

## **H17. Business – Light 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

### **H17.1. Zone description**

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

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

### **H17.2. Objectives**

- (1) Light industrial activities locate and function efficiently within the zone.
- (2) The establishment of activities that may compromise the efficiency and functionality of the zone for light industrial activities is avoided.
- (3) Adverse effects on amenity values and the natural environment, both within the zone and on adjacent areas, are managed.
- (4) Development avoids, remedies or mitigates adverse effects on the amenity of adjacent public open spaces and residential zones.

### **H17.3. Policies**

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

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

**H17.4. Activity table**

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

**Table H17.4.1 Activity table**

Activity		Activity status
<b>Use</b>		
(A1)	Activities not provided for	NC
Accommodation		
(A2)	Workers accommodation - one per site	P
(A3)	Dwellings	NC
(A4)	Integrated residential development	NC
Commerce		
(A5)	Commercial services	D
(A6)	Dairies up to 100m <sup>2</sup> gross floor area	P
(A7)	Drive-through restaurant	P
(A8)	Entertainment facilities	D
(A9)	Food and beverage up to 120m <sup>2</sup> gross floor area per site	P
(A10)	Garden centres other than in H17.4.1(A11)	P
(A11)	Garden centres within 100m of a Business – Heavy Industry Zone	RD
(A12)	Motor vehicle sales other than in H17.4.1(A13)	P
(A13)	Motor vehicle sales within 100m of a Business – Heavy Industry Zone	RD
(A14)	Marine retail other than in H17.4.1(A15)	P
(A15)	Marine retail within 100m of a Business – Heavy Industry Zone	RD
(A16)	Offices up to 100m <sup>2</sup> gross floor area per site	RD
(A17)	Offices that are accessory to the primary activity on the site and: (a) the office gross floor area does not exceed 30 per cent of all buildings on the site; and (b) the office gross floor area does not exceed 100m <sup>2</sup>	P
(A18)	Offices that are accessory to the primary activity on the site and the office gross floor area exceeds 30 per cent of all buildings on the site	RD

H17 Business – Light Industry Zone

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

### H17.5. Notification

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

(a) H17.4.1(A3) Dwellings; and

(b) H17.4.1(A4) Integrated residential development.

(2) Any application for resource consent for an activity listed in Table H17.4.1 Activity table and which is not listed in H17.5(1) above will be subject to the normal tests

for notification under the relevant sections of the Resource Management Act 1991.

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

### **H17.6. Standards**

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

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

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

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

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

#### **H17.6.1. Building height**

Purpose:

- manage the effects of building height including visual dominance; and
- 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, unless otherwise specified in the Height Variation Control on the planning maps.

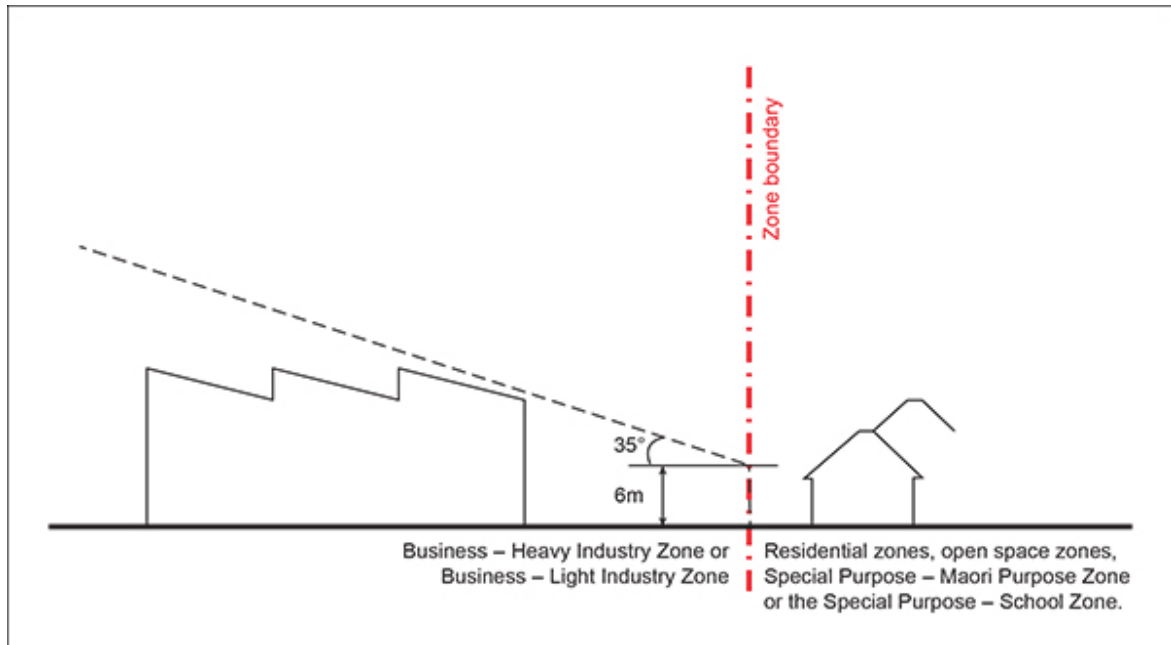
#### **H17.6.2. Height in relation to boundary**

Purpose:

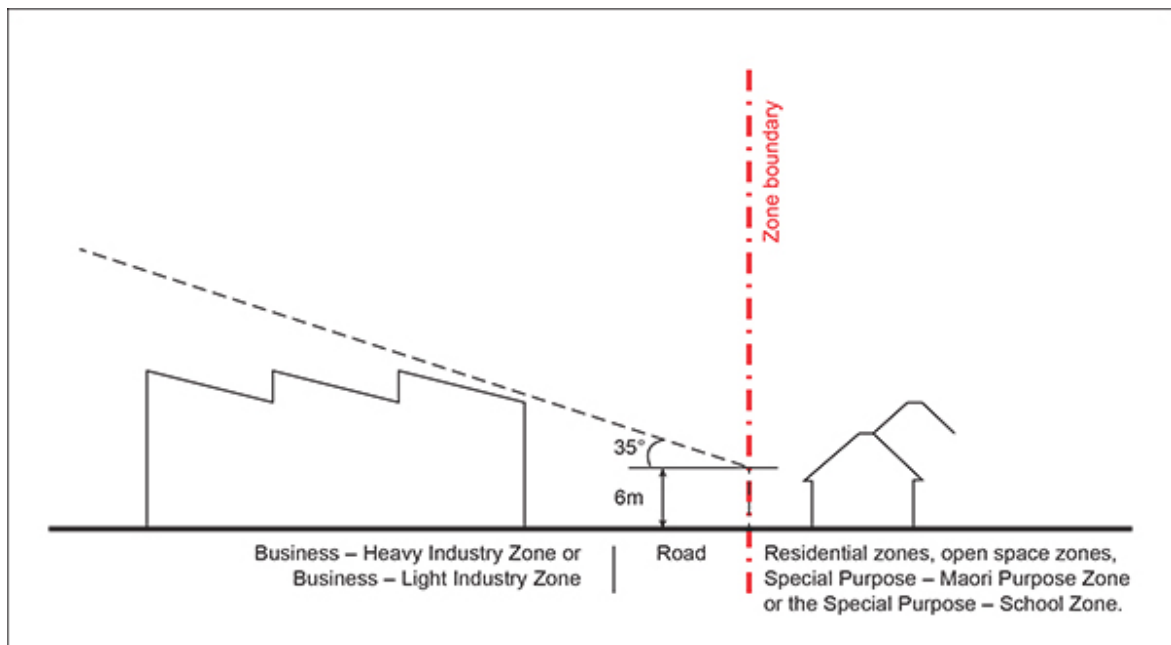
- manage the effects of building height;
- allow reasonable sunlight and daylight access to public open space excluding streets, and neighbouring zones; and
- manage visual dominance effects on neighbouring zones where lower height limits apply.

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

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



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



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

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

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

#### H17.6.4. Yards

Purpose:

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

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

**Table H17.6.4.1 Yards**

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

#### **H17.6.5. Storage and screening**

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

#### **H17.7. Assessment – controlled activities**

There are no controlled activities in this zone.

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

##### **H17.8.1. Matters of discretion**

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

- (1) activities within 30m of a residential zone:
  - (a) the compatibility of:
    - (i) the effects of intensity and scale of the development arising from the numbers of people and/or vehicles using the site; and
    - (ii) the effects of the operation of the activity;  
on the existing and expected future amenity values of the surrounding area and any practicable mitigation measures that would be appropriate to manage those effects. Having regard to the need to provide for the functional requirements of the activity.
  - (b) the effects of the design and location of parking areas and vehicle access and servicing arrangements on visual amenity of the streetscape and on pedestrian safety; and
  - (c) the effects of location, design and management of storage and servicing facilities on the amenity values of nearby residential properties including potential visual effects, adequacy of access for service vehicles (including waste collection) and any night time noise effects.
- (2) offices that are accessory to the primary activity on the site and the office gross floor area exceeds 30 per cent of all buildings on the site, offices up to 100m<sup>2</sup> gross floor area:
  - (a) any location, design and operational characteristics which could give rise to potential reverse sensitivity effects which could inhibit or discourage light industry from operating in the Business – Light Industry Zone; and

- (b) the development or expansion of activities that could reduce the available opportunities for light industry to operate in the Business – Light Industry Zone.
- (3) activities located within 100m of the Business – Heavy Industry Zone:
  - (a) potential reverse sensitivity effects that could inhibit or restrict the operation of heavy industrial activities within the Business – Heavy Industrial Zone.
- (4) buildings that do not comply with the standards:
  - (a) any policy which is relevant to the standard;
  - (b) the purpose of the standard;
  - (c) the effects of the infringement of the standard;
  - (d) the effects on the amenity of neighbouring sites;
  - (e) the effects of any special or unusual characteristic of the site which is relevant to the standard;
  - (f) the characteristics of the development;
  - (g) any other matters specifically listed for the standard; and
  - (h) where more than one standard will be infringed, the effects of all infringements.

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

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

- (1) buildings within 30m of a residential zone:
  - (a) for Matter H17.8.1(1)(a)(i) refer to Policy H17.3(4) and Policy H17.3(7);
  - (b) for Matter H17.8.1(1)(a)(ii) refer to Policy H17.3(4) and Policy H17.3(7);
  - (c) for Matter H17.8.1(1)(b) refer to Policy H17.3(4); and
  - (d) for Matter H17.8.1(1)(c) refer to Policy H17.3(4) and Policy H17.3(7).
- (2) offices that are accessory to the primary activity on the site and the office gross floor area exceeds 30 per cent of all buildings on the site:
  - (a) for Matter H17.8.1(2)(a) refer to Policy H17.3(2); and
  - (b) for Matter H17.8.1(2)(b) refer to Policy H17.3(3).
- (3) activities located within 100m of the Business – Heavy Industry Zone
  - (a) refer to Policy H17.3(6).



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

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

(i) refer to Policy H17.3(1) and Policy H17.3(4).

(b) maximum impervious area within the riparian yard:

(i) refer to Policy H17.3(8).

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

There are no special information requirements in this zone.