

16 Residential

16-1

| | | |
|-----------|--|-------|
| 16.1 | Introduction..... | 16-1 |
| 16.2 | Residential Issues | 16-1 |
| 16.3 | Residential Objectives and Policies..... | 16-3 |
| 16.3.1 | Zones | 16-3 |
| 16.3.2 | Residential Activities | 16-5 |
| 16.3.3 | Development Controls | 16-7 |
| 16.3.4 | Protection of the Natural Environment | 16-9 |
| 16.3.5 | Housing Choice | 16-11 |
| 16.3.6 | Land Development | 16-12 |
| 16.3.7 | Local Shops and Service Stations | 16-14 |
| 16.3.8 | Intensive Residential Development | 16-15 |
| 16.4 | Zoning Framework..... | 16-17 |
| 16.4.1 | Residential 1 Zone: Semi-Rural Settlements | 16-17 |
| 16.4.2 | Residential 2 Zones | 16-18 |
| 16.4.2.1 | Residential 2A: Native Bush Areas | 16-18 |
| 16.4.2.2 | Residential 2B Zone: Amenity Areas | 16-22 |
| 16.4.2.3 | Residential 2C: Eadys Bush | 16-23 |
| 16.4.3 | Residential 3 Zone: Built Heritage | 16-23 |
| 16.4.4 | Residential 4 Zone: Main Residential Area | 16-26 |
| 16.4.5 | Residential 5 Zone: New Development | 16-28 |
| 16.4.6 | Residential 6 Zone: Intensive Housing | 16-30 |
| 16.4.7 | Residential 7 Zone: Office Residential | 16-31 |
| 16.5 | Rules: Residential Activities | 16-32 |
| 16.5.1 | Determination of Activity Status | 16-32 |
| 16.6 | Rules: Residential Controls | 16-48 |
| 16.6.1 | General Development Controls | 16-48 |
| 16.6.1.1 | Compliance | 16-48 |
| 16.6.1.2 | Maximum Height | 16-48 |
| 16.6.1.3 | Height in Relation to Boundary | 16-49 |
| 16.6.1.4 | Front Yards | 16-50 |
| 16.6.1.5 | Other Yards | 16-52 |
| 16.6.1.5A | Foreshore Yard | 16-54 |
| 16.6.1.6 | Arterial Roads: Special Setbacks | 16-55 |
| 16.6.1.7 | Garages/Carports | 16-56 |
| 16.6.1.8 | Swimming Pools | 16-56 |
| 16.6.1.9 | Maximum Building Coverage | 16-56 |
| 16.6.1.10 | Building Length | 16-58 |
| 16.6.1.11 | Maximum Impervious Area | 16-59 |
| 16.6.1.12 | Fences, Boundary or Retaining Walls | 16-59 |
| 16.6.1.13 | Vehicle Access | 16-60 |
| 16.6.1.14 | Eadys Bush Protection Line | 16-61 |
| 16.6.1.15 | Sites with Land Being Acquired as Esplanade Reserve | 16-61 |
| 16.6.1.16 | Future Pedestrian Walkway - Rangitira Avenue, Takapuna | 16-61 |
| 16.6.2 | Additional Controls for Residential Units | 16-61 |
| 16.6.2.1 | Compliance | 16-61 |
| 16.6.2.2 | Delineated Area | 16-62 |
| 16.6.2.3 | Density | 16-63 |
| 16.6.2.4 | Outdoor Living Space | 16-66 |

| | | | |
|--------|-----------|--|-------|
| | 16.6.2.5 | Service Court: Residential 1, 2, 3, 4, 5, 6 and 7 Zones | 16-67 |
| | 16.6.2.6 | Visual Privacy | 16-67 |
| 16.6.3 | | Additional Controls for Specific Activities | 16-68 |
| | 16.6.3.1 | Minor Residential Units | 16-68 |
| | 16.6.3.2 | Home Occupations | 16-69 |
| | 16.6.3.3 | Childcare Centres for 6 to 10 Children | 16-70 |
| | 16.6.3.4 | Offices in the Residential 6A Zone on the Northern side of Bracken Avenue East of Burns Ave, Takapuna and Offices in the Residential 7 Zone | 16-70 |
| | 16.6.3.5 | Show homes | 16-71 |
| | 16.6.3.6 | Rest-homes Accommodating Not More Than 10 Persons | 16-71 |
| | 16.6.3.7 | Health Care Centres | 16-71 |
| | 16.6.3.8 | Schools: Additions and Alterations to an Existing School | 16-72 |
| | 16.6.3.9 | Accessory Buildings | 16-72 |
| 16.6.4 | | Other Relevant Rules | 16-72 |
| 16.7 | | Assessment Criteria | 16-72 |
| | 16.7.1 | (Deleted) | 16-72 |
| | 16.7.2 | Assessment Criteria for Controlled and Discretionary Activities | 16-72 |
| | 16.7.2.1a | Assessment Applying to Properties in Stanley Point Road identified in Appendix 16P | 16-76 |
| | 16.7.2.1b | Assessment Criteria for Certain Controlled, Limited Discretionary and Discretionary Activities applying to those parts of the Properties in Stanley Point Road marked by hatching in Appendix 16P | 16-77 |
| 16.7.3 | | Additional Assessment Criteria for Specific Activities | 16-77 |
| | 16.7.3.1 | Additions or Alterations to the Exterior of Any Existing Building in the Residential 3 Zone | 16-77 |
| | 16.7.3.2 | New Buildings and Relocated Buildings Within the Residential 3 Zone | 16-79 |
| | 16.7.3.3 | Demolition or Removal of Existing House in the Residential 3 Zone | 16-80 |
| | 16.7.3.4 | Intensive Residential Development | 16-81 |
| | 16.7.3.5 | Apartments in the Residential 2A Zone | 16-83 |
| | 16.7.3.6 | Integrated Development Scheme at the Chelsea Estate - Assessment | 16-84 |
| | 16.7.3.7 | Residential Units Between 8 and 18 Metres in Height | 16-84 |
| | 16.7.3.8 | Housing for the Elderly and Disabled | 16-85 |
| | 16.7.3.9 | (intentionally vacant) | 16-85 |
| | 16.7.3.10 | Residential Care Centre or Boarding House, Housing Between 6 and 12 Residents on the Site | 16-85 |
| | 16.7.3.11 | Travellers' Accommodation | 16-85 |
| | 16.7.3.12 | Sale of Produce Grown on the Property | 16-85 |
| | 16.7.3.13 | Quarrying of Minerals and Aggregate | 16-85 |
| | 16.7.3.14 | Home Occupations | 16-86 |
| | 16.7.3.15 | Rest Homes in the Residential 2B Zone | 16-86 |
| | 16.7.3.16 | Schools | 16-86 |
| | 16.7.3.17 | (intentionally vacant) | 16-86 |

| | | | |
|--------|---------------------|--|--------|
| | 16.7.3.18 | Highway-Related Development at 153 Albany Highway, Part Allotment W205 Takapuna Parish Block VII Waitemata Survey District | 16-86 |
| | 16.7.3.19 | Service Stations | 16-87 |
| | 16.7.3.20 | Local shopping centres and Local shops | 16-87 |
| | 16.7.3.21 | Assessment Criteria for Minor Residential Units on Sites Less Than 600sqm | 16-87 |
| 16.7.4 | Assessment | Criteria for Limited Discretionary Activities | 16-88 |
| | 16.7.4.1 | Accessory Buildings | 16-88 |
| 16.7.5 | Assessment | Criteria for Control Flexibility | 16-88 |
| | 16.7.5.1 | Foreshore Yard | 16-88 |
| | 16.7.5.2 | Garages/Carports Exceeding 50% of the Width of the Front Face of the Dwelling | 16-89 |
| | 16.7.5.3 | Side and Rear Yards | 16-89 |
| | 16.7.5.4 | Outdoor Living Space | 16-90 |
| 16.8 | Residential 8 Zone: | Urban Neighbourhoods | 16-90 |
| | 16.8.1 | Residential 8 Zone: Objectives and Policies | 16-90 |
| | 16.8.2 | Residential 8 Zone: Activities | 16-93 |
| | 16.8.2.1 | Determination of Activity Status | 16-93 |
| | 16.8.2.2 | Rule: Public Notification and Serving Notice Waived | 16-96 |
| | 16.8.3 | Residential 8 Zone: Development Controls | 16-96 |
| | 16.8.3.1 | Introduction | 16-96 |
| | 16.8.3.2 | Compliance | 16-97 |
| | 16.8.3.3 | Maximum Height and Storeys | 16-97 |
| | 16.8.3.4 | Outlook Space | 16-98 |
| | 16.8.3.5 | Front Yards (Frontage Height and Street Alignment) | 16-99 |
| | 16.8.3.6 | Frontage Treatment | 16-100 |
| | 16.8.3.7 | Building Separation | 16-101 |
| | 16.8.3.8 | Maximum Building Coverage and Minimum Area of Landscape Treatment | 16-103 |
| | 16.8.3.9 | Bonus Provisions in Areas B and C for Public Through Site Lane | 16-103 |
| | 16.8.3.10 | Building Length Control | 16-105 |
| | 16.8.3.11 | Fences, Boundary or Retaining Walls | 16-105 |
| | 16.8.3.12 | Vehicle Access, parking and garages | 16-105 |
| | 16.8.3.13 | Requirement for Lot Amalgamation | 16-106 |
| | 16.8.4 | Additional Development Controls for Residential Units | 16-106 |
| | 16.8.4.1 | Circulation areas for apartments | 16-106 |
| | 16.8.4.2 | Outdoor living space | 16-106 |
| | 16.8.4.3 | Minimum Unit Size | 16-107 |
| | 16.8.5 | Additional Development Controls for Specific Activities | 16-107 |
| | 16.8.5.1 | Additional Development Controls for retail activities | 16-107 |
| | 16.8.5.2 | Rest homes accommodating not more than 10 persons | 16-107 |
| | 16.8.6 | Other Relevant Rules | 16-108 |
| | 16.8.6.1 | Other Relevant Rules | 16-108 |
| | 16.8.6.2 | Information Requirements - Context Analysis | 16-108 |
| | 16.8.7 | Residential 8 Zone: Assessment Criteria | 16-109 |
| | 16.8.7.1 | Reservations for Controlled activities | 16-109 |
| | 16.8.7.2 | Restrictions for Limited Discretionary Activities .. | 16-110 |

| | | |
|----------|---|--------|
| 16.8.7.3 | Assessment Criteria for Controlled Activities | 16-110 |
| 16.8.7.4 | Assessment Criteria for Limited Discretionary Activities | 16-112 |
| 16.8.7.5 | Assessment Criteria for Discretionary Activities | 16-119 |
| 16.8.7.6 | Additional Assessment Criteria for Specific Activities | 16-119 |

Appendices

| | | |
|------|--|--------|
| 16A: | Development Plan For Lot 33 DP 126857, Long Bay | 16-122 |
| 16B: | Control of Continuous Building Length | 16-123 |
| 16C: | Eadys Bush Protection Line | 16-124 |
| 16D: | Outdoor Living Space | 16-125 |
| 16E: | Visual Privacy Between Living Rooms Determined at the Main Glazing | 16-126 |
| 16F: | Visual Privacy Between Living Rooms and Living Courts..... | 16-127 |
| 16G: | Visual Privacy Between a Balcony and Living Court and Between Two Living Courts | 16-128 |
| 16H: | Front Yard Alternative | 16-129 |
| 16I: | Garage/Carport Front Yard | 16-130 |
| 16J: | Residential 3 Devonport Height in Relation to Boundary Control | 16-131 |
| 16K: | Future Pedestrian Walkway - Rangitira Avenue, Takapuna | 16-132 |
| 16L: | Subdivision and Development of 6 Hauraki Crescent, Albany..... | 16-133 |
| 16M: | Subdivision and Development of 55 Moore Street, Hillcrest..... | 16-134 |
| 16N: | Fences in the Residential 3 Zone | 16-137 |
| 16O: | Residential 3 Maximum Area of Additions or Alterations to the Exterior of an Existing Building..... | 16-140 |
| 16P: | Properties in Stanley Point Road | 16-142 |
| 16Q: | Precinct Plan A - Areas and Frontages..... | 16-143 |
| | Precinct Plan B - Building Separation | 16-144 |
| | Precinct Plan C - Bonus Provision | 16-145 |
| | Precinct Plan D - Properties the subject of Rule 16.8.2.2..... | 16-146 |

16. Residential

16.1 Introduction

The residential areas are the city's largest land use, and they are continuing to grow in area as well as population. The residential area is not uniform in character. It contains a wide variety of landscapes and built environments which have given rise to suburbs of markedly different character and amenity. In certain areas, the character reflects the presence of natural features such as native bush, the coast, lake or sea views. In other areas such as Devonport and Northcote Point, the character is due to the age and style of development, while in East Coast Bays it reflects the spacious suburban environment, focused on views of the Gulf. A common characteristic of almost all residential areas is their high standard of amenity, and their use, predominantly but not exclusively, for residential purposes.

The most important factors which must guide the development of the objectives, policies and rules for the residential area are the provisions of the Resource Management Act 1991 (RMA), the *Auckland Regional Policy Statement* and the Goals for the District Plan defined in [Section 6](#). Sections of the RMA which have particular relevance for this section include:

- ⇒ *Section 5*: the sustainable management purpose of the RMA
- ⇒ *Section 6*: all matters listed
- ⇒ *Section 7*: particularly the efficient use and development of natural and physical resources; amenity values, the recognition and protection of heritage values and the quality of the environment

These are all of relevance to the residential area of North Shore City which is bounded by an extensive coastline, enjoys high standards of amenity, and incorporates extensive areas of natural and built heritage.

The Auckland Regional Policy Statement is seeking to contain the further spread of the Auckland urban area and as a consequence advocates that provision should be made for high density centres and corridors with less emphasis on further infill development within existing residential areas to accommodate growth.

In developing the objectives, policies and rules for the residential area regard must also be had to the Goals contained in [Section 6](#) of this Plan. The most relevant goals for enabling and promoting the purpose of the Resource Management Act 1991 are: Built Environment, Natural Environment, Community Well-being, Ease of Movement and Managing Change.

16.2 Residential Issues

The major resource management issues which affect the residential area and which must be addressed in the objectives and policies of the District Plan are:

- How to achieve an efficient form of urban development both within existing and new developing areas which will maximise convenience for residents and reduce the cost associated with transport, energy use and the provision of services and infrastructure
- How to accommodate new housing developments in both the developed and undeveloped parts of the city without compromising the environmental values of these areas
- How to ensure that the high standard of amenity which characterises the existing residential area is maintained and, in newly developing areas, is created
- How best to protect those parts of the residential area which have a special

character arising from either the built or natural environment, while providing residents of those areas with reasonable development opportunities

- How to ensure that environmental and landscape values are protected, especially from the impacts of new development
- How to provide opportunities for innovation and flexibility to meet the demand for new and different housing solutions while ensuring that residential amenities and environmental values are protected
- The extent to which non-residential activities such as business and community activities should be able to establish within residential areas
- How to ensure that the limited capacity of existing infrastructure such as roads and sewers to accommodate additional growth is recognised in development controls.

Objectives and policies for the residential area have been developed from these resource management issues. In the development of these objectives and policies it has been necessary to resolve potential conflicts between a number of the identified issues.

In this respect, the creation of a truly energy efficient city could have an unacceptable impact on the amenities of the wider residential area and in particular, on the protection of special character areas. Likewise provision for non-residential activities within the residential area could affect not only amenity and environmental values, but also the ability of the residential area to accommodate anticipated growth in accordance with the Plan's strategy. [Section 6: 'Form of the city'](#) provides for population growth to be accommodated partially within the existing urban area, and partially within future residential areas.

In recognition of these conflicts, two primary objectives have been identified for the residential area, derived directly from [Section 5](#) of the Plan. They are:

- a) To protect and enhance the amenities of the residential area.
- b) To maintain and enhance environmental values.

The residential areas of the city enjoy high standards of amenity which, research has shown, are highly valued by residents. It is a feature which distinguishes the city and represents an important community asset. Those factors which contribute significantly to residential amenity include:

- The quality and character of the built environment
- The tree character of neighbourhoods, which is derived from both private on-site and public streetscape plantings
- The quality and amount of open space within neighbourhoods, including private space and public reserves, and the proximity to Lake Pupuke and the coast
- The availability of views (especially of the coast), sunlight and privacy
- Very little nuisance from noise, traffic volumes, fumes, vibration and the like, although localised pockets of noise nuisance are occurring, especially around busy intersections
- Feelings of neighbourhood and community, and of security and stability.

The Plan's strategy is to ensure that the character and amenity of established residential areas is maintained and, where possible, enhanced. As character and amenity are derived from a combination of many factors, the achievement of this strategy requires a diverse range of policies. These are discussed in the section that follows.

16.3 Residential Objectives and Policies

16.3.1 Zones

Objective

To protect the environmental and amenity values of residential areas while providing for the redevelopment of selected neighbourhoods into high quality, urban living environments.

Policies

1. By the use of zones to identify land having similar character, amenity and environmental values, within which appropriate development opportunities can be prescribed.
2. By ensuring that those areas having particular environmental and special built heritage values are the subject of special zones and/or development controls designed to protect and maintain their particular qualities.
3. By recognising the existing differences in character and amenity within the main residential area when identifying zones for higher density and office-residential development.
4. By providing for neighbourhoods adjacent to selected centres to redevelop into living environments that provide for a more intensive urban type of character and amenity involving a high quality public realm; streetscapes contained by multi-storey development; consistent demarcation of public and private areas through common orientation of buildings and outlook areas in a perimeter block format; and close attention to building design and layout to provide quality living areas within and between buildings.

Methods

- Policies 1-4 will be implemented by rules.

Explanation and Reasons

*Zoning is an important technique in the implementation of the Residential Section's amenity and environmental protection strategy. It involves the identification of land of similar characteristics, including environmental, amenity and heritage values, and the application of appropriate objectives, policies and rules relating to development. Seven different residential zones have been developed and are summarised in **Table 16.1** which follows. As can be seen from the brief zone description in that table, the variety of zones reflect the varied nature of land use and landscapes in the city.*

| Table 16.1 Residential Zones | | |
|------------------------------|--|--|
| Residential Zones | Description | Factors Affecting Location and Boundaries |
| 1 | Small Semi Rural communities or localities | Location and extent of existing settlements. Provision for limited expansion |
| 2 | Natural Heritage Protection | Location and extent of areas having significant natural heritage values |
| 2A | Good quality bush in large relatively undisturbed tracts | |

| Table 16.1 Residential Zones | | |
|------------------------------|---|--|
| Residential Zones | Description | Factors Affecting Location and Boundaries |
| 2B | Larger sites with trees or coastal location | |
| 2C | Eadys Bush | |
| 3A-C | Built Heritage | Location and extent of areas having significant built heritage values, in Devonport, Northcote and Birkenhead |
| 4A 4B | Main Residential Area | Areas of conventional urban character |
| 5 | New Development | Large blocks of unsubdivided land and areas where one house per site is to be maintained |
| 6A - 6C1 | Intensive Housing | Provision of a node, based around an existing activity centre with access to public transport. Perimeter based on walking distance. Existence of existing higher density housing. Infrastructure capacity. Need to make adequate provision for this type of housing to meet city's needs |
| 7 | Office Residential | Existing development of this nature. Areas where a buffer is required for adjoining residential land. Traffic function or safety would not be compromised |
| 8 | Urban Neighbourhoods | Immediately adjacent to sub regional centres (e.g. Anzac Street West area in Takapuna) and other town centres where low to mid-rise apartment development can be accommodated by the environment |

The reason that zoning has been chosen ahead of other techniques is due to its flexibility, simplicity and ability to address the effects generated by activities. Zoning is able to recognise and protect the wide variety of different environments within the residential area, including heritage and environmental areas, and to meet the varied needs of the population. It enables activities to be defined as Permitted, Controlled or Discretionary, dependent upon their effects on the character or environment of each zone, and similarly for performance criteria and assessment criteria also to be tailored to the sensitivities of certain areas. Importantly, this can be achieved in a manner which is readily understood by the community who are now largely familiar with this technique.

Expected Environmental Results

- Effects generating activities limited to specified locations, and impacts on residential zones avoided and/or mitigated, as measured by an annual assessment of Council's Complaints Register, an annual assessment of compliance with resource consent conditions, ongoing environmental quality surveys and a biennial noise survey
- Protection of heritage and special environmental areas, as measured by an annual

assessment of Council's Complaints Register, an annual assessment of compliance with resource consent conditions, ongoing environmental quality surveys and a biennial noise survey

- Potential adverse effects of higher density residential and office development avoided and/or mitigated, as measured by an annual assessment of the Council's Complaints Register and biennial noise surveys.

16.3.2 Residential Activities

Objective

To provide opportunities for the establishment of activities required by people and communities in a manner which is compatible with the maintenance and enhancement of amenity values.

Policies

1. By including only those activities with little potential to adversely affect the character and amenity of adjoining sites or the neighbourhood as a whole as Permitted activities.
2. By requiring that those activities which have the potential to have a significant adverse effect upon the environment or on the amenities of adjoining properties or the neighbourhood, be the subject of a resource consent as either a Controlled or Discretionary activity.
3. By the Council assessing and imposing conditions on those activities which require a resource consent (such as larger groups of units) in order to minimise the impact on the character and amenities of the residential area. Those activities with significant adverse effects on the residential environment, which cannot be mitigated by conditions on a resource consent, will not be approved within the residential area.
4. By enabling the establishment of only those non-residential activities which will provide very positive benefits to individuals or local communities (i.e. by serving their daily needs) and which have minimal adverse effects on amenities of the residential area.
5. By limiting the range of activities permitted to establish in those zones with natural or heritage values (Residential 1-3 zones) to those which are compatible with the protection and enhancement of these values.
6. By the Council recognising that in certain circumstances a service station can be appropriately located within some residential areas, and by requiring that in these cases, service station activities be the subject of a resource consent as either a Discretionary or Non-Complying activity.
7. By the Council encouraging and facilitating the retention of the existing network of shops, schools and community facilities within existing residential areas.

Methods

- Policies 1-6 will be implemented by rules
- Policy 7 will be implemented through Council initiatives in the form of advocacy and co-ordination.

Explanation and Reasons

Within each residential zone, Permitted, Controlled and Discretionary activities are listed. When determining which activities are suitable for inclusion in a zone, regard has been had to the following:

- *The need to ensure that residential accommodation remains the predominant activity, in order to maintain the character and identity of established areas*
- *The need to ensure that the likely environmental effects of activities will not significantly impact upon amenities*
- *The need to provide for a range of residential support activities at a scale*

appropriate to the needs of a local community

- *The need to protect the character and identity of special zones.*

Those activities with little likelihood of detracting from residential amenity or environmental values are included as Permitted activities, e.g. the construction of a single house, and home occupations. Controlled activities include those activities which although potentially appropriate on every site in the residential area, can detract from amenity, environmental, traffic safety values or the like. Discretionary activities include those which are not necessarily appropriate on every site, and which may need to be limited in relation to factors such as size, hours, numbers of people attracted and appearance of premises. Examples of the Discretionary activities included in some residential zones are community buildings and facilities, dairies and new schools. The Discretionary procedure enables the impacts and effects of such proposals to be assessed by the Council, and for the proposal to be declined, approved, or approved subject to conditions as may be appropriate.

In the residential zones, only those non-residential activities which will provide very positive benefits to individuals or local communities and which have minimal detrimental impact on amenities are able to establish. In this respect, at present the residential areas are predominantly (but not exclusively) used for residential purposes. There is a strong sense of neighbourhood and community in many areas, as well as security and stability. Residents enjoy having friendly neighbours next door and the certainty of knowing that the next door properties will in all likelihood continue to be used for residential purposes. The exclusion of most non-residential uses from residential areas has also meant minimal nuisance from noise, glare, fumes, traffic, smoke and night time activity. However, while it is important to retain the dominant residential function of residential areas in order to maintain their character and amenity and give certainty to residents, it is also important that residents' needs for activities other than housing are met. In particular, provision must be made for activities which help to foster community identity and self-sufficiency and for those which will provide employment opportunities at a scale appropriate to the maintenance of residential amenities.

Two levels of non-residential activities have been provided for in the general residential areas:

- a) Those such as home occupations which, due to their scale and nature, will have no, or negligible, impact on amenities.*
- b) Those moderate impact community and business activities which, despite their impacts on the residential amenity, are desirable because their impacts are offset by very positive benefits for the community, being activities which are required on a daily basis, e.g. dairies, or to which residents should have ready access, e.g. doctors.*

Among the activities provided for in residential zones are those such as childcare facilities and doctors' premises which are considered to be an important part of residential communities. Despite the fact that the generated effects of these activities can be controlled, such activities commonly do have an impact on the character of residential neighbourhoods, for example, the activity may be located in a building which is not of residential character, or it may be empty at night and in the weekend, or it may attract greater volumes of traffic than would a residence. Despite these undesirable impacts, these activities are considered to be appropriate within the residential area because of their community benefits, particularly in terms of easy and convenient access to services. Most other non-residential activities which might have similar generated effects and impacts, as, for example, childcare or doctors' premises, have been excluded from residential zones because their undesirable effects are not offset by community benefits. The activities are not an integral part of the residential fabric or a residential support activity.

An alternative approach would be to permit any activity within the residential area provided that it can meet prescribed performance standards designed to protect environmental amenities. This approach has been rejected because it would not be possible to provide for those non-residential activities which, notwithstanding that they may have adverse effects on amenities, have an important functional relationship with the residential area, without also enabling a range of other activities with similar effects, but which provide no positive benefits to residents, to establish in residential areas.

Furthermore, it fails to provide residents with the certainty they value and it disregards both the importance for many residents of having neighbours close at hand and the existing character of neighbourhoods.

Activities such as schools, local shops and community facilities provide an important resource within residential areas which the Council will endeavour to ensure is retained. In particular, schools provide important open space and recreational facilities. Where existing school land is to be sold the Council will assess the need to acquire the land to meet existing open space shortfalls.

Expected Environmental Results

- Community participation in decision making on the suitability of non-residential activities in residential neighbourhoods, as measured by a biennial assessment of resource consent submissions
- Protection of the character and amenity of residential neighbourhoods, as measured by an annual assessment of Council's Complaints Register, five-yearly resident surveys and an annual assessment of compliance with resource consent conditions
- Exclusion of activities with significant adverse effects from the residential zones, as measured by an annual assessment of Council's Complaints Register and a five-yearly residential land use survey
- Protection of natural heritage values, as measured by a five-yearly residential land use survey and an annual assessment of compliance with resource consent conditions
- Retention of existing non-residential activities such as shops, schools and community facilities within the residential zones, as measured by a five-yearly residential zone land use survey
- Establishment of non-residential activities where adverse effects can be avoided and/or mitigated, as measured by an annual assessment of Council's Complaints Register and a five-yearly residential zone land use survey.

16.3.3 Development Controls

Objective

To control the form of development in order to achieve good standards of on-site and neighbourhood amenity, including the protection of the character of the streetscape.

Policies

1. By requiring compliance with controls designed to maintain on-site and inter-site amenity values.
2. By providing for basic building controls to be varied through the Control Flexibility provisions, provided that the development will achieve the intent of the controls and will not adversely affect amenities.
3. By limiting the maximum height of buildings in all zones.
4. By providing in the Residential 6 zone opportunities for taller buildings to be established as a Controlled activity as a means of enabling the establishment of apartments, but only where the adverse effects on the neighbourhood are avoided, remedied or mitigated.
5. By controlling the height and bulk of buildings in relation to property boundaries.
6. By controlling the maximum building coverage and maximum impervious area.
7. By requiring buildings to be set back from the street frontage.
8. By controlling the siting of buildings in relation to side and rear boundaries.
9. By requiring the provision in association with every residential unit of an outdoor living space and service court of sufficient area and dimension, to meet residential requirements for leisure and service functions.
10. By imposing controls which are designed specifically to maintain a reasonable

standard of privacy for main living rooms and their associated outdoor living spaces.

11. By encouraging infill building design to be compatible with existing buildings through the preparation of design guidelines.
12. By providing for infill development to occur (whether or not in association with subdivision) at a range of different development densities through the city, determined by having regard to the following:
 - the availability of services
 - the existence of natural environmental or built heritage values
 - the need to protect amenities
 - any density standards of the Transitional District Plan for the city which may still have effect
 - the location of commercial nodes.
13. By including a range of controls designed to protect the special environmental and amenity values of coastal and lakeside areas (refer to [Section 8: Natural Environment](#)).
14. By requiring that all Controlled, Discretionary and Non-Complying activities comply with the development controls applying to Permitted activities, unless an alternative standard is required for the operation of the activity.
15. By the provision of detailed performance and assessment criteria in the Plan for Controlled and Discretionary activities which are designed to ensure such activities do not detract from the character and amenities of residential areas.
16. By controlling development within the Residential 8 zone by way of a mix of development controls and assessment against policies, assessment criteria and recognised urban design principles.

Methods

- Policies 1-10 and 12-16 will be implemented by rules
- Policy 11 will be implemented through education in the form of design guidelines.

Explanation and Reasons

Controls have been imposed on development which will regulate the form and intensity of land use to a level which will ensure that local amenities and environmental values are protected. They have been applied to protect adjacent sites, the streetscape and the neighbourhood as a whole from the effects of development. Controls of this nature include maximum height, height in relation to boundary, yards and maximum coverage. The retention of the streetscape of existing areas is considered to be important, as it significantly affects neighbourhood character, and often the availability of views. In addition, controls have been imposed to ensure that a reasonable standard of amenity exists on every site, including requirements for outdoor living spaces and service courts. These controls recognise that good standards of on-site amenity create a pleasant and attractive living environment and in doing so contribute to wider neighbourhood amenity.

An aspect of common complaint in relation to infill development is the resulting loss of privacy for the neighbouring properties. While it is not practical to completely maintain privacy, the policies and rules of the District Plan recognise its significance and address its protection in relation to main living rooms and outdoor living spaces. Privacy is also a factor which the Council will have regard to when assessing resource consents. The Council will be preparing design guidelines as a means of encouraging and assisting the design of infill development to be compatible with existing development.

Infill development is permitted in most residential zones at a range of different development densities determined, having regard to the environmental and heritage values associated with an area, availability of services, and permitted density in the Transitional District Plan.

In order to provide for and facilitate innovative forms of development, including those which achieve the intent of the control (but not necessarily its associated minimum

specified standard), and to allow development to respond to difficult or peculiar site circumstances, provision is made for controls to be relaxed or reduced in accordance with the Control Flexibility provisions.

Expected Environmental Results

- Management of the effects of activities to avoid and/or mitigate any nuisance or distraction to residential amenity, as measured by five-yearly resident surveys, an annual assessment of compliance with resource consent conditions and an annual assessment of Council's complaints records
- Provision of a range of housing opportunities, as measured by an annual assessment of building consents issued
- Protection of coastal and lakeside amenity, as measured by a five-yearly residential zone land use survey and an annual assessment of Council's Complaints Register
- Infill building design compatible with existing buildings, as measured by five-yearly resident surveys and an annual assessment of Council's Complaints Register
- Attractive streetscape, as measured by five-yearly resident surveys and an annual assessment of compliance with resource consent conditions
- The avoidance of tall buildings in the conventional residential neighbourhood which visually dominate the neighbourhood and block sunlight, daylight and views, as measured by annual resident surveys, an annual assessment of Council's Complaints Register and an annual assessment of compliance with resource consent conditions
- Sufficient on-site open space to contribute to the open character of the neighbourhood and provide an area of amenity for occupants, as measured by five-yearly resident surveys
- Maintenance of a reasonable standard of on-site privacy, as measured by an annual assessment of Council's Complaints Register and five-yearly resident surveys
- Infill development at a range of densities and locations throughout the city, as measured by a five-yearly residential zone land use survey
- Flexible development controls, as measured by an annual assessment of the type and number of resource consent applications.

16.3.4 Protection of the Natural Environment

Objective

To conserve those features of the natural environment which enhance the qualities of residential areas, are important components of natural ecosystems or are associated with cultural values.

Policies

1. By recognising and protecting those parts of the residential area which have special amenity or environmental values by the use of special zones and associated development controls.
2. By recognising and protecting those aspects of the natural environment which contribute significantly to residential amenity and/or, which themselves have intrinsic natural values (refer to [Section 8: Natural Environment](#)).
3. By the imposition of a building line in Eadys Bush to protect the native bush from the effects of development.
4. By ensuring that environmental values are protected when large blocks of land are developed for residential purposes by:
 - a) Controlling the removal of soil, spoil or other material and the clearing of native trees and bush prior to land development (refer to [Section 8: Natural Environment](#) and [Section 9: Land Development](#)).
 - b) Acquiring as reserves those areas or features having important natural values,

such as significant areas of native trees and bush.

- c) Imposing density limitations and development controls which reflect the land's environmental and aesthetic qualities.

Note:

Refer also to 8.3.5 Stormwater Catchment Management Objectives.

Methods

- Policies 1-4 will be implemented by rules.

Explanation and Reasons

Despite the fact that residential development often results in major alterations to the natural environment, the natural environment remains a very important component of the residential area. Trees, remnant bush areas, gullies and escarpments, streams, the coastline and the landscape itself all make a major contribution to the character of the city. They are also significant components of natural ecosystems and help to maintain the health and diversity of plant, insect and wildlife communities. The Plan contains a broad range of policies which are intended to ensure that environmental values are recognised and protected.

An important part of the Plan's environmental strategy is the recognition of land with special environmental values within the residential area, and the application to these areas of special zones, overlays or development rules which will ensure the retention and enhancement of these values. For example, in the case of sites containing extensive areas of native bush, a special residential zone has been applied (the Residential 2A zone). Zones are a simple method of identifying the location of land having particular values. They help to emphasise the significance of such areas to the public and are readily understood by most people. The success of zones and their associated rules and of other environmental protection controls is, however, also dependent upon public support and enthusiasm. The availability of information pamphlets and advice from the Council are an important component of this.

In addition to zoning, the Plan utilises various controls to protect specific environmental values. These controls, which include bush protection in specific zones, scheduling and controls on buildings and earthworks adjacent to the coast and to Lake Pupuke, and within Sites of Special Wildlife Interest, are discussed in detail in [Section 8: Natural Environment](#).

The coast and Lake Pupuke have important environmental and ecological values and in addition are significant for their contribution to visual amenity, recreational opportunities and to the city's identity. However, as residential activity is the major land use which adjoins both the coast and Lake Pupuke, the maintenance of many of the values associated with these areas is dependent upon the control of residential development. The Plan seeks to protect these areas by:

- *The application of appropriate zones*
- *The imposition of controls to protect trees, limit earthworks, control the location of buildings and limit the extent of impermeable cover.*

Land development particularly associated with large residential subdivisions has the potential to have a major impact on environmental values, especially as common development practices include large scale earthworks, tree removal and piping of natural watercourses. Therefore, the control of land development is an important mechanism to achieve the protection of environmental values. The Plan seeks to ensure that in future, within residential areas, the existing land-form is used as the basis for development, with minimal or no land recontouring, natural stream channels retained, and a density of development which reflects the land's environmental or aesthetic qualities. The provisions relating to land development and subdivision are discussed in detail in [Section 9: Land Development](#).

Expected Environmental Results

- Retention of those areas having special amenity values, as measured by indicators identified in the Natural Environment Section.

16.3.5 Housing Choice

Objective

To provide a diverse range of living environments and housing opportunities in order to meet the varied needs of the community, in a manner which is compatible with the maintenance and protection of residential amenity, heritage values and environmental values.

Policies

1. By seeking to ensure that a variety of living environments is available by applying, in those areas of special character (including heritage, environmental and amenity areas), special zones and/or development controls which foster and encourage their protection.
2. By providing opportunities in the main residential area for housing developments at a variety of densities, including smaller dwellings on smaller sized sites, which are compatible with the maintenance of local environmental values.
3. By providing opportunities for the establishment of a variety of housing forms throughout the residential zones, including houses, units, and apartments and minor residential units, by the inclusion of such activities as Permitted, Controlled and Discretionary activities.
4. By enabling minor residential units to be established:
 - a) as a Permitted activity in the Residential 1, 4 to 7, except for Residential 5 zoned sites in the Birkenhead area, and Structure Plan zones on sites 600m² or larger; and
 - b) as a Discretionary activity in Residential 1, 4 to 7 and Structure Plan zones on sites smaller than 600m², and in the Residential 5 zone in the Birkenhead area.
5. By the imposition of development controls which are designed to provide residents with choice in building form, while still providing a high degree of certainty for neighbours.
6. By providing opportunities for innovative forms of housing and for flexible controls where a comprehensive approach to larger developments enables house design, site layout and subdivision design to be integrated to provide better on-site and neighbourhood amenity.
7. By providing opportunities for elderly persons' housing in all its forms, including units, minor residential units, complexes, rest-homes and retirement villages, by the inclusion of these activities within the Permitted, Controlled and Discretionary activities.
8. By providing opportunities for residential care centres, including IHC and half-way houses within the residential area at an intensity and scale compatible with other residential development.
9. By the Council seeking to facilitate the provision of affordable housing for first home owners and other groups with limited income by:
 - Providing opportunities for innovative housing and subdivision design in greenfield situations
 - Providing for infill housing in a wide range of locations.

Methods

- Policies 1-9 will be implemented by rules.

Explanation and Reasons

The Plan's policy is:

- a) *To provide opportunities for different densities of housing, compatible with the retention of neighbourhood amenity.*
- b) *To recognise and protect special character areas which provide different lifestyle opportunities.*
- c) *To enable the establishment of a variety of housing types including family homes,*

units, minor residential units and housing for the elderly.

- d) *To facilitate innovation and use of different building forms by the inclusion of flexible development controls.*

The reason for this strategy is that the city contains a diverse population in terms of its age, household size, race, culture and income; a population which is also undergoing significant changes. In particular, the population is aging, and household size and the proportion of children are declining. The population's diversity and the changes which it is undergoing mean that not only are there diverse housing needs and preferences in the city, but with time, these, like the population structure, will change. The Plan policies are intended to enable a wide variety of these needs and preferences to be met to an extent that is compatible with achieving other objectives and policies of this Plan relating to amenity and environmental protection.

Specific groups within the community also have specialised housing needs, in particular those on low incomes, the elderly, the intellectually and physically challenged, and those in need of emergency or refuge accommodation. The policies of the Plan are intended to ensure that there is an ability to meet these needs within the residential area at an intensity and scale which is comparable to a residential unit. However, in relation to minor residential units, in recognition of the social benefit of providing accommodation for extended families, and to increase the availability of small units, this use is included as a Permitted, Controlled or Discretionary activity in all zones. The activity imposes impacts on the character and amenity of residential areas in terms of the loss of open space, loss of trees and vegetation, increase in traffic and effects on the privacy of neighbouring properties, but these impacts are offset by the benefit to the wider community of increasing the availability of this form of accommodation.

The Plan provides for 'Housing for the Elderly and Disabled' as a Discretionary activity in all residential zones, except the Residential 2 zones. Housing for the Elderly and Disabled is defined in [Section 21](#) as meaning ten or more units designed specifically to meet the needs of elderly or people with disabilities. Although these developments are not required to meet the standard residential density, they must be assessed under specific criteria aimed at ensuring satisfactory environmental outcomes. Developments of less than ten units, and which therefore are not defined as 'Housing for the Elderly and Disabled', may be established provided that they are in accordance with the rules for residential units applying in the relevant zone. In most residential zones up to 5 residential units may be established as a Permitted or Controlled activity, while 6-9 units require consent as a Discretionary activity. These units may of course be designed specifically for elderly or disabled persons.

Expected Environmental Results

- Affordable housing opportunities in North Shore City, as measured by an annual assessment of Valuation NZ house sales and valuation statistics
- Establishment of a range of care centres in residential neighbourhoods, as measured by an annual assessment of the type and number of resource consent applications
- A range of housing densities and forms, including minor residential units appropriate to the location, and character of the area and size of the lot, as measured by a five-yearly residential zone land use survey, an annual assessment of building consents issued and an annual assessment of subdivisions approved
- Innovative housing forms and comprehensive and integrated site design, as measured by a five-yearly residential zone land use survey
- Choice of building form, as measured by a five-yearly architects/developers survey.

16.3.6 Land Development

Objective

To ensure that provisions relating to land development in residential areas are integrated with, and give effect to, residential and environmental objectives and policies, especially to those relating to individual residential zones.

Policies

1. By the inclusion of subdivisional requirements in the District Plan which have been determined by reference to the following criteria:
 - a) The need to maintain adequate standards of site and neighbourhood amenity while allowing maximum design flexibility.
 - b) The need to protect and conserve areas of special character, created by either the natural or built environment, within the residential areas.
 - c) The need to minimise earthworks in order to maximise the amenity and character arising from the natural landscape and protect environmental and archaeological values.
 - d) The availability and capacity of reticulated water and sewage disposal systems.
 - e) The need to provide a variety of housing opportunities and living environments.
 - f) The need to create new residential areas with a sense of identity.
 - g) The need to ensure adequate public open space for recreation and environmental protection.
 - h) The need to ensure that on every residential site it is possible to erect a complying building.
 - i) The need to encourage and facilitate energy-efficient subdivision and roading design, including:
 - provision for safe and convenient pedestrian and cycle access
 - provision for convenient public transport access
 - convenient access for vehicles to areas within and adjoining the development
 - having regard to the need for sunlight access in lot layout
 - the need to create safe and attractive neighbourhoods.
2. By seeking to ensure that every subdivision is designed to create a safe and attractive residential neighbourhood where, as far as is practical and reasonable, the natural character and form of the landscape and significant archaeological sites are retained. In particular every plan of subdivision should be designed to:
 - a) Maximise the amenity and character created by the natural landscape features including, wherever practical and reasonable, the retention of existing contours, vegetation and streams.
 - b) Utilise landscaping and design to integrate landform, roading, parking, pathways, reserves and residential development.
 - c) Use a roading hierarchy incorporating variations of width and location of carriageway and footpaths, and innovative design, including street furniture, to create varied, safe and attractive neighbourhoods.
 - d) Rear lots should, wherever possible, be served by common access lots or right of ways designed to create an attractive entry.
3. By requiring larger sites where land is not served by reticulated sewerage or has high amenity values.
4. By providing opportunities for innovative forms of housing development in new residential areas, and on large sites within the established residential area, with the requirements relating to lot sizes and roading designed to facilitate alternative forms of residential development.

Methods

- Policies 1-4 will be implemented by rules.

Explanation and Reasons

Almost all the objectives, policies and rules relating to Land Development are contained in Section 9 of this Plan (to which reference should also be made). However, due to the relationship of land development to important residential issues, including amenity and environmental protection, land development is also addressed in this Residential Section. The Plan is seeking to create safe, convenient and attractive neighbourhoods in the city's new residential areas. It recognises that the process of land development is a crucial first step in the achievement of this objective. In this regard, land development not only has the potential to have a major impact on environmental, archaeological, and landscape values associated with undeveloped land, but in doing so it will also have a major impact on the character and amenity of the residential neighbourhood which will in future be established on the land. The natural landform and areas of retained vegetation are now recognised as providing an important framework for new residential areas - not merely an obstacle in the path of development. This being the case, the Plan seeks to minimise large scale earthworks, retaining wherever practical, existing contours, vegetation and streams.

Subdivision design, including the roading network, access for pedestrians and cyclists, reserves and linkages to other activities such as schools, and neighbourhood shops, provides an important framework for the development of communities. Therefore the Plan is seeking to ensure that subdivision design will facilitate the development of safe and attractive neighbourhoods.

Expected Environmental Results

- Maintenance of on-site and neighbourhood amenity, as measured by five-yearly resident surveys and an annual assessment of Council's Complaints Register.
- Conservation of the special character of the natural and built residential environment, as measured by five-yearly resident surveys and ongoing natural environment surveys.
- Minimal subdivision earthworks, as measured by an annual assessment of approved subdivisions.
- Safe and attractive residential neighbourhoods, as measured by five-yearly resident surveys.
- Establishment of innovative housing design, as measured by a five-yearly residential zone land use survey.

16.3.7 Local Shops and Service Stations

Objective

To ensure that service stations and local shops do not adversely affect the environment, amenity values, or the safety and effectiveness of the transport network. *(Amended July 1998)*

Policies

1. By avoiding, remedying or mitigating the adverse effects of service stations and local shops on the environment.
2. By preventing service stations and local shops from locating in areas where they would detract from the residential character or amenity values of a local area.
3. By ensuring that service stations and local shops do not adversely affect the amenities or safety of any neighbouring residential property.
4. By ensuring that traffic movements associated with service stations and local shops do not adversely affect the amenity values of any residential area.
5. By avoiding, remedying or mitigating the adverse effects of service stations and local shops on the safety and effectiveness of the transport network.
6. By preventing service stations from locating in areas where they have the potential to adversely affect the coastal marine area, wetlands, lakes, rivers and their margins.

Methods

- All policies will be implemented by rules.

Explanation and Reasons

Service stations and local shops can cause adverse effects on residential amenity. The adverse effects that can be caused include those on the amenities of specific neighbouring properties through noise, disturbance or visual intrusion; effects on traffic safety and ease of movement; and effects caused by the non residential appearance of activities. These types of effects are not easy to mitigate in residential neighbourhoods.

The Council recognises that there will be demand for service stations and local shopping facilities in new and developing residential areas. In relation to both forms of development, the Council considers that it is unrealistic to anticipate future demand and zone land accordingly. Instead, resource consent processes should be used to enable service stations and local shops to locate in residential areas provided that there will be no adverse effects on the environment, on amenity values, or on the safety and effectiveness of the transport network. The objective and policies in this section provide guidance on suitable locations for service stations and local shops.

Discretionary activity status is applied to service stations and local shops on a limited number of sites which meet specific criteria. This approach recognises that service stations and local shops are less likely to create adverse effects when they locate in areas close to existing commercial activities and on heavily trafficked routes.

Expected Environmental Results

- The protection of residential zones from the adverse effects from service stations, as measured by five-yearly resident surveys.

16.3.8 Intensive Residential Development

Objective

To ensure that intensive residential developments are designed to a high standard, integrate well with the existing and future context of their neighbourhood, are located where the physical and social infrastructure support them, and any adverse environmental effects will be avoided, remedied or mitigated.

Policies

1. Intensive residential developments should be located within easy walking distance of and promote safe pedestrian access to all of the following:
 - Existing or proposed shops offering a wide range of convenience goods and services
 - An existing or programmed public transport service involving at least four trips per hour during peak periods
 - A substantial public reserve (or reserves) that provides a range of recreational opportunities.
2. Intensive residential developments should be sited in locations that are, or will be in a short timeframe (1-3 years), well served by all of the following:
 - Roads capable of handling increased traffic
 - Road frontage or nearby kerbside areas having adequate visitor parking spaces
 - Community facilities
 - Essential urban (public) services such as sewerage, refuse collection and stormwater management.
3. Intensive residential developments should be designed to achieve all of the following:
 - Integrate well with the immediate locality

- Contribute positively to the street scene
 - Be of a high standard of architectural quality
 - Provide for occupants to enjoy a reasonable outlook and useful outdoor space
 - Provide for the aural and visual privacy of occupants and neighbours
 - Effectively incorporate existing significant vegetation and landforms, and landscaping
 - Effectively and efficiently cater for traffic, parking and servicing
 - Avoid or mitigate any reverse sensitivity effects arising from the proximity of non-residential activities in the vicinity
 - Incorporate suitable crime prevention through environmental design techniques in their layout and methods of access
 - Incorporate low impact stormwater design methods including source control in the site design, layout and landscaping.
4. Intensive residential developments should be on sites that meet all of the following:
- Have suitable shape and size, and natural and other characteristics that facilitate the achievement of policies 1 to 3 above
 - Enable, as far as practicable, all residential units to face or relate closely to public streets
 - Are not such that excessive height of structures eventuates, taking into account the existing and future context of the area
 - Relate to nearby properties and public areas in ways that facilitates the integration of the development into the neighbourhood.

Methods

- The objective and policies will be implemented in the first instance through special zonings, which are designed and specifically located to provide the appropriate environmental context for intensive residential developments (Residential 6, 7 and 8, and Area D & the Mixed Use Overlay Area - formerly Area E - of the Structure Plan zones)
- Rules require most forms of intensive residential development to obtain resource consent, so the policies will also be implemented through the assessment of resource consent applications. In this regard, conformity with a Development Concept Plan approved at the time of subdivision will be an important consideration (see rule 9.4.10.1)
- Assessment criteria (ie 16.7.3.4) will provide further more focused guidance on particular design matters to be taken into account
- Guidelines as to good developments and preferred design solutions, prepared to help developers and potential buyers, are available from the Council.

Explanation and Reasons

The location and design of intensive residential developments has become an issue as the popularity of these types of developments has increased. The term 'intensive residential development' includes terraced housing, and other forms of multi-unit development generally involving more than 5 units on a site. Generally it is one or two storeyed, though three storeys are also possible. Densities will generally not exceed one unit per 150 m² of land area (that is, there will be an average area of at least 150 m² per unit). Higher intensities of development can occur in the Residential 8 zone and in business-zoned 'centres' locations (refer 15.3.3, Policy 1), often as apartment forms of development, of three or more levels.

Quite significant adverse effects, both immediate and cumulative, can arise, and accordingly intensive residential development warrants a distinct objective and associated policies. Where intensive residential development requires resource consent,

as either a discretionary or non-complying activity, the objective and policies above are an important component of Council's assessment of them.

It is very important that intensive residential developments are located in areas close to shops, on public transport routes, and with adequate public open space in the locality. In these locations occupants benefit from easy access to these facilities, thereby reducing car dependency and lessening traffic congestion. At the same time, existing centres benefit economically from the additional population nearby. The concept of 'easy walking distance' will be considered in each case in relation to topography as well as actual distance - generally distances within about 400 metres are considered 'easy walking distance'. The sort of public reserve space envisaged is reasonably level, open land of good shape and containing natural and physical characteristics that support or facilitate a range of both active and passive activities. These attributes need not all be found in one reserve. Account should be taken of the anticipated population of the area when evaluating the adequacy of nearby reserves.

It is also important that intensive residential developments are served by roading, sewerage and stormwater of an appropriate capacity - which may be able to be provided at the time of development if not already available.

The Residential 6 and 7 zones generally exhibit favourable locational characteristics for intensive residential developments, while only some parts of or sites within other residential zones may meet the locational criteria. Some Residential 6 and 7 sites may however have infrastructural or other constraints, or not be suitable for other reasons.

Business zoned town and village centre locations will also generally offer favourable locations for 'intensive' forms of development, and both unit densities and building form and appearance can differ to suit the particular context and lifestyle opportunities centres provide. Particular areas or centres may however have infrastructural or other constraints making some sites or forms of development inappropriate. The siting and design, and in turn the assessment, of proposals will reflect both the opportunities and constraints that 'centres' locations offer.

The design of intensive residential development is important in part because there is less open space to mitigate the effects of poor design. The size, shape, and context of sites proposed for developments can be critical to the achievement of appropriate environmental outcomes.

The above policies are supported by detailed assessment criteria that enable individual applications to be considered in relation to the factors that are considered to differentiate a good development from a poor one.

Expected Environmental Results

- Intensive residential developments located within close proximity of community facilities, public transport and in areas with appropriate infrastructure capacity as measured by land use surveys
- Intensive residential developments designed in a manner that integrates well with surrounding development as measured by recognised urban design guidelines and site specific urban design assessments
- Intensive residential developments that exhibit a high standard of on-site amenity as measured by urban design assessments and resident perception surveys.

16.4 Zoning Framework

16.4.1 Residential 1 Zone: Semi-Rural Settlements

Objective

To protect the special amenity of small semi-rural settlements which are characterised by an open, spacious form of development, interspaced with mature trees.

Policies

1. By requiring larger lot sizes than in the main residential area in areas served by

reticulated sewage systems.

2. By requiring lot sizes to be sufficient to enable satisfactory on-site disposal in those areas not served by reticulated sewage systems.
3. By imposing yard and coverage controls which will ensure that dwellings are well separated from each other and from the road.
4. By ensuring that the range of activities which are able to establish within the zone reflect its semi-rural character. In general only those non-residential activities which are of a scale and nature that is appropriate to serve the needs of the local community and which would not detract from neighbourhood amenities through appearance or generated effects will be permitted.
5. By requiring that subdivisions be considered as a Limited Discretionary activity.
6. By ensuring the retention of mature native trees and mature exotic trees that contribute to the semi-rural character of the settlements and to the amenity, landscape and ecological values of the area.

Methods

- Policies 1-5 will be implemented by rules.

Explanation and Reasons

This zone applies to the small settlements at Greenhithe Village, Paremoremo Wharf Settlement and Albany which are located in the rural part of the city. The settlements have a semi-rural character and therefore provide a living environment which differs from that within the urban area. The existing character of these areas arises in part from the surrounding rural land but factors such as the large lot sizes, existence of vegetation, especially mature trees, the absence of standard urban features such as kerbing and channelling, and the exclusion of most non-residential uses are also important.

As Greenhithe peninsula becomes urbanised it is likely that the character of Greenhithe township will begin to change. In particular, the township will no longer adjoin undeveloped rural land. The Residential 1 zone seeks to ensure that any changes to the settlement's character occur gradually and are in accord with the community's expectations and aspirations.

Reticulated sewage disposal facilities have recently been extended to include Greenhithe Village. In areas not serviced by reticulated sewage systems, larger sites are required to ensure satisfactory on-site disposal. Even in those areas with reticulated sewage systems, lot sizes are larger than in the established urban area in order to retain the open character.

Expected Environmental Results

- Protection of the distinctive semi-rural character and appearance of existing rural settlements, as measured by a five-yearly resident survey and a five-yearly rural settlement zone land use survey
- Strengthening of the community identity of small rural settlements, as measured by five-yearly resident surveys
- Protection and retention of mature native and mature exotic trees, as measured by monitoring of the tree cover on a periodic basis and by a five-yearly residential zones survey.

16.4.2 Residential 2 Zones

16.4.2.1 Residential 2A: Native Bush Areas

Objective

To protect the special character of large areas of native bush, including associated landforms and natural watercourses, in recognition of their contribution to the amenity and environmental quality of the city.

Policies

1. By applying a Residential 2A1 zone to three areas which comprise large discrete

- blocks of native bush which are currently in large lots and which have significant botanical, ecological and visual values.
2. By applying a Residential 2A zone to other areas of native bush, and to areas adjacent to the Chelsea Sugar Refinery that have special natural and built heritage values including important values arising from the coastal location.
 3. By including subdivision as a Limited Discretionary activity in order to:
 - a) Ensure that the size and arrangements of lots in each development reflects the environmental capacity of the land.
 - b) Ensure that each proposed lot is capable of containing a building platform and access which are sited to ensure minimal environmental impact.
 - c) Better protect the integrity of bush areas by wherever practical ensuring that these are retained in sizeable blocks or as continuous corridors.
 4. By requiring a larger lot size than in the Residential 2B or 2C zones or in the main residential area.
 5. By providing for dwellings and apartment developments, on existing areas which are clear of native vegetation where provision is made for the protection of the natural and amenity values of the balance of the site.
 6. By controlling the siting of buildings in order to protect natural values and the character of the area.
 7. By encouraging revegetation or rehabilitation of depleted areas to ensure regeneration occurs.
 8. By limiting the range of non-residential activities and more intensive forms of residential development in recognition of their impact on the environment.
 9. By requiring, at the time of subdivision, on every proposed lot, the identification of a building platform suitable for the erection of a dwelling with no, or minimal, associated clearing or earthworks. Where a site contains an approved building platform, the Council will only permit a dwelling to be established in an alternative location where it can be demonstrated that development in the alternative location will have the same or less environmental impact than the existing approved building platform, or where the approved building platform has been found to be unsuitable, i.e. due to instability.
 10. By requiring, at the time of subdivision, the use of mechanisms such as covenants to ensure the long-term management and protection of the bush.
 11. By ensuring the retention of areas of native bush and the amenity, landscape and ecological values that these areas contribute to the sub-zone.

Methods

- Policies 1-11 will be implemented by rules and by the special Chelsea provisions of section 16.4.2.1.1.

Explanation and Reasons

The Residential 2A and 2A1 zones apply to urban areas with important natural values. They apply to land which is predominantly covered with regenerating native bush, contains native forest remnants or where streams exist in a natural state with riparian vegetation still largely intact. These areas of native bush are a significant landscape feature which provide an important visual amenity for the city as a whole as well as an attractive living environment for residents of these areas. Together with streams, these areas function as ecological corridors providing for the movement of native fauna between habitats. The Residential 2A1 zone has been applied to three areas comprising discrete blocks of native bush which are currently in large lots and which have significant botanical, ecological and visual values. It includes land south of Glendhu Road, in the vicinity of Soldiers Bay and the Kaipatiki escarpment. The latter two areas are identified in the Regional Policy Statement as Areas of Significant Natural Heritage.

The type and range of development, activities and buildings permitted in the zone is restricted to those which are considered compatible with the zone's protectionist

emphasis. The zone seeks to provide for the use and development of existing cleared areas, while protecting land which is currently in native bush by minimising the development pressures on this land. Accordingly, the development of housing in accordance with the Residential 2 Zone density controls, including apartments on existing cleared areas is provided for and encouraged. However, in order to better control the impact of buildings on the landscape, all buildings are a Controlled activity. In general, additional clearing, whether it is for building platforms, access, or to establish additional cleared open space, will be discouraged and only minor clearing will be permitted.

In order to ensure the retention of the character of land in the zone, and in particular to retain its environmental values, subdivision is a Discretionary activity. This procedure provides the Council with the ability to ensure that the number, size and placement of lots, and their associated access and building platforms are compatible with ensuring that wherever practical native bush and streams are retained. The Council is seeking to encourage the concentration of development into areas which are already clear of native vegetation and the retention of bush areas as discrete blocks or corridors of bush. Although the rules prescribe a minimum lot size (which is larger than those required in other urban residential zones), on some sites it may be necessary for lots to be significantly larger than the minimum prescribed area.

Expected Environmental Results

- Retention of areas of native bush, as measured by indicators specified in the Natural Environment Section
- Residential development which does not adversely affect the significant environmental features of the native bush, as measured by an annual assessment of compliance with resource consent conditions
- Residential development opportunities in areas of native bush, as measured by an annual assessment of building consents issued
- Improved pest and weed management, as measured by indicators specified in [Section 8: Natural Environment](#).

16.4.2.1.1 Residential 2A: Chelsea Special Zone

Objective

To enable the use, development and protection of areas adjacent to the Chelsea Sugar Refinery in a way, or at a rate, that -

- protects or enhances their special natural and physical resource values and historic heritage; and
- integrates well with the residential character of the locality; and
- recognises the district and regional significance of this land

while avoiding, remedying or mitigating any adverse effects.

Policies

1. That the Residential 2A zone provisions apply to these areas but with modifications to recognise and protect the particular resources and values that characterise or are important to these areas and the locality.
2. That any adverse effects of the use and development of areas and sites are avoided, remedied or mitigated through the general policies and rules applicable to Residential 2A zones, and through processes that provide for alternative or more intense forms of development that safeguard the character and amenities of this part of Birkenhead while achieving district and regional land use objectives.
3. That the pattern, intensities and forms of residential development have appropriate regard to:
 - a) adjoining business activities and buildings, particularly those of sugar processing (while they exist), and the need to avoid significant reverse sensitivity effects, including from heavy traffic; and
 - b) the integration of the Chelsea residential developments with the wider

- residential locality for the long term while ensuring the protection of the natural environment; and
 - c) the protection and appropriate enhancement of significant historic heritage values; and
 - d) achieving a high standard of urban design that complements and enhances this part of Birkenhead, and the city as a whole, while safeguarding the important landscape, ecological and recreational values of the zone.
4. That the potential to achieve positive and sustainable development outcomes from the use, development or protection of residential areas and sites within the Chelsea Estate is optimised wherever practicable, including by taking account of the desirability (and probability) of ferry services operating out of the adjoining business (refinery) land in the longer term and the potential use of this adjoining land.

Methods

- The policies will in the first instance be implemented by:
 - The application of the Residential 2A zone provisions (including rules);
 - The General policies and rules of the Plan (such as in sections 8 and 11);
 - Chelsea-specific modifications to the above provisions (which may include maps/diagrams);
 - Chelsea-specific modifications to section 9 (Subdivision and Development).
- The policies may also be implemented, as appropriate to the circumstances, by way of non-statutory 'structure plan' processes (or similar):

Explanation and Reasons

The Chelsea Estate land that is not used for sugar refinery purposes is a special area of land of over 30 hectares that has significant natural and physical characteristics and important elements of historic heritage. It has been closely associated with sugar refining since the 1880's and still contains the original 'manager's house and 'workers cottages' (which are separately scheduled in Section 11). While it has served for decades as a 'buffer' between the refinery and the adjoining residential areas of Birkenhead, it clearly has development potential and this has been reflected in the 'residential' (and other) zonings that it has had for many years under both the Birkenhead District Scheme and the current district plan since its original notification in 1994.

The area is characterised by mature and regenerating native vegetation, conspicuous exotic vegetation, sections of quite steep terrain, some cleared areas, and gullies and ephemeral streams that run down to the ponds. Many parts of the zone are clearly not suited to urban development or would experience or generate significant adverse effects if so developed.

Much of the zone is classified as Site of Special Wildlife Interest, and being close to the coastline, some is classified as Coastal Conservation Area (see Maps and Section 8). The ponds are also recognised as of 'wildlife interest' and their margins have particular significance in this regard. Major parts of the zone have local and district landscape significance, and the coastline is classified as a Regionally Significant Landscape in the Regional Plan: Coastal. These classifications and values are likely to have a major bearing on the final structure and form of the use, development or protection of the various parts of the zone.

While the land is suited generally to a Residential 2A zoning it has some unique characteristics that justify it having a special version of the zone: Namely, its large size; its proximity to the coast and steep coastal land (some of which is esplanade reserve); the adjacent sugar refinery and older parts of Birkenhead (and numerous buildings having heritage value); its historical associations; its three main road frontages; its potential to provide quality open space resources closely associated with any residential development (including access to esplanade reserves and/or the coast); and its conspicuousness from other residential parts of the city and from the Waitemata Harbour.

These characteristics mean that the development of the land should be approached in a comprehensive, integrated manner. The development of a comprehensive scheme for

the whole area would ensure that residential uses were positioned on the smallest possible (development) footprints and that all development was designed to integrate well with, and complement visually, the locality while safeguarding all the most significant natural and physical (including historic heritage) values of the area. At the same time the highest (appropriate) residential unit yields are considered possible where appropriately sized public and private open space areas are created taking account of the characteristics of the area and the achievement of the objective and policies above.

Expected Environment Results

- Sustainable management and protection of significant natural and physical resources and historic heritage
- Forms of development that enhance, and are well integrated with, the locality and city and generate long-term benefits for Auckland

16.4.2.2 Residential 2B Zone: Amenity Areas

Objective

To ensure that those areas which enjoy a particular natural character and amenity due to factors such as larger site sizes, significant numbers of mature trees, small pockets of bush or a coastal setting, retain these values.

Policies

1. By requiring larger lot sizes than in the conventional residential area in order to accommodate trees and to maintain a more spacious environment in keeping with the existing character of such areas.
2. By limiting the range of non-residential activities and more intensive forms of residential development permitted in the zone in recognition of their impact on amenity.
3. By the Council seeking to protect the qualities of the zone when assessing all resource consents. Developments which require substantial earthworks, particularly the creation of large retaining walls or batter slopes visible from public places or adjoining sites are not appropriate, nor are those requiring the removal of significant trees.
4. By ensuring the retention of areas of native bush and the retention of mature trees that contribute to the amenity, landscape and ecological values of the zone.

Methods

- Policies 1-4 will be implemented by rules.

Explanation and Reasons

The Residential 2B zone applies to small areas which enjoy a high standard of natural amenity. The zone seeks to ensure that these values are recognised and protected. Included within the zone are areas having a wide variety of distinguishing character and amenity features. It includes extensive areas situated immediately adjacent to the coast and Lake Pupuke which enjoy high standards of natural amenity due to their location, together with factors such as larger sites, a significant number of mature trees and established housing. In these areas, the zone has a two-fold purpose - to protect the amenity of the residential area itself, and to maintain the natural character and values of the adjacent coast or lakeside. The coastal area makes an important contribution to the city's identity and natural values - and is described in detail in [Section 8: Natural Environment](#).

In addition, the zone applies to other areas containing small pockets of bush or natural streams and gullies. As with land adjacent to the coast, such areas are also distinguished by a combination of larger sites, mature trees and established housing. These areas provide an attractive living environment, and also contribute to the visual amenity of the city by maintaining its distinct landscape.

In order to maintain the natural amenity values of land in the zone, and in order to protect the natural values associated with the coast and Lake Pupuke, larger lot sizes than in the

Residential 4 zone are required. Buildings within the Coastal Conservation Area are a Controlled activity and clearing and earthworks are limited in order to ensure that the natural values of the area are maintained.

Expected Environmental Results

- Larger lot sizes than in the conventional residential areas, as measured by an annual assessment of approved subdivisions
- Retention of mature trees, as measured by indicators specified in [Section 8: Natural Environment](#)
- Limited establishment of non-residential activities, as measured by a five-yearly residential zone land use survey.

16.4.2.3 Residential 2C: Eadys Bush

Objective

To protect the environmental values of Eadys Bush while providing for residential development on existing cleared areas.

Policies

1. By protecting the existing areas of native bush by the definition of an Eadys Bush Tree Protection Line as shown in [Appendix 16C](#), within which any further clearing will generally not be permitted.
2. By providing for a greater density of development than in other bush areas of similar character in recognition of the development rights provided by the Tribunal decision in 1983.
3. By limiting the range of non-residential activities and more intensive forms of residential development permitted in the zone in recognition of their impact on amenity.

Methods

- Policies 1-3 will be implemented by rules.

Explanation and Reasons

The Residential 2C zone applies to a small group of sites which are situated immediately adjacent to the Eadys Bush Recreation Reserve, Northcote. Each of the sites in the zone contain a significant area of native bush on their common boundary with the reserve.

The purpose of the zone is to provide effective protection for the existing bush areas in recognition of their natural and landscape values. To achieve this the Plan imposes the Eadys Bush Protection Line within which all clearing or building is prohibited. In general the Protection Line follows the existing line of clearing. However on Lots 8 and 9, which are both almost entirely bush covered, not all bush has been incorporated within the Protection Line in order to provide reasonable opportunities for building.

On existing cleared areas the permitted density of development is an average of one unit per 350m² of site area. This provision enables account to be taken of that proportion of the site which is bush covered when determining the maximum number of units, thereby ensuring that landowners are not unduly penalised by the protection provision.

Expected Environmental Results

- Opportunities for residential development, as measured by a five-yearly residential zone land use survey
- Protection of native areas within Eadys Bush, as measured by indicators specified in [Section 8: Natural Environment](#).

16.4.3 Residential 3 Zone: Built Heritage

Objective

To ensure that the historic and architectural character and the landscape, topographical and built context of certain distinctive areas of North Shore City is protected and retained.

Policies

1. By ensuring that development and change within the built heritage zones of Devonport, Birkenhead and Northcote retains and reflects those features, qualities and attributes that contribute to the historic character and amenity, such as the subdivision pattern (as reflected in the subzones), density, built form and original fabric, location on the site, visual relationship with the street and use of materials.
2. By allowing only those activities which are compatible with the historic character and amenity, with limited scope for other activities where this is necessary to preserve the historic and architectural character of the building.
3. By limiting the intensity of development.
4. By controlling demolition and removal of houses that contribute to the historic character or general amenity of the neighbourhood, and provide a visual record of earlier settlements.
5. By controlling alterations and new building work to maintain the historic character and general amenity of the zones, and by preventing discordant development.
6. By requiring car parking and garaging to be provided in a manner that does not detract from the historic character or amenity of the zones, by locating it if possible at the rear of existing houses, and restricting the construction of associated structures to those that maintain views to the subject house from the street and any public place beyond the site. This will avoid adverse effects on the streetscape, and allow the house to remain the dominant built element on the site.
7. By the Council preparing heritage character plans for these areas, indicating the buildings, features, qualities and attributes of value, sensitivity to change in different locations, scope for more intensive development, contribution of public works to the special character of the areas, and a longer term vision of what it is hoped to achieve.
8. By ensuring the retention of mature native trees and mature exotic trees that enhance the historic or architectural character of the heritage area, and contribute to the amenity, landscape and ecological values of the area.
9. By controlling the design of all fences over 1.2 metres high, where these abut the front boundary of the site, or are on a side boundary and forward of the existing house.
10. By ensuring that road maintenance and street works are carried out in a manner which is compatible with and complements the special character of the streetscape in the zone.

Methods

- Policies 1, 2, 3, 4, 5, 6, 8 and 9 will be implemented by rules. Compliance will need to be demonstrated through the provision of a 'site and context analysis', as an essential part of an application for resource consent.
- In addition, all policies will be implemented through education initiatives of the Council. The documents resulting from Policy 7 will also be used where appropriate, for the assessment of resource consent applications. Heritage awareness of communities and of the individual residents will be raised by providing conservation and design support to proposals for new buildings and alterations in the form of design guidance, examples of suitable building forms, pre-application meetings and supporting other educational and promotional arrangements.
- Policy 10 will be implemented through the Council's own operations. It is acknowledged that the special character of the Built Heritage Zone is affected by the design and appearance of streetscapes, road works and services. Therefore the Council will develop and promote local traffic management techniques, service provision, pavement and kerbing and road planting programs (where appropriate) which are sympathetic to the special character and historic nature of the street and the zone.

Explanation and Reasons

The Residential 3 zone has been applied to the old established settlements of Devonport, Birkenhead and Northcote. The retention and enhancement of the built heritage values of these areas is important as it reflects both community aspirations and the intrinsic values of heritage. It ensures that a legacy is maintained in a state suitable for passing on to future generations.

Devonport, Birkenhead and Northcote have distinctive natural values relating to their geology, topography and setting on the harbour. The harbour promontories, significant ridgelines, geological outcrops and the volcanic cones form the context for and have a strong influence on the character of the built environment of these areas, and also give prominence to features such as mature trees and landmark status to the more distinctive heritage buildings.

The areas with a Residential 3 zoning are multi-layered cultural landscapes. The roading and subdivision patterns respond to the landform, and sometimes the availability of views to the harbour. The subdivision patterns and density reflect the type of housing that was popular at the time, and the community in the area. The built form reflects the fashions, aspirations and realities of the time. These factors, which ranged from preferred architectural styles to the availability of cost-effective materials and labour, resulted in a particular level of intricacy that is unlikely to be repeated. The built form and sense of history embodied in these areas has had particular appeal to subsequent generations, both as a living environment and a place to visit and enjoy.

Built heritage is vulnerable to unsympathetic development and, to be sustainable and to maintain existing authenticity the special character must be identified and protected against the impacts of changes. The planning policies and rules address the elements which together contribute to the character. The age, style and condition of the buildings are the most important elements, but others include the space around buildings, orientation to the street, interactive relationship with the street, landscape design and planting, and complementary community and commercial facilities. The combination of these elements is as important as any one of them. Some are capable of ameliorating adverse impacts. While landscape planting can, in particular, help to screen out incompatible building bulk (at the same time as complementing the scale of buildings and providing attractive surroundings), alterations and additions should be carried out in a manner that successfully integrates the new with the old. Additionally, fencing at the frontage of the property should be low and designed to allow an appreciation of the traditional qualities of the zone, including the built character and landscape character.

In order to protect heritage values, all building activity whether adding to and altering an existing building or constructing a new home, requires a resource consent. This includes additions or alterations to the roof, street facade or other elevations of the building.

The built heritage character relies to a great extent on the existence of a significant number of older houses. The environmental impact of the removal or demolition of individual houses is a cumulative effect, as the resource is a fragile and finite one. The rules allow scope for removing or demolishing more recent houses but control those activities for houses which contribute strongly to the character of the area. The year 1940 has been chosen to include the full range of house types which are widely accepted by the community as making such a formative contribution to the areas but it is recognised that some later houses, particularly in some neighbourhoods, are also valued for their townscape, streetscape, architectural and collective contributions to the character of the area.

To reduce pressure for redevelopment of the housing stock, the range of more intensive residential and non-residential activities provided for in the zone is also more restricted than in other standard zones.

The three subzones Residential 3A, 3B and 3C distinguish the density of residential development at the level of streetscape and neighbourhood rather than individual existing houses. Residential 3A is applied to areas of smaller lot sizes, compact street patterns and houses near the street. Residential 3C applies to some of the land along the coastal edge and ringing the volcanic cones. This distinction is modified to reflect past development patterns and, to a certain extent, preferred density provisions, so that Birkenhead Point is all 3C and Devonport is mainly 3A. The 3B subzone is introduced in parts of Northcote Point where a transition is needed between the earlier compact

development along the ridge and the need to protect the natural character of the coastline.

The built heritage character subzones also include some areas with high natural heritage values, such as those bordering the coast or bush reserves. It is appropriate to take into account all landscape aspects of an area's character when assessing development proposals. Some areas of the city have a high standard of natural and built amenity, but they are not zoned for built heritage unless they have substantial numbers of older buildings. Such areas may be zoned Residential 2B for their landscape amenity. There are other places in the city which also have unique built heritage character but which do not have a high level of community support for protection. Early state housing areas are examples in this category. Their significance is dealt with more appropriately in the cultural heritage section of the Plan.

Heritage character plans for each of the three areas (Devonport, Northcote and Birkenhead) will be prepared by the Council to provide a detailed level of description and analysis, and will be used to assist the Council to interpret the Plan provisions.

The reasons for the Residential 3 zone and its associated objectives and policies are that the retention and enhancement of built heritage and streetscape values reflect community aspirations and the historic value of heritage buildings. The provisions also reflect the requirements of Section 6(f) of the RMA and the Heritage Goal of the Plan.

Expected Environmental Results

- Protection of distinct character areas of historical and architectural interest, as measured by a five-yearly residential zones land use survey and an annual assessment of compliance with resource consent conditions
- Improved awareness of heritage values, as measured by five-yearly resident surveys
- Protection and retention of mature native and mature exotic trees, as measured by monitoring of tree cover in the city on a periodic basis and by a five-yearly residential zones survey.

16.4.4 Residential 4 Zone: Main Residential Area

Objective

To protect the character and amenity of the main residential area while providing opportunities for its growth and development.

Policies

1. By applying the Residential 4 zone to those parts of the residential area having a conventional character.
2. By providing opportunities for medium density residential development.
3. By imposing two separate subzones (Residential 4A and 4B) having different density controls in order to recognise and protect existing character and amenity and historical variations which have arisen in response to residential preferences in housing styles and demand with:
 - a) The Residential 4A zone applying to those parts of Glenfield, Takapuna, Northcote and a small part of Devonport which had a development density of 300m²-325m² per unit in the Transitional District Plan.
 - b) The Residential 4B zone applying to those parts of Birkenhead, East Coast Bays and a small part of Devonport which are characterised by a more spacious style of development.
4. By encouraging and facilitating less intense infill development by providing for this as a permitted activity.
5. By providing for a higher intensity of development on larger sites where there is more flexibility to achieve a better design outcome and a higher level of amenity.
6. By requiring resource consent for higher intensity developments to enable the impact of those developments on the neighbourhood to be mitigated and ensure

good design outcomes.

7. By allowing site area/density to be assessed as an average across larger sites to encourage more variety in built form within large sites and cater to a wider demographic (including smaller households) within the city's conventional residential areas.
8. By including development controls which are designed to minimise the impact of buildings and activities on adjoining sites and to achieve a reasonable level of on-site amenity.
9. By the inclusion of controls and assessment criteria on Controlled and Discretionary activities which will ensure the development is compatible with the maintenance and protection of amenity and environmental values.
10. By ensuring the retention of mature native trees and mature exotic trees that contribute to amenity, landscape and ecological values of the area.

Methods

- Policies 1-10 will be implemented by rules.

Explanation and Reasons

The Residential 4 zones are the standard or conventional residential zones which extend over most of the developed urban area of the city. The areas to which the zones apply generally enjoy high standards of amenity and are predominantly, but not exclusively, used for residential purposes. The zones recognise the need for further development while retaining and sustaining a good level of amenity and environmental quality. In particular, they provide opportunity for a limited range of non-residential activities required to serve residents' daily needs and for further infill development, and redevelopment provided minimum lot sizes are able to be achieved.

Residential 4A and 4B zones differ only in relation to the density of development that is provided for in each. The larger site size required in the Residential 4B zone for two unit developments is intended to discourage the further development and subdivision of the 1/5th acre sites which characterise the original subdivision pattern of these areas, unless sites are combined to provide a better design outcome. The density of development provided for in the two zones to a large extent reflects historical variations within the city, which have arisen over time in response to resident preferences and variations in housing styles and demands.

The Residential 4A zone applies to parts of Glenfield, Takapuna, Northcote, and a small area of Devonport. In the Transitional District Plan these areas were all affected by rules which provided for 300m²-325m² of land per residential unit. Developments at these densities have been causing increasing concern due to their impacts on the amenities of adjacent sites and the city as a whole. In the Plan, the Council has two principal options to address the problems arising from 'as of right' unit development at these higher densities - increase the minimum area required for each unit, or impose better control over development. It is largely this latter option that the Council has chosen. The Plan requires that developments having an area of 350m²-449m² per unit (assessed as an average in the case of more than five units) be considered as a Controlled or Limited Discretionary activity against a comprehensive range of assessment criteria intended to ensure a good design outcome. Those developments with a greater land area per unit, i.e. 450m² or greater, per unit, can proceed as a Permitted activity. The option of significantly increasing the land area required for all unit developments has been rejected due to the significant development expectations which now exist in these areas, and the need to accommodate increasing household growth.

The Residential 4B zone applies to parts of East Coast Bays and Birkenhead. It continues the Transitional Plan's requirement for 450m² per unit, thereby ensuring that the amenities of these areas are retained and that, on a city wide basis, opportunities are provided for housing at a variety of different densities. In order to provide a degree of flexibility, opportunities are provided for unit area requirements to be slightly reduced to 400 m² for larger developments (3 or more units), provided that the impacts on the environment will be minor.

Expected Environmental Results

- Protection of the character and amenity of the main residential areas, as measured

by five-yearly resident surveys and five-yearly residential zone land use survey

- Provision for some additional infill development and the redevelopment of sites in the Residential 4 zone, as measured by a five-yearly residential zone land use survey
- Infill development which does not significantly detract from the existing character and amenity of the zone, as measured by five-yearly resident surveys and five-yearly residential zone land use survey
- Protection and retention of mature native and mature exotic trees, as measured by monitoring of tree cover in the city on a periodic basis and by a five-yearly residential zones survey.

16.4.5 Residential 5 Zone: New Development

Objective

To control the development of new residential areas and manage existing residential areas in order to ensure that the resulting neighbourhoods:

- i) Have a sense of identity and place.
- ii) Respect and reflect the existing natural environment.
- iii) Are safe, convenient and pleasant places to live.

Policies

1. By requiring that subdivision be considered as a Limited Discretionary activity in order to provide the Council with the opportunity to ensure that the proposal is in accordance with the objectives, policies and rules relating to subdivision, in particular with the detailed assessment criteria contained in the relevant rule in [Section 9: Subdivision and Development](#).
2. By requiring that every Plan of Subdivision comprise:
 - a) A detailed Background Report which includes
 - An assessment of the environmental qualities of the land and its immediate surrounds, and a statement of how these qualities are to be addressed
 - The identification of all important destinations within and adjoining the development.
 - b) The Plan of Subdivision itself, which relates directly to the findings of the Background Report.
3. By ensuring that every subdivision is designed to create safe and attractive residential neighbourhoods where, as far as is practical, the natural character and form of the landscape is retained. In particular, every subdivision should be designed to:
 - a) Maximise the amenity and character created by the natural landscape features including, wherever reasonable and practical, the retention of existing contours, vegetation and streams.
 - b) Utilise landscaping and design to integrate landform, roading, parking, pathways, reserves and residential development.
 - c) Use a roading hierarchy incorporating variations of width and location of carriageway and footpaths to create varied, safe and attractive neighbourhoods.
 - d) Ensure that rear lots should, wherever possible, be served by common access lots or rights of way designed to create an attractive entry, and should generally not exceed more than 10% of the total number of lots.
4. By specifying no minimum lot sizes for the zone (in order to avoid the minimum becoming the norm), but instead requiring that the landscape and natural environmental features (such as slope, stability, existence of natural vegetation) be the primary determining factors of density.
5. By permitting no further subdivision of land once consent has been given to a Limited Discretionary activity application, nor additional residential units on any site, in order to ensure that the variety of lot sizes and environmental concept contained within the approved subdivision is retained.

6. By requiring the application of 'intensive residential' policies and assessment criteria where lots of 500m² net site area or less are proposed in order to ensure that attractive, integrated neighbourhoods result.
7. By permitting a wide range of activities to establish within the zone, comparable with the Residential 4 zone, Main Residential Area.
8. By imposing development controls which are designed to facilitate a flexible approach to development.
9. By ensuring the retention of mature native trees and mature exotic trees that contribute to amenity, landscape and ecological values.

Methods

- All policies will be implemented by rules.

Explanation and Reasons

The Residential 5 zone applies to undeveloped residential land which is situated either on the periphery of the urban area or within the established urban area. It also applies in a limited number of cases to recent subdivisions which were designed specifically as one house per lot developments. In these instances, the zone seeks to maintain the particular neighbourhood and environment character which the subdivision sought to create or protect.

In all other areas the purpose of the zone is to control the subdivision and development of land in order to ensure that:

- a) *The layout, design and density of the subdivision reflects the qualities and characteristics of the natural environment. Important natural values such as streams and their margins, and areas of native bush, should be protected wherever practical.*
- b) *A sense of place is created, for example, by:

 - i) *Ensuring that the natural environment is reflected within the development.*
 - ii) *The provision of convenient, community focal points.*
 - iii) *The use of tree planting, paving, orientation and design of building.**
- c) *Safe and convenient connections are provided to all major destinations within and adjoining the development.*
- d) *A variety of housing and lifestyle opportunities are provided for residents, with a variety of lot sizes which reflect the qualities and characteristics of the landform and vegetation.*
- e) *The particular character and environment created in an area by a subdivisional concept is not eroded or lost by further incremental subdivision.*

In order to ensure that subdivisions will achieve the aims of this zone, all subdivision is a Limited Discretionary activity. Every Plan of Subdivision is required to be accompanied by a detailed background report which provides information on landscape and topography, enabling the Council to adequately ensure that development reflects the natural environment.

Expected Environmental Results

- The creation of new neighbourhoods which:
 - are attractive and convenient
 - provide good standards of on-site and neighbourhood amenity
 - are designed to reflect the qualities and characteristics of the existing natural environment with important natural values such as streams and their margins and areas of native bush protected, and existing contours and form of landscape retained wherever practical
 - can meet the housing needs of a variety of groups within the community, as measured by five-yearly resident surveys.
- Protection and retention of mature native and mature exotic trees, as measured by

monitoring of tree cover in the city on a periodic basis and by a five-yearly residential zones survey.

16.4.6 Residential 6 Zone: Intensive Housing

Objective

To provide opportunities for higher density housing in close proximity to selected commercial centres.

Policies

1. By applying the Residential 6 zone to areas around commercial centres. These areas have been selected on the following basis:
 - Be in close proximity to commercial centres to allow easy walking access
 - Not include areas of identified environmental, landscape or heritage value
 - Be based on areas of existing more intensive development, but which also have potential for further development.
2. By applying development controls in the zone, including the requirements relating to private open space which reflect the more intensive nature of development in the zone.
3. By imposing controls to ensure that the amenities of those sites which adjoin the zone are maintained.
4. By imposing a height limit which will enable the establishment of three-storey buildings to provide opportunities for apartment style development.
5. By providing flexibility in the layout and size of intensive housing by not requiring a minimum delineated area per unit and providing opportunities for relaxation of controls where the proposal would not have an effect on the wider neighbourhood.
6. By ensuring the retention of mature native trees and mature exotic trees that contribute to residential amenity.

Methods

- All policies will be implemented by rules.

Explanation and Reasons

The Residential 6 zone provides for higher density housing in nodes around commercial centres such as Northcote, Milford and Browns Bay. The nodes will provide choice in housing opportunities as well as catering to the needs of the community for higher density living, in particular, apartments. The nodes have been selected around commercial activity centres to provide residents with convenient access to services and to strengthen public transport. The zone has not been applied around the commercial centres south of Esmonde Road due to the present traffic constraints on Lake Road.

The Residential 6 zone provides for intensive housing up to a maximum density of 1 unit per 150m² of net site area as a Controlled or Discretionary activity. Provision is also made for these developments to be taller than other activities in the zone in order to provide opportunities for, and facilitate the establishment of, three-storey apartment style complexes. However, all other activities must comply with the 8 metre maximum which applies in this, and in all other residential zones.

The Residential 6 zone includes six subzones. These subzones differ in respect of the permitted density of development and the type of resource consent required. In this respect, the Residential 6 zone is similar to an overlay zone - where the intensive housing option is not taken up, a conventional density applies, imposed having regard to the character and amenities of the surrounding area, and development standards applicable in the Transitional District Plan.

Development controls are designed to provide a reasonable level of neighbourhood amenity while providing flexibility over layout and size of development.

Expected Environmental Results

- The creation of higher density housing around selected commercial centres, as

measured by a five-yearly residential zone land use survey

- Development densities which reflect the more intensive nature of the zone and which provide a reasonable level of neighbourhood amenity, as measured by a five-yearly residential zone land use survey
- Potential for residents to enjoy better views, sun access and privacy, as measured by five-yearly resident surveys
- Protection and retention of mature native and mature exotic trees, as measured by monitoring of tree cover in the city on a periodic basis and by a five-yearly residential zones survey.

16.4.7 Residential 7 Zone: Office Residential

Objective

To provide for small scale business activities which:

- a) Provide a buffer between residential areas and the more intensive aspects of business activities; or
- b) Are situated on selected sites which have particular characteristics which make them less suitable for residential activities.

Policies

1. By the inclusion of land in the Residential 7 zone which:
 - a) Is, or potentially could be, adversely affected by the effects of commercial or industrial development, and which is well placed to buffer other residential areas from the effects.
 - b) Has particular locational or development characteristics which make it suited to small scale business development, and less suitable for residential activities.
2. By including health care centres and offices in addition to other residential activities in the Residential 7 zones, being activities which serve the needs of the residential area, but that other business activities be excluded to ensure that these areas do not themselves take on a business character.
3. By requiring that non-residential Controlled and Discretionary activities be the subject of a resource consent application to ensure that development is of a scale, intensity and design that is compatible with adjacent residential areas and will not detract from the amenities of adjacent residential properties which the zone is intended to buffer.

Methods

- All policies will be implemented by rules.

Explanation and Reasons

The Residential 7 zone provides for residential scale office development. It has been applied to a limited number of sites which have particular locational or development characteristics which make them suited to small scale business development and less suitable for residential activities. More commonly these zones apply to residential land situated adjacent to existing business areas. Their purpose is to provide a transition between residential areas and business activities. They are well located to buffer the more intrusive impacts of businesses and provide a visual transition from buildings which are purely of a commercial nature to those which are residential in character.

It is not intended that with time, land in these zones will acquire a full business zoning. Nor is it considered appropriate that development be of such a scale and intensity that it detracts from the amenities of adjacent residential properties.

In addition to those activities allowed in the main residential area, the Residential 7 zone provides for the establishment of offices and medical centres as Controlled activities. Other business activities such as retailing or manufacturing have not been included in the zone as they would tend to merely extend the area subject to effects from the business area - contrary to the objective of the zone.

Expected Environmental Results

- Buffering of residential areas from the more intrusive aspects of adjoining business areas, with the result that amenities of these areas are maintained, as measured by five-yearly resident surveys
- The creation within residential areas of small areas of office use providing employment opportunities and conveniently available services, as measured by a five-yearly residential zone land use survey.

Note: For the objectives and policies for the Residential 8 zone, see 16.8.

16.5 Rules: Residential Activities

16.5.1 Determination of Activity Status

Table 16.2 specifies the Permitted, Controlled, Limited Discretionary or Discretionary activities for residential zones except for Residential 8. For the Residential 8 zone, see Rule 16.8.2. **The activity status of any activity may be changed by rules in the General Sections of the Plan.**

For the Residential 2A Chelsea Special Zone, the activity status for activities will be as in Table 16.2 unless Table 16.2A provides otherwise; and the activity status of any activity may be changed by rules in the General Sections of the Plan.

For the purpose of the Table:

| | | |
|----|---|--------------------------------|
| P | = | Permitted activity |
| C | = | Controlled activity |
| D | = | Discretionary activity |
| LD | = | Limited Discretionary activity |

Table 16.2 Residential Activities

| Activities | Zones | | | | | | | |
|--|-----------------|--------------|------------|-----------|---|-----------------|----------------|-------------|
| | Settlement 1 | Natural 2 | Built 3 | Main 4 | | Peripheral 5 | Intensive 6 | Office 7 |
| | | | | A | B | | | |
| HOUSING | | | | | | | | |
| Additions or alterations to the exterior of an existing building | P | P | | P | P | P | P | P |

Table 16.2 Residential Activities

| Activities | Zones | | | | | | | |
|--|-----------------|--------------|-------------|------------|------------|-----------------|----------------|-------------|
| | Settlement 1 | Natural 2 | Built 3 | Main 4 | | Peripheral 5 | Intensive 6 | Office 7 |
| <p>(except for the construction of a deck at the rear of a building, not extending towards the side boundary any further than the rear corner of the building on either side, and with a floor level no higher than 1.0 metre above the existing ground level in the Res 3 zone provided it has no balustrade).</p> <ul style="list-style-type: none">On all properties, except the properties described below.Stanley Point, on the parts of the properties in Stanley Point Road marked by hatching in Appendix 16P | P | P | LD C | A P | B P | P | P | P |
| Internal alterations to an existing building and construction of a deck at the rear of a building, not extending towards the side boundary any further than the rear corner of the building on either side, and with a floor level no higher than 1.0 metre above the existing ground level in the Res 3 zone provided it has no balustrade. | P | P | P | P | P | P | P | P |
| Residential units where each unit has a minimum site area or delineated area of 450 m ² or greater | | | | P | P | | | |

Table 16.2 Residential Activities

| Activities | Zones | | | | | | | |
|--|-----------------|--------------|-------------|-----------|---|-----------------|----------------|-------------|
| | Settlement 1 | Natural 2 | Built 3 | Main 4 | | Peripheral 5 | Intensive 6 | Office 7 |
| | | | | A | B | | | |
| Residential units where each unit has a minimum site area or delineated area of less than 450m ² | | | | C | C | | | |
| Residential units, not exceeding 1 per site <ul style="list-style-type: none">where each unit has a minimum net site or delineated area of 450m² or greaterwhere each unit has a minimum net site area or delineated area of less than 450m²On all properties, except the properties described below | P | P | | P | P | P | P | P |
| <ul style="list-style-type: none">Stanley Point, on the parts of the properties in Stanley Point Road marked by hatching in Appendix 16P | | | C | | | | | |
| Residential units, not exceeding 2 per site, in accordance with Rule 16.6.2.3 Density <ul style="list-style-type: none">On all properties, except the properties described belowStanley Point, on the parts of the properties in Stanley Point Road marked by hatching in Appendix 16P | P | C | LD C | | | | P | P |

Table 16.2 Residential Activities

| Activities | Zones | | | | | | | |
|---|-----------------|--------------|-------------|-----------|----|-----------------|----------------|-------------|
| | Settlement 1 | Natural 2 | Built 3 | Main 4 | | Peripheral 5 | Intensive 6 | Office 7 |
| <ul style="list-style-type: none">Or has been granted consent in accordance with rule 16.6.2.2 Control flexibility | P | C | LD | A | B | C | C | P |
| 2-5 residential units where each unit has a minimum site area or delineated area of 400m ² or greater | | | | C | | | | |
| 3-5 residential units where each unit has a minimum site area or delineated area of 400m ² or greater | | | | | C | | | |
| Residential units 3-5 per site, in accordance with Rule 16.6.2.3 Density, or has been granted consent in accordance with Rule 16.6.2.2 Control Flexibility | C | C | | | | | C | C |
| <ul style="list-style-type: none">On all properties, except the properties described belowStanley Point, on the parts of the properties in Stanley Point Road marked by hatching in Appendix 16P | C | C | LD C | | | | C | C |
| Residential units, more than 5 per site, in accordance with Rule 16.6.2.3 Density or Rule 16.6.2.2. Delineated Area | D | D | D | LD | LD | D | D | D |
| Residential units, previously located on another site | C | C | D | C | C | C | C | C |

Table 16.2 Residential Activities

| Activities | Zones | | | | | | | |
|--|-----------------|--------------|------------|-----------|---|-----------------|----------------|-------------|
| | Settlement 1 | Natural 2 | Built 3 | Main 4 | | Peripheral 5 | Intensive 6 | Office 7 |
| | | | | A | B | | | |
| Apartments in the Residential 2A zone | | D | | | | | | |
| Terraced housing for up to 3 residential units in accordance with Rule 16.6.2.3 Density | | D | D | C | | C | C | C |
| Terraced housing for more than 3 residential units in accordance with Rule 16.6.2.3 Density | | D | D | D | | D | D | D |
| Terraced Housing for up to 2 residential units in accordance with Rule 16.6.2.3 Density | | | | | C | | | |
| Terraced housing for more than 2 residential units in accordance with Rule 16.6.2.3 Density | | | | | D | | | |
| A multi-unit development on Lot 1 and Lot 2 DP 42433 and Lot 1 DP 58391 (8-12 Rangitira Ave, Takapuna) where the average area of land per unit is no less than 475m ² | | C | | | | | | |
| Housing for the elderly and disabled | D | | D | D | D | D | D | D |
| Intensive housing on sites with a minimum area of 1500m ² and able to contain a 24mx24m square in the Residential 6A, 6B and 6C zones | | | | | | | C | |

Table 16.2 Residential Activities

| Activities | Zones | | | | | | | |
|---|-----------------|------------------|------------|-----------|---|---|----------------|-------------|
| | Settlement 1 | Natural 2 | Built 3 | Main 4 | | Peripheral 5 | Intensive 6 | Office 7 |
| | | | | A | B | | | |
| Intensive housing up to 9m high on sites with a minimum area of 1500m² and able to contain a 24mx24m square in the Residential 6A1, 6B1 and 6C1 zones | | | | | | | D | |
| Intensive housing on rear sites with a minimum area of 1500m² and able to contain a 24mx24m square | | | | | | | D | |
| Minor Residential Units on sites with minimum net site area of 600sqm or greater | P | D | D | P | P | D - on Res 5 sites in the Birkenhead area* P - on Res 5 sites, excluding those in the Birkenhead area* | P | P |
| Minor Residential Units on sites with a minimum net site area of less than 600sqm | D | D | D | D | D | D | D | D |
| Demolition or removal or relocation within the site of existing house in the Residential 3 zone | P | P | LD | P | P | P | P | P |
| Resthomes | | | | | | | | |
| • Accommodating not more than 10 persons, including resident proprietor | C | D in Res 2B only | D | C | C | C | C | C |

Table 16.2 Residential Activities

| Activities | Zones | | | | | | | |
|---|-----------------|------------------|------------|-----------|---|-----------------|----------------|-------------|
| | Settlement 1 | Natural 2 | Built 3 | Main 4 | | Peripheral 5 | Intensive 6 | Office 7 |
| | | | | A | B | | | |
| <ul style="list-style-type: none">Accommodating more than 10 persons, including resident proprietor | | D in Res 2B only | D | D | D | D | D | D |
| Retirement complexes | | | D | D | D | D | D | D |
| Residential care centre or boarding house housing up to 7 residents (including live-in support staff) | P | P | P | P | P | P | P | P |
| Residential care centre or boarding house housing 8 or more residents (including live-in support staff) | D | D in Res 2B only | D | D | D | D | D | D |
| Residential units exceeding 8m, but not exceeding 18m in height, provided that they are located in that area of the Residential 6 zone which is defined on Planning Map 26 as a Special Height Control zone | | | | | | | D | |
| ACCESSORY BUILDINGS | | | | | | | | |
| Accessory buildings not exceeding 50m ² GFA for the foregoing 'HOUSING' activities | | | | | | | | |
| <ul style="list-style-type: none">On all properties, except the properties described below | P | P | LD | P | P | P | P | P |

Table 16.2 Residential Activities

| Activities | Zones | | | | | | | |
|--|-----------------|--------------|------------|-----------|----|-----------------|----------------|-------------|
| | Settlement 1 | Natural 2 | Built 3 | Main 4 | | Peripheral 5 | Intensive 6 | Office 7 |
| <ul style="list-style-type: none">Stanley Point, on the parts of the properties in Stanley Point Road marked by hatching in Appendix 16P | | | C | A | B | | | |
| Accessory buildings not otherwise provided for in this table have the same activity status as the prime activity on the site, excluding Discretionary activities | | | | | | | | |
| Accessory buildings where the prime activity on the site is a Discretionary activity | LD | LD | LD | LD | LD | LD | LD | LD |

| SERVICES AND FACILITIES | | | | | | | | |
|--|---|---|---|---|---|---|---|---|
| Service stations, fast food outlets, garden centres and liquor stores, and warehouses of a domestic scale, provided that they are located at 153 Albany Highway on Part Allotment W205 Takapuna Parish Block VII Waitemata Survey District | C | C | C | C | C | C | C | C |
| Home occupations | P | P | P | P | | P | P | P |
| Home occupations which do not comply with the provisions of Rule 16.6.3.2 | D | D | D | D | | D | D | D |
| Camping grounds | D | | | D | | D | | |

Table 16.2 Residential Activities

| Activities | Zones | | | | | | | |
|--|-----------------|--------------|------------|-----------|---|-----------------|----------------|-------------|
| | Settlement 1 | Natural 2 | Built 3 | Main 4 | | Peripheral 5 | Intensive 6 | Office 7 |
| | | | | A | B | | | |
| Childcare centres catering for: | | | | | | | | |
| • Up to 5 children | P | P | LD | P | | P | P | P |
| • 6-10 children | C | | LD | C | | C | C | C |
| • Not otherwise permitted | D | | D | D | | D | D | D |
| Churches | D | | D | D | | D | D | D |
| Churches (additions except in the Res 3 zone) and internal alterations to churches provided that the combined area of any additions does not exceed 100m² GFA) | C | | C | C | | C | C | C |
| Churches and church halls provided they are located on Lots 1 and 2 DP66226 being Part Allotment 189 Parish of Takapuna, located on Deep Creek Road | | D | | | | | | |
| Churches external additions and alterations | | | LD | | | | | |
| Community welfare centres with a maximum of 2 staff at any one time | D | | D | D | | D | D | C |
| Community welfare centres, not otherwise permitted | | | | | | | D | D |
| Community buildings and facilities | D | | D | D | | D | D | D |
| Dairies not exceeding 100m² | D | | D | D | | D | D | D |
| Extensions to existing fire stations | D | D | D | D | | D | D | D |

Table 16.2 Residential Activities

| Activities | Zones | | | | | | | |
|---|-----------------|--------------|------------|-----------|---|-----------------|----------------|-------------|
| | Settlement 1 | Natural 2 | Built 3 | Main 4 | | Peripheral 5 | Intensive 6 | Office 7 |
| | | | | A | B | | | |
| Guesthouses | D | D | D | D | | D | D | D |
| Health care centres: • Health care centres, staffed by not more than 1 health care provider at any one time | D | D | LD | C | | C | C | C |
| • Health care centres, staffed by not more than 2 health care providers at any one time | D | D | D | D | | D | D | C |
| • Other health care centres | | | D | D | | D | D | C |
| Hospitals | D | | D | D | | D | D | D |
| Licensed hotels, taverns, tourist houses and wholesale liquor outlets, motels and restaurants provided that they are located in: • Browns Bay, Lots 21-34, DP10801, and bounded by Inverness, Beach and Bute Roads | | | | | | | C | |
| • Takapuna, Lot 1, DP51079 and Lot 2, DP48239, located near the intersection of Northcote and Sunnybrae Road | | C | | | | | | |
| • Northcote, Lots 3, 4, 5, 6 and Part Lot 7, DP23966, bounded by Queen, King and Princes Streets, Northcote Point | | | C | | | | | |

Table 16.2 Residential Activities

| Activities | Zones | | | | | | | |
|--|-----------------|--------------|------------|-----------|---|-----------------|----------------|-------------|
| | Settlement 1 | Natural 2 | Built 3 | Main 4 | | Peripheral 5 | Intensive 6 | Office 7 |
| | | | | A | B | | | |
| <ul style="list-style-type: none">Glenfield, Lot 2, DP145005 bounded by Glenfield Road and Downing Street | | | | | | | C | |
| <ul style="list-style-type: none">Albany, Pt Allot 27 SO 2617, located on State Highway 17 opposite the intersection with The Avenue | | | | | | D | | |
| Motels and restaurants provided they are located on Lot 1, DP 190311, East Coast Bays Rd, Mairangi Bay | | | | C | | | | |
| Offices | | | | | | | | C |
| Offices on the northern side of Bracken Avenue east of Burns Ave, Takapuna | | | | | | | C | |
| Private retreats, conference centres, holiday homes and holiday camps provided they are located on: Lot 33, DP126857, Long Bay, and provided the activities are in accordance with the working of the deed, that is the use of the Trust land as a conference centre for Anglicans of all ages, as a retreat house for Anglican Clergy and Laity, as a youth weekend and holiday camp, as a centre for meetings of organised groups both within the Anglican church and within other religious | | P | | | | | | |

Table 16.2 Residential Activities

| Activities | Zones | | | | | | | |
|--|-----------------|--------------|------------|-----------|---|-----------------|----------------|-------------|
| | Settlement 1 | Natural 2 | Built 3 | Main 4 | | Peripheral 5 | Intensive 6 | Office 7 |
| | | | | A | B | | | |
| communities, youth or educational organisations and such other uses analogous or incidental thereto as the Trustees may decide, and the activities are in accordance with the development plan shown in Appendix 16A to the plan, and provided that at no time shall the Trust land be used for any purpose which is not a charitable purpose as defined by law. | | | | | | | | |
| Private retreats, conference centres, holiday homes and holiday camps on Lot 33 DP126857 which do not comply with the plan of development in Appendix 16A but which in all other respects would be a Permitted activity | | C | | | | | | |
| Reserves | P | P | P | P | | P | P | P |
| Schools (new) | D | | D | D | | D | D | D |
| Schools: additions and alterations to an existing school: | | | | | | | | |
| • In accordance with an approved Development Plan | P | P | LD | P | | P | P | P |
| • Not in accordance with an approved Development Plan | C | C | LD | C | | C | C | C |

Table 16.2 Residential Activities

| Activities | Zones | | | | | | | |
|--|-----------------|--------------|------------|-----------|---|-----------------|----------------|-------------|
| | Settlement 1 | Natural 2 | Built 3 | Main 4 | | Peripheral 5 | Intensive 6 | Office 7 |
| | | | | A | B | | | |
| The following activities may be established on sites exceeding 2ha occupied by Schools or Educational Institutions: School assembly halls and auditoriums, school chapels, school gymnasiums, used in each case for school purposes only, and - <i>exceeding a height of 8m but not exceeding a height of 16m</i> - <i>provided always no such building shall be located closer than 16m to any boundary of residentially or recreationally zoned land, or any land used or proposed to be used as open space or for recreational purposes</i> | C | | | C | | C | C | C |
| Show homes | D | | D | C | | C | C | C |
| Travellers' Accommodation | D | | D | D | | D | D | D |
| New technology, research, light industrial and storage activities in Albany on Lot 2 and Part Lots 3 and 4, DP33270, located on Albany Highway | | | | | | | | D |

Table 16.2 Residential Activities

| Activities | Zones | | | | | | | |
|--|-----------------|--------------|------------|-----------|---|-----------------|----------------|-------------|
| | Settlement 1 | Natural 2 | Built 3 | Main 4 | | Peripheral 5 | Intensive 6 | Office 7 |
| | | | | A | B | | | |
| Quarrying of minerals and aggregate provided that; - <i>such use is limited to the land described as Part Allotment 73, Parish of Takapuna, comprised in CT1547/75 containing an area of 2.4ha</i> - <i>the use is permitted only to the extent that is necessary to enable a satisfactory residential subdivision to be achieved having regard to access, building platforms, stormwater and sewerage servicing</i> | | D | | | | | | |
| Incidental workrooms for service and repair uses provided that such workrooms shall not exceed 40m² in area, and are located on Lots 100, 101, 102 and 103, DP 6879 being 14, 16, 18 and 20 Byron Avenue | | | | | | | | P |

Table 16.2 Residential Activities

| Activities | Zones | | | | | | | |
|--|-----------------|--------------|------------|-----------|---|-----------------|----------------|-------------|
| | Settlement 1 | Natural 2 | Built 3 | Main 4 | | Peripheral 5 | Intensive 6 | Office 7 |
| | | | | A | B | | | |
| Service stations and local shops which: <ul style="list-style-type: none">• Front and have access from a primary or secondary arterial route; and• Adjoin the boundary of a Business 1, 2 or 3 zone which has a continuous zone area exceeding 2500m²; and• Are located on a site with an area of not more than 2500m² | | | | D | D | D | D | D |
| FARMING | | | | | | | | |
| Glasshouses, not exceeding 50m ² | P | | LD | C | C | C | | |
| Glasshouses, exceeding 50m ² | D | | | | | D | | |
| Grazing of animals in compliance with bylaws | P | | C | P | P | P | | |
| Horticulture | P | | C | D | D | P | | |
| Sale of produce grown on the property | D | | | | | D | | |
| LPG | | | | | | | | |
| Domestic LPG facilities with a capacity or combined capacity not exceeding 100kg | P | P | LD | P | P | P | P | P |
| Domestic LPG facilities with a capacity or combined capacity between 100kg and 250kg | C | C | C | C | C | C | C | C |

| Table 16.2 Residential Activities | | | | | | | | |
|--|---|------------------|------------|-----------|---|-----------------|----------------|-------------|
| Activities | Zones | | | | | | | |
| | Settlement 1 | Natural 2 | Built 3 | Main 4 | | Peripheral 5 | Intensive 6 | Office 7 |
| | | | | A | B | | | |
| Boarding house housing up to 4 residents (excluding live-in support staff and family members or a maximum of 10 people including live-in support staff and family members) | P | P | P | P | P | P | P | P |
| Boarding house housing 5 or more residents (excluding live-in support staff and family members or more than 10 people including live-in support staff and family members) | D | D in Res 2B only | D | D | D | D | D | D |
| Residential care centre housing up to 7 residents (including live-in support staff) | P | P | P | P | P | P | P | P |
| Residential care centre housing 8 or more residents (including live-in support staff) | D | D in Res 2B only | D | D | D | D | D | D |
| Subdivision | Refer to Rule 9.4.1 Classification of Activities: Site Works and Subdivision in Section 9 : Subdivision and Development | | | | | | | |

Notwithstanding anything stated in [Table 16.2](#), Lot 9 DP47126 (known as No.4 Peach Road) can be used only for car parking and landscaping in conjunction with the activities on Lot 8 DP47126.

Unless specified below in Table 16.2A, the activity status of 'activities' in the Residential 2A Chelsea Special Zone is as per Table 16.2

Public Notification and Serving Notice Waived

The Council shall consider any Limited Discretionary application for "Residential Units, no more than 5 per site", with an average site area of at least 350m² per unit in the Residential 4A zone and an average site area of at least 400m² per unit in the Residential 4B zone, without public notification or the need to obtain the written approval of, or serve notice on affected parties. If the Council considers special circumstances exist, it may require the application to be publicly notified.

Refer to Rule 3.3.2 Notification Processes for Resource Consents.

| Table 16.2A Activities in the Residential 2A Chelsea Special Zone | |
|---|------------------------|
| Activity | Activity Status |
| Any residential development, and any non-residential development, on a site created pursuant to, and that conforms with, the development pattern approved for that site as shown on an "approved integrated development scheme" | Controlled |
| An "integrated development scheme" (as defined in section 21) | Discretionary |
| Any development, building or structure not provided for above | Non-complying |

* Res 5 sites in the Birkenhead area shall include all Residential 5 zones sites on the following streets: Mokoia Road, Chelsea View Drive, Balmain Road, Onetaunga Road, Harper Street, Bragato Place, Ravenstone Place, Murano Place, Homewood Place, Mossman Place, Portsea Place, Fitzpatrick Place, Barlow Place, Heaton Grove, Mappin Place, Makepiece Place, Langstone Place, Porritt Ave, and Chatswood Grove.

16.6 Rules: Residential Controls

16.6.1 General Development Controls

16.6.1.1 Compliance

All Permitted and Controlled activities in the residential zones (except the Residential 8 zone) shall comply with the relevant controls listed in [Rule 16.6.1](#) and [Rule 16.6.2](#). An element of flexibility is provided in respect of some of the controls, as a Limited Discretionary activity. For the Residential 8 zone see Rule 16.8.3.

The Limited Discretionary activities in the Residential 3 Zone that are covered by 16.7.3.1 and 16.7.3.2 shall comply with the relevant controls listed in Rule 16.6.1 and Rule 16.6.2.

Explanation and Reasons

In relation to the Residential 3 zone, the Limited Discretionary activity status is used to enable and facilitate appropriate development. The use of a Limited Discretionary activity will not preclude the provision of a house on any subdivided site, provided that the relevant general development controls are met, but the design of the proposed house will be assessed in accordance with the relevant objective, rules and assessment criteria.

It is anticipated that the provisions will facilitate development which:

- Maintains and enhances the heritage and amenity values of the subject property and its contribution to the streetscape or other view from a public place.
- Maintains and enhances townscape, streetscape, architectural and collective character of the zone.
- Avoids the loss of historic authenticity through replacement of houses or significant parts of houses.

16.6.1.2 Maximum Height

- a) Residential 1, 2, 3, 4, 5 and 7 zones: 8 metres.
- b) Residential 6 zone:
 - i) Intensive Housing on sites exceeding 1500m²: 9 metres.
 - ii) All other activities: 8 metres.

- c) Special Height Restrictions:
 - i) RNZAF Airbases - refer to [Rule 14.10.1](#).
 - ii) Mount Victoria and North Head - refer to [Rule 8.4.3](#) and [Rule 8.4.4](#).
 - iii) Dairy Flat Airfield - refer to District Plan Map 3.
 - iv) 94, 96 and 98 Mokoia Road (Lots 6, 7 and 8 DP 12148) - 9 metres.

Control Flexibility

By means of a Limited Discretionary activity application:

- a) Residential 1, 2b, 2c, 3, 4, 5 and 7 zones: Up to 9 metres.
- b) Residential 6 zone:
 - i) Intensive Housing: Up to 10 metres.
 - ii) All other activities: Up to 9 metres.
- c) Residential 2A zone: Up to 11 metres.

Explanation and Reasons

General: Building height can have a dramatic effect on neighbourhood amenity. Buildings which are out of scale with their surroundings can overshadow and visually dominate other buildings, private property, public open space and the street. By controlling height the amenity value of adjacent properties, including sunlight, daylight, privacy and to a degree, views, are protected. A maximum height control also minimises the intrusion of buildings into the landscape.

Residential 1, 2, 3, 4, 5 and 7 Zones: The 8 metre height limit is intended to retain the scale of existing development which is primarily one and two storeys. It will help preclude the establishment of buildings which would detract from the existing aesthetic coherence of a neighbourhood or visually dominate adjacent sites.

In the Residential 2A zone, Control Flexibility of up to 11 metres may only be utilised where the building will be substantially screened from adjacent sites, roads and motorways, and other public places such as the harbour or public reserves by native vegetation (including a number of existing trees which will be the same height as the proposed building) or by the natural topography. The additional height shall be required to enable daylight access, or to avoid the need for additional clearing of native vegetation.

Residential 6 Zone: In this zone the same maximum height applies as in the other residential zones for all activities except Intensive Housing. In relation to Intensive Housing, the Plan enables taller building forms such as apartments to establish in order to encourage the development of a more compact and efficient form.

Residential 7 Zone: A maximum height of 9 metres is allowed for three sites in Mokoia Road in recognition of historical development rights and the potential for adverse effects to be mitigated by an additional yard requirement.

16.6.1.3 Height in Relation to Boundary

a) All residential zones except Residential 3 zone in Devonport

No part of any building shall exceed a height equal to 2.5 metres plus the shortest horizontal distance between that part of a building and any site boundary:

- i) Provided, that for the purpose of this control, the delineated area boundary between units shall be treated as a site boundary; and
- ii) Provided, that, in relation to the construction of terraced housing, this rule shall apply only to the external boundaries of the terraced housing development, but that construction of an extension to a terrace house shall only proceed where the written consent of the property owners of the two immediately adjoining terrace houses is first obtained, provided that where neighbours' consent has not been obtained, the proposal may be considered under Control Flexibility.

b) Residential 3 zone in Devonport only

No part of any new building or additions to existing buildings shall project beyond the limits of the Height in Relation to Boundary Control building envelope described in [Appendix 16J](#), with recession planes beginning at 2.75m above natural ground level along each boundary. The following exceptions apply:

- i) Any boundary adjoining a road or public open space shall be treated as a north boundary, with a 37° recession plane applying.
- ii) Up to 1.5m² in area of a gable end or dormer is permitted to protrude through the recession plane, and no more than two such protrusions are permitted in relation to a site boundary. The protruding part of a dormer shall be assessed as the projection of the vertical face of the dormer measured parallel to the boundary to which the recession plane applies.

Control Flexibility

Unlimited by means of a Limited Discretionary activity application.

Explanation and Reasons

General: *This control protects the amenities of adjacent sites and the road in a variety of ways. It ensures that these areas receive adequate sunlight and daylight access and it prevents their physical domination by adjoining buildings. The control enables a single-storey building to be established on the boundary, but in general requires that two-storey buildings be at least 3 metres away. In general, only minor exceptions to this control will be approved under Control Flexibility in order to ensure that the amenities of adjoining properties are protected.*

Specific provision for terraced housing has been made, however, in recognition of the nature of this type of development. As terrace houses adjoin each other there is no need for this rule to apply in respect to the internal boundaries of a terraced housing development. Developments need only comply with the rule in respect to the external boundaries of a terraced housing development. Problems of loss of sun and privacy may occur in instances where one terrace house in a development is extended. This rule addresses this by requiring the written consent of the owners of the adjoining terrace houses and, where this cannot be obtained, the proposal be considered under Control Flexibility.

Residential 3 Zone Devonport Only: *The Residential 3 area of Devonport has a distinctive pattern of subdivision and development in which the width of the sites, the siting of the houses and the height and bulk of the older houses results in a greater potential for effects on sunlight, daylight, building dominance and privacy. Without detracting from the importance of the reasons for the control stated in the general explanation above, the height in relation to boundary control is more responsive to site orientation, to incorporate additional protection of sunlight access. The southern sector angle is derived from sun angles in mid-winter (21 June), between 10.30 am and 2.30 pm. The allowance provided for dormer and gable protrusions is intended to allow scope for roof alterations which will have minor effect on sunlight, privacy and building bulk. The form and location of dormer windows should be consistent with the style and character of the building. Advice on the appropriate form and location of dormers may be provided from time to time in the form of heritage guidelines.*

16.6.1.4 Front Yards

Residential 1, 2, 4, 5, 6 and 7 zones (except Residential 2A sites fronting Onetaunga Road): 5 metres.

Residential 2A zone sites fronting Onetaunga Road: 10 metres.

Residential 3 zone:

- a) No building or part of a building shall be erected forward of a line connecting that part closest to the road boundary of each of the residential units on either side of any property. Provided that where the neighbouring buildings have different setbacks, the setbacks of the two residential buildings shall be averaged to determine the required setback for the new building.
Alternatively, the dwelling may be located no closer than 3 metres from the road boundary except for the streets listed in [Appendix 16H](#), where the setback must be 6 metres.
- b) Where an existing building is sited in such a way that car parking cannot be provided behind the front face of the building, a garage or carport of a maximum height of 4.5 metres may be located in the front yard no closer than 1.5 metres to the road

boundary, except for the streets listed in [Appendix 16I](#), where the garage or carport must be located no closer than 3 metres from the road boundary.

Control Flexibility

By means of a Limited Discretionary activity application as follows:

Residential 1, 2, 4, 5, 6 and 7 zones:

- a) Front yard may be reduced to 1.5 metres, provided that in the area which lies between 1.5 and 5 metres back from the front boundary of the site, generally not more than 30% of the area may be covered by buildings, provided that in exceptional circumstances, including difficult topography or sites of an unusual shape, up to 50% coverage may be permitted.
- b) Private garages may be erected in the area between the front boundary and 1.5 metres back from the front boundary only where there are serious topographic constraints or where the siting will enable mature specimen trees to be protected.

Residential 3 Zone: Unrestricted.

Explanation and Reasons

General: Front yards are required to provide physical separation between the road and residential amenities, traffic and pedestrian safety, protect and maintain an attractive streetscape by providing opportunities for landscaping and, in particular, the retention or provision of trees which grow to a significant height on maturity, and by avoiding the creation of a tunnel effect of buildings. Front yard setbacks also maintain the established character of particular neighbourhoods.

Residential 1 and 2 Zone: The front yard has been imposed to ensure that the natural spacious character of these areas will be retained as viewed from the road. It provides an important opportunity for bush and tree protection and landscaping, and ensures that the natural rather than the built environment dominates. The 10 metres setback in the Residential 2A zone on Onetaunga Road, Birkenhead, continues a previous control which has resulted in an open spacious style of development. Control Flexibility may be utilised where the proposal would not require the removal of native trees and bush nor significantly detract from the particular character of the area.

Residential 3 Zone: In this zone it is more important to ensure that new development does not dominate the older housing stock. A front yard that lines buildings up with existing neighbouring buildings is used for this purpose. Where neighbouring houses are sited a consistent distance from the street, then a new building should be sited in a similar position. Where the neighbouring houses have different setbacks, the setbacks must be averaged for a new house. For corner sites, each boundary should be considered separately, with the set back governed by the adjacent house on each side boundary. Control Flexibility may only be utilised where one neighbour is set further back than other nearby houses or where the road configuration does not produce consistent setbacks or for corner sites.

Residential 4, 5, 6 and 7 Zones: The 5 metre front yard is required to provide an opportunity for an attractive streetscape to be retained or created. It retains a standard which has been in effect throughout much of the city for many years. The Control Flexibility provisions enable the Council to balance residents' need for flexibility and to maximise the attributes of the site, with the need to protect the character and amenity of the street and neighbours' expectations. However, in general, it is not considered appropriate to allow the establishment of two-storey buildings or large first floor decks within the front yard as they tend to visually dominate the streetscape.

Control Flexibility Assessment for the Residential 1, 2, 4, 5, 6 and 7 Zones: The front yard control may be relaxed in accordance with the Control Flexibility provisions to a small extent generally, and to a larger extent only in exceptional circumstances. Extreme topographical problems for vehicle access and parking, or the retention of mature specimen trees, would be considered exceptional circumstances. For the middle range, the combined effect of height, width and extent of building projection towards the street boundary will be assessed for its effects on the visual amenity of the streetscape and on the amenity of neighbouring properties. For the smaller infringements of this rule it is intended that opportunities for demonstrably better development of the site should be facilitated by the Control Flexibility provision.

Another level of Control Flexibility allows for garages to be established between the front boundary and 1.5 metres back, in exceptional circumstances where there are extreme topographical problems or for the protection of mature specimen trees.

16.6.1.5 Other Yards

Subject to the provisions contained in the following clauses (a), (b), (c), (d), and (e), development in the Residential 1-7 zones shall comply with the controls of **Table 16.3**:

Yards in Residential Zones:

- a) Provided that for the purpose of this control the delineated area boundary around any unit, whether subdivided, cross-leased or not, shall be treated as a site boundary for which corresponding yards are required.

| Table 16.3 Yards in Residential Zones | | | | | | | | |
|---------------------------------------|-------------------------|-----|--------|------|------|------|------|------|
| | Residential Zones | | | | | | | |
| | 1 | 2A | 2B & C | 3 | 4 | 5 | 6 | 7 |
| Side Yard | 3m | 3m | 1.2m | 1.2m | 1.2m | 1.2m | 1.2m | 1.2m |
| Rear Yard | 3m | 3m | 3m | 3m | 3m | 1.2m | 3m | 3m |
| Lakeside Yard | - | 30m | 30m | - | 30m | 30m | - | 30m |
| Foreshore Yard | Refer to Rule 16.6.1.5A | | | | | | | |
| Arterial Road Setback | Refer to Rule 16.6.1.6 | | | | | | | |

- b) Special Provision: Side and Rear Yards

Notwithstanding the above side and rear yard provisions, in all zones except the Residential 1 and 2A zones, a building may be erected in any side or rear yard where the written consent of the property owner of the land adjacent to the affected boundary is obtained; provided that where the required neighbours' consent has not been obtained, the proposal may be considered under Control Flexibility.

Rain tanks up to 5m² in area and 1.8m height above ground level shall be excluded from the side and rear yard requirements.

Note: Reference should also be made to provisions for riparian margins in Rule 8.4.2.

- c) Special Provision: Residential 2A zone Onetaunga Road

On Lots 15, 16, 19 and 20, DP128353, being 99, 101, 107 and 109 Onetaunga Road, the rear yard requirement in relation to the southern boundary of those properties shall be 30 metres.

- d) Residential yards to be Clear of Right of Way Easements

Where a site contains an easement granting a right of way in favour of adjoining land then, unless that right of way is limited to pedestrian access, all required yards shall be measured from the boundary of the right of way with the balance of the land containing the right of way.

e) Special Provision for 94, 96 and 98 Mokoia Road:

On Lots 6, 7 and 8 DP 12148, the yard requirement in relation to the southern boundary of those properties shall be 10m, of which the 5 metres closest to the boundary shall be landscaped in accordance with the provisions applying in the business zones in respect of the 'landscape amenity yard'.

f) Special Provision for 21 Appleby Road

On Lot 1 DP 379878, the yard requirement in relation to the length of the southern boundary of this property shall be six (6) metres. The six metres shall be planted with indigenous vegetation. The area shall not contain above ground structures other than those provided for by the definition of "Landscaping" within the North Shore City District Plan. The area shall be designed primarily to protect the amenity of adjacent residential areas to the southern boundary of the subject site.

Control Flexibility

By means of a Limited Discretionary activity application, with the length of that part of the building infringing the yard to be no greater than 10 metres. Except:

No Control Flexibility for the lakeside yard.

Explanation: Side and Rear Yards

General: Side and rear yards are required in order to maintain corridors of open space between buildings where this is part of the particular character of an area, ensure that each habitable room receives adequate daylight access and maintain the visual and aural privacy of adjacent sites. The exclusion of rain tanks up to 5m² in area and 1.8m height encourages installation while maintaining the open space character of surrounding neighbourhoods.

Residential 1 and 2 Zones: In the Residential 1 and 2A zones, a 3 metre side and rear yard has been imposed to ensure that the open spacious character of the zones is retained. It also provides opportunities for the retention of vegetation between buildings, which is also part of the particular amenity of these areas. The yard requirements also reflect the higher standard of privacy enjoyed by residents in these areas. In the Residential 2B and 2C zones, smaller side yards are required in recognition of the smaller area of sites in this zone. Provision is made for these yards to be reduced with the consent of the adjoining neighbours. The requirement for a greater rear yard on specific properties in Onetaunga Road recognises a Building Line restriction imposed as a condition of subdivision approval.

Residential 3, 4, 6 and 7 Zones: In these zones a 1.2 metre side yard has been imposed in order to provide separation between buildings and provide opportunities for maintenance.

A 3 metre rear yard has been imposed in recognition of the greater degree of privacy expected in rear yards within the established residential areas. The standard maintains continuity with existing development patterns and community expectations which have arisen in response to the fact that a 3 metre yard has been in force in much of the city for many years. It also provides opportunities for activities such as vehicle maintenance and caravan storage which is hidden from public view.

The controls provide for design flexibility, by providing opportunities for buildings to be erected within the yards in certain circumstances. These require either the consent of the adjoining owner or a resource consent. Where this consent is sought in the Residential 3 zone in Devonport it should be recognised that the recession plane controlling height in relation to boundary begins from a 2.75m boundary height, rather than the 2.5 metres applying in other residential zones. As a result, if buildings are located on or close to the boundary, particular attention may be required to matters such as the height and bulk of the buildings, the orientation of the site and its relationship to the use of adjoining sites to ensure that adverse effects on adjoining land are avoided or mitigated.

A special additional yard is required at the interface of 94, 96 and 98 Mokoia Road and the adjoining residential properties in recognition of the need to mitigate any adverse environmental effects that might arise from the potential for development to a greater height and building length than normally applies in the Residential 7 zone.

Residential 5 Zone: *In the Residential 5 zone, a 1.2 metre side and rear yard has been imposed in order to provide separation between buildings. The control provides for design flexibility by providing opportunities for buildings to be erected within the yard in certain circumstances.*

Explanation: Lakeside Yard

The lakeside yard is required to protect the natural character of the lake environment. No provision is made for Control Flexibility.

16.6.1.5A Foreshore Yard

The foreshore yard is the setback distance identified in [Appendix 21E](#).

Provided that:

For the purpose of the foreshore yard, 'building' has the Plan definition but also includes:

- a) any fence, boundary wall or combination thereof greater than 1 metre in height above natural ground level.
- b) structures such as swimming pools and boat storage sheds, whether those structures are above or below ground.
- c) coastal protection works including retaining walls of any height where the retaining walls are used for coastal protection, palisade walls, and other coastal protection measures such as rock deposits, whether those structures or measures are above or below ground.
- d) above ground stormwater infrastructure.

AND

In those areas where [Appendix 21E](#) specifies that a foreshore yard reference line is to be applied, for the foreshore yard area between Mean High Water Springs and the foreshore yard reference line, 'building' means any structure and includes any decks, terraces, steps, fences, retaining walls and coastal protection measures.

Provided that'

For the purposes of the foreshore yard and excluding stormwater infrastructure, 'building' does not include underground network utilities where they are located entirely within road reserve that is fully formed (but not including any part of the road reserve that is not fully formed), provided they are Permitted or Controlled activities in Section 14 of the Plan.

Control Flexibility

1. An application may be made for a building in the foreshore yard as a Limited Discretionary activity, provided that:
 - a) the foreshore yard is reduced by no more than 33.3 percent of the width specified in [Appendix 21E](#), or
 - b) the application is for a fence, boundary wall or combination thereof greater than 1 metre and less than 1.8 metres in height above natural ground level (provided that where the foreshore yard reference line is applied, the building is not within the area between Mean High Water Springs and the foreshore yard reference line); or
 - c) the application is for above ground stormwater infrastructure.

An application may be made for a building in the foreshore yard as a Discretionary Activity for the following activities (provided that where the foreshore yard reference line is applied, the building is not within the area between Mean High Water Springs and the foreshore yard reference line):

- a) Coastal protection works, including retaining walls, palisade walls and rock deposits

- b) Buildings primarily used for the storage or maintenance of boats, boat launching ramps or structures that provide for public access or are ancillary to boatsheds, including steps, boardwalks and handrails (where they are not Limited Discretionary Activities under 16.6.1.5A(1)).

Limited Discretionary activity applications will be assessed in accordance with the assessment criteria in Rule 16.7.5 and Rule 16.7.5.1.

Discretionary activity applications will be assessed in accordance with the assessment criteria in Rule 16.7.5 and Rule 16.7.5.1 and any other relevant provisions of the District Plan.

Note:

The foreshore yard overlays any reserves or roads along the same section of coastline. Where the foreshore yard width is less than the width of a reserve or road at the same site, the adjoining property inland of the reserve has to comply with the rear or side yard requirements in order to separate development from the reserve or road. Where the foreshore yard is wider than a reserve or road, the yard extends past the reserve and on to the adjoining property. Where the foreshore yard overlays another yard, it replaces that yard. If a coastal boundary is not parallel to the coast and the foreshore yard only applies to part of the boundary, the rear or side yard applies to the remainder of the boundary.

Excluding stormwater infrastructure, the Foreshore Yard does not apply to underground network utilities where they are located within road reserve that is fully formed (but not including any part of the road reserve that is not fully formed), provided that they are Permitted or Controlled activities in Section 14 in the Plan. Areas of the road reserve where there is no formed carriageway, such as areas near the coast where the carriageway ceases but the road reserve continues to the coastal edge, are still subject to the Foreshore Yard. Network utilities are also required to comply with any siteworks controls in Section 9 of the Plan.

Explanation

The foreshore yard is required to protect the natural character of the coastal environment. The foreshore yard ensures that buildings are set back from the coastline, do not dominate the coastal landscape, adversely affect coastal ecological features, or are likely to contribute to coastal erosion. Assessment criteria have been set to ensure that where limited development is provided for within the foreshore yard, it does not affect the environmental qualities of the coast. Greater restriction is placed on certain beach areas and walkways because of the importance of retaining the natural character and landform of these areas, and the pressure they are under from coastal development. This approach reflects the emphasis of the RMA on protecting the coastal environment and generally held public opinions that beaches should be free of structures. Foreshore yard controls are not limited to those structures above ground but include underground structures because they may become exposed in the future due to erosion processes.

Where network utilities are located underground in the road reserve and under or immediately adjacent to the carriageway, the foreshore yard rule does not apply. This is because these areas are already heavily modified so there seems little point in applying the rule. In some areas of the foreshore yard however, there are areas in the road reserve (such as those immediately adjacent to the Coastal Marine Area) where the carriageway is unformed. In those areas the foreshore yard rule does apply as they are often clear of structures and possess some of the original natural character of the coastal environment.

Some structures are already present within the foreshore yard and may have existing use rights under the RMA. If they do have existing use rights, the structures can lawfully remain. The situations when a structure can be replaced or rebuilt under existing use rights are described in the RMA.

16.6.1.6 Arterial Roads: Special Setbacks

Where any site adjoins a motorway or arterial road which is identified on Appendix 1 to the District Plan Maps, the minimum setback for any part of a residential unit shall be 5 metres from the common boundary with that road. This provision shall apply notwithstanding that the boundary might otherwise be a side or rear yard as defined by this Plan.

Control Flexibility

As per Control Flexibility in Rule 16.6.1.4 Front Yards.

Explanation: Arterial Road Setback

The special building setback is intended to provide a physical separation between arterial roads and residential activities which is of sufficient width to provide opportunities for landscaping and screening to be established. This is intended to provide privacy for the residential unit and, where applicable, its associated outdoor living areas. It also makes an important contribution to a good standard of visual amenity on the arterial road itself. The control will be waived where the intent of the control can be achieved by other means such as wide road reserves, bunds, landscaping and design and layout of building to maintain privacy and amenity. In general the minimum setback permitted on arterial roads will be 2 metres to ensure that any requirements for future widening can be accommodated.

16.6.1.7 Garages/Carports

The establishment of a private garage or carport shall comply with the following:

In the Residential 1-7 zones the provisions of **Rule 16.6.1.4** Front Yards shall apply to garages. In addition, the following shall apply to the Residential 1-2 & 4-7 zones:

- i) Where a garage door or carport entry faces the street the garage or carport must not exceed 50 per cent of the width of the front face of the dwelling or unit to which they relate; except this rule shall not apply to two or more storey dwellings/residential units with ground floor or basement garaging.
- ii) Where a garage door or carport entry faces the street, it must be set back a least 5 metres from the street boundary.

Control Flexibility

As per Control Flexibility in **Rule 16.6.1.4** Front Yards and by means of a Limited Discretionary activity application for rules (i) & (ii) above.

Explanation and Reasons

In the residential 1-2 & 4-7 Zones, the purpose of this rule is to ensure that garages do not dominate the streetscape, and that sufficient space is available between garages and the street to allow a car to be parked in this location without encroaching on the street and obstructing pedestrians.

16.6.1.8 Swimming Pools

- a) Swimming pools shall comply with side and rear yard requirements contained in **Rule 16.6.1.5** Other Yards.
- b) Swimming pools may be situated in the front yard, provided that they are at least 1.5 metres from the front boundary, and do not exceed a height of 0.5 metres above natural ground level.

Control Flexibility

As per Control Flexibility in **Rule 16.6.1.4** Front Yards.

Explanation and Reasons

The purpose of this control is to provide opportunities for design flexibility. It permits swimming pools to be established close to the front boundary in order to provide opportunities for more private open spaces to be created to the rear of a dwelling. The rule is designed to ensure that the amenities of the street and adjacent properties are protected.

16.6.1.9 Maximum Building Coverage

Subject to the following provision contained in clause (a), development in the Residential 1-7 zones shall comply with the provisions in Table 16.4. Provided that for the purpose of this control, where two or more units are located on one site, the delineated area associated with each unit shall be assessed as Net Site Area. Rain tanks up to 5m² in area and 1.8m height above ground level shall not be included as part of this building coverage.

- a) Special Provision for 94, 96 and 98 Mokoia Road: On Lots 6, 7 and 8 DP 12148, the maximum building coverage shall be 40%.

| Table 16.4 Maximum Building Coverage | |
|--------------------------------------|---|
| Zone | Maximum Net Site Coverage |
| Residential 1 | 20% |
| Residential 2A | 15% or 225m ² (whichever is greater) |
| Onetaunga Road, Residential 2A | 15% or 500m ² (whichever is greater) |
| Residential 2B | 35% |
| Table 16.4 Maximum Building Coverage | |
| Residential 2C | 35% |
| Residential 3: | |
| Site 300m ² or smaller | 45% |
| Sites larger than 300m ² | 35% |
| Residential 4 | 35% |
| Residential 5 | 35% |
| Residential 6 | 35% |
| Residential 7 | 35% |

Control Flexibility

Up to an additional 5% coverage in all zones, and up to an additional 15% coverage for Churches and Church Halls in the Residential 1 zone provided that they are situated on Part Lot 13, DP 4863 Greenhithe Road, Greenhithe, by means of a Limited Discretionary activity application.

Residential 3 Zone

Existing Houses (as at 22 March 2007) -

Up to an additional 10% coverage for sites in the Residential 3 zone, by means of a Limited Discretionary activity application, to allow existing houses to be extended at a single (ground) level, to avoid changes to the existing roof.

Explanation and Reasons

General: The maximum net site coverage control ensures that the intensity of development is in character with that of surrounding residential areas. Importantly it provides opportunities for the establishment/maintenance of trees and landscaping of comparable character to the existing neighbourhood. It ensures that there is adequate open space on each site to accommodate parking, access and outdoor living areas and to enable drainage to occur through ground seepage in recognition of the limited capacity of disposal systems. The need to provide for on-site stormwater management is addressed in Rule 8.4 8. The exclusion of rain tanks up to 5m² in area encourages installation while maintaining the open space character of surrounding neighbourhoods.

Residential 1 Zone: In the Residential 1 zone the maximum permitted building coverage is lower than in the Main Residential zone in reflection of the open, semi-rural character of these settlements.

Residential 2 Zone: In the Residential 2A zone coverage is limited to ensure that the qualities of the bush environment are retained. In the Residential 2B and 2C zone the maximum permitted coverage is the same as in the Main Residential Area (Residential 4 zone). A higher coverage would be incompatible with the natural amenity values in these zones and therefore only in very exceptional circumstances will a higher coverage be permitted.

Residential 3 Zone: Some of the smaller existing sites in this zone are already developed to coverage greater than 35%. This is reflected in the higher permitted coverage on smaller sites, which is considered to contribute to the specific character of these areas.

Older houses in this zone should be able to take advantage of greater coverage by way of Control Flexibility if they can remain single storey houses. The flexibility will only be exercised in relation to existing houses as at 22 March 2007 in the zone, where it will allow additions that: protect the form of the existing roof, and protect other aspects of historic character generally. It is expected that new houses will be constructed within the site coverage provisions in Rule 16.6.1.9.

Residential 4 Zone: The 35% coverage control is intended to retain the open, spacious amenity which characterises these zones.

Residential 6 and 7 Zone: The 35% coverage control is intended to ensure that the intensity of development within the Intensive Housing and Office Residential zone is comparable with that of adjoining residential zones. In particular, the Residential 7 zone is intended to protect and buffer the main residential area from the effects of commercial and industrial development - not to impose effects on these areas. However, a maximum coverage of 40% is allowed for three sites in Mokoia Road in recognition of historical development rights.

16.6.1.10 Building Length

Subject to the following provision contained in Clause (a), those parts of any building which are in excess of a height of 5 metres shall be wholly confined within the arms of a 130° angle formed by two lines intersecting at any point on the adjacent boundary such that each line forms an angle of 25° with the boundary. Provided that where two or more residential units are located on one site, the delineated area boundary associated with each unit shall be treated as a site boundary, and provided that in relation to terraced housing, this rule shall only apply to external boundaries of a terraced housing development and shall not apply to the front boundary of terraced housing development. This control is illustrated in [Appendix 16B](#) to this Section.

- a) Special Provision for 94, 96 and 98 Mokoia Road: On Lots 6, 7 and 8 DP 12148 the above provision shall not apply.

Control Flexibility

Unrestricted by means of a Limited Discretionary activity application.

Explanation and Reasons

The purpose of this control is to keep bulky buildings a reasonable distance from site boundaries in order to prevent the physical domination of adjoining sites and to prevent long, unbroken building facades. Developments which do not comply with this provision may be approved in accordance with Control Flexibility where the non-complying parts are detached and separated by a distance of approximately 6 metres, or are of an open character, e.g. pergola. Specific provision for terraced housing has been made in recognition of the nature of this type of development. As terrace houses adjoin each other there is no need for this rule to apply in respect to the internal boundaries of a terraced housing development. However, because of the possible impact on adjoining properties the rule still applies to the external boundaries of a terraced housing development, with the exception of the front boundary. This exception is made to provide the opportunity for terraced housing to be established along street frontages.

The provision does not apply in the case of three sites on Mokoia Road in recognition of historical development rights and the potential for adverse effects to be mitigated by an additional yard requirement.

16.6.1.11 Maximum Impervious Area

All development is subject to compliance with Rule 8.4.7 for maximum impervious areas and Rule 8.4.8 for on-site stormwater management.

16.6.1.12 Fences, Boundary or Retaining Walls

A fence, or boundary or retaining wall may be erected on any residential site boundary or within any yard provided that the fence or boundary wall does not exceed 1.8 metres in height, or the height (measured top to bottom) of any combined fence or boundary or retaining wall does not exceed 1.8 metres, and any such retaining wall is either a Permitted activity or is granted a resource consent in accordance with [Rule 9.4.1](#).

Structures within or over overland flow paths are also subject to Rule 8.4.9.2.

- a) In the Residential 3 Zone, on front and corner sites, a fence, boundary or retaining wall may be erected on the front boundary or between the front façade of the house and the front boundary, and on a side boundary forward of the front facade on either side of the house provided the fence, boundary or retaining wall does not exceed 1.2 metres in height, or the height (measured from top to bottom) of any combined fence, boundary or retaining wall does not exceed 1.2 metres in height, and provided that the materials from which the fence is constructed are not specifically excluded in this clause.

Specific exclusions (from the permitted activity) are:

- Concrete block (unplastered);
- Traditional corrugated steel (standard profile or 'baby' profile) fixed with the corrugations in any orientation other than vertically;
- Profiled sheets (other than corrugated steel fixed as described above);
- Flat sheet materials;
- Any composite fence using the above excluded materials.

Fence posts at gates and property corners may protrude up to 300mm above the fence.

The height of the fence, boundary wall, retaining wall or combination on the street frontage is measured from footpath level. The height on the side boundary is measured from natural ground level at the time of subdivision.

For corner sites, the principal elevation defines the front façade of the house and the front boundary for the purpose of this rule.

Where a wall retaining natural ground level existed on 22 March 2007, a fence of 1.2 metres in height above that natural ground level may be erected, provided a setback of at least 0.5 metres (from the rear face of the existing retaining wall) is used to allow a full half metre of space for planting or hedging.

(Refer to Appendix 16N: Fences in the Residential 3 Zone, for examples of fence types and materials to illustrate aspects of the rule).

- b) In the Residential 1-2 and 4-7 zones, and in the Residential 3 zone in situations not covered by a) above, a fence, or boundary or retaining wall may be erected on any residential site boundary or within any yard provided that the fence or boundary wall does not exceed 1.8 metres in height, or the height (measured top to bottom) of any combined fence or boundary or retaining wall does not exceed 1.8 metres, and any such retaining wall is either a Permitted activity or is granted a resource consent in accordance with Rule 9.4.1.

Control Flexibility

Residential 1-2 and 4-7 Zones:

In situations not complying with 16.6.1.12 b) fences, boundary walls and combined fences or boundary or retaining walls up to height of 2.5 metres may be subject to a Limited Discretionary activity.

Residential 3 Zone:

A fence or wall or retaining wall or combination not complying with 16.6.1.12 a), will be subject to a Limited Discretionary activity, and assessed against the following criteria:

- The fence, wall or combination should not obscure the architectural character of the existing building on the site, and should be visually permeable to maintain the traditional visual link and relationship between the house and the street;
- The materials used should be sympathetic to the existing house on the site and to any adjacent period buildings, and should not detract from the special character of the streetscape and wider landscape;
- The scale and form of fences and walls should reflect the historic form of development along the street, and should not detract from the continuity or harmony of existing fences along the street.

Explanation and Reasons

This control is intended to ensure that fencing is not established which could detract from the amenities and any historic character of the street or neighbouring sites. In the Residential 3 zone, it is intended to maintain the historic character of the streetscapes, which relies heavily on architectural character, a direct and visually interactive relationship with the street, and in some instances, an open landscape character. In all residential zones, it prevents the establishment of large retaining walls close to neighbouring sites, to minimise overlooking and problems associated with the structural strength of the wall. This control is also intended to provide for fencing, boundary and retaining walls while ensuring they do not obstruct the natural flow of water creating flooding problems.

Appendix 16N illustrates a range of fence types appropriate within the Residential 3 zone, and the types of period house to which these fence types typically relate.

16.6.1.13 Vehicle Access

- Access shall be provided in accordance with the following minimum widths specified in **Table 16.5**.
- Where an access serves a non-residential activity or two or more residential units, the carriageway shall be formed, drained and paved to the satisfaction of the Council.
- Building eaves which project over a carriageway servicing another dwelling shall have a minimum height of 4 metres above finished ground level.
- Where an entrance strip serves more than 3 residential units, the Council may require passing bays if the carriageway is greater than 40 metres in length.
- An entrance strip shall have an average grade no steeper than 20%, with no part steeper than 25%, measured on the centre line of the entrance strip, and all bends shall have an inside turning radius of a minimum of 9 metres. In order to demonstrate compliance with this Rule, building consents shall include a long section of the entrance strip which shows the grade at the centre line.
- An entrance strip shall not be permitted to serve more than 10 residential units or be greater than 70 metres in length.

| Table 16.5 Vehicle Access | | |
|---|--|---|
| No. of Actual or Potential Residential Units Serviced (determined by the density control of Table 16.6) | Minimum Width of Entrance Strip | Minimum Width of Carriageway |
| 1-2 units | 3.0 metres | 2.5 metres |
| 3-5 units | 3.5 metres | 2.5 metres |
| 6 or more units | 6.0 metres | 2.8 metres plus passing bays, or 4.6 metres |

Control Flexibility

Unrestricted by means of a Limited Discretionary activity application.

Explanation and Reasons

These controls are intended to ensure that adequate provision is made for on-site access and manoeuvring of vehicles which are required in association with an activity, in a manner which will be safe and convenient both on the site itself and on the adjoining road.

16.6.1.14 Eadys Bush Protection Line

Within the area defined as the Eadys Bush Protection Line on the map in [Appendix 16C](#), the following provisions shall apply:

- a) No tree or bush shall be trimmed, cut, removed or damaged in any way.
- b) No building or part of a building shall be erected, and no swimming pool or deck shall be established, whether or not it is defined as a building by this Plan.
- c) No part of this area shall be used for access, parking or manoeuvring.
- d) No service court or part of a service court shall be within the defined area.

Explanation and Reasons

The Eadys Bush Protection Line is intended to provide effective protection for the native bush in the Residential 2C zone which is situated on private property but which adjoins and forms part of the adjacent Eadys Bush reserve.

16.6.1.15 Sites with Land Being Acquired as Esplanade Reserve

On residential zoned sites where an Esplanade Reserve is set aside on subdivision or development, the proposed esplanade reserve land shall be considered to be:

- part of any parent site of 2000m² or less; or
- part of the lot(s) adjacent to the Esplanade Reserve that are subdivided from any parent site of 2000m² or less

for the purpose of calculating entitlements for building coverage (under [Table 16.4](#)) and density (under [Table 16.6](#)).

Explanation and Reasons

This control ensures that residential zoned sites where land is being acquired for Esplanade Reserves are not penalised twice. The control permits the parent site to retain its building coverage and density entitlements rather than having them reduced due to the acquisition of part of the site for Esplanade Reserve. The overall spaciousness of the city will be retained since the severed land remains as open space.

16.6.1.16 Future Pedestrian Walkway - Rangitira Avenue, Takapuna

For the purpose of calculating entitlements for building coverage (under [Table 16.4](#)) and density (under [Table 16.6](#)) the following shall apply:

- a) On the residential zoned sites located at 8-12 Rangitira Avenue, Takapuna, (Lot 1 and Lot 2 DP 42433, and Lot 1 DP 58391) a Pedestrian Walkway shall be set aside where the land is subdivided or developed for a multi-unit development containing 10 or more units. The proposed Future Pedestrian Walkway as outlined in [Appendix 16K](#) shall be considered as part of the gross site area for the purposes of calculating building coverage and density. This walkway will fulfil the total reserve contribution for the 10 or more units developed on the total site, and will not require any additional cash, land or works to be provided for reserve purposes.

16.6.2 Additional Controls for Residential Units**16.6.2.1 Compliance**

Every residential unit except a minor residential unit shall comply with the following additional controls, provided that the provisions of [Rule 16.6.2.2](#) Delineated Area and [Rule 16.6.2.3](#) Density apply only to the establishment of 2 or more units per site.

16.6.2.2 Delineated Area

Each residential unit shall have associated with it an area of land called a delineated area which shall be identified on a building consent application, provided that this rule does not apply to the following: development in the Residential 2C zone; multi-unit development on Lot 1 and Lot 2 DP 42433 and Lot 1 DP 58391 (8-12 Rangitira Ave, Takapuna); Intensive Housing in the Residential 6A-C zones; multi-unit developments in the Residential 6C or 7 zones; and Terraced Housing Developments. The delineated area shall:

- a) Have access to the street in accordance with [Rule 16.6.1.13 Vehicle Access](#).
- b) Contain the unit, outdoor living space, service court, courts, and car parking spaces required to be provided in association with the unit.
- c) Comprise an area sufficiently large to comply with the net site area requirements of [Rule 16.6.2.3 Density](#) and having no dimension smaller than 3 metres.
- d) Include an area capable of containing a square of 12 metres by 12 metres which is clear of any required building line setback, foreshore yard or lakeside yard requirement, right of way easement, or the Eadys Bush Protection Line in accordance with [Rule 9.4.5.9 Shape Factor](#).
- e) Not include any part of a common accessway.

Control Flexibility

Unrestricted in nature or extent, but may only be utilised in the following circumstances, by means of a Limited Discretionary activity application:

- a) To enable the delineated area to be separated into two areas in response to marked topographic boundaries or existence of native bush, e.g. the parking area may be separated from the balance of the delineated area.
- b) To enable a delineated area to be reduced so that the boundary will reflect a significant natural topographic feature, e.g. stream, cliff or gully (but not a minor change in slope). The development must, however, comply with the minimum density when averaged across all units.
- c) In the Residential 2 zones (except the Residential 2C zone) to enable delineated area boundaries to be varied to allow development to be grouped or so located as would enable better protection of native bush or would enable the minimisation of earthworks. Development must, however, comply with the minimum delineated area requirement when averaged across all units in the development and with the following:
 - i) In the Residential 2A zone the provisions of [Rule 9.4.5.2 \(a\) Site Area Requirements Residential 2A zone](#), Clause (ii) shall apply.
 - ii) In the Residential 2A1 zone the minimum delineated area for any unit shall be not less than 4500m².
 - iii) In the Residential 2B zone the minimum delineated area for any unit shall be not less than 500m².
- d) In the Residential 3 zone, or where a site contains an item listed in [Appendix 11A: Schedule of Buildings, Objects and Places of Heritage Significance](#), where the reduction of delineated area would assist the protection of a building with heritage values, provided that the average delineated area shall comply with the minimum delineated area requirement of the zone in which it is located when averaged across all units in the development.
- e) In the Residential 4B zone the minimum delineated area of any individual unit may be reduced to 400m², where the reduction is necessary due to the location of the existing dwelling or a significant tree(s), provided that the average delineated area in the development shall be not less than 450m² per unit.

Control Flexibility shall **not** be used to reduce delineated areas due to the location of an existing dwelling, except as provided for in clauses (d) and (e) above.

Explanation and Reasons

The purpose of the delineated area control is to ensure:

- *That development occurs in such a way that will not preclude a complying subdivision in the future*
- *That the land area, courts, parking and access which the Plan requires be provided in association with a unit, are not separated from that unit by subdivision*
- *That development is separated or spread on the land in accordance with the zone's permitted density and objectives.*

16.6.2.3 Density

Development of more than one residential unit per site in the Residential 1 to 7 zones shall comply with the provisions of **Table 16.6**.

Notwithstanding anything stated in Table 16.6, the subdivision and development of 55 Moore Street, Hillcrest (Lot 30 DP 52455) in accordance with Appendix 16M Subdivision and Development of 55 Moore Street, Hillcrest, shall be controlled activity, subject to the following:

- The controlled activity resource consent will be subject to the conditions set out in the document entitled "Conditions relating to Subdivision and Development of 55 Moore Street, Hillcrest - July 2008" (or conditions to like effect).
- When considering an application for a consent under this rule the Council's control is restricted to the matters addressed in the conditions referred to above.
- Pursuant to section 94D(3) of the RMA, an application for resource consent under this rule may be processed without service on parties under section 94 of the RMA.

Notwithstanding anything stated in Table 16.6, the subdivision and development of 6 Hauraki Crescent, Albany (Lot 7 DP 47405) in accordance with the concept plan in Appendix 16L Subdivision and Development of 6 Hauraki Crescent, Albany, shall be a controlled activity subject to the following:

- Council's consideration of the application will be restricted to the following matters:
 - Trees and landscaping
 - Sediment control
- Pursuant to section 94D(3) of the RMA, an application for resource consent under this rule may be processed without service on parties under section 94 of the RMA."

Except, development of the property at 6 Hauraki Crescent, Albany (Lot 7 DP 47405) shall be in accordance with the concept plan in Appendix 16L: Subdivision and Development of 6 Hauraki Crescent, Albany.

Control Flexibility

Control Flexibility shall only be utilised in conjunction with Control Flexibility for Delineated Areas in accordance with the circumstances specified in **Rule 16.6.2.2 Delineated Area**.

| Table 16.6 Density | | |
|--------------------|---|--|
| Zone | Minimum Net Site Area Per Residential Unit | Other Controls |
| Residential 1 | 1200m ² (served) 4000m ² (unserved) | 1500m ² (served) average net site area per residential unit (provided that in the calculation of averaging no account shall be taken of those parts of sites in excess of 1800m ²) |
| Residential 2 | | |
| 2A1 | 5000m ² | - |
| 2A | 800m ² | Minimum gross site area per residential unit - 1000m ² |
| 2B | 600m ² | - |
| | - | A multi-unit development on Lot 1 and Lot 2 DP 42433 and Lot 1 DP 58391 (8-12 Rangitira Avenue, Takapuna): where the average area of land per unit is 475m ² , calculated from the gross area of the parent site, including any future reserves and common or jointly owned land. |
| 2C | - | 1 unit per 350m ² |
| Residential 3 | | |
| 3A | 450m ² | - |
| 3B | 500m ² | - |
| 3C | 600m ² | - |
| Residential 4 | | |
| 4A | 450m ² , provided that: 2-5 units at 400m ² or greater per unit is a controlled activity More than 5 units at an average of 350m ² or greater per unit is a limited discretionary activity | |
| 4B | 450m ² , provided that: 3-5 units at 400m ² or greater per unit is a controlled activity More than 5 units at an average of 400m ² or greater per unit is a limited discretionary activity | |
| Residential 5 | 1 dwelling per site permitted | Minimum net site area per residential unit, 350m ² |

| Table 16.6 Density | | |
|------------------------------|---|---|
| Zone | Minimum Net Site Area Per Residential Unit | Other Controls |
| Residential 6 | | |
| 6A and 6A1 | 2-5 units at 350m ² per unit as a controlled activity More than 5 units at 350m ² per unit as a Discretionary activity | - |
| 6B and 6B1 | 3 or more units at 400m ² per unit as a Discretionary activity | - |
| 6C and 6C1 | | 1 unit per 250m ² of net area of parent site |
| 6A, 6B, 6C and 6A1, 6B1, 6C1 | Intensive Housing only | 1 unit per 150m ² of net area of parent site |
| Residential 7 | | 1 unit per 200m ² of net area of parent site |

Except, the following minimum net site areas shall apply (where the site area requirements above are restrictive) to applications for resource and/or building consent lodged with the Council prior to 6 April, or any residential unit lawfully established between Oct 1994 and 6 April 2006, or to any land use or development proposal that was partially completed prior to 6 April 2006.

Residential 4A zone - 350m²

Residential 4B zone - 400m²

Explanation and Reasons

General: The rule ensures that the area required to be provided in association with units is the same as the minimum standard required for subdivision. The purpose of the density standard is to ensure that the intensity of development is in accordance with the objectives and policies of the Plan, in particular those of the relevant zone.

Residential 1: The permitted density is intended to ensure that the spacious, semi-rural character of the existing settlements is retained.

Residential 2: The density in these zones has been determined having regard to the need to protect the particular environmental and amenity values of these areas.

Residential 3: The permitted density in the three subzones reflects the existing variations in density within the heritage areas and seeks to retain this pattern of development as part of the heritage character of these areas. The permitted density in the Residential 3C zone is the same as that in the Residential 2B zone and the sites would qualify as Residential 2B if they were not within a wider area of residential built heritage character.

Residential 4: The density in these zones has been imposed in recognition of the need to control the impacts of more intense developments, particularly infill development, on the surrounding neighbourhood.

Residential 6: Opportunities have been provided in this zone for Intensive Housing and, associated with this form of housing, a more intensive level of development is permitted. However, when Intensive Housing is not intended, other density provisions apply - determined having regard to the development opportunities available for this land in the Transitional District Plan.

Residential 7: In this zone the density is intended to facilitate redevelopment of existing properties to apartments as an alternative to residential scale office development.

16.6.2.4 Outdoor Living Space

a) Residential 1-7 Zones

Each residential or minor residential unit shall be provided with an outdoor living space which:

- i) Is not less than 80m², or for a minor residential unit is not less than 40m² in area; and
- ii) Contains no dimension less than 4 metres; and
- iii) Is able to contain a circle with a 6 metre diameter. Has no more than 50% of it located to the south of any part of the unit to which it relates, in accordance with the diagram in [Appendix 16D](#); and
- iv) Is conveniently accessible from the dwelling's principal living room. The outdoor living space may be reduced to 60m² where it is directly adjacent and directly accessible from this room; and
- v) Where a unit does not have its living room at ground floor level, it shall have:
 - Convenient access to the outdoor living space; and
 - A balcony having a minimum area of 10m², with no dimension less than 1.8 metres, such balcony to adjoin and have direct access from the living room of the unit for which it is provided. The outdoor living space may be reduced in size by a maximum of 10m².
- vi) Has a gradient of no more than 1 in 5 (20%) over the 6m diameter circle after the completion of site works.

b) Intensive Housing in Residential 6 Zones

Each ground floor residential unit in an Intensive Housing Development in the Residential 6 zone shall be provided with an outdoor living space which:

- i) Is not less than 40m² in area.
- ii) Contains no dimension less than 4 metres.
- iii) Is conveniently accessible from the principal living room.

Each upper floor residential unit in an Intensive Housing Development in the Residential 6 zone shall be provided with a balcony which:

- i) Is not less than 10m² in area; and
- ii) Contains no dimension less than 1.8 metres; and
- iii) Is conveniently accessible from the principal living area.

c) Communal Open Space: Residential 1-7 Zones

Each multi-unit residential development may as an alternative to (a) and (b) provide an outdoor living space or balcony with a minimum area of 15m² for each unit and an area of Communal Open Space, which shall:

- i) Have a minimum area of 100m² for each residential unit in the development.
- ii) Have a readily usable shape.
- iii) Be so designed as to provide a facility which contributes significantly to the recreational opportunities provided for the occupants of the development. Examples of the kinds of facilities which may be included in the outdoor living space are:
 - A tennis court or swimming pool
 - Landscaped seating and barbecue facilities.
- iv) Have adequate provision made for its continued management and maintenance.

Control Flexibility

Unrestricted in nature or extent, by means of a Limited Discretionary activity application.

Explanation and Reasons

These rules are intended to ensure that each unit has a pleasant area of open space of appropriate area and dimensions to meet the needs of its occupants (or future occupants) for such activities as children's play, gardening, outdoor entertaining/ barbecue and general relaxation.

The rules require that the outdoor living spaces have a minimum area of 80m² and be directly accessible from the principal living room. Provision is made for the outdoor living space to be reduced to 60m² where it is directly adjacent, i.e. directly abutting or beside the principal living room, and where it is directly accessible from this room, i.e. has a door which opens onto part of the outdoor living space. The reduced outdoor living space is permitted in these circumstances where design and location enable effective indoor/ outdoor living.

The requirement that only 50% of an outdoor living space may be located to the south of the unit may be varied under Control Flexibility where the principal views are to the south and the applicant can demonstrate that the outdoor living space will still be a pleasant usable space. The size and dimensions of an outdoor living space may be reduced where it can be demonstrated that the proposed space is of equal or greater benefit to the site's occupants.

16.6.2.5 Service Court: Residential 1, 2, 3, 4, 5, 6 and 7 Zones

Each residential unit shall be provided with a service court which:

- i) Is not less than 20m² in area.
- ii) Contains no dimension less than 3 metres.
- iii) May be situated immediately adjacent to outdoor living space.

Control Flexibility

Unrestricted in nature or extent, by means of a Limited Discretionary activity application.

Explanation and Reasons

The rule is intended to ensure that every unit has an area available for service functions such as refuse disposal, washing and drying of clothes, storage of garden equipment and composting.

As with outdoor living spaces the requirements for service courts may be modified where it is demonstrated that the space proposed is of equal or greater benefit to the site's occupants. In particular, for larger developments, including Intensive Residential Developments under [Rule 16.7.3.4](#), it is expected that alternative servicing arrangements would be necessary.

16.6.2.6 Visual Privacy**a) Between Living Rooms**

In order to avoid direct views from the living room(s) of one unit into those of another, there shall be a minimum separation distance of 20 metres between the main glazing of the living room(s) of one unit and that of another unit situated either on the same or an adjoining site or delineated area, provided that where the windows are less than 20 metres apart, either:

- i) The living room(s) main glazing is located at least 10 metres from the nearest site boundary or delineated area boundary of that unit; or
- ii) The main glazing of any living room shall be offset so that it is not possible to draw a horizontal angle of less than 120° from one window to another; or
- iii) Fencing, trellis or a vegetative screen of appropriate height and density shall be provided as a visual screen between the two windows.

Compliance options are illustrated in [Appendix 16E](#).

b) Between Living Rooms and Outdoor Living Spaces

In order to avoid direct views from the living room(s) of one residential unit into the outdoor living space of another residential unit (whether on the same, or an adjoining site or delineated area), the main glazing of the living room(s) shall not be within 10 metres of the outdoor living space of another unit (measured at right angles to the glazing), unless:

- i) A visual screen between the window and the outdoor living space is provided by fencing, trellis, vegetative screen or other feature (e.g. topography, garden shed); or
- ii) The consent of the affected owners has been obtained.

Compliance options are illustrated in [Appendix 16F](#).

c) Balconies and decks

In order to prevent direct views from the balcony or deck of one residential unit into the outdoor living space of another residential unit (whether on the same or an adjoining site or delineated area), any balcony or deck which is situated adjacent to a living room and has any part of the deck floor 1.5 metres or more above natural ground level shall comply with the following:

- i) No part of the balcony or deck shall be located within a horizontal distance of 10 metres of an outdoor living space of another residential unit (whether on the same or an adjoining site or delineated area) unless either:
 - A visual screen is provided between the balcony or deck and the outdoor living space by such means as an architectural feature, fencing, trellis or vegetative screen of appropriate height and density; or
 - The consent of the affected owners has been obtained.

This rule is illustrated in [Appendix 16G](#).

d) Between Outdoor Living Spaces

Where the required outdoor living space of two or more units on the same or an adjoining lot are within 6 metres of each other and visible to each other they shall be separated by a continuous line of vegetation, trellis or fencing having a minimum height of 1.2 metres.

This rule is illustrated in [Appendix 16G](#).

Unrestricted in nature or extent, by means of a Limited Discretionary activity application.

Explanation and Reasons

The purpose of these controls is to ensure that a reasonable standard of privacy is maintained, particularly for living rooms and outdoor living spaces. It recognises that one of the most significant impacts of further infill development, and development on small sites (and one which is of concern to many residents), is the loss of privacy for adjacent sites.

16.6.3 Additional Controls for Specific Activities

Any activities listed in this rule shall comply with the controls specified in this rule in addition to those of [Rule 16.6.1 General Development Controls](#).

16.6.3.1 Minor Residential Units

- a) Any minor residential unit shall not exceed 60m² gross floor area.
- b) No more than one residential unit may be on the same site as a minor unit, and only one minor residential unit may be erected on any site.
- c) Any minor residential unit shall comply with [Rule 16.6.2.4\(a\) Outdoor Living Space](#) and [Rule 16.6.2.5 Service Court: Residential 1, 2, 3, 4, 5, 6 and 7 zones](#).

Explanation and Reasons

The purpose of this control is to provide for the establishment of a small dwelling in association with a main residential unit which can either provide accommodation for a relative or be used as a home and income. The control seeks to ensure that the minor residential unit and the main residential unit retain a good standard of amenity.

16.6.3.2 Home Occupations

- a) Every home occupation shall be incidental to the residential use of the site and occupy not more than 25% of the gross floor area of the main residential unit.
- b) The total number of persons employed in any residential unit in a home occupation shall not exceed three.
- c) In the case of any residential unit, on a site having an area of:
 - i) 450m² or more, not more than two persons outside the residing family shall be employed in home occupation purposes.
 - ii) From 350² to 449m², not more than one person outside the residing family shall be employed in home occupation purposes.
 - iii) Less than 350m², no persons other than the residing family shall be employed in home occupation purposes.
- d) In addition to those persons engaged in the home occupation, the activity shall not attract more than four persons in any one hour.
- e) Non-resident employees and visitors on the site, for the purpose of the home occupation, shall be limited to the hours 8:00am to 6:00pm Monday to Friday inclusive, and 9:00am to 6:00pm Saturday. In general, all other activities which form part of the home occupation, including vehicle trips, shall not be permitted between 10:00pm and 8:00am.
- f) The activity shall be carried out wholly within the residential unit or within an **accessory building** erected or modified for that purpose, provided that in relation to an **accessory building**, the maximum area that may be used for this purpose is the equivalent of 25% of the gross floor area of the main residential unit.
- g) There shall be no exterior storage, display or other indication of the home occupation or variation from the residential character of the site or neighbourhood, other than a sign allowed under the Plan.
- h) There shall be not more than 16 private vehicle trips associated with the home occupation per day.
- i) There shall be not more than two inwards and two outwards vehicle trips a day for the purpose of transporting products which are either used or produced by home occupations on the site.
- j) Only one non-domestic vehicle used in conjunction with the home occupation shall be stored on the site.
- k) All car parking requirements are complied with, including the provision of one parking space for each non-residential employee.
- l) There shall be no retail sales from the site.
- m) The residential unit for any home occupation must have its own separate vehicle access from the public road or street. It must not have the shared use of a common vehicle access or entrance strip which serves also any other site or any other residential unit.

Explanation and Reasons

The provisions relating to home occupations are intended to provide an opportunity for people to operate a small business from their home, while ensuring that they do not detract from the amenities of the surrounding residential area, or generate any effect which would distinguish the site from the generality of the residential area. The Plan also provides for those home occupations which do not comply with one or other of the above performance criteria to be considered as a Discretionary activity.

16.6.3.3 Childcare Centres for 6 to 10 Children

The above activity shall comply with the following:

- a) The site shall be a front site and shall have a minimum area of 600m².
- b) The activity shall not have direct access to a primary arterial road identified on Appendix 1 to the District Plan maps.
- c) The centre shall provide an outdoor play area for children which is appropriately screened by landscaping or screening from adjoining sites.
- d) The centre shall provide safe, convenient and easily accessible parking and manoeuvring spaces for the delivery and collection of children in accordance with the controls of [Section : Transportation](#).

Explanation and Reasons

Controls have been applied which are intended to ensure that small childcare centres do not affect the amenities of adjacent sites, nor the safe and efficient operation of the roading system.

16.6.3.4 Offices in the Residential 6A Zone on the Northern side of Bracken Avenue East of Burns Ave, Takapuna and Offices in the Residential 7 Zone

Offices in the Residential 6A zone on the northern side of Bracken Avenue east of Burns Ave, Takapuna and offices in the Residential 7 zone shall comply with the following, provided that this Rule shall not apply to the Residential 7 sites in Byron Avenue and to Lots 1 and 2, DP121700, Lot 1, DP45583, and Lot 128, DP8074, between Taharoto Road, Shea Terrace and Mary Poynton Crescent.

- a) Floor Area Ratio - 0.5:1.
- b) A minimum of 25% of the net site area shall be landscaped provided that the required landscaping shall include:
 - i) A 3 metre wide strip of landscaping adjacent and parallel to any front boundary (excluding vehicle crossings).
 - ii) A 3 metre wide strip of landscaping adjacent and parallel to any boundary with a site zoned Residential (but excluding another site zoned either Residential 6A on the northern side of Bracken Avenue, Takapuna, or Residential 7).
 - iii) Landscaping designed to soften the visual impact of any building and car parking areas, as viewed both from the road and from adjoining residential properties (with the exception of adjoining properties also zoned either Residential 6A on the northern side of Bracken Avenue, Takapuna, or Residential 7).
 - iv) Required landscaping shall include some larger specimen trees to give maturity to the development.
- c) In addition to the above, offices in the Archers Road Residential 7 zone shall comply with the following:
 - i) The maximum height for any new office building shall be limited to one storey, provided that this limitation shall not apply to the conversion into offices of any residential building existing as at 1 April 1990, so long as the height and bulk of such building is not increased in the process.
 - ii) A rear yard of not less than 6 metres shall be provided and maintained at a residential standard. The yard shall be set aside exclusively as a landscaped area (including such lawn as may be desired) and shall not be used for the parking of vehicles or the storage of goods or materials.
 - iii) No subdivision shall be allowed which would result in a parcel of land smaller in area than that which existed as at 1 April 1990.

Control Flexibility

The reduction of required landscaping to a minimum of 20% of the net site area.

Explanation and Reasons

The purpose of the Floor Area Ratio control is to limit the intensity of office development in order to ensure that it is compatible with that of the surrounding residential area. In particular, it prevents offices utilising the full development potential provided by the development controls, as this form of development very rarely occurs with residential development.

The landscaping requirement is intended to protect the amenities of immediately adjoining properties, of the site as viewed from the road, and of the neighbourhood as a whole. The control recognises the important contribution that landscaping makes to the character of the residential neighbourhoods.

The additional controls applying to Archers Road comprise the special conditions imposed by a Planning Tribunal decision in 1990.

16.6.3.5 Show homes

Any show home shall comply with the following:

- a) Only one such home may be displayed on any site; and
- b) The site shall be a front site.

Explanation and Reasons

The purpose of the control is to ensure that the activity remains of an appropriate scale and does not detract from the character or amenity of the area, in particular by attracting traffic to a rear site.

16.6.3.6 Rest-homes Accommodating Not More Than 10 Persons

The above activity shall comply with the following:

- a) The site shall be a front site, or if a rear site shall be served by an entrance strip with a width of at least 5 metres.
- b) The site shall be landscaped and fenced to maintain the privacy of adjoining sites; and
- c) An outdoor living space shall be provided in accordance with the minimum standards in Rule 16.6.2.4(a) Outdoor Living Space.

Explanation and Reasons

Controls have been applied which are intended to maintain the amenities of adjacent sites, in particular their visual privacy and aural amenity, and also to ensure a pleasant environment for residents of the facility.

16.6.3.7 Health Care Centres

- a) Health Care Centres in the Residential 7 zone shall comply with the following:

- i) Floor Area Ratio - 0.5:1.
- ii) A minimum of 25% of the net site area shall be landscaped provided that the required landscaping shall include:
 - A 3 metre wide strip of landscaping adjacent and parallel to any front boundary (excluding vehicle crossings)
 - A 3 metre wide strip of landscaping adjacent and parallel to any boundary with a site zoned Residential (but excluding another site zoned Residential 7)
 - Landscaping designed to soften the visual impact of any building and car parking areas, as viewed both from the road and from adjoining residential properties (with the exception of adjoining properties zoned Residential 7)
 - Required landscaping shall include some larger specimen trees to give maturity to the development.

- b) Health Centres staffed by two or more Health Care Providers shall comply with the following:
 - i) The site shall be a front site.

16.6.3.8 Schools: Additions and Alterations to an Existing School

No building shall be within 10 metres of any boundary of adjacent residential or recreational zoned land.

16.6.3.9 Accessory Buildings

All accessory buildings identified as a Limited Discretionary activity in Table 16.2 shall comply with Rule 16.6.1 General Development Controls.

Explanation and Reason

As accessory buildings are additional buildings on a site, compliance with the general development controls will ensure that these buildings attain good standards of on-site and neighbourhood amenity.

16.6.4 Other Relevant Rules

In addition to the controls specified in [Section 16.6](#), all Permitted and Controlled activities shall comply with the relevant rules specified in the following General Sections:

| | |
|-------------|--|
| Section 3: | General Rules |
| Section 8: | Natural Environment |
| Section 9: | Subdivision and Development |
| Section 10: | Pollution, Hazardous Substances and Waste Management |
| Section 11: | Cultural heritage |
| Section : | Transportation |
| Section 13: | Signs |

16.7 Assessment Criteria

16.7.1 (deleted)

16.7.2 Assessment Criteria for Controlled and Discretionary Activities

Controlled Activities

All Controlled activities must comply with the relevant rules of the Plan. In addition, the Council may impose conditions in respect of the matters specified in Section 108 of the RMA, and any relevant criteria specified below.

Limited Discretionary Activities

The Council's discretion is limited to the assessment criteria below and in 16.7.3.5 in respect of "residential units, more than 5 per site".

For additions and alterations to the exterior of any existing building in the Residential 3 zone (except as provided for in 16.7.2.1), the Council restricts the exercise of its discretion to grant or refuse consent to the matters set out in 16.7.3.1 Additions or Alterations to the Exterior of any Existing Building in the Residential 3 Zone.

For new buildings and relocated buildings within the Residential 3 zone (except as provided for in 16.7.2.1), the Council restricts its discretion to grant or refuse consent to the matters set out in 16.7.3.2 New Buildings and Relocated Buildings Within the Residential 3 Zone.

For the demolition or removal of an existing house in the Residential 3 zone (except as provided for in 16.7.2.1), the Council restricts the exercise of its discretion to grant or

refuse consent to the matters set out in 16.7.3.3 Demolition or Removal of Existing House in the Residential 3 Zone.

Discretionary Activities

Without restricting the exercise of its discretion to grant or refuse consent or impose conditions, the Council will have regard to the assessment criteria set out below when considering any application under Sections 104 and 104B of the RMA.

Note:

The following subsections **a) to i)** shall not apply to additions and alterations to the roof or street facade or other elevations in the Residential 3 zone, or to the design and appearance of one or two houses on a site in the Residential 3 zone, which are covered by Rule 16.7.2.1(a) Assessment Applying to Properties in Stanley Point Road identified in Appendix 16P and **Rule 16.7.3** Additional Assessment Criteria for Specific activities.

a) Design of Access

Vehicular and pedestrian access to, from, and within the site must be:

- i) Sufficiently remote from busy intersections and corners to ensure adequate sight distances and to prevent on-street congestion caused by vehicles entering and departing the site.
- ii) Located and designed so as to protect the aural privacy of adjacent sites.
- iii) Designed to maximise safety and convenience to users of the site.

b) Parking

- i) Every activity should comply with the Plan's parking and access controls in **Rule 12.4** Transportation Rules, unless it can be demonstrated that in relation to a particular proposal, an alternative standard is appropriate.
- ii) Those activities which are likely to attract service vehicles or buses, such as schools and larger travellers' accommodation, should ensure that vehicular access and circulation, and on-site parking areas, are designed to easily accommodate them.
- iii) Groups of three or more required car parking spaces should be located and designed so as to minimise the impact on adjacent properties by the provision of adequate separation distances, landscaping and fencing.
- iv) Large groups of parking spaces, especially those in front of a building, should be avoided due to their impact on the visual and aural amenities, unless these effects can be adequately mitigated by separation distances, landscaping and screening. Provided that this provision shall not apply to Lots 1 and 2 DP121700, Lot 1 DP45583, and Lot 128 DP8074, between Taharoto Road, Shea Terrace and Mary Poynton Crescent.

c) Traffic Safety

- i) The proposal should not significantly detract from traffic safety or efficiency having regard to the volume of traffic attracted, times of peak generation, potential traffic conflict and proximity to major traffic intersections.
- ii) Where it is proposed to establish an activity which has the potential to attract significant volumes of traffic with direct access to an arterial road identified on Appendix 1 to the District Plan Maps, the applicant must satisfy the Council that the proposal will not significantly adversely affect traffic safety or efficiency.

d) Landscaping and Open Space

The site should be landscaped in a manner which will ensure that:

- i) The effects of the proposal are internalised to the site and, in particular, will not significantly detract from the amenities of the adjoining road or adjacent residential or recreation-zoned sites.
- ii) The character and appearance of the site is compatible with the neighbouring area.
- iii) An attractive environment is created for the occupants of the site.

In order to achieve this:

- A minimum of 30% of every site should be landscaped, provided that offices and health care centres in the Residential 7 zone shall provide 25% landscaping (Rule 16.6.1.11, Rule 16.6.3.4 and Rule 16.6.3.7). On-going maintenance should be provided to ensure that the quality of the landscaping is retained
- Wherever practical, existing trees and bush should be retained and incorporated into landscaping
- Landscaping and fencing should be designed to reduce any significant adverse effects of the proposed activity and its associated building(s), parking and access on the amenities of the street and adjoining properties, including the provision of trees which will grow to a similar height as the building. A landscaped front yard similar to those of other residential properties in the vicinity is of particular significance
- Where community buildings and facilities provide outdoor areas on which people may congregate for social purposes, these areas should generally be located a minimum of 10 metres from the boundary of any adjoining residential property. Outdoor areas, including decks at or above ground level, must be appropriately screened to minimise the intrusion of noise and avoid overlooking of adjacent properties
- In the case of the following prescribed activities, the development should include an area/areas of open space available for the use and enjoyment of residents and visitors which is sited and designed to provide a good standard of amenity. The size of the open space shall reflect the needs of the occupants and the scale of the development:
 - housing for the elderly and disabled, boarding houses
 - rest-homes
 - childcare
 - schools
 - camping grounds
 - travellers' accommodation.

The area of open space shall be located and designed so as to minimise any detraction from the amenities of adjacent sites, by appropriate landscaping and separation distances.

e) Building Design and Site Layout

Proposals should be designed so as to ensure that there is no significant detraction from the amenities of adjoining sites or the neighbourhood as a whole. The following matters are of particular significance:

- i) The maintenance of an appropriate level of visual and aural privacy on neighbouring sites by such factors as building design and layout, landscaping, screening and appropriate separation distances from boundaries to buildings, outdoor activity areas, car parking and manoeuvring, particularly on smaller sites of less than 500 sqm in area.
- ii) Community buildings and facilities licensed in terms of the Sale of Liquor Act 1989, or used for social or recreational purposes whether or not liquor will be consumed, must incorporate noise attenuation measures in the design of the building to ensure that the noise control limits set by the Plan will be achieved at all times.
- iii) The maintenance of sunlight and daylight access to neighbouring sites.
- iv) The bulk, design and appearance of building should be compatible with the established neighbourhood character, or in an area undergoing redevelopment, the desired future character as described in an approved structure or similar document for the area if (if applicable), except this criterion shall not apply to the Residential 3 zone.

- v) The character and appearance of buildings used for non-residential purposes should be compatible with the neighbouring area having regard to matters such as scale, design and finishing materials. In this regard:
- The establishment of commercial style buildings or industrial style utility buildings in residential areas is considered inappropriate
 - Buildings for offices in the Residential 7 zone should have a residential style. When assessing 'residential style' the Council will have principal regard to the overall appearance of the building and, in particular, to whether it is likely to be a dwelling. A building having a residential style generally incorporates a number of the following features, notwithstanding that these features alone do not create 'residential style':
 - an irregular plan form and elevations
 - a larger ratio of wall area to window area
 - domestic scale of doors, windows, stud height, joinery and detailing
 - sloping roof-forms, rising to ridges (not mansard)
 - timber construction
 - a variety of window types placed irregularly in the wall, subdivided into small panes and opening lights
 - areas of open deck, verandah and other such transitional spaces
 - variations in floor level
 - on large sites, the provision of buildings of domestic scale.
- vi) Where buildings are licensed in terms of the Sale of Liquor Act 1989, or used for social or recreational functions, the Council may impose conditions on the hours of operation, noise (including restrictions on the use of amplified music), numbers attending, lighting and signs, to minimise the impacts of the activity on the neighbouring area. The hours of operation will be considered in relation to the location of the building and the neighbouring land uses, and the nature of the proposed activity, but in general shall be restricted as follows.

| Days | Hours |
|----------------------------|-----------|
| Monday - Thursday | 0730-2300 |
| Friday and Saturday | 0730-2400 |
| Sunday and Public Holidays | 0830-2300 |

More or less restrictive hours may be imposed depending on the extent to which the Council considers that the proposed activity will impact on any residential property.

f) Streetscape and Neighbourhood Character and Amenity

The criteria in 16.7.3.4 (a) shall apply where applicable.

g) Intensity and Scale

- i) The intensity and scale of the proposal, in particular the number of people involved in the activity, traffic generation, hours of use, size of building and associated parking, signs, noise and other generated effects should be compatible with the character and amenities of the surrounding area having regard to the objectives and policies of the zone, and its Permitted, Controlled and Discretionary activities. Those activities which generate large volumes of traffic, such as travellers' accommodation and community buildings and facilities, should generally not be located on a minor road and should have ready access to principal roads in order to avoid heavy traffic volumes on minor roads. The Council may impose conditions to minimise the impact of the activity on the neighbouring area.

h) Infrastructure

- i) The Council must be satisfied that adequate provision has been made for the disposal of sewage and stormwater, having particular regard to:
 - The capacity of those systems to accommodate the anticipated additional flows arising from the development; and
 - The need to remove (or pre-treat) contaminants from runoff, avoid damage to natural waterways and reduce downstream erosion; having particular regard to the need to maintain the quality of water in streams (including aquatic ecosystems), Lake Pupuke and in the coastal marine area.
- ii) The proposal should not generate demand for the uneconomic or untimely extension of services by the Council or other network utility services.
- iii) The General Assessment Criteria for Controlled activities listed in 9.7.1.1(5).

i) Environment

- i) In all residential areas, development should be designed to minimise any adverse effects on the environment. In the vicinity of the coast the natural and visual qualities of the coast should be protected, and in the Residential 1 and 2 zones development should be designed to protect the particular natural qualities which characterise these areas.
- ii) Activities and associated development should not have any adverse effect on any building, tree or feature scheduled in [Appendix 8A](#) to [Appendix 8E](#).
- iii) Consent will be refused to those Discretionary activities which could have a significant adverse effect on environmental values.

In addition the following matters shall be considered:

- The extent to which existing vegetation and landforms are retained and landscaping adds to the amenity of the development and assists in stormwater management;
- Excavations and retaining walls/structures beyond that permitted by this plan should generally be incorporated within the building footprint;
- Low impact stormwater design methods including source control should be incorporated into the site, building and landscaping design;

j) Location Criteria Relating to Front Sites

Those Discretionary activities which have the potential to attract significant volumes of traffic should be located on front sites, or on a rear site having access of sufficient width to ensure traffic and pedestrian safety, and minimise disruption to adjoining sites.

k) Stormwater Management

The extent to which the development takes account of the provisions of the relevant comprehensive discharge consent or catchment management plan, and addresses the following issues:

- i) relevant flood control measures;
- ii) relevant sediment and erosion control measures;
- iii) relevant stormwater quality considerations and protection and enhancement of affected aquatic ecosystems.

16.7.2.1a Assessment Applying to Properties in Stanley Point Road identified in Appendix 16P

The existing site and context of these properties is distinct relative to the general character of the Residential 3 zone. In particular it has the following attributes:

- Predominant landscaped character with mature trees.
- Sloping topography from street ridge down to cliff and waters edge.

- Existing built form reflects traditional subdivision pattern with generous setbacks from the street, although some lots are without buildings.
- Elevated coastal location with significant views.
- Collective streetscape character in the area is varied with a dominant thread of post-1940 built form.
- Lots along the coastal edge are secluded from the street by the topography and mature vegetation.

Therefore, when applying the assessment criteria in Rules 16.7.3.1 - 16.7.3.3, particular regard will be had to these attributes.

16.7.2.1b Assessment Criteria for Certain Controlled, Limited Discretionary and Discretionary Activities applying to those parts of the Properties in Stanley Point Road marked by hatching in Appendix 16P

Only the following selected criteria from Rules 16.7.3.1 to 16.7.3.3 will apply to the properties in Stanley Point Road marked by hatching in Appendix 16P:

- For Additions or Alterations to the exterior of any Existing Building Rule 16.7.3.1 criterion 'b' will apply.
- For New Buildings or Relocated Buildings Rule 16.7.3.2 criteria 'b', 'c', 'd' and 'f' will apply.
- For Demolition or Removal of any Existing House Rule 16.7.3.3 criteria 'b', 'd', 'e', 'f' and 'g' will apply.

16.7.3 Additional Assessment Criteria for Specific Activities

16.7.3.1 Additions or Alterations to the Exterior of Any Existing Building in the Residential 3 Zone

Note: A site and context analysis will need to be submitted which shows that the form, mass, proportion and materials of the additions and alterations are sympathetic to the original house on the site, and the architectural styles predominant in the street. The detail required will be in accordance with the scale of the works and their effects. This analysis may include plans, elevations and photographs of the subject site and all other buildings which contribute to the streetscape in the immediate vicinity. This analysis will form part of the assessment of effects. Those applications that are likely to be subject to criterion (g) will need to consider a wider context than just the immediate vicinity. (See Chapter 3 'Procedures and General Rules' for an explanation of 'site and context analysis' and the information required to be included and its presentation).

Some alterations include significant demolition, removal or enclosure of original fabric which can adversely affect streetscape values, and diminish the authenticity of the historic environment. Additionally, cumulative change can exacerbate the adverse effects associated with individual proposals. Proposals for significant change raise the issue of consideration of any design alternatives, in order to minimise effects on streetscapes, heritage values and historic neighbourhood character. In many instances, such proposals can also provide opportunities to reverse or remediate previous unsympathetic change, as part of a comprehensive proposal which improves the liveability and amenity of a dwelling. Accordingly additional assessment criteria have been included as a guide for designers, and for assessment of such proposals.

All proposals for external additions or alterations to existing buildings will be assessed against criteria (a) - (g) below. Where a proposal for changes to the roof or walls exceeds the limits outlined below, it will also be assessed against criteria (h) - (j) below.

The threshold limits outlined below (and illustrated in Appendix 16O) have been determined in consideration of the sensitivity to change inherent in the various elements of period buildings. These thresholds distinguish between relatively minor proposals for change and proposals which will require additional consideration and assessment.

The following thresholds are defined in terms of the percentages of the area of the existing wall elevations and the rear half of the existing roof area.

An application which proposes:

- no change to the front elevation (excluding the roof); and/or
- changes involving up to 20% of the area of one or each of the side elevations (excluding the roof); and/or
- changes involving up to 80% of the area of the rear elevation (excluding the roof); and/or
- no change to the front half of the roof; and/or
- changes involving up to 10% of the rear half of the roof,

will be assessed only against criteria (a) - (g) below.

An application which proposes:

- any change to the front elevation (excluding the roof); or
- changes involving more than 20% of the area of either side elevation (excluding the roof); or
- changes involving more than 80% of the area of the rear elevation (excluding the roof); or
- any change to the front half of the roof; or
- changes involving more than 10% of the rear half of the roof,

will be assessed against criteria (a) - (g) and (h) - (j).

Determination of front, side and rear

With older houses it is usually clear which is the front, side and rear of the house e.g. on corner sites. The front can be determined by the traditional architectural design and detailing given to the front elevation compared to other elevations of the house. Also the front of the house usually faces the street.

When assessing an application for a resource consent for additions and alterations to existing buildings, the Council must be satisfied that the relevant objectives and policies for the zone have been met, and that the following criteria are met. The site and context will inform the manner in which the following criteria are applied:

- a) The presence of houses built before 1940 is an important component of the historic character in the Residential 3 zone. Any additions and alterations should preserve the essential character including as much original fabric as possible, with street facade changes generally avoided except for minor changes which are entirely in character with the original house, and recovery of original detail based on physical or documentary evidence, or in the absence of this, detail on similar houses in the proximity.
- b) Any proposed alterations and/or additions to buildings built before 1940 should retain or reflect the architectural and historic form (including the ridges and geometry of the roof), proportions and style of the building, and other design characteristics of the original building such as design detailing, original fabric, materials, finishes, proportions, and fenestration (window size, proportion and location within walls). Alterations to expand the building within a roof-space shall respect, and leave dominantly visible, the form and lines of the existing roof.
- c) The proposal should not adversely affect the contribution the subject building makes to a group of buildings which contribute to the character of the area (streetscape group significance), and should not detract from any continuity of façade alignment of buildings in the street. Particular care shall be exercised where the proposal is adjacent to or in the vicinity of any heritage building(s), structure(s), place(s) or site(s) scheduled in the Appendices to Chapter 11: Cultural Heritage, of the District Plan.
- d) The materials of additions and alterations to older houses should be sympathetic to the built heritage of the area and in particular the original house itself - traditional materials such as corrugated steel sheet, timber shingles, timber weatherboards,

and timber joinery being considered generally appropriate, especially where these materials match or are very similar to the original materials, and are used in the same manner as those of the subject house. Original fabric should be retained wherever possible.

- e) For proposed alterations and/or additions to buildings built after 1940 the design and appearance of the alterations should be compatible with the original building in terms of form, materials and detailing, and should be designed in a manner that avoids dominance of, or contrast with, the character of the wider streetscape and neighbourhood.
- f) Alterations to the rear of houses in the Residential 3 zone should be carried out in a manner that is generally compatible with the style of the original house itself in terms of form, use of materials, and detailing, and should be sympathetic to the built heritage of the area. (Greater flexibility in the type of change that may be acceptable at the rear is provided for through this criterion to allow for modern living requirements and for a relationship with the outdoors, the design should however still reflect the style of the subject building).
- g) Alterations to buildings that are clearly visible from public vantage points such as reserves, beaches, the waterfront and other roads beyond the site should fit compatibly within the context of surrounding buildings and the neighbourhood and should avoid dominance of or contrast with the character of that context. Special attention must be paid to the bulk, scale, form, use of materials and consistency with the style of the original building.
- h) Applicants should be able to demonstrate that the proposal that is the subject of the application has been chosen through the consideration of design alternatives, to minimise the adverse effects on the streetscape, heritage values and neighbourhood character.
- i) Proposals should be designed to avoid cumulative adverse effects, particularly those associated with successive applications since 22 March 2007.
- j) If cumulative effects can not be avoided, proposals will need to remedy or mitigate the cumulative adverse effects arising from successive additions and alterations. Proposals should include initiatives such as the recovery of original built form and lost details, particularly at the front of the building. (Previous alterations and/or additions that have been made to older buildings are often incompatible in design and detail with the original architecture.)

16.7.3.2 New Buildings and Relocated Buildings Within the Residential 3 Zone

Note: A site and context analysis will need to be submitted which shows that the form, mass, proportion and materials of the proposal are sympathetic to the architectural styles predominant in the street. The detail required will be in accordance with the scale of the works and their effects. This analysis may include plans, elevations and photographs of the subject site and all other buildings which contribute to the streetscape in the immediate vicinity. This analysis will form part of the assessment of effects. Those applications that are likely to be subject to criterion h) will need to consider a wider context than just the immediate vicinity. (See **Chapter 3** 'Procedures and General Rules' for an explanation of 'site and context analysis' and the information required to be included and its presentation).

When assessing an application for a new building or relocated building, the Council must be satisfied that the relevant objectives and policies for the zone have been met and that the following criteria are met. The site and context will inform the manner in which the following criteria are applied:

- a) The design and external appearance of proposed buildings and structures should be in keeping with that of surrounding residential buildings and the streetscape. Public visibility of the front façade and its relationship with the street are particularly important. Blank or near-blank facades to the street are considered inappropriate. The materials used should be in sympathy with, and should have a clear relationship with the character and materials of the surrounding traditional residential buildings. Particular care shall be exercised where the proposal is adjacent to or in the vicinity of any heritage building(s), structure(s), place(s) or site(s) scheduled in the Appendices to Chapter 11: Cultural Heritage, of the District Plan.

- b) For new and relocated buildings, the form, mass, proportion and materials should be compatible with the characteristic era of the particular street of the site, and should not ignore, dominate, or compete with that character.
- c) The spaciousness of the siting in relation to the siting of neighbouring buildings should contribute to the character and amenity of the area, particularly ensuring that building siting does not detract from existing facade lines, and that it protects the physical setting of older buildings.
- d) Proposed roof forms should be sympathetic to the traditional hip and gable pitched roof forms of the area. Flat roofs, large mono-pitch, butterfly and mansard types are generally considered inappropriate. However, a flat or mono-pitch roof may be appropriate or preferable for a garage or carport where this would better meet criterion e) below.
- e) The provision of vehicle access and parking, where required, should complement the character of the neighbourhood, having particular regard to location, design, detailing, use of materials and landscaping. Any garages and carports should allow good visibility of the house from the street, and where possible should be located to the rear or the side of the house (at least 1.0 metre behind the front façade). The setback is so that the original house form can still be read.
- f) The proposal should conserve and enhance significant landscape planting, especially mature specimen trees.
- g) The front boundary treatment should be sympathetic to the character of the area and, in particular, include the conservation or reinstatement of fences and hedges, where practicable.
- h) New buildings and relocated buildings that are clearly visible from public vantage points such as reserves, beaches, the waterfront and other roads beyond the site should fit compatibly within the surrounding neighbourhood context and should avoid dominance of or contrast with the character of that context. Special attention must be paid to the bulk, scale, form, detail and use of materials.
- i) For buildings relocated within their own site, the new location should retain a compatible setting for the building in accordance with the character of the street and other buildings in the vicinity. This includes maintenance of the existing façade lines of neighbouring houses in terms of setback, orientation to front and side boundaries and typical side yard distance between buildings in the vicinity.

16.7.3.3 Demolition or Removal of Existing House in the Residential 3 Zone

Note: A site and context analysis will need to be submitted which shows the house which is proposed for demolition or removal, within the context of the streetscape. This analysis may include plans, elevations and photographs of the subject site and all other buildings which contribute to the streetscape in the immediate vicinity. This analysis will form part of the assessment of effects, which should include an assessment of the contribution the subject building makes to any identifiable group of buildings, similarities and differences between the architectural styles and design qualities of buildings in the immediate vicinity, and the contribution the subject building makes to the streetscape as a whole. (See Chapter 3 'Procedures and General Rules' for an explanation of 'site and context analysis' and the information required to be included and its presentation).

In considering an application for resource consent to demolish or remove an existing building, the Council must be satisfied that the objectives and policies for the zone will be met. The site and context will inform the manner in which the following criteria are applied:

- a) Houses constructed prior to 1940 are generally considered to contribute strongly to the built heritage character of the Residential 3 areas. Where houses contribute to the built heritage character, they should not be demolished or removed unless they are in such poor structural or physical condition or so substantially altered, that rehabilitation is not practicable. Evidence that demolition or removal and rebuilding may be cheaper or more profitable, or is preferred by the applicant over rehabilitation of the existing house, is not sufficient to demonstrate that rehabilitation is not practicable.
- b) General protection of older houses afforded by the Residential 3 zone provisions is

less stringent than the particular provisions of Section 11: Cultural Heritage. However, older houses and some built after 1940 deserve recognition for their townscape, streetscape, architectural and collective values in contributing to heritage character. Effects on these values will be assessed on an individual and wider context basis.

- c) Whether the adverse effects on neighbourhood and streetscape character, of the loss of a house, have been mitigated by actively pursuing re-use options;
- d) Whether the appearance of the house contributes to the character and amenity of the area.
- e) The extent of any Council commitment to financial assistance available or Heritage Orders. Before any demolition or removal is approved, this must be ascertained.
- f) Regard will be had to any evidence presented by the owner as to the consequences of the demolition or removal consent process, or other compelling reasons indicating why the work is necessary.
- g) Demolition or removal, to be granted consent, should generally not have any significant adverse effect on major landscape features such as mature specimen trees.
- h) Relocating within the same community as the original site will be considered favourably, as this offers some opportunity for the retention of local heritage.

16.7.3.4 Intensive Residential Development

The criteria set out below apply to Terraced Housing, Residential Units exceeding 5 per site (Residential 4, 5, 6 and 7 zones) and Residential Units at a density greater than 1 per 450 m² of land per unit. This includes greenfields, brownfields and infill development. They also apply to Intensive Housing and Retirement Complexes in the Residential 6 zone, and residential developments in business zones, except that in the case of multi-storey apartment or mixed-use developments in business zones the following specified criteria shall not apply where the context or nature of the development (or part thereof) clearly makes them inapplicable or such that inappropriate outcomes would be generated:

- a) Streetscape and neighbourhood character and amenity - bullet points 1, 3 & 4
- b) Building form - bullet points 2 & 5

A non-complying activity of an 'intensive residential development' type in any zone may also be assessed against these criteria.

Without limiting the generality of Rule 16.7.2 (Assessment Criteria for Controlled and Discretionary Activities) the Council will exercise control over the following matters in respect of Controlled activities. Council will also have regard to these criteria when assessing Limited discretionary activities and Discretionary activities and will expect conformity with any Development Concept Plan (or similar plan) approved at the time of subdivision.

- a) Streetscape and neighbourhood character and amenity
- b) Building form
- c) Outlook and outdoor spaces
- d) Privacy
- e) Landform, vegetation and landscaping
- f) Traffic, parking, access and pedestrian amenity.

a) Streetscape and neighbourhood character and amenity

Development should integrate well with the immediate locality and contributes positively to the wider street scene:

- The development should be sensitive to the residential character and amenity values of the locality.
- In the case of discretionary activities, the building setback should be similar to other properties on the street.

- The majority of units should be oriented so that there is a front door and windows facing a public or private street.
- Carports and garages should generally be recessed rather than flush with or projecting forward of the units.
- Building elevations should be broken up by setting parts of the building back, by the use of landscaping, or by the use of architectural features.
- Extensive continuous building forms are to be avoided.
- Fencing and walls along the street boundary should allow visual permeability, and their construction materials should complement those of the units.
- The need for multiple individual antennas for each residential unit should be minimised or avoided by the provision of communal antennas or aerials that enable the supply of free to air and pay television to individual residential units in the development.

b) Building form

The architectural qualities of the development should of a high standard:

- The development should contain an integrated design theme and should seek to create visual character and variety through variation in building form, materials and colour.
- The development should not dominate surrounding development as a result of excessive bulk, repetitive building forms, nor result in unreasonable overshadowing of adjacent properties.
- Within large developments, roof forms and pitches should be varied but harmonious. There should be consistency of facade treatments, including articulation, window and door proportions, features and decoration, materials, patterns and colours.
- Areas of blank walls should be kept to a minimum, and should be mitigated with landscaping or structures such as pergolas.
- The width of each unit should be visually defined (legible) to avoid the appearance of large horizontal blocks.
- Alternative to existing dwellings and buildings should be undertaken in a manner that is consistent with the character of the existing building.
- In the case of Discretionary activities, the development should generally comply with those development controls which are designed to protect the amenities of neighbouring properties.

c) Outlook and outdoor spaces

The development should provide for occupants to enjoy a reasonable outlook and useful outdoor space(s):

- Outdoor living spaces and main living areas should be designed to ensure that receipt of sunlight is maximised.
- Outdoor living spaces should act as an extension to the unit, with easy access from main living areas.
- Where communal outdoor living spaces are provided, these must be well designed, with features that make them attractive, inviting and safe to use, cost-effective to manage and maintain, and should be readily accessible from each unit.
- In the case of Discretionary activities, the private and/or communal open space requirements should generally be met.

d) Privacy

The development should provide for the visual and aural privacy of occupants and neighbours:

- Buildings should be located and oriented, and windows, balconies, decks and

fences placed, and appropriate glazing, landscaping and fencing used to maintain an acceptable level of privacy for adjoining residents, particularly with respect to habitable rooms and outdoor living spaces.

- Where different housing units have common walls, their design and materials should be to a standard that ensures that noise does not affect neighbours.
- Private outdoor spaces should be located, designed and screened to maximise privacy for unit occupants.

e) Landform, vegetation and landscaping

Existing vegetation and landforms should be retained and landscaping should add to the amenity of the development and assist in stormwater management:

- Excavations, retaining walls/structures and batter slopes should generally be incorporated within the building footprint or screened from view from public areas and adjacent sites by landscaping.
- Natural watercourses within or adjoining the site should be retained and/or not compromised by the development in terms of their long term protection.
- Low impact stormwater design methods including source control should be incorporated into the site, building and landscaping design.
- Additional landscaping should be integrated or complementary to natural vegetation and assist stormwater management.

f) Traffic, parking, access, and pedestrian amenity

Traffic, parking and servicing requirements resulting from the development should be effectively and efficiently catered for:

- Appropriate provision should be made for resident and visitor parking without dominating the appearance or functioning of the development, detracting from the quality or amenity of the units (or units on adjoining sites), adversely affecting road safety or efficiency, or unnecessarily increasing the percentage of impermeable surfaces within the development. The adequacy of the rate of 0.5 visitor spaces per unit will depend on the preceding factors and also: The adequacy of on-street parking in the vicinity of the units, taking into account approved and likely developments in the locality (including as shown on Development Concept Plans); the nature of existing or programmed passenger transport services in the locality; the number and size of units (habitable rooms) and the extent of mixed use proposed (e.g. business/residential); the distance of the units from on-street parking; and the position on the site of any visitor spaces and their ease of use.
- Provision for pedestrians should wherever possible be separated from vehicular movement areas, and traffic calming measures should be used where appropriate, particularly in larger developments.
- The development should be laid out in a manner that ensures the safe and efficient movement of pedestrians and vehicles onto and off the road network.
- Provision for refuse collection, recycling and similar services should be well integrated into the development, be appropriately sized in relation to the scale of the development, ensure that collection points and facilities are readily accessible by service vehicles and workers and will not, particularly when used, detract visually or generate health risks in the area. This may entail providing more than one storage or collection point for the development.
- Lighting for amenity and crime prevention purposes should be an integral part of the development, and carefully designed and positioned to maximise the personal safety of occupants and visitors without creating nuisance for adjoining properties or drivers of vehicles.

16.7.3.5 Apartments in the Residential 2A Zone

- a) The proposed apartment building and its associated access shall be situated on land which is clear of vegetation.

- b) The development should not require large scale earthworks.
- c) The number of household units which comprise the apartment complex shall not exceed one per 800m² of net site area. When calculating this ratio, regard shall be had to any other household units which may exist on the site.
- d) The assessment criteria contained in [Rule 16.7.3.4](#), Intensive Housing in the Residential 6 zone, and Retirement Complexes shall apply.
- e) The building(s) bulk, location and design shall be compatible with the residential character and amenity values of the locality.

16.7.3.6 Integrated Development Scheme at the Chelsea Estate - Assessment

- a) A proposed integrated development scheme will demonstrate how the following matters are addressed:
 - i) The objective and policies of the Chelsea Special Zone (16.4.2.1.1).
 - ii) The relevant aims, objectives or policies of other sections of the district plan (including those applying to Residential 2A areas generally), the Auckland regional policy statement, the Auckland regional growth strategy, and other documents linked to these (and any relevant changes or modifications of these documents).
 - iii) Achieving a relatively high yield of residential units on the smallest 'footprint' area while maintaining the highest possible standards of urban design, protection of the natural environment and historic heritage, and integrating with the character and amenities of the locality.
 - iv) The visual impacts of the development, or any part thereof, as seen from across the water of the Waitemata Harbour, and from the Harbour Bridge.
 - v) Providing for, or integrating with, future passenger transport services, including by ferry.
 - vi) Any relevant matters of rule 9.7.3.9 - consideration of Discretionary subdivision applications - and any matters pertaining to the subsequent subdivision of residential units following their construction (as 'unit titles' or similar).

16.7.3.7 Residential Units Between 8 and 18 Metres in Height

The guidelines for the establishment of residential units between 8 and 18 metres in height located within the area defined on District Plan Map 26 as a Special Height Control zone shall be:

- a) Buildings should comply with all the General Development Controls except Height.
- b) The development need not comply with the provisions of [Rule 16.6.3](#), Additional Controls for Residential Units, instead development should be designed to achieve the following:
 - i) Provide each unit with a private court/deck having a minimum area of approximately 10m² and a minimum dimension of 1.8 metres.
 - ii) Provide an area of open space landscaped, sited and developed to provide an attractive communal amenity area for residents. It should be of a size and dimensions which are appropriate to the total number of units and residents in the development (approximately 75m²-100m² of open space per unit). The area could incorporate one or more of the following:
 - An outdoor seating area
 - A barbecue area
 - A play area
 - A swimming pool.
 - iii) Provision for domestic servicing requirements (rubbish and laundry) either as private or communal facilities.

- iv) Ensure that each unit will enjoy a pleasant standard of amenity having regard to factors such as solar access to main living areas and decks, availability of outlook/views, and aural and visual privacy between units and their associated deck areas.
- v) Satisfactory internal pedestrian access should be provided and provision should be made for visitor parking in accordance with likely demand.

16.7.3.8 Housing for the Elderly and Disabled

- a) The site layout, units and access to them should be designed having regard to the particular mobility restrictions and needs of the elderly and disabled.
- b) The units should be designed and laid out to provide each unit with:
 - i) A reasonable standard of visual privacy.
 - ii) Maximum mid-winter sun access to main living rooms.
 - iii) A pleasant outlook onto a private open space, communal open space or to a wider view.
- c) Each unit should be provided with an outdoor living space with a minimum area of 25m² having a minimum dimension of 4 metres and located adjacent to the main glazing of the living room; or an area of communal open space should be provided for the use and enjoyment of residents which has an area not less than 25m² per unit in the development and which has a minimum dimension of 6 metres. Provided that in addition, each unit shall also be provided with a deck or balcony with a minimum area of 10m² with a minimum dimension of 1.8 metres.
- d) Each unit should be provided with a service court of sufficient area to provide for the occupants' domestic servicing requirements; or
Communal service facilities shall be provided for the use of residents provided that these are convenient and easily accessible.

16.7.3.9 (intentionally vacant)

16.7.3.10 Residential Care Centre or Boarding House, Housing Between 6 and 12 Residents on the Site

In the case of rear allotments, access to the property shall be by way of an independent accessway (not right of way) solely available for use by the centre.

16.7.3.11 Travellers' Accommodation

- a) Travellers' accommodation should be located on front or corner sites, close to public transport routes or local shops. Larger facilities and those with ancillary restaurant and/or recreation facilities such as satellite dishes should be located on, or in very close proximity to, secondary (city) arterial routes.
- b) The hours of operation of an ancillary restaurant shall be considered in relation to its location in the building and the neighbouring land uses, but in general shall be restricted to between 0700 and 2200 hours daily.
- c) The development should comply with the maximum building height specified in [Rule 16.6.1.2 Maximum Height](#).
- d) Buildings used for travellers' accommodation should be located at least 7 metres from boundaries with adjoining sites.

16.7.3.12 Sale of Produce Grown on the Property

- a) The site should be a front site.
- b) The area used for sales purposes should not exceed 15m².

16.7.3.13 Quarrying of Minerals and Aggregate

- a) A management plan will be submitted to the Council as part of the application for consent.
- b) The management plan shall define existing contours and proposed finished levels, the proposed sequence for metal removal, the hours of operation, the likely number of heavy vehicle movements, and details of any measures to be taken to protect the visual amenities as seen from the Lake, adjoining residential properties and from Northcote Road.
- c) A plan shall be submitted detailing the relationship of the proposed finished levels

to a proposed subdivisional layout for the land. Only works necessary to achieve a satisfactory subdivision layout will be permitted.

- d) The activity shall be undertaken in such a way as to minimise the disruption or alteration of the land lying on the margin of the Lake.
- e) The Council will have particular regard to the provision of [Section 8: Natural Environment](#).

16.7.3.14 Home Occupations

- a) The activity should not detract from the amenities of the neighbourhood and should be incidental to the residential use of the site.
- b) The equivalent of not more than 45% of the gross floor area of the main residential building should be used for the home occupation.
- c) Sale of goods should be limited to handicraft which have been produced on the site, or to fruit, vegetables or other natural products grown on the property. There shall be no exterior display of items for sale.

16.7.3.15 Rest Homes in the Residential 2B Zone

Special attention will be paid to achieving high standards under the matters set out in [Section 16.7.2](#), Assessment Criteria for Controlled and Discretionary activities: Part (d) Landscaping and Open Space and Part (i) Environment. In addition, development will be excluded from sites where substantial earthworks (including retaining walls and batter slopes) are required, or where it is proposed to remove large mature trees or pockets of native bush.

16.7.3.16 Schools

a) New Schools

The Council requires a Development Plan to be provided with a Discretionary activity application for a new school to show the general development proposals immediately, and in the future; and the character, location, intensity and scale of buildings and uses. No building shall be within 10 metres of any boundary of residential or recreational zoned land.

b) Additions and Alterations to Existing Schools as a Controlled Activity

As part of a resource consent application for additions and alterations to existing schools as a Controlled activity, a Development Plan may be submitted as required for new schools. Subsequent additions and alterations in accordance with this approved Development Plan will then be considered as Permitted activities.

16.7.3.17 (intentionally vacant)

16.7.3.18 Highway-Related Development at 153 Albany Highway, Part Allotment W205 Takapuna Parish Block VII Waitemata Survey District

The Council requires a Development Plan to be provided prior to the development of the land, and in this respect the rules of the Plan shall apply except as modified herein:

1. All existing trees and other significant plantings on the site shall be identified on the Development Plan.
2. The Development Plan shall show the extent to which the proposed development is designed to incorporate the existing trees and other plantings in a manner that softens the commercial appearance of the development and minimises the loss of significant vegetation.
3. The Development Plan shall show other landscaping that is necessary to meet the requirements of the Plan and, in this regard, the provisions of [Rule 15.6.2.8](#) should be used as a guide.
4. Building coverage on the north half of the site shall be permitted to a maximum of 50% for a service station in order to provide for a canopy over a forecourt.
5. Signs required in respect to commercial activities shall be in accordance with the rules in the Plan.

16.7.3.19 Service Stations

- a) The proposal should avoid, remedy or mitigate any adverse effects on adjacent residential sites.
- b) Elements which could be considered as mitigating visual, noise and other potential adverse effects include the following:
 - A site with a boundary abutting a non-residential zone
 - A site adjacent to a residential zoned site which has been developed for a non-residential activity, with lesser sensitivity to adverse effects than would be the case for a site with residential unit(s) and sufficiently expansive to perform a buffering role
 - The topography of the land in the vicinity of the site being such that it would assist in protecting adjacent residential sites against adverse effects
 - Dense planting on the site, which would help protect adjacent residential sites from adverse effects
 - A location which will not have a significant impact on residential amenity. Locations which are likely to be inappropriate include prominent sites which, because they are an important entry to a residential area, elevated above surrounding land, orientated to a reserve or situated at the termination of a view along a residential road, adversely affect residential amenity.
- c) Any effects arising from the scale and appearance of the premises. The establishment of large commercial style buildings in residential neighbourhoods is not considered to be appropriate because of its adverse effects on residential amenity.
- d) Safety and efficiency of traffic movement should not be impeded.
- e) The site should be so located that it would comply with the minimum separation distances from intersections, minimum sight distance and crossing width controls of [Section 12.4.2.8](#).
- f) The site should be of sufficient size to meet the manoeuvring of tanker requirements of [Section 12.4.2.7](#).
- g) Adjacent residential or recreation zoned land should be effectively screened by means of landscaping and fencing.

16.7.3.20 Local shopping centres and Local shops

- a) Safety and efficiency of traffic movement should not be impeded.
- b) The site access should be so located that it shall comply with the minimum separation distances from intersections and minimum sight distances of [Rule 12.4.2.7](#) and [Rule 12.4.2.8](#).
- c) The site shall be of sufficient size to accommodate the activity plus landscaping, off-street parking, service vehicles and associated access and manoeuvring.
- d) The proposal shall avoid, remedy or mitigate any adverse effects on adjacent residential sites.

16.7.3.21 Assessment Criteria for Minor Residential Units on Sites Less Than 600sqm

- a) Proposals shall be designed to ensure no more persons than minor adverse effects on the amenities of the site, adjoining sites and the neighbourhood as a whole;
- b) The design and visual appearance of the minor residential unit shall be compatible with the principal dwelling;
- c) Vehicle access shall be of a minimum width of 3 metres to provide access to the minor residential unit;
- d) Onsite manoeuvring and carparking shall be adequate and carparking shall be

located in a practical location in relation to the minor residential;

- e) Additional landscaping and planting shall be undertaken to enhance the amenities of the site and achieve a reasonable level of visual privacy;
- f) The size and location of additional buildings on the site when combined with the existing dwelling and accessory buildings shall maintain the amenity values and character of the site and locality;
- g) The minor residential unit shall not compromise the amenity values of the principal dwelling;
- h) Consideration will be given to whether adverse effects can be avoided or mitigated by attaching or incorporating a minor residential unit to/into the existing dwelling as opposed to a free standing minor residential unit. Any free-standing minor residential unit, including enclosed car parking shall be of a single level design.

16.7.4 Assessment Criteria for Limited Discretionary Activities

16.7.4.1 Accessory Buildings

Council may grant or refuse consent, and (if granted) may impose conditions on accessory buildings with a Limited Discretionary activity status under section 108 of the RMA in respect to the following matters over which it has restricted the exercise of its discretion:

- i) In assessing accessory buildings, account shall be taken to the extent to which any adverse effects of the prime activity are extended; this is particularly in regard to the intensity and scale of the prime activity. Any additional effects should be compatible with the character and amenities of the surrounding area, having regard to the objectives and policies of the zone.

16.7.5 Assessment Criteria for Control Flexibility

Where any Permitted or Controlled activity fails to comply with any control specified in [Section 16.6](#), the Council may consent to the activity as a Limited Discretionary activity, where it is satisfied that all the following criteria are met:

- a) The rule provides for Control Flexibility, and the activity falls within the limits specified under the heading 'Control Flexibility', or where no limits are specified, the effects will be minor, having regard to the stated explanation of the control; and
- b) Any adverse effects of the activity can be avoided, remedied or mitigated through the imposition of conditions; and
- c) Either

The proposal meets the intent of the control as contained in its associated explanation;

Or

It is unreasonable or impractical to enforce the control, and one or more of the site characteristics specified in [Section 3.10.6](#) apply and any relevant criteria listed below shall apply.

16.7.5.1 Foreshore Yard

In assessing an application for a building in the foreshore yard account shall be taken of:

- a) Whether the site has exceptional characteristics where the foreshore yard affects a greater than usual proportion of the site such as: where the site has a triangular shape, more than one boundary is affected by the foreshore yard, or it is a narrow site orientated along the coast; or the site has significant specimen trees or other features which mean it is not possible to achieve reasonable development outside the foreshore yard;

OR

- b) The proposed development is for: small-scale development such as accessory buildings, swimming pools, decks or terraces or above ground stormwater

infrastructure.

AND

- c) The proposed reduction in yard would be consistent with the existing pattern of development;
- d) The proposed reduction in width would not unduly compromise the ability to achieve an adequate esplanade reserve should an esplanade reserve be required in the future (note: Council has a guideline on future esplanade reserves); and
- e) There would be no more than minor adverse effects on the natural character of the coastal environment, landscape, vegetation cover, open space, water quality, cultural heritage values or ecological values; and
- f) Development does not increase the natural rate of erosion or create significant risk of accelerated erosion and/or instability of the site or adjoining land; and
- g) There would be no more than minor effect on the amenity of the area; and
- h) If the land is affected by coastal erosion, development is located and designed so as to minimise or avoid the need for associated coastal protection works; and
- i) Where the proposal is for coastal protection works, whether they are the best practicable option to mitigate coastal hazards; and
- j) Where coastal protection works are the best practicable option to mitigate coastal hazards, the works are located and designed so as to mitigate any adverse effects on the natural character and landscape of the coastal area, both at the time of development and within the expected future life of the development; and
- k) Where the proposal is for a swimming pool within the foreshore yard, the applicant will need to establish that the swimming pool and any associated fences will have only minor adverse effects on the landscape and amenity value of any adjacent beach or reserve area or walkway.
- l) Where the proposal is for above ground stormwater infrastructure within the foreshore yard, the criteria in 8.4.1.5 shall apply, in addition to the above criteria, where relevant.

16.7.5.2 Garages/Carports Exceeding 50% of the Width of the Front Face of the Dwelling

In assessing garages or carports that exceed 50% of the width of the front face of the associated dwelling, the following matters shall be taken account of:

- a) The design and location of the garage or carport in relation to the dwelling and whether visual contact between the dwelling and street is maintained;
- b) The effect of the garage or carport on the appearance of the street or streetscape and the cumulative effect of other garages or carports in the vicinity;
- c) The compatibility of the design and materials of the garage or carport with the dwelling;
- d) The effect of existing trees, hedges or vegetation or proposed landscaping on the screening/softening of the garage or carport when viewed from the street;
- e) The appropriateness of any existing or proposed fencing in screening or mitigating the effect of the garage or carport;
- f) The relationship of adjoining sites and buildings to the proposed garage or carport;
- g) Whether there are any topographical or other physical constraints that limit options for the design and location of garages or carports.

16.7.5.3 Side and Rear Yards

In assessing an application for the reduction in side and rear yards account shall be taken of:

- a) The building should not visually dominate adjoining properties.
- b) The effects of the use, design and location of buildings on the adjoining site(s)

should be avoided or mitigated through the design of the proposed building and in particular the design and location of windows, doors and decks.

- c) Building design and use of materials on the same parent site should be compatible.
- d) The reduced yard enables more efficient use of the site.
- e) Visual privacy is maintained.
- f) Compliance with fire requirements is achieved.

16.7.5.4 Outdoor Living Space

In assessing an application for the reduction in outdoor living space account shall be taken of:

- a) The usefulness of the open space provided in terms of gradient, orientation to the sun, ease of access from main living areas, appropriateness of its location in relation to the dwelling;
- b) Whether a combination of spaces such as balconies, decks, courtyards and outdoor living space can be designed to achieve usable open spaces.

16.8 Residential 8 Zone: Urban Neighbourhoods

16.8.1 Residential 8 Zone: Objectives and Policies

Objective

To provide opportunities for urban style neighbourhoods to develop in close proximity to selected centres where a more intensive, high quality built environment contributes to the enhancement of amenity values and the sustainable management of urban resources.

Policies

Comprehensive Development

1. By encouraging the amalgamation of smaller sites to form development parcels of a consistent size, shape and orientation that enable perimeter block development patterns and contribute to high quality streetscapes, while also providing privacy and amenity for future occupiers of the development, as well as occupiers of developments on adjacent sites that are built in accordance with the zone's provisions. "L" shaped sites (except for corner sites) and sites that have narrow road frontages relative to the depth of the lot should be avoided.
2. By providing for development on residual sites to be considered as a discretionary activity where such sites cannot be amalgamated to form parcels of appropriate size and shape due to consented development on adjacent amalgamated sites foreclosing opportunities to amalgamate. Development of individual sites that could be amalgamated with adjacent sites to form appropriately proportioned development sites, but where amalgamation is not proposed, should be avoided.
3. By giving particular consideration to the height, bulk, layout and design of development proposals on residual sites, in relation to their effects on desired streetscape character and the amenity of adjacent developments built in accordance with the provisions of the zone. It is anticipated that, as a result of the consideration of urban design principles and effects on adjacent sites, the height and intensity of development on residual sites will be less than that achievable on amalgamated sites.
4. By offering extra floor space and height in exchange for a public easement over private land to secure a north-south lane between Anzac St and Killarney St and to enable direct walking and cycling access between Killarney Reserve and Auburn Reserve. The lane must be street to street and should be wide enough to create a pleasant and safe environment for pedestrians and cyclists with a wider lane encouraged especially in the block between Anzac St and Lomond St. If the lane is wider than 12m a shared space (vehicle, pedestrian and cycling) access arrangement may be considered suitable to provide rear lane vehicle access to

sites.

Building Design

5. By imposing variable height limits which reflect the transition role of the zone, stepping up from mainly two storey development in adjacent suburban areas to multi-storey development in town centres, while providing flexibility for appropriately designed rooftops. Development that exceeds the maximum height limits should be avoided to maintain the desired character of the area and the amenity of current and future residents. Additional and 'bonus' heights as discretionary activities must demonstrate benefits for the zone, locality and future residents that are not otherwise achievable, and the built form must not detract from or significantly diminish the redevelopment potential or residential amenities available to adjacent sites, or negate the attainment of the key outcomes the zone intends including the 'public through site lane'.
6. By imposing a set of building separation controls that ensure buildings are located in a consistent manner across different lots, irrespective of how lots may be amalgamated. To achieve a high quality streetscape a perimeter block format is encouraged whereby buildings align to the street frontages, while at the rear of the development the privacy, amenity and sunlight of residents is protected by a consistent minimum separation distance between developments to the north or south.
7. By imposing development controls that ensure that individual buildings address and define the edge of the street in a way that is consistent for the street as a whole (taking into account the nature of the street); while ensuring space remains between buildings to allow light to penetrate to the street and adjacent sites and enable trees and landscape treatment to be established on each site.
8. To preserve the privacy and daylight access of residential units, the outlook space required from principal living areas and other habitable rooms will generally not be reduced below the minimum distances expressed. Normal side yard set backs should also be maintained so that building forms do not result in the loss of amenity enjoyed by adjacent principal living areas and bedrooms that look out over these yards.
9. By allowing for additional building coverage compared to other residential zones so as to facilitate redevelopment of the area, with building coverage inversely related to the height of development such that as development gets taller, it has a slimmer profile.
10. The number of vehicle crossing points onto Anzac Street should be reduced so as to provide a high quality street environment. Vehicle access is preferred from minor roads or rear access lanes where feasible. 'Bonus' height is enabled where the benefits of such access are available and the proposed built form is of a high quality and such that any adverse effects that might derive from departures from the development controls (applying to Permitted, Controlled and Limited Discretionary activities) are offset and are minor in terms of:
 - a) The outcome sought for the zone through its policies and methods
 - b) The overall outcomes achieved in the proposed development of the site/s.
11. By screening parking areas at ground floor with active uses where they front onto public streets, reserves or public lanes, to enhance the amenity of these spaces and to assist in activating them. To avoid detracting from the building's relationship with the street, parking areas must not be located in the front yard.
12. The minimum unit sizes required in the Precinct are considered the minimum sizes necessary to ensure a high level of internal amenity for occupants and to ensure a range of unit sizes that enables a mixture of living opportunities in a development.

Building Layout

13. By assessing development proposals as to the extent to which they successfully integrate the following:
 - a) Creating interfaces between developments and public spaces (streets, reserves and shared pedestrian / vehicle spaces) that result in attractive, safe

and functional public spaces through:

- i) Consistent alignment of buildings along a street, including minimum heights and widths of building frontages;
 - ii) Active uses visible from the street with few blank walls and frequent doors and windows;
 - iii) Buildings giving a vertical (rather than horizontal) rhythm to the streetscape;
 - iv) Articulation of facades with projections such as bays and porches as well as recessed balconies;
 - v) Avoidance of external circulation areas;
 - vi) Low fences.
- b) Providing for the on-site amenity, visual and aural privacy and security of occupiers through:
- i) Adherence to the consistent, area-wide approach to building orientation, layout and outlook space;
 - ii) The use of raised ground floors for residential units along Anzac St, in Area D along Auburn St and adjacent to any public lane;
 - iii) High quality landscape treatment of external spaces;
 - iv) The application of high standards of sound insulation and appropriate placement of noisy activities with appropriate design and layout of units in relation to adjacent activities;
 - v) Application of Crime Prevention Through Environmental Design principles.
- c) Providing for high quality internal living environments within buildings through:
- i) Adequate natural ventilation of units;
 - ii) Appropriate daylight access;
 - iii) Reasonably proportioned internal spaces (height as well as size of rooms);
 - iv) Design of entrances and circulation;
 - v) Provision of useable outdoor living areas.
- d) Providing sufficient room on-site for landscaping, vehicle parking, storage of outdoor equipment, rubbish and recycling and internal storage space to meet residents and visitors' needs.
- e) The use of high quality materials and finishes to buildings and incorporating sustainable design measures that also help to articulate facades and building mass.

Area-based Policies

- 14. Within Area A, two to three storey terrace housing and apartment developments are provided for, similar to the Residential 6 Zone environment. New development should occur on amalgamated sites, with provision for one zero side yard to assist with redevelopment in a manner that reinforces the street orientation of development.
- 15. Within Areas B and C, apartment developments of between four and six storeys (with extra storeys possible if developments utilise the bonus provisions in Rule 16.8.3.9) are provided for on amalgamated sites. Consistent building separation controls are applied to ensure a uniform layout of development that will protect the amenity of future residents. Along Anzac Street and the frontage to any public lane, ground floor apartments need to be designed so as to provide a safe living environment while still allowing for interaction with the street and lane.
- 16. Within Area C along the Anzac St frontage, a public access easement over the first

2m of the site abutting the front boundary is to be granted to Council upon redevelopment so as to enable a consistent and improved streetscape to be incrementally developed. Fences along this frontage must be kept low so as to ensure casual surveillance of the street and provide a gentle transition between the public and private environments.

17. Within Area D, site-by-site development is feasible, to a maximum of 8 storeys. Ground floor street frontages are to contain non-residential activities.

Activities

18. Within the Precinct the opportunity for retail and office activities have been limited to certain locations, to avoid diluting the intensity of these activities in the Takapuna Centre and to recognise that the Precinct is intended as primarily a residential area. For retail activities, alternative locations to those provided for will generally only be acceptable at ground floor in identified gateway locations in the Precinct or to activate any public through site lane.

Methods

- All policies will be implemented by rules.

Explanation and Reasons

The Residential 8 zone provides for apartment type housing in close proximity to major centres like Takapuna.

The objective and policies recognise that the zone will encourage the emergence of a more intensive urban character, rather than seeking to maintain the existing character of one and two storey stand alone houses, mixed with some terrace housing. Urban neighbourhoods provide for a different style of living to that of suburban areas. They are not just a compressed version of suburbia. In contrast to the lot-by-lot development typical of suburban areas, in urban neighbourhoods there is a consistent layout of buildings providing high quality public frontages and safe and private rear living areas.

The urban design of development, not its density, is the critical issue for the zone. Important design principles for urban neighbourhoods are:

- *Containment of streetscapes and public spaces by buildings. Typically, there is close to a 1:1 relationship between building height and street width. Public space tends to be well defined and contained on all of its edges by a continuous alignment of buildings. Buildings develop a vertical rhythm to the streetscape, rather than a horizontal rhythm (that is building design accentuates taller, slim proportions, rather than long and low proportions).*
- *Perimeter block development. A pattern of development where buildings are located around the perimeter (outer edge) of a city block or site, providing separation between the backs of buildings with secure private space in behind buildings.*
- *Consistent grain to development. This refers to the orientation of development, in particular the location of living areas and associated outlook areas and bedrooms and quiet areas. The basic principle is "fronts to fronts and backs to backs". That is, the main facade of a building, including front doors, face a street, on the opposite side of which is another row of housing facing the street.*

The major challenge for urban neighbourhoods is to consistently apply these principles, given the fragmented landholdings present. To this end, site amalgamation is critical. Development sites need to be longer than they are deep (that is they should have their longest edge to the street). Sites that are roughly 40m long and about 30 to 40m deep will provide the scale needed to achieve good design outcomes.

16.8.2 Residential 8 Zone: Activities

16.8.2.1 Determination of Activity Status

Table 16.7 specifies the Permitted, Controlled, Limited Discretionary, Discretionary or Non Complying activities for the Residential 8 zone. **The activity status of any activity may be changed by rules in the General Sections of the Plan.**

For the purpose of the Table:

| | | |
|----|---|--------------------------------|
| P | = | Permitted activity |
| C | = | Controlled activity |
| LD | = | Limited Discretionary activity |
| D | = | Discretionary activity |
| NC | = | Non Complying activity |

Note: Where provisions in Section 16.8 refer to Areas A, B, C, D, or Frontage Type A or B, refer to Precinct Plans A, B, and C in Appendix 16Q for details.

Table 16.7 Development and Activities

| Development | Consent Required |
|--|------------------|
| Activities that do not comply with: <ul style="list-style-type: none"> General Development Controls in 16.8.3, except for height and outlook controls, or Any other specified development controls or that involve development across an Area demarcation boundary, as shown in Precinct Plan A, Appendix 16Q | D |
| Activities that do not comply with height or outlook controls, or the requirement for a public easement in accordance with Rule 16.8.3.6 2) e) where these are not specified as Discretionary activities | NC |
| External cosmetic alterations limited to replacement of cladding and joinery with similar material, and not involving any structural changes | C |
| Accessory buildings up to 20m ² in floor area | P |
| All external additions, or alterations that are more than cosmetic and/or involve structural changes | LD |
| New development (excluding accessory buildings up to 20m ² in floor area) in Area A on sites which can contain a square with dimensions equal to or exceeding 30m of frontage to any road and 30m of depth | LD |
| New development (excluding accessory buildings up to 20m ² in floor area) in Areas B and C on sites which can contain a rectangle with dimensions equal to or exceeding 40m of frontage to any one road and a minimum of 35m of depth | LD |
| New development (excluding accessory buildings up to 20m ² in floor area) in Areas A, B and C on sites which cannot contain the minimum dimensions set out above | D |
| New development in Area C (Anzac Street) up to 8 storeys (28 metres) in height where vehicle access is only to and from Lomond Street and or Auburn Street and or Pupuke Road such that no vehicle access is provided from Anzac Street for the development. For the avoidance of doubt, all development controls apart from 'outlooks' and 'height' are deemed to be zero-based, and shall not be construed as minimums (refer Rule 16.8.7.6) | D |

Table 16.7 Development and Activities

| Development | Consent Required |
|---|-------------------------|
| <p>New development satisfying the following:</p> <ul style="list-style-type: none"> a) Has a common boundary with a site which is within the 'bonus height' zone of Rule 16.8.3.9 and is within Area B b) Is on an amalgamated site meeting the 'shape' requirements for LD activities, of Table 16.7 c) Is no more than 2 storeys above the permitted height applicable under Table 16.8 (that is, 6 storeys) d) Does not exceed any applicable 'bonus' height of Table 16.8 for the Area (that is, 6 storeys) | D |
| New development (excluding accessory buildings up to 20m ² in floor area) in Area D | LD |
| New development that provides a Public Through Site Lane (street to street) in accordance with Rule 16.8.3.9 (which provides for bonus height and floor area) | LD |
| Demolition and removal of existing buildings | P |
| Residential, except in ground floors areas identified as Frontage Type A | P |
| Residential Units at ground floor in areas identified as Frontage Type A | NC |
| Conversion of any existing floorspace to residential use | D |
| Retail activities at ground floor in areas identified as Frontage Type A | P |
| Retail activities at ground floor in all other areas | D |
| Retail activities above ground floor | NC |
| Offices at ground floor and first floor level in areas identified as Frontage Type A or B | P |
| Offices elsewhere in the Precinct | D |
| Health care centres at ground and first floor in areas identified as Frontage Type A or B | P |
| <p>Other health care centres:</p> <ul style="list-style-type: none"> • Staffed by not more than 1 health care provider at any one time • Other health care centres | <p>C</p> <p>D</p> |
| Travellers accommodation | D |
| Minor residential units | NC |

Table 16.7 Development and Activities

| Development | Consent Required |
|--|-------------------------|
| Home occupations | P |
| Home occupations that do not comply with the development controls in 16.6.3.2 a) - l) | D |
| Rest homes accommodating not more than 10 persons, including resident proprietor | C |
| Rest homes accommodating more than 10 persons, including resident proprietor | D |
| Guest houses | D |
| Boarding house housing up to 4 residents (excluding live-in support staff and family members or a maximum of 10 people including live in support staff and family members) | P |
| Boarding house housing 5 or more residents (excluding live-in support staff and family members or more than 10 people including live-in support staff and family members) | D |
| Residential care centre housing up to 7 residents (including live in support staff) | P |
| Residential care centre housing 8 or more residents (including live in support staff) | D |
| Child care centres catering for up to 5 children | P |
| Child care centres catering for 6 to 10 children and complying with the development controls in 16.6.3.3 | C |
| Child care centres catering for more than 10 children | D |
| Community welfare centres and community buildings and community facilities | D |

16.8.2.2 Rule: Public Notification and Serving Notice Waived

The Council shall consider any Controlled or Limited Discretionary application contained in Table 16.7 without public notification or the need to obtain the written approval of, or serve notice on, affected parties. If the Council considers special circumstances exist it may require the application to be publicly notified.

In respect to developments above 4 storeys on any site or sites highlighted on Appendix 16Q - Precinct Plan D (being north and east of Auburn Reserve) the notification requirements of the RMA will apply, sections 95 to 95E.

Refer to Rule 3.3.2 Notification Processes for Resource Consents - Applications Requiring Multiple Resource Consents.

16.8.3 Residential 8 Zone: Development Controls

16.8.3.1 Introduction

The Anzac Street West precinct covers the area west of Takapuna sub regional centre. It is an area of mostly single storey, stand alone dwellings that is in a process of transition towards a mix of two to three level terrace housing and four to eight storey apartment buildings.

The precinct is centred on three east-west running streets. This pattern means that new development will have an east-west grain to it, with most units looking out to the south or north.

Each of these streets has its own character:

- Anzac Street is a major entrance way into Takapuna, linking the centre with Barrys Point Road and Smales Farm/hospital area further to the north. The street accommodates a substantial number of vehicle, bus, pedestrian and cycle movements. Views are available to the south, towards the CBD.
- Lomond Street has low traffic volumes and speeds. Kerb-side parking is present.
- Killarney Street has a role in providing for an alternative route around Takapuna and experiences moderate traffic levels. The street has frontage to Killarney Reserve.

To the north lies Lake Pupuke (Killarney Reserve), to the south Auburn Reserve, with Shoal Bay and views of the Auckland CBD in the distance. If the incentives in the bonus provision rules are taken up, public pedestrian /vehicle lane may assist in linking these two open spaces, helping to provide amenity to the new neighbourhood, as well as facilitate local movements.

Auburn Street provides the eastern boundary of the Precinct. This street has a commercial character, being the western edge of the Takapuna sub regional centre, and height limits reflect this relationship. To the west, Pupuke Road forms the western boundary of the Precinct.

The Precinct is sub divided into four sub areas (as outlined in Precinct Plan A) as follows:

1. Area A: 2 to 3 storey terrace house and low rise apartment developments.
2. Area B: 4 storey apartments (with 6 storey apartments possible if bonus provisions are taken up).
3. Area C: 6 storey apartments (with 8 storey apartments possible if bonus provisions are taken up), with opportunities for mixed uses at ground level.
4. Area D: 8 storey apartments with mixed use at ground level.

16.8.3.2 Compliance

All Permitted, Controlled and Limited Discretionary activities in the Anzac Street West Precinct shall comply with the controls listed in sections 16.8.3.3 to 16.8.6.

Refer to Table 16.7 for the activity status of development that does not comply with the above rules.

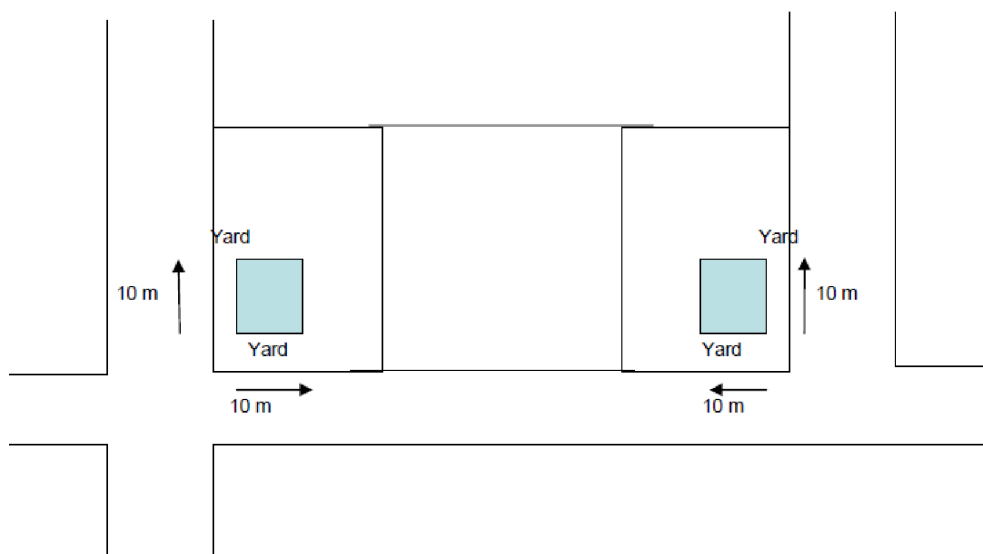
16.8.3.3 Maximum Height and Storeys

- a) Development shall comply with the maximum permitted height and maximum number of storeys as set out in Table 16.8

| Table 16.8 | | | | |
|----------------------------------|--------------------|-------------------------------|--|--|
| Area (See Precinct Plan A) | Maximum Storeys | Maximum Height (metres) | Maximum Storeys with bonus (See 16.8.3.9) | Maximum Height (metres) with bonus (See 16.8.3.9) |
| A | 3 | 11 | | |
| B | 4 | 15 | 6 | 21 |
| C | 6 | 21 | 8 | 28 |
| D | 8 | 28 | | |

- b) On those sites marked as "gateway" locations on Precinct Plan A in Appendix 16Q, application may be made for a Limited Discretionary Activity to exceed the height and storey limits by up to 4m/ one storey for up to a 10 metre square area on either side of the building corner, as shown in Figure 1 below.

Figure 1 - Additional Height for Gateway Locations



For the purpose of this rule, storey is defined as:

That part of a building from the upper surface of any floor to the upper surface of the floor above, measured from finished floor level. The topmost storey shall be from the upper surface of the topmost floor to the upper surface of the ceiling joists above, or where no ceiling exists to the upper surface of the roof cladding. For the purpose of calculating the height of a building, where this is fixed by the number of storeys:

- *A basement or any other space under the ground floor shall be counted as a storey, when the distance from ground level to the upper surface of the floor above exceeds 2.5 metres over 50% of the area of the floor above;*
- *An attic, or any space between ceiling joists and a roof shall be counted as a storey when the distance from the upper surface of the ceiling joists, or floor, to the mean height of the upper surface of the roof, is 3 metres or more over 5m² or more of the area of the ceiling joists or floor below.*

Explanation and Reasons

The maximum storey and height controls aim to enable redevelopment of land in the Anzac Street West Precinct, while protecting the amenity of adjacent zones. A stepped pattern of height is provided for, with taller buildings adjacent to the Takapuna commercial area, stepping down towards the residential area to the north-west. In recognition of the width and role of Anzac Street as an entry way to Takapuna, up to 6 storeys are provided for along this frontage. Extra height is possible both on corner sites so they can act as gateways to the Precinct, and through bonus provisions, to incentivise the provision of mid block lanes between Anzac St and Killarney St. The use of a storey control allows for some variety of roof forms, within the overall height limit.

16.8.3.4 Outlook Space

An outlook space shall be provided from each face of the building containing windows to habitable rooms of any residential unit.

- a) The minimum dimensions for outlook space measured perpendicular to the exterior face of the building, are:

Depth:

- i) For the principal living areas 10m;
- ii) For habitable rooms other than principal living areas 6m.

Width:

The outlook space should extend from either side of the walls of the room (not the windows).

For the purpose of this rule:

"Principal living area" means the main communal living space within an accommodation unit for entertainment, recreation and relaxation.

"Habitable room" has the same meaning as Section 21 and for the avoidance of doubt excludes kitchens, bathrooms, laundries, storerooms and similar.

Where a habitable room has windows on two or more faces, the outlook space for that room shall be provided to the face with the greatest window area. The outlook space cannot be measured from any projecting windows that are at an angle to the main exterior face.

- b) The outlook space may only be over:
- The site on which the building is located;
 - Legal road;
 - Public open space.
- c) Any outlook space over the site on which the building is located must be free of buildings or structures greater than 1.8m high. More than one building may share an outlook space.

Explanation and Reason

The outlook space protects the privacy of occupants. It also provides for daylight access to the main living rooms of an apartment. The outlook areas need to be within the same site, or over a road or adjacent reserve. It is not possible to have an outlook area that extends over a neighbouring property, even if an agreement with the neighbouring landowner is reached to this effect. This is to ensure a consistent orientation of buildings, and to avoid developments "borrowing" the amenity of adjacent sites, to the detriment of the amenity of the wider area.

The outlook area is to be measured perpendicular to the main exterior face of the building. The outlook space cannot be at an angle to the main exterior face of the building, even if windows are orientated in this way. The space is to be measured from either side of the relevant room, not just the relevant window.

16.8.3.5 Front Yards (Frontage Height and Street Alignment)

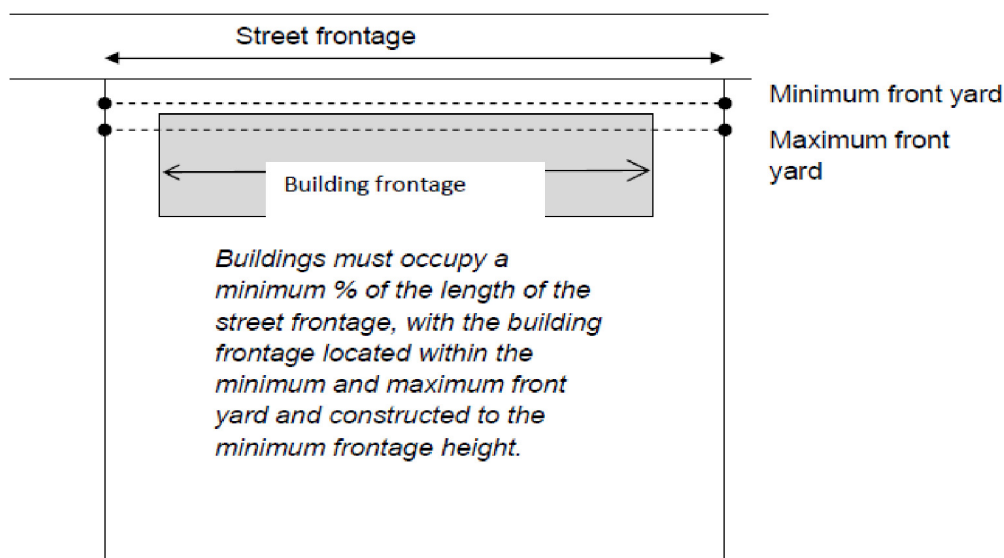
All development shall comply with the front yard, street elevation length and frontage heights set out in Table 16.9.

| Table 16.9 Frontage Height and Street Alignment | | | | |
|--|-------------------------------------|---------------------------|--|--|
| Area | Minimum / maximum front yard | | Minimum street frontage to be occupied by building | Minimum height of building frontage |
| | Minimum front yard | Maximum front yard | | |
| A | 5m | 7m | 70% | One storey |
| B | 3m | 7m | 60% | Two storey |
| C* | 5m | 5m | 60% | Four storey |
| D | 2m | 3m | No minimum - buildings may extend along the full length of the front of the site | Four storey |

* Except that for the site at 19 Huron St in Area C, the minimum front yard shall be 2m and the maximum front yard shall be 3m, in accordance with the Area D corner site beside it.

For the purpose of this rule, "Storey" has the definition given in 16.8.3.3 provided also that any ground floor 'storey' must be at least 3.5 metres in height above the level of the street.

Figure 2 - Frontage Height and Street Alignment



Explanation and Reasons

The maximum building setback and minimum frontage and height controls rules work together to ensure that buildings are uniformly located at the street boundary. This ensures that buildings engage with the street and provide a sense of definition and enclosure that is appropriate in an urban environment. This contributes to a quality streetscape, while also helping to ensure a consistent orientation of development on sites, minimising issues arising from development setting itself side on to the street, thereby overlooking adjacent sites.

16.8.3.6 Frontage Treatment

1. For the sites identified as Frontage Type A on Precinct Plan A (Auburn Street):
 - a) The ground floor of buildings shall be a minimum of 4.5m floor to floor. The minimum depth of the ground floor area fronting the street shall be 10m.
 - b) The ground floor shall be at mean street level.
 - c) A minimum of 50% of the building frontage width of the ground floor adjacent to a street (other than vehicle entrances and loading bays and pedestrian entrances and lobbies) shall have clear glazing for at least 75% of its height.
2. For sites identified as Frontage Type B on Precinct Plan A (Anzac Street):
 - a) The ground floor of buildings shall be a minimum of 3.5m floor to floor.
 - b) Any residential activity on the ground floor shall, at the interface with the street, be at least 0.7m above mean street level, but no more than 1.2m above mean street level.
 - c) Sill heights of ground floor windows fronting the street shall be at least 1m above the ground floor level.
 - d) In the area of the front yard between 2m from the street boundary and the 5m front yard line, the following may be accommodated;
 - i) Steps that do not exceed 1.2m in height;
 - ii) Fences, boundary walls, retaining walls or hedges that do not exceed 1.2m in height;
 - iii) Decks below 1m in height, provided that no hand rail or barrier on the deck may rise above 1.2m in height;
 - iv) Bay windows, balconies and similar projections that extend no more than 1200mm from the main face of the building, and occupy no more than 40% of the external face of the building.

- e) For any new development involving a building of 4 storeys or more (in accordance with Rule 16.8.3.5), in the area of the front yard between the street boundary and 2m in from the street boundary, there shall be no buildings, structures (including those structures that are not otherwise included in the definition of buildings) or hedges. This space is to be landscaped so that it forms part of the public street environment, and an easement granted in favour of public access.

Explanation and Reasons

The frontage treatment rules recognise the specific character and environment of different areas in the precinct. The Frontage Type A area applies to Auburn Street south of the intersection with Anzac Street. At ground floor in this area, only non residential uses are anticipated. Frontage Type B applies along Anzac St, where both residential and office uses are possible at ground floor level. Where residential is to be the sole activity at ground floor, then the rules require that the ground floor of the residential unit be elevated above the street level to provide a small buffer.

Frontage Type B applies along the full length of Anzac Street and on redevelopment of sites the public realm is to be effectively extended on either side of the road by the creation of a public easement over the first 2m of the front yard area that is closest to the street. This is to create a wider buffer between the carriageway and development and to enhance the streetscape. The requirement to grant the easement recognises and is in exchange for the greater development potential of the sites along Anzac St under the Residential 8 provisions. Some building elements may occupy part of the remainder of the front yard to help create variety in the streetscape and to compensate for the easement over the first 2m. For example, bay windows may protrude into the front yard and decks of not more than 1m in height are permitted provided that any barrier does not rise above a maximum height of 1.2m.

16.8.3.7 Building Separation

16.8.3.7.1 Side-to-side Building Separation (Side Boundary)

Area A:

1. For the first 15m of one side boundary, as measured from any road frontage, buildings may be built up to that side boundary (zero lot line), provided that this boundary is with a site that is within Area A. For side boundaries in all other cases (including boundary with Area B), any building shall be set back 1.2m from the boundary and be contained within a recession plane formed by a 450 degree line measured into the site from a point 2.5m above the side boundary.

The decision regarding which side boundary may utilise the zero lot line is a matter for assessment.

Area B and C:

2. A yard of 6m shall apply to all side boundaries, except for those side boundaries as shown on Precinct Plan B (these are the 3m yards for sites adjacent to the entrances to Auburn Reserve from Anzac St and Auburn St).

Provided that, except where the basement parking areas would be within, or the building directly abuts, a public through site lane provided in accordance with Rule 16.8.3.9:

- a) Basement parking areas no more than 1.2m above ground level may be built within 2m of any side boundary;
- b) Areas of above ground outdoor living space (e.g. decks and balconies) may protrude into the setback area to a maximum of 1 metre;
- c) For ground floor residential units, bay windows (and similar projections) and steps may protrude into the setback area by no more than 1200mm from the main face of the building, and occupy no more than 40% of the external face of the building.

Area D:

3. No side yard is required, except;
 - a) A 10m yard applies where the yard abuts Area C;
 - b) As shown in Precinct Plan B for the yards adjacent to the entrance to Auburn Reserve.

16.8.3.7.2 Back-to-back Building Separation (Rear Boundary)

Note: Where provisions below refer to lines shown in Precinct Plan B as 'aa', 'bb', 'cc', or 'dd', refer to Appendix 16Q for details.

Area A:

1. All buildings shall be located at least 5m from the line shown as "aa" or "cc" on Precinct Plan B, provided that single storey accessory buildings may be built to within 3m of the "aa" or "cc" line.

Areas B and C:

2. All buildings shall be located at least 7.5m from the line shown as "bb" or "cc" on Precinct Plan B. In addition, all buildings shall be contained within a recession plane drawn into the site at 45° as measured 8m above the "bb" or "cc" line.
3. Where Area B and C abuts Auburn Reserve:
 - a) All yards shall be 5m, except for those shown on Precinct Plan B (these are the 3m yards for sites adjacent to the entrances to Auburn Reserve from Anzac St and Auburn St)
 - b) All buildings shall also be contained within a recession plane sloping into the site at 45° as measured 3m above and to the north of the "dd" line (which is located 10m from the site boundary, inside Auburn Reserve).
4. In all other cases a 7.5m rear yard applies.

Area D:

5. A 10m yard shall apply between Area D and Area C, and in all other cases a 5m yard shall apply.

Provided that within Area B, C and D basement parking areas no more than 1.2m above ground level may be built within 2m of any rear boundary.

Explanation and Reason

The building separation rules manage the placement of buildings on the site and are similar to side and rear yard controls.

Two key principles for the layout of development on east-west streets in the Precinct are for outlook areas from principal living areas to be orientated north-south so they overlook roads (thus addressing the street) or rear yards, and east-west alignment of buildings so buildings edge streets in a perimeter block format, avoiding buildings that are orientated north-south and span across the block, interfering with the amenity and sunlight of neighbouring sites.

The side to side separation rules aim to provide regular spaces between buildings to allow for daylight and sunlight to penetrate to streets and neighbouring sites. In Area A, terraced type housing is anticipated and in this area, a zero lot line is possible on one side. It is acknowledged that this may see a reduction in the amenity of existing dwellings, but the rules are based on redevelopment of the current urban form.

The back-to-back separation rules are designed to achieve a consistent alignment of buildings, even where properties are amalgamated. The no build areas established by the "aa", "bb" and "cc" lines achieve this. The recession plane ensures that taller development has to set back upper storeys, limiting the potential for overlooking and dominance of properties in adjacent areas.

The space created by the no build areas also creates the possibility of joint vehicle access. Although this is desirable, it is not required.

The set back around Auburn Reserve is designed to create a transition space between development and the reserve.

16.8.3.8 Maximum Building Coverage and Minimum Area of Landscape Treatment

The maximum building coverage is set out in Table 16.10, provided that;

- a) For basement car parking areas, building coverage may extend to 70% of the site, provided that the basement does not extend more than 1.2m above ground level at any one point; and
- b) Balconies located above ground floor that protrude beyond the exterior wall of the building are excluded from the calculation of maximum building coverage.

| Table 16.10 Building coverage | |
|--------------------------------------|----------------------------------|
| Area | Maximum building coverage |
| A | 50% |
| B | 45% |
| C | 45% |
| D | 40% |

A minimum of 20% of the site should be landscaped in grass, ground cover plants, shrubs or trees - See Rule 8.4.7.

Explanation and Reasons

The maximum building coverage encourages redevelopment while recognising that increased building height should involve reduced coverage of sites.

The minimum landscaping requirement provides opportunities for landscaping, the retention of trees, roof gardens, provision of open space and reduced stormwater runoff. Landscaping increases residents' quality of life in terms of privacy, outlook and views but also contributes to streetscape character and the amenity of the public domain. It should be considered in conjunction with design from the earliest stages of a project to ensure high quality landscaping that is fully integrated with buildings and the uses on the site, as well as the wider context.

16.8.3.9 Bonus Provisions in Areas B and C for Public Through Site Lane

The height of buildings in Areas B and C may be increased above the standard storey and height limits set out in Table 16.8, by way of a Limited Discretionary Activity application, to the maximum number of storeys and height specified in Table 16.8 where a public through site lane is provided within the area identified on Precinct Plan C in Appendix 16Q from street to street (Anzac to Lomond, or Lomond to Killarney)

To be eligible for the bonus height, the design of the public through site lane and development must meet the following standards:

1. The public through site lane and the additional height must be located in the appropriate areas identified in Precinct Plan C in Appendix 16Q.
2. The public through site land shall;
 - a) Stretch from street to street;
 - b) Be registered as an access easement on the title(s) to which the lane applies, in favour of Council for public access, to ensure preservation of the lane in perpetuity. The lane shall be available for public use, 24 hours a day, 7 days a week;

- c) If located within or part within the side yard of the subject site, have a minimum width of 8m. To protect the amenity of ground floor residential units that immediately abut the lane, a semi private space may intrude up to 2m from the edge of the building into the public through site lane. (For the avoidance of doubt, the 2m space is measured from the edge of the building and not from the edge of the through site lane). In this area, the following may be accommodated;
 - i) Steps that do not exceed 1.2m in height;
 - ii) Fences, retaining walls or hedges that do not exceed 1.2m in height;
 - iii) Decks below 1m in height, provided that no barrier on the deck may rise above 1.2m in height;
 - d) If located entirely within a site with no chance of the width of the lane being augmented by a lane on a neighbouring site, have a minimum width of 12m;
 - e) Be open to the sky and not be covered by buildings or structures;
 - f) Have a straight alignment and provide for clear sight lines from one end to another. There shall be no dog legs, bends or projections into the lane that create blind spots;
 - g) Be at ground level and shall enable universal access at all times;
 - h) Have an all weather surface and be appropriately lit so as to create a safe environment at night time.
3. The additional floor area obtainable using the bonus provisions is limited and shall be calculated on the basis of 3m² of additional floor-space (gross floor area) for each 1m² of public through site lane, provided that;
- a) The maximum additional number of storeys and height obtainable shall not exceed the standards set out in Table 16.8; and
 - b) Each storey above the maximum storeys permitted without bonus in Table 16.8 shall be stepped back from the building façade parallel to the side boundaries by a minimum of 1.5 metres.

Explanation and Reasons

The bonus provisions provide for extra height in exchange for providing public pedestrian and cycle access over private land, with the objective of eventually securing a through route between Anzac St and Killarney St, enhancing the connection between Auburn Reserve and Killarney Park. The lane may be provided as part of a side yard or within the site proper, and must stretch from the street edge to street edge where possible, or at a minimum from the street to the rear boundary of the site, to enable it to connect with an existing lane or one that may be provided as part of another development in the future. Where a lane has been provided as part of a side yard, any lane offered on the neighbouring site will be expected to augment the width of that lane by joining directly to it. In this event the minimum width of a through site lane that utilises the side yards of adjacent sites is expected to be 16 m. For buildings that abut the lane in these locations, a 'defensible space' that protrudes from the edge of the building up to 2m into the easement area is permitted. This semi public space will help to soften the transition from the public lane to the edge of the building, and though it reduces the effective width of the lane, does ensure improved amenity for the residents at ground floor. In this situation the 2m space set aside as transition space is still counted towards the bonus available by way of extra gross floor area and height.

To ensure that lanes are of a sufficient width to provide safe, pleasant and spacious access between streets, the minimum width requirement for a proposed lane that is entirely located within a site with no chance of width augmentation from a neighbouring site (eg it is not located within a side yard), is greater than for individual lanes that utilise side yards.

Consent for a proposed lane will generally be declined where it is unlikely for the through route to be achieved street to street.

The extra height provided to a development that provides a lane is limited to the heights in Table 16.8. Above the permitted height levels, both sides of the building should be slightly stepped back from the edges of buildings parallel to side boundaries, to reduce potential dominance of the increased height on adjacent sites. No setback is required on the street frontage or at the rear of the sites (unless the building is subject to the normal height in relation to boundary rules).

Any building adjacent to a lane should provide informal surveillance by locating active uses on the exterior of the building that fronts the lane.

16.8.3.10 Building Length Control

No individual building shall exceed a length of 60m, as measured along any street frontage of the site. The minimum separation between buildings fronting the street shall be 6m.

Explanation and Reasons

This control is intended to ensure that development of very long buildings on large sites is broken up so as to enable sunlight penetration to the public realm and avoid a building which 'walls' the street. The six metre separation distance between buildings is not intended to capture all buildings, only buildings on the site which have frontage to the street.

16.8.3.11 Fences, Boundary or Retaining Walls

Except as detailed in a)-c) below and in Rule 16.8.3.6 Frontage Treatment, a fence, or boundary or retaining wall may be erected on any residential site boundary or within any yard provided that the fence or boundary wall does not exceed 1.8 metres in height, or the height (measured top to bottom) of any combined fence or boundary or retaining wall does not exceed 1.8 metres, and any such retaining wall is either a permitted activity or is granted a resource consent in accordance with Rule 9.4.1.

Provided that where any fence, boundary or retaining wall is erected in a location described in a)-c) below, the maximum height of any fence or boundary or retaining wall is 1.2m;

- a) On any front boundary or within any front yard; or
- b) On any boundary with a public reserve or within any yard adjacent to that public reserve; or
- c) On any boundary with a public lane established by the use of the bonus provision in Rule 16.8.3.9, or within any yard adjacent to that lane.

Explanation and Reasons

This control is intended to ensure that fencing is not established which could detract from the amenities of the street or neighbouring sites. Fences adjacent to streets and public reserves or lanes are to be at a lower height so they do not interrupt informal surveillance of the street.

16.8.3.12 Vehicle Access, parking and garages

- a) Rule 16.6.1.13 shall apply in relation to the width and design of vehicle accesses.
- b) No garages or carports (but excluding entrances to basement and/or upper level car parking areas) may be visible from the street, when they are located within 15m of the front boundary.
- c) For parking areas/ spaces;
 - i) All parking areas/spaces shall be located to the rear of, within or under buildings, except for dedicated visitor parking spaces which may be located in the side (but not front) boundary, and be visible from the street. All other parking shall be screened from the street by development (buildings).
 - ii) Where ground floor parking is provided, there shall be a depth of at least 10m of floorspace containing activities between the parking area and the street frontage of the building, or the building frontage to any reserve or to any public lane that is provided for by the bonus provision rules in Rule 16.8.3.9.

- iii) If parking is located within the building above ground floor, then it shall be screened from the street by an appropriately designed facade.

Explanation and Reasons

These controls are intended to ensure that adequate provision is made for on-site access and manoeuvring of vehicles which are required in association with an activity, in a manner which will be safe and convenient both on the site itself and on the adjoining road. To improve the interface with the street environment, the controls also regulate the location of parking in relation to the street, provide for active uses at ground floor in areas adjacent to streets, reserves and public lanes, and for appropriate screening in other instances.

16.8.3.13 Requirement for Lot Amalgamation

Where development is proposed to take place on land comprising more than one lot, a building consent will not be issued until the requirements of the Building Act 2004 have been satisfied to ensure that the subject lots will be held together and cannot be disposed of separately.

Explanation and Reasons

The purpose of this control is to ensure that development sites are amalgamated, to avoid procedural difficulties where multi-unit apartment buildings and terrace developments span different sites.

16.8.4 Additional Development Controls for Residential Units

16.8.4.1 Circulation areas for apartments

Circulation areas for apartments shall be contained within the fabric of the building. Open accessways, stairways and breezeways are not permitted to be located on the exterior of buildings.

Explanation and Reasons

Exterior circulation areas to apartments are excluded due to their adverse impact on the amenity of occupiers, as well as the neighbourhood in general.

16.8.4.2 Outdoor living space

1. For development in Area A:
 - a) Each upper floor residential unit shall be provided with a balcony or terrace which:
 - i) Is not less than 10m² in area; and
 - ii) Has a depth not less than 1.8 metres; and
 - iii) Is conveniently accessible from the principal living room.
 - b) Each ground floor residential unit shall be provided with a private outdoor living space which:
 - i) Is able to contain a circle with a 6m diameter; and
 - ii) Is directly accessible from the principal living room.
2. For all other areas shown on Precinct Plan A:
 - a) Each upper floor residential unit shall be provided with a balcony or terrace which:
 - i) Is not less than 6m² in area; and
 - ii) Has a depth of not less than 1.8 metres; and
 - iii) Is directly accessible from the principal living room; and
 - iv) At least 50% of the floor area of the balcony is recessed within the exterior wall of the building.
 - b) Each ground floor residential unit shall be provided with a private outdoor living

space which:

- i) Is directly accessible from the principal living room; and
- ii) Is able to contain a circle with a 3 metre diameter, except where
 - The residential unit has a frontage to Anzac St in which case the private outdoor living space shall be able to contain a circle with a 2m diameter
 - The residential unit is directly adjacent to and on the same site as a public through site lane as provided for in Rule 16.8.3.9, in which case no private outdoor living space is required.

Explanation and Reasons

The outdoor living space requirement is intended to ensure that each unit has a pleasant, conveniently accessible area of open space to meet the needs of its occupants for such activities as children's play, outdoor entertaining and general relaxation. Due to space constraints on sites in the urban neighbourhood areas, a communal outdoor living space is not required, but is encouraged where the development proposal enables sufficient space on the site.

16.8.4.3 Minimum Unit Size

The minimum unit sizes within the Anzac Street West Precinct shall be as follows:

- a) Studio units - 35m²
- b) One bedroom units - 45m²
- c) Two bedroom units - 70m²
- d) Three or more bedroom units - 90m²

Provided that where there are more than 10 units in a development:

- i) No more than 25% of the units in the development are studio units; and
- ii) No more than 50% of the units are one bedroom and studio units. For the avoidance of doubt the maximum percentage of studio units set out in i) applies.

Explanation and Reasons

The purpose of this control is to ensure that units are of an appropriate size and that a range of unit types is established within the zone to cater for a variety of household types. The minimum areas specified are considered appropriate for multi-storey apartment developments of the type envisaged in the zone. A development of more than 10 units may have a maximum of 50% of studio and one bedroom units where no more than half of the units are studios. As an example, a development may have 40% one bedroom units and 10% studios, but not the other way around. Private outdoor living space for ground floor units and balconies for upper floor units are required in addition to these minimum unit sizes.

16.8.5 Additional Development Controls for Specific Activities

16.8.5.1 Additional Development Controls for retail activities

The maximum gross floor area of any retail premises is 200m².

Explanation and Reasons

Large format retail is not envisaged in the Precinct and the gross floor area of retail activities is limited accordingly.

16.8.5.2 Rest homes accommodating not more than 10 persons

Provisions a) and b) in 16.6.3.6 apply.

16.8.6 Other Relevant Rules

16.8.6.1 Other Relevant Rules

In addition to the controls specified in Section 16.6, all Permitted, Controlled and Limited Discretionary activities shall comply with the relevant rules specified in the following General Sections:

Section 3: General Rules

Section 8: Natural Environment

Section 9: Subdivision and Development

Section 10: Pollution, Hazardous Substances and Waste Management

Section 11: Cultural heritage

Section 12: Transportation

Section 13: Signs

16.8.6.2 Information Requirements - Context Analysis

1. General

A Context Analysis and Urban Design Statement must be provided in association with any limited discretionary, discretionary or non complying activity resource consent application under Rule 16.8 for a new development or external additions or alterations to an existing building.

2. Context Analysis

The Context Analysis should, through the use of drawings, plans and/or photos, (as appropriate) and written explanation, document the existing built form of the site and surrounding area, especially those surrounding buildings that have been developed under the Precinct rules. It should identify the important features of the site and neighbourhood which have influenced the design response of the proposal, including;

a) In relation to the site:

- i) Orientation and topography, shown by north point and contours at 0.5m intervals;
- ii) Sun and shade characteristics, as shown by shadow diagrams and analysis; (not required where alterations only are proposed);
- iii) Prevailing winds.

Note: The above matters are in addition to information requirements for resource consent applications specified in Rule 3.10.7.1.

b) In relation to the surrounding area:

- i) The built form, scale and character of any surrounding buildings that have been developed under the Precinct rules, and the desired future character of the area, as demonstrated in the objectives, policies and assessment criteria;
- ii) Significant views to, through and from the site;
- iii) Nearby scheduled buildings and trees;
- iv) Street and block patterns;
- v) Pedestrian connections with the surrounding area;
- vi) The location of existing active, pedestrian focused street frontages;
- vii) The location of and connections with any public amenity areas.

c) The extent of Context Analysis

The extent of information provided in a Context Analysis should be tailored to the scale of the proposal and relevant to its circumstances. Although the information required will depend upon the scale and nature of the proposal, a good rule of thumb for the extent of a Context Analysis is that the information provided must address an area of sufficient size

to enable the context of the proposal to be well understood. The following are intended as a guide:

- i) In relation to new buildings, and significant additions to the floor area of an existing building, the Context Analysis should extend from all site boundaries for a distance of two times the length of the road frontage boundary of the development site. For corner sites, the longest road frontage boundary should be used to calculate the extent of the distance to be included within the Context Analysis. For rear sites, the longest site length shall be used to calculate the extent of distance to be included within the Context Analysis;
- ii) In relation to small additions to the floor area of existing buildings, (increased floor area of less than 15m²), the Context Analysis should only include the adjoining sites;
- iii) In relation to additions or alterations to the façade(s) of existing buildings the Context Analysis should address a length of 20 to 30 metres, on either side of the subject site, and on either side of the street.
- d) The Council may reduce the information requirements specified in Clauses 2 (a) and (b) above where the application relates to minor additions or alterations to an existing building if the requirement is not relevant to the evaluation of the application. However the information provided as part of the Context Analysis must be of sufficient detail to enable the proposal and its relationship to its environs to be readily determined.

3. Urban Design Statement

The Urban Design Statement must explain how the design of the proposal:

- a) Derives from and responds to the Context Analysis;
- b) Contributes positively to the future desired Precinct and street character in terms of form and appearance, mass, proportion and use of materials;
- c) Addresses the extent to which the proposal achieves the relevant assessment criteria;
- d) Where a site has two or more street frontages, an assessment shall be provided identifying the most appropriate location for the vehicle /servicing access, having regard to the existing and future function and activity of these streets;
- e) In relation to additions or alterations to existing buildings, the Urban Design Statement should relate specifically to the addition or alteration in the context of the existing building.

Explanation and Reasons

A Context Analysis and Urban Design Statement is required in association with all new buildings, and external additions or alterations to existing buildings to ensure that development achieves the high standards of urban design which are sought in the Residential 8 zone as detailed in the objectives, policies and assessment criteria. In particular the Context Analysis and Design Statement should demonstrate how the proposed development relates to the future context anticipated in the Precinct, is appropriately integrated with surrounding development where redevelopment has taken place under the Precinct rules, and that a high standard of pedestrian and streetscape amenity is created.

16.8.7 Residential 8 Zone: Assessment Criteria

16.8.7.1 Reservations for Controlled activities

All controlled activities must comply with the relevant rules of the Plan. In addition, the Council may impose conditions in respect of the matters specified in Sections 108 and 220 of the RMA and any matters below over which it has reserved its control.

The Council reserves control over the matters set out in Section 16.8.7 as appropriate for all controlled activity resource consent applications.

16.8.7.2 Restrictions for Limited Discretionary Activities

For a limited discretionary activity, the Council may grant or refuse a consent, and if granted may impose conditions under Section 108 of the Act in respect of the following matters over which it has restricted the exercise of its discretion:

- a) Neighbourhood integration
- b) Streetscape and neighbourhood character
- c) Building design and appearance
- d) Indoor living environment
- e) Privacy/amenity
- f) Outdoor living space
- g) Landscaping
- h) Vehicle access, parking, drop off / pick up
- i) Services/storage
- j) Stormwater management
- k) For any development utilising the bonus provision in Rule 16.8.3.9, the matters in 16.8.7.4.2.

16.8.7.3 Assessment Criteria for Controlled Activities

16.8.7.3.1 General Assessment Criteria

- a) Design of Access

Vehicular and pedestrian access to, from, and within the site must be:

- i) Sufficiently remote from busy intersections and corners to ensure adequate sight distances and to prevent on-street congestion caused by vehicles entering and departing the site.
- ii) Located and designed so as to protect the aural privacy of adjacent sites.
- iii) Designed to maximise safety and convenience to users of the site.

- b) Parking

Every activity should comply with the Plan's parking and access controls in Rule 12.4 Transportation Rules, unless it can be demonstrated that in relation to a particular proposal, an alternative standard is appropriate.

- c) Traffic Safety

- i) The proposal should not significantly detract from traffic safety or efficiency having regard to the volume of traffic attracted, times of peak generation, potential traffic conflict and proximity to major traffic intersections.
- ii) Where it is proposed to establish an activity which has the potential to attract significant volumes of traffic with direct access to an arterial road identified on Appendix 1 to the District Plan Maps, the applicant must satisfy the Council that the proposal will not significantly adversely affect traffic safety or efficiency.

- d) Landscaping and Open Space

- i) Where community buildings and community facilities provide outdoor areas on which people may congregate for social purposes, these areas should generally be located a minimum of 10 metres from the boundary of any adjoining residential property. Outdoor areas, including decks at or above ground level, must be appropriately screened to minimise the intrusion of noise and avoid overlooking of adjacent properties.
- ii) In the case of the following prescribed activities, the development should include an area/areas of open space available for the use and enjoyment of residents and visitors which is sited and designed to provide a good standard of amenity. The size of the open space shall reflect the needs of the occupants

and the scale of the development:

- Residential care centres, housing for the elderly and disabled, boarding houses
- Rest-homes
- Childcare
- Travellers' accommodation.

The area of open space shall be located and designed so as to minimise any detracting from the amenities of adjacent sites, by appropriate landscaping and separation distances.

e) Intensity and Scale

- i) The intensity and scale of the proposal, in particular the number of people involved in the activity, traffic generation, hours of use, size of building and associated parking, signs, noise and other generated effects should be compatible with the character and amenities of the surrounding area having regard to the objectives and policies of the zone, and its Permitted, Controlled and Discretionary activities.
- ii) Those activities which generate large volumes of traffic, such as travellers' accommodation and community buildings and facilities, should generally not be located on a minor road and should have ready access to principal roads in order to avoid heavy traffic volumes on minor roads.
- iii) The Council may impose conditions to minimise the impact of the activity on the neighbouring area.

f) Infrastructure

- i) The Council must be satisfied that adequate provision has been made for the disposal of sewage and stormwater, having particular regard to:
 - The capacity of those systems to accommodate the anticipated additional flows arising from the development; and
 - The need to remove (or pre-treat) contaminants from runoff, avoid damage to natural waterways and reduce downstream erosion; having particular regard to the need to maintain the quality of water in streams (including aquatic ecosystems), Lake Pupuke and in the coastal marine area.
- ii) The proposal should not generate demand for the uneconomic or untimely extension of services by the Council or other network utility services.
- iii) The General Assessment Criteria for Controlled activities listed in 9.7.1.1(5).

g) Licensed Premises

Where buildings are licensed in terms of the Sale of Liquor Act 1989, or used for social or recreational functions, the Council may impose conditions on the hours of operation, noise (including restrictions on the use of amplified music), numbers attending, lighting and signs, to minimise the impacts of the activity on the neighbouring area. The hours of operation will be considered in relation to the location of the building and the neighbouring land uses, and the nature of the proposed activity, but in general shall be restricted as follows.

| Days | Hours |
|----------------------------|-----------|
| Monday - Thursday | 0730-2300 |
| Friday - Saturday | 0730-2400 |
| Sunday and Public Holidays | 0830-2300 |

More or less restrictive hours may be imposed depending on the extent to which the Council considers that the proposed activity will impact on any residential property.

16.8.7.3.2 Additional assessment criteria for specific controlled activities

16.8.7.3.2.1 External Cosmetic Alterations

- a) External cosmetic alterations to a building are limited to replacement of cladding and joinery and should not involve any structural changes to the building.
- b) The alterations should not significantly reduce the amount of glazing that contributes to a high quality street environment.
- c) The quality of materials used, especially on any facade of the building facing a street or reserve, should not diminish.

16.8.7.4 Assessment Criteria for Limited Discretionary Activities

16.8.7.4.1 New buildings and Alterations and Additions to existing Buildings

1. Building Layout / Neighbourhood integration

a) *Anzac Street*

- i) Massing and layout should respond to and accentuate the east-west alignment of the street and its role as a major avenue leading into Takapuna.
- ii) Buildings should be set back from street edge in a consistent way (5m) to help contain and define the streetscape. An easement over the 2m of the 5m front yard that is closest to the road boundary should be granted in favour of Council, allowing for this space to integrate with and effectively extend the width of the street environment, including allowing public access across this space. The Council shall maintain this space. To ensure a public realm of a consistent width and appearance it is unlikely that on redevelopment Council will forgo this requirement.
- iii) Gaps between buildings (side yards) should allow for daylight penetration to Anzac St and buildings, landscaping, privacy between buildings.
- iv) Non-residential activities on the ground floor are encouraged. Floor to ceiling heights should reflect this (3.5m at least). Where residential uses are provided for on the ground floor, then the floor level of these rooms should be elevated at least 0.5m above street level.
- v) Dual aspect/corner aspect apartments are the preferred layout on the north side of Anzac St, allowing for sunlight to north facing rooms, with views over the street and towards the CBD from rooms overlooking the street.
- vi) On the south side of Anzac St, single aspect apartments are acceptable so as to provide an active frontage to both the street and Auburn Reserve to the south.

b) *Interface with Auburn Street*

- i) Where the site sits opposite a Business Zone (Huron to Anzac Street), then a semi/fringe commercial character is anticipated. Ground floors should contain non-residential activities, with display space/glazing, verandahs and front entrances visible from the street. Buildings may be built to the entire width of the site.
- ii) Between Anzac and Killarney Street, a more domestic scale and form of development is expected.

c) *Interface with public through site lane*

- i) See assessment criteria contained in Rule 16.8.3.9 Bonus Provision in Areas B and C for Public Through Site Lane.
- ii) Any development that is immediately adjacent to an existing or consented lane but is unable or unwilling to utilise the bonus provisions should ensure that

informal surveillance of the lane is maximised through the appropriate orientation of windows and balconies, low fencing and limited use of blank walls. Car parking at ground floor in this location is not acceptable.

d) *Interface with Auburn Reserve*

- i) Apartments should 'front' the reserve, that is they should contain principal living rooms that overlook the reserve.
- ii) Shading effects should be addressed in the first instance by appropriate set back of upper floors on buildings to the north and east of the reserve. If however adverse effects would still eventuate, including on sports turf, maximum heights may not be achievable and may be declined or made subject to redesign.

e) *Interface with Lomond / Killarney / Huron Streets*

- i) Some variety is anticipated in development types, with a mix of terraced housing and low rise apartments.
- ii) Massing and layout should respond to and accentuate the east-west alignment of the streets.
- iii) Within Area B, gaps between buildings (side yards) should allow for daylight penetration, landscaping and privacy between buildings.
- iv) Within Area B, dual aspect/corner aspect apartments are the preferred layout, allowing for sunlight to north facing rooms and avoiding apartments with only southern aspects.
- v) Within Area A a terrace type house format is expected, with a row of units facing the street. Behind this row may be further units. Front units should not be side onto the street, but rather front and address the street.
- vi) Within Area A one side of a building may be built to the boundary for that portion of the side boundary between 5 and 15m in from the front boundary. The decision as to which boundary shall utilise this provision should take into account the impact of development on adjacent sites, including privacy, sunlight and daylight as well as the benefits to the development within the relevant site.

2. Building Design

a) *Building Composition*

- i) Buildings should be broken down into a number of sub elements that help to express a vertical rhythm and scale to development (long, monolithic buildings that present a horizontal aspect should be avoided). This may be achieved by appropriate incorporation of the following elements:
 - a) Structural form of the building being expressed in its facade, such as entrances/circulation spaces being differentiated from living areas; structural partitions between units being visible, window and door proportions, bay windows and balconies
 - b) Verandahs, towers, eaves and parapets
 - c) Building materials, patterns, textures and colours
 - d) Decorative elements/fins
 - e) Roof form and pitch.
- ii) The ground floor should be highly articulated compared to mid levels through greater use of glazing and architectural detail. Upper floors should be set back, with careful design of rooftops to appropriately terminate the building's profile.
- iii) Building facades which are exposed to public view should contribute to a visually rich and interesting built environment through the use of:
 - a) 'Punctuated' or articulated walls with visually recognisable patterns, decorative features, rhythm and texture to express the building's distinct elements and functions

- b) Use of balconies, recessed terraces, bay windows, sun shading devices and the like
 - c) Variation in materials and finishes
 - d) Horizontal and vertical rhythms created by the use of architectural elements such as parapets, horizontal string courses, blades and columns, (that create shadow lines) and the proportion and scale of windows and doors
 - e) Minor variations in setbacks to the building facade (to create modulation).
- iv) Buildings over 20 metres in height should be subject to a wind assessment by a qualified engineer to determine the wind environment conditions that are likely to be created. Adverse wind effects on pedestrians at ground level should be avoided or appropriately mitigated including by redesigning the building if necessary. The report should consider the shape and height of the building, its exposure, surrounding terrain, orientation with respect to prevailing winds, topography and sheltering effects from or adverse interactions with other buildings. If the report identifies significant effects, then a wind tunnel test may be required to establish more precisely the impact of the proposed building.
- b) *Ground floor*
- i) The design of the building should help to distinguish the ground floor from upper floors through higher stud heights, greater use of glazing and additional detailing of facades.
 - ii) Design at ground level should contribute to pedestrian vitality, interest and public safety. Blank walls and reflective or opaque glazing fronting the street, reserves and significant pedestrian routes at ground floor level, which hide the presence of activity within buildings and reduce casual overlooking, are not appropriate.
- c) *Rooftops*
- i) Rooftops should be designed to provide visual interest as well as reflecting existing rhythm of the building façade. There should be clear variation in building form when viewed from any public street or public open space area.
 - ii) Setting the top floor back from the lower floors is encouraged as it can reduce the visual impact of the upper floor and complement the existing built form.
 - iii) Lift plant and other mechanical services located on the roof of a building should be integrated into the roof design. The use of screening which is integrated with the overall design is encouraged to ensure that mechanical services are not visually obtrusive when viewed from outside the site, including from buildings that overlook the roof.
 - iv) The provision of appropriately designed green roofs is encouraged. When planning green roofs consideration will be had to the following:
 - a) Soil depth, volume and area of planting must be appropriate to the size and species of plants and to the desired stormwater functions.
 - b) Plant species selected should be suited to location and climatic conditions found on rooftops, subject to drying through exposure to wind and sun.
 - v) Roof top terraces should be appropriately screened to avoid overlooking impacts. Care should be taken to ensure any screening does not detract from the character and visual bulk of the roof line. Parapet walls combined with the provision of an appropriate level of separation distance between the roof edge and roof top amenity space can preserve the amenity of adjoining occupants.
- d) *Entrances and circulation*
- i) Using multiple entries animates the street edge and provides a direct physical and visual connection between the street and the building entrance. Entrances and foyers should directly address the street, be clearly identifiable and, wherever possible, be at the same level as the street. Entrances should not be solely from the side, rear or via the car parking area.

- ii) Individual entrances should be provided for ground floor apartments. Residential and business entries should be clearly demarked and horizontally separated.
 - iii) Upper level apartments should be accessed from internal corridors/entranceways. No external walkways/breezeways should be provided.
 - iv) Corridor lengths should be minimised to provide short, clear sight lines. The number of units/apartments per floor should be limited to 6 to 8 apartments per floor. Corridors should be a minimum of 2m wide.
 - v) Barrier free access should be provided to at least 20% of residential units in a development to permit use by people with disabilities.
- e) *Heating / ventilations / daylight*
- i) All habitable rooms within the development should have an appropriately sized and located external window to provide light and ventilation.
 - ii) Building depths should be designed to provide natural lighting and ventilation.
 - iii) Dual and corner aspect apartments are preferred and should allow for sunlight /daylight penetration to interiors (dual aspect apartments should be a maximum of 15m deep).
 - iv) Where single aspect apartments are required to maintain active frontages, then they should be shallow (no more than 8m deep) and wide enough so that all habitable rooms have an exterior window.
 - v) Natural ventilation should be maximised through the use of dual aspect / corner aspect units. Where possible, buildings should be designed with opening windows to maximise natural ventilation.
 - vi) Increase opportunities for solar access in ground floor units by:
 - a) Incorporating higher ceilings and/or taller windows
 - b) Choosing trees and shrubs that allow solar access in winter and shade in summer.
 - vii) Where necessary use fan lights/louvred windows to offer ventilation while maintaining security.
 - viii) Ventilation fumes from parking levels shall not be exhausted (by either mechanical or natural means) into the adjacent street frontage.
 - ix) Plant and equipment including mechanical ventilation should be located and designed to minimise noise intrusion on adjacent streets, pedestrian areas and buildings.
- f) *Privacy/amenity*
- i) Avoid noise transmission between tenancies through appropriate placement of rooms, services/appliances, windows.
 - ii) Avoid use of single frame walls between tenancies.
 - iii) Double glazing of windows should be used on windows to busy streets (Anzac and Auburn) to reduce noise transmission.
 - iv) Consider kitchen/dining areas facing the street, with living and bedrooms to the rear, for buildings along the main street.
 - v) Internal apartment height should provide a sense of space, with finished floor level to finished ceiling height expected to be at least 2.7m for all habitable rooms on all floors and a minimum of 2.4m for all non-habitable rooms, except in mezzanine-type two-storey units, where 2.4m for the second storey is acceptable if 50% or more of the apartment has a minimum ceiling height of 2.7m.
- g) *Safety and Natural Surveillance*
- i) Development should support pedestrian safety and amenity along public

streets, reserves and pedestrian and cycle routes and particular attention should be given to the layout of the building and how it relates to the street. Development should:

- a) Place active uses adjacent to public spaces.
 - b) Locate landscaping so that views to the street from windows remain as unobstructed as possible.
 - c) Locate main entrances on the street frontage and buildings with long frontages should incorporate entrances at regular intervals to maximize the interface between the street and the building.
 - d) Avoid the creation of potential entrapment and concealment areas through appropriate landscaping, layout, lighting and design.
- ii) Development should be designed to provide for the safety of pedestrians when moving from one part of the site to another, in particular from the location of car parking areas to building entrances, and along private access ways and public lanes to and from public streets. Development that involves rear parking areas and other semi-public areas that are not directly visible from a public road should be designed to:
- a) Provide some informal surveillance of these areas from adjoining development. Every attempt should be made to provide for surveillance; however where there are no design solutions CCTV and other forms of monitoring should be considered.
 - b) Provide for clear visibility/lines of sight of entrances and exits. Signage should be provided to clearly mark entry and exit points.
 - c) Provide appropriate lighting of semi public areas, including paths, parking areas, building entrances and exits. A lighting plan showing lighting type, location and lux shall be provided as part of a landscape plan on submission of a resource consent application.

3. On-site open space

- a) Private open space should extend from the principal living area.
- b) Where possible private open space should be located so as to receive at least 2 hours direct sunlight on the shortest day.
- c) Recessed balconies are preferred as they provide better privacy, weather protection and architectural and façade depth than fully cantilevered balconies.
- d) Sun screens, pergolas, shutters and operable walls should be used to protect from excessive sunlight, wind and rain.
- e) Limit use of Juliette balconies and similar to non-living room areas.

4. Car parking

- a) The design of car parking areas should be integrated into the overall site and building design without dominating the appearance of the development as viewed from the street, adjoining recreational areas or lanes that are established by the use of the bonus provision in Rule 16.8.3.9.
- b) The internal circulation of parking and service areas should be designed for the safe and efficient movement of vehicles on and off the site, through an easily comprehended layout, the provision of adequate sightlines and appropriate surface markings and signs.
- c) Where rear lane access or access from minor streets is available and is of sufficient width and capacity, car parking should be designed with access from these. For sites that utilise Anzac St for vehicle access, access should be designed only for left in left out turns.
- d) Entry into the site and access to all buildings should be straightforward, safe and clearly defined for all users and modes of transport. The principal site entrance should be integrated with, and enhance the streetscape. Adequate space should be provided in front of the main entrance/gates to allow vehicles

to move safely from the road to the site.

- e) Car parking areas shall not be located between the building and the street. Parking within a building fronting a street or public place should generally be contained either below ground level or at first floor level or above. Parking at ground floor level must be screened from the street by residential or non-residential activities. For above ground floor parking, parking areas should be screened behind other uses. Where this cannot practically be done then the parking level façade should be attractive, varied and create visual interest consistent with the overall design of the building. Any car parking above ground level should have a minimum floor to ceiling height of 2.8 metres so it can be adapted to another use in the future. Sub basement car parking areas should limit the use of grills and other ventilation devices at street level, with careful attention to the exterior finish of sub basement areas when they are viewed from the street.
- f) Outdoor parking, servicing and access areas should incorporate all weather materials, adequate drainage and landscape planting. On-site stormwater treatment should be incorporated where possible.
- g) Any ground level parking should be buffered from adjacent developments and ground floor residential units by landscaping or private open space.
- h) Bicycle parking should ideally be kept in basement parking areas, but if at ground level should be secure, weatherproof and easily accessible from apartments.

5. Services/storage

- a) Storage space for normal household items like linen, household cleaning equipment, luggage, and personal items should be provided within units.
- b) Secure storage space which can house large items such as sporting equipment should be provided outside the apartment. This may be best provided within internal or basement car parks.
- c) Waste disposal/recycling storage and collection areas should be provided on site for residential units. In general kerb side collection for larger development is not considered appropriate due to congestion and obstruction of the kerb side and consequently servicing by a private contractor should be provided for and accommodated within the design.
- d) Provision of refuse collection areas, recycling facilities and related services should be well integrated into the development and be appropriately screened /landscaped to avoid any adverse visual impact from the road and from within the development. It should be appropriately sized in relation to the scale of the development, and collection points and facilities should be readily accessible by service vehicles.
- e) Any application for development in excess of 30 residential units must be accompanied by a waste management plan outlining refuse and waste provisions, and management and collection strategies to ensure adequate provision and mitigation of any adverse effects.

6. Stormwater Management

The development should provide adequate methods for stormwater disposal, including the following measures to minimise the environmental effects of stormwater runoff:

- a) Minimising extent and area of impervious surfaces.
- b) Minimising run-off using techniques such as rain tanks, rainwater harvesting and bio-retention devices and using natural features such as vegetated swales where possible.
- c) Treating or limiting of stormwater contaminants.

7. Landscaping

- a) A comprehensive landscape plan must be submitted with any application indicating proposed hard and soft landscaping and how it will enhance the

development and integrate it with surrounding areas. A landscape management plan should also be provided indicating how long term maintenance will be carried out.

- b) Location and types of planting within new development should be suitable for the situation, wind, and sun exposure and soil type so that on going longevity of landscaping and trees are not compromised. The plant species used should enhance the visual character of the development by providing a range of species that have various heights when mature.
- c) Every attempt should be made to ensure existing mature trees are retained and incorporated within the development. Retention of mature trees is particularly encouraged where their size, location or species make a significant contribution to the streetscape or where they could be logically incorporated within open space and enhance on site amenity.
- d) Where larger specimen trees are proposed for screening, amenity, biodiversity or any other reason, these species should attain a height of 8 metres or more, and shall be of a planting size of Pb 95 or larger, and planted into a topsoil depth of 500mm or more.
- e) Landscaping, including tree planting, should be used to break-up and soften the appearance of continuous building walls that are devoid of visual interest, and large areas of car parking. As a general guide, it is suggested that within car park areas, one tree be planted every 4th car bay. Landscaping should also be used to screen parking, loading, storage and rubbish areas visible from the street or from neighbouring sites.
- f) Provision of roof gardens or green roofs are encouraged, however plant selection must be suited to location, and to climatic conditions such as drying from exposure to wind and sun. Design of roof gardens should ensure soil depths, volumes and area of planting are appropriate to the size and species of plants and to the desired storm water functions.

16.8.7.4.2 Bonus provision in Area B and C for Public Through Site Lane

The following assessment criteria apply to a limited discretionary activity application for public through site lanes:

- a) The development may use a side yard as part of the lane or be provided entirely within the site with no possibility of being widened by an adjacent development. In each case a lane should be of the minimum width required in Rule 16.8.3.9, to provide a lane of sufficient width to ensure a safe, pleasant and spacious through site lane environment.
- b) The lane should:
 - i) Align with the alignment of any existing or consented through site lanes to the north or south of the site.
 - ii) Augment the width of any existing or consented lane on an adjacent site, rather than create a separate lane.
 - iii) Where there is no existing or consented lane to connect with, be provided as close as possible to the alignment of the sites at 82 and 84 Anzac St (whilst allowing for the fact that a side yard may be the preferred location for the lane), to provide for a strong visual connection and enhanced permeability between Auburn Reserve and the lane.
 - iv) Where possible, be placed on the side of the building that receives the most sunlight.
- c) The development on the site providing the lane should help to enhance the amenity of the lane and create a safe environment by ensuring the building addresses the lane and provides for informal surveillance of the lane through:
 - i) The appropriate orientation of windows and balconies, low fencing and limited use of blank walls.
 - ii) The lane should be flat and enable universal access. Any sloping vehicle

access ramp should not intrude into the easement area of the lane.

- iii) Car parking at ground floor in this location is not acceptable.
- iv) Ventilation fumes from basements (which may be located underneath the easement area of the lane) or parking levels shall not be exhausted (by either mechanical or natural means) into the adjacent lane frontage.
- d) The lane should be designed to provide a high quality space through the use of durable materials, integrating with the design of any adjoining lane. Clearly visible signage shall be provided to identify the lane to pedestrians. The lane will be considered primarily for pedestrian and cycle access but may also be used as a shared space lane including vehicle access, if it is of sufficient width and the development requires dual access points.
- e) Consent is likely to be refused to any application for a lane where:
 - i) A through site lane has already been provided elsewhere in the bonus area, for the relevant street block; and/or;
 - ii) It is unlikely that a complete street to street through site lane will be achieved.

16.8.7.5 Assessment Criteria for Discretionary Activities

Without restricting the exercise of its discretion to grant or refuse consent or impose conditions, the Council will have regard to the assessment criteria set out in 16.8.7.3 Assessment Criteria for Controlled Activities, 16.8.7.4 Assessment Criteria for Limited Discretionary Activities, and any relevant criteria set out below.

16.8.7.5.1 Development on sites with less than required frontage or depth (Area A, B or C)

- a) Design of development should seek to minimise impacts on the privacy and amenity of residents of development already established under the zone provisions. This may result in building heights and /or building mass that is less than that achievable on amalgamated sites.
- b) Development should seek to limit impacts on privacy and amenity of adjacent sites by orientating outlook areas for principal living areas towards the street or rear yards, rather than side yards, in the normal perimeter development format anticipated in the Precinct.
- c) Normal rear and, where possible, side yard set backs should be maintained so that building forms on the smaller sites do not result in the loss of amenity enjoyed by adjacent principal living areas and bedrooms that look out over these yards.

16.8.7.5.2 Infringement of development controls

The criteria in Section 16.8.7.3 and 16.8.7.4 apply and in addition:

- a) The infringement should not see the basic grain of development, including the perimeter block development format, broken, such that development becomes orientated side on to the street, reducing the quality of the streetscape and reducing the privacy and amenity of rear yard areas on neighbouring sites.
- b) The infringement should not result in additional adverse effects on neighbouring sites, as they are now and as they are likely to be in the future if they redevelop in accordance with the provisions, in terms of sunlight and daylight access, and outlook and privacy.
- c) Unit sizes will generally not be reduced below the minimum sizes expressed, except where any deviation to the rule is limited to a very low percentage of residential units in a development.

16.8.7.6 Additional Assessment Criteria for Specific Activities

16.8.7.6.1 Rest homes

The criteria in 16.7.3.8 apply.

16.8.7.6.2 Home Occupations

The criteria in 16.7.3.14 apply.

16.8.7.6.3 Conversion of existing floor space to residential use

- a) Development controls for residential uses should be complied with. Where the controls cannot be met, then consent should be declined.
- b) The conversion should not result in the loss of active frontages at street level.

16.8.7.6.4 Retail activities at ground floor not in areas shown as Frontage Type A

- a) Retail activity not in areas shown as Frontage Type A in Precinct Plan A will generally only be acceptable when it is located:
 - i) On corner sites shown in the location of the 'gateway' sites provided for in Precinct Plan A; or
 - ii) With a frontage to a public lane provided for by the bonus provisions in Rule 16.8.3.9.
- b) Any retail activity should assist with activating and encouraging the use of the area and with informal supervision of the area.
- c) The activity should not have frontage exclusively to Anzac St due to potential difficulties with parking and access in this location.

16.8.7.6.5 Development (up to 8 storeys) that front, but have no vehicle access to, Anzac Street (as a Discretionary activity) - Particular assessment factors

- a) Developments will be assessed in terms of the qualities and neighbourhood benefits that derive from any departure from the development controls that apply to Permitted, Controlled and Limited Discretionary activities. The assessment criteria for Controlled and Limited Discretionary activities will apply, as appropriate to the nature of what is proposed.
- b) Developments will need to have achieved an endorsement from the Auckland Council Urban Design Panel, as a demonstration of the excellence the design incorporates and its capacity to integrate well with and into its future planning context, with a particular focus on the form and design of the building/s above 6 storeys, or above 4 storeys where side yards are less than 6 metres.
- c) Developments must demonstrate that what is proposed has obtained formal endorsement from directly affected adjoining property owners where Rule 16.8.3.7.1 is not achieved and will clearly not compromise the development potentials or levels of residential amenity available for future residential units on directly affected properties. The Council may require that neighbour agreements are secured in perpetuity by legal instruments registered against affected land titles.
- d) Council recognises that formal amalgamation of lots is not the only means by which integrated ('perimeter block') developments can occur across two or more lots. In particular zero lot line developments, involving no side yard to one boundary, can provide for the staged achievement of 'perimeter block' forms of development, in apartment typologies. Where such forms are proposed, Council will in particular consider the following:
 - i) The extent to which the development proposed will be an exemplar development that encourages and does not detract from the achievement of appropriate 'perimeter block' forms in the locality.
 - ii) The length, height, articulation and detailing of the zero lot boundary wall, and the extent to which it provides the affected (approving) neighbour/s with viable options to undertake developments consistent with high quality, perimeter block forms of development that also provide high standards of on-site amenity, especially as to outlooks from units.
 - iii) The extent to which the boundary wall may be, either in part or wholly, visible from either the street/s or adjoining sites, and the design techniques proposed

to provide all visible parts with visual interest.

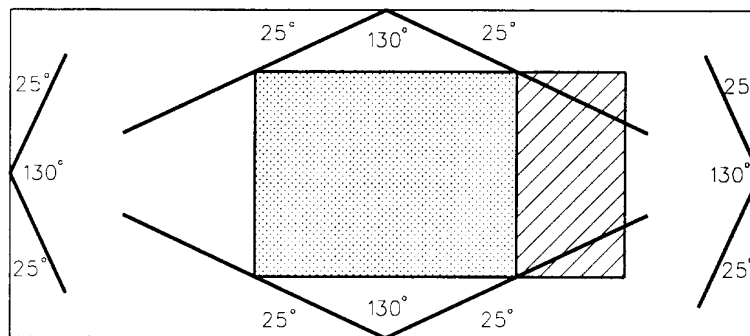
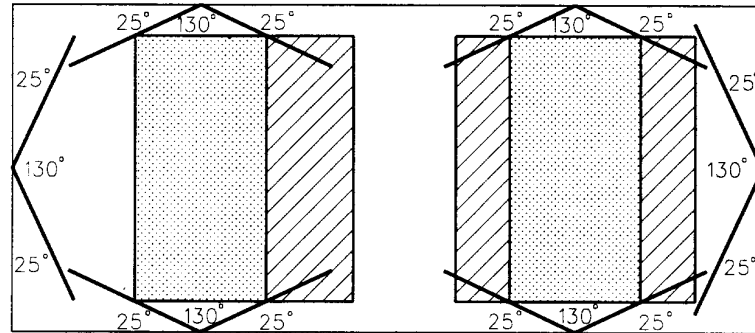
- iv) The extent to which the development achieves appropriate set backs on all other boundaries, and achieves consistency with the outcomes desired in respect of those boundaries. As a guide, the set backs considered a minimum for the other side boundary (of the proposed zero lot line development for which consent is sought) are 3 metres for structures up to and including 4 storeys; 5 metres for the fifth and sixth floors, and 7 metres for floors seven and eight.
- e) The Council will process an application endorsed by the Urban Design Panel and having neighbours approvals under (c) above as non-notified provided that if the Council considers special circumstances exist it may require the application to be publicly notified.



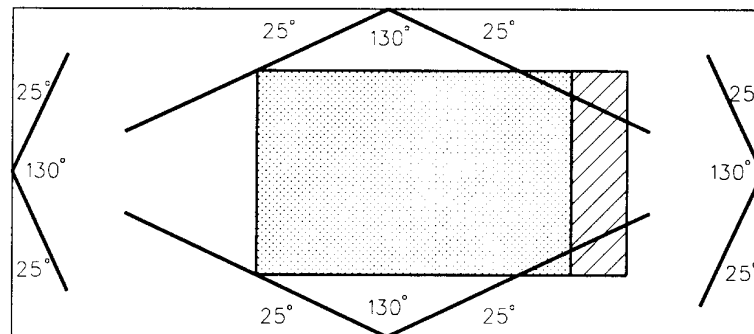
Appendix 16B: Control of Continuous Building Length

(See Rule 16.6.1.10)



Buildings complying with control



Building not complying with control

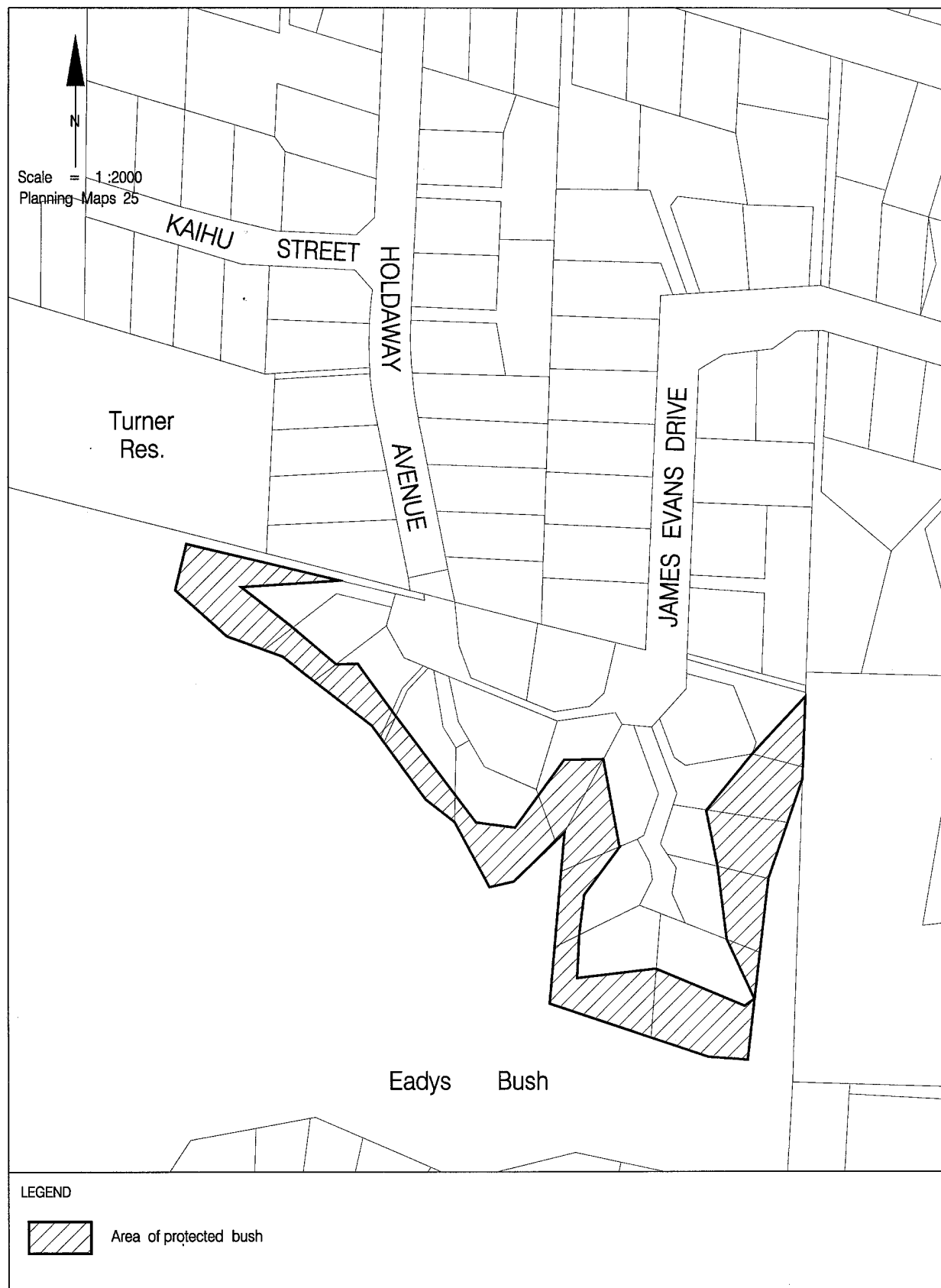


LEGEND

-  Part of building less than 5m in height
-  Part of building greater than 5m in height

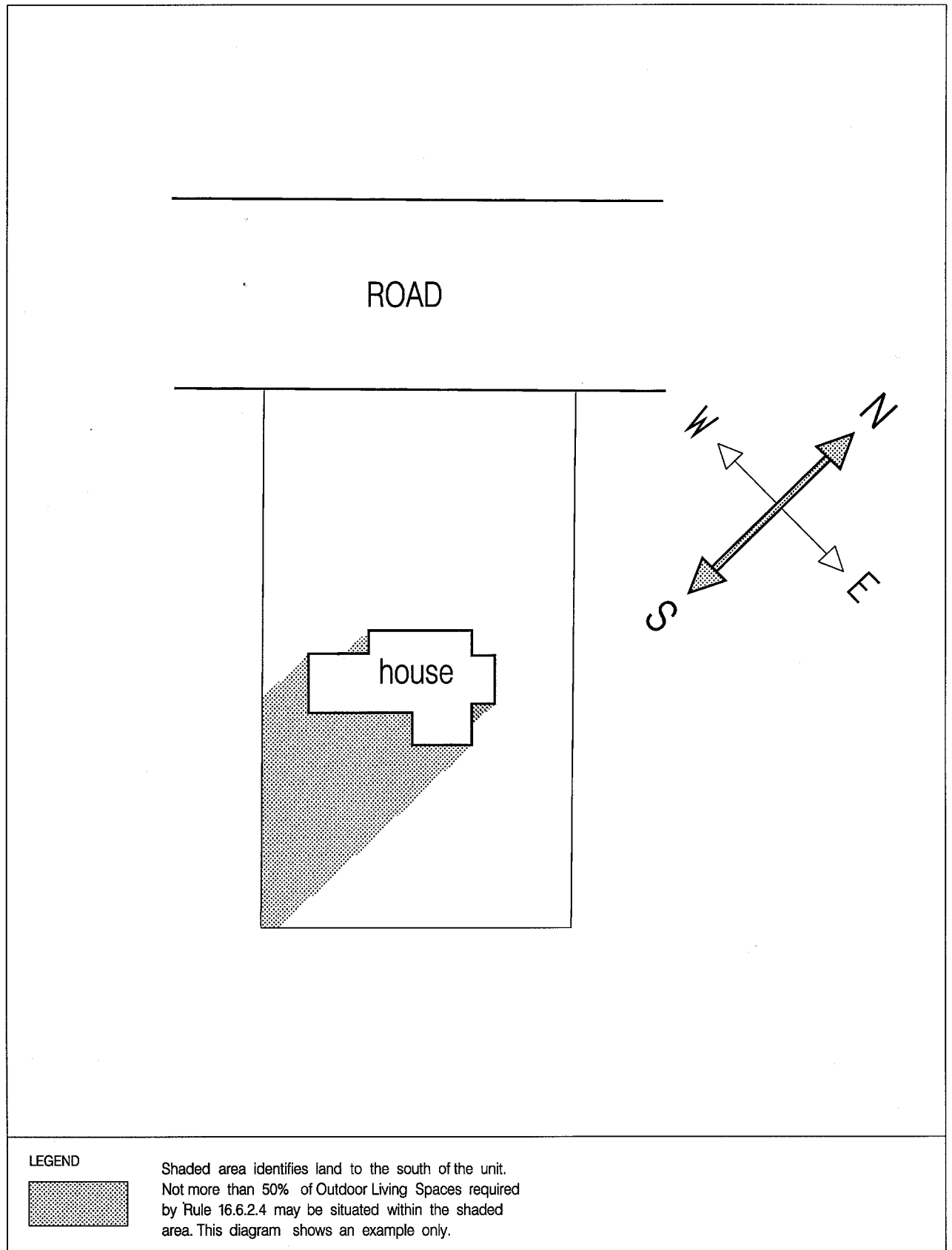
Appendix 16C: Eadys Bush Protection Line

(See Rule 16.6.1.14)

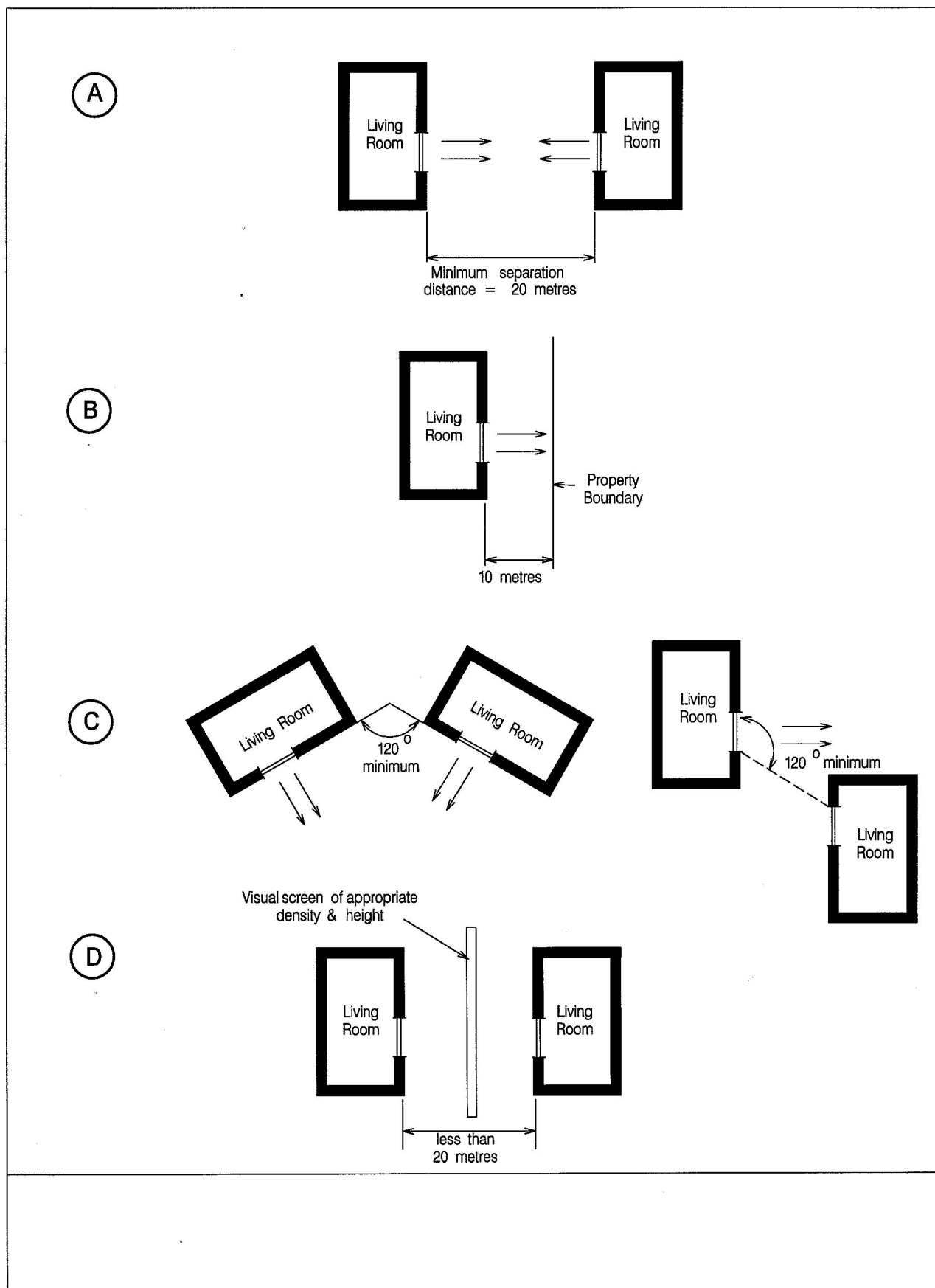


Appendix 16D: Outdoor Living Space

(See Rule 16.6.2.4)

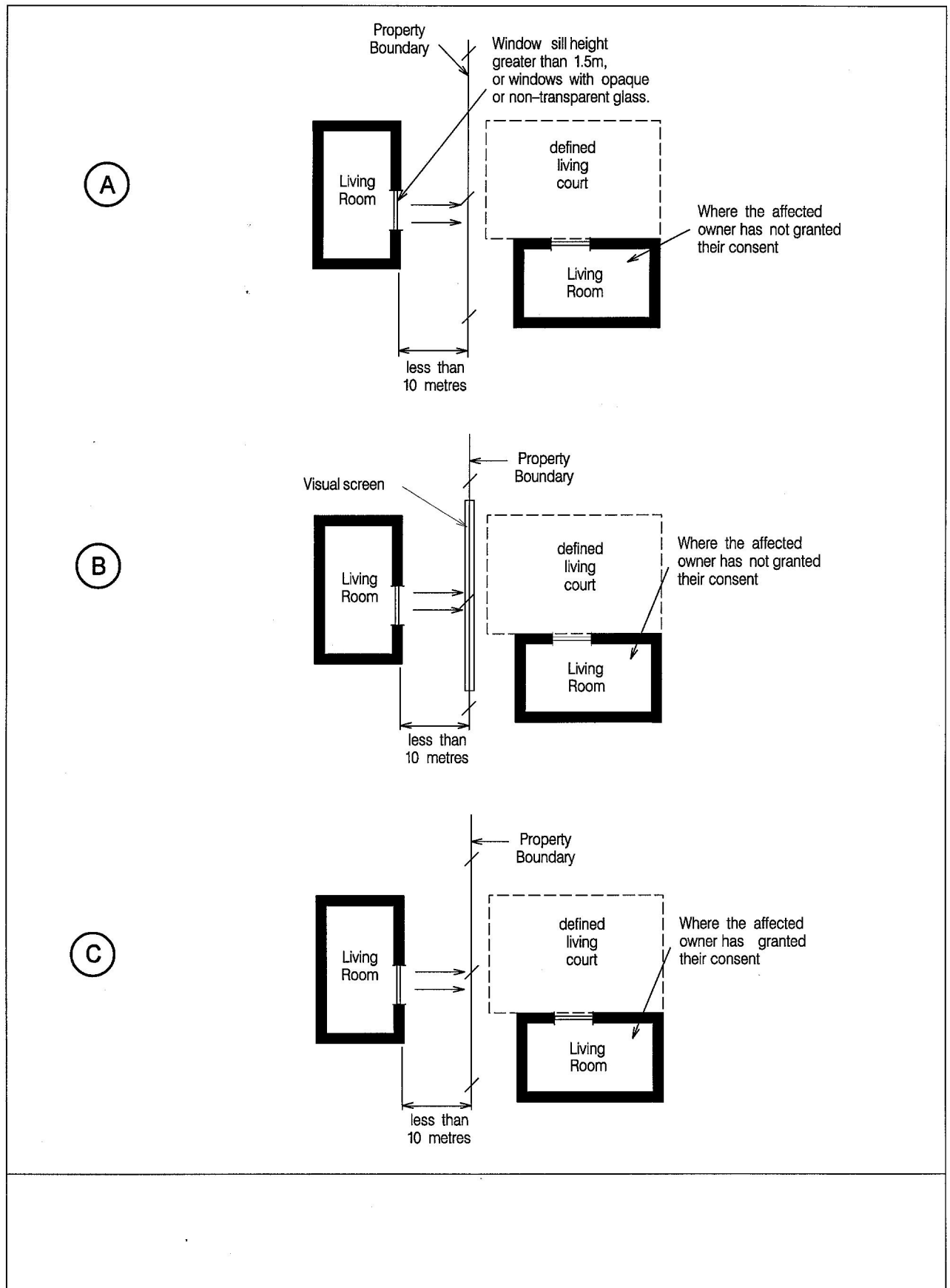


Appendix 16E: Visual Privacy Between Living Rooms Determined at the Main Glazing (See Rule 16.6.2.6)



Appendix 16F: Visual Privacy Between Living Rooms and Living Courts

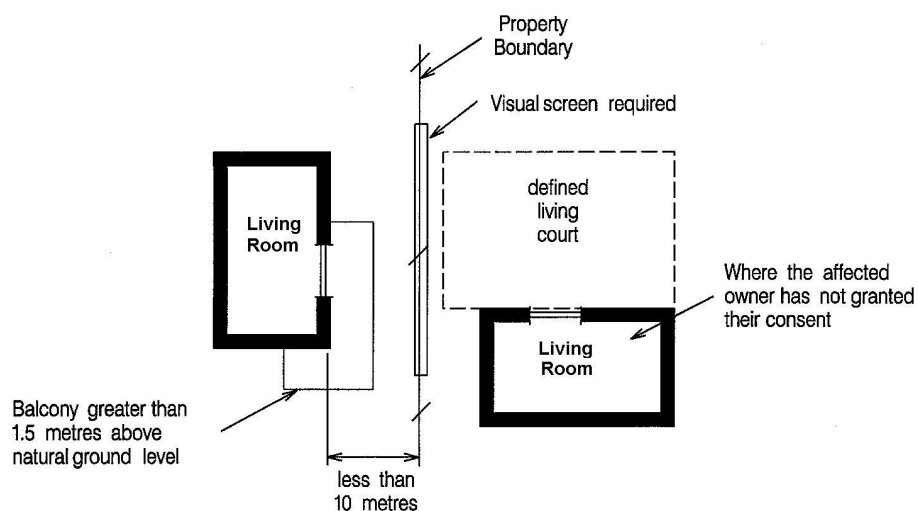
(See Rule 16.6.2.6)



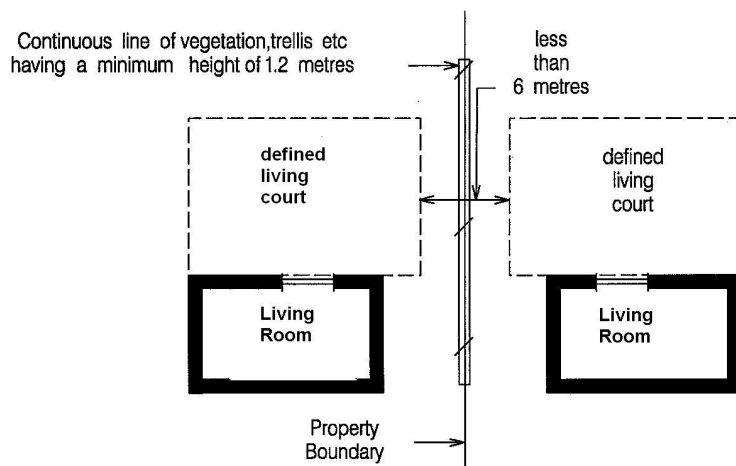
Appendix 16G: Visual Privacy Between a Balcony and Living Court and Between Two Living Courts

(See Rule 16.6.2.6)

A Between balconies



B Between living courts



Appendix 16H: Front Yard Alternative

(See [Rule 16.6.1.4](#))

Front yards of 6 metres shall be required in respect of dwellings for sites with frontage on to the following streets:

Albert Road

Calliope Road

Cheltenham Road (between King Edward Parade and Tainui Road)

Church Street (between King Edward Parade and Kerr Street)

King Edward Parade

Lake Road

Queens Parade

Stanley Point Road (excluding the north and south arms at the Stanley Point end)

Tainui Road

Victoria Road (between King Edward Parade and Albert Road)

Vauxhall Road

Hinemoa Street (between Birkenhead Avenue and Maritime Terrace)

Appendix 16I: Garage/Carport Front Yard

(See Rule 16.6.1.4)

Front yards of 3 metres shall be required in respect of carports and garages for the sites with frontage on to the following streets:

Anne Street

Arawa Avenue

Cheltenham Road from Tainui Road to the beach frontage at Cheltenham Beach

Duders Avenue

Garden Terrace

Huia Street

Kiwi Road

Macky Avenue

Matai Road

Mays Street

St Aubyn Street

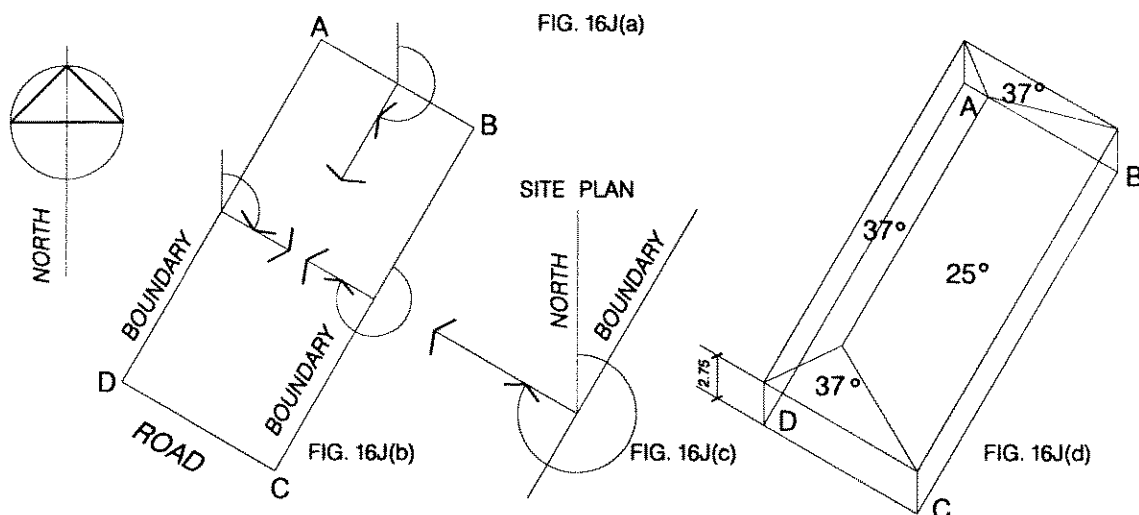
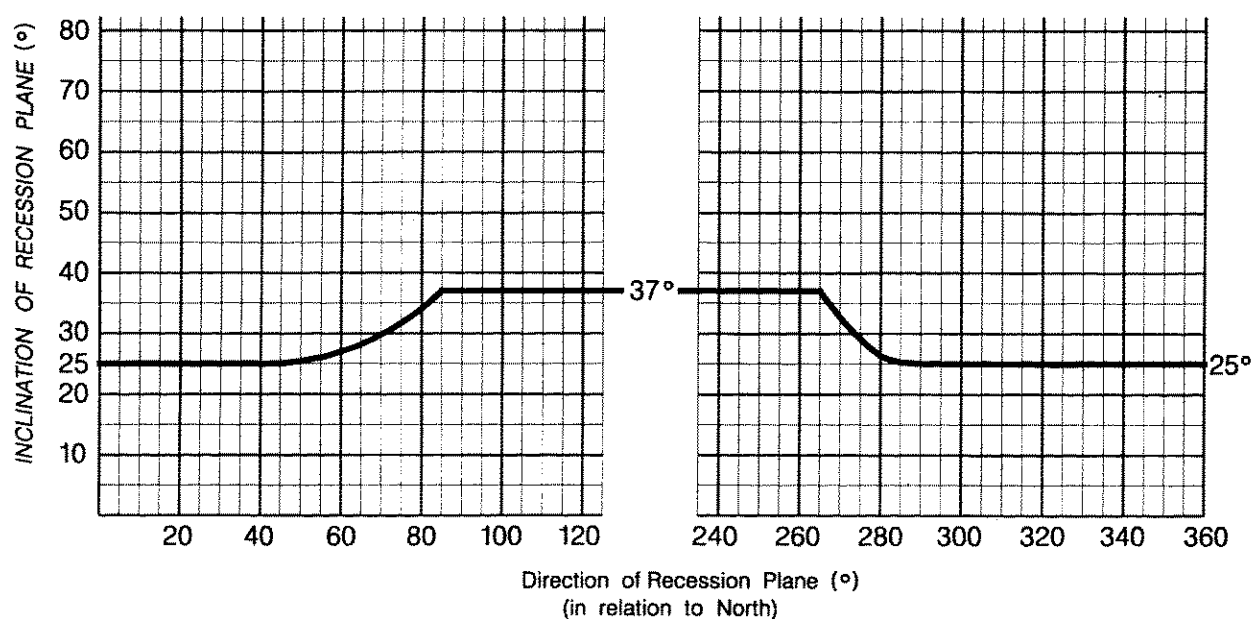
Spring Street

Takuranga Road

Tudor Street

Appendix 16J: Residential 3 Devonport Height in Relation to Boundary Control

(See Rule 16.6.1.3)



Instructions

At any point on each of the site boundaries draw lines across the site perpendicular to the property boundary. These lines represent the Direction of the recession plane. Measure the angle between North and the perpendicular lines drawn (see Figure 16J(c)). Refer to the graph in Figure 16J(a) to ascertain the inclination of the recession plane.

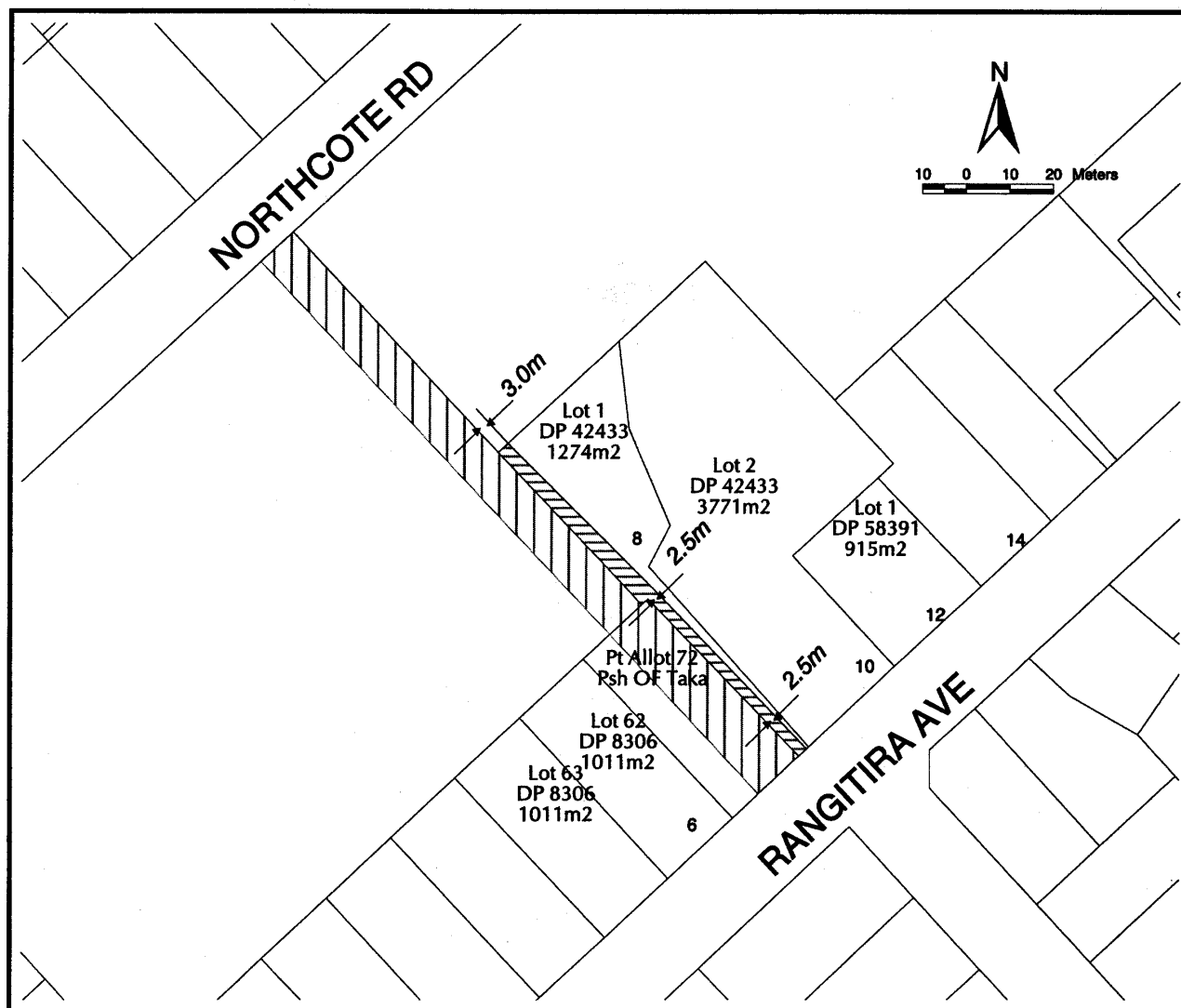
In the example shown:



| BOUNDARY | DIRECTION | INCLINATION |
|----------|-----------|-------------|
| AB | 210° | 37° |
| BC | 300° | 25° |
| CD | ROAD | 37° |
| DA | 120° | 37° |

The recession plane of the height in relation to boundary control for the Residential 3 zone in Devonport commences 2.75m above natural ground level and forms an imaginary building envelope within which any new building or addition must be contained. Exceptions to this rule include limited parts of dormers and gable ends, as set out in Rule 16.6.1.3(b)

Appendix 16K: Future Pedestrian Walkway - Rangitira Avenue, Takapuna

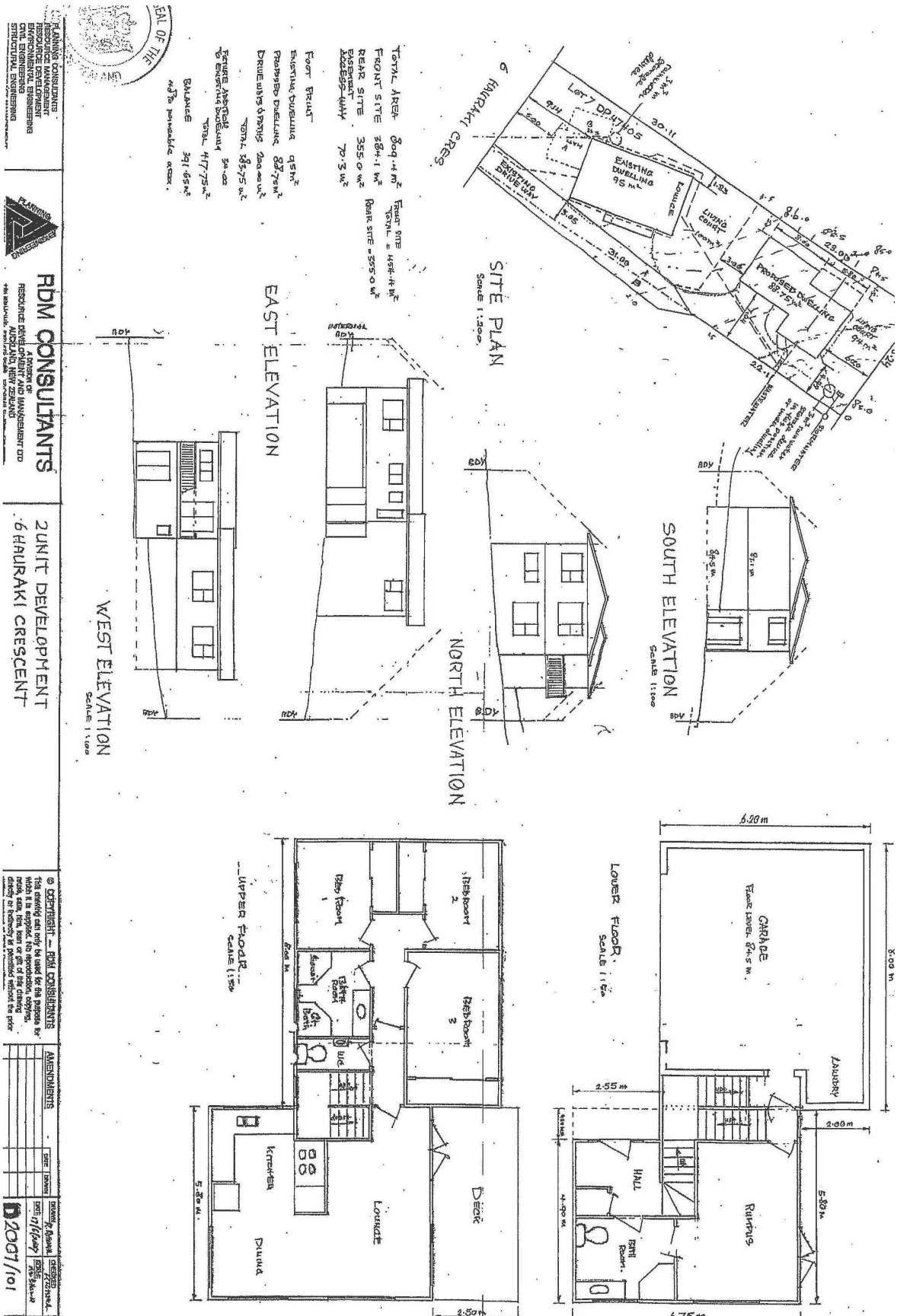
(See Rule 16.6.1.16)



-  Proposed reserve
-  Future pedestrian walkway to be provided if Lot 1 & Lot 2 DP 42433 and Lot 1 DP 58391 are redeveloped, to accommodate a multi-unit residential land use activity containing 10 or more units.

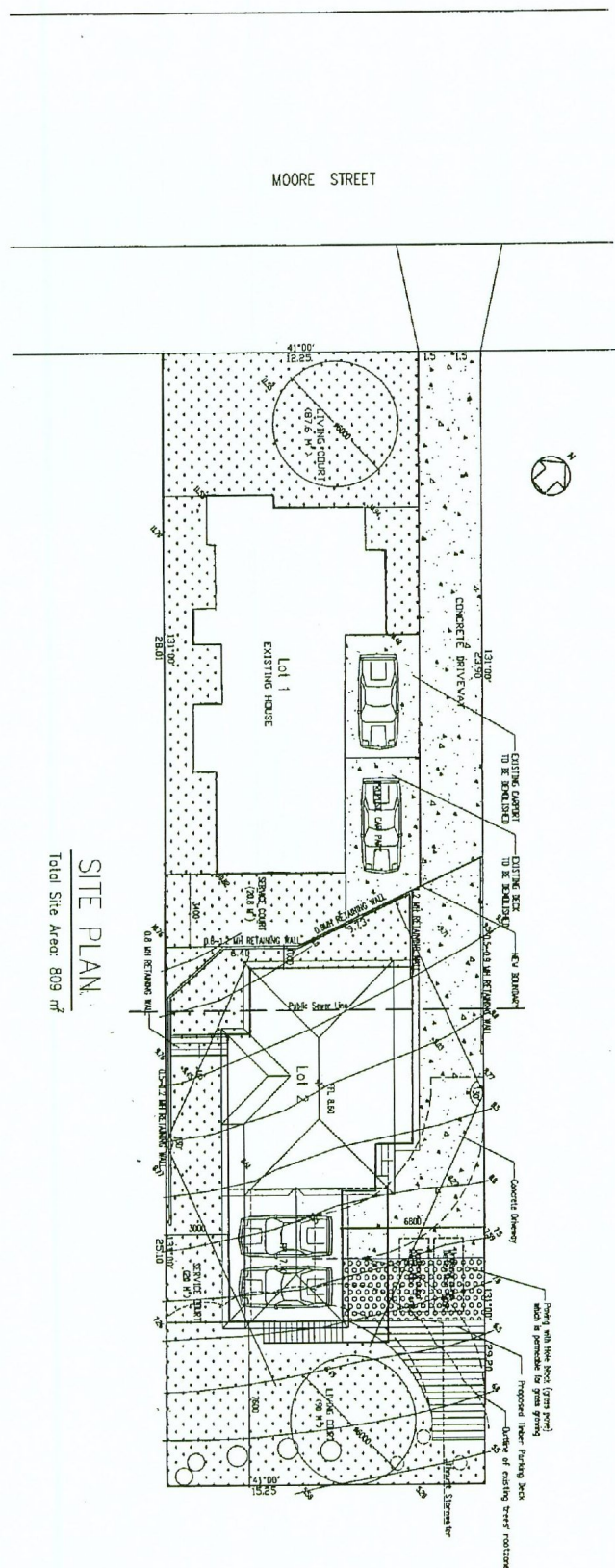
Appendix 16L Subdivision and Development of 6 Hauraki Crescent, Albany

See Rule 16.6.2.3

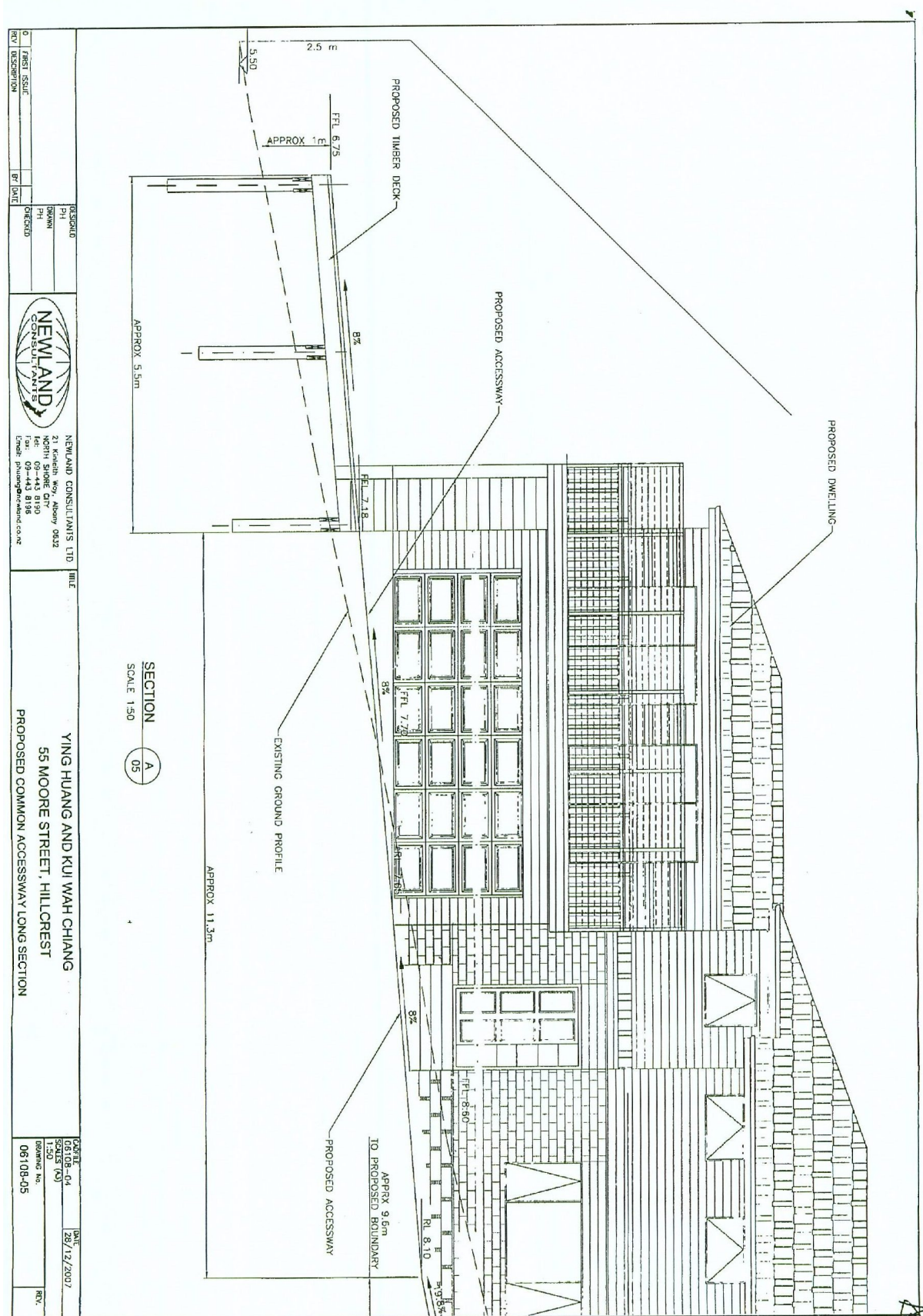


Appendix 16M Subdivision and Development of 55 Moore Street, Hillcrest

| | | | | | | |
|--|---------------|--|-----------|----------|---|----------|
| Site Location | Drawing Title | | Job No. | J-5 | Style Homes (NZ) Ltd | |
| Lot 30 DP 52455 55 Moore Street Hillcrest North Shore | SITE PLAN | | Scale | 1:200 | Design | Wendy Xu |
| | | | Date | Jan.2008 | Notes: Contractor to check & verify all dimensions and levels prior to commencing any work. | |
| | | | Sheet No. | 1/8-R | | |







Appendix 16N Fences in the Residential 3 Zone

See Rule 16.6.1.12

Role of Appendix 16N:

Appendix 16N illustrates a range of fence types that may be constructed as a permitted activity, and the circumstances in which each illustrated type can be best used to complement the period house to which it relates. The appendix also contains suggestions on ways to augment fencing with hedging (as an alternative to constructing a higher fence), to increase privacy. Where indicative heights of hedges are illustrated, this is to assist in the understanding of the scale of planting that might be useful, and should not be taken as a suggestion that the Council regulates the dimensions of hedges.

Appendix 16N is by no means an exhaustive guide to fencing styles, and is not intended to discourage variety. It contains a list of recommended references to allow further research and consideration of appropriate fencing.

Examples of fence types to illustrate aspects of the district plan rules:

The design of fencing at the street frontage can make an important contribution to the character of the house and the streetscape. Conversely, the character of a period house and wider streetscape can be diminished by a poorly considered design for a new fence.

Historically, fences were designed to match and complement the house, nearly always low in height they displayed the front garden and house to the street. This tradition remained very strong in the post-war period, and continues to the present day.

Fences were usually constructed in the same or similar materials to the original house. Houses in the Californian Bungalow style often used a fence with masonry or stone, to match the pillars or entrance stair to the house.

In respect of houses for which the original fence design is known, faithful reconstruction according to the original design, or a variant on the original design, may be appropriate. For other houses, a range of useful reference books is available. (Refer to recommended references at the end of this Appendix.)

Where gates are required, pedestrian gates should follow the materials and design of the fence, but could be more elaborate. Vehicle gates should also be designed according to the materials and style of the fence.

Vehicle gates can also be used to provide extra security to a car pad or carport at the street frontage. In some circumstances, gates can reduce the visual impact of a car pad or carport in front of a property.

- Original picket fences, associated with most early cottages and villas, were generally about 760 mm high, as measured from the footpath to the top of the pickets. (Figure 1)

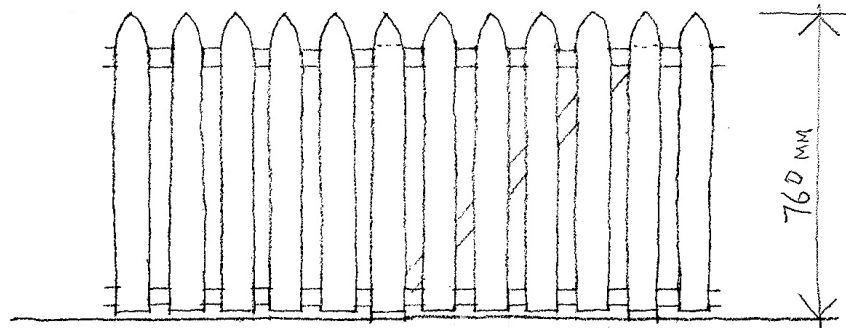


Figure 1: Cottage and Villa picket fence.

- A higher fence can be constructed, based on the traditional designs. In this case, a picket fence 1200mm high (measured from the footpath) would still be a permitted activity. Fence posts may protrude up to 300mm above the top of the fence where a gate is included, or at a property corner, within the permitted activity. (Figure 2)

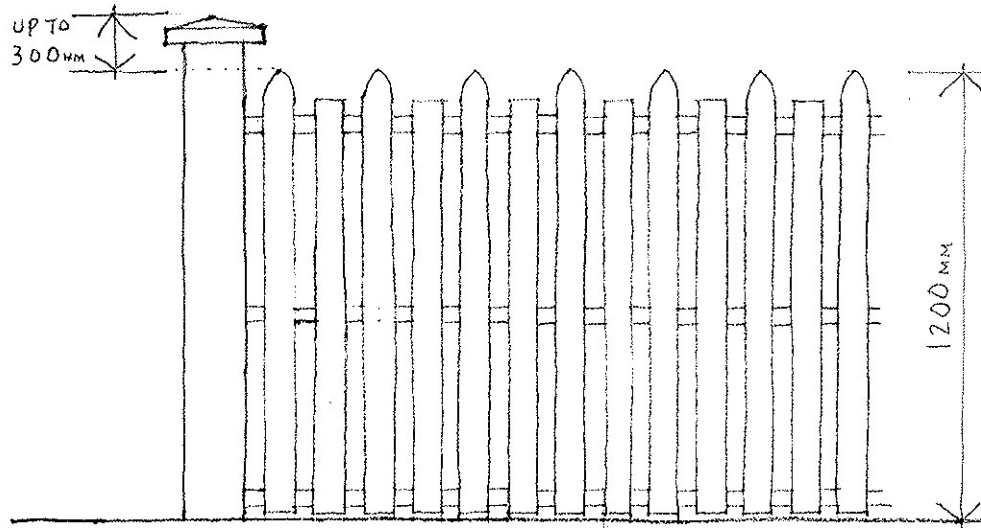


Figure 2: Cottage and Villa picket fence, with additional height

- Fences for Californian bungalows, and other styles from the Inter-war era, were frequently low, with pillars constructed at intervals. These fences were often plastered brick, but sometimes stone (as illustrated). Sometimes there was a single pipe between the pillars, or a wire infill panel. Overall, fences of this era were generally low, with a total height (at the piers) of 800mm or less. (Figure 3)

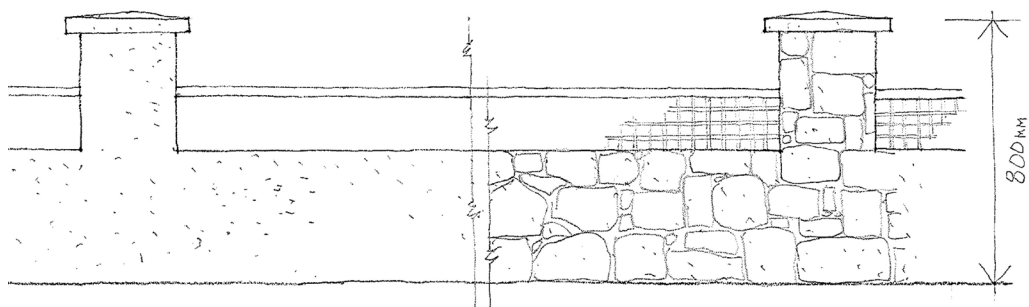


Figure 3: Californian Bungalow fence. Plastered masonry and stone

- Traditional fencing can be augmented with hedging to provide additional privacy and security. The height should be limited however, to retain the open character of the frontage consistent with the historic character of the area. To provide security while the hedge grows wire netting or strands can be set inside the original fence allowing the hedge to grow around and through the wires. Alternatively, planting can be strategically placed within the property to ensure privacy is available where it is required, but an open character is retained. (Figure 4)

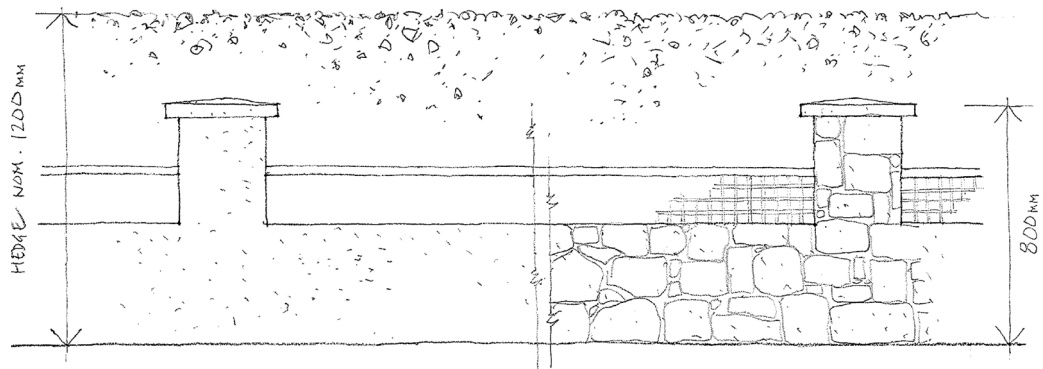


Figure 4: Californian Bungalow

- In respect of a typical Inter-war fence style, the pillars can be extended to create a higher fence (up to 1200mm high as a permitted activity), in combination with an infill panel of widely spaced timber boards or steel bars. (Figure 5)

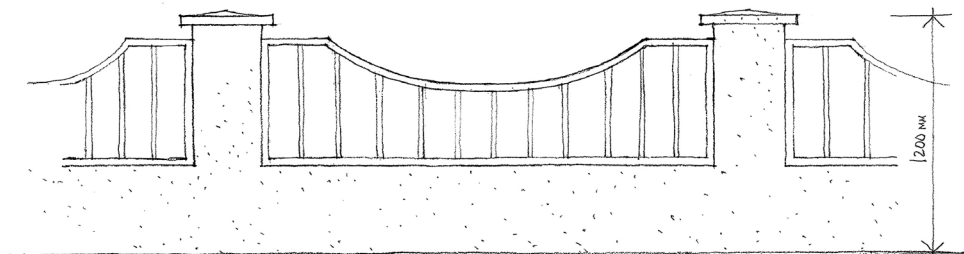


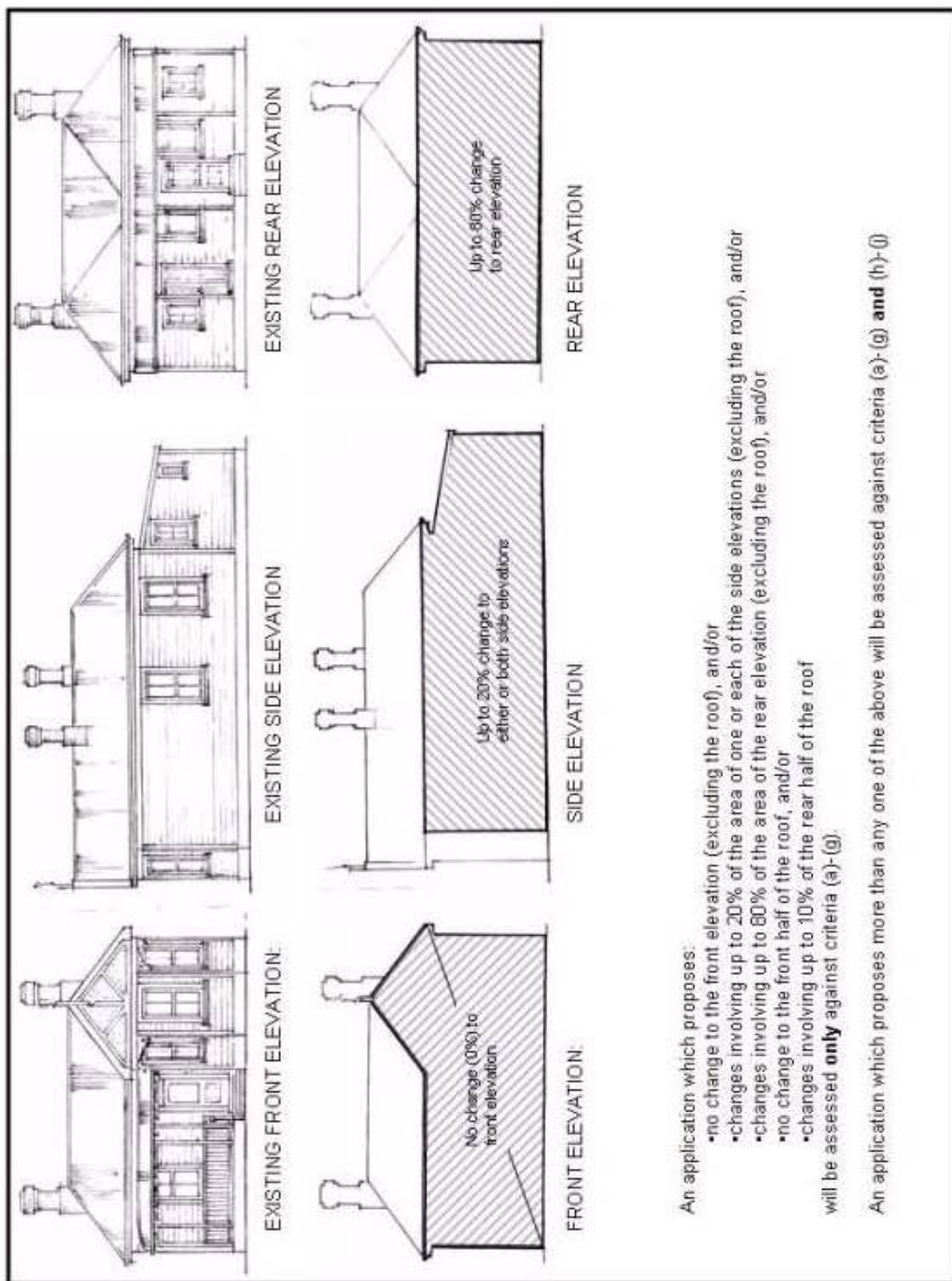
Figure 5: Inter-War period fence.

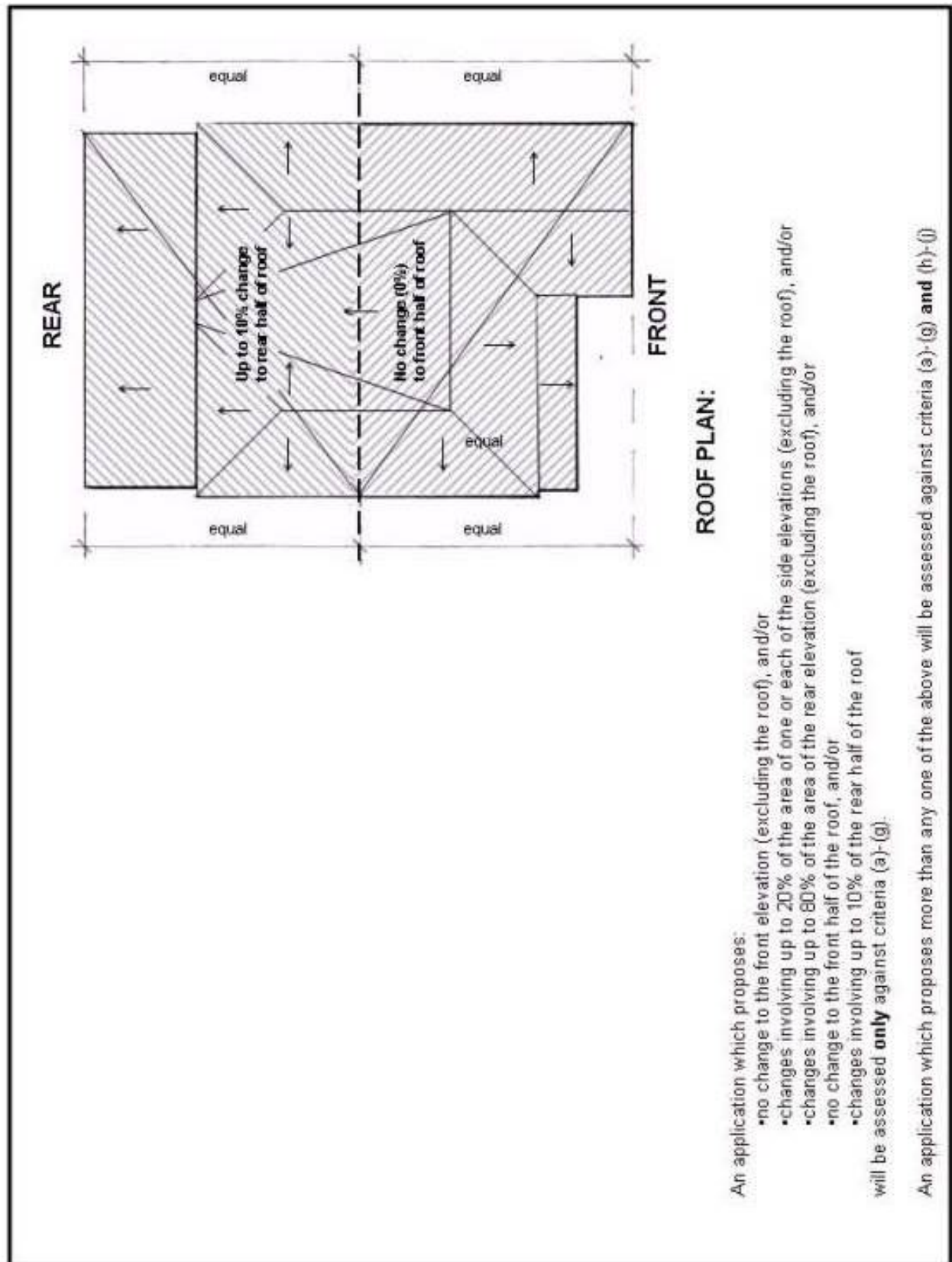
Recommended Reference Books:

| | |
|------------------|---|
| Ashford, Jeremy: | <i>The Bungalow in New Zealand</i> |
| Salmond, Jeremy: | <i>Old New Zealand Houses 1800-1940</i> |
| Stewart, Di: | <i>The New Zealand Villa Past and Present</i> |

Appendix 160 Residential 3 Maximum Area of Additions or Alterations to the Exterior of an Existing Building

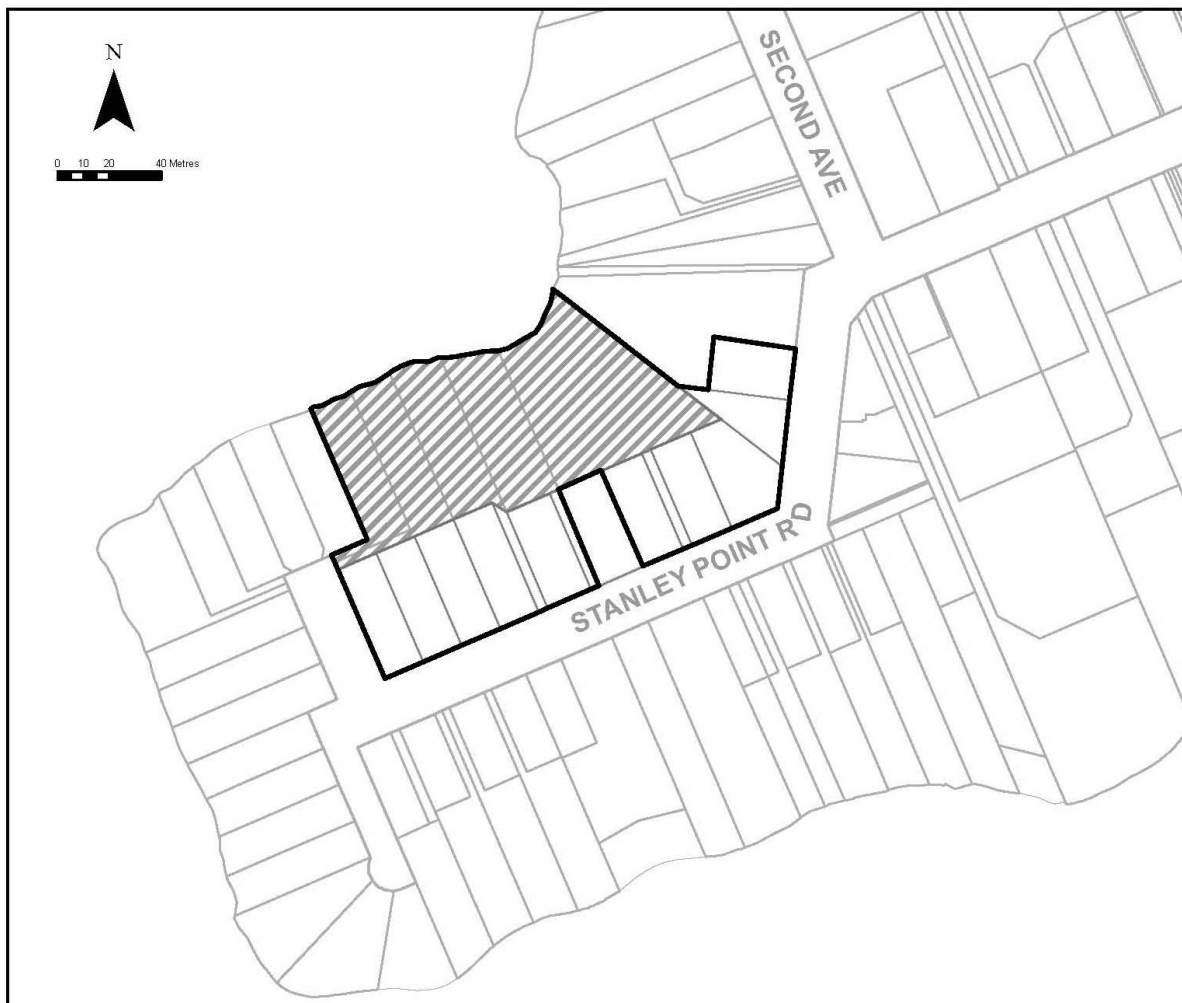
(See Section 16.7.3.1) See next page for roof.





Appendix 16P Properties in Stanley Point Road

(See Table 16.2 and Rules 16.7.2.1(a) and 16.7.2.1(b))



Legend



Properties in Stanley Point Road referred to in Rule 16.7.2.1(a), legally described as:

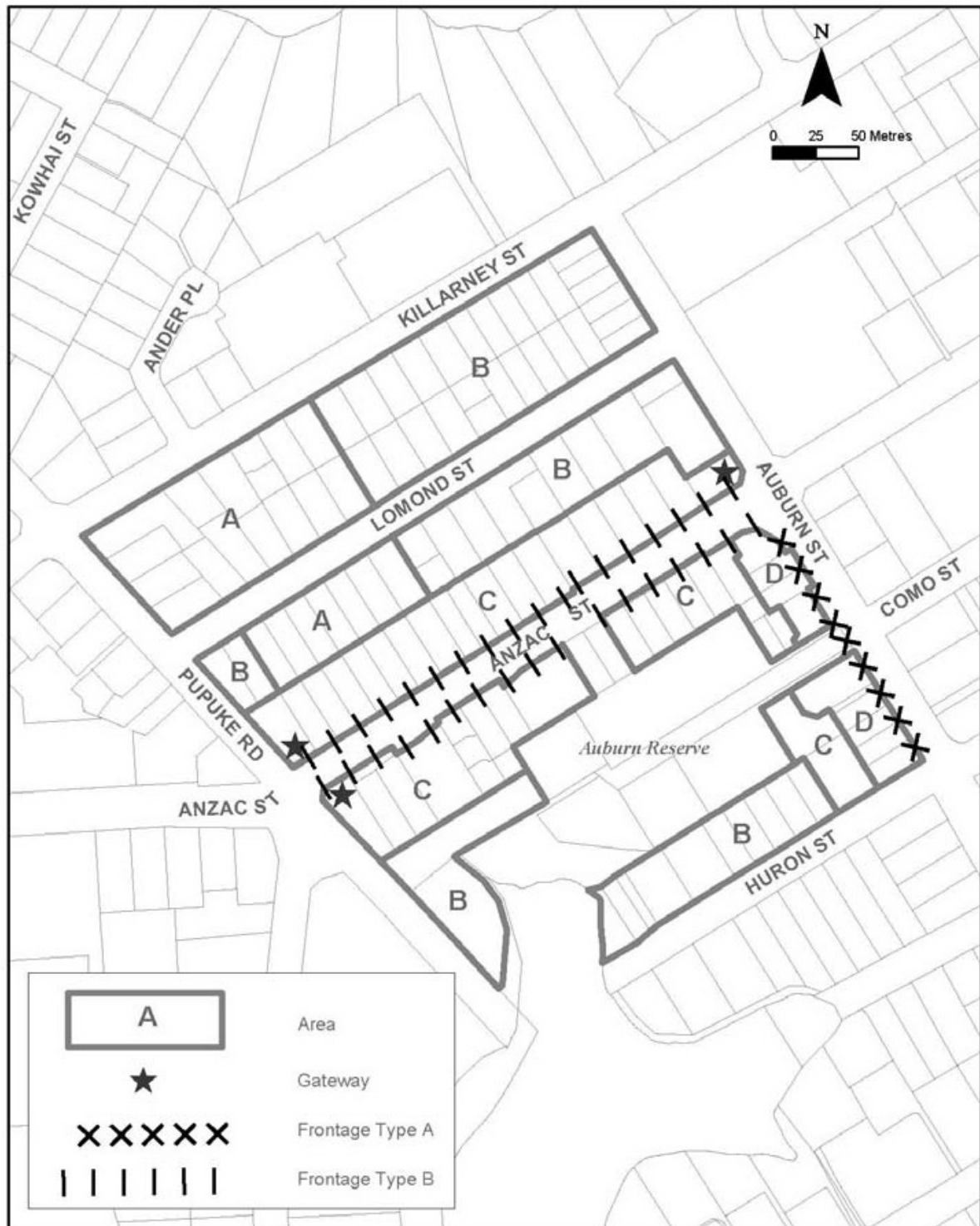
| | |
|------------------|-----------------|
| Lot 2 DP 28466 | Lot 4 DP 16721 |
| Pt Lot 8 DP 3651 | Lot 6 DP 16721 |
| Lot 6 DP 25872 | Lot 7 DP 16721 |
| Lot 7 DP 25872 | Lot 10 DP 16607 |
| Lot 8 DP 25872 | Lot 11 DP 16607 |
| Lot 1 DP 16721 | Lot 12 DP 16607 |
| Lot 2 DP 16721 | Lot 13 DP 16607 |
| Lot 3 DP 16721 | |



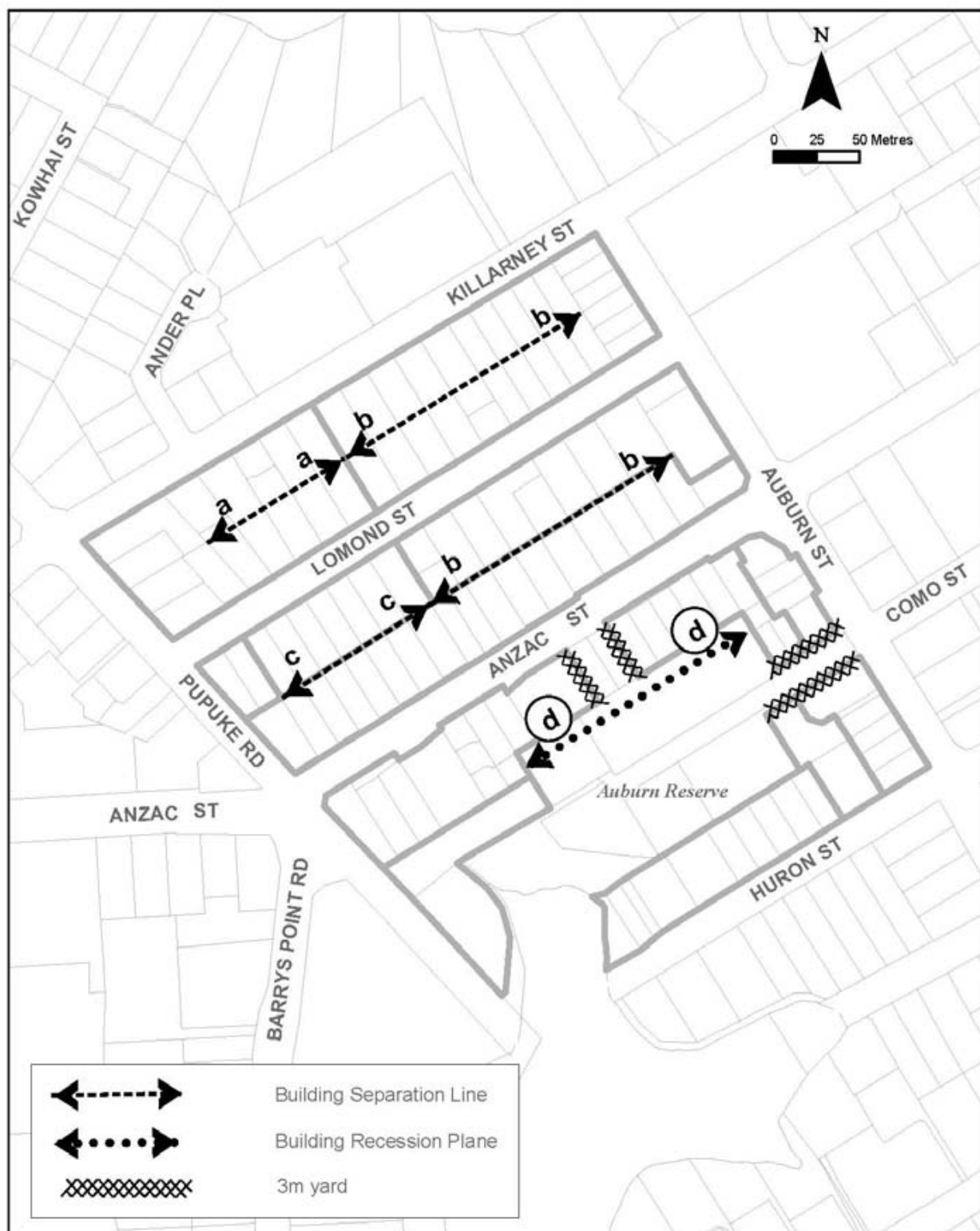
Parts of Properties in Stanley Point Road referred to in Table 16.2 and Rule 16.7.2.1(b), legally described as:

Lot 3 DP 16721
 Lot 6 DP 16721
 Lot 8 DP 25872
 Lot 7 DP 25872
 Lot 6 DP 25872

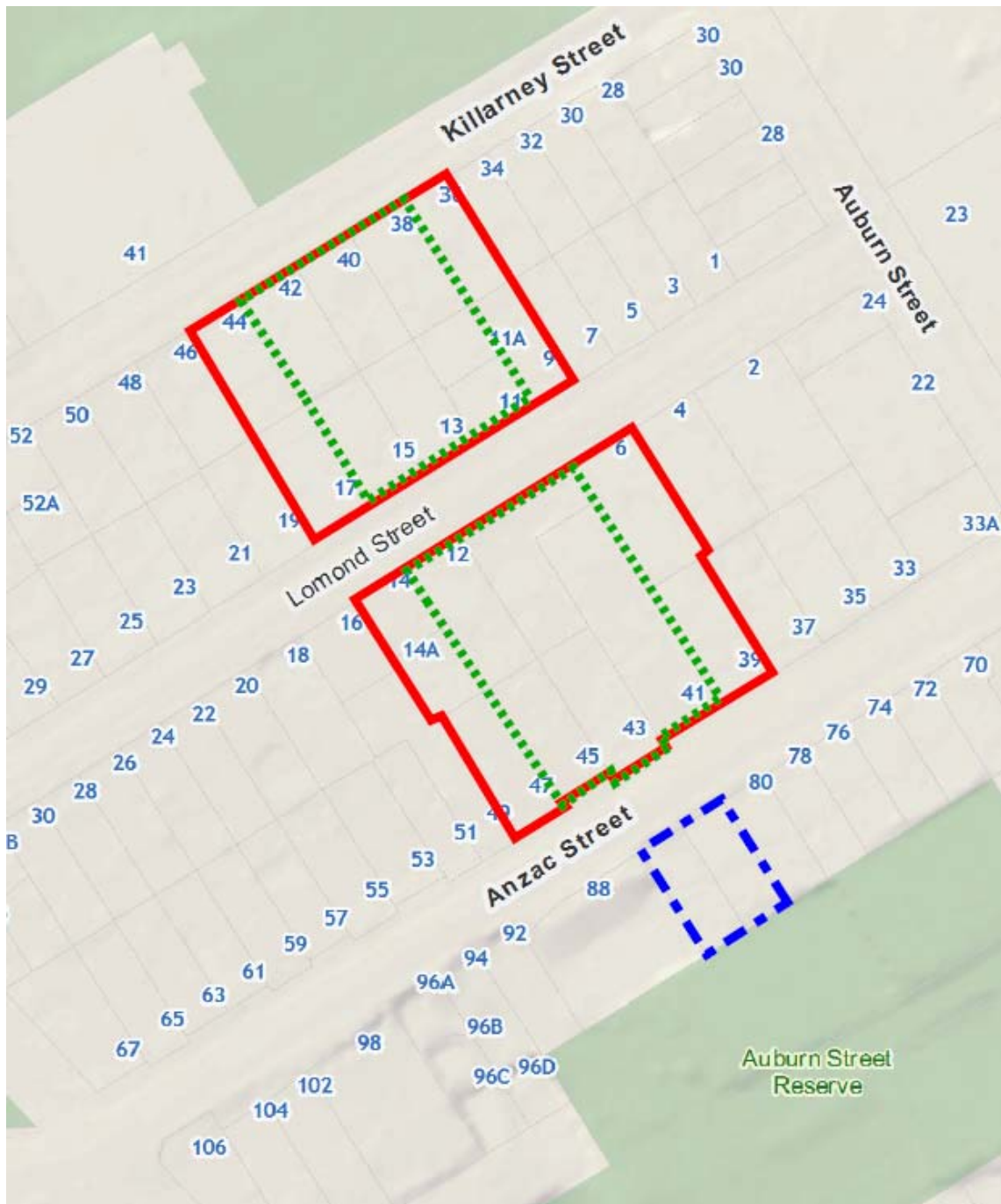
Appendix 16Q Precinct Plan A - Areas and Frontages






Appendix 16Q Precinct Plan B - Building Separation



Appendix 16Q Precinct Plan C - Bonus Provision



Legend

| | |
|---|---|
|  | (red box) = Area within which bonus height can be applied |
|  | (green dashed line) = Area within which laneway is to be formed, street to street |
|  | (blue dashed line) = Council reserve (82-84 Anzac Street) |

Appendix 16Q Precinct Plan D - Properties the subject of Rule 16.8.2.2

