



## 8 RESIDENTIAL

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## 8

### 8.1

## RESIDENTIAL

### INTRODUCTION

This chapter contains the significant resource management issues, objectives, policies and rules for residential activities in the District.

Residential activity takes up a large proportion of the urban land in Rodney District. The effects of residential activities are also experienced by many and these effects relate directly to people's living environment.

The residential activities in the District take on a number of distinct forms and have had different histories. Their futures may however, have more in common. There are three distinct types of residential areas in the district. These are:

- (a) The Hibiscus Coast;
- (b) The Rural Service Towns;
- (c) The Coastal Settlements.

While residential activity also takes place on rural land in the District, this is the subject of the *Chapter 7 - Rural* of the Plan.

### 8.2

## RESOURCE MANAGEMENT ISSUES

In the residential parts of the District the significant resource management issues are as follows:

#### *Issue* 8.2.1

**The design and location of buildings on a residential site, and the size of the site, may adversely affect the amenity values of that site in situations where more than one household unit is erected on it, especially where such household units are in different ownerships, or occupied by different households.**

This issue relates to the amenity value experienced by people through the arrangement and scale of buildings and open space on their own site. The specific components of this issue are as follows:

#### *Open space*

Open space associated with a house is used for a multitude of purposes. The usefulness of open space can be diminished through shading by other houses and buildings, through its placement in a location that is difficult to see or reach from the house, or if it is not private. Unusual or unusable shapes and steep gradients can also diminish its usefulness. One individual household's need for open space can be quite different from another household's and may change over time or vary with the seasons.



#### *Site coverage and site size*

On-site amenity value is significantly affected by the size of the dwelling and the space remaining for other uses on the site. If all the remaining space is used for car parking and access or other hard paving, there is often no space for other outdoor activities. Visual amenity values can be reduced. Large areas of impervious surfaces can reduce the drainage ability of sites.

In situations where different ownership of units on the same site occurs, there is greater scope than otherwise, for differing expectations of amenity values and what is appropriate in terms of building design and location.

#### *Issue* 8.2.2

**Buildings and activities on a site within a residential zone can, particularly as dwelling densities increase, have adverse effects on the amenity values of land beyond the site boundary, including (but not limited to): reduction in privacy, overshadowing, overlooking, obstruction of views, visual impact, noise and traffic impacts, effects on heritage values and effects on the coherence and cohesion of the neighbourhood community**

Development on one site or groups of sites may have effects on other sites and/or public spaces such as the street or public parks. These effects can be grouped into three general categories.

#### *Effects over the boundary*

Buildings on one site may have adverse effects on other sites nearby. Typical of these are shading and effects on privacy. Large buildings can overshadow neighbouring buildings and open space, and be out of scale with neighbouring development. The issues relate to the degree to which shading is reasonable, and recognition of the nature of sloping sites sometimes make it difficult to build without affecting downhill sites. The effect of buildings obstructing the views from other buildings, and the extent to which these views should be protected, is a related issue.

#### *Neighbourhood effects*

Other effects are experienced on a wider neighbourhood basis, including public spaces, and relate to the general amenity values of an area. Typically these (sorts of effects) concern the intensity of development, the amount of space available for trees, the provision of car parking and sometimes the design of buildings and their effects on community coherence. Many of these effects are inter-related and do not often operate independently from one another. For example, the effect on a neighbourhood of increasing the residential density (ie. the number of houses per hectare) will often depend on the design and layout of those houses.

#### *Activity effects*

Effects relating to the activities that take place on residential sites are frequently distinct from the effects of buildings. Examples include noise from concentrations of people, lighting, and the operation of machinery. These effects often relate to activities in residential areas, such as schools and churches, which are not truly residential but are considered necessary or beneficial in residential areas. However, the use of



*Issue*  
8.2.3

buildings and sites as living places can also have adverse effects on other people, such as the noise of people and music.

New buildings and activities can also have effects on heritage values through replacement of heritage buildings and the destruction or alteration of natural or archaeological heritage sites.

**Allowing high intensity development without access to commercial and community centres and to public transport routes is likely to have adverse effects on health and safety, and the provision and operation of infrastructure including roading, public transport and other services. Higher intensity development, if not well designed, can also have adverse effects on amenity values, the open nature of neighbourhoods, pedestrian access and may result in additional demand for open space.**

Much of the residential development within Rodney District has been low to medium intensity. Gross residential densities across neighbourhoods rarely exceed 26 people (10 dwellings) per hectare. This has resulted in a largely spacious environment characterised by single dwellings separated from one another by areas of open space and gardens.

The layout of roads and neighbourhoods has contributed to a dependence on cars for transport, and has resulted in large areas devoted to roads, with long lengths of in-ground services — pipes and cables — per household unit. This type of sprawling development can have adverse effects on the natural environment, including the coast and areas of significant ecological value and character. These effects can be reduced or avoided by allowing more intense development in specific parts of the existing urban area.

Higher intensity development can have adverse effects on the environment by increasing the amount of traffic generated by neighbourhoods, especially if public transport facilities, or if shops and other community services are not located nearby.

Higher intensity development can also have more direct adverse effects on the open nature of the low to medium intensity residential environment currently existing in Rodney District. More intense building reduces openness and this results in greater pressure being placed on existing public open space because of less on site open space.

The extent to which more sustainable and livable residential environments are enabled and encouraged in the District is a major issue for the Council and the community.



*Issue*  
8.2.4

**Residential development may adversely affect the ecological and landscape qualities of the natural environment.**

Residential development can adversely affect the ecological and landscape character of the District especially where it expands into areas previously unused for this purpose. These effects include the removal of natural vegetation, piping of streams, drainage of natural wetlands, the destruction or alteration of natural habitats for birds and other wildlife and additional sewage and more concentrated stormwater run-off because of increased impervious land areas. In many cases the natural areas of importance are located along the coast. The Resource Management Act and the New Zealand Coastal Policy Statement reinforce the importance of the coast in resource management.

*Issue*  
8.2.5

**The intensity, type of development and subdivision, environmental impacts and development pressures vary in different areas of the District.**

Residential environments vary throughout the District. Parts of the District such as the Hibiscus Coast are decidedly urban in character while others, such as Wellsford, are rural service towns. Coastal holiday settlements are dotted along both coasts, and small rural villages are located in the District's farming and rural areas. Some settlements are serviced with urban infrastructure, while in others, sites have to be largely self sufficient in providing water supply and stormwater and wastewater disposal.

Community expectations of neighbourhood character and levels of adverse effects also vary across the District.

Development in greenfield areas, where urban development expands onto rural land has quite different effects from infill development where existing urban areas experience intensification.

In greenfield areas the effects of new development on the land and waterways through the process of conversion from rural to urban land uses, together with the provision of services and the effects of neighbourhood layout will be of concern. In infill development the effects of individual development on neighbours such as reductions in open space and privacy and the capacity of the neighbourhood and infrastructure to cope with more intense development will be of concern.

Parts of the District which may be developed for residential activity, such as those adjoining existing settlements or within metropolitan urban limits, may also have different topography and geotechnical constraints. For example, some areas of the District where urban development may occur are steep or underlaid by rocks that can be unstable eg. Onerahi Chaos Breccia. Such areas may be able to be developed for residential activity provided that the constraints are taken into account to ensure the safety of residents. Some may also be parts





## Issue

### 8.2.6

[Amendment 160]

of catchments draining to rivers or estuaries of high value and which are vulnerable to the adverse effects of sediment and stormwater from earthworks associated with development. This issue is also discussed in *Chapter 5 - Natural Hazards*.

### **Alterations and additions to, and removal of buildings within the older residential parts of Helensville can adversely affect the character of the town**

Rodney District has a wealth of residential buildings from the Victorian and Edwardian areas. These buildings are particularly concentrated within the older parts of Helensville and their concentration here contributes significantly to the character of the town.

The traditional New Zealand custom of 'improving' older houses through alterations and additions has resulted in change to many of these older houses. While this process may in some instances have resulted in some loss of original character, it is seldom difficult to recover the key features which give a house its character, and still allow it to function as a modern dwelling. The gradual removal of heritage buildings from within the older parts of Helensville has the potential to have a detrimental effect on the heritage character of the town.

It is considered important that this heritage resource be managed in an integrated and sustainable manner.

[Amendment 160]

## Issues from other chapters

### **Readers should note that Issues from the following chapters are also relevant:**

*Chapter 5 - Natural Hazards*

*Chapter 10 - Open Space and Recreation*

*Chapter 17 - Cultural Heritage*

*Chapter 19 - Utilities*

*Chapter 20 - Hazardous Substances and Contaminated Sites*

*Chapter 21 - Transportation*

*Chapter 22 - Financial Contributions and Works*

*Chapter 23 - Subdivision and Servicing*



## 8.3

Objective  
8.3.1

### OBJECTIVES

**To maintain and enhance amenity values within residential sites.**

*(This objective relates to Issues 8.2.1 and 8.2.2)*

Objective  
8.3.2

**To maintain and enhance the amenity values, heritage and character of neighbourhoods and residential areas.**

*(This objective relates to Issues 8.2.2, 8.2.4 and 8.2.5)*

[\[Amendment 160\]](#)

Objective  
8.3.3

**To enable higher intensity development around town centres where both the local and the more wide-ranging adverse effects of such development can be avoided, remedied or mitigated.**

*(This objective relates to Issues 8.2.3 and 8.2.5)*

Objective  
8.3.4

**To protect the character, ecological, landscape and open space qualities of the environment and especially the existing character of rural townships, the natural character of areas near the coast and landscapes of high value, from being adversely affected by inappropriate subdivision and development.**

[\[Amendment 60\]](#)

*(This objective relates to Issues 8.2.4 and 8.2.5)*

Objective  
8.3.5

**To allow higher intensity development in appropriate locations, which amongst other things, optimise the use of services and infrastructure, improve access to employment, retail and recreational facilities and which support alternative modes of transport such as passenger transport, walking and cycling. [\[Amendment 101\]](#)**

*(This objective relates to Issues 8.2.3)*

Objectives from other  
chapters

**Readers should note that Objectives from the following chapters are also relevant:**

*Chapter 5 - Natural Hazards*

*Chapter 10 - Open Space and Recreation*

*Chapter 17 - Cultural Heritage*

*Chapter 19 - Utilities*

*Chapter 20 - Hazardous Substances and Contaminated Sites*

*Chapter 21 - Transportation and Access*



## 8.4

### Policy

#### 8.4.1

*Effects of buildings within a site*

## POLICIES

**Buildings should be located and designed so as to minimise adverse effects on the same site, including effects on:**

- (a) **the admission of daylight and direct sunlight into buildings and outdoor living areas; and**
- (b) **privacy, both inside dwellings and in outdoor living areas; and**
- (c) **vehicle movement and parking; and**
- (d) **the ability of the site to provide for adequate stormwater and waste water drainage.**

### ***Explanation and Reasons***

*This policy seeks to achieve Objective 8.3.1.*

*The location, design and number of buildings on a residential site can cause adverse effects for the residents on that site. Examples of these include inadequate or overly shaded outdoor living areas, shaded living areas within buildings, inadequate privacy, inadequate drainage, and inadequate space for car parking and manoeuvring. This policy requires that such effects be managed on site so that a minimum level of amenity values is provided on every residential site in the District. Amenity values should not rely on open spaces on adjoining residential sites but may be provided by the street or public open spaces and other features in high intensity areas.*

### Policy

#### 8.4.2

*Effects of buildings on other sites*

**Buildings and other development should be located and designed to avoid or mitigate their adverse effects on other residential sites, including effects on:**

- (a) **the admission of daylight and direct sunlight into buildings and outdoor living areas;**
- (b) **visual and aural privacy;**
- (c) **stormwater and waste water drainage.**

### ***Explanation and Reasons***

*This policy seeks to achieve Objective 8.3.2.*



Policy  
8.4.3  
*Amenity values and livable  
neighbourhoods*

*It is important that the development on one site does not adversely affect the use and enjoyment of neighbouring sites. Such adverse effects occur when buildings overshadow their neighbours or cause a lack of privacy through over-looking or inadequate screening. Screening may also affect amenity value between sites. Buildings that are out of scale with neighbouring buildings and which do not provide a design which responds appropriately to its neighbours can also cause adverse effects simply by being oppressive for their neighbours. Localised flooding problems for neighbours may arise from the provision of paved areas, buildings and the like, if adequate drainage is not provided. [Amendment 101]*

**Residential subdivision and development should be designed, located and arranged in such a way as to minimise adverse effects on the neighbourhood and other residential areas, and to provide for high amenity values and livable neighbourhoods. This will be achieved by managing the effects of subdivision and development in green fields and built up areas in different ways. Management of adverse effects may result in:**

- (a) having neighbourhoods of generally similar dwelling density;**
- (b) having an overall compatibility in building scale, spacing and design;**
- (c) retaining existing significant trees appropriate to an urban situation, and ensuring that space is available to plant new ones;**
- (d) using the amenity value of the street and other open spaces to mitigate the adverse effects of higher intensity development on residential sites;**
- (e) ensuring there is adequate car parking and manoeuvring space;**
- (f) retaining existing heritage values.**

***Explanation and Reasons***

*This policy seeks to achieve Objective 8.3.2.*

*This policy seeks to manage the effects of residential development on the wider neighbourhoods in which they exist. These effects include the overall intensity of development, the space available for retaining existing trees and planting new ones, the provision of car parking and the design and compatibility of buildings. This policy also concerns the public space of the street. In some cases works on the street such as additional on-street car parking spaces, may be able to mitigate the adverse effects of private*



Policy  
8.4.4  
Health, safety and amenity  
values

development. Given the nature of development, it is more likely that this type of solution will be appropriate in high intensity areas and not in the lower to medium intensity areas.

**Activities in residential areas should be sited, designed and operated to avoid, remedy or mitigate adverse noise and traffic effects on the health, safety and amenity values of people in the area.**

**Explanation and Reasons**

*This policy seeks to achieve Objectives 8.3.1 and 8.3.2.*

*Residential activity and other activities in residential areas can generate noise. The effect of noise on residential areas is a significant issue because of the potential health effects. It can also markedly reduce the amenity values of neighbouring areas. It is therefore important to ensure that the level of noise that is emitted and the hours during which it is emitted do not adversely affect the health and amenity values of people in neighbouring areas.*

*Vehicle movement and parking can similarly detract from the overall amenity values and enjoyment of a residential area, if not properly managed. Speed, frequency and noise of vehicles are all effects that can adversely impact on the quality and pleasantness of a residential environment. In addition, where there is not enough vehicle parking or where parking is poorly located, efficient vehicle and pedestrian movement, visual appearance, and the convenience of residential areas can all be compromised.*

Policy  
8.4.5  
Non-residential activities

**Non-residential activities should be located, designed and operated so that adverse effects that are incompatible with the environment of a residential area, such as interrupting the sense of community and cohesion within neighbourhoods, noise, traffic generation and visual impact, are avoided, mitigated or remedied. If this is not possible, then these activities should not be located in residential areas.**

**Explanation and Reasons**

*This policy seeks to achieve Objective 8.3.2.*

*It is appropriate that some non-residential activities locate in residential areas. These activities assist the community in providing for their social, economic, and cultural well being and for their health and safety. Some generate very few adverse effects yet provide valuable services for residents. However, some activities may generate adverse effects such as noise or large numbers of people and traffic, that may require management or limits. Additionally, some non-residential activities located in residential areas should also support a potential reduction in vehicle trips.*

Policy  
8.4.6  
High intensity areas

**High intensity residential areas should be concentrated within defined locations around town centres that are within easy**



Policy  
8.4.7  
*Mitigation of high intensity  
development*

walking distance of main public transport routes and significant community focal points including schedule 1A areas listed in Appendix 13B Chapter 13.

***Explanation and Reasons***

*This policy seeks to achieve Objective 8.3.3.*

*The population of Rodney District is currently growing. High intensity residential areas provide a choice of housing types for members of the community, and, depending on their location and design, can support alternative transport modes such as passenger transport, walking and cycling. In addition, regional council policies, strategies and guidelines can guide high intensity residential development that is supportive of alternative modes of transport.*

**To create high amenity values for high intensity development the following mitigation measures may be considered:**

- (a) the use and enhancement of the street, streetscape or other open space environment as an outlook and pleasant public realm area, to mitigate the adverse effects of intensification.
- (b) allowance for the concentration of higher intensity development in defined areas so that beneficial measures such as sufficient infrastructure, including multi modal transportation, local services, community and social infrastructure and alternative modes of transport may be put in place, or enhanced, to offset any adverse environmental effects.
- (c) the effects of higher intensity development on other types of development can be avoided through separation from lower intensity development.
- (d) the use of design rules and guidelines to ensure good building design and layout.
- (e) the design and construction of development in close proximity to existing nationally and regionally significant infrastructure should not compromise the operation of that infrastructure, or the options for maintenance, upgrading or extension of that infrastructure, and should mitigate any significant adverse effects from that infrastructure.

***Explanation and Reasons***

*This policy seeks to achieve Objectives 8.3.1, 8.3.2 and 8.3.3.*



Policy  
8.4.8  
Infrastructure

*See the explanation and reasons for Policy 8.4.8*

**High intensity residential development is not appropriate in areas where suitable supporting infrastructure and community and social infrastructure are not available, or where the operation, maintenance, upgrading or extension of nationally and regionally significant infrastructure, including transmission corridors, will be seriously constrained as a result of urban growth and intensification.**

***Explanations and Reasons***

*This policy seeks to achieve Objective 8.3.3.*

*To ensure that high intensity residential areas are attractive places to live and have high amenity values it is important that they are located around or near town centres which provide a range of activities and services that can be easily accessed without needing to use a car. The vibrancy of town centres can also be enhanced by the location of larger numbers of people living close to them. It is also important that high intensity residential areas have access to multi modal transport options to minimise the use of cars and encourage use of public transport. In providing for more intensive forms of development, regard shall be had to densities that will support public transport set out in Appendix H of the Auckland Regional Policy Statement, accepting that the densities are non-mandatory guidelines and may not always be achievable due to constraints identified during detailed planning for an area.*

*In some places there is insufficient supporting infrastructure, such as roads, public transport, stormwater, water supply and wastewater disposal or community facilities, in place to manage the adverse effects of intensive residential development. In these locations intensive development should not occur.*

*The encroachment of high intensity residential areas on strategic infrastructure resources can also subsequently raise concerns about amenity values and perceived health and safety issues (eg: electromagnetic fields). Conversely, encroaching development can act as a significant constraint to the efficient and effective operation of such infrastructure. A failure to address such issues could have serious environmental (including social and economic) consequences and may undermine the ability to achieve the envisaged urban form.*

Policy  
8.4.9  
Street layout and design

**The layout and design of streets and other movement elements in residential areas, should be safe, efficient, and achieve highly connected pedestrian, cycle and vehicular networks**

***Explanation and Reasons***

*This policy seeks to achieve Objectives 8.3.2 and 8.3.3.*



Policy  
8.4.10  
*Features of high amenity  
value*

*The design and layout of sites and roads can contribute to reduced safety for residents and road users. Developments and roads should be designed to be as safe as practicable in order to reduce these adverse effects. Street layout and design can also influence the ease of travel, ease of walking and ease of access to different forms of transport. Good street connectivity will allow everyone, including pedestrians, cyclists and users of public transport to get around more easily.*

**New residential development should avoid land or features that are of high value to, or can contribute to, the amenity values of areas. Where development will adversely affect such values, the effects should be avoided, remedied or mitigated.**

***Explanation and Reasons***

*This policy seeks to achieve Objective 8.3.4.*

*This policy seeks to prevent development of areas of significant ecological and landscape character within the district for residential/urban purposes. These areas are considered so important that development should be avoided. Where such areas could be adversely affected by new development, for example, through contamination of water, the draining of wetlands, removal of bush or visual intrusion, these should be managed so as to protect the natural areas from the effects of the development.*

Policy  
8.4.11  
*Natural character of the  
coastal environment*

**New residential development should be avoided where such development will encroach on the natural character of the coastal environment.**

***Explanation and Reasons***

*This policy seeks to achieve Objective 8.3.4.*

*See the explanation and reasons for Policy 8.4.12.*

Policy  
8.4.12  
*Natural character of the  
coastal environment*

**The expansion of existing residential settlements should be limited to those areas where the adverse effects on the natural character of the coastal environment, including:**

- (a) water quality;**
  - (b) visual impact;**
  - (c) coastal hazards, such as erosion, subsidence and inundation;**
- can be avoided.**

***Explanation and Reasons***

*This policy seeks to achieve Objective 8.3.4.*





Policy  
8.4.13  
Safety and security

*The Act places great emphasis on the protection of the natural character of the coast. Some parts of the coastal areas within Rodney District are heavily developed, especially on the east coast. The District's location adjacent to Auckland puts this area of coast under pressure for future development. These policies are designed to protect the natural character of the coastline from new residential activity, while enabling appropriate expansion of existing settlements.*

**The form and layout of residential areas, including roads, walkways, cycle paths and parks/open space should promote a safe and secure environment for residents and others within a residential neighbourhood.**

***Explanation and Reasons***

*This policy seeks to achieve Objectives 8.3.2 and 8.3.3.*

*It is important that, for a residential area to experience high levels of amenity value, it is a safe and secure place to be. This means not only in terms of traffic safety, but that the design and layout of the neighbourhood allows adequate surveillance of public spaces, that there is adequate street lighting, and that situations are not created where people may become unsafe in the public realm, for example, the provision of narrow or blind pedestrian walkways.*

Policy  
8.4.14  
Greenfield subdivision

**In greenfield situations, including Schedule 1B areas listed in Appendix 13B Chapter 13, subdivision should be designed:**

- (a) to achieve high levels of vehicular and pedestrian connection throughout the subdivision and with adjoining land;
- (b) to take account of topographical, geotechnical and other natural constraints on the land;
- (c) to enable a choice of housing types and densities;
- (d) to protect existing nationally and regionally significant infrastructure from adverse effects of the development and to provide adequate infrastructure so as to remedy or mitigate the adverse effects on or of development that are likely to occur as a result of the subdivision;
- (e) to provide for the retention of significant trees that are appropriate to an urban environment;
- (f) to provide adequate reserve land, or where this is not practicable physically, to do so through the payment of



**financial contributions.**

- (g) to enable the creation of pleasant, attractive and safe areas of public realm.**

***Explanation and Reasons***

*This policy seeks to achieve Objectives 8.3.2 and 8.3.4.*

*This policy sets out the basic considerations that should be addressed by those undertaking new residential developments in greenfields subdivisions. This would include promotion of alternative modes of transport, such as passenger transport, in appropriate locations. The environmental effects concerned relate to physical effects as well as the long-term effects of subdivision layout on amenity values in residential neighbourhoods.*

Policy  
8.4.15  
Natural hazards

**Residential subdivision and development should be located and designed to avoid, remedy or mitigate and not exacerbate the on- site or off-site adverse effects (including cumulative effects) of natural hazards such as geological instability, erosion and siltation.**

***Explanation and Reasons***

*This policy seeks to achieve Objectives 8.3.2 and 8.3.4.*

*Some areas of land which are within metropolitan urban limits or adjacent to existing residential areas and are therefore under pressure to be developed is also topographically steep or underlain by geologically unstable rocks or are swampy or located where development may cause or be affected by erosion or adverse impacts from stormwater drainage. Large minimum site sizes are used to mitigate the adverse cumulative effects of development on these areas.*

Policy  
8.4.16  
Rural Townships

**The spacious and open character and landscape of Rural Townships should be protected from inappropriate intensity of development.**

***Explanation and Reasons***

*This policy seeks to achieve Objectives 8.3.2, 8.3.3 and 8.3.4.*

*This policy recognises the special character and landscape of the smaller rural and coastal townships which tends to have greater average lot sizes than the urban parts of the District. Generally larger site sizes will be specified in such townships than in the larger towns and urban areas. [\[Amendment 60\]](#)*

Policy  
8.4.17  
Helensville Residential  
Heritage Policy Area

**A Helensville Residential Heritage Policy Area should be provided in Helensville that:**

- **Protects and enhances the heritage elements,**



characteristics and qualities of the older parts of Helensville.

- Includes development controls that are targeted at maintaining the current character of the area.

***Explanation and Reasons***

*This policy seeks to achieve Objectives 8.3.2.*

*The Council has recently carried out a review of the heritage character within the Helensville residential area. This review has identified those areas within Helensville that contain significant heritage resources. The Helensville Residential Policy Area is applied to the older residential heritage parts of Helensville and it places additional rules, development controls, and assessment criteria to manage the heritage character.*

[\[Amendment 160\]](#)

8.4.18

**Policies from the following chapters are also relevant:**

*Chapter 5 - Natural Hazards*

*Chapter 10 - Open Space and Recreation*

*Chapter 17 - Cultural Heritage*

*Chapter 19 - Utilities*

*Chapter 20 - Hazardous Substances and Contaminated Site*

*Chapter 21 - Transportation and Access*

*Chapter 22 - Financial Contributions and Works*

*Chapter 23 - Subdivision and Servicing*



## 8.5

### STRATEGY

The strategy adopted by the Plan enables further residential development, including appropriate increases in residential intensity, to take place while at the same time managing the adverse local effects of such development and retaining the spacious nature of much of the urban areas of the District.

There is within the community a general concern regarding the effects of infill development in the District, such as a loss of privacy, less open space and greenery and buildings being located too close together. This is especially so where such development occurs on sites neighbouring existing single residences. In some cases new development tends to utilise open space amenity values on neighbouring sites to provide openness and to mitigate adverse effects. It is considered that such mitigation should take place only where the neighbouring open space is publicly owned and its open nature will remain in the future. People are concerned about the effects of development on their privacy and about a lack of certainty as to what effects they may experience in their neighbourhood.

The Strategy adopted is to address these concerns through the use of high, medium and low intensity zones as a means of managing environmental effects, thus providing some certainty to residents and achieving improved levels of amenity values in the urban environment.

In addition in Orewa a special purpose residential zone is applied to the beachfront strip north of the town centre. It enables high intensity development but maintains the same built form as determined by development controls (including site coverage and yards) as the medium intensity zone. [\[Amendment 101\]](#)

The Orewa East Structure Plan Area defined on the plan at Appendix 6 Figure 8 (Planning Maps) represents the part of Orewa subject to specific community master planning. The multiple zone approach establishes a clear distinction between each separate zone i.e. the high, medium and low intensity zones and the special Orewa Zone. In medium and low intensity zones, traditional intensity of development is likely to continue and the particular amenity values of these areas will be protected from the adverse effects of high intensity development which has potential to change the character of those neighbourhoods. Provision is made for development at a higher intensity in the medium intensity residential zone, as integrated residential development, where certain pre-requisites are met, and where the effects on the environment are assessed. [\[Amendment 101\]](#)

In the Orewa Beachfront Residential Zone higher intensity development is provided for but only within the 'footprint' i.e. yards, height etc established for the medium intensity zone. [\[Amendment 101\]](#)

Higher intensity residential zones will enable concentrations of



development that are more likely to support the viability of infrastructural services including an integrated transport system, and provide choices including for shorter local based travel for those who wish to live in areas of higher density, or who may require smaller land areas. In these areas and in integrated residential developments in the Medium Intensity Residential Zone, the design and layout of buildings will be subject to additional design control and guidance. [\[Amendment 101\]](#)

Zones are also used to identify those areas where development is considered appropriate or inappropriate because of specific environmental concerns. They contain rules managing the environmental effects of residential development and activity.

Management of the development process must recognise the different situations in which residential development typically occurs. The Plan therefore provides different rules and methods for different development situations such as;

- (a) Greenfield development;
- (b) Integrated residential development;
- (c) Infill development;
- (d) Township policy area. [\[Amendment 60\]](#)
- (e) Helensville Residential Heritage Policy Area. [\[Amendment 160\]](#)

## 8.6

### 8.6.1

#### 8.6.1.1

## IMPLEMENTATION

### District Plan Regulatory Methods

#### Zones

A series of residential zones has been developed in which different sets of rules apply to address the issues identified and to achieve the objectives set out in section 8.3 and the policies set out in section 8.4.

The various zones recognise the differences in types of residential environments anticipated and in the effects that can be tolerated or are acceptable in different areas.

Zones are based essentially on development intensity, with the Township Policy Area, low intensity and landscape protection zones recognising areas where the effects of higher intensity residential development may not be appropriate, for reasons of character, ecology, landscape and lifestyle. [\[Amendment 60\]](#)

#### 8.6.1.2

#### Development Situations

The Plan provides different types of rules for different development



situations. It is recognised that different development situations require different management techniques. The Plan therefore provides rules in accordance with the various types of development, which include:

- (a) Greenfield development;
- (b) Integrated residential development;
- (c) Infill development.

Specific rules are applied to greenfield situations to manage the conversion of rural land into urban development. These provide for the subdivision of new residential sites. Rules applying to infill development are concerned with the effect of higher intensity development on adjoining sites and neighbourhoods.

Where integrated residential development occurs the option of meeting appropriate criteria rather than set rules, as a restricted discretionary activity, is available. This option will apply both to greenfield and infill situations.

Additional rules apply in the Helensville Residential Policy Area in order to afford protection to the heritage character in Helensville.

[\[Amendment 160\]](#)

#### 8.6.1.3

#### **Activity Types**

Permitted Activities within the Residential Zones are those which, provided that they comply with specified development controls and performance standards are considered unlikely to generate adverse effects on the environment. A wide range of activities is permitted in the Medium Intensity and High Intensity Residential Zones. The range of Permitted Activities is more limited in the other areas, in recognition of the potential impact of more intensive urban type activities on these areas.

Controlled Activities are those which are unlikely to generate adverse effects, but which may have particular elements which require the Council to exercise its control over the activity through the imposition of appropriate conditions.

These activities include the erection of buildings in the Low Intensity Residential and Landscape Protection Zones and focus on visual impact and on visual amenity values.

Restricted Discretionary Activities may apply in situations, where rather than meeting strict rules, a developer opts to meet more general performance criteria. This requires the Council to exercise its discretion over whether the criteria are met in any particular case. This option allows greater flexibility, while still meeting the environmental outcomes expected by the Council.

Restricted Discretionary Activity status may also apply to those activities



which may be appropriate in the zone but comprise elements that may generate adverse effects which need to be addressed through application of conditions or refusal of consent. In these cases the elements identified are those to which the Council has restricted the exercise of its discretion.

Discretionary Activities are those which have the potential to have greater adverse effects on the environment. For example some non-residential activities are Discretionary Activities in Residential Zones because of a wide range of potential adverse effects. A resource consent is required for such activities and they will be assessed against the objectives and policies of the Plan, any relevant assessment criteria, and the relevant matters set out in the Act.

Non-complying activity status is applied to those activities that the Council considers are not appropriate in residential areas. Any application for a Non-complying Activity will be assessed against the relevant matters set out in section 104 of the Act.

Prohibited Activity Status is applied in limited situations where the effects of particular activities are unacceptable in residential areas. This activity status ensures no resource consent can be granted for particular activities under any circumstances.

#### 8.6.1.4

### **Development Controls and Performance Standards**

These are rules that apply to activities and the development of buildings and structures within the residential zones. They are intended to ensure that activities achieve the environmental standards desired in each zone.

Conventional development controls and performance standards will continue in the Low and Medium Intensity Zones. The resulting environment in these areas would be similar to the traditional low to medium intensity areas in the District, with adequate room for appropriate tree planting and amenity values being provided by maintaining distances between buildings. Alternative developments at higher densities may be permitted through integrated residential development procedures where the objectives, policies and assessment criteria of the Plan are met. [\[Amendment 101\]](#)

In the Orewa Beachfront Residential Zone, conventional development controls will apply but a higher intensity of development is able to occur within the same footprint specified for the medium intensity zone. [\[Amendment 101\]](#)

In High Intensity Residential Zones a different means of ensuring acceptable amenity values is required. The approach involves emphasising the street as the primary means of achieving overall site and neighbourhood amenity values along with the use of design rules and guidelines.



The requirement to have street frontage is important as it will enable additional useable amenity values to be provided (by the street) in the form of the public open space inherent in streets (which can be enhanced by trees, seating and lighting) as well as on-street carparking.

Other significant open spaces may also provide sufficient amenity values.

The use of additional design rules and design guidelines are considered necessary to ensure appropriate levels of amenity and urban design are achieved in higher intensity developments.

It is considered that the above approach will go a long way towards meeting Objectives 8.3.1 and 8.3.2, which are concerned about amenity values on sites and in neighbourhoods, and towards Objective 8.3.3, which concerns the sustainability of residential development in the area. The use of financial contributions is important in achieving the amenity values required in the high intensity zones and will be complemented by regulation over building design and layout.

In terms of activities, it is expected that the current emphasis on performance standards will continue to provide the best means of managing the effects of non-residential activities. This allows for innovation and for a wide range of activities to establish in residential areas provided that they do not adversely effect the environment in those areas.

The achievement of Objective 8.3.4, which concerns protection of aspects of the natural environment, is likely to be achieved by a combination of zoning, development controls, performance standards and financial contributions. The area zoned for residential development should be kept away from areas that have been identified as being of significant natural character.

Development controls, such as coastal protection yards and restrictions on building colour may be used where development near sensitive landscapes may adversely affect those areas. Financial contributions will be required to provide adequate service infrastructure, especially to prevent pollution from stormwater and wastewater outflows into waterways and the sea.

## 8.6.2

### 8.6.2.1

## 8.6.3

### Other Regulatory Methods

#### Bylaws

The Council will continue to use bylaws to control the adverse effects of activities in residential areas.

### Non Regulatory Methods





8.6.3.1

There are a number of non-regulatory methods that are being or can be used to achieve the objectives and policies of the Plan.

#### **Use of Streets**

The Council, as owner of streets, will investigate ways in which amenity values in the High Intensity Residential Zone can be provided on the street when it is difficult to provide for these values on private land.

8.6.3.2

#### **Education**

This encompasses the publication of a state of the environment report based on the results of monitoring, information pamphlets, and advice or input into community based schemes to improve local environments, such as stream care projects. This approach involves persuading landowners and other resource users to act in ways that are environmentally responsible and achieve the resource management objectives and policies set out in the Plan.

8.6.3.3

#### **Structure Plans**

These result in the identification of areas suitable for urban expansion usually on the periphery of urban areas. Structure plans normally involve intensive public consultation before their adoption by the Council. The areas delineated can then be given effect to through zonings applied in the Plan.

8.6.3.4

#### **Co-operation with other Organisations**

The Council will continue to co-operate with other organisations involved in the use and development of the residential part of the District such as the Auckland Regional Council, community groups and residential associations as well as representatives of major local land developers and builders.

**8.7**

### **ANTICIPATED ENVIRONMENTAL RESULTS**

The anticipated environmental results from the implementation of the above objectives, policies and methods are:

- (a) People experience a high degree of amenity value in their living environments, including their sites and neighbourhoods.
- (b) More efficient use is made of infrastructure and other services such as public transport.
- (c) Residential development generally avoids sensitive landscapes and natural areas, including the coastal environment, and does not adversely affect such areas.



- (d) Residential development in the District does not result in significantly increased levels of contamination of waterways and the sea.
- (e) Residential areas are created which are safe, accessible and easy to move around.
- (f) Residential developments focus on the quality of the places and living environments for pedestrians rather than the movement and parking of vehicles. [\[Amendment 101\]](#)
- (g) That high intensity residential developments provide support for and have access to transport options that minimise the use of cars and encourage the use of public transport. [\[Amendment 101\]](#)
- (h) The heritage character of the older parts of Helensville are retained and enhanced. [\[Amendment 160\]](#)

## 8.8

### DESCRIPTION OF ZONES

This section contains the objectives and policies for the various residential zones which are additional to those in section 8.3 and 8.4. It also provides a zone description.

#### 8.8.1

#### Low Intensity Residential Zone

##### 8.8.1.1

##### Low Intensity Residential Zone Objectives

###### Objective

###### 8.8.1.1.1

To maintain the low intensity residential character of selected areas:

- (a) that contain sensitive or high quality landscapes; or
- (b) where topography or ground conditions preclude more intense development; or
- (c) where there are long standing community expectations of low intensity residential development.

###### Objective

###### 8.8.1.1.2

To prevent higher intensity development in areas zoned Low Intensity Residential.

*(These objectives relate to Issues 8.2.1, 8.2.2, 8.2.3, 8.2.4, and 8.2.5)*

###### Objective

###### 8.8.1.1.3

See also the Objectives in section 8.3.

##### 8.8.1.2

##### Low Intensity Residential Zone Policies



Policy  
8.8.1.2.1

Development and subdivision in the Low Intensity Residential Zone should not compromise sensitive or highly valued landscapes or adversely affect land stability or other ground conditions.

*(This policy seeks to achieve Objective 8.8.1.1.1)*

Policy  
8.8.1.2.2

There should be no more than one household unit per site in the Low Intensity Residential Zone except that a second Household Unit can be established where this is a Minor Household Unit.

*(This policy seeks to achieve Objective 8.8.1.1.2)*

Policy  
8.8.1.2.3  
[Amendment 141]

Subdivision in the Low Intensity Residential Zone should not create sites with a net site area of less than 8,000m<sup>2</sup> in Leigh (Planning Map 44) Sandspit (Planning Maps 58 and 59) and Wellsford (Planning Maps 34, 35 and 37) and subdivision in the rest of the zone should not create sites with a net site area of less than 4000m<sup>2</sup>.

*(This policy seeks to achieve Objective 8.8.1.1.2)*

Policy  
8.8.1.2.4

Development and subdivision in the Low Intensity Residential Zone should not result in the removal of significant trees and other landscape features.

*(This policy seeks to achieve Objective 8.8.1.1.1)*

Policy  
8.8.1.2.5

Non-residential activities that attract more than a few people, or require more than small areas of buildings, should not be located within the Low Intensity Residential Zone.

*(This policy seeks to achieve Objective 8.8.1.1.1)*

Policy  
8.8.1.2.6

Buildings in the Low Intensity Residential Zone should not dominate the natural landscape.

*(This policy seeks to achieve Objectives 8.8.1.1.1 and 8.8.1.1.2).*

Policy  
8.8.1.2.7

In the Low Intensity Residential Zone, the maximum footprint area of buildings on a site should not exceed 500m<sup>2</sup>, or where the site is less than 1430m<sup>2</sup> the area of site covered in buildings should not exceed 35% net site area.

*(This policy seeks to achieve Objectives 8.8.1.1.1 and 8.8.1.1.2)*



Policy 8.8.1.2.8	<p>See also the Policies in section 8.4.</p> <p><b>Explanation and Reasons</b></p> <p><i>The Low Intensity Zone aims to allow living at low intensity levels so as to protect natural features, to recognise the physical constraints of some sites in the district and to recognise community expectations for large lot development in some parts of the District. It is intended that buildings do not dominate the environment in these areas and that a quiet and pleasant environment is maintained for residents. These objectives and policies are aimed at ensuring that such an environment is maintained in areas zoned Low Intensity Residential.</i></p>
8.8.1.3	<p><b>Low Intensity Residential (Res. L) Zone Description</b></p> <p>This Zone applies to areas where low intensity residential development is considered to be appropriate because of one or more of the following factors:</p> <ul style="list-style-type: none"><li>(a) Low intensity development is compatible with and sensitive to high quality landscape areas; or</li><li>(b) Low intensity development is sensitive to the natural environment of bush areas and coastal margins within urban settlements; or</li><li>(c) Low intensity residential living is appropriate close to or within urban settlements on land not suited to conventional residential subdivision because of topography or ground conditions.</li></ul>
<b>8.8.2</b>	<b>Landscape Protection Residential Zone</b>
8.8.2.1	<p><b>Landscape Protection Residential Zone Objectives</b></p> <p>To protect areas of highly valued landscapes (native bush, sensitive ridgelines or areas of visual significance) from development that would adversely affect such values.</p>
Objective 8.8.2.1.1	
Objective 8.8.2.1.2	<p>To prevent development that would adversely affect the quality of significant or highly valued landscapes in areas zoned Landscape Protection Residential.</p> <p><i>(These objectives relate to Issues 8.2.1, 8.2.2, 8.2.3, 8.2.4, and 8.2.5)</i></p>
Objective 8.8.2.1.3	<p>See also the Objectives in section 8.3.</p>
8.8.2.2	<p><b>Landscape Protection Residential Zone Policies</b></p>



*Policy*  
8.8.2.2.1

Development and subdivision in the Landscape Protection Residential Zone should not compromise sensitive or highly valued landscapes.

*Policy*  
8.8.2.2.2

The intensity of development in the Landscape Protection Zone should equate to no greater than one household unit per 8,000m<sup>2</sup> except that a second Household Unit can be established where this is a Minor Household Unit.

*Policy*  
8.8.2.2.3

Subdivision in the Landscape Protection Zone should not create sites (other than cluster sites) excepting in sites in Sandspit shown on Planning Maps 58 & 59 where cluster subdivision does not apply with a net site area of less than 8,000m<sup>2</sup>.

*Policy*  
8.8.2.2.4

Where clustering occurs in a way that affords additional permanent protection to significant landscapes, smaller sites may be created provided that the intensity of development does not exceed 1 household unit per 8,000 m<sup>2</sup> in Sandspit (Planning maps 58 and 59), Scandrett Bay (Planning map 63), and Silverdale (Planning maps 83 and 84) and the density in the rest of the zone does not exceed 1 household unit per 4,000 m<sup>2</sup>.

[Amendment 141]

*Policy*  
8.8.2.2.5

Development and subdivision in the Landscape Protection Zone should not result in the removal of significant trees and other landscape features, and on any site, should avoid areas of greatest landscape quality.

*Policy*  
8.8.2.2.6

Non-residential activities that attract more than only a few people or require more than small areas of buildings should not be located within the Landscape Protection Zone. This Policy excludes land subject to Scheduled Activity 200 (Peter Snell Youth Village) which specifies development controls which ensure appropriate environmental outcomes for the Zone in this location.

[Amendment 130]

*Policy*  
8.8.2.2.7

Buildings in the Landscape Protection Residential Zone should not dominate the natural landscape.

*Policy*  
8.8.2.2.8

In the Landscape Protection Residential Zone, the maximum footprint area of buildings on a site should not exceed 500m<sup>2</sup>, or where the site is less than 1430m<sup>2</sup> the area of site covered in buildings should not exceed 35% net site area. This Policy excludes land subject to Scheduled Activity 200 (Peter Snell Youth Village) which specifies development controls which ensure appropriate environmental outcomes for the Zone in this location.

[Amendment 130]



Policy 8.8.2.2.9	<p>See also the Policies in section 8.4.</p> <p><b>Explanations and Reasons</b> (These policies seek to achieve Objectives 8.8.2.1.1 and 8.8.2.1.2)</p> <p><i>The Landscape Protection Zone aims to protect significant natural features while allowing living at low intensity levels. It is intended that the environment in these areas be dominated by the natural environment or landscapes rather than buildings and that a quiet and pleasant environment is maintained for residents. These objectives and policies are aimed at ensuring that such an environment is maintained in areas zoned Landscape Protection Zone.</i></p>
8.8.2.3	<p><b>Landscape Protection Residential (Res. LP) Zone Description</b></p> <p>This Zone applies to areas similar to the low intensity residential area but which contain areas of greater significance in terms of native bush, sensitive ridgelines or other areas of visual significance.</p> <p>The Zone provides for low residential densities and limits are placed on the type and intensity of non-residential development that may be permitted in the Zone. In addition the Zone provisions encourage the clustering of development so that large areas remain without buildings.</p>
<b>8.8.3</b>	<b>Medium Intensity Residential Zone</b>
8.8.3.1	<p><b>Medium Intensity Residential Zone Objectives</b></p>
Objective 8.8.3.1.1	<p>To protect and maintain the open and spacious living environments that exist throughout most of the residential areas of the District.</p>
Objective 8.8.3.1.2	<p>To prevent intensive development that would remove or alter the open and spacious living environment that exists through most of the residential areas of the district.</p> <p>(These objectives relate to Issues 8.2.1, 8.2.2, 8.2.3, 8.2.4, and 8.2.5)</p>
Objective 8.8.3.1.3	<p>See also the Objectives in section 8.3.</p>
8.8.3.2	<p><b>Medium Intensity Residential Zone Policies</b></p>
Policy 8.8.3.2.1	<p>The intensity of development in the Medium Intensity Residential Zone should not generally exceed one dwelling per site.</p>
Policy	



#### 8.8.3.2.2

The intensity of development in the Medium Intensity Residential Zone should average to no greater than one household unit per 600m<sup>2</sup> of site area, except in the Township Policy Area where the average should not exceed one household unit per 800m<sup>2</sup> of site area, and except that a second Household Unit can be established where this is a Minor Household Unit. [\[Amendment 60\]](#)

#### Policy

#### 8.8.3.2.3

Subdivision in the Medium Intensity Residential Zone should not create sites with a net site area of less than 600m<sup>2</sup> except in the Township Policy Area where sites with a net site area of less than 800m<sup>2</sup> should not be created. [\[Amendment 60\]](#)

#### Policy

#### 8.8.3.2.4

In medium intensity zones, residential development at an intensity higher than a single household unit per site should be located only on sites where the development;

- (a) is an integrated residential development; and
- (b) is on a site capable of providing significant on-site amenity value such as long street frontage, landscaping and open areas; and
- (i) is within easy walking distance of main public transport routes and significant community focal points.
- (i) is a Minor Household Unit;
- (i) will not have adverse effects on direct neighbours and on the surrounding neighbourhood.
- (i) is in accordance with additional specified design rules and guidelines for more intensive development.
- (i) is not within the Township Policy Area. [\[Amendment 60\]](#)

#### Policy

#### 8.8.3.2.5

Development and subdivision in the Medium Intensity Residential Zone should integrate and retain significant trees and other landscape features.

#### Policy

#### 8.8.3.2.6

Any activity that adversely affects the amenities of residential sites or the sense of residential cohesion that results from having neighbours close at hand and neighbourhoods of a predominantly residential character where people live, should not be located within the Medium Intensity Residential Zone.

#### Policy

#### 8.8.3.2.7

In the Medium Intensity Residential Zone, no more than 35% of a site should be covered in buildings.

#### Policy



#### 8.8.3.2.8

At Omaha, north of Broadlands Drive, residential development at an intensity higher than a single household unit per site should not occur given that the capacity of the sewage treatment and disposal facilities serving this area will be reached by development of all sites within the zoned area at an intensity of a single household unit per site.

#### Policy

#### 8.8.3.2.9

Development on Part Lots 2 and 3 DP 160103 and Pt Allot 62 Parish of Mahurangi, Woodcocks Road, Warkworth should include landscaping and building designs that create an urban environment of high visual quality. Of particular importance is managing the visual integration of buildings and structures in a way which enhances the adjoining Mahurangi River.

#### **Explanation and Reasons**

*(This policy seeks to achieve Objectives 8.3.1, 8.3.2 and 8.3.4. This explanation and reasons relate to Policy 8.8.3.2.9.)*

*The Medium Intensity Residential Zone which applies in Woodcocks Road, Warkworth borders the Mahurangi River which has a high level of visual appeal and amenity values. Design and landscaping of buildings, roading, and carparking on the site are critical in achieving a positive relationship with the Mahurangi River, and the associated public realm, in the longer term."*

#### Policy

#### 8.8.3.2.10

Development in the Helensville Residential Heritage Policy Area should result in the retention and enhancement of the heritage character of the town. [\[Amendment 160\]](#)

#### Policy

#### 8.8.3.2.11

See also the Policies in section 8.4.

#### **Explanation and Reasons**

*(These policies seek to achieve Objectives 8.8.3.1.1 and 8.8.3.1.2.)*

*The Medium Intensity Zone aims to protect the traditional medium intensity living environment that is predominant throughout the urban areas of the District and to recognise community expectations that such environments will be protected from activities that could reduce amenity values in the Zone. It is intended that the environment in these areas while being built up retains significant open spaces and a spacious character and that a quiet and pleasant environment is maintained for residents. These Objectives and Policies are aimed at ensuring that such an environment is maintained in areas zoned Medium Intensity Residential. At Omaha North, the sewage treatment and disposal system has a finite capacity which will be reached by development of all the sites in that area at a standard of one household unit per site. Development beyond that is unsustainable without alternatives being adopted.*

#### 8.8.3.3

#### **Medium Intensity Residential (Res. M) Zone Description**





This Zone applies to the majority of residential areas in the District, and provides for the continuation of traditional medium intensity development based on one house per site. This type of development is the dominant living environment throughout the District.

The key characteristics of the Zone are:

- (a) a spacious quality of development both in the larger urban settlements and in the smaller residential settlements;
- (b) a predominance of sites with only one house;
- (c) a significant area of open space exists on sites;
- (d) only a limited range of non-residential support activities exist;
- (e) because of the provision of on site open space, there is a significant number of trees on sites.

It is intended that the Zone should provide a living environment that is reasonably spacious and that allows room for trees and vegetation to continue to be an important part of the landscape. The Zone is also intended to provide an environment that allows people to live without experiencing significant adverse effects from their neighbours and others nearby.

## **8.8.4**

## **Eastern Peninsula Residential Zone**

### **8.8.4.1**

### **Eastern Peninsula Residential Zone Objectives**

#### *Objective*

#### **8.8.4.1.1**

To maintain a lower intensity of development on the eastern portion of the Whangaparaoa Peninsula to recognise the constraints to intensive development east of the Whangaparaoa Town Centre.

#### *Objective*

#### **8.8.4.1.2**

To prevent development at an intensity greater than one dwelling per site in the area east of the Whangaparaoa Town Centre.

*(These objectives relate to Issues 8.2.1, 8.2.2, 8.2.3, 8.2.4, and 8.2.5)*

#### *Objective*

#### **8.8.4.1.3**

See also the Objectives in section 8.3.

### **8.8.4.2**

### **Eastern Peninsula Residential Zone Policies**

#### *Policy*

#### **8.8.4.2.1**

Higher intensity development (other than at Gulf Harbour) should not occur east of the Whangaparaoa Town Centre, unless alternative transport and other appropriate infrastructure are also provided.



*(This policy seeks to achieve Objective 8.8.4.1.1))*

Policy  
8.8.4.2.2

The intensity of development in the Eastern Peninsula Residential Zone should not exceed one household unit per site.

*(This policy seeks to achieve Objective 8.8.4.1.2))*

Policy  
8.8.4.2.3

Subdivision in the Eastern Peninsula Residential Zone should not create sites with a net site area of less than 600m<sup>2</sup>.

*(This policy seeks to achieve Objective 8.8.4.1.1)*

Policy  
8.8.4.2.4

Development and subdivision in the Eastern Peninsula Residential Zone should not result in the removal of significant trees and other landscape features.

*(This policy seeks to achieve Objectives 8.3.1 and 8.3.2)*

Policy  
8.8.4.2.5

Any activity that adversely affects the amenities of residential sites or the sense of residential cohesion that results from having neighbours close at hand and neighbourhoods of a predominantly residential character where people live should not be located within the Eastern Peninsula Residential Zone.

*(This policy seeks to achieve Objective 8.8.4.1.1)*

Policy  
8.8.4.2.6

In the Eastern Peninsula Residential Zone, the area of a site covered in buildings should not exceed 35%.

*(This policy seeks to achieve Objective 8.8.4.1.1)*

Policy  
8.8.4.2.7

See also the Policies in section 8.4.

### ***Explanation and Reasons***

*The Eastern Peninsula Residential Zone shares similar objectives and policies to the Medium Intensity Residential Zone but recognises the constraints to intensive development in the eastern part of the Whangaparaoa Peninsula. To this end policies strengthening the need for a maximum one household unit per site apply to this zone.*

8.8.4.3

### **Eastern Peninsula Residential (Res. EP) Zone Description**



The Eastern Peninsula Residential Zone applies to those residential areas generally to the east of the Whangaparaoa Town Centre in order to limit intensive development that would place undue pressure on existing service infrastructure in this area. The Zone does not apply to the Gulf Harbour area which is covered by the Special 18 Zone.

## **8.8.5**

## **Physical Limitations Residential Zone**

### **8.8.5.1**

### **Physical Limitations Residential Zone Objectives**

#### *Objective* **8.8.5.1.1**

To restrict development in identified areas of poor stability or where development will have adverse effects or contribute to adverse cumulative effects on the natural environment.

*(This objective relates to Issues 8.2.1, 8.2.2, 8.2.3, 8.2.4, and 8.2.5)*

#### *Objective* **8.8.5.1.2**

See also the Objectives in section 8.3.

### **8.8.5.2**

### **Physical Limitations Residential Zone Policies**

#### *Policy* **8.8.5.2.1**

Development will be restricted in order to avoid adverse effects (including cumulative effects) where land is subject to identified natural hazards or where because of the nature of the land, development may cause or exacerbate other effects such as:

- (a) geological instability;
- (b) swampy areas and areas of limited stormwater drainage capability;
- (c) adverse stormwater impacts such as flooding and siltation;
- (d) erosion.

*(This policy seeks to achieve Objective 8.8.5.1.1)*

#### *Policy* **8.8.5.2.2**

The intensity of development in the Physical Limitations Residential Zone should not exceed one household unit per site.

*(This policy seeks to achieve Objective 8.8.5.1.1)*

#### *Policy* **8.8.5.2.3**

Subdivision in the Physical Limitations Residential Zone should not create sites with a net site area of less than 2,000m<sup>2</sup>.

*(This policy seeks to achieve Objective 8.8.5.1.1)*



Policy  
8.8.5.2.4

Development and subdivision in the Physical Limitations Residential Zone should not result in the removal of significant trees and other landscape features.

*(This policy seeks to achieve Objective 8.8.5.1.1)*

Policy  
8.8.5.2.5

Non-residential activities that attract more than a small number of people or require more than small areas of buildings, other than home occupations, should not be located within the Physical Limitations Zone.

*(This policy seeks to achieve Objective 8.8.5.1.1)*

Policy  
8.8.5.2.6

In the Physical Limitations Zone, the area of a site covered in buildings should not exceed 20%.

*(This policy seeks to achieve Objective 8.8.5.1.1)*

Policy  
8.8.5.2.7

See also the Policies in section 8.4.

**Explanation and Reasons**

*In parts of the District land has stability problems or development may have adverse effects (including cumulative effects) on the natural environment. These effects can include siltation of waterways and the sea, the drainage of wetlands and erosion. This zone is designed to limit development on such land so that adverse effects are avoided.*

8.8.5.3

**Physical Limitations (Res. PL) Zone Description**

The Physical Limitations Zone applies in areas of the District where physical limitations, such as instability, have been identified or where development may cause or exacerbate adverse effects on the natural environment. In order to manage adverse effects, larger than standard site sizes are required and building coverage is restricted.

**8.8.6**

**High Intensity Residential Zone**

8.8.6.1

**High Intensity Residential Zone Objectives**

Objective  
8.8.6.1.1

To enable residential living at higher intensities in defined locations particularly around town centres where intensification can contribute to the vitality of the town centres.



*Objective*  
8.8.6.1.2

To limit high intensity development to selected areas where such development can occur without generating significant local or wider ranging adverse effects.

*(These objectives relate to Issues 8.2.1, 8.2.2, 8.2.3, 8.2.4, and 8.2.5)*

*Objective*  
8.8.6.1.3

See also the Objectives in section 8.3.

8.8.6.2

**High Intensity Residential Zone Policies**

*Policy*  
8.8.6.2.1

High intensity residential development should be concentrated in defined zones around town centres, within easy walking distance of main public transport routes and significant community focal points, including Schedule 1A areas listed in Appendix 13B Chapter 13.

*(This policy seeks to achieve Objective 8.8.6.1.2)*

*Policy*  
8.8.6.2.2

To create high amenity values in high intensity development in the High Intensity Zone the following mitigation measures should be considered:

- (a) the use and enhancement of the street, streetscape, or other permanent open spaces (not other people's backyards) as outlook areas and pleasant public realm;
- (b) concentrations of higher intensity development in defined areas, so that beneficial measures such as sufficient infrastructure, including multi modal transportation, local services and community and social infrastructure may be put in place to offset any adverse environmental effects;
- (c) the effects of higher intensity development on other types of development can be avoided through separation from lower intensity development.
- (d) managing the effects of site and building design and layout on amenity values and urban design.
- (e) the design and construction of development in close proximity to existing nationally and regionally significant infrastructure should not compromise the operation of that infrastructure, or the options for maintenance, upgrading or extension of that infrastructure, and should mitigate any significant adverse effects from that infrastructure.

*(This policy seeks to achieve Objectives 8.3.1 and 8.3.2)*



Policy  
8.8.6.2.3

Any non-residential activity that adversely affects the amenities of residential sites, or does not contribute to the direct needs of residents should not be located in the High Intensity Residential Zone.

*(This policy seeks to achieve Objective 8.8.6.1.2)*

Policy  
8.8.6.2.4

In the High Intensity Residential Zone, the area of a site covered in buildings should not exceed 50%.

*(This policy seeks to achieve Objectives 8.3.1 and 8.3.2)*

Policy  
8.8.6.2.5

See also the Policies in section 8.4.

### **Explanation and Reasons**

*To ensure that high intensity residential areas are attractive places to live and have high amenity values, it is important that they are located around or near town centres and significant community focal points which can be easily accessed without needing to use a car. The vibrancy of town centres can also be enhanced by the location of larger numbers of people living close to them and assists in achieving benefits of higher densities such as localised services and employment opportunities. The concentration of higher intensity living may also allow the development of mixed-use precincts where the above benefits can be achieved by locating services and employment generating uses together with residential activity.*

*It is also important that high intensity residential areas have access to multi modal transport options to minimise the use of cars and to provide ready access to facilities including community and social infrastructure. It is appropriate that high intensity areas be located within easy walking distance of major public transport routes. This provides a greater pool of customers for bus services thus making them more viable. It may also increase the number of bus services provided which will make them more attractive to users.*

*The provision of higher intensity development concentrated in defined areas also limits any potential adverse effects on lower and medium intensity areas.*

*It is considered that allowing for the concentration of high intensity development promotes the sustainable provision of services and infrastructure, supports alternative modes of transport including walking and cycling, and assists in limiting the adverse effects of the spread of urban areas.*

8.8.6.3

### **High Intensity Residential Zone Description**

The High Intensity Residential Zone applies to areas where higher intensity residential living and mixed uses are appropriate. The Zone encourages concentrations of compact residential development to:

(a) provide ease of access and viability of infrastructure including



public transport;

- (b) provide certainty as to where the effects of high intensity development are located;
- (c) provide for the benefits of concentration such as local services;
- (d) enable public works to be located so as to mitigate some adverse effects of high intensity development.

It is intended that the Zone allows an environment where higher residential intensity is found than elsewhere in the District.

## 8.8.7

### Orewa Beachfront Residential Zone

#### 8.8.7.1

#### Orewa Beachfront Residential Zone Objectives

*Objective*  
8.8.7.1.1

To enable more intensive living opportunities in the desirable living environment provided by the Orewa Beachfront, whilst protecting and maintaining the existing character of the area.

*Objective*  
8.8.7.1.2

To prevent intensive development that would remove or alter the open and spacious living environment that presently exists.

(These objectives relate to Issues 8.2.1, 8.2.2, 8.2.3, 8.2.4 and 8.2.5)

*Objective*  
8.8.7.1.3

See also the Objectives in Section 8.3

#### 8.8.7.2

#### Orewa Beachfront Residential Zone Policies

*Policy*  
8.8.7.2.1

The building intensity of development in the Orewa Beachfront Residential Zone should not exceed one building per site.

*Policy*  
8.8.7.2.2

The intensity of development in the Orewa Beachfront Residential Zone should average no greater than three household units per building. A maximum of one building per 600m<sup>2</sup> of net site area will be permitted.

*Policy*  
8.8.7.2.3

Fee simple subdivision in the Orewa Beachfront Residential Zone should not create sites with a net site area of less than 600m<sup>2</sup>

*Policy*  
8.8.7.2.4

In the Orewa Beachfront Residential Zone residential development at an intensity higher than three household units per site (600m<sup>2</sup>) should be located only on sites where the development:-



- (a) is an integrated residential development; and
- (b) is on a site capable of providing significant on-site amenity value such as long street or beach frontage, landscaping and open areas; and
- (c) delivers household units of a minimum of 120m<sup>2</sup> net useable floor space.

Policy  
8.8.7.2.5

Development and subdivision in the Orewa Beachfront Residential Zone should integrate and retain significant trees and other landscape features

Policy  
8.8.7.2.6

In the Orewa Beachfront Residential Zone no more than 35% of a site should be covered in building and no more than 50% of gross site area surfaced in non permeable materials

Policy  
8.8.7.2.7

In the Orewa Beachfront Residential Zone the height of buildings will be limited to three storeys with a total height no greater than 9m of liveable space (from 3.8m RL) with an additional 2.5m to roof ridge permitted where traditional pitched roofs are to be employed as part of the design. Maximum overall height from finished floor level to roof ridge should be no greater than 11.5m

Policy  
8.8.7.2.8

In the Orewa Beachfront Residential Zone the building line of any development proposal facing onto the beach must be set back a minimum of 10m from the site boundary with the beach or beachside Reserve

Policy  
8.8.7.2.9

See also the Policies in section 8.4

#### ***Explanation and Reasons***

*The Orewa Beachfront Residential Zone seeks to recognise and reconcile the desire for more people to live close to the beach without adversely affecting the overall environmental quality and character. By retaining the basic rules package governing development in Medium Intensity Zones but allowing more intensive use it is felt the essential character of the present beach frontage will be preserved whilst affording more opportunities for more people to live alongside the beach if they so wish. This Zone therefore provides for more intensive use of some of the most desirable land in Orewa without compromising its essential built/landscape character.*

8.8.7.3

#### **Orewa Beachfront Residential Zone (Res OB) Description**

This zone applies to the narrow area indicated on Maps 72 and 75 between the Hibiscus Coast Highway and Orewa Beach north of the town centre and provides for a similar built environment to Medium Intensity Residential whilst enabling increased intensity of use of the





buildings in the zone.

Key characteristics of this Zone are:-

- (a) Maintenance of the present built/ landscape character whilst creating more opportunities for people to live beside the beach
- (b) A predominance of sites with only one building per 600m<sup>2</sup>
- (c) Significant areas of open space and presence of trees

It is intended that this Zone will maintain the positive qualities of the existing environment whilst creating additional opportunities for more people to live beside the beach. Through careful control of height, site coverage, landscaping and building line set backs it is considered high quality development can be brought forward to the credit of the area specifically and Orewa more generally.

[\[Amendment 101\]](#)

## Rule 8.9

### Rule 8.9.1 Activities in Residential Zones

#### Rule 8.9.1.1

## ACTIVITY RULES

### Activities in Residential Zones

Activities in the Residential Zones shall comply with the following:  
(**Note:** Residential Density Rules are contained in Rule 8.9.3)

- (a) All Permitted Activities in the Activity Table in Rule 8.9.2 shall comply with Rule 8.10 Development Controls and Performance Standards, and any other relevant Rule in the District Plan.

All Permitted Activities in the Activity Table in Rule 8.9.2 that are indicated with an asterisk (\*) shall comply with Rule 10.10 Development Controls and Performance Standards in Chapter 10 — Open Space and Recreation Zone, and any other relevant Rule in the District Plan.

- (b) All Controlled Activities in the Activity Table in Rule 8.9.2 shall comply with Rule 8.10 Development Controls and Performance Standards, and any other relevant Rule in the District Plan. All Controlled Activities shall be assessed against the criteria in Rule 8.11.
- (c) All Restricted Discretionary Activities in the Activity Table in Rule 8.9.2 shall be assessed against those matters over which discretion is retained and set out in Rule 8.12.
- (d) All Discretionary Activities in the Activity Table in Rule 8.9.2 shall be assessed against the criteria set out in 8.13 Discretionary Activities: Assessment Criteria for Residential Activities, any other



relevant Discretionary Activity Assessment Criteria in any other chapter of this Plan, and the relevant matters in section 104 of the Act.

- (e) All Non-complying Activities in the Activity Table in Rule 8.9.2 shall be assessed against the relevant matters in Section 104 of the Act.

#### Rule 8.9.2 Activity Table

#### Activity Table Residential Zones

In the following table:

<b>P</b>	=	<b>Permitted Activity</b>
<b>C</b>	=	<b>Controlled Activity</b>
<b>RD</b>	=	<b>Restricted Discretionary Activity</b>
<b>D</b>	=	<b>Discretionary Activity</b>
<b>NC</b>	=	<b>Non-complying Activity</b>
<b>NA</b>	=	<b>Not Applicable</b>

**Note:** Words in capitals are defined in *Chapter 3 - Definitions*.



ACTIVITY	ZONES						
	High Intensity (ResH)	Orewa Beach front Zone (ResOB) <small>[Amendment 101]</small>	Medium Intensity (ResM)	Eastern Peninsula (ResEP)	Physical Limitations (Res PL)	Low Intensity (ResL)	Landscape Protection (ResLP)
* Amenity facilities associated with OUTDOOR RECREATION observation and viewing areas and associated structures (including boardwalks, bridges, fencing, picnic and barbeque areas, seating, memorials and sculptures) on land vested in the Council as a Reserve	P	P	P	P	P	P	P
Any activity not listed in the Activity Table	NC	NC	NC	NC	NC	NC	NC
Any Permitted or Controlled Activity not complying with the Development Controls and Performance Standards that meet the circumstances set out in Rule 8.12.1	RD	RD	RD	RD	RD	RD	RD
Any Permitted or Controlled Activity not complying with the Development Controls and Performance Standards that does not meet the circumstances set out in Rule 8.12.1	NC	NC	NC	NC	NC	NC	NC
Any activity which meets the standards in Rule 8.9.4	D	D	D	D	D	D	D
ACCESSORY BUILDINGS for the following	P	C	P	P	P	C	C
BOARDING HOUSES accommodating not more than 10 persons inclusive of owner family and staff, <b>except</b> on SITES within the defined area at Omaha, north of Broadlands Drive, shown on Planning Maps 48 and 49	P	P	P	P	P	P	P
BOARDING HOUSES accommodating not more than 15 persons inclusive of owner, family and staff on sites within the Matakana Village Overlay Area.	NA	NA	P	NA	NA	NA	NA
* Boardwalks on land vested in the Council as Reserve	P	P	P	P	P	P	P



ACTIVITY	ZONES						
	High Intensity (ResH)	Orewa Beach front Zone (ResOB) [Amendment 101]	Medium Intensity (ResM)	Eastern Peninsula (ResEP)	Physical Limitations (Res PL)	Low Intensity (ResL)	Landscape Protection (ResLP)
BUILDINGS; The ERECTION, addition to or external alteration to and/or relocation of BUILDINGS that comply with activity and density rules (except in the Helensville Residential Heritage Policy Area — see Appendix 8C). [Amendment 160]	P	P	P	P	P	C	C
BUILDINGS; the ERECTION, addition to or external alteration to and/or relocation of BUILDINGS that comply with activity and density rules in the Helensville Residential Heritage Policy Area — see Appendix 8C. [Amendment 160]	NA	NA	RD	NA	NA	NA	NA
BUILDINGS; The DEMOLITION of BUILDINGS except where listed in Appendix 17B or in the Helensville Residential Heritage Policy Area (see Appendix 8C) which are identified as being “Establishing Values” or “Supporting Values (not including accessory buildings).” [Amendment 160]	P	P	P	P	P	P	P
BUILDINGS; The DEMOLITION of more than 30% by volume (as of 1 October 2010) of BUILDINGS (excluding accessory buildings) in the Helensville Residential Heritage Policy Area (see Appendix 8C) which are identified as being “Establishing Values” or “Supporting Values”  The demolition of less than 30% by volume shall be considered as an alteration. [Amendment 160]	NA	NA	RD	NA	NA	NA	NA



ACTIVITY	ZONES						
	High Intensity (ResH)	Orewa Beach front Zone (ResOB) [Amendment 101]	Medium Intensity (ResM)	Eastern Peninsula (ResEP)	Physical Limitations (Res PL)	Low Intensity (ResL)	Landscape Protection (ResLP)
BUILDINGS; The use of existing BUILDINGS for residential purposes, that comply with the activity and density rules	P	P	P	P	P	P	P
CHILDCARE FACILITIES for not more than 10 children at any one time based on an existing dwelling or existing ACCESSORYBUILDINGS	P	P	P	P	P	P	P
* Children's playgrounds and associated equipment are on land vested in the Council as Reserve	P	P	P	P	P	P	P
* DUNE STABILISATION is enabled on land vested in the Council as Reserve	P	P	P	P	P	P	P
EDUCATIONAL FACILITIES; except on sites within the defined area at Omaha north of Broadlands Drive shown on Planning Maps 48 and 49	D	D	D	D	D	NC	NC
FIRE SERVICE EMERGENCY SERVICES	D	D	D	D	D	NC	NC
* Formed Cycle and Bridle Trails on land vested in the Council as Reserve	P	P	P	P	P	P	P
HOMES FOR THE AGED and DAY-CARE FACILITIES FOR THE ELDERLY AND DISABLED, accommodating not more than 10 persons inclusive of owner family and staff, <b>except</b> on SITES within the defined area at Omaha, north of Broadlands Drive, shown on Planning Maps 48 and 49	P	P	P	P	P	P	P



ACTIVITY	ZONES						
	High Intensity (ResH)	Orewa Beach front Zone (ResOB) [Amendment 101]	Medium Intensity (ResM)	Eastern Peninsula (ResEP)	Physical Limitations (Res PL)	Low Intensity (ResL)	Landscape Protection (ResLP)
HOMES FOR THE AGED and DAY-CARE FACILITIES FOR THE ELDERLY AND DISABLED, accommodating more than 10 persons inclusive of owner family and staff, <b>except</b> on SITES within the defined area at Omaha, north of Broadlands Drive, shown on Planning Maps 48 and 49	D	D	D	D	D	NC	NC
Grazing of animals on SITES greater than 2,000m <sup>2</sup> net site area	P	NC	P	P	P	P	P
HOMESTAY, accommodating not more than 10 persons inclusive of owner family and staff, <b>except</b> on SITES within the defined area at Omaha, north of Broadlands Drive, shown on Planning Maps 48 and 49	P	P	P	P	P	P	P
HOMESTAY, accommodating not more than 15 persons inclusive of owner family and staff on sites within the Matakana Village Overlay Area.	NA	NA	P	NA	NA	NA	NA
HOME OCCUPATIONS	P	P	P	P	P	P	P
HOUSEHOLD UNITS (as below)							
SINGLE HOUSEHOLD UNIT per SITE (Note this is a density rule. A resource consent may be needed to erect BUILDING(s) for use as a HOUSEHOLD UNIT)	P	P	P	P	P	P	P
SINGLE HOUSEHOLD UNIT on each area set aside for such a unit and defined on a CROSS LEASE plan on which (or on a copy of which) a certificate had been endorsed by the Principal Officer of the Council, under Section 314(f) of the Local Government Act 1974 prior to 15 January 1988 ("Cross Lease Savings Clause").	C	C	C	C	C	C	C



ACTIVITY	ZONES						
	High Intensity (ResH)	Orewa Beach front Zone (ResOB) <a href="#">[Amendment 101]</a>	Medium Intensity (ResM)	Eastern Peninsula (ResEP)	Physical Limitations (Res PL)	Low Intensity (ResL)	Landscape Protection (ResLP)
MINOR HOUSEHOLD UNIT (a) at a density of one per site where the SITE meets the standards in Rule 8.9.5, and (b) where the development complies with the standard in Rule 8.9.6.1 and the Development Controls in Rule 8.10	NC	NC	C	NC	NC	RD	RD
MINOR HOUSEHOLD UNIT (a) at a density of one per site where the SITE meets the standards in Rule 8.9.5, and (b) where the development complies with the standards in Rule 8.9.6.2 and the Development Controls in Rule 8.10	NC	NC	RD	NC	NC	RD	RD
A MINOR HOUSEHOLD UNIT that is a Controlled or a Restricted Discretionary Activity and does not comply with the Development Controls and Performance Standards and that meets the circumstances set out in Rule 8.12.1 <a href="#">[Amendment 171]</a>	NC	NC	RD	NC	NC	RD	RD
MULTIPLE HOUSEHOLD UNITS not exceeding 2 units per SITE at a standard of at least 275m <sup>2</sup> per HOUSEHOLD UNIT on SITES that have a FRONTAGE (which for this purpose excludes FRONTAGE available by way of entrance strip, right of way or jointly owned access lot) of not less than 15 metres except where located in areas at risk of inundation shown in Appendix 16 to the Planning Maps <a href="#">[Amendment 61]</a>	P	NC	NC	NC	NC	NC	NC



ACTIVITY	ZONES						
	High Intensity (ResH)	Orewa Beach front Zone (ResOB) [Amendment 101]	Medium Intensity (ResM)	Eastern Peninsula (ResEP)	Physical Limitations (Res PL)	Low Intensity (ResL)	Landscape Protection (ResLP)
MULTIPLE HOUSEHOLD UNITS not exceeding 2 per SITE at a standard of at least 275m <sup>2</sup> per HOUSEHOLD UNIT on SITES that have a frontage (which for this purpose excludes frontage available by way of entrance strip, right of way or jointly owned access lot) of not less than 15 metres which are located in areas at risk of inundation shown in Appendix 16 to the Planning Maps [Amendment 61]	RD	NC	NC	NC	NC	NC	NC
INTEGRATED RESIDENTIAL DEVELOPMENT (a) at a standard of not less than 275m <sup>2</sup> SITE area per household unit on SITES meeting the standards in Rule 8.9.3.1; and (b) where the development complies with Development Controls in Rule 8.10.1 to 8.10.5 and 8.10.7 [Amendment 58]	RD	NC	NC	NC	NC	NC	NC
INTEGRATED RESIDENTIAL DEVELOPMENT (a) at a standard of not less than 450m <sup>2</sup> site area per HOUSEHOLD UNIT on SITES meeting the standards in Rule 8.9.3.1, and (b) where the development complies with Development Controls in Rule 8.10.1 to 8.10.5 and 8.10.7; [Amendment 58]  <b>except</b> on SITES within the defined area at Omaha, north of Broadlands Drive, shown on Planning Maps 48 and 49 and on sites within the Township Policy Area and in the Matakana Village Overlay Area. [Amendment 60]	RD	NC	RD	NC	NC	NC	NC





ACTIVITY	ZONES						
	High Intensity (ResH)	Orewa Beach front Zone (ResOB) [Amendment 101]	Medium Intensity (ResM)	Eastern Peninsula (ResEP)	Physical Limitations (Res PL)	Low Intensity (ResL)	Landscape Protection (ResLP)
INTEGRATED RESIDENTIAL DEVELOPMENT  (a) at a standard of not less than 600m <sup>2</sup> site area per building on sites meeting the standards in Rule 8.9.3.2, and  (b) at a standard of not less than 120m <sup>2</sup> net useable floor space per household unit on sites meeting the standards in Rule 8.9.3.2; and  (c) where the development complies with Development Controls in Rule 8.10.1 to 8.10.6	NC	RD	NC	NC	NC	NC	NC
INTEGRATED RESIDENTIAL DEVELOPMENT on sites within the Township Policy Area in the Matakana Village Overlay Area which are within 200 metres of a Retail Service Zone:  (a) At a standard not less than 450m <sup>2</sup> site area per HOUSEHOLD UNIT on SITES meeting the standards in Rule 8.9.3.1, and  (b) Where the development complies with Development Controls in Rule 8.10.1 to 8.10.5 and 8.10.7;	NA	NA	RD	NA	NA	NA	NA
CLUSTERHOUSING	RD	NC	RD	NC	NC	NC	RD
(a) at a rate of at least 8,000m <sup>2</sup> SITE area per HOUSEHOLD UNIT; <b>except</b> on Sites within the defined area at Omaha, north of Broadlands Drive, shown on Planning Maps 48 and 49, and on SITES in Sandspit shown on Planning Maps 58 & 59.  (b) at a rate of at least 4,000 m <sup>2</sup> SITE area per HOUSEHOLD UNIT: <b>except</b> on SITES:  - Sandspit (Planning Maps 58 and 59)  - Scandrett Bay (Planning map 63)							



<ul style="list-style-type: none"> <li>- Silverdale (Planning Maps 83 and 84)</li> <li>- The defined area at Omaha, north of Broadlands Drive, (Planning Maps 48 and 49)</li> </ul> <p>[Amendment 141]</p>							
<p>* Maintenance of buildings and grounds, including control of noxious weeds and revegetation on land vested in the Council as Reserve</p>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>



ACTIVITY	ZONES						
	High Intensity (ResH)	Orewa Beach front Zone (ResOB) <small>[Amendment 101]</small>	Medium Intensity (ResM)	Eastern Peninsula (ResEP)	Physical Limitations (Res PL)	Low Intensity (ResL)	Landscape Protection (ResLP)
* OUTDOOR RECREATION on land vested in the Council as Reserve	P	P	P	P	P	P	P
PLACES OF ASSEMBLY <b>except</b> on SITES within the defined area at Omaha, north of Broadlands Drive, shown on Planning Maps 48 and 49	D	D	D	D	D	NC	NC
Public RESERVES	P	P	P	P	P	P	P
* Public toilets, changing rooms, shelters and storage and implement sheds not exceeding 50 square metres on land vested in the Council as Reserve	P	P	P	P	P	P	P
SERVICE STATIONS on roads classified as ARTERIAL and principal ROADS in this District Plan, and on Centreway Road Orewa, (Hibiscus Coast Highway to Westhoe Road) <b>except</b> on sites within the defined area and Omaha, north of Broadlands Drive shown on Planning Maps 48 and 49	D	NC	D	D	D	NC	NC
* Use of a SITE on not more than a total 12 days within any 12 month period, for events such as festivals, carnivals, markets, public meetings, exhibitions, concerts and sporting events (excluding motorised sports), including temporary structures for such uses on land vested in the Council as Reserve, provided it meets with the rules set out in Chapter 16 of the Plan	P	P	P	P	P	P	P
* Walking tracks up to and including 2.2 metres in width on land vested in the Council as Reserve	P	P	P	P	P	P	P



ACTIVITY	ZONES						
	High Intensity (ResH)	Orewa Beach front Zone (ResOB) [Amendment 101]	Medium Intensity (ResM)	Eastern Peninsula (ResEP)	Physical Limitations (Res PL)	Low Intensity (ResL)	Landscape Protection (ResLP)
District Wide Activities	Refer to Chapter 16 - General Rules						
EARTHWORKS, VEGETATION REMOVAL and importation of CLEAN FILL including excavation	Refer to Chapter 18 — Urban Land Modification and Vegetation Protection						
Transportation Activities	Refer to Chapter 21 - Transportation and Access						
Use and storage of HAZARDOUS SUBSTANCES	Refer to Chapter 20 - Hazardous Substances and Contaminated Sites						
UTILITIES	Refer to Chapter 19 - Utilities						

**Note:** Activities in Rule 8.9.2 Activity Table that are indicated with an asterisk (\*) need to comply with Rule 10.10 Development Controls and Performance Standards in Chapter 10 — Open Space and Recreation Zone and any other relevant provisions of the Plan.



**Rule 8.9.3**  
**Sites for Integrated Residential Development**

**Rule 8.9.3.1**  
**Sites for Integrated Residential Development**

**Rule 8.9.3.2**  
**Sites for Integrated Residential Development Orewa Beachfront Residential Zone**

**Rule 8.9.4**  
**Standards for Other Activities**

**Sites for Integrated Residential Development**

**Sites for Integrated Residential Development**

Sites for Integrated Residential Development shall:

- (a) be a front or corner site with an area of not less than 2,000m<sup>2</sup>;
- Or
- (b) be a rear site with a net site area of not less than 2,500m<sup>2</sup> with a frontage of not less than 6 metres.

**Sites for Integrated Residential Development Orewa Beachfront Residential Zone**

- (a) be a front, corner or beachfront site with an area of not less than 2,000m<sup>2</sup>
- (b) delivers household units of a minimum of 120m<sup>2</sup> net useable floor space;

[\[Amendment 101\]](#)

***Explanation and Reasons***

*This Rule is intended to lead to the orientation of multiunit developments along the street so that the amenity values of the street may be used to mitigate the adverse effects of more intensive development.*

**Standards for Other Activities**

Other activities listed in the Activity Table as Discretionary Activities shall:

- (a) Not involve the sale of goods from the site other than the following:
  - (i) dairies in the High Intensity Residential zone on sites with a net site area of not less than 500m<sup>2</sup>, and in the Medium Intensity and Eastern Peninsula Residential zones on sites with a net site area of not less than 715m<sup>2</sup>;
  - (ii) show homes; and
  - (iii) food and beverages for consumption on the premises.
- (b) Not involve the manufacture, fabrication, machining, processing or mechanical assembly of goods on site.



- (c) Not involve the storage or warehousing of goods on the site as a principal activity.
- (d) Not require more than 20 car parks in all Zones except in the Low Intensity Residential Zone and the Landscape Protection Residential Zone where any activity should not require more than 10 car parks.
- (e) Not involve panel beating, spray painting, motor vehicle repairs, wrecking of motor vehicles, scrap metal storage, fibre glassing, fish or animal processing (other than for immediate consumption on the premises).
- (f) Be designed so that where the activity will operate later than 8:00pm all carpark spaces are screened from neighbouring properties by way of a 1.8 metre high solid wall or fence.
- (g) Not operate outside the hours of 7:00am to 10:00pm in the High Intensity Residential Zone and 8:00am to 8:00pm in other Residential Zones (except in the case of activities principally providing accommodation).
- (h) Not involve the onsite disposal of refuse.
- (i) Not involve the creation of strong odours or the release of pollutants set out in Chapter 16 - *General Rules*.
- (j) Not involve the creation of noise from activities in excess of that specified in Chapter 16 - *General Rules* or otherwise from hammering or impact created by machines.
- (k) Not be specified elsewhere in the same residential zone as a Non-complying or Prohibited Activity, or an activity that is an Integrated Residential Development.

#### ***Explanation and Reasons***

*These standards are considered necessary to limit other activities in the Residential Zones to those with effects compatible with the amenity values and living environments of the Residential Zones of the District.*

#### **Rule 8.9.5 Sites for Minor Household Units**

##### **Rule 8.9.5.1 Sites for Minor Household Units**

[Amendment 141]

#### **Sites for Minor Household Units**

Minor Household Units shall only occur on the following sites:

- (a) In the Medium Intensity Residential Zone on a site with a minimum net site area of 600m<sup>2</sup> or greater.
- (b) In the Low Intensity Residential Zone on a site with a minimum net site area of 4,000m<sup>2</sup> or greater except in Leigh (Planning Map 44)



Sandspit (Planning Maps 58 and 59) and Wellsford (Planning Maps 34, 35 and 37) where a 8,000 m<sup>2</sup> minimum net site area will apply.

- (c) In the Landscape Protection Zone on a site with a minimum net site area of 8,000m<sup>2</sup> or greater.

***Explanation and Reasons***

*This rule is intended to ensure that minor household units occur only on sites which meet the minimum subdivision site size in the relevant zone. Whilst sites may exist in the residential zones below this minimum site size the construction of a minor household unit, in addition to a principal household unit is likely to compromise the open space nature and amenity values of the residential zones.*

**Rule 8.9.6  
Minor Household Unit —  
Common Wall**

**Minor Household Unit — Common Wall**

**Rule 8.9.6.1**

A Minor Household Unit shall share a common wall with a Principal Household Unit.

**Rule 8.9.6.2**

Where 8.9.6.1 is not met, the Minor Household Unit may be separated from the Principal Household Unit where:

- (a) The Minor Household Unit is within 6 metres of the Principal Household Unit; and
- (b) The Minor Household Unit is consistent with the Principal Household Unit in terms of design, construction and finish; and
- (c) The Minor Household Unit is oriented to common areas, with no separation structures (including fencing or landscaping) between the buildings.

**Rule 8.9.6.3**

Applications for Restricted Discretionary Activities under Rule 8.9.6.2 need not be notified and the written approvals of affected parties will not be required.

***Explanation and Reasons***

*It is the intention of this rule that a Minor Household Unit and Principal Household Unit read, as much as possible, as a single household unit. This can be achieved through the use of a minimum 3 metre common wall between the Minor Household Unit and the Principal Household Unit. Token connections such as walls or walkways are however to be avoided.*

*It can also be achieved through alternative means, as provided in Rule 8.9.6.2.*



*Separation is limited to a maximum distance of 6 metres, and is subject to compliance with specific criteria to ensure the design and appearance of the Minor Household Unit is consistent with the Principal Household Unit and no separating structures or landscaping are provided between buildings.*

## Rule 8.10

## DEVELOPMENT CONTROLS AND PERFORMANCE STANDARDS

### Rule 8.10.1 Maximum Building Height

### Maximum Building Height

(Note this rule shall apply to all sites.) [Amendment 58]

#### Rule 8.10.1.1 All Zones

**All Zones (other than in Helensville Historic Residential Precinct and the Matakana Village Overlay Area)** [Amendment 101] [Amendment 160]

The maximum height of any building in all Residential Zones shall be 9 metres, excepting in the Landscape Protection Residential Zones where the maximum height shall be 7 metres.

Maximum height may be determined using either ROLLING HEIGHT or AVERAGE HEIGHT except within the Medium Intensity Residential zone at Muriwai.

Within the Medium Intensity Residential zone at Muriwai, the maximum building height shall be measured by AVERAGE HEIGHT only. Non-compliance with this provision shall be a Restricted Discretionary Activity. [Amendment 155]

#### **Explanation and Reasons**

*This Rule is intended to limit the effects of buildings on neighbours and to ensure a relatively low rise residential environment.*

*The topography and landscape of the Muriwai township makes it particularly sensitive to the scale and form of built development. In light of this sensitivity, the 'average height' method for measuring maximum building height is applied in the Medium Intensity Residential Zone at Muriwai, to prevent adverse effects to the landscape from buildings 'cascading' down slopes. [Amendment 155]*

#### Rule 8.10.1.2

(Deleted) [Amendment 160]





Rule 8.10.1.3

**Orewa East Structure Plan Area**

**Orewa East Structure Plan Area**

The Orewa East Structure Plan Area is defined on the plan at Appendix 6 Figure 8 (Planning Maps) and represents the part of Orewa subject to specific community master planning. The area represents the focus for more intensive forms of development to help cater for projected town growth.

[\[Amendment 101\]](#)

With the exception of the following prescribed zones within the Orewa East Structure Plan Area, the maximum height of any building or structure shall be 9m and contain no more than 3 storeys of living space above ground level, except that a maximum height of 11.5m may be provided to accommodate a roof with a pitch of not less than 20° provided that the additional space provided above 9m is not used to create additional habitable floor space. [\[Amendment 101\]](#)

***Explanation and Reasons***

*This rule covers the zones within the Orewa East Structure Plan identified as suitable for high density development. Development sites within these zones are subject to minimum site size and other development controls to ensure an appropriate form of development overall.* [\[Amendment 101\]](#)



Rule 8.10.1.4  
**Helensville Historic Residential Precinct**

**Helensville Historic Residential Precinct**

The maximum height in the Helensville Historic Residential Precinct shall be 5 metres.

***Explanation and Reasons***

*This Rule is intended to preserve the character of the Precinct by preventing new development from dominating the largely single-storeyed 19<sup>th</sup> and early 20<sup>th</sup> century houses which give the precinct much of its character.*

Rule 8.10.1.5  
**Matakana Village Overlay Area**

**Matakana Village Overlay Area**

The maximum height of any building shall be 8 metres except for buildings with a roof pitch of 25° or more where the maximum height shall be 8m plus an additional non habitable roof space of 1m (total 9 metres).

***Explanation and Reasons***

*This Rule is intended to limit the effects of buildings on neighbours while ensuring a relatively low rise residential environment consistent with the character of Matakana Village.*

*The rule also seeks to provide for buildings with attractively designed roof lines/profiles rather than using as much habitable space as possible within the maximum height.*

Rule 8.10.2  
**Maximum Height in Relation to Boundary**

**Maximum Height in Relation to Boundary**

(Note: In respect to Integrated Residential Developments this rule shall apply only to the Development Site Boundary)

Rule 8.10.2.1  
**All Zones**

**All Zones**

No part of any building shall exceed a height equal to 3 metres plus the shortest horizontal distance between that part of the building and any boundary of the site on which the building is to be located, except a front boundary or any boundary between exclusive use areas of dwelling units on the same site. Each application for a resource consent, shall show on the plans submitted with the application such exclusive use areas associated with each dwelling.



#### Rule 8.10.2.2

This Rule shall not apply to:

- (a) chimneys, radio and television aerials, domestic satellite dishes less than 1 metre in diameter;
- (b) the apex of any roof or gable end not exceeding 1m<sup>2</sup> in area;
- (c) dormers not exceeding 2 metres in width (not more than two per building facing the same boundary);
- (d) those parts of buildings that share a common wall on a site boundary or on a boundary between exclusive use areas.

#### **Explanation and Reasons**

*High buildings close to common boundaries can have significant adverse effects on neighbouring sites, including being overbearing and restricting the admission of daylight. This Rule requires higher buildings to be located further from the boundary.*

#### **Rule 8.10.3 Maximum Bulk in Relation to Boundary**

#### **Maximum Bulk in Relation to Boundary**

(Note : In respect to Integrated Residential Developments this rule shall apply only to the Development Site Boundary)

#### **Rule 8.10.3.1 All Zones**

#### **All Zones**

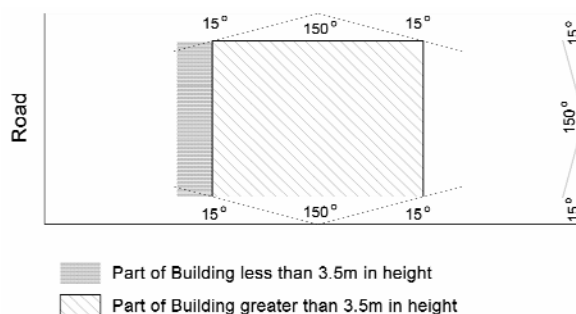
Any part of a proposed building that is greater than 3.5 metres above the ground level of the site boundary adjacent to the building, must be confined within the arms of a single 150 degree angle formed by two lines intersecting at a common point on the site boundary, such that each line forms an angle of 15 degrees with that boundary.

#### Rule 8.10.3.2

This Rule shall not apply:

- (a) To any part of a building located 4 or more metres from the site boundary to which the Rule applies.
- (b) On a front boundary.
- (c) To buildings in the High Intensity Residential Zone where these buildings share a common wall located on a site boundary.

#### **Diagram One - Bulk in Relation to Boundary**



*This Rule requires long buildings to be set back from boundaries in proportion to their length. This results in more open space being located around larger buildings, so that their effect on the spaciousness of the residential environment is reduced and allows daylight to penetrate around buildings.*

## Maximum Site Coverage

The maximum building coverage of a site shall be:

- (a) High Intensity Residential Zone - 50% of net site area.
- (b) Orewa Beachfront Residential Zone — 35% of net site area. [Amendment 101]
- (c) Medium Intensity and Eastern Peninsula Residential Zone — 35% of net site area.
- (d) Physical Limitations Residential Zone — 20% of net site area.
- (e) Low Intensity Residential Zone and Landscape Protection Zone — a maximum cumulative footprint area of all buildings on a site of 500m<sup>2</sup>, unless the site is 1430m<sup>2</sup> or less in area in which case buildings shall be limited to 35% net site area.

*Residential areas in Rodney are characterised by spaciousness and green open space around buildings. These Rules are intended to ensure that these characteristics are retained. The Council recognises that open space is less of an issue in the ResH zone hence the lesser requirement. Open space also plays an important part in providing space for the planting of trees, stormwater drainage, and ensuring a high level of amenity values on residential sites.*

*The site coverage rule in the Low Intensity Residential and Landscape Protection Residential Zones allows more permissive site coverage entitlements*



*for sites smaller than 1430m<sup>2</sup> in area in recognition of the number of such sites which already exist in these zones. As the majority of such sites have already been developed, and the environmental effects associated with this development established, application of a site coverage restriction that corresponds with other Residential Zones is considered appropriate.*

**Rule 8.10.5**  
**Minimum Yards**

**Minimum Yards**

(Note: In respect to Integrated Residential Developments (except those in the Res OB Zone in which cases the front yard rule 8.10.5.9 shall apply), the front yard rule (Rule 8.10.7.4) shall apply and the relevant parts of this rule (8.10.5.1, 8.10.5.2) shall not apply.) [\[Amendment 101\]](#)

**Rule 8.10.5.1**  
**Front Yards on sites created since 1 January 1995**

**Front Yards on Sites Created since 1 January 1995**

Minimum Front Yards: 3 metres;

provided that the siting of the building does not cause vehicles parked on site to protrude over the front boundary of the site.

**Rule 8.10.5.2**  
**Front Yards on sites created before 1 January 1995**

**Front Yards on Sites Created before 1 January 1995.**

Minimum Front Yards: 6 metres.

**Rule 8.10.5.3**  
**Helensville Residential Heritage Policy Area**  
[\[Amendment 160\]](#)

**Front Yards in Helensville Residential Heritage Policy Area (see Appendix 8C)**

(a) Minimum Front Yards:

The average of the setbacks of the existing principal buildings on the two sites adjoining the site and facing the same street. Where an adjoining site is vacant or is occupied by a non-residential building, the set back of the next site which is developed with a residential building shall be used.

(b) No fence, wall or other structure within the front yard required by rule 8.10.5.3(a) shall exceed a maximum height of 1.4 metres.  
[\[Amendment 160\]](#)

**Rule 8.10.5.4**  
**Other Yards - Integrated Residential Development sites.**

**Other Yards - Integrated Residential Development sites.**

The minimum yards (other than a front yard) on any site used for an Integrated Residential Development shall be:

(a) Shoreline Yard 23 metres.



Rule 8.10.5.5  
**Other Yards — Other Sites**

- (b) Other Yards 6 metres, except where the boundary adjoins a public reserve, lake, canal or other area of permanent open space, in which case the minimum yard is 1.2 metres.

**Other Yards — Other Sites**

The minimum yards (other than a front yard) on any other site shall be:

- (a) Shoreline Yard 23 metres.  
(b) Side Yards 1.2 metres.  
(c) Rear Yards 3 metres. (Note: on rear sites every yard is a rear yard.)

Rule 8.10.5.6  
**Yards to remain unobstructed by buildings**

**Yards to remain unobstructed by buildings**

All yards shall remain unobstructed by buildings except as provided for in Rules 8.10.5.7 and 8.10.5.8 below.

Rule 8.10.5.7

The following can be built in any yard other than a Shoreline Yard:

- (a) Decks, unroofed terraces, landings, steps or ramps with a maximum height of 0.3 metres provided they do not prevent vehicular access to a required parking space.

Rule 8.10.5.8

The following can be built in all yards:

- (a) Fascia, gutters, downpipes, and eaves; masonry chimney backs, flues, pipes, domestic fuel tanks, cooling or heating appliances or other services; light fittings, electricity or gas meters, aerials or antennae, pergolas or sunblinds provided they do not encroach into the yard by more than 0.3 metres.

Rule 8.10.5.9  
**Orewa Beachfront Residential Zone**

In addition to 8.10.5.4 to 8.10.5.8 the following shall apply in the Orewa Beachfront Residential Zone.

**Orewa Beachfront Residential Zone**

- (a) The minimum front yard shall be 6m.  
(b) The minimum yard on the eastern boundaries of sites adjoining land zoned Open Space along the Orewa beach front shall be 10m.

***Explanation and Reasons***

*This explanation and reasons relate to Rule 8.10.5.1 to Rule 8.10.5.9.*



Rule 8.10.5.10  
**Matakana Village  
Overlay Area**

*Yards or building set backs allow for open space between buildings for site access, building maintenance, privacy, noise reduction and the like. The shoreline yard makes provision for any future 20 metre wide esplanade reserve and a 3 metre wide yard.*

*The front yard in the Helensville Residential Heritage Policy Area is intended to help preserve the present character of the Precinct by preventing new development from dominating the 19<sup>th</sup> and early 20<sup>th</sup> century buildings which give the precinct much of its character. [Amendment 160]*

*In the new Orewa zone it is appropriate to define new rules to suit the particular circumstances and envisaged development proposals. For this reason and to protect the amenity of the area a new rule governing proximity of buildings to the beach front has been created in the Orewa Beachfront Residential Zone. [Amendment 101]*

**Front Yards in the Matakana Village Overlay Area**

The minimum front yard setback shall be 5m or the average setback of the existing principal buildings on the two adjoining sites facing the same street whichever is the lesser. Where an adjoining site is vacant or is occupied by a non residential building the setback shall be 5m.

Where a site is located on the corner of two streets the following minimum front yard setback shall apply:

- (i) For the primary street frontage: 5m or the setback of the existing principal building on the adjoining site facing the same street whichever is the lesser.
- (ii) For the other street: 3m

For the purposes of this rule, the primary street frontage is deemed to be:

A street classified as a strategic route, regional arterial, district arterial or collector road in Appendix 21C of Chapter 21 whichever is the highest classification in the road hierarchy. Where the site fronts two local streets, the primary street is that frontage which has the shortest axis.

***Explanation and Reasons***

*Yards or building setbacks allow for open space between buildings for site access, building maintenance, privacy, noise reduction and the like. They also provide a degree of separation between buildings on adjoining sites to ensure reasonable standards of daylight and sunlight admission, and privacy in addition, front yards function to:*

- (a) *Provide a separation between households and road traffic noise and dust;*



- (b) Provide a setback in case of later road realignment or improvements;
- (c) Provide separation from the road to retain amenity value; and
- (d) Permit manoeuvring of vehicles within the site rather than on roads.

**Rule 8.10.6**  
**Additional Development**  
**Controls and Performance**  
**Standards**

8.10.6

**Rule 8.10.6.1**  
**Private Open Space**

Rule 8.10.6.1.1

**Additional Development Controls and Performance**  
**Standards**

Rule 8.10.6.1 shall apply **only** where more than one household unit is located on a site as a Permitted Activity.

**Private Open Space**

**High Intensity Residential Zone**

In the High Intensity Residential Zone a single area of open space shall be provided for each household unit that meets the following standards:

- (a) the minimum area of the open space shall be 30m<sup>2</sup>; and
- (b) the open space shall be directly accessible from the main living room of each household unit; and
- (c) the entire open space area required by this rule shall be located to the north, east or west of the household unit, but not south of east or west measured from the southern most part of the household unit; and
- (d) the minimum dimension of the open space shall be 4 metres and be capable of containing a rectangle of 4 metres by 6 metres; and
- (e) the open space shall not be obstructed by buildings, parking spaces or shared vehicle access and manoeuvring areas.

Rule 8.10.6.1.2

**Orewa Beachfront Residential Zone**

In developments up to a maximum of 3 household units per building (1 building per 600m<sup>2</sup>) or Integrated Residential Developments communal open space provision shall be :-

- (a) a minimum area of open space of 50m<sup>2</sup> per household unit
- (b) the open space shall not be obstructed by buildings, parking spaces or shared vehicle access and manoeuvring areas [\[Amendment 101\]](#)





### ***Explanation and Reasons***

*Residential areas in the District are characterised by spaciousness and green open space around buildings. These Rules are intended to ensure that these characteristics are retained. Open space also plays an important part in providing room for the planting of trees, stormwater drainage, and ensuring high levels of amenity values on residential sites. This Rule is intended to ensure open space is provided on sites in a form that is useable and practicable.*

#### **Rule 8.10.6.2 Development Controls for Minor Household Units**

#### **Development Controls for Minor Household Units**

##### **Rule 8.10.6.2.1**

The Minor Household Units shall be accessed by the same vehicle crossing and driveway as the Principal Household Unit.

##### **Rule 8.10.6.2.2**

For each Principal Household Unit to which a Minor Household Unit is secondary, a single area of private open space shall be provided that meets the following standards:

- (a) the minimum area of the open space shall be 70m<sup>2</sup>; and
- (b) the open space shall be directly accessible from the main living room of the household unit; and
- (c) the entire open space area required by this rule shall be located to the north, east or west of the household unit, but not south of east or west measured from the southern most part of the household unit; and
- (d) the minimum dimension of the open space shall be 4 metres and be capable of containing a rectangle of 4 metres by 6 metres; and
- (e) the open space shall not be obstructed by buildings, parking spaces, or shared vehicle access and manoeuvring areas.

##### **Rule 8.10.6.2.3**

For each Minor Household Unit a single area of open space shall be provided for the exclusive use of the Minor Household Unit occupants that meets the following standards:

- (a) the minimum area of the open space shall be 30m<sup>2</sup>; and
- (b) the open space shall be directly accessible from the main living room of the minor household unit; and
- (c) the entire open space area required by this rule shall be located to the north, east or west of the household unit, but not south of east or west measured from the southern most part of the minor



household unit; and

- (d) the minimum dimension of the open space shall be 4 metres and be capable of containing a rectangle of 4 metres by 6 metres; and
- (e) the open space shall not be obstructed by buildings, parking spaces or shared vehicle access and manoeuvring areas.

**Explanation and Reasons**

*Where a Minor Household Unit is proposed, to all appearances it should look as though there is only one household unit on a given site. In addition, a minimal amount of functional outdoor living area should also be provided in conjunction with both the minor household unit and the principal household unit to ensure a minimum level of amenity is available to the occupants of each unit.*

Rule 8.10.6.3

**Cross Lease Savings Clause**

Rule 8.10.6.3.1

**Private Open Space — Medium Intensity, Eastern Peninsula, Physical Limitations, Low Intensity, and Landscape Protection Residential Zones**

In the Medium Intensity, Eastern Peninsula, Physical Limitations, Low Intensity and Landscape Protection Residential Zones a single area of open space shall be provided for each residential unit that meets the following standards:

- (a) the minimum area of the open space shall be 50m<sup>2</sup>; and
- (b) the open space shall be directly accessible from the main living room of each household unit; and
- (c) the entire open space area required by this rule shall be located to the north, east, or west of household unit, but not south of east or west measured from the southern most part of the household unit; and
- (d) the minimum dimension of the open space shall be 4 metres and be capable of containing a rectangle of 4 metres by 6 metres; and
- (e) the open space shall not be obstructed by buildings, parking spaces, or shared vehicle access and manoeuvring areas.

Rule 8.10.6.3.2

**Separation Between Buildings — Medium Intensity, Eastern Peninsula, Physical Limitations, Low Intensity, and Landscape Protection Residential Zones.**

Household units shall be located no closer than 6 metres to another



Rule 8.10.6.4  
**Additional Development  
Controls in the Matakana  
Village Overlay Area**

Rule 8.10.6.4.1  
**Impervious Surfaces**

household unit on the same site. Garages, carports and car parking areas may be located within the separation area.

**Additional Development Controls in the Matakana Village Overlay Area**

**Impervious Surfaces**

No more than 50% of the net site area of any site (post subdivision and, not including roads or reserves) may be covered in an impervious surface.

***Explanation and Reasons***

*This rule has been imposed in order to ensure sufficient land is available for landscaping and to mitigate the potential effects of stormwater runoff from this area and ensure that there is an integrated approach to stormwater management.*

*Provision is made as a restricted discretionary activity for the maximum impervious surfaces to be increased to up to 60% on any site, but the effects of the increase must be mitigated back to 50% by various mitigation measures.*

Rule 8.10.6.4.2  
**Vehicle Crossings**

**Vehicle Crossings**

No more than one vehicle crossing onto the road from each site shall be provided and that crossing shall not exceed 3 metres in width at the site boundary.

Note: This rule takes precedence over any alternative rule contained within Chapter 21 – Transportation and Access.

***Explanation and Reasons***

*Vehicle crossing widths should be designed to maximise the potential for on street car parking and respect the character of the streetscape by minimising the visual dominance of driveways and crossings.*

Rule 8.10.6.4.3  
**Structures in the Front Yard**

**Structures in the Front Yard and/or on any yard adjoining an area of open space zone or reserve**

Fences, walls or screens (excluding hedges and soft landscaping) located within the front yard and/or on any yard adjoining an open space zone or reserve:

- (i) shall not exceed a height of 1.2m and
- (ii) shall be at least 25 percent visually permeable.



Rule 8.10.6.4.4  
**Landscaping**

***Explanation and Reasons***

High impermeable front fences, walls or screens conceal the façade of buildings and create a dominant feature when viewed from the road. Therefore, this rule has been imposed to ensure that structures located within the front yard complement and enhance the character and amenity of Matakana Village.

**Landscaping**

At least one tree capable of reaching a minimum of 5 metres, shall be planted in the front yard setback area. The tree shall be at least 2 metres at the time of planting or if already planted they shall have reached this height prior to any Building or Resource Consent application.

***Explanation and Reasons***

*This rule has been imposed to ensure that adequate planting is provided to ensure buildings are softened when viewed from the street or other significant public viewing areas. The planting of native tree species is preferred.*

Rule 8.10.6.4.5  
**Secluded Private Open Space**

**Secluded Private Open Space**

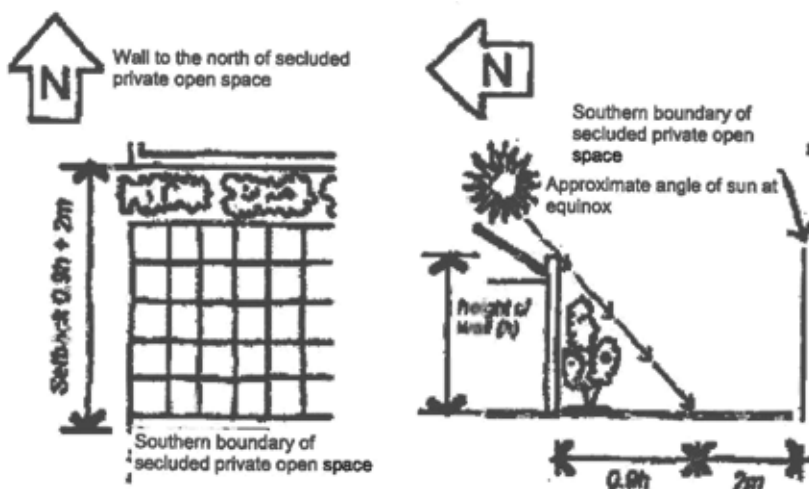
A dwelling shall provide a minimum area of 40m<sup>2</sup> of private open space to the side or rear of the building and this shall include an area of 25m<sup>2</sup> of secluded private open space which has a minimum dimension of 5 metres by 5 metres and has convenient access from a living room, dinning room or kitchen.

The area of secluded private open space shall not be shaded by buildings on the same site between the hours of 10am and 2pm throughout the year. Information illustrating compliance with this rule, through shading diagrams calculated at the Winter Solstice, should be included with all building consent applications.

The southern boundary of the secluded private open space shall be setback from any wall to the north by at least (2 metres + 0.9h), where "h" is the height of the wall. See diagram below.



**Diagram 1– Solar Access to Private Open Space**



**Explanation and Reasons**

The purpose of this control is to ensure that dwellings have adequate secluded private open space for the reasonable recreation and service needs of residents. It is also designed to facilitate solar access to private open space by requiring a minimum setback from any wall that is on the north side of the secluded private open space area.

**Rule 8.10.6.4.6  
Overlooking**

**Overlooking**

A habitable room window, balcony, terrace, deck or patio shall be located and designed to avoid direct views into the secluded private open space of an existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views shall be measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.6 metres above floor level.

A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window of existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio shall be either:

- (a) Offset a minimum of 1.5 metres from the edge of one window to the edge of the other;
- (b) Have sill heights of at least 1.7 metres above floor level;
- (c) Have fixed, obscure glazing in any part of the window below 1.7 metres above floor level; or
- (d) Have permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent.



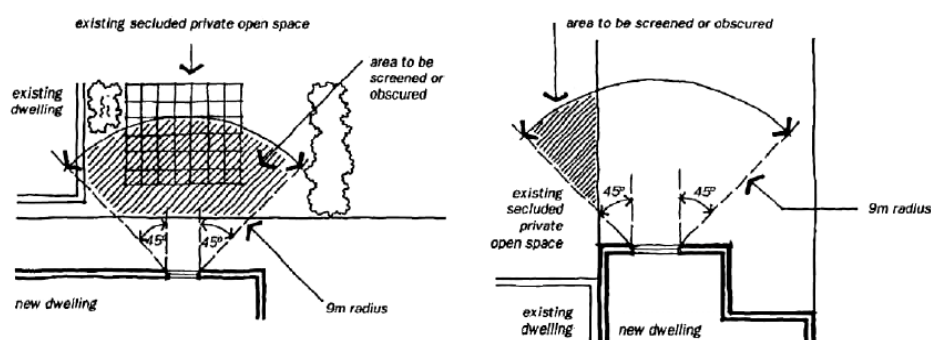
Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this rule.

Screens used to obscure a view shall be:

- (a) Perforated panels or trellis with a maximum of 25 percent openings or solid translucent panels;
- (b) Permanent, fixed and durable; and
- (c) Designed and coloured to blend in with the development.

This rule does not apply to a new habitable room window, balcony, terrace, deck or patio which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary.

**Diagram 2 - Overlooking**



### *Explanation and Reasons*

The purpose of this control is to limit views into the secluded private open space and habitable room windows of any existing adjacent dwelling.

**Rule 8.10.7**  
**Additional Development**  
**Controls and Performance**  
**Standards — Integrated**  
**Residential Developments**  
**Development Site**  
**Boundary**

**Additional Development Controls and Performance Standards**  
**—Integrated Residential Developments- Development Site**  
**Boundary**

In addition to applying to site boundaries, Rule 8.10.7 shall apply to the boundaries between exclusive use areas of dwelling units on the same site. Each application for resource consent shall show on the plans



Rule 8.10.7.1  
**Maximum height of a  
building on a boundary**

submitted with the application such exclusive use areas associated with each dwelling.

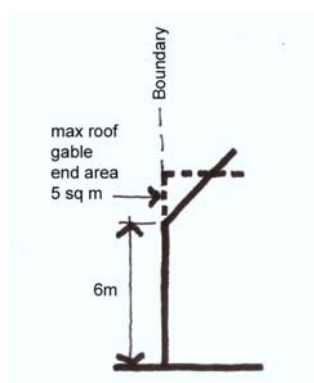
In addition to this rule, Rules 8.10.1 to 8.10.6 may apply.

This rule shall not apply to Integrated Residential Developments in the Orewa Beachfront Residential Zone. [\[Amendment 101\]](#)

**Maximum height of a building on a boundary**

(Note: This rule shall not apply on a development site boundary.)

No part of a building (where the wall is located in or within 100mm of the boundary) shall exceed a height equal to 6 metres plus the shortest horizontal distance between that part of the building and the side boundary.



Rule 8.10.7.2  
**Maximum height of a  
building not on a boundary**

**Maximum height of a building not on a boundary**

(Note: This rule shall not apply on a development site boundary.)

No part of a building (where the wall is located more than 100mm from the boundary) shall exceed a height equal to 5 metres plus the shortest horizontal distance between that part of the building and the side boundary.



### Rule 8.10.7.3 Exemptions

#### Exemptions

The Height to Boundary Rules above in 8.10.7.1 and 8.10.7.2 shall not apply to:

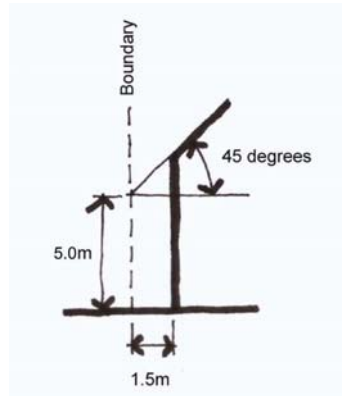
- (a) a front boundary;
- (b) a rear or side boundary adjoining a rear or side lane;
- (c) chimneys, radio and television aerials, domestic satellite dishes less than 1 metre in diameter;
- (d) the apex of any roof or gable end not exceeding 5m<sup>2</sup> in area;
- (e) dormers not exceeding 2 metres in width (not more than two per building facing the same boundary);
- (f) those parts of buildings that share a common wall on a site boundary or on a boundary between exclusive use areas.

### Rule 8.10.7.4 Front Yards

#### Front Yards

Minimum Front Yards: 3 metres:

- (a) provided that the siting of the building does not cause vehicles parked on site to protrude over the front boundary of the site;
- (b) Notwithstanding the above, the following additional rule also applies;
- (c) no fence, wall, or screen located within the front yard shall exceed 0.8m high;
- (d) Where a garage faces the street, then the front wall (containing the garage door) of the garage shall be set back a minimum of 6m from the front boundary;







**Rule 8.10.7.5**  
**Rear Yards**

- (e) Where two double garages are proposed to adjoin one another on the same site or where they are to be less than 3 metres apart, the front walls of the garages shall be offset by a minimum of 1 metre.

**Rear Yards**

(Note: This rule shall apply in conjunction with Rule 8.10.5.4)

The minimum rear yard dimensions shall be as follows:

**Rule 8.10.7.5.1**

For lots accessed from street frontages oriented between NW (315°) and NE (45°) of the lot:

- (a) For lots of 8m or less in width the minimum rear yard depth extending across the entire width of the site shall be sufficient to accommodate a 4.5m wide by 10m deep private open space that is directly adjoining and accessible from the living room or kitchen of the associated residential unit.
- (b) For lots over 8m in width the minimum rear yard depth extending across the entire width of the site shall be sufficient to accommodate a 6m wide by 10m deep private open space that is directly adjoining and accessible from the living room or kitchen of the associated residential unit.

**Rule 8.10.7.5.2**

For lots accessed from street frontages oriented between SW (225°) and SE (135°) of the lot :

- (a) For lots of 8m or less in width the minimum rear yard depth extending across the entire width of the site shall be sufficient to accommodate a 4.5m wide by 6m deep private open space that is directly adjoining and accessible from the living room or kitchen of the associated residential unit.
- (b) For lots over 8m in width the minimum rear yard depth extending across the entire width of the site shall be sufficient to accommodate a 6m wide by 6m deep private open space that is directly adjoining and accessible from the living room or kitchen of the associated residential unit.

**Rule 8.10.7.5.3**

For lots accessed from street frontages oriented between NE (45°) and SE (135°) and NW (315°) and SW ( 225°) of the lot:

- (a) For lots of 8m or less in width the minimum rear yard depth extending across the entire width of the site shall be sufficient to accommodate a 4.5m wide by 8m deep private open space that is directly adjoining and accessible from the living room or kitchen of



the associated residential unit.

- (b) For lots over 8m in width the minimum rear yard depth extending across the entire width of the site shall be sufficient to accommodate a 4.5m wide by 8m deep private open space that is directly adjoining and accessible from the living room or kitchen of the associated residential unit.

**Rule 8.10.7.5.4**

**Walls to screen the rear yard and ensure a high quality streetscape**

**Walls to screen the rear yard and ensure a high quality streetscape**

Rear yards shall be screened by a wall or fence. All such walls and fences shall extend across the full width of the rear boundary and along each side boundary to a point 1.0m to the rear of the front elevation of the dwelling or garage and then run at 90 degrees between the side of the dwelling or garage to screen the side yard. Where there is no side yard, then the wall shall extend from the rear of the dwelling or garage on one side boundary, along the full length of the rear boundary, and along the second side boundary to join the rear wall of the dwelling or garage. Access gates are permitted within the fences.

**Rule 8.10.7.6**

**Side Yards**

**Side Yards**

There is no minimum side yard requirement within an integrated residential development provided that the minimum side yard requirement for a building not located on or within 100mm of a boundary shall be 1.5m.

**Rule 8.10.7.7**

**Yards to Remain Unobstructed by Buildings**

**Yards to Remain Unobstructed by Buildings**

All yards shall remain unobstructed by buildings except as provided for below.

The following can be built in all yards:

- (a) Decks, unroofed terraces, landings, steps or ramps with a maximum height of 0.6 metres provided they do not prevent vehicular access to a required parking space.
- (b) Fascia, gutters, downpipes, and eaves; masonry chimney backs, flues, pipes, domestic fuel tanks, cooling or heating appliances or other services; light fittings, electricity or gas meters, aerials or antennae, pergolas or sun blinds provided they do not encroach into the yard by more than 0.3 metres.



#### Rule 8.10.7.8

##### **Buildings Frontages**

##### **Buildings Frontages**

The total area of all attached or detached garage doors or the open façade of a carport fronting the street shall not occupy more than 35% of the active building frontage.

The active building frontage is defined as:

The front façade of a dwelling including any attached or detached garage that faces the street but excludes:

- Any vertical faces that are located more than 3m to the rear of the garage door
- Any roof.

No utility connection, meter or plumbing located on the front wall of the building shall be visible from the road.

#### Rule 8.10.7.9

##### **Private Outdoor Space for Ground Floor Residential Units**

##### **Private Outdoor Space for Ground Floor Residential Units**

A single area of open space shall be provided for each ground floor residential unit that meets the following standards:

- (a) The area and minimum dimensions of the open space shall be as specified in Rule (Rear Yard).
- (b) The open space shall contain a minimum contiguous area of 16m<sup>2</sup> that shall not be shaded by buildings on the same site between the hours of 10.00am and 2.00pm throughout the year (note this area may move within the private open space). Applications for resource consent shall illustrate compliance with this rule through shade diagrams.
- (c) The open space shall be directly accessible from a living room, dining room or kitchen of each household unit.
- (d) The open space shall not be obstructed by buildings, parking spaces or vehicle access and manoeuvring areas provided that any part of a building which is 2.2m or more above the open space may protrude a maximum of 1.5m over the open space.

#### Rule 8.10.7.10

##### **Private Open Space for Household Units above Ground Floor Level**

##### **Private Open Space for Household Units above Ground Floor Level**

Each studio or 1 bedroom apartment or any household unit less than 60m<sup>2</sup>



in area above ground floor level shall be provided with open space that meets the following standards:

Either

An exclusive use balcony;

- (a) with a minimum area of 6m<sup>2</sup>
- (b) with a minimum depth of 2m
- (c) with a weather tight overhang or cover of at least 1m from the face of the building.
- (d) That is directly accessible from the main living room
- (e) That has privacy screens projecting across the full depth of the balcony where the balconies are less than 2m apart.
- (f) That has privacy screens projecting a minimum of 1m from the face of the building where balconies are located between 2m and 5m apart.

Or;

An exclusive use roof top space;

- (a) with a minimum area of 9m<sup>2</sup>
- (b) with a minimum depth of 2m
- (c) that is directly accessible from the main living room.
- (d) That is screened from other roof top open space within 8m.

Each 2 or 3 bedroom apartment or any household unit over 60m<sup>2</sup> in area above ground floor level shall be provided with open space that meets the following standards:

Either;

An exclusive use balcony;

- (a) with a minimum area of 10m<sup>2</sup>
- (b) with a minimum depth of 2.5m
- (c) with a weather tight overhang or cover of at least 1m from the face of the building.
- (d) That is directly accessible from the main living room



- (e) That has privacy screens projecting across the full depth of the balcony where the balconies are less than 2m apart.
- (f) That has privacy screens projecting a minimum of 1m from the face of the building where balconies are located between 2m and 5m apart.

Or;

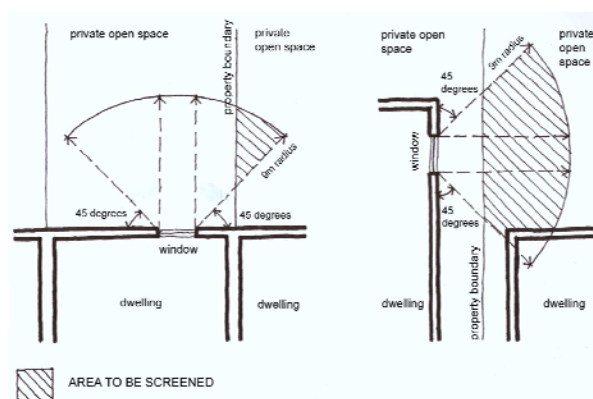
An exclusive use roof top space;

- (a) with a minimum area of 12m<sup>2</sup>
- (b) with a minimum depth of 2.5m
- (c) That is directly accessible from the main living room.
- (d) That is privacy screened from other roof top open space within 8m.

#### Rule 8.10.7.11

#### Protection of Overlooking of Open Space

#### Protection of Overlooking of Open Space

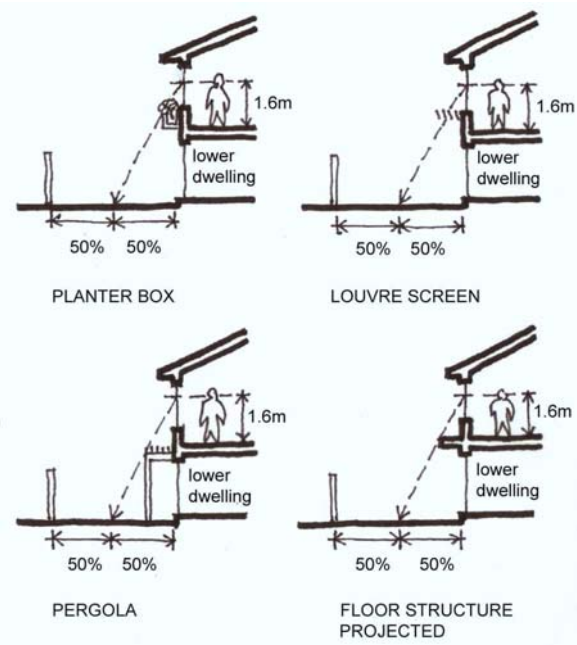


#### Screening of views to adjacent private open space

All ground floor habitable room windows, balconies, terraces or patios shall be located and designed to avoid direct views into the private open space of another existing or proposed household unit within a horizontal distance of 9m. To comply with this rule views should be measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio and from a height of 1.6m above floor level.

Windows and balconies shall be designed to prevent overlooking of more than 50% of the private open space of another household unit.

**Techniques for preventing overlooking of adjacent private open space from a balcony in a household unit above that private open space and within the same development**



#### Rule 8.10.7.12

The windows of a habitable room of a new household unit that are less than 6m from those of a habitable room of another existing or proposed household unit shall;

- be offset a minimum of 1m (horizontally or vertically) from the outer edge of one window to the outer edge of the other, or
- have sill heights of 1.6m or greater above floor level, or
- have fixed obscure glazing in any part of the window below 1.6m above floor level, or
- be on the ground floor and be separated by a fence that has a height or 1.6m or more above floor level.

Provided that this rule shall not apply to windows facing the same direction or where windows are screened by intervening non-transparent fences.

Windows on the front or rear ground floor walls of household units shall be no closer than 12m to windows on facing rear or front walls of other household units.

Windows on the front or rear walls above ground floor level of household units shall be no closer than 16m to windows on facing rear or front walls of other household units as these are more visible above fences.

Windows of different household units that face each other at angles of greater than 135 degrees shall be no closer than 4m to each other.

#### 8.10.7.13



## Building Block

### 8.10.8 Rules in Other Chapters of the Plan

## Building Block

No building block shall exceed a length equal to 5 household units or 40m whichever is the lesser.

Building blocks containing more than one household unit shall be separated from any other building or the Development site boundary by 6m.

### Rules in Other Chapters of the Plan

Relevant rules in other chapters of the Plan shall also be complied with:

- Chapter 5 - Natural Hazards
- Chapter 16 - General Rules
- Chapter 17 - Cultural Heritage
- Chapter 18 - Urban Land Modification and Vegetation Protection
- Chapter 21 - Transportation and Access
- Chapter 22 - Financial Contributions and Works
- Chapter 23 - Subdivision and Servicing



## Rule 8.11

### Rule 8.11.1 Accessory Buildings, Buildings: Construction and or Relocation of Buildings in the Landscape Protection Residential Zone

#### Rule 8.11.1.1 Matters For Control

#### 8.11.1.2 Assessment Criteria

*Flooding and erosion*

*Landscape*

*Overland flow paths*

*Safety*

*Earthworks and vegetation  
removal*

## CONTROLLED ACTIVITIES: MATTERS FOR CONTROL AND ASSESSMENT CRITERIA

In accordance with section 76(3A) the Council will restrict its control to the matters listed against each specified activity when considering resource consent applications for Controlled Activities. Applications for Controlled Activities under this Rule need not be notified and the written approvals of affected parties will not be required.

### Accessory Buildings, Buildings: Construction and or Relocation of Buildings in the Low Intensity Zone and Landscape Protection Residential Zone

#### Matters For Control

The Council will limit its control to the following matters:

- (a) Building siting, design and external appearance.
- (b) Landscape and landform modification.

#### Assessment Criteria

When considering the application the Council will have regard to the following criteria:

- (a) Whether the building (including its location) will result in erosion or flooding on the site or elsewhere, or otherwise adversely affect land stability.
- (b) Where the building will adversely affect a sensitive landscape or the natural character of the coast whether appropriate measures are proposed to mitigate these effects. .
- (c) Whether the erection of the building will adversely affect overland flow paths or other stormwater runoff patterns causing flooding.
- (d) Whether the safety of the occupants of any building or site will be adversely affected.
- (f) Whether associated earthworks and vegetation removal will have an adverse effect on the land or any stream, river or the coastal marine area.

#### Explanation and Reasons





**Rule 8.11.2  
Minor Household Units in  
the Medium Intensity  
Residential Zone**

**Rule 8.11.2.1  
Matters For Control**

**8.11.2.2  
Assessment Criteria**

*External Appearance*

*Privacy*

*Amenity Values*

*Stormwater*

*Servicing*

**Rule 8.11.3**

*Where buildings are erected in the ResL and ResLP Zones it is important that they do not result in adverse effects on the landscape and the wider environment.*

**Minor Household Units in the Medium Intensity Residential Zone**

**Matters For Control**

The Council will limit its control to the following matters:

- (a) Building siting, design and external appearance.
- (b) Servicing.

**Assessment Criteria**

When considering an application the Council will have regard to the following criteria:

- (a) Whether the exterior finish of the Minor Household Unit ensures compatibility with buildings on the site and within the neighbourhood.
- (b) Whether the arrangement of the units, and related facilities such as letter boxes and service areas, are integrated to provide the general impression of a single household unit on a site.
- (c) Whether the visual privacy of adjoining properties is protected.
- (d) Whether the amenity values of the surrounding neighbourhood are safeguarded.
- (e) Whether adequate provision can be made for the mitigation of additional stormwater discharge.
- (f) Whether the effects on public services resulting from the establishment of the Minor Household Unit are mitigated.

***Explanation and Reasons***

*It is important that the increased intensity of activity resulting from the erection of a minor household unit does not adversely affect the amenity values and privacy of neighbouring sites or the neighbourhood, including the existing character, or result in increased stormwater runoff, or pressure on other public services. To all appearances it should look as though there is only one household unit on a given site.*



### **A Household Unit to be Constructed Using the Cross Lease Savings Clause**

#### **Rule 8.11.3.1 Matters for Control**

#### **Rule 8.11.3.2**

### **A Household Unit to be Constructed Using the Cross Lease Savings Clause**

#### **Matters for Control**

The Council will limit its control to the following matters:

- (a) Privacy of adjoining sites
- (b) Building siting, design, and external appearance.
- (c) Landscaping.

#### **Assessment Criteria**

- (a) Whether the construction of the household unit will adversely affect the privacy of adjoining existing household units and the extent to which this adverse effect can be mitigated by screening, landscape planting, or window treatment.
- (b) Whether the siting, design and external appearance of the new household unit is of a similar scale and character to residential buildings in the area surrounding the site.
- (c) Whether landscape planting provided in conjunction with the household unit serves to assist in mitigating the effects of the household unit.



## Rule 8.12

### Rule 8.12.1 Non-compliance With Development Controls

#### Rule 8.12.1.1 Certain Activities – Restricted Discretionary

#### Rule 8.12.1.2 Maximum Building Height

##### Circumstance

#### Rule 8.12.1.2.1 Circumstance

## RESTRICTED DISCRETIONARY ACTIVITIES: MATTERS FOR DISCRETION AND ASSESSMENT CRITERIA

In accordance with sections 76(3B) and 105(3A) of the Act the Council will restrict its discretion to the matters listed against each specified activity when considering resource consents applications for Restricted Discretionary Activities. Applications for Restricted Discretionary Activities under Rule 8.12.1.6 (Private Open Space) and Rule 8.12.2 (Residential Densities) need not be notified and the written approvals of affected parties will not be required.

### Non-Compliance with Development Controls

#### Certain Activities – Restricted Discretionary Activities

- (a) Where the Development Controls in Rule 8.10 are not met, the following (Rule 8.12.1.2 – Rule 8.12.1.7) are deemed to be Restricted Discretionary Activities. Restricted Discretionary Activities status applies only where the **circumstances** specified in each Rule are met.
- (b) In all other cases non-compliance with the Development Controls is deemed to be a Non-complying Activity.

#### Activities Not Complying With Rule 8.10.1 Maximum Building Height

##### Circumstance

- (a) Where the site is located in the Res H Zone
- (b) Where the site is located in the Helensville Residential Precinct
- (c) Where the site is located in the Matakana Village Overlay Area

##### Circumstance

- (a) Where the site is located in the Res H Zone.
- (b) Where the site is located in the Helensville Residential Heritage Policy Area
- (c) Where the site is located in the Medium Intensity Residential Zone at Muriwai. [\[Amendment 155\]](#) [\[Amendment 160\]](#)



#### Rule 8.12.1.2.2

#### Matters for Discretion

#### Matters for Discretion

The Council will restrict its discretion to the following matters:

- (a) Scale, siting and design of buildings, structures and landscaping.

#### 8.12.1.2.3

#### Assessment Criteria

#### Assessment Criteria

When considering an application the Council will have regard to the following criteria:

*Significant views*

- (a) Whether significant views from public places will be adversely affected.

*Additional open space*

- (b) Whether significant additional open space will be provided around buildings to compensate for the added height (sites in the Res H Zone and the Matakana Village Overlay Area only).

*Neighbourhood*

- (c) Whether the building will have adverse effects on neighbouring sites or buildings in terms of shadow, being overbearing and in terms of neighbourhood scale.

*Helensville Residential Heritage Policy Area*

- (d) Whether the building will have adverse effects on the character of the Helensville Residential Heritage Policy Area. [\[Amendment 160\]](#)

- (e) Medium Intensity Residential Zone at Muriwai —

- i Whether the use of the 'rolling height' method will increase the size of the building footprint and whether this will increase the visual dominance of buildings in the landscape setting
- ii Whether the 'rolling height' method will increase the perception of scale, bulk and massing of the building
- iii Whether there will be an increased loss of native vegetation
- iv Whether geotechnical constraints limit the ability to use the average height method. [\[Amendment 155\]](#)

*Matakana Village Overlay Area*

- (f) Whether the height and scale of the building is consistent with the pattern of building heights on adjacent properties and the streetscape generally.

#### Rule 8.12.1.3

#### Maximum Height in Relation

#### Activities Not Complying With Rule 8.10.2 Maximum Height in



## to Boundary

### Rule 8.12.1.3.1

#### Circumstance (1)

## Relation to Boundary

### Circumstance (1)

- (a) Where steep slopes restrict compliance; or
- (b) Where an addition is proposed to that part of an existing building, or a minor household unit is proposed, that currently does not comply with the Rule; or
- (c) Where the boundary adjoins a public reserve, accessway or similar area of permanent open space.

### Rule 8.12.1.3.2

#### Matters for Discretion

### Matters for Discretion

The Council will restrict its discretion to the following matters:

- (a) Scale, siting and design of buildings, and structures.
- (b) Landscaping.

### 8.12.1.3.3

#### Assessment Criteria

### Assessment Criteria

When considering an application the Council will have regard to the following criteria:

*Neighbourhood character*

- (a) Whether the bulk and shape of the building will generally remain in character with the buildings in the neighbourhood.

*Streetscape*

- (b) Whether the existing character of the streetscape will be retained.

*Daylight*

- (c) Whether the level of daylight on adjacent sites or on site will be sufficient to enable normal household activities to be undertaken without the need to use artificial lighting during daylight hours.

*Overbearing*

- (d) Whether the extent of the overbearing effects will be not more than minor.

### Rule 8.12.1.3.4

#### Circumstance (2)

### Circumstance (2)

- (a) Any infringement of the Rule where the non-compliance is less than 1 metre measured vertically.

### Rule 8.12.1.3.5

#### Matters for Discretion

### Matters for Discretion

The Council has restricted its discretion to the following matters:



#### 8.12.1.3.6

##### **Assessment Criteria**

##### *Affected site owners*

- (a) The approval of affected site owners.

##### **Assessment Criteria**

When considering an application the Council will have regard to the following criteria:

- (a) Whether the affected site owners have granted their approval to the infringement.
- (b) Whether adjoining sites are adversely affected.

#### Rule 8.12.1.4

##### **Maximum Bulk in Relation to Boundary**

##### **Activities Not Complying With Rule 8.10.3 Maximum Bulk in Relation to Boundary**

#### Rule 8.12.1.4.1

##### **Circumstances**

##### **Circumstances**

- (a) Where an addition is proposed to an existing building, or a minor household unit is proposed that does not comply with the Rule; or
- (b) Where the boundary adjoins a public reserve, accessway or similar area of permanent open space.

#### Rule 8.12.1.4.2

##### **Matters for Discretion**

##### **Matters for Discretion**

The Council will restrict its discretion to the following matters:

- (a) Scale, siting and design of buildings, structures.
- (b) Landscaping.

#### 8.12.1.4.3

##### **Assessment Criteria**

##### **Assessment Criteria**

When considering an application the Council will have regard to the following criteria:

##### *Overbearing*

- (a) Whether the building will become overbearing for adjacent sites.

##### *Neighbourhood*

- (b) Whether the building will have adverse effects on neighbouring sites and buildings in terms of shadow, and in terms of neighbourhood scale.

#### Rule 8.12.1.5

##### **Maximum Site Coverage**

##### **Activities Not Complying With Rule 8.10.4 Maximum Site Coverage**

#### Rule 8.12.1.5.1



## Circumstances

### Rule 8.12.1.5.2 Matters for Discretion

### 8.12.1.5.3 Assessment Criteria

#### *Neighbourhood character*

### Rule 8.12.1.6 Private Open Space

#### Rule 8.12.1.6.1 Circumstance

#### Rule 8.12.1.6.2 Matters for Discretion

## Circumstances

- (a) In all cases.

## Matters for Discretion

The Council will restrict its discretion to the following matters:

- (a) Scale, siting and design of buildings, and structures.
- (b) Landscaping.
- (c) Drainage.

## Assessment Criteria

When considering an application the Council will have regard to the following criteria:

- (a) Whether the additional coverage will adversely affect the residential scale and character of the site and surrounding area.
- (b) Whether the additional coverage will adversely affect overall residential amenity values in terms of open space provision, vegetation cover and privacy.
- (c) Whether the additional coverage will adversely affect the stormwater drainage system, flooding and overland flow paths.
- (d) Whether, where the site is substantially smaller than that allowed by the subdivision rules, it is practicable to locate a complying dwelling on the site.

## Activities Not Complying With Rules 8.10.6.1, 8.10.6.2.2 and 8.10.6.2.3. Private Open Space

## Circumstance

- (a) In all cases.

## Matters for Discretion

The Council will restrict its discretion to the following matters:

- (a) Scale, siting and design of buildings, and structures.
- (b) Landscaping.



#### 8.12.1.6.3

##### Assessment Criteria

- (c) Drainage.

##### Assessment Criteria

When considering an application the Council will have regard to the following criteria:

- (a) Whether an alternative area of open space is suitable for use and outlook by the occupants of the subject site.
- (b) Whether any reduction in open space will adversely effect the sanitary or stormwater drainage system including receiving waters.
- (c) Whether the arrangement of buildings and spaces on the site is such that suitable spaces for the likely day to day outdoor activities of residents are available.

#### Rule 8.12.1.7

##### Yards

#### Rule 8.12.1.7.1

##### Circumstance (1)

##### Activities Not Complying With Rule 8.10.5 Yard Requirements

##### Circumstance (1)

- (a) In all cases except for Rule 8.12.1.7.4 below.

#### Rule 8.12.1.7.2

##### Matters for Discretion

##### Matters for Discretion

The Council will restrict its discretion to the following matters:

- (a) Scale, siting and design of buildings and structures.
- (b) Landscaping.

#### 8.12.1.7.3

##### Assessment Criteria

##### Assessment Criteria

When considering an application the Council will have regard to the following criteria:

- (a) Whether:
  - (i) the effect of shading of any dwelling living area or accessory buildings; or
  - (ii) the loss of or reduction in visual and/ or aural privacy; or
  - (iii) the visual impact; or
  - (iv) change in the residential character of the area;





is appreciably different from a fully complying development.

- (b) Whether in the case of buildings or fences and walls accessory to the buildings in the Helensville Residential Heritage Policy Area, the character, openness and heritage value of the principal building and the policy area is maintained. [\[Amendment 160\]](#)
- (c) Whether any encroachment into the yard will adversely affect the safe and efficient operation including maintenance, of any utility or network utility and whether access to such utilities can be maintained at no additional expense than would normally be the case.
- (d) Whether any encroachment into the yard will adversely affect safety and operation of the road including pedestrian safety.

**Rule 8.12.1.7.4**  
**Circumstance (2)**

**Circumstance (2)**

- (a) Where a wall of any household unit, minor household unit, or accessory building infringes the side yard or rear yard Rule and is located closer than 100mm to a site boundary; and
- (b) The maximum length of building on any one boundary is 50% of the boundary length or 15 metres whichever is the lesser.

**Rule 8.12.1.7.5**  
**Matters for Discretion**

**Matters for Discretion**

The Council will restrict its discretion to the following matters:

- (a) The approval of affected site owners.
- (b) Scale siting and design of buildings and structures.

**8.12.1.7.6**  
**Assessment Criteria**

**Assessment Criteria**

When considering an application the Council will have regard to the following criterion:

- (a) Whether the affected site owners have granted their approval to the infringement.
- (b) Whether adjoining sites are adversely affected.
- (c) Whether any encroachment into the yard will adversely affect the safe and efficient operation including maintenance, of any utility or network utility and whether access to such utilities can be maintained at no additional expense than would normally be the case.



### **Explanation and Reasons**

*This explanation and reasons relate to Rules 8.12.1.2 to 8.12.1.7.*

*It is recognised by the Council that compliance with the development rules may not be possible or appropriate in every individual case. These Restricted Discretionary Activities and assessment criteria are intended to allow deviation from the Rules on unusual sites or in unusual circumstances or where the non-compliance is likely to have a low level of adverse effects.*

## **Rule 8.12.1.8 Matakana Village Overlay Area**

### **Activities Not Complying with Rule 8.10.6.4 Additional Development Controls in the Matakana Village Overlay Area**

#### **Rule 8.12.1.8.1 Circumstance**

#### **Circumstance**

- (a) In all cases.

#### **Rule 8.12.1.8.2 Matters for Discretion**

#### **Matters for Discretion**

The Council will restrict its discretion to the following matters:

- (a) Impervious Surfaces.
- (b) Vehicle Crossings.
- (c) Front Yard Structures.
- (d) Landscaping.
- (e) Secluded Private Open Space.
- (f) Location, design and scale of buildings and structures.

#### **Rule 8.12.1.8.3 Assessment Criteria**

#### **Assessment Criteria**

When considering an application the Council will have regard to the following criteria.

#### *Impervious Surfaces*

- (a) Whether the additional impervious surfaces will adversely affect the stormwater drainage system, flooding and overland flow paths.
- (b) Whether the amount of stormwater produced from the site is similar to a complying situation through the use of mitigation and reduction measures.
- (c) Whether the adverse effects of stormwater generation are avoided, remedied or mitigated.
- (d) Whether treatment of stormwater is provided on site to remove adverse effects on receiving waters.

#### *Vehicle Crossings*

- (e) Whether vehicle crossings provide adequate access while minimising their



*Front Yard Structures*

*Landscaping*

*Secluded Private Open Space*

*Overlooking*

**Rule 8.12.2**

**Residential Densities**

**Rule 8.12.2.1**

**Integrated Residential  
Development and Cluster  
Housing**

visual dominance and maximizing the opportunity for on street parking.

- (f) Whether low fencing, landscaping and permeable fencing is proposed to complement and enhance the character of Matakana Village.
- (g) Whether a sufficient landscaped area is available to provide secluded private open space in addition to the planting of a canopy tree that will contribute to the character streetscape and surrounding area.
- (h) Whether adequate secluded private open space is provided for reasonable recreation and service needs of residents.
- (i) Whether key living rooms and secluded private open space are designed and oriented to maximise solar access.
- (j) Whether adequate measures have been taken to mitigate potential overlooking of any secluded private open space or habitable room window on an adjoining property.

**Residential Densities**

**Integrated Residential Development and Cluster Housing**

Refer also to assessment criteria at Rule 8.12.2.2 Multiple Household Units, Integrated Housing Development and Cluster Housing Located in Areas at risk of Coastal Inundation (shown in Appendix 16 to the Planning Maps)

- (a) Integrated residential development at a standard of not less than 275m<sup>2</sup> site area per household unit on sites meeting the standards in Rule 8.9.3.1 and where the development complies with the Development Controls in Rule 8.10.1 to Rule 8.10.5 and 8.10.7 in the High Intensity Residential Zone.
- (b) Integrated residential development at a standard of not less than 450m<sup>2</sup> per household unit on sites meeting the standards in Rule 8.9.3.1 and where the development complies with Development Controls in Rule 8.10.1 to Rule 8.10.5 and 8.10.7, in the Medium Intensity Residential Zone.
- (c) Cluster Housing at a standard of at least 4,000m<sup>2</sup> site area per household unit in the Landscape Protection Residential Zone.
- (d) Integrated residential development at a standard of not less than 600m<sup>2</sup> per household unit and 120m<sup>2</sup> net usable floor space per household unit on sites meeting the standards in Rule 8.9.3.2 and where development complies with the development Controls in Rule 8.10.1 to Rule 8.10.5 in the Orewa Beachfront Residential



#### Rule 8.12.2.1.1

##### Matters for Discretion

Zone. [\[Amendment 101\]](#)

##### Matters for Discretion

The Council will restrict its discretion to the following matters:

- (a) Building Form.
- (b) Landscaping and Screening.
- (c) Methods and design of water supply, sewage disposal and drainage.
- (d) Traffic movement.
- (e) Location and design of roading, access, vehicle parking and circulation.
- (f) Scale, siting and design of buildings and structures.
- (g) Landscaping.

##### Refuse and Recycling Facilities

- (h) Location and connectivity of the development within the wider area.
- (i) Building foundation and design [\[Amendment 101\]](#)
- (j) The need for and the location, nature and timing of engineering works to make the site suitable. [\[Amendment 101\]](#)
- (k) The location of or existence of utilities within the building area. [\[Amendment 101\]](#)

#### 8.12.2.1.2

##### Assessment Criteria

##### Assessment Criteria

In applying these criteria the Council will balance satisfaction with each criterion with the overall level of effects relevant to the matters for discretion of the proposal and the specific circumstances of the proposal.

##### *Building envelope and siting*

- (a) Whether greater set backs from the development boundary are provided where buildings larger and longer than typical single dwellings are located near the development boundary.
- (b) Whether Multi-unit or multi-site developments include a variety of housing types so that various households, including older people, single people and families can form a genuine community. Different housing types will lead to a variety of building forms and avoid the monotony of tract suburbs.
- (c) Perimeter block developments are one good solution for integrated residential developments. They maintain street edges



### Amenity outlook

and can enclose generous communal courts.

- (d) Higher density housing should be located around special places of amenity including parks, neighbourhood centres and public transport routes (Figure 1). This gives people without big gardens a pleasant outlook and proximity to open space. It also provides passive surveillance over public spaces. Each house or apartment should have a front door to the street and a street address.

**Figure 1**



### Housing with Good Street Frontage

- (e) Whether the majority of household units face onto a common site feature or features that provide a focus for visual amenity and casual activities. Such a feature should be in public or communal ownership, be accessible by pedestrians, and be of a scale large enough to provide high levels of visual amenity to the households on the site.

Suitable features may include:

- (i) a public street;
- (ii) a public reserve or other area of permanent open space;
- (iii) a lake or canal;
- (iv) a communal recreation area.

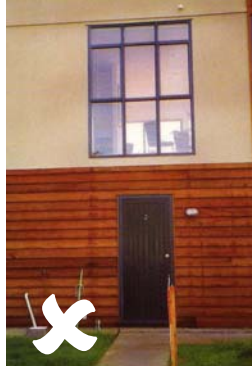
Communal driveways will not generally be acceptable as suitable features unless they are wide, contain significant pedestrian areas, landscaping and other design features, and do not contain car parking areas.

- (f) Buildings in integrated residential developments should face and align with public streets (including new internal streets). Front doors should be accessed from streets with defined carriageways, planted berms and footpaths. Multi-unit housing should not to be accessed from roads without footpaths.
- (g) The scale of integrated residential developments should respond to the intended character and scale of the neighbourhood.
- (h) Gardens to the side of the front path can be screened for privacy but ideally front doors should be in full view of the street to provide security for visitors and residents returning at night. Recessed



entries, projecting porches and entrance canopies are useful elements to avoid unwelcoming entries (Figure 2).

**Figure 2**



### **Bad Example of Front Door Design**

- (i) Higher density housing often fills the most awkward sites left over after subdivision — commonly land locked sites in deep blocks with limited site access. Designs should avoid dwellings that have an internal address to a driveway (Figure 3).

**Figure 3**



### **Housing not facing a public street**

*Open space*

- (j) Whether private outdoor spaces are not unduly overlooked by neighbouring dwellings.
- (k) Whether private open space is provided so that no dwellings have to rely for outlook on the green space of another development site.
- (l) Whether the development provides sufficient green spaces (private and communal) to achieve a high level of neighbourhood amenity values.

*Landscaping*

- (m) Whether household units rely for outlook on private open space provided on site.
- (n) Whether planting is used to:



*Scale of development*

- (i) establish and maintain a treed environment that is compatible with the neighbourhood and the specific planting character of the street.
- (ii) visually reduce the bulk of new development and mellow the appearance of new buildings.
- (iii) help provide summer shade, wind breaks and access to winter sun.
- (iv) help provide and maintain visual privacy.
- (v) create an attractive environment without prejudicing personal safety.
- (o) Whether the development site is of sufficient size and the development is of such a nature that there is room to plant trees that will grow to have a spread of 3 metres after 10 years. Such trees or groups of trees should be of a size and number to become significant in the neighbourhood and should be in proportion to the number of dwellings proposed.
- (p) Whether, in the High Intensity Residential Zone, the potential to locate or use landscaping on the street or other public open space has been used to mitigate adverse effects.
- (q) Whether the landscape works form part of a comprehensive design concept which integrates building design and private, communal and public land.
- (r) Whether paving materials are non-slip, non-reflective, non-glare producing.
- (s) Whether existing mature trees, especially those located near property boundaries, are retained and incorporated into the development.
- (t) Whether the tree species selected are appropriate to an urban context.
- (u) Whether, in the Low Intensity Residential Zone, the scale and physical extent of any proposal is such that the existing character of the neighbourhood and streets in which the proposal is located is not markedly changed. Whether the proposal allows the existing character of an area to be retained.
- (v) Whether, in the High Intensity Residential Zone and the Medium Intensity Residential Zone, the scale and physical extent of any proposal is consistent with the scale of development expected by the Development Control and the Objectives and Policies of the Plan.
- (w) Whether, in the Landscape Protection Residential Zone the development detracts from the significant landscape features, whether dwellings on the same site are located close together so that much of the site appears to be left in a relatively undeveloped



## Design

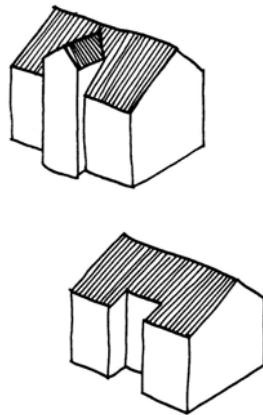
state.

- (x) In multi unit developments projecting or recessive secondary elements should be used to break down the scale of a larger building block. Roofs of each unit should be expressed in terraced housing, or the secondary projecting gable hides the long connecting ridge (Figure 4). Additive forms can reduce the scale of a larger block (Figure 5). A cluster of roofs reduces the scale of a larger building if it neighbours smaller scale detached housing (Figure 6). The simple volume in Figure 7 retains its size even with the recessive areas cut out of the larger volume.

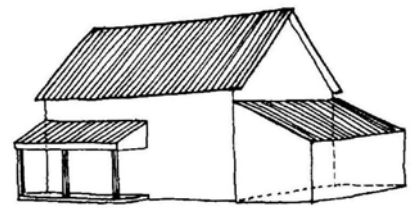




**Figure 4**



**Figure 5**



**Figure 6**

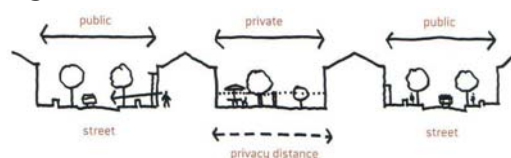


**Figure 7**



- (y) Expressing individual houses vertically or adding secondary elements for apartments can address scale issues. Blank walls or banks of garages facing the street should be avoided.
- (z) Division of the façade into a base, middle and top sections breaks down the scale of multi-unit housing. Monolithic claddings of one finish are discouraged especially for multi-unit housing.
- (aa) Site planning for detached housing is largely concerned with the creation of usable private outdoor space. The backyard becomes more important than a front yard on smaller sites. Backyards should adjoin other backyards to enhance private space for neighbours (Figure 8).

**Figure 8**





### Backyards for Detached Housing

- (bb) No more than three detached houses in a row should use essentially the same plan, building shape and materials. Even well designed houses with no differentiation create a mundane streetscape and living environment. Figure 9 has a number of well-planned houses and streetscape, but the repetitious shapes and materials lead to a mundane streetscape.

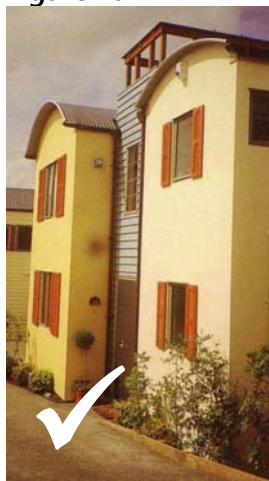
**Figure 9**



- (cc) Balconies become important in higher density housing. They should offer privacy and shelter from wind so cantilevered balconies with balustrade height surrounds are discouraged. Recessed balconies or cantilevered balconies with side walls are preferred.
- (dd) Terraced houses should be expressed as individual entities to reduce the scale of the whole block. Material changes and individual roofs are used in Figure 10 to achieve this. Compare with the one finish used in Figure 11. This design also uses recessive and projecting elements to break up long flat elevations. The secondary elements use different materials and colour to articulate entries, balconies etc

### *Terraced Housing*

**Figure 10**





**Figure 11**



(ee) Terraced housing involves the repetition of similar plans and the building appearance will include some degree of repetition. Successful design balances the repetition with varying secondary elements such as the bay windows in Figure 12. Figure 13 uses gable roof forms to define each terraced house and break down the development's scale.

**Figure 12**



**Figure 13**



(ff) The flat roofs project forward to break down the front elevation's scale and provide privacy for the balconies. Both Figures 13 and 14 have individual gabled roofs, changes in materials and projecting elements but Figure 14 looks more repetitious. This shows how all elements must be carefully combined in multi unit housing. Figure 14 has changing materials but the front face is flat and uninteresting. Figure 15 has projecting elements but they only emphasise the garage door. The materials have no variation. Overly complicated forms can remove any human scale in terraced housing and make a development seem denser (Figure 16).



**Figure 14**



**Figure 16**



(gg) Blocks of terraced houses should run along contours, and the space between blocks should contain a street or open space. The end units should be designed to take advantage of the free end wall with windows and changes in materials or shapes.

#### Garages

(hh) Developments (such as Figure 17) that have blank fronts with only doors at ground level should be avoided. Narrower sites in Integrated Residential Developments may require rear vehicle access (Figure 18) with either streets or open space linking front access (Figure 19).

**Figure 17**



**Figure 18**



#### Rear Vehicle Access



**Figure 19**



**Shared open space linking front doors in terraced housing development**

- (ii) Design for the rear vehicle lanes is also important. They should not be too long and be designed with pedestrian safety in mind. Creating turning courts offsets the garage doors from the driveway reducing their impact when looking from the street (Figure 20). A smaller offset along a driveway and changing the rooflines or materials can also improve their appearance (Figure 21).

**Figure 20**



**Small courtyards for garaging**

**Figure 21**



**Garage mews for terraced housing**

- (jj) Garages that project in front of the house proper dominate the streetscape and create unfriendly places. Double garages on narrower lots exaggerate this effect. Double garages can also dominate single storey houses with shallow pitch hipped roofs. These problems should be avoided by recessing the garage doors, placing garages below second levels, or varying roof lines above the garage.

- (kk) In townhouses or narrow lot housing rear or side access to garages





#### *Vehicular access and car parking*

removes garage doors from the street elevation. Rear access garages from lanes or car courts for cluster houses are preferred for multi unit developments.

- (ll) Whether adequate surveillance of communal driveways and car parking areas can be achieved from household units.
- (mm) Whether the location of vehicle crossings ensures that pedestrian safety and streetscape character are maintained.
- (nn) Whether vehicles entering the street from communal driveways are able to travel in a forward direction.
- (oo) Whether the area used for driveways is minimised to avoid large areas of sealed or concrete surfaces.
- (pp) Whether the on site parking is adequate for the likely reasonable demand for car parking spaces.
- (qq) Whether on-site car parking is located in proximity to the main entrance of the household unit that the car parking serves.
- (rr) Whether any road is of adequate standard to accommodate the levels of traffic generated by the proposed activity.
- (ss) Whether access points provide safe entry/exit to the site and common parking areas are located so that adjoining sites are not detrimentally affected by noise or visual intrusion.

#### *Utilities and services*

- (tt) Whether the public utility servicing requirements of the proposed development, including water requirements, the provision for waste and stormwater disposal, and facilities for preventing pollution places undue pressure on the capacity of utilities and services unless the development incorporates works that mitigates such pressures.

#### *Refuse and Recycling Facilities*

- (uu) Whether adequate provision is made for refuse and recycling facilities to service the development. As a guide, minimum space should be made available for the location of refuse and recycling receptacles of dimensions 2.5 metres wide, by 5 metres long (12.5m<sup>2</sup>) for each five dwellings within a development, or on a pro-rata basis where the number of units in a development is not a multiple of five. Any such refuse and recycling facility should be located out of view from adjoining sites or public places, and where this is not possible screened from the view of adjoining sites and public places by landscape design and/or the construction of a fence.

The following additional criteria shall apply in the Orewa Beachfront Residential Zone [\[Amendment 101\]](#)

#### *Hazard*

- (vv) Whether the location and/or size of the building site or the



	<p>foundation and/or building design and any engineering works and/or flood protection measures, or proposed constraints on building foundations or design, enable the siting of a household unit which complies with the performance criteria of the building code, without exposing people and property to unnecessary hazard or risk, and without resort to section 72 of the Building Act 2004.</p>
<i>Inundation Mitigation</i>	<p>(ww) Whether the location and/or size, or any inundation mitigation measures will unduly restrict the ability of the site to be used for an intended purpose anticipated by the zoning or will be likely to adversely affect overland flow, hazard or amenity values on adjoining sites.</p>
<i>Network Utilities</i>	<p>(xx) Whether the location of the building site will inhibit the safe and efficient operation of any network utility, including access for inspection and maintenance purposes.</p>
<i>Natural Process</i>	<p>(yy) Whether the location or size of the building site will adversely affect natural processes, such as sediment or flood flow.</p>
<i>Health and Safety</i>	<p>(zz) Whether the health and safety of residents on the site or any other site is likely to be adversely affected; the degree to which safe pedestrian egress is limited during an extreme storm event.</p>
<i>Inundation Design</i>	<p>(aaa) Development should take into account and be designed to and located to respond to the most recent information on potential inundation by the sea. <a href="#">[Amendment 101]</a></p>

#### ***Explanation and Reasons***

*The above assessment criteria will be used to assist the Council and applicants to ensure that activities are consistent with the objectives and policies of the residential chapter of the District Plan.*

***Building envelope and siting*** - *The adverse effects of buildings on neighbouring sites should be generally no greater than those of single dwellings.*

***Frontage*** - *Where possible dwelling units should face the street or accessways so that the open space on the street can be utilised as an outlook area and provide an increased opportunity for surveillance to enhance safety.*

***Open space*** - *Sufficient private open space should be provided on site to meet the needs of the likely occupants of household units and to provide a neighbourhood level of open and green space.*

***Landscaping*** - *As housing intensity increases, there is a decrease in the opportunities to provide adequate green spaces and landscaping that enhance amenity values in the neighbourhoods, decrease unless specific provision is made for space that can be landscaped.*



**Scale of development** - The scale of development should be generally in keeping with development in the neighbourhood. As residential density increases so to does the level of transport activity within an area. Multiple units should be sited in areas that have or can support strong connectivity with alternative transport modes, such as areas close to transport corridors or community centres.

**Vehicular access and car parking** - Residential development is required to make adequate provision for vehicles associated with the development. Parking and access must be safe and provided in a way that does not visually intrude on the street.

**Utilities and services** - Residential development should not result in significant adverse effects on the District's servicing infrastructure.

**Multiple Household Units, Integrated Housing Development and Cluster Housing Located in Areas at risk of Coastal Inundation (shown in Appendix 16 to the Planning Maps)**

The Council will restrict its discretion to the following matters:

- (a) Scale, siting and design of buildings and structures.
- (b) The need for and the location, nature and timing of engineering works to make the site suitable.
- (c) The location of or existence of utilities within the building area.
- (d) Methods and design of water supply, sewage disposal and drainage.
- (e) Traffic movement.
- (f) Location and design of roading, access, vehicle parking and circulation.
- (g) Landscaping.

Rule 8.12.2.2  
**Areas at risk of Coastal Inundation**

Rule 8.12.2.2.1  
**Matters for Discretion**

8.12.2.2.2  
**Assessment Criteria**

*Hazard*

- (a) Whether the location and/or size of the building site or the foundation and/or building design and any engineering works and/or flood protection measures, or proposed constraints on building foundations or design enable the siting of a household unit which complies with the performance criteria of the building code without exposing people and property to unnecessary hazard or risk, and without resort to section 72 of the Building Act 2004.

*Inundation Mitigation*

- (b) Whether the location and/or size of the building site, or any inundation mitigation measures will be likely to adversely affect overland flow, hazard or amenity values on adjoining sites or on any other site.





Network Utilities

- (c) Whether the location of the building site will inhibit the safe and efficient operation of any network utility, including access for inspection and maintenance purposes.

Natural Process

- (d) Whether the design, location or size of the building site will adversely affect natural processes, such as sediment or flood flow. Whether design, location or size of buildings, engineering works or flood protection measures will adversely affect natural processes such as sediment or flood flow.

Health and Safety

- (e) Whether the health and safety of residents on the site and any other site is likely to be adversely affected; the degree to which safe pedestrian egress is limited during an extreme storm event; the degree to which safe emergency services ingress/egress is limited during an extreme storm event.

Character and Amenity Values

- (f) Whether the design of buildings, engineering works, flood protection measures will be in keeping with and not detract from the character and amenity values of the surrounding neighbourhood.

Outdoor Living Area/Service Court Areas

- (g) Whether the design of outdoor living areas and service court areas is such that they will recover quickly from a flood event (i.e. drains efficiently) and would avoid pooling of water or prolonged saturation of soil which could interfere with reasonable enjoyment/use of these areas.

Permeable/Impermeable Area

- (h) Whether the ratio of permeable and impermeable area provides adequate drainage area to enable quick recovery (drainage) following a flooding event and avoids exacerbation of the flooding/inundation hazard on-site and in relation to neighbouring properties.

#### **Explanation and Reasons:**

*Intensive residential development in areas at risk of inundation/flooding requires greater design scrutiny to ensure that the development reflects the vulnerability to hazard. The assessment criteria are intended to ensure that any high intensity development on sites identified as being at risk of inundation/flooding hazard fully takes into account and is responsive to the site specific circumstances, to ensure that people and property are not exposed to unnecessary hazard or risk. The criteria ensure that the design of buildings, engineering structures and flood protection measures does not detract from neighbourhood character or amenity values and that on-site amenity (e.g. reasonable enjoyment and use of outdoor living areas and service court areas) will not be unduly compromised following any inundation/flooding event.*

Rule 8.12.3

**Minor Household Units**

**Minor Household Units in the Medium Intensity Residential Zone, Low Intensity Residential Zone and Landscape Protection Residential**



Rule 8.12.3.1  
**Matters For Discretion**

**Zone.**

**Matters For Discretion**

*The Council will limit its control to the following matters:*

- (a) Building siting, design and external appearance.*
- (b) Wastewater and stormwater disposal.*
- (c) Landscape and landform modification.*

8.12.3.2  
**Assessment Criteria**

**Assessment Criteria**

When considering an application the Council will have regard to the following criteria:

- (i) The assessment criteria in Rule 8.11.
- (ii) Whether adverse effects associated with additional stormwater runoff and wastewater generation can be mitigated.
- (iii) Whether the location of the Minor Household Unit minimises significant landform modification, sufficient landscape planting, and mitigates adverse effects on the landscape and amenity values of the site.
- (iv) Whether the design of the Minor Household Unit, including the cladding and roofing materials, windows, colours and landscaping are consistent with the Principal Household Unit to maintain the appearance of a single household unit on the site.
- (v) Whether the design of the minor Household Unit is visually and spatially integrated with the Principal Household Unit around a shared common area and is not visually separated by physical structures such as fences or walls, or landscaping such as hedges or groups of trees.

*Landform modification and landscaping*

*Neighbourhood Amenity*

*Visual Integration*

***Explanation and Reasons***

*It is important that the increased intensity of activity resulting from the erection of a minor household unit does not adversely affect the amenity and privacy of neighbouring sites or the neighbourhood, including the existing character, or result in increased stormwater runoff. To all appearances it should look as though there is only one household unit on a given site.*

Rule 8.12.4  
**Buildings in the Helensville Residential Heritage Policy Area**

**BUILDINGS; the ERECTION, addition to or external alteration to and/or relocation of BUILDINGS that comply with activity and density rules in the Helensville Residential Heritage Policy Area BUILDINGS;**



Rule 8.12.4.1  
**Matters for Discretion**

8.12.4.2  
**Assessment Criteria - Value  
Establishing Sites**

**The DEMOLITION of BUILDINGS in the Helensville Residential  
Heritage Policy Area**

**Matters for Discretion**

The Council will restrict its discretion to the following matters:

- (a) Siting, scale, design, materials and external appearance of buildings
- (b) Land modification and earthworks
- (c) Access and parking
- (d) Landscape, planting and existing trees.
- (e) Historic heritage
- (f) The design guidelines contained in Appendix 8D  
[\[Amendment 160\]](#)

**Assessment Criteria — Value Establishing Sites**

When considering an application the Council will have regard to the following criteria:

- (a) Whether any demolition or removal and consequent replacement of a building will not significantly adversely affect heritage values of Helensville and will not destroy the area's distinctive character.
- (b) Whether an application for the building's replacement is lodged concurrently with the application for removal/ demolition.
- (c) Whether the building's context has been considered in terms of any adverse effects on the shared character with other value establishing, value supporting, or listed buildings in the vicinity.
- (d) Whether additions or alterations to the street elevation of the building are avoided unless they maintain an appearance generally similar to the original.
- (e) Whether any external addition or alteration is of a design and uses materials similar or in sympathy to those originally used.
- (f) Whether alterations and additions are in keeping with the architectural form, proportions and style of the existing building(s)



#### 8.12.4.3 Assessment Criteria - Value Supporting Sites

on the site.

- (g) Whether consideration is given to retaining as much of the existing building façade as practicable by refurbishing, restoring and adapting parts of the existing building rather than replacing them.
- (h) Whether the colour scheme is compatible with the age and detailing of the building.
- (i) Whether the location and design of attachments, such as aerials and air conditioning units, are sympathetic to the existing building through the use of appropriate colour, design, form and location on the building.

[Amendment 160]

#### Assessment Criteria - Value Supporting Sites

- (a) Whether any demolition or removal and consequent replacement of a building will not significantly affect heritage values of Helensville and will not destroy the area's distinctive character.
- (b) Whether an application for the building's replacement is lodged concurrently with the application for removal/ demolition.
- (c) Whether changes to the road façade of the building are sympathetic to the existing building, value establishing or value supporting buildings, and surrounding architectural styles.
- (d) Whether the form, mass, proportion and materials of any addition or alteration are compatible architectural style of the existing building
- (e) Whether materials and the use of materials are in sympathy with the traditional character and material of the building.
- (f) Whether the location and design of attachments, such as aerials and air conditioning units, are sympathetic to the existing building through the use of appropriate colour, design, form and location on the building.

[Amendment 160]

#### 8.12.4.4 Assessment Criteria — All Sites

#### Assessment Criteria — All Sites

- (a) Whether the building (including alterations or additions) is complementary to the character of Helensville



- (b) Whether the scale of the building or additions is consistent with the character of the neighbourhood.
- (c) Whether new buildings or additions to existing buildings are proposed abutting or adjacent to value establishing, value supporting or listed buildings are sympathetic to such buildings. Such developments should not attempt to replicate or imitate their architectural detailing or style but rather be complementary to it.
- (d) Whether parking and vehicle circulation areas do not visually dominate views of the site from the surrounding public realm.
- (e) Whether, in respect of buildings that are of innovative and interesting design, consideration be given to:
  - (i) The extent to which the above criteria are taken into account to ensure that the building is sympathetic to and does not detract from Helensville's character.
  - (ii) The extent to which such buildings are distinctive in their own right while avoiding being plain or imitative or mocking of existing buildings that have character qualities.
  - (iii) The extent to which such buildings are similar/consistent and complementary to the existing scale, form, and bulk of adjoining buildings, especially those that have character qualities.
  - (iv) The extent to which the new building adds to the character of the town.
- (f) Whether the proposal is consistent with the design guidelines contained in Appendix 8C.



## 8.13

### 8.13.1 General Assessment Criteria - All Discretionary Activities

## DISCRETIONARY ACTIVITIES: ASSESSMENT CRITERIA

### General Assessment Criteria — All Discretionary Activities

Without limiting the exercise of its discretion, for all Discretionary Activity resource consent applications in the Residential Zones (other than those applications requiring solely a subdivision consent; see Rule 8.16 and Assessment Criteria 8.17) the Council will have regard to the following criteria, other relevant provisions of the Plan, and the relevant matters set out in section 104 of the Act:

The Council will generally have to be satisfied that a proposal is positive or neutral in respect of all relevant criteria before it will grant consent.

#### 8.13.1.1 Effects on the Natural Environment

##### *Discharges*

- (a) Whether any discharges to land, water or air (including dust, smoke, fumes and odour) or the presence of hazardous substances will result in any significant reduction in the quality of the physical environment or detract from the amenity values of the area.

##### *Public utilities and servicing*

- (b) Whether the public utility and servicing requirements of the proposed activity, including water requirements, the provision for waste and stormwater disposal, and facilities for preventing pollution will place undue pressure on the capacity of utilities and services, and whether the development incorporates works that mitigate such pressures.

##### *Modification of significant wildlife habitats*

- (c) At Omaha, north of Broadlands Drive, whether any proposal will effectively use up capacity in the existing sewage treatment and disposal plant, and remove the ability of any other site or sites within the Residential M Zone to be developed with a single household unit.
- (d) Whether the modification of significant wildlife habitats is avoided, or any modification is mitigated.

##### *Removal of vegetation*

- (e) Whether any adverse effects of removal of vegetation in the Medium Intensity, Low Intensity and Landscape Protection Residential Zones, are avoided, remedied or mitigated.

##### *High quality landscape*

- (f) Whether the character of areas of high landscape quality, including the coast and low density open character areas, will be adversely affected through the arrangement and layout of buildings, access drives and other development elements and processes.

##### *Physical Limitations Zone*

- (g) Whether, in the case of the Physical Limitations Residential Zone,



### 8.13.1.2

#### Effects on the Neighbourhood

*Scale and design*

*Character*

*Safety and community*

*Efficiency of infrastructure*

### 8.13.1.3

#### Effects on Neighbouring Sites

*Noise, vibration, electrical interference, visual intrusion, dust, smoke, fumes and light overspill*

*Privacy*

*Site frontage*

*Compliance with development controls*

### 8.13.1.4

#### Effects on the Transport System

the proposal will be adversely affected by land instability, swampy land, erosion, or stormwater disposal, or will exacerbate the adverse effects of these (including cumulative effects) on other sites or on receiving waters.

#### Effects on the Neighbourhood

- (h) Whether the scale, design, layout, external appearance (including the quality of finish) and landscaping of buildings and sites are compatible with or will enhance the residential character and amenity values expected in each Residential Zone.
- (i) Whether the character of the activity and its effects are compatible with the residential character and amenity values expected in each Residential Zone.
- (j) Whether safety and the sense of community within the neighbourhood are adversely affected by the establishment of the activity. For example this could occur by non-residential activities breaking up residential communities and leaving residents without close neighbours.
- (k) Whether the activity will have adverse effects on the efficient provision of infrastructure.

#### Effects on Neighbouring Sites

- (l) Whether the activity is designed and carried out in a way that avoids or mitigates the adverse effects of noise, vibration, dust, smoke, fumes, electrical interference, visual intrusion and light overspill onto adjacent sites. Particular consideration will be given to maintaining a quiet night time environment, and to minimising risk to people's health and safety.
- (m) Whether the activity is designed and carried out in a way that preserves the privacy of adjacent residential sites.
- (n) Whether the site has a frontage and access to a formed public road of sufficient width so that any activity can be accessed from the street without causing adverse effects on neighbouring sites.
- (o) Whether the activity generally complies with the Development Controls contained in Rule 8.10 so that the effects of buildings are similar to those of permitted buildings.

#### Effects on the Transportation Network



*Effects on road network*

- (p) Whether the vehicular traffic generated by the activity, including cars parked on roads, can be accommodated without a loss of safety or efficiency of the road network, and without loss of residential amenity.

*Ease of movement*

- (q) Whether the design of the proposal is such that ease of direct movement, by pedestrians, cyclists and vehicles is provided for.

*Effects on provision of public transport*

- (r) Where the site is located near public transport routes or significant community focal points, whether the proposal is likely to have positive implications for the provision of public transport.

8.13.1.5

#### **Residential Densities**

#### **Residential Densities**

- (s) Whether, for proposals involving residential densities, (in addition to these criteria) the proposal meets the assessment criteria for Restricted Discretionary Activities (Rule 8.12) for residential densities.

8.13.1.6

#### **Cumulative Effects**

#### **Cumulative Effects**

*Cumulative effects*

- (t) In considering any actual or potential cumulative effects arising from an activity, the Council will have regard to the following:
  - (i) the effects of the proposed activity adding to or acting together with those of existing activities located in the area;
  - (ii) the effects of new activities that may establish in the future which will add to or act together with the proposed activity.

In considering the likelihood that activities resulting in cumulative effects may establish in the future, the Council will consider (but will not be limited to) the following:

- (iii) the nature of land in the vicinity of the subject site;
- (iv) the attractiveness of the land in the vicinity of the site for being used for similar, complementary, or competitive purposes;
- (v) the historic pattern of the establishment of activities in the area;
- (vi) the provision of infrastructure in the area, including transport networks and in-ground services.

#### ***Explanation and Reasons***

*All activities locating in residential areas should be constructed and*





## 8.13.2 Specific Assessment Criteria Service Stations

### 8.13.2.1 Locational Criteria

#### *Location*

### 8.13.2.2 Environmental Criteria

#### *Hours of operation*

#### *Design and scale*

#### *Residential amenities*

#### *Separation distances*

#### *Landscaping and screening*

#### *Noise*

*operated in a way that does not detract from the environmental qualities of residential areas. These criteria are designed to assist the Council in determining how non-residential activities affect residential environments.*

## Specific Assessment Criteria - Service Stations

Without limiting the exercise of its discretion for all Discretionary Activity resource consent applications for Service Stations in the Residential Zones, the Council will have regard to the criteria in Rules 8.13.1.1 to 8.13.1.6 and the following assessment criteria, other relevant provisions of the Plan, and the relevant matters set out in section 104 of the Act:

The Council will generally have to be satisfied that a proposal is positive or neutral in respect of all relevant criteria before it will grant consent.

### Locational Criteria

- (a) Whether the site is in a location where the activity will not introduce any more than minor adverse effects into an area that has a substantially residential character.

### Environmental Criteria

- (b) Whether the operational hours outside the normal business hours have adverse effects on residential activities in the vicinity of the site.
- (c) Whether the design and scale of proposed buildings, including roofline and overall proportions, are suitable having regard to surrounding buildings.
- (d) Whether there are adverse effects on the residential amenities of the local area caused by fixtures for security and advertising purposes such as fences, or light standards and signs or banners.
- (e) Whether there are adequate separation distances or buildings and activities from land zoned residential.
- (f) Whether there is adequate proposed landscaping and screening of side and rear yards in regard to any need to form a visual screen and physical barrier between the service station and adjoining residentially zoned sites, and to contribute to the maintenance of visual amenity on the frontage of any site.

Whether the siting or orientation of buildings, and noise control and reduction methods, will minimise noise effects on residential activities in



## Rule 8.14

### Rule 8.14.1 Subdivision of Residential Zones

the vicinity of the site.

#### ***Explanation and Reasons***

*The above criteria are required to ensure that the specific adverse effects of service stations are avoided, remedied or mitigated and the amenity values of residential areas are protected.*

## SUBDIVISION

### Subdivision in Residential Zones

Subdivision in the Residential Zones shall comply with the following:

- (a) All Restricted Discretionary Activities in the Subdivision Table shall be assessed against the criteria in Rule 8.16.
- (b) All Discretionary Activities in the Subdivision Table shall be assessed against the criteria set out in 8.16.2 Assessment Criteria and 8.17 Discretionary Activities: Assessment Criteria for Subdivision, and the relevant matters in section 104 of the Act.
- (c) Any Subdivision not listed in the Subdivision Table is a Non-complying Activity and will be assessed against the relevant matters in section 104 of the Act.
- (d) Any subdivision of premises or land used for visitor accommodation and/ or associated visitor accommodation facilities in all residential zones that complies with the minimum site size for subdivision specified for the particular residential zone, or subdivision under Rule 8.15.4 where the number of sites do not exceed the maximum density for integrated residential developments, shall be a non-complying activity.
- (e) Any subdivision of premises or land used for visitor accommodation and/or associated visitor accommodation facilities in all residential zones that does not comply with the minimum site size for subdivision specified for the particular residential zone, or where the number of sites exceeds the subdivision density for integrated residential developments shall be a prohibited activity.

#### ***Explanation and Reasons***

The subdivision of visitor accommodation units is a non-complying activity (up to the site size and density limits in a residential zone) and a



prohibited activity (beyond the site size and density limits in a residential zone) to avoid the establishment of residential activities at an intensity and scale that is out of character with existing residential development or the character of development provided for in a particular residential zone. Subdivisions of visitor accommodation units in residential areas will in most circumstances result in significant adverse effects associated with higher intensity development, including increased traffic movements, increased water supply, sewage disposal requirements and decreased residential amenities. In addition, visitor accommodation units are only intended for short stay purposes, and as such, there is no requirement to provide service and amenity facilities that are of the same standard as required for permanent residential accommodation.

#### Rule 8.14.2 Subdivision Table

#### Subdivision Table

In the following table:

**RD** = Restricted Discretionary Activity  
**D** = Discretionary Activity  
**PRO** = Prohibited Activity

ACTIVITY	ALL ZONES
<b>Situations Where Subdivision Occurs Before Development (Greenfield)</b>	
Sites that comply with the Subdivision Standards in Rule 8.15	<b>RD</b>
Sites in any zone where the site size and shape factors in Rule 8.15 are not met. Provided that in the Low Intensity and Landscape Protection Residential Zones the shape factor shall not be reduced below 30 metres and the site size reduced by more than 10%.	<b>D</b>
Sites that do not comply with minimum frontage standards in Rule 8.15.3 provided that the number of sites that gain access over a jointly owned lot or right of way shall not be increased	<b>D</b>
<b>Where Subdivision is Part of an Integrated Residential Development under Rule 8.9.3 of the District Plan</b>	
All subdivisions where an application under Rule 8.9.3 has been granted resource consent	<b>RD</b>



ACTIVITY	All ZONES
<b>Situations Where Subdivision Occurs After Development (Infill)</b>	
Subdivision providing cross lease, unit or company titles that comply with the standards in Rule 8.15.4	<b>RD</b>
Sites that comply with the standards in Rule 8.15.5	<b>RD</b>
<b>Subdivision of a Minor Household Unit</b>	
Any subdivision of a Minor Household Unit from a Principal Household Unit	<b>PRO</b>

## Rule 8.15

### Rule 8.15.1 Development Controls

### Rule 8.15.2 Site Size

#### Rule 8.15.2.1 Low Intensity Residential Zone

[Amendment 141]

## SUBDIVISION STANDARDS

### Development Controls

The rules in *Chapter 23 - Subdivision and Servicing* shall apply.

### Site Size

The minimum site sizes shall be as follows (all site areas specified are net site areas).

#### Low Intensity Residential Zone

- (a) Minimum area of 4,000 m<sup>2</sup> capable of containing a square for building purposes measuring 25 metres x 25 metres in:
  - Hobbs Bay (Appendix 8B, Planning maps 89 and 90)
  - Red Beach (Planning maps 84 and 85)
  - Snells Beach (Planning maps 61 and 62)
  - Stanmore Bay (Planning maps 86, 87 and 95)
  - Warkworth (Planning map 56)
  - Helensville (Planning map 105) provided that all activities in Helensville requiring wastewater servicing shall be connected to a public reticulated sewerage system.
- (b) Minimum area of 8,000 m<sup>2</sup> capable of containing a square for building purposes measuring 50 metres x 50 metres in:
  - Leigh (Planning map 44)



Rule 8.15.2.2  
**Landscape Protection  
Residential Zone**

- Sandspit (Planning maps 58 and 59)
- Wellsford (Planning maps 34, 35 and 37)

**Landscape Protection Residential Zone**

- (a) Subdivision in this Zone is governed by two discrete optional Rules. Applicants may decide to comply with either, **but not both**, option in respect of a single subdivision application.

Rule 8.15.2.2.1  
**Option 1 (Simple  
Subdivision)**

**Option 1 (Simple Subdivision)**

- (a) Minimum site area of 8,000m<sup>2</sup> capable of containing a square for building purposes measuring 50 metres x 50 metres.
- (b) Building sites must be identified on the plan submitted with the application and marked with stakes on site before the application is lodged.
- (c) The areas not identified as building sites shall have a consent notice included on the title to the satisfaction of the Council protecting any bush or other vegetation on the site and preventing buildings being erected on those parts of the site.

Rule 8.15.2.2.2  
**Option 2 (Cluster  
Subdivision)**

**Option 2 (Cluster Subdivision)**

- (a) There is no minimum site area that applies to any proposed allotment on which a cluster house is to be located.
- (b) The subdivision shall provide for household unit sites clustered together in an area away from significant bush areas and sensitive ridges.
- (c) The area of household unit sites shall be limited to an area for the household unit and reasonable outdoor use including room for household unit extensions. (Note: houses may be joined together). As a guide an area of 1,000m<sup>2</sup> is considered adequate for each household unit.
- (d) The number of household unit sites provided in such a subdivision shall be based on the size of the site being subdivided:
- (i) at a rate of 1 house per 4,000m<sup>2</sup> in Coal Mine Bay (Appendix 8B, Planning Maps 89 and 90), Hobbs Bay (Appendix 8B, Planning maps 89 and 90), Orewa (Planning map 72), Red Beach (Planning maps 65 and 66) and Stanmore Bay (Planning maps 86, 87 and 95).



(ii) at a rate of 1 house per 8,000m<sup>2</sup> in Sandspit (Planning maps 58 and 59), Scandrett Bay (Planning map 63) and Silverdale (Planning maps 83 and 84).

(e) The remainder area shall be held in common as a single site and shall have a consent notice included on the title to the satisfaction of the Council protecting the bush on the site and preventing buildings being erected on the site.

(f) The sites created by such subdivisions shall not be further subdivided unless the area of the original site subdivided under this Rule allows for further household units.

(g) Building sites must be identified on the plan submitted with the application and marked with stakes on site before the application is lodged.

[Amendment 141]

#### Physical Limitations Residential Zone

(a) A minimum site area of 2,000m<sup>2</sup> capable of containing a square suitable for building purposes under the building code measuring 400m<sup>2</sup> with a minimum dimension of 15 metres.

#### Rule 8.15.2.4

#### Medium Intensity Residential Zone and East Peninsula Zone

#### Medium Intensity Residential Zone and East Peninsula Zone

(a) Minimum area of 1,500m<sup>2</sup> capable of containing a square for building purposes measuring 15 metres x 15 metres where the **site is not served** by a reticulated sewerage system and the site is able to accommodate on site sewage collection, treatment and disposal.

(b) A minimum net site area of 600m<sup>2</sup> capable of containing a square for building purposes measuring 15 metres x 15 metres where the site **is served** by a reticulated sewerage system and where the site **is not** located within the Township Policy Area.

(c) There is no minimum site size where the subdivision is part of an integrated residential development that has been granted resource consent.

(d) A minimum net site area of 800m<sup>2</sup> capable of containing a square for building purposes measuring 15 metres x 15 metres where the site **is served** by reticulated sewerage system and where the site is located within the Township Policy Area.

(e) A minimum net site area of 700m<sup>2</sup> capable of containing a square for building purposes measuring 15 metres x 15 metres where the site **is served** by a reticulated sewerage system and where the site **is not** located within the Township Policy area but is identified on Appendix 8A [Amendment 11]



Rule 8.15.2.5

**High Intensity Residential Zone**

**High Intensity Residential Zone**

- (a) Minimum area of 275m<sup>2</sup> capable of containing a square for building purposes measuring 10 metres x 10 metres.
- (b) There is no minimum site size where the subdivision is part of an integrated residential development that has been granted resource consent.

Rule 8.15.2.6

**Orewa Beachfront Residential Zone**

**Orewa Beachfront Residential Zone**

- (a) Minimum area of 1,500m<sup>2</sup> capable of containing a square for building purposes measuring 15 metres x 15 metres where the site is **not served** by a reticulated sewerage system and the site is able to accommodate on- site sewage collection, treatment and disposal.
- (b) A minimum net site area of 600m<sup>2</sup> capable of containing a square for building purposes measuring 15 metres x 15 metres where the site **is served** by a reticulated sewerage system.  
[\[Amendment 101\]](#)

***Explanation and Reasons***

*Minimum site size is the basic rule determining the future intensity of development in residential areas. The site sizes provided for reflect the intentions of each zone and the specific type and intensity of development expected in each zone.*

Rule 8.15.3

**Access/Frontage**

**Access/Frontage**

All sites shall have minimum site frontages as follows:

Rule 8.15.3.1

**Low Intensity, Landscape Protection and Physical Residential Zones**

**Low Intensity, Landscape Protection and Physical Limitations Residential Zones**

- (a) Minimum frontage and access of 6 metres.
- (b) Up to 5 sites may gain frontage over a jointly owned access lot or right of way for the benefit of the sites or a combination of both.

Rule 8.15.3.2

**Medium Intensity, Eastern Peninsula and High Intensity Residential Zones**

**Medium Intensity, Eastern Peninsula and High Intensity Residential Zones**



- (a) Minimum frontage and access of 6 metres.
- (b) A minimum 0.5 metre landscape strip shall be provided on each side of a carriageway within a jointly owned accessway or right of way.
- (c) Up to 6 sites or household units may gain frontage over a jointly owned access lot or right of way for the benefit of the sites or a combination of both. Where multiple household units that would gain frontage over a jointly owned access lot or right of way are proposed, that development shall be limited, so that a single household unit may be built on each vacant site served by the same access lot or right of way without contravening this Rule.

#### ***Explanation and Reasons***

*Minimum site frontages are specified to ensure that adequate access is provided to sites for immediate and later future development. The number of sites that may gain access over access lots and rights of way is limited. The street is an essential element of the residential environment and it is important that sites gain the benefits of facing the street. Shared driveways can also generate adverse effects such as long blank walls along narrow carriageways and parking congestion. Where development is carried out in an integrated way these adverse effects can be considered as part of the overall assessment of a resource consent application.*

#### **Rule 8.15.4 Cross Lease, Unit Titles and Company Leases**

#### **Cross Lease, Unit Titles and Company Leases**

In all Residential Zones the standards for cross lease, unit titles and company leases shall be:

- (a) The subdivision shall be for development that complies with this Plan;  
or
- (b) A resource consent which has been granted for the development which is the subject of proposed subdivision.
- (c) The subdivision shall be for development that complies with section 46(4) of the Building Act 1991.
- (d) Where an existing building, included in an application for subdivision consent, has obtained a resource consent or is a Permitted Activity, any proposed covenant, unit or accessory unit boundary shall be consistent with all relevant development controls of the zone or conditions of any resource consent granted.
- (e) Where any building included in the application for subdivision consent has not been constructed at the time of granting consent,





the Council will not approve the survey plan under section 223 of the Act, until the building is completely framed up to and including the roof level, and the Council is satisfied that it has been built in accordance with the Plan or any resource consent granted. The Council may require the height of the building and its position in relation to boundaries of the site to be confirmed by a certificate from a registered surveyor

- (e) A staged unit title or cross lease subdivision shall have sufficient area for further complying development which shall be free from inundation and slippage and capable of adequate servicing. The Council may require any application to show details of compliance with this Rule.

***Explanation and Reasons***

*Where residential development is permitted or has been granted consent the provision of cross lease, unit title or company lease titles is appropriate and the Plan makes provision for this.*

**Rule 8.15.5  
Other Sites**

**Other Sites**

In all Residential Zones sites designed to accommodate a single household unit are provided for where:

- (a) the household unit is a Permitted Activity or has had an approved resource consent; and
- (b) is in existence on the land; and
- (c) all land, outdoor and carparking and manoeuvring areas shown to be associated with the household unit on the building consent or resource consent remain associated with the unit; and
- (d) provided that such subdivisions do not result in the creation of vacant sites or sites that have potential for the erection of one or more additional household units.

**Rule 8.15.6  
Additional Rules for  
Subdivision in the  
Matakana Village overlay  
Area**

**Additional Rules for Subdivision in the Matakana Village Overlay Area**

In addition to all other rules set out in Rule 8.15, the following additional rules shall apply to the Matakana Village Overlay Area.



#### Rule 8.15.6.1

##### **Solar Orientation**

##### **Solar Orientation**

The subdivision of land within the Matakana Village Overlay Area shall create sites where, unless constrained by topography or other site conditions, at least 70% of the site has appropriate solar access. Sites shall achieve appropriate solar access by ensuring that:

- (a) the long axis of lots are within the range north 20 degrees west to north 30 degrees east, or east 20 degrees north to east 30 degrees south; and
- (b) dimensions of sites are adequate to protect solar access to the site, taking into account likely dwelling size and the relationship of each site to the street.

##### ***Explanation and Reasons***

Solar orientation is important in achieving energy efficiency. This rule ensures that sites are positioned so that the maximum amount of solar access is received.

#### Rule 8.15.6.2

##### **Cul-de-sacs**

##### **Cul-de-sacs**

The subdivision shall not result in the creation of cul-de-sacs longer than 120 metres in length.

##### ***Explanation and Reasons***

A connected street pattern is encouraged to provide for permeability, legibility and a village character.

#### Rule 8.15.6.3

##### **Street Trees**

##### **Street Trees**

Street trees shall be planted in the road berm, at a minimum of 1 per site frontage, and shall be part of a comprehensive landscape plan. They shall be of good health and planted and maintained in accordance with good horticultural practice. They shall be at a grade of PB150 or greater and have a minimum in-ground height of 2.0 metres at the time of planting. The tree species shall be selected that are appropriate for the soils, microclimate and the street environment, be capable of reaching a minimum height of 4 metres after 5 years and co-ordinated as to species along individual streets.



This planting shall be undertaken before the issue of Section 224(c).

***Explanation and Reasons***

The purpose of this control is to ensure that street trees are provided which provide a high level of residential amenity.

It is also important that the trees planted are of a species that when mature do not obscure informal surveillance of the street from within the residential properties fronting onto the street.

**8.15.7**

**Rules in Other Chapters of the Plan**

**Rules in Other Chapters of the Plan**

Rules in Chapter 23 - *Subdivision and Servicing* shall also apply.



## Rule 8.16

### Rule 8.16.1 Residential Subdivisions in all Zones

#### Rule 8.16.1.1 Matters for Discretion

#### 8.16.1.2 Assessment Criteria

## SUBDIVISION : RESTRICTED DISCRETIONARY ACTIVITIES: MATTERS FOR DISCRETION AND ASSESSMENT CRITERIA

In accordance with sections 76 (3B) and 105(3A) of the Act the Council will restrict its discretion to the matters listed in addition to the matters set out in *Chapter 23 - Subdivision and Servicing* when considering resource consent applications for the subdivision of land. Applications for Restricted Discretionary Activities under this rule need not be notified and the written approvals of affected parties will not be required.

### Residential Subdivisions in all Zones

#### (a) Situations Where Subdivision Occurs Before Development (Greenfield)

Sites that comply with the subdivision standards in Rule 8.15.

#### (b) Where Subdivision is Part of an Integrated Residential Development under Rule 8.9.3 of the District Plan

All subdivisions where an application under Rule 8.9.3 has been granted resource consent.

#### (c) Situations Where Subdivision Occurs After Development (Infill)

Subdivision providing cross lease, unit or company titles that comply with the standards in Rule 8.15.4.

Sites that comply with the standards in Rule 8.15.5.

### Matters for Discretion

The Council will restrict its discretion to the following matters.

- (a) Site size and shape.
- (b) Site contour.
- (c) Site access and frontage.
- (d) Reserve provision.
- (f) Layout, including pedestrian, cyclist and public transport route connectivity linkages.

### Assessment Criteria



	When considering an application the Council will have regard to the following criteria:
<i>Site suitability</i>	(a) Whether the sites are suitable for the activities proposed on them or permitted on them by the District Plan and can accommodate parking, open space and buildings necessary for those activities.
<i>Intensity</i>	(b) Whether the sites size and shape reflect the intended level of intensity of the Zone in which they are located.
<i>Landscape</i>	(c) In the Low Intensity and Landscape Protection Residential Zones, whether the subdivision provides for the protection of significant areas of bush and sensitive ridgelines and reflects the low intensity nature of the Zones.
<i>Trees</i>	(d) Whether significant stands of trees and bush are generally retained and protected.
<i>Frontage</i>	(e) Whether sites have adequate legal and physical frontage to a public street to enable permitted activities to establish and operate.
<i>Infrastructure</i>	(f) Whether sites are provided with suitable, adequate and sufficient infrastructure including roading and utility services so any adverse environmental effects are avoided or mitigated. (g) Whether sites not reticulated for sewage and stormwater disposal are able to collect, treat and dispose of sewage and stormwater on site without generating adverse effects.
<i>Site shape and size</i>	(h) Whether the site will be of such a shape to permit the erection of a household unit which complies with the performance criteria of the building code and complying with other development controls in the Plan. (i) Whether the site will be of such a shape to permit access to any building area on the site to be achieved over the same site, except in the case of a site served by a right of way or jointly owned access lot.
<i>Frontage</i>	(j) Whether the convenience and safety of the access for users and adjoining sites is adversely affected. (k) Whether any reduction in access width causes adverse effects to be experienced on nearby sites. (l) Whether the ability of the access to be used by vehicles associated with residential activities is reduced.
<i>Integrated residential development</i>	(m) Whether where subdivision relates to an integrated residential development the assessment criteria for the integrated residential development are met.
<i>Physical Limitations Zone</i>	(n) Whether, in the case of the Physical Limitations Residential Zone,



## Layout

the proposal will be adversely affected by land instability, swampy land, erosion, or stormwater disposal, or will exacerbate the adverse effects of these on other sites or on receiving waters.

- (o) Whether adequate reserves are provided and whether it is possible to provide land identified for that purpose in any adopted Council strategy or structure plan.
- (p) Whether in the case of subdivision of land in the Mahurangi Harbour catchment there are opportunities to provide walkways with connections to other reserves or to provide access to the harbour and or lookouts over the Mahurangi Harbour.
- (q) Whether the layout of the subdivision adequately recognises the constraints of the land being subdivided, enables the efficient movement of vehicles, and shows practical street networks including linkages to existing roads.
- (r) Whether provision has been made, or needs to be made, for suitable pedestrian, cycle and public transport routes. This includes enabling pedestrian and cycling connections to main roads and commercial areas using practical routes, and provision of space for servicing public transport such as bus lanes or bus stops where applicable.

### Explanation and Reasons

*These assessment criteria will assist in ensuring that subdivision sites are suitable for activities expected, that they are adequately serviced, that the natural environment is appropriately protected and adequate reserves are provided in the subdivision process.*

## Rule 8.16.2 Residential Subdivisions in the Low Intensity Zone and Cluster Subdivision in the Landscape Protection Zone

[Amendment 141]

### Rule 8.16.2.1.1 Matters for Discretion

## Residential Subdivisions in the Low Intensity Residential Zone at Helensville, Hobbs Bay, Red Beach, Stanmore Bay and Warkworth and Residential Cluster Subdivision in the Landscape Protection Zones in Hobbs Bay, Orewa, Red Beach, Scotts Landing and Stanmore Bay.

In relation to subdivision in the above areas, in addition to the Matters for Discretion and Assessment Criteria in Rule 8.16.1, and for Cluster Subdivision the criteria in Rule 8.12.2 the Council will also consider the following additional Matters for Discretion and Assessment Criteria.

The Assessment Criteria in Rule 18.16.3 do not apply.

### Matters for Discretion

The Council will restrict its discretion to the following matters:

- (a) Landscape Plan where relevant



Rule 8.16.2.1.2  
**Assessment Criteria**

*Landscape Plan*

*Mitigation Planting*

*Public Accessibility and  
Connectivity*

- (b) Mitigation Planting where relevant
- (c) Public accessibility and connectivity
- (d) Earthworks, land modification, buildings, and road layouts
- (e) Protection of natural features
- (f) Subdivision density
- (g) Zone Boundary

**Assessment Criteria**

When considering an application the Council will have regard to the following criteria:

- (a) Whether a landscape plan (informed by an ecological assessment and a visual assessment) is provided which responds to relevant considerations set out below:
  - The location, extent and methods of providing appropriate protection for sensitive ridgelines, coastal margins, and riparian margins of perennial streams and ephemeral streams;
  - The location, extent and methods of providing appropriate protection for native bush (including coastal vegetation);
  - The retention of vegetation and re-planting to offset the loss of natural areas created by new buildings where indigenous and/or exotic vegetation clearance is necessary to create building platforms and open environments;
  - Whether the subdivision establishes a maintenance programme for the appropriate management of the vegetation, including ongoing removal of weed species;
  - Whether any vegetation clearance is necessary as part of the subdivision.
- (b) Whether the subdivision provides for the protection of significant areas of bush and sensitive ridgelines and reflects the low intensity nature of the Zone. The location, extent and methods of providing appropriate protection for existing vegetation, mitigation planting (to mitigate visual and ecological values).
- (c) Whether the subdivision layout allows for pedestrian, vehicular and vegetative links with adjoining sites, and where relevant to the coast and neighbouring open space areas.



*Earthworks, Land Modification,  
Buildings and Road Layouts*

- (d) Whether building platforms are proposed to be created to ensure that future buildings will be constructed to a maximum height that is below sensitive ridgelines or trees planted on the ridgelines, and that any adverse effects of any building to be constructed on a prominent ridge, knoll or skyline are mitigated by the highest point of the building being below the sensitive ridgeline or any existing or proposed native trees or bush, when the site is viewed from any public road or land, including the beach and the sea.
- (e) Whether the subdivision (including provision for access and utilities) would require extensive landform modification resulting in adverse effects, and whether any adverse effects on the landscape, ecological and amenity values of the particular area are avoided or appropriately mitigated.
- (f) Whether a comprehensive fencing and/or retaining wall strategy is proposed to mitigate the potential adverse effects of such structures on the landscape and amenity values of the area.
- (g) Whether building colour, reflectivity, form and/or building/paving material controls are proposed to mitigate the potential adverse effects on the landscape and amenity values of the area.

*Protection of Natural Features*

- (h) Whether the configuration of lots, roads, bush and other planting areas, riparian margins and the location and prominence of building platforms and resulting buildings:
  - Minimises their potential visual impact on sensitive ridgelines;
  - Minimises impacts on the visual amenity of other sites and on views from major roads, reserves, beaches and the water;
  - Protects areas of indigenous vegetation (including coastal vegetation), heritage resources and perennial streams and ephemeral streams.

*Subdivision Density*

- (i) Whether the subdivision design appropriately avoids adverse impacts by:
  - Avoiding, where practicable, building platforms and development adjacent to areas with high landscape, ecological, and amenity values;
  - Where practicable clustering dwellings and accessory buildings in proximity to roads, while avoiding adverse visual effects when viewed from roads or public places; and
  - Protecting and maintaining significant stands of vegetation.

*Zone Boundary*

- (j) Whether, where a subdivision adjoins a rural or open space zone boundary, the subdivision design reinforces the zone boundary and minimises the visual impact of the development on the adjoining rural or open space land.





### **Explanation and Reasons**

*In these low intensity areas the Council seeks to encourage residential development that is sympathetic and responsive to the landscape. In particular development should provide for a cohesive landscape framework that builds on the existing landform, watercourse and vegetative patterning of the area. Ideally the open space framework would be configured to incorporate archaeological features and riparian corridors. A sympathetic development layout and built form character is required to address potential visual effects in relation to public roads, reserve areas, the coastal esplanade and the water. This may require controls on building location, colours, forms, height and reflectivity, fencing and retaining structures height, colour and materiality and paving materials and colours.*

*Where a development adjoins a rural or open space zone, it may be necessary to consider the visual effects of development on the character and values of the neighbouring rural or open space area. This could include consideration of setting building platforms further back from the zone boundary than would normally be required and/or buffer/screen planting along the zone boundary.*

#### **Rule 8.16.3 Residential Cluster Subdivisions in the Coal Mine Bay Landscape Protection Zone**

[Amendment 141]

#### **Residential Cluster Subdivisions in the Coal Mine Bay Landscape Protection Zones**

In relation to subdivision in Coal Mine Bay, in addition to the Matters for Discretion and Assessment Criteria in Rule 8.16.1, the Council will also consider the following additional Matters for Discretion and Assessment Criteria

#### **Rule 8.16.3.1 Matters for Discretion**

#### **Matters for Discretion**

The Council will restrict its discretion to the following matters:

- (a) Landscape Plan
- (b) Mitigation planting
- (c) Protection and public accessibility of coastal margins and connectivity
- (d) Earthworks, land modification, buildings, and road layouts
- (e) Protection of natural features
- (f) Subdivision density



Rule 8.16.3.2  
**Assessment Criteria**

*Landscape Plan*

*Mitigation Planting*

*Protection and Public  
Accessibility of Coastal Margins  
and Connectivity*

*Earthworks, Land Modification,  
buildings and road layouts*

(g) Servicing

**Assessment Criteria**

When considering an application the Council will have regard to the following criteria:

- (a) Whether a landscape plan (informed by an ecological assessment and a visual assessment) is provided which responds to relevant considerations set out below:
- The location, extent and methods of providing appropriate protection for sensitive ridgelines, coastal margins, and riparian margins of streams and ephemeral streams;
  - The location, extent and methods of providing appropriate protection for native bush (including coastal vegetation);
  - The retention of vegetation and re-planting to offset the loss of natural areas created by new buildings and open environments;
  - Whether the subdivision establishes a maintenance programme for the appropriate management of the vegetation, including ongoing removal of weed species.
- (b) Whether the subdivision provides for the protection of significant areas of bush and sensitive ridgelines and reflects the low intensity nature of the Zone. The location extent and methods of providing appropriate protection for existing vegetation, mitigation planting (to mitigate visual and ecological values), and the establishment of a landscape buffer along the Whangaparaoa Road ridgeline will be assessed.
- (c) Whether the subdivision layout allows for pedestrian, vehicular and vegetative links with adjoining sites, making provision for public walking access around and across the headland including the provision of Coastal Esplanade Reserve and connections with Tindalls Beach and the residential area to the north east.
- (d) Whether building platforms are proposed to be created to ensure that future buildings will be constructed to a maximum height that is below the ridgeline, or any existing or proposed trees or bush, when the site is viewed from any public road or land, including the beach or the sea. Alternatively, whether any adverse effects of any building to be constructed on or near a prominent ridge, knoll or skyline identified are mitigated by design of buildings and landscaping to adequately avoid adverse visual prominence when the site is viewed from any public road or land, including the beach, the sea.



#### *Protection of Natural Features*

- (e) Whether the subdivision (including provision for access and utilities) would require extensive landform modification resulting in adverse effects, and whether any adverse effects on the landscape, ecological and amenity values of the particular area are avoided or appropriately mitigated.
- (f) Whether a comprehensive fencing and/or retaining wall strategy is proposed to mitigate the potential adverse effects of such structures on the landscape and amenity values of the area that may result when the lots are developed at the time of building.
- (g) Whether building colour, reflectivity and/or materials controls are proposed to mitigate the potential adverse effects on the landscape and amenity values of the area for future building that may occur on a site.
- (h) Whether the configuration of lots, roads, bush and other planting areas, riparian margins and the location and prominence of building platforms and resulting buildings:
  - Minimises their potential visual impact on the Whangaparaoa Road ridgeline;
  - Minimises impacts on the visual amenity of other sites and on views from major roads, reserves, beaches and the water.
  - Protects areas of indigenous vegetation (including coastal vegetation), heritage resources and perennial streams and ephemeral streams;
  - As far as practicable protects existing mature vegetation or creates a landscape buffer along the Whangaparaoa ridgeline.
  - Are located so that much of the site appears to be left in a relatively undeveloped state.

#### *Subdivision Density*

- (i) Whether the subdivision design appropriately avoids adverse impacts by:
  - Avoiding, where practicable, building platforms and development adjacent to areas with high landscape, ecological, and amenity values;
  - Clustering future dwellings and accessory buildings in proximity to roads, while avoiding adverse visual effects when viewed from roads or other public places; and
  - Protecting and maintaining significant stands of vegetation.

#### *Servicing*

- (j) Whether activities requiring wastewater servicing can demonstrate that wastewater capacity exists without compromising the functionality of the public reticulated sewerage system for the area.



### **Explanation and Reasons**

*At Coal Mine Bay, the Council seeks to encourage residential development that is sympathetic and responsive to the unique coastal location. In particular development should provide for a cohesive landscape framework that builds on the existing landform, watercourse and vegetative patterning of the area. A cohesive open space network should be integrated within the landscape framework enabling public access to and along the coastal line and linking with the beaches on either side of Coal Mine Bay. Ideally the open space framework would be configured to incorporate archaeological features and riparian corridors. An esplanade reserve is required along the coastline and a landscape buffer is also required along the Whangaparaoa Road ridgeline to safeguard this important landscape feature. A sympathetic development layout and built form character is required to address potential visual effects in relation to public roads, reserve areas, the coastal esplanade and the water.*

#### **Rule 8.16.4 Residential Subdivision in the Matakana Overlay Area**

#### **Residential Subdivision in the Matakana Village Overlay Area**

In addition to the Matters for Discretion and Assessment Criteria set out in Rule 8.16.1 Residential Subdivision in All Zones, the following shall apply to the Matakana Village Overlay Area.

##### **Rule 8.16.4.1 Matters for Discretion**

#### **Matters for Discretion**

The Council will restrict its discretion to the following matters:

- (a) Solar Access
- (b) Street Trees
- (c) Street Network

##### **Rule 8.16.4.2 Assessment Criteria**

#### **Assessment Criteria**

##### *Solar Access*

- (a) Whether in the Matakana Village Overlay Area the subdivision creates sites that are orientated to maximise solar access in the design of building and any useable outdoor open space areas.

##### *Street trees*

- (b) Whether in the Matakana Village Overlay Area street trees are planted in the berm between the footpath and the kerb, and whether the trees are of a species and that when mature do not obscure informal surveillance of the street from within the residential properties fronting onto the street.
- (c) Whether in the Matakana Village Overlay Area tree species are robust,



Street Network

## 8.17

### 8.17.1 General Assessment Criteria — All Discretionary Activities

capable of surviving the street environment and provide a high level of residential amenity.

- (d) Whether streets in the street network are well connected including linkages of proposed streets to existing streets and future streets.

## DISCRETIONARY ACTIVITIES: ASSESSMENT CRITERIA FOR SUBDIVISION

### General Assessment Criteria - All Discretionary Activities

Without limiting the exercise of its discretion, for all Discretionary Activity resource consent applications in the Residential Zones, the Council will have regard to the assessment criteria set out in 8.16.1.2, other relevant provisions of the Plan, and the relevant matters set out in section 104 of the Act:

In applying the assessment criteria the Council will generally have to be satisfied that a proposal is positive or neutral in respect of all relevant criteria before it will grant consent.





## APPENDIX 8A









## APPENDIX 8B

### COALMINE BAY AND HOBBS BAY







## APPENDIX 8C

### Residential Heritage Design Guidelines

#### General Guidelines

##### Context of Helensville

The town of Helensville owes its beginning to its location close to a major inland harbour surrounded by substantial stands of mature kauri forest. The settlement quickly developed as a thriving rural service town and port based largely on milling and shipping the kauri, and as the terminus at the southern end of the Kaipara Harbour for travel by rail and steamer between Auckland and the north. Development spread rapidly on the hill overlooking the river valley, with small four roomed workers' cottages interspersed with the larger villas of the more prosperous, all laid out on generous sites on a rectangular grid of streets connected to the principal routes through the town. A commercial centre also developed, strung out along the main road from Auckland where it was closer to the river and railway line.

Milling remained the mainstay of Helensville's economy until the supply of timber petered out in the early 1900s, and the port business dwindled. The town fell back on its role of servicing the surrounding rural community, and relatively little new building and even less redevelopment took place in the ensuing years. The result is that Helensville has a wealth of buildings from the Victorian and Edwardian eras. These determined the scale and character of Helensville in its heyday, and remain a key feature of the appearance and character of the town today.

Dwellings erected since 1920 have been in styles characteristic of their period. At the same time the traditional New Zealand custom of 'improving' older houses through alterations and additions has resulted in change to many of the older houses. While this has resulted in some erosion of historic character, the appearance of Helensville is still that of a Victorian town, and this is part of the town's appeal and a feature worth preserving as it grows. This does not mean that new houses should be replicas of the Victorian period. While it is important that new houses should be of a similar scale to established buildings, it is always preferable that they should be expressive of the age in which they are constructed. This strengthens the sense of development over time and reinforces the importance of genuinely historic dwellings as part of a vital and evolving community.

##### Progress and Restoration

Modernisation of amenities is not the same as modernising the appearance of the house. The replacement of original features such as windows with modern aluminium versions can be disastrous for an old house. Likewise, the removal of architectural decoration which is such a feature of older buildings generally leaves a house looking incomplete and dull, and the enclosure of verandahs to create more floor space usually robs the street façade of its essential character.

##### Building Style

It is important to be clear about the correct style of a house. There are important differences between each style and designers should be careful not to try to turn a bungalow into a villa or a villa into a colonial cottage.



## Designing for Change

If changes are needed to make a house more comfortable or better suited to modern living the following guidelines are appropriate.

- a. Try to preserve its original external appearance and important interior features.
- b. Try to preserve as far as possible the original layout of rooms. Changes may well be necessary, but try not to alter the interior so completely that all trace of the original layout is lost.
- c. Don't 'over restore'. Make sure the house still looks like an old building in good condition after you've finished the job.
- d. Additions and alterations should be in the manner of the period in which the house was built — for example, extra living space is often best obtained by rear extensions.
- e. Repeat original details for windows and doors. Where visible from the street, new windows and doors and their decorative trims should be made using traditional proportions and details.
- f. Stick to materials that were used when the house was built. Many modern building materials such as concrete blocks or metal-framed windows are inappropriate in appearance and detail.
- g. Go easy on 'features'. Unless your house is fairly large, there is a limit to how many turrets, bay windows, finials and roll-roof verandahs it can comfortably take.
- h. Details are important. Be careful not to mix up design features from one style with those of another — for example, decorative glass, mouldings, hardware, light fittings and so on.

## Solutions to Common Problems

### 1. Preserving Original Character

#### a. Keep the original street front intact

The street frontage gives the house its essential character, and changes made here may alter that character. It makes good sense to preserve the original architectural features such as verandahs, balustrades and decorative brackets.

#### b. Retain original features

The various architectural features of the exterior all contribute to its overall character, so it is important to concentrate on repairing or refurbishing these rather than replacing with modern equivalent materials. Many modern materials, while quite sound in themselves, can change the appearance of a house in a way which is inappropriate.

#### c. Don't break the roof line

The main roof is the dominant architectural feature of the house and this gives it its profile and shape in the street. If you increase the height of the roof or add new features such as dormer windows, this may have the effect of breaking up its profile and diminishing its overall character.

### 2. Making Additions



If more space is required the following possibilities should be considered.

**a. At the front**

While it may be possible in some circumstances to make additions to the front of a period house, this is very difficult to do without affecting its character. So it is generally much easier and more practicable to add to the rear or side of the house, or to modify the roof in some way. If, however, there is no choice, it will be best to use an authentic architectural form such as a new gable or a bay window to provide the additional space.

**b. At the side or the rear**

There are various ways of adding to the side of the house, but additions can most safely be done at the rear, as they are less likely to be apparent from the front. Use can be made of the traditional 'lean — to' roof, which was part of many old houses, and the roof can be extended to make a verandah or porch where there are external doors. Sometimes it is possible to cover the extension with a major new roof element such as gable or a hip, similar to the existing roof. Resist the temptation to decorate such additions to resemble the front.

**c. Roof additions**

There is considerable attraction in adding a first floor to an old house. This will provide sun, outlook, and give privacy from the rest of the house. A roof addition results in great change to the existing house. Decisions need to be made concerning the shape of the roof and whether District Plan rules restrict building height.

**d. Use the same materials as the original**

Match existing construction materials to enable a seamless and sympathetic addition to be made. This can give more flexibility in the overall form of the addition and will allow greater freedom in the choice of windows and doors.

**3. Car parking**

If a new garage is required the following guidelines will assist.

- a. Try to make the building as low and inconspicuous as possible.
- b. Consider integrating the design with fences or other landscape features.
- c. Do not feel obliged to imitate the house. Keep the design simple.
- d. Avoid removing parts of the house on the ground floor to make room for a car.
- e. Avoid the use of imitation brick or stone cladding, fibrolite sheeting, concrete block and breeze blocks. The materials used should be similar to those used in the house.
- f. Avoid obscuring the house. A carport may be preferable to a garage; a flat roof may be preferable to a pitched one.
- g. A garage at a distance from the house may be preferable to one close to it.





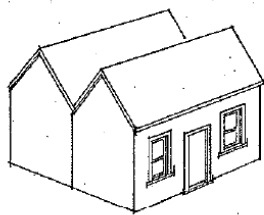
## Guidelines for Specific House Types

### 1. Small Cottages 1860 - 1880

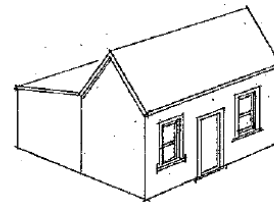
Where it is necessary to change a cottage to provide more accommodation the following guidelines should be considered.

- a. Keep the original street front intact, or extend using traditional forms.
- b. Extend at the rear or side using similar forms to the original
- c. Use similar materials for additions
- d. Don't exceed the height of the original.
- e. Repeat original details for windows, doors and trims on front and side facades or where visible from the street.

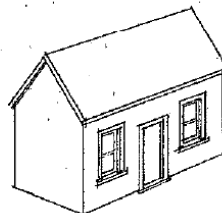
There are many possible ways of increasing the size of a cottage. Some of these are shown below and may be used separately or in combination.



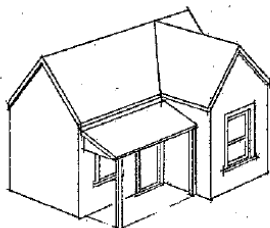
copy the original to make  
a double cottage



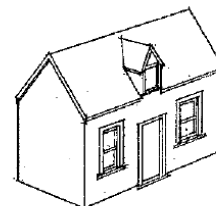
add a lean-to



basic cottage



add a bay and verandah



develop the attic and add a  
dormer window

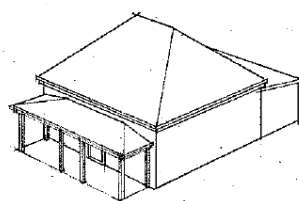


## 2. Small Villas 1870-1900

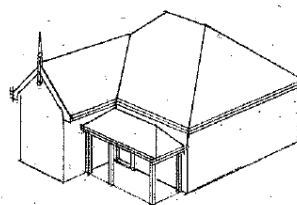
Where it is necessary to change a small villa to provide more accommodation the following guidelines should be considered.

- Keep the original street front intact, or extend using traditional forms.
- Extend at the rear or side using similar forms to the original
- Use similar materials for additions
- Don't exceed the height of the original.
- Repeat original details for windows, doors and trims on front and side facades or where visible from the street.

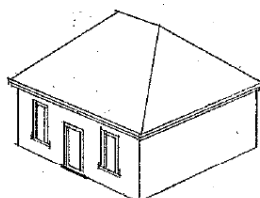
There are many possible ways of increasing the size of a villa. Some of these are shown below.



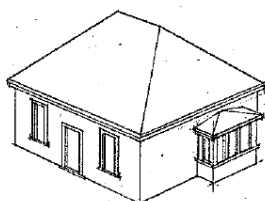
add a verandah and lean-to



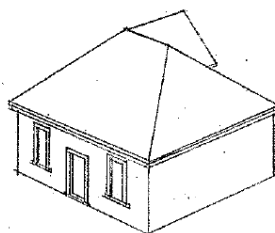
add a bay plus verandah



basic small villa



add a bay window



modify the roof to develop the roof space



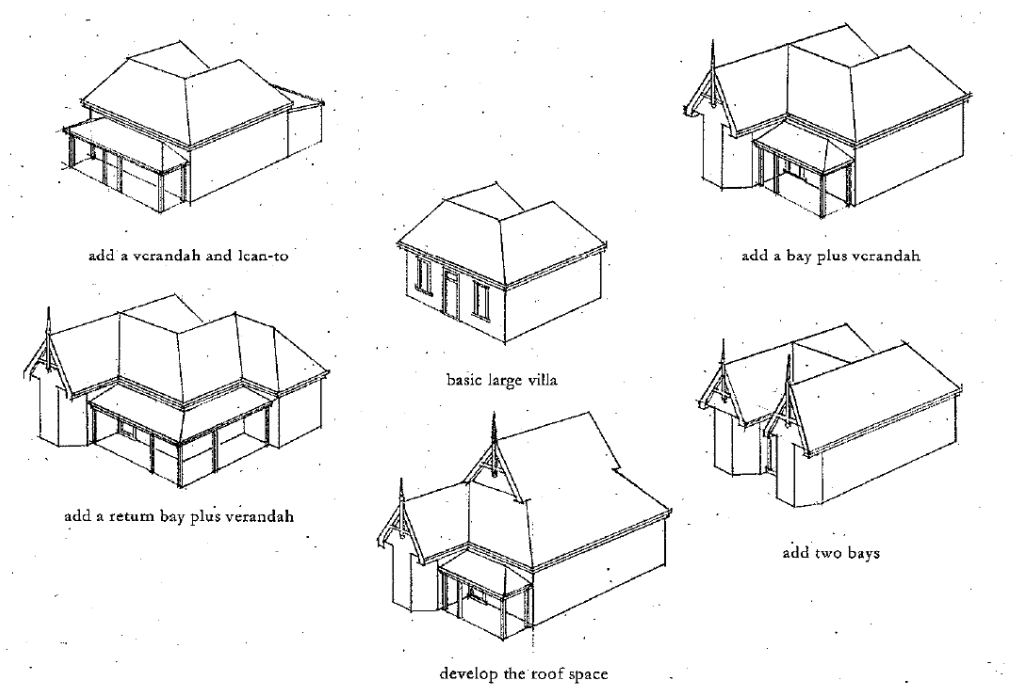


### 3. Larger Villas 1880-1905

Where it is necessary to change a large villa to provide more accommodation the following guidelines should be considered.

- a. Keep the original street front intact, or extend using traditional forms.
- b. Extend at the rear or side using similar forms to the original
- c. Use similar materials for additions
- d. Don't exceed the height of the original, except where the roof is being developed.
- e. Repeat original details for windows, doors and trims on front and side facades or where visible from the street.
- f. Avoid using details and styles taken from cottages.

There are many possible ways of increasing the size of a villa. Some of these are shown below.



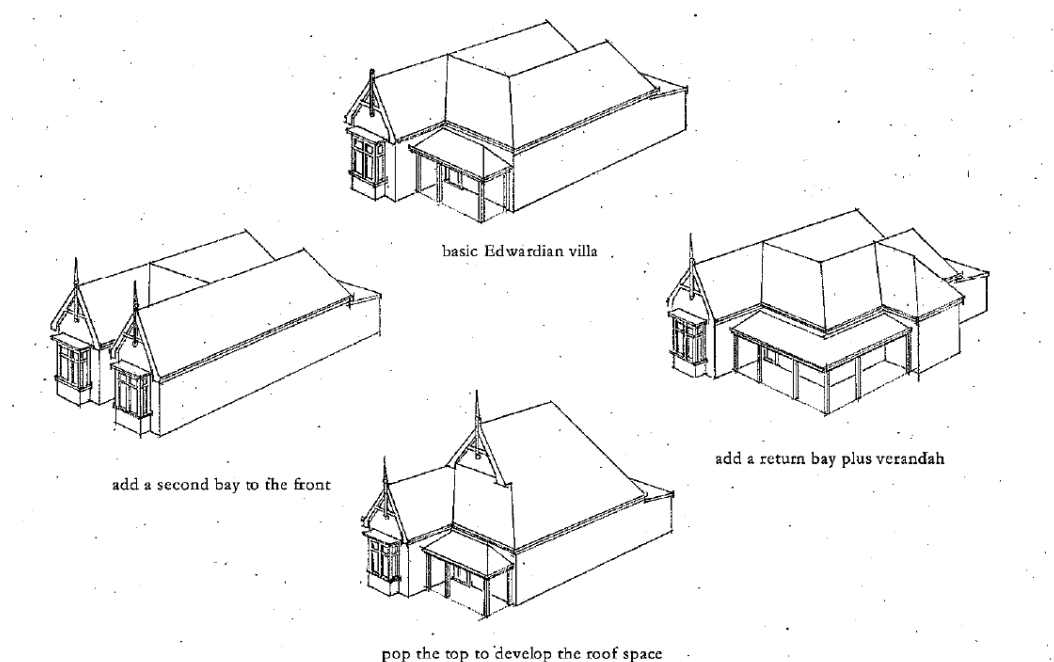


#### 4. Edwardian Villas 1905-1915

Where it is necessary to change an Edwardian villa to provide more accommodation the following guidelines should be considered.

- a. Keep the original street front intact, or extend using traditional forms.
- b. Extend at the rear or side using similar forms to the original
- c. Use similar materials for additions
- d. Don't exceed the height of the original, except where the roof is being developed.
- e. Repeat original details for windows, doors and trims on front and side facades or where visible from the street.
- f. Avoid using details and styles taken from cottages.

There are many possible ways of increasing the size of a villa. Some of these are shown below.



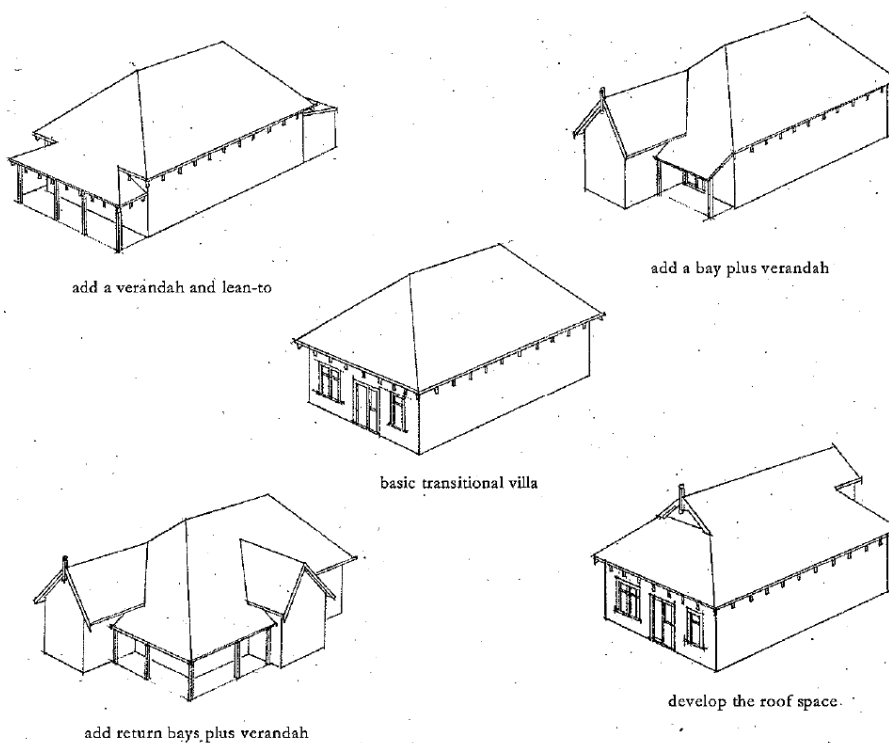


## 5. Transitional Villas 1912 -1920

Where it is necessary to change a transitional villa to provide more accommodation the following guidelines should be considered.

- a. Keep the original street front intact, or extend using traditional forms.
- b. Extend at the rear or side using similar forms to the original
- c. Use similar materials for additions
- d. Don't exceed the height of the original, except where the roof is being developed.
- e. Repeat original details for windows, doors and trims on front and side facades or where visible from the street.
- f. Avoid using details and styles typical of Victorian villas.

There are many possible ways of increasing the size of a villa. Some of these are shown below.





## 6. Californian Bungalow

Where it is necessary to change a transitional villa to provide more accommodation the following guidelines should be considered.

- a. Keep the original street front intact.
- b. Extend at the rear or side using similar forms to the original.
- c. Use similar materials for additions.
- d. Because the bungalow had a shallower roof pitch, it is much more difficult to incorporate a roof expansion. There are however good examples of two-storeyed bungalows, which share some features with the arts and crafts style and which are appropriate models for enlarging the Californian bungalow.
- e. To enlarge the house, new rooms can be added under a new major roof form or as an extension of the existing roof.
- f. Repeat original details for windows, doors and trims on front and side facades or where visible from the street.
- g. The details of box and bow windows and the deep-set porches will be very useful architectural forms to incorporate in additions.
- h. Avoid using details and styles typical of villas.







## APPENDIX 8D









## APPENDIX 8E

### OREWA VEGETATION STRATEGY

