

In the Environment Court of New Zealand  
at Auckland

ENV-2016-AKL-

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*in the matter of:* the Local Government (Auckland Transitional Provisions) Act 2010 (*LGATPA*) and the Resource Management Act 1991

*and:*

*in the matter of:* an appeal under section 156(1) of the LGATPA against a decision of the Auckland Council on a recommendation of the Auckland Unitary Plan Independent Hearings Panel on the Proposed Auckland Unitary Plan

*and:*

*in the matter of:* Proposed Plan Hearing Topics 059 - 063 Residential Zones

*between:* Ryman Healthcare Limited and the Retirement Villages Association of New Zealand Incorporated  
***Appellants***

*and:* Auckland Council  
***Respondent***

Notice of Appeal by Ryman Healthcare Limited and the Retirement Villages Association of New Zealand Incorporated against decisions on the Proposed Auckland Unitary Plan

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Dated: 16 September 2016

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**CHAPMAN  
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**To** The Registrar  
Environment Court  
Auckland

**Introduction**

- 1 Ryman Healthcare Limited and the Retirement Villages Association of New Zealand Incorporated (*Appellants*) appeal against parts of a decision of the Auckland Council (*Council*) on the Proposed Auckland Unitary Plan (*Proposed Plan*).
- 2 The Appellants have the right to appeal the Council's decision under section 156(1) of the LGATPA because the Council rejected a recommendation of the Auckland Unitary Plan Independent Hearings Panel (*Panel*) in relation to a provision or matter the Appellants addressed in their submissions on the Proposed Plan (submission numbers 6106 and 6103, further submission numbers 2602 and 2599). The Council decided on an alternative solution, which resulted in provisions being included in the Proposed Plan that were not included in the Panel's recommendations and provisions being excluded from the Proposed Plan that were included in the Panel's recommendations.
- 3 The Appellants provide further details of the reasons for their appeal below.
- 4 The Appellants are not trade competitors for the purposes of section 308D of the Resource Management Act 1991 (*RMA*).
- 5 The Appellants received notice of the decision on 19 August 2016.
- 6 The parts of the decision that the Appellants are appealing are:
  - 6.1 The Council's decisions to reject the Panel's recommendations in relation to Hearing Topics 059 - 063 (Residential zones). In particular, the Council's decision to amend the following provisions of the Proposed Plan:

***Zone description, objectives and policies***

- (a) H3. Residential - Single House Zone:
  - (i) H3.3 Policies (3);
- (b) H4. Residential - Mixed Housing Suburban Zone:
  - (i) H4.1 Zone description;
  - (ii) H4.3 Policies (3) and (5);

- (c) H5. Mixed Housing Urban Zone:
  - (i) H5.1 Zone description;
  - (ii) H5.3 Policies (3) and (5);
- (d) H6. Residential – Terrace Housing and Apartment Building Zone:
  - (i) H6.1 Zone description;
  - (ii) H6.3 Policies (3) and (6);

***Activity Status / Notification rules***

- (e) H3. Residential - Single House Zone:
  - (i) Table H3.4.1 – Activity A9;
  - (ii) H3.5 Notification;
- (f) H4. Residential – Mixed Housing Suburban Zone:
  - (i) H4.4 Activity Table – Activities 3, 4 and 33;
  - (ii) H4.5 Notification;
- (g) H5. Mixed Housing Urban Zone:
  - (i) H5.4 Activity Table – Activities 3, 4 and 33;
  - (ii) H5.5 Notification;
- (h) H6. Residential – Terrace Housing and Apartment Building Zone:
  - (i) H6.4 Activity Table – Activity 34;
  - (ii) H6.5 Notification;

***Standards***

- (i) H3. Residential - Single House Zone:
  - (i) H3.6.12 Front, side and rear fences and walls;
- (j) H4. Residential – Mixed Housing Suburban Zone:
  - (i) H4.6.6 Alternative height in relation to boundary;
  - (ii) H4.6.14 Front, side and rear fences and walls;

- (iii) H4.6.15 Minimum dwelling size;
- (k) H5. Mixed Housing Urban Zone:
  - (i) H5.6.6 Alternative height in relation to boundary;
  - (ii) H5.6.15 Front, side and rear fences and walls;
  - (iii) H5.6.17 Minimum dwelling size;
- (l) H6. Residential – Terrace Housing and Apartment Building Zone:
  - (i) H6.6.16 Front, side and rear fences and walls;
  - (ii) H6.6.17 Minimum dwelling size.

***Matters of discretion / Assessment criteria***

- (m) H3. Residential - Single House Zone:
  - (i) H3.8.1 Matters of discretion (2);
  - (ii) H3.8.2 Assessment criteria (2);
- (n) H4. Residential – Mixed Housing Suburban Zone:
  - (i) H4.8.1 Matters of discretion (2), (3), (4) and (5);
  - (ii) H4.8.2 Assessment criteria (2), (3), (15), (16);
- (o) H5. Mixed Housing Urban Zone:
  - (i) H5.8.1 Matters of discretion (2), (3), (4) and (5);
  - (ii) H5.8.2 Assessment criteria (2), (3), (16), and (17);
- (p) H6. Residential – Terrace Housing and Apartment Building Zone:
  - (i) H6.8.1 Matters of discretion (3), (4) and (5);
  - (ii) H6.8.2 Assessment criteria (3), (16), and (17).

6.2 The Council’s failure to accept the Panel’s intention to enable integrated residential development in the Residential – Single



House Zone. In particular, the failure to insert the following policies into H3. Residential – Single House Zone:

- (a) Policy X: Enable a variety of housing types including integrated residential development such as retirement villages.
- (b) Policy X: Enable more efficient use of larger sites by providing for integrated residential development.

### **Reasons for the appeal**

7 The reasons for the appeal are as follows:

7.1 The Appellant's consider that the parts of the decision appealed do not accord with the relevant requirements of the LGTAPA and the RMA, and are contrary to Part 2 of the RMA. In particular, the parts of the decision appealed:

- (a) Do not promote the sustainable management of natural and physical resources;
- (b) Do not enable social, economic and cultural well being;
- (c) Do not meet the reasonably foreseeable needs of future generations;
- (d) Do not promote the efficient use and development of natural and physical resources;
- (e) Do not result in the most appropriate plan provisions in terms of section 32 of the RMA;
- (f) Do not give effect to the objectives and policies of the Regional Policy Statement contained in the Proposed Plan; and
- (g) Are contrary to good resource management practice.

7.2 Without limiting the generality of the above, specific reasons for this appeal are:

- (a) Auckland's population is ageing rapidly. The elderly are facing a significant shortage of appropriate accommodation and care options.
- (b) There is a considerable lack of sites in existing residential areas which are appropriate for retirement village development. The limited number of suitable development sites means that where appropriate sites are available, they must be used effectively and

efficiently, while ensuring the adverse environmental effects of villages are properly managed.

- (c) Retirement villages are predominantly residential in nature, but have specific functional and operational requirements. They generally need to be large format and medium to high density, given the significant amenity and care facilities provided on site. However, they can be designed in a manner that is complementary to the outcomes sought for all of the main residential zones (Single House, Mixed Housing Suburban, Mixed Housing Urban, and Terrace Housing and Apartment Buildings zones).
- (d) The Proposed Plan should enable elderly people to “*age in place*” in the communities where they currently live and have lived for many years, close to their families, friends, familiar amenities and other support networks.
- (e) As the Panel’s recommendations emphasised, the Proposed Plan needs to provide for greater residential development capacity.<sup>1</sup>
- (f) The Council’s provisions impose a public burden on private interests, without adequate justification.

**Activity Status / Notification rules**

- (g) Contrary to Council’s reasons for declining the Panel’s recommendations, the objectives and policies for the Single House Zone do support restricted discretionary activity status for integrated residential development.
- (h) The discretionary activity status for Integrated Residential Development, including retirement villages, in the Single House Zone is overly restrictive and does not properly enable the establishment of new retirement villages in this zone.
- (i) Density of itself is not an adverse effect on the environment.

**Standards**

- (j) As stressed by the Panel’s recommendations, it will be important that in the administration of the Unitary Plan, the assessment of resource management issues that are relevant to the requirements for consent are

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<sup>1</sup> Topic 059 Residential zones report, page 17.

properly founded on the external effects of the activity.<sup>2</sup>

- (k) The Proposed Plan contains overly prescriptive controls, which would impose costs with little corresponding benefit.

***Matters of Discretion / Assessment Criteria***

- (l) The restricted discretionary matters of discretion and assessment criteria recommended by the Panel for integrated residential development, and accepted by Council, appropriately manage the effects of integrated residential development on neighbourhood character, residential amenity and the surrounding residential area, as well as the effects of any breaches of the applicable standards in the Single House Zone.

- (m) The restricted discretionary matters of discretion and assessment criteria added by the Council are inappropriate for a comprehensively designed retirement village. They focus on internal amenity considerations, rather than the external effects of retirement villages. They are designed to manage the effects of standard residential dwellings, and do not recognise the functional and operational requirements of the modern retirement village format.

- (n) As the Panel found, dwelling size has few, if any, external effects. It noted that overcrowding appears to be related to lack of affordability, and that requiring units to be larger is likely to make them less affordable.<sup>3</sup>

**Relief sought**

8 The Appellants seeks the following relief:

8.1 Reinstate the Panel's recommendations on Topics 059 -063 – Residential Zones. In particular, the amendments set out in **Appendix 1** to this notice of appeal;

8.2 Insert the following policies into H3. Residential – Single House Zone:

- (a) Policy X: Enable a variety of housing types including integrated residential development such as retirement villages.

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<sup>2</sup> Overview of recommendations, page 44.

<sup>3</sup> Overview of recommendations, page 44.

(b) Policy X: Enable more efficient use of larger sites by providing for integrated residential development.

8.3 Such further or consequential relief as may be necessary to address the matters raised in the Appellant's submissions and this appeal; and

8.4 Costs.

**Service and attachments**

9 An electronic copy of this notice is being served today by email on the Auckland Council at unitaryplan@aucklandcouncil.govt.nz. Waivers and directions have been made by the Environment Court in relation to the usual requirements of the RMA as to service of this notice on other persons.

10 The following documents are attached to this notice:

10.1 a copy of the relevant part of the decision (**Appendix 2**);

10.2 a list of names and addresses of persons served / to be served with a copy of this notice (**Appendix 3**); and

10.3 A copy of the Appellant's submission and further submission (**Appendices 4 and 5**).

11 The Appellant's are lodging related proceedings concerning the Proposed Plan in the High Court. Specifically, an appeal against the Council's failure to accept the Panel's intention to enable integrated residential development in the Single House Zone through the specific objectives and policies referred to in paragraph 8.2 above.

**Signed** for and on behalf of the Appellant's by their solicitors and authorised agents Chapman Tripp



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Luke Hinchey  
Partner  
16 September 2016

Address for service of person:

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## **Advice to recipients of copy of notice of appeal**

### *How to become party to proceedings*

You may become a party to the appeal if you are one of the persons described in section 274(1) of the RMA.

To become a party to the appeal, you must, within 15 working days after the period for lodging a notice of appeal ends, lodge a notice of your wish to be a party to the proceedings (in form 33 of the Resource Management (Forms, Fees, and Procedure) Regulations 2003) with the Environment Court by email (to [unitaryplan.ecappeals@justice.govt.nz](mailto:unitaryplan.ecappeals@justice.govt.nz)) and serve copies of your notice by email on the Auckland Council (to [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz)) and the appellant.

Your right to be a party to the proceedings in the Court may be limited by the trade competition provisions in section 274(1) and Part 11A of the RMA.

You may apply to the Environment Court under section 281 of the Resource Management Act 1991 for a waiver of the above timing or service requirements (see form 38 of the Resource Management (Forms, Fees, and Procedure) Regulations 2003).

### *How to obtain copies of documents relating to appeal*

The copy of this notice served on you does not attach a copy of the relevant submission and the relevant decision. These documents may be obtained, on request, from the appellant.

### *Advice*

If you have any questions about this notice, contact the Environment Court in Auckland.

## APPENDIX 1 – RELIEF SOUGHT

### H3. Residential – Single House Zone

#### H3.3. Policies

- ~~(3) Encourage development to achieve attractive and safe streets and public open spaces including by:~~
- ~~(a) providing for passive surveillance~~
  - ~~(b) optimising front yard landscaping~~
  - ~~(c) minimising visual dominance of garage doors.~~

#### H3.4. Activity table

(A9)	Integrated Residential Development	RD ̸	<u>Standard H3.6.6 Building height; Standard H3.6.7 Height in relation to boundary; Standard H3.6.8 Yards</u>
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#### H3.5. Notification

- (1) Any application for resource consent for an integrated residential development that complies with all of the standards listed in Table H3.4.1 Activity table ~~the following activities~~ will be considered without public or limited notification or the need to obtain the written approval from affected parties unless the Council decides that special circumstances exist under section 95A(4) of the Resource Management Act 1991.:

- ~~(a) A integrated residential development which complies with all of the standards listed in Table H3.4.1 Activity table; or~~
- ~~(b) development which does not comply with H3.6.12 (1a) Front, side and rear fences and walls.~~

#### H3.6.12. ~~Front, S~~ide and rear fences and walls

Purpose: to enable fences and walls to be constructed on a ~~front~~, side or rear boundary or within a ~~front~~, side or rear yard to a height sufficient to:

- Provide privacy; and for dwellings while enabling opportunities for passive surveillance of the street

- Minimise visual dominance effects to immediate neighbours and the street.
- (1) Fences or walls or a combination of these structures (whether separate or joined together) on a side or rear boundary or within a side or rear yard must not exceed a height of 2m above ground level. ~~the height specified below, measured from the ground level at the boundary:~~
    - ~~(a) Within the front yard, either:~~
      - ~~(i) 1.2m in height; or~~
      - ~~(ii) 1.8m in height for no more than 50 per cent of the site frontage and 1.2m for the remainder, or~~
      - ~~(iii) 1.8m in height if the fence is at least 50 per cent visually open.~~
    - ~~(b) Within the side and rear yards: 2m.~~

### **H3.8. Assessment – restricted discretionary activities**

#### **H3.8.1. Matters of discretion**

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

- (2) for integrated residential development:
  - (a) the effects on the neighbourhood character, residential amenity and the surrounding residential area from all of the following:
    - (i) building intensity, scale, location, form and appearance;
    - (ii) traffic;
    - (iii) design of parking and access; and
    - (iv) noise, lighting and hours of operation.
  - (b) all of the following standards:
    - (i) Standard H3.6.9 Maximum impervious areas;
    - (ii) Standard H3.6.10 Building coverage;
    - (iii) Standard H3.6.11 Landscaped area; and
    - (iv) Standard H3.6.12 Side and rear fences and walls.



### **H3.8.2. Assessment criteria**

(2) for integrated residential development:

(a) the extent to which or whether the development achieves the purpose outlined in the following standards or what alternatives are provided that result in the same or a better outcome:

(i) (i) Standard H3.6.9 Maximum impervious areas;

(ii) Standard H3.6.10 Building coverage;

(iii) Standard H3.6.11 Landscaped area; and

(iv) Standard H3.6.12 Side and rear fences and walls.

(b) refer to Policy H3.3(1);

(c) refer to Policy H3.3(2)

(d) refer to Policy H3.3(3)

(e) refer to Policy H3.3(4)

(f) refer to Policy H3.3(5); and

(g) refer to Policy H3.3(6)

## **H4. Residential – Mixed Housing Suburban Zone**

### **H4.1. Zone description**

The Residential – Mixed Housing Suburban Zone is the most widespread residential zone covering many established suburbs and some greenfields areas. Much of ...

Up to four ~~two~~ dwellings are permitted as of right subject to compliance with the standards. This is to ensure a quality outcome for adjoining sites and the neighbourhood, as well as residents within the development site.

Resource consent is required for five ~~three~~ or more dwellings and for other specified buildings in order to:

- achieve the planned suburban built character of the zone;
- ~~achieve attractive and safe streets and public open spaces;~~
- manage the ...

### H4.3. Policies

- ~~(3) Encourage development to achieve attractive and safe streets and public open spaces including by:~~
- ~~(a) providing for passive surveillance~~
  - ~~(b) optimising front yard landscaping~~
  - ~~(c) minimising visual dominance of garage doors.~~
- (45) Require accommodation to be designed to:
- (a) provide privacy and outlook; and
  - ~~(b) be functional,~~ have access to daylight and sunlight and provide the amenities necessary to meet the day-to-day needs of residents.

### H4.4. Activity table

**Table H4.4.1 Activity table**

(A3)	Up to <del>four</del> <u>two</u> dwellings per site	P	Standard H4.6.4 Building height; ... Standard H4.6.14 <del>Front</del> , side and rear fences and walls;
(A4)	<u>Five</u> <del>Three</del> or more dwellings per site	RD	Standard H4.6.4 Building height; Standard H4.6.5 Height in relation to boundary; Standard H4.6.6 Alternative height in relation to boundary; Standard H4.6.7 Yards
<del>(A33)</del>	<del>Development which does not comply with H4.6.5</del> Height in relation to boundary	RD	Standard H4.6.6 Alternative height in relation to boundary

### H4.5. Notification

- (1) Any application for resource consent for the following activities will be considered without public or limited notification or the need to obtain the written approval from affected parties unless the Council decides that special circumstances exist under section 95A(4) of the Resource Management Act 1991:

- (a) ~~five~~ three or more dwellings per site that comply with all of the standards listed in Table H4.4.1 Activity table; or
- (b) an integrated residential development that complies with all of the standards listed in Table H4.4.1 Activity table; or
- (c) ~~development which does not comply with Standard H4.6.5 Height in relation to boundary, but complies with Standard H4.6.6 Alternative height in relation to boundary.;~~
- (d) ~~development which does not comply with Standard H4.6.15 Minimum dwelling size; or~~
- (e) ~~development which does not comply with H4.6.14 (1a) Front, side and rear fences and walls.~~

## **H4.6. Standards**

### **H4.6.6. Alternative height in relation to boundary**

Purpose: to enable the efficient use of the site by providing design flexibility at the first floor of a dwelling close to the street frontage, while maintaining a reasonable level of sunlight access and minimising visual dominance effects to immediate neighbours.

- (1) This standard is an alternative to the ~~permitted~~ Standard H4.6.5 Height in relation to boundary and applies to development that is within 20m of the site frontage.
- (2) Buildings within ...

### **H4.6.14. ~~Front, side and rear fences and walls~~**

Purpose: to enable fences and walls to be constructed on a ~~front~~, side or rear boundary or within a ~~front~~, side or rear yard to a height sufficient to:

- ~~provide privacy; and for dwellings while enabling opportunities for passive surveillance of the street~~
  - minimise visual dominance effects to immediate neighbours and the street.
- (1) Fences or walls or a combination of these structures (whether separate or joined together) on a side or rear boundary or within a side or rear yard must not exceed a height of 2m above ground level. ~~the height specified below, measured from the ground level at the boundary:~~

- (a) ~~Within the front yard, either:~~
  - (i) ~~1.2m in height, or~~
  - (ii) ~~1.8m in height for no more than 50 per cent of the site frontage and 1.2m for the remainder, or~~
  - (iii) ~~1.8m in height if the fence is at least 50 per cent visually open.~~
- (b) ~~Within the side and rear yards: 2m.~~

**Figure H.4.6.14.1 Measurement of fence height**

**H4.6.15 Minimum dwelling size**

~~Purpose: to ensure dwellings are functional and of a sufficient size to provide for the day to day needs of residents, based on the number of occupants the dwelling is designed to accommodate.~~

- (1) ~~Dwellings must have a minimum net internal floor area as follows:~~
  - (a) ~~30m<sup>2</sup> for studio dwellings.~~
  - (b) ~~45m<sup>2</sup> for one or more bedroom dwellings.~~

**H4.8. Assessment – restricted discretionary activities**

**H4.8.1. Matters of discretion**

- (2) for five ~~three~~ or more dwellings per site:
  - (a) the effects on the neighbourhood character, residential amenity, ~~safety,~~ and the surrounding residential area from all of the following:
    - (i) building intensity, scale, location, form and appearance;
    - (ii) traffic; and
    - (iii) design of parking and access.
  - (b) all of the following standards:
    - (i) Standard H4.6.8 Maximum impervious areas;
    - (ii) Standard H4.6.9 Building coverage;
    - (iii) Standard H4.6.10 Landscaped area;

- (vi) Standard H4.6.11 Outlook space;
- (v) Standard H4.6.12 Daylight;
- (vi) Standard H4.6.13 Outdoor living space; and
- (vii) Standard H4.6.14 ~~Front~~, side and rear fences and walls; ~~and~~
- ~~(viii) Standard H4.6.15 Minimum dwelling size.~~

~~(c) Infrastructure and servicing.~~

(3) for integrated residential development:

(a) the effects on the neighbourhood character, residential amenity, ~~safety~~, and the surrounding residential area from all of the following:

- (i) building intensity, scale, location, form and appearance;
- (ii) traffic;
- (iii) design of parking and access; and
- (iv) noise, lighting and hours of operation.

(b) all of the following standards:

- (i) Standard H4.6.8 Maximum impervious areas;
- (ii) Standard H4.6.9 Building coverage;
- (iii) Standard H4.6.10 Landscaped area;
- (vi) Standard H4.6.11 Outlook space;
- (v) Standard H4.6.12 Daylight;
- (vi) Standard H4.6.13 Outdoor living space; and
- (vii) Standard H4.6.14 ~~Front~~, side and rear fences and walls; ~~and~~
- ~~(viii) Standard H4.6.15 Minimum dwelling size.~~

~~(c) Infrastructure and servicing.~~

(4) for buildings that do not comply with Standard H4.6.4 Building height; Standard H4.6.5 Height in relation to boundary; Standard H4.6.6 Alternative height in relation to boundary; Standard H4.6.7 Yards; Standard H4.6.8 Maximum impervious areas; Standard H4.6.9 Building coverage; Standard H4.6.10 Landscaped area; Standard H4.6.11 Outlook space; Standard H4.6.12 Daylight; Standard H4.6.13 Outdoor living space; Standard H4.6.14 Front, side and rear fences and walls; ~~Standard H4.6.15 Minimum dwelling size:~~

- (a) any policy which is relevant to the standard;
- (b) the purpose of the standard;
- (c) the effects of the infringement of the standard;
- (d) the effects on the rural and coastal character of the zone;
- (e) the effects on the amenity of neighbouring sites;
- (f) the effects of any special or unusual characteristic of the site which is relevant to the standard;
- (g) the characteristics of the development;
- (h) any other matters specifically listed for the standard; and
- (i) where more than one standard will be infringed, the effects of all infringements.

~~(5) For buildings that use the Standard H4.6.6 Alternative height in relation to boundary:~~

- ~~(a) Daylight and sunlight access and visual dominance effects.~~
- ~~(b) Attractiveness and safety of the street~~

#### **H4.8.2. Assessment criteria**

- (2) for five ~~three~~ or more dwellings on a site:
- (a) the extent to which or whether the development achieves the purpose outlined in the following standards or what alternatives are provided that result in the same or a better outcome:
    - (i) Standard H4.6.8 Maximum impervious areas;
    - (ii) Standard H4.6.9 Building coverage;

- (iii) Standard H4.6.10 Landscaped area;
- (iv) Standard H4.6.11 Outlook space;
- (v) Standard H4.6.12 Daylight;
- (vi) Standard H4.6.13 Outdoor living space; and
- (vii) Standard H4.6.14 ~~Front~~, side and rear fences and walls.
- (viii) Standard H4.6.15 Minimum dwelling size.

- (b) refer to Policy H4.3(1);
- (c) refer to Policy H4.3(2);
- (d) refer to Policy H4.3(3);
- (e) refer to Policy H4.3(4);
- (f) refer to Policy H4.3(5); and
- (g) refer to Policy H4.3(6);
- ~~(h) refer to Policy H4.3(7); and~~
- ~~(i) infrastructure and servicing;~~

- ~~(i) Whether there is adequate capacity in the existing stormwater and public reticulated water supply and wastewater network to service the proposed development.~~

(3) for integrated residential development:

- (a) the extent to which or whether the development achieves the purpose outlined in the following standards or what alternatives are provided that result in the same or a better outcome:
  - (i) Standard H4.6.8 Maximum impervious areas;
  - (ii) Standard H4.6.9 Building coverage;
  - (iii) Standard H4.6.10 Landscaped area;
  - (iv) Standard H4.6.11 Outlook space;
  - (v) Standard H4.6.12 Daylight;

- (vi) Standard H4.6.13 Outdoor living space; and
- (vii) Standard H4.6.14 ~~Front~~, side and rear fences and walls; ~~and~~
- ~~(viii) Standard H4.6.15 Minimum dwelling size.~~

- (b) refer to Policy H4.3(1);
- (c) refer to Policy H4.3(2);
- (d) refer to Policy H4.3(3);
- (e) refer to Policy H4.3(4);
- (f) refer to Policy H4.3(5);
- (g) refer to Policy H4.3(6);
- (h) refer to Policy H4.3(7); and
- (i) refer to Policy H4.3(8);
- ~~(j) refer to Policy H4.3(9); and~~
- ~~(k) infrastructure and servicing:~~

~~(i) Whether there is adequate capacity in the existing stormwater and public reticulated water supply and wastewater network to service the proposed development.~~

~~(15) for the use of Standard H4.6.6 Alternative height in relation to boundary as a non-notified restricted discretionary activity:~~

- ~~(a) Policy H4.3(3)~~
- ~~(b) Policy H4.3(4)~~

~~(16) For minimum dwelling size:~~

- ~~(a) Policy H4.3(5)~~



## H5. Residential – Mixed Housing Urban Zone

### H5.1. Zone description

The Residential ...

Up to ~~four~~ two dwellings are permitted as of right subject to compliance with the standards. This is to ensure a quality outcome for adjoining site and the neighbourhood, as well as residents within the development site.

Resource consent is required for ~~five~~ three or more dwellings and for other specified buildings in order to:

- achieve the planned urban built character of the zone;
- ~~achieve attractive and safe streets and public open spaces;~~
- manage the ...

### H5.3. Policies

~~(3) Encourage development to achieve attractive and safe streets and public open spaces including by:~~

- ~~(a) providing for passive surveillance~~
- ~~(b) optimising front yard landscaping~~
- ~~(c) minimising visual dominance of garage doors.~~

~~(45) Require accommodation to be designed to:~~

- (a) provide privacy and outlook; and
- (b) ~~be functional~~, have access to daylight and sunlight, and provide the amenities necessary to meet the day-to-day needs of residents.

### H5.4. Activity table

**Table H5.4.1 Activity table**

(A3)	Up to <u>four</u> <del>two</del> dwellings per site	P	Standard H5.6.4 Building height; ...; Standard H5.6.15 <del>Front</del> , side and rear fences and walls;
(A4)	<u>Five</u> <del>Three</del> -or more dwellings per site	RD	Standard H5.6.4 Building height; Standard H5.6.5 Height in relation to boundary; Standard H5.6.6 Alternative height in relation to

			boundary; Standard H5.6.7 Height in relation to boundary adjoining lower intensity zones; Standard H5.6.8 Yards
(A33)	Development which does not comply with H5.6.5. Height in relation to boundary	RD	H5.6.6 Alternative height in relation to boundary

## H5.5. Notification

- (1) Any application for resource consent for the following activities will be considered without public or limited notification or the need to obtain the written approval from affected parties unless the Council decides that special circumstances exist under section 95A(4) of the Resource Management Act 1991:
- (a) ~~five~~ three or more dwellings per site that comply with all of the standards listed in Table H5.4.1 Activity table; or
  - (b) an integrated residential development that complies with all of the standards listed in Table H5.4.1 Activity table.
  - ~~(c) development which does not comply with H5.6.5 Height in relation to boundary, but complies with H5.6.6 Alternative height in relation to boundary;~~
  - ~~(d) development which does not comply with H5.6.15 Minimum dwelling size; and~~
  - ~~(e) development which does not comply with H5.6.16 (1a) Front, side and rear fences and walls.~~

## H5.6. Standards

### H5.6.6. Alternative height in relation to boundary

Purpose: to enable the efficient use of the site by providing design flexibility at upper floors of a building close to the street frontage, while maintaining a reasonable level of sunlight access and minimising visual dominance effects to immediate neighbours.

- ~~(1) This standard is an alternative to the permitted Standard H5.6.5 Height in relation to boundary and applies to development that is within 20m of the site frontage.~~

~~(1)(2)~~ Any buildings ...

#### **H5.6.15. ~~Front, side and rear fences and walls~~**

Purpose: to enable fences and walls to be constructed on a ~~front, side or rear boundary or within a front, side or rear yard~~ to a height sufficient to:

- provide privacy; ~~and for dwellings while enabling opportunities for passive surveillance of the street~~
- minimise visual dominance effects to immediate neighbours and the street.

(1) Fences or walls or a combination of these structures (whether separate or joined together) on a side or rear boundary or within a side or rear yard must not exceed a height of 2m above ground level. ~~the height specified below, measured from the ground level at the boundary:~~

(a) ~~Within the front yard, either:~~

(i) ~~1.2m in height, or~~

(ii) ~~1.8m in height for no more than 50 per cent of the site frontage and 1.2m for the remainder, or~~

(iii) ~~1.8m in height if the fence is at least 50 per cent visually open.~~

(b) ~~Within the side and rear yards: 2m.~~

#### **Figure H.5.6.16.1 Measurement of fence height**

#### **H5.6.17 ~~Minimum dwelling size~~**

Purpose: to ensure dwellings are functional and of a sufficient size to provide for the day to day needs of residents, ~~based on the number of occupants the dwelling is designed to accommodate.~~

1. ~~Dwellings must have a minimum net internal floor area as follows:~~

a. ~~30m<sup>2</sup> for studio dwellings.~~

b. ~~45m<sup>2</sup> for one or more bedroom dwellings.~~

### **H5.8.1. Matters of discretion**

- (2) for five ~~three~~ or more dwellings per site:
- (a) the effects on the neighbourhood character, residential amenity, ~~safety~~, and the surrounding residential area from all of the following:
    - (i) building intensity, scale, location, form and appearance;
    - (ii) traffic; and
    - (iii) design of parking and access.
  - (b) all of the following standards:
    - (i) Standard H5.6.9 Maximum impervious areas;
    - (ii) Standard H5.6.10 Building coverage;
    - (iii) Standard H5.6.11 Landscaped area;
    - (iv) Standard H5.6.12 Outlook space;
    - (v) Standard H5.6.13 Daylight;
    - (vi) Standard H5.6.14 Outdoor living space; and
    - (vii) Standard H5.6.15 ~~Front~~, side and rear fences and walls; ~~and~~
    - ~~(viii) Standard H5.6.17 Minimum dwelling size.~~
  - ~~(c) Infrastructure and servicing.~~
- (3) for integrated residential development:
- (a) the effects on the neighbourhood character, residential amenity, ~~safety~~, and the surrounding residential area from all of the following:
    - (i) building intensity, scale, location, form and appearance;
    - (ii) traffic;
    - (iii) design of parking and access; and
    - (iv) noise, lighting and hours of operation.

- (b) all of the following standards:
  - (i) Standard H5.6.9 Maximum impervious areas;
  - (ii) Standard H5.6.10 Building coverage;
  - (iii) Standard H5.6.11 Landscaped area;
  - (iv) Standard H5.6.12 Outlook space;
  - (v) Standard H5.6.13 Daylight;
  - (vi) Standard H5.6.14 Outdoor living space; and
  - (vii) Standard H5.6.15 ~~Front~~, side and rear fences and walls; ~~and~~
  - ~~(viii) Standard H5.6.17 Minimum dwelling size; and~~
- ~~(c) Infrastructure and servicing~~
- (4) for buildings that do not comply with Standard H5.6.4 Building height; Standard H5.6.5 Height in relation to boundary; Standard H5.6.6 Alternative height in relation to boundary; Standard H5.6.7 Height in relation to boundary adjoining lower intensity zones; Standard H5.6.8 Yards; Standard H5.6.9 Maximum impervious areas; Standard H5.6.10 Building coverage; Standard H5.6.11 Landscaped area; Standard H5.6.12 Outlook space; Standard H5.6.13 Daylight; Standard H5.6.14 Outdoor living space; Standard H5.6.15 ~~Front~~, side and rear fences and walls; ~~Standard H5.6.17 Minimum dwelling size~~:
  - (a) any policy which is relevant to the standard;
  - (b) the purpose of the standard;
  - (c) the effects of the infringement of the standard;
  - (d) the effects on the rural and coastal character of the zone;
  - (e) the effects on the amenity of neighbouring sites;
  - (f) the effects of any special or unusual characteristic of the site which is relevant to the standard;
  - (g) the characteristics of the development;
  - (h) any other matters specifically listed for the standard; and

- (i) where more than one standard will be infringed, the effects of all infringements.
- ~~(5) For buildings that use the Standard H5.6.6 Alternative height in relation to boundary:~~
- ~~(a) Daylight and sunlight access and visual dominance effects; and~~
  - ~~(b) Attractiveness and safety of the street.~~

### **H5.8.2. Assessment criteria**

- (2) for five ~~three~~ or more dwellings on a site:
- (a) the extent to which or whether the development achieves the purpose outlined in the following standards or what alternatives are provided that result in the same or a better outcome:
    - (i) Standard H5.6.9 Maximum impervious areas;
    - (ii) Standard H5.6.10 Building coverage;
    - (iii) Standard H5.6.11 Landscaped area;
    - (iv) Standard H5.6.12 Outlook space;
    - (v) Standard H5.6.13 Daylight;
    - (vi) Standard H5.6.14 Outdoor living space; and
    - (vii) Standard H5.6.15 Front, side and rear fences and walls.; ~~and~~
    - ~~(viii) Standard H5.6.17 Minimum dwelling size.~~
  - (b) refer to Policy H5.3(1);
  - (c) refer to Policy H5.3(2);
  - (d) refer to Policy H5.3(3);
  - (e) refer to Policy H5.3(4);
  - (f) refer to Policy H5.3(5); and
  - (g) refer to Policy H5.3(6);
  - ~~(h) refer to Policy H5.3(7); and~~

~~(i) infrastructure and servicing;~~

~~(i) Whether there is adequate capacity in the existing stormwater and public reticulated water supply and wastewater network to service the proposed development.~~

(3) for integrated residential development:

(a) the extent to which or whether the development achieves the purpose outlined in the following standards or what alternatives are provided that result in the same or a better outcome:

(i) Standard H5.6.9 Maximum impervious areas;

(ii) Standard H5.6.10 Building coverage;

(iii) Standard H5.6.11 Landscaped area;

(iv) Standard H5.6.12 Outlook space;

(v) Standard H5.6.13 Daylight;

(vi) Standard H5.6.14 Outdoor living space; and

(vii) Standard H5.6.15 ~~Front~~, side and rear fences and walls; ~~and~~

~~(viii) Standard H5.6.17 Minimum dwelling size.~~

(b) refer to Policy H5.3(1);

(c) refer to Policy H5.3(2);

(d) refer to Policy H5.3(3);

(e) refer to Policy H5.3(4);

(f) refer to Policy H5.3(5);

(g) refer to Policy H5.3(6);

(h) refer to Policy H5.3(7); and

(i) refer to Policy H5.3(8).

~~(j) refer to Policy H5.3(9); and~~

~~(k) — infrastructure and servicing;~~

~~(i) — Whether there is adequate capacity in the existing stormwater and public reticulated water supply and wastewater network to service the proposed development.~~

~~(16) — for the use of Standard H5.6.6 Alternative height in relation to boundary as a non-notified restricted discretionary activity;~~

~~(a) — Policy H5.3(3); and~~

~~(b) — Policy H5.3(2A).~~

~~(17) — For minimum dwelling size:~~

~~(a) — Policy H5.3(5)~~

## **H6. Residential – Terrace Housing and Apartment Buildings Zone**

### **H6.1. Zone Description**

The Residential ...

Standards are applied to all buildings and resource consent is required for all dwellings and for other specified buildings and activities in order to:

- achieve the planned urban built character of the zone;
- ~~• achieve attractive and safe streets and public open spaces;~~
- manage the ...

### **H6.3. Policies**

~~(3) — Encourage development to achieve attractive and safe streets and public open spaces including by:~~

~~(a) — providing for passive surveillance~~

~~(b) — optimising front yard landscaping~~

~~(c) — minimising visual dominance of garage doors.~~

~~(56) Require accommodation to be designed to:~~

~~(a) provide privacy and outlook; and~~



- (b) ~~be functional~~, have access to daylight and sunlight, and provide the amenities necessary to meet the day-to-day needs of residents.

## H6.4. Activity table

**Table H6.4.1 Activity table**

(A34)	Development which does not comply with H6.6.6 Height in relation to boundary	RD	<del>H6.6.7 Alternative height in relation to boundary</del>
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## H6.5. Notification

- (1) Any application for resource consent for the following activities will be considered without public or limited notification or the need to obtain the written approval from affected parties unless the Council decides that special circumstances exist under section 95A(4) of the Resource Management Act 1991:
- (a) dwellings that comply with all of the standards listed in Table H6.4.1 Activity table; or
  - (b) an integrated residential development that complies with all of the standards listed in Table H6.4.1 Activity table; or
  - ~~(c) development which does not comply with H6.6.6 Height in relation to boundary, but complies with Rule 6.6.7 Alternative height in relation to boundary.;~~
  - ~~(d) development which does not comply with H6.6.17 Minimum dwelling size.; or~~
  - ~~(e) development which does not comply with H6.6.16 (1a) Front, side and rear fences and walls.~~

## H6.6. Standards

### H6.6.16. ~~Front, side and rear fences and walls~~

Purpose: to enable fences and walls to be constructed on a ~~front~~, side or rear boundary or within a ~~front~~, side or rear yard to a height sufficient to:

- provide privacy; and ~~for dwellings while enabling opportunities for passive surveillance of the street~~

- minimise visual dominance effects to immediate neighbours and the street.
- (1) Fences or walls or a combination of these structures (whether separate or joined together) on a side or rear boundary or within a side or rear yard must not exceed a height of 2m above ground level, the height specified below, measured from the ground level at the boundary:
- (a) Within the front yard, either:
- (i) 1.2m in height, or
  - (ii) 1.8m in height for no more than 50 per cent of the site frontage and 1.2m for the remainder, or
  - (iii) 1.8m in height if the fence is at least 50 per cent visually open.
- (b) Within the side and rear yards: 2m.

#### **Figure H.6.6.16.1 Measurement of fence height**

#### **H6.6.17 Minimum dwelling size**

Purpose: to ensure dwellings are functional and of a sufficient size to provide for the day to day needs of residents, based on the number of occupants the dwelling is designed to accommodate.

- (1) Dwellings must have a minimum net internal floor area as follows:
- (a) 30m<sup>2</sup> for studio dwellings.
  - (b) 45m<sup>2</sup> for one or more bedroom dwellings.

#### **H6.8.1. Matters of discretion**

- (3) for integrated residential development:
- (a) the effects on the neighbourhood character, residential amenity, safety, and the surrounding residential area from all of the following:
    - (i) building intensity, scale, location, form and appearance;
    - (ii) traffic;
    - (iii) design of parking and access; and

- (vi) noise, lighting and hours of operation.
- (b) all of the following standards:
- (i) Standard H6.6.10 Maximum impervious areas;
  - (ii) Standard H6.6.11 Building coverage;
  - (iii) Standard H6.6.12 Landscaped area;
  - (vi) Standard H6.6.13 Outlook space;
  - (v) Standard H6.6.14 Daylight;
  - (vi) Standard H6.6.15 Outdoor living space; and
  - (vii) Standard H6.6.16 ~~Front~~, side and rear fences and walls; ~~and~~
  - ~~(viii) Standard H6.6.17 Minimum dwelling size.~~
- ~~(c) Infrastructure and servicing.~~
- (4) for buildings that do not comply with Standard H6.6.5 Building height; Standard H6.6.6 Height in relation to boundary; Standard H6.6.7 Alternative height in relation to boundary; Standard G6.6.8 Height in relation to boundary adjoining lower density zones; Standard H6.6.9 Yards; Standard H6.6.10 Maximum impervious areas; Standard H6.6.11 Building coverage; Standard H6.6.12 Landscaped area; Standard H6.6.13 Outlook space; Standard H6.6.14 Daylight; Standard H6.6.15 Outdoor living space; Standard H6.6.16 ~~Front~~, side and rear fences and walls; ~~Standard H6.6.17 Minimum dwelling size:~~
- (a) any policy which is relevant to the standard;
  - (b) the purpose of the standard;
  - (c) the effects of the infringement of the standard;
  - (d) the effects on the rural and coastal character of the zone;
  - (e) the effects on the amenity of neighbouring sites;
  - (f) the effects of any special or unusual characteristic of the site which is relevant to the standard;
  - (g) the characteristics of the development;
  - (h) any other matters specifically listed for the standard; and

- (i) where more than one standard will be infringed, the effects of all infringements.
- ~~(5) For buildings that use the Standard H6.6.6 Alternative height in relation to boundary:~~
- ~~(a) Daylight and sunlight access and visual dominance effects.~~
  - ~~(b) Attractiveness and safety of the street.~~

### **H6.8.2. Assessment criteria**

- (3) for integrated residential development:
- (a) the extent to which or whether the development achieves the purpose outlined in the following standards or what alternatives are provided that result in the same or a better outcome:
    - (i) Standard H6.6.10 Maximum impervious areas;
    - (ii) Standard H6.6.11 Building coverage;
    - (iii) Standard H6.6.12 Landscaped area;
    - (iv) Standard H6.6.13 Outlook space;
    - (v) Standard H6.6.14 Daylight;
    - (vi) Standard H6.6.15 Outdoor living space; and
    - (vii) Standard H6.6.16 ~~Front~~, side and rear fences and walls; ~~and~~
    - ~~(viii) Standard H6.6.17 Minimum dwelling size.~~
  - (b) refer to Policy H6.3(1);
  - (c) refer to Policy H6.3(2);
  - (d) refer to Policy H6.3(3);
  - (e) refer to Policy H6.3(4);
  - (f) refer to Policy H6.3(5);
  - (g) refer to Policy H6.3(6); and
  - (h) refer to Policy H6.3(7).

~~(i) — refer to Policy H6.3(8); and~~

~~(j) — infrastructure and servicing:~~

~~(i) — Whether there is adequate capacity in the existing stormwater and public reticulated water supply and wastewater network to service the proposed development.~~

~~(16) — for the use of Standard H6.6.6 Alternative height in relation to boundary as a restricted discretionary activity:~~

~~(a) — Policy H6.3(3).~~

~~(b) — Policy H6.3(5).~~

~~(17) — For minimum dwelling size:~~

~~(a) — Policy H6.3(6).~~

**APPENDIX 2 – COPY OF THE RELEVANT PART OF THE DECISION**



**Decisions of the Auckland Council on  
recommendations by the Auckland Unitary  
Plan Independent Hearings Panel on  
submissions and further submissions to the  
Proposed Auckland Unitary Plan**

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**Decisions Report**

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**19 August 2016**

**40. Council decisions relating to Panel report entitled “Report to Auckland Council Hearing Topic 059 to 063 ( Residential zones), July 2016”**

**Panel recommendations accepted:**

40.1 The Council has accepted all the recommendations of the Panel contained in the Panel reports for Hearing Topic 059 - 063 (Residential zones), as they relate to the content of the PAUP, and also the associated recommendations as they appear in the plan and the maps except as listed below at paragraph 40.2.

**Panel recommendations rejected:**

40.2 The Council has rejected the Panel recommendations in relation to Hearing Topic 059 to 063 (Residential zones) as listed below, with accompanying reasons, alternative solutions and section 32AA evaluation (where necessary):

- (a) **That Integrated Residential Developments are provided for as a Restricted Discretionary activity within the Single House Zone**

<b>Reasons</b>	
(i) The assessment of this intensity of development in the Single House zone as a Restricted Discretionary activity is contrary to the stated purpose and associated objectives and policies of the zone.	
(ii) A full assessment as a Discretionary Activity is a more appropriate approach for the assessment of Integrated Residential Developments in the Single House zone.	
<b>Alternative solution</b>	See Attachment A





**Decisions of the Auckland Council on  
recommendations by the Auckland Unitary  
Plan Independent Hearings Panel on  
submissions and further submissions to the  
Proposed Auckland Unitary Plan**

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**Attachment A**

The alternative solutions prepared by the Council for any rejected recommendations (which includes: text, diagram and map alternative solutions).

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**19 August 2016**

AS Topic 059-063  
H3 Residential - Single  
House Zone

### H3. Residential – Single House Zone

#### H3.1. Zone description

The purpose ...

#### H3.3. Policies

(1) Require an ...

(3) Encourage development to achieve attractive and safe streets and public open spaces including by:

- (a) providing for passive surveillance
- (b) optimising front yard landscaping
- (c) minimising visual dominance of garage doors.

~~(3)~~ (4) Require the ...

#### H3.4. Activity table

Table H3.4.1 Activity table specifies the activity status of land use and development activities in the Residential – Single House Zone pursuant to section 9(3) of the Resource Management Act 1991.

**Table H3.4.1 Activity table**

Activity		Activity status	Standards to be complied with
<b>Use</b>			
(A1)	...		
<b>Residential</b>			
(A2)	...		
(A3)	One dwelling per site	P	Standard H3.6.6 Building height; Standard ... Standard H3.6.12 <u>Front</u> , <u>Side</u> and rear fences and walls
(A4)	...		
(A5)	Minor dwellings	P	Standard H3.6.4 Minor dwellings; Standard H3.6.6 Building height; ...; Standard H3.6.12 <u>Front</u> , <u>Side</u> and rear fences and walls
(A6)	...		
(A9)	Integrated Residential Development	<del>RD</del> <u>D</u>	<del>Standard H3.6.6 Building height; Standard H3.6.7 Height in relation to boundary; Standard H3.6.8 Yards</del>

(A10)	Supported residential care accommodating up to 10 people per site inclusive of staff and residents	P	Standard H3.6.6 Building height; ... Standard H3.6.12 <u>Front</u> , <u>Side</u> and rear fences and walls
(A11)	...		
(A12)	Boarding houses accommodating up to 10 people per site inclusive of staff and residents	P	Standard H3.6.6 Building height; ... Standard H3.6.12 <u>Front</u> , <u>Side</u> and rear fences and walls
(A13)	...		
(A14)	Visitor accommodation accommodating up to 10 people per site inclusive of staff and visitors	P	Standard H3.6.6 Building height; ... Standard H3.6.12 <u>Front</u> , <u>Side</u> and rear fences and walls
(A15)	...		
<b>Commerce</b>			
(A16)	Dairies up to 100m <sup>2</sup> gross floor area per site	RD	Standard H3.6.6 Building height; ... Standard H3.6.12 <u>Front</u> , <u>Side</u> and rear fences and walls
(A17)	...		
<b>Community</b>			
(A21)	Care centres accommodating up to 10 people per site excluding staff	P	Standard H3.6.6 Building height; ... Standard H3.6.12 <u>Front</u> , <u>Side</u> and rear fences and walls
(A22)	...		
(A27)	Healthcare facilities up to 200m <sup>2</sup> gross floor area per site	RD	Standard H3.6.6 Building height; ... Standard H3.6.12 <u>Front</u> , <u>Side</u> and rear fences and walls
(A28)	...		
<b>Development</b>			
(A32)	...		
(A33)	Internal and external alterations to buildings	P	Standard H3.6.6 Building height; ... Standard H3.6.12 <u>Front</u> , <u>Side</u> and rear fences and walls
(A34)	...		
(A35)	Additions to an existing dwelling	P	Standard H3.6.6 Building height; ... Standard H3.6.12 <u>Front</u> , <u>Side</u> and rear fences and walls
(A36)	...		

### H3.5. Notification

(1) Any application for resource consent for an integrated development that

~~complies with all of the standards listed in Table H3.4.1 Activity table the following activities will be considered without public or limited notification or the need to obtain the written approval from affected parties unless the Council decides that special circumstances exist under section 95A(4) of the Resource Management Act 1991:~~

(a) A integrated residential development which complies with all of the standards listed in Table H3.4.1 Activity table; or

(b) development which does not comply with H3.6.12 (1a) Front, side and rear fences and walls.

(2) Any application ...

### H3.6. Standards

#### H3.6.1. Activities listed in Table H3.4.1 Activity table

(1) Activities and...

#### H3.6.12. Front, side and rear fences and walls

Purpose: to enable fences and walls to be constructed on a front, side or rear boundary or within a front, side or rear yard to a height sufficient to:

- provide privacy; and for dwellings while enabling opportunities for passive surveillance of the street
- minimise visual dominance effects to immediate neighbours and the street.

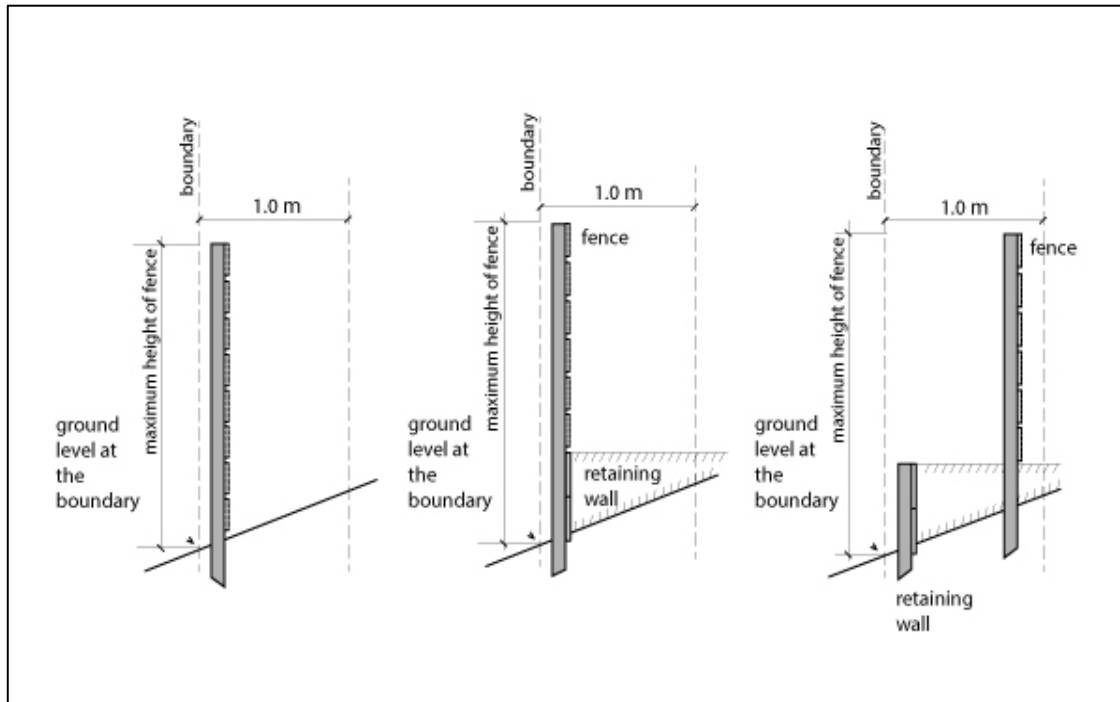
(1) ~~Fences or walls or a combination of these structures (whether separate or joined together) on a side or rear boundary or within a side or rear yard must not exceed a height of 2m above ground level.~~ the height specified below, measured from the ground level at the boundary:

(a) Within the front yard, either:

- (i) 1.2m in height, or
- (ii) 1.8m in height for no more than 50 per cent of the site frontage and 1.2m for the remainder, or
- (iii) 1.8m in height if the fence is at least 50 per cent visually open.

(b) Within the side and rear yards: 2m.

#### Figure H.3.6.12.1 Measurement of fence height



### H3.7. Assessment – controlled activities

There are no controlled activities in this zone.

### H3.8. Assessment – restricted discretionary activities

#### H3.8.1. Matters of discretion

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

- (1) for dairies up to 100m<sup>2</sup> gross floor area per site; and healthcare facilities up to 200m<sup>2</sup> gross floor area per site:

~~(a) the effects on wastewater capacity; and~~

~~(a)(b) the effects on the neighbourhood character, residential amenity and the surrounding residential area from all of the following:~~

- ~~(i) building intensity, scale, location, form and appearance;~~
- ~~(ii) traffic;~~
- ~~(iii) design of parking and access; and~~
- ~~(iv) noise, lighting and hours of operation.~~

- ~~(2) for integrated residential development:~~

~~(a) the effects on the neighbourhood character, residential amenity and the surrounding residential area from all of the following:~~

- ~~(i) building intensity, scale, location, form and appearance;~~
- ~~(ii) traffic;~~
- ~~(iii) design of parking and access; and~~
- ~~(iv) noise, lighting and hours of operation.~~

(b) all of the following standards:

- (i) Standard H3.6.9 Maximum impervious areas;
- (ii) Standard H3.6.10 Building coverage;
- (iii) Standard H3.6.11 Landscaped area; and
- (iv) Standard H3.6.12 Side and rear fences and walls.

~~(3)~~(2) for buildings that do not comply with Standard H3.6.6 Building height; ...Standard H3.6.7 Height in relation to boundary; Standard H3.6.8 Yards; Standard H3.6.9 Maximum impervious areas; Standard H3.6.10 Building coverage; Standard H3.6.11 Landscaped area; Standard H3.6.12 Front, Side and rear fences and walls:

(a) any policy ...

### H3.8.2. Assessment criteria

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

(1) for dairies up to 100m<sup>2</sup> gross floor area per site; and healthcare facilities up to 200m<sup>2</sup> gross floor area per site:

(a) wastewater capacity:

- (i) whether adequate wastewater capacity is provided within the on-site wastewater system based on the design occupancy to avoid significant adverse effects on public health, water quality and amenity values and to remedy or mitigate other adverse effects.

~~(b)~~(a) building intensity, ...

~~(2)~~ for integrated residential development:

(a) the extent to which or whether the development achieves the purpose outlined in the following standards or what alternatives are provided that result in the same or a better outcome:

- (i) Standard H3.6.9 Maximum impervious areas;
- (ii) Standard H3.6.10 Building coverage;
- (iii) Standard H3.6.11 Landscaped area; and
- (iv) Standard H3.6.12 Side and rear fences and walls.

(b) refer to Policy H3.3(1);

(c) refer to Policy H3.3(2);

(d) refer to Policy H3.3(3);

(e) refer to Policy H3.3(4);

(f) refer to Policy H3.3(5); and

(g) refer to Policy H3.3(6).

~~(3)~~ (2) for building height:

- (a) refer to Policy H3.3(1);
- (b) refer to Policy H3.3(2); and
- (c) refer to Policy H3.3(~~34~~).

~~(4)~~ (3) for height in relation to boundary:

- (a) refer to Policy H3.3(1);
- (b) refer to Policy H3.3(2); and
- (c) refer to Policy H3.3(~~34~~).

~~(5)~~ (4) for yards:

- (a) refer to Policy H3.3(1);
- (b) refer to Policy H3.3(2);
- (c) refer to Policy H3.3(~~34~~); and
- (d) refer to Policy H3.3(~~45~~).

~~(6)~~ (5) for maximum impervious areas:

- (a) refer to Policy ~~H~~H3.3(~~56~~).

~~(7)~~ (6) for building coverage:

- (a) refer to Policy H3.3(1);
- (b) refer to Policy H3.3(2);
- (c) refer to Policy H3.3(~~34~~).

~~(8)~~ (7) for landscaped area:

- (a) refer to Policy H3.3(1);
- (b) refer to Policy H3.3(2); and
- (c) refer to Policy H3.3(~~34~~).

~~(9)~~ (8) for front, side and rear fences and walls:

- (a) refer to Policy H3.3(1);
- (b) refer to Policy H3.3(2); and
- (c) refer to Policy H3.3(3); and
- (d) refer to Policy H3.3(~~34~~).

### H3.9. Special information requirements

There are no special information requirements in this zone.



AS Topic 059-063  
H4 Residential - Mixed  
Housing Suburban Zone

## H4. Residential – Mixed Housing Suburban Zone

### H4.1. Zone description

The Residential – Mixed Housing ~~Urban~~ Suburban Zone is the most widespread residential zone covering many established suburbs and some greenfields areas. Much of ...

Up to ~~four~~ two dwellings are permitted as of right subject to compliance with the standards. This is to ensure a quality outcome for adjoining sites and the neighbourhood, as well as residents within the development site.

Resource consent is required for ~~five~~ three or more dwellings and for other specified buildings in order to:

- achieve the planned suburban built character of the zone;
- achieve attractive and safe streets and public open spaces;
- manage the ...

### H4.3. Policies

(1) Enable a ...

(3) Encourage development to achieve attractive and safe streets and public open spaces including by:

- (a) providing for passive surveillance
- (b) optimising front yard landscaping
- (c) minimising visual dominance of garage doors.

(~~34~~) Require the ...

(45) Require accommodation to be designed to:

- (a) provide privacy and outlook; and
- (b) be functional, have access to daylight and sunlight and provide the amenities necessary to meet the day-to-day needs of residents.

(~~56~~) Encourage accommodation ...

### H4.4. Activity table

Table H4.4.1 Activity table specifies the activity status of land use and development activities in the Residential – Mixed Housing Suburban Zone pursuant to section 9(3) of the Resource Management Act 1991.

Table H4.4.1 Activity table

Activity		Activity status	Standards to be complied with
<b>Use</b>			
(A1)	...		
<b>Residential</b>			
(A2)	...		
(A3)	Up to <del>four</del> <u>two</u> dwellings per site	P	Standard H4.6.4 Building height; ... Standard H4.6.14 <u>Front</u> , side and rear fences and walls;
(A4)	<del>Five</del> <u>Three</u> or more dwellings per site	RD	Standard H4.6.4 Building height; Standard H4.6.5 Height in relation to boundary; Standard H4.6.6 Alternative height in relation to boundary; Standard H4.6.7 Yards
(A5)	...		
(A9)	Supported residential care accommodating up to 10 people per site inclusive of staff and residents	P	Standard H4.6.4 Building height; ... Standard H4.6.14 <u>Front</u> , side and rear fences and walls
(A10)	...		
(A11)	Boarding houses accommodating up to 10 people per site inclusive of staff and residents	P	Standard H4.6.4 Building height; ... Standard H4.6.14 <u>Front</u> , side and rear fences and walls
(A12)	...		
(A13)	Visitor accommodation accommodating up to 10 people per site inclusive of staff and visitors	P	Standard H4.6.4 Building height; ... Standard H4.6.14 <u>Front</u> , side and rear fences and walls
(A14)	...		
<b>Commerce</b>			
(A15)	Dairies up to 100m <sup>2</sup> gross floor area per site	RD	Standard H4.6.4 Building height; ... Standard H4.6.14 <u>Front</u> , side and rear fences and walls
(A16)	...		
<b>Community</b>			
(A18)	Care centres accommodating up to 10 people per site excluding staff	P	Standard H4.6.4 Building height; ... Standard H4.6.14 <u>Front</u> , side and rear fences and walls

(A19)	Care centres accommodating greater than 10 people per site excluding staff	RD	Standard H4.6.4 Building height; ... Standard H4.6.14 <u>Front</u> , side and rear fences and walls
(A20)	Community facilities	RD	Standard H4.6.4 Building height; ... Standard H4.6.14 <u>Front</u> , side and rear fences and walls
(A21)	...		
(A24)	Healthcare facilities up to 200m <sup>2</sup> gross floor area per site	RD	Standard H4.6.4 Building height; ... Standard H4.6.14 <u>Front</u> , side and rear fences and walls
(A25)	...		
<b>Development</b>			
(A29)	...		
(A30)	Internal and external alterations to buildings	P	Standard H4.6.4 Building height; ... Standard H4.6.14 <u>Front</u> , side and rear fences and walls; <u>Standard H4.6.15 Minimum dwelling size</u>
(A31)	...		
(A32)	Additions to an existing dwelling	P	Standard H4.6.4 Building height; ... Standard H4.6.14 <u>Front</u> , side and rear fences and walls; <u>Standard H4.6.15 Minimum dwelling size</u>
(A33)	<u>Development which does not comply with H4.6.5 Height in relation to boundary</u>	<u>RD</u>	<u>Standard H4.6.6 Alternative height in relation to boundary</u>
<del>(A33)</del> (A34) 1	New buildings ...		

#### H4.5. Notification

- (1) Any application for resource consent for the following activities will be considered without public or limited notification or the need to obtain the written approval from affected parties unless the Council decides that special circumstances exist under section 95A(4) of the Resource Management Act 1991:
- (a) ~~five~~ three or more dwellings per site that comply with all of the standards listed in Table H4.4.1 Activity table; ~~or~~
  - (b) an integrated residential development that complies with all of the standards listed in Table H4.4.1 Activity table; ~~or~~
  - (c) development which does not comply with Standard H4.6.5 Height in relation to boundary, but complies with Standard H4.6.6 Alternative height in relation to boundary;

- (d) development which does not comply with Standard H4.6.15 Minimum dwelling size; or
- (e) development which does not comply with H4.6.14 (1a) Front, side and rear fences and walls.

(2) Any application ...

## H4.6. Standards

### H4.6.1. Activities listed in Table H4.4.1 Activity table

(1) Activities and ...

### H4.6.6. Alternative height in relation to boundary

Purpose: to enable the efficient use of the site by providing design flexibility at the first floor of a dwelling close to the street frontage, while maintaining a reasonable level of sunlight access and minimising visual dominance effects to immediate neighbours.

- (1) This standard is an alternative to the permitted Standard H4.6.5 Height in relation to boundary and applies to development that is within 20m of the site frontage.
- (2) Buildings within ...

### H4.6.14. Front, side and rear fences and walls

Purpose: to enable fences and walls to be constructed on a front, side or rear boundary or within a front, side or rear yard to a height sufficient to:

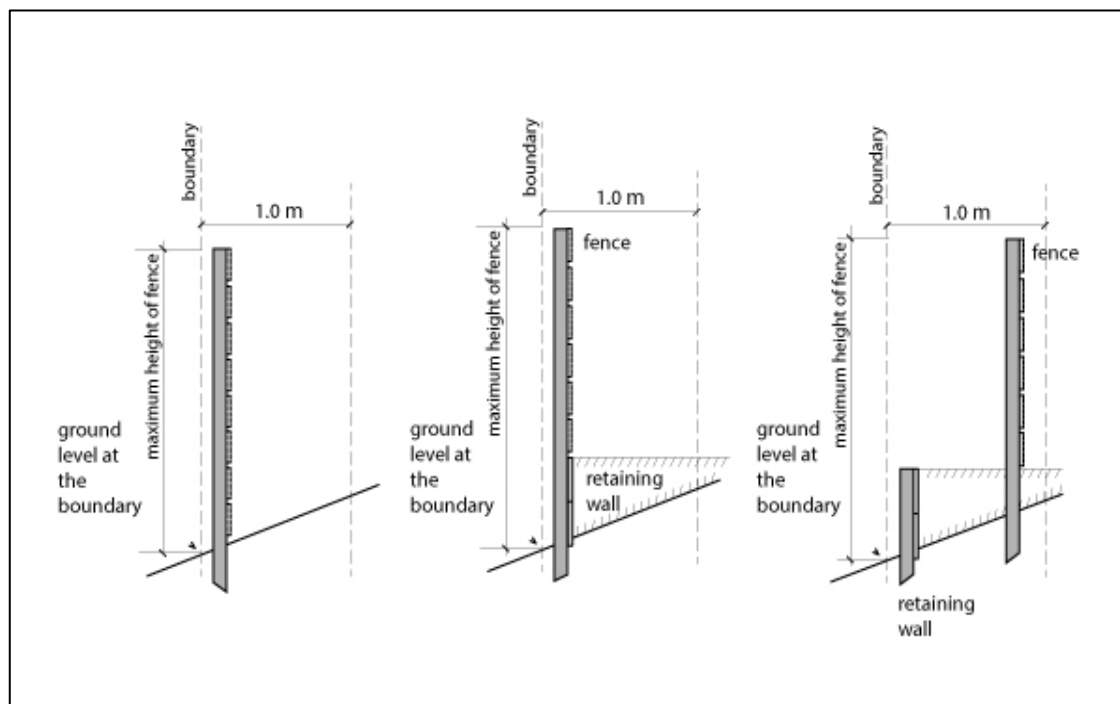
- provide privacy; and for dwellings while enabling opportunities for passive surveillance of the street
- minimise visual dominance effects to immediate neighbours and the street.

(1) Fences or walls or a combination of these structures (whether separate or joined together) ~~on a side or rear boundary or within a side or rear yard~~ must not exceed a height of 2m above ground level. the height specified below, measured from the ground level at the boundary:

- (a) Within the front yard, either:
- (i) 1.2m in height, or
  - (ii) 1.8m in height for no more than 50 per cent of the site frontage and 1.2m for the remainder, or
  - (iii) 1.8m in height if the fence is at least 50 per cent visually open.

(b) Within the side and rear yards: 2m.

**Figure H.4.6.14.1 Measurement of fence height**



#### **H4.6.15 Minimum dwelling size**

Purpose: to ensure dwellings are functional and of a sufficient size to provide for the day to day needs of residents, based on the number of occupants the dwelling is designed to accommodate.

(1) Dwellings must have a minimum net internal floor area as follows:

(a) 30m<sup>2</sup> for studio dwellings.

(b) 45m<sup>2</sup> for one or more bedroom dwellings.

#### **H4.7. Assessment – controlled activities**

There are no controlled activities in this zone.

#### **H4.8. Assessment – restricted discretionary activities**

##### **H4.8.1. Matters of discretion**

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

(1) for supported residential care accommodating greater than 10 people per site inclusive of staff and residents; boarding houses accommodating greater than 10 people per site inclusive of staff and residents; visitor accommodation accommodating greater than 10 people per site inclusive of staff and visitors; dairies up to 100m<sup>2</sup> gross floor area per site; care centres accommodating greater than 10 people per site excluding staff; community facilities; and healthcare facilities up to 200m<sup>2</sup> gross floor area per site:

~~(a) the effects on wastewater capacity; and~~

~~(b)~~ (a) the effects on the neighbourhood character, residential amenity, safety, and the surrounding residential area from all of the following:

- (i) building intensity, scale, location, form and appearance;
- (ii) traffic;
- (iii) design of parking and access; and
- (iv) noise, lighting and hours of operation.

(b) Infrastructure and servicing.

(2) for ~~five~~ three or more dwellings per site:

(a) the effects on the neighbourhood character, residential amenity, safety, and the surrounding residential area from all of the following:

- (i) building intensity, scale, location, form and appearance;
- (ii) traffic; and
- (iii) design of parking and access.

(b) all of the following standards:

- (i) Standard H4.6.8 Maximum impervious areas;
- (ii) Standard H4.6.9 Building coverage;
- (iii) Standard H4.6.10 Landscaped area;
- (iv) Standard H4.6.11 Outlook space;
- (v) Standard H4.6.12 Daylight;
- (vi) Standard H4.6.13 Outdoor living space; and
- ~~(vii) Standard H4.6.14 Front, side and rear fences and walls; and~~

(vii) Standard H4.6.15 Minimum dwelling size.

(c) Infrastructure and servicing.

(3) for integrated residential development:

(a) the effects on the neighbourhood character, residential amenity, safety, and the surrounding residential area from all of the following:

- (i) building intensity, scale, location, form and appearance;
- (ii) traffic;
- (iii) design of parking and access; and

(iv) noise, lighting and hours of operation.

(b) all of the following standards:

(i) Standard H4.6.8 Maximum impervious areas;

(ii) Standard H4.6.9 Building coverage;

(iii) Standard H4.6.10 Landscaped area;

(vi) Standard H4.6.11 Outlook space;

(v) Standard H4.6.12 Daylight;

(vi) Standard H4.6.13 Outdoor living space; ~~and~~

(vii) Standard H4.6.14 Front, side and rear fences and walls; and

(viii) Standard H4.6.15 Minimum dwelling size.

(c) Infrastructure and servicing.

(4) for buildings that do not comply with Standard H4.6.4 Building height; Standard H4.6.5 Height in relation to boundary; Standard H4.6.6 Alternative height in relation to boundary; Standard H4.6.7 Yards; Standard H4.6.8 Maximum impervious areas; Standard H4.6.9 Building coverage; Standard H4.6.10 Landscaped area; Standard H4.6.11 Outlook space; Standard H4.6.12 Daylight; Standard H4.6.13 Outdoor living space; Standard H4.6.14 Front, side and rear fences and walls; Standard H4.6.15 Minimum dwelling size:

(a) any policy which is relevant to the standard;

(b) the purpose of the standard;

(c) the effects of the infringement of the standard;

(d) the effects on the rural and coastal character of the zone;

(e) the effects on the amenity of neighbouring sites;

(f) the effects of any special or unusual characteristic of the site which is relevant to the standard;

(g) the characteristics of the development;

(h) any other matters specifically listed for the standard; and

(i) where more than one standard will be infringed, the effects of all infringements.

(5) For buildings that use the Standard H4.6.6 Alternative height in relation to boundary:

(a) Daylight and sunlight access and visual dominance effects.

(b) Attractiveness and safety of the street

#### H4.8.2. Assessment criteria



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

- (1) for supported residential care accommodating greater than 10 people per site inclusive of staff and residents; boarding houses accommodating greater than 10 people per site inclusive of staff and residents; visitor accommodation accommodating greater than 10 people per site inclusive of staff and visitors; dairies up to 100m<sup>2</sup> gross floor area per site; care centres accommodating greater than 10 people per site excluding staff; community facilities; and healthcare facilities up to 200m<sup>2</sup> gross floor area per site:

(a) ~~wastewater capacity:~~ infrastructure and servicing:

(i) Whether there is adequate capacity in the existing stormwater and public reticulated water supply and wastewater network to service the proposed development.

~~(i) whether adequate wastewater capacity is provided within the on-site wastewater system based on the design occupancy to avoid significant adverse effects on public health, water quality and amenity values and to remedy or mitigate other adverse effects.~~

(b) building intensity, ... scale, location, form and appearance:

(i) whether the intensity and scale of the activity, the building location, form and appearance is compatible with the character and residential amenity provided for within the zone and compatible with the surrounding residential area.

(c) traffic:

(i) whether the activity avoids or mitigates high levels of additional non-residential traffic on local roads.

(d) design of parking and access:

(i) whether adequate parking and access is provided or required.

(e) noise, lighting and hours of operation:

(i) whether noise and lighting and the hours of operation of the activity avoids, remedies or mitigates adverse effects on the residential amenity of surrounding properties, by:

- locating noisy activities away from neighbouring residential boundaries;
- screening or other design features; and
- controlling the hours of operation and operational measures.

(2) for ~~five~~ three or more dwellings on a site:

(a) the extent to which or whether the development achieves the purpose outlined in the following standards or what alternatives are provided that result in the same or a better outcome:

## H4 Residential – Mixed Housing Suburban Zone

- (i) Standard H4.6.8 Maximum impervious areas;
  - (ii) Standard H4.6.9 Building coverage;
  - (iii) Standard H4.6.10 Landscaped area;
  - (iv) Standard H4.6.11 Outlook space;
  - (v) Standard H4.6.12 Daylight;
  - (vi) Standard H4.6.13 Outdoor living space; and
  - (vii) Standard H4.6.14 Front, side and rear fences and walls.
  - (b) refer to Policy H4.3(1);
  - (c) refer to Policy H4.3(2);
  - (d) refer to Policy H4.3(3);
  - (e) refer to Policy H4.3(4);
  - (f) refer to Policy H4.3(5); ~~and~~
  - (g) refer to Policy H4.3(6);
  - (h) refer to Policy H4.3(7); and
  - (i) infrastructure and servicing:
    - (i) Whether there is adequate capacity in the existing stormwater and public reticulated water supply and wastewater network to service the proposed development.
- (3) for integrated residential development:
- (a) the extent to which or whether the development achieves the purpose outlined in the following standards or what alternatives are provided that result in the same or a better outcome:
    - (i) Standard H4.6.8 Maximum impervious areas;
    - (ii) Standard H4.6.9 Building coverage;
    - (iii) Standard H4.6.10 Landscaped area;
    - (iv) Standard H4.6.11 Outlook space;
    - (v) Standard H4.6.12 Daylight;
    - (vi) Standard H4.6.13 Outdoor living space; ~~and~~
    - (vii) Standard H4.6.14 Front, side and rear fences and walls; and
    - (viii) Standard H4.6.15 Minimum dwelling size.

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- (b) refer to Policy H4.3(1);
- (c) refer to Policy H4.3(2);
- (d) refer to Policy H4.3(3);
- (e) refer to Policy H4.3(4);
- (f) refer to Policy H4.3(5);
- (g) refer to Policy H4.3(6);
- (h) refer to Policy H4.3(7); and
- (i) refer to Policy H4.3(8);
- (j) refer to Policy H4.3(9); and

(k) infrastructure and servicing:

(i) Whether there is adequate capacity in the existing stormwater and public reticulated water supply and wastewater network to service the proposed development.

- (4) for building height:
  - (a) refer to Policy H4.3(2);
  - (b) refer to Policy H4.3(~~34~~);
  - (c) refer to Policy H4.3(45).
- (5) for height in relation to boundary:
  - (a) refer to Policy H4.3(2);
  - (b) refer to Policy H4.3(~~34~~); and
  - (c) refer to Policy H4.3(45).
- (6) for alternative height in relation to boundary:
  - (a) refer to Policy H4.3(2);
  - (b) refer to Policy H4.3(~~34~~); and
  - (c) refer to Policy H4.3(45).
- (7) for yards:
  - (a) refer to Policy H4.3(2); and
  - (b) refer to Policy H4.3(~~34~~).
- (8) for maximum impervious areas:
  - (c) refer to Policy H4.3(6).
- (9) for building coverage:

- (a) refer to Policy H4.3(2); and
  - (b) refer to Policy H4.3(~~34~~).
- (10) for landscaped area:
- (a) refer to Policy H4.3(2);
  - (b) refer to Policy H4.3(~~34~~);
  - (c) refer to Policy H4.3(~~45~~); and
  - (d) refer to Policy H4.3(~~56~~).
- (11) for outlook space:
- (a) refer to Policy H4.3(2);
  - (b) refer to Policy H4.3(~~34~~);
  - (c) refer to Policy H4.3(~~45~~); and
  - (d) refer to Policy H4.3(~~56~~);
- (12) for daylight:
- (a) refer to Policy H4.3(2);
  - (b) refer to Policy H4.3(~~34~~); and
  - (c) refer to Policy H4.3(~~45~~).
- (13) for outdoor living space:
- (a) refer to Policy H4.3(2);
  - (b) refer to Policy H4.3(~~34~~);
  - (c) refer to Policy H4.3(~~45~~); and
  - (d) refer to Policy H4.3(~~56~~).
- (14) for front, side and rear fences and walls:
- (a) refer to Policy H4.3(2); ~~and~~
  - (b) refer to Policy H4.3(4); and
  - (c) refer to Policy H4.3(4).
- (15) for the use of Standard H4.6.6 Alternative height in relation to boundary as a non-notified restricted discretionary activity:
- (a) Policy H4.3(3)
  - (b) Policy H4.3(4)
- (16) For minimum dwelling size:
- (a) Policy H4.3(5)

**H4.9. Special information requirements**

There are no special information requirements in this zone.

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H5 Residential - Mixed  
Housing Urban Zone

## H5. Residential – Mixed Housing Urban Zone

### H5.1. Zone description

The Residential ...

Up to ~~four~~ two dwellings are permitted as of right subject to compliance with the standards. This is to ensure a quality outcome for adjoining site and the neighbourhood, as well as residents within the development site.

Resource consent is required for ~~five~~ three or more dwellings and for other specified buildings in order to:

- achieve the planned urban built character of the zone;
- achieve attractive and safe streets and public open spaces;
- manage the ...

### H5.3. Policies

(1) Enable a ...

(3) Encourage development to achieve attractive and safe streets and public open spaces including by:

- (a) providing for passive surveillance
- (b) optimising front yard landscaping
- (c) minimising visual dominance of garage doors.

~~(34)~~ Require the height, bulk and location of development to maintain a reasonable standard of sunlight access and privacy and to minimise visual dominance effects to adjoining sites.

~~(45)~~ Require accommodation to be designed to:

- (a) provide privacy and outlook; and
- (b) be functional, have access to daylight and sunlight, and provide the amenities necessary to meet the day-to-day needs of residents.

~~(56)~~ Encourage accommodation ...

### H5.4. Activity table

Table H5.4.1 Activity table specifies the activity status of land use and development activities in the Residential – Mixed Housing Urban Zone pursuant to section 9(3) of the Resource Management Act 1991.

#### Table H5.4.1 Activity table

Activity		Activity status	Standards to be complied with
<b>Use</b>			
(A1)	...		
<b>Residential</b>			
(A2)	...		
(A3)	Up to four <u>two</u> dwelli	P	Standard H5.6.4 Building height;...; Standard H5.6.15 <u>Front</u> , side and rear fences and walls;
(A4)	Five Three or more dwellings per site	RD	Standard H5.6.4 Building height; Standard H5.6.5 Height in relation to boundary; Standard H5.6.6 Alternative height in relation to boundary; Standard H5.6.7 Height in relation to boundary adjoining lower intensity zones; Standard H5.6.8 Yards
(A5)	...		
(A9)	Supported residential care accommodating up to 10 people per site inclusive of staff and residents	P	Standard H5.6.4 Building height; ... Standard H5.6.15 <u>Front</u> , side and rear fences and walls
(A10)	...		
(A11)	Boarding houses accommodating up to 10 people per site inclusive of staff and residents	P	Standard H5.6.4 Building height; ... Standard H5.6.15 <u>Front</u> , side and rear fences and walls
(A12)	...		
(A13)	Visitor accommodation accommodating up to 10 people per site inclusive of staff and visitors	P	Standard H5.6.4 Building height; ... Standard H5.6.15 <u>Front</u> , side and rear fences and walls
(A14)	...		
<b>Commerce</b>			
(A15)	Dairies up to 100m <sup>2</sup> gross floor area per site	RD	Standard H5.6.4 Building height; ... Standard H5.6.15 <u>Front</u> , side and rear fences and walls
(A16)	...		
<b>Community</b>			
(A18)	Care centres accommodating up to 10 people per site excluding staff	P	Standard H5.6.4 Building height; ... Standard H5.6.15 <u>Front</u> , side and rear fences and walls



(A19)	Care centres accommodating greater than 10 people per site excluding staff	RD	Standard H5.6.4 Building height; ... Standard H5.6.15 <u>Front</u> , side and rear fences and walls
(A20)	Community facilities	RD	Standard H5.6.4 Building height; ...Standard H5.6.15 <u>Front</u> , side and rear fences and walls
(A21)	...		
(A24)	Healthcare facilities up to 200m <sup>2</sup> gross floor area per site	RD	Standard H5.6.4 Building height; ...Standard H5.6.15 <u>Front</u> , side and rear fences and walls
(A25)	...		
<b>Development</b>			
(A29)	...		
(A30)	Internal and external alterations to buildings	P	Standard H5.6.4 Building height; ... Standard H5.6.15 <u>Front</u> , side and rear fences and walls; <u>Standard H5.6.17 Minimum dwelling size.</u>
(A31)	...		
(A32)	Additions to an existing dwelling	P	Standard H5.6.4 Building height; ... Standard H5.6.15 <u>Front</u> , side and rear fences and walls; <u>Standard H5.6.17 Minimum dwelling size</u>
<u>(A33)</u>	<u>Development which does not comply with H5.6.5. Height in relation to boundary</u>	<u>RD</u>	<u>H5.6.6 Alternative height in relation to boundary</u>
<del>(A33)</del> <u>A34</u>	New buildings ...		

### H5.5. Notification

- (1) Any application for resource consent for the following activities will be considered without public or limited notification or the need to obtain the written approval from affected parties unless the Council decides that special circumstances exist under section 95A(4) of the Resource Management Act 1991:
- (a) ~~five~~ three or more dwellings per site that comply with all of the standards listed in Table H5.4.1 Activity table; ~~or~~
  - (b) an integrated residential development that complies with all of the standards listed in Table H5.4.1 Activity table; ~~or~~
  - (c) development which does not comply with H5.6.5 Height in relation to boundary, but complies with H5.6.6 Alternative height in relation to boundary;

- (d) development which does not comply with H5.6.15 Minimum dwelling size; and
- (e) development which does not comply with H5.6.16 (1a) Front, side and rear fences and walls.

(2) Any application ...

## H5.6. Standards

### H5.6.1. Activities listed in Table H5.4.1 Activity table

(1) Activities and ...

### H5.6.6. Alternative height in relation to boundary

Purpose: to enable the efficient use of the site by providing design flexibility at upper floors of a building close to the street frontage, while maintaining a reasonable level of sunlight access and minimising visual dominance effects to immediate neighbours.

(1) This standard is an alternative to the permitted Standard H5.6.5 Height in relation to boundary and applies to development that is within 20m of the site frontage.

(+) (2) Any buildings ...

### H5.6.7. Height in relation to boundary adjoining lower intensity zones

Purpose: to manage the height and bulk of buildings at boundaries to maintain a reasonable level of sunlight access and minimise visual dominance effects to immediate neighbours within lower intensity zones and small public open spaces.

(1) Where a site in the Residential – Mixed Housing Urban Zone adjoins ~~or is across the road from~~:

- (a) a site in the Residential – Single House Zone; or
- (b) a site in the Residential – Mixed Housing Suburban Zone; or
- (c) sites less than 2,000m<sup>2</sup> in the Open Space – Conservation Zone; Open Space – Informal Recreation Zone; Open – Space Sports and Active Recreation Zone; Open Space – Civic Spaces Zone; or the Open Space – Community Zone;

then buildings must not project beyond a 45 degree recession plane measured from a point 2.5m vertically above ground level along the boundary of the site in the Residential – Mixed Housing Urban Zone with that ~~adjoins or is across the road from~~ the zone listed in Standard H5.6.7(1)(a) – (c) above.

### H5.6.8. Yards

Purpose: ...

### H5.6.15. Front, side and rear fences and walls

Purpose: to enable fences and walls to be constructed on a front, side or rear boundary or within a front, side or rear yard to a height sufficient to:

- provide privacy; and for dwellings while enabling opportunities for passive surveillance of the street
- minimise visual dominance effects to immediate neighbours and the street.

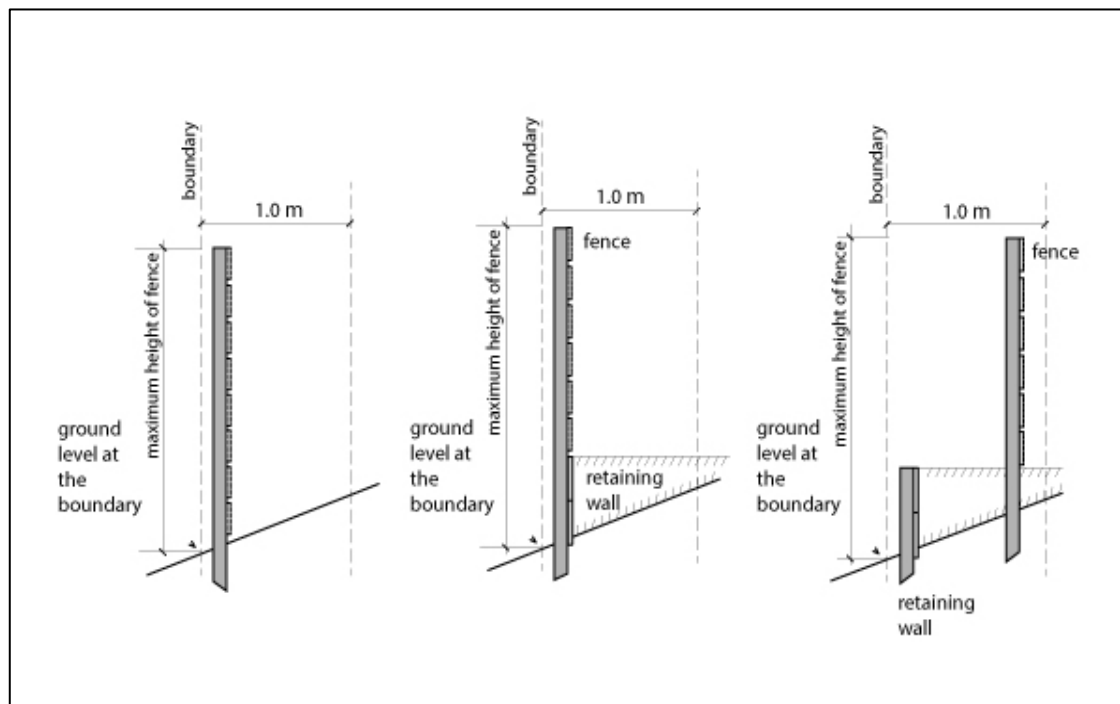
(1) Fences or walls or a combination of these structures (whether separate or joined together) on a side or rear boundary or within a side or rear yard must not exceed a height of 2m above ground level, the height specified below, measured from the ground level at the boundary:

(a) Within the front yard, either:

- 1.2m in height, or
- 1.8m in height for no more than 50 per cent of the site frontage and 1.2m for the remainder, or
- 1.8m in height if the fence is at least 50 per cent visually open.

(b) Within the side and rear yards: 2m.

**Figure H.5.6.16.1 Measurement of fence height**



### H5.6.17 Minimum dwelling size

Purpose: to ensure dwellings are functional and of a sufficient size to provide for the day to day needs of residents, based on the number of occupants the dwelling is

designed to accommodate.

1. Dwellings must have a minimum net internal floor area as follows:
  - a. 30m<sup>2</sup> for studio dwellings.
  - b. 45m<sup>2</sup> for one or more bedroom dwellings.

#### **H5.7. Assessment – controlled activities**

There are no controlled activities in this zone.

#### **H5.8. Assessment – restricted discretionary**

##### **activities H5.8.1. Matters of discretion**

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

(1) for supported residential care accommodating greater than 10 people per site inclusive of staff and residents; boarding houses accommodating greater than 10 people per site inclusive of staff and residents; visitor accommodation accommodating greater than 10 people per site inclusive of staff and visitors; dairies up to 100m<sup>2</sup> gross floor area per site; care centres accommodating greater than 10 people per site excluding staff; community facilities; and healthcare facilities up to 200m<sup>2</sup> gross floor area per site:

~~(a) the effects on wastewater capacity; and infrastructure and servicing~~

(b) the effects on the neighbourhood character, residential amenity, safety, and the surrounding residential area from all of the following:

- (i) building intensity, scale, location, form and appearance;
- (ii) traffic;
- (iii) design of parking and access; and
- (iv) noise, lighting and hours of operation.

(2) for ~~five~~ three or more dwellings per site:

(a) the effects on the neighbourhood character, residential amenity, safety, and the surrounding residential area from all of the following:

- (i) building intensity, scale, location, form and appearance;
- (ii) traffic; and
- (iii) design of parking and access.

(b) all of the following standards:

- (i) Standard H5.6.9 Maximum impervious areas;
- (ii) Standard H5.6.10 Building coverage;
- (iii) Standard H5.6.11 Landscaped area;
- (iv) Standard H5.6.12 Outlook space;

- (v) Standard H5.6.13 Daylight;
- (vi) Standard H5.6.14 Outdoor living space; ~~and~~
- (vii) Standard H5.6.15 Front, side and rear fences and walls; and
- (viii) Standard H5.6.17 Minimum dwelling size.

(c) Infrastructure and servicing

(3) for integrated residential development:

(a) the effects on the neighbourhood character, residential amenity, safety, and the surrounding residential area from all of the following:

- (i) building intensity, scale, location, form and appearance;
- (ii) traffic;
- (iii) design of parking and access; and
- (iv) noise, lighting and hours of operation.

(b) all of the following standards:

- (i) Standard H5.6.9 Maximum impervious areas;
- (ii) Standard H5.6.10 Building coverage;
- (iii) Standard H5.6.11 Landscaped area;
- (iv) Standard H5.6.12 Outlook space;
- (v) Standard H5.6.13 Daylight;
- (vi) Standard H5.6.14 Outdoor living space; ~~and~~
- (vii) Standard H5.6.15 Front, side and rear fences and walls; and
- (viii) Standard H5.6.17 Minimum dwelling size;  
and

(c) Infrastructure and servicing

(4) for buildings that do not comply with Standard H5.6.4 Building height; Standard H5.6.5 Height in relation to boundary; Standard H5.6.6 Alternative height in relation to boundary; Standard H5.6.7 Height in relation to boundary adjoining lower intensity zones; Standard H5.6.8 Yards; Standard H5.6.9 Maximum impervious areas; Standard H5.6.10 Building coverage; Standard H5.6.11 Landscaped area; Standard H5.6.12 Outlook space; Standard H5.6.13 Daylight; Standard H5.6.14 Outdoor living space; Standard H5.6.15 Front, side and rear fences and walls; Standard H5.6.17 Minimum dwelling size:

- (a) any policy which is relevant to the standard;
- (b) the purpose of the standard;
- (c) the effects of the infringement of the standard;
- (d) the effects on the rural and coastal character of the zone;
- (e) the effects on the amenity of neighbouring sites;
- (f) the effects of any special or unusual characteristic of the site which is relevant to the standard;
- (g) the characteristics of the development;
- (h) any other matters specifically listed for the standard; and
- (i) where more than one standard will be infringed, the effects of all infringements.

(5) For buildings that use the Standard H5.6.6 Alternative height in relation to boundary:

(a) Daylight and sunlight access and visual dominance effects;

and

(b) Attractiveness and safety of the street.

#### **H5.8.2. Assessment criteria**

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

(1) for supported residential care accommodating greater than 10 people per site inclusive of staff and residents; boarding houses accommodating greater than 10 people per site inclusive of staff and residents; visitor accommodation accommodating greater than 10 people per site inclusive of staff and visitors; dairies up to 100m<sup>2</sup> gross floor area per site; care centres accommodating greater than 10 people per site excluding staff; community facilities; and healthcare facilities up to 200m<sup>2</sup> gross floor area per site:

~~(a) wastewater capacity: infrastructure and servicing:~~

~~(i) Whether there is adequate capacity in the existing stormwater and public reticulated water supply and wastewater network to service the proposed development.~~

~~(i) whether adequate wastewater capacity is provided within the on-site wastewater system based on the design occupancy to avoid significant adverse effects on public health, water quality and amenity values and to remedy or mitigate other adverse effects.~~

(b) building intensity, scale, location, form and appearance:

(i) whether the intensity and scale of the activity, the building location, form and appearance is compatible with the character and residential amenity provided for within the zone and compatible with the surrounding residential area.

## (c) traffic:

(i) whether the activity avoids or mitigates high levels of additional non-residential traffic on local roads.

## (d) design of parking and access:

(i) whether adequate parking and access is provided or required.

## (e) noise, lighting and hours of operation:

(i) whether noise and lighting and the hours of operation of the activity avoids, remedies or mitigates adverse effects on the residential amenity of surrounding properties, by:

- locating noisy activities away from neighbouring residential boundaries;
- screening or other design features; and
- controlling the hours of operation and operational measures.

(2) for ~~five~~ three or more dwellings on a site:

(a) the extent to which or whether the development achieves the purpose outlined in the following standards or what alternatives are provided that result in the same or a better outcome:

(i) Standard H5.6.9 Maximum impervious areas;

(ii) Standard H5.6.10 Building coverage;

(iii) Standard H5.6.11 Landscaped area;

(iv) Standard H5.6.12 Outlook space;

(v) Standard H5.6.13 Daylight;

(vi) Standard H5.6.14 Outdoor living space; ~~and~~

(vii) Standard H5.6.15 Front, side and rear fences and walls; and

(viii) Standard H5.6.17 Minimum dwelling size.

(b) refer to Policy H5.3(1);

(c) refer to Policy H5.3(2);

(d) refer to Policy H5.3(3);

(e) refer to Policy H5.3(4);

(f) refer to Policy H5.3(5); ~~and~~

(g) refer to Policy H5.3(6);

(h) refer to Policy H5.3(7); and

(i) infrastructure and servicing:

(i) Whether there is adequate capacity in the existing stormwater and public reticulated water supply and wastewater network to service the proposed development.

(3) for integrated residential development:

(a) the extent to which or whether the development achieves the purpose outlined in the following standards or what alternatives are provided that result in the same or a better outcome:

- (i) Standard H5.6.9 Maximum impervious areas;
- (ii) Standard H5.6.10 Building coverage;
- (iii) Standard H5.6.11 Landscaped area;
- (iv) Standard H5.6.12 Outlook space;
- (v) Standard H5.6.13 Daylight;
- (vi) Standard H5.6.14 Outdoor living space; ~~and~~
- (vii) Standard H5.6.15 Front, side and rear fences and walls; and
- (viii) Standard H5.6.17 Minimum dwelling size.

(b) refer to Policy H5.3(1);

(c) refer to Policy H5.3(2);

(d) refer to Policy H5.3(3);

(e) refer to Policy H5.3(4);

(f) refer to Policy H5.3(5);

(g) refer to Policy H5.3(6);

(h) refer to Policy H5.3(7); ~~and~~

(i) refer to Policy H5.3(8);

(j) refer to Policy H5.3(9); and

(k) infrastructure and servicing:

(i) Whether there is adequate capacity in the existing stormwater and public reticulated water supply and wastewater network to service the proposed development.

(4) for building height:

(a) refer to Policy H5.3(2);

(b) refer to Policy H5.3(~~3~~4).

(5) for height in relation to boundary:

(a) refer to Policy H5.3(2);



- (b) refer to Policy H5.3(~~34~~); and
  - (c) refer to Policy H5.3(45).
- (6) for alternative height in relation to boundary:
- (a) refer to Policy H5.3(2);
  - (b) refer to Policy H5.3(~~34~~); and
  - (c) refer to Policy H5.3(45).
- (7) for height in relation to boundary adjoining lower intensity zones:
- (a) refer to Policy H5.3(2);
  - (b) refer to Policy H5.3(~~34~~); and
  - (c) refer to Policy H5.3(45).
- (8) for yards:
- (a) refer to Policy H5.3(2);
  - (b) refer to Policy H5.3(~~34~~); and
  - (c) refer to Policy H5.3(45).
- (9) for maximum impervious areas:
- (a) refer to Policy H5.3(6);
- (10) for building coverage:
- (a) refer to Policy H5.3(2); and
  - (b) refer to Policy H5.3(~~34~~);
- (11) for landscaped area:
- (a) refer to Policy H5.3(2);
  - (b) refer to Policy H5.3(~~34~~); and
  - (c) refer to Policy H5.3(45).
- (12) for outlook space:
- (a) refer to Policy H5.3(2);
  - (b) refer to Policy H5.3(~~34~~); and
  - (c) refer to Policy H5.3(45).
- (13) for daylight:
- (a) refer to Policy H5.3(2);
  - (b) refer to Policy H5.3(~~34~~); and
  - (c) refer to Policy H5.3(45).

(14) for outdoor living space:

- (a) refer to Policy H5.3(2);
- (b) refer to Policy H5.3(~~34~~);
- (c) refer to Policy H5.3(~~45~~); and
- (d) refer to Policy H5.3(~~56~~).

(15) for front, side and rear fences and walls:

- (a) refer to Policy H5.3(2); and
- (b) refer to Policy H5.3(3); and
- (c) refer to Policy H5.3(4).

(16) for the use of Standard H5.6.6 Alternative height in relation to boundary as a non-notified restricted discretionary activity:

- (a) Policy H5.3(3); and
- (b) Policy H5.3(2A).

(17) For minimum dwelling size:

- (a) Policy H5.3(5)

#### **H5.9. Special information requirements**

There are no special information requirements in this zone.

AS Topic 059-063  
H6 Residential - Terrace  
Housing and Apartment  
Building Zone

## H6. Residential – Terrace Housing and Apartment Buildings Zone

### H6.1. Zone Description

The Residential ...

Standards are applied to all buildings and resource consent is required for all dwellings and for other specified buildings and activities in order to:

- achieve the planned urban built character of the zone;
- achieve attractive and safe streets and public open spaces;
- manage the ...

### H6.3. Policies

(1) Enable a ...

(3) Encourage development to achieve attractive and safe streets and public open spaces including by:

(a) providing for passive surveillance

(b) optimising front yard landscaping

(c) minimising visual dominance of garage doors.

~~(34)~~In identified l...

~~(45)~~Manage the...

~~(56)~~Require accommodation to be designed to:

(a) provide privacy and outlook; and

(b) be functional, have access to daylight and sunlight, and provide the amenities necessary to meet the day-to-day needs of residents.

~~(67)~~Encourage accommodation ...

### H6.4. Activity table

Table H6.4.1 Activity table specifies the activity status of land use and development activities in the Residential – Terrace Housing and Apartment Buildings Zone pursuant to section 9(3) of the Resource Management Act 1991).

**Table H6.4.1 Activity table**

Activity		Activity status	Standards to be complied with
<b>Use</b>			
(A1)	...		
<b>Residential</b>			
(A2)	...		

(A8)	Supported residential care accommodating up to 10 people per site inclusive of staff and residents	P	Standard H6.6.5 Building height; ... Standard H6.6.16 <u>Front</u> , side and rear fences and walls
(A9)	...		
(A10)	Boarding houses accommodating up to 10 people per site inclusive of staff and residents	P	Standard H6.6.5 Building height; ... Standard H6.6.16 <u>Front</u> , side and rear fences and walls
(A11)	...		
(A12)	Visitor accommodation accommodating up to 10 people per site inclusive of staff and visitors	P	Standard H6.6.5 Building height; ... Standard H6.6.16 <u>Front</u> , side and rear fences and walls
(A13)	...		
<b>Commerce</b>			
(A14)	Dairies up to 100m <sup>2</sup> gross floor area per site	RD	Standard H6.6.5 Building height; Standard H6.6.16 <u>Front</u> , side and rear fences and walls
(A15)	Restaurants and cafes up to 100m <sup>2</sup> gross floor area per site	RD	Standard H6.6.5 Building height; ... Standard H6.6.16 <u>Front</u> , side and rear fences and walls
(A16)	...		
<b>Community</b>			
(A19)	Care centres accommodating up to 10 people per site excluding staff	P	Standard H6.6.5 Building height; ... Standard H6.6.16 <u>Front</u> , side and rear fences and walls
(A20)	Care centres accommodating greater than 10 people per site excluding staff	RD	Standard H6.6.5 Building height; ... Standard H6.6.16 <u>Front</u> , side and rear fences and walls
(A21)	Community facilities	RD	Standard H6.6.5 Building height; ... Standard H6.6.16 <u>Front</u> , side and rear fences and walls
(A22)	...		
(A25)	Healthcare facilities up to 200m <sup>2</sup> gross floor area per site	RD	Standard H6.6.5 Building height; ... Standard H6.6.16 <u>Front</u> , side and rear fences and walls
(A26)	...		
<b>Development</b>			

(A30)	...		
(A31)	Internal and external alterations to buildings	P	Standard H6.6.5 Building height; ... Standard H6.6.16 <u>Front</u> , side and rear fences and walls; <u>H6.6.17 Minimum dwelling size</u>
(A32)	...		
(A33)	Additions to an existing dwelling	P	Standard H6.6.5 Building height; ... Standard H6.6.16 <u>Front</u> , side and rear fences; and walls; <u>H6.6.17 Minimum dwelling size.</u>
(A34)	<u>Development which does not comply with H6.6.6 Height in relation to boundary</u>	<u>RD</u>	<u>H6.6.7 Alternative height in relation to boundary</u>
<del>(A34)</del> <u>A35</u>	New buildings ...		

### H6.5. Notification

(1) Any application for resource consent for the following activities will be considered without public or limited notification or the need to obtain the written approval from affected parties unless the Council decides that special circumstances exist under section 95A(4) of the Resource Management Act 1991:

(a) dwellings that comply with all of the standards listed in Table H6.4.1 Activity table; ~~or~~

(b) an integrated residential development that complies with all of the standards listed in Table H6.4.1 Activity table; ~~or~~

(c) development which does not comply with H6.6.6 Height in relation to boundary, but complies with Rule 6.6.7 Alternative height in relation to boundary;

(d) development which does not comply with H6.6.17 Minimum dwelling size; or

(e) development which does not comply with H6.6.16 (1a) Front, side and rear fences and walls.

(2) Any application ...

### H6.6. Standards

#### H6.6.1. Activities listed in Table H6.4.1 Activity table

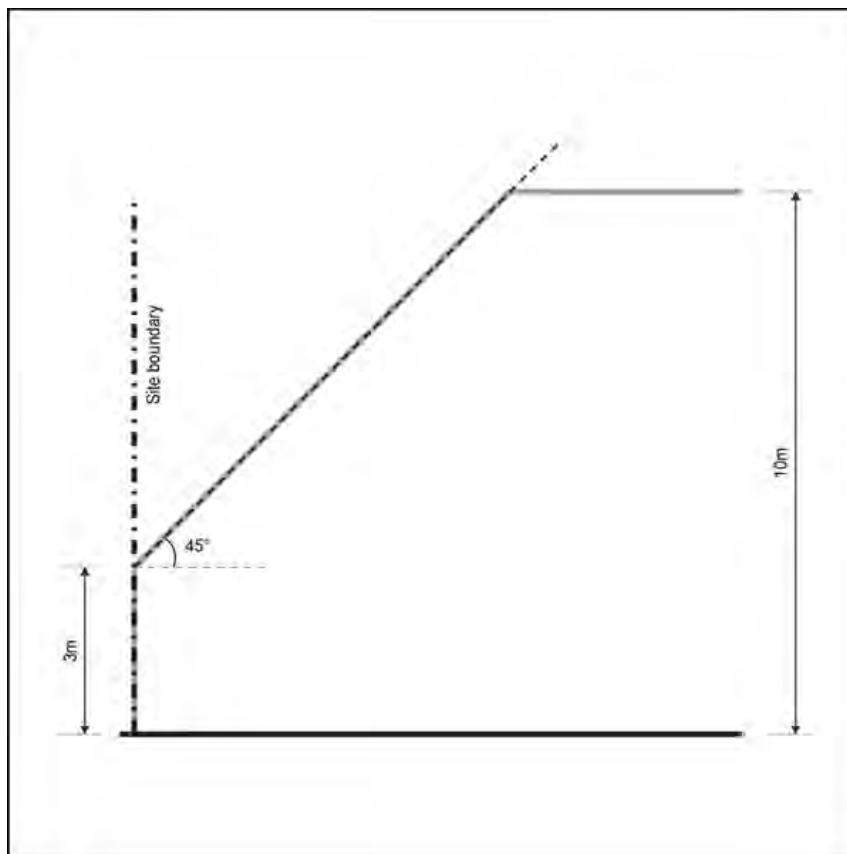
(1) Activities and ...

#### H6.6.6. Height in relation to boundary

Purpose: to minimise the adverse effects of building height on neighbours (i.e. dominance and shading) and reduce the overall visual dominance of buildings at upper levels.

(1) Where sites in the Residential – Terrace Housing and Apartment Buildings Zone ~~adjoin or are across the road from~~ another site in the same zone or any other zone not specified in Standard H6.6.8 Height in relation to boundary adjoining lower intensity zones below, buildings must not project beyond a 45-degree recession plane measured from a point 3m vertically above ground level along the common boundary ~~of the site in the Terrace Housing and Apartment Buildings Zone that adjoins or is across the road from another site in the same zone or any other zone not specified in Standard H6.6.8 Height in relation to boundary adjoining lower intensity zones,~~ as shown in Figure H6.6.6.1 Height in relation to boundary below.

**Figure H6.6.6.1 Height in relation to boundary**



(2) Standard H6.6.6(1) ...

**H6.6.7. Alternative height in relation to boundary within the Residential – Terrace Housing and Apartment Buildings Zone**

Purpose: to enable the efficient use of the site by providing design flexibility at the upper floors of a building close to the street frontage, while maintaining a reasonable level of sunlight access where possible and minimising visual dominance effects to immediate neighbours.

(1) This standard is an alternative to the permitted Standard H6.6.6 Height in relation to boundary and applies to sites in the Terrace Housing and Apartment Buildings Zone that ~~adjoin or are across the~~

~~read from~~ another site in the same zone or any other zone not specified in Standard H6.6.8 Height in relation to boundary adjoining lower intensity zones.

(2) Buildings or ...

#### **H6.6.8. Height in relation to boundary adjoining lower intensity zones**

Purpose: to manage the height and bulk of buildings at boundaries to maintain a reasonable level of sunlight access and minimise visual dominance effects to immediate neighbours within lower intensity zones and small public open spaces.

(1) Where sites in the Residential – Terrace Housing and Apartment Buildings Zone ~~adjoin or are across the road from~~:

(a) a site in the Residential – Single House Zone; or

(b) a site in the Residential – Mixed Housing Suburban Zone; or

(c) sites less than 2000m<sup>2</sup> in the Open Space – Conservation Zone; Open Space – Informal Recreation Zone; Open Space – Sports and Active Recreation Zone; Open Space – Civic Spaces Zone; or the Open Space – Community Zone;

then buildings must not project beyond a 45 degree recession plane measured from a point 2.5m vertically above ground level along the boundary of the site in the Residential – Terrace Housing and Apartment Buildings Zone ~~that adjoins or is across the road from~~ with the zone listed in Standard H6.6.8(1)(a) – (c) above.

(2) Where sites in the Residential – Terrace Housing and Apartment Buildings Zone ~~adjoin or are across the road from~~ sites in the Residential – Mixed Housing Urban Zone then Standard H5.6.5 Height in relation to boundary in the Residential – Mixed Housing Urban Zone or Standard H5.6.6 Alternative height in relation to boundary in the Residential – Mixed Housing Urban Zone applies to the boundary of the site in the Residential – Terrace Housing and Apartment Buildings Zone ~~that adjoins or is across the road from~~ the Residential – Mixed Housing Urban Zone.

(3) The building ...

#### **H6.6.16. Front, side and rear fences and walls**

Purpose: to enable fences and walls to be constructed on a front, side or rear boundary or within a front, side or rear yard to a height sufficient to:

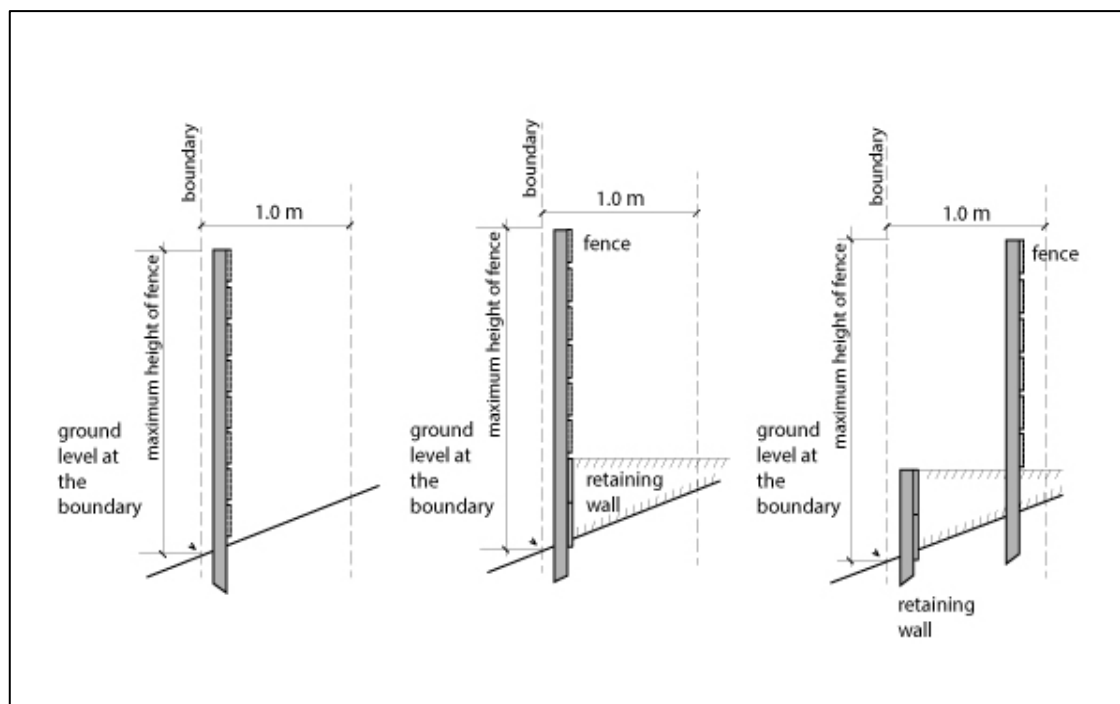
- provide privacy; ~~and for dwellings while enabling opportunities for passive surveillance of the street~~
- minimise visual dominance effects to immediate neighbours and the street.

(1) Fences or walls or a combination of these structures (whether separate or joined together) ~~on a side or rear boundary or within a side or rear yard~~ must not exceed ~~a height of 2m above ground level.~~ the height specified below, measured from the ground level at the boundary:



- (a) Within the front yard, either:
- (i) 1.2m in height, or
  - (ii) 1.8m in height for no more than 50 per cent of the site frontage and 1.2m for the remainder, or
  - (iii) 1.8m in height if the fence is at least 50 per cent visually open.
- (b) Within the side and rear yards: 2m.

**Figure H.6.6.16.1 Measurement of fence height**



### **H6.6.17 Minimum dwelling size**

Purpose: to ensure dwellings are functional and of a sufficient size to provide for the day to day needs of residents, based on the number of occupants the dwelling is designed to accommodate.

- (1) Dwellings must have a minimum net internal floor area as follows:
- (a) 30m<sup>2</sup> for studio dwellings.
  - (b) 45m<sup>2</sup> for one or more bedroom dwellings.

### **H6.7. Assessment – controlled activities**

There are no controlled activities in this zone.

### **H6.8. Assessment – restricted discretionary activities**

#### **H6.8.1. Matters of discretion**

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

(1) for supported residential care accommodating greater than 10 people per site inclusive of staff and residents; boarding houses accommodating greater than 10 people per site inclusive of staff and residents; visitor accommodation accommodating greater than 10 people per site inclusive of staff and visitors; dairies up to 100m<sup>2</sup> gross floor area per site; restaurants and cafes up to 100m<sup>2</sup> gross floor area per site; care centres accommodating greater than 10 people per site excluding staff; community facilities; and healthcare facilities up to 200m<sup>2</sup> gross floor area per site:

(a) ~~the effects on wastewater capacity; and~~ infrastructure and servicing;

(b) the effects on the neighbourhood character, residential amenity and the surrounding residential area from all of the following:

- (i) building intensity, scale, location, form and appearance;
- (ii) traffic;
- (iii) design of parking and access; and
- (iv) noise, lighting and hours of operation.

(2) for dwellings:

(a) the effects on the neighbourhood character, residential amenity, safety, and the surrounding residential area from all of the following:

- (i) building intensity, scale, location, form and appearance;
- (ii) traffic; and
- (iii) design of parking and access.

(b) all of the following standards:

- (i) Standard H6.6.10 Maximum impervious areas;
- (ii) Standard H6.6.11 Building coverage;
- (iii) Standard H6.6.12 Landscaped area;
- (iv) Standard H6.6.13 Outlook space;
- (v) Standard H6.6.14 Daylight;
- (vi) Standard H6.6.15 Outdoor living space; ~~and~~
- (vii) Standard H6.6.16 Front, side and rear fences and walls; ~~and~~
- (viii) Standard H6.6.17 Minimum dwelling size.

(c) Infrastructure and servicing

(3) for integrated residential development:

(a) the effects on the neighbourhood character, residential amenity, safety, and the surrounding residential area from all of the

following:

- (i) building intensity, scale, location, form and appearance;
  - (ii) traffic;
  - (iii) design of parking and access; and
  - (vi) noise, lighting and hours of operation.
- (b) all of the following standards:
- (i) Standard H6.6.10 Maximum impervious areas;
  - (ii) Standard H6.6.11 Building coverage;
  - (iii) Standard H6.6.12 Landscaped area;
  - (vi) Standard H6.6.13 Outlook space;
  - (v) Standard H6.6.14 Daylight;
  - (vi) Standard H6.6.15 Outdoor living space; ~~and~~
  - (vii) Standard H6.6.16 Front, side and rear fences and walls; ~~and~~
  - (viii) Standard H6.6.17 Minimum dwelling size.
- (c) Infrastructure and servicing.

(4) for buildings that do not comply with Standard H6.6.5 Building height; Standard H6.6.6 Height in relation to boundary; Standard H6.6.7 Alternative height in relation to boundary; Standard G6.6.8 Height in relation to boundary adjoining lower density zones; Standard H6.6.9 Yards; Standard H6.6.10 Maximum impervious areas; Standard H6.6.11 Building coverage; Standard H6.6.12 Landscaped area; Standard H6.6.13 Outlook space; Standard H6.6.14 Daylight; Standard H6.6.15 Outdoor living space; Standard H6.6.16 Front, side and rear fences and walls; Standard H6.6.17 Minimum dwelling size:

- (a) any policy which is relevant to the standard;
- (b) the purpose of the standard;
- (c) the effects of the infringement of the standard;
- (d) the effects on the rural and coastal character of the zone;
- (e) the effects on the amenity of neighbouring sites;
- (f) the effects of any special or unusual characteristic of the site which is relevant to the standard;
- (g) the characteristics of the development;
- (h) any other matters specifically listed for the standard; and

- (i) where more than one standard will be infringed, the effects of all infringements.

(5) For buildings that use the Standard H6.6.6 Alternative height in relation to boundary:

- (a) Daylight and sunlight access and visual dominance effects.  
(b) Attractiveness and safety of the street.

### **H6.8.2. Assessment criteria**

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

(1) for supported residential care accommodating greater than 10 people per site inclusive of staff and residents; boarding houses accommodating greater than 10 people per site inclusive of staff and residents; visitor accommodation accommodating greater than 10 people per site inclusive of staff and visitors; dairies up to 100m<sup>2</sup> gross floor area per site; restaurants and cafes up to 100m<sup>2</sup> gross floor area per site; care centres accommodating greater than 10 people per site excluding staff; community facilities; and healthcare facilities up to 200m<sup>2</sup> gross floor area per site:

~~(a) wastewater capacity: infrastructure and servicing~~

(i) Whether there is adequate capacity in the existing stormwater and public reticulated water supply and wastewater network to service the proposed development.

~~(i) whether adequate wastewater capacity is provided within the on-site wastewater system based on the design occupancy to avoid significant adverse effects on public health, water quality and amenity values and to remedy or mitigate other adverse effects.~~

(b) building intensity, scale, location, form and appearance:

(i) whether the intensity and scale of the activity, the building location, form and appearance is compatible with the character and residential amenity provided for within the zone and compatible with the surrounding residential area.

(c) traffic:

(i) whether the activity avoids or mitigates high levels of additional non-residential traffic on local roads.

(d) design of parking and access:

(i) whether adequate parking and access is provided or required.

(e) noise, lighting and hours of operation:

(i) whether noise and lighting and the hours of operation of the activity avoids, remedies or mitigates adverse effects on the residential amenity of surrounding properties, by:

- locating noisy activities away from neighbouring residential

boundaries; and

- screening or other design features; and
- controlling the hours of operation and operational measures.

(2) for dwellings:

(a) the extent to which or whether the development achieves the purpose outlined in the following standards or what alternatives are provided that result in the same or a better outcome:

(i) Standard H6.6.10 Maximum impervious areas;

(ii) Standard H6.6.11 Building coverage;

(iii) Standard H6.6.12 Landscaped area;

(iv) Standard H6.6.13 Outlook space;

(v) Standard H6.6.14 Daylight;

(vi) Standard H6.6.15 Outdoor living space; ~~and~~

(vii) Standard H6.6.16 Front, side and rear fences and walls; ~~and~~

(viii) Standard H6.6.17 Minimum dwelling size.

(b) refer to Policy H6.3(1);

(c) refer to Policy H6.3(2);

(d) refer to Policy H6.3(3);

(e) refer to Policy H6.3(4);

(f) refer to Policy H6.3(5);

(g) refer to Policy H6.3(6); ~~and~~

(h) refer to Policy H6.3(7);

(i) refer to Policy H6.3(8); and

(b) infrastructure and servicing:

(i) Whether there is adequate capacity in the existing stormwater and public reticulated water supply and wastewater network to service the proposed development.

(3) for integrated residential development:

(a) the extent to which or whether the development achieves the purpose outlined in the following standards or what alternatives are provided that result in the same or a better outcome:

(i) Standard H6.6.10 Maximum impervious areas;

(ii) Standard H6.6.11 Building coverage;

- (iii) Standard H6.6.12 Landscaped area;
- (vi) Standard H6.6.13 Outlook space;
- (v) Standard H6.6.14 Daylight;
- (vi) Standard H6.6.15 Outdoor living space; ~~and~~
- (vii) Standard H6.6.16 Front, side and rear fences and walls; ~~and~~
- (viii) Standard H6.6.17 Minimum dwelling size.

- (b) refer to Policy H6.3(1);
- (c) refer to Policy H6.3(2);
- (d) refer to Policy H6.3(3);
- (e) refer to Policy H6.3(4);
- (f) refer to Policy H6.3(5);
- (g) refer to Policy H6.3(6); ~~and~~
- (h) refer to Policy H6.3(7);
- (i) refer to Policy H6.3(8); and

(i) infrastructure and servicing:

(i) Whether there is adequate capacity in the existing stormwater and public reticulated water supply and wastewater network to service the proposed development.

- (4) for building height:
  - (a) refer to Policy H6.3(1);
  - (b) refer to Policy H6.3(2);
  - (c) refer to Policy H6.3(~~34~~); and
  - (d) refer to Policy H6.3(~~45~~).
- (5) for height in relation to boundary:
  - (a) refer to Policy H6.3(1);
  - (b) refer to Policy H6.3(2);
  - (c) refer to Policy H6.3(~~34~~);
  - (d) refer to Policy H6.3(~~45~~); and
  - (e) refer to Policy H6.3(~~56~~).
- (6) for alternative height in relation to boundary:
  - (a) refer to Policy H6.3(1);

- (b) refer to Policy H6.3(2);
  - (c) refer to Policy H6.3(~~34~~);
  - (d) refer to Policy H6.3(~~45~~); and
  - (e) refer to Policy H6.3(~~56~~).
- (7) for height in relation to boundary adjoining lower density zones:
- (a) refer to Policy H6.3(1);
  - (b) refer to Policy H6.3(2);
  - (c) refer to Policy H6.3(~~34~~);
  - (d) refer to Policy H6.3(~~45~~); and
  - (e) refer to Policy H6.3(~~56~~).
- (8) for yards:
- (a) refer to Policy H6.3(1);
  - (b) refer to Policy H6.3(2);
  - (c) refer to Policy H6.3(~~34~~); and
  - (d) refer to Policy H6.3(~~45~~).
- (9) for maximum impervious areas:
- (a) refer to Policy H6.3(7).
- (10) for building coverage:
- (a) refer to Policy H6.3(1);
  - (b) refer to Policy H6.3(2);
  - (c) refer to Policy H6.3(~~34~~);
  - (d) refer to Policy H6.3(~~45~~); and
  - (e) refer to Policy H6.3(~~56~~).
- (11) for landscaped area:
- (a) refer to Policy H6.3(1);
  - (b) refer to Policy H6.3(2);
  - (c) refer to Policy H6.3(~~34~~); and
  - (d) refer to Policy H6.3(~~45~~).
- (12) for outlook space:
- (a) refer to Policy H6.3(1);

- (b) refer to Policy H6.3(2);
- (c) refer to Policy H6.3(~~34~~);
- (d) refer to Policy H6.3(45); and
- (e) refer to Policy H6.3(~~56~~).

(13) for daylight:

- (a) refer to Policy H6.3(2);
- (b) refer to Policy H6.3(~~34~~);
- (c) refer to Policy H6.3(45); and
- (d) refer to Policy H6.3(~~56~~).

(14) for outdoor living space:

- (a) refer to Policy H6.3(1);
- (b) refer to Policy H6.3(2);
- (c) refer to Policy H6.3(45);
- (d) refer to Policy H6.3(~~56~~); and
- (e) refer to Policy H6.3(~~67~~).

(15) for front, side and rear fences and walls:

- (a) refer to Policy H6.3(2);
- (b) refer to Policy H6.3(3);
- (c) refer to Policy H6.3(45); and
- (d) refer to Policy H6.3(~~56~~).

(16) for the use of Standard H6.6.6 Alternative height in relation to boundary as a restricted discretionary activity:

- (a) Policy H6.3(3).
- (b) Policy H6.3(5).

(17) For minimum dwelling size:

- (a) Policy H6.3(6)

#### **H6.9. Special information requirements**

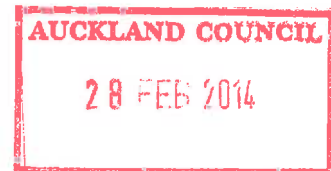
There are no special information requirements in this zone.



**APPENDIX 3 - A LIST OF NAMES AND ADDRESSES OF PERSONS  
SERVED / TO BE SERVED WITH A COPY OF THIS NOTICE**

Name	Address
Auckland Council	unitaryplan@aucklandcouncil.govt.nz

## **APPENDIX 4 – RYMAN'S SUBMISSION AND FURTHER SUBMISSION**



28 February 2014

Attn: Unitary Plan Submission Team  
Auckland Council  
Freepost Authority 237170  
Private Bag 92300  
Auckland 1142

**By email:** [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz)

### **SUBMISSION ON THE PROPOSED AUCKLAND UNITARY PLAN**

*Sections 123 and 125, Local Government (Auckland Transitional Provisions) Act 2010  
Clause 6 of First Schedule, Resource Management Act 1991  
FORM 2*

#### **Submitter details**

Organisation: Ryman Healthcare Limited (*Ryman*)

Address for service: Ryman Healthcare Limited  
c/o Luke Hinchey  
Chapman Tripp  
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1. This is a submission on the Proposed Auckland Unitary Plan (PAUP), on behalf of Ryman.
2. Ryman has a significant interest in how the PAUP provides for and regulates retirement village and aged care provision in the Auckland Region given our current and intended activities in the Auckland area. Ryman has a very large pipeline of units for retirement village development in Auckland over the next 18 months. Ryman wishes to ensure that the PAUP appropriately provides for retirement village development and related activities.

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3. Ryman could not gain an advantage in trade competition through this submission.

## BACKGROUND

### **Ryman's Background**

4. Ryman is New Zealand's leading provider of retirement living and aged care in New Zealand, and has been operating in New Zealand for 26 years. It provides accommodation and care for over 7,000 residents. During this time, Ryman has developed an excellent reputation for its specialist service in aged care villages and healthcare. Through this experience, the company has developed knowledge and expertise in the development of purpose built retirement villages that meet the needs of this sector of our community. Ryman currently has several operations in the Auckland region and plans to continue growth. Its retirement villages provide comprehensive living options and care services for elderly in the community, ranging from independent living townhouses and apartments through to specialist hospital care. Ryman's retirement villages provide a vital community service. The demand for this service is predicted to increase significantly.

### **Retirement village development issues in Auckland**

#### *Population growth and ageing population*

5. Providing accommodation and care for the elderly is one of the critical social issues facing Auckland over the next 20 years and beyond. As recognised in the Introduction to the PAUP, Auckland is home to a third of New Zealand's population and is growing quickly. Auckland also has a fast-growing ageing population and it is expected that by 2025 there will be more people over the age of 65 than people aged 16 and under. By 2031, there are projected to be between 154,000 (medium growth) and 165,000 (high growth) Aucklanders over 75.
6. Good quality housing and sophisticated care for the elderly is significantly undersupplied in many parts of the country. With Auckland in the midst of a housing shortage crisis, retired people in Auckland are also facing a significant shortage in appropriate accommodation and care options. The lack of housing and care for retired people is reaching a critical level. All Ryman retirement villages have a waiting list.
7. The PAUP recognises that population growth has placed pressure on housing availability and competition for housing has also influenced housing affordability. Providing for more retirement accommodation and aged care will release existing housing stock for other Aucklanders. This outcome will contribute to alleviating housing affordability issues in Auckland. However, if population growth, and appropriate, diverse accommodation options are not provided for in the PAUP, the social wellbeing of Auckland's residents will be seriously affected.

#### *Modern retirement accommodation*

8. Ryman supports the statement in the Council's selection 32 analysis that:

Retirement villages have changed over the last 15-20 years in response to changing demographics and requirements of older adults. Many older adults expect to have an active retirement and wish to move to a retirement village that allows them to "age in place". Modern retirement villages generally offer a range of housing from independent living units through to increasing levels of care as peoples health requirements change. From a planning perspective,

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this means that most retirement villages will offer a range of facilities from villas, apartments and town houses through to shared facilities for recreation and leisure activities, a chapel, libraries and hospital level care.

9. As a result, retirement villages tend to be large format and medium to high density in order to properly cater for their residents' needs.

*Lack of suitable sites in existing residential neighbourhoods*

10. Retirement villages and related aged care are a residential use, and generally locate in residential areas where there is demand from residents living in those areas. Ryman's consistent experience is that elderly people want to stay in the communities where they currently live during their retirement. They want to remain close to their families, familiar amenities and other support networks.
11. However, sites in existing residential areas which are appropriate for retirement village and aged care developments are extremely rare due to size and location requirements. It is therefore important that development of retirement villages on appropriate sites is encouraged and enabled, and that existing sites (which are a recognised and accepted part of the communities they are located in) are suitably provided for and enabled to be further developed.

*Disconnect between community expectations, existing planning provisions and retirement accommodation needs*

12. Because of their functional and operational needs, retirement village and aged care developments tend to be larger than surrounding residential housing, for example in height and scale. Ryman always develops its sites to be sympathetic to the amenity of surrounding neighbourhoods, particularly to:

12.1 Be visually attractive and suit their surroundings;

12.2 Manage effects on the amenity of adjoining neighbours;

12.3 Meet the care needs of residents;

12.4 Provide high quality onsite amenities; and

12.5 Ensure that the sites are used effectively and efficiently.

13. However, communities (and particularly neighbouring landowners) often have an expectation as to how large, vacant sites are going to be used. Typically, that expectation is not for medium or higher density retirement accommodation. In part, this is because, traditionally, planning provisions have not anticipated and provided for retirement accommodation needs within existing residential areas particularly well. For example, Ryman faces continuing pressure to reduce the scale of its developments to address so called "residential urban design principles". Such principles are generally developed for traditional housing typologies. These principles tend to ignore the reality of the extremely limited number of available sites, the need to use them efficiently and feasibility issues, if the needs of the elderly are to be met. As noted in Council's section 32 assessment:

Existing legacy plans do not provide the flexibility required by retirement villages to construct buildings that are 'fit for purpose' in terms of providing for a range of housing and care choices for older people and those requiring care or assisted living. As Auckland's population continues to grow, it is important that a choice of housing is provided for older people, particularly in locations that provide good amenity and access to community services and facilities.

14. As a result, consenting of retirement villages has been unnecessarily complex and time consuming. The poor provision for retirement accommodation has led to substantial uncertainty and tension for Ryman and the communities where it develops and operates.
15. In Ryman's view, the PAUP affords an excellent opportunity to address these fundamental planning issues.

### SCOPE OF SUBMISSION

16. The specific parts of the PAUP that this submission relates to are:
  - 16.1 Regional Policy Statement, Part 1, Introduction and Strategic Direction, sections 1.1 and 2.1 (with amendments sought attached at **Appendix A**);
  - 16.2 Auckland-wide objectives, policies and rules, Chapters C and H (with amendments sought attached at **Appendix B**);
  - 16.3 Residential Zone, objectives and policies in all zones (with amendments sought attached at **Appendix C**);
  - 16.4 Residential Zone rules in all zones (with amendments sought attached at **Appendix D**);
  - 16.5 Objectives policies and rules in the Metropolitan, Town Centre and Mixed Use zones, General Business zone, Business Park zone, and Countryside Living zone;
  - 16.6 Special Purpose - Retirement Village Zone;
  - 16.7 Overlays, Chapter J (with amendments sought attached at **Appendix E**); and
  - 16.8 Definitions of Retirement Village and Supported Residential Care (with amendments sought attached at **Appendix F**).

### INTRODUCTION

17. At present, the PAUP contains a significant gap in terms of providing for retirement accommodation and aged care. Ryman considers it essential to meet the sustainable management purpose of the RMA, that the PAUP expressly acknowledges the need to enable and encourage retirement villages within all residential zones and in the Metropolitan, Town centres and Mixed Use zone, General Business zone, Business Park zone, and Countryside Living zone. Such development should, however, be subject to appropriate development controls that help expedite the consent process and manage potential impacts on adjoining neighbours.

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18. Providing for retirement villages in existing residential areas encourages a range of diverse accommodation options which will be a significant part of addressing housing shortages and affordability issues. Such provision will also enable elderly residents to remain in their local area, while providing accommodation and care necessary for this sector. More flexible and tailor made provisions for retirement villages will ensure that Auckland's housing supply crisis need is addressed more efficiently and effectively.
19. At a general level, Ryman supports the PAUP's recognition of the unique needs of retirement accommodation, and understands that the broader industry also supports such provision. However, it does not consider the PAUP goes far enough in recognising the strategic significance of providing for retirement accommodation. The PAUP also fails to recognise the differences between the form and needs of traditional residential development compared to retirement accommodation. Ryman is unequivocally opposed to the proposed use of a "Special Purpose – Retirement Village Zone" (RVZ) which has been introduced in the PAUP.

### **SUBMISSIONS IN SUPPORT**

20. Ryman supports the incorporation of specific provisions for retirement villages in the PAUP in order to:
  - 20.1 Ensure a more consistent, targeted approach to planning for retirement villages and their unique attributes;
  - 20.2 Recognise that some aspects of retirement village activities differ from typical residential activities; and
  - 20.3 Provide mechanisms to enable the well-planned (and intensive) development of a variety of accommodation and supporting care facility opportunities for the elderly within the Auckland region.

### **SUBMISSIONS IN OPPOSITION**

21. Ryman considers overall (in respect of the provisions that it is opposed to), that the PAUP:
  - 21.1 Is inappropriate and/or unnecessary;
  - 21.2 Will not promote the sustainable management of natural and physical resources;
  - 21.3 Will not promote the efficient use and development of natural and physical resources;
  - 21.4 Is contrary to good resource management practice;
  - 21.5 Does not comply with the requirements of section 32 of the RMA, particularly in that the provisions are not the most appropriate means of achieving the relevant plan objectives having regard to their efficiency and effectiveness and taking into account benefits, costs and risks; and

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21.6 Is otherwise inconsistent with the relevant provisions of the Resource Management Act 1991 (RMA), including the purposes and principles of the RMA under Part 2.

22. Without limiting the generality of the above, other more specific reasons for Ryman's opposition have been provided throughout this submission.

#### **Regional Policy Statement**

23. At present, other than broad comments about Auckland's growing and ageing population, the Regional Policy Statement (RPS) section of the PAUP does not address housing for retired people. There is also a fundamental flaw in the PAUP in how it seeks to manage housing intensification throughout the different zones. This zoning approach has not anticipated the particular density needs of retirement village accommodation.

24. Ryman particularly opposes the lack of recognition in the RPS section of the PAUP of the:

24.1 Critical need for retirement villages in the Auckland area due to predicted increases in population and the growing ageing proportion of the population, and the pressure to provide for that need through intensification and within a consolidated urban environment;

24.2 Contribution of retirement villages to the Auckland region's affordable housing needs (ie by both providing housing for elderly people, and by freeing up residential dwellings when retired people move into villages).

25. Ryman considers that amendments are required to the RPS section of the PAUP to provide appropriate recognition of the importance of, and need for, retirement villages.

#### **Auckland-Wide objectives, policies and rules**

##### *C.5.14 and H.4.13 Lakes, rivers, streams and wetland management.*

26. The Activity Table in "H.4.13 Lakes, rivers, streams and wetland management.1" relates to works within lakes, rivers or streams, including intermittent stream reaches. The activity table makes various works within an intermittent stream a discretionary activity and in the case of reclamations, non-complying. In the Operative Regional Plan, such works were permitted activities reflecting the generally low ecological value of intermittent streams. The new rules will add a significant and disproportionate consenting requirement for works in intermittent streams without justification. This requirement will add to the time and cost of obtaining consents. It will have also a substantial impact on property development in the Region, undermining other key growth objectives of Council. Recognition of the varying values of intermittent streams versus permanent streams in the Auckland Region is critical in balancing the opportunities for urban development and protection and/or enhancement of streams. The PAUP does not currently make the distinction.

##### *H.4.14 Stormwater management - Flow (2)*

27. The introduction to H.4.14 Stormwater management - Flow (2) states that:

*"It is anticipated that technical guidance will be provided through best management practice guidelines to support implementation of flow rules in this chapter".*



28. Ryman appreciates Council's intention to providing industry with guidance in this respect, however it is noted that no such guidance has been provided as of the 28th February 2014 and there have been no clear communications regarding a programme of Council workshops, publications or other such resources. Furthermore, Technical Publication 2013/035 may provide for a useful base of the philosophy, however further design guidelines are necessary to fully understand Council's direction in the PAUP. Ryman considers it necessary for Council to engage fully with the industry with respect to this considerable step-change in stormwater management. Ryman opposes references to any future publications or guidelines in the PAUP to help interpret the rules until the new guidelines are agreed and accepted as industry best practice (particularly Technical Publication 2013/035). Until that time, Ryman considers that current guidelines and publications representing best practice should continue to be adopted where applicable.

*H.4.14 Stormwater management – Flow (2.1)*

29. The Activity table in *H.4.14 Stormwater management – Flow (2.1)*, provides that the maximum area of new impervious surfaces for a permitted activity, other than roads, is 25m<sup>2</sup>. The limit is significantly less than the previous limit of 1,000m<sup>2</sup> in the Operative Air, Land and Water Plan (ALWP) and will likely increase the stormwater management requirements for small to medium developments.
30. In addition, in both controls 3.2.2 (a) and (b) of section H.4.14 reference is made to new or redeveloped uncovered parking areas being "less than 50 percent of the total car park area". The reference should be made to the total uncovered car park area because there is almost no stormwater runoff from covered parking areas.
31. Ryman considers that the restricted discretionary activity status for any impervious areas in a SMAF 1 or 2 area that does not meet the hydrology mitigation requirements is overly restrictive. Where a property is subject to the SMAF overlays and located close to the coastal or tidal environment, there should be consideration of the effects of any stormwater from the development site on downstream environments. Accordingly, where the downstream environment is coastal or tidal, Ryman considers the hydrology mitigation requirements are unnecessary and onerous for no discernable benefit.
32. Lots within developments that have an appropriate stormwater management regime (prior to notification of the PAUP) are subject to the proposed hydrology mitigation requirements regardless of the capacity of the downstream stormwater measures that have recently proved to have been adequate through the consenting process.

*Stormwater Management Area (Flow) – Overlay/Planning maps*

33. Ryman also considers that the blanket type approach to the Stormwater Management Area (Flow) overlay across the region is too broad an approach and requires further refinement. The overlays take no account of sites that are located close to the tidal or coastal environment and hence may not be required to account for quantity controls. Furthermore, the stormwater management area overlays do not account for recent developments that hold diversion and discharge consents nor individual lots that are connected to stormwater infrastructure associated with such consents.

**Residential Zone objectives and policies**

34. Ryman strongly opposes the lack of express acknowledgement that retirement villages are essentially a residential use (albeit with different demands), and tend to locate in a variety of existing neighbourhoods where demand and site availability are significant influencers. Other than by providing retirement villages with an activity status in the residential zones, there is no reference to retirement villages in the residential zones provisions. The PAUP does not recognise that as a residential use, retirement villages contribute to the mix and diversity of residential neighbourhoods, and contribute to social wellbeing.
35. Ryman considers that the Residential Zone objectives and policies need to be amended to acknowledge that retirement villages are a residential use, and that their development is actively supported in the residential zones.

**Retirement village specific rules**

36. Ryman opposes the current residential zone approach, which focusses on density aligned to distance from town centres / public facilities. This approach does not match retirement village formats, which tend to be higher intensity uses than surrounding residential neighbourhoods (as evidenced by the location of many existing retirement villages across the city). The residents of these villages are typically made up of former home owners and occupiers from the immediately surrounding community. It is very important that the PAUP does not limit retirement village options in a way that would lead to people needing to move away from their existing communities, loved ones and families at a critical time in their lives when they need more comprehensive care.
37. Retirement villages have specific features and requirements, which differ from standard residential development. The imposition of general residential development rules on retirement village development will reduce flexibility and will stifle retirement village development. Specific development controls for retirement village developments are necessary.
38. Ryman considers that retirement villages (existing and new) should be provided for by way of a stand-alone retirement village-specific rules framework. This framework should be incorporated into the residential zone rules, but sit as a separate set of rules specific to retirement village development. Such a framework should provide for:
- 38.1 The land use of a retirement village to be recognised as a permitted activity to make it clear to the surrounding community that such uses are part of the fabric of the residential zones and not challengeable in consenting processes. Ryman often experiences public submissions opposing its villages made on the basis that such villages are a commercial use or a hospital use which is not appropriate in a residential zone. It wishes to avoid such misguided submissions in the future;
- 38.2 The building and operation of a retirement village as a restricted discretionary activity in the residential zones, and subject to underlying zone rules which control external effects relating to height, carparking and access, height in relation to boundary, yards, traffic generation, and noise.

- 38.3 Application of Auckland Wide rules which would have previously been described under legacy plans as “regional rules” to address such matters as stormwater, streamworks, flooding, vegetation clearance and earthworks). The Overlay Rules of the Plan would also apply. However, a breach of any such a rule should only trigger a restricted discretionary activity status. Assessments of environmental effects at the resource consent stage should then be limited to the effect on the environment which the breached rule is designed to manage. This method is particularly important regarding the PAUP’s overlay rules. Ryman considers that there is a lack of suitable sites for retirement villages in the Region. The existence of an overlay on an appropriate site for retirement villages may substantially limit its use by appearing to take precedence in the Plan over the enabling of people’s wellbeing, other positive social and economic benefits of retirement villages and the need to use available sites efficiently. Ryman considers that those other considerations will often be more important than the strict protection of the feature that an overlay is designed to manage. Ryman acknowledges, however, that effects on identified features in the Plan might be relevant in the overall balancing of a resource consent application when making a decision. It is also noted that the PAUP contains a broad range of Auckland wide rules. Ryman opposes the application of any rules to retirement villages which are not expressly identified in the provisions it proposes in Appendix A and reserves its right to make further submissions on any provisions not referred to in this submission.
- 38.4 The development controls in any zone where a retirement activity takes place or a relevant precinct plan to apply where they are more permissive or enabling than the regime proposed by Ryman in Appendix A. Ryman expressly supports any such more permissive or enabling rules.
- 38.5 Other development controls, assessment criteria and special information requirements in the PAUP to expressly not apply unless those controls are more permissive or enabling. The rules regime proposed by Ryman is designed to manage specific external effects on the immediate environment and to limit considerations which may be applicable to typical residential developments, but which should not apply to retirement villages. For example, Ryman opposes controls over the design or internal layout of its sites. It has 26 years of experience of building villages and knows intimately the amenity and care provision needs of its residents. Ryman frequently comes across issues during consenting where councils attempt to influence Ryman’s internal layout based on their understanding of design principles which only apply to traditional housing types. With respect, those councils do not understand how retirement villages function and operate. For similar reasons, Ryman opposes the application of design manuals for traditional housing. When applied to retirement villages, such manuals will create unnecessary consenting debates and hinder design innovation.
- 38.6 Activities ancillary to retirement villages, such as alterations, additions and demolition, as permitted activities provided they comply with the building height, yards and height in relation to boundary, and maximum impervious area rules for the relevant zone where the activity takes place (to ensure external effects are managed). If they do not comply, they should be restricted discretionary activities subject to the same rules as for a new village

- 38.7 Retirement villages to be subject to specific restricted discretionary activity criteria which address the key potential environmental effects of retirement village development, namely:
- (a) Building design and external appearance, to address shading and privacy effects on adjacent properties. Council's design discretion should be limited to external effects only.
  - (b) Landscape design, to manage the interface with the external environment;
  - (c) Traffic management and provision for parking and access to internalise these effects or to ensure the surrounding area has capacity to absorb any additional demand;
  - (d) Infrastructure and services to internalise these effects or to ensure the surrounding area has capacity to absorb any additional demand; and
  - (e) A breach of the retirement village rules as a restricted discretionary activity with discretion over the environmental effect of the breach. On this matter, Ryman considers it is important that the PAUP recognise that site features and development techniques can allow for effects to be appropriately managed despite a breach of a rule. As an example, earthworks will in some cases be acceptable outside the main earthworks season where sedimentation effects can be managed within the site. In addition, breaches of height rules should be acceptable if they do not create adverse shading and/or privacy effects on neighbours.

**Metropolitan, Town centres and Mixed Use zone, General Business zone, Business Park zone, and Countryside Living zone**

39. Ryman opposes the lack of provision for retirement accommodation in the Metropolitan, Town centres and Mixed Use zone, General Business zone, Business Park zone, and Countryside Living zone. These zones may contain sites which are suitable for retirement villages, for example on the fringe of nearby residential zones. Ryman notes that its Edmund Hillary Retirement Village in Remuera was originally located in a business zone at the fringe of an existing residential area.
40. As noted, there is a general lack of suitable sites in the Auckland region for medium to large retirement villages. Many areas of Auckland will also evolve over the next 5-10 years and may become more suitable for retirement village activities.
41. Ryman therefore considers it important that these other zones also provide for retirement village activities. Ryman considers that the rules regime described above for retirement villages in residential zones should also apply in the Metropolitan, Town centres and Mixed Use zone, General Business zone, Business Park zone, and Countryside Living zone. The objectives and policies of these zones should also recognise the potential need to locate retirement villages in these zones.

**Special Purpose – Retirement Village Zone**

42. Ryman opposes the proposed use of the RVZ in the PAUP. While Ryman appreciates and acknowledges the Council's identification of specific requirements of retirement villages, it does not consider that the RVZ is the best mechanism to achieve support for retirement village development. The use of the RVZ creates the potential for substantial additional RMA processing requirements through rezoning. The RVZ will create a community expectation that future villages will need a plan change to develop in areas outside of RVZs and a perception that retirement village activities are non-residential.
43. The RVZ in the PAUP has not been applied consistently to existing retirement villages in the Auckland Region (only one of Ryman's existing villages is in the RVZ). This lack of consistency clearly shows some significant gaps in the use of the RVZ.
44. It is also not possible to identify all suitable retirement village sites through a plan development process such as this. Any land that was inappropriately or unnecessarily zoned retirement village could be highly constrained for other purposes without a plan change, tying up the valuable land resource during this time.
45. The Council's s32 evaluation states that standard residential zones are not necessarily the best fit for the specialist retirement village activities. Ryman disputes this statement. Retirement villages are a specialist form of residential activity and provide managed and secure housing and care options. The existing deficiencies in the legacy plans relate not to the zones, but the lack of tailored and specific retirement village activity related provisions (objectives, policies, rules). This poor provision has typically resulted in retirement village activities being assessed against the standards for typical dwellings. The typical bulk and location standards for dwellings do not reflect the different operational and practical requirements of retirement villages which are usually larger, higher density, comprehensive developments.
46. The RVZ provisions also contain a wide range of controls over internal layout which appear to derive from rules applying to typical residential activities. These controls should not apply to retirement village activities as they are not applicable and will substantially reduce flexibility of the use of sites.

**Overlays***J.3.6 Pre-1944 Building Demolition Control Overlay*

47. The Pre-1944 Building Demolition Control Overlay applies inappropriately restrictive rules across large parts of Auckland, for example, requiring restricted discretionary resource consent for new or relocated buildings at the rear of any pre-1944 building.
48. In many instances, the Overlay has been applied over pre-1944 buildings which have already been substantially modified, or areas where there are no pre-1944 buildings in existence. The Overlay has been applied arbitrarily, and in many instances does not protect features of any worth.
49. Ryman seeks that the Pre-1944 Building Demolition Control Overlay is applied only to buildings which have are proven by the Council to have heritage value, or that the Overlay is deleted in its entirety.



*J.5.2 Sites and Places of Significance to Mana Whenua*

50. Sites and Places of Value to Mana Whenua are identified on the planning maps in the PAUP with an overlay consisting of a circle with a standard diameter of 200m. Earthworks within 50m of a site or place of value to mana whenua is a restricted discretionary activity (J.5.2.1 Activity Table). This additional 50m area essentially provides a buffer on a buffer. All resource consents under the Sites and Places of Value to Mana Whenua require a cultural impact assessment to be provided with the consent application (G.2.7.4 Cultural Impact Assessment) (CIA).
51. Although Ryman supports the recognition of features of importance to Mana Whenua and management of effects on them, this recognition needs to be balanced with the timely, efficient, effective and affordable provision of retirement village development. Ryman has concerns with the Overlay because:
- 51.1 It is neither effective nor efficient to require consent when the sites or places are not carefully identified and their value is unclear. The Overlay appears to have been applied arbitrarily and, given the large size of the Overlay, this imposes a significant burden unnecessarily on applicants.
- 51.2 It is inappropriate to require cultural impact assessments for all resource consent applications. Applicants should be able to use discretion as to whether a full cultural impact assessment is required for an application, in accordance with the normal RMA consent application procedures.
- 51.3 The PAUP does not identify the Iwi to be consulted for particular areas, which could lead to significant delays and potentially disputes between Iwi as to which group has Mana Whenua over the relevant site.
- 51.4 It is understood that many of the sites of value to mana whenua deal with archaeology associated with previous Maori occupation of the affected areas. The provisions included in the PAUP do not appropriately recognise other legislative processes for protecting such sites (for example, the Historic Places Act 1993), and accordingly may duplicate processes.

*J.2 Historic Heritage: Extent of Place Overlay and Planning Maps*

52. It appears that for some historic heritage places, the "extent of place" as identified in the planning maps has simply been applied to the whole property as opposed to there being any assessment of the most appropriate extent of the place, taking into account the significance of the Historic Heritage. Given that the extent of place overlay applies a range of additional controls on the relevant area, it is important that the extent of place accurately reflects the Historic Heritage being managed.

**Definitions**

53. Ryman opposes the separate definitions of retirement village and supported residential care. Supported residential care is often included within retirement villages. A separate activity category may cause interpretational difficulties. In addition, the external effects of, and the need for, supported residential care and retirement villages are likely to be similar. Ryman considers they should be treated the same in the activity tables.

**DECISION SOUGHT**

54. Ryman seeks:

54.1 The relief set out in **Appendix A - F** or other relief which is consistent with its submission;

54.2 It also seeks such further, alternative or consequential relief to address Ryman's concerns, including amendments or deletion of any objectives and policies or other explanatory statements which do not support the rule regime proposed by Ryman.

**Retirement Villages Association**

55. Ryman has reviewed the Retirement Villages Association's submission on the draft Unitary Plan. Ryman supports the Retirement Villages Association's submission.

**Hearing**

56. Ryman wishes to be heard in support of its submission.

57. If others make a similar submission, Ryman will consider presenting a joint case.

**RYMAN HEALTHCARE LIMITED:**



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Andrew Mitchell  
Development Manager

**APPENDIX A – AMENDMENTS SOUGHT TO REGIONAL POLICY STATEMENT**

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# PART 1 - INTRODUCTION AND STRATEGIC DIRECTION

## Chapter A: Introduction

## Chapter B: Regional Policy Statement - Kupu Kaupapa ā-Rohe

### 1 Issues of regional significance - Ngā take matua ā-rohe

#### 1.1 Enabling quality urban growth

##### Unitary Plan issue

Our growing population increases demand for housing, employment, business, infrastructure, and services. This means we must manage our growth in a way that:

- enhances quality of life and wellbeing for individuals of all ages and communities
- optimises the efficient use of our existing urban area
- optimises the efficient use of existing and new infrastructure, particularly significant infrastructure
- maintains and enhances the quality of our environment, both natural and built
- maintains Māori communities, culture and values.

##### Explanation

Auckland is the place in New Zealand where more and more people want to live and work. While this drives economic growth, enhances regional GDP, and encourages development of a world-class city, nearly all our resource management issues stem from the impacts growth could have on our natural and physical resources.

##### Our sense of place

Our sense of place and belonging comes from Auckland's rich diversity. Our urban fabric includes historic buildings and places, as well as special character areas such as Ponsonby and Devonport. We also have many distinctive towns, local centres and places of interest such as Warkworth and Clevedon. Our challenge is to retain this sense of place while providing for growth and development.

The Mana Whenua of Tāmaki Makaurau narrative provides a unique and vibrant tūrangawaewae which is the special point of difference which distinguishes Auckland from any other place in the South Pacific.

Changing demographics including an increasing ageing population, and the desire of many to live close to work, transport links or areas of high amenity, has created demand for quality medium to high density housing within our existing urban area and a range of accommodation and care options for the ageing population. Meeting Auckland's needs means we need more choices and options around how and where we live.

We need to consider urban form and design, and sustainability outcomes to maximise economic opportunity and well-being, social well-being, cultural diversity and environmental health. These disciplines are critical in ensuring developments provide:

- high quality urban living experiences with sufficient amenities

- a range of housing to accommodate a diverse population that has different health and safety, and lifestyle needs
- mixed use, vibrant and coherent high density centres
- visibility of Auckland's cultural diversity in urban design
- increased travel choices and a reduction in reliance on private vehicles.

### Social Well-being

Aucklanders' quality of life and their social well-being is influenced by the affordability and suitability of housing, access to their communities, access to quality public open space and access to social and community infrastructure.

Access to warm, dry and affordable housing is a basic human need. Auckland's popularity and continued growth in recent years has meant that housing is becoming increasingly unaffordable and out of reach for a large majority of first time home buyers. The issue is complex and influenced by a range of factors which include:

- land availability
- the availability and costs of infrastructure
- the location of new housing areas in relation to public transport
- employment
- social and community infrastructure
- the sequence and timing of land release.

Providing suitable housing and care for the elderly is also a basic human need. Auckland's population continues to grow. With that growth is an increasingly critical need for appropriate retirement accommodation. It is important that a range of accommodation and care facilities is provided for elderly people which provides for their particular needs. Providing for retirement accommodation is influenced by a range of factors which include:

- The unique health and safety, amenity and infrastructure demands of the elderly.
- People's desire to continue to live in their local community close to their families and support networks.
- The scale of, and nature of services provided by modern retirement village accommodation is different and generally more intensive than typical residential housing.
- A lack of suitable large sites for retirement accommodation within established residential communities.

Collectively Auckland's public open spaces perform a range of functions that provide opportunities for a variety of recreational activities such as sports, exercising, relaxing and socialising, providing public access to the coastline, providing amenity and protecting and enhancing our natural and cultural heritage. As the city grows and intensifies, additional quality public open spaces and recreation facilities will be required.

Social and community infrastructure relates to public and private facilities and networks, which provide for Aucklanders' quality of life and socio-economic outcomes. Social and community infrastructure is an important asset to society as it provides:

- opportunities to learn
- facilities for the prevention and treatment of illness and injury
- facilities to support the justice system

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- places where the community can come together to discuss issues, to participate in recreation activities or to socialise.

Auckland's continuing growth will necessitate a high quality network of accessible social and community infrastructure that meets Aucklanders' needs both locally, sub-regionally and regionally. This will need to be delivered by a range of providers including central government, local government and private organisations or individuals.

### **Supply of land in appropriate locations**

Opportunities for growth around all edges of the urban area are limited. Auckland's geography limits our supply of suitable greenfield land. The coastline and significant park areas in the Waitākere and Hunua ranges constrain the expansion of the existing metropolitan area in a number of areas. Development must also optimise the investment of infrastructure and utilities, and not cause the need for ineffective or less cost effective forms of development.

Auckland's significant infrastructure such as:

- the transport network
- electricity
- water and wastewater
- the telecommunication network
- the Port of Auckland
- Auckland Airport

needs substantial investment to meet increasing demand caused by growth and higher environmental standards, particularly in relation to water quality. The timing, location and funding of new upgrades to services and amenities, such as water, wastewater disposal, transport and schools, will influence where and when new communities are established and whether or when existing communities can grow.

Auckland faces many challenges in accommodating growth. Development must optimise the benefits of transport integrated with land use, while providing high quality urban living, lifestyle choices, a healthy environment and protection of Mana Whenua interests. A compact well-designed urban form is the primary approach to achieving this balance.

### **Link to Auckland Plan**

#### **Auckland Plan strategic directions and priorities**

Strategic direction 10: Create a stunning city centre, with well-connected quality towns, villages and neighbourhoods.

- Realise quality, compact urban environments
- Demand good design in all development
- Create enduring neighbourhoods, centres and business areas.

Strategic direction 11: House all Aucklanders in secure, healthy homes they can afford.

- Increase housing supply to meet demand
- Increase housing choice to meet diverse preferences and needs

- Improve the quality of existing and new housing
- Improve housing affordability and the supply of affordable housing.

Strategic direction 12: Plan, deliver and maintain quality infrastructure to make Auckland liveable and resilient

- Protect, enable, align, integrate and provide social and community infrastructure for present and future generations
- Optimise, integrate and align network utility provisions and planning.

Strategic direction 13: Create better connections and accessibility within Auckland, across New Zealand and to the world.

- Integrate transport planning and investment with land use development.

## 1.2 Enabling economic well-being

## 1.3 Protecting our historic heritage, historic character and natural heritage

## 1.4 Addressing issues of significance to Mana Whenua

## 1.5 Sustainably managing our natural resources

## 1.6 Sustainably managing our coastal environment

## 1.7 Sustainably managing our rural environment

## 1.8 Responding to climate change

## 2 Enabling quality urban growth - Tāhuhu whakaruruhau ā-tāone

### *He tāhuhu whakaruruhau*

The sheltering ridge pole.

### 2.1 Providing for growth in a quality compact urban form

#### Introduction

This chapter sets out the objectives and policies for managing Auckland's urban areas over the next 30 years. The urban areas include the metropolitan area, the satellite towns of Warkworth and Pukekohe and the rural and coastal towns and serviced villages.

The primary policy approach is to provide for housing choice and affordability and focus residential and business growth in centres, within neighbourhoods and along frequent transport routes. Transport and other infrastructure is to be integrated with growth, while enabling business and residential development. Emphasis is placed on creating a quality built environment. Urban growth needs to make the best use of existing significant infrastructure, recognising protected values such as historic character and ecological areas, while considering constraints such as natural hazards.

Objectives, policies, methods relating to business land supply and business activities are in the RPS - Commercial and Industrial Growth section.

#### Objectives

1. A quality compact urban form with a clear defensible limit (Rural Urban Boundary - RUB) to the urban expansion of the metropolitan area, satellite towns, rural and coastal towns and serviced villages.
2. Urban growth is primarily focussed within the metropolitan area 2010.
3. Land within and adjacent to centres, frequent public transport routes and facilities is the primary focus for residential intensification with a lesser degree of intensification in surrounding neighbourhoods.
4. The focus for urban growth outside of the metropolitan area 2010, is greenfield land within the RUB that is contiguous with the urban area and the satellite towns of Pukekohe and Warkworth.

5. To recognise and provide for the various accommodation and care needs of the elderly.

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**Policies**

1. Concentrate urban activities within, the metropolitan area 2010, the RUB, the satellite towns, rural and coastal towns and serviced villages.
2. Enable higher residential densities and the efficient use of land in neighbourhoods:
  - a. within and around centres and within moderate walking distances from the city, metropolitan, town and local centres
  - b. in areas close to the frequent public transport routes and facilities
  - c. In close proximity to existing or proposed large open spaces, community facilities, education and healthcare facilities
  - d. adequately serviced by existing physical infrastructure or where infrastructure can be efficiently upgraded.

e. to provide for the accommodation and care needs of the elderly.

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3. Provide for and encourage residential intensification within centres while ensuring that:
  - a. there is a broad mix of activities within centres
  - b. residential activities do not compromise the ability for mixed use developments, or commercial activities to locate in centres
  - c. development uses land efficiently.

**Methods**

**Regulatory**

Unitary Plan:

- Appendix 1.1 and 1.2 on structure plan guidelines and the metropolitan area 2010.
- RUB – RPS maps on the council GIS viewer to show the maximum extent of the urban area.
- The Unitary Plan will be changed to define the RUB around rural and coastal towns and serviced villages and other areas the council has deemed necessary.
- Zones objectives policies and rules for the Future Urban zone.

**Explanation and reasons**

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These objectives, policies and methods recognise the need for a well-located and designed compact urban form, and the natural and built character of the urban environment. A quality compact urban form delivers a range of benefits by:

- creating a range of housing choices from apartment living, to retirement accommodation and rural and coastal lifestyle opportunities
- achieving a more integrated approach to land use and transport which improves transport efficiency and enhances accessibility
- protecting core environmental values such as air quality, water quality and biodiversity fostering improvements in productivity and creativity by having a network of businesses in proximity to each other, suppliers, customers and their employees and enabling the exchange of ideas
- providing certainty about areas that will be well supported by infrastructure investment
- protecting highly valued areas from development
- creating greater social and cultural vitality and demographic diversity in centres and neighbourhoods
- supporting access to open space, community facilities, and education facilities.

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The objectives and policies recognise the need to focus most residential intensification within the metropolitan area 2010 and within centres. The benefit of this policy approach is that it provides for more efficient use of existing infrastructure and services and enables people to be closer to employment opportunities. The objectives and policies also recognise that providing facilities for the accommodation and care of the elderly within residential zones will require intensification of those sites.

The policy approach focuses urban activities to identified areas, rather than urban activities developing in an ad hoc manner in the rural environment. It also focuses infrastructure investment in identified locations and supports the development of identified growth areas or existing towns and serviced villages.

## 2.2 A quality built environment

### Introduction

This section sets out objectives and policies to deliver quality, sustainable development as Auckland moves to a compact urban form. A quality built environment is one which maximises opportunities for the well-being of communities and social and economic exchange by providing safe and lively streets and public spaces, fronted by visually rich and engaging buildings. In the New Zealand, and particularly the Auckland context, with its numerous volcanic cones and extensive shoreline, it is one where buildings respect and respond to the natural environment in which they are placed.

A robust design process is part of achieving a quality built environment, and results in development that contributes to an Auckland that is a sustainable, attractive and desirable city to live, work and play in.

### Objective

1. A quality built environment where development, including subdivision, across the site, street, block, neighbourhood and city scales:
  - a. recognises Auckland's sense of place and enriches its landscape, character, heritage and legibility (identity)
  - b. provides for a rich mix of choice and opportunity for our communities and can adapt to changing needs (diversity)

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- c. considers and reinforces use, activity centres, energy systems and movement networks which are well connected and provide convenient and equal access for all (integration)
- d. supports and optimises the full potential of a site's intrinsic qualities, including its shape, landform, outlook and relationship to its surroundings (efficiency).

#### Policies

1. Require development to be designed to integrate all elements of a place, buildings or space into a coherently designed solution.
2. Design development to respond positively to the site, its context and the planned future character of the place, and to reinforce the role of the public realm as the primary place for public interaction.
3. Require development to contribute to the safety of the street and neighbourhood.
4. Encourage development which is designed for change of use through time.
5. Design development with a level of amenity that enables long term options for living and working.
6. Encourage development to be designed to have equal access for people of all ages and abilities.
7. Require a high standard of design in areas of residential and business intensification.
8. Enable the development of a range of built forms within neighbourhoods to support maximum choice and recognise different demographic needs and lifestyles. | 7
9. Design streets and block patterns that maximise connectivity, provide for a range of travel options and have a high standard of amenity and safety for pedestrians and cyclists to promote walking and cycling.
10. Balance the place and movement functions of streets while emphasising their role as places for people over movement of vehicles in centres and areas of residential intensification.
11. ~~Require large scale development, and e~~Encourage all other development, to minimise its environmental impact through best practice sustainable design which incorporates energy efficiency, renewable energy generation, waste minimisation and water sensitive design. | 8

#### Methods

##### Regulatory

##### Unitary Plan:

- Design statements
- Auckland-wide objectives, policies, rules and assessment criteria
- Zone objectives, policies, rules and assessment criteria
- Precinct objectives, policies, rules and assessment criteria.

##### Non-Regulatory

- The [Auckland Design Manual](#)
- Design review panels including the Auckland Design Panel
- Programmes that provide the community with information and increase their understanding on design and sustainability issues.

#### Explanation and reasons

A quality built environment is critical to the well-being of Auckland's communities and to its competitiveness, particularly as the city becomes more compact. Good design is a creative process that takes into account these issues and explores opportunities to deliver quality, sustainable and aesthetically pleasing development that provides for good public and private amenity.

## 2.3 Development capacity and supply of land for urban development

### Introduction

This section sets out objectives and policies to enable sufficient development capacity in the urban area and sufficient land for new housing and businesses over the next 30 years, to support population and business growth within the RUB.

The objectives and policies direct where urban growth should be located. They identify how suitable land will be managed, until the land is re-zoned for urban development. They also set out the process the council will follow to ensure urban development is supported by infrastructure and services to deliver a quality compact urban form.

### Objectives

1. Sufficient development capacity and land supply to accommodate projected population and business growth.
2. Up to 70 per cent of total new dwellings by 2040 occurs within the metropolitan area 2010.
3. Up to 40 per cent of total new dwellings by 2040 occurs outside of the metropolitan area 2010.
4. The development of land zoned future urban within the RUB occurs in an orderly, timely and planned manner.

### Policies

1. Maintain sufficient unconstrained residential and business land within the RUB to accommodate an average of seven years land supply at any one time.
2. Enable the continued use of land zoned future urban within the RUB for rural activities until urban zonings are applied through a structure plan and plan change process, provided that rural subdivision, use and development does not compromise the future urban use of the land or lead to land fragmentation.
3. Avoid urban development within:
  - a. areas with significant environmental, heritage, natural character or landscape values, including areas identified in [Appendix 3.1-3.2](#), [Appendix 5.1](#), [Appendix 6.2](#), [Appendix 9.1](#) and land governed by the Waitākere Ranges Heritage Area Act
  - b. scheduled sites and places of significance to Mana Whenua
  - c. areas of significant mineral resources
  - d. elite land
  - e. close proximity to existing or planned significant infrastructure, particularly where residential activities would cause reverse sensitive effects
  - f. greenfield land or future urban land affected by coastal inundation and projected sea level rise
  - g. areas prone to natural hazards. Where avoidance cannot be achieved in areas prone to natural hazards, urban development must be done in such a way that, individually or cumulatively, protects people, property and the environment from significant risks of natural hazards.
4. Stage the structure planning and rezoning of future urban zoned land and the provision of infrastructure within the RUB, in accordance with the following principles:
  - a. land should be rezoned following the approval of a structure plan prepared by either the council, the private sector, or public private sector partnership in accordance with [Appendix 1.1](#)



- b. rezoning and infrastructure provision should be done in a logical sequence, and out of sequence infrastructure provision should be specifically avoided
  - c. new urban growth within the RUB should be immediately adjacent to existing urban land unless the separation is necessary to:
    - i. avoid, remedy or mitigate significant conflict between activities
    - ii. ensure the efficient provision of infrastructure, including transport
    - iii. take account of the topography or other physical constraints
    - iv. avoid the areas outlined in Policy 3 above
  - d. there is sufficient development capacity and land supply for both business and housing in each sector i.e. north, central, west and south
  - e. the quantity of land being released at any one time will have regard to the scale and economies of servicing and developing the land
  - f. the urban form and range of housing choices desired for the area are met
  - g. the ability to supply housing that is more affordable to households on low to moderate incomes.
5. Require comprehensive planned development of greenfield land zoned for business and residential uses, through a structure plan process to ensure development is aligned with the provision of significant infrastructure, stormwater management and achieves a well planned quality community.
  6. Require provision or upgrading of significant infrastructure to be coordinated with the structure and sequencing of growth and development, prior to the approval of an activity and/or development.
  7. Enable growth in new urban zones while protecting existing significant infrastructure from reverse sensitivity effects.

#### **Methods**

##### **Regulatory**

##### **Unitary Plan:**

- Appendix 1.1 and 1.2 on structure plan guidelines and the metropolitan area 2010.
- RUB – RPS maps on the council GIS viewer to show the maximum extent of the urban area.
- The Unitary Plan will be changed to define the rural urban boundary around rural and coastal towns and serviced villages and other areas the council has deemed necessary.
- Zone objectives policies and rules for Future Urban zone.

##### **Non-regulatory**

- A sub-regional analysis will be prepared by the council in conjunction with infrastructure providers, Iwi, landowners, developers, central government and other stakeholders to integrate and prioritise land delivery and investment in infrastructure to support the development of brownfield and greenfield land.
- Review the council's rating and development contributions policy.
- Investigate funding mechanisms to support urban development and the provision of infrastructure.

##### **Monitoring and information gathering**

- Monitoring - development capacity and land supply.

##### **Explanation and reasons**

These objectives, policies and methods provides a target for unconstrained land supply to ensure there is adequate land to meet projected population and business growth. The preparation of a

sub-regional analysis will inform the council's land strategies and other documents such as the long-term plan, annual plan and asset management plans.

A higher proportion of growth is to occur inside the metropolitan area 2010. This means that growth can be avoided in more sensitive locations. It also provides for efficient use of infrastructure, and supports the use of public transport, community facilities and services.

Policy 2 outlines how the Future Urban zone is to be managed until a structure plan and a plan change is prepared to rezone the land to enable urban development. This policy supports a comprehensive approach to planning new urban areas. The structure plan guidelines in [Appendix 1.1](#) outlines what needs to be included in a structure plan.

The policies identify where urban development should be avoided and the principles for rezoning of land and infrastructure provision. These policies ensure that the Future Urban zone is developed in a logical sequence, is supported by planning and funding and significant infrastructure is aligned with growth and development. Growth is enabled while recognising that growth can have reverse sensitivity effects on significant infrastructure.

Policy 5 recognises that there are areas of greenfield land zoned for urban purposes that require comprehensive planning to avoid ad hoc development, ensure provision of infrastructure and enable efficient stormwater management.

## **2.4 Neighbourhoods that retain affordable housing**

## **2.5 Rural and coastal towns and villages**

## **2.6 Public open space and recreation facilities**

## **2.7 Social infrastructure**

## **3 Enabling economic well-being - Te whakatupu oranga whānau**

### **3.1 Commercial and industrial growth**

### **3.2 Significant infrastructure and energy**

### **3.3 Transport**

## **4 Protecting our historic heritage, special character and natural heritage - Te tiaki taonga tuku iho**

### **4.1 Historic heritage**

### **4.2 Special character**

### **4.3 Natural heritage**

## **5 Addressing issues of significance to Mana Whenua - Ngā take matua a ngā Ahikā-roa mai i tawhiti**

## **6 Sustainably managing our natural resources - Toitū te whenua, toitū te taiao**

### **6.1 Air**

### **6.2 Minerals**

**6.3 Freshwater and Geothermal Water**

**6.4 Land - hazardous substances**

**6.5 Land - contaminated**

**6.6 Genetically Modified Organisms**

**6.7 Natural hazards**

**7 Sustainably managing our coastal environment - Toitū te taiwhenua**

**8 Sustainably managing our rural environment - Toitū te tuawhenua**

**9 Responding to climate change - He tūkapa ki te āhuarangi**

**11 Cross-boundary issues**

**12 Environmental results anticipated**

**13 Monitoring and review procedures**

**APPENDIX B – AMENDMENTS SOUGHT TO AUCKLAND-WIDE OBJECTIVES,  
POLICIES AND RULES**

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Amendments sought:

**C.5.14 AND H.4.13 LAKES, RIVERS, STREAMS AND WETLAND MANAGEMENT.**

- 1 The Activity Table in H.4.13 be amended so that works in intermittent streams are a permitted activity and amend related objectives and policies in C.5.14 to reflect this change. Any particular intermittent streams of importance should be identified by the Council and provided for by specific rules through a separate plan change.
- 2 Amend the definition of 'River or stream' within Part 4 of the PAUP (Definitions) to account for Permanent streams only and remove the reference to 'intermittently flowing body of fresh water'.

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**H.4.14 STORMWATER MANAGEMENT**

3 The following amendments be made:

- 3.1 Delete the introduction to H.4.14 Stormwater management - Flow (2) which states that:

*"It is anticipated that technical guidance will be provided through best management practice guidelines to support implementation of flow rules in this chapter".*

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- 3.2 Amend H.4.14 Stormwater management – Flow (2.1) Activity Table so that Permitted activity status applies to:

*Impervious areas (other than for a public road) of less than or equal to 25m<sup>2</sup> 1000m<sup>2</sup> in a SMAF 1 or 2.*

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- 3.3 Amend control H.4.14 Stormwater management – Flow (3.2.2.1) as follows:

*New, and redevelopment of existing, uncovered parking (including that which is accessory to the main use of the site)*

- a. *Where the new or redevelopment of existing uncovered parking areas, including entry/exit, comprises more than 1000m<sup>2</sup> but is less than 50 per cent of the total uncovered car park area (excluding any area that is included in an Industrial or Trade Activity area):*
  - i. *stormwater runoff from the new / redeveloped parking must be managed by devices that are designed to meet the stormwater quality management requirements for the relevant contaminants of concern in Tables 3 and 4.*
- b. *Where the new or redevelopment of existing uncovered parking, including entry/exit, comprises more than 1000m<sup>2</sup> and is greater than 50 per cent of the total uncovered parking area (excluding any area that is included in an Industrial or Trade Activity area):*
  - i. *stormwater runoff from the entire parking area must be managed by devices that are designed to meet the stormwater quality management requirements for the relevant contaminants of concern in Tables 3 and 4.*

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- 3.4 Amend Rule H.4.14 Stormwater management (2.1) (Activity Table 2.1— Within or discharging to a Stormwater Management Area — Flow (SMAF) 1 or 2) to:

- (a) Make impervious areas where the discharge point of the nearest stormwater network is to the tidal environment a Permitted activity.

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- (b) Make impervious areas located on allotments contained within subdivisions where the stormwater reticulation discharges to Wetlands, ponds or other appropriately designed devices a Permitted activity.

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**PLANNING MAPS – STORMWATER MANAGEMENT**

4 The proposed Planning Maps as they relate to the Stormwater Management Area (Flow) Overlay be amended by deleting the SMAF Overlay in areas where:

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- 4.1 The catchment discharges directly to the tidal environment; an
- 4.2 Diversion and discharge consents exist for developments at the date of notification of the PAUP.

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**APPENDIX C – AMENDMENTS SOUGHT TO RESIDENTIAL ZONE  
OBJECTIVES AND POLICIES**

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## 1 Residential zones

### Introduction

There are six residential zones in the Unitary Plan:

- Large Lot
- Rural and Coastal Settlement
- Single House
- Mixed Housing Suburban
- Mixed Housing Urban
- Terrace Housing and Apartment Buildings.

The Large Lot and the Coastal and Rural Settlement zones provide for residential development that is low intensity and which reflects the land characteristics and/or service constraints of the location.

The Single House, Mixed Housing Suburban, Mixed Housing Urban and the Terrace Housing and Apartment Buildings zones are applied in existing and future urban areas and provide for a variety of densities. The highest density of development is expected to occur in close proximity to the rapid and frequent service network and within and around centres. Providing for growth in this manner and in these locations is not only an efficient use of land but it also provides access to public transport for a greater number of households and strengthens the role of centres.

Collectively, these zones provide for a mix of housing types, ranging from a house in a coastal settlement, to a single detached house on a suburban section, to an apartment near a metropolitan centre. In some zones the conversion of an existing single dwelling into two dwellings is allowed to cater for different family needs or to generate additional family income without subdividing the property and retaining the appearance of a single building.

As the density of development increases the greater the requirement for quality design. To address this, four or more dwellings in the Mixed Housing Suburban and Mixed Housing Urban zones and more than one dwelling in the Terrace Housing and Apartment Buildings zone requires a resource consent. The resource consent process will ensure that the proposal gives effect to the quality built environment provisions of the Unitary Plan and that it contributes to the Auckland Plan priority of a quality urban environment.

The [ADM](#) provides supplementary, non-statutory guidance on preparing proposals for new housing developments by outlining options to achieve high standards of design in various housing types.

In addition to traditional residential activities, retirement villages are also provided for within all residential zones. It is important that a choice of accommodation and care is provided for elderly people in Auckland's residential neighbourhoods which services their particular needs and enables the elderly to continue to live in their local community, close to their family and support networks. As Auckland's population continues to grow the need for such developments will grow and their availability will be critical to the wellbeing of Auckland's people and communities. The provisions recognise retirement villages will be of a greater scale and intensity than traditional residential activities, but require effects on the surrounding neighbourhood to be appropriately managed.

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### 1.1 General objectives and policies for the residential zones

#### Objectives

1. Auckland's residential areas are attractive environments with quality development that positively responds to and enhances the street, public open space and neighbourhood and contributes to safety and a positive sense of place.



2. A diverse range of housing provides choice for ~~households~~ people and communities to meet their varied needs and lifestyles.
3. Non-residential activities that locate in residential areas contribute to and support the amenity of the neighbourhood and provide opportunities for social, economic and cultural wellbeing.

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#### Policies

1. Require developments to contribute positively to the visual quality and safety of streets, public open spaces and neighbourhoods.
2. Recognise that the density of Auckland's residential areas will increase, to varying degrees, over time and apply controls to manage that change.
3. ~~Recognise that the population of Auckland is aging and that accommodation and care for the elderly is a critical need across all residential zones.~~
34. Provide a range of residential zones that enable different housing densities, a variety of housing opportunities and different housing types that are appropriate for the existing and planned infrastructure, natural environment and the existing and planned residential character of the area.
45. Require a percentage of medium to large scale residential development to provide equal physical access and use for people of all ages and abilities.
56. Enable an existing dwelling to be converted into two, in specific zones, in a manner that provides high quality internal and on-site amenity.
67. Enable retirement villages and non-residential activities that provide benefits to local communities and which will have minimal acceptable adverse effects on the amenities values of the residential area.
78. Require, where appropriate, resource consents for subdivision and housing development for additional residential land capacity, to be given effect to within specific timeframes, including through staging provisions and lapse periods.
89. Require significant physical works to be undertaken before granting any extension to the lapse date for any consent relating to a large-scale residential subdivision or large-scale residential development.

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## 1.2 Large Lot zone

#### Zone description

This zone provides for large lot residential development on the periphery of urban areas. Large lot development is appropriate in these locations because of one or more of the following factors:

- it is compatible with high quality landscape areas
- the land is not suited to conventional residential subdivision because of the absence of reticulated services or there is limited accessibility to reticulated services
- there are physical limitations such as topography, ground conditions, instability or natural hazards
- where more intensive development may cause or exacerbate adverse effects on the environment.

To manage adverse effects, larger than standard site sizes are required and building coverage and impervious surface areas are restricted.

Retirement villages are contemplated at a greater height and density than would otherwise apply in the zone. Such facilities can be designed to integrate with the surrounding neighbourhoods, and will provide for the on-going social wellbeing of aged residents living in these areas.

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#### Objectives

1. Development is of a height and bulk that maintains and positively responds to the site and the area's spacious landscape character.
2. Development maintains the amenity of adjoining sites.

- 3. Development is of a density that is appropriate for the physical and environmental attributes of the site and any infrastructure constraints.

- 4. Retirement villages make efficient use of land to provide a range of accommodation options and accessory services for older people and those requiring care/assisted living.

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**Policies**

- 1. Limit development on a site to a single dwelling and accessory buildings and ensure that the site size will:
  - a. be able to accommodate the infrastructure necessary to support the dwelling
  - b. not detract from any high quality landscapes or natural features
  - c. not exacerbate any physical limitations such as land instability.
- 2. Require development to have sufficient setbacks and open space to maintain the spacious landscape character of the area.

- 3. Enable the development of retirement villages at a greater height and density than would otherwise apply in the zone while ensuring any adverse effects on infrastructure and neighbouring sites are managed.

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**1.3 Rural and Coastal Settlement zone**

**Zone description**

This zone applies to unserviced rural and coastal villages located outside urban areas in a variety of environments including high-quality landscape areas and coastal areas. These settlements rely on on-site disposal and treatment. Due to factors including servicing, infrastructure and accessibility constraints and, in some cases, their sensitive character, only limited or no growth is anticipated.

The zone maintains large lot sizes to avoid potential adverse effects on water and land. Non-residential uses of a scale and intensity that serves the local population are allowed.

Retirement villages are contemplated at a greater height and density than would otherwise apply in the zone. Such activities can be designed to integrate with the surrounding neighbourhoods, and will provide for the on-going social wellbeing of aged residents living in these areas.

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**Objectives**

- 1. Development is of a height and bulk that maintains and positively responds to the site and the area's rural and coastal residential character.
- 2. Development provides high-quality on-site amenity for residents and maintains the amenity of adjoining sites.
- 3. Development is of a density that is appropriate for the the physical and environmental attributes of the site and any infrastructure constraints.

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- 4. Retirement villages make efficient use of land to provide a range of accommodation options and accessory services for older people and those requiring care/assisted living.

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**Policies**

- 1. Enable subdivision and development that provides for a single dwelling and accessory buildings and ensure that the site size will:
  - a. be able to accommodate the infrastructure necessary to support the dwelling
  - b. not detract from any high-quality landscapes or natural features
  - c. not exacerbate any physical limitations such as land instability.
- 2. Require development to be of a height and bulk that maintains a reasonable level of sunlight access and privacy to immediate neighbours.

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- 3. Require development to have sufficient setbacks and open space so as to maintain the rural and coastal residential character of the area.
- 4. Require dwellings to be designed to have useable and accessible outdoor living space of a size consistent with the spacious qualities of the zone.
- 5. Enable the development of retirement villages at a greater height and density than would otherwise apply in the zone while ensuring any adverse effects on infrastructure and neighbouring sites are managed.

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### 1.4 Single House zone

#### Zone description

This zone provides for low density suburban housing and is applied in areas throughout Auckland including serviced rural and coastal villages. The zone is generally characterised by one building per site of one to two storeys, surrounded by areas of private open space.

Large amounts of subdivision or multi-unit development is not anticipated within this zone due to the minimum site size requirements. The activities provided for in the zone are limited to maintain the low density suburban residential character and amenity of these areas.

Retirement villages are contemplated at a greater height and density than would otherwise apply in the zone. Such activities can be designed to integrate with the surrounding neighbourhoods, and will provide for the on-going social wellbeing of aged residents living in these areas.

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#### Objectives

- 1. Development is generally of a height, bulk and form that maintains and positively responds to the site and the neighbourhood's low density suburban residential character.
- 2. Development provides high-quality on-site amenity for residents and maintains the amenity of adjoining sites.
- 3. Retirement villages make efficient use of land to provide a range of accommodation options and accessory services for older people and those requiring care/assisted living.

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#### Policies

- 1. Manage the height, bulk, form and appearance of development and require sufficient setbacks, landscaped areas and open space to maintain the generally low density suburban residential character of one to two storey, detached dwellings within a generally spacious setting.
- 2. Require development to be of a height and bulk that maintains a reasonable level of sunlight access and privacy to immediate neighbours.
- 3. Require dwellings to be designed to have useable and accessible outdoor living space of a size consistent with the spacious qualities of the zone
- 4. Require fences to be sufficiently low to allow passive surveillance of the street.
- 5. Enable the development of retirement villages at a greater height and density than would otherwise apply in the zone while ensuring any adverse effects on infrastructure and neighbouring sites are managed.

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### 1.5 Mixed Housing Suburban zone

#### Zone description

This zone is the most widespread residential zone in Auckland. Its density controls allow a moderate level of intensification, while retaining a relatively spacious quality consistent with a suburban residential character, compared to the Mixed Housing Urban and Terrace Housing and Apartment Buildings zones. Development within the zone will generally be two storey detached and attached housing in a variety of types and sizes to provide housing choice.

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The zone encourages new housing types, including attached housing on smaller sites facing the street. To facilitate the efficient use of these sites and promote quality design outcomes, when assessed through the resource consent process, dwellings may have building bulk closer to site boundaries, provided that shading and dominance effects on adjoining sites are minimised.

Through the resource consent process, four or more dwellings at a higher density may be built on large sites with wide road frontages. This is because larger sites are capable of accommodating a wider range of housing types, integrating development into the neighbourhood and achieving high quality on-site amenity..

Retirement villages are contemplated at a greater height and density than would otherwise apply in the zone. Such facilities can be designed to integrate with the surrounding neighbourhoods, and will provide for the on-going social wellbeing of aged residents living in these areas.

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#### Objectives

1. Housing choice within neighbourhoods is increased.
2. Development is generally of a height, bulk, form and appearance that positively responds to the site and the neighbourhood's planned suburban residential character, engaging with and addressing the street.
3. Development provides high-quality on-site amenity for residents and achieves a reasonable standard of amenity for adjoining sites.
4. Development is adequately serviced by network infrastructure and is of a density that is appropriate for the physical attributes of the site and any infrastructure constraints.

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5. Retirement villages make efficient use of land to provide a range of accommodation options and accessory services for older people and those requiring care/assisted living.

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#### Policies

1. Enable a variety of detached and attached housing types.
2. Manage the height, bulk, form and appearance of development and require sufficient setbacks and landscaped areas to maintain a suburban residential character of generally two storeys.
3. Require development to be of a height and bulk that allows immediate neighbours to have a reasonable standard of sunlight access and privacy and to avoid excessive dominance effects.
4. Enable attached housing on smaller sites where the development faces the street and integrates well into the neighbourhood.
5. Require dwellings to be designed to:
  - a. have usable and accessible outdoor living space
  - b. provide privacy and outlook
  - c. be of a size, have access to daylight and sunlight and provide the amenities necessary to meet the day-to-day needs of residents.
6. Require development to be designed, with a particular emphasis on those parts of the dwelling visible from the street to:
  - a. create visual interest
  - b. face the street and maximise passive surveillance of it
  - c. minimise the dominance of garage doors visible from the street.
7. Limit the density and scale of development to take account of one or more of the following factors:
  - a. achieving a balance between making the most efficient use of the site and providing high-quality on-site amenity



- b. the proportions or topography of the site or the width of its road frontage mean that it is not possible to maximise development without generating unreasonable adverse effects on the amenity of adjoining sites and the surrounding area
  - c. any infrastructure constraints.
8. Require development to have available connections to water supply and wastewater networks.
9. Enable the development of retirement villages at a greater height and density than would otherwise apply in the zone while ensuring any adverse effects on infrastructure and neighbouring sites are managed.

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### 1.6 Mixed Housing Urban zone

#### Zone description

This zone is generally located between the Mixed Housing Suburban and the Terrace Housing and Apartment Buildings zones. It provides a transition in density between these two zones and allows three storey dwellings in locations close to the rapid and frequent service network. The zone provides for housing in a variety of sizes and forms, including detached dwellings, terrace housing ~~and low-rise apartments, and retirement villages~~, that will increase the supply of housing, create diverse neighbourhoods and provide housing choice.

The zone encourages new housing types, including attached housing on smaller sites facing the street. To facilitate efficient use of these sites and promote quality design outcomes, when assessed through the resource consent process, dwellings may have building bulk closer to site boundaries, provided that shading and dominance effects on adjoining sites are minimised.

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Through the resource consent process, four or more dwellings at a higher density may be built on large sites with wide road frontages. This is because larger sites are capable of accommodating a wider range of housing types, integrating development into the neighbourhood and achieving high quality on-site amenity.

Over time, the appearance of neighbourhoods within this zone will change to an urban residential character.

Retirement villages are contemplated at a greater height and density than would otherwise apply in the zone. Such activities can be designed to integrate with the surrounding neighbourhoods, and will provide for the on-going social wellbeing of aged residents living in these areas.

#### Objectives

- 1. Land surrounding high density residential areas and close to the rapid and frequent service network is efficiently used to provide urban living that increases Auckland's housing supply and choice and access to public transport.
- 2. Development is of a height, bulk, form and appearance that positively responds to the site and the neighbourhood's planned urban residential character, engaging with and addressing the street.
- 3. Development provides high-quality on-site amenity for residents and achieves a reasonable standard of amenity for adjoining sites.
- 4. Development is adequately serviced by network infrastructure and is of a density that is appropriate for the physical attributes of the site and any infrastructure constraints.
- 5. Retirement villages make efficient use of land to provide a range of accommodation options and accessory services for older people and those requiring care/assisted living.

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#### Policies

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1. Enable a variety of detached and attached housing types at increased densities, including low-rise apartments.
2. Manage the height, bulk, form and appearance of development and require sufficient setbacks and landscaped areas consistent with an urban residential character of three storeys.
3. Require development to be of a height and bulk that allows immediate neighbours to have a reasonable standard of sunlight access and privacy, and to avoid excessive dominance effects.
4. Enable attached housing on smaller sites where the development faces the street and integrates well into the neighbourhood.
5. Require dwellings to be designed to:
  - a. have useable and accessible outdoor living space
  - b. provide privacy and outlook
  - c. be of a size, have access to daylight and sunlight, and provide the amenities necessary to meet the day-to-day needs of residents,.
6. Require development to be designed, with a particular emphasis on those parts visible from the street to:
  - a. create visual interest
  - b. face the street and maximise passive surveillance of it
  - c. minimise the dominance of garage doors visible from the street.
7. Limit the density and scale of development where this is necessary to take account of one or more of the following factors:
  - a. achieving a balance between making the most efficient use of the site and providing high-quality on-site amenity
  - b. the proportions or topography of the site or the width of its road frontage mean that it is not possible to maximise development without generating unreasonable adverse effects on the amenity of adjoining properties and the surrounding area
  - c. any infrastructure constraints.
8. Require development to have available connections to water supply and wastewater networks.
9. Enable the development of retirement villages at a greater height and density than would otherwise apply in the zone while ensuring any adverse effects on infrastructure and neighbouring sites are managed.

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## 1.7 Terrace Housing and Apartment Buildings zone

### Zone description

This zone allows urban residential living in the form of terrace housing and apartments. The zone is located around metropolitan, town and local centres and the rapid and frequent service network.

The purpose of the zone is to make efficient use of land and infrastructure, increase the supply of housing and ensure that residents have convenient access to services, employment, education facilities, retail and entertainment opportunities and public transport. This will promote walkable neighbourhoods, foster a sense of community and increase the vitality of centres.

The zone provides for the greatest density, height and scale of development out of all the residential zones. Buildings of four to six storeys are allowed, depending on the scale of the centre the zone adjoins, to achieve a transition in height from the centre to lower scale residential zones. This new form of development will lead to a change from a suburban to urban residential character and a moderate to high degree of visual change over time.

Low density development is discouraged and mid-rise, multi-unit residential living is encouraged. This increased density requires a high standard of design. A resource consent is required for more

than dwelling on a site in the zone. A key part of the resource consent process will be to determine if the proposal makes efficient use of the site and achieves quality design outcomes. Larger sites, and in particular sites with a consistent width of at least 20m, are capable of a wider range of housing types and can achieve high-quality on-site amenity and design outcomes.

This zone also provides for a range of non-residential activities so that residents have convenient access to these activities and services while maintaining the urban residential character of these areas.

Retirement villages are contemplated at a greater height and density than would otherwise apply in the zone. Such activities can be designed to integrate with the surrounding neighbourhoods, and will provide for the on-going social wellbeing of aged residents living in these areas.

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### Objectives

1. Land surrounding centres and the rapid and frequent service network is efficiently used to provide urban living that increases Auckland's housing supply and access to centres and public transport.
2. Development is of a height, bulk, form and appearance that positively responds to the site and neighbourhood's planned urban residential character, engaging with and addressing the street.
3. Development provides high-quality on-site amenity for residents and achieves a reasonable standard of amenity for adjoining sites.
4. Development is of a density that is appropriate for the physical attributes of the site, any infrastructure constraints and the planned urban residential character of the neighbourhood.
5. Non-residential activities provide convenience and choice for the neighbourhood while ensuring the urban residential character and amenity of the area is maintained.

6. Retirement villages make efficient use of land to provide a range of accommodation options and accessory services for older people and those requiring care/assisted living.

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### Policies

1. Enable housing types appropriate to higher levels of residential density, specifically terrace housing and apartments.
2. Avoid low density residential development, while allowing the continued use of a site for one dwelling.
3. Manage the height, bulk, form and appearance of development and require sufficient setbacks and landscaped areas consistent with an urban residential character of between four and six storeys in identified locations.
4. Provide for building heights that reflect the scale of development in the adjoining business area and provide a transition in building scale to neighbouring lower density residential areas.
5. Require development to be designed to integrate into the neighbourhood, while recognising the increased building bulk in height the zone allows.
6. Require development to be of a height and bulk that allows immediate neighbours to have a reasonable standard of sunlight access and privacy and to avoid excessive dominance effects.
7. Require development adjoining the other residential zones to be set back from the boundary to recognise their amenity values.
8. Require dwellings to be designed to:
  - a. have useable and accessible outdoor living space, maximising sunlight access where practicable
  - b. provide privacy and outlook

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- c. be of a size, have access to daylight and sunlight, and provide the amenities necessary to meet the day-to-day needs of residents,
  - d. prioritise pedestrian access, safety and movement.
9. Require development to be designed, with a particular emphasis on those parts visible from the street to:
- a. achieve a high standard of visual quality
  - b. face the street and maximise passive surveillance of it
  - c. minimise the dominance of garage doors visible from the street.
10. Require development to make the most efficient use of the site as practicable, taking into account:
- a. the ability to provide high-quality on-site amenity
  - b. the proportions or topography of the site or the width of its road frontage mean that it is not possible to maximise development without generating unreasonable adverse effects on the amenity of adjoining sites and the surrounding area
  - c. any infrastructure constraints.
11. Provide for a range of non-residential activities while ensuring that the intensity of use will not detract from the residential amenity of the area.
12. Enable the development of retirement villages at a greater height and density than would otherwise apply in the zone while ensuring any adverse effects on infrastructure and neighbouring sites are managed.

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**APPENDIX D – AMENDMENTS SOUGHT TO RESIDENTIAL ZONE RULES**

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PART 3 - REGIONAL AND DISTRICT RULES»Chapter I: Zone rules»

1 Residential zones

1. Activity table

The following table specifies the activity status of activities in the residential zones.

Activity	Large Lot zone	Rural and Coastal Settlement zone	Single House zone	Mixed Housing Suburban zone	Mixed Housing Urban zone	Terrace Housing and Apartment Buildings zone
<b>Residential</b>						
Camping grounds	NC	D	NC	NC	NC	NC
Dwellings	P	P	P	P up to 3 dwellings per site  RD 4 or more dwellings per site	P up to 3 dwellings per site  RD 4 or more dwellings per site	P One dwelling on a site  D 2 to 4 dwellings per site  RD 5 or more dwellings per site
Home occupations	P	P	P	P	P	P
Retirement Villages - <u>land use</u>	NGP ]	NCP ]	PD ]	PD ]	PD ]	PD ]
Retirement Villages - <u>development and operations</u>	NGRD* ]	NCRD* ]	RD* ]	RD* ]	RD* ]	RD* ]
Retirement Villages - <u>additions, alterations and demolition</u>	P* ]	P* ]	P* ]	P* ]	P* ]	P* ]
Supported residential care and boarding houses up to 200m² GFA per site	NC	P	P	P	P	P
Supported residential care and boarding houses not provided for above	NC	NC	D	D	D	D
Visitor accommodation up to 200m² GFA per site	NC	RD	RD	RD	RD	RD

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Visitor accommodation not provided for above	NC	NC	D	D	D	D
<b>Commerce</b>						
Dairies up to 100m <sup>2</sup> GFA per site	NC	D	D	RD	RD	RD
Restaurants and cafes up to 100m <sup>2</sup> GFA per site	NC	RD	NC	NC	D	RD
Service stations on arterial roads	NC	D	D	D	D	D
<b>Community</b>						
Care centres up to 200m <sup>2</sup> GFA per site	P	P	P	P	P	P
Care centres between 200m <sup>2</sup> - 400m <sup>2</sup> GFA per site	NC	NC	RD	RD	RD	RD
Care centres not provided for above	NC	NC	D	D	D	D
Community facilities	D	D	D	D	D	D
Education facilities	NC	D	D	D	D	D
Emergency services on arterial road	NC	D	D	D	D	D
Healthcare facilities up to 200m <sup>2</sup> GFA per site	NC	RD	RD	RD	RD	RD
Healthcare facilities and associated buildings not provided for above	NC	NC	NC	D	D	D
<b>Rural</b>						
Grazing of livestock on sites greater than 2,000m <sup>2</sup> net site area	P	P	NC	NC	NC	NC
<b>Mana Whenua</b>						
Marae complex	D	D	D	D	D	D
<b>Development</b>						
Alterations and additions to a single dwelling on a site	P	P	P	P	P	P
Alterations and additions to two or more dwellings on a site	P	P	P	P	P	RD
Demolition of buildings	P	P	P	P	P	P

The conversion of a dwelling into a maximum of two dwellings complying with the land use controls in clause 3.3 below	RD	RD	P	P	P	D
Buildings accessory to the permitted and restricted discretionary non-residential activities listed above	RD	RD	RD	RD	RD	RD

Buildings accessory to all other activities listed in this table have the same activity status as the activity itself.

\* These activities are permitted where they comply with the building height, yards, height in relation to boundary, and maximum impervious area rules for the relevant zone where the activity takes place.

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**2. Notification**

1. Buildings that do not comply with the following development controls will be subject to the normal tests for notification under the relevant sections of the RMA:
  - a. building height
  - b. height in relation to boundary
  - c. alternative height in relation to boundary in the Mixed Housing Suburban and Mixed Housing Urban zones
  - d. side and rear yards in the Large Lot zone
  - e. maximum building length
  - f. building setbacks within the Terrace Housing and Apartment Buildings zone
  - g. building setbacks in the Terrace Housing and Apartment Buildings zone where it adjoins lower density zones
  - h. building coverage
  - i. landscaping
  - j. outlook.

**3. Land use controls**

**3.1 Maximum density**

1. The number of dwellings on a site must not exceed the limits specified below:

Table 1:

Zone	Dwellings
Large Lot	One dwelling per site
Rural and coastal settlements	One dwelling per 4000m <sup>2</sup> net site area
Single House	One dwelling per site
Mixed Housing Suburban	One dwelling per 400m <sup>2</sup> net site area , or

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	<p>One dwelling per 300m<sup>2</sup> net site area where the requirements of clause 3.1.2 below are met, or</p> <p>One dwelling per 200m<sup>2</sup> net site area where the requirements of clause 3.1.5 below are met</p>
Mixed Housing Urban	<p>One dwelling per 300m<sup>2</sup> net site area, or</p> <p>One dwelling per 250m<sup>2</sup> net site area where the requirements of clause 3.1.3 below are met, or</p> <p>No density limits apply where four or more dwellings are proposed and the requirements of clause 3.1.6 below are met</p>

2. Within the Mixed Housing Suburban zone a density of one dwelling per 300m<sup>2</sup> applies where:
  - a. the site has a frontage of at least 7.5m in width for each dwelling and is the same width for the length required to accommodate the proposed density
  - b. each proposed dwelling is setback at least 4m and no more than 5m from the frontage of the site.
3. Within the Mixed Housing Urban zone a density of one dwelling per 250m<sup>2</sup> applies to proposed front sites where:
  - a. each proposed site has a frontage of at least 7.5m in width for each dwelling and is the same width for the length required to accommodate the proposed density
  - b. each proposed dwelling is setback at least 2.5m and no more than 5m from the frontage of the site.
4. Where three or four dwellings are proposed on a front site within the Mixed Housing Suburban or Mixed Housing Urban zone the site must be at least 15m wide:
  - a. at the frontage
  - b. for at least 80 per cent of the length of its side boundaries.
5. Within the Mixed Housing Suburban zone a density of one dwelling per 200m<sup>2</sup> applies where four or more dwellings are proposed and the site:
  - a. has a minimum net site area of 1200m<sup>2</sup>
  - b. is at least 20m wide:
    - i. at the frontage of the site
    - ii. for at least 80 per cent of the length of its side boundaries.
6. Within the Mixed Housing Urban zone no density limit applies where four or more dwellings are proposed and the site:
  - a. has a minimum net site area of 1200m<sup>2</sup>
  - b. is at least 20m wide:
    - i. at the frontage of the site
    - ii. for at least 80 per cent of the length of its side boundaries.
7. To avoid doubt, within the Mixed Housing Suburban and Mixed Housing Urban zones the most restrictive density applies to existing and proposed rear sites.
8. Development that does not comply with clauses 1-6 above is a discretionary activity.
9. Clause 1 above does not apply where a dwelling is converted into two dwellings as a permitted activity.

### 3.2 Home occupations

1. At least one person engaged in the home occupation must use the dwelling on the site as their principal place of residence.
2. No more than two people who do not use the dwelling as their principal place of residence may work in the home occupation.
3. No more than four people in total may work in the home occupation.
4. The sale of goods or services from the home occupation that requires customers to come to the site and the delivery of goods to and from the site may not occur before 7am or after 7pm.
5. Car trips to and from the home occupation activity must not exceed 20 per day.
6. Heavy vehicle trips must not exceed two per week.
7. No more than one commercial vehicle associated with the home occupation may be on site at any one time.
8. Storage for rubbish and recycling associated with the home occupation must be provided on site and screened from public view.
9. Materials or goods manufactured, serviced or repaired in the home occupation must be stored and worked on within a building on the same site.
10. With the exception of goods ordered and distributed electronically or by mail/courier, goods sold from the home occupation must be produced on site.
11. A home occupation that does not comply with clauses 1-10 above is a non-complying activity.

### 3.3 The conversion of a dwelling into two dwellings

1. Where a dwelling is proposed to be converted into two dwellings each dwelling must have a net internal floor area of at least 40m<sup>2</sup>.
2. The second dwelling must:
  - a. have direct access to an outdoor living space. This space may be exclusive to the dwelling or shared with the primary dwelling
  - b. have a common wall with the primary dwelling of no less than 3m in length or share a ceiling and/or floor with the primary dwelling
  - c. comply with the daylight and minimum dimension of principal living rooms and principal bedrooms development controls.
3. The primary dwelling must exist on the date of notification of this Unitary Plan.
4. Parking is not required for the second dwelling.

## 4. Development Controls - Large Lot zone

### 4.1 Development control infringements

1. Buildings that infringe three or more of the following development controls are a discretionary activity:
  - a. building height
  - b. yards
  - c. maximum impervious area
  - d. building coverage.

### 4.2 Building height

Purpose: manage the height of buildings to maintain the low-rise residential character of the zone (one to two storeys).

1. Buildings must not exceed 8m in height.

### 4.3 Yards

Purpose: maintain the spacious character of the zone and ensure dwellings are adequately set back from lakes, streams and the coastal edge to maintain water quality and provide protection from natural hazards.

**Table 2:**

Yard	Minimum depth
Front	10m
Side	6m
Rear	6m
Riparian	10m from the edge of permanent and intermittent streams
Lake	30m
Coastal protection yard	25m, or as otherwise specified in appendix 6.7

### 4.4 Maximum impervious area

Purpose: manage the amount of stormwater runoff generated by a development.

1. Maximum impervious area: 10 per cent.
2. Maximum impervious area within a riparian yard: 10 per cent.

### 4.5 Building coverage

Purpose: maintain the spacious, landscape character of the zone.

1. Maximum building coverage: 10 per cent or 400m<sup>2</sup>, whichever is the lesser.

## 5. Development Controls - Rural and Coastal Settlement zone

### 5.1 Development control infringements

1. Buildings that infringe three or more of the following development controls are a discretionary activity:
  - a. building height
  - b. height in relation to boundary
  - c. yards
  - d. maximum impervious area
  - e. building coverage.

### 5.2 Building height

Purpose: manage the height of buildings to maintain the rural and coastal residential character of the zone (one to two storeys).

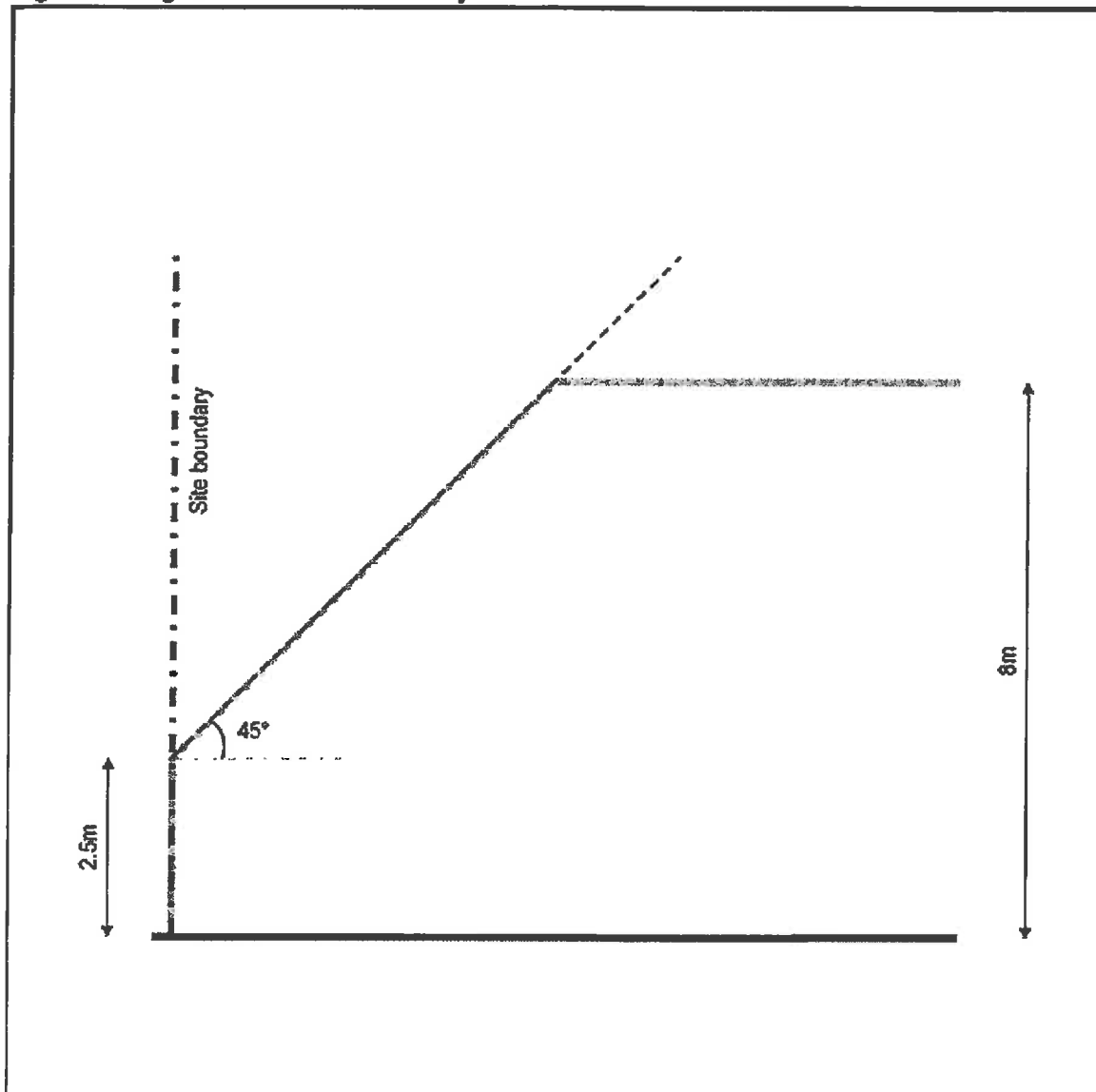
1. Buildings must not exceed 8m in height.

### 5.3 Height in relation to boundary

Purpose: manage the height and bulk of buildings at boundaries to limit over-shadowing of neighbouring sites and provide space between buildings.

1. Buildings must not exceed a height of 2.5m measured vertically above ground level at side and rear boundaries. Thereafter, buildings must be setback 1m for every additional metre in height (45 degrees).

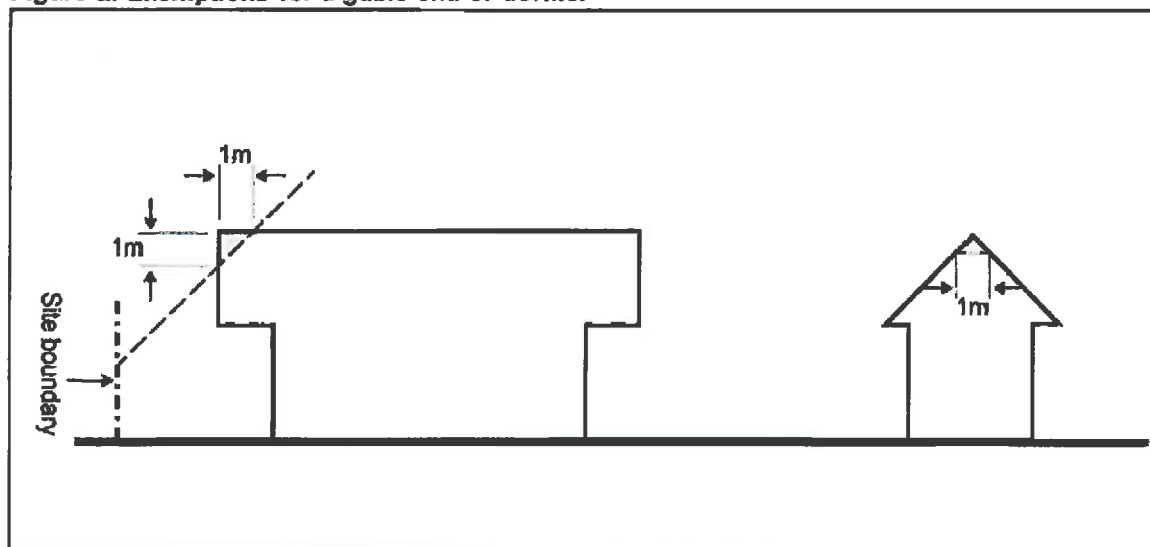
Figure 1: Height in relation to boundary



2. This control does not apply to a boundary adjoining:
  - a. industrial zones
  - b. centres and mixed use zones
  - c. the General Business zone
  - d. the Business Park zone
  - e. sites within the public open space zones exceeding 2000m<sup>2</sup>.
3. Where the boundary forms part of a legal right of way, pedestrian access way, or access site, the control applies from the farthest boundary of that legal right of way, pedestrian access way or access lot.
4. A gable end or dormer may project beyond the recession plane where it is:
  - a. no greater than 1m in height and width measured parallel to the nearest adjacent boundary
  - b. no greater than 1m in depth measured horizontally at 90 degrees to the nearest adjacent boundary.



Figure 2: Exemptions for a gable end or dormer



- No more than two gable end or dormer projections are allowed for every 6m length of site boundary.

### 5.4 Yards

Purpose: maintain the spacious character of the zone and ensure dwellings are adequately set back from lakes, streams and the coastal edge to maintain water quality and provide protection from natural hazards.

Table 3:

Yard	Minimum depth
Front	5m
Side	1m
Rear	1m
Riparian	10m from the edge of all other permanent and intermittent streams
Lake	30m
Coastal protection yard	20m, or as otherwise specified in appendix 6.7

### 5.5 Maximum impervious area

Purpose: manage the amount of stormwater runoff generated by a development.

- Maximum impervious area: 10 per cent.
- Maximum impervious area within a riparian yard: 10 per cent.

### 5.6 Building coverage

Purpose: maintain the rural and coastal residential character of the zone.

- Maximum building coverage: 20 per cent or 200m<sup>2</sup>, whichever is the lesser.

### 5.7 Outdoor living space

Purpose: provide dwellings with outdoor living space that is of a usable size and dimension and is consistent with the spacious qualities of the zone and is accessible from the principal living room.

1. A dwelling must have an outdoor living space measuring at least 80m<sup>2</sup> that:
  - a. is free of building, parking, servicing and manoeuvring areas
  - b. excludes any area with a dimension 1m or less.
2. Where a dwelling has the principal living room at ground level, part of the required outdoor living space must be able to contain a delineated 20m<sup>2</sup> area that:
  - a. has no dimension less than 4m
  - b. is directly accessible from a principal living room
  - c. has a gradient not exceeding 1 in 20.
3. Where a dwelling has the principal living room above ground level, part of the required outdoor living space must include a balcony or roof terrace that is directly accessible from the principal living room that:
  - a. has a minimum area of 8m<sup>2</sup>
  - b. has a minimum depth of 2.4m.

## 5.8 Garages

Purpose: ensure garages are not a dominant feature of the streetscape.

1. A garage door facing a street must be no greater than 40 per cent of the width of the front façade of the dwelling to which the garage relates.
2. Garage doors must not project forward of the front façade of a dwelling.

## 6. Development Controls - Single House zone

### 6.1 Development control infringements

1. Buildings that infringe three or more of the following development controls are a discretionary activity:
  - a. building height
  - b. height in relation to boundary
  - c. yards
  - d. maximum impervious area
  - e. building coverage
  - f. landscaping.

### 6.2 Building height

Purpose: manage the height of buildings to maintain the low density suburban residential character of the zone (one to two storeys).

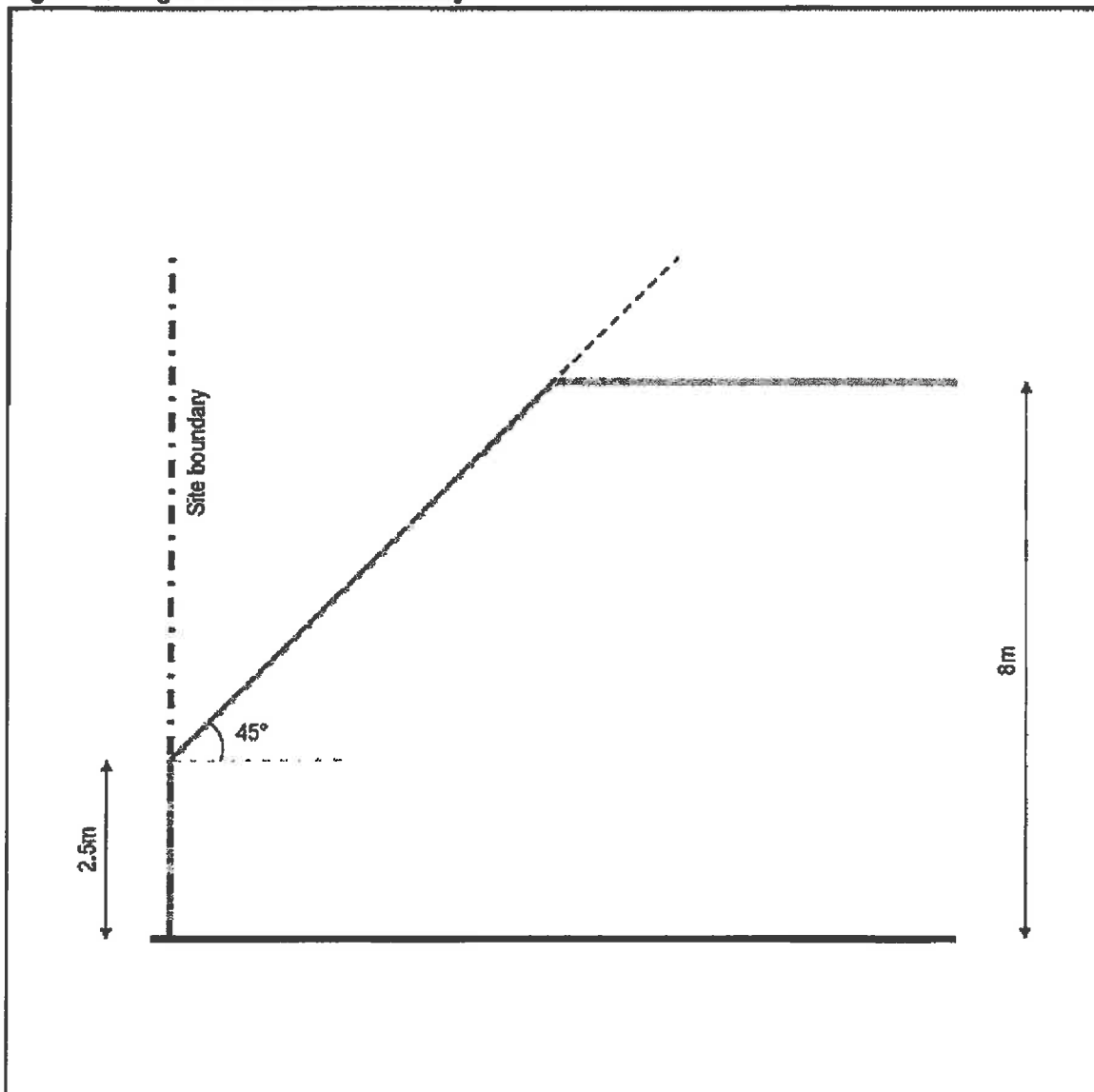
1. Buildings must not exceed 8m in height.

### 6.3 Height in relation to boundary

Purpose: manage the height and bulk of buildings at boundaries to limit over-shadowing of neighbouring sites and provide space between buildings.

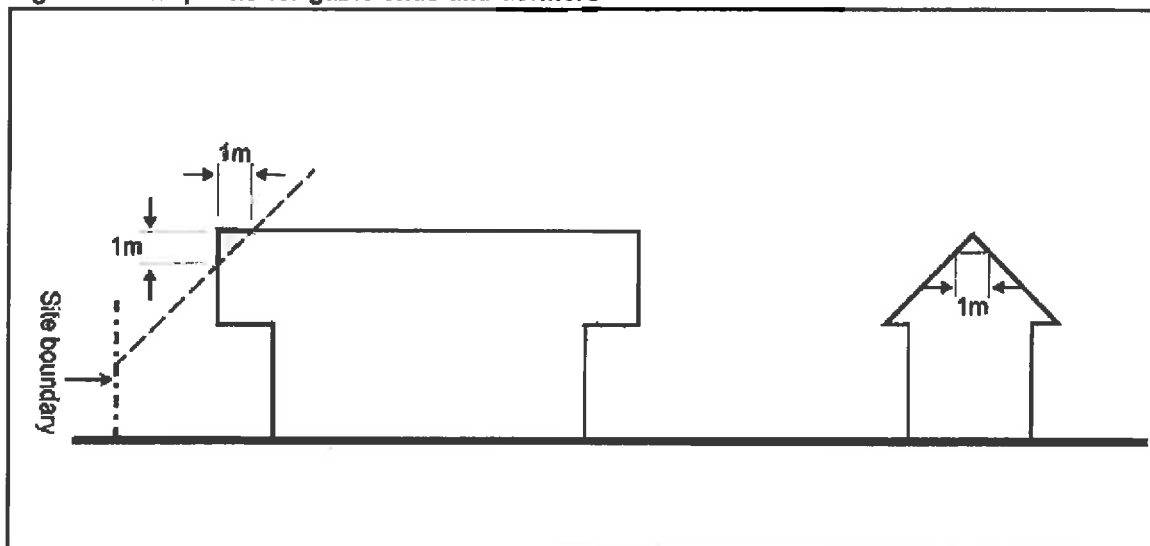
1. Buildings must not exceed a height of 2.5m measured vertically above ground level at side and rear boundaries. Thereafter, buildings must be setback 1m for every additional metre in height (45 degrees).

Figure 3: Height in relation to boundary



2. This control does not apply to a boundary adjoining:
  - a. industrial zones
  - b. centres and mixed use zones
  - c. General Business zone
  - d. Business Park zone
  - e. sites within the public open space zones exceeding 2000m<sup>2</sup>.
3. Where the boundary forms part of a legal right of way, pedestrian access way, or access site, the control applies from the farthest boundary of that legal right of way, pedestrian access way or access lot.
4. A gable end or dormer may project beyond the recession plane where it is:
  - a. no greater than 1m in height and width measured parallel to the nearest adjacent boundary
  - b. no greater than 1m in depth measured horizontally at 90 degrees to the nearest adjacent boundary.

Figure 4: Exceptions for gable ends and dormers



- No more than two gable end or dormer projections are allowed for every 6m length of site boundary.

### 6.4 Yards

Purpose: maintain the spacious and landscaped qualities of the streetscape and ensure dwellings are adequately set back from lakes, streams and the coastal edge to maintain water quality and provide protection from natural hazards.

Table 4:

Yard	Minimum depth
Front	5m
Side	1m
Rear	1m
Riparian	10m from the edge of permanent and intermittent streams
Lake	30m
Coastal protection yard	10m, or as otherwise specified in appendix 6.7

### 6.5 Common walls

Purpose: enable attached dwellings, where that pattern of development exists or where neighbours agree.

- The height in relation to boundary and yards development controls do not apply where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.

### 6.6 Maximum impervious area

Purpose: manage the amount of stormwater runoff generated by a development.

- Maximum impervious area: 60 per cent.
- Maximum impervious area within a riparian yard: 10 per cent.

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### 6.7 Building coverage

Purpose: maintain the low density suburban residential character of the zone.

1. Maximum building coverage: 35 per cent.

### 6.8 Landscaping

Purpose:

- provide for on-site amenity and an attractive streetscape character
  - improve stormwater absorption on-site.
1. At least 40 per cent of a site must comprise landscaped area of which a minimum of 10 per cent must be planted with shrubs, including at least one tree that is pB95 or larger at the time of planting.
  2. At least 50 per cent of the front yard must comprise landscaped area.

### 6.9 Outdoor living space

Purpose: provide dwellings with outdoor living space that is of a usable size and dimension and is consistent with the spacious qualities of the zone and is accessible from the principal living room.

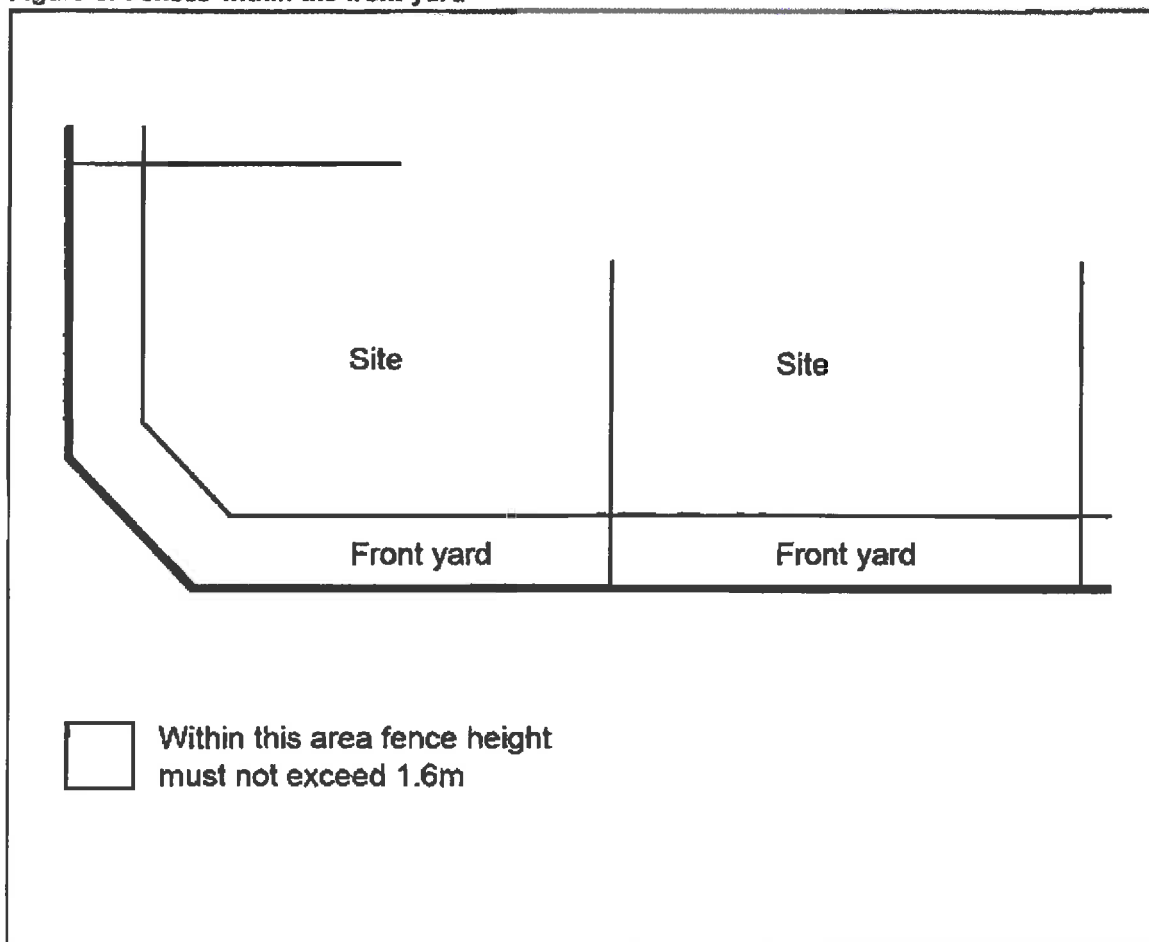
1. A dwelling must have an outdoor living space measuring at least 80m<sup>2</sup> that:
  - a. is free of buildings, parking spaces, servicing and manoeuvring areas
  - b. excludes any area with a dimension less than 1m.
2. Where a dwelling has the principal living room at ground level, part of the required outdoor living space must be able to contain a delineated area measuring at least 20m<sup>2</sup> that:
  - a. has no dimension less than 4m
  - b. is directly accessible from the principal living room
  - c. has a gradient not exceeding 1 in 20.
3. Where a dwelling has the principal living room above ground level, part of the required outdoor living space must include a balcony or roof terrace that:
  - a. is directly accessible from the principal living room
  - b. has a minimum area of 8m<sup>2</sup>
  - c. has a minimum depth of 2.4m.

### 6.10 Fences

Purpose: enhance passive surveillance of the street and maintain the open character of front yards.

1. Fences in a front yard must not exceed a height of 1.6m.

Figure 5: Fences within the front yard



### 6.11 Garages

Purpose: ensure garages are not a dominant feature of the streetscape.

1. A garage door facing a street must be no greater than 40 per cent of the width of the front facade of the dwelling to which the garage relates.
2. Garage doors must not project forward of the front façade of a dwelling.

### 6.12 Universal access

Purpose: medium to large-scale residential development provides equal physical access and use for people of all ages and abilities.

1. Where a new building or development contains 10 or more dwellings, 20 per cent of those dwellings must comply with the following:
  - a. doorways must have a minimum clear opening width of 810mm
  - b. stairwells must have a minimum width of 900mm
  - c. corridors must have a minimum width of 1050mm
  - d. the principal means of access from the frontage, or the parking space serving the dwelling, to the principal entrance of the dwelling must have:
    - i. a minimum width of 1.2m
    - ii. a maximum slope of 1:20
    - iii. a maximum cross fall of 1:50.

2. Where the calculation of the dwellings required to be universally accessible results in a fractional dwelling, any fraction that is less than one-half will be disregarded and any fraction of one-half or more will be counted as one dwelling.
3. All dwellings required to be universally accessible must provide at least one parking space for people with a disability. The dimensions and accessible route requirements for such parking spaces are detailed in Section 5.5 of the New Zealand Building Code D1/AS1 New Zealand Standard for Design for Access and Mobility – Buildings and Associated Facilities (NZS 4121-2001).

## 7. Development Controls - Mixed Housing Suburban zone

### 7.1 Development control infringements

1. Buildings that infringe three or more of the following development controls are a discretionary activity:
  - a. building height
  - b. height in relation to boundary
  - c. yards
  - d. maximum impervious area
  - e. building coverage
  - f. landscaping
  - g. outlook.

### 7.2 Building height

Purpose: manage the height of buildings to generally maintain a low-rise suburban residential character of the zone (one to two storeys).

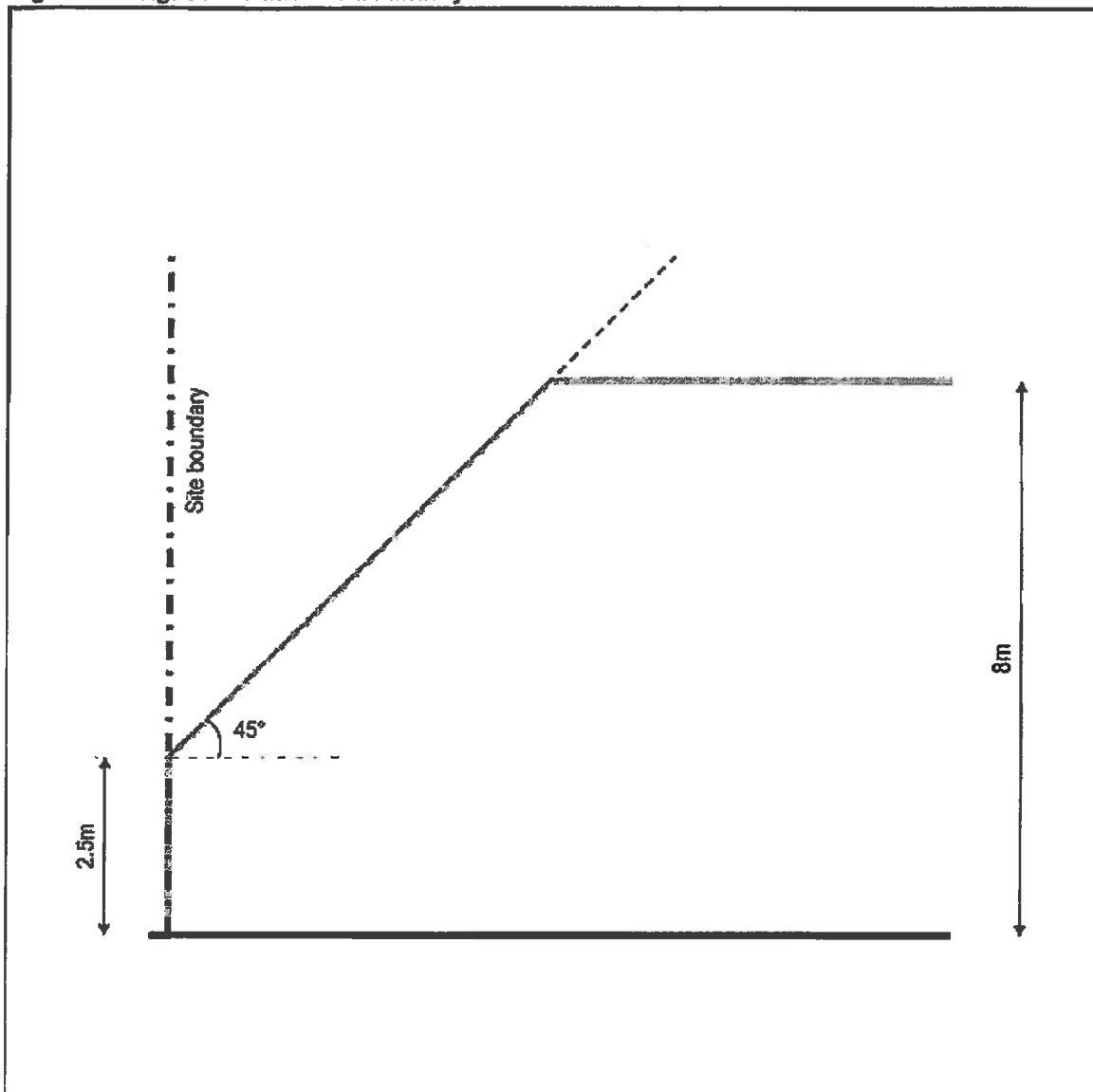
1. Buildings must not exceed 8m in height.

### 7.3 Height in relation to boundary

Purpose: manage the bulk and scale of buildings at boundaries to limit over-shadowing to neighbouring sites and provide space between buildings.

1. Buildings must not exceed a height of 2.5m measured vertically above ground level at side and rear boundaries. Thereafter, buildings must be set back 1m for every additional metre in height (45 degrees).

Figure 6: Height in relation to boundary



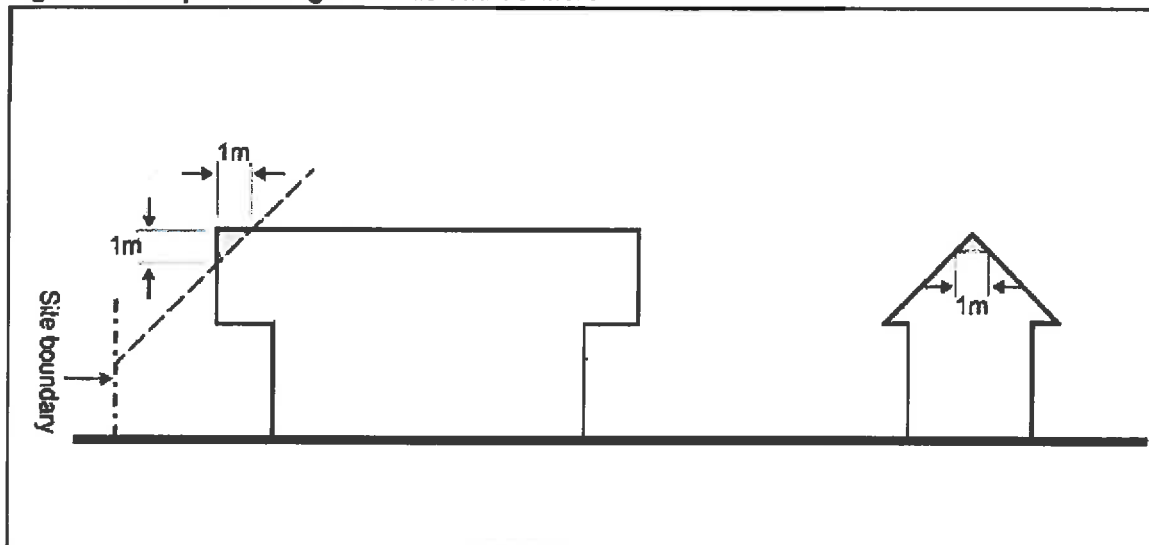
- 2. This control does not apply to a boundary adjoining:
  - a. industrial zones
  - b. centres and mixed use zones
  - c. General Business zone
  - d. Business Park zone
  - e. sites within the public open space zones exceeding 2000m<sup>2</sup>.
- 3. Where the boundary forms part of a legal right of way, pedestrian access way, or access site, the control applies from the farthest boundary of that legal right of way, pedestrian access way or access lot.

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4. A gable end or dormer may project beyond the recession plane where it is:
  - a. no greater than 1m in height and width measured parallel to the nearest adjacent boundary
  - b. no greater than 1m in depth measured horizontally at 90 degrees to the nearest adjacent boundary.

Figure 7: Exceptions for gable ends and dormers



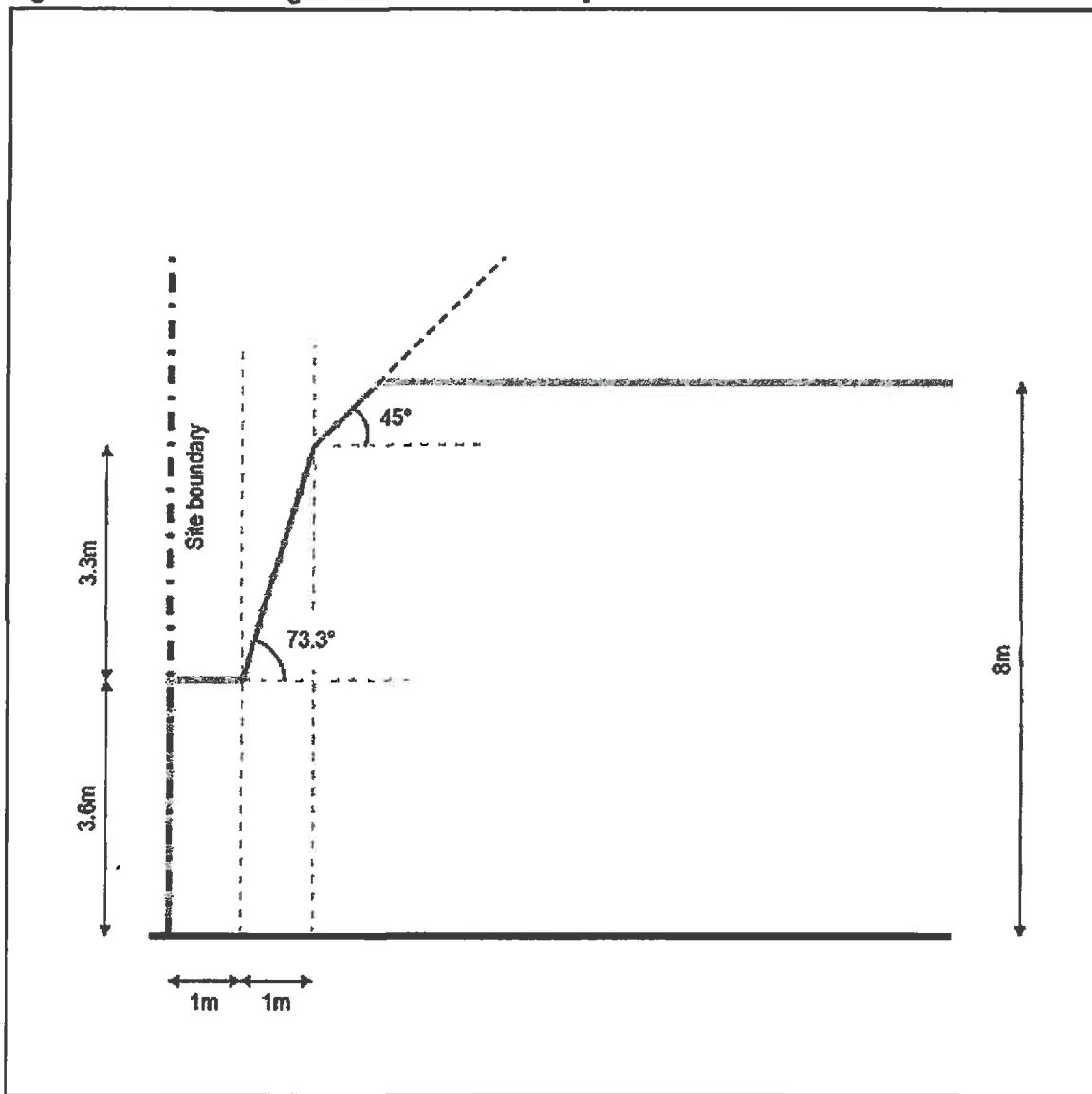
5. No more than two gable end or dormer projections are allowed for every 6m length of site boundary.

#### 7.4 Alternative height in relation to boundary

Purpose: enable the efficient use of the site by providing design flexibility at the first floor of a dwelling.

1. This development control is an alternative to the permitted height in relation to boundary control in clause 7.3 above which may be used for development that is a density of one dwelling per 300m<sup>2</sup> or greater and complies with the land use controls in clause 3.1.2 above.
2. It will be processed as a restricted discretionary activity if it complies with clause 3 below.
3. Buildings must not exceed a height of 3.6m measured vertically above ground level at side and rear boundaries. Thereafter, buildings must be set back one metre and then 0.3m for every additional metre in height (73.3 degrees) up to 6.9m and then one metre for every additional metre in height (45 degrees).
4. The exceptions to the permitted height in relation to boundary control listed in clause 7.3 above apply.
5. A building that does not comply with this control is a discretionary activity.

Figure 8: Alternative height in relation to boundary



7.5 Yards

Purpose: Purpose: maintain an open streetscape character and ensure dwellings are adequately set back from lakes, streams and the coastal edge to maintain water quality and provide protection from natural hazards.

Table 5

Yard	Minimum depth
Front	4m
Side	1m
Rear	1m
Riparian	10m from the edge of all other permanent and intermittent streams
Lake	30m
Coastal protection yard	10m, or as otherwise specified in appendix 6.7

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## 7.6 Common walls

Purpose: enable attached dwellings, where that pattern of development exists or where neighbours agree.

1. The height in relation to boundary and yards development controls do not apply where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.

## 7.7 Maximum impervious area

Purpose: manage the amount of stormwater runoff generated by a development.

1. Maximum impervious area: 60 per cent.
2. Maximum impervious area within a riparian yard: 10 per cent.

## 7.8 Building coverage

Purpose: maintain the suburban residential character of the zone.

1. Maximum building coverage for proposed sites with a density less than or equal to one dwelling per 400m<sup>2</sup>: 40 per cent.
2. Maximum building coverage for proposed sites with a density greater than one dwelling per 400m<sup>2</sup> that comply with the requirements of clause 3.1.2 above: 50 per cent.

## 7.9 Landscaping

Purpose:

- provide for on-site amenity and an attractive streetscape character
  - improve stormwater absorption on-site.
1. For proposed sites with a density less than or equal to one dwelling per 400m<sup>2</sup> or more at least 40 per cent must comprise landscaped area.
  2. For proposed sites with a density greater than one dwelling per 400m<sup>2</sup> that comply with the requirements of clause 3.1.2 above, at least 30 per cent must comprise landscaped area.
  3. For clauses 1 and 2 above, the following must be met:
    - a. at least 10 per cent of the required landscaped area must be planted with shrubs including at least one tree that is pB95 or larger at the time of planting
    - b. at least 50 per cent of the front yard must comprise landscaped area.

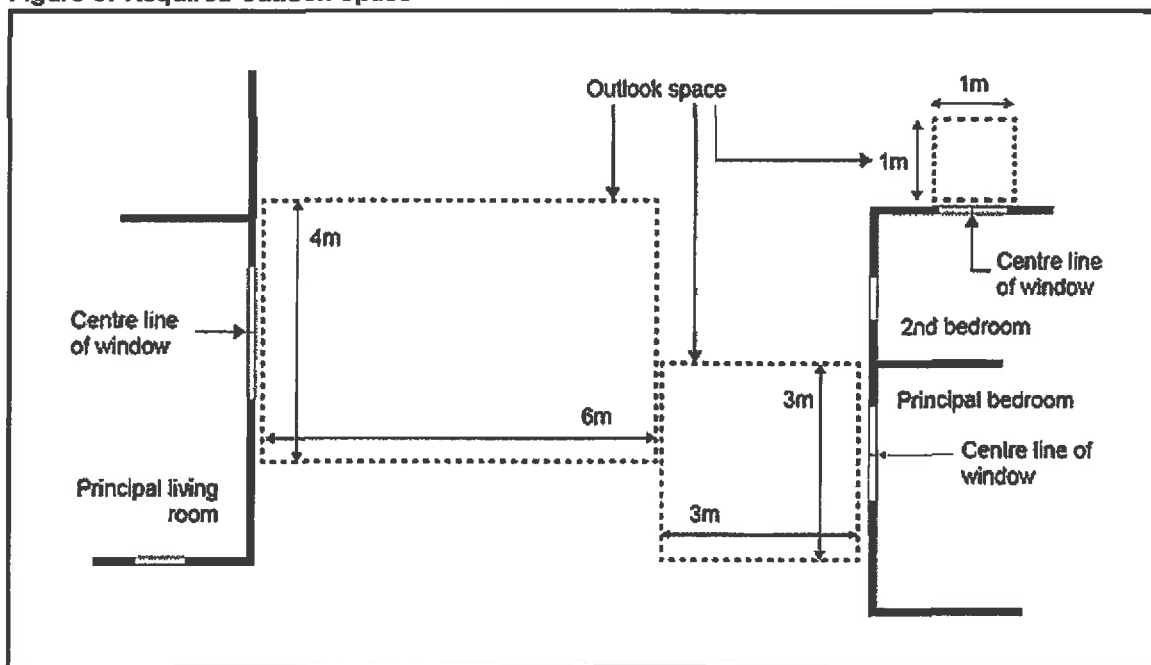
## 7.10 Outlook space

Purpose:

- ensure a reasonable standard of visual and acoustic privacy between different dwellings, including their outdoor living space, on the same or adjacent sites
  - encourage the placement of habitable room windows to the site frontage or to the rear of the site in preference to side boundaries, to maximise both passive surveillance of the street and privacy, and to avoid overlooking of neighbouring sites.
1. An outlook space must be provided from the face of a building containing windows or balconies to a habitable room. Where the room has two or more external faces with windows or balconies the outlook space must be provided from, in order of priority, the face with the largest balcony or largest area of glazing.

2. The minimum dimensions for a required outlook space are as follows:
  - a. principal living room: 6m in depth and 4m in width
  - b. principal bedroom: 3m in depth and 3m in width
  - c. all other habitable rooms: 1m in depth and 1m in width.
3. The depth of the outlook space is measured at right angles to and horizontal from the window or balcony to which it applies. Where the outlook space applies to a balcony, it must be measured from the outside edge of the balcony.
4. The width of the outlook space is measured from the centre point of the largest window on the building face to which it applies or from the centre point of the largest balcony.
5. The height of the outlook space is the same as the floor height, measured from floor to ceiling, of the building face to which the control applies.
6. Outlook spaces may be within the site, over a public street, or other public open space.
7. Outlook spaces required from different rooms within the same dwelling may overlap.
8. Outlook spaces must:
  - a. be clear and unobstructed by buildings
  - b. not extend over adjacent sites or overlap with outlook spaces required by another dwelling.
9. An outlook space at ground floor level from a principal living room may be reduced to 4m deep if privacy to adjacent dwellings is provided by fencing at least 1.6m in height.

Figure 9: Required outlook space



### 7.11 Separation between buildings within a site

Purpose: require reasonable separation between buildings on the same site to manage dominance, provide access to daylight and natural ventilation.

1. Buildings must be separated where the habitable room of a dwelling has windows or balconies that face out to the wall of another building on the same site (the facing wall). Where the room has two or more external faces with windows or balconies the building separation must be applied from, in order of priority, the face with the largest balcony or the largest area of area of glazing.
2. The separation space required must be free of buildings for the depth, width and height set out below.
3. The depth of the separation space is measured at right angles to, and horizontal from, the window or balcony to which it applies across to the facing wall, excluding eaves or guttering. Where the building separation applies to a balcony, it is measured from the outside edge of the balcony.
4. For the principal living room, the depth of the separation space required is equal to the height of the facing wall above the floor level of the habitable room, or 15m, whichever is the lesser.
5. For the principal bedroom, the depth of the separation space required is 6m.
6. For other habitable rooms, the depth of the separation space required is 3m.
7. The width of the separation space is 50 per cent of its depth and is measured from the centre point of the largest window on the building face to which it applies or from the centre point of the largest balcony.
8. The height of the separation space is from the height of the floor or balcony upwards, clear to the sky except that eaves or gutters may protrude into it.
9. Where the adjacent building is not perpendicular to the distance being measured, the minimum separation depth required must be measured as an average around the centre line of the window/balcony.

### 7.12 Outdoor living space

Purpose: provide dwellings with outdoor living space that is of a useable size and dimension for the type of dwelling and accessible from the principal living room.

1. A dwelling at ground level must have an outdoor living space measuring at least 40m<sup>2</sup> that:
  - a. is free of buildings, parking spaces, servicing and manoeuvring areas
  - b. excludes any area with a dimension less than 1m.
2. Where a dwelling has the principal living room at ground level, part of the required outdoor living space must be able to contain a delineated area measuring at least 20m<sup>2</sup> that:
  - a. has no dimension less than 4m
  - b. is directly accessible from the principal living room c.
    - has a gradient not exceeding 1 in 20.
3. Where a dwelling has the principal living room above ground level, part of the required outdoor living space must include a balcony or roof terrace that:
  - a. is directly accessible from the principal living room b.
    - has a minimum area of 8m<sup>2</sup>
  - c. has a minimum depth of 2.4m.
4. Where an entire dwelling is above ground level, it must have an outdoor living space in the form of a balcony or roof terrace that is at least 10m<sup>2</sup> and has a minimum depth of 2.4m.

### 7.13 Dwellings fronting the street

Purpose: ensure dwellings are orientated to provide for passive surveillance of the street and contribute to streetscape amenity.

1. The front facade of a dwelling or dwellings on a front site must contain:
  - a. glazing that is cumulatively at least 30 per cent of the area of the front facade (excluding the garage door)
  - b. a main entrance door that is visible from the street.

### 7.14 Maximum building length

Purpose: manage the length of buildings along side and/or rear boundaries and the separation between buildings on the same site to visually integrate them into the surrounding neighbourhood.

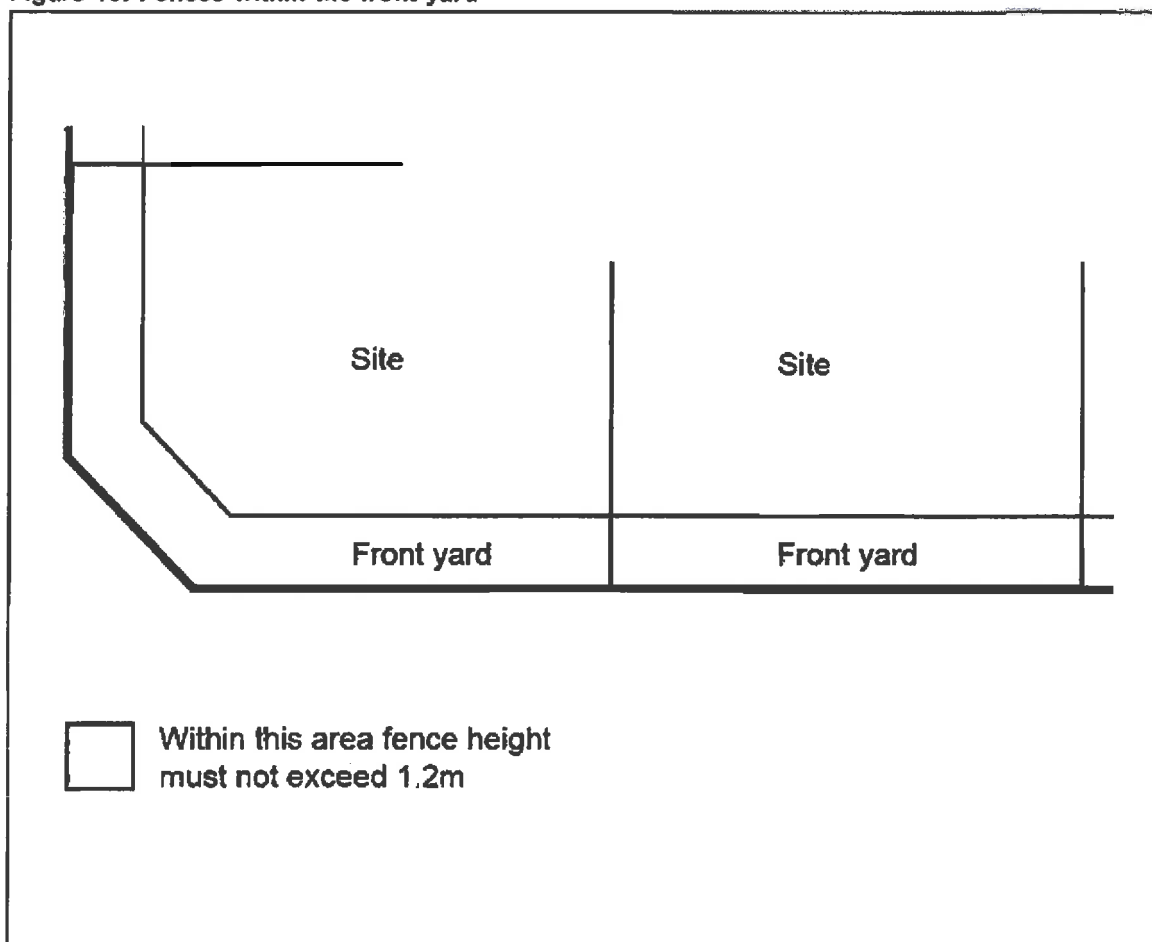
1. The maximum length of a building along a side or rear boundary is 20m, after which there must be a separation of at least 5m along the same boundary to any other building on the same site.

### 7.15 Fences

Purpose: enhance passive surveillance of the street and maintain the open character of front yards.

1. Fences in a front yard must not exceed 1.2m in height.

Figure 10: Fences within the front yard



### 7.16 Garages

Purpose:

- reduce the dominance of garages as viewed from the street
  - avoid parked cars over-hanging the footpath.
1. A garage door facing a street must be no greater than 40 per cent of the width of the front facade of the dwelling to which the garage relates.
  2. Garage doors must not project forward of the front façade of a dwelling.
  3. The garage door must be set back at least 5m from the site's frontage.

### 7.17 Minimum dwelling size

Purpose: dwellings are of a sufficient size to provide for the day-to-day needs of residents.

1. Dwellings must have a minimum net internal floor area as follows:
  - a. 40m<sup>2</sup> for studio dwellings
  - b. 45m<sup>2</sup> for one bedroom dwellings.

### 7.18 Minimum dimension of principal living rooms and principal bedrooms

Purpose: principal living rooms and bedrooms are of a size sufficient to accommodate standard size furniture and circulation space.

1. The principal living room within a dwelling must have no dimension less than 3m, measured perpendicular from the internal walls of the room.
2. The principal bedroom within a dwelling must be at least 3m in width and 3.5m in length measured perpendicular from the internal walls of the room. Cupboards and other storage space may be included in the minimum dimension.

### 7.19 Servicing and waste

Purpose: dwellings within medium to large-scale residential development have sufficient space within the building or site to accommodate the storage of waste.

1. A building or development containing 10 or more dwellings must provide a communal storage area for waste. The size of the communal storage area must be an aggregate of the minimum areas specified for the dwelling types below:
  - a. studio and one bedroom – 0.3m<sup>2</sup>
  - b. two bedrooms – 0.5m<sup>2</sup>
  - c. three bedrooms – 0.7m<sup>2</sup>
  - d. four or more bedrooms – 1m<sup>2</sup>.
2. An additional 30 per cent in area of the total floor area area required above must be provided within the communal storage area for manoeuvring or sorting within the waste storage area.

### 7.20 Water and wastewater

Purpose: ensure development can be serviced by connections to the water supply and wastewater networks.

1. At the time of application for building consent, the applicant must demonstrate to the satisfaction of the council that there is an available connection to the water supply and wastewater networks.

### 7.21 Storage

Purpose: ensure dwellings have sufficient space for the storage of everyday household items and bulky items, such as bicycles.

1. A building or development containing 5 or more dwellings must provide covered storage space for each dwelling with internal measurements of at least 4m<sup>3</sup>, excluding storage within the kitchen and bedroom wardrobes. The storage may be within the dwelling or external to it, within the site.
2. The required storage space for each dwelling must include a single covered storage space within internal dimensions of at least 2m<sup>3</sup>.

### 7.22 Universal access

Purpose: medium to large-scale residential development provides equal physical access and use for people of all ages and abilities.

1. Where a new building or development contains 10 or more dwellings, 20 per cent of those dwellings must comply with the following:
  - a. doorways must have a minimum clear opening width of 810mm
  - b. stairwells must have a minimum width of 900mm
  - c. corridors must have a minimum width of 1050mm
  - d. the principal means of access from the frontage, or the parking space serving the dwelling, to the principal entrance of the dwelling must have:
    - i. a minimum width of 1.2m
    - ii. a maximum slope of 1:20
    - iii. a maximum cross fall of 1:50.
2. Where the calculation of the dwellings required to be universally accessible results in a fractional dwelling, any fraction that is less than one-half will be disregarded and any fraction of one-half or more will be counted as one dwelling.
3. All dwellings required to be universally accessible must provide at least one parking space for people with a disability. The dimensions and accessible route requirements for such parking spaces are detailed in Section 5.5 of the New Zealand Building Code D1/AS1 New Zealand Standard for Design for Access and Mobility – Buildings and Associated Facilities (NZS 4121-2001).

## 8. Development Controls - Mixed Housing Urban zone

### 8.1 Development control infringements

1. Buildings that infringe three or more of the following development controls are a discretionary activity:
  - a. building height
  - b. height in relation to boundary
  - c. yards
  - d. maximum impervious area
  - e. building coverage
  - f. landscaping
  - g. outlook.

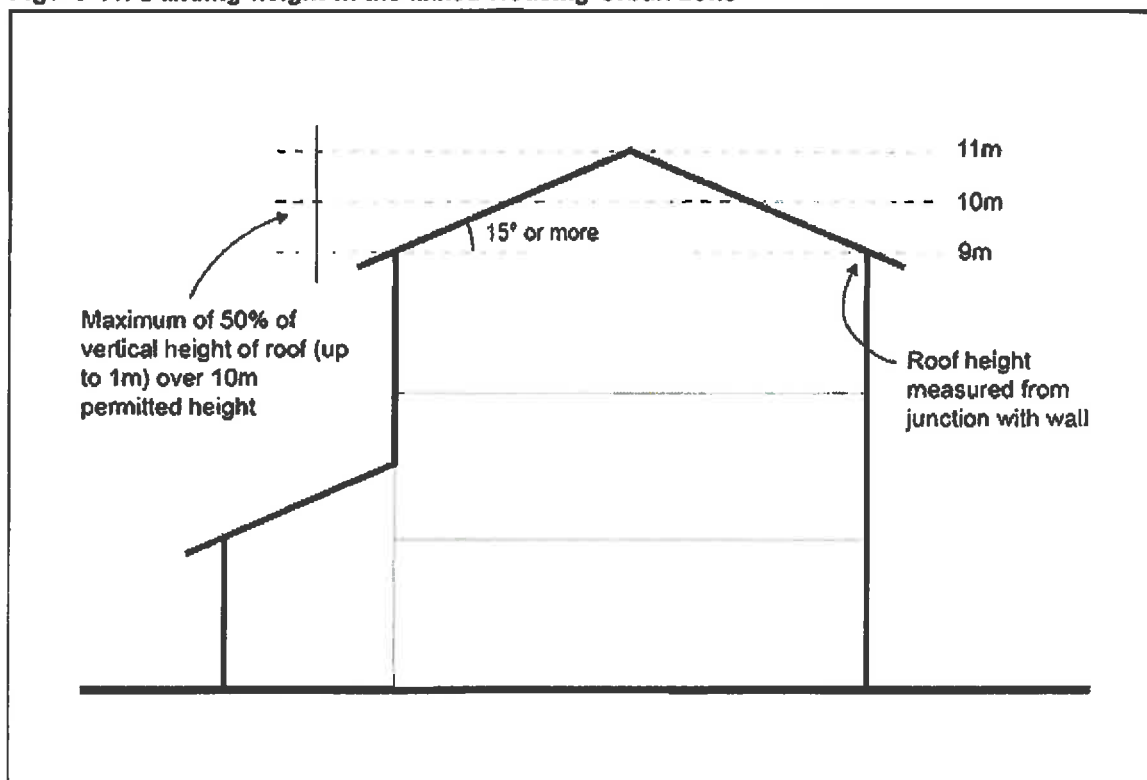


## 8.2 Building height

Purpose: manage the height of buildings to be consistent with an urban residential character of up to three storeys.

1. Buildings must not exceed 10m in height, except that 50 per cent of a building's roof, measured vertically from the junction between wall and roof, may exceed this height by 1m, where the entire roof slopes 15 degrees or more.

Figure 11: Building height in the Mixed Housing Urban zone

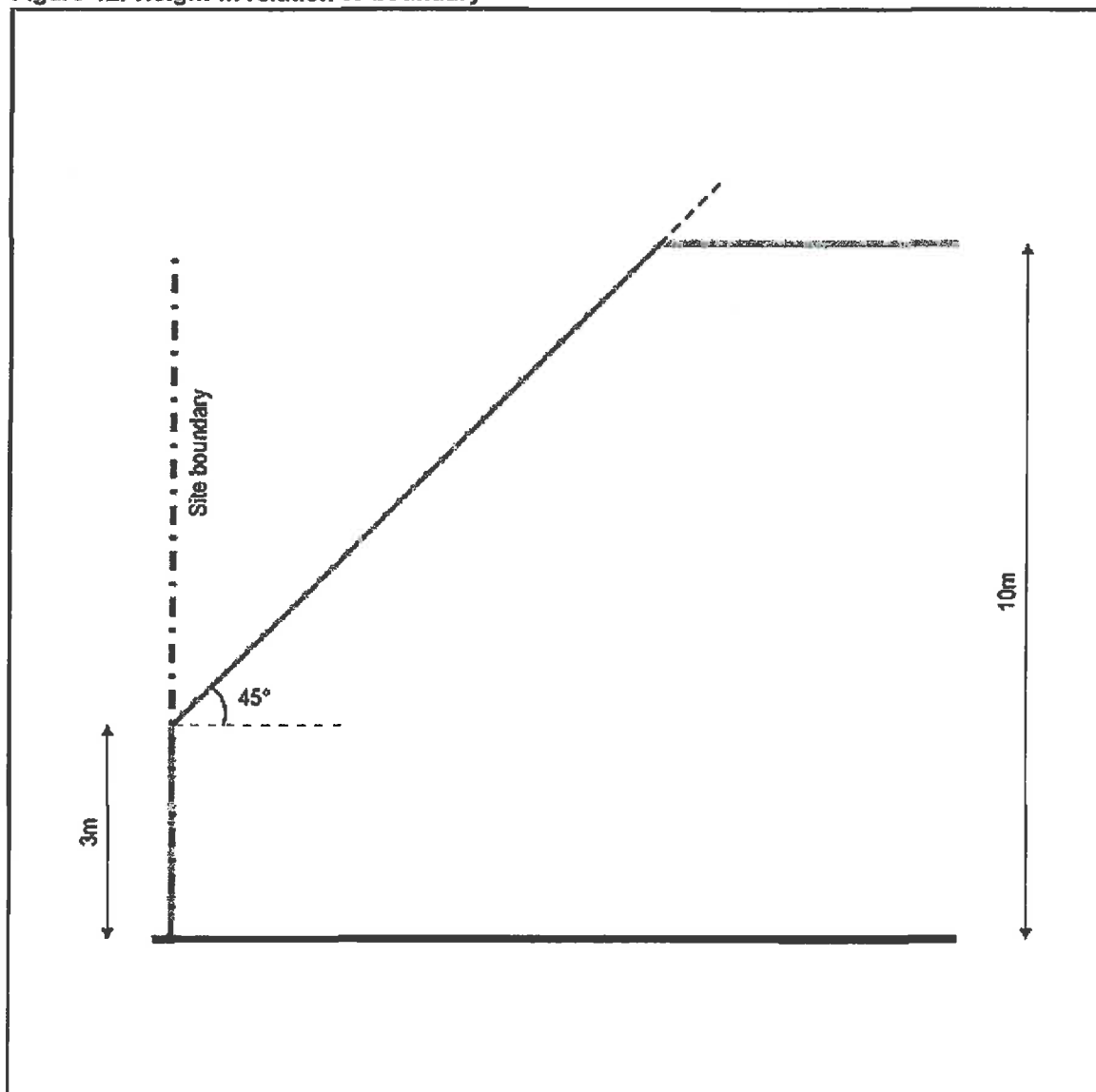


## 8.3 Height in relation to boundary

Purpose: manage the bulk and scale of buildings at boundaries to limit over-shadowing to neighbouring sites and provide space between buildings.

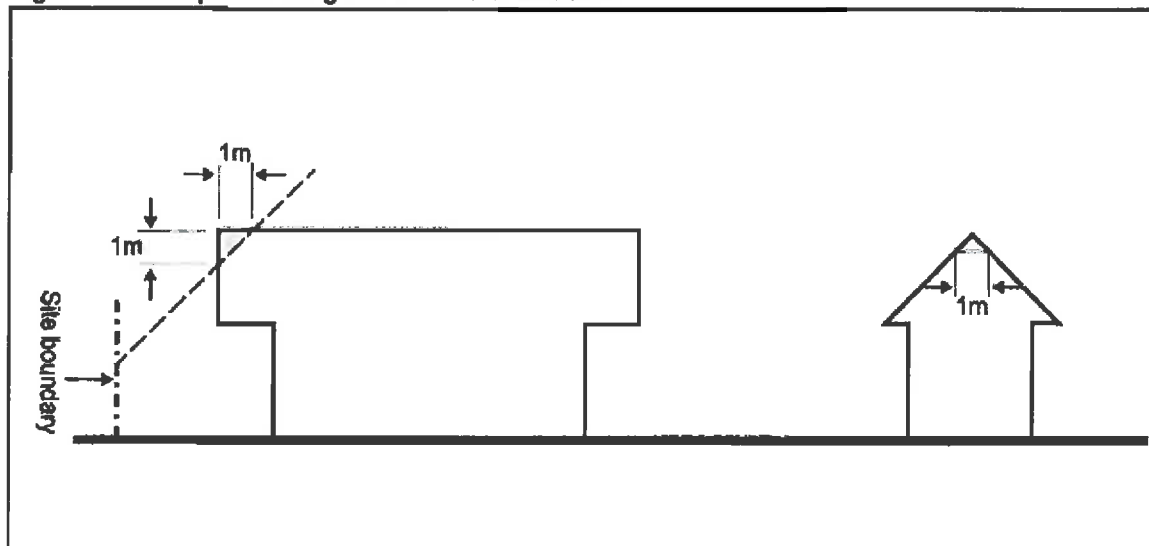
1. Buildings must not exceed a height of 3m measured vertically above ground level at side and rear boundaries. Thereafter, buildings must be set back 1m for every additional metre in height (45 degrees).

Figure 12: Height in relation to boundary



2. This control does not apply to a boundary adjoining:
  - a. industrial zones
  - b. centres and mixed use zones
  - c. General Business zone
  - d. Business Park zone
  - e. sites within the public open space zones exceeding 2000m<sup>2</sup>.
3. Where the boundary forms part of a legal right of way, pedestrian access way, or access site, the control applies from the farthest boundary of that legal right of way, pedestrian access way or access site.
4. A gable end or dormer may project beyond the recession plane where it is:
  - a. no greater than 1m in height and width measured parallel to the nearest adjacent boundary
  - b. no greater than 1m in depth measured horizontally at 90 degrees to the nearest adjacent boundary.

Figure 13: Exceptions for gable ends and dormers



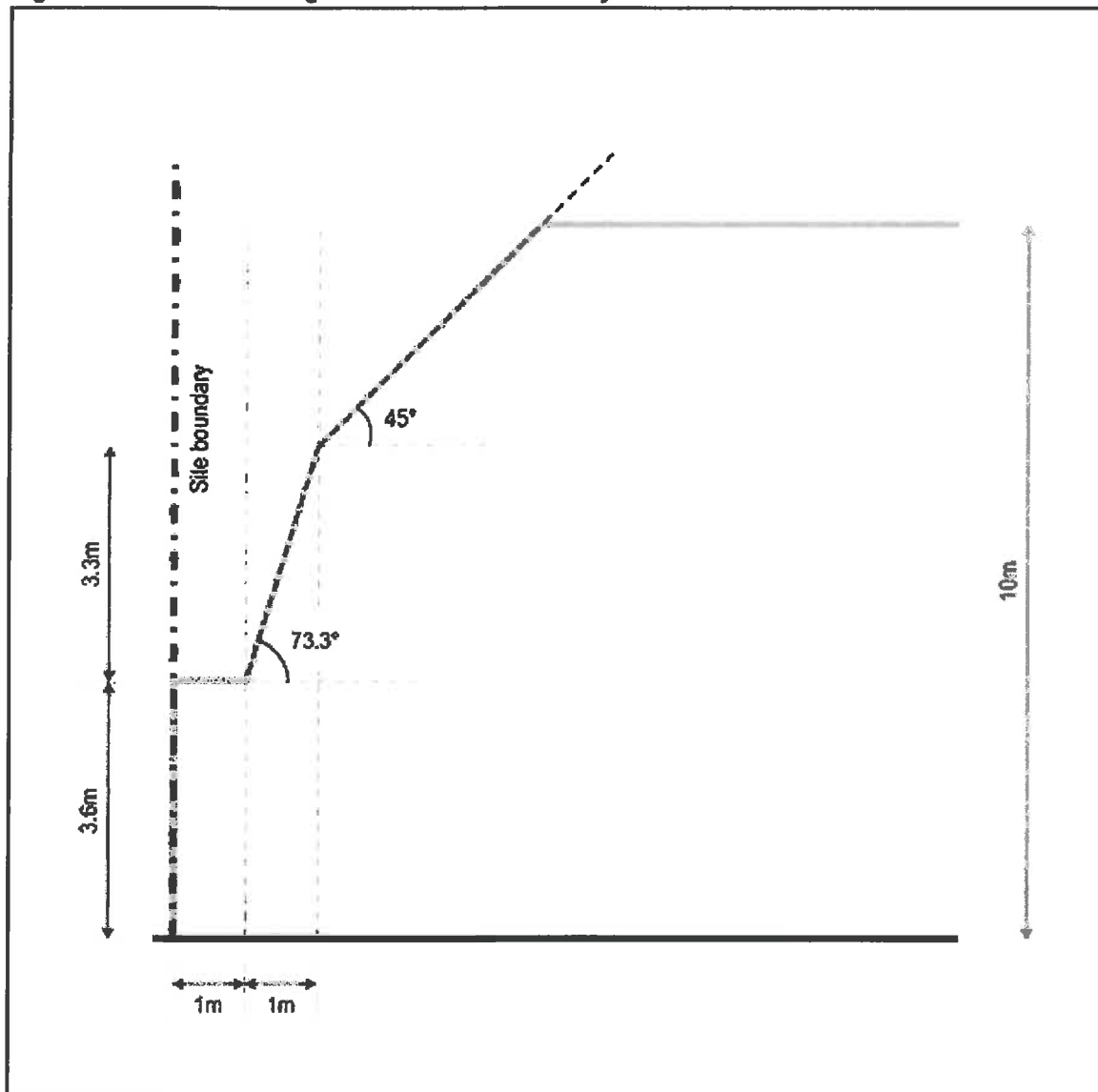
5. No more than two gable end or dormer projections are allowed for every 6m length of site boundary.

#### 8.4 Alternative height in relation to boundary

Purpose: enable the efficient use of the site by providing design flexibility at the upper floors of a dwelling.

1. This development control is an alternative to the permitted height in relation to boundary control in clause 8.3 above which may be used for development that is a density of one dwelling per 250m<sup>2</sup> or greater and complies with the land use controls in clause 3.1.3 above.
2. It will be processed as a restricted discretionary activity if it complies with clause 3 below.
3. Buildings must not exceed a height of 3.6m measured vertically above ground level at side and rear boundaries. Thereafter, buildings must be set back one metre, and then 0.3m for every additional metre in height (73.3 degrees) up to 6.9m, and then one metre for every additional metre in height (45 degrees).
4. The exceptions to the permitted height in relation to boundary control listed in clause 8.3 above apply.
5. A building that does not comply with this control is a discretionary activity.

Figure 14: Alternative height in relation to boundary



### 8.5 Common walls

Purpose: enable attached dwellings, where that pattern of development exists or where neighbours agree.

1. The height in relation to boundary and yards development controls do not apply where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.

### 8.6 Yards

Purpose: create a transition from the front facade of the dwelling to the street that contributes to the quality of the streetscape and ensures dwellings are adequately set back from lakes, streams and the coastal edge to maintain water quality and provide protection from natural hazards.

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Table 6:

Yard	Minimum depth
Front	2.5m
Side	1m
Rear	1m
Riparian	10m from the edge of all other permanent and intermittent streams
Lake	30m
Coastal protection yard	10m, or as otherwise specified in appendix 6.7

### 8.7 Maximum impervious area

Purpose: manage the amount of stormwater runoff generated by a development.

1. Maximum impervious area for proposed sites with a density less than or equal to one dwelling per 300m<sup>2</sup>: 60 per cent.
2. Maximum impervious area for proposed sites with a density greater than one dwelling per 300m<sup>2</sup> that comply with the requirements of clause 3.2.2 above: 70 per cent.

### 8.8 Building coverage

Purpose: manage the density of buildings on the site consistent with the urban residential character of the zone.

1. Maximum building coverage for proposed sites with a density less than or equal to one dwelling per 300m<sup>2</sup>: 40 per cent.
2. Maximum building coverage for proposed sites with a density greater than one dwelling per 300m<sup>2</sup> that comply with the requirements of clause 3.1.3 above: 50 per cent.

### 8.9 Landscaping

Purpose:

- provide for on-site amenity and an attractive streetscape character
  - improve stormwater absorption on-site.
1. For proposed sites with a density less than or equal to one dwelling per 300m<sup>2</sup> at least 40 per cent must comprise landscaped area.
  2. For proposed sites with a density greater than one dwelling per 300m<sup>2</sup> that comply with the requirements of clause 3.1.3 above, at least 30 per cent must comprise landscaped area.
  3. For clauses 1 and 2 above, the following must be met:
    - a. At least 10 per cent of the required landscaped area must be planted with shrubs including at least one tree that is pB95 or larger at the time of planting.
    - b. At least 50 per cent of the front yard must comprise landscaped area.

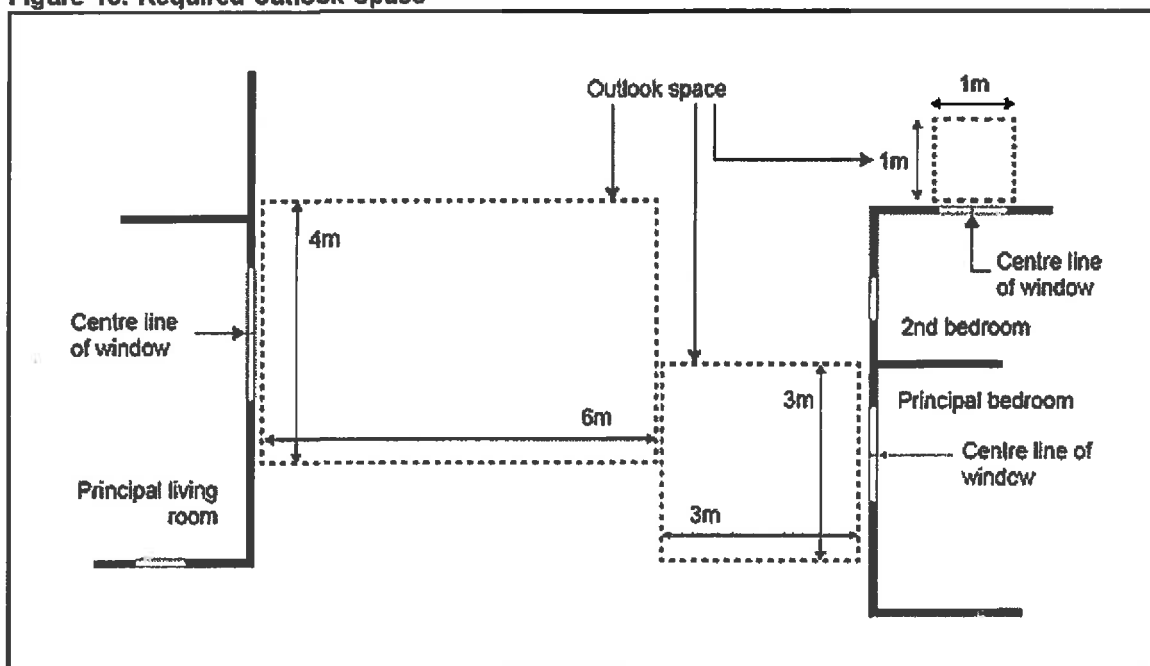
### 8.10 Outlook space

Purpose:

- Ensure a reasonable standard of visual and acoustic privacy between different dwellings, including their outdoor living space, on the same or adjacent sites

- Encourage the placement of habitable room windows to the site frontage or to the rear of the site in preference to side boundaries, to maximise both passive surveillance of the street and privacy, and to avoid overlooking of neighbouring sites.
1. An outlook space must be provided from the face of a building containing windows or balconies to a habitable room. Where the room has two or more external faces with windows or balconies the outlook space must be provided from, in order of priority, the face with the largest balcony or largest area of glazing.
  2. The minimum dimensions for a required outlook space are as follows:
    - a. principal living room: 6m in depth and 4m in width
    - b. principal bedroom: 3m in depth and 3m in width
    - c. all other habitable rooms: 1m in depth and 1m in width.
  3. The depth of the outlook space is measured at right angles to and horizontal from the window or balcony to which it applies. Where the outlook space applies to a balcony, it must be measured from the outside edge of the balcony.
  4. The width of the outlook space is measured from the centre point of the largest window on the building face to which it applies or from the centre point of the largest balcony.
  5. The height of the outlook space is the same as the floor height, measured from floor to ceiling, of the building face to which the control applies.
  6. Outlook spaces may be within the site, over a public street, or other public open space.
  7. Outlook spaces required from different rooms within the same dwelling may overlap.
  8. Outlook spaces must:
    - a. be clear and unobstructed by buildings
    - b. not extend over adjacent sites or overlap with outlook spaces required by another dwelling.
  9. An outlook space at ground floor level from a principal living room may be reduced to 4m deep if privacy to adjacent dwellings is provided by fencing at least 1.6m in height.

Figure 15: Required outlook space



### 8.11 Separation between buildings within a site

Purpose: require reasonable separation between buildings on the same site to manage dominance, provide access to daylight and natural ventilation.

1. Buildings must be separated where the habitable room of a dwelling has windows or balconies that face out to the wall of another building on the same site (the facing wall). Where the room has two or more external faces with windows or balconies the building separation must be applied from, in order of priority, the face with the largest balcony or the largest area of area of glazing.
2. The separation space required must be free of buildings for the depth, width and height set out below.
3. The depth of the separation space is measured at right angles to, and horizontal from, the window or balcony to which it applies across to the facing wall, excluding eaves or guttering. Where the building separation applies to a balcony, it is measured from the outside edge of the balcony.
4. For the principal living room, the depth of the separation space required is equal to the height of the facing wall above the floor level of the habitable room, or 15m, whichever is the lesser.
5. For the principal bedroom, the depth of the separation space required is 6m.
6. For other habitable rooms, the depth of the separation space required is 3m.
7. The width of the separation space is 50 per cent of its depth and is measured from the centre point of the largest window on the building face to which it applies or from the centre point of the largest balcony.
8. The height of the separation space is from the height of the floor or balcony upwards, clear to the sky except that eaves or gutters may protrude into it.
9. Where the adjacent building is not perpendicular to the distance being measured, the minimum separation depth required must be measured as an average around the centre line of the window/balcony.

### 8.12 Outdoor living space

Purpose: provide dwellings with outdoor living space that is of a usable size and dimension for the type of dwelling and is accessible from the principal living room.

1. A dwelling at ground level must have an outdoor living space measuring at least 40m<sup>2</sup> that:
  - a. is free of buildings, parking spaces, servicing and manoeuvring areas
  - b. excludes any area with a dimension less than 1m.
2. Where a dwelling has the principal living room at ground level, part of the required outdoor living space must be able to contain a delineated area measuring at least 20m<sup>2</sup> that:
  - a. has no dimension less than 4m
  - b. is directly accessible from the principal living room c.
  - has a gradient not exceeding 1 in 20.
3. Where a dwelling has the principal living room above ground level, part of the required outdoor living space must include a balcony or roof terrace that:
  - a. is directly accessible from the principal living room b.
  - has a minimum area of 8m<sup>2</sup>
  - c. has a minimum depth of 2.4m.
4. Where an entire dwelling is above ground level, it must have an outdoor living space in the form of a balcony or roof terrace that is at least 10m<sup>2</sup> and has a minimum depth of 2.4m.

### 8.13 Dwellings fronting the street

Purpose: ensure dwellings are orientated to provide for passive surveillance of the street and contribute to streetscape amenity.

1. The front facade of a dwelling or dwellings on a front site must contain:
  - a. glazing that is cumulatively at least 30 per cent of the area of the front facade (excluding the garage door)
  - b. a door that is the main entrance to the dwelling.

### 8.14 Maximum building length

Purpose: manage the length of buildings along side and/or rear boundaries and the separation between buildings on the same site to visually integrate them into the surrounding neighbourhood.

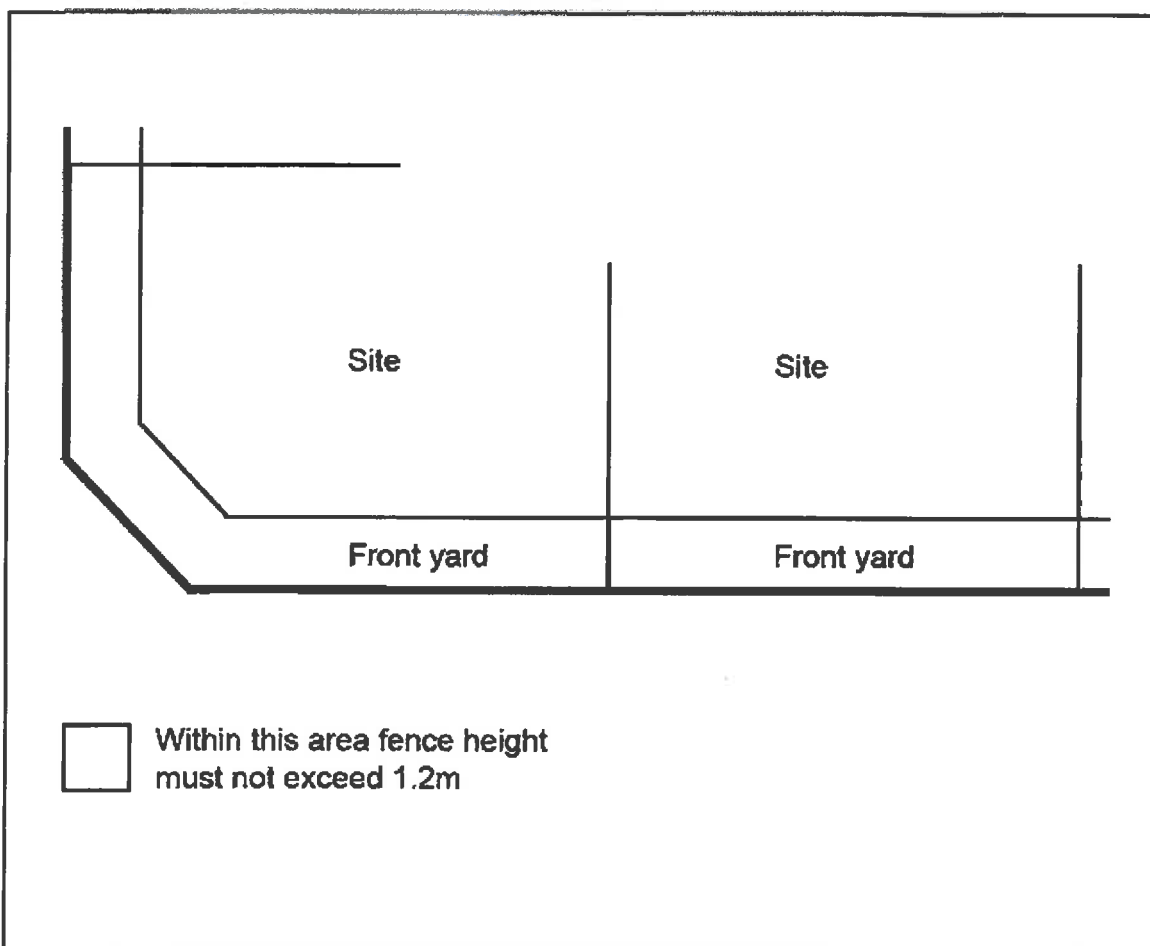
1. The maximum length of a building along a side or rear boundary is 20m, after which there must be a separation of at least 5m along the same boundary to any other building on the same site.

### 8.15 Fences

Purpose: enhance passive surveillance over the street and maintain the open character of front yards.

1. Fences in a front yard must not exceed 1.2m in height.

Figure 16: Fences within the front yard



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### 8.16 Garages

Purpose:

- reduce the dominance of garages as viewed from the street
  - avoid parked cars over-hanging the footpath.
1. A garage door facing a street must be no greater than 40 per cent of the width of the front facade of the dwelling to which the garage relates.
  2. Garage doors must not project forward of the front façade of a dwelling.
  3. The garage door must be set back at least 5m from the site's frontage.

### 8.17 Minimum dwelling size

Purpose: dwellings are of a sufficient size to provide for the day-to-day needs of residents.

1. Dwellings must have a minimum net internal floor area as follows:
  - a. 40m<sup>2</sup> for studio dwellings
  - b. 45m<sup>2</sup> for one bedroom dwellings.

### 8.18 Daylight to dwellings

Purpose: principal living rooms and bedrooms receive a good degree of daylight.

1. The principal living room must have external glazing that is at least 40 per cent of the floor area of that space.
2. Bedrooms must have external glazing that is at least 20 per cent of the floor area of that space.

### 8.19 Minimum dimension of principal living rooms and principal bedrooms

Purpose: principal living rooms and bedrooms are of a size sufficient to accommodate standard size furniture and circulation space.

1. The principal living room within a dwelling must have no dimension less than 3m, measured perpendicular from the internal walls of the room.
2. The principal bedroom within a dwelling must be at least 3m in width and 3.5m in length measured perpendicular from the internal walls of the room. Cupboards and other storage space may be included in the minimum dimension.

### 8.20 Servicing and waste

Purpose: dwellings within medium to large-scale residential development have sufficient space within the building or site to accommodate the storage of waste.

1. A building or site containing 10 or more dwellings must provide a communal storage area for waste. The size of the communal storage area must be an aggregate of the minimum areas specified for the dwelling types below:
  - a. studio and one bedroom – 0.3m<sup>2</sup>
  - b. two bedrooms – 0.5m<sup>2</sup>
  - c. three bedrooms – 0.7m<sup>2</sup>
  - d. four or more bedrooms – 1m<sup>2</sup>.
2. An additional 30 per cent in area of the total floor area area required above must be provided within the communal storage area for manoeuvring or sorting within the waste storage area.

### 8.21 Water and wastewater

Purpose: ensure development can be serviced by connections to the water supply and wastewater networks.

1. At the time of application for building consent, the applicant must demonstrate to the satisfaction of the council that there is an available connection to the water supply and wastewater networks.

### 8.22 Storage

Purpose: ensure dwellings have sufficient space for the storage of everyday household items and bulky items, such as bicycles.

1. A building or development containing 5 or more dwellings must provide covered storage space for each dwelling with internal measurements of at least 4m<sup>3</sup>, excluding storage within the kitchen and bedroom wardrobes. The storage may be within the dwelling or external to it, within the site.
2. The required storage space for each dwelling must include a single covered storage space within internal dimensions of at least 2m<sup>3</sup>.

### 8.23 Dwelling mix

Purpose: large-scale residential development provides variety in dwelling sizes.

1. In a single development containing more than 10 dwellings, the combined number of studio and one bedroom dwellings must not exceed 70 per cent of the total number of dwellings within the development.

### 8.24 Universal access

Purpose: medium to large-scale residential development provides equal physical access and use for people of all ages and abilities.

1. Where a new building or development contains 10 or more dwellings, 20 per cent of those dwellings must comply with the following:
  - a. doorways must have a minimum clear opening width of 810mm
  - b. stairwells must have a minimum width of 900mm
  - c. corridors must have a minimum width of 1050mm
  - d. the principal means of access from the frontage, or the parking space serving the dwelling, to the principal entrance of the dwelling must have:
    - i. a minimum width of 1.2m
    - ii. a maximum slope of 1:20
    - iii. a maximum cross fall of 1:50.
2. Where the calculation of the dwellings required to be universally accessible results in a fractional dwelling, any fraction that is less than one-half will be disregarded and any fraction of one-half or more will be counted as one dwelling.
3. All dwellings required to be universally accessible must provide at least one parking space for people with a disability. The dimensions and accessible route requirements for such parking spaces are detailed in Section 5.5 of the New Zealand Building Code D1/AS1 New Zealand Standard for Design for Access and Mobility – Buildings and Associated Facilities (NZS 4121-2001).

## 9. Development Controls - Terrace Housing and Apartment Buildings zone

The following development controls apply in the Terrace Housing and Apartment Buildings zone.

### 9.1 Development control infringements

1. Buildings that infringe three or more of the following development controls are a discretionary activity:
  - a. building height
  - b. yards
  - c. building setbacks within the Terrace Housing and Apartment Buildings zone
  - d. building setbacks adjoining lower density zones
  - e. maximum impervious area
  - f. building coverage
  - g. landscaping
  - h. outlook.

### 9.2 Building height

Purpose: manage the height of buildings to provide for terrace housing and apartments of between four and six storeys.

1. Buildings must not exceed 13.5m and four storeys in height or 14.5m and four storeys in height where semi-basement parking is provided. Semi-basement parking must not exceed 1m in height.
2. If the site is subject to the Additional Building Height overlay, buildings must not exceed the height in metres shown for the site on the planning maps. Additionally, buildings must not exceed the corresponding height in storeys for the height in metres specified in the table below.

Table 7:

Building height in metres	Building height in storeys
20.5m	6 storeys
17.5m	5 storeys

### 9.3 Yards

Purpose: provide an attractive transition from the street to the front facade of the terrace housing or the apartment building and ensure dwellings are adequately set back from lakes, streams and the coastal edge to maintain water quality and provide protection from natural hazards.

Table 8:

Yard	Minimum depth
Front	2.5m
Riparian	10m from the edge of all other permanent and intermittent streams
Lake	30m
Coastal protection yard	10m, or as otherwise specified in appendix 6.7

### 9.4 Building setbacks within the Terrace Housing and Apartment Buildings zone

Purpose: minimise the adverse effects of building height on neighbours (i.e. dominance and shading) and reduce the overall visual dominance of buildings at upper levels.

1. Where sites in the Terrace Housing and Apartment Buildings zone adjoin another site in the same zone or any other zone not specified in clause 9.5 below, the building must be set back from side and rear boundaries as follows:

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- a. Where the building is from one to four storeys in height the building must be setback from side and rear boundaries at least:
  - i. 3m for storeys one and two
  - ii. 5m for storeys three and four.
- b. Where the building is more than four storeys the building must be setback from side and rear boundaries at least:
  - i. 5m for storeys one to four
  - ii. 7m for storeys five and six.

Figure 17: Building setbacks adjoining other Terrace Housing and Apartment Buildings zone sites

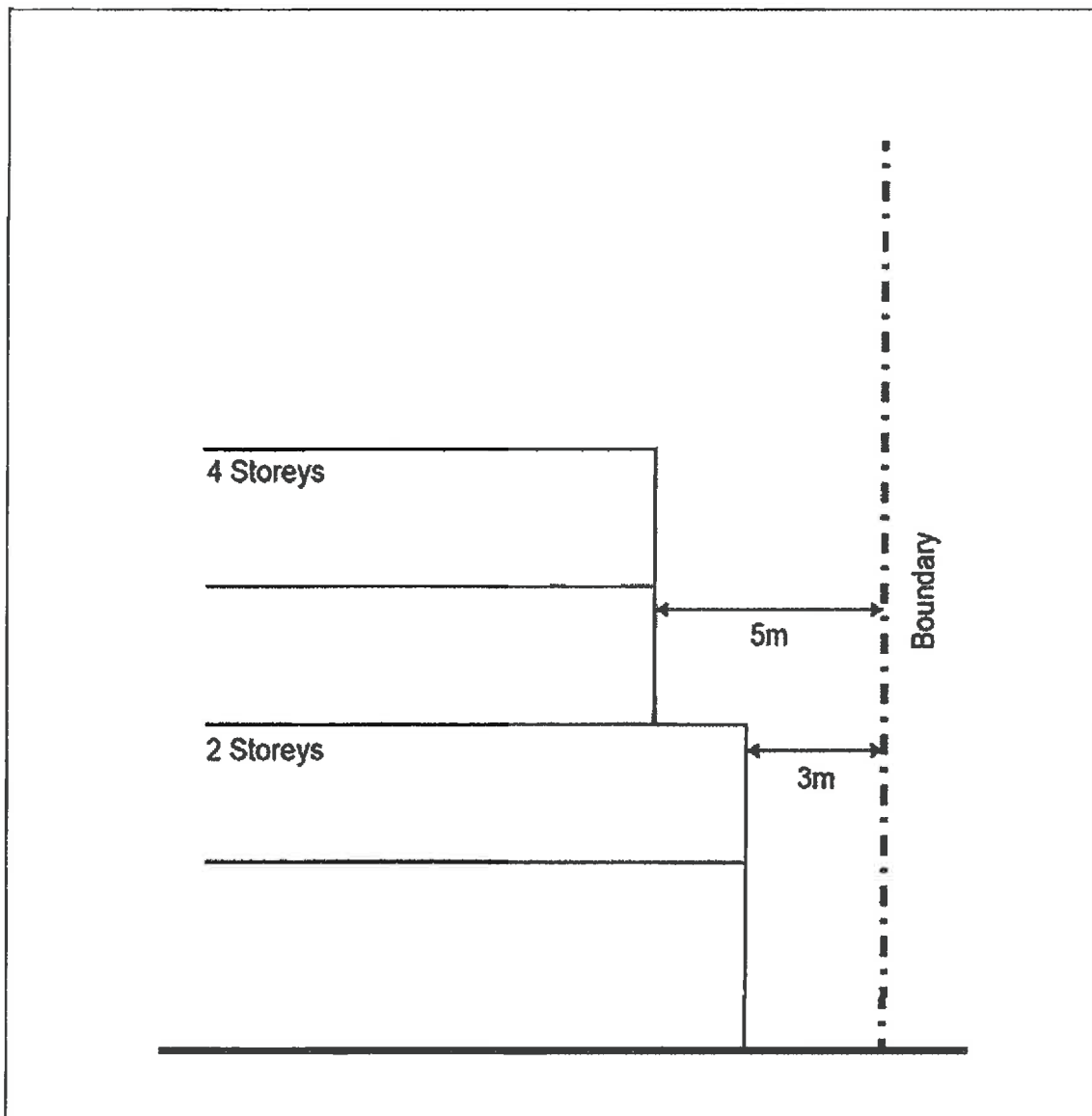
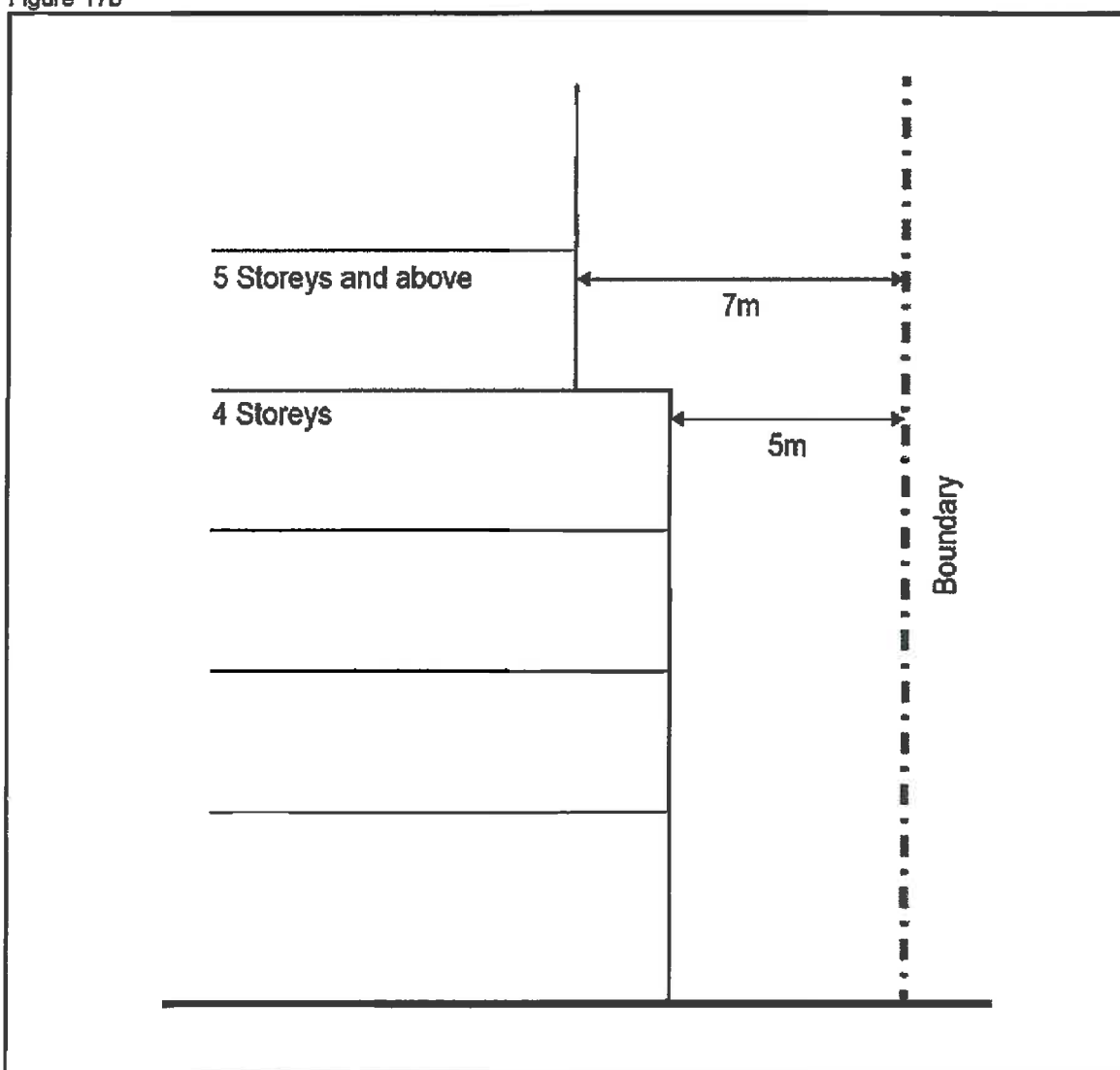


Figure 17a

Figure 17b



- 2. This control does not apply on boundaries where a common wall of the same height exists or is proposed.

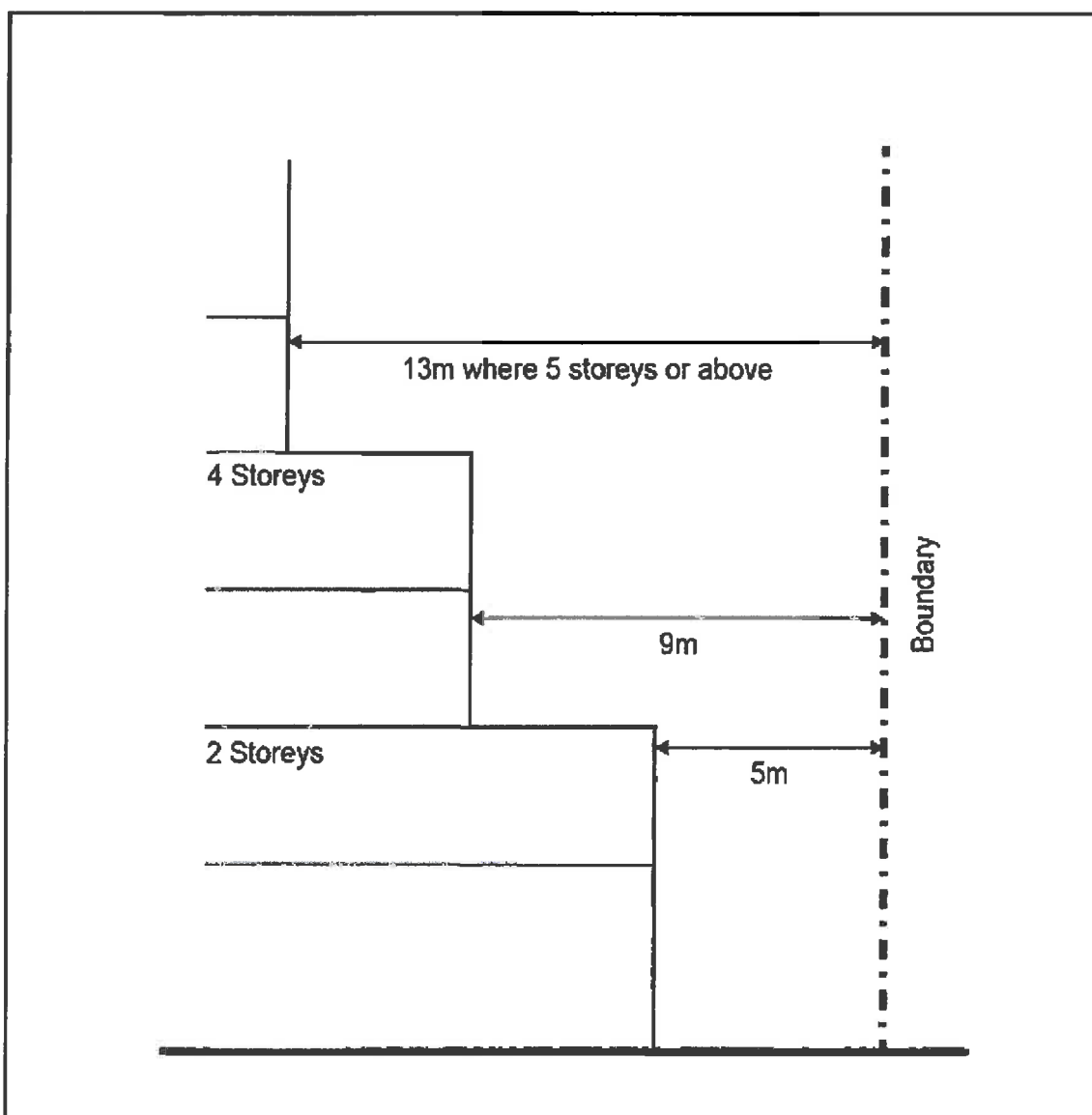
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### 9.5 Building setbacks adjoining lower density zones

Purpose: provide an appropriate transition in building bulk and scale to lower density residential zones and small public open spaces.

1. Where sites in the Terraced Housing and Apartment Buildings zone adjoin sites in the Single House zone or sites less than 2000m<sup>2</sup> in the public open space zones, the building must be set back from side and rear boundaries as follows:
  - a. 5m for storeys one and two
  - b. 9m for storeys three and four
  - c. 13m for storeys five and six.

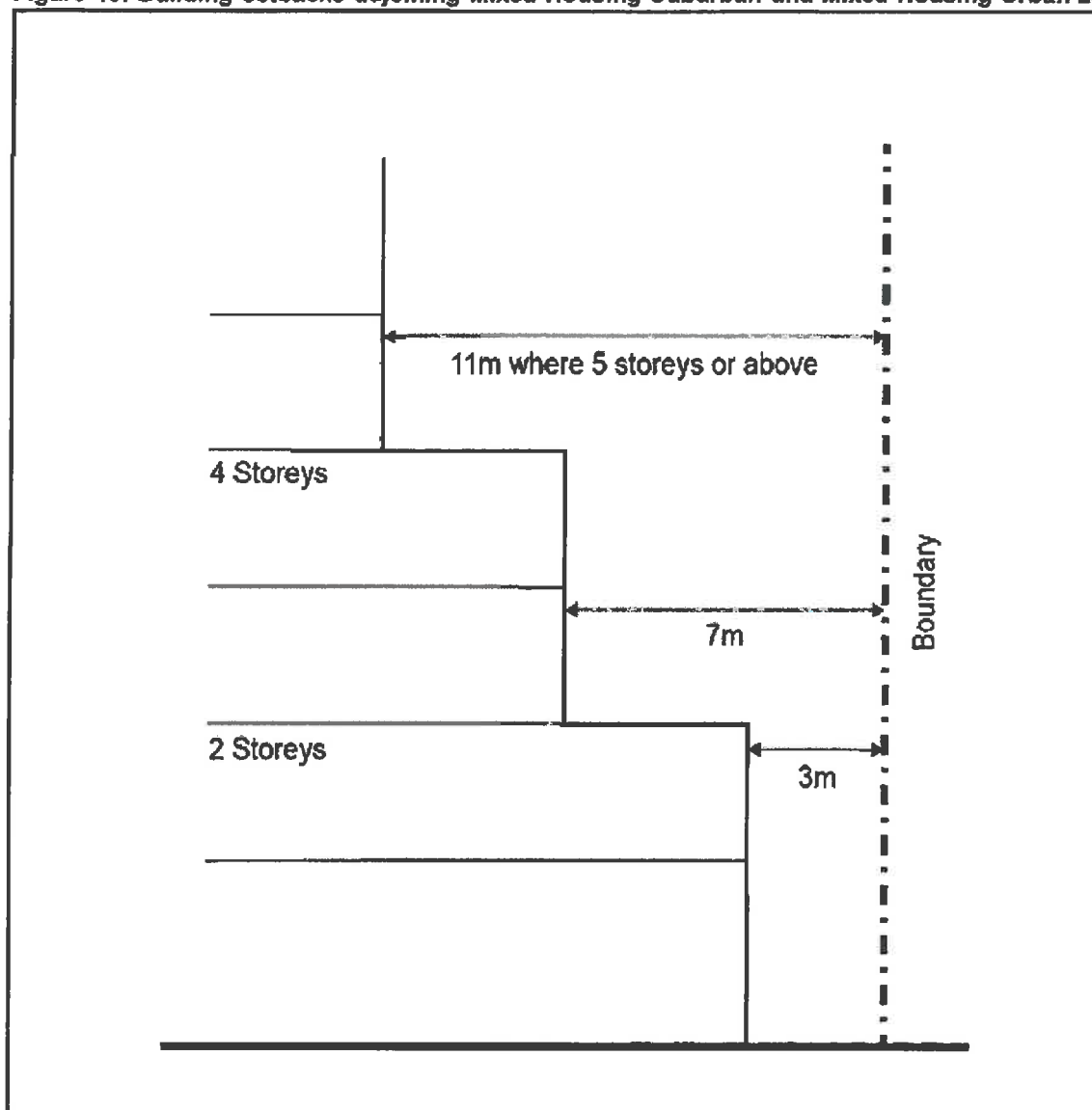
Figure 18: Building setbacks adjoining Single House zone sites and sites within the public open space zones less than 2000m<sup>2</sup>



2. Where sites in the Terrace Housing and Apartment Buildings zone adjoin sites in the Mixed Housing Suburban and Mixed Housing Urban zones, buildings must be setback from side and rear boundaries as follows:
  - a. 3m for storeys one and two
  - b. 7m for storeys three and four
  - c. 11m for storeys five and six.

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Figure 19: Building setbacks adjoining Mixed Housing Suburban and Mixed Housing Urban zone sites



3. This control does not apply where a common wall of the same height exists or is proposed.

### 9.6 Minimum frontage and site width

Purpose: ensure sites are of a size sufficient to:

- enable higher density development including apartment buildings
- provide a positive interface with the public realm
- provide a good standard of on-site amenity.

1. A site must be at least 25m wide:
  - a. at the road boundary
  - b. for at least 80 per cent of the length of its side boundaries
  - c. where a building of up to four storeys is proposed.
2. Where a building of more than four storeys is proposed, a site must be at least 30m wide:
  - a. at the road boundary
  - b. for at least 80 per cent of the length of its side boundaries.

### 9.7 Maximum impervious area

Purpose: manage the amount of stormwater runoff generated by a development.

1. Maximum impervious area: 60 per cent.
2. Maximum impervious area within a riparian yard: 10 per cent.

### 9.8 Building coverage

Purpose: provide for a mid-rise urban built character within the zone.

1. Maximum building coverage: 40 per cent.

### 9.9 Landscaping

Purpose:

- provide for on-site amenity and an attractive streetscape character
  - improve stormwater absorption on-site.
1. At least 40 per cent of a site must comprise landscaped area.

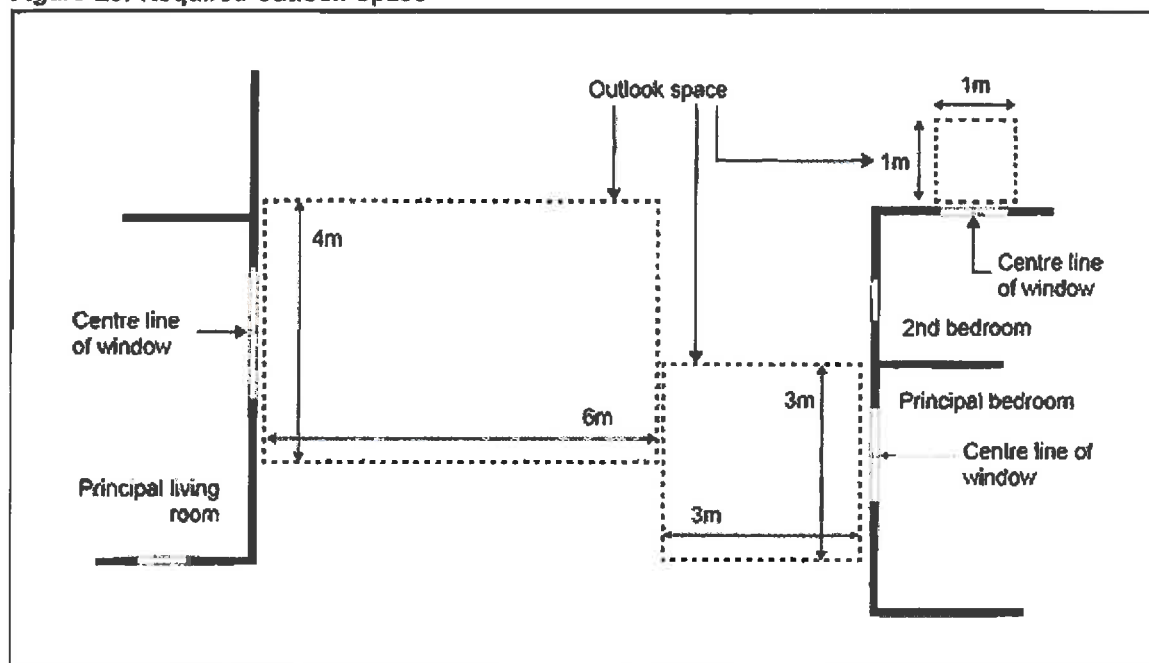
### 9.10 Outlook space

Purpose:

- Ensure a reasonable standard of visual and acoustic privacy between different dwellings, including their outdoor living space, on the same or adjacent sites
  - Encourage the placement of habitable room windows to the site frontage or to the rear of the site in preference to side boundaries, to maximise both passive surveillance of the street and privacy, and to avoid overlooking of neighbouring sites.
1. An outlook space must be provided from the face of a building containing windows or balconies to a habitable room. Where the room has two or more external faces with windows or balconies the outlook space must be provided from, in order of priority, the face with the largest balcony or largest area of glazing.
  2. The minimum dimensions for a required outlook space are as follows:
    - a. principal living room: 6m in depth and 4m in width
    - b. principal bedroom: 3m in depth and 3m in width
    - c. all other habitable rooms: 1m in depth and 1m in width.
  3. The depth of the outlook space is measured at right angles to and horizontal from the window or balcony to which it applies. Where the outlook space applies to a balcony, it must be measured from the outside edge of the balcony.
  4. The width of the outlook space is measured from the centre point of the largest window on the building face to which it applies or from the centre point of the largest balcony.
  5. The height of the outlook space is the same as the floor height, measured from floor to ceiling, of the building face to which the control applies.
  6. Outlook spaces may be within the site, over a public street, or other public open space.
  7. Outlook spaces required from different rooms within the same dwelling may overlap.
  8. Outlook spaces must:
    - a. be clear and unobstructed by buildings
    - b. not extend over adjacent sites or overlap with outlook spaces required by another dwelling.
  9. An outlook space at ground floor level from a principal living room may be reduced to 4m deep if privacy to adjacent dwellings is provided by fencing at least 1.6m in height.



Figure 20: Required outlook space



### 9.11 Separation between buildings within a site

Purpose: require reasonable separation between buildings on the same site to manage dominance, provide access to daylight and natural ventilation.

1. Buildings must be separated where the habitable room of a dwelling has windows or balconies that face out to the wall of another building on the same site (the facing wall). Where the room has two or more external faces with windows or balconies the building separation must be applied from, in order of priority, the face with the largest balcony or the largest area of area of glazing.
2. The separation space required must be free of buildings for the depth, width and height set out below.
3. The depth of the separation space is measured at right angles to, and horizontal from, the window or balcony to which it applies across to the facing wall, excluding eaves or guttering. Where the building separation applies to a balcony, it is measured from the outside edge of the balcony.
4. For the principal living room, the depth of the separation space required is equal to the height of the facing wall above the floor level of the habitable room, or 15m, whichever is the lesser.
5. For the principal bedroom, the depth of the separation space required is 6m.
6. For other habitable rooms, the depth of the separation space required is 3m.
7. The width of the separation space is 50 per cent of its depth and is measured from the centre point of the largest window on the building face to which it applies or from the centre point of the largest balcony.
8. The height of the separation space is from the height of the floor or balcony upwards, clear to the sky except that eaves or gutters may protrude into it.
9. Where the adjacent building is not perpendicular to the distance being measured, the minimum separation depth required must be measured as an average around the centre line of the window/balcony.

### 9.12 Outdoor living space

Purpose: provide dwellings with outdoor living space that is of a usable size and dimension for the type of dwelling and is accessible from the principal living room.

1. A dwelling with the principal living room at ground level must have an outdoor living space capable of containing a delineated area measuring at least 20m<sup>2</sup> that:
  - a. has no dimension less than 4m
  - b. is directly accessible from the principal living room
  - c. has a gradient not exceeding 1 in 20.
2. Where an entire dwelling is above ground level, it must have an outdoor living space in the form of a balcony or roof terrace that:
  - a. is at least 8m<sup>2</sup>
  - b. has a minimum depth of 2.4m.

### 9.13 Maximum building length

Purpose: require breaks in building facades and manage the length of buildings along side and/or rear boundaries and the separation between buildings on the same site to visually integrate them into the neighbourhood.

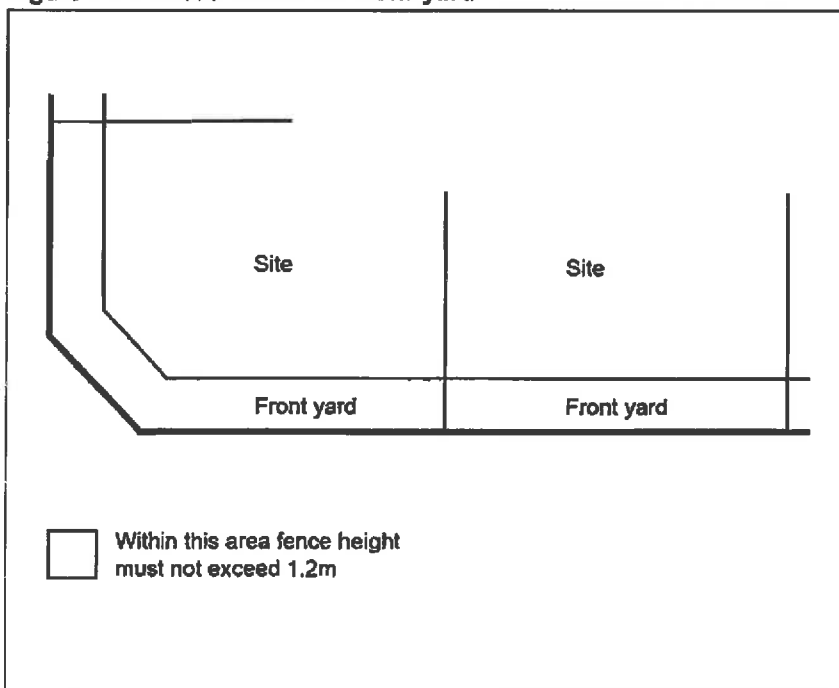
1. There must be a recess in the façade of a building where it faces a side or rear boundary from the point at which the building exceeds a length of 16m. The recess must:
  - a. be at least 2m, for a length of at least 4m
  - b. be for the full height of the wall, excluding any structures 1m or less in height above ground level
  - c. include a break in the eave line and roof line of the façade.
2. The maximum length of a building along a side or rear boundary is 30m, after which there must be a separation of at least 5m along the same boundary to any other building on the same site.

### 9.14 Fences

Purpose: enhance passive surveillance over the street and public open space and maintain the open character of front yards.

1. Fences in a front yard must not exceed 1.2m in height.

Figure 21: Fences within the front yard



### 9.15 Garages

Purpose:

- reduce the dominance of garages as viewed from the street
  - avoid parked cars over-hanging the footpath.
1. A garage door facing a street must be no greater than 40 per cent of the width of the front facade of the dwelling to which the garage relates.
  2. Garage doors must not project forward of the front façade of a dwelling.
  3. The garage door must be set back at least 5m from the site's frontage.

### 9.16 Minimum dwelling size

Purpose: dwellings are a sufficient size to provide for the day-to-day needs of residents.

1. Dwellings must have a minimum net internal floor area as follows.
  - a. 40m<sup>2</sup> for studio dwellings
  - b. 45m<sup>2</sup> for one bedroom dwellings.

### 9.17 Daylight to dwellings

Purpose: ensure dwellings receive a good degree of daylight.

1. The principal living room must have external glazing that is at least 40 per cent of the floor area of that space.
2. Bedrooms must have external glazing that is at least 20 per cent of the floor area of that space.

### 9.18 Minimum dimension of principal living rooms and principal bedrooms

Purpose: principal living rooms and bedrooms are of a size sufficient to accommodate standard size furniture and circulation space.

1. The principal living room within a dwelling must have no dimension less than 3m, measured perpendicular from the internal walls of the room.
2. The principal bedroom within a dwelling must be at least 3m in width and 3.5m in length measured perpendicular from the internal walls of the room. Cupboards and other storage space may be included in the minimum dimension.

### 9.19 Servicing and waste

Purpose: dwellings within medium to large-scale residential development have sufficient space within the building to accommodate the storage of waste.

1. A building or development containing 10 or more dwellings must provide a communal storage area for waste. The size of the communal storage area must be an aggregate of the minimum areas specified for the dwelling types below:
  - a. studio and one bedroom – 0.3m<sup>2</sup>
  - b. two bedrooms – 0.5m<sup>2</sup>
  - c. three bedrooms – 0.7m<sup>2</sup>
  - d. four or more bedrooms – 1m<sup>2</sup>.
2. An additional 30 per cent in area of floor area required above must be provided within the communal storage area for manoeuvring or sorting within the waste storage area.

### 9.20 Storage

Purpose: ensure dwellings have sufficient space for the storage of everyday household items and bulky items, such as bicycles.

1. A building or development containing five or more dwellings must provide covered storage space for each dwelling with internal measurements of at least 4m<sup>3</sup>, excluding storage within the kitchen and bedroom wardrobes. The storage may be within the dwelling or external to it, within the site.
2. The required storage space for each dwelling must include a single covered storage space within internal dimensions of at least 2m<sup>3</sup>.

### 9.21 Dwelling mix

Purpose: large-scale residential development provides variety in dwelling sizes.

1. In a single development containing more than 20 dwellings, the combined number of studio and one bedroom dwellings must not exceed 70 per cent of the total number of dwellings within the development.

### 9.22 Minimum floor to floor/ceiling height

Purpose: buildings are adaptable to a wide variety of uses over time and provided with adequate daylight access.

1. The ground floor of a new building must have a minimum finished floor to floor height of 4m for a minimum depth of 10m where it adjoins an arterial road.
2. In all other instances, the finished floor to finished ceiling height of habitable rooms must be at least 2.55m.

### 9.23 Universal access

Purpose: medium to large-scale residential development provides equal physical access and use for people of all ages and abilities.

1. Where a new building or development contains 10 or more dwellings, 20 per cent of those dwellings must comply with the following:
  - a. doorways must have a minimum clear opening width of 810mm
  - b. stairwells must have a minimum width of 900mm
  - c. corridors must have a minimum width of 1050mm
  - d. the principal means of access from the frontage, or the parking space serving the dwelling, to the principal entrance of the dwelling must have:
    - i. a minimum width of 1.2m
    - ii. a maximum slope of 1:20
    - iii. a maximum cross fall of 1:50
2. Where the calculation of the dwellings required to be universally accessible results in a fractional dwelling, any fraction that is less than one-half will be disregarded and any fraction of one-half or more will be counted as one dwelling.
3. All dwellings required to be universally accessible must provide at least one parking space for people with a disability. The dimensions and accessible route requirements for such parking spaces are detailed in Section 5.5 of the New Zealand Building Code D1/AS1 New Zealand Standard for Design for Access and Mobility – Buildings and Associated Facilities (NZS 4121-2001).

**10. Development Controls - Retirement Villages.**

This Section contains all relevant development controls and other relevant rules that apply to Retirement Villages located in any residential zone, Metropolitan Town Centre Zone, General Business zone, Business Park zone and Countryside Living zone.

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**10.1 Carparking and access**

Any relevant development controls for the zone in which the activity is located.

71

**10.2 Height in relation to boundary**

Any relevant height in relation to boundary for the zone in which the activity is located.

72

**10.3 Yards**

Any relevant yard controls for the zone in which the activity is located.

73

**10.4 Traffic generation**

Any relevant traffic generation controls for the zone in which the activity is located.

74

**10.5 Noise**

Any relevant noise controls for the zone in which the activity is located.

75

**10.6 Height**

Any relevant height controls for the zone in which the activity is located.

76

**10.7 Other relevant rules**

- a) Auckland Wide rules in Chapter H, excluding sections 6.4 and 6.6..
- b) The Overlay Rules in Chapter J
- c) The development controls in any precinct plan in Chapter K apply where they are more permissive or enabling.
- d) The development controls contained in Sections 4 – 8, or any other part of the Plan, do not apply unless those controls are more permissive or enabling.

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**10.8 Development control and other relevant rules infringements**

A Retirement Village activity including any addition, alteration or demolition that infringes a development control or other relevant rule in this section is a restricted discretionary activity.

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**110. Assessment - Restricted discretionary activities**

**110.1 Matters of discretion**

The council will restrict its discretion to the matters below for the activities listed as restricted discretionary in the zone activity table or where otherwise specified as restricted discretionary.

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1. Visitor accommodation up to 200m<sup>2</sup> GFA, dairies up to 100m<sup>2</sup> GFA, restaurants up to 100m<sup>2</sup> GFA, care centres between 200m<sup>2</sup>-400<sup>2</sup> GFA, healthcare facilities up to 200m<sup>2</sup> GFA
  - a. intensity and scale
  - b. noise, lighting and hours of operation.
2. The conversion of a dwelling into two dwellings in the Large Lot and Rural and Coastal Settlements zone
  - a. wastewater capacity.
3. Four or more dwellings in the Mixed Housing Suburban and Mixed Housing Urban zone, more than one dwelling in the Terrace Housing and Apartment Buildings zone
  - a. building design and external appearance

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- b. design and scale of buildings adjoining historic heritage and historic character areas
  - c. topography, site orientation and earthworks.
  - d. design and layout of dwellings, visitor accommodation and boarding houses
  - e. design of landscaping
  - f. design of parking and access
  - g. infrastructure and servicing
  - h. water sensitive design.
4. New buildings accessory to the permitted or restricted discretionary non-residential activities listed in the activity table
- a. building design and external appearance
  - b. design of landscaping
  - c. design of parking and access
  - d. servicing
  - e. water sensitive design.

#### 5. Retirement Villages

This section contains all restricted discretionary matters and assessment criteria that apply to Retirement Villages located in any residential zone, Metropolitan Town Centre Zone, General Business zone, Business Park zone and Countryside Living zone, including any restricted discretionary activity which infringes a development control or other relevant rule. For the avoidance of doubt, clauses 10.2, 11 and 12 of this chapter and any other restricted discretionary matter, assessment criteria or other information requirement in the Plan does not apply to Retirement Villages.

##### a. Building design and external appearance:

(i) Where visible from immediately adjoining residential properties, building mass broken up by the use of variations building materials and/or colour.

(ii) Provides passive surveillance to the street and adjoining public spaces where practicable.

(iii) Where there is a breach of any relevant height control, shading and/or privacy effects on neighbouring residential properties.

##### b. Infrastructure and servicing: adequate stormwater, water supply and wastewater servicing (onsite and/or offsite) for the proposed development to address any increase in post-development demand of the proposed development.

##### c. Landscaping: assist with blending new developments with the surrounding streetscape and/or any adjacent public open space.

##### d. Design of parking and access:

(i) Individual or communal parking areas should be located and designed sufficient to service village demand (residents and staff).

(ii) Vehicle access ways should be designed to reduce vehicle speed by limiting the width of the access and be clearly separated from pedestrian access.

##### e. Waste: Rubbish storage areas visible from the street or public open space should be screened from public view.

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f. Unless otherwise stated, the environmental effect of any exceedance of applicable development controls or other relevant rules based on the stated purpose of the development controls or other relevant rules being breached.

## 10.2 Assessment criteria

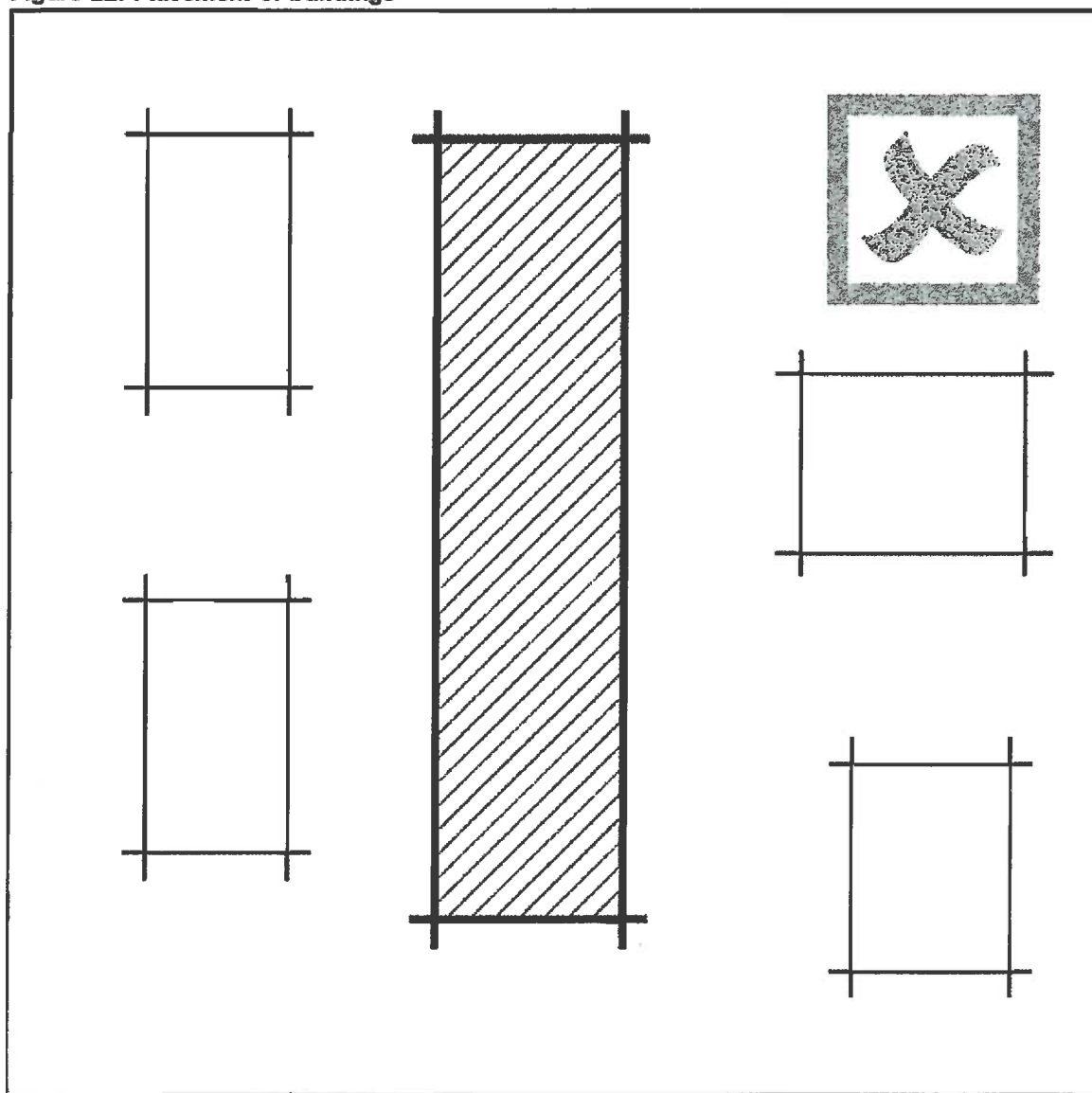
The council will consider the relevant assessment criteria below for the restricted discretionary activities listed above. The ADM may also provide guidance on how the outcomes of particular criteria can be met.

1. Visitor accommodation up to 200m<sup>2</sup> GFA, dairies up to 100m<sup>2</sup> GFA, restaurants up to 100m<sup>2</sup> GFA, care centres between 200m<sup>2</sup>-400<sup>2</sup> GFA, healthcare facilities up to 200m<sup>2</sup> GFA
  - a. Intensity and scale
    - i. The intensity and scale of the activity, in particular the number of people involved and traffic generated by the activity, size and location of buildings and associated car parking should be compatible with the planned future form and character of the area/zone.
    - ii. For care centres, the site should be of an adequate size and road frontage to accommodate the activity. In particular, sufficient space will need to be provided for a safe pick-up and drop-off area.
  - b. Noise, lighting and hours of operation
    - i. Noise and lighting from the activity should not adversely affect the amenity of surrounding residential properties. In determining this consideration will be given to the location of any potentially noisy activities e.g. outdoor play areas associated with a care centre, and any proposed measures to mitigate noise including:
      - locating noisy activities away from neighbouring residential boundaries
      - screening or other design features
      - the proposed hours of operation.
2. The conversion of a dwelling into two dwellings in the Large Lot and Rural and Coastal Settlements zones
  - a. Wastewater capacity
    - i. Any application must demonstrate adequate wastewater capacity exists within the on-site wastewater system and in particular:
      - the extent to which the existing on-site wastewater treatment and disposal system demonstrates that significant adverse effects on public health, water quality and amenity values are avoided and other adverse effects are remedied or mitigated
      - the type of wastewater treatment system, and the method of land application, is suitable for any increased capacity disposal requirements of the additional dwelling.
3. Four or more dwellings in the Mixed Housing Suburban and Mixed Housing Urban zones, more than one dwelling in the Terrace Housing and Apartment Buildings zone
  - a. Building design and external appearance

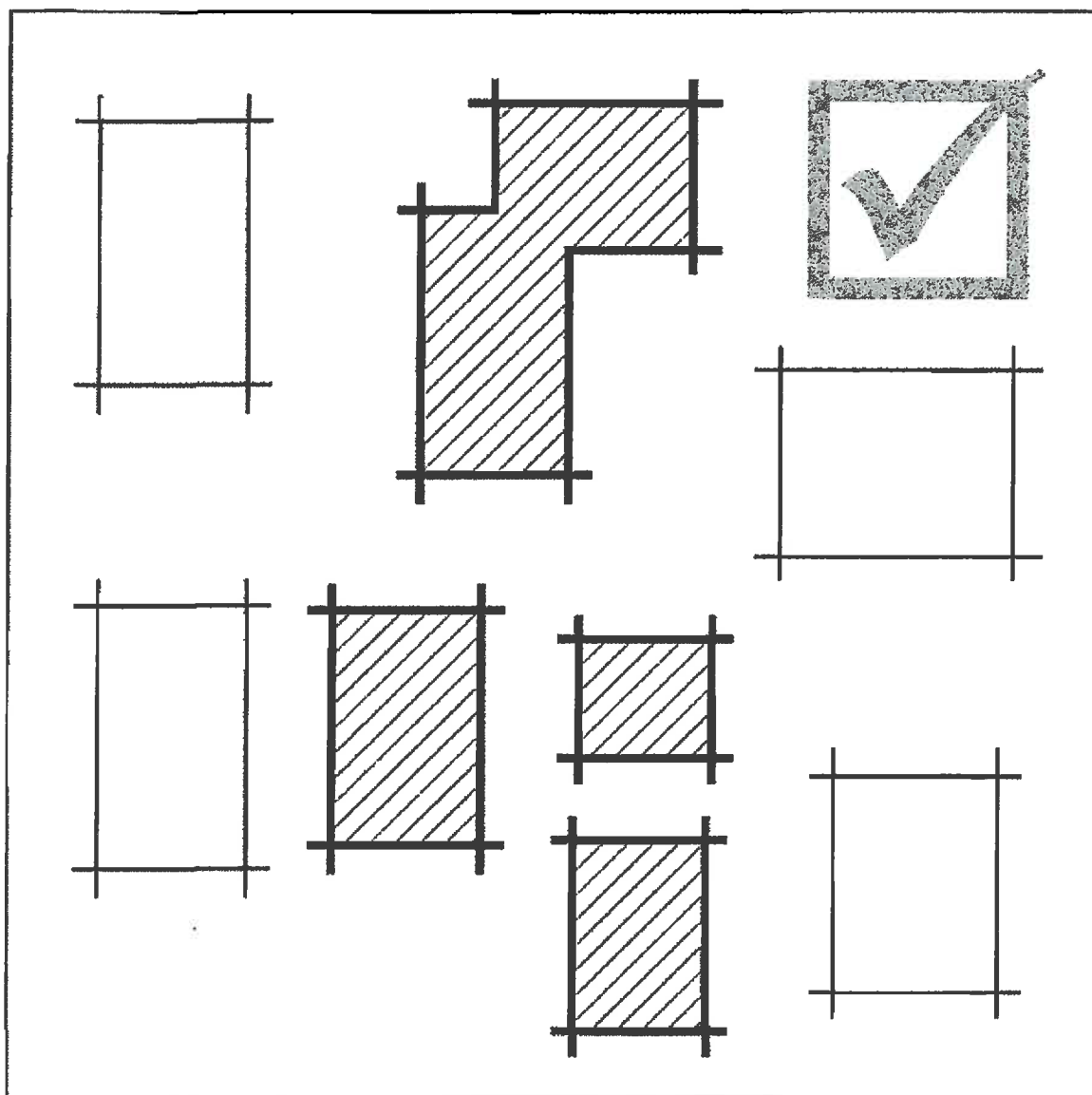
### *Contributing to sense of place in the Mixed Housing Suburban and Mixed Housing Urban zones*

- i. Residential developments of increased density should be designed and located on the site to be consistent with a suburban residential character within the Mixed Housing Suburban zone and an urban residential character within the Mixed Housing Urban zone.
- ii. The alignment, form and location of dwellings should consider and respond to the established urban pattern of development in the neighbourhood. Methods to achieve this may include:
  - modulating or separating buildings into smaller groups of buildings as illustrated below in Figure 22 below
  - transitioning the form and placement of dwellings as illustrated in Figure 23 below.

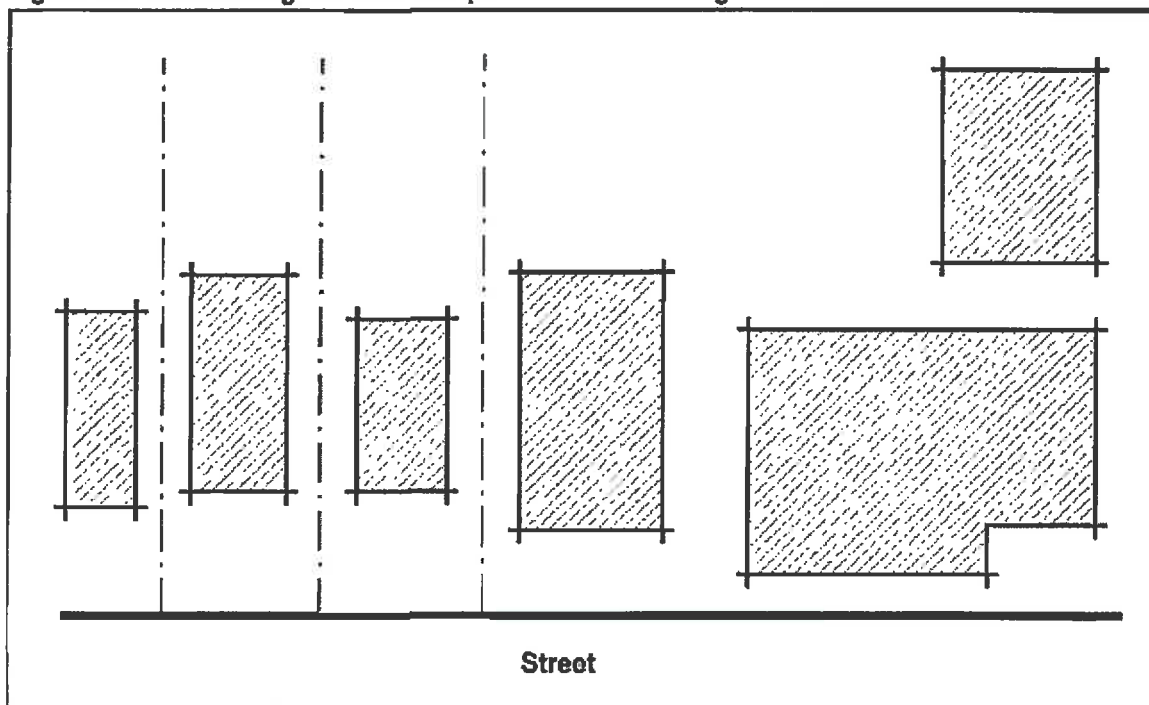
Figure 22: Placement of buildings







**Figure 23: Transitioning the form and placement of buildings**



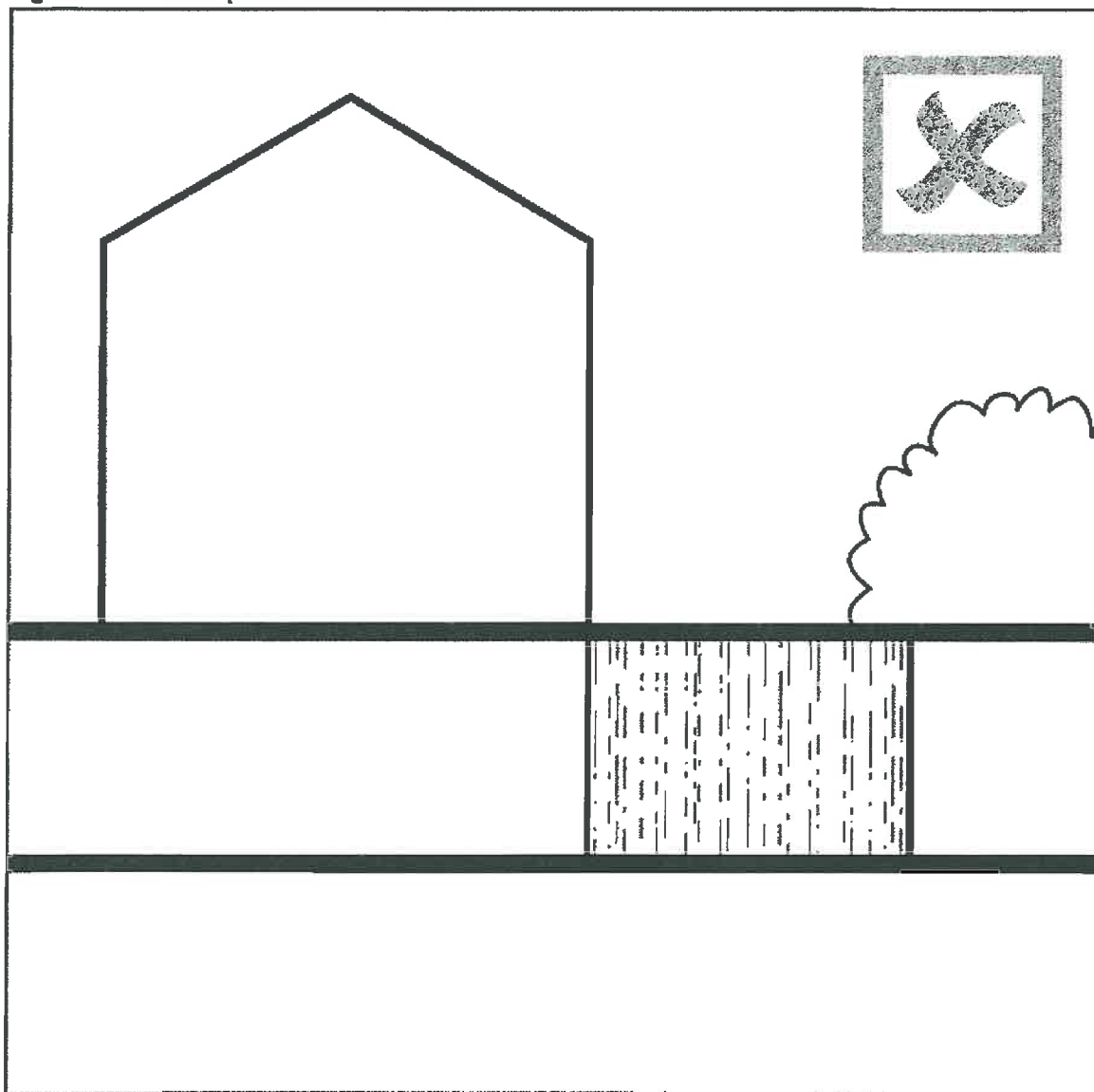
*Contributing to sense of place in the Terrace Housing and Apartment Buildings zone*

- iii. Residential development should be designed and located on the site to be consistent with a medium density urban residential character.

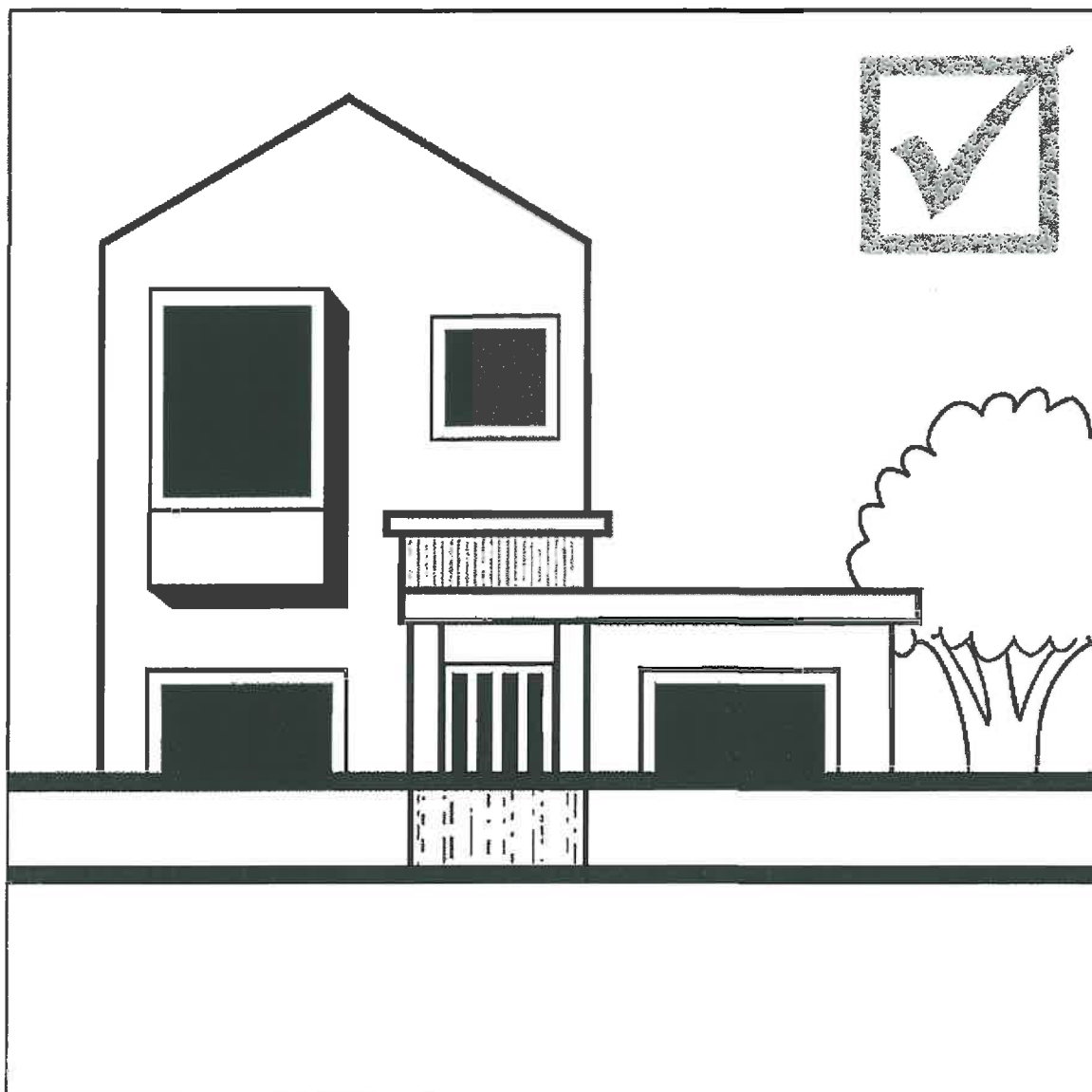
*Creating a positive frontage*

- iv. Buildings should have clearly defined public fronts, as illustrated in Figure 24 below, that positively contribute to the amenity and pedestrian safety of streets and public open spaces by:
- maximising doors, windows and balconies over all levels on the front façade
  - introducing visual interest through a variety of architectural detail and building materials
  - clearly defining the boundary between the site and the street or public open space by planting or fencing.

Figure 24: Defined public fronts and clear sense of address



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- v. Ground level balconies or patios to a street or public open space should be a height sufficient to provide privacy for residents while enabling sightlines to the public realm.
- vi. The number of dwellings that directly front, align and orientate to public streets should be maximised.
- vii. Ground level dwellings closest to the street should each have direct and clearly defined pedestrian access from the street in preference to a single building entrance.

*Building design and external appearance - Visual interest and variation in building form*

- viii. Buildings should be designed to:
  - avoid long unrelieved frontages and excessive bulk when viewed from streets and public open spaces
  - break up their mass into visually distinct elements, particularly when of a greater height of bulk than surrounding buildings, to reflect a human scale and the typical pattern of development in the area.
- ix. Techniques to achieve this include the use of physical separation, variations in building height and roof form, horizontal and vertical rhythms, façade modulation and articulation and building materials.

- x. Blank walls should be avoided on all building frontages to streets, accessways and public open spaces. Side or rear walls should be designed to provide interest in the facade including modulation, relief or surface detailing.
- xi. For larger scale developments:
  - the mechanical repetition of unit types should be avoided
  - balconies should be designed as an integral part of the building and a predominance of cantilevered balconies should be avoided
  - internal access to apartments is encouraged.

#### *Materials and finishes*

- xii. Quality, durable and easily maintained materials should be used on the façade of dwellings, with particular emphasis on frontages to the street and public open space.
- b. Design and scale of buildings adjoining historic heritage and historic character areas
  - i. Development adjoining or across the street from an identified historic character area should be designed and located to respect rather than replicate the prevailing character of the area. Notwithstanding this, new and contemporary interpretations in form and detail may be used.
  - ii. Development adjoining or across the street from scheduled historic heritage places should be designed and located to respect rather than replicate the key historic heritage design and location elements of that building. Notwithstanding this, new and contemporary designs may be used.
- c. Topography, site orientation and earthworks
  - i. The topography, orientation, size and proportions of the site should be suitable to accommodate the housing type proposed. In particular, development on steep land with poor solar orientation or narrow sites is discouraged unless sites are carefully designed to optimise on-site amenity values and complement the surrounding neighbourhood landform.
  - ii. Building platforms, outdoor living spaces, car parking areas and driveways should be located and designed to respond to the natural landform and site orientation in an integrated manner.
  - iii. Earthworks should be minimised and retaining avoided where possible. However, where retaining or earthworks are required they should be incorporated as a positive landscape or site feature by:

- integrating retaining as part of the building design
  - stepping and landscaping earthworks or retaining over 1m in height, to avoid dominance or overshadowing effects
  - ensuring all earthworks or retaining visible to the public, including neighbours, is attractively designed and incorporates modulation, landscaping and quality materials to provide visual interest.
- d. Design and layout of dwellings, visitor accommodation and boarding houses
- i. Dwellings should be located, proportioned and orientated within a site to maximise the amenity of future residents by:
    - clearly defining communal, semi-private and private areas, including outdoor living space, within the development
    - maximising passive sunlight access, particularly for high density development by methods including maximising north facing windows, while balancing the need for dwellings to front the street.
    - providing for natural cross ventilation by window openings facing different directions.
  - ii. Dwellings should be designed to provide a good standard of internal amenity by providing adequate circulation space around standard sized household furniture. The ADM illustrates possible ways of achieving this.
  - iii. Outdoor living space should balance the need to achieve the following, in order of priority:
    - avoid a southerly orientation and be located on site to maximise the number of hours that the majority of the outdoor living space receives winter sunlight
    - maintain privacy between the outdoor living space of adjacent dwellings and between outdoor living space and the street. Outdoor living space should be located away from street frontages, where practicable
    - be sheltered from the prevailing wind
    - be located to take advantage of any views or outlook from or within the site.
  - iv. In addition to the above, any communal open spaces should be designed to:
    - provide an attractive, functional and high quality outdoor environment, located within the site to form a focus of the development
    - be conveniently accessible to all residents
    - be overlooked by the principal living rooms and balconies of dwellings, where at ground or lower levels, to enhance safety.
  - v. The size of the communal outdoor living space should be adequate for the number of people the development is designed to accommodate.
  - vi. Appropriate management and maintenance systems should be provided for communal outdoor living space dependent on the scale of development and the extent of communal access to ensure it is available for all residents of the development.
- e. Design of landscaping
- i. Development should integrate and retain significant natural features including trees, streams and ecological areas.
  - ii. Site landscaping should be located and designed to:

- assist with blending new developments with the surrounding streetscape and/or any adjacent public open space
- allow space for the planting of large trees
- enhance energy efficiency and stormwater management, including shading and swale systems
- enhance on-site amenity and improve privacy between dwellings.

f. Design of parking and access

*Connections to the neighbourhood*

- i. Developments on larger sites with frontages to two or more streets should extend and connect a pedestrian and cycle links or where practicable, a public street through the site. Cul-de-sacs should be avoided unless there is no design alternative available.

*Location and design of parking*

- ii. Individual or communal car parking areas should be located and designed to:
- be close and convenient to dwellings
  - be secure, well lit, or visible from dwellings
  - be well ventilated if enclosed
  - minimise noise and fumes by providing separation from bedroom windows
  - avoid surface car parking areas fronting streets and public open spaces
  - provide visual interest and an attractive appearance, including the use of paving patterns and different material types in combination with landscaping.
- iii. Parking areas and garages should be designed and grouped to make efficient use of land.
- iv. Parking areas should be attractively landscaped.
- v. Where practicable, parking should be located underground, or in semi-basements projecting no more than 1m above ground.

*Location and design of vehicle and pedestrian access*

- vi. Vehicle crossings and access ways should be designed to reduce vehicle speed, be visually attractive, using quality paving and landscaping and clearly signal to pedestrians the presence of a vehicle crossing or access way.
- vii. Vehicle crossings and access ways should be clearly separated from pedestrian access. The spaces may be integrated where designed as a shared space with pedestrian priority.
- viii. The design of pedestrian routes between dwelling entries, carpark areas, private and communal open space and the street should provide equal physical access for people of all ages and physical abilities and provide a high level of pedestrian safety and convenience.
- ix. Ramps, where necessary, should be minimal in length and integrated into the design of the building and landscaping.

*Accessibility of common areas*

- x. Common areas within buildings should be designed to provide equal physical access for people of all ages and abilities. Common areas should also allow for standard household furniture to be easily moved in and out. This includes providing corridors and circulation spaces of sufficient dimension and minimising stairs where possible. The ADM illustrates possible ways of achieving this.

- g. Infrastructure and servicing
    - i. There should be adequate capacity in the existing stormwater and wastewater network to service the proposed development.
    - ii. Required infrastructure should integrate into the design of the site. This includes low impact stormwater design devices, overland flow paths/floodplains, wastewater systems, and water supply.
    - iii. Rubbish storage areas should be either incorporated into the design of the building and screened from public view.
    - iv. Plant, exhaust, intake units and other mechanical and electrical equipment located on the roof of a building should be integrated into the overall design and be contained in as few structures as possible.
  - h. Water sensitive design
    - i. New dwellings should be designed to incorporate water sensitive design principles that use natural systems and processes for stormwater management to minimise adverse effects and protect and enhance the values and functions of natural ecosystems. This may include:
      - a water sensitive design approach that is appropriate to the scale of the development
      - maximising localised water collection, retention and re-use
      - avoiding the use of high contaminant generating building products
      - minimising stormwater runoff by maximising vegetated areas and soil infiltration
      - using ecologically sensitive techniques to reduce and treat stormwater flows.
4. New buildings accessory to the permitted or restricted discretionary non-residential activities listed in the activity table
- a. Building design and external appearance
    - i. Refer to the assessment criteria in clauses 3(a)(iv), 3(a)(viii)-(x) and 3(a)(xii) above.
  - b. Design of landscaping
    - i. Refer to the assessment criteria in clause 3(e)(ii) above.
  - c. Design of parking and access
    - i. Refer to the assessment criteria in clause 3(f)(ii) above.
  - d. Servicing
    - i. Refer to the assessment criteria in clauses 3(g)(iii)-(iv) above.
  - e. Water sensitive design
    - i. Refer to the assessment criteria in clauses 3(h) above.

## 11. Assessment - Development control infringements

### 11.1 Matters of discretion

In addition to the general matters set out in [clause 2.3](#) of the general provisions, the council will restrict its discretion to the matters listed below for the relevant development control infringement:

- 1. Building height, height in relation to boundary, building coverage, side and rear yards
  - a. effects of additional building scale on neighbouring sites, streets and public open spaces (sunlight access, dominance, visual amenity)
  - b. consistency with the planned future form and character of the area/zone
  - c. protection from coastal inundation and sea-level rise within identified areas.



2. Maximum impervious area
  - a. refer to clause 1.4 of the Auckland-wide - Stormwater management rule.
3. Outlook space
  - a. effects of reduced privacy and outlook.
4. Separation between buildings within a site
  - a. dominance effects
  - b. effects of reduced daylight and sunlight access and ventilation.
5. Landscaping
  - a. effects on streetscape amenity
  - b. effects on stormwater absorption.
6. Front yards, fences
  - a. effects on streetscape amenity and safety.
7. Minimum dwelling size, daylight to dwellings, minimum floor to ceiling height, storage, servicing and waste, minimum dimension of principal living rooms and principal bedrooms, outdoor living space
  - a. effects of reduced living and circulation space, sunlight/daylight access and storage on residential amenity.
8. Universal access
  - a. effects on accessibility.

## 11.2 Assessment criteria

In addition to the general assessment criteria for development control infringements in [clause 2.3](#) of the general provisions the council will consider the relevant criteria below for the listed development control infringements.

1. Building height, height in relation to boundary, building coverage, side and rear yards
  - a. Effects of additional building scale on neighbouring sites, streets and public open spaces (sunlight access, dominance, visual amenity)
    - i. Infringing of the control should not result in the building dominating or unreasonably shading the outdoor living space or windows to habitable rooms of adjoining dwellings.
    - ii. The building should be designed to avoid dominance, over-shadowing, or reduced access to sunlight of the adjoining dwellings and their outdoor living spaces. Methods to achieve this include providing variations in building heights building setbacks, or breaks in building massing.
  - b. Consistency with the planned future form and character of the area/zone
    - i. Where height is infringed, the proposal must demonstrate that the relevant policy in the zone regarding character and building height and bulk.
  - c. Protection from coastal inundation and sea-level rise within identified areas
    - i. Development that infringes the building height may be acceptable where the finished floor level is raised 500mm above the water depth of the one per cent AEP coastal storm tide inundation plus the 1m projected sea level rise in the locations identified on the planning maps.
2. Outlook space
  - a. Development that infringes the outlook control will need to demonstrate that there will be a reasonable standard of visual and acoustic privacy between dwellings, including their outdoor living space. Methods to achieve this include, off-setting or changing the orientation of balconies and windows to avoid direct over-looking, the use of screening devices and landscaping.

3. Front yards, fences
  - a. Effects on streetscape amenity and safety
    - i. Development that infringes the front yard control will need to demonstrate that the proposed setback is consistent with the typical depth of yard in the surrounding neighbourhood, particularly those of adjoining sites. This is particularly important where the development is in close proximity to an identified historic character or historic heritage area.
    - ii. Development that infringes the fences control will need to demonstrate that the proposed fence will enable direct sightlines to the dwelling from any adjoining street or public open space and vice versa.
4. Minimum dwelling size, daylight to dwellings, minimum floor to ceiling height, storage, servicing and waste, minimum dimension of principal living rooms and principal bedrooms, outdoor living space
  - a. Effects of reduced living and circulation space, daylight access and storage on residential amenity
    - i. All habitable rooms in dwellings should be naturally lit and should not rely on borrowed light from other rooms.
    - ii. Dwellings should have adequate natural light that avoids the need for the dwelling to be artificially lit during daylight hours.
    - iii. Consideration will be given to the configuration and orientation of the dwelling so that sunlight access is maximised to principal living rooms.
5. Separation between buildings within a site
  - a. Dominance effects
    - i. Development that infringes this control should not result in the building visually dominating the outdoor living space or windows to habitable rooms of dwellings on the same site.
  - b. Effects of reduced daylight and sunlight access and ventilation
    - i. Development that infringes this control will need to demonstrate that the dwellings will receive a good degree of daylight and ventilation, and will not reduce access to sunlight, particularly for dwellings at lower building levels.
6. Universal access
  - a. Effects on accessibility
    - i. For development that infringes this control consideration will be given to whether meeting the control would cause a significant amount of land modification and adverse effects on the landscape or natural features of the site.
    - ii. Consideration will also be given to whether other universal design features are incorporated into the development that would mitigate any adverse effects created by the infringement.

## 12. Special information requirements

### 1. Design statement

A design statement is required for the activities specified in the tables below. The design statement is required to include as a minimum the matters indicated within the table as set out in [clause 2.7.2](#) of the general provisions. Drawings, illustrations and supporting written explanation should be proportionate to the complexity and significance of the development proposal. Refer to the [ADM](#) for guidance on the preparation of design statements.

**Table 9: Design statement requirements**

Activity	Any discretionary or non-complying activity involving a new building	Any building associated with a non-residential activity	Additions and alterations to buildings in the THAB zone	4-15 dwellings in all Residential zones	15+ dwellings in all Residential zones	Apartments in all Residential zones
a. Existing site plan	X	X	X	X	X	X
b. Streetscape character	X	X	X	X	X	X
a. Natural and cultural environment	X	X	X	X	X	X
b. Movement	X	X		X	X	X
c. Neighbourhood character	X	X	X		X	X
d. Use and activity	X	X			X	X
e. Urban structure	X	X			X	X
a. Opportunities and constraints diagram	X	X	X	X	X	X
a. Concept design	X	X	X	X	X	X
b. Proposed site plan	X	X	X	X	X	X
c. Proposed elevations	X	X	X	X	X	X
d. Sunlight access	X	X	X	X	X	X
e. Landscape	X	X	X	X	X	X
f. Streets, accessways & lanes	X	X		X	X	X
g. Urban structure	X				X	
h. Public open space	X	X			X	

**APPENDIX E – AMENDMENTS SOUGHT TO OVERLAYS**

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Ryman Healthcare Limited ☐ Phone: 03 366 4069 or 0800 588 222

92 Russley Road, Christchurch ☐ P O Box 771, Christchurch 8140 ☐ [www.rymanhealthcare.co.nz](http://www.rymanhealthcare.co.nz)

Amendments sought:

J.3.6 PRE-1944 BUILDING DEMOLITION CONTROL OVERLAY

- That the Pre-1944 Building Demolition Control Overlay is applied only to buildings which have are proven by the Council to have heritage value, or that the Overlay is deleted in its entirety.

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J.5.2 SITES AND PLACES OF SIGNIFICANCE TO MANA WHENUA

- That the locations of the overlays for the Sites and Places of Value to Mana Whenua are refined to ensure that the Overlays accurately reflect the relevant feature or area of significance or that the Overlay is deleted in its entirety.
- Sites should not be affected by the overlays that:
  - No longer exist as a result of previously earthworked land;
  - Have existing resource consents for land use disturbance (and/or Historic Places Act authorities) providing for ground disturbance;
  - Neighbouring properties where the archaeological site in question is located off the site that is influenced by the hatching.
- Amendment to the diameter of the circle identifying Sites and Places of Value to Mana Whenua to 50m.
- Amend J.5.2.3 Assessment Criteria and G.2.7.4 Cultural Impact Assessment so that the provision of a Cultural Impact Assessment is a discretion, not a requirement.

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J.2 HISTORIC HERITAGE: EXTENT OF PLACE OVERLAY AND PLANNING MAPS

- The deletion of the Historic Heritage: Extent of Place Overlay from the PAUP or that the locations to which the Overlay applies are refined to ensure that the Overlay is accurately applied.

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**APPENDIX F – AMENDMENTS SOUGHT TO DEFINITIONS**

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Ryman Healthcare Limited ☐ Phone: 03 366 4069 or 0800 588 222

92 Russley Road, Christchurch ☐ P O Box 771, Christchurch 8140 ☐ [www.rymanhealthcare.co.nz](http://www.rymanhealthcare.co.nz)

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Amendments sought (underlined and ~~struckout~~):

**DEFINITIONS**

**Retirement villages**

A comprehensive residential development used to provide accommodation for aged people, including:

a retirement village as defined in s.6 of the Retirement Villages Act 2003; recreation, leisure, welfare and medical facilities (inclusive of hospital care and supported residential care) and other non-residential activities accessory to the retirement village.

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**Supported residential care**

Facilities used to provide accommodation and full time care for aged or disabled people. The facility must be certified under the Health and Disability Services (Safety) Act 2001 and comply with the Health and Disability Sector Standards 2001.

Includes:

a rest home defined in s.58(4) of the Health and Disability Services (Safety) Act 2001 accessory nursing and medical care.

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Excludes:

hospitals

~~retirement villages.~~

101/101



22 July 2014

22 JUL 2014

Attn: Unitary Plan Submission Team  
Auckland Council  
Freepost Authority 237170  
Private Bag 92300  
Auckland 1142

**By email:** unitaryplan@aucklandcouncil.govt.nz

**Further submission in support of, or in opposition to, submissions on the Proposed Auckland Unitary Plan**

Section 123 Local Government (Auckland Transitional Provisions) Act 2010; Clause 8 of Schedule 1, Resource Management Act 1991; FORM 3 Resource Management (Forms, Fees, and Procedure for Auckland Combined Plan) Regulations 2013

**Further submitter details:**

Ryman Healthcare Limited (*Ryman*)

**Address for service of the submitter:**

Ryman Healthcare Limited  
c/o Luke Hinchey  
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PO Box 2206, Auckland 1140

Telephone: 09 357 9000  
Email: luke.hinchey@chapmantripp.com

**Introduction**

1. This is a further submission on the Proposed Auckland Unitary Plan ("PAUP").

**Interest in the submissions**

2. Ryman represents a relevant aspect of the public interest and has an interest in the PAUP greater than the general public for a number of reasons, including (without limitation):
  - a. Ryman has a significant interest in how the PAUP provides for and regulates retirement village and aged care provision in the Auckland Region given our current and intended activities in the Auckland area. Ryman has a very large pipeline of units for retirement village development in Auckland over the next 18 months. Ryman wishes to ensure that the PAUP appropriately provides for retirement village development and related activities.

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Ryman Healthcare Limited | Phone: 03 366 4069 or 0800 588 222

92 Russley Road, Christchurch | P O Box 771, Christchurch 8140 | www.rymanhealthcare.co.nz



- b. Ryman's villages make a substantial contribution to housing and healthcare for the elderly in the region, providing for the economic and social wellbeing of communities. Ryman's ability to provide for the social and economic wellbeing of the Auckland region will depend on the reasonableness and appropriateness of the PAUP provisions.
- c. Given its history, operations and current activities in the Auckland region and throughout New Zealand, Ryman has experience and expertise relevant to determining the merits of the PAUP provisions, and the appropriate methods for avoiding, remedying and mitigating adverse effects on the environment arising from both Ryman's activities and the activities of others that may impact on retirement accommodation.
- d. Ryman made a submission on the PAUP.

**Decisions sought**

- 3. The decisions sought are detailed in the table **attached** to this form.
- 4. Ryman has not referenced all original submissions it supports or opposes on the basis that its own submission is clear as to what provisions Ryman seeks for retirement villages in the region. To the extent that other submitters seek similar relief, Ryman generally supports those submissions. To the extent that other submissions seek relief which "challenges the relief sought"<sup>1</sup> in Ryman's primary submission (ie new or amended provisions that are inconsistent with or in conflict with Ryman's submission), Ryman generally opposes those submissions.

**Request to be heard in support of further submission**

- 5. Ryman wishes to be heard in support of its further submission.
- 6. If others make a similar submission, Ryman will consider presenting a joint case with them at a hearing.

Date: 22 July 2014

**Ryman Healthcare Limited:**




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Andrew Mitchell  
Development Manager

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<sup>1</sup> Procedural Minute No. 5 by Chairperson of Independent Hearings Panel, direction 21 dated 18 July 2014.



**Further submission on behalf of Ryman Healthcare Limited**

Name	Sub# Point	Support/oppose original submission	Topic	Sub topic	Parts of original submission supported/ opposed	Reasons for support/opposition	Relief sought
The Selwyn Foundation C/o Craig McGarr Bentley and Co Ltd PO Box 4492 Shortland Street Auckland 1140	5674-43	Support	Business	13.1 Activity table 1 for Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend activity table to provide for retirement villages as a permitted activity in the Metro Centre, Town Centre, Local Centre, Neighbourhood Centre, Mixed Use, General Business and Business Park zones.	Agree that suitable provision should be made for retirement villages as a permitted activity in business zones in the first instance.	Allow submissions
Susan and Nigel Eady 16 Waiononi Avenue, Point Chevalier Auckland 1022	5527-3	Oppose	Retirement Village Zone	121 Rules	Require significant development within, or expansions to, retirement villages to be notified to the local community for discussion and input from all parties.	Notification decisions should reflect the requirements of the RMA and the scale of potential effects on adjacent landowners. Otherwise, notification may be arbitrary in terms of effects. Often, retirement villages can be designed to have minor or less than minor effects on the surrounding community. A presumption of notification could add unnecessary processing delays to much needed developments.	Reject submission

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**APPENDIX 5 – RETIREMENT VILLAGES ASSOCIATION'S  
SUBMISSION AND FURTHER SUBMISSION**

**THE RETIREMENT VILLAGES ASSOCIATION OF NEW ZEALAND INC.**

PO Box 25 022, Panama Street, WELLINGTON 6146  
Phone 04 499 7090 Fax 04 499 4240



28 February 2014



**SUBMISSION ON THE PROPOSED AUCKLAND UNITARY PLAN**

*Sections 123 and 125, Local Government (Auckland Transitional Provisions) Act 2010  
Clause 6 of First Schedule, Resource Management Act 1991  
FORM 2*

Attn: Unitary Plan Submission Team  
Auckland Council  
Freeport Authority 237170  
Private Bag 92300  
Auckland 1142

By online submission

**Submitter details**

Organisation: Retirement Villages Association ("the Association")

Address for service: John Collyns  
Executive Director  
The Retirement Villages Association Inc  
P O Box 25-022  
Featherston St  
Wellington 6146

Email: [john@retirementvillages.org.nz](mailto:john@retirementvillages.org.nz)

- 1 This is a submission on the Proposed Auckland Unitary Plan (PAUP), on behalf of the Association.
- 2 The Association, on behalf of its members, has a significant interest in how the PAUP provides for and regulates retirement villages in the Auckland Region given our members' current and intended activities in the Auckland area. We wish to ensure that the PAUP appropriately provides for retirement village development and activities.
- 3 The Association could not gain an advantage in trade competition through this submission.

**BACKGROUND**

**The Association's Background**

- 4 Incorporated in 1989, the Association represents the interests of the owners, developers and managers of retirement villages throughout New Zealand. We have 70 member villages (for a list of Auckland member villages, see **Appendix A**) in the Auckland Council area, operating around 7,800 units that are home to 10,000 older New Zealanders. Many members are developing existing villages or building new ones as the demand for retirement villages grows dramatically.

- 5 Our members' retirement villages provide comprehensive living options and care services for elderly in the community, ranging from independent living townhouses and apartments through to specialist hospital care. All retirement villages provide a vital community service, allowing older Aucklanders to relinquish their large and often unsuitable homes for a comfortable and purpose-built retirement unit. In so doing they realise the equity in their home and release it back on the market for a new family to purchase. Many retirement villages also provide affordable homes as well as a vital community service in providing security for people in their old age.
- 6 The demand for retirement villages is predicted to increase significantly as the population ages and more older people understand the benefits of retirement village living.

**Retirement village development issues in Auckland**

*Population growth and ageing population*

- 7 Providing accommodation and care for the elderly is one of the critical social issues facing Auckland over the next 20 years and beyond. As recognised in the Introduction to the PAUP, Auckland is home to a third of New Zealand's population and is growing quickly. Auckland also has a fast-growing ageing population and it is expected that by 2025 there will be more people over the age of 65 than people aged 16 and under. By 2031, there are projected to be between 154,000 (medium growth) and 165,000 (high growth) Aucklanders over 75.

- 8 Good quality housing and sophisticated care for the elderly is significantly undersupplied in many parts of the country. With Auckland in the midst of a housing shortage crisis, retired people in Auckland are also facing a significant shortage in appropriate accommodation and care options. The lack of housing and care for retired people is reaching a critical level. Many Auckland (and elsewhere) retirement villages have a waiting list.

- 9 The PAUP recognises that population growth has placed pressure on housing availability and competition for housing has also influenced housing affordability. Providing for more retirement accommodation and aged care will release existing housing stock for other Aucklanders. This outcome will contribute to alleviating housing affordability issues in Auckland. However, if population growth and appropriate diverse accommodation options are not provided for in the PAUP, the social wellbeing of Auckland's residents will be seriously affected.

*Modern retirement accommodation*

- 10 The Association supports the statement in the Council's selection 32 analysis that:

*Retirement villages have changed over the last 15-20 years in response to changing demographics and requirements of older adults. Many older adults expect to have an active retirement and wish to move to a retirement village that allows them to "age in place". Modern retirement villages generally offer a range of housing from independent living units through to increasing levels of care as peoples health requirements change. From a planning perspective, this means that most retirement villages will offer a range of facilities from villas, apartments and town houses through to shared facilities for recreation and leisure activities, a chapel, libraries and hospital level care.*

- 11 As a result, retirement villages tend to be large format and medium to high density in order to properly cater for their residents' needs.

*Lack of suitable sites in existing residential neighbourhoods*

- 12 Retirement villages and related aged care are a residential use, and generally locate in residential areas where there is demand from residents living in those areas. Our members' experience is that elderly people want to stay in the communities where they currently live during their retirement. They want to remain close to their families, familiar amenities and other support networks. It is fair to say that the majority of retirement village residents come from within a 15 km radius of their village.

- 13 However, sites in existing residential areas which are appropriate for retirement village and aged care developments are extremely rare, due to size and location requirements. It is therefore important that development of retirement villages on appropriate sites is encouraged and enabled, and that existing sites (which are a recognised and accepted part of the communities they are located in) are suitably provided for and enabled to be further developed.

*Disconnect between community expectations, existing planning provisions and retirement accommodation needs*

- 14 Because of their functional and operational needs, retirement village and aged care developments tend to be larger than surrounding residential housing, for example in height and scale. Retirement village operators develop sites to be sympathetic to the amenity of surrounding neighbourhoods, and in particular to:

- 14.1 Be visually attractive and suit their surroundings;
- 14.2 Manage effects on the amenity of adjoining neighbours;
- 14.3 Meet the care needs of residents;
- 14.4 Provide high quality onsite amenities; and
- 14.5 Ensure that the sites are used effectively and efficiently.

- 15 However, communities (and particularly neighbouring landowners) often have an expectation as to how large, vacant sites are going to be used. Typically, that expectation is not for medium or higher density retirement accommodation. In part, this is because, traditionally, some of the legacy planning provisions have not anticipated and provided for retirement accommodation needs within existing residential areas particularly well. For example, we are advised that larger village operators face continuing pressure to reduce the scale of their developments to address so called "residential urban design principles". Such principles are generally developed for traditional housing typologies. These principles tend to ignore the reality of the extremely limited number of available sites, the need to use them efficiently and feasibility issues, if the needs of the elderly are to be met. As noted in Council's section 32 assessment:

*Existing legacy plans do not provide the flexibility required by retirement villages to construct buildings that are 'fit for purpose' in terms of providing for a range of housing and care choices for older people and those requiring care or assisted living. As Auckland's population continues to grow, it is important that a choice of housing is provided for older people, particularly in locations that provide good amenity and access to community services and facilities.*

- 16 As a result, consenting of retirement villages has been unnecessarily complex and time consuming. The poor provision for retirement accommodation has led to substantial uncertainty and tension for operators and the communities where they develop and operate. In some instances, the legacy provisions have recognised this dilemma, and through a variety of techniques (special purpose zoning and Concept Plans, for example), have acknowledged, and made specific provision for further development of some established sites-recognising the importance of the existing social infrastructure.
- 17 In the Association's view, the PAUP affords an excellent opportunity to address these fundamental planning issues.

#### SCOPE OF SUBMISSION

- 18 The specific parts of the PAUP that this submission relates to are:
- 18.1 Regional Policy Statement, Part 1, Introduction and Strategic Direction, sections 1.1 and 2.1 (with amendments sought attached at Appendix B);

- 18.2 Auckland-wide objectives, policies and rules, Chapters C and H (with amendments sought attached at Appendix C);
- 18.3 Residential Zone, objectives and policies in all zones (with amendments sought attached at Appendix D);
- 18.4 Residential Zone rules in all zones (with amendments sought attached at Appendix E);
- 18.5 Objectives, policies and rules in the Metropolitan, Town Centre and Mixed Use zones, General Business zone, Business Park zone, and Countryside Living zone;
- 18.6 Special Purpose - Retirement Village Zone;
- 18.7 Overlays, Chapter J (with amendments sought attached at Appendix F); and
- 18.8 Definitions of Retirement Village and Supported Residential Care (with amendments sought attached at Appendix G).

## INTRODUCTION

- 19 At present, the PAUP contains a significant gap in terms of providing for retirement accommodation and aged care. The Association considers it essential to meet the sustainable management purpose of the RMA, that the PAUP expressly acknowledges the need to enable and encourage retirement villages within all residential zones and in the Metropolitan, Town centres and Mixed Use zone, General Business zone, Business Park zone, and Countryside Living zone. Such development should, however, be subject to appropriate development controls that help expedite the consent process and manage potential impacts on adjoining neighbours.
- 20 Providing for retirement villages in existing residential areas encourages a range of diverse accommodation options which will be a significant part of addressing housing shortages and affordability issues. Such provision will also enable elderly residents to remain in their local area, while providing accommodation and care necessary for this sector. More flexible and tailor-made provisions for retirement villages will ensure that Auckland's housing supply crisis need is addressed more efficiently and effectively.
- 21 At a general level, the Association supports the PAUP's recognition of the unique needs of retirement accommodation, and understands that the broader industry also supports such provision. However, we do not consider the PAUP goes far enough in recognising the strategic significance of providing for retirement accommodation. The PAUP also fails to recognise the differences between the form and needs of traditional residential development compared to retirement accommodation.
- 22 The Association also has significant concerns regarding the proposed use of a "Special Purpose – Retirement Village Zone" (RVZ) which has been introduced in the PAUP.

## SUBMISSIONS IN SUPPORT

- 23 The Association supports the incorporation of specific provisions for retirement villages in the PAUP in order to:
  - 23.1 Ensure a more consistent, targeted approach to planning for retirement villages and their unique attributes;
  - 23.2 Recognise that some aspects of retirement village activities differ from typical residential activities; and

23.3 Provide mechanisms to enable the well-planned (and intensive) development of a variety of accommodation and supporting care facility opportunities for the elderly within the Auckland region.

**SUBMISSIONS IN OPPOSITION**

24 The Association considers overall (in respect of the provisions that it is opposed to), that the PAUP:

24.1 Is inappropriate and/or unnecessary;

24.2 Will not promote the sustainable management of natural and physical resources;

24.3 Will not promote the efficient use and development of natural and physical resources;

24.4 Is contrary to good resource management practice;

24.5 Does not comply with the requirements of section 32 of the RMA, particularly in that the provisions are not the most appropriate means of achieving the relevant plan objectives having regard to their efficiency and effectiveness and taking into account benefits, costs and risks; and

24.6 Is otherwise inconsistent with the relevant provisions of the Resource Management Act 1991 (RMA), including the purposes and principles of the RMA under Part 2.

25 Without limiting the generality of the above, other more specific reasons for our opposition have been provided throughout this submission.

**Regional Policy Statement**

26 At present, other than broad comments about Auckland’s growing and ageing population, the Regional Policy Statement (RPS) section of the PAUP does not address housing for retired people. There is also a fundamental flaw in the PAUP in how it seeks to manage housing intensification throughout the different zones. This zoning approach has not anticipated the particular density needs of retirement village accommodation.

27 The Association particularly opposes the lack of recognition in the RPS section of the PAUP of the:

27.1 Critical need for retirement villages in the Auckland area due to predicted increases in population and the growing ageing proportion of the population, and the pressure to provide for that need through intensification and within a consolidated urban environment;

27.2 Contribution of retirement villages to the Auckland region’s affordable housing needs (i.e. by both providing housing for elderly people, and by freeing up residential dwellings when retired people move into villages).

28 We consider that amendments are required to the RPS section of the PAUP to provide appropriate recognition of the importance of, and need for, retirement villages.

**Auckland-Wide objectives, policies and rules**

*C.5.14 and H.4.13 Lakes, rivers, streams and wetland management.*

29. The Activity Table in “H.4.13 Lakes, rivers, streams and wetland management.1” relates to works within lakes, rivers or streams, including intermittent stream reaches. The activity table makes various works within an intermittent stream a discretionary activity and in the case of reclamations, non-complying. In the Operative Regional Plan, such works were permitted activities reflecting the generally low ecological value of intermittent streams. The new rules will add a significant and disproportionate consenting requirement for works in intermittent streams without justification. This requirement will add to the time and cost of obtaining consents. It will have also a substantial impact on property development in the Region, undermining other key growth objectives of Council. Recognition of the varying values of intermittent streams versus permanent streams in the Auckland Region is critical in balancing the



opportunities for urban development and protection and/or enhancement of streams. The PAUP does not currently make the distinction.

*H.4.14 Stormwater management - Flow (2)*

30. The introduction to H.4.14 Stormwater management - Flow (2) states that:

*"It is anticipated that technical guidance will be provided through best management practice guidelines to support implementation of flow rules in this chapter".*

31. The RVA appreciates Council's intention to provide industry with guidance in this respect, however it is noted that no such guidance has been provided as of the 28th February 2014 and there have been no clear communications regarding a programme of Council workshops, publications or other such resources. Furthermore, Technical Publication 2013/035 may provide for a useful base of the philosophy, however further design guidelines are necessary to fully understand Council's direction in the PAUP. The RVA considers it necessary for Council to engage fully with the industry with respect to this considerable step-change in stormwater management. The RVA opposes references to any future publications or guidelines in the PAUP to help interpret the rules until the new guidelines are agreed and accepted as industry best practice (particularly Technical Publication 2013/035). Until that time, the RVA considers that current guidelines and publications representing best practice should continue to be adopted where applicable.

*H.4.14 Stormwater management – Flow (2.1)*

32. The Activity table in H.4.14 Stormwater management – Flow (2.1), provides that the maximum area of new impervious surfaces for a permitted activity, other than roads, is 25m<sup>2</sup>. The limit is significantly less than the previous limit of 1,000m<sup>2</sup> in the Operative Air, Land and Water Plan (ALWP) and will likely increase the stormwater management requirements for small to medium developments.

33. In addition, in both controls 3.2.2 (a) and (b) of section H.4.14 reference is made to new or redeveloped uncovered parking areas being "less than 50 percent of the total car park area". The reference should be made to the total uncovered car park area because there is almost no stormwater runoff from covered parking areas.

34. The RVA considers that the restricted discretionary activity status for any impervious areas in a SMAF 1 or 2 area that does not meet the hydrology mitigation requirements is overly restrictive. Where a property is subject to the SMAF overlays and located close to the coastal or tidal environment, there should be consideration of the effects of any stormwater from the development site on downstream environments. Accordingly, where the downstream environment is coastal or tidal, the RVA considers the hydrology mitigation requirements are unnecessary and onerous for no discernable benefit.

35. Lots within developments that have an appropriate stormwater management regime (prior to notification of the PAUP) are subject to the proposed hydrology mitigation requirements regardless of the capacity of the downstream stormwater measures that have recently proved to have been adequate through the consenting process.

*Stormwater Management Area (Flow) – overlay*

36. The RVA also considers that the blanket type approach to the Stormwater Management Area (Flow) overlay across the region is too broad an approach and requires further refinement. The overlays take no account of sites that are located close to the tidal or coastal environment and hence may not be required to account for quantity controls. Furthermore, the stormwater management area overlays do not account for recent developments that hold diversion and discharge consents nor individual lots that are connected to stormwater infrastructure associated with such consents.

**Residential Zone objectives and policies**

37. The Association strongly opposes the lack of express acknowledgement that retirement villages are essentially a residential use (albeit with different demands), and tend to locate in a variety of existing neighbourhoods where demand and site availability are significant influencers. Other than by providing

retirement villages with an activity status in the residential zones, there is no reference to retirement villages in the residential zones provisions. The PAUP does not recognise that as a residential use, retirement villages contribute to the mix and diversity of residential neighbourhoods, and contribute to social wellbeing.

- 38 We consider that the Residential Zone objectives and policies need to be amended to acknowledge that retirement villages are a residential use, and that their development is actively supported in the residential zones.

#### **Retirement village-specific rules**

- 39 The Association opposes the current residential zone approach, which focuses on density aligned to distance from town centres / public facilities. This approach does not match retirement village formats, which tend to be higher intensity uses than surrounding residential neighbourhoods (as evidenced by the location of many existing retirement villages across the city). The residents of these villages are typically made up of former home owners and occupiers from the surrounding community. It is very important that the PAUP does not limit retirement village options in a way that would lead to people needing to move away from their existing communities, loved ones and families at a critical time in their lives when they need more comprehensive care. As noted earlier, the majority of residents come from within a 15 km radius of their village, and the village reflects the general nature of the community in which it is based.
- 40 Retirement villages have specific features and requirements, which differ from standard residential development. The imposition of general residential development rules on retirement village development will reduce flexibility and will stifle retirement village development. Specific development controls for retirement village developments are necessary.
- 41 The Association considers that retirement villages (existing and new) should be provided for by way of a stand-alone retirement village-specific rules framework. This framework should be incorporated into the residential zone rules, but sit as a separate set of rules specific to retirement village development. Such a framework should provide for:
- 41.1 The land use of a retirement village to be recognised as a permitted activity to make it clear to the surrounding community that such uses are part of the fabric of the residential zones and not challengeable in consenting processes. Our members often experience public submissions opposing its villages made on the basis that such villages are a commercial use or a hospital use which is not appropriate in a residential zone. We wish to avoid such misguided submissions in the future;
- 41.2 The building and operation of a retirement village as a restricted discretionary activity in the residential zones, and subject to underlying zone rules which control external effects relating to height, carparking and access, height in relation to boundary, yards, traffic generation, and noise.
- 41.3 Application of Auckland-Wide rules which would have previously been described under legacy plans as "regional rules" (to address such matters as stormwater, streamworks, flooding, vegetation clearance and earthworks). The Overlay Rules of the Plan would also apply. However, a breach of any such a rule should only trigger a restricted discretionary activity status. Assessments of environmental effects at the resource consent stage should then be limited to the effect on the environment which the breached rule is designed to manage. This method is particularly important regarding the PAUP's overlay rules. Our members' experience is that there is a lack of suitable sites for retirement villages in the Region. The existence of an overlay on an appropriate site for retirement villages may substantially limit its use by appearing to take precedence in the Plan over the considerations of enabling of people's wellbeing, other positive social and economic benefits of retirement villages and the need to use available sites efficiently. We consider that those other considerations will often be more important than the strict protection of the feature that an overlay is designed to manage. The Association acknowledges, however, that effects on

identified features in the Plan might be relevant in the overall balancing of a resource consent application when making a decision. It is also noted that the PAUP contains a broad range of Auckland-wide rules. We oppose the application of any rules to retirement villages which are not expressly identified in the provisions we propose in Appendix B and we reserve the right to make further submissions on any provisions not referred to in this submission.

- 41.4 Recognition of existing villages and their development opportunities under legacy plans and/or existing consents and any other underlying development controls where they are more permissive or enabling than the regime proposed by the Association in Appendix B. The Association expressly supports more permissive or enabling rules adopted through the use of precinct plans which specifically provide for the continued use and development of existing facilities.
- 41.5 Other development controls, assessment criteria and special information requirements in the PAUP to expressly not apply unless those controls are more permissive or enabling. The rules regime proposed by the Association is designed to manage specific external effects on the immediate environment and to limit considerations which may be applicable to typical residential developments, but which should not apply to retirement villages. For example, we strongly oppose controls over the design or internal layout of retirement village sites. Our members have decades of experience of building villages and know intimately the amenity and care provision needs of its residents. Members advise that they frequently come across issues during consenting where councils attempt to influence the village's internal layout based on their understanding of design principles which only apply to traditional housing types. With respect, those councils do not understand how retirement villages function and operate. For similar reasons, the Association opposes the application of design manuals for traditional housing. When applied to retirement villages, such manuals will create unnecessary consenting debates and hinder design innovation.
- 41.6 Activities ancillary to retirement villages, such as alterations, additions and demolition, as permitted activities provided they comply with the building height, yards and height in relation to boundary, and maximum impervious area rules for the relevant zone where the activity takes place (to ensure external effects are managed). If they do not comply, they should be restricted discretionary activities subject to the same rules as for a new village
- 41.7 Retirement villages to be subject to specific restricted discretionary activity criteria which address the key potential environmental effects of retirement village development, namely:
- (a) Building design and external appearance, to address shading and privacy effects on adjacent properties. Council's design discretion should be limited to external effects only.
  - (b) Landscape design, to manage the interface with the external environment;
  - (c) Traffic management and provision for parking and access to internalise these effects or to ensure the surrounding area has capacity to absorb any additional demand;
  - (d) Infrastructure and services to internalise these effects or to ensure the surrounding area has capacity to absorb any additional demand; and
  - (e) A breach of the retirement village rules as a restricted discretionary activity with discretion over the environmental effect of the breach. On this matter, the RVA considers it is important that the PAUP recognise that site features and development techniques can allow for effects to be appropriately managed despite a breach of a rule. As an example, earthworks will in some cases be acceptable outside the main earthworks season where sedimentation effects can be managed within the site. In addition, breaches of height rules should be acceptable if they do not create adverse shading and/or privacy effects on neighbours.

**Metropolitan, Town centres and Mixed Use zone, General Business zone, Business Park zone, and Countryside Living zone**

- 42 The Association opposes the lack of provision for retirement accommodation in the Metropolitan, Town centres and Mixed Use zone, General Business zone, Business Park zone, and Countryside Living zone. These zones may contain sites which are suitable for retirement villages, for example on the fringe of nearby residential zones. We note that Ryman Healthcare's Edmund Hillary Retirement Village in Remuera (being one of several examples) was originally located in a business zone at the fringe of an existing residential area.
- 43 As noted, there is a general lack of suitable sites in the Auckland region for medium to large retirement villages. Many areas of Auckland will also evolve over the next 5-10 years and may become more suitable for retirement village activities.
- 44 The Association therefore considers it important that these other zones also provide for retirement village activities, and that the rules regime described above for retirement villages in residential zones should also apply in the Metropolitan, Town centres and Mixed Use zone, General Business zone, Business Park zone, and Countryside Living zone. The objectives and policies of these zones should also recognise the potential need to locate retirement villages in these zones.

**Special Purpose – Retirement Village Zone**

- 45 The Association appreciates and acknowledges the Council's provision for existing retirement villages. However we do not consider that the RVZ is the best mechanism to achieve support for existing retirement village development.
- 46 The RVZ creates the potential for substantial additional RMA processing requirements through rezoning. The RVZ will also create a community expectation that future villages will need a plan change to develop in areas outside of RVZs and a perception that retirement village activities are non-residential.
- 47 The RVZ in the PAUP has not been applied consistently to existing retirement villages in the Auckland Region. This lack of consistency clearly shows some significant gaps in the use of the RVZ.
- 48 It is also not possible to identify all suitable retirement village sites through a plan development process such as this. Any land that was inappropriately or unnecessarily zoned retirement village could be highly constrained for other purposes without a plan change, tying up the valuable land resource during this time.
- 49 The Council's s32 evaluation states that standard residential zones are not necessarily the best fit for the specialist retirement village activities. The Association disputes this statement. Retirement villages are a specialist form of residential activity and provide managed and secure housing and care options. The existing deficiencies in the legacy plans relate not to the zones, but the lack of tailored and specific retirement village activity related provisions (objectives, policies, rules). This poor provision has typically resulted in retirement village activities being assessed against the standards for typical dwellings. The typical bulk and location standards for dwellings do not reflect the different operational and practical requirements of retirement villages which are usually larger, higher density, comprehensive developments.
- 50 The RVZ provisions also contain a wide range of controls over internal layout which appear to derive from rules applying to typical residential activities. These controls should not apply to retirement village activities as they are not applicable and will substantially reduce flexibility of the use of sites.
- 51 Having said that, the Association is supportive of an approach which gives due recognition to existing facilities which have existing development opportunities, through the use of precinct plans. The Association expressly supports its members that seek the transposition of their existing legacy 'concept plans'.

## Overlays

### J.3.6 Pre-1944 Building Demolition Control Overlay

52 The Pre-1944 Building Demolition Control Overlay applies inappropriately restrictive rules across large parts of Auckland, for example, requiring restricted discretionary resource consent for new or relocated buildings at the rear of any pre-1944 building.

53 In many instances, the Overlay has been applied over pre-1944 buildings which have already been substantially modified, or areas where there are no pre-1944 buildings in existence. The Overlay has been applied arbitrarily, and in many instances does not protect features of any worth.

### J.5.2 Sites and Places of Significance to Mana Whenua

54 Sites and Places of Value to Mana Whenua are identified on the planning maps in the PAUP with an overlay consisting of a circle with a standard diameter of 200m. Earthworks within 50m of a site or place of value to mana whenua is a restricted discretionary activity (J.5.2.1 Activity Table). This additional 50m area essentially provides a buffer on a buffer. All resource consents under the Sites and Places of Value to Mana Whenua require a cultural impact assessment to be provided with the consent application (G.2.7.4 Cultural Impact Assessment) (CIA).

55 Although the RVA supports the recognition of features of importance to Mana Whenua and management of effects on them, this recognition needs to be balanced with the timely, efficient, effective and affordable provision of retirement village development. The RVA has concerns with the Overlay because:

55.1 It is neither effective nor efficient to require consent when the sites or places are not carefully identified and their value is unclear. The Overlay appears to have been applied arbitrarily and, given the large size of the Overlay, this imposes a significant burden unnecessarily on applicants.

55.2 It is inappropriate to require cultural impact assessments for all resource consent applications. Applicants should be able to use discretion as to whether a full cultural impact assessment is required for an application, in accordance with the normal RMA consent application procedures.

55.3 The PAUP does not identify the Iwi to be consulted for particular areas, which could lead to significant delays and potentially disputes between Iwi as to which group has Mana Whenua over the relevant site.

55.4 It is understood that many of the sites of value to mana whenua deal with archaeology associated with previous Maori occupation of the affected areas. The provisions included in the PAUP do not appropriately recognise other legislative processes for protecting such sites (for example, the Historic Places Act 1993), and accordingly may duplicate processes.

### J.2 Historic Heritage: Extent of Place Overlay and Planning Maps

56 It appears that for some historic heritage places, the "extent of place" as identified in the planning maps has simply been applied to the whole property as opposed to there being any assessment of the most appropriate extent of the place, taking into account the significance of the Historic Heritage. Given that the extent of place overlay applies a range of additional controls on the relevant area, it is important that the extent of place accurately reflects the Historic Heritage being managed.

## Definitions

57 The Association opposes the separate definitions of "retirement village" and "supported residential care". Supported residential care is often included within retirement villages – and 63% of registered retirement villages throughout New Zealand have a residential care facility as part of the development. Most new developments include a residential care facility and the existence of such a facility is demanded by many new residents who want to provide for their future care needs. A separate activity category may cause interpretational difficulties. In addition, the external effects of, and the need for, supported residential care and retirement villages are likely to be similar. The Association considers they should be treated the same in the activity tables.

**DECISION SOUGHT**

58 The Association seeks:

58.1 The relief set out in **Appendix B - G** or other relief which is consistent with its submission;

58.2 It also seeks such further, alternative or consequential relief to address our concerns, including amendments or deletion of any objectives and policies or other explanatory statements which do not support the rule regime proposed by the Association.

**Hearing**

59 The Association wishes to be heard in support of its submission.

60 If others make a similar submission, the Association will consider presenting a joint case.

**RETIREMENT VILLAGES ASSOCIATION OF NZ INCORPORATED:**



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John Collyns  
Executive Director

**APPENDIX A – RVA MEMBER VILLAGES IN THE AUCKLAND REGION**

139 On Union Ltd  
Acacia Cove  
Aria Bay Retirement Village  
Aria Park Retirement Village (Epsom)  
Bethesda Village .  
Bruce McLaren Retirement Village  
Cosmopolitan Retirement Village  
Devonport Retirement Village  
Dutch Village Trust  
Eastcliffe on Orakei  
Edmund Hillary Retirement Village  
Elmwood Lifestyle Care & Village  
Epsom Village  
Erin Park Retirement Village  
Evelyn Page Retirement Village  
Fairview Lifestyle Village  
Glenburn Retirement Village  
Grace Joel Retirement Village  
Greenview Park Village  
Hibiscus Coast Village  
Highgrove Retirement Village  
Hillsborough Heights Village  
Iona Close  
Knightsbridge Village  
Lady Allum Lifestyle Care & Village  
Longford Park Village  
Mayfair Village  
Maygrove Village  
Meadowbank Lifestyle Care & Village  
Metlifecare 7 Saint Vincent Ltd  
Metlifecare Crestwood  
Metlifecare Dannemora  
Metlifecare Dannemora  
Metlifecare Highlands  
Metlifecare Pakuranga  
Metlifecare Pinesong  
Metlifecare Powley  
Metlifecare The Poynton  
Metlifecare Waitakere Gardens  
Metlifecare Waitakere Gardens  
Mt Eden Gardens  
Mt Eden Lifestyle Care and Village  
Northbridge Lifecare Trust  
Northhaven Retirement Village  
Pakuranga Park Village  
Palm Grove Retirement Village  
Palms Village  
Parklane Village

Peninsula Club Retirement Village  
Puriri Park Retirement Village  
Ranfurly Village Ltd  
Real Living Group  
Remuera Gardens  
Remuera Retirement Village  
Remuera Rise  
Rosedale Village  
Rosehill Gardens  
Selwyn Heights Retirement Village  
Selwyn Oaks  
Selwyn Village  
Settlers Albany Limited  
South Auckland Masonic Trust  
St Andrews Village  
St Johns Village  
St Patricks Village  
Summerset by the Park  
Summerset Hobsonville  
Summerset Karaka  
Waiheke Retirement Village  
Wilsher Village



**APPENDIX B – AMENDMENTS SOUGHT TO REGIONAL POLICY STATEMENT**

# PART 1 - INTRODUCTION AND STRATEGIC DIRECTION

## Chapter A: Introduction

## Chapter B: Regional Policy Statement - Kupu Kaupapa ā-Rohe

### 1 Issues of regional significance - Ngā take matua ā-rohe

#### 1.1 Enabling quality urban growth

##### Unitary Plan issue

Our growing population increases demand for housing, employment, business, infrastructure, and services. This means we must manage our growth in a way that:

- enhances quality of life and wellbeing for individuals of all ages and communities
- optimises the efficient use of our existing urban area
- optimises the efficient use of existing and new infrastructure, particularly significant infrastructure
- maintains and enhances the quality of our environment, both natural and built
- maintains Māori communities, culture and values.

##### Explanation

Auckland is the place in New Zealand where more and more people want to live and work. While this drives economic growth, enhances regional GDP, and encourages development of a world-class city, nearly all our resource management issues stem from the impacts growth could have on our natural and physical resources.

##### Our sense of place

Our sense of place and belonging comes from Auckland's rich diversity. Our urban fabric includes historic buildings and places, as well as special character areas such as Ponsonby and Devonport. We also have many distinctive towns, local centres and places of interest such as Warkworth and Clevedon. Our challenge is to retain this sense of place while providing for growth and development.

The Mana Whenua of Tāmaki Makaurau narrative provides a unique and vibrant tūrangawaewae which is the special point of difference which distinguishes Auckland from any other place in the South Pacific.

Changing demographics including an increasing ageing population, and the desire of many to live close to work, transport links or areas of high amenity, has created demand for quality medium to high density housing within our existing urban area and a range of accommodation and care options for the ageing population. Meeting Auckland's needs means we need more choices and options around how and where we live.

We need to consider urban form and design, and sustainability outcomes to maximise economic opportunity and well-being, social well-being, cultural diversity and environmental health. These disciplines are critical in ensuring developments provide:

- high quality urban living experiences with sufficient amenities

- a range of housing to accommodate a diverse population that has different health and safety, and lifestyle needs
- mixed use, vibrant and coherent high density centres
- visibility of Auckland's cultural diversity in urban design
- increased travel choices and a reduction in reliance on private vehicles.

**Social Well-being**

Aucklanders' quality of life and their social well-being is influenced by the affordability and suitability of housing, access to their communities, access to quality public open space and access to social and community infrastructure.

Access to warm, dry and affordable housing is a basic human need. Auckland's popularity and continued growth in recent years has meant that housing is becoming increasingly unaffordable and out of reach for a large majority of first time home buyers. The issue is complex and influenced by a range of factors which include:

- land availability
- the availability and costs of infrastructure
- the location of new housing areas in relation to public transport
- employment
- social and community infrastructure
- the sequence and timing of land release.

3

Providing suitable housing and care for the elderly is also a basic human need. Auckland's population continues to grow. With that growth is an increasingly critical need for appropriate retirement accommodation. It is important that a range of accommodation and care facilities is provided for elderly people which provides for their particular needs. Providing for retirement accommodation is influenced by a range of factors which include:

- The unique health and safety, amenity and infrastructure demands of the elderly;
- People's desire to continue to live in their local community close to their families and support networks.
- The scale of, and nature of services provided by modern retirement village accommodation is different and generally more intensive than typical residential housing.
- A lack of suitable large sites for retirement accommodation within established residential communities.

Collectively Auckland's public open spaces perform a range of functions that provide opportunities for a variety of recreational activities such as sports, exercising, relaxing and socialising, providing public access to the coastline, providing amenity and protecting and enhancing our natural and cultural heritage. As the city grows and intensifies, additional quality public open spaces and recreation facilities will be required.

Social and community infrastructure relates to public and private facilities and networks, which provide for Aucklanders' quality of life and socio-economic outcomes. Social and community infrastructure is an important asset to society as it provides:

- opportunities to learn
- facilities for the prevention and treatment of illness and injury
- facilities to support the justice system

- places where the community can come together to discuss issues, to participate in recreation activities or to socialise.

Auckland's continuing growth will necessitate a high quality network of accessible social and community infrastructure that meets Aucklanders' needs both locally, sub-regionally and regionally. This will need to be delivered by a range of providers including central government, local government and private organisations or individuals.

### **Supply of land in appropriate locations**

Opportunities for growth around all edges of the urban area are limited. Auckland's geography limits our supply of suitable greenfield land. The coastline and significant park areas in the Waitākere and Hunua ranges constrain the expansion of the existing metropolitan area in a number of areas. Development must also optimise the investment of infrastructure and utilities, and not cause the need for ineffective or less cost effective forms of development.

Auckland's significant infrastructure such as:

- the transport network
- electricity
- water and wastewater
- the telecommunication network
- the Port of Auckland
- Auckland Airport

needs substantial investment to meet increasing demand caused by growth and higher environmental standards, particularly in relation to water quality. The timing, location and funding of new upgrades to services and amenities, such as water, wastewater disposal, transport and schools, will influence where and when new communities are established and whether or when existing communities can grow.

Auckland faces many challenges in accommodating growth. Development must optimise the benefits of transport integrated with land use, while providing high quality urban living, lifestyle choices, a healthy environment and protection of Mana Whenua interests. A compact well-designed urban form is the primary approach to achieving this balance.

### **Link to Auckland Plan**

#### **Auckland Plan strategic directions and priorities**

Strategic direction 10: Create a stunning city centre, with well-connected quality towns, villages and neighbourhoods.

- Realise quality, compact urban environments
- Demand good design in all development
- Create enduring neighbourhoods, centres and business areas.

Strategic direction 11: House all Aucklanders in secure, healthy homes they can afford.

- Increase housing supply to meet demand
- Increase housing choice to meet diverse preferences and needs

- Improve the quality of existing and new housing
- Improve housing affordability and the supply of affordable housing.

Strategic direction 12: Plan, deliver and maintain quality infrastructure to make Auckland liveable and resilient

- Protect, enable, align, integrate and provide social and community infrastructure for present and future generations
- Optimise, integrate and align network utility provisions and planning.

Strategic direction 13: Create better connections and accessibility within Auckland, across New Zealand and to the world.

- Integrate transport planning and investment with land use development.

## 1.2 Enabling economic well-being

## 1.3 Protecting our historic heritage, historic character and natural heritage

## 1.4 Addressing issues of significance to Mana Whenua

## 1.5 Sustainably managing our natural resources

## 1.6 Sustainably managing our coastal environment

## 1.7 Sustainably managing our rural environment

## 1.8 Responding to climate change

## 2 Enabling quality urban growth - Tāhuhu whakaruruhau ā-tāone

### *He tāhuhu whakaruruhau*

The sheltering ridge pole.

### 2.1 Providing for growth in a quality compact urban form

#### Introduction

This chapter sets out the objectives and policies for managing Auckland's urban areas over the next 30 years. The urban areas include the metropolitan area, the satellite towns of Warkworth and Pukekohe and the rural and coastal towns and serviced villages.

The primary policy approach is to provide for housing choice and affordability and focus residential and business growth in centres, within neighbourhoods and along frequent transport routes. Transport and other infrastructure is to be integrated with growth, while enabling business and residential development. Emphasis is placed on creating a quality built environment. Urban growth needs to make the best use of existing significant infrastructure, recognising protected values such as historic character and ecological areas, while considering constraints such as natural hazards.

Objectives, policies, methods relating to business land supply and business activities are in the RPS - Commercial and Industrial Growth section.

#### Objectives

1. A quality compact urban form with a clear defensible limit (Rural Urban Boundary - RUB) to the urban expansion of the metropolitan area, satellite towns, rural and coastal towns and serviced villages.
2. Urban growth is primarily focussed within the metropolitan area 2010.
3. Land within and adjacent to centres, frequent public transport routes and facilities is the primary focus for residential intensification with a lesser degree of intensification in surrounding neighbourhoods.
4. The focus for urban growth outside of the metropolitan area 2010, is greenfield land within the RUB that is contiguous with the urban area and the satellite towns of Pukekohe and Warkworth.

5. To recognise and provide for the various accommodation and care needs of the elderly.

4

**Policies**

1. Concentrate urban activities within, the metropolitan area 2010, the RUB, the satellite towns, rural and coastal towns and serviced villages.
2. Enable higher residential densities and the efficient use of land in neighbourhoods:
  - a. within and around centres and within moderate walking distances from the city, metropolitan, town and local centres
  - b. in areas close to the frequent public transport routes and facilities
  - c. in close proximity to existing or proposed large open spaces, community facilities, education and healthcare facilities
  - d. adequately serviced by existing physical infrastructure or where infrastructure can be efficiently upgraded.

e. to provide for the accommodation and care needs of the elderly.

5

3. Provide for and encourage residential intensification within centres while ensuring that:
  - a. there is a broad mix of activities within centres
  - b. residential activities do not compromise the ability for mixed use developments, or commercial activities to locate in centres
  - c. development uses land efficiently.

**Methods**

**Regulatory**

Unitary Plan:

- Appendix 1.1 and 1.2 on structure plan guidelines and the metropolitan area 2010.
- RUB – RPS maps on the council GIS viewer to show the maximum extent of the urban area.
- The Unitary Plan will be changed to define the RUB around rural and coastal towns and serviced villages and other areas the council has deemed necessary.
- Zones objectives policies and rules for the Future Urban zone.

**Explanation and reasons**

These objectives, policies and methods recognise the need for a well-located and designed compact urban form, and the natural and built character of the urban environment. A quality compact urban form delivers a range of benefits by:

- creating a range of housing choices from apartment living, to retirement accommodation and rural and coastal lifestyle opportunities
- achieving a more integrated approach to land use and transport which improves transport efficiency and enhances accessibility
- protecting core environmental values such as air quality, water quality and biodiversity fostering improvements in productivity and creativity by having a network of businesses in proximity to each other, suppliers, customers and their employees and enabling the exchange of ideas
- providing certainty about areas that will be well supported by infrastructure investment
- protecting highly valued areas from development
- creating greater social and cultural vitality and demographic diversity in centres and neighbourhoods
- supporting access to open space, community facilities, and education facilities.

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The objectives and policies recognise the need to focus most residential intensification within the metropolitan area 2010 and within centres. The benefit of this policy approach is that it provides for more efficient use of existing infrastructure and services and enables people to be closer to employment opportunities. The objectives and policies also recognise that providing facilities for the accommodation and care of the elderly within residential zones will require intensification of those sites.

The policy approach focuses urban activities to identified areas, rather than urban activities developing in an ad hoc manner in the rural environment. It also focuses infrastructure investment in identified locations and supports the development of identified growth areas or existing towns and serviced villages.

## 2.2 A quality built environment

### Introduction

This section sets out objectives and policies to deliver quality, sustainable development as Auckland moves to a compact urban form. A quality built environment is one which maximises opportunities for the well-being of communities and social and economic exchange by providing safe and lively streets and public spaces, fronted by visually rich and engaging buildings. In the New Zealand, and particularly the Auckland context, with its numerous volcanic cones and extensive shoreline, it is one where buildings respect and respond to the natural environment in which they are placed.

A robust design process is part of achieving a quality built environment, and results in development that contributes to an Auckland that is a sustainable, attractive and desirable city to live, work and play in.

### Objective

1. A quality built environment where development, including subdivision, across the site, street, block, neighbourhood and city scales:
  - a. recognises Auckland's sense of place and enriches its landscape, character, heritage and legibility (identity)
  - b. provides for a rich mix of choice and opportunity for our communities and can adapt to changing needs (diversity)



- c. considers and reinforces use, activity centres, energy systems and movement networks which are well connected and provide convenient and equal access for all (integration)
- d. supports and optimises the full potential of a site's intrinsic qualities, including its shape, landform, outlook and relationship to its surroundings (efficiency).

#### Policies

1. Require development to be designed to integrate all elements of a place, buildings or space into a coherently designed solution.
2. Design development to respond positively to the site, its context and the planned future character of the place, and to reinforce the role of the public realm as the primary place for public interaction.
3. Require development to contribute to the safety of the street and neighbourhood.
4. Encourage development which is designed for change of use through time.
5. Design development with a level of amenity that enables long term options for living and working.
6. Encourage development to be designed to have equal access for people of all ages and abilities.
7. Require a high standard of design in areas of residential and business intensification.
8. Enable the development of a range of built forms within neighbourhoods to support maximum choice and recognise different demographic needs and lifestyles. 7
9. Design streets and block patterns that maximise connectivity, provide for a range of travel options and have a high standard of amenity and safety for pedestrians and cyclists to promote walking and cycling.
10. Balance the place and movement functions of streets while emphasising their role as places for people over movement of vehicles in centres and areas of residential intensification.
11. ~~Require large scale development, and e~~Encourage ~~all other~~ development, to minimise its environmental impact through best practice sustainable design which incorporates energy efficiency, renewable energy generation, waste minimisation and water sensitive design. 8

#### Methods

##### Regulatory

##### Unitary Plan:

- Design statements
- Auckland-wide objectives, policies, rules and assessment criteria
- Zone objectives, policies, rules and assessment criteria
- Precinct objectives, policies, rules and assessment criteria.

##### Non-Regulatory

- The [Auckland Design Manual](#)
- Design review panels including the Auckland Design Panel
- Programmes that provide the community with information and increase their understanding on design and sustainability issues.

#### Explanation and reasons



A quality built environment is critical to the well-being of Auckland's communities and to its competitiveness, particularly as the city becomes more compact. Good design is a creative process that takes into account these issues and explores opportunities to deliver quality, sustainable and aesthetically pleasing development that provides for good public and private amenity.

## 2.3 Development capacity and supply of land for urban development

### Introduction

This section sets out objectives and policies to enable sufficient development capacity in the urban area and sufficient land for new housing and businesses over the next 30 years, to support population and business growth within the RUB.

The objectives and policies direct where urban growth should be located. They identify how suitable land will be managed, until the land is re-zoned for urban development. They also set out the process the council will follow to ensure urban development is supported by infrastructure and services to deliver a quality compact urban form.

### Objectives

1. Sufficient development capacity and land supply to accommodate projected population and business growth.
2. Up to 70 per cent of total new dwellings by 2040 occurs within the metropolitan area 2010.
3. Up to 40 per cent of total new dwellings by 2040 occurs outside of the metropolitan area 2010.
4. The development of land zoned future urban within the RUB occurs in an orderly, timely and planned manner.

### Policies

1. Maintain sufficient unconstrained residential and business land within the RUB to accommodate an average of seven years land supply at any one time.
2. Enable the continued use of land zoned future urban within the RUB for rural activities until urban zonings are applied through a structure plan and plan change process, provided that rural subdivision, use and development does not compromise the future urban use of the land or lead to land fragmentation.
3. Avoid urban development within:
  - a. areas with significant environmental, heritage, natural character or landscape values, including areas identified in [Appendix 3.1-3.2](#), [Appendix 5.1](#), [Appendix 6.2](#), [Appendix 9.1](#) and land governed by the Waitākere Ranges Heritage Area Act
  - b. scheduled sites and places of significance to Mana Whenua
  - c. areas of significant mineral resources
  - d. elite land
  - e. close proximity to existing or planned significant infrastructure, particularly where residential activities would cause reverse sensitive effects
  - f. greenfield land or future urban land affected by coastal inundation and projected sea level rise
  - g. areas prone to natural hazards. Where avoidance cannot be achieved in areas prone to natural hazards, urban development must be done in such a way that, individually or cumulatively, protects people, property and the environment from significant risks of natural hazards.
4. Stage the structure planning and rezoning of future urban zoned land and the provision of infrastructure within the RUB, in accordance with the following principles:
  - a. land should be rezoned following the approval of a structure plan prepared by either the council, the private sector, or public private sector partnership in accordance with [Appendix 1.1](#)

- b. rezoning and Infrastructure provision should be done in a logical sequence, and out of sequence infrastructure provision should be specifically avoided
  - c. new urban growth within the RUB should be immediately adjacent to existing urban land unless the separation is necessary to:
    - i. avoid, remedy or mitigate significant conflict between activities
    - ii. ensure the efficient provision of infrastructure, including transport
    - iii. take account of the topography or other physical constraints
    - iv. avoid the areas outlined in Policy 3 above
  - d. there is sufficient development capacity and land supply for both business and housing in each sector i.e. north, central, west and south
  - e. the quantity of land being released at any one time will have regard to the scale and economies of servicing and developing the land
  - f. the urban form and range of housing choices desired for the area are met
  - g. the ability to supply housing that is more affordable to households on low to moderate incomes.
5. Require comprehensive planned development of greenfield land zoned for business and residential uses, through a structure plan process to ensure development is aligned with the provision of significant infrastructure, stormwater management and achieves a well planned quality community.
  6. Require provision or upgrading of significant infrastructure to be coordinated with the structure and sequencing of growth and development, prior to the approval of an activity and/or development.
  7. Enable growth in new urban zones while protecting existing significant infrastructure from reverse sensitivity effects.

#### **Methods**

##### **Regulatory**

##### **Unitary Plan:**

- Appendix 1.1 and 1.2 on structure plan guidelines and the metropolitan area 2010.
- RUB – RPS maps on the council GIS viewer to show the maximum extent of the urban area.
- The Unitary Plan will be changed to define the rural urban boundary around rural and coastal towns and serviced villages and other areas the council has deemed necessary.
- Zone objectives policies and rules for Future Urban zone.

##### **Non-regulatory**

- A sub-regional analysis will be prepared by the council in conjunction with infrastructure providers, iwi, landowners, developers, central government and other stakeholders to integrate and prioritise land delivery and investment in infrastructure to support the development of brownfield and greenfield land.
- Review the council's rating and development contributions policy.
- Investigate funding mechanisms to support urban development and the provision of infrastructure.

##### **Monitoring and information gathering**

- Monitoring - development capacity and land supply.

##### **Explanation and reasons**

These objectives, policies and methods provides a target for unconstrained land supply to ensure there is adequate land to meet projected population and business growth. The preparation of a

sub-regional analysis will inform the council's land strategies and other documents such as the long-term plan, annual plan and asset management plans.

A higher proportion of growth is to occur inside the metropolitan area 2010. This means that growth can be avoided in more sensitive locations. It also provides for efficient use of infrastructure, and supports the use of public transport, community facilities and services.

Policy 2 outlines how the Future Urban zone is to be managed until a structure plan and a plan change is prepared to rezone the land to enable urban development. This policy supports a comprehensive approach to planning new urban areas. The structure plan guidelines in [Appendix 1.1](#) outlines what needs to be included in a structure plan.

The policies identify where urban development should be avoided and the principles for rezoning of land and infrastructure provision. These policies ensure that the Future Urban zone is developed in a logical sequence, is supported by planning and funding and significant infrastructure is aligned with growth and development. Growth is enabled while recognising that growth can have reverse sensitivity effects on significant infrastructure.

Policy 5 recognises that there are areas of greenfield land zoned for urban purposes that require comprehensive planning to avoid ad hoc development, ensure provision of infrastructure and enable efficient stormwater management.

## **2.4 Neighbourhoods that retain affordable housing**

## **2.5 Rural and coastal towns and villages**

## **2.6 Public open space and recreation facilities**

## **2.7 Social infrastructure**

## **3 Enabling economic well-being - Te whakatupu oranga whānau**

### **3.1 Commercial and industrial growth**

### **3.2 Significant infrastructure and energy**

### **3.3 Transport**

## **4 Protecting our historic heritage, special character and natural heritage - Te tiaki taonga tuku iho**

### **4.1 Historic heritage**

### **4.2 Special character**

### **4.3 Natural heritage**

## **5 Addressing issues of significance to Mana Whenua - Ngā take matua a ngā Ahikā-roa mai i tawhiti**

## **6 Sustainably managing our natural resources - Toitū te whenua, toitū te tairāo**

### **6.1 Air**

### **6.2 Minerals**

**6.3 Freshwater and Geothermal Water**

**6.4 Land - hazardous substances**

**6.5 Land - contaminated**

**6.6 Genetically Modified Organisms**

**6.7 Natural hazards**

**7 Sustainably managing our coastal environment - Toitū te taiwhenua**

**8 Sustainably managing our rural environment - Toitū te tuawhenua**

**9 Responding to climate change - He tūhono ki te āhuarangi**

**11 Cross-boundary issues**

**12 Environmental results anticipated**

**13 Monitoring and review procedures**

**APPENDIX C – AMENDMENTS SOUGHT AUCKLAND-WIDE OBJECTIVES, POLICIES AND RULES**

Amendments sought:

**C.5.14 AND H.4.13 LAKES, RIVERS, STREAMS AND WETLAND MANAGEMENT.**

- 1 The Activity Table in H.4.13 be amended so that works in intermittent streams are a permitted activity and amend related objectives and policies in C.5.14 to reflect this change. Any particular intermittent streams of importance should be identified by the Council and provided for by specific rules through a separate plan change.
- 2 Amend the definition of 'River or stream' within Part 4 of the PAUP (Definitions) to account for Permanent streams only and remove the reference to 'intermittently flowing body of fresh water'.

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**H.4.14 STORMWATER MANAGEMENT**

3 The following amendments be made:

- 3.1 Delete the introduction to H.4.14 Stormwater management - Flow (2) which states that:

*"It is anticipated that technical guidance will be provided through best management practice guidelines to support implementation of flow rules in this chapter".*

13

- 3.2 Amend H.4.14 Stormwater management – Flow (2.1) Activity Table so that Permitted activity status applies to:

*Impervious areas (other than for a public road) of less than or equal to 25m<sup>2</sup> 1000m<sup>2</sup> in a SMAF 1 or 2.*

14

- 3.3 Amend control H.4.14 Stormwater management – Flow (3.2.2.1) as follows:

*New, and redevelopment of existing, uncovered parking (including that which is accessory to the main use of the site)*

- a. *Where the new or redevelopment of existing uncovered parking areas, including entry/exit, comprises more than 1000m<sup>2</sup> but is less than 50 per cent of the total uncovered car park area (excluding any area that is included in an Industrial or Trade Activity area):*
  - i. *stormwater runoff from the new / redeveloped parking must be managed by devices that are designed to meet the stormwater quality management requirements for the relevant contaminants of concern in Tables 3 and 4.*
- b. *Where the new or redevelopment of existing uncovered parking, including entry/exit, comprises more than 1000m<sup>2</sup> and is greater than 50 per cent of the total uncovered parking area (excluding any area that is included in an Industrial or Trade Activity area):*
  - i. *stormwater runoff from the entire parking area must be managed by devices that are designed to meet the stormwater quality management requirements for the relevant contaminants of concern in Tables 3 and 4.*

15

- 3.4 Amend Rule H.4.14 Stormwater management (2.1) (Activity Table 2.1— Within or discharging to a Stormwater Management Area — Flow (SMAF) 1 or 2) to:

- (a) Make impervious areas where the discharge point of the nearest stormwater network is to the tidal environment a Permitted activity.

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- (b) Make impervious areas located on allotments contained within subdivisions where the stormwater reticulation discharges to Wetlands, ponds or other appropriately designed devices a Permitted activity.

17

**PLANNING MAPS – STORMWATER MANAGEMENT**

4 The proposed Planning Maps as they relate to the Stormwater Management Area (Flow) Overlay be amended by deleting the SMAF Overlay in areas where:

18

- 4.1 The catchment discharges directly to the tidal environment; an
- 4.2 Diversion and discharge consents exist for developments at the date of notification of the PAUP.

19

**APPENDIX D – AMENDMENTS SOUGHT TO RESIDENTIAL ZONE OBJECTIVES AND POLICIES**



## 1 Residential zones

### Introduction

There are six residential zones in the Unitary Plan:

- Large Lot
- Rural and Coastal Settlement
- Single House
- Mixed Housing Suburban
- Mixed Housing Urban
- Terrace Housing and Apartment Buildings.

The Large Lot and the Coastal and Rural Settlement zones provide for residential development that is low intensity and which reflects the land characteristics and/or service constraints of the location.

The Single House, Mixed Housing Suburban, Mixed Housing Urban and the Terrace Housing and Apartment Buildings zones are applied in existing and future urban areas and provide for a variety of densities. The highest density of development is expected to occur in close proximity to the rapid and frequent service network and within and around centres. Providing for growth in this manner and in these locations is not only an efficient use of land but it also provides access to public transport for a greater number of households and strengthens the role of centres.

Collectively, these zones provide for a mix of housing types, ranging from a house in a coastal settlement, to a single detached house on a suburban section, to an apartment near a metropolitan centre. In some zones the conversion of an existing single dwelling into two dwellings is allowed to cater for different family needs or to generate additional family income without subdividing the property and retaining the appearance of a single building.

As the density of development increases the greater the requirement for quality design. To address this, four or more dwellings in the Mixed Housing Suburban and Mixed Housing Urban zones and more than one dwelling in the Terrace Housing and Apartment Buildings zone requires a resource consent. The resource consent process will ensure that the proposal gives effect to the quality built environment provisions of the Unitary Plan and that it contributes to the Auckland Plan priority of a quality urban environment.

The [ADM](#) provides supplementary, non-statutory guidance on preparing proposals for new housing developments by outlining options to achieve high standards of design in various housing types.

In addition to traditional residential activities, retirement villages are also provided for within all residential zones. It is important that a choice of accommodation and care is provided for elderly people in Auckland's residential neighbourhoods which services their particular needs and enables the elderly to continue to live in their local community, close to their family and support networks. As Auckland's population continues to grow the need for such developments will grow and their availability will be critical to the wellbeing of Auckland's people and communities. The provisions recognise retirement villages will be of a greater scale and intensity than traditional residential activities, but require effects on the surrounding neighbourhood to be appropriately managed.

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### 1.1 General objectives and policies for the residential zones

#### Objectives

1. Auckland's residential areas are attractive environments with quality development that positively responds to and enhances the street, public open space and neighbourhood and contributes to safety and a positive sense of place.

- 2. A diverse range of housing provides choice for households people and communities to meet their varied needs and lifestyles.
- 3. Non-residential activities that locate in residential areas contribute to and support the amenity of the neighbourhood and provide opportunities for social, economic and cultural wellbeing.

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**Policies**

- 1. Require developments to contribute positively to the visual quality and safety of streets, public open spaces and neighbourhoods.
- 2. Recognise that the density of Auckland's residential areas will increase, to varying degrees, over time and apply controls to manage that change.
- 3. Recognise that the population of Auckland is aging and that accommodation and care for the elderly is a critical need across all residential zones.
- 34. Provide a range of residential zones that enable different housing densities, a variety of housing opportunities and different housing types that are appropriate for the existing and planned infrastructure, natural environment and the existing and planned residential character of the area.
- 45. Require a percentage of medium to large scale residential development to provide equal physical access and use for people of all ages and abilities.
- 56. Enable an existing dwelling to be converted into two, in specific zones, in a manner that provides high quality internal and on-site amenity.
- 67. Enable retirement villages and non-residential activities that provide benefits to local communities and which will have minimal acceptable adverse effects on the amenities values of the residential area.
- 78. Require, where appropriate, resource consents for subdivision and housing development for additional residential land capacity, to be given effect to within specific timeframes, including through staging provisions and lapse periods.
- 89. Require significant physical works to be undertaken before granting any extension to the lapse date for any consent relating to a large-scale residential subdivision or large-scale residential development.

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**1.2 Large Lot zone**

**Zone description**

This zone provides for large lot residential development on the periphery of urban areas. Large lot development is appropriate in these locations because of one or more of the following factors:

- it is compatible with high quality landscape areas
- the land is not suited to conventional residential subdivision because of the absence of reticulated services or there is limited accessibility to reticulated services
- there are physical limitations such as topography, ground conditions, instability or natural hazards
- where more intensive development may cause or exacerbate adverse effects on the environment.

To manage adverse effects, larger than standard site sizes are required and building coverage and impervious surface areas are restricted.

Retirement villages are contemplated at a greater height and density than would otherwise apply in the zone. Such facilities can be designed to integrate with the surrounding neighbourhoods, and will provide for the on-going social wellbeing of aged residents living in these areas.

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**Objectives**

- 1. Development is of a height and bulk that maintains and positively responds to the site and the area's spacious landscape character.
- 2. Development maintains the amenity of adjoining sites.

- 3. Development is of a density that is appropriate for the physical and environmental attributes of the site and any infrastructure constraints.

4. Retirement villages make efficient use of land to provide a range of accommodation options and accessory services for older people and those requiring care/assisted living.

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**Policies**

- 1. Limit development on a site to a single dwelling and accessory buildings and ensure that the site size will:
  - a. be able to accommodate the infrastructure necessary to support the dwelling
  - b. not detract from any high quality landscapes or natural features
  - c. not exacerbate any physical limitations such as land instability.
- 2. Require development to have sufficient setbacks and open space to maintain the spacious landscape character of the area.

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3. Enable the development of retirement villages at a greater height and density than would otherwise apply in the zone while ensuring any adverse effects on infrastructure and neighbouring sites are managed.

**1.3 Rural and Coastal Settlement zone**

**Zone description**

This zone applies to unserviced rural and coastal villages located outside urban areas in a variety of environments including high-quality landscape areas and coastal areas. These settlements rely on on-site disposal and treatment. Due to factors including servicing, infrastructure and accessibility constraints and, in some cases, their sensitive character, only limited or no growth is anticipated.

The zone maintains large lot sizes to avoid potential adverse effects on water and land. Non-residential uses of a scale and intensity that serves the local population are allowed.

Retirement villages are contemplated at a greater height and density than would otherwise apply in the zone. Such activities can be designed to integrate with the surrounding neighbourhoods, and will provide for the on-going social wellbeing of aged residents living in these areas.

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**Objectives**

- 1. Development is of a height and bulk that maintains and positively responds to the site and the area's rural and coastal residential character.
- 2. Development provides high-quality on-site amenity for residents and maintains the amenity of adjoining sites.
- 3. Development is of a density that is appropriate for the the physical and environmental attributes of the site and any infrastructure constraints.

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4. Retirement villages make efficient use of land to provide a range of accommodation options and accessory services for older people and those requiring care/assisted living.

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**Policies**

- 1. Enable subdivision and development that provides for a single dwelling and accessory buildings and ensure that the site size will:
  - a. be able to accommodate the infrastructure necessary to support the dwelling
  - b. not detract from any high-quality landscapes or natural features
  - c. not exacerbate any physical limitations such as land instability.
- 2. Require development to be of a height and bulk that maintains a reasonable level of sunlight access and privacy to immediate neighbours.

- 3. Require development to have sufficient setbacks and open space so as to maintain the rural and coastal residential character of the area.
- 4. Require dwellings to be designed to have useable and accessible outdoor living space of a size consistent with the spacious qualities of the zone.

5. Enable the development of retirement villages at a greater height and density than would otherwise apply in the zone while ensuring any adverse effects on infrastructure and neighbouring sites are managed.

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### 1.4 Single House zone

#### Zone description

This zone provides for low density suburban housing and is applied in areas throughout Auckland including serviced rural and coastal villages. The zone is generally characterised by one building per site of one to two storeys, surrounded by areas of private open space.

Large amounts of subdivision or multi-unit development is not anticipated within this zone due to the minimum site size requirements. The activities provided for in the zone are limited to maintain the low density suburban residential character and amenity of these areas.

Retirement villages are contemplated at a greater height and density than would otherwise apply in the zone. Such activities can be designed to integrate with the surrounding neighbourhoods, and will provide for the on-going social wellbeing of aged residents living in these areas.

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#### Objectives

- 1. Development is generally of a height, bulk and form that maintains and positively responds to the site and the neighbourhood's low density suburban residential character.
- 2. Development provides high-quality on-site amenity for residents and maintains the amenity of adjoining sites.

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3. Retirement villages make efficient use of land to provide a range of accommodation options and accessory services for older people and those requiring care/assisted living.

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#### Policies

- 1. Manage the height, bulk, form and appearance of development and require sufficient setbacks, landscaped areas and open space to maintain the generally low density suburban residential character of one to two storey, detached dwellings within a generally spacious setting.
- 2. Require development to be of a height and bulk that maintains a reasonable level of sunlight access and privacy to immediate neighbours.
- 3. Require dwellings to be designed to have useable and accessible outdoor living space of a size consistent with the spacious qualities of the zone
- 4. Require fences to be sufficiently low to allow passive surveillance of the street.

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5. Enable the development of retirement villages at a greater height and density than would otherwise apply in the zone while ensuring any adverse effects on infrastructure and neighbouring sites are managed.

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### 1.5 Mixed Housing Suburban zone

#### Zone description

This zone is the most widespread residential zone in Auckland. Its density controls allow a moderate level of intensification, while retaining a relatively spacious quality consistent with a suburban residential character, compared to the Mixed Housing Urban and Terrace Housing and Apartment Buildings zones. Development within the zone will generally be two storey detached and attached housing in a variety of types and sizes to provide housing choice.



The zone encourages new housing types, including attached housing on smaller sites facing the street. To facilitate the efficient use of these sites and promote quality design outcomes, when assessed through the resource consent process, dwellings may have building bulk closer to site boundaries, provided that shading and dominance effects on adjoining sites are minimised.

Through the resource consent process, four or more dwellings at a higher density may be built on large sites with wide road frontages. This is because larger sites are capable of accommodating a wider range of housing types, integrating development into the neighbourhood and achieving high quality on-site amenity..

Retirement villages are contemplated at a greater height and density than would otherwise apply in the zone. Such facilities can be designed to integrate with the surrounding neighbourhoods, and will provide for the on-going social wellbeing of aged residents living in these areas.

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**Objectives**

1. Housing choice within neighbourhoods is increased.
2. Development is generally of a height, bulk, form and appearance that positively responds to the site and the neighbourhood's planned suburban residential character, engaging with and addressing the street.
3. Development provides high-quality on-site amenity for residents and achieves a reasonable standard of amenity for adjoining sites.
4. Development is adequately serviced by network infrastructure and is of a density that is appropriate for the physical attributes of the site and any infrastructure constraints.
5. Retirement villages make efficient use of land to provide a range of accommodation options and accessory services for older people and those requiring care/assisted living.

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**Policies**

1. Enable a variety of detached and attached housing types.
2. Manage the height, bulk, form and appearance of development and require sufficient setbacks and landscaped areas to maintain a suburban residential character of generally two storeys.
3. Require development to be of a height and bulk that allows immediate neighbours to have a reasonable standard of sunlight access and privacy and to avoid excessive dominance effects.
4. Enable attached housing on smaller sites where the development faces the street and integrates well into the neighbourhood.
5. Require dwellings to be designed to:
  - a. have usable and accessible outdoor living space
  - b. provide privacy and outlook
  - c. be of a size, have access to daylight and sunlight and provide the amenities necessary to meet the day-to-day needs of residents.
6. Require development to be designed, with a particular emphasis on those parts of the dwelling visible from the street to:
  - a. create visual interest
  - b. face the street and maximise passive surveillance of it
  - c. minimise the dominance of garage doors visible from the street.
7. Limit the density and scale of development to take account of one or more of the following factors:
  - a. achieving a balance between making the most efficient use of the site and providing high-quality on-site amenity

- b. the proportions or topography of the site or the width of its road frontage mean that it is not possible to maximise development without generating unreasonable adverse effects on the amenity of adjoining sites and the surrounding area
  - c. any infrastructure constraints.
8. Require development to have available connections to water supply and wastewater networks.
9. Enable the development of retirement villages at a greater height and density than would otherwise apply in the zone while ensuring any adverse effects on infrastructure and neighbouring sites are managed.

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### 1.6 Mixed Housing Urban zone

#### Zone description

This zone is generally located between the Mixed Housing Suburban and the Terrace Housing and Apartment Buildings zones. It provides a transition in density between these two zones and allows three storey dwellings in locations close to the rapid and frequent service network. The zone provides for housing in a variety of sizes and forms, including detached dwellings, terrace housing and low-rise apartments, and retirement villages, that will increase the supply of housing, create diverse neighbourhoods and provide housing choice.

The zone encourages new housing types, including attached housing on smaller sites facing the street. To facilitate efficient use of these sites and promote quality design outcomes, when assessed through the resource consent process, dwellings may have building bulk closer to site boundaries, provided that shading and dominance effects on adjoining sites are minimised.

Through the resource consent process, four or more dwellings at a higher density may be built on large sites with wide road frontages. This is because larger sites are capable of accommodating a wider range of housing types, integrating development into the neighbourhood and achieving high quality on-site amenity.

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Over time, the appearance of neighbourhoods within this zone will change to an urban residential character.

Retirement villages are contemplated at a greater height and density than would otherwise apply in the zone. Such activities can be designed to integrate with the surrounding neighbourhoods, and will provide for the on-going social wellbeing of aged residents living in these areas.

#### Objectives

- 1. Land surrounding high density residential areas and close to the rapid and frequent service network is efficiently used to provide urban living that increases Auckland's housing supply and choice and access to public transport.
- 2. Development is of a height, bulk, form and appearance that positively responds to the site and the neighbourhood's planned urban residential character, engaging with and addressing the street.
- 3. Development provides high-quality on-site amenity for residents and achieves a reasonable standard of amenity for adjoining sites.
- 4. Development is adequately serviced by network infrastructure and is of a density that is appropriate for the physical attributes of the site and any infrastructure constraints.
- 5. Retirement villages make efficient use of land to provide a range of accommodation options and accessory services for older people and those requiring care/assisted living.

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#### Policies

1. Enable a variety of detached and attached housing types at increased densities, including low-rise apartments.
2. Manage the height, bulk, form and appearance of development and require sufficient setbacks and landscaped areas consistent with an urban residential character of three storeys.
3. Require development to be of a height and bulk that allows immediate neighbours to have a reasonable standard of sunlight access and privacy, and to avoid excessive dominance effects.
4. Enable attached housing on smaller sites where the development faces the street and integrates well into the neighbourhood.
5. Require dwellings to be designed to:
  - a. have useable and accessible outdoor living space
  - b. provide privacy and outlook
  - c. be of a size, have access to daylight and sunlight, and provide the amenities necessary to meet the day-to-day needs of residents,.
6. Require development to be designed, with a particular emphasis on those parts visible from the street to:
  - a. create visual interest
  - b. face the street and maximise passive surveillance of it
  - c. minimise the dominance of garage doors visible from the street.
7. Limit the density and scale of development where this is necessary to take account of one or more of the following factors:
  - a. achieving a balance between making the most efficient use of the site and providing high-quality on-site amenity
  - b. the proportions or topography of the site or the width of its road frontage mean that it is not possible to maximise development without generating unreasonable adverse effects on the amenity of adjoining properties and the surrounding area
  - c. any infrastructure constraints.
8. Require development to have available connections to water supply and wastewater networks.
9. Enable the development of retirement villages at a greater height and density than would otherwise apply in the zone while ensuring any adverse effects on infrastructure and neighbouring sites are managed.

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## 1.7 Terrace Housing and Apartment Buildings zone

### Zone description

This zone allows urban residential living in the form of terrace housing and apartments. The zone is located around metropolitan, town and local centres and the rapid and frequent service network.

The purpose of the zone is to make efficient use of land and infrastructure, increase the supply of housing and ensure that residents have convenient access to services, employment, education facilities, retail and entertainment opportunities and public transport. This will promote walkable neighbourhoods, foster a sense of community and increase the vitality of centres.

The zone provides for the greatest density, height and scale of development out of all the residential zones. Buildings of four to six storeys are allowed, depending on the scale of the centre the zone adjoins, to achieve a transition in height from the centre to lower scale residential zones. This new form of development will lead to a change from a suburban to urban residential character and a moderate to high degree of visual change over time.

Low density development is discouraged and mid-rise, multi-unit residential living is encouraged. This increased density requires a high standard of design. A resource consent is required for more

than dwelling on a site in the zone. A key part of the resource consent process will be to determine if the proposal makes efficient use of the site and achieves quality design outcomes. Larger sites, and in particular sites with a consistent width of at least 20m, are capable of a wider range of housing types and can achieve high-quality on-site amenity and design outcomes.

This zone also provides for a range of non-residential activities so that residents have convenient access to these activities and services while maintaining the urban residential character of these areas.

Retirement villages are contemplated at a greater height and density than would otherwise apply in the zone. Such activities can be designed to integrate with the surrounding neighbourhoods, and will provide for the on-going social wellbeing of aged residents living in these areas.

### Objectives

1. Land surrounding centres and the rapid and frequent service network is efficiently used to provide urban living that increases Auckland's housing supply and access to centres and public transport.
2. Development is of a height, bulk, form and appearance that positively responds to the site and neighbourhood's planned urban residential character, engaging with and addressing the street.
3. Development provides high-quality on-site amenity for residents and achieves a reasonable standard of amenity for adjoining sites.
4. Development is of a density that is appropriate for the physical attributes of the site, any infrastructure constraints and the planned urban residential character of the neighbourhood.
5. Non-residential activities provide convenience and choice for the neighbourhood while ensuring the urban residential character and amenity of the area is maintained.
6. Retirement villages make efficient use of land to provide a range of accommodation options and accessory services for older people and those requiring care/assisted living.

### Policies

1. Enable housing types appropriate to higher levels of residential density, specifically terrace housing and apartments.
2. Avoid low density residential development, while allowing the continued use of a site for one dwelling.
3. Manage the height, bulk, form and appearance of development and require sufficient setbacks and landscaped areas consistent with an urban residential character of between four and six storeys in identified locations.
4. Provide for building heights that reflect the scale of development in the adjoining business area and provide a transition in building scale to neighbouring lower density residential areas.
5. Require development to be designed to integrate into the neighbourhood, while recognising the increased building bulk in height the zone allows.
6. Require development to be of a height and bulk that allows immediate neighbours to have a reasonable standard of sunlight, access and privacy and to avoid excessive dominance effects.
7. Require development adjoining the other residential zones to be set back from the boundary to recognise their amenity values.
8. Require dwellings to be designed to:
  - a. have useable and accessible outdoor living space, maximising sunlight access where practicable
  - b. provide privacy and outlook



- c. be of a size, have access to daylight and sunlight, and provide the amenities necessary to meet the day-to-day needs of residents,
  - d. prioritise pedestrian access, safety and movement.
9. Require development to be designed, with a particular emphasis on those parts visible from the street to:
  - a. achieve a high standard of visual quality
  - b. face the street and maximise passive surveillance of it
  - c. minimise the dominance of garage doors visible from the street.
10. Require development to make the most efficient use of the site as practicable, taking into account:
  - a. the ability to provide high-quality on-site amenity
  - b. the proportions or topography of the site or the width of its road frontage mean that it is not possible to maximise development without generating unreasonable adverse effects on the amenity of adjoining sites and the surrounding area
  - c. any infrastructure constraints.
11. Provide for a range of non-residential activities while ensuring that the intensity of use will not detract from the residential amenity of the area.
12. Enable the development of retirement villages at a greater height and density than would otherwise apply in the zone while ensuring any adverse effects on infrastructure and neighbouring sites are managed.

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**APPENDIX E – AMENDMENTS SOUGHT TO RESIDENTIAL ZONE RULES**

PART 3 - REGIONAL AND DISTRICT RULES»Chapter I: Zone rules»

1 Residential zones

1. Activity table

The following table specifies the activity status of activities in the residential zones.

Activity	Large Lot zone	Rural and Coastal Settlement zone	Single House zone	Mixed Housing Suburban zone	Mixed Housing Urban zone	Terrace Housing and Apartment Buildings zone
<b>Residential</b>						
Camping grounds	NC	D	NC	NC	NC	NC
Dwellings	P	P	P	P up to 3 dwellings per site  RD 4 or more dwellings per site	P up to 3 dwellings per site  RD 4 or more dwellings per site	P One dwelling on a site  D 2 to 4 dwellings per site  RD 5 or more dwellings per site
Home occupations	P	P	P	P	P	P
Retirement Villages - <u>land use</u>	NGP ]	NGP ]	PD ]	PD ]	PD ]	PD ]
Retirement Villages - <u>development and operations</u>	NGRD* ]	NGRD* ]	RD* ]	RD* ]	RD* ]	RD* ]
Retirement Villages - <u>additions, alterations and demolition</u>	P* ]	P* ]	P* ]	P* ]	P* ]	P* ]
Supported residential care and boarding houses up to 200m <sup>2</sup> GFA per site	NC	P	P	P	P	P
Supported residential care and boarding houses not provided for above	NC	NC	D	D	D	D
Visitor accommodation up to 200m <sup>2</sup> GFA per site	NC	RD	RD	RD	RD	RD

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Visitor accommodation not provided for above	NC	NC	D	D	D	D
<b>Commerce</b>						
Dairies up to 100m <sup>2</sup> GFA per site	NC	D	D	RD	RD	RD
Restaurants and cafes up to 100m <sup>2</sup> GFA per site	NC	RD	NC	NC	D	RD
Service stations on arterial roads	NC	D	D	D	D	D
<b>Community</b>						
Care centres up to 200m <sup>2</sup> GFA per site	P	P	P	P	P	P
Care centres between 200m <sup>2</sup> - 400m <sup>2</sup> GFA per site	NC	NC	RD	RD	RD	RD
Care centres not provided for above	NC	NC	D	D	D	D
Community facilities	D	D	D	D	D	D
Education facilities	NC	D	D	D	D	D
Emergency services on arterial road	NC	D	D	D	D	D
Healthcare facilities up to 200m <sup>2</sup> GFA per site	NC	RD	RD	RD	RD	RD
Healthcare facilities and associated buildings not provided for above	NC	NC	NC	D	D	D
<b>Rural</b>						
Grazing of livestock on sites greater than 2,000m <sup>2</sup> net site area	P	P	NC	NC	NC	NC
<b>Mana Whenua</b>						
Marae complex	D	D	D	D	D	D
<b>Development</b>						
Alterations and additions to a single dwelling on a site	P	P	P	P	P	P
Alterations and additions to two or more dwellings on a site	P	P	P	P	P	RD
Demolition of buildings	P	P	P	P	P	P

The conversion of a dwelling into a maximum of two dwellings complying with the land use controls in clause 3.3 below	RD	RD	IP	P	P	D
Buildings accessory to the permitted and restricted discretionary non-residential activities listed above	RD	RD	RD	RD	RD	RD

Buildings accessory to all other activities listed in this table have the same activity status as the activity itself.

\* These activities are permitted where they comply with the building height, yards, height in relation to boundary, and maximum impervious area rules for the relevant zone where the activity takes place.

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**2. Notification**

1. Buildings that do not comply with the following development controls will be subject to the normal tests for notification under the relevant sections of the RMA:
  - a. building height
  - b. height in relation to boundary
  - c. alternative height in relation to boundary in the Mixed Housing Suburban and Mixed Housing Urban zones
  - d. side and rear yards in the Large Lot zone
  - e. maximum building length
  - f. building setbacks within the Terrace Housing and Apartment Buildings zone
  - g. building setbacks in the Terrace Housing and Apartment Buildings zone where it adjoins lower density zones
  - h. building coverage
  - i. landscaping
  - j. outlook.

**3. Land use controls**

**3.1 Maximum density**

1. The number of dwellings on a site must not exceed the limits specified below:

Table 1:

Zone	Dwellings
Large Lot	One dwelling per site
Rural and coastal settlements	One dwelling per 4000m <sup>2</sup> net site area
Single House	One dwelling per site
Mixed Housing Suburban	One dwelling per 400m <sup>2</sup> net site area , or

	<p>One dwelling per 300m<sup>2</sup> net site area where the requirements of clause 3.1.2 below are met, or</p> <p>One dwelling per 200m<sup>2</sup> net site area where the requirements of clause 3.1.5 below are met</p>
Mixed Housing Urban	<p>One dwelling per 300m<sup>2</sup> net site area, or</p> <p>One dwelling per 250m<sup>2</sup> net site area where the requirements of clause 3.1.3 below are met, or</p> <p>No density limits apply where four or more dwellings are proposed and the requirements of clause 3.1.6 below are met</p>

2. Within the Mixed Housing Suburban zone a density of one dwelling per 300m<sup>2</sup> applies where:
  - a. the site has a frontage of at least 7.5m in width for each dwelling and is the same width for the length required to accommodate the proposed density
  - b. each proposed dwelling is setback at least 4m and no more than 5m from the frontage of the site.
3. Within the Mixed Housing Urban zone a density of one dwelling per 250m<sup>2</sup> applies to proposed front sites where:
  - a. each proposed site has a frontage of at least 7.5m in width for each dwelling and is the same width for the length required to accommodate the proposed density
  - b. each proposed dwelling is setback at least 2.5m and no more than 5m from the frontage of the site.
4. Where three or four dwellings are proposed on a front site within the Mixed Housing Suburban or Mixed Housing Urban zone the site must be at least 15m wide:
  - a. at the frontage
  - b. for at least 80 per cent of the length of its side boundaries.
5. Within the Mixed Housing Suburban zone a density of one dwelling per 200m<sup>2</sup> applies where four or more dwellings are proposed and the site:
  - a. has a minimum net site area of 1200m<sup>2</sup>
  - b. is at least 20m wide:
    - i. at the frontage of the site
    - ii. for at least 80 per cent of the length of its side boundaries.
6. Within the Mixed Housing Urban zone no density limit applies where four or more dwellings are proposed and the site:
  - a. has a minimum net site area of 1200m<sup>2</sup>
  - b. is at least 20m wide:
    - i. at the frontage of the site
    - ii. for at least 80 per cent of the length of its side boundaries.
7. To avoid doubt, within the Mixed Housing Suburban and Mixed Housing Urban zones the most restrictive density applies to existing and proposed rear sites.
8. Development that does not comply with clauses 1-6 above is a discretionary activity.
9. Clause 1 above does not apply where a dwelling is converted into two dwellings as a permitted activity.

### 3.2 Home occupations

1. At least one person engaged in the home occupation must use the dwelling on the site as their principal place of residence.
2. No more than two people who do not use the dwelling as their principal place of residence may work in the home occupation.
3. No more than four people in total may work in the home occupation.
4. The sale of goods or services from the home occupation that requires customers to come to the site and the delivery of goods to and from the site may not occur before 7am or after 7pm.
5. Car trips to and from the home occupation activity must not exceed 20 per day.
6. Heavy vehicle trips must not exceed two per week.
7. No more than one commercial vehicle associated with the home occupation may be on site at any one time.
8. Storage for rubbish and recycling associated with the home occupation must be provided on site and screened from public view.
9. Materials or goods manufactured, serviced or repaired in the home occupation must be stored and worked on within a building on the same site.
10. With the exception of goods ordered and distributed electronically or by mail/courier, goods sold from the home occupation must be produced on site.
11. A home occupation that does not comply with clauses 1-10 above is a non-complying activity.

### 3.3 The conversion of a dwelling into two dwellings

1. Where a dwelling is proposed to be converted into two dwellings each dwelling must have a net internal floor area of at least 40m<sup>2</sup>.
2. The second dwelling must:
  - a. have direct access to an outdoor living space. This space may be exclusive to the dwelling or shared with the primary dwelling
  - b. have a common wall with the primary dwelling of no less than 3m in length or share a ceiling and/or floor with the primary dwelling
  - c. comply with the daylight and minimum dimension of principal living rooms and principal bedrooms development controls.
3. The primary dwelling must exist on the date of notification of this Unitary Plan.
4. Parking is not required for the second dwelling.

## 4. Development Controls - Large Lot zone

### 4.1 Development control infringements

1. Buildings that infringe three or more of the following development controls are a discretionary activity:
  - a. building height
  - b. yards
  - c. maximum impervious area
  - d. building coverage.

### 4.2 Building height

Purpose: manage the height of buildings to maintain the low-rise residential character of the zone (one to two storeys).

1. Buildings must not exceed 8m in height.

### 4.3 Yards

Purpose: maintain the spacious character of the zone and ensure dwellings are adequately set back from lakes, streams and the coastal edge to maintain water quality and provide protection from natural hazards.

**Table 2:**

Yard	Minimum depth
Front	10m
Side	6m
Rear	6m
Riparian	10m from the edge of permanent and intermittent streams
Lake	30m
Coastal protection yard	25m, or as otherwise specified in appendix 6.7

### 4.4 Maximum impervious area

Purpose: manage the amount of stormwater runoff generated by a development.

1. Maximum impervious area: 10 per cent.
2. Maximum impervious area within a riparian yard: 10 per cent.

### 4.5 Building coverage

Purpose: maintain the spacious, landscape character of the zone.

1. Maximum building coverage: 10 per cent or 400m<sup>2</sup>, whichever is the lesser.

## 5. Development Controls - Rural and Coastal Settlement zone

### 5.1 Development control infringements

1. Buildings that infringe three or more of the following development controls are a discretionary activity:
  - a. building height
  - b. height in relation to boundary
  - c. yards
  - d. maximum impervious area
  - e. building coverage.

### 5.2 Building height

Purpose: manage the height of buildings to maintain the rural and coastal residential character of the zone (one to two storeys).

1. Buildings must not exceed 8m in height.

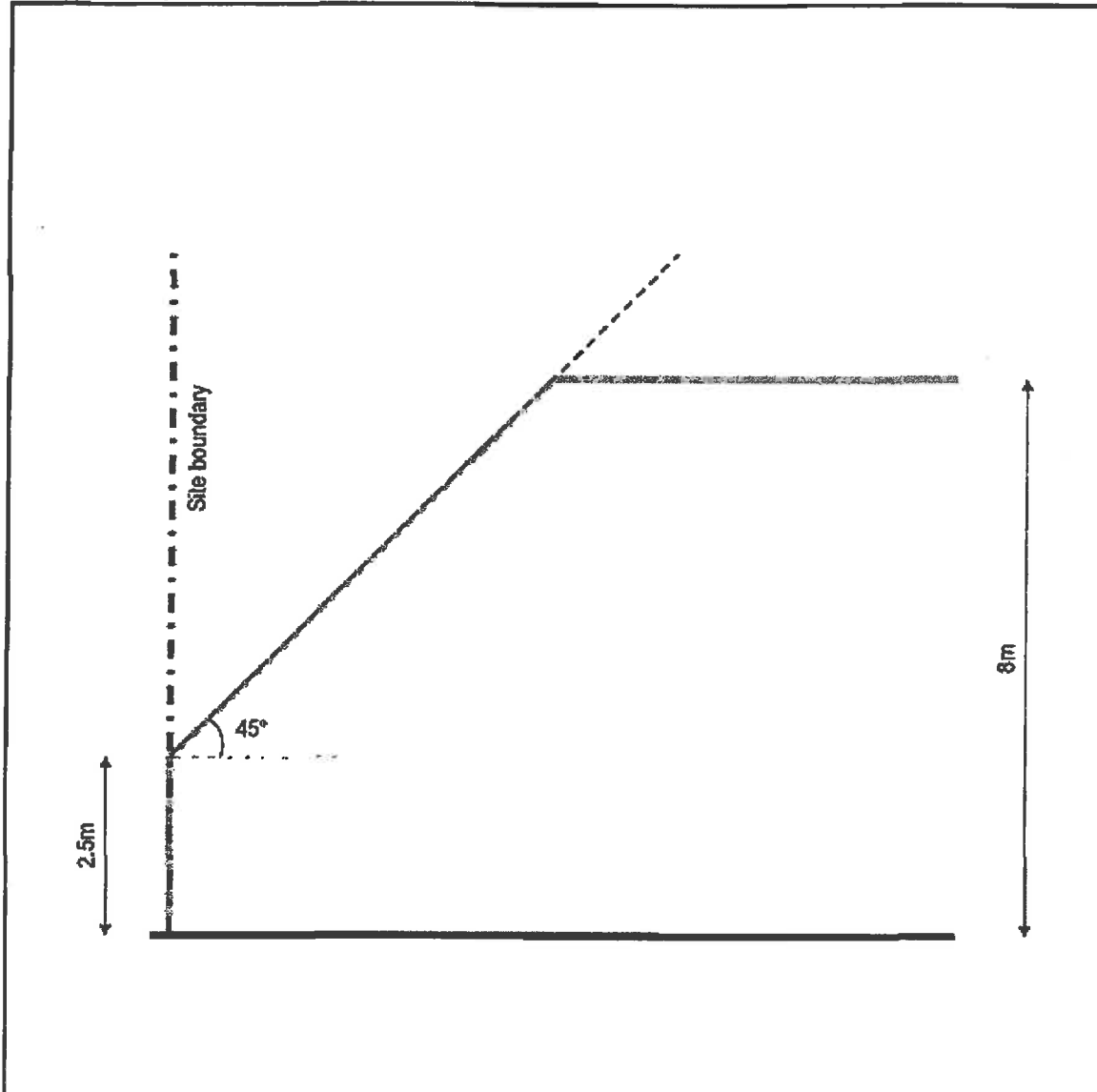
### 5.3 Height in relation to boundary

Purpose: manage the height and bulk of buildings at boundaries to limit over-shadowing of neighbouring sites and provide space between buildings.

1. Buildings must not exceed a height of 2.5m measured vertically above ground level at side and rear boundaries. Thereafter, buildings must be setback 1m for every additional metre in height (45 degrees).

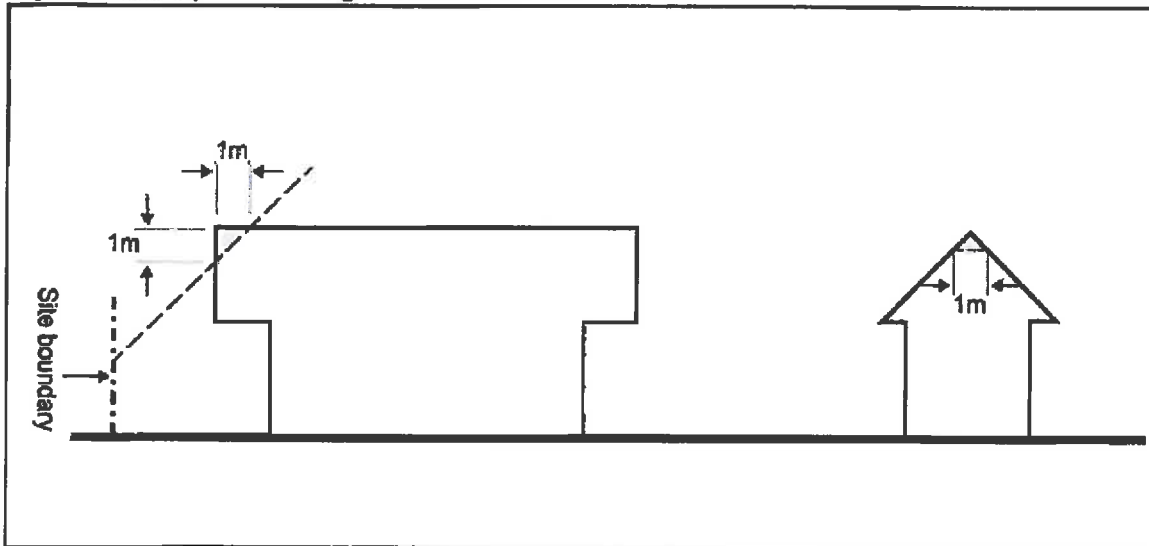


Figure 1: Height in relation to boundary



2. This control does not apply to a boundary adjoining:
  - a. industrial zones
  - b. centres and mixed use zones c.
  - the General Business zone
  - d. the Business Park zone
  - e. sites within the public open space zones exceeding 2000m<sup>2</sup>.
3. Where the boundary forms part of a legal right of way, pedestrian access way, or access site, the control applies from the farthest boundary of that legal right of way, pedestrian access way or access lot.
4. A gable end or dormer may project beyond the recession plane where it is:
  - a. no greater than 1m in height and width measured parallel to the nearest adjacent boundary
  - b. no greater than 1m in depth measured horizontally at 90 degrees to the nearest adjacent boundary.

Figure 2: Exemptions for a gable end or dormer



5. No more than two gable end or dormer projections are allowed for every 6m length of site boundary.

### 5.4 Yards

Purpose: maintain the spacious character of the zone and ensure dwellings are adequately set back from lakes, streams and the coastal edge to maintain water quality and provide protection from natural hazards.

Table 3:

Yard	Minimum depth
Front	5m
Side	1m
Rear	1m
Riparian	10m from the edge of all other permanent and intermittent streams
Lake	30m
Coastal protection yard	20m, or as otherwise specified in appendix 6.7

### 5.5 Maximum impervious area

Purpose: manage the amount of stormwater runoff generated by a development.

1. Maximum impervious area: 10 per cent.
2. Maximum impervious area within a riparian yard: 10 per cent.

### 5.6 Building coverage

Purpose: maintain the rural and coastal residential character of the zone.

1. Maximum building coverage: 20 per cent or 200m<sup>2</sup>, whichever is the lesser.

### 5.7 Outdoor living space

Purpose: provide dwellings with outdoor living space that is of a usable size and dimension and is consistent with the spacious qualities of the zone and is accessible from the principal living room.

1. A dwelling must have an outdoor living space measuring at least 80m<sup>2</sup> that:
  - a. is free of building, parking, servicing and manoeuvring areas
  - b. excludes any area with a dimension 1m or less.
2. Where a dwelling has the principal living room at ground level, part of the required outdoor living space must be able to contain a delineated 20m<sup>2</sup> area that:
  - a. has no dimension less than 4m
  - b. is directly accessible from a principal living room
  - c. has a gradient not exceeding 1 in 20.
3. Where a dwelling has the principal living room above ground level, part of the required outdoor living space must include a balcony or roof terrace that is directly accessible from the principal living room that:
  - a. has a minimum area of 8m<sup>2</sup>
  - b. has a minimum depth of 2.4m.

### 5.8 Garages

Purpose: ensure garages are not a dominant feature of the streetscape.

1. A garage door facing a street must be no greater than 40 per cent of the width of the front façade of the dwelling to which the garage relates.
2. Garage doors must not project forward of the front façade of a dwelling.

## 6. Development Controls - Single House zone

### 6.1 Development control infringements

1. Buildings that infringe three or more of the following development controls are a discretionary activity:
  - a. building height
  - b. height in relation to boundary
  - c. yards
  - d. maximum impervious area
  - e. building coverage
  - f. landscaping.

### 6.2 Building height

Purpose: manage the height of buildings to maintain the low density suburban residential character of the zone (one to two storeys).

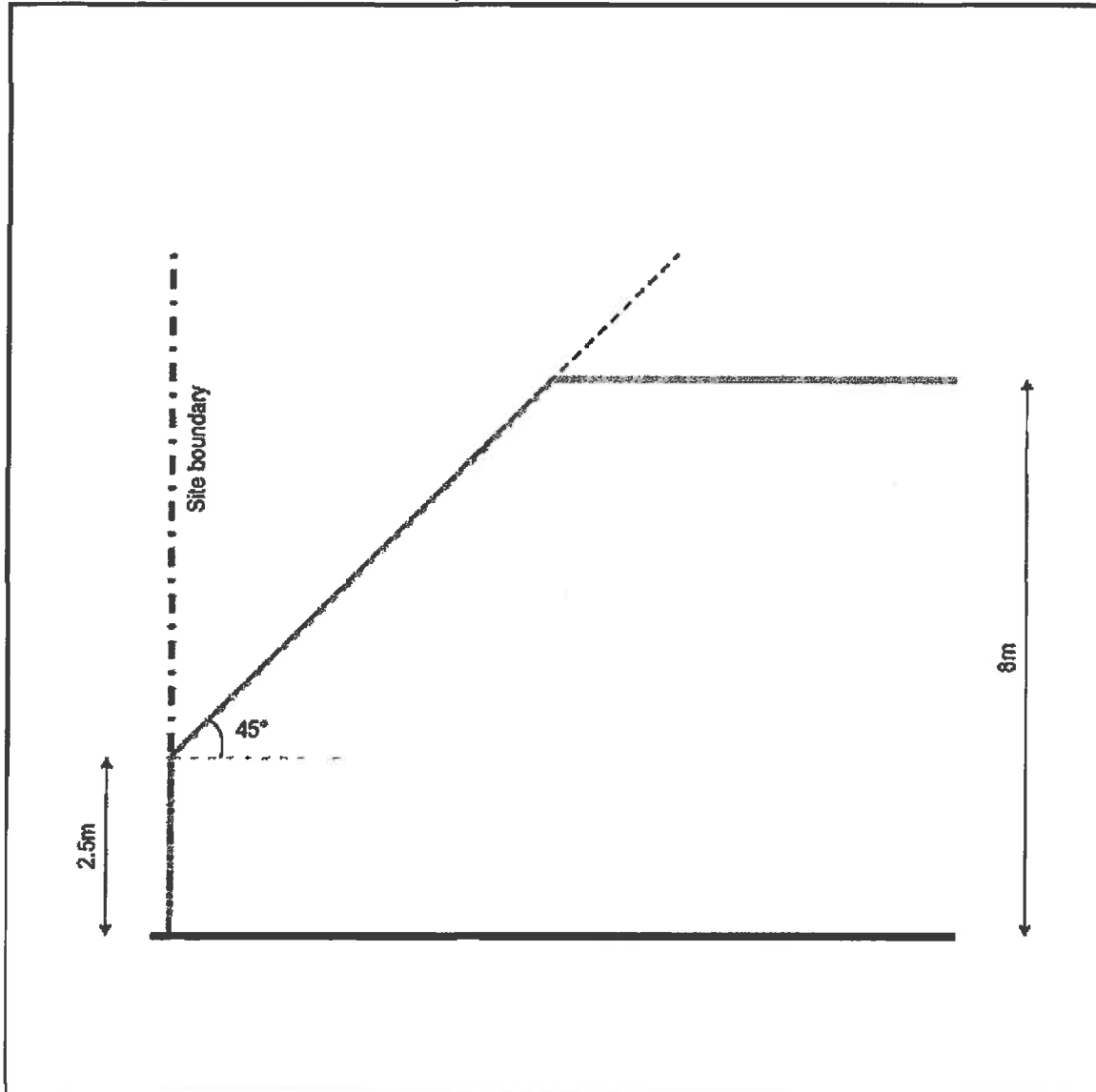
1. Buildings must not exceed 8m in height.

### 6.3 Height in relation to boundary

Purpose: manage the height and bulk of buildings at boundaries to limit over-shadowing of neighbouring sites and provide space between buildings.

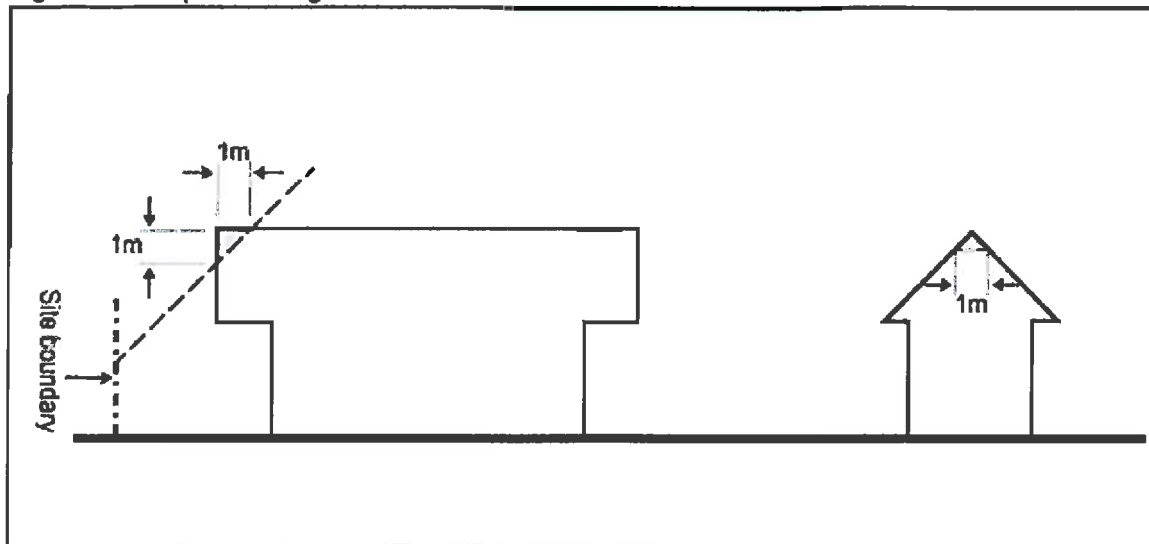
1. Buildings must not exceed a height of 2.5m measured vertically above ground level at side and rear boundaries. Thereafter, buildings must be setback 1m for every additional metre in height (45 degrees).

Figure 3: Height in relation to boundary



2. This control does not apply to a boundary adjoining:
  - a. industrial zones
  - b. centres and mixed use zones
  - c. General Business zone
  - d. Business Park zone
  - e. sites within the public open space zones exceeding 2000m<sup>2</sup>.
3. Where the boundary forms part of a legal right of way, pedestrian access way, or access site, the control applies from the farthest boundary of that legal right of way, pedestrian access way or access lot.
4. A gable end or dormer may project beyond the recession plane where it is:
  - a. no greater than 1m in height and width measured parallel to the nearest adjacent boundary
  - b. no greater than 1m in depth measured horizontally at 90 degrees to the nearest adjacent boundary.

Figure 4: Exceptions for gable ends and dormers



5. No more than two gable end or dormer projections are allowed for every 6m length of site boundary.

### 6.4 Yards

Purpose: maintain the spacious and landscaped qualities of the streetscape and ensure dwellings are adequately set back from lakes, streams and the coastal edge to maintain water quality and provide protection from natural hazards.

Table 4:

Yard	Minimum depth
Front	5m
Side	1m
Rear	1m
Riparian	10m from the edge of permanent and intermittent streams
Lake	30m
Coastal protection yard	10m, or as otherwise specified in appendix 6.7

### 6.5 Common walls

Purpose: enable attached dwellings, where that pattern of development exists or where neighbours agree.

1. The height in relation to boundary and yards development controls do not apply where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.

### 6.6 Maximum impervious area

Purpose: manage the amount of stormwater runoff generated by a development.

1. Maximum impervious area: 60 per cent.
2. Maximum impervious area within a riparian yard: 10 per cent.

### 6.7 Building coverage

Purpose: maintain the low density suburban residential character of the zone.

- 1. Maximum building coverage: 35 per cent.

### 6.8 Landscaping

Purpose:

- provide for on-site amenity and an attractive streetscape character
  - improve stormwater absorption on-site.
1. At least 40 per cent of a site must comprise landscaped area of which a minimum of 10 per cent must be planted with shrubs, including at least one tree that is pB95 or larger at the time of planting.
  2. At least 50 per cent of the front yard must comprise landscaped area.

### 6.9 Outdoor living space

Purpose: provide dwellings with outdoor living space that is of a usable size and dimension and is consistent with the spacious qualities of the zone and is accessible from the principal living room.

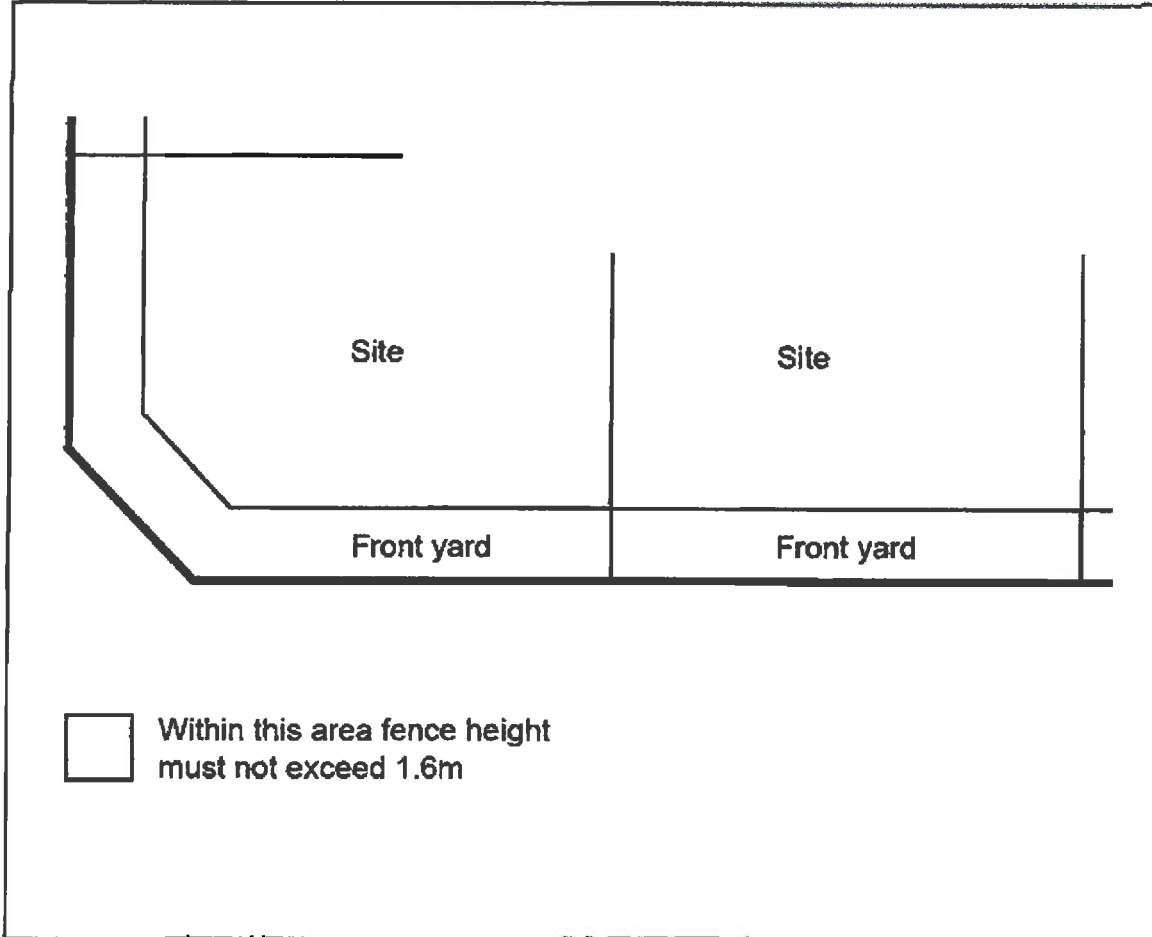
1. A dwelling must have an outdoor living space measuring at least 80m<sup>2</sup> that:
  - a. is free of buildings, parking spaces, servicing and manoeuvring areas
  - b. excludes any area with a dimension less than 1m.
2. Where a dwelling has the principal living room at ground level, part of the required outdoor living space must be able to contain a delineated area measuring at least 20m<sup>2</sup> that:
  - a. has no dimension less than 4m
  - b. is directly accessible from the principal living room
  - c. has a gradient not exceeding 1 in 20.
3. Where a dwelling has the principal living room above ground level, part of the required outdoor living space must include a balcony or roof terrace that:
  - a. is directly accessible from the principal living room
  - b. has a minimum area of 8m<sup>2</sup>
  - c. has a minimum depth of 2.4m.

### 6.10 Fences

Purpose: enhance passive surveillance of the street and maintain the open character of front yards.

1. Fences in a front yard must not exceed a height of 1.6m.

Figure 5: Fences within the front yard



### 6.11 Garages

Purpose: ensure garages are not a dominant feature of the streetscape.

1. A garage door facing a street must be no greater than 40 per cent of the width of the front facade of the dwelling to which the garage relates.
2. Garage doors must not project forward of the front facade of a dwelling.

### 6.12 Universal access

Purpose: medium to large-scale residential development provides equal physical access and use for people of all ages and abilities.

1. Where a new building or development contains 10 or more dwellings, 20 per cent of those dwellings must comply with the following:
  - a. doorways must have a minimum clear opening width of 810mm
  - b. stairwells must have a minimum width of 900mm
  - c. corridors must have a minimum width of 1050mm
  - d. the principal means of access from the frontage, or the parking space serving the dwelling, to the principal entrance of the dwelling must have:
    - i. a minimum width of 1.2m
    - ii. a maximum slope of 1:20
    - iii. a maximum cross fall of 1:50.

2. Where the calculation of the dwellings required to be universally accessible results in a fractional dwelling, any fraction that is less than one-half will be disregarded and any fraction of one-half or more will be counted as one dwelling.
3. All dwellings required to be universally accessible must provide at least one parking space for people with a disability. The dimensions and accessible route requirements for such parking spaces are detailed in Section 5.5 of the New Zealand Building Code D1/AS1 New Zealand Standard for Design for Access and Mobility – Buildings and Associated Facilities (NZS 4121-2001).

## 7. Development Controls - Mixed Housing Suburban zone

### 7.1 Development control infringements

1. Buildings that infringe three or more of the following development controls are a discretionary activity:
  - a. building height
  - b. height in relation to boundary
  - c. yards
  - d. maximum impervious area
  - e. building coverage
  - f. landscaping
  - g. outlook.

### 7.2 Building height

Purpose: manage the height of buildings to generally maintain a low-rise suburban residential character of the zone (one to two storeys).

1. Buildings must not exceed 8m in height.

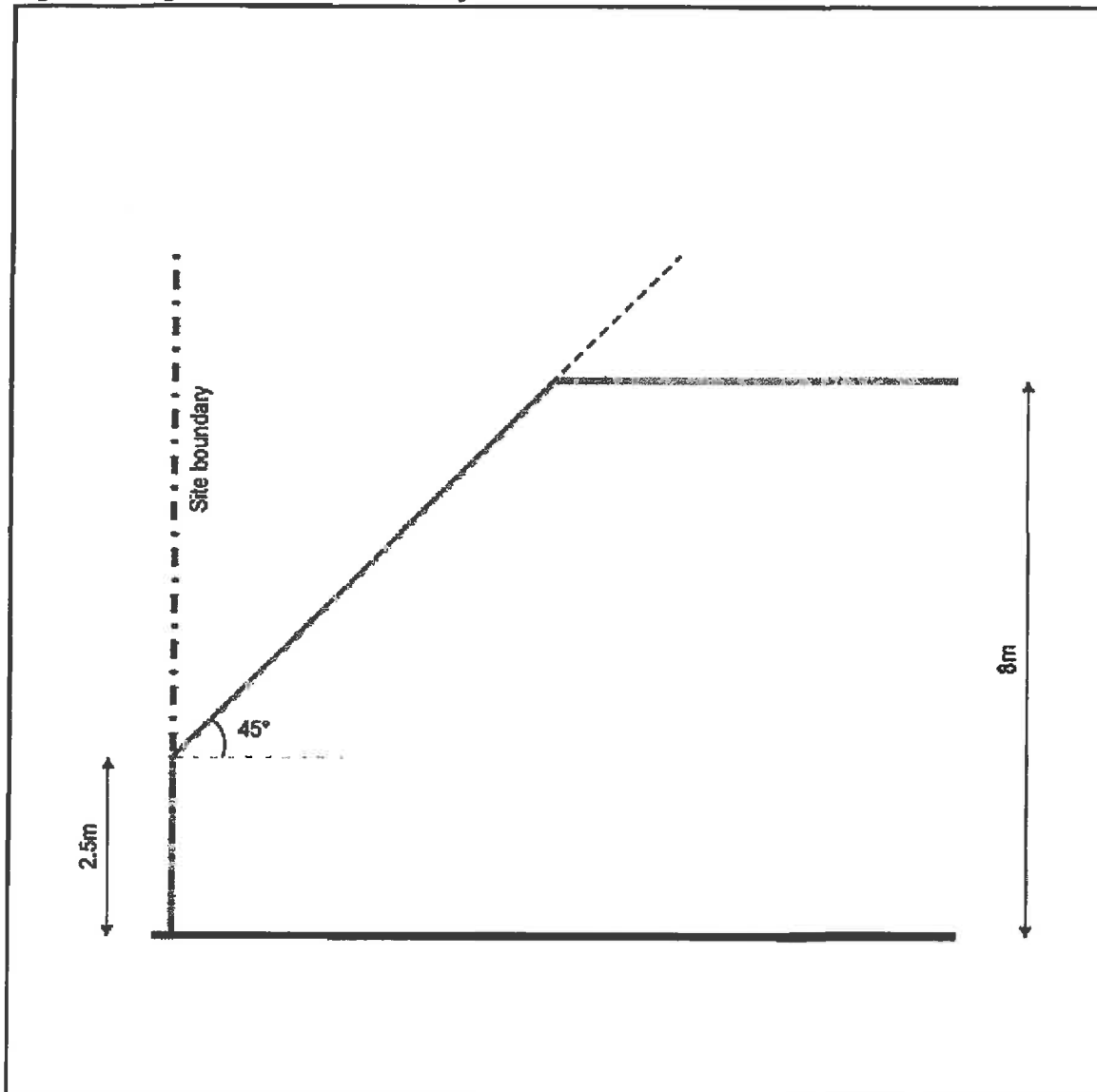
### 7.3 Height in relation to boundary

Purpose: manage the bulk and scale of buildings at boundaries to limit over-shadowing to neighbouring sites and provide space between buildings.

1. Buildings must not exceed a height of 2.5m measured vertically above ground level at side and rear boundaries. Thereafter, buildings must be set back 1m for every additional metre in height (45 degrees).



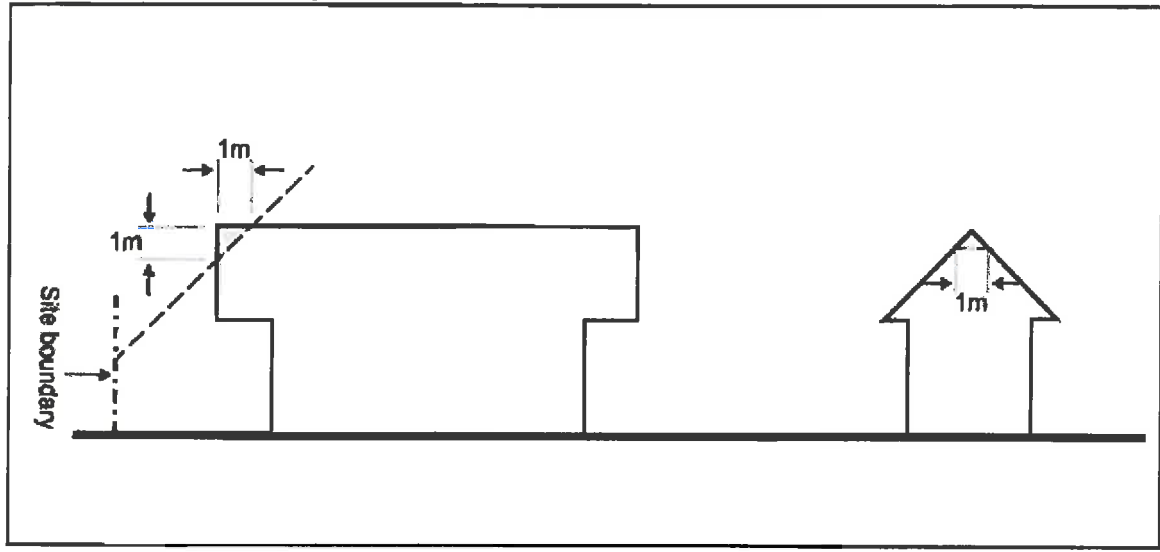
Figure 6: Height in relation to boundary



- 2. This control does not apply to a boundary adjoining:
  - a. Industrial zones
  - b. centres and mixed use zones
  - c. General Business zone
  - d. Business Park zone
  - e. sites within the public open space zones exceeding 2000m<sup>2</sup>.
- 3. Where the boundary forms part of a legal right of way, pedestrian access way, or access site, the control applies from the farthest boundary of that legal right of way, pedestrian access way or access lot.

- 4. A gable end or dormer may project beyond the recession plane where it is:
  - a. no greater than 1m in height and width measured parallel to the nearest adjacent boundary
  - b. no greater than 1m in depth measured horizontally at 90 degrees to the nearest adjacent boundary.

Figure 7: Exceptions for gable ends and dormers



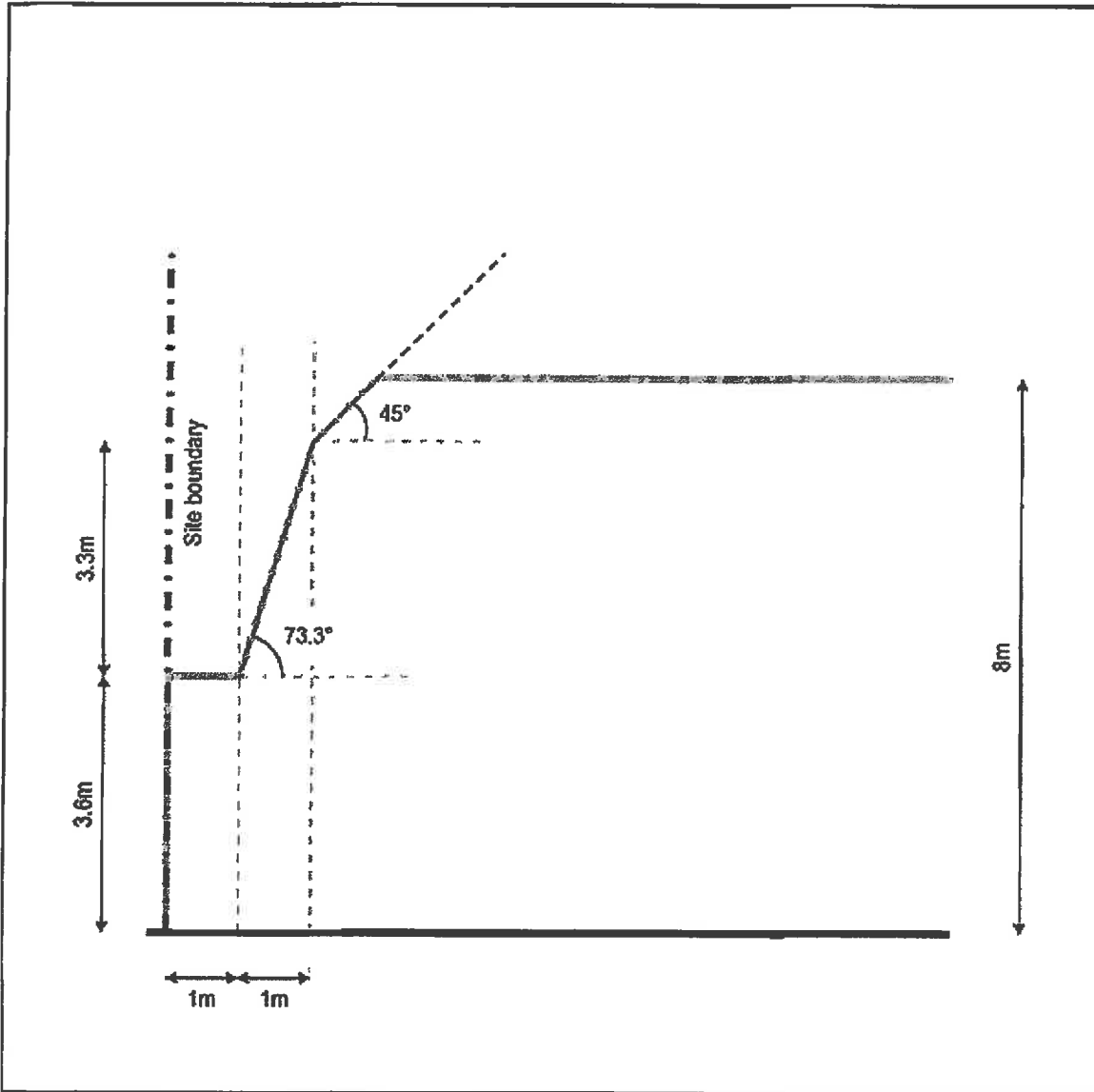
- 5. No more than two gable end or dormer projections are allowed for every 6m length of site boundary.

### 7.4 Alternative height in relation to boundary

Purpose: enable the efficient use of the site by providing design flexibility at the first floor of a dwelling.

- 1. This development control is an alternative to the permitted height in relation to boundary control in clause 7.3 above which may be used for development that is a density of one dwelling per 300m<sup>2</sup> or greater and complies with the land use controls in clause 3.1.2 above.
- 2. It will be processed as a restricted discretionary activity if it complies with clause 3 below.
- 3. Buildings must not exceed a height of 3.6m measured vertically above ground level at side and rear boundaries. Thereafter, buildings must be set back one metre and then 0.3m for every additional metre in height (73.3 degrees) up to 6.9m and then one metre for every additional metre in height (45 degrees).
- 4. The exceptions to the permitted height in relation to boundary control listed in clause 7.3 above apply.
- 5. A building that does not comply with this control is a discretionary activity.

Figure 8: Alternative height in relation to boundary



7.5 Yards

Purpose: Purpose: maintain an open streetscape character and ensure dwellings are adequately set back from lakes, streams and the coastal edge to maintain water quality and provide protection from natural hazards.

Table 5

Yard	Minimum depth
Front	4m
Side	1m
Rear	1m
Riparian	10m from the edge of all other permanent and intermittent streams
Lake	30m
Coastal protection yard	10m, or as otherwise specified in appendix 6.7

## 7.6 Common walls

Purpose: enable attached dwellings, where that pattern of development exists or where neighbours agree.

1. The height in relation to boundary and yards development controls do not apply where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.

## 7.7 Maximum impervious area

Purpose: manage the amount of stormwater runoff generated by a development.

1. Maximum impervious area: 60 per cent.
2. Maximum impervious area within a riparian yard: 10 per cent.

## 7.8 Building coverage

Purpose: maintain the suburban residential character of the zone.

1. Maximum building coverage for proposed sites with a density less than or equal to one dwelling per 400m<sup>2</sup>: 40 per cent.
2. Maximum building coverage for proposed sites with a density greater than one dwelling per 400m<sup>2</sup> that comply with the requirements of clause 3.1.2 above: 50 per cent.

## 7.9 Landscaping

Purpose:

- provide for on-site amenity and an attractive streetscape character
  - improve stormwater absorption on-site.
1. For proposed sites with a density less than or equal to one dwelling per 400m<sup>2</sup> or more at least 40 per cent must comprise landscaped area.
  2. For proposed sites with a density greater than one dwelling per 400m<sup>2</sup> that comply with the requirements of clause 3.1.2 above, at least 30 per cent must comprise landscaped area.
  3. For clauses 1 and 2 above, the following must be met:
    - a. at least 10 per cent of the required landscaped area must be planted with shrubs including at least one tree that is pB95 or larger at the time of planting
    - b. at least 50 per cent of the front yard must comprise landscaped area.

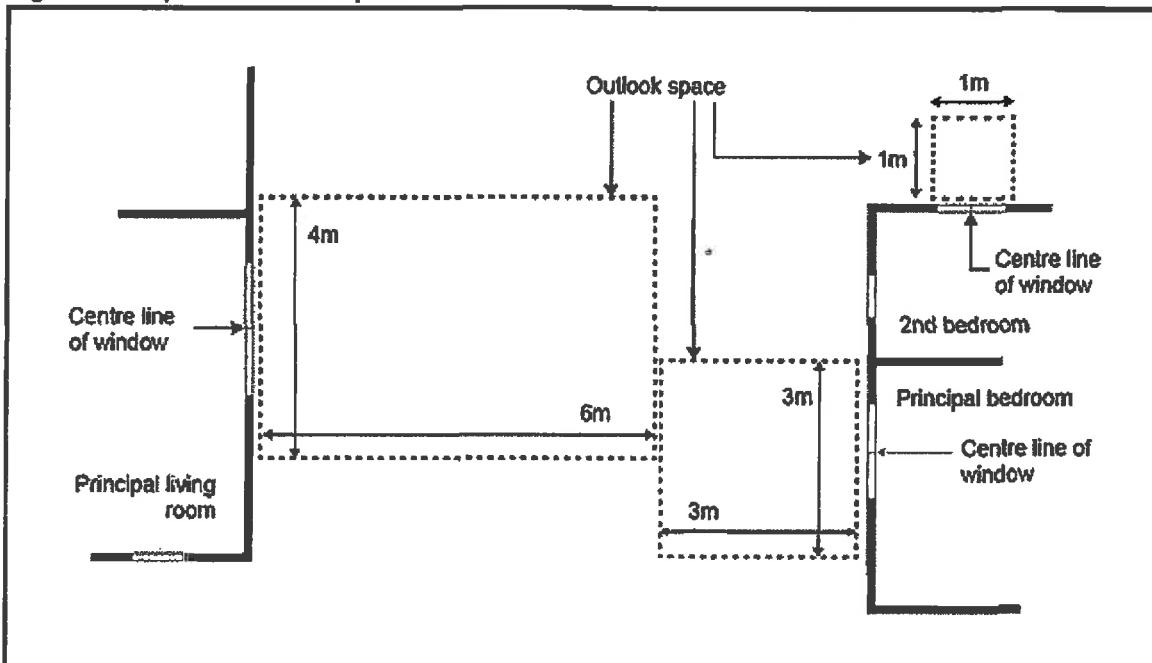
## 7.10 Outlook space

Purpose:

- ensure a reasonable standard of visual and acoustic privacy between different dwellings, including their outdoor living space, on the same or adjacent sites
  - encourage the placement of habitable room windows to the site frontage or to the rear of the site in preference to side boundaries, to maximise both passive surveillance of the street and privacy, and to avoid overlooking of neighbouring sites.
1. An outlook space must be provided from the face of a building containing windows or balconies to a habitable room. Where the room has two or more external faces with windows or balconies the outlook space must be provided from, in order of priority, the face with the largest balcony or largest area of glazing.

2. The minimum dimensions for a required outlook space are as follows:
  - a. principal living room: 6m in depth and 4m in width
  - b. principal bedroom: 3m in depth and 3m in width
  - c. all other habitable rooms: 1m in depth and 1m in width.
3. The depth of the outlook space is measured at right angles to and horizontal from the window or balcony to which it applies. Where the outlook space applies to a balcony, it must be measured from the outside edge of the balcony.
4. The width of the outlook space is measured from the centre point of the largest window on the building face to which it applies or from the centre point of the largest balcony.
5. The height of the outlook space is the same as the floor height, measured from floor to ceiling, of the building face to which the control applies.
6. Outlook spaces may be within the site, over a public street, or other public open space.
7. Outlook spaces required from different rooms within the same dwelling may overlap.
8. Outlook spaces must:
  - a. be clear and unobstructed by buildings
  - b. not extend over adjacent sites or overlap with outlook spaces required by another dwelling.
9. An outlook space at ground floor level from a principal living room may be reduced to 4m deep if privacy to adjacent dwellings is provided by fencing at least 1.6m in height.

Figure 9: Required outlook space



### 7.11 Separation between buildings within a site

Purpose: require reasonable separation between buildings on the same site to manage dominance, provide access to daylight and natural ventilation.

1. Buildings must be separated where the habitable room of a dwelling has windows or balconies that face out to the wall of another building on the same site (the facing wall). Where the room has two or more external faces with windows or balconies the building separation must be applied from, in order of priority, the face with the largest balcony or the largest area of area of glazing.
2. The separation space required must be free of buildings for the depth, width and height set out below.
3. The depth of the separation space is measured at right angles to, and horizontal from, the window or balcony to which it applies across to the facing wall, excluding eaves or guttering. Where the building separation applies to a balcony, it is measured from the outside edge of the balcony.
4. For the principal living room, the depth of the separation space required is equal to the height of the facing wall above the floor level of the habitable room, or 15m, whichever is the lesser.
5. For the principal bedroom, the depth of the separation space required is 6m.
6. For other habitable rooms, the depth of the separation space required is 3m.
7. The width of the separation space is 50 per cent of its depth and is measured from the centre point of the largest window on the building face to which it applies or from the centre point of the largest balcony.
8. The height of the separation space is from the height of the floor or balcony upwards, clear to the sky except that eaves or gutters may protrude into it.
9. Where the adjacent building is not perpendicular to the distance being measured, the minimum separation depth required must be measured as an average around the centre line of the window/balcony.

### 7.12 Outdoor living space

Purpose: provide dwellings with outdoor living space that is of a useable size and dimension for the type of dwelling and accessible from the principal living room.

1. A dwelling at ground level must have an outdoor living space measuring at least 40m<sup>2</sup> that:
  - a. is free of buildings, parking spaces, servicing and manoeuvring areas
  - b. excludes any area with a dimension less than 1m.
2. Where a dwelling has the principal living room at ground level, part of the required outdoor living space must be able to contain a delineated area measuring at least 20m<sup>2</sup> that:
  - a. has no dimension less than 4m
  - b. is directly accessible from the principal living room c.

has a gradient not exceeding 1 in 20.
3. Where a dwelling has the principal living room above ground level, part of the required outdoor living space must include a balcony or roof terrace that:
  - a. is directly accessible from the principal living room b.

has a minimum area of 8m<sup>2</sup>

  - c. has a minimum depth of 2.4m.
4. Where an entire dwelling is above ground level, it must have an outdoor living space in the form of a balcony or roof terrace that is at least 10m<sup>2</sup> and has a minimum depth of 2.4m.

### 7.13 Dwellings fronting the street

Purpose: ensure dwellings are orientated to provide for passive surveillance of the street and contribute to streetscape amenity.

1. The front facade of a dwelling or dwellings on a front site must contain:
  - a. glazing that is cumulatively at least 30 per cent of the area of the front facade (excluding the garage door)
  - b. a main entrance door that is visible from the street.

### 7.14 Maximum building length

Purpose: manage the length of buildings along side and/or rear boundaries and the separation between buildings on the same site to visually integrate them into the surrounding neighbourhood.

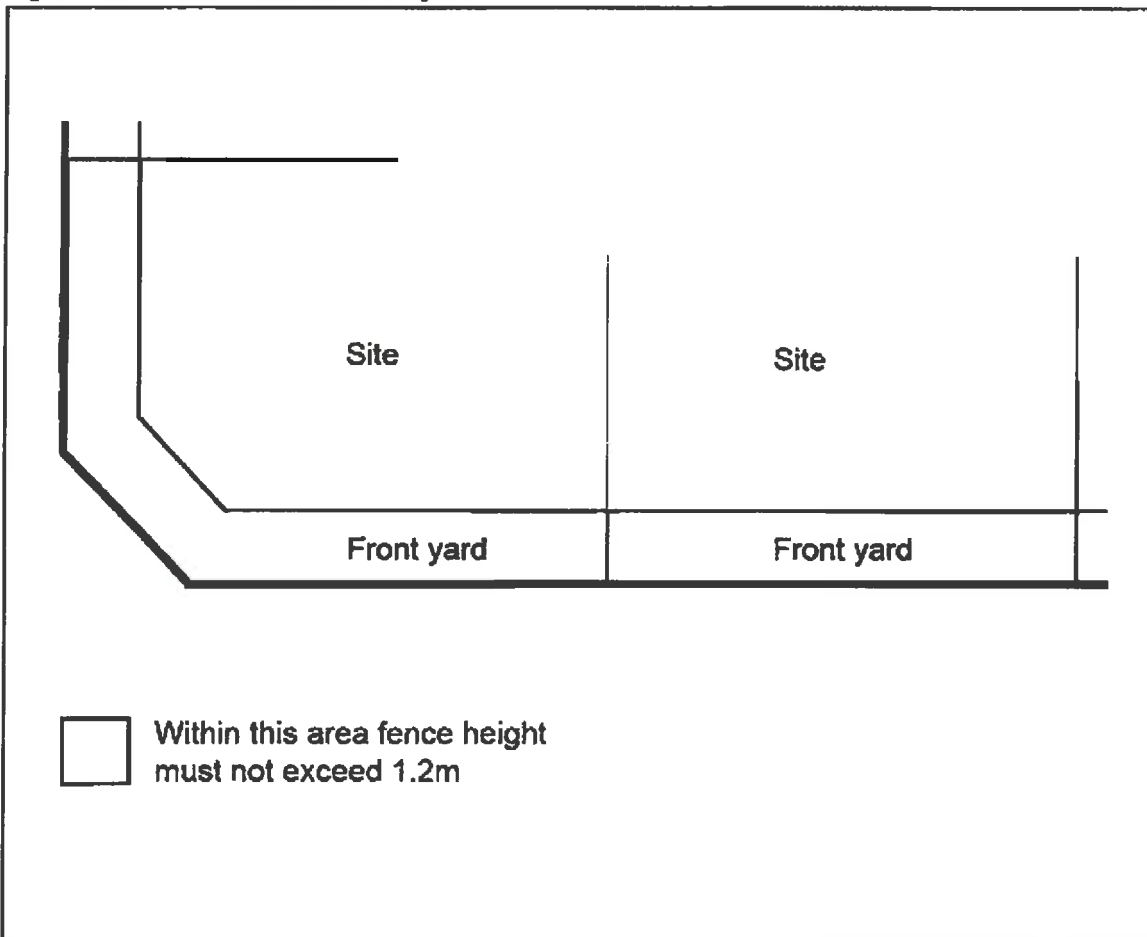
1. The maximum length of a building along a side or rear boundary is 20m, after which there must be a separation of at least 5m along the same boundary to any other building on the same site.

### 7.15 Fences

Purpose: enhance passive surveillance of the street and maintain the open character of front yards.

1. Fences in a front yard must not exceed 1.2m in height.

Figure 10: Fences within the front yard



### 7.16 Garages

Purpose:

- reduce the dominance of garages as viewed from the street
  - avoid parked cars over-hanging the footpath.
1. A garage door facing a street must be no greater than 40 per cent of the width of the front facade of the dwelling to which the garage relates.
  2. Garage doors must not project forward of the front façade of a dwelling.
  3. The garage door must be set back at least 5m from the site's frontage.

### 7.17 Minimum dwelling size

Purpose: dwellings are of a sufficient size to provide for the day-to-day needs of residents.

1. Dwellings must have a minimum net internal floor area as follows:
  - a. 40m<sup>2</sup> for studio dwellings
  - b. 45m<sup>2</sup> for one bedroom dwellings.

### 7.18 Minimum dimension of principal living rooms and principal bedrooms

Purpose: principal living rooms and bedrooms are of a size sufficient to accommodate standard size furniture and circulation space.

1. The principal living room within a dwelling must have no dimension less than 3m, measured perpendicular from the internal walls of the room.
2. The principal bedroom within a dwelling must be at least 3m in width and 3.5m in length measured perpendicular from the internal walls of the room. Cupboards and other storage space may be included in the minimum dimension.

### 7.19 Servicing and waste

Purpose: dwellings within medium to large-scale residential development have sufficient space within the building or site to accommodate the storage of waste.

1. A building or development containing 10 or more dwellings must provide a communal storage area for waste. The size of the communal storage area must be an aggregate of the minimum areas specified for the dwelling types below:
  - a. studio and one bedroom – 0.3m<sup>2</sup>
  - b. two bedrooms – 0.5m<sup>2</sup>
  - c. three bedrooms – 0.7m<sup>2</sup>
  - d. four or more bedrooms – 1m<sup>2</sup>.
2. An additional 30 per cent in area of the total floor area area required above must be provided within the communal storage area for manoeuvring or sorting within the waste storage area.

### 7.20 Water and wastewater

Purpose: ensure development can be serviced by connections to the water supply and wastewater networks.

1. At the time of application for building consent, the applicant must demonstrate to the satisfaction of the council that there is an available connection to the water supply and wastewater networks.



## 7.21 Storage

Purpose: ensure dwellings have sufficient space for the storage of everyday household items and bulky items, such as bicycles.

1. A building or development containing 5 or more dwellings must provide covered storage space for each dwelling with internal measurements of at least 4m<sup>3</sup>, excluding storage within the kitchen and bedroom wardrobes. The storage may be within the dwelling or external to it, within the site.
2. The required storage space for each dwelling must include a single covered storage space within internal dimensions of at least 2m<sup>3</sup>.

## 7.22 Universal access

Purpose: medium to large-scale residential development provides equal physical access and use for people of all ages and abilities.

1. Where a new building or development contains 10 or more dwellings, 20 per cent of those dwellings must comply with the following:
  - a. doorways must have a minimum clear opening width of 810mm
  - b. stairwells must have a minimum width of 900mm
  - c. corridors must have a minimum width of 1050mm
  - d. the principal means of access from the frontage, or the parking space serving the dwelling, to the principal entrance of the dwelling must have:
    - i. a minimum width of 1.2m
    - ii. a maximum slope of 1:20
    - iii. a maximum cross fall of 1:50.
2. Where the calculation of the dwellings required to be universally accessible results in a fractional dwelling, any fraction that is less than one-half will be disregarded and any fraction of one-half or more will be counted as one dwelling.
3. All dwellings required to be universally accessible must provide at least one parking space for people with a disability. The dimensions and accessible route requirements for such parking spaces are detailed in Section 5.5 of the New Zealand Building Code D1/AS1 New Zealand Standard for Design for Access and Mobility – Buildings and Associated Facilities (NZS 4121-2001).

## 8. Development Controls - Mixed Housing Urban zone

### 8.1 Development control infringements

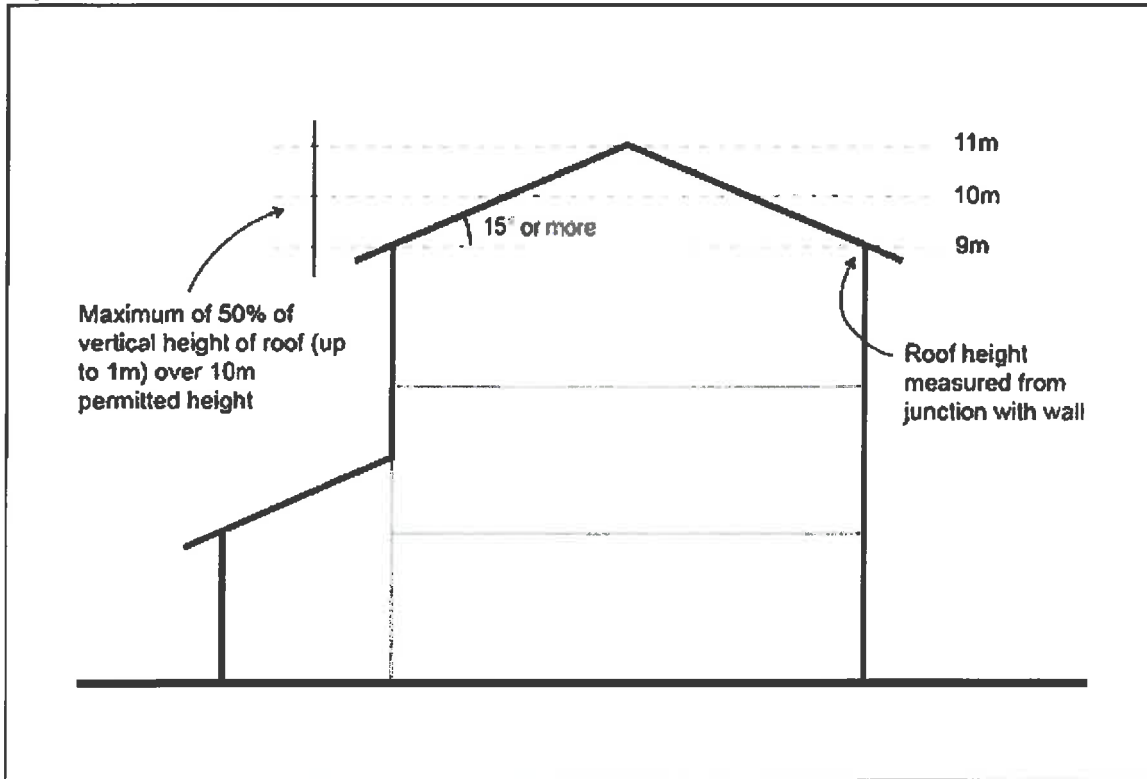
1. Buildings that infringe three or more of the following development controls are a discretionary activity:
  - a. building height
  - b. height in relation to boundary
  - c. yards
  - d. maximum impervious area
  - e. building coverage
  - f. landscaping
  - g. outlook.

### 8.2 Building height

Purpose: manage the height of buildings to be consistent with an urban residential character of up to three storeys.

1. Buildings must not exceed 10m in height, except that 50 per cent of a building's roof, measured vertically from the junction between wall and roof, may exceed this height by 1m, where the entire roof slopes 15 degrees or more.

Figure 11: Building height in the Mixed Housing Urban zone

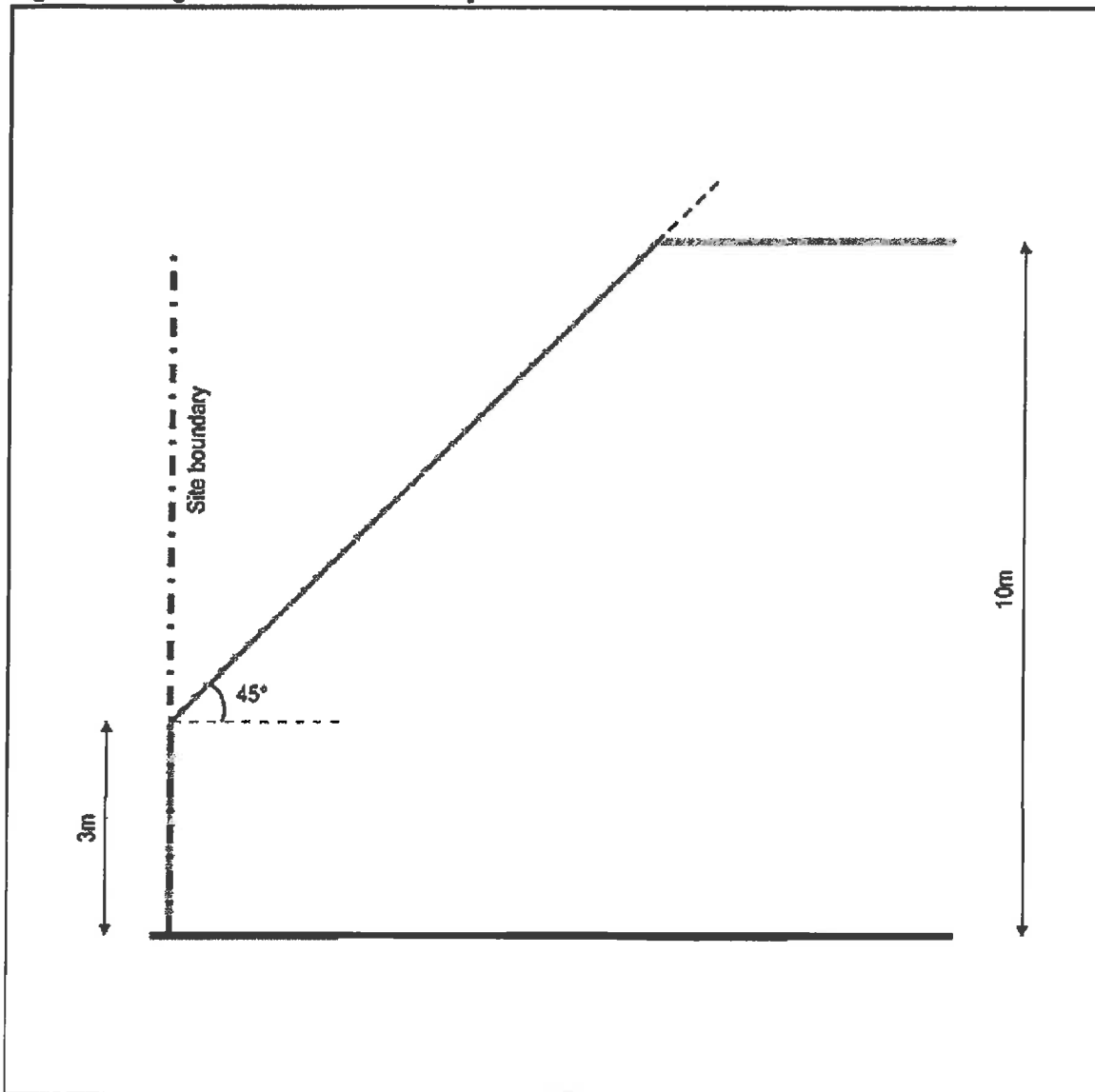


### 8.3 Height in relation to boundary

Purpose: manage the bulk and scale of buildings at boundaries to limit over-shadowing to neighbouring sites and provide space between buildings.

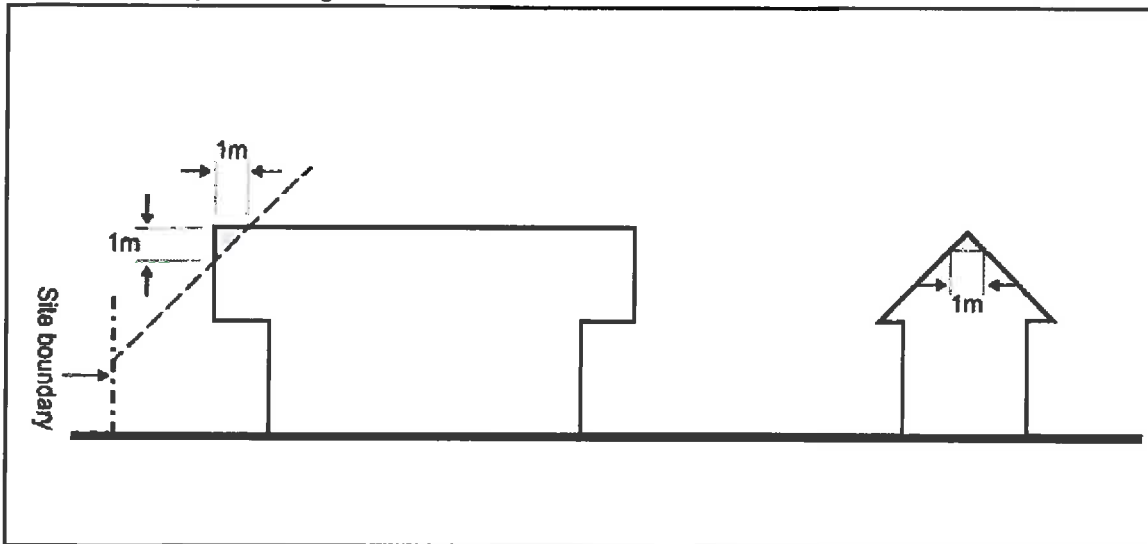
1. Buildings must not exceed a height of 3m measured vertically above ground level at side and rear boundaries. Thereafter, buildings must be set back 1m for every additional metre in height (45 degrees).

Figure 12: Height in relation to boundary



2. This control does not apply to a boundary adjoining:
  - a. industrial zones
  - b. centres and mixed use zones
  - c. General Business zone
  - d. Business Park zone
  - e. sites within the public open space zones exceeding 2000m<sup>2</sup>.
3. Where the boundary forms part of a legal right of way, pedestrian access way, or access site, the control applies from the farthest boundary of that legal right of way, pedestrian access way or access site.
4. A gable end or dormer may project beyond the recession plane where it is:
  - a. no greater than 1m in height and width measured parallel to the nearest adjacent boundary
  - b. no greater than 1m in depth measured horizontally at 90 degrees to the nearest adjacent boundary.

Figure 13: Exceptions for gable ends and dormers



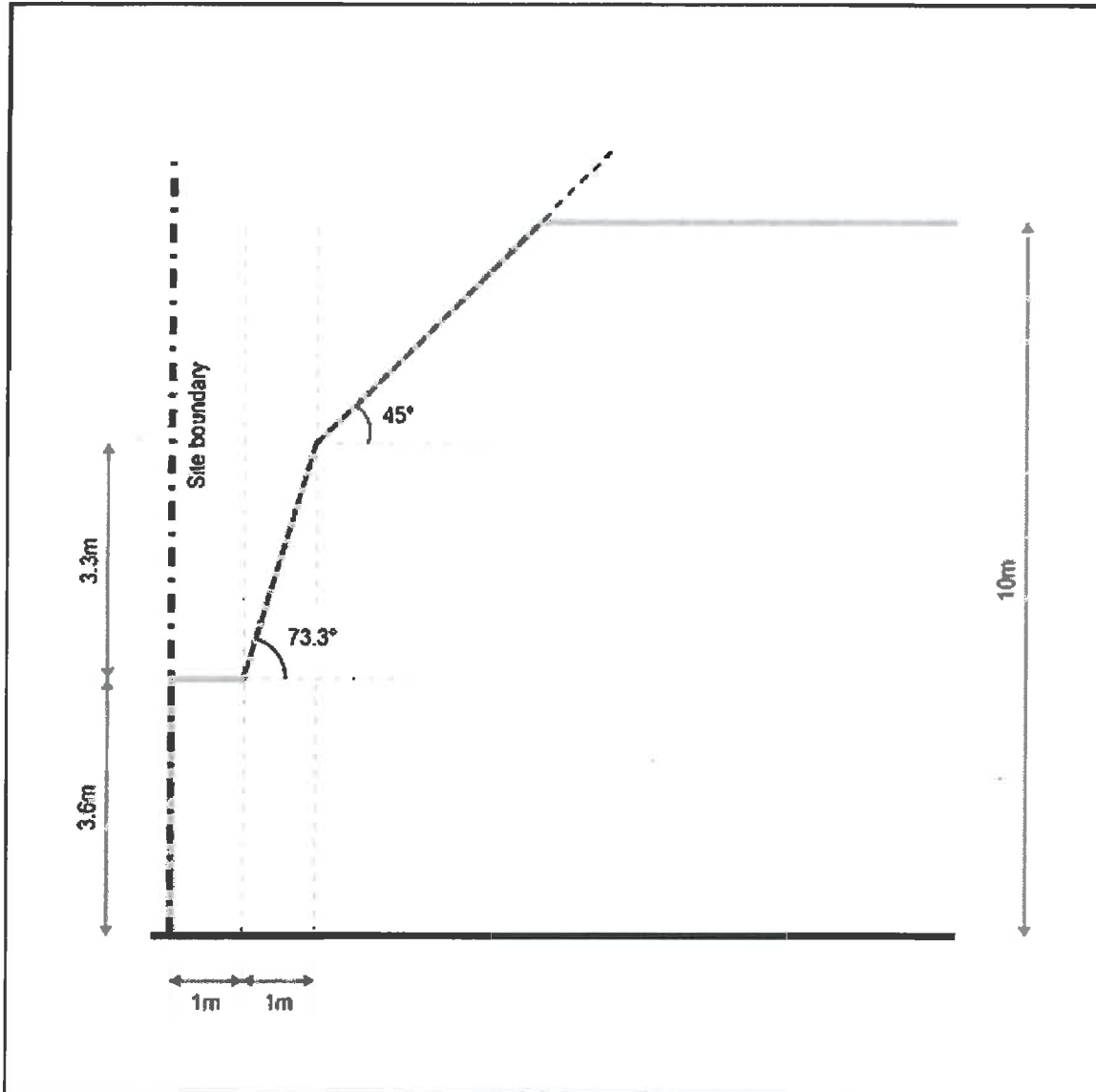
5. No more than two gable end or dormer projections are allowed for every 6m length of site boundary.

#### 8.4 Alternative height in relation to boundary

Purpose: enable the efficient use of the site by providing design flexibility at the upper floors of a dwelling.

1. This development control is an alternative to the permitted height in relation to boundary control in clause 8.3 above which may be used for development that is a density of one dwelling per 250m<sup>2</sup> or greater and complies with the land use controls in clause 3.1.3 above.
2. It will be processed as a restricted discretionary activity if it complies with clause 3 below.
3. Buildings must not exceed a height of 3.6m measured vertically above ground level at side and rear boundaries. Thereafter, buildings must be set back one metre, and then 0.3m for every additional metre in height (73.3 degrees) up to 6.9m, and then one metre for every additional metre in height (45 degrees).
4. The exceptions to the permitted height in relation to boundary control listed in clause 8.3 above apply.
5. A building that does not comply with this control is a discretionary activity.

Figure 14: Alternative height in relation to boundary



### 8.5 Common walls

Purpose: enable attached dwellings, where that pattern of development exists or where neighbours agree.

1. The height in relation to boundary and yards development controls do not apply where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.

### 8.6 Yards

Purpose: create a transition from the front facade of the dwelling to the street that contributes to the quality of the streetscape and ensures dwellings are adequately set back from lakes, streams and the coastal edge to maintain water quality and provide protection from natural hazards.

Table 6:

Yard	Minimum depth
Front	2.5m
Side	1m
Rear	1m
Riparian	10m from the edge of all other permanent and intermittent streams
Lake	30m
Coastal protection yard	10m, or as otherwise specified in appendix 6.7

### 8.7 Maximum impervious area

Purpose: manage the amount of stormwater runoff generated by a development.

1. Maximum impervious area for proposed sites with a density less than or equal to one dwelling per 300m<sup>2</sup>: 60 per cent.
2. Maximum impervious area for proposed sites with a density greater than one dwelling per 300m<sup>2</sup> that comply with the requirements of clause 3.2.2 above: 70 per cent.

### 8.8 Building coverage

Purpose: manage the density of buildings on the site consistent with the urban residential character of the zone.

1. Maximum building coverage for proposed sites with a density less than or equal to one dwelling per 300m<sup>2</sup>: 40 per cent.
2. Maximum building coverage for proposed sites with a density greater than one dwelling per 300m<sup>2</sup> that comply with the requirements of clause 3.1.3 above: 50 per cent.

### 8.9 Landscaping

Purpose:

- provide for on-site amenity and an attractive streetscape character
  - improve stormwater absorption on-site.
1. For proposed sites with a density less than or equal to one dwelling per 300m<sup>2</sup> at least 40 per cent must comprise landscaped area.
  2. For proposed sites with a density greater than one dwelling per 300m<sup>2</sup> that comply with the requirements of clause 3.1.3 above, at least 30 per cent must comprise landscaped area.
  3. For clauses 1 and 2 above, the following must be met:
    - a. At least 10 per cent of the required landscaped area must be planted with shrubs including at least one tree that is pB95 or larger at the time of planting.
    - b. At least 50 per cent of the front yard must comprise landscaped area.

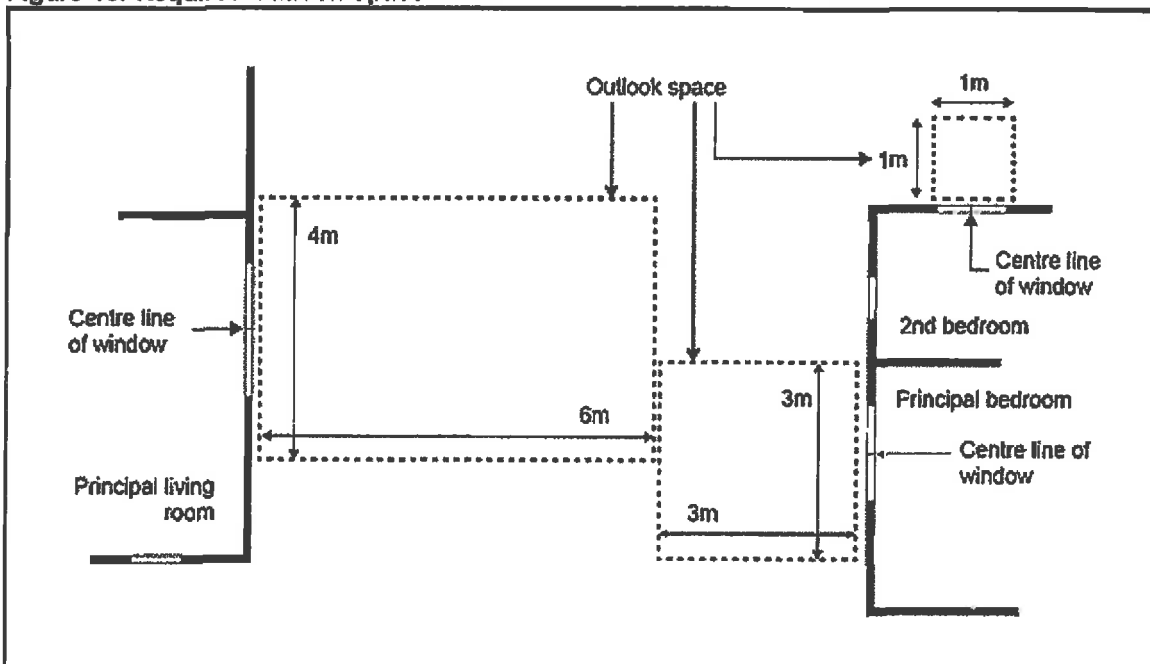
### 8.10 Outlook space

Purpose:

- Ensure a reasonable standard of visual and acoustic privacy between different dwellings, including their outdoor living space, on the same or adjacent sites

- Encourage the placement of habitable room windows to the site frontage or to the rear of the site in preference to side boundaries, to maximise both passive surveillance of the street and privacy, and to avoid overlooking of neighbouring sites.
1. An outlook space must be provided from the face of a building containing windows or balconies to a habitable room. Where the room has two or more external faces with windows or balconies the outlook space must be provided from, in order of priority, the face with the largest balcony or largest area of glazing.
  2. The minimum dimensions for a required outlook space are as follows:
    - a. principal living room: 6m in depth and 4m in width
    - b. principal bedroom: 3m in depth and 3m in width
    - c. all other habitable rooms: 1m in depth and 1m in width.
  3. The depth of the outlook space is measured at right angles to and horizontal from the window or balcony to which it applies. Where the outlook space applies to a balcony, it must be measured from the outside edge of the balcony.
  4. The width of the outlook space is measured from the centre point of the largest window on the building face to which it applies or from the centre point of the largest balcony.
  5. The height of the outlook space is the same as the floor height, measured from floor to ceiling, of the building face to which the control applies.
  6. Outlook spaces may be within the site, over a public street, or other public open space.
  7. Outlook spaces required from different rooms within the same dwelling may overlap.
  8. Outlook spaces must:
    - a. be clear and unobstructed by buildings
    - b. not extend over adjacent sites or overlap with outlook spaces required by another dwelling.
  9. An outlook space at ground floor level from a principal living room may be reduced to 4m deep if privacy to adjacent dwellings is provided by fencing at least 1.6m in height.

Figure 15: Required outlook space



### 8.11 Separation between buildings within a site

Purpose: require reasonable separation between buildings on the same site to manage dominance, provide access to daylight and natural ventilation.

1. Buildings must be separated where the habitable room of a dwelling has windows or balconies that face out to the wall of another building on the same site (the facing wall). Where the room has two or more external faces with windows or balconies the building separation must be applied from, in order of priority, the face with the largest balcony or the largest area of area of glazing.
2. The separation space required must be free of buildings for the depth, width and height set out below.
3. The depth of the separation space is measured at right angles to, and horizontal from, the window or balcony to which it applies across to the facing wall, excluding eaves or guttering. Where the building separation applies to a balcony, it is measured from the outside edge of the balcony.
4. For the principal living room, the depth of the separation space required is equal to the height of the facing wall above the floor level of the habitable room, or 15m, whichever is the lesser.
5. For the principal bedroom, the depth of the separation space required is 6m.
6. For other habitable rooms , the depth of the separation space required is 3m.
7. The width of the separation space is 50 per cent of its depth and is measured from the centre point of the largest window on the building face to which it applies or from the centre point of the largest balcony.
8. The height of the separation space is from the height of the floor or balcony upwards, clear to the sky except that eaves or gutters may protrude into it.
9. Where the adjacent building is not perpendicular to the distance being measured, the minimum separation depth required must be measured as an average around the centre line of the window/balcony.

### 8.12 Outdoor living space

Purpose: provide dwellings with outdoor living space that is of a usable size and dimension for the type of dwelling and is accessible from the principal living room.

1. A dwelling at ground level must have an outdoor living space measuring at least 40m<sup>2</sup> that:
  - a. is free of buildings, parking spaces, servicing and manoeuvring areas
  - b. excludes any area with a dimension less than 1m.
2. Where a dwelling has the principal living room at ground level, part of the required outdoor living space must be able to contain a delineated area measuring at least 20m<sup>2</sup> that:
  - a. has no dimension less than 4m
  - b. is directly accessible from the principal living room c.
    - has a gradient not exceeding 1 in 20.
3. Where a dwelling has the principal living room above ground level, part of the required outdoor living space must include a balcony or roof terrace that:
  - a. is directly accessible from the principal living room b.
    - has a minimum area of 8m<sup>2</sup>
  - c. has a minimum depth of 2.4m.
4. Where an entire dwelling is above ground level, it must have an outdoor living space in the form of a balcony or roof terrace that is at least 10m<sup>2</sup> and has a minimum depth of 2.4m.



### 8.13 Dwellings fronting the street

Purpose: ensure dwellings are orientated to provide for passive surveillance of the street and contribute to streetscape amenity.

1. The front facade of a dwelling or dwellings on a front site must contain:
  - a. glazing that is cumulatively at least 30 per cent of the area of the front facade (excluding the garage door)
  - b. a door that is the main entrance to the dwelling.

### 8.14 Maximum building length

Purpose: manage the length of buildings along side and/or rear boundaries and the separation between buildings on the same site to visually integrate them into the surrounding neighbourhood.

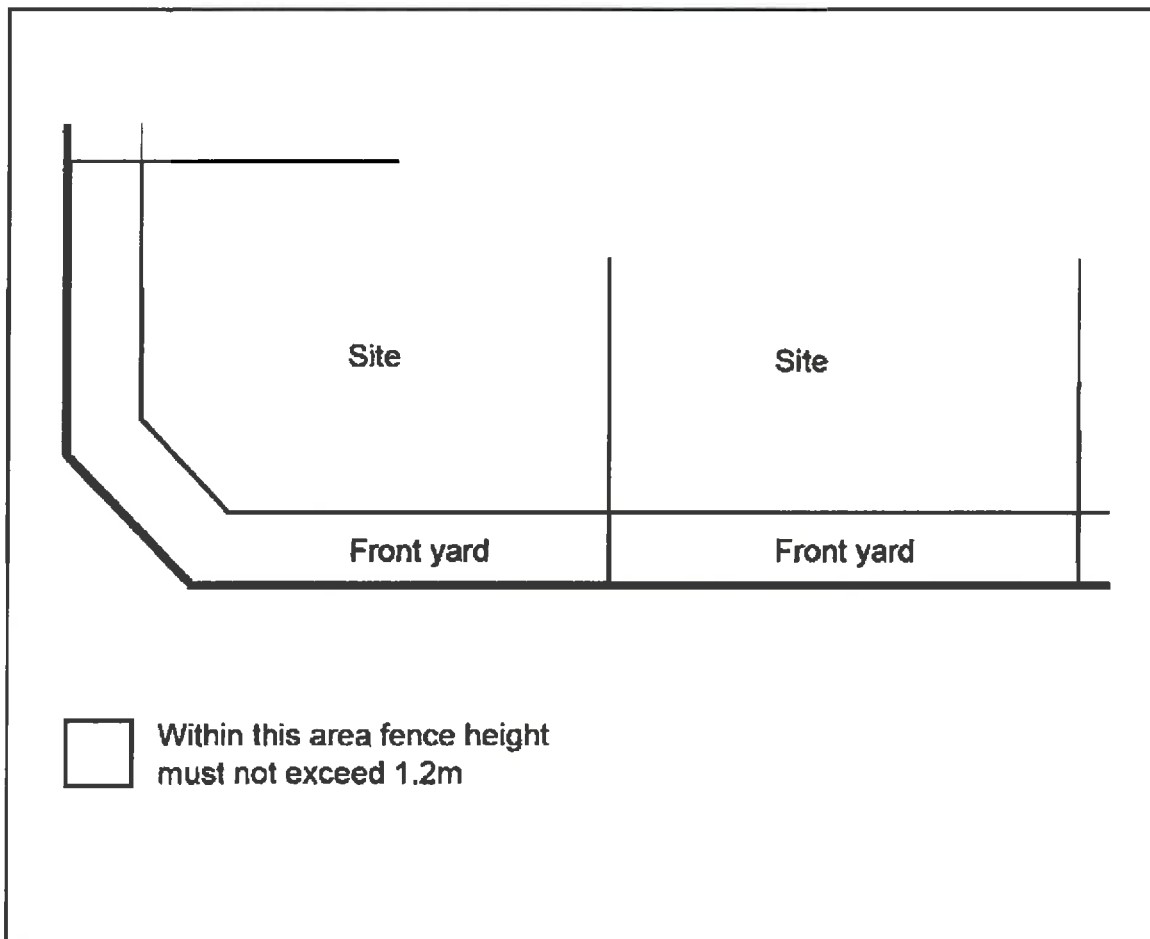
1. The maximum length of a building along a side or rear boundary is 20m, after which there must be a separation of at least 5m along the same boundary to any other building on the same site.

### 8.15 Fences

Purpose: enhance passive surveillance over the street and maintain the open character of front yards.

1. Fences in a front yard must not exceed 1.2m in height.

Figure 16: Fences within the front yard



### 8.16 Garages

Purpose:

- reduce the dominance of garages as viewed from the street
  - avoid parked cars over-hanging the footpath.
1. A garage door facing a street must be no greater than 40 per cent of the width of the front facade of the dwelling to which the garage relates.
  2. Garage doors must not project forward of the front façade of a dwelling.
  3. The garage door must be set back at least 5m from the site's frontage.

### 8.17 Minimum dwelling size

Purpose: dwellings are of a sufficient size to provide for the day-to-day needs of residents.

1. Dwellings must have a minimum net internal floor area as follows:
  - a. 40m<sup>2</sup> for studio dwellings
  - b. 45m<sup>2</sup> for one bedroom dwellings.

### 8.18 Daylight to dwellings

Purpose: principal living rooms and bedrooms receive a good degree of daylight.

1. The principal living room must have external glazing that is at least 40 per cent of the floor area of that space.
2. Bedrooms must have external glazing that is at least 20 per cent of the floor area of that space.

### 8.19 Minimum dimension of principal living rooms and principal bedrooms

Purpose: principal living rooms and bedrooms are of a size sufficient to accommodate standard size furniture and circulation space.

1. The principal living room within a dwelling must have no dimension less than 3m, measured perpendicular from the internal walls of the room.
2. The principal bedroom within a dwelling must be at least 3m in width and 3.5m in length measured perpendicular from the internal walls of the room. Cupboards and other storage space may be included in the minimum dimension.

### 8.20 Servicing and waste

Purpose: dwellings within medium to large-scale residential development have sufficient space within the building or site to accommodate the storage of waste.

1. A building or site containing 10 or more dwellings must provide a communal storage area for waste. The size of the communal storage area must be an aggregate of the minimum areas specified for the dwelling types below:
  - a. studio and one bedroom – 0.3m<sup>2</sup>
  - b. two bedrooms – 0.5m<sup>2</sup>
  - c. three bedrooms – 0.7m<sup>2</sup>
  - d. four or more bedrooms – 1m<sup>2</sup>.
2. An additional 30 per cent in area of the total floor area area required above must be provided within the communal storage area for manoeuvring or sorting within the waste storage area.

### 8.21 Water and wastewater

Purpose: ensure development can be serviced by connections to the water supply and wastewater networks.

1. At the time of application for building consent, the applicant must demonstrate to the satisfaction of the council that there is an available connection to the water supply and wastewater networks.

### 8.22 Storage

Purpose: ensure dwellings have sufficient space for the storage of everyday household items and bulky items, such as bicycles.

1. A building or development containing 5 or more dwellings must provide covered storage space for each dwelling with internal measurements of at least 4m<sup>3</sup>, excluding storage within the kitchen and bedroom wardrobes. The storage may be within the dwelling or external to it, within the site.
2. The required storage space for each dwelling must include a single covered storage space within internal dimensions of at least 2m<sup>3</sup>.

### 8.23 Dwelling mix

Purpose: large-scale residential development provides variety in dwelling sizes.

1. In a single development containing more than 10 dwellings, the combined number of studio and one bedroom dwellings must not exceed 70 per cent of the total number of dwellings within the development.

### 8.24 Universal access

Purpose: medium to large-scale residential development provides equal physical access and use for people of all ages and abilities.

1. Where a new building or development contains 10 or more dwellings, 20 per cent of those dwellings must comply with the following:
  - a. doorways must have a minimum clear opening width of 810mm
  - b. stairwells must have a minimum width of 900mm
  - c. corridors must have a minimum width of 1050mm
  - d. the principal means of access from the frontage, or the parking space serving the dwelling, to the principal entrance of the dwelling must have:
    - i. a minimum width of 1.2m
    - ii. a maximum slope of 1:20
    - iii. a maximum cross fall of 1:50.
2. Where the calculation of the dwellings required to be universally accessible results in a fractional dwelling, any fraction that is less than one-half will be disregarded and any fraction of one-half or more will be counted as one dwelling.
3. All dwellings required to be universally accessible must provide at least one parking space for people with a disability. The dimensions and accessible route requirements for such parking spaces are detailed in Section 5.5 of the New Zealand Building Code D1/AS1 New Zealand Standard for Design for Access and Mobility – Buildings and Associated Facilities (NZS 4121-2001).

## 9. Development Controls - Terrace Housing and Apartment Buildings zone

The following development controls apply in the Terrace Housing and Apartment Buildings zone.

## 9.1 Development control infringements

1. Buildings that infringe three or more of the following development controls are a discretionary activity:
  - a. building height
  - b. yards
  - c. building setbacks within the Terrace Housing and Apartment Buildings zone
  - d. building setbacks adjoining lower density zones
  - e. maximum impervious area
  - f. building coverage
  - g. landscaping
  - h. outlook.

## 9.2 Building height

Purpose: manage the height of buildings to provide for terrace housing and apartments of between four and six storeys.

1. Buildings must not exceed 13.5m and four storeys in height or 14.5m and four storeys in height where semi-basement parking is provided. Semi-basement parking must not exceed 1m in height.
2. If the site is subject to the Additional Building Height overlay, buildings must not exceed the height in metres shown for the site on the planning maps. Additionally, buildings must not exceed the corresponding height in storeys for the height in metres specified in the table below.

Table 7:

Building height in metres	Building height in storeys
20.5m	6 storeys
17.5m	5 storeys

## 9.3 Yards

Purpose: provide an attractive transition from the street to the front facade of the terrace housing or the apartment building and ensure dwellings are adequately set back from lakes, streams and the coastal edge to maintain water quality and provide protection from natural hazards.

Table 8:

Yard	Minimum depth
Front	2.5m
Riparian	10m from the edge of all other permanent and intermittent streams
Lake	30m
Coastal protection yard	10m, or as otherwise specified in appendix 6.7

## 9.4 Building setbacks within the Terrace Housing and Apartment Buildings zone

Purpose: minimise the adverse effects of building height on neighbours (i.e. dominance and shading) and reduce the overall visual dominance of buildings at upper levels.

1. Where sites in the Terrace Housing and Apartment Buildings zone adjoin another site in the same zone or any other zone not specified in clause 9.5 below, the building must be set back from side and rear boundaries as follows:

- a. Where the building is from one to four storeys in height the building must be setback from side and rear boundaries at least:
  - i. 3m for storeys one and two
  - ii. 5m for storeys three and four.
- b. Where the building is more than four storeys the building must be setback from side and rear boundaries at least:
  - i. 5m for storeys one to four
  - ii. 7m for storeys five and six.

Figure 17: Building setbacks adjoining other Terrace Housing and Apartment Buildings zone sites

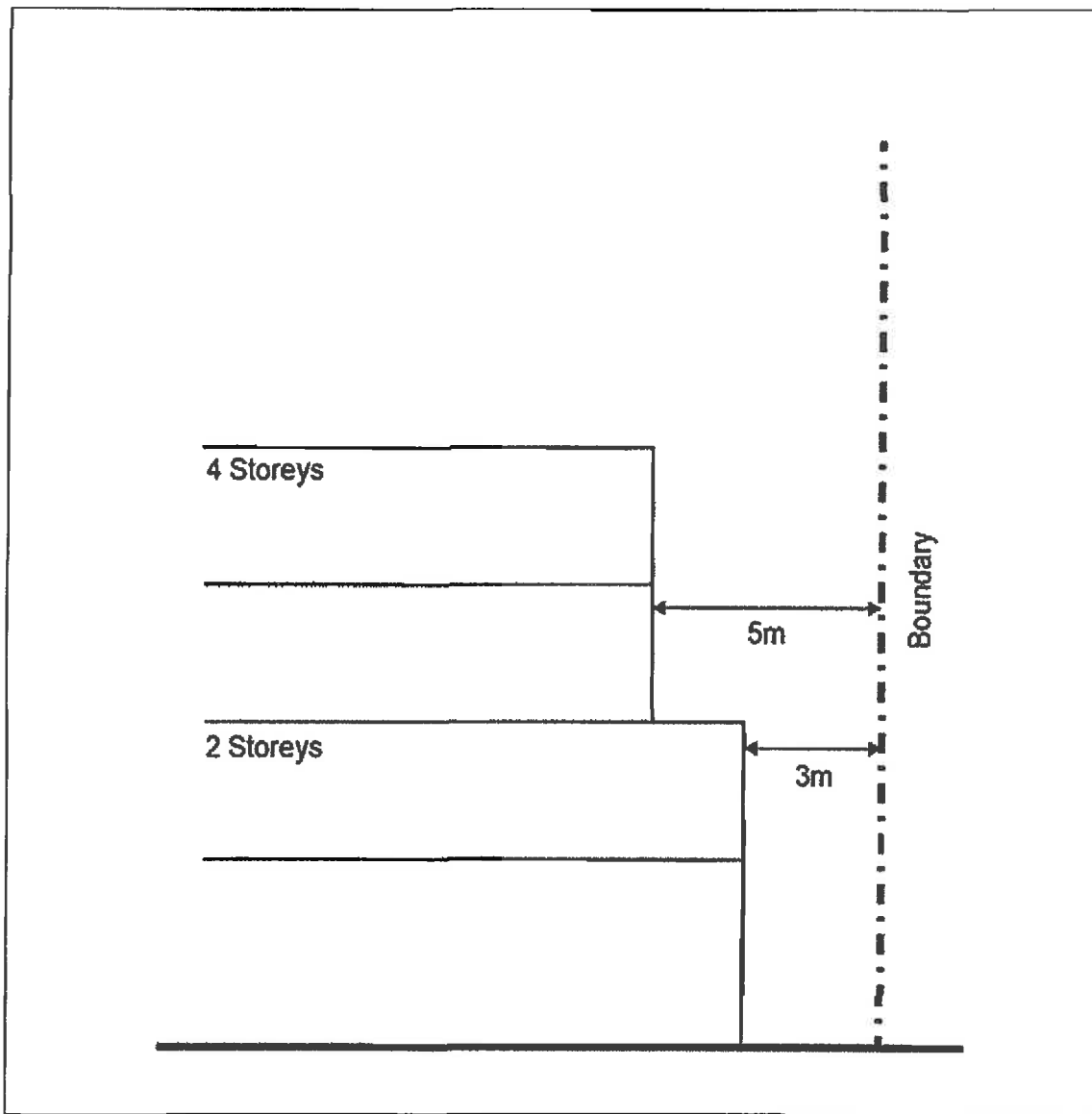
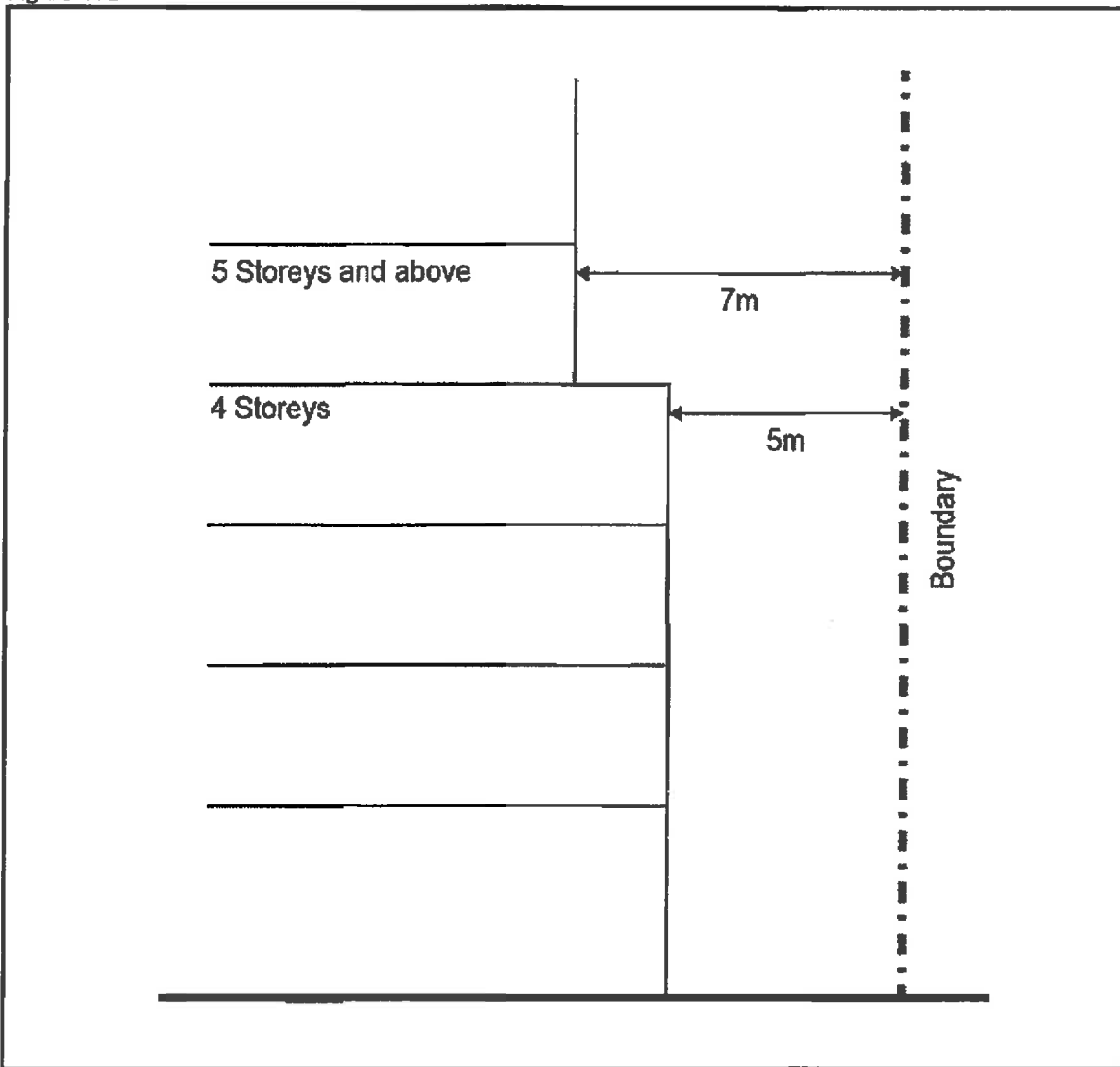


Figure 17a

Figure 17b



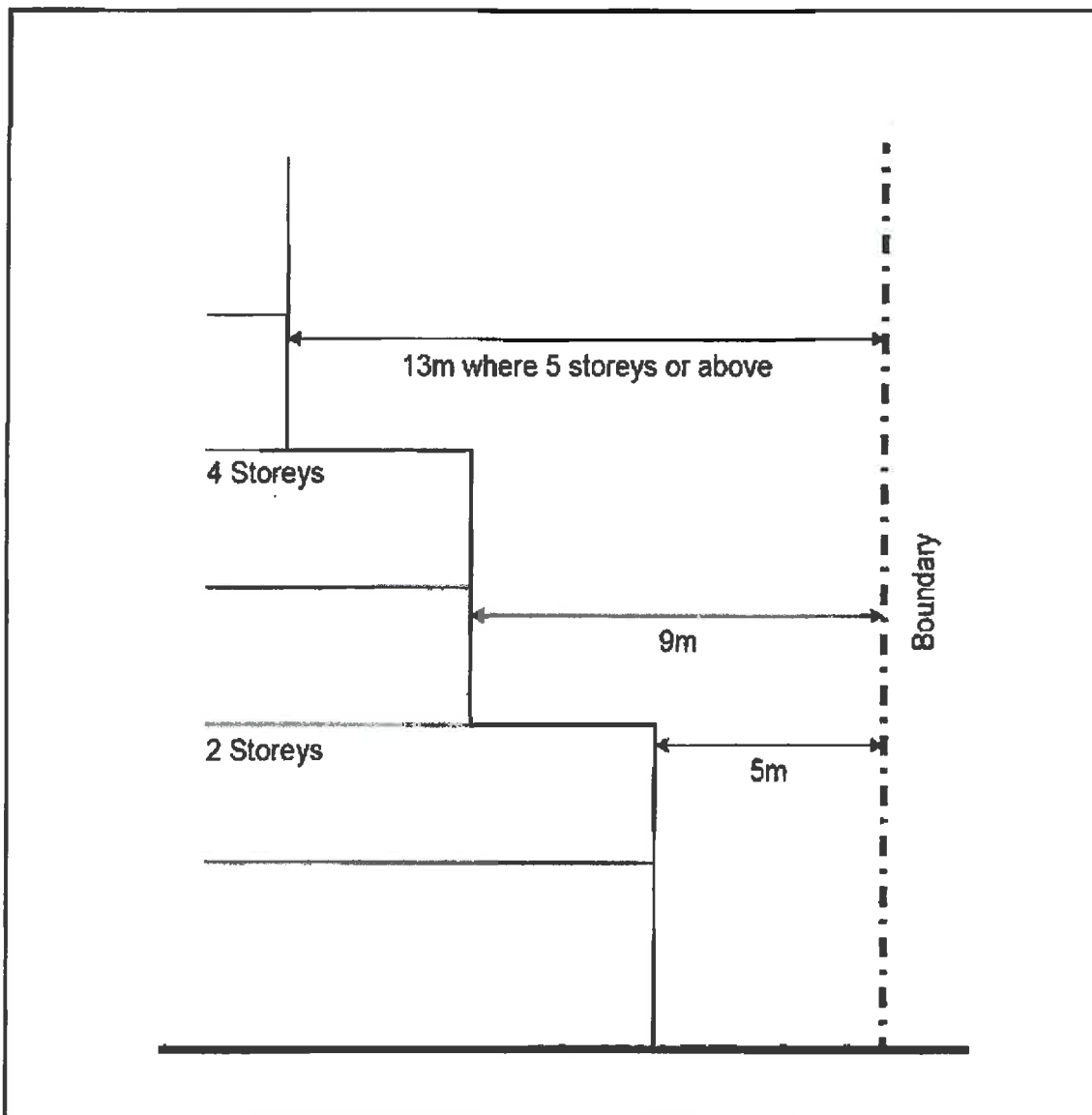
- 2. This control does not apply on boundaries where a common wall of the same height exists or is proposed.

### 9.5 Building setbacks adjoining lower density zones

Purpose: provide an appropriate transition in building bulk and scale to lower density residential zones and small public open spaces.

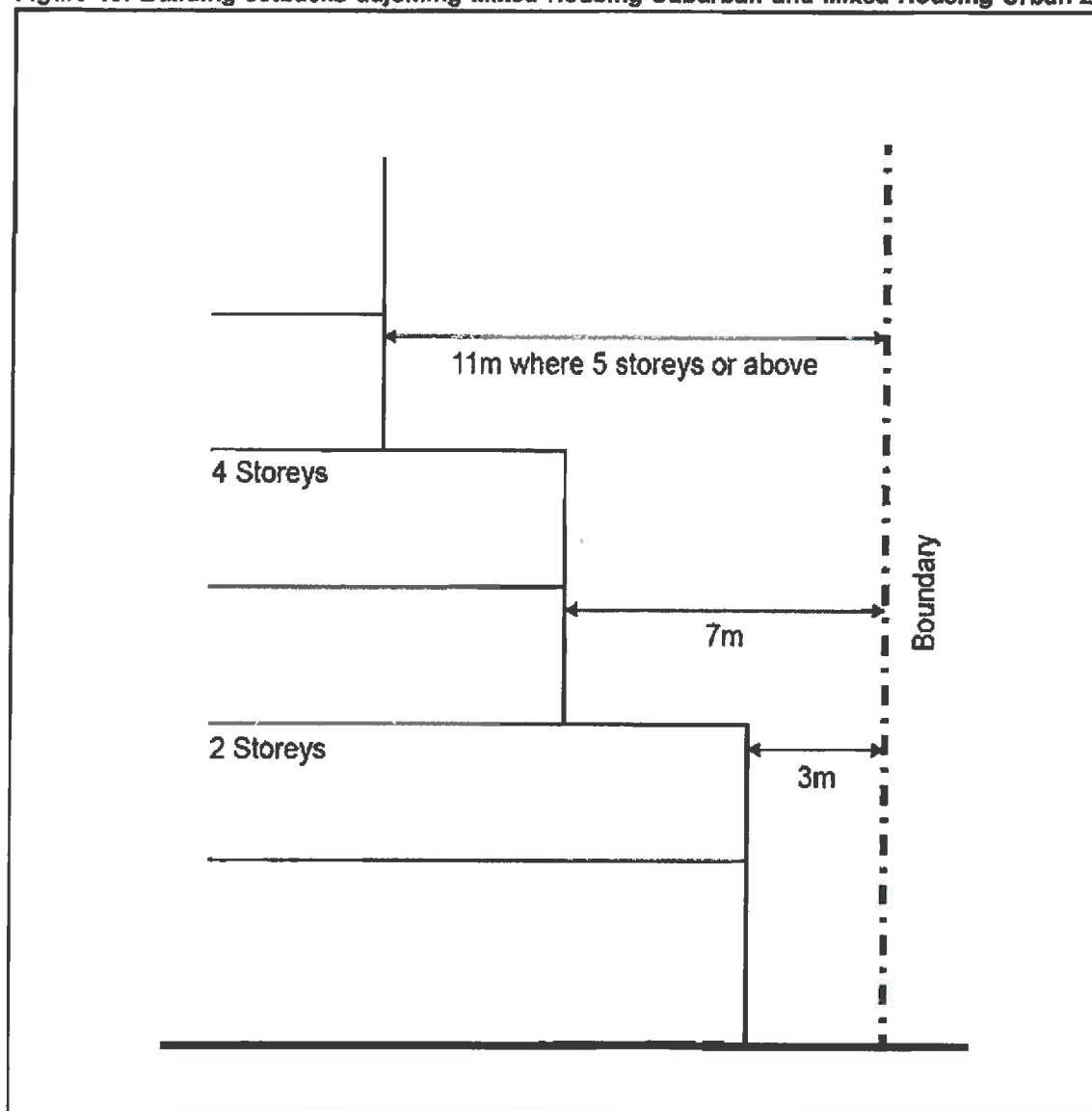
1. Where sites in the Terraced Housing and Apartment Buildings zone adjoin sites in the Single House zone or sites less than 2000m<sup>2</sup> in the public open space zones, the building must be set back from side and rear boundaries as follows:
  - a. 5m for storeys one and two
  - b. 9m for storeys three and four
  - c. 13m for storeys five and six.

**Figure 18: Building setbacks adjoining Single House zone sites and sites within the public open space zones less than 2000m<sup>2</sup>**



2. Where sites in the Terrace Housing and Apartment Buildings zone adjoin sites in the Mixed Housing Suburban and Mixed Housing Urban zones, buildings must be setback from side and rear boundaries as follows:
  - a. 3m for storeys one and two
  - b. 7m for storeys three and four
  - c. 11m for storeys five and six.

Figure 19: Building setbacks adjoining Mixed Housing Suburban and Mixed Housing Urban zone sites



3. This control does not apply where a common wall of the same height exists or is proposed.

### 9.6 Minimum frontage and site width

Purpose: ensure sites are of a size sufficient to:

- enable higher density development including apartment buildings
- provide a positive interface with the public realm
- provide a good standard of on-site amenity.

1. A site must be at least 25m wide:
  - a. at the road boundary
  - b. for at least 80 per cent of the length of its side boundaries
  - c. where a building of up to four storeys is proposed.
2. Where a building of more than four storeys is proposed, a site must be at least 30m wide:
  - a. at the road boundary
  - b. for at least 80 per cent of the length of its side boundaries.



### 9.7 Maximum impervious area

Purpose: manage the amount of stormwater runoff generated by a development.

1. Maximum impervious area: 60 per cent.
2. Maximum impervious area within a riparian yard: 10 per cent.

### 9.8 Building coverage

Purpose: provide for a mid-rise urban built character within the zone.

1. Maximum building coverage: 40 per cent.

### 9.9 Landscaping

Purpose:

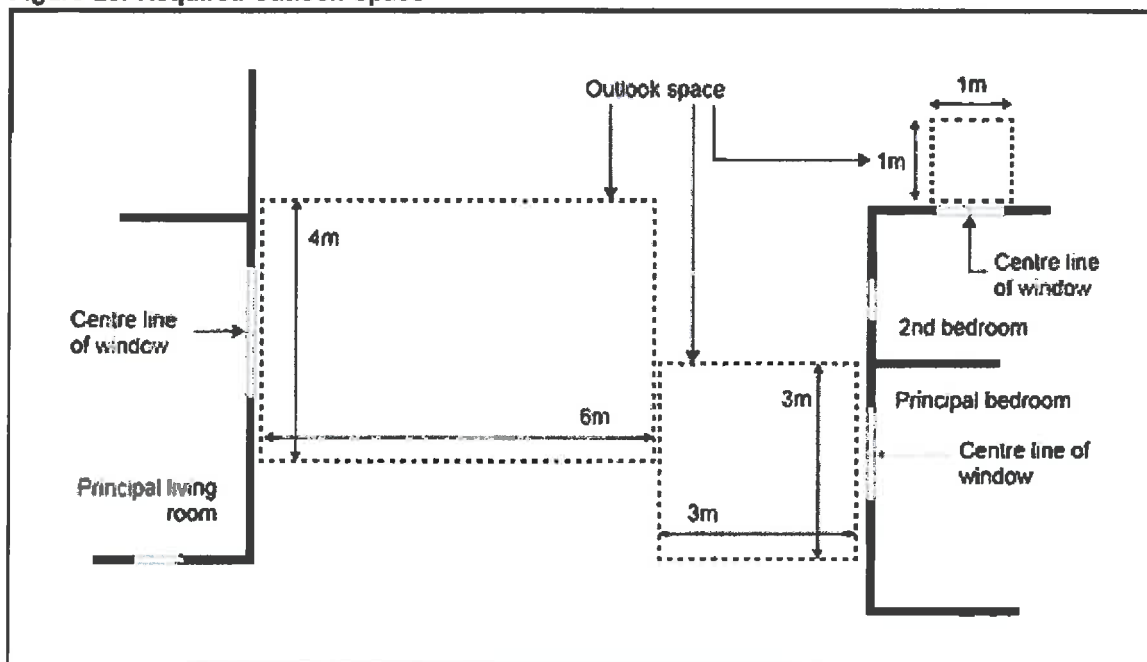
- provide for on-site amenity and an attractive streetscape character
  - improve stormwater absorption on-site.
1. At least 40 per cent of a site must comprise landscaped area.

### 9.10 Outlook space

Purpose:

- Ensure a reasonable standard of visual and acoustic privacy between different dwellings, including their outdoor living space, on the same or adjacent sites
  - Encourage the placement of habitable room windows to the site frontage or to the rear of the site in preference to side boundaries, to maximise both passive surveillance of the street and privacy, and to avoid overlooking of neighbouring sites.
1. An outlook space must be provided from the face of a building containing windows or balconies to a habitable room. Where the room has two or more external faces with windows or balconies the outlook space must be provided from, in order of priority, the face with the largest balcony or largest area of glazing.
  2. The minimum dimensions for a required outlook space are as follows:
    - a. principal living room: 6m in depth and 4m in width
    - b. principal bedroom: 3m in depth and 3m in width
    - c. all other habitable rooms: 1m in depth and 1m in width.
  3. The depth of the outlook space is measured at right angles to and horizontal from the window or balcony to which it applies. Where the outlook space applies to a balcony, it must be measured from the outside edge of the balcony.
  4. The width of the outlook space is measured from the centre point of the largest window on the building face to which it applies or from the centre point of the largest balcony.
  5. The height of the outlook space is the same as the floor height, measured from floor to ceiling, of the building face to which the control applies.
  6. Outlook spaces may be within the site, over a public street, or other public open space.
  7. Outlook spaces required from different rooms within the same dwelling may overlap.
  8. Outlook spaces must:
    - a. be clear and unobstructed by buildings
    - b. not extend over adjacent sites or overlap with outlook spaces required by another dwelling.
  9. An outlook space at ground floor level from a principal living room may be reduced to 4m deep if privacy to adjacent dwellings is provided by fencing at least 1.6m in height.

Figure 20: Required outlook space



### 9.11 Separation between buildings within a site

Purpose: require reasonable separation between buildings on the same site to manage dominance, provide access to daylight and natural ventilation.

1. Buildings must be separated where the habitable room of a dwelling has windows or balconies that face out to the wall of another building on the same site (the facing wall). Where the room has two or more external faces with windows or balconies the building separation must be applied from, in order of priority, the face with the largest balcony or the largest area of area of glazing.
2. The separation space required must be free of buildings for the depth, width and height set out below.
3. The depth of the separation space is measured at right angles to, and horizontal from, the window or balcony to which it applies across to the facing wall, excluding eaves or guttering. Where the building separation applies to a balcony, it is measured from the outside edge of the balcony.
4. For the principal living room, the depth of the separation space required is equal to the height of the facing wall above the floor level of the habitable room, or 15m, whichever is the lesser.
5. For the principal bedroom, the depth of the separation space required is 6m.
6. For other habitable rooms, the depth of the separation space required is 3m.
7. The width of the separation space is 50 per cent of its depth and is measured from the centre point of the largest window on the building face to which it applies or from the centre point of the largest balcony.
8. The height of the separation space is from the height of the floor or balcony upwards, clear to the sky except that eaves or gutters may protrude into it.
9. Where the adjacent building is not perpendicular to the distance being measured, the minimum separation depth required must be measured as an average around the centre line of the window/balcony.

### 9.12 Outdoor living space

Purpose: provide dwellings with outdoor living space that is of a usable size and dimension for the type of dwelling and is accessible from the principal living room.

1. A dwelling with the principal living room at ground level must have an outdoor living space capable of containing a delineated area measuring at least 20m<sup>2</sup> that:
  - a. has no dimension less than 4m
  - b. is directly accessible from the principal living room
  - c. has a gradient not exceeding 1 in 20.
2. Where an entire dwelling is above ground level, it must have an outdoor living space in the form of a balcony or roof terrace that:
  - a. is at least 8m<sup>2</sup>
  - b. has a minimum depth of 2.4m.

**9.13 Maximum building length**

Purpose: require breaks in building facades and manage the length of buildings along side and/or rear boundaries and the separation between buildings on the same site to visually integrate them into the neighbourhood.

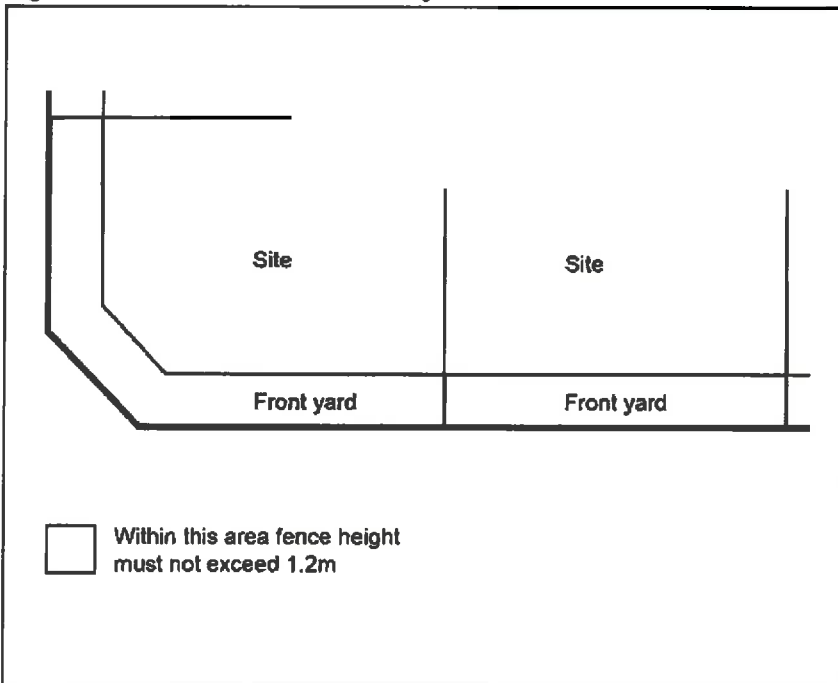
1. There must be a recess in the façade of a building where it faces a side or rear boundary from the point at which the building exceeds a length of 16m. The recess must:
  - a. be at least 2m, for a length of at least 4m
  - b. be for the full height of the wall, excluding any structures 1m or less in height above ground level
  - c. include a break in the eave line and roof line of the façade.
2. The maximum length of a building along a side or rear boundary is 30m, after which there must be a separation of at least 5m along the same boundary to any other building on the same site.

**9.14 Fences**

Purpose: enhance passive surveillance over the street and public open space and maintain the open character of front yards.

1. Fences in a front yard must not exceed 1.2m in height.

Figure 21: Fences within the front yard



### 9.15 Garages

**Purpose:**

- reduce the dominance of garages as viewed from the street
  - avoid parked cars over-hanging the footpath.
1. A garage door facing a street must be no greater than 40 per cent of the width of the front facade of the dwelling to which the garage relates.
  2. Garage doors must not project forward of the front façade of a dwelling.
  3. The garage door must be set back at least 5m from the site's frontage.

### 9.16 Minimum dwelling size

**Purpose:** dwellings are a sufficient size to provide for the day-to-day needs of residents.

1. Dwellings must have a minimum net internal floor area as follows.
  - a. 40m<sup>2</sup> for studio dwellings
  - b. 45m<sup>2</sup> for one bedroom dwellings.

### 9.17 Daylight to dwellings

**Purpose:** ensure dwellings receive a good degree of daylight.

1. The principal living room must have external glazing that is at least 40 per cent of the floor area of that space.
2. Bedrooms must have external glazing that is at least 20 per cent of the floor area of that space.

### 9.18 Minimum dimension of principal living rooms and principal bedrooms

**Purpose:** principal living rooms and bedrooms are of a size sufficient to accommodate standard size furniture and circulation space.

1. The principal living room within a dwelling must have no dimension less than 3m, measured perpendicular from the internal walls of the room.
2. The principal bedroom within a dwelling must be at least 3m in width and 3.5m in length measured perpendicular from the internal walls of the room. Cupboards and other storage space may be included in the minimum dimension.

### 9.19 Servicing and waste

**Purpose:** dwellings within medium to large-scale residential development have sufficient space within the building to accommodate the storage of waste.

1. A building or development containing 10 or more dwellings must provide a communal storage area for waste. The size of the communal storage area must be an aggregate of the minimum areas specified for the dwelling types below:
  - a. studio and one bedroom – 0.3m<sup>2</sup>
  - b. two bedrooms – 0.5m<sup>2</sup>
  - c. three bedrooms – 0.7m<sup>2</sup>
  - d. four or more bedrooms – 1m<sup>2</sup>.
2. An additional 30 per cent in area of floor area required above must be provided within the communal storage area for manoeuvring or sorting within the waste storage area.

### 9.20 Storage

Purpose: ensure dwellings have sufficient space for the storage of everyday household items and bulky items, such as bicycles.

1. A building or development containing five or more dwellings must provide covered storage space for each dwelling with internal measurements of at least 4m<sup>3</sup>, excluding storage within the kitchen and bedroom wardrobes. The storage may be within the dwelling or external to it, within the site.
2. The required storage space for each dwelling must include a single covered storage space within internal dimensions of at least 2m<sup>3</sup>.

### 9.21 Dwelling mix

Purpose: large-scale residential development provides variety in dwelling sizes.

1. In a single development containing more than 20 dwellings, the combined number of studio and one bedroom dwellings must not exceed 70 per cent of the total number of dwellings within the development.

### 9.22 Minimum floor to floor/ceiling height

Purpose: buildings are adaptable to a wide variety of uses over time and provided with adequate daylight access.

1. The ground floor of a new building must have a minimum finished floor to floor height of 4m for a minimum depth of 10m where it adjoins an arterial road.
2. In all other instances, the finished floor to finished ceiling height of habitable rooms must be at least 2.55m.

### 9.23 Universal access

Purpose: medium to large-scale residential development provides equal physical access and use for people of all ages and abilities.

1. Where a new building or development contains 10 or more dwellings, 20 per cent of those dwellings must comply with the following:
  - a. doorways must have a minimum clear opening width of 810mm
  - b. stairwells must have a minimum width of 900mm
  - c. corridors must have a minimum width of 1050mm
  - d. the principal means of access from the frontage, or the parking space serving the dwelling, to the principal entrance of the dwelling must have:
    - i. a minimum width of 1.2m
    - ii. a maximum slope of 1:20
    - iii. a maximum cross fall of 1:50
2. Where the calculation of the dwellings required to be universally accessible results in a fractional dwelling, any fraction that is less than one-half will be disregarded and any fraction of one-half or more will be counted as one dwelling.
3. All dwellings required to be universally accessible must provide at least one parking space for people with a disability. The dimensions and accessible route requirements for such parking spaces are detailed in Section 5.5 of the New Zealand Building Code D1/AS1 New Zealand Standard for Design for Access and Mobility – Buildings and Associated Facilities (NZS 4121-2001).

**10. Development Controls - Retirement Villages.**

This Section contains all relevant development controls and other relevant rules that apply to Retirement Villages located in any residential zone, Metropolitan Town Centre Zone, General Business zone, Business Park zone and Countryside Living zone.

70

**10.1 Carparking and access**

Any relevant development controls for the zone in which the activity is located.

71

**10.2 Height in relation to boundary**

Any relevant height in relation to boundary for the zone in which the activity is located.

72

**10.3 Yards**

Any relevant yard controls for the zone in which the activity is located.

73

**10.4 Traffic generation**

Any relevant traffic generation controls for the zone in which the activity is located.

74

**10.5 Noise**

Any relevant noise controls for the zone in which the activity is located.

75

**10.6 Height**

Any relevant height controls for the zone in which the activity is located.

76

**10.7 Other relevant rules**

- a) Auckland Wide rules in Chapter H, excluding sections 6.4 and 6.8.
- b) The Overlay Rules in Chapter J
- c) The development controls in any precinct plan in Chapter K apply where they are more permissive or enabling.
- d) The development controls contained in Sections 4 – 9, or any other part of the Plan, do not apply unless those controls are more permissive or enabling.

77

**10.8 Development control and other relevant rules infringements**

A Retirement Village activity including any addition, alteration or demolition that infringes a development control or other relevant rule in this section is a restricted discretionary activity.

78

**110. Assessment - Restricted discretionary activities**

**110.1 Matters of discretion**

The council will restrict its discretion to the matters below for the activities listed as restricted discretionary in the zone activity table or where otherwise specified as restricted discretionary.

79

80

81

1. Visitor accommodation up to 200m<sup>2</sup> GFA, dairies up to 100m<sup>2</sup> GFA, restaurants up to 100m<sup>2</sup> GFA, care centres between 200m<sup>2</sup>-400<sup>2</sup> GFA, healthcare facilities up to 200m<sup>2</sup> GFA
  - a. Intensity and scale
  - b. noise, lighting and hours of operation.
2. The conversion of a dwelling into two dwellings in the Large Lot and Rural and Coastal Settlements zone
  - a. wastewater capacity.
3. Four or more dwellings in the Mixed Housing Suburban and Mixed Housing Urban zone, more than one dwelling in the Terrace Housing and Apartment Buildings zone
  - a. building design and external appearance



- b. design and scale of buildings adjoining historic heritage and historic character areas
  - c. topography, site orientation and earthworks.
  - d. design and layout of dwellings, visitor accommodation and boarding houses
  - e. design of landscaping
  - f. design of parking and access
  - g. infrastructure and servicing
  - h. water sensitive design.
4. New buildings accessory to the permitted or restricted discretionary non-residential activities listed in the activity table
- a. building design and external appearance
  - b. design of landscaping
  - c. design of parking and access
  - d. servicing
  - e. water sensitive design.

#### 5. Retirement Villages

This section contains all restricted discretionary matters and assessment criteria that apply to Retirement Villages located in any residential zone, Metropolitan Town Centre Zone, General Business zone, Business Park zone and Countryside Living zone, including any restricted discretionary activity which infringes a development control or other relevant rule. For the avoidance of doubt, clauses 10.2, 11 and 12 of this chapter and any other restricted discretionary matter, assessment criteria or other information requirement in the Plan does not apply to Retirement Villages.

##### a. Building design and external appearance:

(i) Where visible from immediately adjoining residential properties, building mass broken up by the use of variations building materials and/or colour.

(ii) Provides passive surveillance to the street and adjoining public spaces where practicable.

(iii) Where there is a breach of any relevant height control, shading and/or privacy effects on neighbouring residential properties.

##### b. Infrastructure and servicing: adequate stormwater, water supply and wastewater servicing (onsite and/or offsite) for the proposed development to address any increase in post-development demand of the proposed development.

##### c. Landscaping: assist with blending new developments with the surrounding streetscape and/or any adjacent public open space.

##### d. Design of parking and access:

(i) Individual or communal parking areas should be located and designed sufficient to service village demand (residents and staff).

(ii) Vehicle access ways should be designed to reduce vehicle speed by limiting the width of the access and be clearly separated from pedestrian access.

##### e. Waste: Rubbish storage areas visible from the street or public open space should be screened from public view.

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f. Unless otherwise stated, the environmental effect of any exceedance of applicable development controls or other relevant rules based on the stated purpose of the development controls or other relevant rules being breached.

## 10.2 Assessment criteria

The council will consider the relevant assessment criteria below for the restricted discretionary activities listed above. The ADM may also provide guidance on how the outcomes of particular criteria can be met.

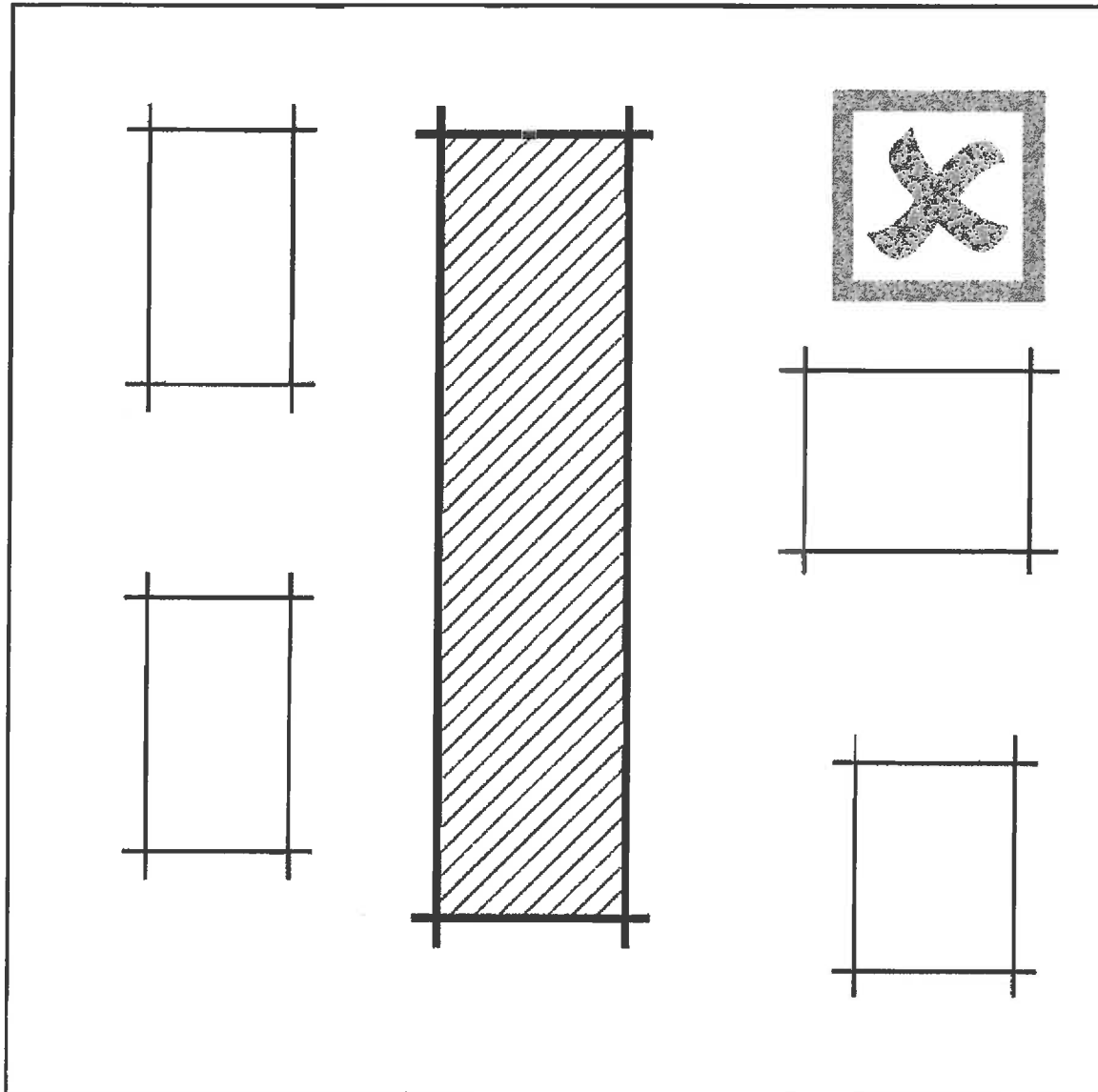
1. Visitor accommodation up to 200m<sup>2</sup> GFA, dairies up to 100m<sup>2</sup> GFA, restaurants up to 100m<sup>2</sup> GFA, care centres between 200m<sup>2</sup>-400<sup>2</sup> GFA, healthcare facilities up to 200m<sup>2</sup> GFA
  - a. Intensity and scale
    - i. The intensity and scale of the activity, in particular the number of people involved and traffic generated by the activity, size and location of buildings and associated car parking should be compatible with the planned future form and character of the area/zone.
    - ii. For care centres, the site should be of an adequate size and road frontage to accommodate the activity. In particular, sufficient space will need to be provided for a safe pick-up and drop-off area.
  - b. Noise, lighting and hours of operation
    - i. Noise and lighting from the activity should not adversely affect the amenity of surrounding residential properties. In determining this consideration will be given to the location of any potentially noisy activities e.g. outdoor play areas associated with a care centre, and any proposed measures to mitigate noise including:
      - locating noisy activities away from neighbouring residential boundaries
      - screening or other design features
      - the proposed hours of operation.
2. The conversion of a dwelling into two dwellings in the Large Lot and Rural and Coastal Settlements zones
  - a. Wastewater capacity
    - i. Any application must demonstrate adequate wastewater capacity exists within the on-site wastewater system and in particular:
      - the extent to which the existing on-site wastewater treatment and disposal system demonstrates that significant adverse effects on public health, water quality and amenity values are avoided and other adverse effects are remedied or mitigated
      - the type of wastewater treatment system, and the method of land application, is suitable for any increased capacity disposal requirements of the additional dwelling.
3. Four or more dwellings in the Mixed Housing Suburban and Mixed Housing Urban zones, more than one dwelling in the Terrace Housing and Apartment Buildings zone
  - a. Building design and external appearance

### *Contributing to sense of place in the Mixed Housing Suburban and Mixed Housing Urban zones*

- i. Residential developments of increased density should be designed and located on the site to be consistent with a suburban residential character within the Mixed Housing Suburban zone and an urban residential character within the Mixed Housing Urban zone.
- ii. The alignment, form and location of dwellings should consider and respond to the established urban pattern of development in the neighbourhood. Methods to achieve this may include:
  - modulating or separating buildings into smaller groups of buildings as illustrated below in Figure 22 below
  - transitioning the form and placement of dwellings as illustrated in Figure 23 below.



Figure 22: Placement of buildings



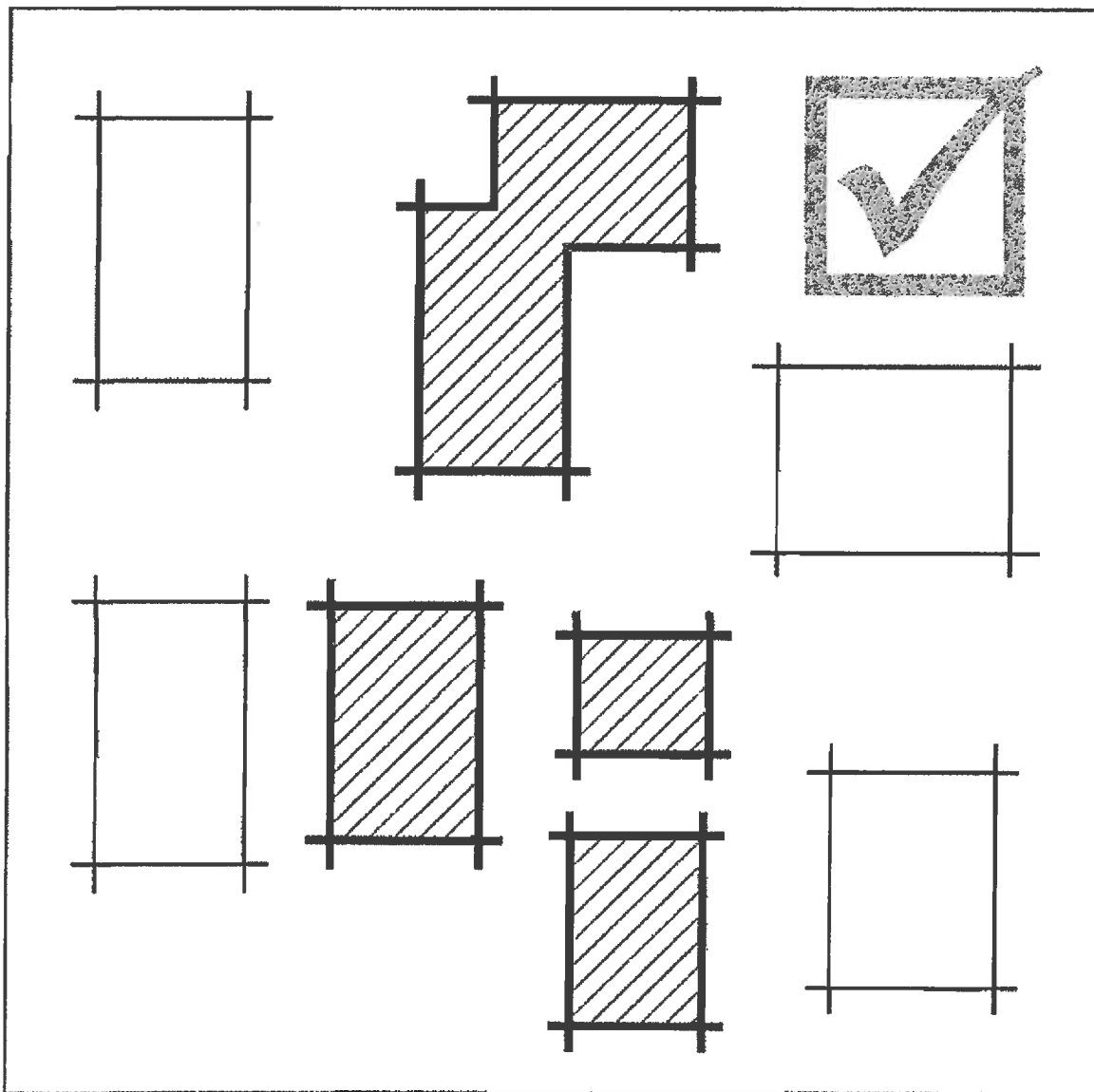
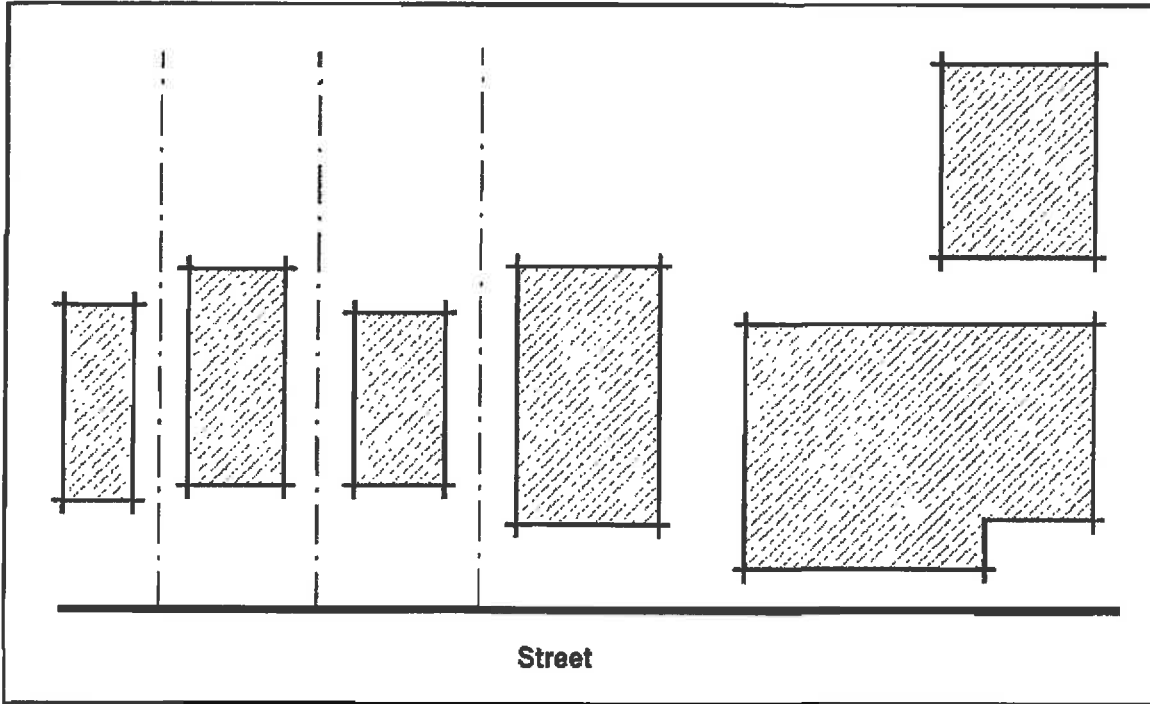


Figure 23: Transitioning the form and placement of buildings



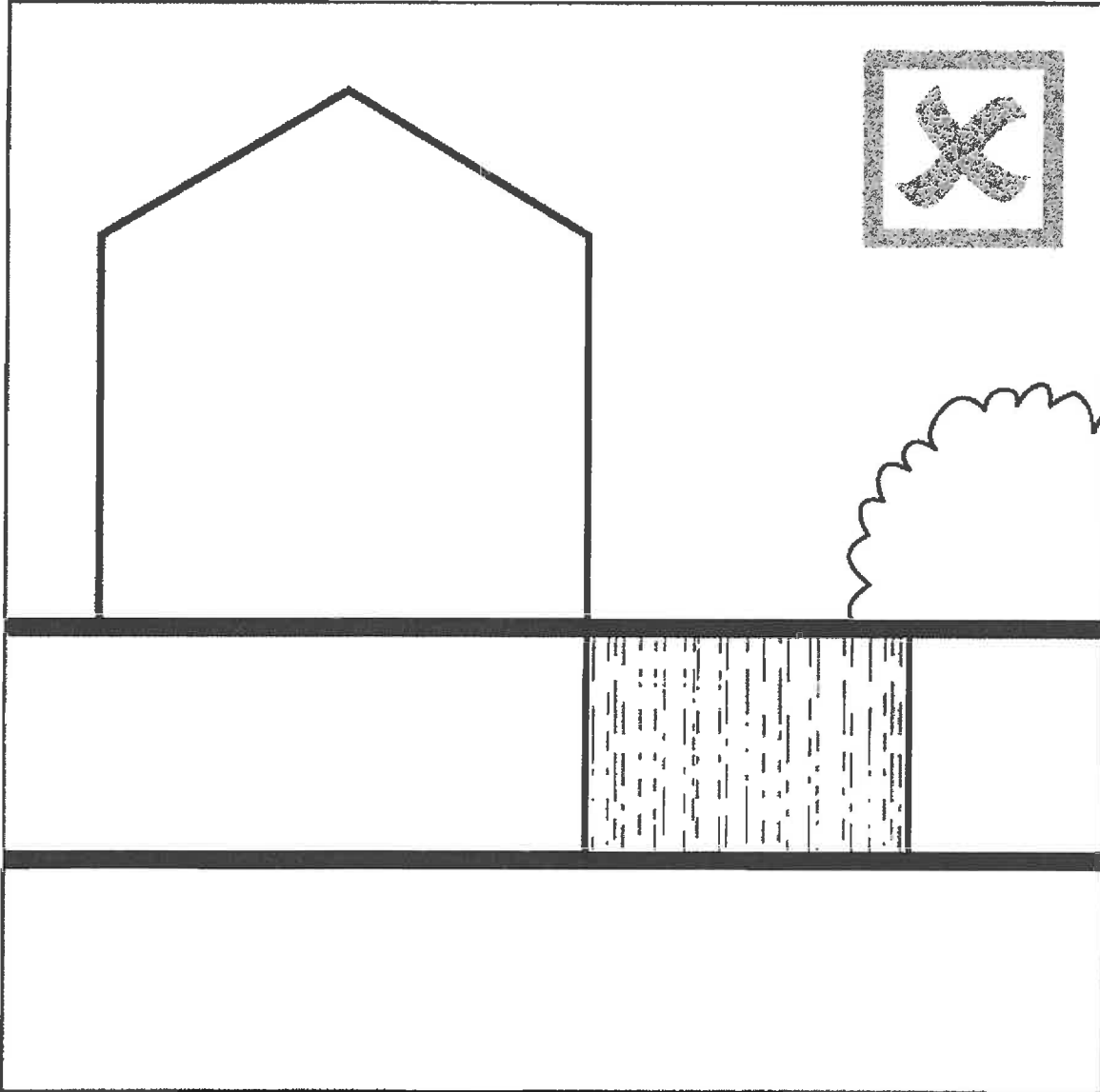
*Contributing to sense of place in the Terrace Housing and Apartment Buildings zone*

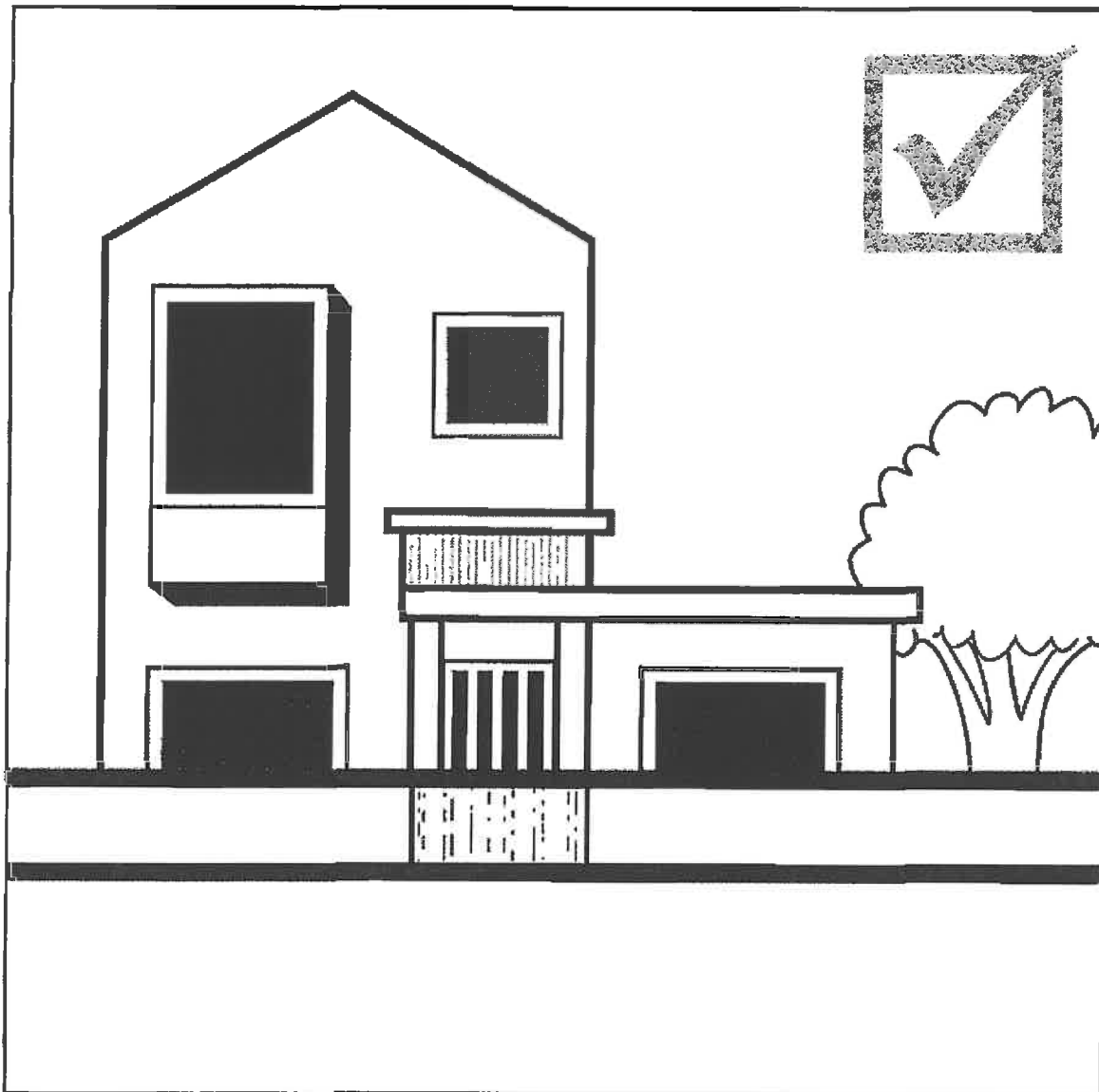
- iii. Residential development should be designed and located on the site to be consistent with a medium density urban residential character.

*Creating a positive frontage*

- iv. Buildings should have clearly defined public fronts, as illustrated in Figure 24 below, that positively contribute to the amenity and pedestrian safety of streets and public open spaces by:
  - maximising doors, windows and balconies over all levels on the front façade
  - introducing visual interest through a variety of architectural detail and building materials
  - clearly defining the boundary between the site and the street or public open space by planting or fencing.

Figure 24: Defined public fronts and clear sense of address





- v. Ground level balconies or patios to a street or public open space should be a height sufficient to provide privacy for residents while enabling sightlines to the public realm.
- vi. The number of dwellings that directly front, align and orientate to public streets should be maximised.
- vii. Ground level dwellings closest to the street should each have direct and clearly defined pedestrian access from the street in preference to a single building entrance.

*Building design and external appearance - Visual interest and variation in building form*

- viii. Buildings should be designed to:
  - avoid long unrelieved frontages and excessive bulk when viewed from streets and public open spaces
  - break up their mass into visually distinct elements, particularly when of a greater height of bulk than surrounding buildings, to reflect a human scale and the typical pattern of development in the area.
- ix. Techniques to achieve this include the use of physical separation, variations in building height and roof form, horizontal and vertical rhythms, façade modulation and articulation and building materials.

- x. Blank walls should be avoided on all building frontages to streets, accessways and public open spaces. Side or rear walls should be designed to provide interest in the facade including modulation, relief or surface detailing.
- xi. For larger scale developments:
  - the mechanical repetition of unit types should be avoided
  - balconies should be designed as an integral part of the building and a predominance of cantilevered balconies should be avoided
  - internal access to apartments is encouraged.

*Materials and finishes*

- xii. Quality, durable and easily maintained materials should be used on the façade of dwellings, with particular emphasis on frontages to the street and public open space.
- b. Design and scale of buildings adjoining historic heritage and historic character areas
  - i. Development adjoining or across the street from an identified historic character area should be designed and located to respect rather than replicate the prevailing character of the area. Notwithstanding this, new and contemporary interpretations in form and detail may be used.
  - ii. Development adjoining or across the street from scheduled historic heritage places should be designed and located to respect rather than replicate the key historic heritage design and location elements of that building. Notwithstanding this, new and contemporary designs may be used.
- c. Topography, site orientation and earthworks
  - i. The topography, orientation, size and proportions of the site should be suitable to accommodate the housing type proposed. In particular, development on steep land with poor solar orientation or narrow sites is discouraged unless sites are carefully designed to optimise on-site amenity values and complement the surrounding neighbourhood landform.
  - ii. Building platforms, outdoor living spaces, car parking areas and driveways should be located and designed to respond to the natural landform and site orientation in an integrated manner.
  - iii. Earthworks should be minimised and retaining avoided where possible. However, where retaining or earthworks are required they should be incorporated as a positive landscape or site feature by:

- integrating retaining as part of the building design
  - stepping and landscaping earthworks or retaining over 1m in height, to avoid dominance or overshadowing effects
  - ensuring all earthworks or retaining visible to the public, including neighbours, is attractively designed and incorporates modulation, landscaping and quality materials to provide visual interest.
- d. Design and layout of dwellings, visitor accommodation and boarding houses
- i. Dwellings should be located, proportioned and orientated within a site to maximise the amenity of future residents by:
    - clearly defining communal, semi-private and private areas, including outdoor living space, within the development
    - maximising passive sunlight access, particularly for high density development by methods including maximising north facing windows, while balancing the need for dwellings to front the street.
    - providing for natural cross ventilation by window openings facing different directions.
  - ii. Dwellings should be designed to provide a good standard of internal amenity by providing adequate circulation space around standard sized household furniture. The ADM illustrates possible ways of achieving this.
  - iii. Outdoor living space should balance the need to achieve the following, in order of priority:
    - avoid a southerly orientation and be located on site to maximise the number of hours that the majority of the outdoor living space receives winter sunlight
    - maintain privacy between the outdoor living space of adjacent dwellings and between outdoor living space and the street. Outdoor living space should be located away from street frontages, where practicable
    - be sheltered from the prevailing wind
    - be located to take advantage of any views or outlook from or within the site.
  - iv. In addition to the above, any communal open spaces should be designed to:
    - provide an attractive, functional and high quality outdoor environment, located within the site to form a focus of the development
    - be conveniently accessible to all residents
    - be overlooked by the principal living rooms and balconies of dwellings, where at ground or lower levels, to enhance safety.
  - v. The size of the communal outdoor living space should be adequate for the number of people the development is designed to accommodate.
  - vi. Appropriate management and maintenance systems should be provided for communal outdoor living space dependent on the scale of development and the extent of communal access to ensure it is available for all residents of the development.
- e. Design of landscaping
- i. Development should integrate and retain significant natural features including trees, streams and ecological areas.
  - ii. Site landscaping should be located and designed to:

- assist with blending new developments with the surrounding streetscape and/or any adjacent public open space
- allow space for the planting of large trees
- enhance energy efficiency and stormwater management, including shading and swale systems
- enhance on-site amenity and improve privacy between dwellings.

f. Design of parking and access

*Connections to the neighbourhood*

- i. Developments on larger sites with frontages to two or more streets should extend and connect a pedestrian and cycle links or where practicable, a public street through the site. Cul-de-sacs should be avoided unless there is no design alternative available.

*Location and design of parking*

- ii. Individual or communal car parking areas should be located and designed to:
- be close and convenient to dwellings
  - be secure, well lit, or visible from dwellings
  - be well ventilated if enclosed
  - minimise noise and fumes by providing separation from bedroom windows
  - avoid surface car parking areas fronting streets and public open spaces
  - provide visual interest and an attractive appearance, including the use of paving patterns and different material types in combination with landscaping.
- iii. Parking areas and garages should be designed and grouped to make efficient use of land.
- iv. Parking areas should be attractively landscaped.
- v. Where practicable, parking should be located underground, or in semi-basements projecting no more than 1m above ground.

*Location and design of vehicle and pedestrian access*

- vi. Vehicle crossings and access ways should be designed to reduce vehicle speed, be visually attractive, using quality paving and landscaping and clearly signal to pedestrians the presence of a vehicle crossing or access way.
- vii. Vehicle crossings and access ways should be clearly separated from pedestrian access. The spaces may be integrated where designed as a shared space with pedestrian priority.
- viii. The design of pedestrian routes between dwelling entries, carpark areas, private and communal open space and the street should provide equal physical access for people of all ages and physical abilities and provide a high level of pedestrian safety and convenience.
- ix. Ramps, where necessary, should be minimal in length and integrated into the design of the building and landscaping.

*Accessibility of common areas*

- x. Common areas within buildings should be designed to provide equal physical access for people of all ages and abilities. Common areas should also allow for standard household furniture to be easily moved in and out. This includes providing corridors and circulation spaces of sufficient dimension and minimising stairs where possible. The ADM illustrates possible ways of achieving this.



- g. Infrastructure and servicing
    - i. There should be adequate capacity in the existing stormwater and wastewater network to service the proposed development.
    - ii. Required infrastructure should integrate into the design of the site. This includes low impact stormwater design devices, overland flow paths/floodplains, wastewater systems, and water supply.
    - iii. Rubbish storage areas should be either incorporated into the design of the building and screened from public view.
    - iv. Plant, exhaust, intake units and other mechanical and electrical equipment located on the roof of a building should be integrated into the overall design and be contained in as few structures as possible.
  - h. Water sensitive design
    - i. New dwellings should be designed to incorporate water sensitive design principles that use natural systems and processes for stormwater management to minimise adverse effects and protect and enhance the values and functions of natural ecosystems. This may include:
      - a water sensitive design approach that is appropriate to the scale of the development
      - maximising localised water collection, retention and re-use
      - avoiding the use of high contaminant generating building products
      - minimising stormwater runoff by maximising vegetated areas and soil infiltration
      - using ecologically sensitive techniques to reduce and treat stormwater flows.
4. New buildings accessory to the permitted or restricted discretionary non-residential activities listed in the activity table
- a. Building design and external appearance
    - i. Refer to the assessment criteria in clauses 3(a)(iv), 3(a)(viii)-(x) and 3(a)(xii) above.
  - b. Design of landscaping
    - i. Refer to the assessment criteria in clause 3(e)(ii) above.
  - c. Design of parking and access
    - i. Refer to the assessment criteria in clause 3(f)(ii) above.
  - d. Servicing
    - i. Refer to the assessment criteria in clauses 3(g)(iii)-(iv) above.
  - e. Water sensitive design
    - i. Refer to the assessment criteria in clauses 3(h) above.

## 11. Assessment - Development control infringements

### 11.1 Matters of discretion

In addition to the general matters set out in clause 2.3 of the general provisions, the council will restrict its discretion to the matters listed below for the relevant development control infringement:

- 1. Building height, height in relation to boundary, building coverage, side and rear yards
  - a. effects of additional building scale on neighbouring sites, streets and public open spaces (sunlight access, dominance, visual amenity)
  - b. consistency with the planned future form and character of the area/zone
  - c. protection from coastal inundation and sea-level rise within identified areas.

2. Maximum impervious area
  - a. refer to clause 1.4 of the Auckland-wide - Stormwater management rule.
3. Outlook space
  - a. effects of reduced privacy and outlook.
4. Separation between buildings within a site
  - a. dominance effects
  - b. effects of reduced daylight and sunlight access and ventilation.
5. Landscaping
  - a. effects on streetscape amenity
  - b. effects on stormwater absorption.
6. Front yards, fences
  - a. effects on streetscape amenity and safety.
7. Minimum dwelling size, daylight to dwellings, minimum floor to ceiling height, storage, servicing and waste, minimum dimension of principal living rooms and principal bedrooms, outdoor living space
  - a. effects of reduced living and circulation space, sunlight/daylight access and storage on residential amenity.
8. Universal access
  - a. effects on accessibility.

## 11.2 Assessment criteria

In addition to the general assessment criteria for development control infringements in [clause 2.3](#) of the general provisions the council will consider the relevant criteria below for the listed development control infringements.

1. Building height, height in relation to boundary, building coverage, side and rear yards
  - a. Effects of additional building scale on neighbouring sites, streets and public open spaces (sunlight access, dominance, visual amenity)
    - i. Infringing of the control should not result in the building dominating or unreasonably shading the outdoor living space or windows to habitable rooms of adjoining dwellings.
    - ii. The building should be designed to avoid dominance, over-shadowing, or reduced access to sunlight of the adjoining dwellings and their outdoor living spaces. Methods to achieve this include providing variations in building heights building setbacks, or breaks in building massing.
  - b. Consistency with the planned future form and character of the area/zone
    - i. Where height is infringed, the proposal must demonstrate that the relevant policy in the zone regarding character and building height and bulk.
  - c. Protection from coastal inundation and sea-level rise within identified areas
    - i. Development that infringes the building height may be acceptable where the finished floor level is raised 500mm above the water depth of the one per cent AEP coastal storm tide inundation plus the 1m projected sea level rise in the locations identified on the planning maps.
2. Outlook space
  - a. Development that infringes the outlook control will need to demonstrate that there will be a reasonable standard of visual and acoustic privacy between dwellings, including their outdoor living space. Methods to achieve this include, off-setting or changing the orientation of balconies and windows to avoid direct over-looking, the use of screening devices and landscaping.

3. Front yards, fences
  - a. Effects on streetscape amenity and safety
    - i. Development that infringes the front yard control will need to demonstrate that the proposed setback is consistent with the typical depth of yard in the surrounding neighbourhood, particularly those of adjoining sites. This is particularly important where the development is in close proximity to an identified historic character or historic heritage area.
    - ii. Development that infringes the fences control will need to demonstrate that the proposed fence will enable direct sightlines to the dwelling from any adjoining street or public open space and vice versa.
4. Minimum dwelling size, daylight to dwellings, minimum floor to ceiling height, storage, servicing and waste, minimum dimension of principal living rooms and principal bedrooms, outdoor living space
  - a. Effects of reduced living and circulation space, daylight access and storage on residential amenity
    - i. All habitable rooms in dwellings should be naturally lit and should not rely on borrowed light from other rooms.
    - ii. Dwellings should have adequate natural light that avoids the need for the dwelling to be artificially lit during daylight hours.
    - iii. Consideration will be given to the configuration and orientation of the dwelling so that sunlight access is maximised to principal living rooms.
5. Separation between buildings within a site
  - a. Dominance effects
    - i. Development that infringes this control should not result in the building visually dominating the outdoor living space or windows to habitable rooms of dwellings on the same site.
  - b. Effects of reduced daylight and sunlight access and ventilation
    - i. Development that infringes this control will need to demonstrate that the dwellings will receive a good degree of daylight and ventilation, and will not reduce access to sunlight, particularly for dwellings at lower building levels.
6. Universal access
  - a. Effects on accessibility
    - i. For development that infringes this control consideration will be given to whether meeting the control would cause a significant amount of land modification and adverse effects on the landscape or natural features of the site.
    - ii. Consideration will also be given to whether other universal design features are incorporated into the development that would mitigate any adverse effects created by the infringement.

## 12. Special information requirements

### 1. Design statement

A design statement is required for the activities specified in the tables below. The design statement is required to include as a minimum the matters indicated within the table as set out in [clause 2.7.2](#) of the general provisions. Drawings, illustrations and supporting written explanation should be proportionate to the complexity and significance of the development proposal. Refer to the [ADM](#) for guidance on the preparation of design statements.

**Table 9: Design statement requirements**

Activity	Any discretionary or non-complying activity involving a new building	Any building associated with a non-residential activity	Additions and alterations to buildings in the THAB zone	4-15 dwellings in all Residential zones	15+ dwellings in all Residential zones	Apartments in all Residential zones
a. Existing site plan	X	X	X	X	X	X
b. Streetscape character	X	X	X	X	X	X
a. Natural and cultural environment	X	X	X	X	X	X
b. Movement	X	X		X	X	X
c. Neighbourhood character	X	X	X		X	X
d. Use and activity	X	X			X	X
e. Urban structure	X	X			X	X
a. Opportunities and constraints diagram	X	X	X	X	X	X
a. Concept design	X	X	X	X	X	X
b. Proposed site plan	X	X	X	X	X	X
c. Proposed elevations	X	X	X	X	X	X
d. Sunlight access	X	X	X	X	X	X
e. Landscape	X	X	X	X	X	X
f. Streets, accessways & lanes	X	X		X	X	X
g. Urban structure	X				X	
h. Public open space	X	X			X	

**APPENDIX F – AMENDMENTS SOUGHT TO OVERLAYS**

Amendments sought:

**J.3.6 PRE-1944 BUILDING DEMOLITION CONTROL OVERLAY**

- That the Pre-1944 Building Demolition Control Overlay is applied only to buildings which have are proven by the Council to have heritage value, or that the Overlay is deleted in its entirety.

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**J.5.2 SITES AND PLACES OF SIGNIFICANCE TO MANA WHENUA**

- That the locations of the overlays for the Sites and Places of Value to Mana Whenua are refined to ensure that the Overlays accurately reflect the relevant feature or area of significance or that the Overlay is deleted in its entirety.
- Sites should not be affected by the overlays that:
  - No longer exist as a result of previously earthworked land;
  - Have existing resource consents for land use disturbance (and/or Historic Places Act authorities) providing for ground disturbance;
  - Neighbouring properties where the archaeological site in question is located off the site that is influenced by the hatching.
- Amendment to the diameter of the circle identifying Sites and Places of Value to Mana Whenua to 50m.

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- Amend J.5.2.3 Assessment Criteria and G.2.7.4 Cultural Impact Assessment so that the provision of a Cultural Impact Assessment is a discretion, not a requirement.

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**J.2 HISTORIC HERITAGE: EXTENT OF PLACE OVERLAY AND PLANNING MAPS**

- The deletion of the Historic Heritage: Extent of Place Overlay from the PAUP or that the locations to which the Overlay applies are refined to ensure that the Overlay is accurately applied.

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**APPENDIX G – AMENDMENTS SOUGHT DEFINITIONS**

**Amendments sought (underlined and ~~struckout~~):**

**DEFINITIONS**

**Retirement villages**

A comprehensive residential development used to provide accommodation for aged people, including:

a retirement village as defined in s.6 of the Retirement Villages Act 2003; recreation, leisure, welfare and medical facilities (inclusive of hospital care and supported residential care) and other non-residential activities accessory to the retirement village.

**Supported residential care**

Facilities used to provide accommodation and full time care for aged or disabled people. The facility must be certified under the Health and Disability Services (Safety) Act 2001 and comply with the Health and Disability Sector Standards 2001.

**Includes:**

a rest home defined in s.58(4) of the Health and Disability Services (Safety) Act 2001 accessory nursing and medical care.

**Excludes:**

hospitals  
~~retirement villages.~~

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**THE RETIREMENT VILLAGES ASSOCIATION OF NEW ZEALAND INC.**

PO Box 25 022, Panama Street, WELLINGTON 6146  
Phone 04 499 7090 Fax 04 499 4240



Retirement Villages Association

22 July 2014

22 JUL 2014

Attn: Unitary Plan Submission Team  
Auckland Council  
Freepost Authority 237170  
Private Bag 92300  
Auckland 1142

**By email:** unitaryplan@aucklandcouncil.govt.nz

**Further submission in support of, or in opposition to, submissions on the Proposed Auckland Unitary Plan**

Section 123 Local Government (Auckland Transitional Provisions) Act 2010; Clause 8 of Schedule 1, Resource Management Act 1991; FORM 3 Resource Management (Forms, Fees, and Procedure for Auckland Combined Plan) Regulations 2013

**Further submitter details**

Organisation: Retirement Villages Association ("the Association")

Address for service: John Collins  
Executive Director  
The Retirement Villages Association Inc  
P O Box 25-022  
Featherston St  
Wellington 6146

Email: john@retirementvillages.org.nz

- 1 This is a further submission on the Proposed Auckland Unitary Plan (PAUP), on behalf of the Association.

**Interest in the submissions**

- 2 The Association represents a relevant aspect of the public interest and has an interest in the PAUP greater than the general public for a number of reasons, including (without limitation) that:
  - 2.1 The Association represents the interests of the owners, developers and managers of retirement villages throughout the Auckland Region. The Association, on behalf of its members, has a significant interest in how the PAUP provides for and regulates retirement villages in the Auckland Region given our members' current and intended activities in the Auckland area. We wish to ensure that the PAUP appropriately provides for retirement village development and activities.

- 2.2 Retirement villages make a substantial contribution to housing and healthcare for the elderly in the region, providing for the economic and social wellbeing of communities. The ability to provide for the social and economic wellbeing of the Auckland region will depend on the reasonableness and appropriateness of the PAUP provisions.
- 2.3 Given our history and representation of 70 member villages in Auckland, the Association has experience and expertise relevant to determining the merits of the PAUP provisions, and the appropriate methods for avoiding, remedying and mitigating adverse effects on the environment arising from retirement village activities and the activities of others that may impact on retirement accommodation.
- 2.4 The Association made a submission on the PAUP.

### **Decisions sought**

- 3 The decisions sought are detailed in the table attached to this form.
- 4 The Association has not referenced all original submissions it supports or opposes on the basis that its own submission is clear as to what provisions the Association seeks for retirement villages in the region. To the extent that other submitters seek similar relief, the Association generally supports those submissions. To the extent that other submissions seek relief which "challenges the relief sought"<sup>1</sup> in the Association's primary submission (ie new or amended provisions that are inconsistent with or in conflict with the Association's submission), the Association generally opposes those submissions.

### **Request to be heard in support of further submission**

- 5 The Association wishes to be heard in support of its further submission.
- 6 If others make a similar submission, the Association will consider presenting a joint case with them at a hearing.

### **RETIREMENT VILLAGES ASSOCIATION OF NZ INCORPORATED:**




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John Collyns  
Executive Director

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<sup>1</sup> Procedural Minute No. 5 by Chairperson of Independent Hearings Panel, direction 21 dated 18 July 2014.

Further submission on behalf of Retirement Villages Association of NZ Incorporated

Name	Sub# Point	Support/ oppose original submission	Topic	Sub topic	Parts of original submission supported/ opposed	Reasons for support/opposition	Relief sought
The Selwyn Foundation C/o Craig McGarr Bentley and Co Ltd PO Box 4492 Shortland Street Auckland 1140	5674-43	Support	Business	I3.1 Activity table 1 for Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend activity table to provide for retirement villages as a permitted activity in the Metro Centre, Town Centre, Local Centre, Neighbourhood Centre, Mixed Use, General Business and Business Park zones.	Agree that suitable provision should be made for retirement villages as a permitted activity in business zones in the first instance.	Allow submissions
Susan and Nigel Eady 16 Waiononi Avenue, Point Chevalier Auckland 1022	5527-3	Oppose	Retirement Village Zone	I21 Rules	Require significant development within, or expansions to, retirement villages to be notified to the local community for discussion and input from all parties.	Notification decisions should reflect the requirements of the RMA and scale of potential effects on adjacent landowners. Otherwise, notification may be arbitrary in terms of effects. Often, retirement villages can be designed to have minor or less than minor effects on the surrounding community. A presumption of notification could add unnecessary processing delays to much needed developments.	Reject submission

FS# 2599

3/3