

18**RESIDENTIAL ZONE RULES****Activities Tables**

Policies 3.4.1, 4.4.3, 4.4.11

18.1	Subdivision Activities	
Subdivision excluding company lease, cross lease and unit title subdivision		
Subdivision which complies with the standards in rule 18.5 unless specified below		C
Subdivision which does not comply with the standards specified in rule 18.5		D
Subdivision which complies with the access standards in 18.9		C
Subdivision which does not comply with the access standards in 18.9		LD
Subdivision around any existing lawfully established dwelling or commercial unit which does not result in the creation of any new undeveloped allotment that contains no dwelling or commercial unit		C
Subdivision of land for utilities, reserves or conservation purposes		C
Subdivision of a site identified in Schedules 26.8 or 27.8		D
Creation of a lot that does not have formed legal access to a formed legal road, unless the proposal is for a paper road or other access to be formed as a condition of subdivision approval in accordance with the Code of Practice for Civil Engineering Works		NC
Subdivision which creates building platforms within 20m of high voltage (110kV or greater) electricity transmission lines as shown on the Planning Maps		LD
Company lease, cross lease and unit title subdivision		
Subdivision which is a company lease, cross lease or unit title subdivision or an alteration to a company lease, unit title or cross lease title to include a building extension or alteration or accessory building on the site (excluding an additional dwelling) that has been lawfully established in terms of the Building Act 1991		C
Any subdivision not provided for in this table		D

Key	P	Permitted activity which complies with standards for permitted activities specified in the Plan
	C	Controlled activity which complies with standards for controlled activities specified in the Plan
	LD	Limited discretionary activity
	D	Discretionary activity
	NC	Non complying activity

18.2 Land Use Activities	
Residential Activities	
One dwelling per site	P
One family flat in conjunction with a dwelling on any site	P
More than one dwelling on a site	C
Rest homes and community care housing	P
A family flat in conjunction with a dwelling where the family flat does not comply with permitted activity standards	LD
Comprehensive residential development	D
Removal of a building from a site	P
Establishment of a relocated building from another site	C
Buildings accessory to a permitted or controlled activity which do not comply with permitted and controlled activity standards	LD
Non-Residential Activities	
Home occupations ancillary to residential activities carried out on the site	P
Home occupations ancillary to residential activities carried out on the site, which do not comply with permitted activity standards	LD
Work affecting indigenous or exotic trees in the Residential Conservation and Residential Hill Sub-zones	P
Work affecting indigenous or exotic trees in the Residential Conservation and Residential Hill Sub-zones which does not comply with the permitted activity standards	D
Veterinarian, medical and health clinics	D
Child care centres, kindergartens and kohanga reo	C
Marae	C
Places of assembly (including places of worship, educational facilities)	D
Visitor accommodation including hotels and motels	D
Passive recreation	P
Buildings accessory to a permitted or controlled activity which do not comply with permitted or controlled activity standards	LD
Signs	P
Signs which do not comply with permitted activity standards	LD
Gang fortifications	Prohibited
Activities listed as permitted or controlled which do not comply with the relevant standards in this chapter, except as specified below	D
Activities listed as permitted or controlled which do not comply with the access standards in 18.9	LD
Activities which are not listed in this Table unless otherwise covered in the City-wide provisions of the Plan	D

18.3 City-wide provisions

Each activity in the Residential Zone shall comply with the relevant permitted activity standards in the City-wide provisions of the Plan as listed below.

Chapter	City-wide provisions
23	Earthworks and Vegetation Clearance
24	Esplanade Reserves and Strips
25	Reserves and Leisure Facilities Contributions
26	Heritage Features
27	Notable Trees
28	Protected Ridgelines
29	Water Bodies
30	Utilities
31	Car Parking
32	Noise and Vibration
33	Flooding and Fault Band Hazards
34	Hazardous Substances and Contaminated Land

18.4 Controlled activities – restrictions on notification

Subject to section 94C of the Act, a resource consent application for a controlled activity will be decided without the need for public notification of the application under section 93, and without the need to serve notice of the application under section 94(1).

Standards for Permitted and Controlled Activities
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18.5 Minimum requirements for subdivision

Policies 3.4.1, 4.4.1, 4.4.9

	Front lots	Rear lots	Corner lots	Averaging
All areas other than Conservation or Hill Areas				
Minimum net site area	400m ²	400m ²	450m ²	N/A
Minimum frontage	6m	N/A	6m	
Shape factor	12m	12m	12m	
Conservation and Hill Areas				
Minimum net site area	750m ²	900m ²	750m ²	650m ² with average of 750m ²
Minimum frontage	6m	N/A	6m	
Shape factor	17m	17m	17m	
Exemptions				
These standards shall not apply to any lot for utility, reserve or conservation purposes.				
Averaging				
The minimum site area may be reduced to the area shown in the Averaging Column, provided that not more than 25% of the allotments in the subdivision are reduced to this area and the average minimum site areas as specified are maintained.				

18.6 Subdivision which complies with the standards in rule 18.5

Policies 4.4.2, 4.4.7, 4.4.12, 9.4.3, 10.4.1

Council may impose conditions over the following matters:

- Design, appearance and layout of the subdivision.
- Landscaping.
- Provision of utilities and/or services.
- Standard, construction and layout of vehicular access.
- Earthworks.
- Protection of any special amenity feature.
- Financial contributions.

18.7 Subdivision which is a company lease, cross lease or unit title subdivision

Policy 10.4.1

Council may impose conditions over the following matters:

- Provision of utilities.
- Allocation of accessory units to principal units and covenant areas to leased areas to ensure compliance with car park provisions and to ensure practical physical access to units.
- Allocation of areas.
- Financial contributions.

18.8 Subdivision of land for utilities, reserves or conservation purposes

Policies 9.4.3, 10.4.1

Council may impose conditions over landscaping and appearance and financial contributions.

18.8A More than one dwelling on a site

Council may impose conditions over the following matters:

- Design, appearance and layout of the subdivision.
- Landscaping.
- Provision of utilities and/or services.
- Standard, construction and layout of vehicular access.
- Earthworks.
- Protection of any special amenity feature.
- Financial contributions.

18.9 Access standards for subdivision and land use activities

Policies 4.4.7, 4.4.12, 9.4.3

- Where vehicle access points are shared by three or more dwelling units, for all rear sites and for all sites fronting arterial, or distributor/collector streets (identified in Chapter 37) there must be provision for turning a vehicle on site in order that vehicles do not reverse into the street.
- All accessways and manoeuvring areas shall be formed and surfaced in accordance with the Code of Practice for Civil Engineering Works. The required surfacing must be completed prior to certification of the survey plan. Exemption – the requirement for accessways serving sites solely occupied by unstaffed utilities shall be that the accessway shall be surfaced with permanent all weather surfacing for a minimum length of 5m from the edge of the road carriageway seal.
- All sites shall have practical vehicle access to car parking and loading spaces, in accordance with the Code of Practice for Civil Engineering Works. This requirement does not apply to sites solely occupied by unstaffed utilities, provided that vehicles associated with utilities shall not obstruct the footpath or create a traffic hazard on the road.
- Vehicular access to a corner site shall be located no closer than 8m from the street corner. Where a site is located on an intersection of a primary or secondary arterial traffic route (identified in Chapter 37) the siting of the vehicular access shall be located as far as practicable from the corner of the street.

- Where a corner site is located at an intersection of a national, primary or secondary arterial traffic route, as identified in Chapter 37, no building, fence or other structure is to be erected and no vegetation allowed to grow so as to obstruct a traffic sight line.
- At the intersection of a road or rail level crossing, no building, fence or other obstructions which block sight lines for trains shall be erected, placed or grown in the hatched area marked in Diagram A in Chapter 38.
- Subdivision and land use activities with direct access to a State Highway shall comply with the access and visibility standards set out in Diagrams B to E in Chapter 38.

18.10 Minimum net site area for dwellings

Policies 4.4.1,
4.4.2

The minimum net site area required for any dwelling to be erected on a site is the same as the minimum required for subdivision.

18.11 Site coverage

Policies 4.4.1,
4.4.2

The maximum coverage by buildings on the net area of a site shall not exceed 30% in the Residential Conservation and Residential Hill Sub-zones and 35% in the remainder of the Residential Zone.

Exemption: Non-enclosed and uncovered decks.

18.12 Setbacks from boundaries

Policies 4.4.2,
4.4.4

The setback distance for residential and non-residential buildings (excluding accessory buildings) shall not be less than:

Boundary	Minimum setback
Front boundary along all roads specifically named in Chapter 37 and all roads abutting the Residential Conservation and Residential Hill Sub-zones.	6m
Front boundary along all other roads.	4m
Rear boundaries.	3m
Side boundaries except within the Residential Conservation and Residential Hill Sub-zones.	One of 1.5m & one of 3m
Side boundaries within the Residential Conservation and Residential Hill Sub-zones.	3m (both sides)

Notes:
<ul style="list-style-type: none"> On a rear lot, as defined in Chapter 35, rear boundary setbacks apply to all boundaries.
Exemptions:
<ul style="list-style-type: none"> Eaves, bay windows or similar features may encroach into boundary setbacks by up to 0.7m. Non-enclosed and uncovered decks less than 1.2m in height above ground level.

18.13 Outdoor living court

Policy 4.4.2

One outdoor living court capable of containing a 6m diameter circle shall be provided for each dwelling and be located at its northern aspect, or directly accessible from a living area.

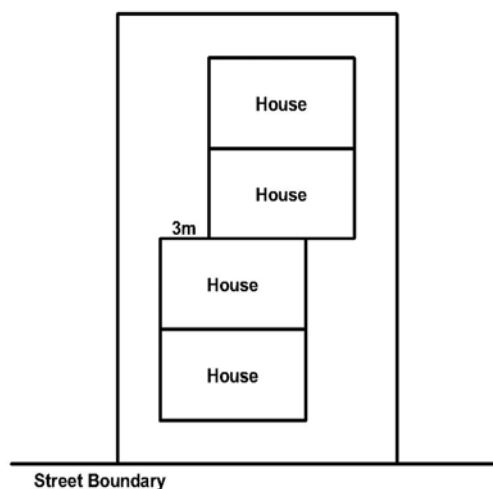
Exemption:

Non-enclosed verandahs, decks, porches, swimming pools, and a glassed conservatory with a maximum area of 13m² may encroach over or into 25% of the outdoor living court.

18.14 Building form

Policies 4.4.2, 4.4.4

Where three or more dwellings are attached, a step in plan of at least 3m shall be provided between every second unit, as shown in the following diagram:



18.15 Building height

Policies 4.4.2, 4.4.4

The maximum height of any building shall not exceed 8m.

Exemption:

Chimneys, flues and minor decorative features may exceed the height by up to 1m.

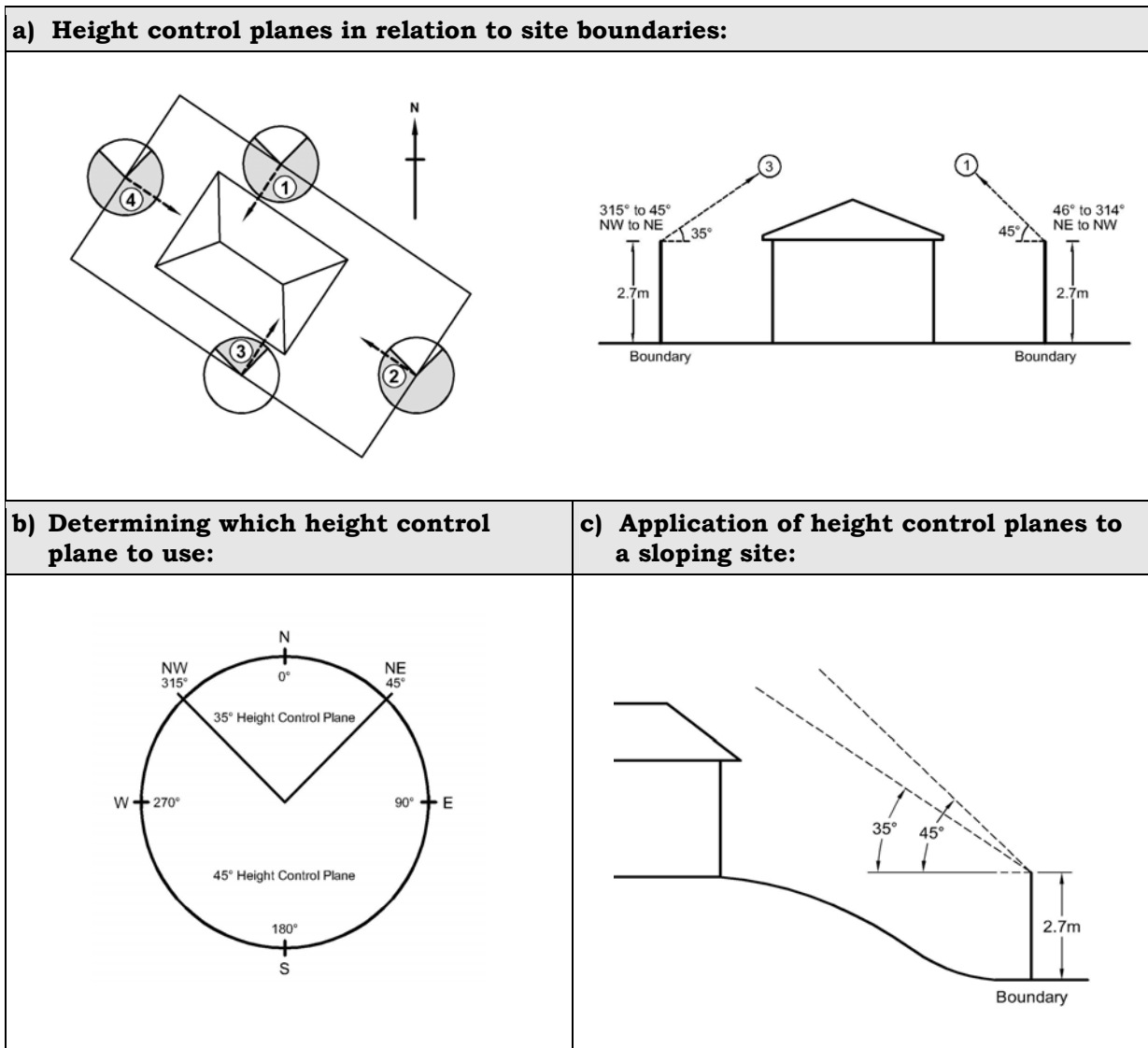
18.16 Sunlight access

Policies 4.4.2, 4.4.4

Height control planes apply to all buildings:

- In, or adjacent to, a Residential Zone.
- On sites smaller than 1500m² in a Rural Zone.

Buildings shall be designed so that they fit within the height control planes defined below:



Exemptions:

- Chimneys, flues, and minor decorative features may extend beyond the height control plane by up to 1m.
- The top of a dormer or gable, but not the eaves, may extend beyond the height control plane by up to 0.5m provided that the aggregate length of all projections through the plane does not exceed 25% of the total building length.
- Where the boundary involved in the measurement of the height control plane adjoins an access strip or right-of-way to a rear property, the outside boundary of such an access strip or right-of-way may be substituted for the nearest property boundary.

18.17

Accessory buildings

*Policies 4.4.2,
4.4.4, 4.4.5*

- Accessory buildings shall not be erected within the front boundary setback.
- Any wall closer than 1m from a boundary shall be no longer than 8m.
- The distance between an accessory building and any point of the main window of a habitable room on an adjoining site, measured at right angles to the plane of the window, shall be not less than 3m.

18.18

Water supply and disposal of effluent

*Policies 9.4.3,
13.4.1*

All activities shall comply with the water supply and disposal of effluent standards in the Code of Practice for Civil Engineering Works.

18.19

Artificial light

*Policies 4.4.3,
15.4.1*

- Light emissions from a site shall not exceed a measurement of 8 lux (lumens per m²) measured in both the horizontal and vertical planes, 1.5m above the ground at the boundary of the property.
- Light emissions from a site shall not spill directly onto roads.
- Light emissions will be measured by an instrument that meets NZSS CP22 (1962) requirements and amendments.

18.20

Dust

*Policies 4.4.3,
15.4.1, 15.4.2*

Activities shall not create a dust nuisance. A dust nuisance may occur if:

- There is visible evidence of suspended solids in the air beyond the site boundary.
- There is visible evidence of suspended solids, traceable from a dust source, settling on the ground, building or structure on a neighbouring property or on water.

18.21

Screening

*Policies 4.4.3,
4.4.5, 15.4.1*

Outdoor storage areas shall be screened by a close-boarded fence, a solid wall or dense planting of vegetation. The screening shall be no less than 1.8m in height.

18.22

Home occupations ancillary to residential activities carried out on the site

*Policies 4.4.3,
15.4.1*

- At least one of the persons engaged in the home occupation shall live on the site as their principal place of residence.
- No more than three non-resident persons may be engaged in the home occupation at any one time.
- The repair or maintenance of vehicles or engines, other than those belonging to the residents, is not permitted.
- The site shall not be used as a depot for any heavy vehicle associated with a trade.
- Only goods produced or grown on the site may be sold from the site, provided that no retailing activity shall take place where access is to the State Highway.
- Homestay activities, where accommodation and meals are provided in a family type environment, are permitted provided the total number of persons accommodated on the site at any one time, including persons normally resident on the site, does not exceed twelve.
- Equipment used shall not interfere with radio and television reception.

18.23 Work on trees in the Residential Conservation and Residential Hill Sub-zones

Policies 3.4.2, 4.4.10, 12.4.7, 15.4.1

Any indigenous or exotic tree with a trunk diameter that exceeds 0.2m, measured at a height of 1.5m from ground level, shall not be trimmed, topped or removed except in the following circumstances:

- Trimming in accordance with accepted arboricultural practice which will not alter the form of the tree and will not detrimentally affect its health.
- Removal of part or the entire tree is required because it is dead or has an incurable disease causing a significant decline in its health (Council must be advised in writing of the reasons for the work, no later than 7 days before work starts).
- Work is immediately necessary to avoid injury to persons, damage to property or to maintain or restore essential services.
- Where necessary work is undertaken by, or on behalf of Council, to a tree located within road reserve, except where the tree is identified in the Schedule of Notable Trees in 27.8 of the Plan.
- The tree is listed as a pest plant under the Biosecurity Act 1993 or is subject to an order made under the Property Law Act 1952.

18.24 Temporary signs

Policies 4.4.8, 15.4.5, 16.4.4

Temporary signs, in all zones, must meet all of the following conditions:

- The sign face shall be no greater than 3m² in area visible from any one direction.
- The sign shall relate to a temporary or one-off activity.
- The maximum period for any temporary sign shall be 2 months, except for signs required to be erected for health and safety reasons, where the maximum period shall be 6 months.
- Any temporary sign shall be removed within 48 hours of the ceasing of the activity to which the sign relates.
- Real estate signs involved in the advertising and sale of properties must relate to the property on which they are erected.
- Any sign shall be located so that it does not obstruct any official traffic sign.
- Any sign must not be flashing, animated or continuously differ in form or detail.
- Any sign directed at the State Highway where the speed limit is 70km/hr or greater shall comply with the following:
 - Have a minimum letter height of 160mm; and,
 - Contain no more than six words and symbols and no more than 40 characters; and,
 - Be located so as to provide an unrestricted view to the motorist for a minimum distance of 180 metres.

18.25 Signs within roads

Policies 4.4.8, 15.4.5, 16.4.4

Road, traffic and advertising signs within roads, in all zones, must be approved by the road controlling authority.

18.26 All other signs

Policies 4.4.8, 15.4.5, 16.4.4

One sign per site with a maximum face area of 1.5m² visible from any one direction.

- Any sign shall be situated on the site to which the sign relates.
- Any sign must not be flashing, animated or continuously differ in form or detail.
- Any sign shall be removed when the activity to which it relates has ceased.
- Any sign shall be located so that it does not obstruct any official traffic sign.
- Any sign directed at the State Highway where the speed limit is 70km/hr or greater shall comply with the following:
 - Have a minimum letter height of 160mm; and,
 - Contain no more than six words and symbols and no more than 40 characters; and,
 - Be located so as to provide an unrestricted view to the motorist for a minimum distance of 180 metres.

18.27 Child care centres, kindergartens, kohanga reo and marae

Policies 4.4.3, 4.4.6

Council may impose conditions over the following matters:

- Bulk, location, appearance and design of the buildings.
- Design and layout of car parking, loading, manoeuvring and access areas.
- Landscaping, including the retention of existing trees.
- Noise.
- Hours of operation.
- Financial contributions.

18.28

Relocated Buildings

Policy 4.4.2

Council may impose conditions on:

- a) Reinstatement works to the condition and appearance of the building relating to:
 - Works to the exterior fabric of the building to repair, replace or renovate damaged, defective or substandard elements;
 - Painting and/or cleaning of the exterior fabric of the building if necessary;
 - Cladding or other means of enclosing open subfloor areas below the building;
 - Alterations required to ensure that the reinstated exterior of any relocated building is not likely to detract from the amenity values of the surrounding area.
- b) The timeframe for the work to be completed;
- c) Landscaping, screening and boundary treatment;
- d) Execution of a performance bond (up to a maximum of \$10,000) to provide security for exterior reinstatement works required as a condition of resource consent.

Notes in respect of d):

- A bond is not mandatory. It will only be required when Council considers it necessary in view of the scale and/or nature of exterior reinstatement works required. The requirement for a bond and its value will be determined in the context of the building assessment report submitted at resource consent stage.
- The bond shall be executed at the time application is made for a building consent, and security shall be in the form of either money or a guarantee by an institution approved by Council as guarantor.
- The bond shall be cancelled upon completion of exterior reinstatement works required in the conditions of the resource consent. The verification method for completion of these works shall be the issuing of a full or interim Code Compliance Certificate as defined in the Building Act. In the event that conditions relating to exterior reinstatement works are not complied with, the bond may be used in whole or in part to complete the works.

Limited Discretionary Activities

18.29 Subdivision which creates building platforms within 20m of high voltage (110kV or greater) electricity transmission lines as shown on the Planning Maps

Policy 16.4.1

Council will limit its discretion to, and may impose conditions on:

- The extent to which the subdivision design mitigates the effects of lines by locating roads and reserves under the route of the line.
- The extent to which maintenance and inspections of transmission lines are affected.
- The extent to which potential adverse effects including risk or injury, property damage and visual impact are mitigated through the location of building platforms.
- The outcome of any consultation with the affected utility operator.
- Separation distances between trees and conductors and the location and mature size of trees planted near the transmission lines.

18.30 Subdivision and land use activities which do not comply with the access standards in 18.9

Policy 16.4.6

Council will limit its discretion to, and may impose conditions on:

- The extent to which the activity will adversely affect traffic and pedestrian safety.
- The extent to which the activity will adversely affect the efficient functioning of the roading network.

18.31 Family flats which do not comply with the permitted activity standards

Policies 4.4.2, 4.4.4

Council will limit its discretion to, and may impose conditions on:

- Land tenure.
- Location.
- Financial contributions.

18.32 Home occupations ancillary to residential activities carried out on the site which do not comply with the permitted activity standards

Policies 4.4.3, 4.4.6

Council will limit its discretion to, and may impose conditions on:

- External storage.
- The number of home occupation workers employed on the site.
- The creation of dust, light, noise, vibration or other nuisance.
- Appearance of buildings.
- Car parking, traffic and pedestrian safety and the efficient functioning of the roading network.
- Financial contributions.
- Size and appearance of signs.

18.33 Buildings accessory to permitted and controlled activities which do not meet permitted or controlled activity standards

Policies 4.4.2, 4.4.4, 4.4.5

Council will limit its discretion to, and may impose conditions on:

- Maximum height.
- Setbacks and coverage.
- Effluent disposal and water supply.
- Financial contributions.

18.34 Signs which do not comply with the standards for permitted activities

Policies 4.4.8, 15.4.5, 16.4.4

Council will limit its discretion to, and may impose conditions on:

- The area of signs.
- The number of signs.
- The colour and materials used.
- The location of signs.
- Sign content.
- Illumination, lighting, reflectorisation and animation.

Matters for Consideration

- 18.35** Matters that may be relevant in the consideration of any resource consent, other than for a limited discretionary activity, may include the following:

Subdivision
<ul style="list-style-type: none"> • The requirements of section 106 of the Act. • Whether the proposed allotments are capable of accommodating a range of activities in compliance with zone standards. • Whether the subdivision compromises future subdivision potential of the land. • The cumulative effect on existing infrastructure as a result of the proposed subdivision. • The extent of compliance with the Council's Code of Practice for Civil Engineering Works.
Site layout, area and coverage
<ul style="list-style-type: none"> • The arrangement of buildings, car parking and vehicle movements on site. • The extent of landscaping and screening. • Whether the topography of the site has been taken into account. • Whether a better standard of development can be achieved by varying the design standards. • The ability to provide adequate outdoor living areas. • The extent to which decreases in site size or increased site coverage would have an adverse effect on the amenity of the area.
Bulk and location of buildings
<ul style="list-style-type: none"> • Whether the buildings will cause a loss of privacy, interfere with sunlight access or create shadows on surrounding allotments. • Whether the building location, design, appearance and scale will detrimentally affect the character of the surrounding area.
Comprehensive residential development
<ul style="list-style-type: none"> • Whether residential dwellings are designed and planned in an integrated manner. • Whether the buildings relate to one another and to the site so as to ensure adequate provision for light, privacy, car parking, manoeuvring and outdoor space.
Traffic generation and access
<ul style="list-style-type: none"> • Accessibility for public transport, cyclists and pedestrians. • Whether activities which generate significant traffic flows have the necessary access, do not adversely impact upon the street environment, and maintain public safety.

Sunlight access
<ul style="list-style-type: none"> • Whether the building will adversely interfere with sunlight access or create adverse shading on surrounding sites. • Whether the topography of the site or the location of any built features on the site or other requirements, such as easements, impose constraints that make compliance impracticable.
Non-residential activities
<ul style="list-style-type: none"> • Whether the buildings, structures or other works are of a compatible scale having regard to the local environment and the nature of the surrounding development. • The extent to which the amenity values and the quality of the residential environment can be maintained and enhanced.
Signs
<ul style="list-style-type: none"> • Whether the sign is in scale with the associated activities or building development and compatible with the visual character of the area in which it is situated. • Whether signs are obtrusively visible from any residential area or public space. • Whether signs will have adverse effects on traffic or pedestrian safety. • Whether signs detract from the appearance of the building to which they are attached. • Whether signs will result in additional clutter.
Work on trees in the Residential Conservation and Residential Hill Sub-zones
<ul style="list-style-type: none"> • The contribution the tree makes to the amenity of the area. • The health of the tree. • The function the tree may have in an ecosystem or habitat. • Whether the tree is causing or is likely to cause significant damage to buildings, structures or utilities. • Significant adverse environmental effects caused by the tree and the nature of works proposed to avoid, remedy or mitigate them.
Hours of operation
<ul style="list-style-type: none"> • The nature, extent and duration of noise and traffic effects from active recreation.
Nuisance
<ul style="list-style-type: none"> • The potential impacts of noise, dust, glare, vibration, fumes, smoke, other discharges or pollutants or the excavation or deposition of earth.
Infrastructure
<ul style="list-style-type: none"> • The capacity of the infrastructure.
Cumulative effects
<ul style="list-style-type: none"> • Whether cumulative effects such as pollution, risk to public safety and nuisances have been assessed.