

H16. Business – Heavy Industry Zone

[ENV-2016-AKL-000243: K Vernon]-Note: The definition of “height”, in relation to the exclusions, is subject to appeal.

[ENV-2016-AKL-000243: K Vernon] – Addition sought

H16.1. Zone description

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

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

The air quality of the zone is managed by the air quality provisions in E14 Air quality.

H16.2. Objectives

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

H16.3. Policies

- (1) Avoid activities which do not support the primary function of the zone.
- (2) Manage subdivision so that it preserves the integrity of the zone for industrial use while allowing the creation of sites for established activities.
- (3) Require development adjacent to open space zones, residential zones and special purpose zones to manage adverse amenity effects on those zones.
- (4) Restrict maximum impervious area within the riparian yard in order to ensure that adverse effects on water quality, water quantity and amenity values are avoided or mitigated.

H16.4. Activity table

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

Table H16.4.1 Activity table

Activity		Activity status
Use		
(A1)	Activities not provided for	NC
Accommodation		
(A2)	Workers accommodation - one per site	P
(A3)	Dwellings	Pr
(A4)	Integrated residential development	Pr
Commerce		
(A5)	Commercial services	NC
(A6)	Dairies up to 100m ² gross floor area	P
(A7)	Drive-through restaurant	NC
(A8)	Entertainment facilities	NC
(A9)	Food and beverage up to 120m ² gross floor area	P
(A10)	Garden centres	NC
(A11)	Motor vehicle sales	NC
(A12)	Marine retail	NC
(A13)	Offices that are accessory to the primary activity on the site and: (a) the office gross floor area does not exceed 30 per cent of all buildings on the site; and (b) the office gross floor area does not exceed 100m ²	P
(A14)	Offices that are accessory to the primary activity on the site and the office gross floor area exceeds 30 per cent of all buildings on the site	RD
(A15)	Offices not otherwise provided for	NC
(A16)	Retail accessory to an industrial activity on the site, where the goods sold are manufactured on site and the retail gross floor area does not exceed 10 per cent of all buildings on the site	P
(A17)	Retail, up to 450m ² per site, not otherwise provided for	NC
(A18)	Retail, greater than 450m ² per site, not otherwise provided for	Pr

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

H16.5. Notification

- (1) Any application for resource consent for any of the following activities must be publicly notified:
 - (a) H16.4.1(A15) Offices not otherwise provided for.
- (2) Any application for resource consent for an activity listed in Table H16.4.1 Activity table and which is not listed in H16.5(1) above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.
- (3) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule C1.13(4).

H16.6. Standards

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

H16.6.1. Building height

Purpose:

- manage the effects of building height including visual dominance; and
- allow reasonable sunlight and daylight access to public open spaces excluding streets, the subject site and nearby sites.

(1) Buildings must not exceed 20m in height.

H16.6.2. Height in relation to boundary

Purpose:

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

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

Figure H16.6.2.1 Height in relation to boundary

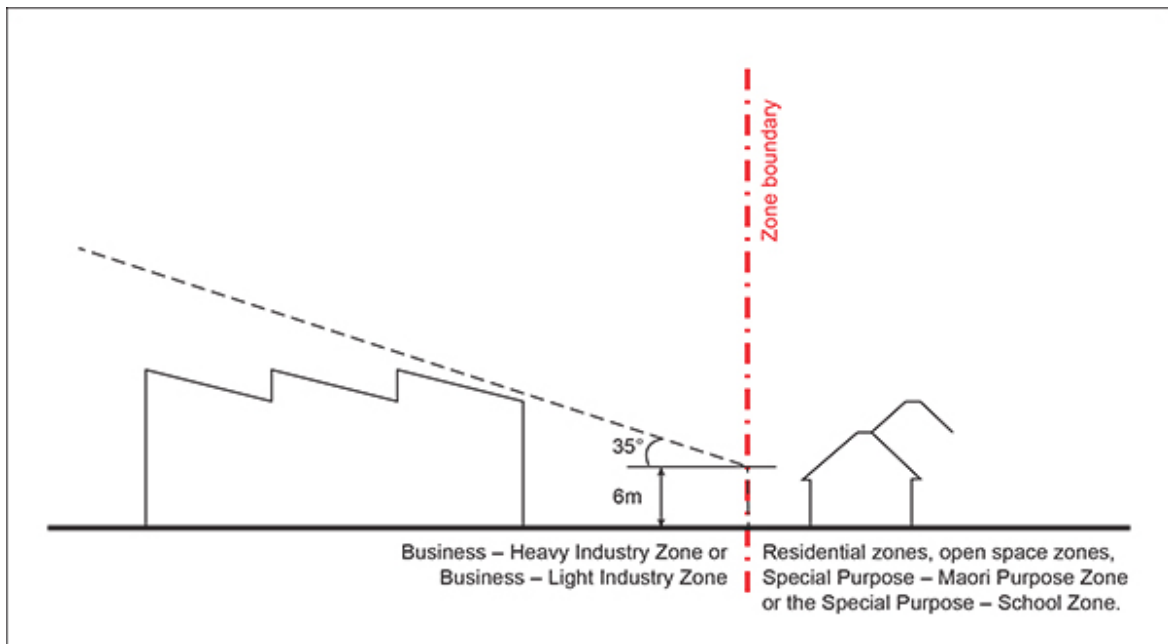
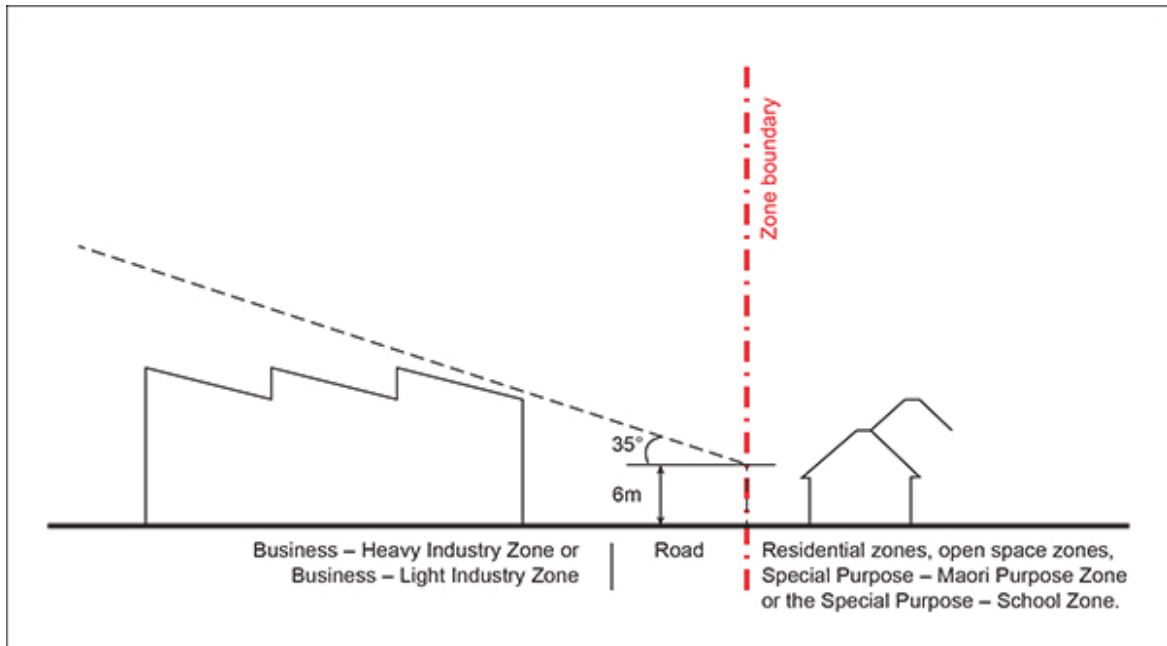


Figure H16.6.2.2 Height in relation to boundary opposite a road



H16.6.3. Maximum impervious area within the riparian yard

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

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

H16.6.4. Yards

Purpose:

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

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

Table H16.6.4.1 Yards

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

Side	5m where the side boundary adjoins a residential zone, an open space zone, the Special Purpose – Māori Purpose Zone or the Special Purpose – School Zone
Riparian yard	10m from the edge of permanent and intermittent streams
Lakeside yard	30m
Coastal protection yard	25m, or as otherwise specified in Appendix 6 Coastal protection yard

Note 1

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

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

H16.6.5. Storage and screening

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

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

H16.7. Assessment – controlled activities

There are no controlled activities in this zone.

H16.8. Assessment – restricted discretionary activities

H16.8.1. Matters of discretion

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

- (1) emergency services:

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

H16.8.2. Assessment criteria

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

- (1) emergency services:
 - (a) refer to Policy H16.3(1);
- (2) offices that are accessory to the primary activity on the site and the gross floor area exceeds 30 per cent of all buildings on the site:
 - (a) for Matter H16.8.1(2)(a) refer to Policy H16.3(1);
 - (b) for Matter H16.8.1(2)(b) refer to Policy H16.3(1)
- (3) buildings that do not comply with the standards:

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

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

(b) maximum impervious area within the riparian yard:

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

H16.9. Special information requirements

There are no special information requirements in this zone.