services, community facilities and opportunities for social interaction; ~~and~~

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

(d) accommodates qualifying matters.

(5) A network of centres that provides:

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

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

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

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

(c) a basis for regeneration and intensification initiatives.

#### *Business – General Business Zone objectives*

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

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

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

(9) Building height of six storeys (21m) is enabled within walkable catchments unless qualifying matters apply that reduce height.

#### **H14.3. Policies**

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

(1) Reinforce the function of the city centre, metropolitan centres and town centres as the primary location for commercial activity, according to their role in the hierarchy of centres.



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

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

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

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

*Business – General Business Zone policies*

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

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

#### H14.4. Activity table

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

**Table H14.4.1 Activity table**

Activity		Activity status
<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

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Activity		Activity status
(A11)	Drive-through restaurants	P
(A12)	Entertainment facilities	P
(A13)	Cinemas	NC
(A14)	Food and beverage	P
(A15)	Food and beverage activities that form part of an integrated development, with more than 5 food and beverage activities	RD*
(A16)	Funeral directors' premises	D
(A17)	Garden centres	P
(A18)	Marine retail	P
(A19)	Motor vehicle sales	P
(A20)	Offices up to 500m <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
<b>Community</b>		
(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
<b>Industry</b>		
(A39)	Industrial activities	P
(A40)	Waste management facilities	NC
<b>Mana Whenua</b>		
(A41)	Marae complex	P

Activity		Activity status
<b>Development</b>		
(A42)	New buildings	RD
(A43)	Demolition of buildings	P
(A44)	Alterations to building facades that are less than 25m <sup>2</sup>	P
(A45)	Additions to buildings that are less than: (a) 25 per cent of the existing gross floor area of the building; or (b) 250m <sup>2</sup> whichever is the lesser	P
(A46)	Internal alterations to buildings	P
(A47)	Additions and alterations to buildings not otherwise provided for	RD

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

#### H14.5. Notification

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

#### H14.6. Standards

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

##### H14.6.0 Activities within 30m of a residential zone

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

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

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

#### **H14.6.1. Building height**

Purpose:

- manage the effects of building height;
  - manage shadowing effects of building height on public open space, excluding streets;
  - manage visual dominance effects;
  - enable greater height in areas identified for intensification including within walkable catchments; and
  - provide for variations to the standard zone height through the Height Variation Control, to recognise the character and amenity of particular areas and provide a transition in building scale to lower density zones.
- (1) Buildings must not exceed 16.5m in height, unless otherwise specified in the Height Variation Control or are located within a walkable catchment on the planning maps.
- (2) Buildings located in a walkable catchment must not exceed 21m in height.

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

Purpose:

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



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

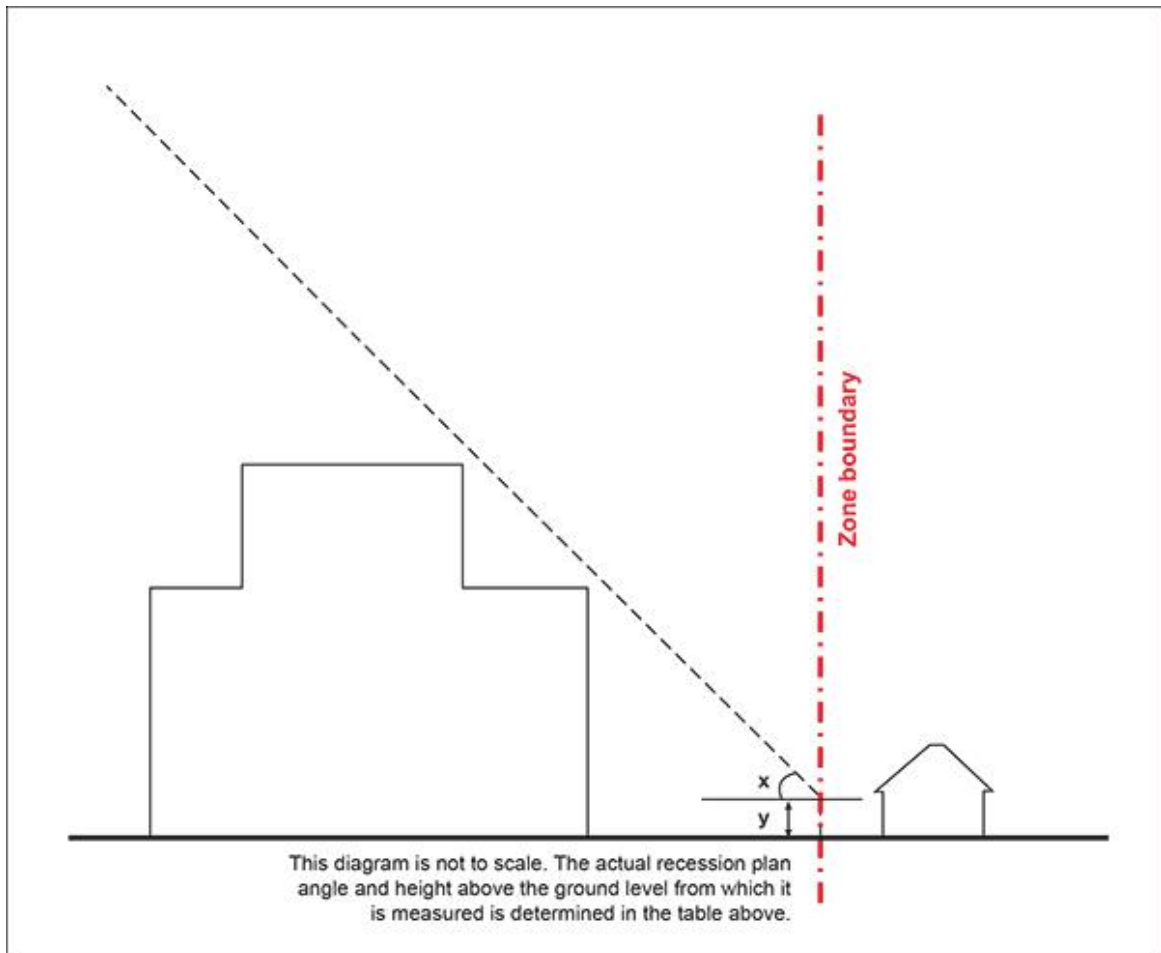
**Table H14.6.2.1 Height in relation to boundary**

	<b>Zoning of adjacent site</b>	<b>Angle of recession plane (identified as x in Figure H14.6.2.1 or Figure H14.6.2.2)</b>	<b>Height above ground level which the recession plane will be measured from (identified as y in Figure H14.6.2.1 or Figure H14.6.2.2)</b>
<u>Buildings outside walkable catchments</u>	Residential – Single House Zone; or Residential – Mixed Housing Suburban Zone	45°	2.5m
	<u>Residential - Low Density Residential Zone; or</u> Residential – Mixed Housing Urban Zone	45° 60°	3m 4m
	Residential – Terrace Housing and Apartment Buildings Zone	60°	8m
	Special Purpose – Māori Purpose Zone; or Special Purpose – School Zone	45°	6m
	Open Space – Conservation Zone; Open Space – Informal Recreation Zone; Open Space – Sports and Active Recreation Zone; Open Space – Civic Spaces Zone; or Open Space – Community Zone	45°	4.5m
<u>Buildings within walkable catchments</u>	<u>Residential – Low Density Residential Zone;</u> <u>Residential – Mixed Housing Urban Zone;</u> <u>Residential – Terrace Housing and Apartment Buildings Zone;</u>	60°	19m
	<u>Special Purpose –</u>	60°	19m

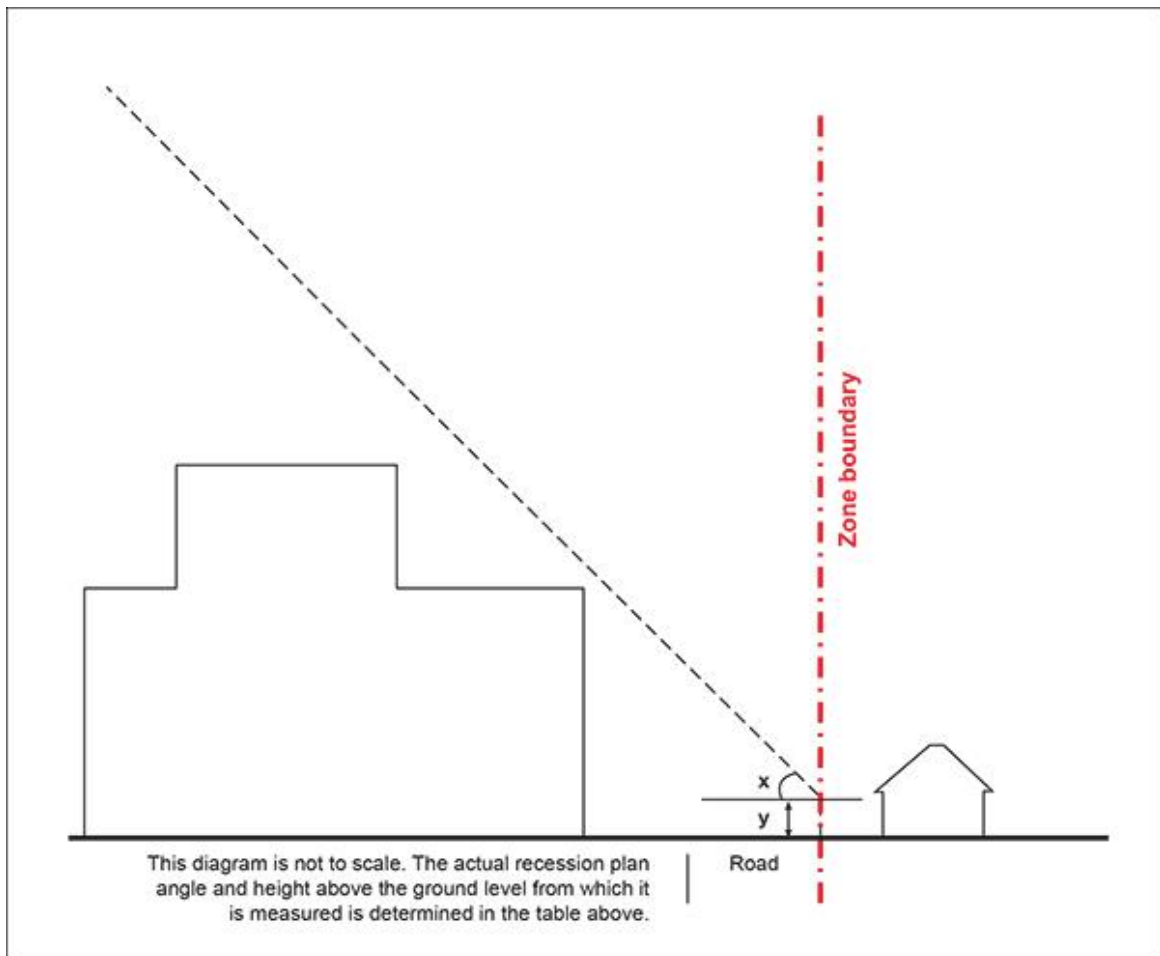
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	<u>Māori Purpose Zone; or Special Purpose – School Zone</u>		
	<u>Open Space – Conservation Zone; Open Space – Informal Recreation Zone; Open Space – Sports and Active Recreation Zone; Open Space – Civic Spaces Zone; or Open Space – Community Zone</u>	60°	19m

Figure H14.6.2.1 Height in relation to boundary



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



### H14.6.3. Yards

Purpose:

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

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

**Table H14.6.3.1 Yards**

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

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

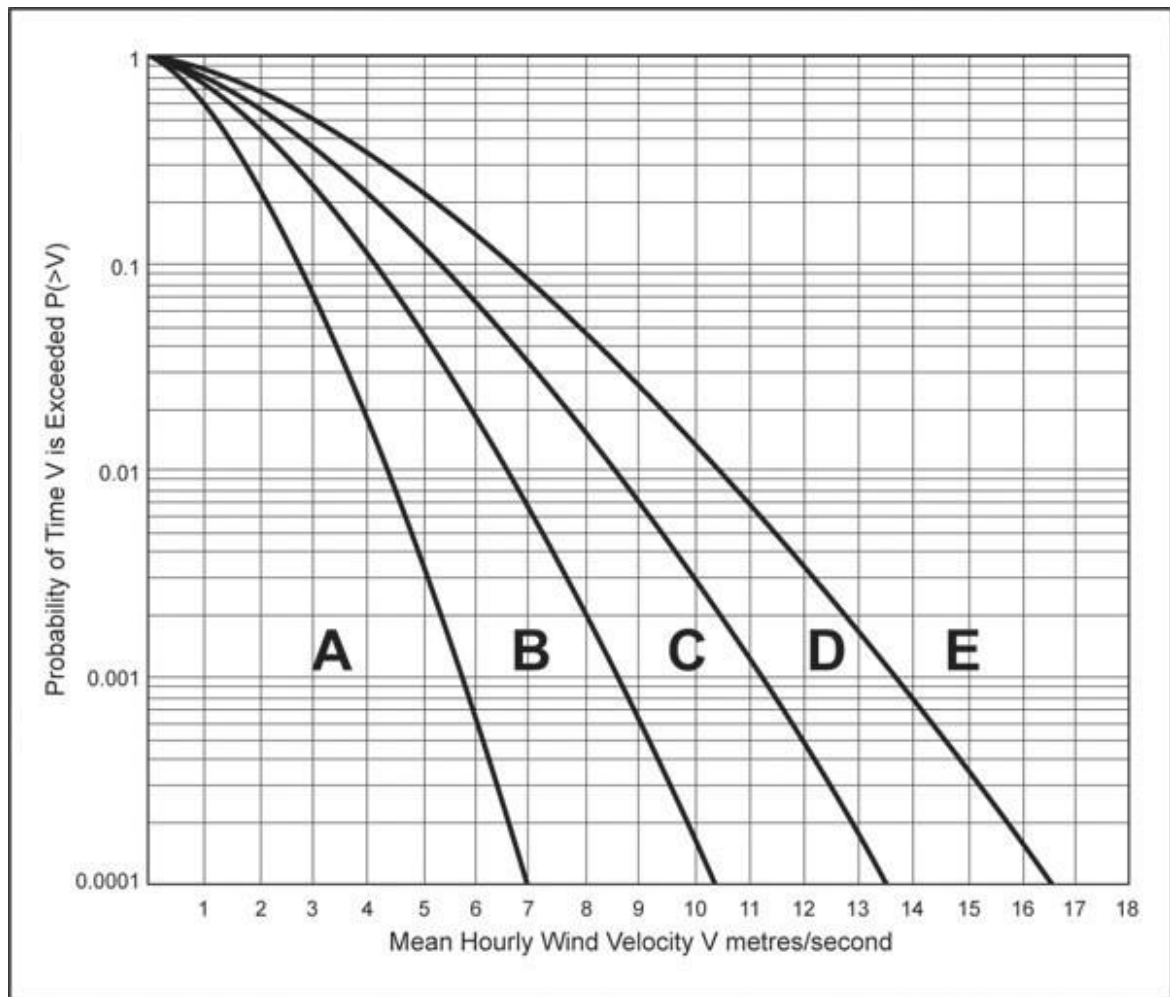
- (1) A new building exceeding 25m in height and additions to existing buildings that increase the building height above 25m must not cause:
- (a) the mean wind speed around it to exceed the category for the intended use of the area as set out in Table H14.6.6.1 and Figure H14.6.6.1 below;
  - (b) the 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**

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

**Figure H14.6.6.1 Wind environment control**



Derivation of the wind environment control graph:

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

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

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

and where:

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

e = The Napierian base 2.7182818285

v = the velocity selected;

k = the constant 1.5; and

c = a variable dependent on the boundary being defined:

$$A/B, c = 1.548$$

B/C, c = 2.322

C/D, c = 3.017

D/E, c = 3.715

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

There are no controlled activities in this zone.

#### **H14.8. Assessment – restricted discretionary activities**

##### **H14.8.1. Matters of discretion**

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

- (1) activities within 30m of a residential zone, emergency services and service stations:
  - (a) the compatibility of:
    - (i) the effects of intensity and scale of the development arising from the numbers of people and/or vehicles using the site; and
    - (ii) the effects of the operation of the activity;  
on the existing and expected future amenity values of the surrounding area and any practicable mitigation measures that would be appropriate to manage those effects;
  - (b) the effects of the design and location of parking areas and vehicle access and servicing arrangements on visual amenity of the streetscape and on pedestrian safety;
  - (c) the effects of location, design and management of storage and servicing facilities on the amenity values of nearby residential properties including potential visual effects, adequacy of access for service vehicles (including waste collection) and any night time noise effects; and
  - (d) the assessment of the above matters having regard to the need to provide for the functional requirements of the activity;
- (2) supermarkets greater than 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)~~, Policy H14.3(13), Policy H14.3(14) and Policy H14.3(24);

(b) yards and landscaping:

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

(c) wind:

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

(d) maximum impervious area in a riparian yard:

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

#### **H14.9. Special information requirements**

There are no special information requirements in this zone.

## H16. Business – Heavy Industry Zone

### H16.1. Zone description

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

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

Additional building height of six storeys (21m) is enabled within walkable catchments unless a qualifying matter applies.

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

### H16.2. Objectives

- (1) Heavy industry operates efficiently and is not unreasonably constrained by other activities.
- (2) Business – Heavy Industry Zone zoned land, and activities that are required to locate there because of the nature of their operation, are protected from the encroachment of:
  - (a) activities sensitive to air discharges and activities sensitive to noise; and
  - (b) commercial activities that are more appropriately located in other business zones.
- (3) The supply of large sites within the zone is not reduced by inappropriate fragmentation of those sites by subdivision.
- (4) Adverse effects on the natural environment within the zone and on the amenity values of neighbouring zones are managed.
- (5) Building height of six storeys (21m) is enabled within walkable catchments unless qualifying matters apply that reduce height.

### H16.3. Policies

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

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

(5) Enable greater building height of six storeys (21m) within walkable catchments, unless qualifying matters apply that reduce height.

#### H16.4. Activity table

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

**Table H16.4.1 Activity table**

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



H16 Business – Heavy Industry Zone

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

### H16.5. Notification

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

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

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

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

## H16.6. Standards

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

### H16.6.1. Building height

Purpose:

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

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

(2) Buildings located in a walkable catchment must not exceed 21m in height.

### H16.6.2. Height in relation to boundary

Purpose:

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

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

#### Figure H16.6.2.1 Height in relation to boundary

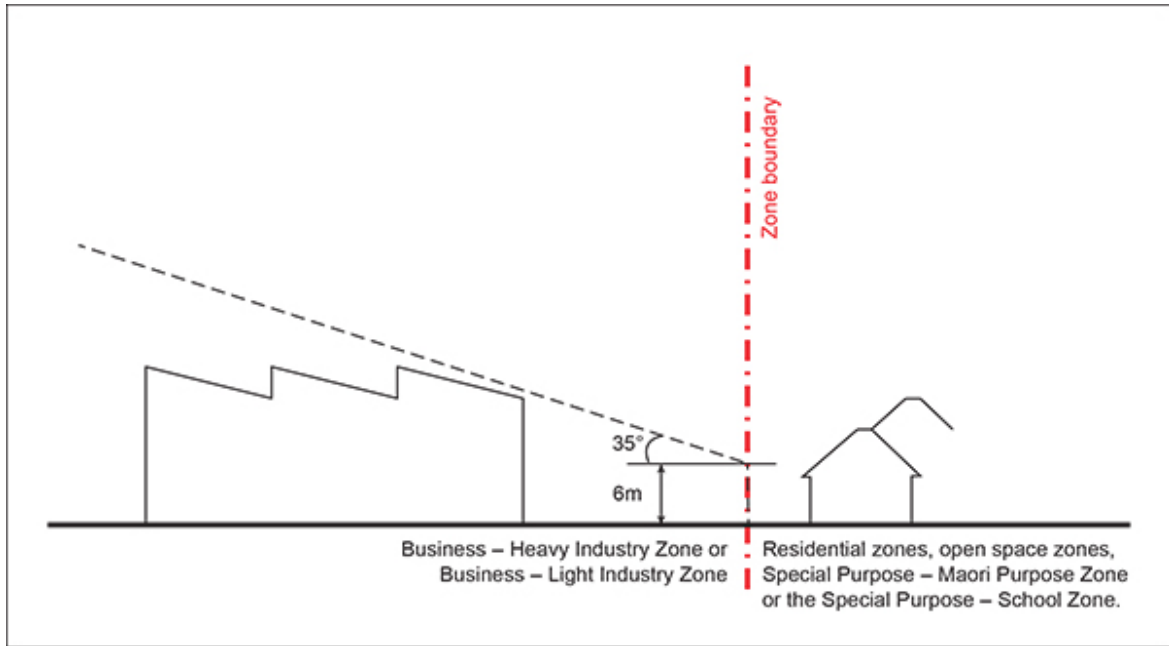
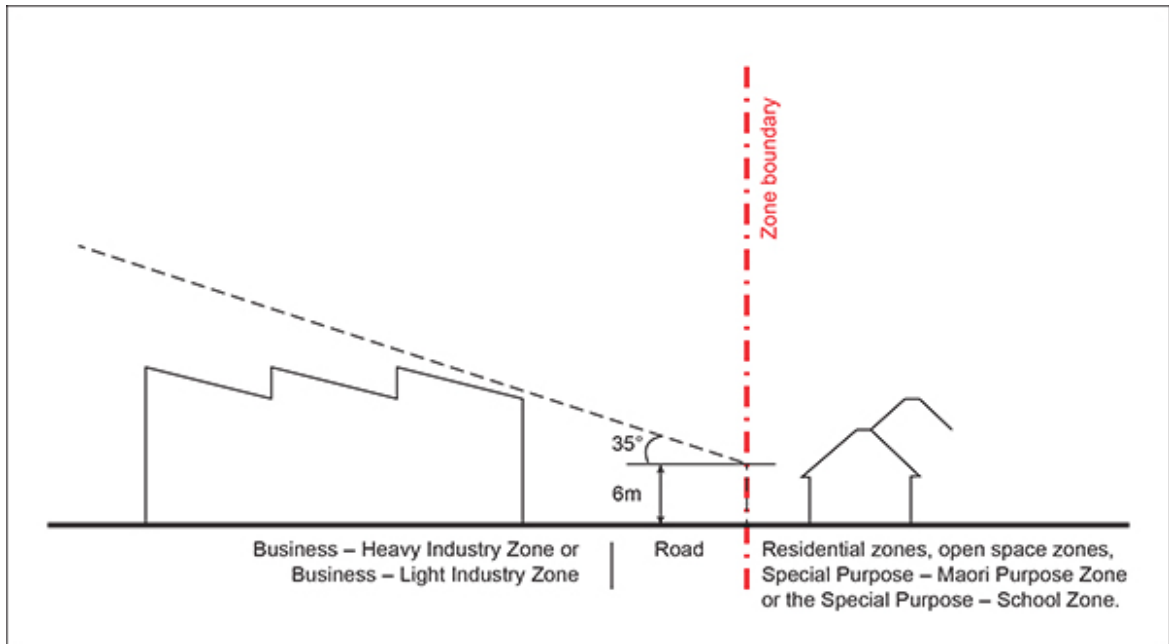


Figure H16.6.2.2 Height in relation to boundary opposite a road



### H16.6.3. Maximum impervious area within the riparian yard

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

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

### H16.6.4. Yards

Purpose:

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

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

**Table H16.6.4.1 Yards**

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

**Note 1**

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

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

**H16.6.5. Storage and screening**

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

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

#### **H16.7. Assessment – controlled activities**

There are no controlled activities in this zone.

#### **H16.8. Assessment – restricted discretionary activities**

##### **H16.8.1. Matters of discretion**

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

- (1) emergency services:
- (2) offices that are accessory to the primary activity on the site and the GFA exceeds 30 per cent of all buildings on the site:
  - (a) any location, design and operational characteristics which could give rise to potential reverse sensitivity effects which could inhibit or discourage heavy industry from operating in the Business – Heavy Industry Zone; and
  - (b) the development or expansion of activities that could reduce the available opportunities heavy industry to operate in the Business – Heavy Industry Zone
- (3) buildings that do not comply with the standards:
  - (a) any policy which is relevant to the standard;
  - (b) the purpose of the standard;
  - (c) the effects of the infringement of the standard;
  - (d) the effects on the amenity of neighbouring sites;
  - (e) the effects of any special or unusual characteristic of the site which is relevant to the standard;
  - (f) the characteristics of the development;
  - (g) any other matters specifically listed for the standard; and
  - (h) where more than one standard will be infringed, the effects of all infringements.

### **H16.8.2. Assessment criteria**

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

(1) emergency services:

(a) refer to Policy H16.3(1);

(2) offices that are accessory to the primary activity on the site and the gross floor area exceeds 30 per cent of all buildings on the site:

(a) for Matter H16.8.1(2)(a) refer to Policy H16.3(1);

(b) for Matter H16.8.1(2)(b) refer to Policy H16.3(1)

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

(a) building height, height in relation to boundary, yards or storage and screening:

(i) refer to Policy H16.3(3) and Policy H16.3(5);

(b) maximum impervious area within the riparian yard:

(i) refer to Policy H16.3(4).

### **H16.9. Special information requirements**

There are no special information requirements in this zone.

## H17. Business – Light Industry Zone

### H17.1. Zone description

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

Additional building height of six storeys (21m) is enabled within walkable catchments unless a qualifying matter applies.

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

### H17.2. Objectives

- (1) Light industrial activities locate and function efficiently within the zone.
- (2) The establishment of activities that may compromise the efficiency and functionality of the zone for light industrial activities is avoided.
- (3) Adverse effects on amenity values and the natural environment, both within the zone and on adjacent areas, are managed.
- (4) Development avoids, remedies or mitigates adverse effects on the amenity of adjacent public open spaces and residential zones.
- (5) Building height of six storeys (21m) is enabled within walkable catchments unless qualifying matters apply that reduce height.

### H17.3. Policies

- (1) Enable light industrial activities to locate in the zone.
- (2) Avoid reverse sensitivity effects from activities that may constrain the establishment and operation of light industrial activities.
- (3) Avoid activities that do not support the primary function of the zone.
- (4) Require development adjacent to open space zones, residential zones and special purpose zones to manage adverse amenity effects on those zones.
- (5) In identified locations enable greater building height than the standard zone height, having regard to whether the greater height:
  - (a) is an efficient use of land; and
  - (b) can be accommodated without significant adverse effects on adjacent residential zones; considering the size and depth of the area.



(5A) Enable greater building height of six storeys (21m) within walkable catchments, unless qualifying matters apply that reduce height.

- (6) Avoid reverse sensitivity effects from activities within the Business – Light Industry Zone that may constrain the establishment and operation of heavy industrial activities within the Business – Heavy Industry Zone.
- (7) Require activities adjacent to residential zones to avoid, remedy or mitigate adverse effects on amenity values of those areas.
- (8) Restrict maximum impervious area within the riparian yard in order to ensure that adverse effects on water quality, water quantity and amenity values are avoided or mitigated.

#### H17.4. Activity table

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

**Table H17.4.1 Activity table**

Activity		Activity status
<b>Use</b>		
(A1)	Activities not provided for	NC
Accommodation		
(A2)	Workers accommodation - one per site	P
(A3)	Dwellings	NC
(A4)	Integrated residential development	NC
Commerce		
(A5)	Commercial services	D
(A6)	Dairies up to 100m <sup>2</sup> gross floor area	P
(A7)	Drive-through restaurant	P
(A8)	Entertainment facilities	D
(A9)	Food and beverage up to 120m <sup>2</sup> gross floor area per site	P
(A10)	Garden centres other than in H17.4.1(A11)	P
(A11)	Garden centres within 100m of a Business – Heavy Industry Zone	RD
(A12)	Motor vehicle sales other than in H17.4.1(A13)	P
(A13)	Motor vehicle sales within 100m of a Business – Heavy Industry Zone	RD
(A14)	Marine retail other than in H17.4.1(A15)	P
(A15)	Marine retail within 100m of a Business – Heavy Industry Zone	RD
(A16)	Offices up to 100m <sup>2</sup> gross floor area per site	RD

H17 Business – Light Industry Zone

(A17)	Offices that are accessory to the primary activity on the site and: (a) the office gross floor area does not exceed 30 per cent of all buildings on the site; or (b) the office gross floor area does not exceed 100m <sup>2</sup>	P
(A18)	Offices that are accessory to the primary activity on the site and the office gross floor area exceeds 30 per cent of all buildings on the site	RD
(A19)	Offices not otherwise provided for	NC
(A20)	Retail accessory to an industrial activity on the site, where the goods sold are manufactured on site and the retail gross floor area does not exceed 10 per cent of all buildings on the site	P
(A21)	Retail not otherwise provided for	NC
(A22)	Service stations	P
(A23)	Show homes	P
(A24)	Trade suppliers	P
<b>Community</b>		
(A25)	Care centres	D
(A26)	Community facilities up to 450m <sup>2</sup> per site	D
(A27)	Community facilities exceeding 450m <sup>2</sup> per site	NC
(A28)	Emergency services	P
(A29)	Hospitals	D
(A30)	Recreation facilities	D
(A31)	Tertiary education facilities that are accessory to an industrial activity on the site	P
(A32)	Tertiary education facilities not otherwise provided for	D
<b>Industry</b>		
(A33)	Industrial activities	P
(A34)	Wholesaler	P
(A35)	Storage and lock-up facilities	P
<b>Rural</b>		
(A36)	Animal breeding or boarding	P
(A37)	Horticulture	P
<b>Development</b>		
(A38)	New buildings	P
(A39)	Additions and alterations to buildings	P
(A40)	Demolition of buildings	P

### H17.5. Notification

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

### H17.6. Standards

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

#### H17.6.0 Activities within 30m of a residential zone

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

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

#### H17.6.1. Building height

Purpose:

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

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

(2) Buildings located in a walkable catchment must not exceed 21m in height.

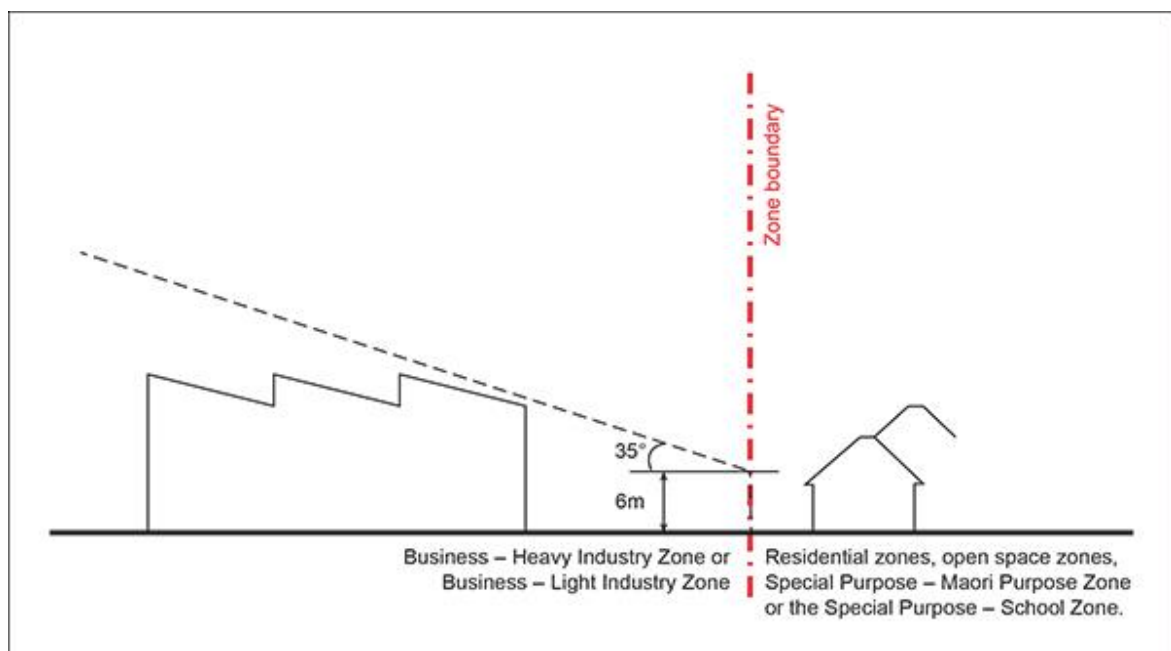
### H17.6.2. Height in relation to boundary

Purpose:

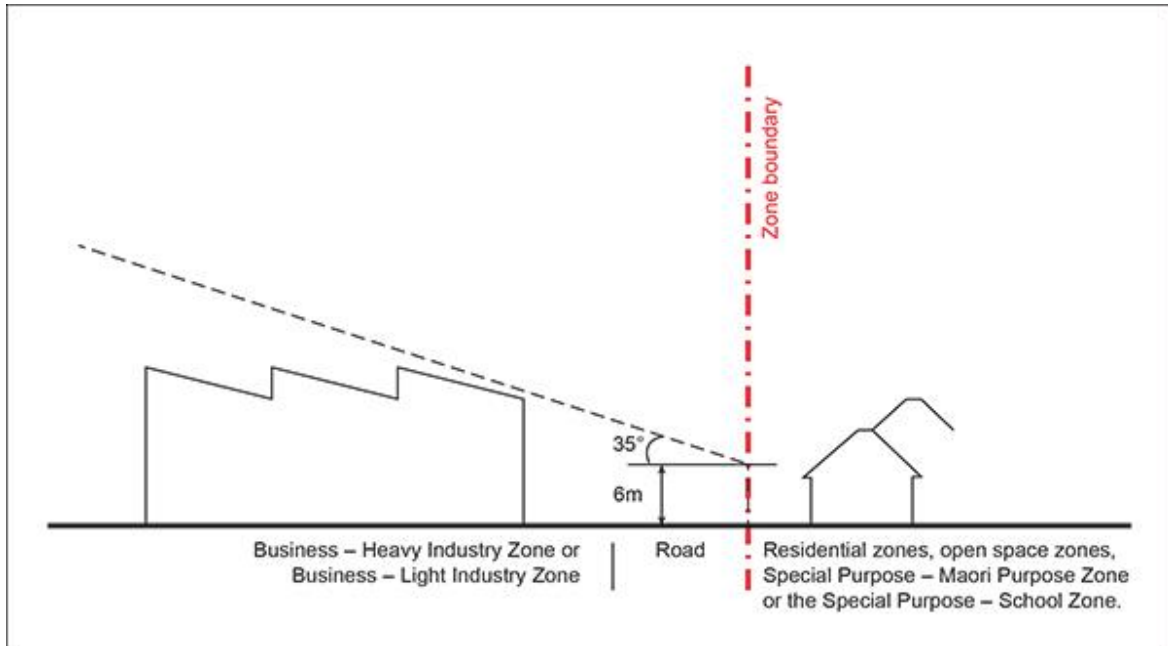
- manage the effects of building height;
- allow reasonable sunlight and daylight access to public open space excluding streets, and neighbouring zones; and
- manage visual dominance effects on neighbouring zones where lower height limits apply.

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

**Figure H17.6.2.1 Height in relation to boundary**



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



**H17.6.3. Maximum impervious area within the riparian yard**

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

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

**H17.6.4. Yards**

Purpose:

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

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

**Table H17.6.4.1 Yards**

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

## H17 Business – Light Industry Zone

	Special Purpose – Māori Purpose Zone or the Special Purpose – School Zone
Riparian yard	10m from the edge of permanent and intermittent streams
Lakeside yard	30m
Coastal protection yard	25m, or as otherwise specified in <a href="#">Appendix 6 Coastal protection yard</a>

### Note 1

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

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

### H17.6.5. Storage and screening

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

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

### H17.7. Assessment – controlled activities

There are no controlled activities in this zone.

### H17.8. Assessment – restricted discretionary activities

#### H17.8.1. Matters of discretion

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

- (1) activities within 30m of a residential zone:
  - (a) the compatibility of:

## H17 Business – Light Industry Zone

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



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

#### **H17.8.2. Assessment criteria**

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


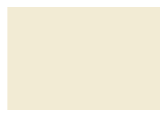







- (1) buildings within 30m of a residential zone:
  - (a) for Matter H17.8.1(1)(a)(i) refer to Policy H17.3(4) and Policy H17.3(7);
  - (b) for Matter H17.8.1(1)(a)(ii) refer to Policy H17.3(4) and Policy H17.3(7);
  - (c) for Matter H17.8.1(1)(b) refer to Policy H17.3(4); and
  - (d) for Matter H17.8.1(1)(c) refer to Policy H17.3(4) and Policy H17.3(7).
- (2) offices that are accessory to the primary activity on the site and the office gross floor area exceeds 30 per cent of all buildings on the site:
  - (a) for Matter H17.8.1(2)(a) refer to Policy H17.3(2); and
  - (b) for Matter H17.8.1(2)(b) refer to Policy H17.3(3).
- (3) activities located within 100m of the Business – Heavy Industry Zone
  - (a) refer to Policy H17.3(6).
- (4) activities that do not comply with the standards:
  - (a) building height, height in relation to boundary, yards or storage and screening:
    - (i) refer to Policy H17.3(1), ~~and Policy H17.3(4), Policy H17.3(5) and Policy H17.3(5A).~~
  - (b) maximum impervious area within the riparian yard:
    - (i) refer to Policy H17.3(8).

#### **H17.9. Special information requirements**

There are no special information requirements in this zone.

**Attachment 3: Maps showing existing SHZ within 500 metres of HIZ**

Appendix 3: Maps showing existing SHZ within 500 metres of HIZ

	500m buffer around HIZ (approx.)		Residential – Single House Zone (SHZ)
	Business - Heavy Industry Zone (HIZ)		Residential – Mixed Housing Suburban (MHS)
	Business - Light Industry Zone (LIZ)		Residential – Mixed Housing Urban (MHU)
	Business - General Business Zone (GBZ)		Residential – Terrace Housing and Apartment Buildings Zone (THAB)
	RTN or Metropolitan Centre Zone Walkable catchment (Enable at least 6 storeys unless modified by a qualifying matter) <sup>1</sup>		

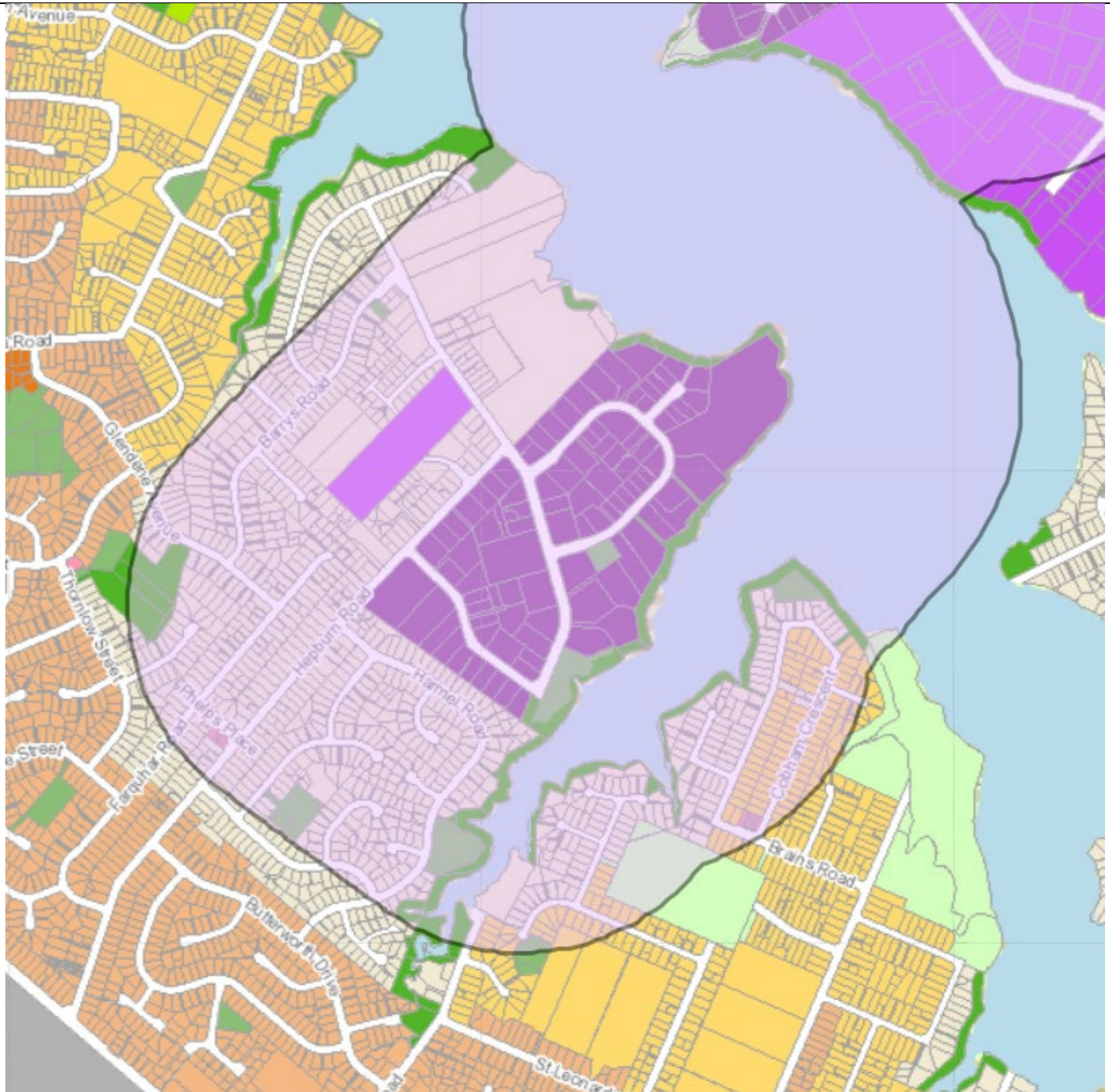
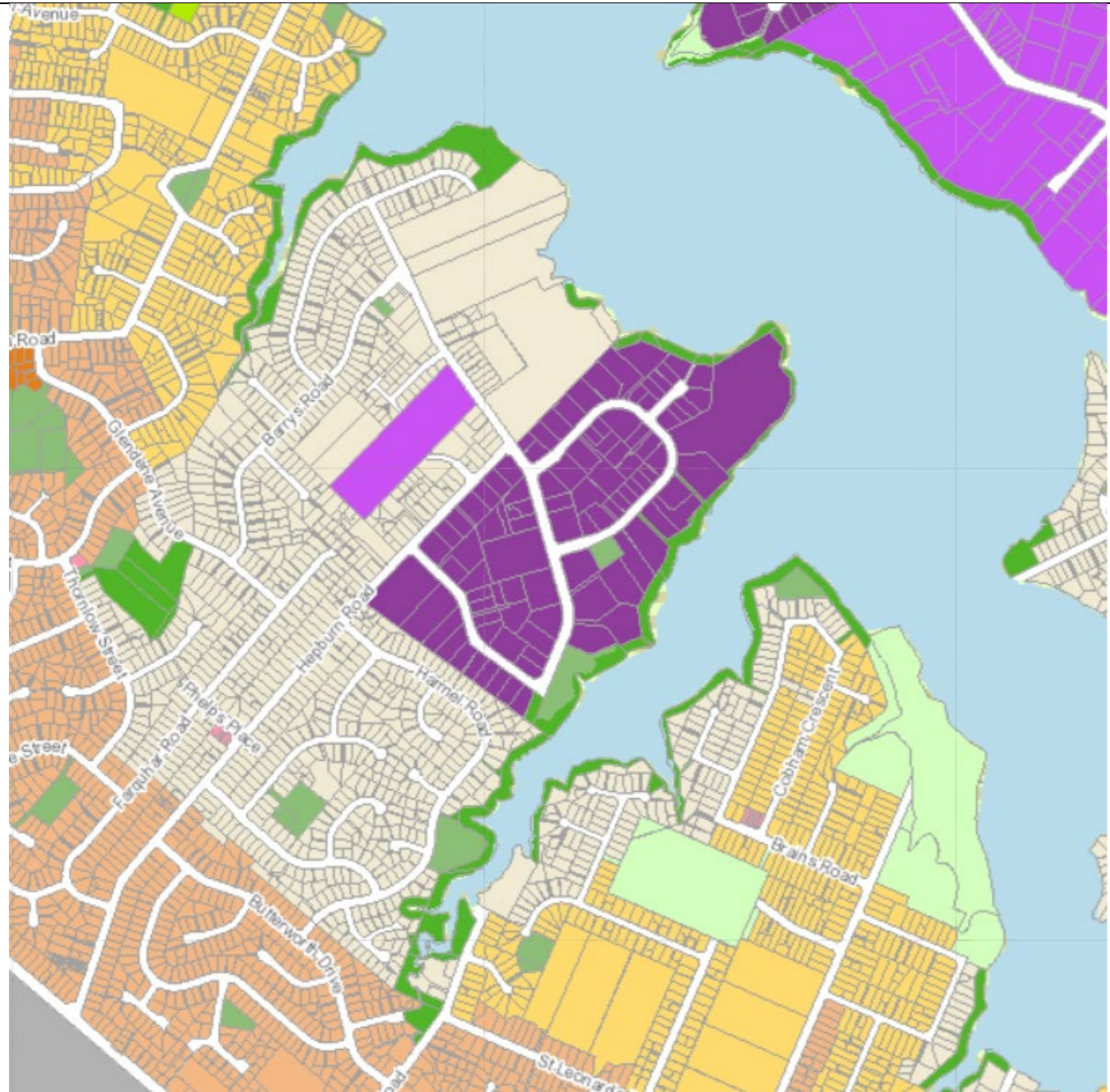
<sup>1</sup> Note: extent of walkable catchments may have been updated since these maps created



Glendene HIZ and SHZ

Existing AUP zones

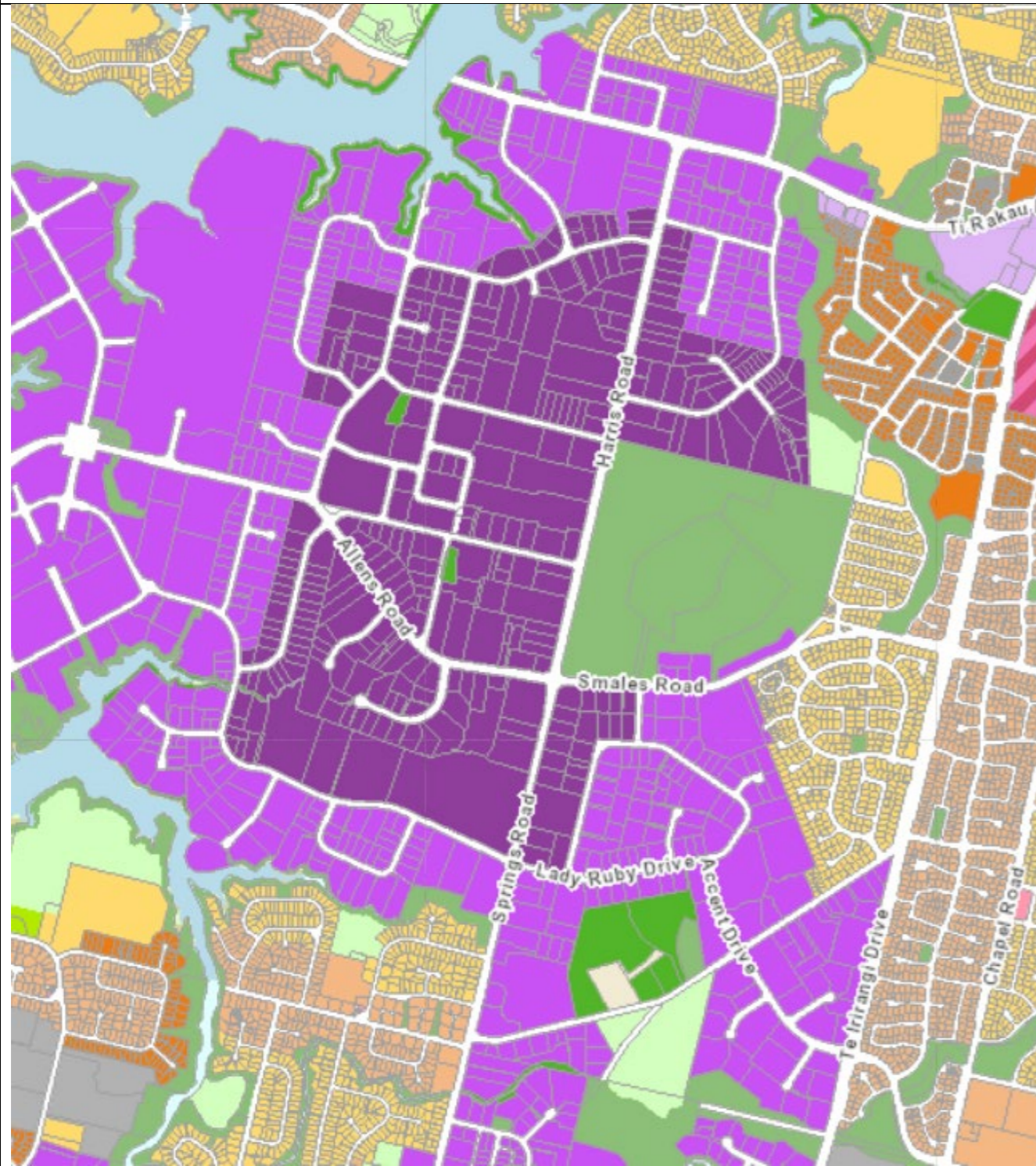
Approximate 500m buffer around HIZ



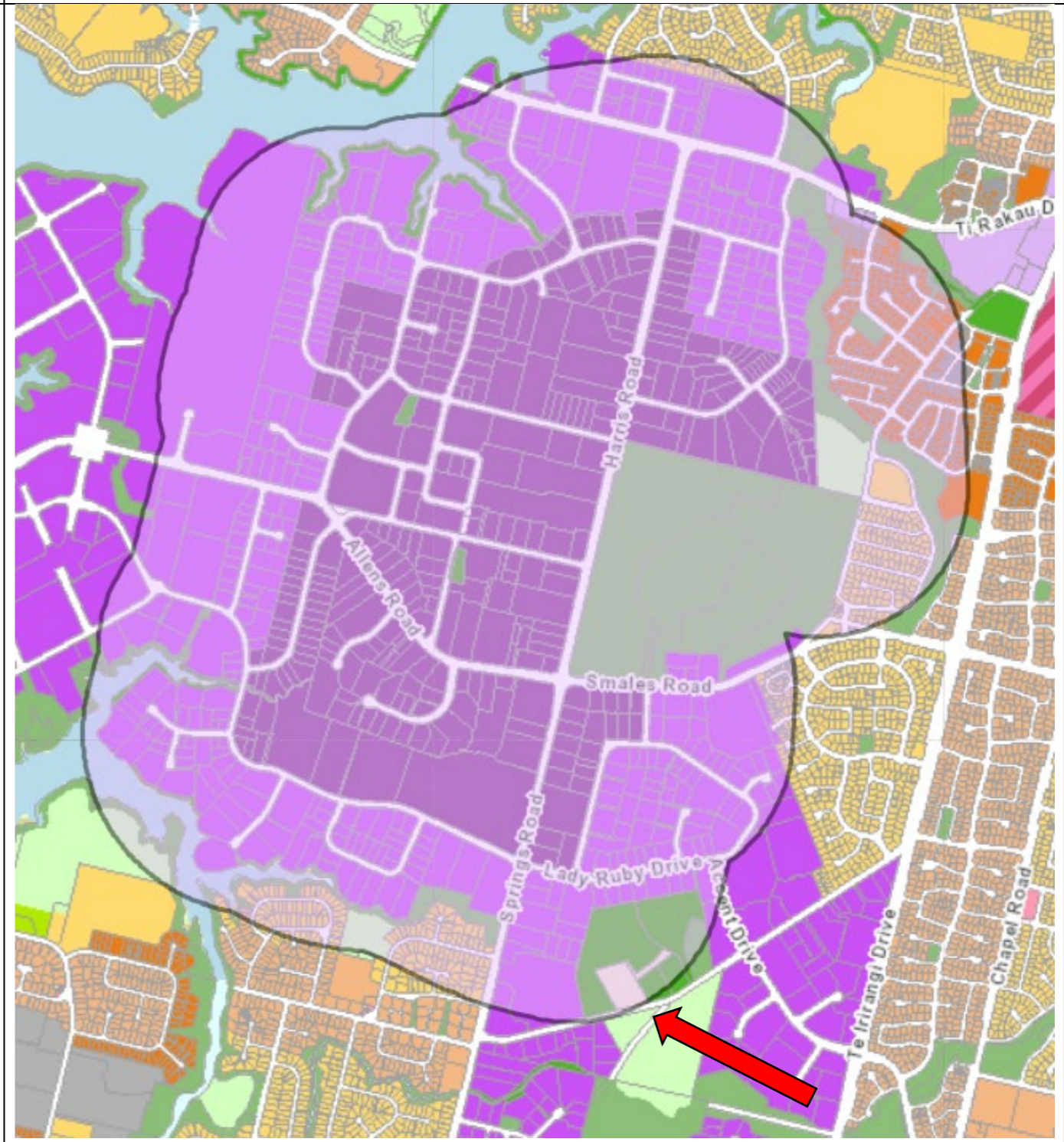


### East Tamaki HIZ and SHZ

Existing AUP zones



Approximate 500m buffer around HIZ



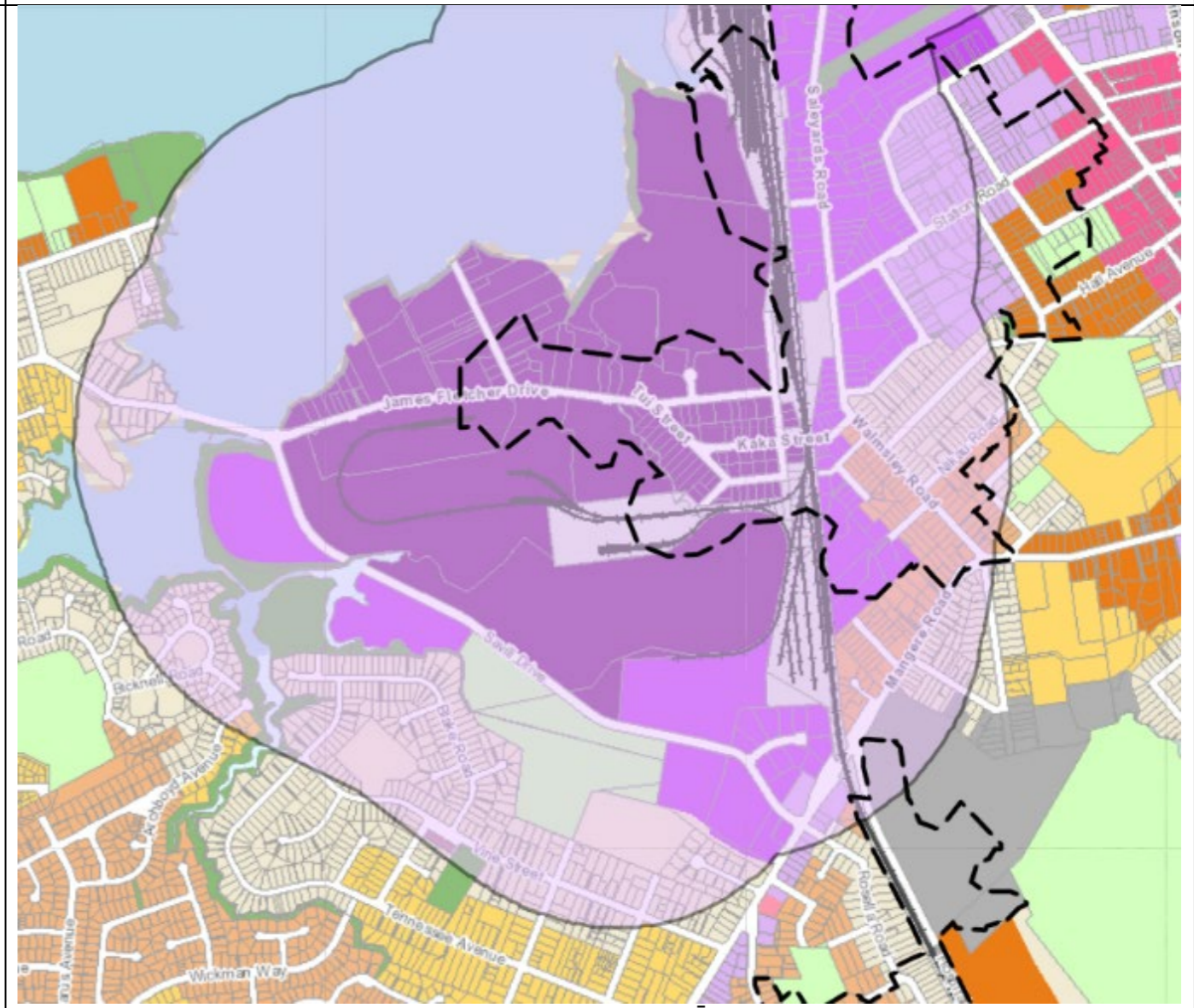
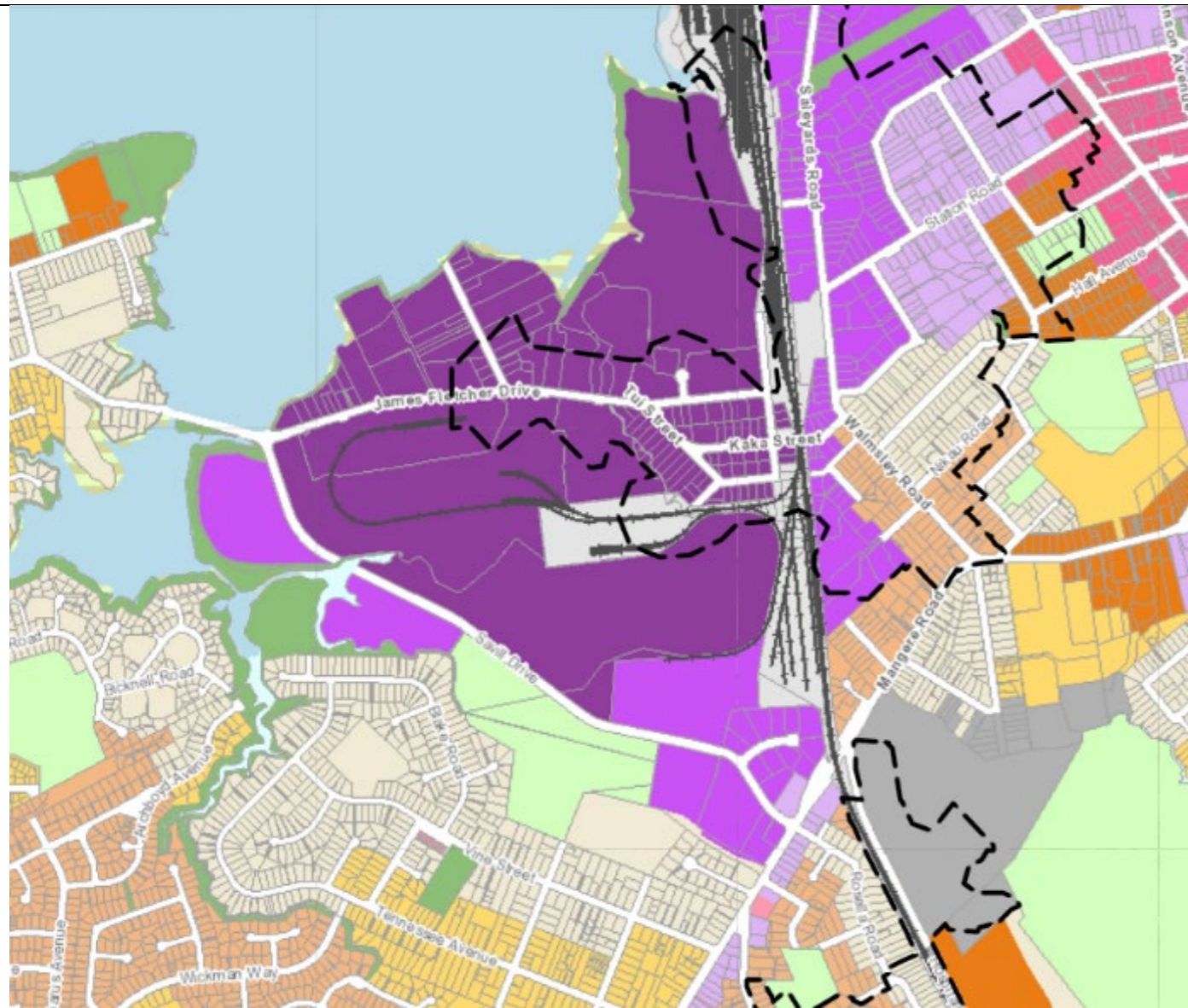
Only a single site zoned SHZ within 500 metres of HIZ. Note area zoned THAB



# Ōtāhuhu HIZ and SHZ

Existing AUP zones

Approximate 500m buffer around HIZ

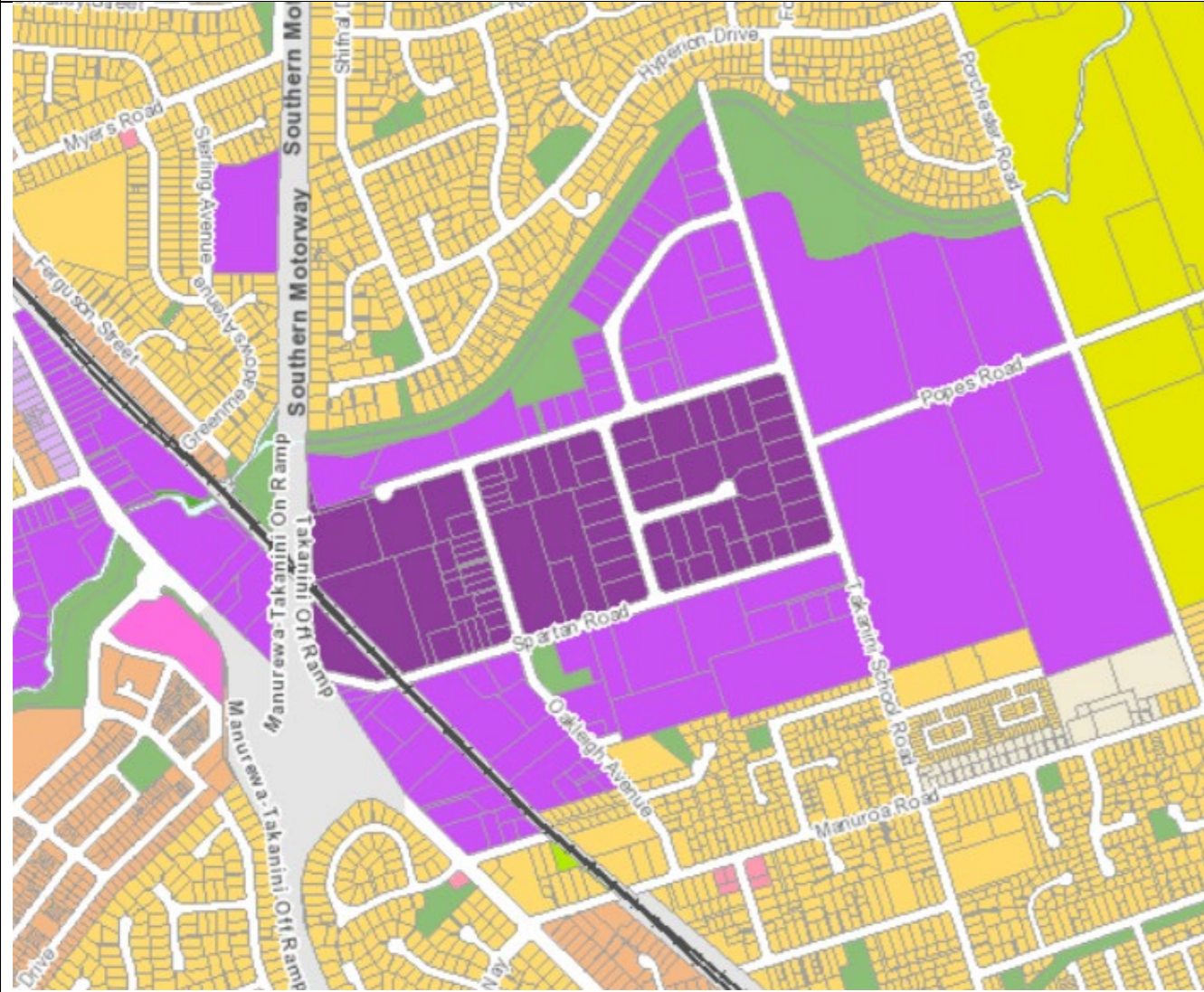


Multiple sites zoned SHZ across Favona, Māngere East and Ōtāhuhu within 500 metres of HIZ. Some of these SHZ sites may be subject to other qualifying matters such as Special Character Areas – Residential Overlay, coastal erosion and inundation etc.

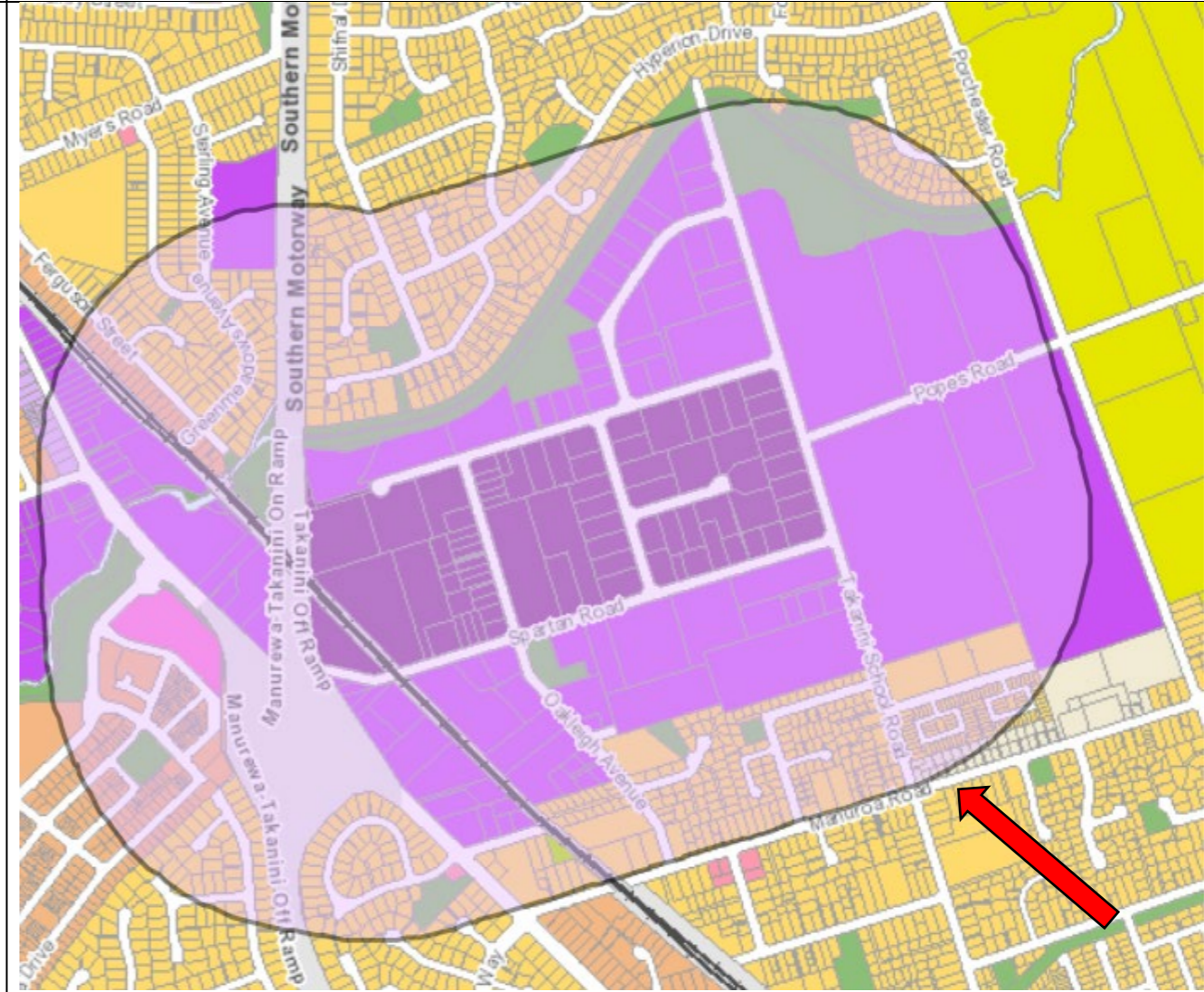


# Takaanini HIZ and SHZ

## Existing AUP zones



## Approximate 500m buffer around HIZ

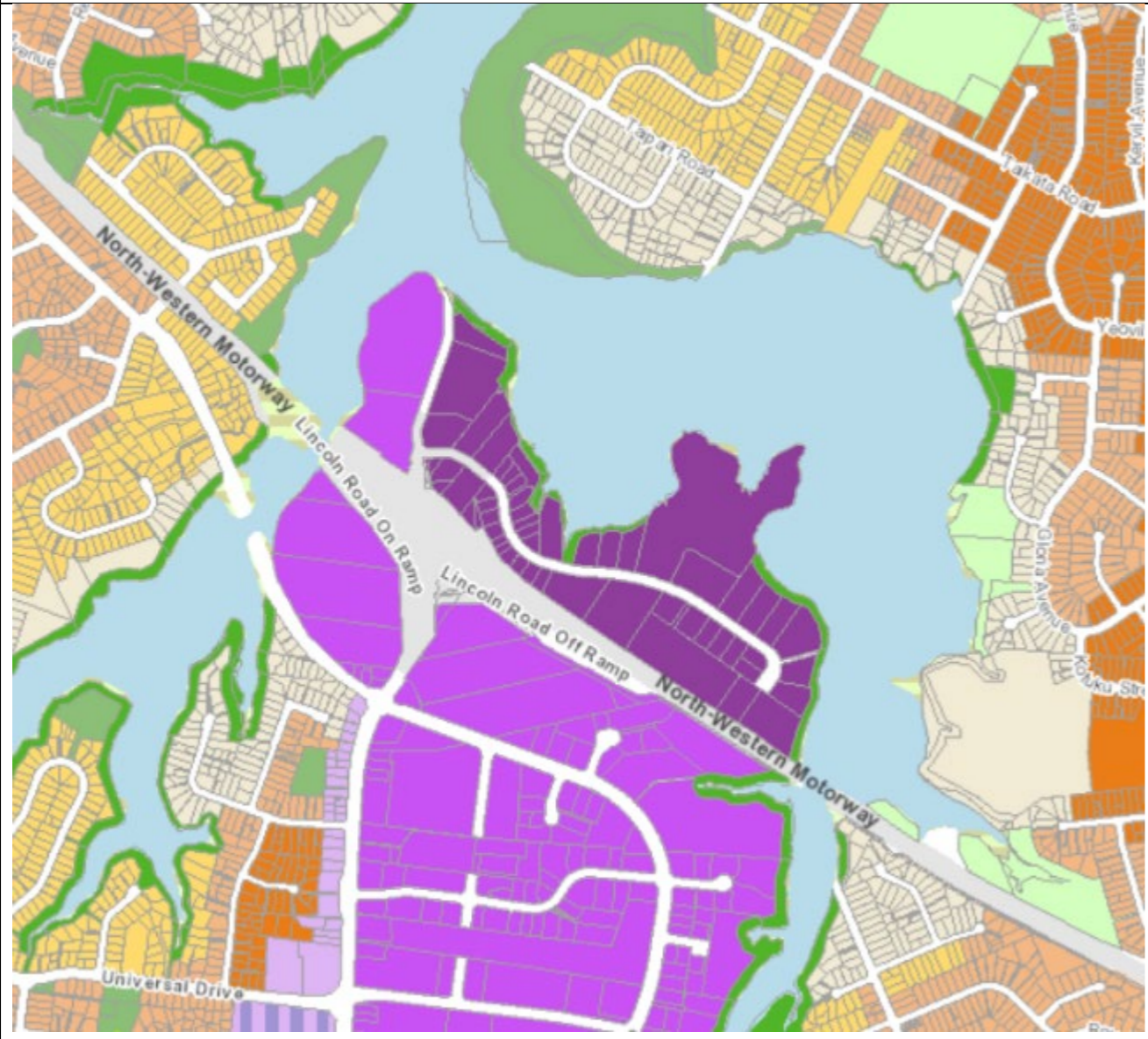


Approximately 19 sites zoned SHZ within or partially within 500 metres of HIZ.

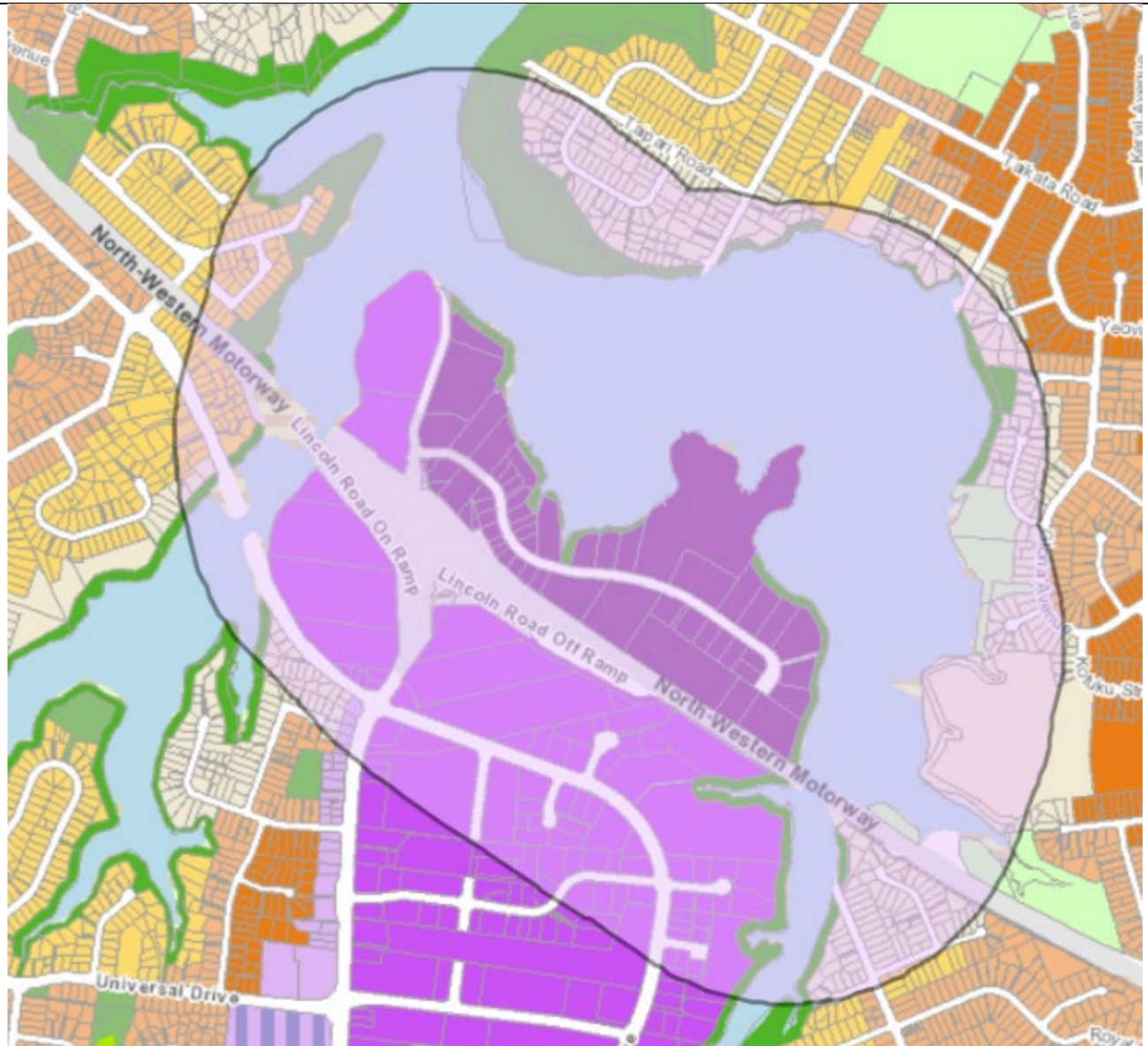


Te Atatu HIZ and SHZ

Existing AUP zones



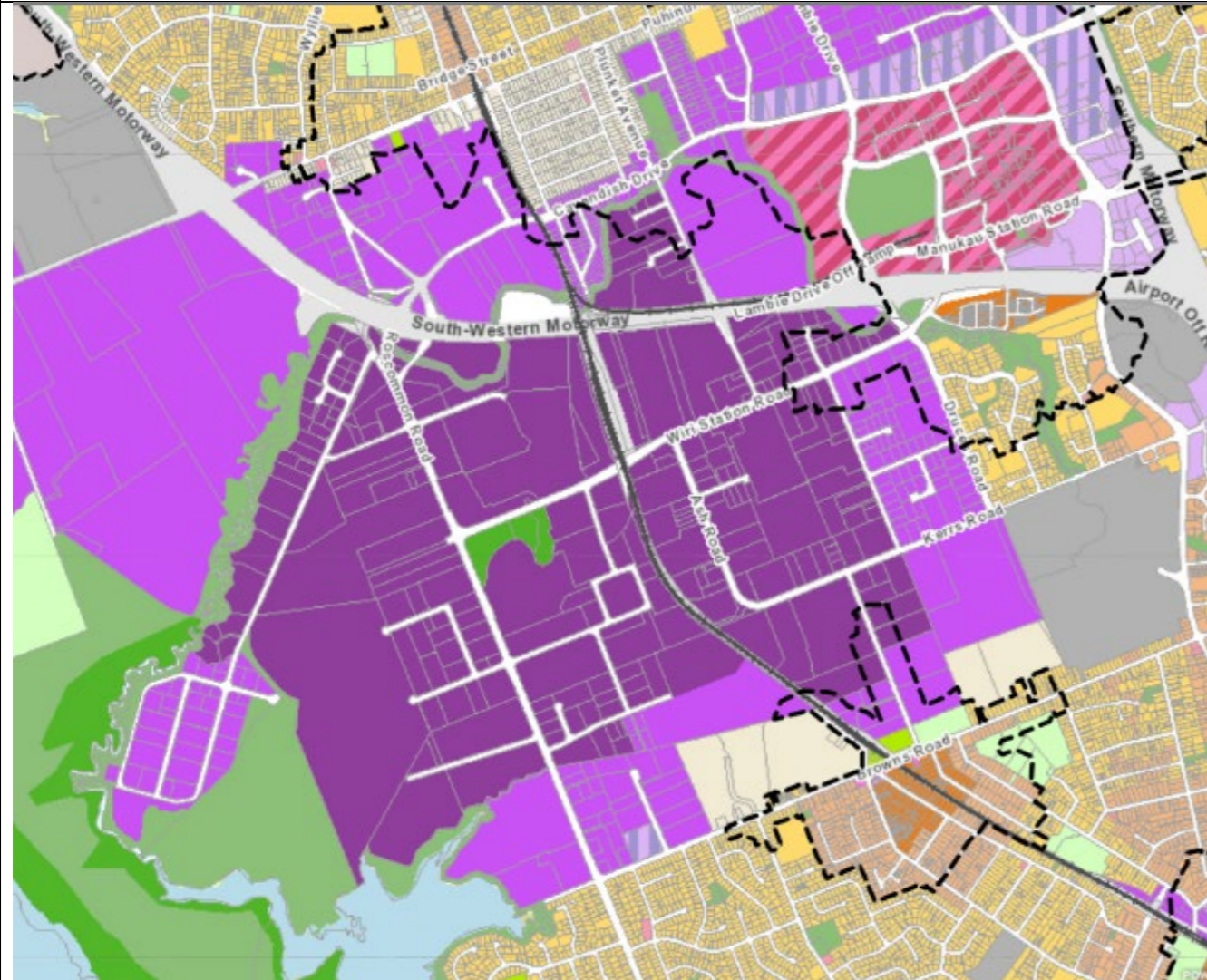
Approximate 500m buffer around HIZ



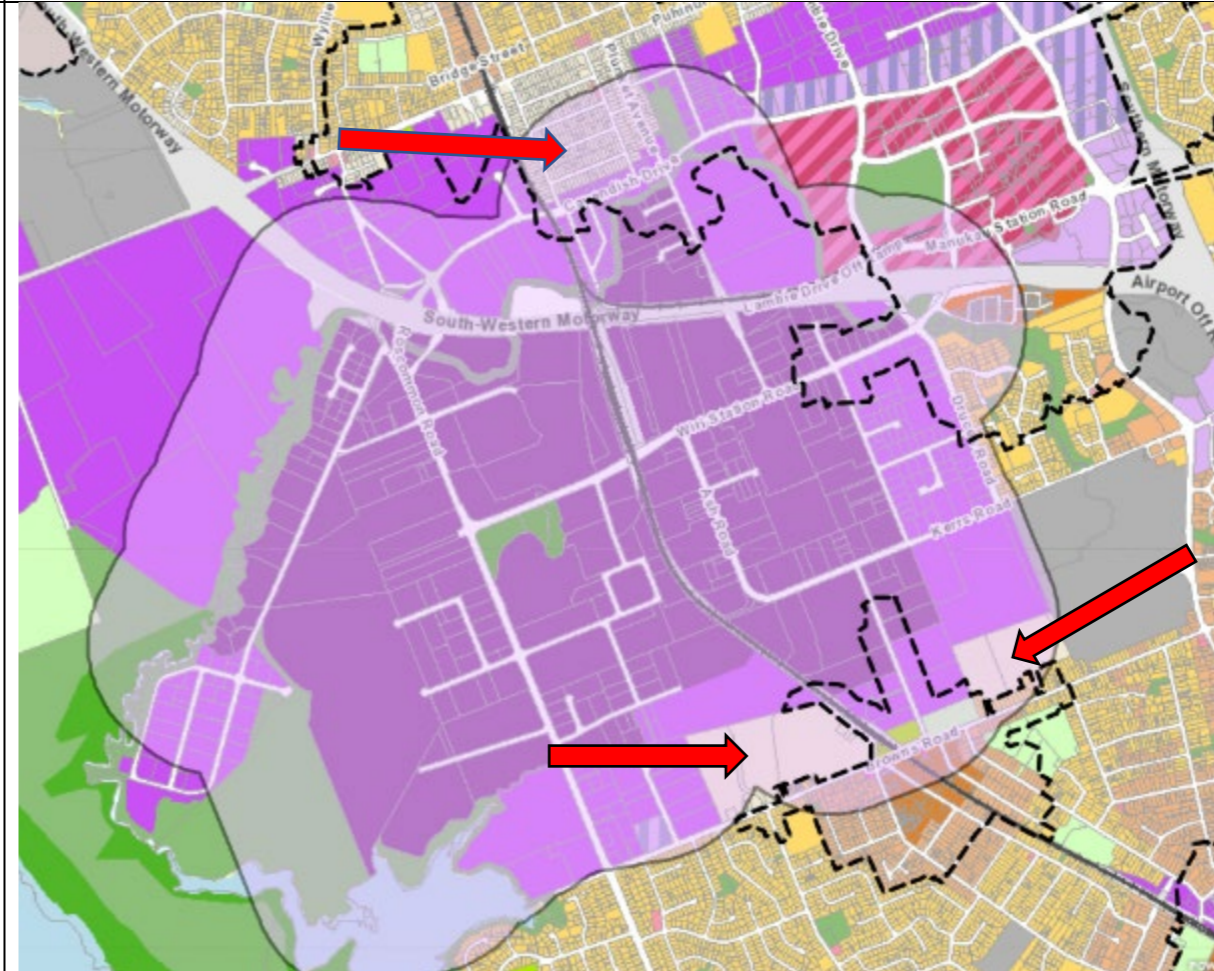


## Wiri HIZ and SHZ

Existing AUP zones



Approximate 500m buffer around HIZ



SHZ area centre-north of HIZ is within walkable catchments near Puhinui RTN and Manukau Metropolitan Centre. Several of the large SHZ sites near Homai RTN are designated schools and are unlikely to be redeveloped in the near future.