

# STANDARDS

## FOR RESIDENTIAL DEVELOPMENT

### (in the Residential zone)

### Hauraki Section (not former Franklin Area) of Hauraki District Plan

This pamphlet sets out the main performance standards from the Hauraki District Plan which are required to be met by anyone proposing to build a dwelling and/or accessory building in Residential zoned areas of the Hauraki District.

These standards are as set out in the Hauraki District Plan under sections 5.7.5, 5.7.6(6), 5.7.6(7), 7.8, 8.2, 8.2A and 8.4. Multiple dwellings on a site require resource consent, and additional controls apply.

One accessory building (such as a garage) not exceeding 50m<sup>2</sup> (gross floor area) for personal storage on a site not containing a dwelling can be constructed without a resource consent.

For full details about the development controls please refer to the Hauraki District Plan which is available from Council's website – [www.hauraki-dc.govt.nz](http://www.hauraki-dc.govt.nz), or at any of the Council's services centres or libraries at Ngatea, Paeroa and Waihi. The Council encourages you to discuss your proposal with one of our Duty Planners at our Paeroa or Waihi Service Centres on 07 862 8609.

This pamphlet covers the following *performance standards* in the District Plan:

Section of Plan	Performance Standard
5.7.5	<ul style="list-style-type: none"> <li>• Height</li> <li>• Daylight control</li> <li>• Yards</li> <li>• Site Coverage</li> <li>• Traffic Noise Sensitivity</li> <li>• Density</li> <li>• Outdoor Living Area</li> <li>• Outdoor Service Area</li> <li>• Privacy and Separation</li> </ul>
5.7.6(7)	<ul style="list-style-type: none"> <li>• Minor dwelling units (Waihi, Paeroa and Whiritoa only)</li> </ul>
7.8	<ul style="list-style-type: none"> <li>• Earthworks</li> </ul>
8.2.1	<ul style="list-style-type: none"> <li>• Setback from public drains, lakes, rivers, streams, floodways, spillways and flood protection works</li> </ul>
8.2.2	<ul style="list-style-type: none"> <li>• Floor levels</li> </ul>
8.2A	<ul style="list-style-type: none"> <li>• Buildings, structures and earthworks within a high voltage transmission corridor</li> </ul>
8.4.1	<ul style="list-style-type: none"> <li>• Number and location of parking spaces</li> </ul>

## Height

**Maximum Height:** No building shall exceed 8.0 metres in height.

### DEFINITION:

**Height** means in relation to a *building* the vertical distance between *ground level* (as defined) at any point and the highest part of the *building* immediately above that point.

Projections such as flagpoles, chimneys, flues, gantries, service rooms containing equipment such as lift machinery, tanks, air conditioning and heating plants are excluded from this definition where measuring not more than 1m<sup>2</sup> in area and projecting not more than 2.0 metres above the maximum permitted height (see also Section 7.4 Network Utilities).

The height restrictions do not apply to aerials that comply with the following dimensions and standards:

- maximum cross-section is 100mm.
- must be un-guyed at all times.
- must not exceed a height of 20 metres above *ground level* or 5 metres above the height of the roofline if erected on a *building*.
- may contain one microwave dish or similar attachment, not exceeding 2 metres in diameter.
- no more than 2 aerials are permitted per *site*.

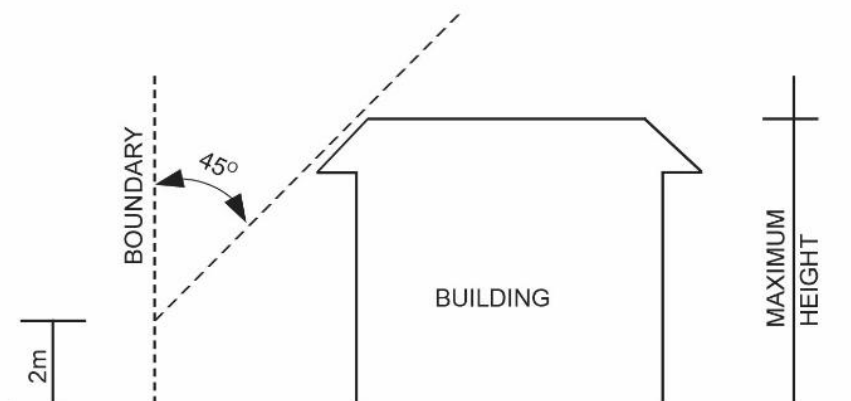
## Daylight Control

**Daylight Control:** No building shall project above **2.0 metres** in height at any site boundary and not project above a **45° plane** into the site up to the maximum height.

### DEFINITION:

Daylight Control means a building envelope created from a line commencing 2 metres vertically above each relevant boundary and projecting into the site or zone at a 45° angle up to the maximum permitted height.

For the purpose of the daylight control, the *holding, site or property boundary, or zone boundary*, shall be the *lot boundary, or the centreline of an adjoining internal access, vehicle access strip or drainage reserve*. Spouting and guttering is not considered part of the *building* unless it incorporates the barge board.



## Yards

### Minimum Yards:

Yard	Distance
Front Yard (except for Ngatea)	4.5 metres
Front Yard (Ngatea only)	7.5 metres
Other Yards	1.5 metres (rear lots require four yards of 1.5m)

#### DEFINITION:

Yard means a part of a site measured from the boundary of the site which is required to be unobstructed by *buildings* from the ground upwards except that:

- a verandah or canopy attached to a non-residential *building* may project over any front yard;
- an open fire escape may project over any yard;
- a fence, boundary wall or retaining wall not exceeding 2.0m in height (but in each case not being a *building*) may be erected on any yard;
- an uncovered deck of less than 1.0 metre in *height* may project over any yard;
- where a building line restriction is imposed over the *site*, the yard shall be measured back from the building line; and
- eaves no more than 600mm wide may encroach into any yard.

## Site Coverage

**Maximum Site Coverage:** 35% (excluding a Comprehensive Residential Development)

#### DEFINITION:

**Site Coverage:** Means that portion of a net site area which is covered by *buildings*, whether principal or accessory, excluding eaves less than 600mm wide and uncovered decks and terraces at ground floor level only.

## Traffic Noise Sensitivity

Habitable rooms in, or added to, new dwellings (those built after 26 September 2014) which are within a certain distance of the formed carriageway of a state highway are required to meet an “internal road-traffic design sound level”, as follows:

- (a) All new habitable room(s) where located within 40 metres of the formed carriageway (excluding State Highway 2 service roads at Waihi) of a State Highway (except for the Residential Zones at Waikino, Mackaytown/ Karangahake, and Whiritoa, where all new habitable room(s) located within 80 metres of the formed carriageway of a State Highway) shall meet an internal road-traffic design sound level of 40dB<sub>L<sub>Aeq</sub>(24hr)</sub> with ventilating windows open.
- (b) An acoustic design report from a suitably qualified and experienced acoustics expert shall be provided to the Council demonstrating compliance with (a) above at the time of building consent application.
- (c) Where the requirements of (a) above can only be met with windows and doors closed a *ventilation system* shall be installed for the habitable room(s).
- (d) The requirements of (a) above shall not apply where:
  - (i) the nearest façade of the new habitable room(s) is between 20 and 40 metres from the formed carriageway of the State Highway (except for the Residential Zones at Waikino, Mackaytown/

Karangahake, and Whiritoa, where the nearest façade of the new habitable room(s) is between 50 and 80 metres from the formed carriageway of the *State Highway*) and there is a solid building, fence, wall or landform that blocks the line of sight from all parts of all windows and doors to the new habitable room(s) to any part of the formed carriageway of the *State Highway* (where that part of the *State Highway* is within 40 metres (or 80 metres for the Residential Zones at Waikino, Mackaytown/ Karangahake, and Whiritoa) of the façade of the new habitable room(s)); or

- (ii) It can be demonstrated by way of prediction or measurement by a suitably qualified and experienced acoustics expert that the road traffic noise level from the State Highway is less than 55dBL<sub>Aeq(24hr)</sub> on all facades of the new habitable room(s); or
- (iii) The habitable rooms are added to or altered within a *dwelling* existing at 26 September 2014.

**DEFINITION:**

**Ventilation System** means a system complying with the Building Code (NZS 4303) for mechanical ventilation (refer Clause G4). This will provide a minimum level of mechanical ventilation. An air conditioning system may also be necessary to achieve thermal comfort.

**NOTE:**

**Traffic Noise Sensitivity:** To assist with achievement of compliance with above rule, Council has engaged an acoustic consultant to advise more specifically what is required – depending on the speed limit and vehicle numbers on each section of State Highway in the District.

These details are set out in a separate leaflet titled Internal Road Noise Requirements – Methods to Achieve Compliance.

## Density

In all areas within the Residential Zone, **other than** in Waihi, Paeroa and Whiritoa, **one** dwelling per certificate of title is permitted.

In the Residential Zones of **Waihi, Paeroa and Whiritoa:**

- Two or more dwellings per certificate of title require resource consent as a Controlled Activity (subject to compliance with all relevant rules);
- For each existing dwelling, on a Certificate of Title, a proposed minor dwelling unit requires resource consent as a Restricted Discretionary Activity.

## Outdoor Living Area

**Outdoor Living Area:**

Building	Minimum Area	Minimum Dimension	Minimum Shape
Dwelling	60m <sup>2</sup> plus 10m <sup>2</sup> for each additional bedroom over 2	3.0 metre in all directions	Can contain 6m diameter circle
Minor dwelling unit	30m <sup>2</sup>	1.5m in all directions	Must contain a rectangle with dimensions no less than 3m x 4m

**DEFINITION:**

**Outdoor Living Area** means an on-site outdoor area of open space for the exclusive use of the occupants of each *residential activity, minor dwelling unit, or community house* to which the space is allocated, free of any *outdoor service area, driveways, manoeuvring areas, parking spaces, and accessory buildings*. The *outdoor living area* may include decks, *terraces* and *patios* of a minimum dimension in all directions of 3 metres or 1.5m in the case of a *minor dwelling unit* and shall:

- (a) be directly accessible from the *dwelling, minor dwelling unit, or community house*; and
- (b) have a slope no greater than 10°; and
- (c) where terraced, each *terrace* shall be level and with a maximum difference in level between *terraces* of 1.5 metres.

A deck or *patio* included in the *outdoor living area* may be roofed (in whole or in part), but may not be walled – except that where it is immediately adjacent to the *dwelling, or minor dwelling unit*, the walls of the *dwelling or minor dwelling unit* may form no more than 2 sides of the *outdoor living area*.

## Outdoor Service Area

### Outdoor Service Area:

Minimum Area	Minimum Dimension
20m <sup>2</sup>	3.0m in any direction

**DEFINITION:**

**Outdoor Service Area** means an area of outdoor open space provided for the exclusive use of each *residential activity, community house, or visitor accommodation*, for such service facilities as clotheslines, storage of refuse containers and the like. Each outdoor service area shall:

- (a) be accessible from the service area(s) within the *household unit, community house, or visitor accommodation*; and
- (b) be free of driveways, vehicle *manoeuvring areas, parking spaces* and *buildings* (excluding any roof or eave overhang of no more than 600mm width); and
- (c) be screened from the site areas of adjoining *household units*.

## Privacy and Separation

### Privacy and Separation:

- a) For buildings on the same allotment:
  - i. No part of a *dwelling/household unit/minor dwelling unit* and any other *building* shall protrude through a plane rising at an angle of 45° commencing at an elevation of 2 metres at a line midway between the *dwelling/household unit/minor dwelling unit* and the other *building* unless the other *building* is accessory to the *dwelling/household unit/minor dwelling unit*.
  - ii. No wall of a *dwelling/household unit/minor dwelling unit* shall be sited closer than 3.0m to the wall of another *building* (including another *dwelling/household unit/minor dwelling unit*), unless it is accessory to the *dwelling/household unit/minor dwelling unit*.
  - iii. Where the *buildings* are attached by adjoining or common walls, the above separation setbacks are not required between those *buildings*.

- b) All dwellings/household units/minor dwelling units on the same allotment shall be arranged so that:
- i. a sight line drawn from any point on the main glazing of the living room in one dwelling/minor dwelling unit does not penetrate the main glazing of the living room of any other dwelling/household unit/minor dwelling unit unless:
    - (1) such glazing is at least 6.0m apart; or
    - (2) the angle between the two panes of that glazing is  $> 120^\circ$
    - (3) where the living rooms of both dwellings/household units/minor dwelling units are at ground floor level screening is provided in the form of close boarded or similar fences, or planting of not less than 1.8 metres in height.
  - ii. No windows of all habitable rooms (apart from the main glazing of the living room) in one dwelling unit/household unit/minor dwelling unit shall face towards the window of any habitable room in any other dwelling/household unit/minor dwelling unit unless
    - (1) The separation is at least 6.0 metres; or
    - (2) The window sill is at least 1.7 metres above either finished ground or upper floor level; or
    - (3) The angle between the two panes of the glazing is  $>120^\circ$ ; or
    - (4) Where the habitable rooms are at ground floor level screening is provided in the form of close boarded or similar fence, or planting of not less than 1.8 metres in height.
- c) A balcony or window of a *habitable room* of a *dwelling/household unit/minor dwelling unit* at above ground floor level shall be set back at least 6 metres from any boundary (excluding the *road* boundary or adjoining *internal access* or *vehicle access strip* of 3 metres width or more) unless:
- i. windows are at an angle of  $60^\circ$  or greater to the boundary; or
  - ii. the window sill is at least 1.7 metres above finished upper floor level; or
  - iii. opaque or obscure glazing is provided; or
  - iv. the side of the balcony facing the adjoining boundary is enclosed with non see through materials.

## Minor Dwelling Units

You may be able to build or relocate a minor dwelling unit with the formal approval of Council, otherwise known as a resource consent, if your property is within the Residential Zones of Waihi, Paeroa and Whiritoa and you have an existing, legally established dwelling.

*Please note that building consent is required for minor dwelling units and is separate from the resource consent process.*

### DEFINITION:

**Minor Dwelling Unit** means a self-contained residential unit which:

- (a) has a maximum gross floor area (excluding associated decks to be used for outdoor recreation and associated *accessory buildings*) of:
  - (i) 50m<sup>2</sup>; or
  - (ii) 60m<sup>2</sup> when Lifemark™ Design Certified, or another certification acceptable to Council to demonstrate that the *minor dwelling unit* is designed to be functional for the elderly and/or disabled occupants.

NOTE: To qualify for Lifemark™ Design *certification*, *minor dwelling units* are required to be designed in accordance with, and assessed against, the Lifemark™ Design Standards and must achieve at least the entry-level '3-star' rating. For further information refer to [www.lifemark.co.nz](http://www.lifemark.co.nz) or [www.hauraki-dc.govt.nz](http://www.hauraki-dc.govt.nz); and;
- (b) is ancillary to a *dwelling* on the same site; and;
- (c) is held in common ownership with the *dwelling* on the same site.
- (d) can be attached to the *dwelling* or be a detached stand-alone building.

(e) may only have associated with it a single garage/carport and a garden shed. The total roof area of the garage/carport and garden shed shall be no greater than 25m<sup>2</sup>.

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Standard	Requirement
Gross Floor Area	A maximum gross floor area of 50m <sup>2</sup> OR 60m <sup>2</sup> with Lifemark Design™ Certification or another certification acceptable to Council.
Accessory Buildings	No accessory buildings other than a single garage/carport and a garden shed with a combined roof area of no greater than 25m <sup>2</sup> .
Outdoor Living Area	Minimum Area: 30m <sup>2</sup> . Must contain a rectangle with dimensions no less than 3m x 4m.
Vehicle Access	Must be accessed by the same vehicle entrance and driveway as the associated dwelling on the site.
Parking	One car parking space per minor dwelling unit.
Area Subject to Inundation (Paeroa)	A minor dwelling unit on a site identified on the District Plan maps as Area Subject to Inundation must comply with Activity Specific Standard 5.1.6(4).
Minimum Net Site Area	<b>650m<sup>2</sup> per associated dwelling</b> if the site is connected to the reticulated sewer network. <b>2,500m<sup>2</sup> per associated dwelling</b> if the site is not connected to the reticulated sewer network.

For further information on Lifemark Design™ Certification refer to: [www.lifemark.co.nz](http://www.lifemark.co.nz)

A minor dwelling unit must also comply with the Residential Zone Development Standards contained in this brochure, including:

- Maximum Height
- Daylight Control
- Minimum Yards
- Maximum Site Coverage
- Traffic Noise Sensitivity
- Density
- Outdoor Living Area
- Privacy and Separation

*Please note: If the minor dwelling unit is not connected to the reticulated sewer network, details of the design and layout of on-site domestic effluent disposal system must be provided. This must include evidence that the system complies with either the requirements of the Waikato Regional Plan or a site specific discharge consent.*

We recommend contacting us to discuss your proposal and the consenting process prior to lodging an application to ensure that your site can accommodate a minor dwelling unit. The Duty Planner can be contacted through our Customer Service Team on 07 862 8609, or alternatively by email at [info@hauraki-dc.govt.nz](mailto:info@hauraki-dc.govt.nz).

## Earthworks

The nature, location and scale of earthworks can have significant adverse visual and traffic effects, and adversely affect vegetative cover, the soil profile, the nature of stormwater runoff, downstream water quality, and the suitability of land for future development.

Before commencing earthworks, it is important to find out whether or not you require consent from Council or whether particular restrictions apply.

**DEFINITION:**

**Earthworks** means excavation and/or placement of *cleanfill* to change the contour or level of a *site* or part of a *site*.

The following shall not be included within the meaning of earthworks:

- (a) Earthworks that have been specifically approved as part of a *subdivision* or land use consent.
- (b) Excavations for service connections, effluent disposal systems, swimming pools, drain construction and maintenance.
- (c) Land preparation activities associated with *farming* and *forestry* (see definitions of '*Farming*' and '*Forestry*').
- (d) Formation and maintenance of carparking areas, walkways and cycleways.
- (e) Turf preparation and maintenance for recreation use.
- (f) *Road*, driveway and access construction with a gradient  $\leq 1:8$ .
- (g) *Exploration* and *Prospecting* (see definitions for these activities).
- (h) *Drainage Works* and *River Control Works*.
- (i) *Mining* and *Mining Operations* (see definitions for these activities): where the total quantities of material extracted (*minerals*, overburden and waste rock) exceed those specified in 7.8.5.1(2) P3, 7.8.5.1(3) P5, 7.8.5.1(4) P7 and 7.8.5.1(5) P9.
- (j) Excavation of land and replacement with *cleanfill* up to the *ground level* which existed prior to the excavation, including to provide an improved building platform.

Note: A Regional Council consent may be required for earthworks including for the exclusions listed in this definition.

Earthworks are permitted within the Residential Zone, subject to the following standards:

**STANDARDS**

Standard	Requirement
Maximum Area of Earthworks	500m <sup>2</sup>
Maximum Volume of Earthworks	200m <sup>3</sup>
Maximum Depth of Excavation	1.5 metres
Maximum Height of Cleanfill	Within a front or other yard: 0.5 metres Outside of a front or other yard: 1.5 metres
Overland Flow Path	No cleanfill shall be placed in an overland flow path.

Council must be informed of the fill action (where exceeding 30m<sup>3</sup>) before the activity is carried out and the following details are to be provided to Council within 1 month following the placement of the cleanfill:

- Legal description and street address of the property;
- Nature and source of fill;
- Location of fill on site;
- Depth of fill;
- Compaction of fill.



The following should also be noted:

- Earthworks shall not concentrate natural, or post subdivision or development, stormwater flows onto land in different ownership.
- All bare earth areas, including excavation and batter fill faces, are to be revegetated within 6 months of the earthworks being completed.
- Compliance is also required with the activity specific standard for land *subject to inundation*.
- Exceeding standards in table requires resource consent.

## Setback from Public Drains, Lakes, Rivers, Streams, Floodways, Spillways and Flood Protection Works

### STANDARDS

#### All Zones

No building is permitted within 20 metres of the margin of a river or stream identified for a future esplanade reserve or strip.

#### NOTE:

- (a) The setback for *buildings*, planting of vegetation, *earthworks*, erection of fencing and other activities that could impede the operation and maintenance of public drains managed by the Hauraki District Council is controlled by the Hauraki District Council Consolidated Bylaw – Part 7 (Land Drainage).
- (b) The setback for *buildings* from rivers, streams, lakes and drains is also controlled by the Waikato Regional Plan.

## Buildings, Structures and Earthworks within a High Voltage Transmission Corridor

Rules apply to new buildings and structures, additions to existing and new buildings and structures, and earthworks within 32 metres either side of the centreline of a High Voltage Transmission Line. Refer to Rule 8.2A.1.3 of the District Plan. The District Plan maps show the location of the lines. The maps are available on Council's website as well as at the libraries and service centres.

## Number and location of parking spaces

### 1. Number

Dwellings - 2 spaces for each dwelling.

Minor dwelling units – 1 space for each minor dwelling unit.

### 2. Location

For dwellings only: one of the two parking spaces is to be shown on the site plan in a position that a garage or carport can be built in compliance with the provisions of the District Plan

**For Minor Dwelling Units only**: The parking space associated with the Minor Dwelling Unit must be accessible at all times, unobstructed by the parking spaces allocated to the principal dwelling or any other dwelling or minor dwelling unit on the same site.

#### NOTE:

On site turning areas are required where:

- The parking spaces are located a minimum of 20m from the road boundary.
- Access is onto a state highway or arterial road.

## Floor levels

### STANDARDS

Zone/Area	Standard
<p>(1) Paeroa – Areas identified on the planning maps as being 'Subject to Inundation'</p> <p>Paeroa – All other areas in all urban zones excluding the Flood Ponding Zone</p>	<p>Any new <i>building</i> or additions to existing <i>buildings</i> in the area shown on the planning maps as being 'Subject to Inundation' which are to be used for <i>residential</i> or communal non-residential purposes shall be constructed so that the floor level of the <i>building</i> shall be at or above 500mm above the adjoining Flood Ponding Zone level shown on the planning map.</p> <p>The provisions of the Building Act 2004 shall apply.</p>
<p>(3) In all other zones/areas (excluding the Paeroa Flood Ponding Zone) not otherwise specified in (1) and (2) above</p>	<p>The provisions of the Building Act 2004 apply.</p>

## Need help?

Please call us and we can arrange an appointment for you to see our Duty Planner in the Paeroa Office (available on Mondays, Wednesdays and Fridays).

The Duty Planner can be booked for a meeting in the Waihi Office on Tuesdays and Thursdays.

The Duty Building Officer is also available for appointments in the Paeroa Office.



HAURAKI DISTRICT COUNCIL  
P O Box 17, William Street,  
PAEROA  
Phone (07) 862 8609, or  
0800 734834 from within district  
[www.hauraki-dc.govt.nz](http://www.hauraki-dc.govt.nz)  
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