

Chapter 14 — Business Areas

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14.1 INTRODUCTION

14.1.1 Business Resources

Business activity is concentrated in distinct areas of the City. These business areas are variously dominated by business activities such as retailing, offices, business and financial services, manufacturing, warehousing, factory shops and associated service space and parking. The resources of the business areas include land, structures, and natural resources such as the coastal environment, and good water and air quality.

The integrated business centres of the City, in particular, involve substantial structural and land resources. These include the City Centre, Hunters Corner, Manurewa, Howick, Papatoetoe's St George Street, Pakuranga, Mangere, Highland Park, Otara, Botany, Clendon, Meadowlands and Chapel Downs. These centres are areas where pedestrian access and linkages are good and there is a high level of amenity. They may be traditional street shopping areas or modern malls. The larger integrated centres contain significant community facilities in addition to retail and commercial service activities. They are highly accessible by road and generally have a high standard of carparking available. Accessibility by public transport is also a feature of the larger integrated centres.

In addition to the integrated business centres, other business areas are largely areas with a high predominance of warehousing and industry. They include East Tamaki, Wiri Central, Favona, Tidal Road, Ascot-Airport, and several other smaller areas in the City. The areas which have been specifically set aside in the past for heavy industry, without the constraints imposed by sensitive activities occurring within or in proximity to those areas are a significant resource which enables industry to establish and operate efficiently. It is important that this resource is not prejudiced by the establishment of Activities Sensitive to Air Discharges within those areas.

Much of the business land in the City is located in proximity to motorway links to other parts of the Auckland region and beyond, rail links, or the Auckland International Airport. Road linkages between various business areas in the City also tend to be good. In general the business areas have good road access, although the road network in areas with a predominance of industry may be designed for adjoining activities which are low traffic generators, rather than the relatively high traffic generation levels in the integrated business centres.

Vacant land within existing business areas represents a significant resource for future business development in areas which already have services designed to accommodate business activity. The rate of uptake of this vacant land varies according to the location in the City and also varies over time according to economic and market conditions.

The structural resources of the business areas include the buildings, roads, carparking areas and infrastructure services such as stormwater and sewerage. The stormwater infrastructure for business areas has been designed and constructed to provide for a high intensity of site development and, unlike some residential parts of the City, the business areas do not tend to have development limitations in existing stormwater infrastructure.

Natural resources in some of the City's business areas include the natural coastal environment, as some industrial business areas fall within or adjoin the natural coastal environment in areas of Mangere, Otara and Wiri. Business areas tend to have had coastal reserves established and/or coastal protection yards to act as a buffer between the development and the coast.

14.1.2 Business Activities

Retailing, offices, business services and community services and facilities tend to be concentrated in the integrated business centres.

Certain other business areas in the City have a mix of business activity, such as light industry, services, and warehousing, with some retailing to the public. These business areas tend particularly to be located on the outskirts of the integrated business centres. These areas are not integrated for pedestrian flows between sites or with the nearby integrated business centre.

Industry, including manufacturing, warehousing, transport and freight storage and factory shops also tend to be concentrated in particular areas. These areas, particularly where they act as a buffer between heavy industrial and residential areas, contain a mixture of light and medium industry. However, there are also some existing lawfully established industrial activities that discharge contaminants to air within the areas of the City now identified as being primarily for light and medium industrial activities. Activities which may be affected by air discharges from these existing lawfully established industrial activities should be informed of the existence of these activities and the potential adverse effects (such as odours, dust and visible emissions) which may be experienced on sites in close proximity to these activities.

Other business areas such as Wiri, Favona and East Tamaki have a high proportion of potentially noxious or hazardous business activities. These areas tend to have a lower level of amenity values than the other industrial business areas, in respect of qualities such as pedestrian access, noise levels, visual appearance and odours.

Some business activity including home enterprises, is located outside of the business areas, for example within the residential or rural areas of the City. Chapter 12 — Rural Areas and Chapter 13 — Residential Areas should be referred to in relation to business activities in those areas.

14.2 RESOURCE MANAGEMENT ISSUES

Five resource management issues related to business areas have been identified, as described below. A summary of each issue precedes each issue statement.

Issue

14.2.1 **Some business activities have the potential to have an adverse effect on the quality of the natural environment.**

Activities in business areas may have the potential to have an adverse effect on water quality, air quality, soils, and the natural coastal environment.

Manukau City's stormwater infrastructure in the business areas of the City has been designed and constructed to accommodate the intensive development which takes place in business areas and to maintain water quality. However, the Tamaki Estuary and the Manukau Harbour in the vicinity of Favona have degraded water quality that has been caused, to some extent, by industrial activities in the catchments of these areas. The Auckland Regional Council's Regional Policy Statement identifies the main causes of stormwater contamination from industrial activities as being unsatisfactory yard practices, accidental spills and lack of awareness of the consequences of pollution. The overall control of water discharges is the responsibility of the Auckland Regional Council. The Council may address water quality, through matters such as the location and site layout of business activity in the City, in order to influence stormwater quality.

[AM89]

Some existing industrial business areas of the City adjoin the coast and are within the natural coastal environment. In these areas there is the potential for adverse effects on the natural coastal environment from discharges, spills, removal of vegetation, and destruction of habitats. Buildings and other structural developments within the natural coastal environment may also adversely affect the visual and landscape values of the coastal environment.

The potential for discharge or accidental spill of hazardous substances used in industrial activities into the stormwater system is an issue relevant to the location of industrial activities, in addition to site design and

layout. The specific issues, objectives, policies and methods relating to the management of the potential adverse effects of hazardous substances are contained in Chapter 10.1 — Hazardous Facilities and Substances.

Air quality is believed to not be a major problem in the City generally, due to climatic patterns and topography which help disperse pollutants. Localised air quality problems are experienced arising from some industries located in Favona, Central Wiri, and East Tamaki areas. Air quality is an issue of relevance for the resource management of business areas, particularly in relation to the amenity values of clean air.

Activities which result in the emission of odours can also have a detrimental effect on the amenity of adjoining land uses.

Issue

14.2.2 Business activity may cause adverse effects on the amenity values and quality of the environment of neighbouring residential and public open space areas by development incompatible with the visual character of the area, and by generating noise, traffic, dust, odours, and glare.

Business activity may cause adverse effects on the amenity values and the quality of the environment of residential, rural and public open space areas by development incompatible with the visual character of the area, and by generating noise, traffic, dust, odours, and glare.

Business activity in, and neighbouring residential and rural areas, has the potential to adversely affect the amenity values and the quality of the environment of those areas. The potential adverse effects arise from factors such as the scale and intensity of the development, the number of vehicle movements, and hours of operation. The adverse effects may include such matters as noise, vibration, air quality, dust, odours, glare and visual character. The widespread and uncontrolled dispersal of business activities throughout residential and rural areas has the potential to result in significant adverse effects on the sensitive amenity values of those areas.

Issues of the maintenance of the amenity values of public open space also arise at the interface of business activities with public open space. In some situations public open space adjoining business areas has been established to provide a buffer between the business area and a nearby residential area. However, regard needs to be given to the amenity values of public open space, which may be adversely affected by factors such as visual intrusion, noise, air pollution, and obstruction of sunlight and daylight.

Issue

14.2.3 The amenity values in business areas may be degraded by the inappropriate location and design of buildings and other structures and by activities which generate noise, dust and odours.

Amenity values in the business areas of the City vary, but in general tend to be high, particularly in the integrated business centres. The maintenance and enhancement of the amenity values in the business areas is important both to the community and to many of the businesses themselves.

Particular amenity value issues in the integrated business centres include access of sunlight and daylight to public spaces, and the character of the streetscape, including retail frontages. In all business areas the amenity values are also affected by the external design and appearance of buildings and the relationship of buildings to public spaces and to one another.

Two business centres in the City, the town centres based around St George Street in Papatoetoe and Picton Street in Howick, possess a special character which contributes to the high visual amenity value of these centres. The building development in the St George Street, Papatoetoe town centre area is of a relatively low scale and has a continuity of streetscape. The town centre based around Picton Street, Howick has a number of urban design features which contribute to its character including:

- An 'organic' street layout that follows the natural topography of the area.

- The presence of the two most important heritage landmarks at either end of the main street;
- Key corner buildings that anchor the street layout and act as ‘bookends’ to the street-fronts;
- A relatively intact street-front and an intimate scale of one and two storey buildings;
- A characteristic range of building materials that provides a solid character, and a characteristic range of trees that is historical and colonial in nature; and
- Views from key locations within the town centre to Stockade Hill and All Saints Church, and outwards from Ridge Road to Tamaki Strait.

Collectively, these features result in a “village ambience”.

In both Howick and Papatoetoe it is also important that buildings in the business areas adjacent to the “mainstreet” (that is, the “periphery”) do not adversely affect the “mainstreet” or residential areas adjacent to the periphery and in particular the connections between “mainstreet” and the residential areas.

[AM41]

Further amenity issues within business areas include the safe and convenient movement of people and vehicles. In the integrated business centres the concentration of the pedestrian-movement-oriented retail activity facilitates the provision of a high level of amenity for pedestrians. Provision of facilities such as continuous verandas in the integrated business centres for shelter from sun, wind and rain, contributes to the amenity of these areas. Enhancement of street amenity values is an issue for all business areas. Landscaping and yards and storage practices in manufacturing and warehousing activities are of particular concern.

Personal safety is also an amenity issue in the business areas, particularly in business centres that have night time activities. Personal safety issues within business centres largely involves design matters, such as the relationship of buildings to public spaces.

Some business activities may adversely affect business areas which have high standards of amenity value and environmental quality. The location of business activity which generate high levels of noise, dust, odour, or which have other potential adverse effects, may not be appropriate in all business areas of the city.

Issue

14.2.4 The widespread dispersal of retailing activity has the potential to have an adverse effect on the community focal point role of integrated business centres.

Existing integrated business centres are major community focal points for the community due to the concentration of a wide range of activities, including shopping, business and community services, and entertainment within these centres. The integrated business centres are focal points in terms of highly accessible facilities for single destination, multi-purpose trips. They are community focal points also in the manner in which they enable a sense of belonging for the community and opportunities for social interaction.

The distribution of retailing activity, in particular, affects the community focal point role of the integrated business centres. A concentration of speciality retail activity, in addition to supermarkets and department/variety stores, acts as a catalyst for the location of the community services and other activities which benefit the community. The integrated business centres tend to contain a range of community services, such as citizens advice bureau and libraries. These services tend to locate in business centres for high visibility and accessibility by the community.

Issue**14.2.5 The dispersal of business activity has the potential for high fuel consumption through generating trips and longer travelling times and distances.**

The geographical distribution of business activity in the City is a key determinant of the amount of fossil fuels used in motor vehicle journeys. The location of business activity will influence the extent to which people use vehicles and the distances and times involved in vehicle use. In particular, the distances travelled between home, work, and shops, and the number of trips necessitated due to diverse business locations, will influence the use of fossil fuels. Opportunities for single destination and multi-purpose trips, the geographical relationship between business areas and residential populations, and the viability of passenger transport services are also factors in the rate of fossil fuel consumption.

The degree to which business activity is dispersed throughout the City is a particular issue for high traffic generating retail activity. Speciality shops, supermarkets and department/variety stores are high traffic generators which may significantly affect trip generation and travelling times and distances.

The location of business activity outside the urban limits of the City is of particular significance as this raises the potential for demand for expansion of other urban activities into the rural area. The dispersal of business activity in residential areas also needs to be carefully considered. A mix of small scale business activities, with no significant adverse environmental effects with residential activity, may provide highly accessible facilities and so reduce vehicle reliance. However, the degree to which business activity is dispersed for reasons of immediate walking accessibility needs to be reconciled with the maintenance of residential amenity.

Travel between home and work is a particularly important aspect for energy efficiency in the transport sector. A balance between growth in the resident workforce and the number of jobs in the City may promote energy efficiency by reducing the time and distance travelled by car to work, and the need to travel outside the City. The benefits of accessible employment opportunities also need to be weighed against the potential costs to the amenity values and environmental quality of residential areas.

Issue**14.2.6 The operation of industry which discharges to air in the City may be adversely affected by the location of Activities Sensitive to Air Discharges nearby.**

The Auckland Regional Policy Statement identifies as a significant resource management issue the adverse effect of sensitive activities on regionally significant physical resources such as heavy industrial areas or sites. It states that it is crucial for the economic and social well being of the community that the industrial and commercial base of the region is recognised and that local authorities should ensure that the introduction of mixed use industrial zones or the “encroachment” of housing on quarrying and industrial areas does not impose high costs on or prejudice the future use of heavy industrial sites. The Auckland Regional Policy Statement recognises that adequate separation distances should be maintained between activities sensitive to air discharges and industrial and trade premises that have the potential to discharge noxious, dangerous, offensive or objectionable contaminants to air. It also recognises that regionally significant physical resources can be adversely affected if sensitive uses are allowed to locate nearby and that restrictions on the establishment of sensitive land uses may be required.

[AM89]

14.3 OBJECTIVES

Objective

- 14.3.1 To ensure that the quality of the natural environment in and neighbouring business areas is maintained and enhanced.**

(This Objective relates to Issues 14.2.1, 14.2.2 and 14.2.3)

Objective

- 14.3.2 To protect the amenity values of residential, rural and public open space areas from the adverse effects of business activities.**

(This Objective relates to Issue 14.2.2)

Objective

- 14.3.3 To maintain and enhance the amenity values within business areas.**

(This Objective relates to Issue 14.2.3)

Objective

- 14.3.4 To maintain a range of integrated business centres capable of acting as community focal points.**

(This Objective relates to Issue 14.2.4)

Objective

- 14.3.5 To promote traffic efficiency, and safe and energy efficient movements between shopping, commercial services, workplaces and places of residence.**

[AM21]

(This Objective relates to Issue 14.2.5)

Objective

- 14.3.6 To manage the potential adverse effects on industry which discharges to air of the establishment of Activities Sensitive to Air Discharges.**

(This Objective relates to Issue 14.2.6)

Objective

- 14.3.7 To maintain and enhance the amenity values within the business areas based on Picton Street, Howick and St George Street, Papatoetoe and to protect the amenity values of adjacent residential areas from the adverse effects of buildings and structures in business zones.**

(This objective relates to Issue 14.2.3).

[AM41]

14.4 POLICIES

Policy

14.4.1 Potentially objectionable, noxious or dangerous business activities should be separated from sensitive areas and activities.

Explanation/Reasons

This policy seeks to achieve Objective 14.3.1, 14.3.2 and 14.3.5.

Industries which involve potentially noxious processes may be unable to comply with the standards of higher amenity areas. By separating these industries from sensitive activities the potential adverse impacts will be avoided. Such separation will also enable the efficient use of the resources in these areas, without the constraints which neighbouring sensitive activities might impose.

Methods

- Zoning
- Rules — Activity Table
- Rules — Yards

Policy

14.4.2 Business activities should be sited and designed so that adverse effects on the visual amenity, the acoustic environment, air quality, pedestrian and vehicular safety and other associated attributes of amenity values of neighbouring residential and public open space areas, are avoided, remedied or mitigated.

Explanation/Reasons

This policy seeks to achieve Objective 14.3.1.

Many business activities have the potential to have adverse effects on the amenity values of residential and public open space areas. The amenity values of adjoining sensitive activities could be adversely affected by factors such as the scale and intensity of business activities, the design and external appearance of buildings and site layout, traffic generation, vehicle access, hours of operation, noise, parking, access to daylight and sunlight, glare and vibration. Measures which will ensure that the amenity values of neighbouring sensitive activities will not be adversely affected will be implemented.

Methods

- Zoning
- Rules — Yards
- Rules — Height control
- Rules — Building Height in Relation to Boundary
- Rules — Controlled Activity Matters for Control

Policy

14.4.3 Business areas should be developed and business activities sited and designed in such a way as to avoid, remedy and mitigate adverse effects on air and water quality.

Explanation/Reasons

This policy seeks to achieve Objective 14.3.1.

The quality of water and air in business areas may vary according to the nature of the activities occurring in those areas, with slightly lower standards in areas set aside for heavy industry. A high standard of air and water quality is sought, however, in all business areas. The appropriate storage of materials which have the potential to adversely affect the quality of coastal and other water bodies is particularly important in development near the coast. Further, the location of heavy industry near the coast may be inappropriate in some areas.

Methods

- Zoning
- Rules — Coastal Protection Yard
- Hazardous Facilities and Substances Rules 10.1.8–10
- Rules — Activity Table

Policy

14.4.4 Business activities in the coastal environment should be sited and designed in a manner which avoids, remedies or mitigates adverse effects on the amenity values of the coast.

Explanation/Reasons

This policy seeks to achieve Objectives 14.3.1 and 14.3.2.

The character of the urban coastal area may be compromised by inappropriate establishment of buildings close to the coast, or building heights which detract from visual qualities of the coast. The planting of vegetation to soften any building development near the coast may mitigate any such visual impact.

Methods

- Rules — Controlled Activity Matters for Control
- Rules — Coastal Protection Yard

Policy

14.4.5 The location of business activities should not detract from the ability of business centres to act as community focal points.

Explanation/Reasons

This policy seeks to achieve Objective 14.3.4.

The integrated business centres enable people and communities the opportunity for social interaction and a sense of place and belonging. The community focal point role of integrated business centres is due to the type of activities in the centres, particularly pedestrian-oriented activities, in addition to the high standards of amenity. Associated with the pedestrian-oriented activities are community facilities and services.

Methods

- Rules — Zoning
- Rules — Activity Table
- Capital Works Programmes

Policy

14.4.6 High customer generating business activities should generally be located in a manner which consolidates integrated business centres.

Explanation/Reasons

This policy seeks to achieve Objectives 14.3.2, 14.3.3, 14.3.4 and 14.3.5.

The consolidation of high customer generating activities in integrated centres will assist in:

- *protecting the amenity values of residential, rural and public open space areas from the adverse effects of business activities;*
- *maintaining and enhancing the amenity values within business areas (eg vibrant shopping and entertainment activity in a well designed environment);*
- *maintaining a range of integrated business centres capable of acting as community focal points;*
- *reducing vehicle trip generation, duration and length promoting safe and efficient movements between shopping centres and places of work and residence.*

However, it should be recognised that it may be desirable that some large stores locate away from centres in order to better promote transport efficiency and the above objectives.

[AM21]

Methods

- Zoning
- Rules — Activity Table

Policy

14.4.7 Business activity which is a high traffic generator should be located in a manner which promotes traffic efficiency.

Explanation/Reasons

This policy seeks to achieve Objective 14.3.5.

Some business activity is a generator of high total and/or peak flows of traffic. Depending on the location of the activity, particularly relative to other high traffic generating activity, it may give rise to significant trip generation and increased trip duration and consequential adverse effects on energy usage in the transport network. Grouping like activities together can encourage multi-purpose rather than single purpose vehicle trips with consequential savings in energy and enabling more efficient use of the roading network. On the other hand, it may be appropriate for those activities which are characterised by single purpose trips, irrespective of their location, to be located in Business 4, 5 and 6 zones in order to better promote traffic efficiency.

[AM21]

Methods

- Zoning
- Rules — Activity Table

Policy

14.4.8 Business activity should be located and designed in a manner which avoids, remedies or mitigates potential adverse effects on traffic safety and efficiency.

Explanation/Reasons

This policy seeks to achieve Objective 14.3.5.

Some business activity may have significant local effects on the efficiency and safety of the transportation network. Such potential adverse effects may be managed by addressing the location of the activity, and site design and layout.

Methods

- Zoning
- Rules — Activity Table

Policy

14.4.9 Buildings, carparking areas and other structures in business areas should be designed and located so as to contribute to amenity values in those areas, particularly pedestrian accessibility and visual amenity.

Explanation/Reasons

This policy seeks to achieve Objective 14.3.3.

The maintenance and enhancement of the amenity values in business areas requires consideration of the relationships between buildings and spaces, particularly the streetscape.

The design and external appearance of buildings in business areas should be sensitive to existing development and to the needs of pedestrians, and traffic circulation. Verandas may be required to provide shelter from the weather for pedestrians. Retail frontages are important streetscape features in some of the business centres.

The location of buildings on the site, particularly distances from the front boundary may be important for access of sunlight to the street and to enhance the street scene and public spaces. The location and

appropriate screening of parking, loading and storage areas will be a crucial amenity issue in some areas. The amenity values of different business areas vary, and the maintenance and enhancement of appropriate levels of amenity will reflect the character of the areas.

Methods

- Rules — Yards
- Rules — Controlled Activity Matters for Control
- Rules — Parking
- Design Guidelines

Policy

14.4.10 Noise levels from business activities should not exceed standards appropriate to the function and amenity values of the business areas.

Explanation/Reasons

This policy seeks to achieve Objective 14.3.3.

Noise above certain levels has the potential to detract from the amenity values of business areas, particularly of business centres. Controls on permissible noise levels will ensure maintenance of appropriate standards of amenity in business areas.

Methods

- Zoning
- Rules — Noise standards

Policy

14.4.11 Access to sunlight and daylight in public spaces in business areas should be maintained and enhanced.

Explanation/Reasons

This policy seeks to achieve Objective 14.3.2.

Open space areas in business centres, such as the Manukau Square at Manukau City Centre, are the focus of activity at the centre and contribute to a high standard of amenity. Protection of the admission of sunlight to public open spaces during periods of key public usage will ensure that the amenity values of these areas are maintained.

Methods

- Rules — Manukau Square Sunlight Admission

Policy

14.4.12(A) Buildings and other structures within the business areas based on Picton Street, Howick and St George Street, Papatoetoe should be designed and located in a manner which respects the amenity and heritage values of these areas. In particular, the

amenity and heritage values of the “mainstreet” components of these business areas include the relatively intimate scale of buildings and the presence of:

- (a) intact street fronts;
- (b) “organic” street layouts;
- (c) heritage landmarks;
- (d) key corner buildings;
- (e) important views; and
- (f) a characteristic range of building materials and trees.

Policy

14.4.12(B) Buildings and other structures within the business areas based on Picton Street, Howick and St George Street, Papatoetoe should be designed and located in a manner which protects the amenity values of adjacent residential areas including the domestic scale and character of the buildings and the visual and aural privacy and good pedestrian linkages to “mainstreet” business areas that they enjoy.

Explanation/Reasons

This policy seeks to achieve Objective 14.3.7.

The business areas of Picton Street, Howick and St George Street, Papatoetoe and adjacent residential areas have recognized amenity values that should be protected from the adverse effects of insensitive development in the business zones.

Methods

- Special Character Areas
- Design Guidelines
- Mainstreet and revitalization programmes

[AM41]

Policy

14.4.12(C) Buildings and Structures within the Mangere Town Centre Special Development Area should be located and designed in a manner that protects the amenity value of adjoining streets, in particular Bader Drive and Mascot Avenue; that integrates with the Business 2 Zone on the opposite side of Mascot Avenue; and that provides sufficient provision for associated carparking, having regard to the potential for flexibility through alternative provision for carparking for special events and community gatherings within the vicinity of the Mangere Town Centre.

This policy seeks to achieve Objectives 4.3.3, 4.3.4 and 4.3.5. [AM148]

Policy

14.4.13 Industrial business activity should be concentrated in business areas of the City.

Explanation/Reasons

This policy seeks to achieve Objectives 14.3.1, 14.3.2, and 14.3.5.

Concentration of industrial business activity in existing and planned business areas promotes the efficient use of structural resources and efficient use and development of land resources dedicated to business activity.

The concentration of industrial business activity in those areas avoids the encroachment of such activities into other areas which are potentially more sensitive.

Methods

- Zoning
- Rules — Activity Table

Policy

14.4.14 Activities Sensitive to Air Discharges should be avoided or their potential adverse effects on industry which discharges to air remedied or mitigated in heavy industrial areas and activities which could experience potential adverse effects from industry with air discharge permits should be informed of the existence of that industry.

Explanation/Reasons

This policy seeks to achieve Objective 14.3.6.

The establishment of Activities Sensitive to Air Discharges within heavy industrial areas of the City has the potential to compromise the sustainable management of those industrial areas and sites. A regulatory method is justified within the heavy industrial areas to control this adverse effect and a non-regulatory method should be employed within and outside of those areas to recognise existing industry with air discharge permits.

Methods

- Rule 14.10.2 — Activities
- Rule 14.13 and 14.14 — matters for discretion and assessment criteria
- Land Information Memoranda

14.5 STRATEGY FOR BUSINESS AREAS

14.5.1 Introduction

The business areas strategy summarises the overall approach to managing natural and physical resources in the business areas in order to promote sustainable management. The strategy results from the objectives and policies for business areas of the City and relates, in particular, to the integrated business centres and the industrial business areas of the City.

14.5.2 Integrated Business Centres

14.5.2.1 Environmental Effects of High Traffic Generating Activities

The strategy for managing the effects of business activity in the business areas seeks to achieve a concentration of high traffic-generating retail activity in the integrated business centres. This is in order to minimise energy use in vehicle trips, and to avoid adverse effects on traffic safety and efficiency. Adverse traffic safety and efficiency effects are most likely to arise with the uncontrolled dispersal of high traffic-generating activities outside the areas which are planned and designed for these.

The integrated centres have the ability to accommodate high traffic-generation rates with generally only minor adverse traffic safety and efficiency issues. The high traffic generators are mainly the specialist retail activities, supermarkets and department or variety stores. The centres generally have been designed or remodelled in order to accommodate high levels of traffic, and provide extensive carparking. The centres tend to be well-located in relation to the road network and to be served by that road network in a manner which minimises the use of energy, and avoids major traffic safety and efficiency problems.

The benefits of concentrating high traffic-generating retail activity in the integrated business centres include motor vehicle trip minimisation by facilitating opportunities for multi-purpose visits. A strategy for limited dispersal of retail activity has been developed on the basis of the environmental effects of particular types of retail activity, including motor vehicle traffic-generation, particularly peak hour traffic. In some circumstances high traffic generating activities may minimise energy use and minimise adverse effects on traffic safety and efficiencies though not accommodated within integrated business centres.

Retail activities which are generally not high traffic generators are permitted to disperse throughout the Business zones of the City. Stand alone locations for those large format stores which generate sole purpose trips can result in transport efficiencies if there is freedom to locate where average trip length and duration will be minimised and where there will be more efficient use of the overall capacity of the roading network. However, the adverse effects of such stand alone locations should be assessed in the context of an application for consent to a discretionary activity.

[AM21]

14.5.2.2 Pedestrian Safety and Amenity

Integrated business centres contain specialist retail shops and community facilities, and generally also contain supermarket(s) and variety or department stores. The integrated business centre may be the traditional strip shopping area, or it may be an enclosed mall. The integrated centres are designed for pedestrian access in recognition of the pedestrian-oriented nature of these activities. Activities are integrated in terms of pedestrian access, carparking and building design — including pedestrian veranda cover. These provide a high level of amenity for people and the community in the centres.

The business area strategy includes an approach to ensure that retail activities which are pedestrian-oriented, generally due to the trend of combining shopping visits for several purposes, are concentrated in

the Business 1, 2 and 3 zones. These zones contain the integrated business centres which are designed to accommodate pedestrian movements safely and with a high level of amenity. Concentration of pedestrian-oriented retail activity will ensure that the potential adverse effects of dispersed pedestrian-oriented retail activity is avoided. Those potential effects relate firstly to the safety of pedestrians — generally pedestrians should not have to cross primary roads. In the case of some traditional strip shopping areas, pedestrians are accommodated by pedestrian crossings and refuges to enable crossing of the road without significantly impeding traffic flows, or putting their own safety at risk.

The avoidance of a potential conflict between pedestrians moving between speciality shops and community facilities, and motor vehicles using feeder roads, will ensure that there are no significant adverse effects on traffic efficiency.

The concentration of pedestrian-oriented retail activity is achieved by the rules that speciality shops, such as clothing retailing, are generally confined to the Business 1, 2 and 3 zones. Speciality shops are generally of a small scale (less than 500m²) and involve the retailing of comparison goods, such as clothing, domestic appliances and jewellery.

The maintenance and enhancement of the amenity values in the integrated business centres will be ensured through a variety of both regulatory and non-regulatory methods. The requirement for a controlled activity resource consent for building development will ensure that pedestrian accessibility and safety is addressed, in addition to other elements of amenity, such as design and external appearance in the centres.

Groupings of business activity, particularly groups of large-scale retail activities may also be referred to as centres. However, the environmental effects of these are quite different to those of the integrated business centres, being a grouping of retail activity which is motor-vehicle oriented. It consists of a grouping of large floor area retail activity with low levels of pedestrian access, including few pedestrian links between the retail and other activities, and low levels of pedestrian amenity, such as an absence of any veranda coverage. The vehicle-oriented business centres generally consist of retail activity which is of a low traffic generating nature relative to the floor area. Any potential traffic effects may be addressed during an assessment of a discretionary activity resource consent for such large-scale retail activities.

14.5.2.3 New centres and growth of existing centres

Suburban centres and the City Centre are important facilities for retail and community services to the public. The Council considers that there are significant community and resource management benefits to be gained by preventing the dispersal of pedestrian-oriented and high traffic generating retailing activity and therefore guides their location towards integrated centres.

The Council also wishes to avoid the establishment of new centres without careful consideration of the environmental effects of such a new centre, including the impact on roading and traffic movements. However, the Council also recognises the dynamic and changeable nature of business activities and the benefits that can arise from competition. Therefore, new integrated centres may be most appropriately considered through the Plan Change provisions of the Act.

14.5.3 Industrial Business Areas

14.5.3.1 Managing the Potential Adverse Effects of Industrial Business Activities

The location of business areas in the City for industrial activity which has the potential to have adverse effects on the natural environment and on the amenity values of sensitive activities has been identified. The heavy industry which has the greatest potential for adverse environmental effects is generally separated from other more sensitive activities by zoning and limitations on the sensitive activities which may locate in those areas. There are existing lawfully established industrial activities with air discharge permits within the areas of the City identified as being suitable for mixed business activities. Activities

which may be affected by industry which discharges to air, should be informed of the existence of this industry and the potential adverse effects (such as odours, dust and visible emissions) which may be experienced in close proximity to this industry.

While some heavy industrial business areas are located in proximity to the coastline, methods have been designed to ensure that business activities in the coastal environment are sited and designed in a manner which avoids, remedies or mitigates adverse effects on the amenity values of the coast.

In business areas which are in proximity to sensitive activities, in particular residential areas, the range of business activity which may locate as a permitted or controlled activity has been limited. In addition, consideration of the potential effects of all business activity on the amenity values of the integrated business centres will be addressed.

The opportunity for a mix of activities to occur in some business areas has also been recognised by way of the Business 5 zone.

14.6 IMPLEMENTATION

14.6.1 Regulatory Methods

14.6.1.1 Business Zones

Six Business zones have been formulated to give effect to the policies for Business Areas. The six business zones are:

- Business 1 (Local Shops) Zone
- Business 2 (Suburban Centres) Zone
- Business 3 (City Centre) Zone
- Business 4 (Periphery) Zone
- Business 5 (Mixed) Zone
- Business 6 (Industry) Zone

The zones are described in more detail in the description and explanations in section 14.9 of this Chapter.

Business zones delineate the business areas of the City in which the objectives, policies and methods variously apply. The six business zones identify distinct business areas in which different methods apply. The zones are distinguished by methods designed to achieve varying levels of acceptable environmental effects, with respect to the following matters:

- **visual amenity**

In the Business 1, 2, 3 and 4 zones buildings require a controlled activity resource in order to achieve a high standard of visual amenity in building design and external appearance. Buildings in Business 5 and 6 do not require a controlled activity resource consent.

- **air quality**

In the Business 1, 2 and 3 zones industry involving the discharge to air categories set out in Appendix 14B, which have the potential to have significant adverse effects on air quality, is non-complying. Industry which falls into this category is, however, permitted in the Business 6 zone in recognition of the ability of this area to accommodate a lower standard of air quality than those business areas in proximity to residential areas and for which a high standard of amenity is desired.

It is not the intention to duplicate the functions of the Regional Council which is responsible for the control of the discharge of contaminants into the air but rather to achieve integrated management of the effects of the use and development of land and the associated air resources of the City. The purpose of identifying industrial activities which are potentially capable of producing adverse effects on air quality is to manage the consequences of those adverse effects on other more sensitive activities in the City as well as the effects of those sensitive activities on industrial activities potentially capable of producing adverse effects on air quality ("reverse sensitivity").

- **noise levels within the business area**

Permissible maximum noise levels are low in the Business 1 zone, somewhat higher in the Business 2, 3, 4 zones and higher still in the Business 5 and 6 zones. These noise levels reflect the desired amenity levels within each of the areas delineated by the business zones.

- **noise levels at the boundary with residential**

Permissible maximum noise levels at the boundary of business areas with residential areas are slightly higher for the Business 4, 5 and 6 than is the case for Business 1, 2 and 3 zones. This recognises the high environmental standards business activity needs to meet in order to establish in close proximity to the main residential areas of the City.

- **traffic generation and road safety and efficiency**

The permitted, controlled and discretionary activities vary between the zones according to the ability of the roading network in those areas to accommodate high traffic-generating activities in terms of roading capacity, efficiency and safety.

- **pedestrian safety and amenity**

Buildings in Business 1, 2, 3 and 4 zones require a controlled activity resource consent, and pedestrian safety and amenity will be a matter for control and assessment. Pedestrian movements within the Business 5 and 6 zones are not so prevalent and generally particular regard for pedestrian safety and amenity will not be required for business activities in these zones.

- **scale and intensity of development**

Height limits are imposed in Business 1 zones, to avoid adverse effects of building development on surrounding residential areas.

The Business 1, 2 and 3 zones identify the integrated centres in the City. These are the pedestrian focused centres which have retail activity and a mix of office, service and community facilities. The size of the centres varies between the Business 1, 2 and 3 zones.

The Business 1 zones are located in residential environments. The scale and intensity of business activity which may take place here without adversely affecting the amenity values of the area, including traffic congestion, is limited.

Business 2 zones are the suburban centres which tend to have a supermarket, and which tend to be located on primary roads. These centres tend to be separated from residential environments by roads, reserves or by a less intensively used business area (Business 4 zone). The Business 2 zone may accommodate a larger scale and intensity of activity than the Business 1 areas before the potential for adverse effects on amenity values arises. In particular the area in retail floor space has a large impact on the degree to which the centre may give rise to adverse effects, particularly with regard to access, parking and traffic congestion on feeder roads to the centre.

The Business 3 zone is the zone for the City Centre. This is the largest integrated business centre in the City.

The Business zones also make distinctions between the integrated centres and the business areas on the periphery of the centres, and the mixed use and heavy industrial zones, in terms of levels of pedestrian and visual amenity and the traffic-generating characteristics of activities in these areas. The Business 4 zone is the zone which is located on the periphery of the larger integrated business centres. The Business 5 zone is the mixed used zone for industry, offices and other business activity.

Business zones also separate business activity from the main residential areas and other sensitive areas, such as public open space, in order to protect residential amenity values. Business zones separate those heavy industries which may have the potential to have adverse effects on the amenity values and quality of the environment in more sensitive areas. The Business 6 zone delineates the area of the City in which potentially noxious industry may locate, subject to certain minimum environmental standards.

14.6.1.2 Activity Types

14.6.1.2.1 Permitted Activities

Within the Business zones business activities are permitted where they are considered to be unlikely to give rise to adverse effects on the environment. Permitted activities are required to comply with Development and Performance Standards.

Small-scale retailing activities other than speciality shops, department stores and supermarkets are permitted activities throughout the Business zones.

14.6.1.2.2 Controlled Activities

Business activities which have the potential to have adverse effects on the environment which can be addressed by conditions on a controlled activity resource consent are listed as controlled activities. Business activity in proximity to residential and public open space has a greater potential to have adverse effects on the amenity values of these areas and so are required to make an application for a controlled activity resource consent.

Controlled activities must comply with Development and Performance Standards and are also subject to matters for control. Conditions of consent may be imposed on those matters.

For example any business activity within 30m of a residential zone boundary is subject to an assessment of the location and design of service areas, the hours of operation, and the design and appearance of buildings.

14.6.1.2.3 Restricted Discretionary Activities

Restricted discretionary activities are those activities where the Council has limited the matters for its discretion, and so are only those activities where there is a high degree of certainty as to the potential effects of the activity and the matters which need to be assessed.

Business activities which do not comply with certain Development and Performance Standards are Restricted Discretionary Activities. The matters for control relate to the potential adverse effects arising from the non-compliance with the particular standard and may have conditions imposed on a consent in respect of those matters.

14.6.1.2.4 Discretionary Activities

Business activities which have the potential to have major adverse effects on the environment are discretionary activities. A discretionary activity resource consent is required, and the application will be assessed against criteria in addition to relevant matters in s.104 of the Act. Conditions may be imposed on any consent.

For example, large scale retailing activities are permitted in the Business 1, 2 and 3 zones but require a discretionary activity resource consent in Business 4, 5 and 6 zones in order for the potential adverse effects to be addressed.

14.6.2 Development and Performance Standards

Development and performance standards are the rules which apply to the development of buildings and structures and establishment of activities in the business zones as permitted, controlled, or restricted discretionary activities. The Development and Performance Standards are intended to ensure that activities in business areas achieve a high level of amenity, as appropriate to the various business zones.

It is also intended that development in business areas adjacent to residential and public open space zones be compatible with the amenity values of those areas. Business buildings are often larger in scale than residential buildings and could visually dominate and overshadow them, thus adversely affecting amenity values. The Development and Performance Standards are also intended to protect the natural environment, for example the Coastal Protection Yard restricts the establishment of industrial activities adjoining coastal areas.

14.6.3 Matters for Control and Matters for Discretion

Controlled activities are subject to Rules — Matters for Control. Applications for controlled activity resource consents are assessed against the assessment criteria which relate to those matters. Similarly, discretionary activities over which the Council has restricted the matters for its discretion, (restricted discretionary activities), are assessed against the matters for discretion set out in the Chapter. The matters for control and the matters for discretion are intended to address the potential adverse effects of the activities listed as controlled and discretionary.

14.6.4 Non-Regulatory Methods

14.6.4.1 Guidelines

Non-Plan methods to assist in achieving the objectives and policies of the Chapter are the use of design guidelines. Guidelines may be produced on the following matters:

- (a) Design and external appearance of buildings in Business 1–4 zones.
- (b) Construction of buildings and building alterations in the Howick and St George Street–Papatoetoe Special Character areas.
- (c) Site Layout in Business Areas — the relationships between carparking, landscaping and buildings, including the design of safer environments and the design of public spaces at a human scale.

14.6.4.2 Mainstreet and Town Enhancement

The Council assists in the design and implementation of physical works which will enhance the amenity values of certain business centres in the City. These programmes are usually undertaken in cooperation with local community members and organisations. These programmes are valuable in enhancing the function of those centres as community focal points.

14.6.4.3 Capital Works Programmes

The Council is one of a number of government and voluntary agencies which establish community facilities in business centres. The presence of these facilities in the centres enhances their community focal point function. The facilities the Council establishes and runs include libraries, Ward Centres, and public open spaces and facilities on those spaces adjoining or near many of the centres.

14.6.4.4 Land Information Memoranda

The Council will establish a publicly available register of all facilities in the City which are subject to air discharge permits and make available to the public a map setting out the desirable notification distance between those facilities and Activities Sensitive to Air Discharges. The Council will record the information in this register and on this map on any Land Information Memorandum (LIM) prepared in respect of any site falling within the identified desirable notification distance as advised to it by the Auckland Regional Council.

The LIM will include a notice warning purchasers that from time to time they could experience potential adverse effects from the discharge to air such as odours and dust and visible emissions as a result of the proximity of a facility which is subject to an air discharge permit and shall also include the expiry date of that permit.

14.7 ANTICIPATED ENVIRONMENTAL RESULTS

From the identification of the resource management issues for business activity and the objectives, policies and rules the expected environmental results may be identified. These include:

- Business activities are the predominant activity occurring in Business zones.
- The concentration of speciality shop retail activity in the Business 1–3 zones.
- The location of noxious and potentially hazardous industry in Business 6 zone.
- A range of community service and facilities in integrated business centres.
- A high standard of amenity in residential and open space areas neighbouring business activity, in particular in relation to noise, odours, and visual amenity.
- A high level of amenity in business areas.
- A high standard of visual amenity for business activity adjoining the coast.
- A high standard of water quality in water bodies adjoining business activities.

14.8 PROCEDURES FOR MONITORING

In order to assess the suitability and effectiveness of the objectives, policies and methods in achieving the anticipated environmental results in this chapter, the Council will develop a monitoring programme (see Chapter 1, Section 1.7.3) which may include the following monitoring procedures:

- Surveys of activities in business areas.
- Monitoring of complaints and enforcement actions regarding the nuisance aspects of activities in business areas.

- Monitoring of compliance with conditions contained in air discharge permits which involve a small or moderate amount of contaminants.
- Monitoring of resource consents in business areas including the number of applications granted consent, compliance with consent conditions and the effectiveness of those conditions.
- A landscape study of business areas adjoining water bodies and coastal waters.
- Monitoring plan changes initiated in business areas.
- Surveys of residents' satisfaction with amenity, safety, and public facilities in business areas.

14.9 DESCRIPTION AND EXPLANATION OF ZONES

14.9.1 Business 1 (Local Shops) Zone

The Business 1 zone applies to local shops which are distributed throughout the residential areas of the City. The local shops tend to be conveniently located within walking distance for most residents of the urban area, or are a short vehicle or cycle trip away.

In addition to convenience needs, the range of activities within the Business 1 zone is broad to enable a full range of retail activity, offices, and other services and facilities. The broad range of activities will promote the achievement of the objective to minimise vehicle trip-generation, duration and length. It will also promote the efficient use of the business land and buildings by enabling changes in activities to occur with few limitations on the type of activities allowed.

Activities within most of the Business 1 zone will be subject to Rule 14.12.3. This sets out matters for control and assessment criteria for business activities within 30m of a residential zone. Other rules (the Development and Performance Standards) will ensure that activities in the zone do not significantly adversely affect the surrounding residential area.

The size of the Business 1 zone is limited to a small scale in order that the intensity of the activity taking place within the zone is constrained. The small zone size will also ensure that potential cumulative adverse environmental effects of business activity within the Business 1 zone on the surrounding residential environment is avoided.

Activities which have the potential to have effects that are more than minor on the amenity values of the Business 1 zone or on surrounding residential activities require a discretionary activity resource consent or are non complying.

14.9.2 Business 2 (Suburban Centres) Zone

The Business 2 zone applies to medium size shopping centres. These centres are dispersed throughout the residential suburbs of the City, and are generally a short vehicle trip away for most residents. The suburban centres are located on primary roads and act as hubs for passenger transport. They are therefore readily accessed by residents.

The suburban centres involve the integrated development of retail, office and community and other services and facilities. The range of activities permitted or controlled within the zone is broad in order to promote the minimisation of vehicle trip generation, duration and length and to allow flexibility for changes in activity types to occur over time. Activities which have the potential to have adverse effects on the

amenity values of the business area, or on the environmental quality of the surrounding residential area, require a discretionary activity resource consent or are non complying.

The Business 2 zones are larger than the Business 1 (Local Shops) zone. The size of the zone reflects the ability for the potential adverse effects on neighbouring residential areas of business activity within the zone to be avoided, remedied or mitigated. The Business 2 zone tends to be separated from the residential area by roads or public open spaces. This separation avoids much of the potential for activities within the Business 2 zone to adversely affect the residential environment.

The location of the suburban centres on primary roads also means that the intensity of activity, particularly in terms of traffic generation, can be accommodated with only minor adverse effects on traffic safety and efficiency.

14.9.3 Business 3 (City Centre) Zone

The Business 3 zone applies to the Manukau City Centre. The City Centre is the largest of the integrated business centres, and contains a large range of retail, office and community and other services and facilities.

The location of the City Centre at the hub of the City's urban area, and its accessibility by motorway and primary road links means that it is the focus for retail, commercial and community activities in the City and beyond.

The Business 3 zone is separated from residential areas by a motorway and primary roads. A high intensity of activity is therefore able to take place within the Business 3 zone with no adverse effects on residential areas. However, the range of activities which may establish on the Business 3 zone, as a permitted or controlled activity, is limited to those which are anticipated to not cause significant adverse effects on the amenity values and quality of the environment in the zone. For example, industry involving discharges to air which may be noxious or dangerous are a non-complying activity within the Business 3 zone.

A high standard of amenity is to be maintained and enhanced within the City Centre. The integration of new development within the zone with existing buildings is important in this respect, and will be achieved by the requirement for a controlled activity resource consent.

14.9.4 Business 4 (Periphery) Zone

The Business 4 zone adjoins the larger integrated business centres within the City. The location of the Business 4 zones is designed to complement the role of the adjacent comprehensive centre. The complementary role is primarily performed by making provision for a range of retail activity which is not speciality shop retailing, which form the core activity in the integrated business centres, and are intensive activities.

The Business 4 zone permits retail activity which is generally a less intensive generator of customers and where the provision of car parking immediately adjacent to the shop is an important requirement. Most trips to the Business 4 zone areas will tend to be general single purpose shopping trips and there is little pedestrian movement from one site to another. Industry which is not noxious is a controlled activity. The zone is expected to develop as a mixed area of industry, offices, services and retailing. Particular regard is given to the quality of the environment, including discharges to air, water and land and noise levels.

14.9.5 Business 5 (Mixed) Zone

The Business 5 zone applies to mixed areas of light and medium industry, offices, and a limited range of retailing activity. It is recognised that with increasing use of better technology and management practices the effects of industrial and manufacturing activities are compatible with or similar to a range of retailing and other activities.

Where the zone is at the interface with residential or other sensitive areas, a number of controls such as yards, traffic and parking and noise standards have been put in place to maintain or enhance the environmental and amenity values of these areas. A broad range of activities may be established subject to meeting performance standards and other criteria.

A wide range of activities are permitted in the Business 5 zone. The zone in some cases acts as a buffer between the potentially offensive activities in the Business 6 zone and residential zoned areas. Activities within the Business 5 zone and within 30m of residential zones are controlled activities to enable control of site layout to ensure that any potential adverse effects are minimised.

The rules of the zone require resource consent to be obtained for activities which cause major or moderate (Refer to Appendix 14B) adverse effects on air quality. Activities generating these effects are established within the zone. In order to avoid conflicts in amenity standards and reverse sensitivity effects, the Land Information Memoranda process will be used to identify the location of existing air discharge activities to those people seeking to establish other activities in their close proximity.

The area within the Business 5 zone has unique characteristics which are addressed by special provisions which apply to only that part of the Business 5 zone. These provisions largely relate to stormwater constraints, and visual amenity values requirements. [AM109]

The Waiouru Peninsula Special Policy Area within the Business 5 zone has unique constraints and values which are addressed by special provisions which apply to only that part of the Business 5 zone. These provisions relate to the area's extensive coastline, the Waiouru Tuff Mound and its high visual amenity. These matters are discussed more fully in the structure plan for the area (see Chapter 16 — Future Development, 16.15.7).

The Favona Special Policy Area within the Business 5 zone has a set of unique characteristics, which are addressed by special provisions which apply to only that part of the Business 5 Zone. These provisions relate to protection of the neighbouring residential amenity, as well as visual amenity values adjacent to the Mangere Inlet, and acknowledge constraints to development arising from locational factors, integration with the road network, and the need to ensure that activities do not compromise the vitality and viability of existing centres or other nearby business activities. These matters are discussed more fully in the explanation for the structure plan area (see Chapter 16 Future Development 16.15.10). [AM90]

14.9.6 Business 6 (Industry) Zone

The zone makes provision for business activities that are potentially offensive or noxious or have other adverse environmental effects that make them incompatible with more sensitive activities. The zone enables these activities to establish in locations well away from sensitive activities such as residential areas.

The Business 6 zoned areas are a scarce resource of major importance because they are areas where potentially noxious activities can be established with separation from sensitive activities. Therefore, it is important that the use of this resource be maximised for potentially noxious activities and not other business activities which can be established in a wide range of other areas. Consequently there is a more restricted range of permitted activities in the Business 6 zone than in other zones. The zone will be the primary location for potentially offensive or noxious activities subject to environmental standards. The establishment of Activities Sensitive to Air Discharges within the Business 6 zone has the potential to compromise the sustainable management of the land and physical resources contained within the zone.

Such activities will be subject to an application for consent to discretionary activity within the Business 6 zone and people seeking Land Information Memoranda in relation to land within the Business 6 zone which is nearby existing lawfully established industrial activities with air discharge permits will be informed of the existence of these activities.

Within the Business 6 Zone, the Wiri North Structure Plan Area has a set of unique characteristics, which are addressed by special provisions which apply to only that part of the Business 6 Zone. These provisions recognise that the Wiri North Structure Plan Area has a prominent location, on one of the main access routes from the Auckland International Airport to Manukau City Centre. These provisions include a requirement that new buildings require resource consents as a controlled activity or a restricted discretionary activity. The provisions seek to ensure that the development of business activities along Roscommon Road and Wiri Station Road frontages and over the entire Wiri North Structure Plan Area achieve good visual amenity outcomes while protecting relevant businesses from the risks associated with the Wiri Oil Terminal, a major hazard facility, and from flooding. [AM162]

14.10 RULES — ACTIVITIES

Rule

14.10.1 Activities in Business Zones

Activities in the Business Zones shall comply with the following:

- (a) All permitted activities in Rule 14.10.2 Activity Table shall comply with Rule 14.11 General Development and Performance Standards
- (b) All controlled activities in Rule 14.10.2 Activity Table shall comply with 14.11 General Development and Performance Standards and Council shall exercise control over those matters specified in 14.12.
- (c) All restricted discretionary activities in Rule 14.10.2 Activity Table shall be assessed against those matters for discretion specified in Rule 14.13.
- (d) All discretionary and non-complying activities shall comply with Rule 14.11.15(c). In addition all discretionary activities in 14.10.2 Activity Table will be assessed against 14.14 Assessment Criteria — Discretionary Activities, together with the relevant matters set out in s.104 of the Act. [AM150]
- (e) Any activity not listed in 14.10.2 Activity Table is deemed to be a non-complying activity.
- (f) Notwithstanding the above, certain existing uses in relation to land which contravene a rule in the district plan may be protected by virtue of Section 10 of the Resource Management Act 1991.
- (g) For notification procedures under the Resource Management Act 1991 see Rules 5.2.2, 5.2.3, 5.2.4 and 5.3.3.1, Chapter 5 — General Procedures and Rules.
- (h) Any decision on whether a Restricted Discretionary Activity will require public notification, or whether the consent of adversely affected parties is required, is subject to Sections 95A to 95E of the Resource Management Act 1991. Wiri Oil Services Limited may be deemed to be an affected person upon whom the effects of the activity are deemed to be minor or more than minor under Section 95E for any resource consent application within the Wiri North Emergency Management Area A shown on the Wiri North Structure Plan (Figure 16.13).

Note: Wiri North Emergency Management Area A (as defined) is part of a suite of provisions that have been developed to ensure the on-going use and development of the regionally significant Wiri Oil Terminal, and the use and future operation of Auckland's fuel supply network, is not inappropriately compromised. To avoid inappropriately compromising the function of the Wiri Terminal, sensitive activities (as defined) should not be located within Wiri North Emergency Management Area A. In addition, a SEMP will be required (Rule 14.11.15A), and building design is controlled to address potential emergency scenarios (as defined). Reference should also be made to Rule 14.13.11.2(i) in relation to pre-lodgement consultation with the operator of the Wiri Oil Terminal. [\[AM162\]](#)

Note: Activities Sensitive to Aircraft Noise in the Business Zones

Any **Activity Sensitive to Aircraft Noise** ("ASAN") and certain additions to an ASAN for which provision is made in this zone as a permitted, controlled, restricted discretionary or discretionary activity:

- are subject to Rule 5.21, and
- may also become a controlled, restricted discretionary, discretionary or non-complying activity by reason of Rule 5.21

if the subject site is located within the High Aircraft Noise Area or the Moderate Aircraft Noise Area. Therefore, in the case of an ASAN and certain additions to an ASAN in this zone, reference should be made to Rule 5.21.

(Refer to Chapter 18 for the definition of "Activity Sensitive to Aircraft Noise")

Rule

14.10.1.1 Activities Sensitive to Air Discharges in Business 6 Zone

Any **Activity Sensitive to Air Discharges** (as defined in Chapter 18 of this Plan) in the Business 6 Zone which requires an application for a discretionary activity consent shall be assessed in accordance with Rule 14.14.2.9

Rule

14.10.2 Activity Table

In the Table below the terms used have the following meanings:

P = Permitted Activity

C = Controlled Activity

C¹ = Controlled except where located within the area shown in Figure 14.6 where it shall be (R) D
[\[AM112\]](#)

(R)D = Restricted Discretionary Activity

D = Discretionary Activity

N/C = Non Complying Activity

N/A = activity not applicable in the zone [AM90]

ACTIVITY	BUSINESS ZONES					
	1	2	3 (Including the area shown on Figure 14.6) [AM112]	4	5	6
Any activity specified in Rule 14.10.2 that does not comply with any or all of the Rules — Development and Performance Standards 14.11.1 – 14.11.3, 14.11.15.A and 14.11.15(c) [AM150][AM162]	(R)D	(R)D except in the Howick Special Character Business area see Rule 14.11 [AM41]	(R)D	(R)D except in the Howick Special Character Business area see Rule 14.11 [AM41]	(R)D	(R)D
The erection or relocation of any building or structure and/or external alterations or additions to any building or structure.	C	C	C ¹ [AM112]	C	P (except Waiouru Peninsula Special Policy Area and Favona Special Policy Area — Controlled) [AM90]	P (except Wiri North Structure Plan Area) [AM162]
The erection or relocation of any building or structure and/or external alterations or additions to any building or structures within the Wiri North Structure Plan Area. [AM162]	n/a [AM162]	n/a [AM162]	n/a [AM162]	n/a [AM162]	n/a [AM162]	C within the Controlled Activity Status Area, otherwise RD, as shown on the Wiri North Structure Plan. [AM162]
Any activity not specified in Rule 14.10.2 complying with the Rule — Development and Performance Standards 14.11	D	D	D	D	D	D
Any permitted or controlled activity in Rule 14.10.2 which is located within 30m of a residential zone	C	C	C	C	C	D
Any permitted or controlled activity in Rule 14.10.2 which is located within 10m of a public open space zone or a Reserve vested in Council [AM98]	C	C	C	C	C	C
Any permitted or controlled activity in Rule 14.10.2 which is located within 50m of Mean High Water Springs (MHWS)	C	C	C	C	C	C

ACTIVITY	BUSINESS ZONES					
	1	2	3 (Including the area shown on Figure 14.6) [AM112]	4	5	6
<p>Retail sale activities excluding the following (defined by ANZSIC in Appendix 14A): [AM49]</p> <p>5210— Department Stores, 5221—Clothing Retailing, 5222—Footwear Retailing, 5234—Domestic Appliance Retailing, 5235—Recorded Music Retailing, 5242—Toy and Game Retailing, 5243—Newspaper, Book and Stationery Retailing, 5244—Photographic equipment retailing, 5251—Pharmaceutical, cosmetic and toiletry retailing, 5255—Watch and jewellery retailing</p> <p>provided that the activity is undertaken in premises with a gross floor area not exceeding 800m² [AM21]</p>	P	P	P	P	P (except Favona Special Policy Area — Discretionary) [AM90]	D
Retail sale activities in premises of any size on sites of any size	P	P	P	N/C	N/C	N/C
A single retail sale premise located on a site with a gross area of not less than 2000m ² , involving the retailing of any good provided that the activity is undertaken in premises with a gross floor area of not less than 500m ² [AM21]	P	P	P	D	D	D
The retail sale of any good manufactured on the site provided that the retail sale area does not exceed 25% of the gross floor area set aside for manufacturing, or 250m ² , whichever is the lesser	P	P	P	P	P	D
Bus depots	D	D	D	C	P (except Favona Special Policy Area — Discretionary) [AM90]	P (Except on sites having frontage to Roscommon Road or Wiri Station Road in the Wiri North Structure Plan Area - C) [AM162]

ACTIVITY	BUSINESS ZONES					
	1	2	3 (Including the area shown on Figure 14.6) [AM112]	4	5	6
Cafes, restaurants and takeaway food premises	P	P	P	P	P	D
Carparking areas and buildings not ancillary to a permitted activity	P	P	P	P	P (except Favona Special Policy Area — Discretionary) [AM90]	D
Care Centre Note: within the HANA and the MANA subject to Rule 5.21	P	P	P	P	P	D (Except within the Wiri North Emergency Management Areas A and B as shown on the Wiri North Structure Plan Area - N/C) [AM162]
Cleanfill activities involving the depositing of less than 5000m ³ of material per site	N/C	D	D	C	P	P
Clean fill activities involving the depositing of 5000m ³ or more of material per site	N/C	N/C	N/C	D	D	C
Educational Facilities Note: within the HANA and the MANA subject to Rule 5.21	P	P	P	P	P (except within 12 metres of the centre line of the Mangere — Mount Roskill A high voltage transmission line within the Favona Special Policy Area — Discretionary) [AM90]	N/C
Additions and alterations to existing Educational Facilities within the HANA and the MANA except as provided in rule 5.21	C	C	C	C	C	N/C
Entertainment facilities and activities	P	P	P	P	P (except Favona Special Policy Area — Discretionary) [AM90]	N/C

ACTIVITY	BUSINESS ZONES					
	1	2	3 (Including the area shown on Figure 14.6) [AM112]	4	5	6
Equipment hire premises	P	P	P	P	D [AM162]	D (Except on sites having frontage to Roscommon Road or Wiri Station road in the Wiri North Structure Plan Area - C) [AM162]
Farming of any kind	P	P	P	P	P	D
Fire stations	N/C	N/C	N/C	D	D	D
Funeral Directors' premises	P	P	P	P	P	D
Healthcare Services	P	P	P	P	D	D (Except within the Wiri North Emergency Management Areas A and B as shown on the Wiri North Structure Plan Area - N/C) [AM162]
Hospitals Note: within the HANA and the MANA subject to Rule 5.21	C	P	P	P	D	N/C
Additions and alterations to existing Hospitals within the HANA and the MANA except as provided in Rule 5.21	C	C	C	C	D	N/C
Hotel [AM98]	C	P	P	P	P	NC
Household units Note: within the HANA and the MANA subject to Rule 5.21	C	C	C	C	D (except in Favona Special Policy Area — Non-Complying) [AM90]	N/C
Additions and Alterations to existing household units involving habitable rooms within the HANA and MANA except as provided in 5.21	C	C	C	C	C	N/C

ACTIVITY	BUSINESS ZONES					
	1	2	3 (Including the area shown on Figure 14.6) [AM112]	4	5	6
A single household unit needed for a person whose responsibilities require them to live on the site Note: within the HANA and the MANA subject to Rule 5.21	P	P	P	P	P	C (Except within the Wiri North Emergency Management Areas A and B as shown on the Wiri North Structure Plan Area - RD) [AM162]
Industry except activities involving discharges to air categories listed in Appendix 14B	D	D	D	C	P	D
Industry including activities involving discharges to air categories listed in Appendix 14B (Part A) Note: Subject to Rule 5.22.1(b)	N/C	N/C	N/C	N/C	D	P
Industry including activities involving discharges to air categories listed in Appendix 14B (Part B) Note: Subject to Rule 5.22.1(b)	N/C	N/C	N/C	D	(R)D	P
Markets and Stalls (other than temporary activities)	(R)D	(R)D	(R)D	D	D	N/C
Mineral Extraction Activities	N/C	N/C	N/C	N/C	D	D (except Wiri North Structure Plan Area - C) [AM162]
Motor vehicle dismantling	N/C	N/C	N/C	D	D	P (Except on sites having frontage to Roscommon Road or Wiri Station Road in the Wiri North Structure Plan Area - RD) [AM162]

ACTIVITY	BUSINESS ZONES					
	1	2	3 (Including the area shown on Figure 14.6) [AM112]	4	5	6
Motor vehicle sales and service premises	P	P	P	P	P (except Favona Special Policy Area — Discretionary) [AM90]	D
Offices	P	P	P	P	P (except Favona Special Policy Area — Discretionary) [AM90]	D
Offices within the Favona Special Policy Area which are ancillary to another permitted activity on a site and occupy no more than 20% of the Gross Floor Area of the building containing that permitted activity [AM90]	N/A	N/A	N/A	N/A	P in the Favona Special Policy Area	N/A
Personal and other services	P	P	P	P	P	D
Places of assembly	P	P	P	P	P	N/C
Public open spaces	P	P	P	P	P	D
Public toilets	P	P	P	P	P	P
Service stations (Note: the erection or alteration of buildings for service station purposes is a controlled activity in the Business 2–4 Zones as per the second listed activity in this Activity Table)	C	P	P	P	P	P (Except on sites having frontage to Roscommon Road or Wiri Station Road in the Wiri North Structure Plan Area - C) [AM162]
Show homes	D	D	N/C	P	P	N/C
Transport Centres	R(D)	C	C	C	P	D
Taverns	C	P	P	P	P	N/C
Travellers' accommodation	C	P	P	P	P	N/C

ACTIVITY	BUSINESS ZONES					
	1	2	3 (Including the area shown on Figure 14.6) [AM112]	4	5	6
Truckstop	D	D	D	P	P	P (Except on sites having frontage to Roscommon Road or Wiri Station Road in the Wiri North Structure Plan Area - C) [AM162]
Wholesale trade, warehousing, storage, auction rooms	P	P	P	P	P	P
Accessory buildings for any permitted or controlled activity in Rule 14.10.2	C	C	C	C	P	P
Network Utility services	Refer Rules Chapter 7 — Network Utility Services					
Temporary Activities	Refer Rules Chapter 5 — General Procedures and Rules					
Activities which may have an adverse effect on any scheduled heritage resource	Refer Rules Chapter 6 Heritage					
Relocated Buildings	Refer Chapter 5 General Procedures and Rules					
Signs	Refer Rules Chapter 5 General Procedures and Rules					
Network Utility services	Refer Rules Chapter 7 — Network Utility Services					
Parking, Loading and Access	Refer Chapter 8 — Transportation					
Hazardous Facilities and Substances	Refer To Chapter 10.1 Hazardous Facilities and Substances					
Land modification, development and subdivision	Refer Rules Chapter 9 — Land Modification, Development and Subdivision					

Note: For Non-complying activities within Wiri North Emergency Management Areas A and B identified in the Wiri North Structure Plan (Figure 16.13), refer to Policy 10.1.4.3 in Chapter 10 (Hazardous Facilities and Substances). [AM162]

1. Refer Appendix 14A, Section 14.4

14.11 RULES — DEVELOPMENT AND PERFORMANCE STANDARDS

General Development and Performance Standards

Rule

14.11.1 Height

(a) Maximum Height

Subject to (b) and (c) below the maximum height shall be:

Business1	—	9m
Business 2, 3, 4, 5 & 6	—	No limit

Provided that:

- (i) In the Howick Special Character Business Area maximum height shall be as shown on Figure 14.1 and provided also that resource consent applications to exceed the maximum height limits shown on Figure 14.1 shall be considered as a restricted discretionary activity (pursuant to the matters for discretion and assessment criteria in Rule 14.13.1) in respect of applications to exceed maximum height by up to and including 3 metres and as a non-complying activity in respect of applications to exceed maximum height by more than 3 metres. [AM41][AM162]
- (ii) In the Papatoetoe Special Character Business Area (as defined on Figure 14.2) the maximum height shall be 12m, and [AM162]
- (iii) In the Waiouru Peninsula Special Policy Area (as defined on Figure 16.9) and the Favona Special Policy Area (as defined on Figure 16.12) and the Wiri North Structure Plan Area (within the Building Height Overlay Area as defined on Figure 16.13) the maximum height shall be 15m. [AM90] [AM148][AM162]

(b) Building Height in Relation to Boundary

Rule 5.18.1, Chapter 5 General Procedures and Rules applies, except in the Mangere Town Centre Special Development Area, where Building Height in Relation to Boundary only applies to the road boundary. [AM148]

- (c) Notwithstanding the height requirements set out in (a) above, antennas on existing or proposed buildings are permitted provided they do not project more than 2m above the maximum permitted height of the main structures for the zone in which they are located and do not exceed 2m in any horizontal direction.

Explanation/Reasons

The maximum height control in those business areas which are located within or near residential areas will protect amenity values of adjoining residential zoned areas, particularly from shading and from the visual impact of building development.

In the Howick and Papatoetoe Special Character Business Areas, special height limits have been imposed to reflect the amenity values of those areas. In Howick the height limits reflect special features such as: the historic character and intimate scale of buildings in Picton Street; views available from and to the Stockade Hill area and from the Ridge Road entry to Howick ; and the need to ensure that development in adjacent business zoned areas does not affect that character and scale and does not weaken the connection between the town centre and adjacent residential areas. [AM41]

Rule

14.11.2 Yards

(a) Front yard

- (i) Business 1, 2 and 3 — no requirement

Provided that, in respect of the Mangere Town Centre Special Development Area (see Figure 14.7), a 5.0m front yard (excluding eaves, steps and stairs) shall apply to the Bader Drive front boundary, and no front yard is required adjoining the Public Open Space zone. [AM148]

Business 4, 5 and 6 — 7.5m

- (ii) A minimum of 50% of the area of the front yard, including a strip adjoining and parallel with the front boundary and having a minimum width of 2m, excluding the area required for vehicular and pedestrian access, shall be landscape-designed and planted in grass, trees and shrubs subject to maintaining sight lines as required by Chapter 8 Transportation.
- (iii) except that the references to front yards and landscaping in clauses (a)(i) and (a)(ii) above do not apply to any internal road or service lane.

Except that this rule does not apply front yards on internal roads, and except in the case of service station development the above provisions shall not apply and the front yard landscape design required shall comprise a landscape strip adjoining and parallel with the front boundary and having a minimum width of 2m planted in grass, trees and shrubs, but shall exclude the areas required for vehicle and pedestrian access.

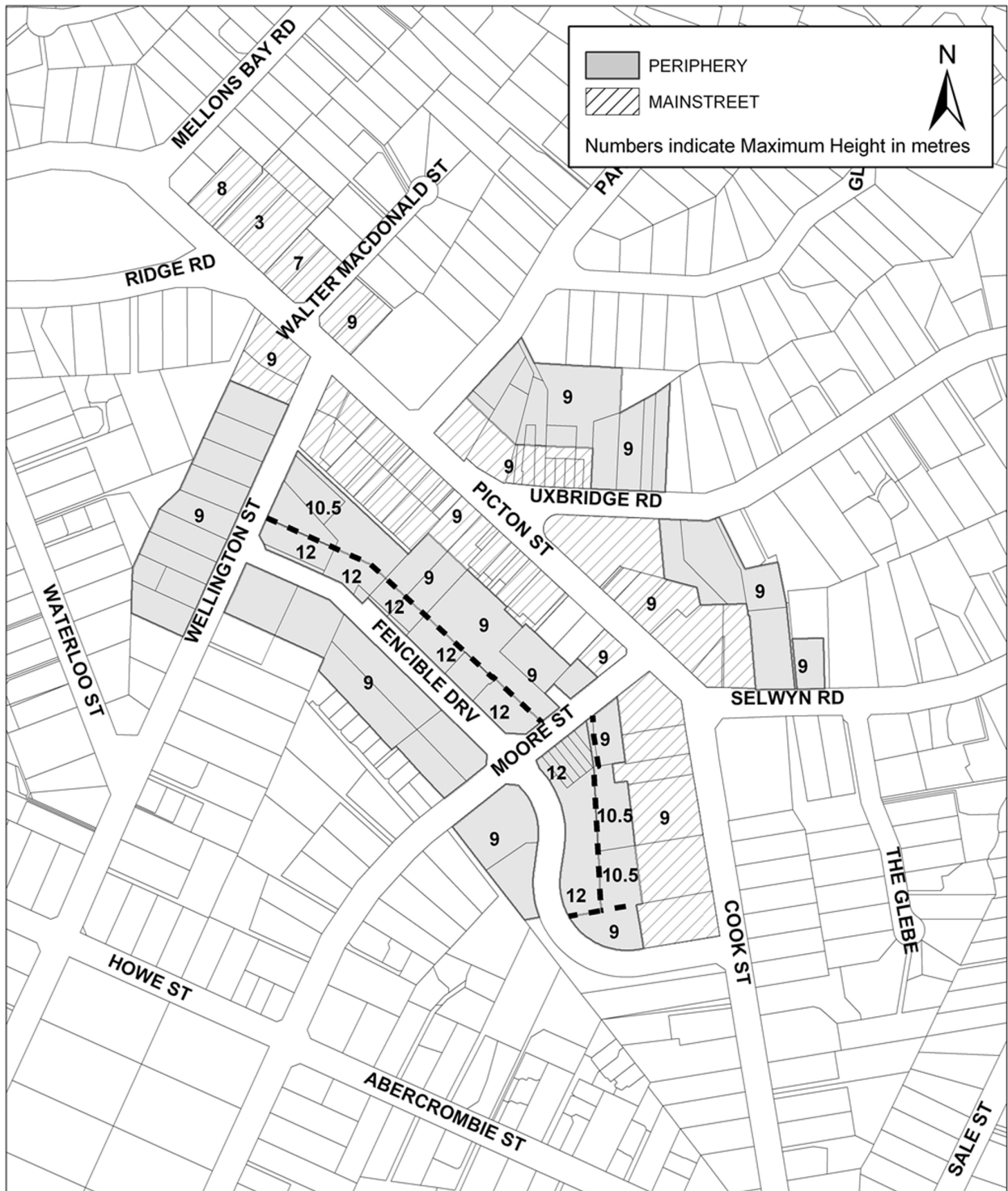


FIGURE 14.1 HOWICK: SPECIAL CHARACTER BUSINESS AREA

[AM41]



FIGURE 14.2 PAPATOETOE: SPECIAL CHARACTER BUSINESS AREA

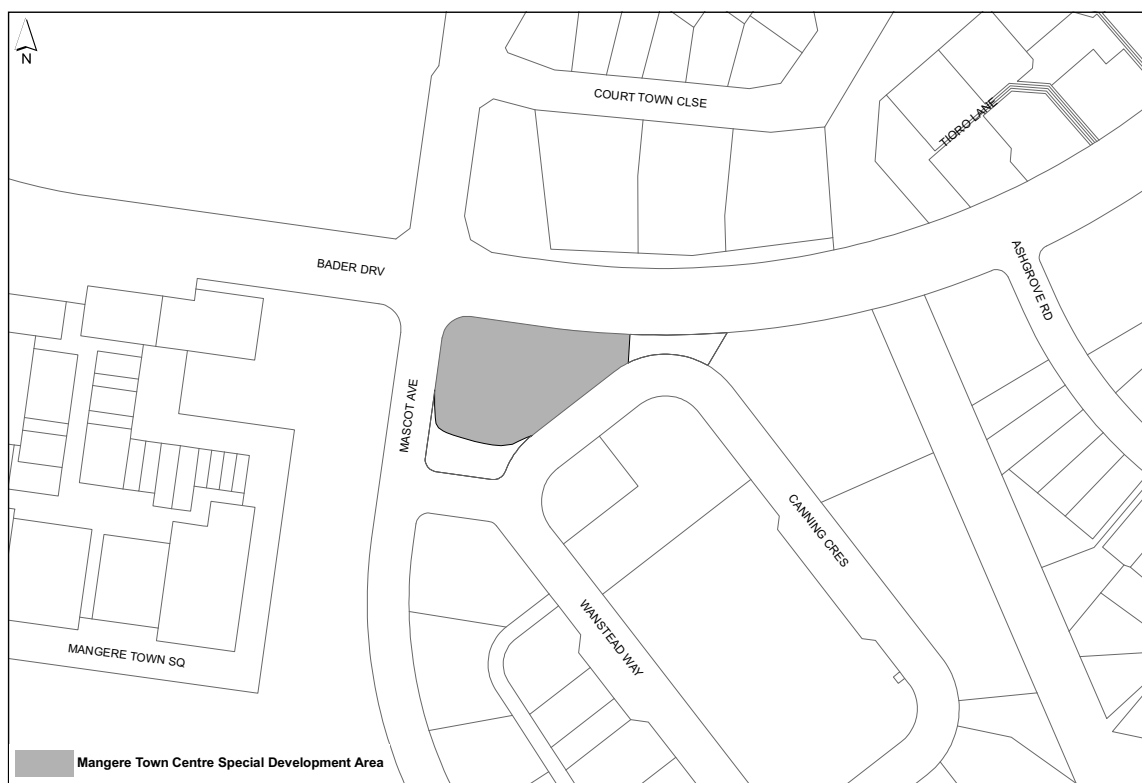


FIGURE 14.7 MANGERE TOWN CENTRE SPECIAL DEVELOPMENT AREA^[AM148]

Explanation/Reasons

Planting in the front yard can significantly improve the streetscape and amenity value of business areas. Some buildings in the business zones have a utilitarian appearance. The provision of a front yard landscaped with trees and shrubs can soften the appearance of the streetscape.

Service stations are exempt from the requirement that 50% of the front yard be landscape-designed in recognition of the usual extensive use of frontage for vehicle crossings in service station development. Reference to sight lines in Chapter 8 does not mean that all planting needs to be below driver eye height, rather, that care is required with location of taller specimens.

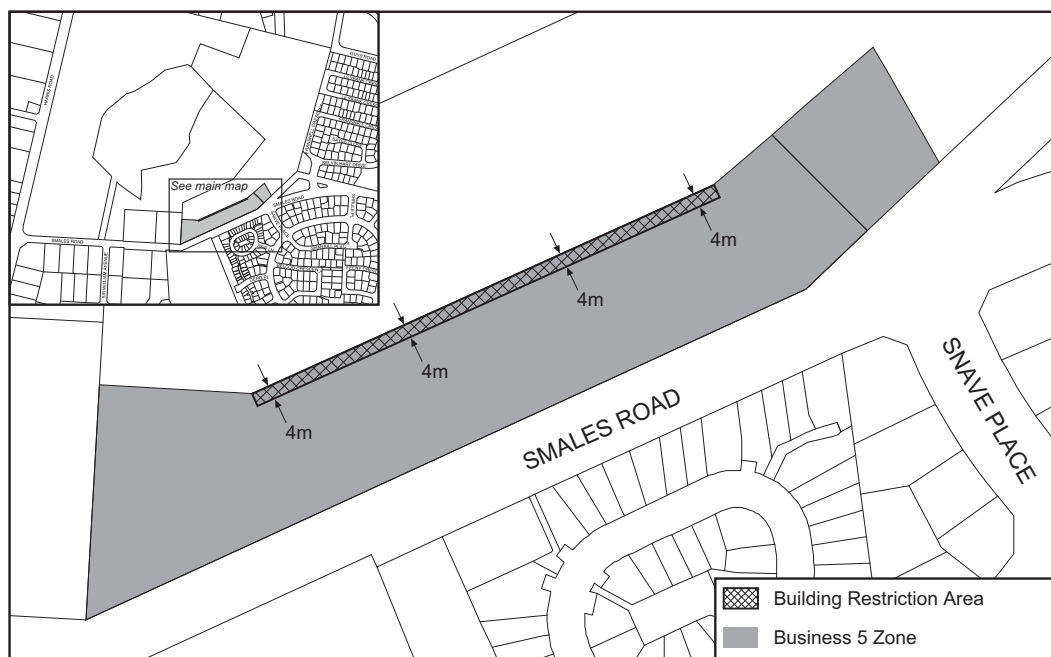


FIGURE 14.4 GREENMOUNT CLOSED LANDFILL OPERATION: BUSINESS 5 ZONE [AM110]

- (b) **Yards adjoining Residential, Public Open Space, Future Urban Development zones and Reserves vested in Council [AM98]**
- (i) Where any part of a site abuts a site zoned Residential, Public Open Space or Future Urban Development, a yard having a minimum width of 5m shall be required except on the land shown on Figure 14.4 Greenmount Closed Landfill that is within the Business 5 zone where a yard of no less than 4m be required. [AM90] [AM98] [AM110]
 - (ii) All of the area of this yard shall be planted and maintained in grass, trees and shrubs.
 - (iii) In addition to the above requirements there shall be no buildings or structures erected within 10 metres of the eastern boundary of Lot 104 DP 190448 (Paul Stevenson Place, East Tamaki) for as long as the land adjoining the eastern boundary of Lot 104 DP 190448 is used for a residential purpose.

Explanation/Reasons

The yard and landscape design will provide screening that reduces the visual impact of business activities of the adjoining Residential and Public Open Space zoned sites, and areas which may be so zoned in the future. On land shown as Business 5 zone on Figure 14.4 Greenmount Closed Landfill, the minimum yard width has been reduced as the affected landowner has approved a reduced setback and the topography provides screening. [AM98] [AM110]

- (c) Yards in Business 5 Waiohuru Peninsula Special Policy Area
 - (i) Front yards shall be as defined in Rule 14.11.2(a).
 - (ii) Side yards shall be 3 metres on each side or 6 metres on one side.

Explanation/Reasons

The provision of a front yard landscaped with trees and shrubs can soften the appearance of the streetscape and will ensure the achievement of an open character and contribute to amenity values throughout the area.

Side yards will help to break the visual density of buildings on Waiohuru Peninsula, particularly when seen from residential areas across the Tamaki River and Pakuranga Creek.

- (d) Front Yards in Business 5 Favona Special Policy Area [AM90]
 - Front yards shall be as defined in Rule 14.11.2(a) except that a 5 metre front yard shall apply to all sites within the Favona Special Policy area which:
 - adjoin the coastal road, and/or
 - adjoin Walmsley / Favona Road, and/or
 - adjoin the road proposed to extend northwards into the Favona Special Policy Area from the intersection of Walmsley Road, Favona Road and Robertson Road.

The full area of the front yard, excluding required vehicle crossings, shall be landscape designed in accordance with the comprehensive landscape plan required to be submitted with the subdivision consent application under Rule 14.11.12A(i). The landscaping is to be at a scale to relate to the size of the buildings and must include regularly spaced trees which define the street alignment, entranceways, courtyards and the like, subject to maintaining sight lines as required by Chapter 8 (Transportation). Fences, walls and other structures higher than 1.8 m shall not be located in the required front yard area. [AM150]

Explanation/Reasons

The intent of this rule is to provide for a high degree of on site amenity where land faces residential zones across Walmsley / Favona roads and to facilitate, in association with any proposed road reserve planting, landscaping to frame any public views of the coast and One Tree Hill. [AM90]

- (e) Wiri North Structure Plan Area - Front Yard Fencing [AM162]

Fencing along the front and side boundaries within the front 7.5m yard of developments or sites shall be:

 - (i) no more than 2m in height
 - (ii) at least 50% visually permeable; and
 - (iii) limited to no more than 5m in length where solid sections of fencing are more than 1.2m in height.

Explanation/Reasons

The front yard fencing rule has been included to avoid solid walls/fences along street frontages and ensure that development remains open to the road frontage. It is anticipated that all developments will comply with this rule. Any fences of more than 2m in height will constitute a building and as such will also require consent as a building within a required front yard. [AM162]

Rule**14.11.3 Coastal and Water Protection Yards**

- (a) Where any site abuts Mean High Water Springs, a Coastal Protection Yard with a width of 25 metres will be required.
- (b) Where a site abuts a river whose bed has an average width of 3 metres or more a Water Protection yard of 10 metres back from the edge of the river will be required.
- (c) All Coastal and Water Protection Yards shall be planted in grass, trees and shrubs.
- (d) Earthworks involving more than a cumulative total of 200m³ in a Coastal Protection Yard shall be a restricted discretionary activity in terms of Rule 9.8.2.

Explanation/Reasons

Activities within 25m of the coastline can have a major visual impact and detrimentally affect sensitive water ecosystems. Together with the control on activities within 50m of the foreshore the 25m yard provision from MHWS ensures that the important amenity values of the coastline are maintained. Similarly, the 10m yard requirement for rivers will ensure the protection of the visual amenity value and ecological values of the river. Chapter 9 on Land Modification, Development and Subdivision identifies the circumstances where earthworks require a consent within the protection yards. The provisions apply to new activities and if an existing activity seeks to make changes beyond their existing use rights, this is by way of a Restricted Discretionary Activity application as identified in the Activity Table at 14.10.2.

Applications to erect building and structures or to undertake any works within the water protection yard will be assessed as a restricted discretionary activity. In general, only buildings, works and structures with a functional relationship to the coastline or river, and a low visual impact should be sited in proximity to the coastline or rivers.

[Rule 14.11.4 Verandahs — deleted by Consent Order References RMA 1572/98, RMA 1569/98 & RMA 1593/98]

[AM102]

Rule**14.11.5 Screening of Activities and Storage**

- (a) Any outdoor storage or rubbish collection area visible from any residential or public open space zone or reserve vested in Council or public road or foreshore area shall be screened from public view by landscape design and/or the erection of a fence, to the satisfaction of the Council. [AM98]
- (b) Those parts of any site which are or may be visible from any public open space zone, reserve vested in Council, foreshore area, public road or from any residential area shall be maintained in a tidy condition. [AM98]
- (c) No activity (except carparking and access in front yards) or storage of goods, materials, refuse or refuse containers of any kind shall be permitted on any Front, Side Rear or Coastal or Water Protection Yard.
- (d) The outdoor area which may be used for the storage, packaging and decanting of goods in the Waiohuru Peninsula Special Policy Area shall be limited to 5% of the building area on the site and the area so used shall be fully screened from all roads and surrounding properties.

Explanation/Reasons

Suitable screening can reduce any unsightliness from rubbish or storage areas. It can also lessen the amount of noise, dust and litter issued from the site.

Rule**14.11.6 Manukau Square — Sunlight Admission**

- (a) No building or other structure shall be erected so as to cast any shadow in the area contained within the sunlight admission control line as defined in Figure 14.3 during the hours of 10.00 am–2.00 pm for the period September 23 to March 21, standard time, each year.
- (b) The Council shall require all applications for development within the Business 3 zone to be accompanied by sufficient information so that an accurate assessment of compliance with the above rule can be made.

Explanation/Reasons

The Sunlight Admission Control Line will ensure that development around the Manukau Square will not adversely affect the public enjoyment of the area by obstructing the access of sunlight.

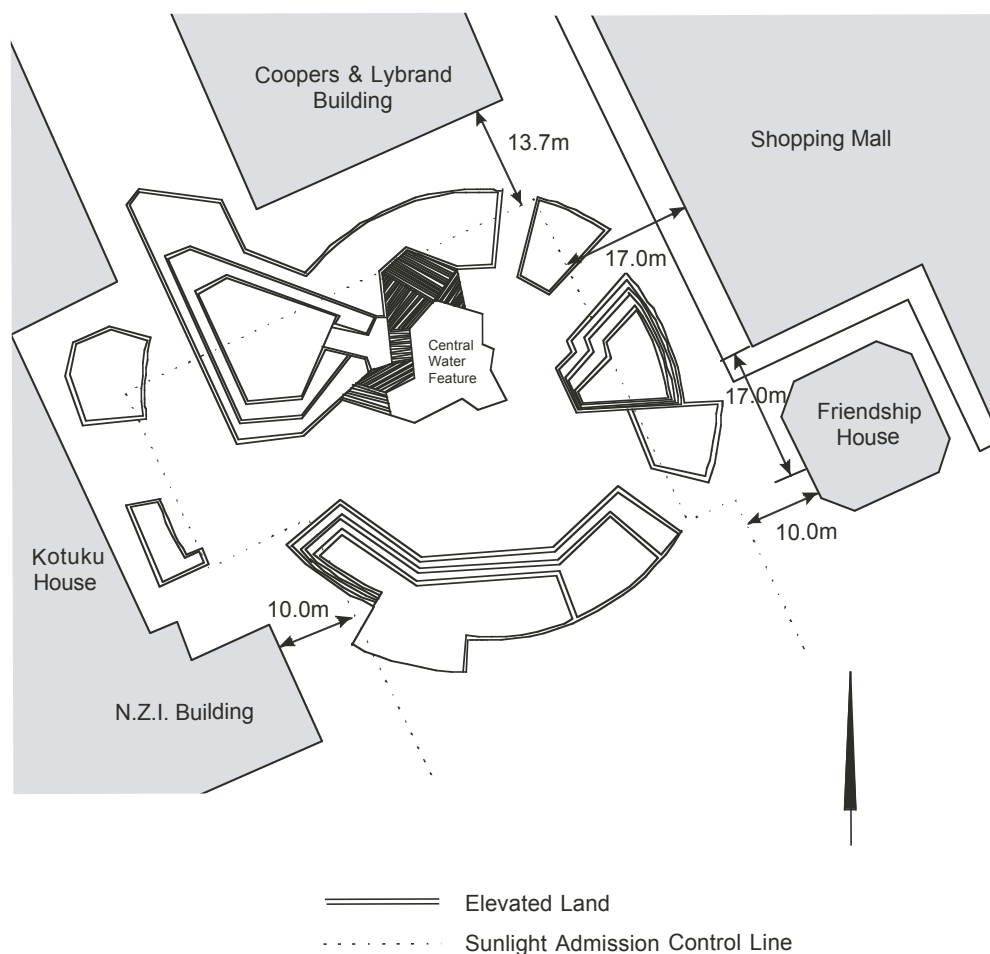


FIGURE 14.3 MANUKAU SQUARE: SUNLIGHT ADMISSION CONTROL LINE

Rule**14.11.7 Noise**

- (a) Any activity involving the use of land or buildings shall be conducted and the buildings shall be designed and located so as to ensure that the following noise levels in Tables A and B, are not exceeded as a result of any activity involved in that use, unless specific noise levels are provided for the activity elsewhere in the Plan.

TABLE A

The noise level measured at or within the boundary of a site zoned Residential, Papakainga or Maori Purpose shall not exceed the following:

ACTIVITY	AVERAGE MAXIMUM LEVEL			MAXIMUM
	L ₁₀ dBA			L _{MAX} dBA
	MONDAY TO – SATURDAY 7.00AM– 6.00PM (0700–1800)	MONDAY TO – SATURDAY 6.00PM– 10.00PM (1800–2200) SUNDAY AND PUBLIC HOLIDAYS 7.00AM– 10.00PM (0700–2200)	AT ALL OTHER TIMES	10.00PM–7.00AM (2200–0700)
Residential Papakainga or Maori Purpose zoned sites adjacent to land zoned Business 4, 5 or 6, and where the background noise level is 50 dBA or greater.	55	50	45	75 [AM5]
All other sites	50	45	40	70 [AM5]

TABLE B

The noise level as measured at or within the boundary of any adjacent site zoned business shall not exceed the following limits:

ACTIVITY	AVERAGE MAXIMUM LEVEL			MAXIMUM
	L ₁₀ dBA			L _{MAX} dBA
	MONDAY TO – SATURDAY 7.00AM– 6.00PM (0700–1800)	MONDAY TO – SATURDAY 6.00PM– 10.00PM (1800–2200) SUNDAY AND PUBLIC HOLIDAYS 7.00AM– 10.00PM (0700–2200)	AT ALL OTHER TIMES	10.00PM–7.00AM (2200–0700)
Business 1 zone	55	55	55	75
Business 2, 3, 4 zones	60	60	60	90
Business 5 zone	65	65	65	90
Business 6	70	70	70	90

- (b) Household units shall only be permitted in the Business 2, 3, 4 and 5 zones where an acoustic design certificate is provided by the applicant demonstrating that the accommodation has been designed in such a manner so as to comply with the following internal noise limits:

TABLE C

ACTIVITY	L _{dn}	L _{MAX}
Household units in Business Zones 2, 3, 4, 5, 6	45	55

- (c) The noise shall be measured with a sound level meter complying at least with the International Standard IEC 651 (1979) Sound Level Meters, Type 1.

- (d) Any construction, maintenance and demolition noise shall comply with Rules 5.18.3.6 in Chapter 5 General Procedures and Rules.
- (e) The maximum noise levels specified in Tables A and B shall not apply to:
 - (i) Noise from safety signals, warning devices, or emergency pressure relief valves, provided they do not sound for more than a reasonable period;
 - (ii) Crowd noise associated with outdoor events;
 - (iii) Any noise emitted by any aircraft being operated during or immediately before or after flight.
- (f) Any use undertaken or building erected on that part of Part 3 DP 83859 which is zoned Business 5 (or on any site derived from a subdivision thereof) adjoining the land designated "Homai College for the Blind" (see Planning Map 29) shall comply with the following noise levels measured and assessed in accordance with the relevant provisions of the noise controls contained in the Plan and, where appropriate, with NZS 6801:1991 "Measurement of Sound" and NZS 6802:1991 "Assessment of Environmental Sound":
 - (i) The average maximum noise level (L_{10}) and maximum noise level (L_{MAX}) as measured at or within the boundary of the site shall not exceed the following limits.

AVERAGE MAXIMUM LEVEL			MAXIMUM
L_{10} dBA			L_{MAX} dBA
MONDAY TO – SATURDAY 7.00AM– 6.00PM (0700–1800)	MONDAY TO – SATURDAY 6.00PM – 10.00PM (1800–2200) SUNDAY AND PUBLIC HOLIDAYS 7.00AM– 10.00PM (0700–2200)	AT ALL OTHER TIMES	10.00PM – 7.00AM (2200–0700)
50	45	40	65 (or the background plus 30, whichever is the lower)

- (ii) Any construction work undertaken on that part of Part 3 DP 83859 which is zoned Business 5 (or any site derived from a subdivision thereof) shall comply with the Construction Noise Rules 5.18.3.6 in Chapter 5 General Procedures and Rules except any provision permitting a relaxation of the limits for work of short duration shall not apply.
- (iii) At the time of application for any building consent pertaining to any such site, Council will require an acoustic design certificate from a qualified acoustic engineer demonstrating that the performance standards set forth in (i) and (ii) above will be met.

Such certificate shall also confirm that all relevant factors have been taken into consideration including but not limited to the following:

- (a) The design of any building on site.
- (b) The materials to be listed in such construction.
- (c) The construction methods to be utilised.
- (d) The overall site layout.

- (e) Any vehicular access to the site and in particular heavy vehicles.
 - (f) Any provision for vehicular movement, parking and storage on site, and in particular heavy vehicles.
 - (g) The nature of the activities intended for the site, its propensity for noise emission and the characteristics of any such noise.
- (iv) Council may require a further acoustic certificate from a qualified acoustic engineer demonstrating that any noise emissions from the site comply with the limits set forth in (i) and (ii) above.
 - (v) The Council shall deliver a copy of any acoustic certificate as required by (iii) and (iv) above on the Principal, Homai College for the Blind within seven days of receipt by the Council.
- (g) For the purposes of applying the provisions of Rule 14.11.7 to any further development on Lot 1 DP 96883 (the “Comprint” site, Great South Road, Manukau Central) Lot 2 DP 69390 and Lot 1 DP 69724 shall be deemed to be zoned for a non-residential purpose.
 - (h) Notwithstanding the noise standards in Tables A and B, the Council may invoke the powers conferred on it under the relevant sections of the Resource Management Act 1991 to control any noise which has become an objectionable element or nuisance.
 - (i) Business activities which propose to operate 24 hour heating, ventilating and air conditioning and similar equipment within 50 metres of any site zoned residential, must demonstrate that the noise emission will comply with the noise performance standards specified in the plan.
 - (j) Business activities which require heavy vehicle deliveries to be made between 2200–0700 hours and are sited within 50 metres of any site zoned residential, must demonstrate that the noise emission generated by the vehicles will comply with the noise performance standards specified in Rule 14.11.7.
 - (k) The noise limits specified in Table A, B or C may be exceeded by a maximum of 10 dBA during the daytime period only for sporting, recreational or cultural activities, provided that such activities do not occur more than 2 times in any 12 month period and for the period of not more than 3 hours on any single occasion (the daytime period is defined as 7.00am to 10.00pm).
 - (l) Notwithstanding clause (a) of this Rule, activities undertaken in business zones shall not exceed 55 L10 dBA at any time within 1 metre of the facade of any building used solely for education purposes on land designated for such purposes. Where buildings on designated school sites are used for residential accommodation then clause (a) of this Rule shall apply. **[AM5]**

Explanation/Reasons

The main purpose of the noise controls is to protect residential zones from the adverse effects of intrusive noise. As well as providing noise protection on residential boundaries it is also appropriate that some acoustic control is provided between sites within business zones. A mixture of activities is likely to be established within these zones and some activities require an appropriate level of acoustic privacy.

Setting noise limits at the site boundaries should assist in preventing the City’s background noise level from rising unduly and should maintain a reasonable acoustic environment within a zone.

The levels set for the business zones vary in recognition of the type of activity permitted within each zone. Higher maximum noise levels are set for the Business 5 and 6 zones because in these zones industrial activities predominate. The highest level is set for the Business 6 which is located in areas distant from residential zones and is the zone that is specifically set aside for potentially noisy activities.

The noise controls applying to the Business 5 zone adjacent to Homai College for the Blind are somewhat more stringent than those for the Business 5 zone generally. This is to ensure that the Homai College

property is not subject to any unduly intrusive noise. There is a particular need for the visually impaired to have a high quality acoustic environment consisting of a relatively low background noise level and little intrusive noise. Auditory information is of vital importance to the visually impaired and the receipt of this information can be hindered where there is a high background noise level or other intrusive noise present. This is of especial importance in educational facilities such as Homai College.

Rule**14.11.8 Hazardous Facilities and Substances**

Rules in Chapter 10.1 — Hazardous Facilities and Substances apply.

Rule**14.11.9 Odour, Dust, Fumes and Smoke****(a) Odour**

Activities must not create offensive or objectionable odour able to be detected at or beyond the boundary of the site. In the event of an offensive or objectionable odour occurring to such an extent that it has, or is likely to have an adverse effect on people, places or resources, such action shall be taken as may be necessary by the owner and or occupier to remedy the situation to the satisfaction of the Council.

(b) Dust, Fumes and Smoke

Activities shall not create a dust, fume or smoke nuisance. A dust, fume or smoke nuisance will be deemed to have occurred if:

- there is visible evidence of suspended solids / particulate matter in the air beyond the site boundary; and / or
- there is visible evidence of deposited particulate matter traceable from a dust source, settling on the ground, building or structure on an adjoining site or waterbody.

Explanation/Reasons

The reason for adopting dust, fume, smoke and odour controls is to provide a practicable means of controlling situations which are not satisfactorily regulated by controls on air discharges. In relation to odour the Council will be guided in its approach through use of the 'FIDO' factors included in the Ministry for the Environment guide "Odour Management Under The Resource Management Act 1991".

Flexibility is needed so that various alternatives can be used to avoid or reduce the problem. The control adopted recognises both the subjective nature of the task and the need to provide for flexibility to take whatever action is needed to solve the problem.

In determining what is considered offensive or objectionable, the Council will take into account the presence of long established activities which generate unavoidable odours.

Rule**14.11.10 Vibration**

Rule 5.18.4 Vibration, Chapter 5 — General Procedures and Rules applies.

Rule**14.11.11 Lighting**

Rule 5.18.2 Artificial Lighting, Chapter 5 — General Procedures and Rules applies.

[AM109 Rules 14.11.12 and 14.11.13 deleted, and subsequent rules renumbered]

Rule**14.11.12 Waioru Peninsula Special Policy Area — Landscape Design**

- (i) 20% of any site shall be landscaped, provided that this requirement may be reduced to 10% of each site where:
 - (a) the reduction in landscaping is used for carparking purposes; and
 - (b) such carparking is located in front of, or to the side of the building; and
 - (c) such carparking is designed in such a way as to be substantially hidden from view from the road and adjoining properties by either excavation, mounding or landscape planting (or a combination of one or more of the foregoing), so as to be visually integrated into the remaining landscaped area;

except that landscaping shall always be provided for in those yards adjoining public open space, reserve vested in Council and stormwater detention ponds as specified in Rule 14.11.12(v) and Coastal Protection Yards as specified in Rule 14.11.3. [AM98] [AM150]

- (ii) A comprehensive landscape plan shall be required to be consented to by the Council as part of any application for subdivision consent. Such landscaping plan shall indicate:
 - the form (including density, species, depth and height) of planting that is proposed to be undertaken within that part of any existing or proposed esplanade reserve that immediately adjoins the land subject to the proposed subdivision.
 - those trees and groups of trees that are proposed to be retained within the subdivision.
 - the form (including density, species, depth and height) of proposed landscape planting that is intended to be undertaken within the streets and front yards of the proposed allotments, and any yards immediately adjoining any existing or proposed reserves.
 - the planting proposed to be undertaken around any existing or proposed stormwater detention ponds.
 - how the proposals fit in with any existing and likely future landscaping.
- (iii) Those landscaping proposals that apply to any proposed publicly owned areas shall be implemented as part of the subdivisional process, while those parts of the proposed landscaping plan that apply to any remaining yards within the proposed privately owned allotments will be required to be implemented at the time of building development.
- (iv) The yards shall be landscape planted at the time of building development in accordance with the landscape plan referred to above. Any plants which have been damaged, removed or perished since the time of subdivision shall be made good at the time of subsequent building development as a condition of planning consent.
- (v) Yards adjoining public reserves and stormwater detention pond areas — shall be landscaped for a minimum width of 5m.
- (vi) In addition to the signs in Rule 5.14. Chapter 5 — General Procedures and Rules, (excluding Rule 5.14.9.5.1(ii) and (iii)), the following signs shall be permitted activities:

A single free-standing sign for each street frontage to a site, where the primary purpose of the sign is identification, with the total height of the support structure and sign not exceeding 3m and the area of the sign not exceeding 3m².

That the following signs shall be controlled activities:

A sign or signs where the primary purpose of the sign is identification, fixed to the facade of a building or the fascia of a verandah or canopy provided that the sign does not project beyond the profile of the building, verandah or canopy fascia.

Any sign not complying with the above is a restricted discretionary activity and will be assessed against those matters set out in 5.14.10 Assessment Criteria Chapter 5 — General Procedures and Rules.

- (vii) Planting within the public open space link shown as the Waiouru Tuff Mound Public Open Space Link on Figure 16.9 of Chapter 16 shall be undertaken in a manner which maintains an unobstructed viewshaft from the road southwards to the crest of the Waiouru Tuff Mound.

Explanation/Reasons

A comprehensive landscaping plan subject to Council approval is required as part of any application for subdivision consent, as a means of ensuring a high quality park-like environment is created. The fundamental purpose of a comprehensive landscaping plan is to ensure that a comprehensive approach is taken to landscaping throughout the Waiouru Peninsula, and also to provide a basis for any subsequent controls and approvals.

The concept of a landscaping 'baseline' reducible only if certain performances are met will be more likely to ensure a high quality of landscape planting and the achievement of an open character, than if the landscaping requirement was set at a 'flat' percentage without any such incentive.

The purpose of the extra landscaping requirement for Coastal Protection Yards and those yards adjoining public open space, reserve vested in Council and stormwater detention ponds is to protect the interface between a public area and a business zoned site which may be at the rear or side of the site. [AM98]

Rule

14.11.12.A Favona Special Policy Area — Subdivision and Development Landscape Design [AM90]

- (i) Rule 14.11.12.(ii), (iii), (iv) and (v) which apply to the Waiouru Peninsula Special Policy Area shall apply within the Favona Special Policy Area [AM150]
- (ii) Within the Favona Special Policy Area security fencing shall be restricted to:
 - The rear of the office component of any building which has frontage with a public road;
 - Behind the front façade or road elevation of any part of any other building; and

Where additional security is required, electrified wires shall be used rather than razor or barbed wire.
- (iii) Within the Favona Special Policy Area there shall be no business development between the coastal road and the coast. All of this area is to ultimately be vested and zoned as public open space although in the interim, prior to the land being subdivided and the land vested as public open space, the planning maps will show the interim Business 5 (Favona Special Policy Area) zoning.
- (iv) Within the Favona Special Policy Area any subdivision and development is to ensure that there are no new or further buildings located within a "no-build" buffer corridor 12 metres either side of the centre line of the Mangere - Mt Roskill A High Voltage Electricity Transmission lines and any development or landscaping within a 20 metre corridor either side of the centre line of the Transmission lines will need to be undertaken in accordance with Transpower's Corridor Management Policy (2007) and the New Zealand Electrical Code of Practice (NZECP 34:2001).

Explanation/Reasons

A comprehensive landscaping plan subject to Council approval is required as part of any application for subdivision consent, as a means of ensuring a high quality business environment is created. The fundamental purpose of a comprehensive landscaping plan is to ensure that a comprehensive approach is taken to landscaping throughout the Waiohuru Peninsula and the Favona Special Policy Areas and also to provide a basis for any subsequent controls and approvals.

[AM90]

Rule**14.11.13 Passenger Transport Facilities**

- (a) On site transport centres comprising bus waiting area(s) and shelter are to be provided by the developer at the time of development or redevelopment within the following locations:
- (i) Pakuranga Sub Centre Business 2 zone
 - (ii) Botany Suburban Centre Business 2 zone
 - (iii) Manukau City Centre Business 3 zone

Explanation/Reasons

Developers are required to make provision for energy efficient modes of transport as well as for travel by private motor car. All Development within the Business 2, 3 and 4 zones is subject to controlled or discretionary activity at which time any requirement to provide passenger transport facilities will be assessed.

14.11.14 Subdivision

- (a) **Rules in Chapter 9 — Land Modification, Development and Subdivision apply.**
- (b) **Minimum Site Areas**

ZONE	MINIMUM AREA*	MINIMUM	FRONTAGE
		FRONT/CORNER	REAR
Business 1	186m ²	6m	10m ^c
Business 2	186m ²	6m	10m ^c
Business 3	186m ²	6m	10m ^c
Business 4	1000m ²	23m	10m
Business 5	2000m ^{2a}	23m ^b	9m
Business 6	2000m ^{2a}	22m ^b	9m

* In the case of rear sites the minimum area specified shall be the net site area.

a Reducible to 1000m² provided that the average area of lots in any subdivision shall not be less than 2000m².

b 22m reducible to not less than 15m provided that the frontage of all front sites within a subdivision shall not be less than 22m.

c Frontage for rear sites is the width of the entrance strip or private way. The minimum dimension of individual sites is 6m.

(c) Minimum Frontage

The minimum frontage of all sites shall be 10 metres or the minimum frontage required for the zone in which the site is located, whichever is the greater, where the site has a common boundary with a residential or public open space zone or reserve vested in Council. [AM98]

(d) Rear Sites

The length of the entrance strip shall be provided with a carriageway with a minimum width of 6 metres and constructed in conformity with Rules in Chapter 9 — Land Modification, Development and Subdivision. A paved strip of not less than 1 metre in width shall be provided for pedestrian access. The remainder of the entrance strip not utilised for pedestrian or vehicular access shall be in grass or some other suitable ground cover and maintained to the satisfaction of the Council.

(e) **Shape Factor**

Front, corner and rear sites in Business 5 and 6 zones shall be of such a shape as to contain a rectangle having an area equal to half the area of the site (or in the case of a rear site, half the net site area) and having the longer side not greater than twice the length of the shorter side.

(f) **Special Provisions for Major Roads**

Front and corner sites having frontage to any road listed below, shall have a minimum area of 2000m² and a minimum frontage of 32m (front sites) or 64m (corner sites). However, for service stations the site size and frontage shall be sufficient to satisfy the requirements of this Plan.

- Great South Road excluding that part south of Browns Road and north of the Bridge over the Papakura Stream.
- East Tamaki Road
- Allens Road
- Springs Road
- Harris Road
- Waionuru Road
- Favona Road
- Ascot Road
- Mahunga Drive
- Lambie Drive
- Roscommon Road
- Ti Rakau Drive

(g) **Exceptions to General Requirements**

- (1) A reduction in the minimum area of Business 1, 2 and 3 sites may be permitted where:
 - (i) A service lane at least 5 metres wide is provided at the rear of the site and/or
 - (ii) The road frontage of the site has been set back for parking purposes, provided that setbacks exceeding 6 metres in depth shall not be eligible for any further pro-rata reductions in area.
- (2) There is no minimum net site area for sites in the business zones when building precedes subdivision provided that the location of the boundaries as defined in Chapter 18 ensures compliance with the development standards of the zone.

(h) **Cross lease, Company Lease and Unit Title Subdivision**

- (1) In the case of cross lease, company lease or unit title subdivision, any vacant part of the site intended to contain future buildings shall comply with the minimum area requirements of that zone (provided that this shall not apply to a staged unit title subdivision being undertaken in accordance with an approved proposed unit development plan).

[AM49]

Rule**14.11.15 Other Development and Performance Standards****(a) Traffic Generation, Parking, Loading and Access**

Chapter 8 - Transportation applies provided that:-

- (i) In addition to Chapter 8 – Transportation, the following rule applies to the area subject to the Campus Precinct (refer Figure 14.5):

An Integrated Transport Assessment (ITA) shall be submitted as part of any application for the erection or relocation of any building or structure and/or external alterations to any building or structure.

[AM112] [AM148]

(b) Transport Centre and Bus Waiting Areas/ Shelters

In addition to Chapter 8 – Transportation, the following rule applies

Transport centres comprising bus waiting area(s) and shelter(s) are to be provided by the developer at the time of development or redevelopment within the public road area at the following locations: Flat Bush Town Centre and Flat Bush Neighbourhood Zones.

[AM167]

(c) Effluent Disposal, Water Supply, Roding and Reserve Contributions

Chapter 9 — Land Modification, Development and Subdivision Activities and Chapter 15 Public Open Space apply.

(d) Payment of Business Development Reserve Contributions

Rule 15.15.2.3.5.1 applies.

[AM110]

Rule**14.11.15A Wiri North Emergency Management Areas A and B shown on the Wiri North Structure Plan (Figure 16.13)**

A Site Emergency Management Plan (SEMP) shall be prepared by a suitably qualified expert (for example a fire safety engineer). The SEMP shall be implemented by the consent holder and submitted to Council for all activities located within or partially within Wiri North Emergency Management Area A or B at least 10 working days prior to the proposed date of commencing any new activity or any change of activity. The SEMP shall be in accordance with the template contained within Appendix 14C. [AM162]

Note: This is also intended to address in part the requirements of the Resource Management Act 1991 and health and safety legislation. [AM162]

Rule**14.11.16 Adjoining Landfill Effects – any activity on Business 5 Zone land shown on Figure 14.4 Greenmount Closed Landfill.**

With the exception of Care Centres, Educational Facilities and Household Units, any activity on, or development or subdivision of the above land shall be subject to an application for

resource consent as a Restricted Discretionary activity (in addition to any other consent(s) required under Rule 14.10.2).

Applications made under this rule need not be notified and the written approval of affected persons need not be obtained, provided that the Auckland Regional Council and the Operator of the Greenmount closed landfill shall be deemed to be adversely affected persons and their written approval to the activity will be required. In the event that the written approval of the Auckland Regional Council and the Operator of the Greenmount closed landfill are not obtained, they shall be served with notice of the application.

The Council reserves discretion over the matters listed in Rule 14.11.14.1 when assessing an application under this rule and shall have regard to the following additional development standard: **[AM150]**

- (i) No buildings (including enclosed space) or other structures shall be located within the Building Restriction Area shown on Figure 14.4 Greenmount Closed Landfill.

Note: The Auckland Regional Council is affected as the requiring authority for Designation 195 while the designation continues to apply on the subject land. Should any additional consents be required under Rule 14.10.2 an application relating to the above land will be subject to the normal tests for notification under section 95-95F of the Act.

Care Centres, Educational Facilities and Household Units shall be classified as non-complying activities.

Rule

14.11.16.1 Council restricts the exercise of its discretion to the following matters when assessing an application for a resource consent for activities on Business 5 Zone land shown on Figure 14.4, and may impose conditions in respect of each:

- (a) Mitigation measures and effects from the Greenmount closed landfill on people and the environment.
- (b) Potential effects on the Greenmount closed landfill.
- (c) Whether written approval to subdivide has been secured from the Auckland Regional Council (the requiring authority) in accordance with Designation 195.

Rule

14.11.16.2 When assessing an application for a restricted discretionary activity on land shown as Business 5 Zone on Figure 14.4 Greenmount Closed Landfill, the Council will have regard to the following assessment criteria and any relevant matters set out in Section 104 of the Act:

- (a) Mitigation measures and effects from the Greenmount Closed Landfill on people and the environment
 - (i) Whether the extent of landfill gas and contamination investigations taken are adequate, and whether the gas and contamination control and protection measures proposed are appropriate to the development proposed.
 - (ii) Whether the building design, size and usage (whether controlled or uncontrolled), and type of mitigation proposed adequately and effectively manages or prevents adverse effects on the health and safety of people, buildings and the environment from potential contamination and/or gas migration arising from the adjacent closed landfill.

- (iii) Whether the design of the underground services design and type of mitigation proposed adequately and effectively manages or prevents adverse effects on the health and safety of people, buildings and the environment from potential contamination and/or gas migration arising from the adjacent closed landfill and adequately minimises underground gas migrations from leaving the site.
- (iv) Whether subterranean structures that could pose a high risk of landfill gas accumulation are proposed, and if so, what changes can be taken to eliminate or minimise such features to prevent gas accumulation.
- (v) Whether any geotechnical constraints, including basalt rock fissures which could be potential gas pathways and the groundwater depths and variation in groundwater depths which could potentially affect gas pathways, have been adequately investigated, identified and addressed.
- (vi) Whether adequate and effective measures are put in place or proposed to ensure that future owners and occupiers of the land are aware of the particular constraints affecting any subdivision, development or land use due to the historic landfill activity associated with the Greenmount Closed Landfill, including (if necessary) the preparation of a covenant detailing these measures and the registration of that covenant on the Certificate of Title pursuant to section 108 of the Act.
- (vii) Whether management processes are in place that are provided to ensure on-going operation and maintenance of gas protection measures.
- (viii) Whether a comprehensive risk assessment has been undertaken by a suitably qualified landfill gas specialist of the proposed development including building type, building use and the required gas mitigation measures to be implemented at the site to ensure the ongoing safety and health of the site users.

(b) Potential Effects on the Greenmount Closed Landfill

- (i) Whether the proposed building or activity will enable the Auckland Regional Council and the Operator of the closed landfill to undertake required aftercare responsibilities and functions, including ongoing monitoring if required.
- (i) Whether the proposed building or activity will affect landfill stability.

Explanation/Reasons

The Business 5 Zone land shown on Figure 14.4 is located adjacent to the closed Greenmount Landfill. As such, any activities on the land may be adversely affected by the effects of the closed landfill, for example landfill gas generation due to biological degradation of organic waste. Activities on the land may also have an adverse effect on landfill controls and aftercare, including ongoing monitoring and mitigation measures. Any activity will need to demonstrate that the land is suitable for the proposed purpose. Council's intention is to manage effects that past landfill activities may have on Business 5 activities and on the land and potential constraints for the on-going aftercare of the landfill site.

Further detailed site investigations (including soil/geotechnical and gas migration investigation) undertaken by a suitably qualified specialist will be required prior to any development and excavation of the land. Landfill gas investigations are required to be undertaken to allow appropriate gas protection measures to be selected for the type of activity proposed. A report by URS (Regional & City Planning DI/DS/113), and a separate report by Earthtech (Regional & City Planning DI/DS/113) identify site specific constraints and outline actions to be undertaken prior to activities on the site. As technology and new information become available along with site changes these reports form the starting point and do not limit Council considerations.

Any proposal will need to incorporate appropriate gas and contamination protection measures and otherwise demonstrate that the land is suitable for the proposed purpose. The intention of the Plan is to prevent effects that past landfill activities may have on Business 5 activities and on the land and potential constraints for the on-going aftercare and restoration of the landfill site. Vulnerable activities not suited to this particular site are Care Centres, Educational Facilities and Household Units.

[AM110]

Rule

14.11.17 Building Coverage

- (a) Maximum Building Coverage within the Mangere Town Centre Special Development Area (see Figure 14.7) - 50% [AM148]

Rule

14.11.18 Retail Sales Activities

- (a) Retail Sales Activities within the Mangere Town Centre Special Development Area (see Figure 14.7) shall be limited to a total gross floor area of 500m² within the entire Mangere Town Centre Special Development Area and all Retail Sales Activities shall have their principal pedestrian entry from Mascot Avenue or Canning Crescent. [AM148]

14.12 RULES — MATTERS FOR CONTROL: CONTROLLED ACTIVITIES

All controlled activities shall be subject to Rule 5.21 where applicable.

Rule

14.12.1 Erection or relocation of any building or structure and/or external alterations or additions to any building or structure and/or accessory buildings for any permitted or controlled activity except those in the Wiri North Structure Plan Area (see Rule 14.12.10.4) and including service stations in Rule 14.10.2. [AM162]

Rule

14.12.1.1 Council reserves control over the following matters for controlled activity resource consent applications for the erection or relocation of any building or structure and/or external alterations or additions to any building or structure and may impose conditions in respect of each:

- (i) Design and external appearance
- (ii) Site layout
- (iii) Vehicle and pedestrian access
- (iv) Carparking
- (v) Passenger transport facilities

Rule

14.12.1.2 When assessing an application for a controlled activity resource consent for the erection or relocation of any building or structure and/or external alterations or additions to any building or structure the Council will have regard to the following assessment criteria and any relevant matters set out in Section 104 of the Act:

- (a) **Design and External Appearance**

Whether the building design and external appearance will maintain the visual amenity values of the Business area. In particular, in the Business 1–3 zones, whether

- the building has been considered as part of the surrounding urban environment in terms of how it reflects its location within the city and the immediate environment;
- the design of the groundfloor frontage of the building maintains a sense of variety, including, display windows and creates a continuous street frontage;
- the ground and first floor fascades of the building establish a strong relationship with pedestrians and that the ground floor appears accessible;
- a verandah along the frontage of the building is necessary to contribute to any special character of the business area or to provide protection for pedestrians from rain and sun given the likely amount of pedestrian traffic, the extent of continuous retail frontage and the availability of alternative covered pedestrian routes in the vicinity;
- verandahs have been designed as an integral part of the building, to coordinate with adjoining buildings and existing verandahs, to contribute to any special character of the business area and to provide adequate protection from rain and sun while not impeding movement in adjacent traffic lanes;
- the design of buildings on prominent sites has taken into account their importance in terminating vistas and providing landmarks;
- detailed design elements and materials have been used to create a sense of place that reflects the local identity.

In the Howick and Papatoetoe Special Character Business Areas (defined on Figures 14.1 and 14.2) regard will be given to the heritage and amenity values of the areas including whether the design incorporates elements of or is in keeping with the nature of the existing building scale, façade design and appearance, roof pitch, verandah design, building materials and fenestrations.

In the case of the **mainstreet** portion of the Howick Special Character Business Area (defined on Figure 14.1) attention will need to be given to whether:

- proposed buildings are built to the street boundary to maintain an intimate atmosphere and, in the case of corner sites, to articulate the angles of the intersections between Picton Street and side streets;
- the height of proposed buildings adversely affects views of Stockade Hill from Picton Street or views of the Hauraki Gulf from the Stockade Hill area or from the Ridge Road entry to Howick;
- buildings proposed for corner sites are of sufficient height (two storey) and presence to act as 'anchors' or 'bookends' to the street wall of Picton Street;
- proposed buildings not on corner sites are of the same (two storey) or lesser height than those on the nearest corner site in the street block (unless that building is a single storey structure);
- proposed buildings are built to the front boundary and that a continuous building frontage is created without vehicle crossings or other gaps to interrupt pedestrian flow or the visual continuity of the "street wall" that encloses the public space of the mainstreet;
- proposed buildings utilize at least some of the materials characteristic of the mainstreet (for example rendered brick, fairface brick, red roof tiles, slate/shingles and weatherboards); and
- whether proposed site and street planting utilizes characteristic tree species (for example cypresses, English oaks, elms, Norfolk Island pines, puriri and pohutukawa).

In the case of the **periphery** portion of the Howick Special Character Business Area (defined on Figure 14.1) attention will need to be given to whether:

- proposed buildings adjacent to the **mainstreet** portion of the Howick Special Character Business Area detract from **mainstreet** character in terms of building height, mass and the way the building façade is articulated;
- proposed site and street planting utilizes characteristic tree species (for example cypresses, English oaks, elms, Norfolk Island pines, puriri and pohutukawa);
- proposed building mass or height dominates the streetscape of the **periphery** or adjacent residential areas or adversely affects views of the Hauraki Gulf from the Stockade Hill area; and
- whether the connection between the **mainstreet** and the residential area is weakened by proposed building height or mass or by poor pedestrian amenity resulting from blank and poorly articulated facades or poorly located parking areas. [AM41]

(b) Site Layout

Whether the layout of buildings: has taken account of any natural features and utilised these in the site layout; has considered the open spaces that will be created; how these relate to an existing open space network; and whether buildings will positively address existing and proposed open spaces.

Whether the layout of buildings creates a continuous retail frontage to the street and other pedestrian spaces. In particular, whether the location and design of entry points, loading bays, parking and landscaping areas are compatible with development on adjoining sites and whether the layout of loading docks, and accessways are provided on a common basis with adjoining development and form continuous areas.

As a general guide, in the Business 1, 2 and 3 zones, site layout should foster a pedestrian focus and interaction with the street.

Whether the layout of buildings creates the opportunity for developing public plazas, seating areas or similar facilities contributing to the amenity values of the Business area.

(c) Vehicle and Pedestrian Access

Whether, in the case of Business 1–3 zoned sites, the development provides for pedestrian linkages between the site and adjacent sites and to main pedestrian routes within the integrated business centre.

Whether integrated pedestrian and vehicular circulation has been considered in determining the overall site layout.

Whether vehicular access to the site provides for safe and convenient access, including regard to the effect on the safe and efficient operation of the adjoining road network. Whether the vehicle access has a minimal adverse effect on pedestrian access and safety. Assessment criteria in 8.25, Chapter 8 Transportation may also be considered.

(d) Carparking

Whether the location and design of the carparking areas provides for convenience, a safe and efficient internal circulation pattern and the avoidance of the detrimental visual effect of large areas of sealed parking unrelieved by landscaping.

Whether planting within parking areas makes a contribution to creating a sense of place within the commercial area.

Whether carparking areas are located to the rear of the building allowing the building facade to address the street or other public open spaces.

In relation to the Mangere Town Centre Special Development Area (see Figure 14.7) whether a parking assessment has been provided which demonstrates:

- (i) whether the number of carparks provided onsite will meet the requirements of the development proposed, having regard to other possibilities for carparking for special events and community gatherings, subject to any hour restrictions that may be necessary, within the Mangere Town Centre,
- (ii) how the parking on site will be managed to ensure that long stay parking requirements (parking of more than 4 hours) will be adequately provided for on site;
- (iii) whether the applicant has entered into any agreement with other parties for the use of their parking at times when they are not using it or has set aside an area of land upon which additional parking could be provided if required;
- (iv) for temporary activities or special events, whether a parking/traffic management plan has been provided to Council which covers all aspects of off-street and on-street parking associated with the proposed use, including detailed mitigation measures to ensure the efficient and safe movement of all traffic generated by the proposed use on the adjacent road network. [AM148]

Assessment criteria in 8.25 Chapter 8 Transportation may also be considered.

(e) **Passenger Transport Facilities**

Whether the proposed activity is likely to generate passenger transport ridership. Whether existing stops and shelters are available in the near vicinity.

Whether any new stop would have an effect on traffic safety.

Whether there is good pedestrian access from the stop to any building entrance it would be serving.

In the case of transport centres at Pakuranga and Botany Suburban Centres or Manukau City Centre whether the transport centre has good pedestrian access to entrances and buses can conveniently travel between the stops and the adjacent road network. As a guide applicants should demonstrate that the proposed activity enables use of passenger transport through adoption of access configurations and layout which is convenient for pedestrians.

Explanation/Reasons

The amenity values of Business 1–4 zones is of a high standard, and the matters for control are intended to ensure that a high standard is maintained and enhanced. In particular, pedestrian amenity is a concern.

In the Howick and Papatoetoe Special Character Business Areas additional assessment criteria are specified to reflect the particular amenity values of those areas.

[AM41]

Rule

14.12.2 The erection and relocation of any building in the City Centre Business 3 zone.

As well as the matters listed below, when this activity involves the erection or relocation of any building or structure and/or external alterations or additions to any building or structure, reference must also be made to Rule 14.12.1. [AM41]

Rule

14.12.2.1 Council reserves control over the following matters for controlled activity resource consent applications for the erection or relocation of any building in the City Centre Business 3 zone and may impose conditions in respect of each:

- (i) Integration with other development in the zone.
- (ii) Pedestrian access.
- (iii) Passenger transport facilities.

Rule

14.12.2.2 When assessing an application for a controlled activity resource consent for the erection and relocation of a building in the City Centre Council will have regard to the following assessment criteria and any relevant matters set out in Section 104 of the Act:

- (a) Whether the development is integrated with development in the Business 3 zone, particularly in terms of the provision of areas of public open space, landscaping, carparking, loading spaces, pedestrian linkages, vehicular access/internal roading.
- (b) Whether the development maintains and enhances an attractive, safe and convenient pedestrian environment.
- (c) Whether the proposed activity is likely to generate passenger transport ridership. Whether existing stops and shelters are available in the new vicinity.

Whether any new stop would have an effect on traffic safety.

Whether there is good pedestrian access from the stop to any building entrance it would be serving.

In the case of transport centres at Pakuranga and Botany Suburban Centres or Manukau City Centre whether the transport centre has good pedestrian access to entrances and buses can conveniently travel between the stops and the adjacent road network.

Explanation/Reasons

All of the City Centre is zoned Business 3. Development should be coordinated within the zone to achieve an integration of amenity values such as public open space and pedestrian linkages.

Rule

14.12.3 Any permitted or controlled activity in Rule 14.10.2 which is located within 30m of a Residential zone

As well as the matters listed below, when this activity involves the erection or relocation of any building or structure and/or external alterations or additions to any building or structure, reference must also be made to Rule 14.12.1. **[AM41]**

Rule

14.12.3.1 Council reserves control over the following matters for controlled activity resource consent applications for activities within 30m of a residential zone, and may impose conditions in respect of each:

- (i) Site layout and design and external appearance
- (ii) Vehicle and pedestrian access
- (iii) Carparking
- (iv) Hours of operation
- (v) Amplified music

Rule

14.12.3.2 When assessing an application for a controlled activity resource consent for activities within 30m of a residential zone the Council will have regard to the following assessment criteria and any relevant matters set out in Section 104 of the Act:

(a) Site Layout Design and External Appearance

Whether the site layout and building design and external appearance will avoid or mitigate potential adverse effects on neighbouring residential sites including the effects of overshadowing, visual dominance, noise and odours. Particular regard will be given to landscaping and screening at the residential interface and the location and orientation of storage areas, access points from the road network, cooling and ventilation equipment, loading docks and similar equipment or facilities. Where it is not practical to screen business activities from adjacent residential areas, consideration will be given to whether the design and external appearance of the building or structure is compatible in terms of scale and form with adjacent residential buildings.

(b) Vehicular and Pedestrian Access

Whether vehicular access to the site provides for safe and convenient access, including regard to the effect on the safe and efficient operation of the adjoining road network. Whether the access has a minimal adverse effect on pedestrian access and safety. As a guide, the provisions of Chapter 8 Transportation will generally be adopted.

(c) Carparking

Whether the location and design of the carparking areas provides for convenience, a safe and efficient internal circulation pattern and the avoidance of the detrimental visual effect of large areas of sealed parking unrelieved by landscaping. Assessment Criteria in 8.25, Chapter 8 Transportation may also be considered.

(d) Hours of Operation

Whether the proposed hours of operation has the potential to create a noise nuisance for adjoining residential sites. As a guide additional controls may be placed on activities, including servicing and deliveries, that operate between the hours of 10.00 pm to 7.00 am.

(e) Amplified Music

Whether amplified music is to be provided and whether measures designed to ensure that the noise standards applicable are able to be met or whether limits on the hours of operation will ensure that the amenity values of adjoining residential areas are protected.

Explanation/Reasons

Activities located within 30 metres of a residential zone are a controlled activity. The matters for control will avoid or mitigate potential adverse effects of business activities on adjoining residential properties. While compliance with the development and performance standards will normally be sufficient to minimise any potential adverse effects between sites within business zones, the interface between business and residential activities may require additional controls.

Rule

14.12.4 Any permitted or controlled activity in 14.10.2 which is located within 10m of a Public Open Space Zone or Reserve vested in Council [AM98]

As well as the matters listed below, when this activity involves the erection or relocation of any building or structure and/or external alterations or additions to any building or structure, reference must also be made to Rule 14.12.1. [AM41]

Rule

14.12.4.1 Council reserves control over the following matters for any business activity within 10m of a Public Open Space Zone or Reserve vested in Council and may impose conditions in respect of each: [AM98]

- (i) Site layout
- (ii) Visual Amenity Values

Rule

14.12.4.2 When assessing an application for a controlled activity resource consent for any activity within 10m of a Public Open Space zone or Reserve vested in Council, the Council will have regard to the following assessment criteria and any relevant matters set out in Section 104 of the Act: [AM98]

(a) Site Layout

Whether the site layout ensures that potential adverse effects on the use and enjoyment of public open space or reserve vested in Council are avoided or mitigated. In particular whether activities are located on site in a manner which avoids potential noise, odours, and artificial lighting nuisance will be considered. The location on site of carparking, vehicle access and storage areas will also be considered. [AM98]

(b) Visual Effects

Whether the proposed buildings and other structures are compatible with the visual amenity values of the public open space or reserve vested in Council. In particular the visual relationship of the building to the public open space or reserve vested in Council will be considered, including the height of the building and other structures, proximity to the boundary and access of sunlight and daylight to the public open space or reserve vested in Council is protected. [AM98]

Explanation/Reasons

The criteria will ensure that potential adverse effects of business activity on nearby public open space or reserve vested in Council are avoided, remedied or mitigated. Particular consideration to the layout of the business activity on the site and the effects of buildings will be given. [AM98]

Rule

14.12.5 Any permitted or controlled activity in Rule 14.10.2 which is located within 50m of Mean High Water Springs (MHWS)

As well as the matters listed below, when this activity involves the erection or relocation of any building or structure and/or external alterations or additions to any building or structure, reference must also be made to Rule 14.12.1. [AM41]

Rule

14.12.5.1 Council reserves control over the following matters for any activity within 50m of Mean High Water Springs and may impose conditions in respect of each:

- (i) Site Layout
- (ii) Design and external appearance

- (iii) Landscape elements, including screen planting.

Rule

14.12.5.2 When assessing an application for a controlled activity resource consent for activities within 50m of Mean High Water Springs Council will have regard to the following assessment criteria and any relevant matters set out in Section 104 of the Act:

(a) Site Layout

Whether site layout is designed in such a manner as to avoid as far as practical or otherwise remedy or mitigate potential adverse effects on the natural coastal environment, and in particular whether storage areas are located and designed in such a manner as to avoid any potential adverse effects on the quality of coastal waters. In assessing these matters recognition will be given to the historical development of sites.

(b) Design and External Appearance

Whether the height, colour, form and scale of the proposed building, and the visual impact of the building will detract from the visual and landscape qualities of the coastal environment. In particular the height of buildings will be assessed, and as a guide buildings not exceeding 10m in height will normally be approved.

(c) Landscape Elements

Whether the development is screen planted at and near the coastal boundary in a manner which softens hard structures, minimises or reduces conflicts of scale, and provides a visual screening of buildings as viewed from the coast.

Explanation/Reasons

Some business activities have the potential to degrade the quality of coastal waters. Application of the above criteria will ensure that the likelihood of any major adverse effect on the coastline is reduced to the minimum. The scenic quality of the coastline is recognised, and particular attention will be given to the design and external appearance of buildings.

Rule

14.12.6 A single household unit needed for a person whose responsibilities require them to live on the site.

Rule

14.12.6.1 Council reserves control over the following matters for a single household unit needed for a person whose responsibilities require them to live on the site and may impose conditions in respect of each:

- (i) Safety of Occupant(s) of the household unit
- (ii) Internal Noise Environment

14.12.6.2 When assessing an application for a controlled activity resource consent for a single household unit needed for a person whose responsibilities require them to live on the site Council will have regard to the following assessment criteria and any relevant matters set out in Section 104 of the Act:

(a) Safety of Occupant(s) of the Household Unit

Whether there is a high level of risk to personal safety for the occupant(s) of a household unit on the site due to the noxious or potentially hazardous nature of surrounding activities.

(b) Internal Noise Environment

Whether the household unit is designed and constructed in a manner which provides a satisfactory internal noise environment with regard to the noise levels prevailing in the surrounding business area.

Explanation/Reasons

Household units may be required in industrial business areas to provide security for the premises. The safety of the residents should be addressed in terms of air quality and the presence of hazardous substances. Whether a satisfactory internal noise environment can be created, with regard to the noise levels in the surrounding business area will also be considered.

Rule

14.12.7 Cleanfill Activities involving the depositing of less than 5000m³ of material on any one site in the Business 4 zone or 5000m³ or more on any one site in the Business 6 zone

Rule

14.12.7.1 Council reserves control over the following matters for the above activity on any one site and may impose conditions in respect of each:

- (i) Noise and dust
- (ii) Visual amenity
- (iii) Design and appearance
- (iv) Site layout
- (v) Site rehabilitation
- (vi) Traffic generation and routes

Rule

14.12.7.2 When assessing an application for a controlled activity resource consent for the above activity, Council will have regard to the following assessment criteria and any relevant matters set out in Section 104 of the Act:

(a) Noise and Dust

Whether measures to mitigate potential noise and dust nuisance and detraction from visual amenity values of the area have been addressed.

(b) Visual Amenity

The appropriateness of the clean fill regarding design and appearance of the activity and the site layout including location of the clean fill on the site and site access.

(c) Design and appearance

Whether the landfill in its completed state will be sensitive in terms of appearance, form and location to the existing amenity values of the neighbourhood.

(d) Site Layout

Whether the operator has planned the rehabilitation of the landfill following its completion both from the visual and soil stability viewpoint.

(e) Site Rehabilitation

The degree to which traffic generated by the landfill will adversely effect any adjacent businessand/or residential amenity values and measures to avoid, remedy or mitigate such a potential adverse effect.

(f) Traffic Generation and Routes

Whether traffic generation will have an adverse effect on the amenity of areas through which it is likely to pass. Assessment Criteria in 8.25 Chapter 8 Transportation may also be considered.

Explanation/Reasons

Cleanfill activity involving the depositing of less than 5000m³ on any one site in the Business 4 zone and more than 5000m³ or more in the Business 6 zone is a controlled activity. The matters for control and the assessment of those matters will ensure that any potential adverse effects of cleanfill activity on surrounding business activities will be avoided, remedied or mitigated.

Rule

14.12.8 Bus Depots or Industry except activities listed in Appendix 14B Discharges to Air Categories

As well as the matters listed below, when this activity involves the erection or relocation of any building or structure and/or external alterations or additions to any building or structure, reference must also be made to Rule 14.12.1. **[AM41]**

Rule

14.12.8.1 Council reserves control over the following matters for Bus Depots or Industry except activities listed in Appendix 14B Discharges to Air Categories and may impose conditions in respect of each:

- (i) Noise and Vibration
- (ii) Location of Loading and Service Areas

Rule

14.12.8.2 When assessing an application for a controlled activity resource consent for Bus Depots or Industry except activities listed in Appendix 14B Discharges to Air Categories, Council will have regard to the following assessment criteria and any relevant matters set out in Section 104 of the Act:

(a) Noise and Vibration

Whether the activity has the potential to have adverse effects on adjoining activities, in terms of noise levels and vibration.

(b) Location of Loading and Service Areas

Whether the loading and service areas are located in a manner which will avoid or minimise any potential conflict with pedestrian and vehicle access, such as at the rear of the building. Assessment Criteria in 8.25, Chapter 8 Transportation may also be considered.

Explanation/Reasons

Bus Depots and Industrial activities in the Business 4 zone may have adverse effects on other activities in the zone if site layout is not appropriately designed, particularly in relation to loading and service areas. Controls on noise and vibration may also be required to maintain the amenity values of the area.

Rule

14.12.9 Service Stations

Rule

14.12.9.1 Council reserves control over Service Stations to the extent that it may impose conditions in respect of the matters identified in Rule 14.12.1.1 for erection or

relocation of any building or structure and/or alterations or additions to any building or structure and/or accessory buildings.

Rule

14.12.10 Buildings or Structures in the Waiouru Peninsula, and Favona Business 5 Special Policy Areas and the Wiri North Structure Plan Area [AM90][AM162]

Rule

14.12.10.1 Council reserves control over the following matters for controlled activity resource consent applications for the erection or relocation of any building or structure and/or external alterations or additions to any building or structure in the Waiouru Peninsula and Favona Special Policy Areas and may impose conditions in respect of each:
[AM90]

- (i) Design and external appearance
- (ii) Site layout
- (iii) Landscape and Fencing elements
- (iv) Vehicle and pedestrian access
- (v) Carparking
- (vi) Archaeology (in the case of the Favona Special Policy Area) [AM90]

Rule

14.12.10.2 When assessing an application for a controlled activity resource consent for the erection or relocation of any building or structure and/or external alterations or additions to any building or structure in the Waiouru Peninsula Special Policy Area the Council will have regard to the following assessment criteria and any relevant matters set out in Section 104 of the Act:

(a) Design and External Appearance

Whether the design, height, colour, form and scale of the proposed building or structure and its visual impact will detract from the visual and landscape qualities of the coastal environment and enhance the visual amenity of the Special Policy Area.

In the case of buildings and structures within the Waiouru Tuff Mound Protection Area shown on Figure 16.9 of Chapter 16, special regard will be had to whether the design (including the reflectivity of materials used), height, colour, form and scale of the proposed building or structure will detract from the view of the Waiouru Tuff Mound when viewed from the origin point of the viewshaft shown on Diagrams 10 and 11 in Appendix 6 to the District Plan Maps.

(b) Site Layout

Whether the site layout will avoid or mitigate potential adverse effects on public areas, including noise, odours, parking, vehicle access and storage areas.

(c) Landscape and Fencing Elements

Whether the development is screen planted in a manner which softens hard structures, minimises or reduces conflicts of scale and contributes to the visual screening of buildings as viewed from public areas.

Whether landscaping provides an appropriate visual screening of carparking from the road frontage and whether the landscaping and fencing maintains an open character and continuity of planting along the street frontage;

Where there is a proposed reduction in landscaping from 20% to 10% as outlined in Rule 14.11.14(i) whether the landscaping is sufficient to substantially hide from view the carparking area from the road and adjoining properties.

(d) Vehicular and Pedestrian Access

Whether vehicular access to the site provides for safe and convenient access, including regard to the effect on the safe and efficient operation of the adjoining road network. Whether the access has a minimal adverse effect on pedestrian access and safety. Assessment Criteria in 8.25, Chapter 8 Transportation may also be considered.

(e) Carparking

Whether location and design of the carparking areas provides for convenience, a safe and efficient internal circulation pattern and the avoidance of the detrimental visual effect of large areas of sealed parking unrelieved by landscaping.

Rule

14.12.10.3 When assessing an application for a controlled activity resource consent for the erection or relocation of any building or structure and/or external alterations or additions to any building or structure in the Favona Special Policy Area the Council will have regard to the following assessment criteria and any relevant matters set out in Section 104 of the Act: [AM90]]

(a) Design and External Appearance

Whether the scale, form, appearance, and location of buildings enhance the character and amenity and address the scale of adjoining residential areas, and the coastal environment, in such a manner to avoid or mitigate potential adverse effects and enhance the visual amenity of the Special Policy Area. Consideration is to be given to the design of buildings when viewed from the public domain of the harbour and the esplanade reserve that adjoins the harbour.

Whether buildings face the road and concentrate main entries, offices, primary glazed facades and active frontages along the road frontages. In particular, the main pedestrian entrance to each building shall be covered and lit and clearly visible from the road.

Whether buildings relate to neighbouring sites, in terms of alignment and location of active frontages, in such a manner as to strengthen the street edge. In particular, buildings on the road proposed to extend northwards into the Special Policy Area from the intersection of Walmsley Road, Favona Road and Robertson Road, are to relate to buildings on neighbouring sites in terms of alignment and the location of active frontages and are to be located and designed to enhance the sight lines to the Coastal edge and One Tree Hill. More generally, buildings throughout the Favona Structure Plan area should be regular in form and follow the alignment of the street and boundaries in plan and should be vertical in section. Buildings should not be overly stepped, in section or in plan, or have large protruding and/or curvilinear elements. Buildings should be well proportioned with appropriate modulation and articulation which reflects their actual size, uses and orientation and optimizes their relationship with the public domain. There should be a consistency of materials and colours between buildings on adjoining sites to create a cohesive urban form and reflective glass is not to be used. All rooftop mechanical and communications equipment shall be incorporated within the roof envelope, behind a parapet wall or otherwise screened from adjacent street frontages.

Whether buildings are designed in a manner that their relationships mitigate the impact of abrupt scale changes, both between buildings on the site, and with buildings on adjoining sites. Buildings are to be designed to minimise the visual impact of large warehouse forms particularly at the residential interfaces including the Favona and Walmsley Road frontage. This can be achieved by locating elements such as offices, canopies and other lower scale building elements along the street elevation and by ensuring that the elevations are well proportioned. This can occur through articulation and / or modulation.

Whether the location and design of buildings encourage passive surveillance of internal roads, the coastal road and the esplanade reserve.

Whether sustainable design principles are incorporated into building design. Rooftop water should be captured and stored for irrigation of landscaped areas and architecture should reflect modern sustainable design technologies (including incorporating low embodied energy materials in the design) and New Zealand's Pacific setting.

(b) Site Layout

Whether the site layout will avoid or mitigate potential adverse effects on public areas, including noise, odours, parking, vehicle access and storage areas.

Whether public views along internal or coastal roads toward the coast and One Tree Hill are protected and not compromised by any building.

Whether buildings, structures and landscaping located within the vicinity of the existing Mangere - Mt Roskill A high voltage transmission line are located a sufficient distance away from these lines, or are of a size, so that they don't interfere with or adversely affect the maintenance and operation of these lines. In order to meet this criterion it is expected that these developments will be carried out:

- in accordance with Transpower's Corridor Management Policy (2007) and the New Zealand Electrical Code of Practice (NZECP 34:2001). Guidance is provided by the Transpower document titled 'Development Guide for Development Near High Voltage Transmission Lines'; and that applicant's consult with Transpower New Zealand Limited prior to a resource consent being lodged with Council.

Generally, site layouts are to be designed so that:

- The impact of abrupt scale changes with adjoining sites especially at the residential interface are minimised;
- The buildings face the road frontages with offices and active uses and warehouse structures, Outdoor storage, loading and service yards and staff carparking will be located to the rear of the site or otherwise away from public view;
- Buildings align (i.e. are parallel to) with street frontages and in the case of the slightly curved Esplanade Road approximately align with that street frontage in order to minimise the impact of buildings;
- Buildings also align with side boundaries so that ultimately one building will align with another.
- They incorporate sustainable design principles including solar access and on site stormwater retention and re-use;
- Site access points are shared between adjoining sites to strengthen the street edge by creating larger blocks of built form and provide a continuity between sites.

(c) Landscape and Fencing Elements

The extent to which the design and location of buildings and landscaping encourage a safe environment by incorporating the principles of 'Crime Prevention Through Environmental Design' (refer to the National Guidelines for Crime Prevention through Environmental Design).

The degree to which on-site landscaping adjoining the road enhances the character of the streetscape and coast and links with the existing landscaping within road reserves and the esplanade reserve.

Whether public views along internal or coastal roads toward the coast and One Tree Hill are protected and not compromised by any building or landscaping.

Whether the development is landscaped in a manner which minimises or reduces conflicts of scale and contributes to the visual screening of unattractive building facades as viewed from adjacent residential or public areas.

Whether landscaping provides an appropriate visual screening of carparking from the road frontage and whether the landscaping and fencing maintains an open character and continuity of planting along the street frontage. In particular, solid masonry (concrete or stone) walls or vertical metal picket fences painted a dark colour and supplemented with hedge planting or ivy are to be used where walls or fences face street frontages.

Whether the landscaping spatially structures the whole development and reinforces the alignment of buildings and streets.

(d) **Vehicular and Pedestrian Access**

Whether vehicular access to the site provides for safe and convenient access, including regard to the effect on the safe and efficient operation of the adjoining road network. In particular, it is essential to keep access or egress points to and from Walmsey and Favona Roads to a minimum.

Whether the access has a minimal adverse effect on pedestrian access and safety. Assessment Criteria in 8.25, Chapter 8 Transportation may also be considered.

The extent to which pedestrian entrances to buildings and vehicle entrances to sites are clearly identifiable and defined while being integrated with the surrounding character of the area.

(e) **Car and bicycle parking**

Whether the location and design of the car parking areas provides for convenience of use, a safe and efficient internal circulation pattern, and the avoidance of the detrimental visual effect of large areas of sealed parking unrelieved by landscaping. In particular, it is expected that a detailed site landscaping plan will provide landscaped areas with hedges and trees to visually break up extensive car parking areas and integrate them with surrounding site and street landscape design.

Bicycle racks or enclosed bicycle parking shall be provided.

(f) **Archaeology (in the case of the Favona Special Policy Area)**

Where development is likely to impact upon an archaeological site, whether an archaeological assessment has been undertaken and whether the recommendations of that assessment have been implemented.

Note: all archaeological sites, whether recorded or unrecorded, are protected under the provisions of the Historic Places Act 1993. An authority from the New Zealand Historic Places Trust is required prior to damaging, destroying or modifying an archaeological site.

Explanation/Reasons

Some buildings and structures have the potential to adversely affect the ecological and amenity values of the Waiouru Peninsula and Favona areas. Application of the above criteria will help ensure that the effects of development on the Waiouru Peninsula and Favona will be minimised. In particular, the criteria will help to maintain features which contribute to the Waiouru Peninsula and Favona being Special Policy Areas.

[AM90]

Rule

14.12.10.4 Council reserves control over the following matters for controlled activity resource consent applications for the erection or relocation of any building or structure and/or external alterations or additions to any building or structure in the Wiri North Structure

Plan Area (Controlled Activity Status Area) and may impose conditions in respect of each:

- (a) Site layout and the design and external appearance of buildings.
- (b) Landscaping
- (c) Stormwater and groundwater disposal
- (d) Access.

Rule

14.12.10.4.1 When assessing an application for a controlled activity resource consent for erection or relocation of any building or structure and/or external alterations or additions to any building or structure in the Wiri North Structure Plan Area the Council will have regard to the following assessment criteria and any relevant matters set out in Section 104 of the Act:

- (a) Site Layout and the Design, External Appearance of Buildings
 - (i) Whether the design, materials and colouring of buildings contribute to the visual amenity of the Wiri North Structure Plan Area
 - (ii) Whether patterning, relief, articulation or similar facades are used on buildings which are visible from public places;
 - (iii) Whether the main pedestrian entry to buildings is clearly recognisable from the street;
 - (iv) Whether 'front' activities (i.e. the more active office, showroom or similar activities) are located fronting the adjacent street and also to provide oversight of the Puhinui Stream, and conversely 'back' activities (i.e. service areas, and loading docks) are in locations less visible to public places;
 - (v) Whether the design and appearance of roofs of buildings, including the integration of signs on roofs with the building form, will maintain amenity values, including in terms of views of the roofs from the surrounding area, such as the road network, reserves, the Waahi Tapu area and overflying aircraft, and whether roofs minimise glare and roof top plant and equipment is appropriately screened from the road network, reserves and Waahi Tapu area;
 - (vi) Whether any security fencing is integrated with planting and buildings so as to avoid any adverse visual effect on adjacent road, park and stormwater management areas;
 - (vii) Whether signage is integrated with the architectural and landscape design;
- (b) Landscaping
 - (i) Whether consistent landscaping design will be established and maintained along Roscommon Road and Wiri Station Road frontages.
 - (ii) Whether the extent and form of landscaping will complement the development within the Wiri North Structure Plan Area and adjoining areas, and contribute to the visual amenities of the site and streetscape.
 - (iii) Whether landscaping is used to screen buildings containing blank facades and service areas visible from public places.

(c) Stormwater and Groundwater Disposal

Whether the development design demonstrates how stormwater and groundwater will be adequately disposed of from finished ground levels to the public system/Puhinui Stream.

(d) Access

Whether the proposed development will require the completion of one or both of the intersections and/or traffic signals onto Roscommon Road and/or Wiri Station Road as shown in the Wiri North Structure Plan (Figure 16.13).

Note: The applicant will be expected to provide evidence of consultation with the Road Controlling Authority for all applications submitted prior to the completion of both the Langley Road and Vogler Drive Intersections.

(e) Adverse Effects on the Amenity of the Surrounding Area

Whether the proposed activity has been designed to ensure that the good visual amenity outcomes sought for the sites fronting Wiri Station Road and the surrounding environment are achieved.

[AM162]

Rule**14.12.11 Transport Centres or Carparking Areas and Buildings**

As well as the matters listed below, when this activity involves the erection or relocation of any building or structure and/or external alterations or additions to any building or structure, reference must also be made to Rule 14.12.1. [AM41]

Rule**14.12.11.1 Council reserves control over the matters specified in Rule 8.25, Chapter 8 Transportation and may impose conditions in respect of each.****Rule****14.12.11.2 When assessing an application for a controlled activity resource consent application for transport centres or carparking areas and buildings Council will have regard to the assessment criteria set out in 8.25, Chapter 8 Transportation and any relevant matters set out in Section 104 of the Act.****Rule****14.12.12 Household units**

As well as the matters listed below, when this activity involves the erection or relocation of any building or structure and/or external alterations or additions to any building or structure, reference must also be made to Rule 14.12.1. [AM41]

Rule**14.12.12.1 Council reserves control over over the following matters for household units as a controlled activity and may impose conditions in respect of each:**

- (i) density of household unit development
- (ii) site design, including front yards, front doors, back yards and balconies, building envelope, building frontages, landscape provisions and vehicle access street frontage and inter-relationship with adjoining development
- (iii) vehicle access and parking
- (iv) landscaping
- (v) servicing

Rule

14.12.12.2 When assessing an application for a controlled activity resource consent for household units, Council will have regard to the following assessment criteria and any relevant matters set out in Section 104 of the Act:

(a) Density

Whether the proposed density of household unit development is compatible with prevailing amenity values of the surrounding area, and in particular the density of any residential development adjoining the site. In particular, Council may impose conditions of consent on the density to a maximum of one household unit to 300m² if appropriate.

(b) Site design, street frontage, landscaping [AM98]

Whether the 'design code for intensive housing' (Refer Chapter 13, Appendix 1) has been complied with as an integrated document.

(c) Servicing

Refer Chapter 9 Land Modification, Development and Subdivision.

[AM112]

Rule

14.12.13 In relation to applications for quarrying in the Wiri North Structure Plan Area Business 6 Zone control is reserved and conditions may be imposed over those matters set out in Rule 17.8.12.1 of the District Plan [AM162]

Rule

14.12.14 The erection and relocation of any building in the Campus Precinct of the City Centre Business 3 Zone as shown in Figure 14.5

As well as the matters listed below, when this activity involves the erection or relocation of any building or structure and/or external alterations or additions to any building or structure, reference must also be made to Rule 14.12.1 and 14.12.2.

Rule

14.12.14.1 Council reserves control over the following matters for a controlled activity resource consent applications for the erection or relocation of any building in the Campus Precinct of the City Centre Business 3 Zone and may impose conditions in respect of each:

- (i) Density
- (ii) Integrated Transport Assessment
- (iii) Alternative Modes of Transport and Monitoring of Parking Supply and Demand
- (iv) Supply of Parking

Rule

14.12.14.2 When assessing an application for a controlled activity resource consent for the erection or relocation of any building in the Campus Precinct of the City Centre Business 3 Zone Council will have regard to the following assessment criteria and any relevant matters set out in Section 104 of the Act:

- (a) Whether the development has an appropriate density and is of high quality design, having regard to its location in the Manukau City Centre and its role as a sub regional centre on the future Rapid Transit Network.

- (b) Whether an Integrated Transport Assessment has been completed for the development which has assessed its potential trip generation and impacts including an assessment of the transport environment, safety, accessibility, integration, economy, transport network effects, and parking supply and demand.
- (c) Whether the development proposal includes:
- Mitigation measures to prevent or reduce actual and potential transport effects
 - Measures to optimise the use of the train station and bus interchange within the precinct, and rail and bus services generally, by students and workers
 - Travel Demand Management measures which optimise the use of other modes such as cycling, walking and carpooling in order to reduce use of single purpose/occupant vehicle trips
 - Provisions for ongoing monitoring of parking supply and demand, and of the effectiveness of the travel measures. This includes reviewing any condition which imposes parking requirements and the means to make adjustments in order to mitigate any adverse traffic or parking effects generated over the lifetime of the activities within the Precinct.
 - Significantly greater or fewer number of car parking spaces than are recommended by the ITA.
- in accordance with the ITA completed for the development.
- (d) Whether potential oversupply of car parking is averted by restricting the numbers of on site spaces only to that which relates to the actual floor space built and the associated staff and student numbers, for each stage of development.

Rule

14.12.14.3 The owners of the Manukau City Shopping Centre and the Auckland Regional Transport Authority (or its successor) shall be considered affected persons, in accordance with section 95E of the RMA, and shall be given limited notification to any applications for the erection, relocation or change of use of any buildings in the Campus Precinct of the City Centre Business 3 Zone which departs from what is required in Schedule 8A of the District Plan. The Council will not be required to give limited notification if written approval is obtained under section 95E(3)(b).

Explanations/Reasons

The City Centre is identified in the Auckland Regional Growth Strategy and the Auckland Regional Policy Statement as a high density sub regional centre on rapid transit. It is therefore appropriate that the centre be developed more intensively over time consistent with densities specified in Appendix H of the Auckland Regional Policy Statement.

The core City Centre is zoned Business 3 including the area referred to as 'the Campus Precinct'. This area is intended to be developed for tertiary and related activities and integrated with a new train station facility. The vision and outcomes sought for this precinct have been developed through non regulatory methods which lie outside the District Plan (for example, master planning, precinct planning and lease conditions applying to the site). Matters for Control that apply to this precinct have therefore been included to address the specific outcomes sought for the development of the Campus Precinct.

In respect of all Business 3 zoned land within the City Centre, development should be coordinated within the zone to achieve an integration of amenity values such as public open space and pedestrian linkages.

[AM112]

14.12.15 Bus Depots, Equipment Hire Premises, Service Stations and Truckstops on Sites having Frontage to Roscommon Road or Wiri Station Road in the Wiri North Structure Plan Area (see Figure 16.13) [AM162]

14.12.15.1 Council reserves control over the following matter for the above activities and may impose conditions in respect of it:

- (i) Visual amenity values

[AM162]

14.12.15.2 *When assessing a controlled activity resource consent for Bus Depots, Equipment Hire Premises, Service Stations and Truckstops on sites having frontage to Roscommon Road and Wiri Station Road in the Wiri North Structure Plan Area (see Figure 16.13), Council will have regard to the following assessment criterion:*

- (a) Whether the adverse effects of the proposed activity are compatible with the good visual amenity outcomes sought for those sites fronting Roscommon and Wiri Station Roads, and with the surrounding environment, including the adjacent Waahi Tapu and the reserve on the south side of Wiri Station Road.

[AM162]



Figure 14.5 Area Subject to Campus Precinct
Refer Rule 14.12.13

[AM112]

14.13 RULES — MATTERS FOR DISCRETION: RESTRICTED DISCRETIONARY ACTIVITIES

Rule

14.13.1 Any Permitted, Controlled or Restricted Discretionary Activity in Rule 14.10.2 Activity Table which does not comply with Rule 14.11.1 Height

Rule

14.13.1.1 Council reserves control over the following matters for restricted discretionary activity resource consent applications for any permitted, controlled or restricted discretionary activity in Rule 14.10.2 Activity Table which does not comply with the development and performance standards in 14.11.1 Height and may impose conditions in respect of each:

- (i) Sunlight and daylight, particularly protection of access to sunlight and daylight for adjoining properties
- (ii) Visual amenity values, particularly compatibility with the height of buildings and other structures in the surrounding area.
- (iii) Design and external appearance, particularly the scale and form of the building.
- (iv) Special character and heritage values, particularly the effects on the character of a business area.

Rule

14.13.1.2 When assessing an application for a restricted discretionary activity for any permitted, controlled or restricted discretionary activity in Activity Table 14.10.2 which does not comply with the development and performance standards in 14.11.1 Height, Council will have regard to the following assessment criteria and any relevant matters set out in Section 104 of the Act:

- (a) Sunlight and daylight

Whether the increase in height will have an adverse effect on the access of sunlight and daylight to adjoining sites.

- (b) **Visual Amenity Values**

Whether the proposed height of buildings and other structures will be compatible with the height and visual character of the surrounding area, particularly of any nearby residential areas.

- (c) **Design and external appearance**

Whether the design and external appearance of the building is compatible with that of buildings in the surrounding area, particularly whether the scale of the building is in keeping with surrounding area.

- (d) **Special Character and Heritage Values**

Whether the proposed height of buildings and other structures will be compatible with the prevailing character and any relevant heritage values of the area.

In the case of the **mainstreet** portion of the Howick Special Character Business Area (defined on Figure 14.1) attention will need to be given to whether:

- the height of proposed buildings adversely affects views of Stockade Hill from Picton Street or views of the Hauraki Gulf from the Stockade Hill area or from the Ridge Road entry to Howick;
- the height of proposed buildings detract from **mainstreet** character of predominantly one or two storey buildings; and

- whether proposed building height dominates the streetscape of the **mainstreet** or adjacent residential areas.

In the case of the **periphery** portion of the Howick Special Character Business Area (defined on Figure 14.1) attention will need to be given to whether:

- proposed buildings adjacent to the **mainstreet** portion of the Howick Special Character Business Area detract from **mainstreet** character in terms of building height;
- proposed building height dominates the streetscape of the **periphery** or adjacent residential areas or adversely affects views of the Hauraki Gulf from the Stockade Hill area; and
- whether the connection between the **mainstreet** and the residential area is likely to be weakened by the proposed building height. [AM41]

Rule

14.13.2 Any permitted, controlled or restricted discretionary activity in Rule 14.10.2 Activity Table that does not comply with Rule 14.11.2 (a) Yards — Front

14.13.2A Any permitted, controlled or restricted discretionary activity in Rule 14.10.2 Activity Table which does not comply with Rule 14.11.2(e) Wiri North Structure Plan Area - Front Yard Fencing [AM162]

14.13.2A.1 Council restricts the exercise of its discretion to the following matters for restricted discretionary activity resource consent applications that do not comply with the development and performance standards in 14.11.2(e) Wiri North Structure Plan Area - Front Yard Fencing and may impose conditions in respect of each:

- Effects on the amenity of the streetscape.
- Effects in terms of crime prevention.

When assessing an application for a restricted discretionary activity for any activity in Activity Table 14.10.2 that does not comply with the development and performance standards in 14.11.2(e) Wiri North Structure Plan Area - Front Yard Fencing, Council will have regard to the following assessment criteria:

- The amenity of the streetscape

Whether the development maintains a consistent open streetscape and an appropriate interface between development and the streetscape.

- Crime prevention

Whether the development maintains passive surveillance between buildings and the street.

[AM162]

Rule

14.13.2.2 Council restricts the exercise of its discretion to the following matters for restricted discretionary activity resource consent applications for any permitted, controlled or restricted discretionary activity specified in Activity Table 14.10.2 which does not comply with the development and performance standards in 14.11.2 (a) Yards — Front and may impose conditions in respect of each:

- Amenity Values, particularly streetscape and landscape elements.

Rule

14.13.2.3 When assessing an application for a restricted discretionary activity for any permitted, controlled or restricted discretionary activity in Activity Table 14.10.2 which does not comply with the development and performance standards in 14.11.2 (a) Yards — Front, Council will have regard to the following assessment criteria and any relevant matters set out in Section 104 of the Act:

(a) Amenity values

Whether the proposal will be compatible with the prevailing amenity values of the area, in particular the amenity values of the streetscape, and whether landscape elements will be provided to soften any building development.

Rule

14.13.3 Any permitted, controlled or restricted discretionary activity in Rule 14.10.2 Activity Table which does not comply with Rule 14.11.2 (b) Yards adjoining Residential, Public Open Space, Future Urban Development Zones and Reserves vested in Council

[AM98]

Rule

14.13.3.1 Council restricts the exercise of its discretion to the following matters for restricted discretionary activity resource consent applications for any permitted, controlled or restricted discretionary activity specified in Activity Table 14.10.2 which does not comply with the development and performance standards in 14.11.2 (b) Yards adjoining Residential, Public Open Space, Future Urban Development Zones and Reserves vested in Council and may impose conditions in respect of each: [AM98]

- (i) Sunlight and daylight, particularly protection of access to sunlight and daylight for adjoining residential, public open space, future development zones and reserves vested in Council. [AM98]
- (ii) Visual amenity values, particularly the compatibility of the intensity of site development with that of the adjoining residential, public open space, future development zones and reserves vested in Council. [AM98]
- (iii) Site Layout, particularly the relationship of buildings and other structure to the adjoining residential, public open space, future development zones and reserves vested in Council, having regard to their historical development. [AM98]
- (iv) Zone proposals for Future Urban Development Land, in particular the residential zoning for the land.

Rule

14.13.3.2 When assessing an application for a restricted discretionary activity for any permitted, controlled or restricted discretionary activity in Activity Table 14.10.2 which does not comply with the development and performance standards in 14.11.2 (b) Yards adjoining Residential, Public Open Space, Future Urban Development Zones and Reserves vested in Council, Council will have regard to the following assessment criteria and any relevant matters set out in Section 104 of the Act: [AM98]

(a) Sunlight and daylight

Whether the proposal will protect the access of sunlight and daylight to adjoining residential, public open space, future development zones and reserves vested in Council. [AM98]

(b) Visual Amenity Values

Whether the intensity of site development will be compatible with the visual amenity values of the adjoining residential, public open space, future development zones and reserves vested in Council. [AM98]

(c) Site Layout

Whether the site layout ensures a relationship of buildings and other structures on the site, carparking, access, manoeuvring, and landscape elements which is as satisfactory as the relationship envisaged by the yard rule. Whether the site layout is compatible with the site development of adjoining residential, public open space, future development zones and reserves vested in Council. [AM98]

(d) Zone Proposals

Whether the use of future development land is residential or public open space, or some other use, in particular yards and landscape design may not be required where the site abuts a future development zoned site that is proposed to be zoned for activities other than residential or public open space.

Rule

14.13.4 Any permitted, controlled or restricted discretionary activity in Rule 14.10.2 Activity Table which does not comply with Rule 14.11.3 Coastal and Water Protection Yard

Rule

14.13.4.1 Council restricts the exercise of its discretion to the following matters for restricted discretionary activity resource consent applications for any permitted, controlled or restricted discretionary activity specified in Activity Table 14.10.2 that does not comply with the development and performance standards in 14.11.3 Coastal and Water Protection Yard and may impose conditions in respect of each:

- (i) Ecological values of the natural coastal environment.
- (ii) Amenity values of the coastal environment.

When assessing an application for a restricted discretionary activity for any activity in Activity Table 14.10.2 that does not comply with the development and performance standards in 14.11.3 Coastal and Water Protection Yards, Council will have regard to the following assessment criteria and any relevant matters set out in Section 104 of the Act:

(a) Ecological values of the natural coastal environment

Whether the ecological values of the natural coastal environment will be maintained and enhanced, including coastal landforms, water quality, natural coastal processes, habitats.

(b) Amenity values of the coastal environment

Whether the proposal will ensure the protection of the amenity values of the coastal environment, including the visual impact of buildings.

Rule

14.13.5 Any Activity in Rule 14.10.2 Activity Table which does not comply with Rule 14.11.15(d) Payment of Business Development Contributions [AM150]

Rule

14.13.5.1 Council restricts the exercise of its discretion to the matter of assessing a percentage level of 0.5% or less of the value of the development for the purposes of determining the amount of business development reserve contribution payable. When assessing an application for the Restricted Discretionary activity “Any Permitted, Controlled Activity or Restricted Discretionary in Rule 14.10.2 Activity Table which does not comply with Rule 14.11.15(d) Payment of Business Development Reserve Contributions”, the Council will have regard to the following assessment criteria: [AM150]

- (a) The extent to which any facilities (land or works) which the applicant wishes to nominate as a reason for reducing their Business Development Reserve Contribution requirements benefits the public and are visible and accessible;

- (b) The extent of any restrictions on public access to the nominated facilities/areas provided by the applicant;
- (c) The costs of provision to the Applicant of providing the nominated facilities/areas for public amenity and use;
- (d) The extent to which the general level of amenity, excluding the nominated facilities/areas, incorporated in the Business Development is higher than required by other rules in the District Plan (e.g. Development and Performance Standards such as site coverage and landscaping), thereby warranting some reduction of the assessed Business Development reserve contribution;
- (e) The extent to which the Applicant is a generator of Public Open Space users;
- (f) The extent to which the Development adversely affects the environment.

[Rule 14.13.6 deleted by Consent Order Ref. RMA 1569/98, RMA 1572/98 and RMA 1593/98 — March 2002]

Rule

14.13.7 Transport Centres

Rule

14.13.7.1 Council restricts the exercise of its discretion to the following matters for restricted discretionary activity resource consent applications for transport centres and may impose conditions in respect of each:

- (a) Visual Amenity Values;
- (b) Site Layout;
- (c) Traffic Safety and Access.

Rule

14.13.7.2 When assessing a restricted discretionary activity resource consent application for a transport centre, Council will have regard to the following assessment criteria and any relevant matters set out in Section 104 of the Act:

(a) Visual Amenity Values

Whether the intensity of site development will be compatible with the visual amenity values of the adjoining residential, public open space, future development zones and reserves vested in Council. [AM98]

(b) Site Layout

Whether the site layout is compatible with the site development of adjoining residential, public open space, future development zones and reserves vested in Council. [AM98]

(c) Traffic Safety and Access

Whether the site layout will avoid potential conflicts with pedestrian and vehicle traffic and adverse effects on the safety and efficiency of the roads in the area. Assessment criteria in 8.25, Chapter 8 (Transportation) may also be considered.

Rule

14.13.8 Industry including activities involving discharges to air categories listed in Appendix 14B (Part B)

Rule

14.13.8.1 Council restricts the exercise of its discretion to the following matters for restricted discretionary resource consent applications for industry involving discharges to air

categories listed in Appendix 14B (Part B) and may impose conditions in respect of each:

- (i) Potential adverse effects of air discharges on future activities on adjoining sites;
- (ii) Adverse effects of air discharges on existing Activities Sensitive to Air Discharges in the vicinity.

Rule

14.13.8.2 When assessing an application for a restricted discretionary activity for industry involving discharges to air categories listed in Appendix 14B (Part B), Council will have regard to the following assessment criteria (Note: Assessment of (a) and (b) below shall only apply to the extent that there is no overlap of functions with those of the Regional Council):

(a) Potential Adverse Effects on Future Activities on Adjoining Sites

Whether the air discharges from the proposed activity will have an adverse effect on future activities allowed by the Business 5 zone on adjoining sites and whether measures will be taken to avoid remedy or mitigate such potential effects.

(b) Adverse Effects on Existing Activities Sensitive to Air Discharges in the Vicinity

Whether the air discharges from the proposed activity will have an adverse effect on existing Activities Sensitive to Air Discharges in the area and whether measures will be taken to avoid, remedy or mitigate any such effect.

Rule

14.13.9 **Markets and Stalls**

Rule

14.13.9.1 Council restricts the exercise of its discretion to the following matters for restricted discretionary activity resource consent applications for markets and stalls and may impose conditions in respect of each:

- (i) Visual amenity and pedestrian access
- (ii) Traffic generation, safety and efficiency
- (iii) Parking and vehicle access
- (iv) Height
- (v) Noise, odour and litter
- (f) Artificial lighting

Rule

14.13.9.2 When assessing a restricted discretionary resource consent application for markets and stalls, Council will have regard to the following assessment criteria and any relevant matters set out in section 104 of the Act:

(a) Visual Amenity and Pedestrian Access

Whether the proposed location of the market or stall would disrupt the retail frontage, verandah cover and pedestrian accessibility of the buildings within any adjacent shopping centre. In particular whether the location of the market or stall in the centre would be detrimental to pedestrian access and mobility in the centre. Whether the visual impact of signs would detract from the amenity values of the centre.

(b) Traffic generation, safety and efficiency

Whether the proposed location of the market or stall provides for safe and convenient vehicular access including regard to the effects of expected traffic levels on the safe and efficient operation of the adjoining road network.

(c) Parking and vehicle access

Whether the proposed location, frequency or duration of the market would have a significant adverse effect on availability of carparking or vehicle access for adjacent permanently established enterprises. The assessment criteria in Rule 8.25.1.2 Chapter 8 Transportation may also be considered in this context.

(d) Noise, odour and litter

Whether the activity has the potential to have adverse effects on adjacent activities in terms of noise, odour and dust and whether measures to mitigate these effects are proposed.

(e) Artificial Lighting

Whether the activity has the potential to have adverse effects on adjacent activities in terms of glare and light spill and whether measures to mitigate these effects are proposed.

[AM112]

Rule

14.13.10 The erection or relocation of any building or structure and/or external alterations or additions to any building or structure within the area shown in Figure 14.6

Rule

14.13.10.1 Council restricts the exercise of its discretion to the following matters for restricted discretionary resource consent applications for the erection or relocation of any building or structure and/or external alterations or additions to any building or structure within the area shown in Figure 14.6 and may impose conditions in respect of each:

- (i) Building Design
- (ii) Wind and Natural light
- (iii) Ventilation

Rule

14.13.10.2 When assessing a restricted discretionary resource consent application, for the erection or relocation of any building or structure and/or external alterations or additions to any building or structure within the area shown in Figure 14.6, Council will have regard to the following assessment criteria and any relevant matters set out in section 104 of the Act:

(a) Building Design

Whether the proposed structure utilises unified orthogonal built edge

(b) Wind and Natural light

The building shall be designed to minimise the wind tunnel effect and to ensure there is adequate vertical natural light.

(c) Ventilation

The building shall be designed to ensure there is adequate natural ventilation to the area below the building within the road corridor.

[AM112]

14.13.11 The erection or relocation of any building or structure and/or external alterations or additions to any building or structures within the Wiri North Structure Plan Area (all areas outside the identified Controlled Activity Status Area) [AM162]

14.13.11.1 Council restricts the exercise of its discretion to the following matters for restricted discretionary activity resource consent applications for the above activity and may impose conditions in respect of each:

- (i) Design, external appearance and site layout
- (ii) Landscaping
- (iii) Geological matters and archaeological matters
- (iv) Stormwater and groundwater disposal
- (v) Access
- (vi) Iwi consultation
- (vii) Adverse effects on heritage resources, or on the Puhinui Stream
- (viii) Risk management issues
- (ix) Amenity values in the surrounding area
- (x) Cliff Hazard Area

[AM162]

14.13.11.2 When assessing a restricted discretionary resource consent application for the above activity, Council will have regard to the following assessment criteria and any relevant matters set out in Section 104 of the Act:

- (a) Site Layout and the Design, External Appearance of Buildings - See Rule 14.12.10.4.1
- (b) Landscaping - See Rule 14.12.10.4.1
- (c) Stormwater and Groundwater Disposal - See Rule 14.12.10.4.1
- (d) Access - See Rule 14.12.10.4.1
- (e) Cliff Hazard Area
 - (i) Whether development adjacent to the Cliff Hazard Area as shown on the Wiri North Structure Plan (Figure 16.13) is protected from rock fall by way of mitigation along the rock face and/or buffer areas.
 - (ii) Whether development is designed and located in such a way as will maintain the integrity of the abutting Waahi Tapu area.

- (iii) Whether development is designed and located in such a way as will ensure the structural integrity of the scheduled Wiri Lava Caves.

(f) Archaeological Warning Area

- (i) Whether there has been adequate investigation and identification of potential archaeological remains in the Archaeological Warning Area as shown on the Wiri North Structure Plan (Figure 16.13).
- (ii) Whether, in respect of any archaeological remains that have been identified or that may be located as development works proceed, adequate measures have been put in place to avoid or mitigate any adverse effects on those archaeological remains.

Note: Work within the Archaeological Warning Area will require separate authority from the New Zealand Historic Places Trust.

(g) Adverse Effects on Heritage Resources

- (i) Whether development adjoining the Wiri North Stonefields Waahi Tapu Area is designed in such a way as will respond sensitively to the cultural and landscape values of the Wiri North Stonefields. The development, including fencing, should respond sensitively to the cultural and landscape values of this area.

(h) Adverse Effects on Wiri North Geological Feature

- (i) Whether the Wiri North Geological Feature, consisting of a minimum of 60 metres continuous length and 20 metre vertical height, including the highest part of the cliff exposure, has been protected.
- (ii) Whether development is designed in such a way that it incorporates and enhances the Wiri North Geological Feature for public appreciation. The development should as a minimum incorporate view shafts to most of, and preferably the entire geological feature from the public roads. The base of the geological feature identified for protection should be enhanced by appropriate landscaping, so that it is dominated by landscaped open space rather than buildings, carparks and vehicle accessways. Management of the risks associated with the geological feature, and any fencing should be consistent with this and sympathetic to the feature.

Note: The rehabilitation of the quarried area, depending on the extent of filling, has the potential to cover parts of the geological exposures. Should the rehabilitation works, through the importation of clean fill material, result in the Wiri North Geological Feature being significantly covered, then Council will not have regard to this assessment criteria (Rule 14.13.11.2(h)).

(i) Wiri North Emergency Management Areas A and B

- (i) Whether in regard to any activity proposed within the Wiri North Emergency Management Areas A and B, a Site Emergency Management Plan (SEMP) has been prepared in accordance with Rule 14.11.15A by a suitably qualified expert.
- (ii) Where any part of a building is located within the Wiri North Emergency Management Area A, whether that part of the building uses design and mitigation measures to address emergency scenarios, including:
 - (a) Appropriate location and layout of the development, including any service areas, car parking and outdoor areas.

(b) Appropriate location of building openings and glazing.

- (iii) Whether in regard to any activity proposed within the Wiri North Emergency Management Area A, the application includes evidence of consultation with the operator of the Wiri Oil Terminal, including providing a copy of the application to the operator at least 10 working days prior to lodgement of the application with the Council.

Note: Buildings in the Wiri North Emergency Management Area A could be at risk from emergency scenarios. To reduce potential effects, consideration should be given to design features which may assist in reducing occupant risk arising from emergency scenarios, including the location of ancillary offices, high occupancy areas, glazing and openings.

(j) Adverse Effects on the Amenity of the Surrounding Area

- (i) Whether the proposed activity, and any adverse effects are consistent with the amenity values sought for those sites fronting Roscommon Road, and with the surrounding environment.

[AM162]

14.13.12 Motor Vehicle Dismantling on Sites having Frontage to Roscommon Road or Wiri Station Road in the Wiri North Structure Plan Area (see Figure 16.13) [AM162]

14.13.12.1 Council restricts the exercise of its discretion to the following matters for restricted discretionary activity resource consent applications for the above activity and may impose conditions in respect of it:

- (i) Visual amenity values

[AM162]

14.13.12.2 When assessing a restricted discretionary resource consent application for the above activity, Council will have regard to the following assessment criterion and any relevant matters set out in Section 104 of the Act:

- (a) Whether the proposed activity, and any adverse effects, are compatible with the good visual amenity outcomes sought for those sites fronting Roscommon and Wiri Station Roads, and with the surrounding environment, including the adjacent Waahi Tapu and the reserve on the south side of Wiri Station Road.

[AM162]

14.13.13 Activities listed as Restricted Discretionary in Activity Table 14.10.2 located within the Wiri North Emergency Management Areas A and B identified in the Wiri North Structure Plan (Figure 16.13)

- (i) Assessment Criteria in Rule 14.13.11.2(i) shall apply to all activities located within the Wiri North Emergency Management Areas A and B.
- (ii) All activities located within the Wiri North Emergency Management Area B shall comply with Rule 14.11.15A Site Emergency Management Plan.

[AM162]

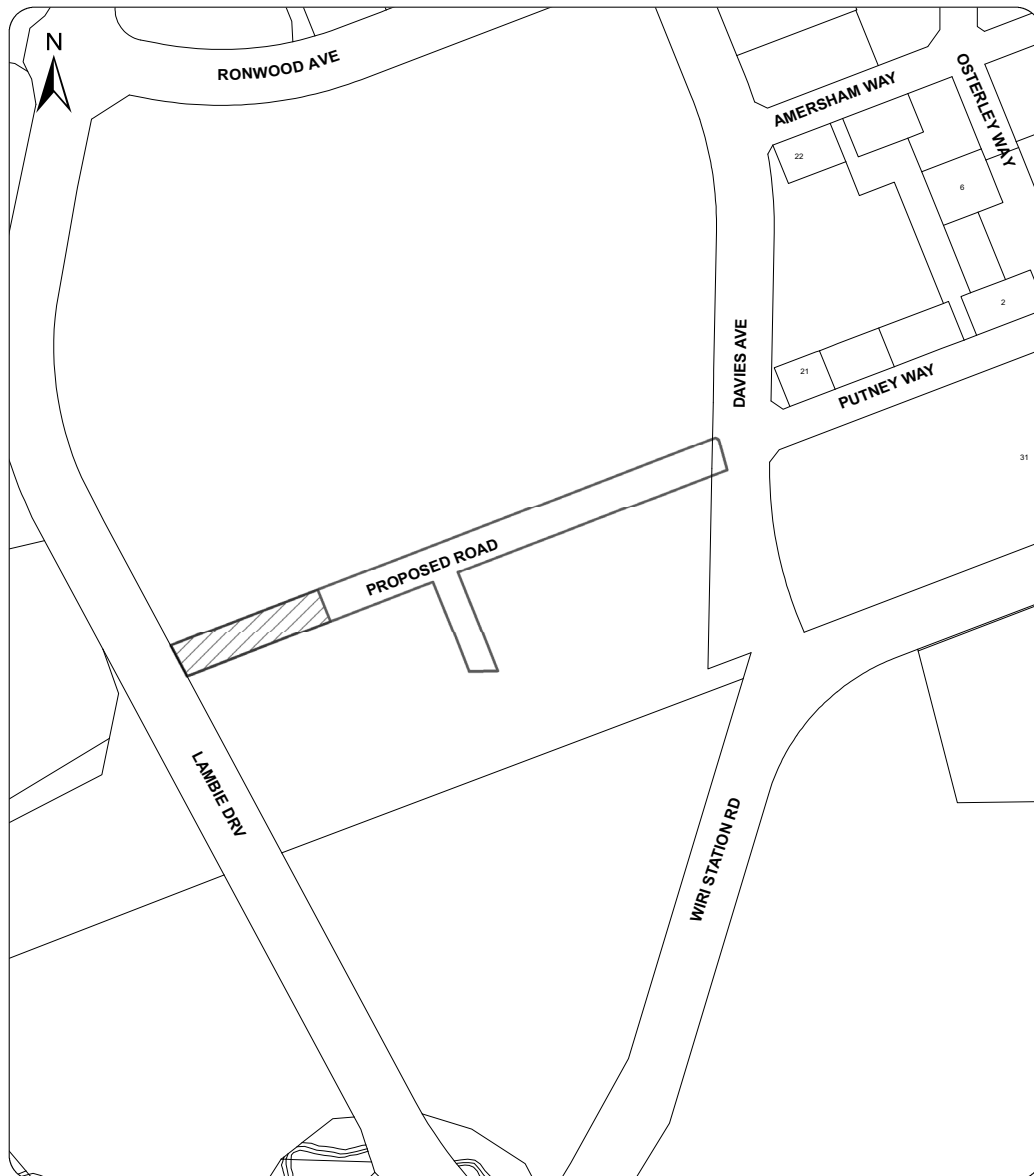


Figure 14.6 Area Subject to Business 3 Zone
Refer Rule 8.10.2.4(b)

[AM112]

14.14 ASSESSMENT CRITERIA: DISCRETIONARY ACTIVITIES

14.14.1 GENERAL ASSESSMENT CRITERIA

For all discretionary activity resource consent applications in the Business zones Council will have regard to the following assessment criteria and relevant matters set out in Section 104 of the Act:

(a) Effects on People and Communities

- (i) Whether the proposal will have an adverse effect on the ability of people to provide for their social and economic wellbeing.
- (ii) Whether the proposal will have an adverse effect on the safety and efficiency of the roading network in the area.

(b) Landscape and Visual Effects

- (i) Whether the proposal has the potential to have an adverse effect on the amenity values of adjoining residential, public open space zones and/or reserve vested in Council; [\[AM98\]](#)
- (ii) Whether the proposal will have an adverse effect on the amenity values within the business area in which it is proposed to be located. In particular whether it will detract from the visual amenity values, any special character such as low scale buildings.
- (iii) Whether the proposal will generate unreasonable levels of noise, which may be noise levels which exceed the limits stated in Rule 14.11.7.

(c) Effects on Ecosystems

- (i) Whether the proposal will result in the damage or removal of areas of significant vegetation.
- (ii) Whether the proposal will have an adverse effect on water quality, and whether measures have been designed so that any potential degradation of water quality is avoided, remedied or mitigated. In addressing these issues the Council will ensure there is no duplication of function with the Regional Council.
- (iii) Whether the proposal will have an adverse effect on the natural coastal environment and on public access to the coast.
- (iv) Whether measures have been taken to ensure that potential adverse effects on the ecosystems will be avoided, remedied or mitigated.

(d) Effects on Natural and Physical Resources with Aesthetic, Recreational, Scientific, Historical, Spiritual or Cultural Value

- (i) Whether the proposal may have adverse effects on cultural heritage resources on the site and measures taken to avoid, remedy or mitigate potential adverse effects.
- (ii) Whether the proposal will have an adverse effect on the recreational or aesthetic values of adjoining public open space zone or reserve vested in Council. [\[AM98\]](#)

- (iii) Whether, in the case of proposals within the Howick Special Character Business Area (defined on Figure 14.1), they will have an adverse effect on any of the matters for control identified in the relevant portion of Rule 14.12.1.2(a).

[AM41]

(e) Discharge of Contaminants to the Environment

- (i) Whether the proposal will generate dust, smoke, fumes or other discharges to air which potentially would detract from the amenity values of the area.
- (ii) Whether the proposal will generate objectionable odours which can not be contained within the site.

(f) Risk of Hazards

- (i) Whether the proposal will expose people to high levels of risk to health and safety.

14.14.2 ADDITIONAL ASSESSMENT CRITERIA: SPECIFIED DISCRETIONARY ACTIVITIES

In addition to the General Assessment Criteria in 14.14.1 the Council will have regard to the following assessment criteria for the specified discretionary activities:

14.14.2.1 A single retail premises located on a site with a gross area of not less than 2000m² involving the retailing of any good provided that the activity is undertaken in premises with a gross floor area of not less than 500m²

- (a) Whether the proposal will generate adverse traffic effects, including effects on the safety and efficiency of the roads in the area; and whether the roading is able to accommodate the anticipated traffic generation levels; and whether adverse traffic effects can be mitigated by roading improvements. Assessment Criteria in 8.25, Chapter 8 Transportation may also be considered.
- (b) Whether the proposal is adjacent to other retailing premises, and whether pedestrian safety and convenience has been provided for within the site and between any adjoining retail premises.
- (c) The extent to which the proposal would adversely affect (excluding trade competition effects) the ability of an existing or proposed centre to act as a community focal point.

[AM21]

14.14.2.2 Care Centres and Healthcare Services

- (a) Whether the proposed care centre or health care service would be providing for an unmet need in the area.
- (b) Whether the activity may be potentially adversely affected by the activities occurring in the surrounding area, particularly in terms of noise, odours, and air discharges.
- (c) Whether the personal safety of the employees and customers of the activity may be at risk due to the hazardous or noxious nature of activities occurring in the area, and if

there is the potential for adverse effects on the health and safety of the employees and visitors to the site the number of people likely to be present at any one time.

- (d) Whether the site layout provides for buffer areas and visual screening from adjoining sites.

14.14.2.3 Industry (Except Activities Listed in Appendix 14B) in the Business 1, 2 and 3 Zones

- (a) Whether the activity would have an adverse effect on the retail frontage and streetscape, particularly whether it would disrupt a continuous frontage of retail display windows.
- (b) Whether the activity would detrimentally affect the safety or convenience of pedestrians within the integrated business centre.
- (c) Whether there are potential adverse effects on adjoining activities, particularly in terms of noise, vibration, air emissions, odours, and the risk of accident or emergency with hazardous substances.
- (d) Whether the site layout will avoid potential conflicts with pedestrian and vehicle traffic. In particular whether loading and service areas are to be located at the rear of the site in order to minimise potential conflicts. Assessment Criteria in 8.25, Chapter 8 Transportation may also be considered.

14.14.2.4 Industry including activities listed in Appendix 14B

Assessment of (a) and (b) shall only apply to the extent that there is no of functions with those of the Regional Council.

- (a) Whether the proposed activity will be compatible with activities allowed by the zone on adjoining sites, and not be hazardous to the health and safety of the occupants and users of the surrounding area.
- (b) Whether the activity will have an adverse effect on air quality in the area with regard to the prevailing air quality and sensitivity of activities in the area, and whether measures will be taken to avoid or remedy any such potential adverse effect.

14.14.2.5 Motor Vehicle Dismantling

- (a) Whether the activity is compatible with the prevailing amenity values of the surrounding business area, in particular the visual amenity and whether the site will be screened from the street and adjoining sites.
- (b) Whether the activity will have adverse effects on adjoining sites in terms of noise levels and the characteristics of the noise, and whether measures will taken to avoid noise nuisance.
- (c) Whether the activity will generate smoke, fumes or gases which would have an adverse effect on the environment. In particular, methods for the disposal of materials will be considered.

14.14.2.6 Cleanfill Activities

- (a) Whether measures to mitigate potential noise and dust nuisance and detracting from visual amenity values of the area have been addressed.
- (b) The appropriateness of the cleanfill activity regarding design and appearance and the site layout including location of the clean fill on the site and site access.
- (c) Whether the landfill will be sensitive in terms of appearance, form and location to the existing amenity values of the neighbourhood.
- (d) Whether the operator has planned the rehabilitation of the landfill following its completion both from the visual and soil stability viewpoint.
- (e) The degree to which traffic generated by the landfill will adversely affect any amenity values of surrounding business activities and measures to avoid, remedy or mitigate such a potential adverse effect.

14.14.2.7 Mineral Extraction

- (a) Whether the site layout for the mineral extraction activities, building and other structures will internalise any potential adverse effects on the environment within the site.
- (b) Whether there is an appropriate level of screening of the site from public view and secure fencing of the site to protect public safety.
- (c) Whether the proposed activity avoids or mitigates adverse effects on the amenity values of the area, including noise, vibration, dust and lighting.
- (d) Whether access, manoeuvring and parking are safe and convenient. Whether heavy transport routes from the site avoid adverse effects on amenity values.
- (e) Whether the proposed mineral extraction activity would cause damage to, or the destruction of:
 - landforms or landscapes which contribute to the heritage values of the city
 - native bush, bird or wildlife habitats
 - areas or landforms with geological, scientific, cultural or archaeological values

The significance of the feature being damaged or destroyed and the potential extent of damage to the feature and the extent to which other features of heritage value on the site have been protected will be considered.

- (f) Whether the site contours and final contours co-ordinate with the final levels of adjoining land. Whether site rehabilitation will render the land capable of use and development once mineral extraction activities have been completed.
- (g) Whether the mineral extraction activity will be compatible with the prevailing character and amenity values of the surrounding Business area.
- (h) Whether the activity can comply with Rule 17.8.11 Development and Performance Standards for Mineral Extraction will also be considered. (Refer Chapter 17.8 Minerals Extraction Activities).

- (i) Whether signs proposed for the mineral extraction activity will detract from the visual amenity values of the area.

14.14.2.8 Markets and Stalls

Assessment criteria as for Rule 14.13.9.2 and in addition:

- (a) Whether the proposed market or stall will have an adverse effect on traffic safety and efficiency.
- (b) Whether the visual impact of the proposed market or stall, including any proposed signs, will detract from the visual amenity values of the area.

14.14.2.9 Activities Sensitive to Air Discharges (as defined in Chapter 18 of this plan) in the Business 6 zone

- (a) Whether it can be demonstrated that adequate measures have been taken to isolate the Activity Sensitive to Air Discharges from the actual or potential effects of Industry involving discharges to air in Appendix 14B.
- (b) Whether, in the case of any Activity Sensitive to Air Discharges, adequate procedures (e.g. contingency plans) are in place to cater for any emergency that may arise in respect of any existing industry in the vicinity involving discharges to air in Appendix 14B.
- (c) Whether the location of the Activity Sensitive to Air Discharges in the vicinity of an industry involving discharges to air in Appendix 14B will result in danger to human health (particularly to the young, the elderly or the sick) or result in adverse effects on the industry involving discharges to air in Appendix 14B (e.g. pressure to relocate or use plant inefficiently due to nuisance complaints).

14.14.2.10 Activities listed as Discretionary in Activity Table 14.10.2 (except industrial activities) within the Wiri North Emergency Management Areas A and B identified in Figure 16.13

In addition to the restricted discretionary activity criteria listed in Rule 14.13.11.2(i):

- (a) Whether activities proposed within the Wiri North Emergency Management Areas A and B as shown on the Wiri North Structure Plan (Figure 16.13) are types of activities (in terms of character, intensity and scale) compatible with emergency scenarios originating from the Wiri Oil Terminal and its ongoing use and development.
- (b) Whether the building(s) in which the activity is located can adequately demonstrate the use of measures to address emergency scenarios at the Wiri Oil Terminal. Such measures shall include:
 - (i) Design occupancy of the development.
 - (ii) Consideration of layout plans to mitigate risk.
 - (iii) Additional building and site design features.

Note: Information on design occupancy of buildings may include anticipated design occupation, hours of operation, estimated mean and maximum occupancy times for individual site dwellers in hours/days, numbers and, if relevant, the predominant and most vulnerable age demographic.

[AM162]

14.15 APPENDIX 14A

AUSTRALIAN AND NEW ZEALAND ST AND ARD INDUSTRIAL CLASSIFICATION												
Division G		Retail Trade										
Subdivision 52		Personal and Household Goods Retailing										
GROUP	CLASS	DESCRIPTION										
521		Department Stores										
	5210	<p>Department Stores</p> <p>This class consists of units which have a significant proportion of retail sales (or a significant absolute amount of retail sales) in commodities primary to the following headings:</p> <p>(i) Fabrics and other soft goods (ii) Clothing (iii) China, glassware and houseware (iv) Perfumes, cosmetics and toiletries (v) Furniture (vi) Household appliances</p> <p>The commodities primary to these headings as well as other commodities are normally sold by separate departments or sections within the store with accounting and other records maintained on a departmentalised basis.</p> <p>For the avoidance of doubt, retail outlets which are known as or have a character similar to discount department stores or variety stores and which sell a wide range of commodities similar to department stores, but which do not operate as a series of separate departments, are also deemed to fall under this heading.</p> <p><i>Primary Activities:</i></p>										
522		Clothing and soft good retailing										
	5221	<p>Clothing Retailing</p> <p>This class consists of units mainly engaged in retailing clothing or clothing accessories.</p> <p><i>Primary Activities:</i></p> <table><tr><td>Clothing accessories retailing</td><td>Hoisery retailing</td></tr><tr><td>Leather clothing retailing</td><td>Clothing retailing</td></tr><tr><td>Millinery retailing</td><td>Foundation garments</td></tr><tr><td>Work clothing retailing</td><td>Fur clothing retailing</td></tr><tr><td>Gloves retailing</td><td></td></tr></table>	Clothing accessories retailing	Hoisery retailing	Leather clothing retailing	Clothing retailing	Millinery retailing	Foundation garments	Work clothing retailing	Fur clothing retailing	Gloves retailing	
Clothing accessories retailing	Hoisery retailing											
Leather clothing retailing	Clothing retailing											
Millinery retailing	Foundation garments											
Work clothing retailing	Fur clothing retailing											
Gloves retailing												
522												
	5222	<p>Footwear Retailing</p> <p>This class consists of units mainly engaged in retailing boots, shoes or other footwear.</p> <p><i>Primary Activities:</i></p> <table><tr><td>Boots retailing</td><td>Shoes retailing</td></tr><tr><td>Footwear retailing</td><td></td></tr></table>	Boots retailing	Shoes retailing	Footwear retailing							
Boots retailing	Shoes retailing											
Footwear retailing												

522		Furniture , Houseware and Appliance Retailing																																						
	5234	<p>Domestic Appliance Retailing</p> <p>This class consists of units mainly engaged in retailing household appliances.</p> <p>Exclusions/References:</p> <p>(a) Units mainly engaged in repairing installed plumbing or in undertaking plumbing work arising from the installation of household appliances are included in Class 4231 Plumbing Services;</p> <p>(b) undertaking electrical work arising from the installation of household appliances are included in Class 4232 Electrical Services;</p> <p>(c) installing household, industrial or commercial heating, refrigeration or air conditioning equipment (except industrial furnaces) are included in Class 4233 Air Conditioning and Heating Services;</p> <p>(d) retailing bottled liquefied petroleum gas are included in Class 4521 Petroleum Product Wholesaling;</p> <p>(e) installing or repairing household electrical appliances n.e.c. are included in Class 5261 Household Equipment Repair Services (Electrical); and</p> <p>(f) hiring household appliances are included in Class 9519 Personal and Household Goods Hiring n.e.c.</p> <p><i>Primary Activities:</i></p> <table><tr><td>Air conditioners retailing,</td><td>Pocket calculators,</td></tr><tr><td>Computer retailing</td><td>Radio receiving sets</td></tr><tr><td>Fans,household</td><td>retailing</td></tr><tr><td>electric,retailing</td><td>(except car radios)</td></tr><tr><td>Floor polishers,</td><td>Refrigerators,</td></tr><tr><td>household electric</td><td>household,retailing</td></tr><tr><td>retailing</td><td>Shavers,electric,</td></tr><tr><td>Gas heating appliances,</td><td>retailing</td></tr><tr><td>household, retailing</td><td>Sound reproducing</td></tr><tr><td>Heating equipment,</td><td>equipment, household</td></tr><tr><td>household, electric,</td><td>retailing</td></tr><tr><td>retailing</td><td>Stoves, household,</td></tr><tr><td>Household appliances</td><td>retailing</td></tr><tr><td>retailing</td><td>Television antennae</td></tr><tr><td>electronic retailing</td><td>retailing</td></tr><tr><td>Kerosene heaters,</td><td>Television sets</td></tr><tr><td>Household, retailing</td><td>retailing</td></tr><tr><td>Oil heaters, household,</td><td>Washing machines, household,</td></tr><tr><td>retailing</td><td>retailing</td></tr></table>	Air conditioners retailing,	Pocket calculators,	Computer retailing	Radio receiving sets	Fans,household	retailing	electric,retailing	(except car radios)	Floor polishers,	Refrigerators,	household electric	household,retailing	retailing	Shavers,electric,	Gas heating appliances,	retailing	household, retailing	Sound reproducing	Heating equipment,	equipment, household	household, electric,	retailing	retailing	Stoves, household,	Household appliances	retailing	retailing	Television antennae	electronic retailing	retailing	Kerosene heaters,	Television sets	Household, retailing	retailing	Oil heaters, household,	Washing machines, household,	retailing	retailing
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Household, retailing	retailing																																							
Oil heaters, household,	Washing machines, household,																																							
retailing	retailing																																							
	5235	<p>Recorded Music Retailing</p> <p>This class consists of units mainly engaged in retailing phonograph records, audio tapes, compact discs, or video cassettes.</p> <p><i>Primary Activities:</i></p> <table><tr><td>Audio cassette</td><td>Phonograph records</td></tr><tr><td>retailing</td><td>retailing</td></tr><tr><td>Compact disc</td><td>Video cassette</td></tr><tr><td>retailing</td><td>retailing</td></tr></table>	Audio cassette	Phonograph records	retailing	retailing	Compact disc	Video cassette	retailing	retailing																														
Audio cassette	Phonograph records																																							
retailing	retailing																																							
Compact disc	Video cassette																																							
retailing	retailing																																							
524		Recreational Good Retailing																																						
	5242	<p>Toy and Game Retailing</p> <p>This class consists of units mainly engaged in retailing toys, games or hobby equipment or supplies.</p> <p><i>Primary Activities:</i></p> <table><tr><td>Dolls retailing</td><td>Hobby supplies</td></tr><tr><td>Games retailing</td><td>(except artists'</td></tr><tr><td>Hobby equipment</td><td>supplies) retailing</td></tr><tr><td>retailing</td><td>Toys retailing</td></tr></table>	Dolls retailing	Hobby supplies	Games retailing	(except artists'	Hobby equipment	supplies) retailing	retailing	Toys retailing																														
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Games retailing	(except artists'																																							
Hobby equipment	supplies) retailing																																							
retailing	Toys retailing																																							

	5243	<p>Newspaper, Book and Stationery Retailing</p> <p>This class consists of units mainly engaged in retailing books, periodicals, newspapers, stationery or religious goods.</p> <p><i>Primary Activities:</i></p> <div> <div> Artists' supplies Books retailing Greeting cards retailing Magazines retailing Newspaper retailing </div> <div> Periodicals retailing Postcards retailing Religious goods retailing Stationery retailing Writing materials, retailing </div> </div>
	5244	<p>Photographic Equipment Retailing</p> <p>This class consists of units mainly engaged in retailing photographic equipment or supplies.</p> <p><i>Primary Activities:</i></p> <div> <div> Cameras retailing Photographic apparatus retailing Photographic chemicals retailing Photographic equipment retailing </div> <div> Photographic film or paper retailing Projectors retailing Video cameras retailing </div> </div>
525		Other Personal and Household Good Retailing
	5251	<p>Pharmaceutical, Cosmetic and Toiletry Retailing</p> <p>This class consists of units mainly engaged in retailing prescription drugs or patent medicines, cosmetics or toiletries.</p> <p><i>Primary Activities:</i></p> <div> <div> Cosmetics retailing Drugs retailing Patent medicines, retailing Perfumes retailing </div> <div> Pharmacy retail operation Prescriptions, medicinal dispensing Toiletries retailing </div> </div>
	5255	<p>Watch and Jewellery Retailing</p> <p>This class consists of units mainly engaged in retailing watches, clocks or jewellery.</p> <p><i>Primary Activities:</i></p> <div> <div> Clocks retailing Jewellery retailing </div> <div> Silverware Retailing Watches Retailing </div> </div>

1. In these tables the abbreviation nec = not elsewhere classified

14.16 APPENDIX 14B — DISCHARGES TO AIR CATEGORIES**PART A Discharges to Air Categories Potentially Capable of Producing Major Adverse Effect on Air Quality:**

- 1 Any combustion processes (not being combustion processes for the drying of grain) involving fuel burning equipment, including flaring or incineration of trade wastes or refuse, which singly or together can be used to burn any combustible matter**
 - (a) at a rate of heat release exceeding 50 MW; or
 - (b) at a rate exceeding 100 kg an hour where pathological material, garbage, refuse, or trade wastes are incinerated; or
 - (c) at a rate of heat release exceeding 500 kW where the products of combustion are used:
 - (i) To stove enamel; or
 - (ii) To bake or dry any substance that on heating releases dust or other air pollutants; or
 - (iii) To maintain reducing conditions in any manufacturing process; or
 - (d) at a rate, where the combustible matter is a combination of combustible materials which contains sulphur or arsenically treated wood or rubber or oil sludge or pitch or paint residue, that will incinerate in excess of 100 kg an hour of:
 - (i) Sulphur; or
 - (ii) Arsenically treated wood; or
 - (iii) Rubber; or
 - (iv) Oil sludge; or
 - (v) Pitch; or
 - (vi) Paint residues; or
 - (e) at a rate, where the combustible matter is a combination of combustible materials which contain chemicals, plastics, or fibre in which fluorine, chlorine, phosphorous, or nitrogen has been chemically combined, that will incinerate in excess of 25kg an hour of such chemicals, plastics or fibre.
- 2 Any industrial chemical processes, excluding electro-plating processes, having a product or by-product or emission any substance that can cause air pollution including any processes used in:**
 - (a) bodying of natural oils or manufacture or reaction of monomers for production of synthetic resins, varnishes, and plastics; or
 - (b) production of soap, grease, detergents and surface active agents; or
 - (c) synthesis or extracting of organic chemicals, including formulation of insecticides, weedicides, plant hormones, and like toxic or offensive organic compounds; or

- (d) production of inorganic chemicals, including concentration of acids and anhydrides, ammonia and alkalis; or
- (e) production of phosphatic or nitrogenous synthetic fertilisers, including granulation of single or mixed fertilisers; or
- (f) any chemical manufacturing processes using or producing chlorine and any industrial processes using chlorine but only for other than water sterilisation and at rates exceeding 5 kg an hour; or
- (g) separation or concentration for manufacture or disposal of any uranium metal or compound or any radioactive substance.

3 Any animal or plant matter processes having singly or together a raw material capacity in excess of:

- (a) a 0.5 of a tonne an hour, and being processes for rendering or reduction or drying through application of heat to animal matter (including leathers, blood, bone, hoof, skin, offal, whole fish, and fish heads and guts and like parts, and organic manures); or
- (b) 5 tonnes an hour, and being processes for deep fat frying, oil frying, curing by smoking, roasting of berries or grains, or where organic matter including wood is subject to such temperatures or conditions that there is partial distillation or pyrolysis; or
- (c) 2 tonnes an hour, and being processes for the drying of milk or milk products.

4 Any process involving the extraction from the surface of the ground or from an open pit of minerals (including coal, coke and carbon), or the size reduction and screening of such minerals, or the storage outside and above the ground of such minerals, or the drying or heating of minerals that on heating release dust or a air pollutant, being processes which, singly or together:

- (a) have or require:
 - (i) an open case extraction capacity in excess of 100 tonnes an hour; or
 - (ii) a size reduction and screening capacity in excess of 200 tonnes an hour; or
 - (iii) a storage capacity in excess of 10,000 tonnes; or
 - (iv) a rate of heat release in excess of 2,000 kW, or
- (b) are part of a manufacturing process for Portland or similar cements and pozzolanic materials; or
- (c) are part of a manufacturing process for the sintering, calcining, or roasting of metal ores in preparation for smelting or for burning of calcium or calcium-magnesium carbonates to produce calcium or magnesium oxides or hydroxides, or the expansion or exfoliation of minerals, or the dehydration of gypsum; or
- (d) are part of a manufacturing process for making hot-mix asphalt paving mixes; or
- (e) are a part of a manufacturing process for making glass or frit from raw materials or making mineral wool or glass fibre, including application of any surface coating to the fibres.

- 5 Any industrial metallurgical process, including associated foundry practices, which involve:**
- (a) the extraction, including electro-chemical methods of reduction of any metal or metal alloy from its ore, oxide, or other compound; or
 - (b) the making of steel or the refining of any metal or modification of any alloy in the molten state by blowing with air, oxygen, or oxygen enriched air, or chlorine or other gases, or by addition of reactive chemicals or volatile fluxes and the use of oxygen lancing in scarfing and similar operations; or
 - (c) the manufacture of silicon or ferrosilicon or of metal powders or of alloys rich in any metals specified or described in clauses 1 to 3 of Appendix 14B (c).
 - (d) the melting of any metal or metal alloy, including secondary melting, and the sweating of scrap metal, where the aggregated melting capacity exceeds 1 tonne an hour; or
 - (e) hot dip galvanising or other processes for the protection of surfaces by metal coating using fluxes.
- 6 Any industrial carbonising or gasification processes in which natural gas, petroleum oil, shale, coal, wood, or other carbonaceous material is subject to:**
- (a) pyrolysis, carbonisation, or destructive distillation, the solid liquid or gaseous products being recovered; or
 - (b) gasification by partial combustion with air or oxygen or reaction with steam.
- 7 Any process (not being the purification by distillation of dry-cleaning solvent retail outlets) for the refining, purification, or reforming of hydrocarbons in from natural gas, petroleum, shale, coal, wood, or other organic substances, and including:**
- (a) hydrocarbon separation or recovery by distillation or absorption and desorption or removal of carbon dioxide or condensable hydrocarbons from natural or manufactured gas; or
 - (b) reforming including viscosity breaking by thermal and catalytic cracking and hydrogenation and alkylation and like processes, including preparation of ethylene or other feed stock for chemical synthesis; or
 - (c) refining to reduce sulphur or to improve other qualities with the aid of any substance specified in Appendix 14B (c) or by air blowing.
- 8 Any industrial wood pulp or particle board processes in which:**
- (a) wood or other cellulose material is cooked with chemical solutions to dissolve lignin and the associated processes of bleaching and chemical and by-product recovery; or
 - (b) hardboard or particle board or wood pulp are made by processes involving emission of air pollutants.
- 9 Any use of geothermal steam at a rate of heat release exceeding 5 MW.**
- 10 Any industrial or trade processes involving the use of:**
- (a) di-isocyanates at a rate exceeding 100 kg an hour; or
 - (a) organic plasticisers at a rate exceeding 100 kg an hour.

11 Any process:

- (a) which involves the production of compost from raw materials that contain municipal or domestic refuse and which has a raw materials capacity exceeding 10 tonnes per day; or
- (b) which involves the production of compost from raw materials that do not contain municipal or domestic refuse and which has on the premises at any time a volume of compost and raw materials exceeding 750 cubic metres.

12 Any processes specified or described in 14B(b) that is owned or operated by a local authority where the process is situated within the area administered by that local authority .**13 Any fellmongery processes involving:**

- (a) the use of sulphides; or
- (b) the treatment of fellmongery liquid wastes containing sulphides.

PART B Discharges to Air Categories Potentially Capable of Producing Moderate Adverse Effects on Air Quality:**1 Any combustion processes involving fuel burning equipment, including flaring or incineration of trade wastes or refuse, not otherwise specified or described in this Appendix but which singly or together can be used to burn combustible matter:**

- (a) for any purpose at a rate of heat release exceeding 5 MW; or
- (b) for the purpose of:
 - (i) the recovery of metals from insulated cable, motor vehicles, or any other mixture or combinations of metals and combustibles; or
 - (ii) the cleaning of drums or containers; or
 - (iii) frost protection on more than one occasion in any period of 12 months by the use of fire pots; or
- (c) at a rate not exceeding 100 kg an hour, where pathological material, garbage, refuse, or trade wastes, are incinerated; or
- (d) at a rate, where the combustible matter is a combination of combustible materials which contain sulphur or arsenically treated wood or rubber or oil sludge or pitch or paint residues, that will incinerate in excess of 25 kg an hour but not in excess of 100 kg an hour of:
 - (i) sulphur; or
 - (ii) arsenically treated wood; or
 - (iii) rubber; or
 - (iv) oil sludge; or
 - (v) pitch; or

- (vi) paint residues; or
 - (e) at a rate, where the combustible manner is a combination of combustible materials which contain chemicals, plastics, or fibre in which fluorine, chlorine, phosphorous, or nitrogen has been chemically combined, that will incinerate in excess of 5 kg an hour but not in excess of 25 kg an hour of such chemicals, plastics, or fibre.
- 2 Any industrial or trade processes for the blending, packaging, or handling of air polluting substances specified in Appendix 14B (c) including grain elevators or seed dressing plant but not processes solely concerned with retail distribution or with distribution of fuels.**
- 3 Any industrial or trade animal or plant matter processes:**
 - (a) described in clause 3(a) of Appendix 14B (a) but having a raw material capacity not in excess of 0.5 of a tonne per hour; or
 - (b) described in clause 3(b) of Appendix 14B (a), but having a raw material capacity in excess of 250 kg an hour but not in excess of 5 tonnes an hour; or
 - (c) described in clause 3(b) of Appendix 14B (a), but having a raw material capacity not in excess of 2 tonnes an hour.
- 4 Any industrial or trade mineral processes described in clause 4(a) of Appendix 14B (a) but having or requiring:**
 - (a) an opencast extraction capacity in excess of 5 tonnes an hour but not in excess of 100 tonnes an hour; or
 - (b) a size reduction and screening capacity in excess of 5 tonnes an hour but not in excess of 200 tonnes an hour; or
 - (c) a storage capacity in excess of 500 tonnes but not in excess of 10,000 tonnes; or
 - (d) a rate of heat release less than 2,000 kW.
- 5 Any industrial or trade processes for manufacture of flock or for the teasing of textiles or shredding of paper or for cleaning sacks or crushing or separating dags from wool.**
- 6 Any industrial or trade process which is not otherwise specified or described in this Schedule and which involves dry abrasive blasting.**
- 7 Any industrial or trade process using di-isocyanates at a rate not exceeding 100 kg an hour.**
- 8 Any process of wool scouring.**
- 9 Any process:**
 - (a) which involves the production of compost from raw materials that contain municipal or domestic refuse and which has a raw materials capacity not exceeding 10 tonnes per day; or
 - (b) which involves the production of compost (except silage) from raw materials that do not contain municipal or domestic refuse and which has on the premises a volume of compost and raw materials exceeding 100 cubic metres but not exceeding 750 cubic metres.

PART C Classes of Specified Air Pollutants.

- 1 Radioactive, carcinogenic, teratogenic, or mutagenic substances.
- 2 Antimony, arsenic, beryllium, cadmium, lead, mercury, thallium, selenium, uranium, and their compounds.
- 3 Boron, chromium, cobalt, copper, magnesium, manganese, nickel, potassium, sodium, tellurium, tin, vanadium, zinc, and their compounds.
- 4 Dust containing asbestos, quartz, or other of the pneumoconioses inducing or asthmagenic substances.
- 5 Dusts, and fumes, containing metallic elements; and dusts, and fumes containing organic and inorganic materials, including fertilisers, cement, coal, coke, carbon, soot, tars, wood, fibres, and pathogenic substances.
- 6 Sulphur, sulphur oxides, and sulphur oxyacids, carbon di-sulphide, hydrogen sulphide, di-sulphides, poly-sulphides, mercaptans, and other acidic, toxic or odorous sulphur compounds.
- 7 Nitrogen oxides, nitric acid, ammonia, and hydrazine, and their compounds, volatile amines, cyanides, cyanates, di-isocyanates or other toxic or odorous compounds of nitrogen.
- 8 Fluorine, chlorine, bromine, iodine, and their compounds.
- 9 Phosphorous and its oxides, acids, and organic compounds.
- 10 Alkyl, carbonyl, and other toxic organo-metal compounds.
- 11 Hydrocarbons and their partially oxidised or halogenated derivatives, particularly acrolein, esters of acrylic acid, formaldehyde, and volatile carboxylic acids, and anhydrides and industrial solvents.
- 12 Ozone, carbon monoxide.

14.17 APPENDIX 14C — SITE EMERGENCY MANAGEMENT PLAN TEMPLATE FOR THE WIRI NORTH EMERGENCY MANAGEMENT AREAS¹

Name/Address	
Contact details	Phone Fax Email Website
Emergency contacts	Name Role Phone Mobile
	Name Role Phone Mobile
Wiri Oil Services Limited (WOSL) contact details	Name Role Phone Mobile
Date Plan provided to Auckland Council	
Date copy of Plan provided to Wiri Oil Terminal	
Date last updated and reprinted	

1 Purpose

This plan applies in addition to [name of organisation's] own building evacuation plan which addresses incidents arising from its own operations.

This plan outlines how [name of organisation] will respond to potential emergency arising from the Wiri Oil Terminal and thereby partly satisfies the requirements and obligations of the Resource Management Act 1991 and health and safety legislation. The [name of the organisation] is in a location where it may be subject to such emergency scenarios.

The key hazard at the Wiri Oil Terminal is the storage and handling of large quantities of flammable and combustible materials. There are two potential emergency scenarios that could occur at the Wiri Oil Terminal:

- Flammable vapour cloud with the risk of ignition and explosion
- Tank or bund fire

2 Site Plan

A copy of site plan showing location of on-site and off-site safe assembly areas and outside evacuation routes (to be attached as Appendix A).

- Safe assembly areas and evacuation routes have been selected and meet the following criteria:

¹This template is to be used by the person responsible for preparing the site's health and safety plan to assist in addressing and responding to the potential emergency scenarios arising from the nearby Wiri Oil Terminal. The template applies in addition to the organisation's own building evacuation plan.

- Designated off-site assembly area a minimum of 400 metres from Wiri Oil Terminal site boundary.
- The exits and outdoor evacuation routes avoid cul-de-sacs and routes that take any person closer to the Wiri Oil Terminal. The route(s) lead away from the Terminal.
- Exit points to be used should be as far away from the Terminal as possible.
- Avoid assembly area being adjacent to large areas glazing.
- Assembly area is preferably in an open area and or removed or remote from buildings.

3 Notification

Wiri Oil Terminal provides a warning/notification system in the event of an emergency scenario arising at the Wiri Oil Terminal. The [name of the organisation] will facilitate and enable the notification system to be implemented on site. Although mitigation and warning systems are in place at the Terminal, catastrophic failure of systems can never be ruled out and there may be little or no prior warning.

4 Response actions (as appropriate):

- Receive notification of incident from Wiri Oil Terminal or emergency services.
- Avoid operating any electrical switches, including lights, alarms or any other electrical appliances and systems.
- Leave immediately by the nearest safe exit route away from the Terminal.
- Evacuate on foot in a direction away from the Terminal to the assembly area. Do not rubberneck.
- Do not operate a vehicle.
- Report to the off-site safe-assembly area and building wardens to reconcile staff names and numbers.
- Do not leave the assembly area or re-enter the building until advised it is safe to do so by the Fire Service.

5 Plan testing and evaluation

- Practise relevant drills such as evacuation simulations.
- Take part in scheduled Wiri Oil Terminal emergency exercise [insert date of next scheduled annual exercise²].
- Fully document all exercises undertaken.
- Address any difficulties and problems encountered during exercises and update Plan as required.

6 Plan updating

Update Plan at least annually and following any change in circumstances (e.g. physical changes to building or on site activities, exits or routes or personnel).

Appendix A: Site Plan

[AM162]

² Date can be provided by Wiri Oil Terminal.

