

## 5.6 Residential Area Standards

<p><b>5.6.1 ACTIVITY STANDARDS</b></p> <p>5.6.1.1 Noise</p> <p>5.6.1.2 Fixed Plant Noise</p> <p>5.6.1.3 Vehicle Parking</p> <p>5.6.1.4 Site Access</p> <p>5.6.1.5 Work from Home Activities</p> <p>5.6.1.6 Use, Storage and Handling of Hazardous Substances</p>	<p>These standards apply to all activities in Residential Areas.</p>
<p><b>5.6.2 BUILDINGS AND STRUCTURES</b></p> <p>5.6.2.1 Minimum Site Area</p> <p>5.6.2.2 Yards</p> <p>5.6.2.3 Open Space</p> <p>5.6.2.4 Site Coverage</p> <p>5.6.2.5 Maximum Height</p> <p>5.6.2.6 Maximum Height within the Residential Coastal Edge</p> <p>5.6.2.7 Maximum Height of an Infill Household Unit</p> <p>5.6.2.8 Building Recession Planes</p> <p><u>5.6.2.8(a) Building orientation and separation (Medium Density Residential Area 2)</u></p> <p>5.6.2.9 Alterations and additions to buildings with an existing non-compliance</p> <p>5.6.2.10 Maximum Fence Height</p> <p>5.6.2.11 Residential buildings within a Hazard (Fault Line) Area</p> <p>5.6.2.12 Proximity to High Voltage Transmission Line</p> <p>5.6.2.13 Fixed Plant Noise</p> <p>5.6.2.14 Noise insulation: Airport Area</p> <p>5.6.2.15 Noise insulation: Port Affected Area</p>	<p>These standards apply to the construction of buildings and structures in Residential Areas.</p>
<p><b>5.6.3 SIGN STANDARDS</b></p> <p>5.6.3.1 Permanent signs on residential sites and buildings</p> <p>5.6.3.2 Temporary signs</p> <p>5.6.3.3 Signs on non-residential sites and buildings</p>	<p>These standards apply to signs in Residential Areas.</p>
<p><b>5.6.4 SUBDIVISION STANDARDS</b></p>	

<b>5.6.1 Activity Standards</b>	These standards apply to all activities in the Residential Area.
---------------------------------	------------------------------------------------------------------

### 5.6.1.1 Noise

Noise (emitted from Residential Areas and received within Residential and Rural Areas)

- 5.6.1.1.1 Noise emission levels from any non-residential activity occurring within a Residential Area, when measured at or within the boundary of any site, other than the site from which the noise is emitted in Residential and Rural Areas, must not exceed the following noise limits:

#### Inner Residential Area and Areas of Change

Monday to Sunday	7am to 10pm	50dB $L_{Aeq}$ (15 min)
Monday to Sunday	10pm to 7am	40dB $L_{Aeq}$ (15 min)
Monday to Sunday	10pm to 7am	70dB $L_{AFmax}$

#### Outer Residential Area

Monday to Sunday	7am to 7pm	50dB $L_{Aeq}$ (15 min)
Monday to Sunday	7pm to 10pm	45dB $L_{Aeq}$ (15 min)
Monday to Sunday	10pm to 7am	40dB $L_{Aeq}$ (15 min)
Monday to Sunday	10pm to 7am	70dB $L_{AFmax}$

#### Rural Area

At all times 55dB  $L_{Aeq}$  (15 min)

and on any Conceptual Boundary of a residential building:

Monday to Saturday	7am to 8pm	45dB $L_{Aeq}$ (15 min)
Monday to Sunday	8pm to 7am	35dB $L_{Aeq}$ (15 min)
Monday to Sunday	8pm to 7am	60dB $L_{AFmax}$

- 5.6.1.1.2 Where it is impractical to measure outside a residential building, then measurements shall be made inside (with windows closed). Where indoor measurements are made the noise limits stated above shall be reduced by 15dBA.

#### Construction Noise

- ~~5.6.1.1.3 For noise from construction, maintenance and demolition activities, including those associated with urgent repair of utilities to maintain continuity of service, on any site or on any road shall comply with, and be measured and assessed using the recommendations of NZS6803:1999 Acoustics – Construction Noise. At the discretion of the Council the requirements of this standard need not apply to construction work which cannot be carried out during normal working hours. In these cases an application for an exemption may be granted in approved circumstances.~~

- ~~5.6.1.1.4 For emergency construction work, nothing in the noise rules shall be used to prevent emergency work from taking place. Such work would arise from the need to protect life or limb or minimise or prevent loss or serious damage to property or minimise or prevent environmental damage.~~

#### Temporary Activity Noise

- 5.6.1.1.5 Temporary activities in Residential Areas are not subject to the noise standards stated in standard 5.6.1.1.1. This exemption applies between

*Note, the term Noise Emission Level is defined in Section 3.10.*

*This rule applies to those sources that can be readily controlled by the noise performance standards. Other day to day activities which may cause a noise nuisance can be controlled using the excessive noise provisions of the Act as well.*

*Note, all activities have a duty to avoid unreasonable noise under section 16 of the Resource Management Act regardless of the standards set in this Plan. At all times Council retains its power under the Act to ensure that the general duty under sections 16 and 17 to avoid unreasonable noise and avoid, remedy or mitigate any adverse effects of activities on the environment is met, and section 326 may be used to control excessive noise. The best practicable option shall be adopted to ensure that the emission of noise does not exceed a reasonable level.*

the hours of:

- 9am to 9pm each day (Sunday to Thursday)
- 9am to 10pm (Friday and Saturday).

On New Years Eve temporary activities are not subject to the noise standards stated in standards 5.6.1.1.1 between the hours of 9pm on 31st December, to 1am the following day.

### 5.6.1.2 Fixed Plant Noise

- 5.6.1.2.1 Noise emission levels from any residential or non-residential activities occurring within a Residential Area resulting from noise associated with power generation, heating, ventilation or air conditioning systems, or water or sewage pumping/treatment systems or other similar domestic installations when measured at or within the boundary of any site, other than the site from which the noise is generated, in ~~the~~ a Residential and Rural Areas shall not exceed the following limits:

#### Inner Residential Area and Areas of Change

Monday to Sunday 7 am to 10 pm 45dB  $L_{Aeq}$  (15 min)

Monday to Sunday 10pm to 7am 40dB  $L_{Aeq}$  (15 min)

Monday to Sunday 10pm to 7am 65dB  $L_{AFmax}$

#### Outer Residential Area

Monday to Sunday 7am to 10pm 45dB  $L_{Aeq}$  (15 min)

Monday to Sunday 10pm to 7am 40dB  $L_{Aeq}$  (15 min)

Monday to Sunday 10pm to 7am 65dB  $L_{AFmax}$

#### Rural Area

At all times 55dB  $L_{Aeq}$  (15 min)

and on any conceptual boundary of a residential building:

Monday to Sunday 7am to 8pm 45dB  $L_{Aeq}$  (15 min)

Monday to Sunday 8pm to 7am 35dB  $L_{Aeq}$  (15 min)

Monday to Sunday 8pm to 7am 60dB  $L_{AFmax}$

Where it is impractical to measure outside a dwelling, then measurements shall be made inside (with windows closed). Where indoor measurements are made the noise limits stated above shall be reduced by 15dB  $L_{Aeq}$  (15 min)

### 5.6.1.3 Vehicle Parking

On-site parking shall be provided as follows:

- residential activities: minimum 1 space per household unit
- in the Inner Residential Area an existing building may be converted into two household units without provision of on-site parking, provided the existing building was constructed prior to 27 July 2000 and the development will not result in more than two household units on the site
- no on-site parking is required to be provided on the properties at 9, 11, 13, 15, 17 and 19 Millward Street, Newtown
- visitor parking for multi-unit developments: a minimum 1 dedicated space for every four household units for any proposal

*Where an assessment of the required parking standards results in a fractional space, any fraction less than or equal to 0.5 shall be disregarded. Any fraction of greater than 0.5 shall be counted as one parking space.*

that results in 7 units or more

- for early childhood education centres the parking requirement shall be 1 space for each staff member that is required to operate the centre when it is at full capacity
- for boarding houses the parking requirement shall be 1 space per 3 bedrooms
- all parking must be provided and maintained in accordance with sections 1, 2, and 5 of the joint Australian and New Zealand Standard 2890.1 – 2004, Parking Facilities, Part I: Off-Street Car Parking.

#### 5.6.1.4 Site Access

5.6.1.4.1 No vehicle access is permitted to a site across any restricted road frontage identified on District Plan Maps 43 to 46.

5.6.1.4.2 Site access for vehicles must be formalised by a legal right of way instrument where not directly provided from a public road, and must be provided and maintained in accordance with section 3 of the joint Australian and New Zealand Standard 2890.1 – 2004, Parking Facilities, Part I: Off-Street Car Parking.

5.6.1.4.3 There shall be a maximum of one vehicular access to a site, except that a site with more than one road frontage may have one access per frontage (unless the second frontage is to a State Highway).

5.6.1.4.4 The maximum width of any vehicular access is:

- 3.7 metres in ~~Areas of Change~~, the Inner Residential Area and within the Residential Coastal Edge
- in Areas of Change 3.7 metres for sites containing up to 6 units, and 6.0 metres for sites containing 7 or more units.
- 6.0 metres in the Outer Residential Area (excluding the Residential Coastal Edge)

5.6.1.4.5 On sites with frontage to a secondary street no access shall be provided to a primary street or state highway.

#### 5.6.1.5 Work from Home Activities

5.6.1.5.1 The site must be occupied by a residential building and used for residential activities by the person or persons living on the site as their principal place of residence.

5.6.1.5.2 Not more than one third of the total gross floor area of buildings on the site shall be used for work from home activities.

5.6.1.5.3 Noise generated by any work from home activity (or fixed plant associated with the activity), when measured at or within the boundary of any site, other than the site from which the noise is emitted, must comply with the noise limits stated in 5.6.1.1 and 5.6.1.2.

5.6.1.5.4 Activities must not create a dust nuisance. A dust nuisance will occur if:

- there is visible evidence of suspended solids in the air beyond the site boundary; or
- there is visible evidence of suspended solids traceable from a dust

source settling on the ground, building or structure on a neighbouring site, or water.

- 5.6.1.5.5 One on-site parking space shall be provided for each person working on the site, excluding people resident on the site in accordance with sections 1, 2, and 5 of the joint Australian and New Zealand Standard 2890.1 – 2004, Parking Facilities, Part 1: Off-Street Car Parking.
- 5.6.1.5.6 No vehicles, caravans, or trailers in connection with the work from home activity shall be parked within the first five metres of the site, from the front boundary of the site, except on an access drive.
- 5.6.1.5.7 No work from home activity will be permitted which involves the use of trucks or other heavy vehicles or would require the parking of such vehicles on the site or in nearby streets.
- 5.6.1.5.8 Any external storage of materials associated with the work from home activity shall be screened so as not to be visible from outside the site.
- 5.6.1.5.9 No retailing shall be conducted on the site.

#### **5.6.1.6 Use, storage and handling of hazardous substances**

- 5.6.1.6.1 For those activities which are not specifically exempted (see Section 3.5.2.2) the cumulative Effect Ratio calculated using the HFSP will be used to determine whether or not those other activities should be Permitted Activities according to the table below.

Location	Any Residential Zone	Any Residential Zone	<i>Activities that do not meet the above Effects Ratio criteria or do not otherwise comply with the applicable conditions will be Discretionary (Unrestricted) Activities.</i>
Effect Ratio	0.002 < ER ≤ 0.02	≤ 0.002	
Conditions applying	5.1.10.2 to 5.1.10.12	5.1.10.9, 5.1.10.11 and 5.1.10.12 only	

- 5.6.1.6.2 Except for the storage, use or handling of Liquid Petroleum Gas (LPG), any area where hazardous substances are used, stored or handled in any manner on-site shall have secondary containment (via bunding or otherwise) using materials that are resistant to the hazardous substances contained on-site. Secondary containment systems also need to comply with any relevant provisions under the Hazardous Substances and New Organisms Act 1996.
- 5.6.1.6.3 Except for the storage, use or handling of Liquid Petroleum Gas (LPG), any secondary containment system shall be maintained to ensure that it will perform the functions for which it was designed and contain any spill or accidental release.
- 5.6.1.6.4 Except for the storage, use or handling of Liquid Petroleum Gas (LPG), any area(s) where hazardous substances are loaded, unloaded, packaged, mixed, manufactured or otherwise handled shall have a spill containment system that is compliant with relevant provisions under the Hazardous Substances and New Organisms Act 1996.
- 5.6.1.6.5 Except for the storage, use or handling of Liquid Petroleum Gas (LPG), secondary containment systems shall be designed to contain any spill or accidental release of hazardous substance, and any storm water and/or fire water that has become contaminated, and prevent any contaminant

from entering the environment unless expressly permitted under a resource consent or trade waste permit.

- 5.6.1.6.6 All stormwater grates, collection structures and inspection chamber covers on the site shall be clearly marked as such.
- 5.6.1.6.7 Any area where vehicles, equipment or containers that are or may have been contaminated with hazardous substances are washed down shall be designed, constructed and managed to prevent the effluent from the washdown area from discharging into or onto land, or entering or discharging into the sewerage or stormwater drainage system, unless expressly permitted by a rule in a regional plan, trade waste permit or resource consent.
- 5.6.1.6.8 Underground tanks for the storage of petroleum products shall be designed, constructed, installed, maintained, operated, managed and at the end of their life removed, to prevent leakage and spills. Compliance with any relevant provisions under the Hazardous Substances and New Organisms Act 1996 and the OSH Code of Practice for the "Design, Installation and Operation of Underground Petroleum Storage Systems" (1992) is a minimum requirement.

#### **Signage**

- 5.6.1.6.9 All facilities must display signage to indicate the nature of the hazardous substances present (compliance with the provisions of the Hazardous Substances and New Organisms Act 1996 and the requirements of the Building Code (F8) or the Code of Practice "Signage for Premises Storing Hazardous Substances and Dangerous Goods" of the New Zealand Chemical Industry Council (Nov 2004) is a minimum requirement).

#### **Waste Management**

- 5.6.1.6.10 Any process waste or waste containing hazardous substances shall be stored in a manner which complies with 5.1.10.1 to 5.1.10.9 above.
- 5.6.1.6.11 Any hazardous facility generating wastes containing hazardous substances shall dispose of these wastes to facilities which, or waste disposal contractors who, meet all the requirements of regional and district rules for discharges to the environment and also the provisions of the Hazardous Substances and New Organisms Act 1996.

#### **Other**

- 5.6.1.6.12 Council must be informed of the activity's location, the nature of the activity and when the activity commences and ceases.

*The on-site disposal of hazardous substances will be controlled through Council's Waste Management Strategy, through obtaining the appropriate discharge consents from the Regional Council or trade waste permits, and through relevant controls on disposal of hazardous substances by the Hazardous Substances and New Organisms Act 1996.*

<b>5.6.2 Buildings and Structure Standards</b>	These standards apply to the construction of buildings and structures in the Residential Area.
------------------------------------------------	------------------------------------------------------------------------------------------------

**5.6.2.1 Minimum Site Dimension**

5.6.2.1.1 In order to undertake multi-unit development within Area of Change 2, sites must be of a size that can accommodate a circle with a radius of 11.2 metres (laid horizontally).

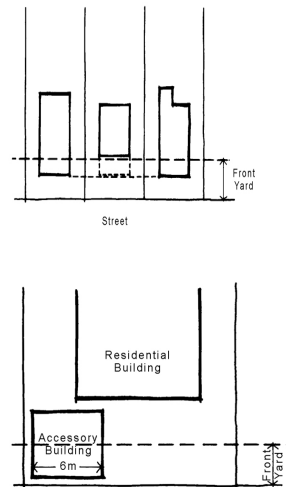
**5.6.2.2 Yards**

**Front Yards**

5.6.2.2.1 Minimum front yard standards are listed in Table 1 below.

*Table 1: Minimum depth of Front Yards*

<b>Areas of Change</b>	3 metres
<b>Inner Residential Area</b> (exceptions listed below)	1 metre
IR4 – Mt Cook, Newtown, Berhampore	3 metres
IR5 – Oriental Bay Height Area	No requirement
<b>Outer Residential Area</b>	3 metres, or 10 metres less half the width of the road, which ever is the lesser



5.6.2.2.2 Only one front yard is required on corner sites in the Inner Residential Area and Areas of Change.

5.6.2.2.3 In the Outer Residential Area where a property fronts the turning area at the end of a cul de sac or is located at the closed end of a dead end street a minimum of 3m applies.

5.6.2.2.4 Buildings may extend into the required front yard if the part of the building nearest the street does not project forward of a line from the forward most part of the two adjoining residential buildings (excluding accessory buildings). This provision does not apply to corner or rear sites.

5.6.2.2.5 Accessory buildings, including structures, may be erected in front yards. The maximum width of the accessory building or structure (or the total combined width if there are multiple accessory buildings) is specified in Table 2.

*Table 2: Maximum width of Accessory Buildings in Front Yards*

<b>Areas of Change</b>	4 metres
<b>Inner Residential Area</b> (exception listed below)	4 metres
IR5 – Oriental Bay Height Area	No maximum



<b>Outer Residential Area</b> (exception listed below)	6 metres
OR 2 – Residential Coastal Edge	4 metres

### *Side and Rear Yards*

5.6.2.2.5 Minimum side and rear yard standards are listed in Table 3 below:

*Table 3: Minimum width of Side and Rear Yards*

<b>Areas of Change</b>	No requirement
<b>Inner Residential Area</b> (exception listed below)	No requirement
IR2 – Mt Victoria	1.5 metre rear yard
<b>Outer Residential Area</b>	No requirement

5.6.2.2.6 On all Inner and Outer Residential sites, outdoor access to any open area to the rear of a building is to be provided with a minimum width of 1 metre.

5.6.2.2.7 A minimum width of 1 metre must be maintained between buildings where a residential building (other than an accessory building) on an adjoining site is sited less than 1 metre from the boundary

5.6.2.2.8 Decks, terraces, or balconies with a finished floor, paving or turf level of 1.5 metres or more above ground level at the boundary shall be located no closer than 2 metres to any side or rear boundary, except for the following:

- the required 2 metre setback applies only to the finished floor surface of the deck, terrace or balcony. It does not apply to structural or support elements that are not accessible to, and cannot be occupied by, users of the deck, terrace or balcony
- driveways and parking structures
- pedestrian walkways, provided they are not more than 1.5 metres wide
- stairs and stair landings, provided that the area of any individual stair tread or landing is not more than 4 square metres
- ~~where a side or rear boundary abuts a public accessway or drainage reserve, the boundary shall be taken from the furthest boundary of the public accessway or drainage reserve or any combination of these areas.~~
- where a boundary abuts a public accessway or drainage reserve, the boundary shall be taken from the furthest boundary of the public accessway or drainage reserve, or any combination of these areas. Where a boundary abuts an access strip, access lot, public accessway, drainage reserve, right-of-way, or any combination of these areas, the boundary shall be taken from the furthest boundary.
- where a boundary abuts an unencumbered access strip, access lot, public accessway, drainage reserve, other legally unencumbered reserve, or any combination of these areas, which is in excess of 3 metres in width, the boundary shall be taken from the furthest boundary.

- where a boundary abuts an unencumbered access strip, access lot, public accessway, drainage reserve, other legally unencumbered reserve, or any combination of these areas which is 3 metres or less in width, the boundary shall be taken from the closest boundary.

5.6.2.2.9 Standards 5.6.2.2.5 to 5.6.2.2.8 do not apply to the Oriental Bay Height Area (as shown in Appendix 4) except in relation to the rear yards required at 282-300 and 232-234 Oriental Parade:

- for 282-300 Oriental Parade a minimum 1 metre rear yard is required
- for 232-234 Oriental Parade a minimum 6 metre rear yard is required.

#### **General Yards**

5.6.2.2.10 ~~No building or structure, including a fence or wall, shall be located closer than 3 metres to a waterbody or the coastal marine area, excluding artificial ponds or channels, or closer than 5 metres to the Porirua Stream within the Tawa Hazard (Flooding) Area.~~

No building or structure, including a fence or wall, shall be located closer than 10 metres to the Porirua Stream (and its tributaries), 10 metres to the coastal marine area, or 5 metres to any other water body, excluding artificial ponds or channels. For the purpose of this standard the tributaries to the Porirua Stream include any part of the Stebbings Stream below the toe of the Stebbings Dam and the stream below the Seton Nossitor Dam.

5.6.2.2.11 No impervious surface associated with the use of the site shall extend closer than ~~3~~ 5 metres to a waterbody or the coastal marine area, excluding artificial ponds or channels.

5.6.2.2.12 On the Fort Dorset site, Seatoun no building or structure shall be constructed in the portion of the site shown in Appendix 10

#### **5.6.2.3 Ground Level Open Space**

5.6.2.3.1 Ground level open space must comply with the standards in Table 4 below:

*Table 4 - Ground Level Open Space per Unit (minimum dimension)*

<b>Areas of Change</b> (exception listed below)	No requirement
AC 2 – Johnsonville	20 sq.m per unit (minimum dimension 3 metres)
<b>Inner Residential Area</b> (exception listed below)	35 sq.m per unit (minimum dimension 3 metres)
IR5 – Oriental Bay Height Area	No requirement
<b>Outer Residential Area</b>	50 sq.m per unit (minimum dimension 4 metres)

5.6.2.3.2 In the Inner Residential Area an existing building may be converted into two household units without provision of ground level open space, provided the existing building was constructed prior to 27 July 2000 and the development will not result in more than two household units on the site.

The ground level open space standards do not apply to the conversion of an existing residential dwelling (constructed prior to 27 July 2000) from one to two household units, if:

- the conversion does not involve external changes to the building that result in an increase in the site coverage of the existing dwelling; and
- the development will not result in more than two household units on the site.

5.6.2.3.3 No area of ground level open space shall be used for vehicle accessways, parking or manoeuvring areas, or be covered by buildings, except for:

- Balconies, or verandahs may extend out over ground level open space up to a maximum depth of 1.5 metres.
- Uncovered decks less than 1m above ground are regarded as ground level open space for this rule.
- For sites within the Outer Residential Area up to 15m<sup>2</sup> of ground level open space area may be used for vehicle accessways or manoeuvring areas.
- For sites within the Outer Residential Area up to 15m<sup>2</sup> of ground level open space area may be used for non-open space purposes when the car parking is provided in a basement or undercroft.

5.6.2.3.4 In the Outer Residential Area ground level open space shall be calculated per unit and shall be provided as private ground level open space adjoining the unit to which it relates.

5.6.2.3.5 In Areas of Change and the Inner Residential Area ground level open space shall be calculated as an aggregate total for the site and may be provided as either private or shared open space. Shared open space may be provided in more than one area on site. All areas of shared open space shall have a minimum area of 30 square metres and a minimum width of 3 metres.

#### 5.6.2.4 Site Coverage

5.6.2.4.1 Site coverage must comply with the maximum standards listed in Table 5 below.

Table 5 – Site Coverage

<b>Areas of Change</b>	50%
<b>Inner Residential Area</b> (exceptions listed below)	50%
IR 3 – Aro Valley	40%
IR 5 – Oriental Bay Height Area	No requirement
<b>Outer Residential Area</b> (exceptions listed below)	35% (this may be increased to 40% if the extra site coverage comprises <u>only uncovered decks over 1 metre in height</u> )
OR 3 – Roseneath	45%
OR 4 – Mitchell Town/Holloway Road (see Appendix 5)	Area 1 = 40% Area 2 = 30% Area 3 = 20%

#### 5.6.2.5 Maximum Height.

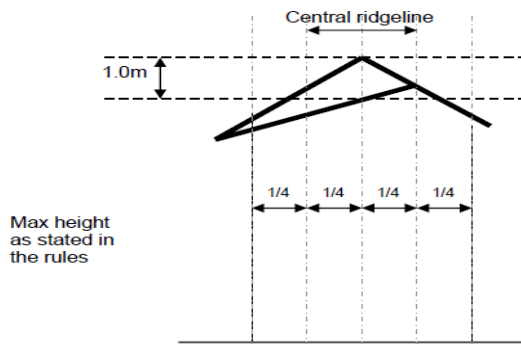
5.6.2.5.1 Subject to standards 5.6.2.6, 5.6.2.7 and 5.6.2.8, the maximum height

standards for buildings and structures are listed in Table 6 below.

Table 6 – Maximum Height of Buildings and Structures

<b>Medium Density Residential Area - Kilbirnie</b>	10 metres
<b>Medium Density Residential Area - Johnsonville</b>	8 metres
<b>Inner Residential Area</b> (exceptions listed below)	10 metres
IR 3 – Aro Valley	7.5 metres
IR 4 – Mt Cook, Newtown, Berhampore	9 metres
IR 5 – Oriental Bay Height Area	13 – 34 metres above mean sea level (refer Appendix 4)
IR 6 – North Kelburn/Bolton Street	10 - 16 metres (refer Appendix 3)
<b>Outer Residential Area</b> (exception listed below)	8 metres
OR 3 – Roseneath	10 metres

- 5.6.2.5.2 For properties located within the Hazard (Fault Line) Area the maximum height is 8m.
- 5.6.2.5.3 For additions to existing non-complying buildings standard 5.6.2.9 applies in addition to standard 5.6.2.5.1
- 5.6.2.5.4 Any accessory building erected between the street frontage and an existing residential building on a site in the Inner Residential Areas shown in Appendix 1, shall have a maximum height of 3 metres (measured from ground level directly in front of the proposed accessory building).
- 5.6.2.5.5 In Residential Areas (excluding the Oriental Bay Height Area) an additional 1m can be added to the maximum height (stated in the rules) of any building with a roof slope of 15 degrees or greater (rising to a central ridge) as illustrated on the following diagram:



**5.6.2.6 Maximum Height within the Residential Coastal Edge**

- 5.6.2.6.1 In addition to the maximum height specified for the Outer Residential Area in standard 5.6.2.5.1, within the Residential Coastal Edge the highest point of any building and structure shall not exceed 13 metres

above mean sea level.

- 5.6.2.6.2 Standard 5.6.2.6.1 does not apply to existing buildings and structures located entirely above the 13 metre contour.

### 5.6.2.7 Maximum Height of an Infill Household Unit

- 5.6.2.7.1 On sites in the Outer Residential Area with a site area of less than 800m<sup>2</sup> the maximum building height of an Infill Household Unit shall be:

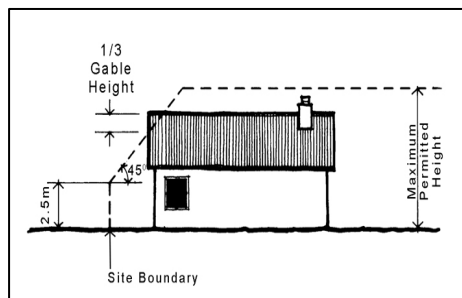
- 4.5 metres on a building site that has a slope of no more than 3:1 (approximately 15 degrees)
- 6.0 metres on a building site that has a slope of more than 3:1 (approximately 15 degrees)

*Proposals that do not comply with standard 5.6.2.7.1 will be treated as a multi-unit development under Rule 5.3.7.*

### 5.6.2.8 Building Recession Planes

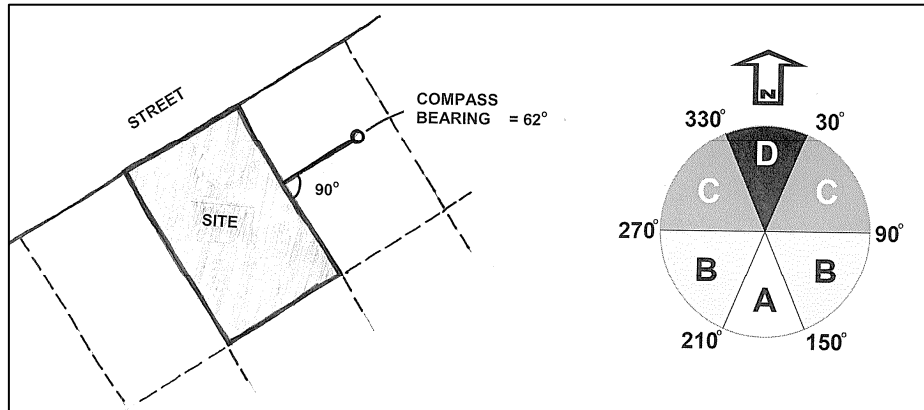
- 5.6.2.8.1 All buildings and structures, including fences and walls, shall be contained within a building recession envelope (in the form of a “tent” constructed by drawing recession control lines over the site from all parts of all boundaries), provided that:

- no account shall be taken of aerials, satellite dishes, light tubes, skylights, chimneys or decorative features, provided none of the above may exceed 1 metre in any horizontal direction
- no account shall be taken of solar panels or solar hot water systems (and associated hardware) provided that the panels do not protrude more than 500mm from the surface of the roof and the total area of solar panels does not exceed 10 square metres.
- gable end roofs may penetrate the building recession plane by no more than one third of the gable height.



- building recession planes do not apply to site boundaries fronting the street.

- 5.6.2.8.2 Each recession control line shall rise vertically for 2.5m from ground level at the boundary and then incline inwards, at 90° to the boundary in plan. For each boundary the angle of inclination to the horizontal is determined by the direction in which the boundary faces (i.e. its compass bearing) which is ascertained by the bearing of a line drawn outwards from the site perpendicular to that boundary line.



The orientation of a boundary is determined by the compass true north bearing of a perpendicular line drawn outwards from the boundary. In the example above the compass bearing is 62° so the building recession plane angle for Sector C would apply along this boundary.

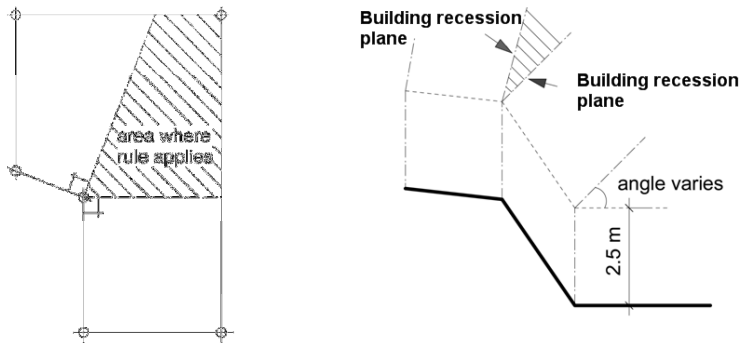
5.6.2.8.3 The building recession plane angles for the different boundary bearings (as shown in the bearing diagram to the right) are contained within Table 7 below.

Table 7 – Building Recession Planes

<b>Areas of Change</b>	Sectors A & B – 1.5 vertical : 1 horizontal (approximately 56°) Sector C & D – 2 vertical : 1 horizontal (approximately 63°)
<b>Inner Residential Area</b> (exception listed below)	Sector A – 1 vertical : 1 horizontal (45°) Sector B - 1.5 vertical : 1 horizontal (approximately 56°) Sector C - 2 vertical : 1 horizontal (approximately 63°) Sector D - 3 vertical : 1 horizontal (approximately 71°)
IR 3 – Aro Valley	Sector A – 0.5 vertical : 1 horizontal (approximately 26°) Sector B – 0.85 vertical : 1 horizontal (approximately 40°) Sector C - 0.85 vertical : 1 horizontal (approximately 40°) Sector D - 3 vertical : 1 horizontal (approximately 71°)
<b>Outer Residential Area</b>	On all boundaries - 1 vertical : 1 horizontal (45°)

5.6.2.8.4 Where a bearing lies exactly on a boundary between two sectors, the owner of the site may use either of the two sector inclinations

- 5.6.2.8.5 Where two boundaries of a site have an angle between them that is greater than  $180^{\circ}$  (meaning the building recession sunlight access planes cannot be inclined at right angles in plan from the boundaries to all the areas adjoining the boundaries), an intermediary building recession sunlight access control plane shall be inclined to cover the whole area between the two closest positions where lines can be drawn at right angles to the boundaries using the edges of the two adjoining building recession planes to determine the direction and slope of the intermediary recession plane. Where the two boundaries are in different bearing sectors the owner of the site may use either of the two sector inclinations for the area between the boundaries.



- 5.6.2.8.6 Where a boundary abuts a public accessway or drainage reserve, the boundary shall be taken from the furthest boundary of the public accessway or drainage reserve, or any combination of these areas.

- 5.6.2.8.6 (i) Where a boundary abuts a public accessway or drainage reserve, the boundary shall be taken from the furthest boundary of the public accessway or drainage reserve, or any combination of these areas. Where a boundary abuts an access strip, access lot, public accessway, drainage reserve, right-of-way, or any combination of these areas, the boundary shall be taken from the furthest boundary.

- 5.6.2.8.6(ii) Where a boundary abuts an unencumbered access strip, access lot, public accessway, drainage reserve, other legally unencumbered reserve, or any combination of these areas, which is in excess of 3 metres in width, the boundary shall be taken from the furthest boundary.

- 5.6.2.8.6(iii) Where a boundary abuts an unencumbered access strip, access lot, public accessway, drainage reserve, other legally unencumbered reserve, or any combination of these areas which is 3 metres or less in width, the boundary shall be taken from the closest boundary.

- 5.6.2.8.7 Where a site in an Area of Change abuts a property zoned Outer Residential Area the building recession plane for the Outer Residential Area shall apply along the shared boundary.

- 5.6.2.8.8 In the Oriental Bay Height Area (Appendix 4) building recession planes do not apply except on boundaries with adjacent residential properties that are located outside the Oriental Bay Height Area.

#### **5.6.2.8(a) Building orientation and separation**

- 5.6.2.8(a).1 Within the Medium Density Residential Area 2, the first unit back from the street frontage (or units when multiple units are proposed along the site frontage) shall be oriented to face the street, with windows and the principal pedestrian entrance facing the street.

- 5.6.2.8(a).2 Within the Medium Density Residential Area 2, physical separation of at least 7 metres must be maintained between the first unit back from the

street frontage (or units when multiple units are proposed along the site frontage) and any buildings located to the rear.

**5.6.2.9 Alterations and additions to buildings with an existing non-compliance**

- 5.6.2.9.1 Any alteration, including the insertion of windows, must be contained within the existing building volume.
- 5.6.2.9.2 Any addition must not increase the degree of non-compliance of the building.
- 5.6.2.9.3 When the existing building exceeds the standards for height (5.6.2.5) or building recession planes (5.6.2.8) any addition that increases the footprint of the existing building must not exceed a building height of:
- 4.5 metres on a building site that has a slope of no more than 3:1 (approximately 15 degrees)
  - 6.0 metres on a building site that has a slope of more than 3:1 (approximately 15 degrees)

For the purpose of this standard:

**Existing Non-Compliance** means any portion of the existing building that breaches one or more of the standards for building height (5.6.2.5), building recession planes (5.6.2.8), yards (5.6.2.2) or site coverage(5.6.2.4).

**Alteration** refers to any modification of the fabric of the building that does not result in an increase in the bulk or height of any part of the building.

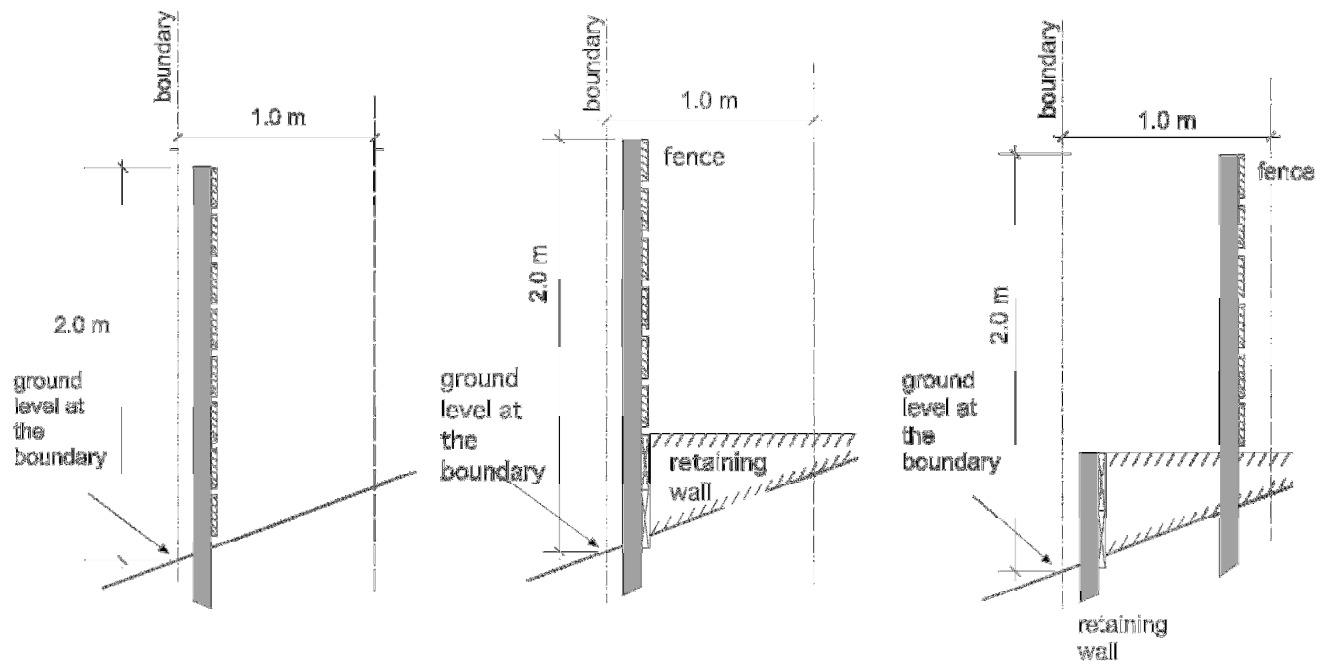
**Footprint** means any existing building or structure that would be included within the definition for site coverage.

**Building Volume** means the total three dimensional bulk of the existing building on the site.



### 5.6.2.10 Maximum Fence Height

- 5.6.2.10.1 On a street frontage or in a front yard, a fence or wall, or combination of these structures (whether separate or joined together), shall have a maximum height of 2 metres measured from the ground level at the boundary.
- 5.6.2.10.2 Within 1 metre of any side or rear boundary, a fence or wall, or combination of these structures (whether separate or joined together), shall have a maximum height of 2 metres measured from the ground level at the boundary.



- 5.6.2.10.2 In the Residential Coastal Edge (as shown in Appendix 2) fences erected on a street frontage (or in a front yard) that exceed 1.2m in height must maintain at least 50 percent of the area of the fence that is over 1.2 metres in height, as transparent voids or gaps.
- 5.6.2.10.3 In the Residential Coastal Edge (as shown in Appendix 2) any fence erected above the 10 metre contour line must be of post and wire construction and comprise at least 80 percent transparent voids or gaps.

### 5.6.2.11 Residential buildings within a Hazard (Fault Line) Area.

In any Hazard (Fault Line) Area, residential buildings shall ~~have a maximum height of 8m and~~ be built with a light roof and light wall cladding.

### 5.6.2.12 Proximity to High Voltage Transmission Lines

- 5.6.2.12.1 Any buildings (including additions), and structures over 2 metres in height, shall be located further than 32 metres from high voltage transmission lines (as measured from the centreline at ground level).

*Guidance is provided by the Transpower document titled "Guide for Development Near High Voltage Transmission Lines" Compliance with the*

New Zealand Electrical Code of Practice 34:2001 is mandatory for buildings, earthworks and mobile plant within close proximity to all electricity lines. Compliance with the Electricity (Hazards from Trees) Regulations 2003 is also mandatory for tree trimming and planting.

### 5.6.2.13 Fixed Plant Noise

5.6.1.2.1 Noise emission levels from any residential or non-residential activities occurring within a Residential Area resulting from noise associated with power generation, heating, ventilation or air conditioning systems, or water or sewage pumping/treatment systems or other similar domestic installations when measured at or within the boundary of any site, other than the site from which the noise is generated, in the Residential and Rural Areas shall not exceed the following limits:

#### Inner Residential Area and Areas of Change

Monday to Sunday	7 am to 10 pm	45dB $L_{Aeq}$ (15 min)
Monday to Sunday	10pm to 7am	40dB $L_{Aeq}$ (15 min)
Monday to Sunday	10pm to 7am	65dB $L_{AFmax}$

#### Outer Residential Area

Monday to Sunday	7am to 10pm	45dB $L_{Aeq}$ (15 min)
Monday to Sunday	10pm to 7am	40dB $L_{Aeq}$ (15 min)
Monday to Sunday	10pm to 7am	65dB $L_{AFmax}$

#### Rural Area

At all times 55dB  $L_{Aeq}$  (15 min)

and on any conceptual boundary of a residential building:

Monday to Sunday	7am to 8pm	45dB $L_{Aeq}$ (15 min)
Monday to Sunday	8pm to 7am	35dB $L_{Aeq}$ (15 min)

Monday to Sunday 8pm to 7am 60dB  $L_{AFmax}$

Where it is impractical to measure outside a dwelling, then measurements shall be made inside (with windows closed). Where indoor measurements are made the noise limits stated above shall be reduced by 15dB  $L_{Aeq}$  (15 min)

#### 5.6.2.14 Noise Insulation: Airport Area

5.6.2.14.1 Any new residential dwelling inside the airnoise boundary depicted on Map 35 must be designed and constructed so as to achieve an internal level of 45 dBA  $L_{dn}$  inside any habitable room with the doors and windows closed.

#### 5.6.2.14 Noise Insulation and Ventilation: Airnoise Boundary

5.6.2.14.1 Any habitable room in a building used by a noise sensitive activity

*The certification of an approved acoustic engineer will be accepted as evidence that designs meet the insulation standard. A list of approved acoustical engineers shall be agreed between*

within the airnoise boundary depicted on Map 35 shall be protected from noise arising from outside the building by ensuring the external sound insulation level achieves the following minimum performance standard:

$$D_{nT,w} + C_{tr} > 35 \text{ dB}$$

Compliance with this performance standard shall be achieved by ensuring habitable rooms are designed and constructed in a manner that:

- accords with an acoustic design certificate signed by a suitably qualified acoustic engineer stating the design as proposed will achieve compliance with the above performance standard.

*the Council and the Airnoise Management Committee and shall be made available on request by the Council.*

**5.6.2.14.2** Where habitable rooms with openable windows are proposed, a positive supplementary source of fresh air ducted from outside is required at the time of fit-out. The supplementary source of air is to achieve a minimum of 7.5 litres per second per person.

### 5.6.2.15 Noise Insulation and Ventilation - Port Noise Affected Area.

5.6.2.15.1 Except for new noise sensitive activities within the airnoise boundary (refer to Rule 5.6.2.14), any habitable room in a building used by a residential activity within the Port Noise Affected Area shown on Plan Map 55 shall be protected from noise arising from outside the building by ensuring the external sound insulation level achieves the following minimum performance standard:

$$D_{nT,w} + C_{tr} > 30 \text{ dB}$$

Compliance with this performance standard shall be achieved by ensuring habitable rooms are designed and constructed in a manner that:

- accords with the schedule of typical building construction set out below:
- or**
- accords with an acoustic design certificate signed by a suitably qualified acoustic engineer stating the design as proposed will achieve compliance with the above performance standard.

The schedule below describes the minimum requirements necessary to achieve an external noise insulation level of  $D_{nT,w} + C_{tr} > 30 \text{ dB}$

Building Element	<u>Minimum Construction Requirement</u>	
<u>External Walls of Habitable Rooms</u>	<u>Stud Walls:</u>	20 mm timber or 9mm compressed fibre cement sheet over timber frame (100 mm x 50 mm). *  Fibrous acoustic blanket (batts or similar of a minimum mass of 9 kg/m <sup>3</sup> ) required in cavity for all exterior walls. Minimum 90 mm wall cavity.
	Exterior cladding:	
	Cavity infill:	

Building Element	<b>Minimum Construction Requirement</b>	
	Interior lining:  Combined superficial density:  <u>Mass Walls:</u>	One layer of 12 mm gypsum plasterboard. Where exterior walls have continuous cladding with a mass of greater than 25 kg/m <sup>2</sup> (e.g. brick veneer or minimum 25 mm stucco plaster), internal wall linings need to be no thicker than 10 mm gypsum plasterboard.  Minimum not less than 25 kg/m <sup>2</sup> being the combined mass of external and internal linings excluding structural elements (e.g. window frames or wall studs) with no less than 10 kg/m <sup>2</sup> on each side of structural elements.  190 mm concrete block, strapped and lined internally with 10 mm gypsum plaster board, or 150 mm concrete wall.
<u>Glazed Areas</u> of Habitable Rooms	Glazed areas up to 10% of <u>floor</u> area:  Glazed areas between 10% and 35% of <u>floor</u> area:  Glazed areas greater than 35% of <u>floor</u> area:  Frames:	6 mm glazing single float  6 mm laminated glazing  Require a specialist acoustic report to show conformance with the insulation rule.  Frames shall be aluminium window frames with compression seals.
<u>Skillion Roof</u>	Cladding:  Sarking:  Frame:  Ceiling:	0.5 mm profiled steel or 6 mm corrugated fibre cement, or membrane over 15mm thick ply, or concrete or clay tiles.  17mm plywood (no gaps).  Minimum 100 mm gap with fibrous acoustic blanket (batts or similar of a mass of 9 kg/m <sup>3</sup> ).  Two layers of 10 mm gypsum plaster board (no through ceiling lighting penetrations unless correctly acoustically rated). Fibrous acoustic blanket (batts or similar of a minimum mass of 9 kg/m <sup>3</sup> ).
	Combined superficial density:	Combined mass of cladding and lining of not less than 25 kg/m <sup>2</sup> with no less than 10 kg/m <sup>2</sup> on each side of structural elements.
Pitched <u>Roof</u> (all roofs other than skillion roofs)	Cladding:  Frame:  Ceiling:  Combined superficial density:	0.5 mm profiled steel or tiles, or membrane over 15mm thick ply.  Timber truss with 100 mm fibrous acoustic blanket (batts or similar of a minimum mass of 9 kg/m <sup>3</sup> ) required for all ceilings.  12 mm gypsum plaster board.  Combined mass with cladding and lining of not less than 25 kg/m <sup>2</sup> .

Building Element	<b>Minimum Construction Requirement</b>	
<b>Floor</b> areas open to outside	Cladding:	Under-floor areas of non-concrete slab type floors exposed to external sound will require a cladding layer lining the underside of floor joists of not less than 12 mm ply
	Combined superficial density:	Floors to attain a combined mass not less than 25 kg/m <sup>2</sup> for the floor layer and any external cladding (excluding floor joists or bearers).
External <b>Door</b> to Habitable Rooms	Solid core door (min 25 kg/m <sup>2</sup> ) with compression seals (where the door is exposed to exterior noise).	

Note:

- *\*The table refers to common specifications for timber size. Nominal specifications may in some cases be slightly less than the common specifications stated in the schedule for timber size.*
- *In determining the insulating performance of roof/ceiling arrangements, roof spaces are assumed to have no more than the casual ventilation typical of the jointing capping and guttering detail used in normal construction.*

5.6.2.15.2 Where bedrooms with openable windows are proposed, a positive supplementary source of fresh air ducted from outside is required at the time of fit-out. For the purposes of this requirement, a bedroom is any room intended to be used for sleeping. The supplementary source of air is to achieve a minimum of 7.5 litres per second per person.

5.6.2.15.3 The above provisions do not apply to construction of new residential buildings within the airnoise boundary.

### 5.6.3 Signs

#### 5.6.3.1 For permanent signs on residential sites and buildings:

- the maximum area must not exceed 0.5m<sup>2</sup>
- the maximum height must not exceed 2 metres
- only one sign may be displayed on any site
- signs must denote only the name, character or purpose of any Permitted Activity on the site
- signs must not be illuminated.

#### 5.6.3.2 For temporary signs:

- the maximum area must not exceed 3m<sup>2</sup>
- the maximum height must not exceed 4 metres
- signs must not be erected more than 28 days before, and must be removed within 7 days of the completion of the purpose or event for which the sign was erected.

#### 5.6.3.3 For signs relating to non-residential activities:

- the maximum combined area of permanent signs must not exceed 5m<sup>2</sup>
- the maximum height must not exceed 2 metres
- signs must denote only the name, character or purpose of any Permitted Activity on the site
- illuminated signs must not flash
- signs must be displayed only on plain wall surfaces where they do not

obscure windows or architectural features

- no sign shall project above the parapet level or the highest part of the building to which it is attached.

#### 5.6.4 Subdivision

- 5.6.4.1 Every building or structure (both existing and proposed) adjoining a new boundary must comply fully with all standards in section 5.6.2 unless a resource consent has been obtained for any non-complying aspect which is generated by the proposed subdivision. *Archaeological sites associated with human activity that occurred before 1900 are protected under the Historic Places Act 1993. An archaeological authority will be required from the New Zealand Historic Places Trust to destroy, damage or modify these sites.*
- 5.6.4.2 Any new services must be in compliance with the City Bylaws and if applicable the Council’s Code of Practice for Land Development.
- 5.6.4.3 Every allotment must have practical, physical and legal access directly to a formed legal road or by way of a registered right-of-way.
- 5.6.4.4 Every allotment must have drive-on vehicle access and parking constructed in accordance with standards 5.6.1.3 and 5.6.1.4.
- 5.6.4.5 Any earthworks and any associated structures must be permitted by rule 30.1.1, excluding 30.1.1.1(a).
- 5.6.4.6 No part of any allotment being subdivided may be within 20 metres of any river whose bed has an average width of 3 metres or more where the river flows through or adjoins an allotment.
- 5.6.4.7 No part of any allotment being subdivided may be within 20 metres of the line of mean high water springs.
- 5.6.4.8 No subdivision may occur within a heritage area or on a site associated with a heritage item unless in the latter case the subdivision involves land that is not occupied by the heritage item and is not specifically identified for preservation by the Plan as important to the setting of the item.
- 5.6.4.9 For any subdivision incorporating new roads, all services must be reticulated underground. All subdivisions incorporating new roads must make provision for fibre optic cable connections to all new residential, employment, institutional or commercial lots.
- 5.6.4.10 Any new allotment within 32 metres of a high voltage transmission line (as measured from the centre line at ground level) must include sufficient land area outside of the transmission corridor to accommodate a complying building.
- 5.6.4.11 A Certificate of Compliance must be obtained for the subdivision to allow Council to assess survey plans for approval. An applicant must supply the following:
- information to allow Council to assess compliance with standards 5.6.4.1 to 5.6.4.10.
  - a certificate stating that all existing services have been located so that they are all contained entirely within the boundaries of the site being serviced, or within such existing or proposed right of way or easement relating to the site and are in accordance with the City Bylaws and if applicable the Council’s Code of Practice for Land Development
  - current copies of titles for all affected properties
  - accurately drawn A4 plans at a scale of 1:500 or at a larger scale as

appropriate

All certificates, plans and information supplied must be signed by a licensed cadastral surveyor or other suitably qualified person certifying their accuracy.