

STANDARDS

FOR RESIDENTIAL DEVELOPMENT

(in the Low Density 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 Low Density Residential zoned areas of the Hauraki District.

These standards are as set out in the Hauraki District Plan under sections 5.8.5, 5.8.6(3), 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 50m² (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, 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
5.8.5	<ul style="list-style-type: none"> • Height • Daylight Control • Yards • Traffic Noise Sensitivity • Site Coverage • Density • Outdoor Living Area • Outdoor Service Area
5.8.6(3)	<ul style="list-style-type: none"> • Minor dwelling units (Waihi, Paeroa and Whiritoa only)
7.8	<ul style="list-style-type: none"> • Earthworks
8.2.1	<ul style="list-style-type: none"> • Setback from public drains, lakes, rivers, streams, floodways, spillways and flood protection works
8.2.2	<ul style="list-style-type: none"> • Floor levels
8.2A	<ul style="list-style-type: none"> • Buildings, structures and earthworks within a high voltage transmission corridor
8.4.1	<ul style="list-style-type: none"> • Number and location of parking spaces

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 1m² 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

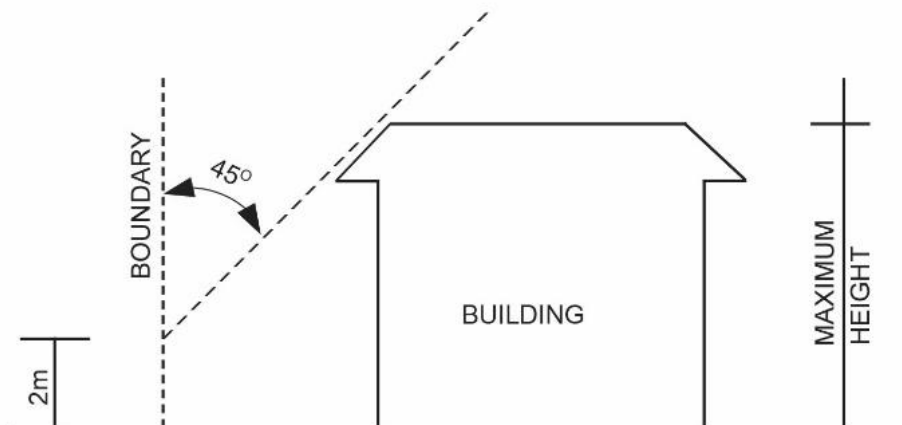
Daylight Control

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	Area	Distance
Front Yard	Except state highways for those buildings as set out in the rule below	7.5 metres
Front Yard	a) New dwellings where the site(s) have frontage or are adjacent to state highways where the posted speed limit is less than 80km/h	12 metres
	b) New dwellings on Lots 1 – 3 DP 376263, State Highway 2, Whiritoa, and Orchard Road/Parry Palm Avenue Area, Waihi	12 metres
	c) New dwellings where the site(s) have frontage or are adjacent to state highways where the posted speed limit is 80km/h or greater; AND d) The new dwellings are erected or placed on the site(s) after the 14 th September 2012 (including any subsequent additions to those dwellings)	20 metres
Other Yards	a) Orchard Road/Parry Palm Avenue area, Waihi	3 metres
	b) Old Waitekauri Rd, Waikino	10 metres
	c) Otherwise	5 metres

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*.

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 80 metres of the formed carriageway of a *state highway* shall meet an internal road-traffic design sound level of $40dBL_{Aeq(24hr)}$ 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 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 80 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 $55dBL_{Aeq(24hr)}$ 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.

Site Coverage

Maximum Site Coverage: 30%.

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.

Density

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

In the Low Density Residential Zone 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 ² plus 10m ² for each additional bedroom over 2	3.0 metres in all directions	Can contain 8m diameter circle
Minor dwelling unit	30m ²	1.5 metres 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 must have a minimum dimension in all directions of 3 metres or 1.5m in the case of a *minor dwelling unit* and may include decks and terraces and shall:

- be directly accessible from the *dwelling*, *minor dwelling unit*, or *community house*; and
- have a slope no greater than 10°; and
- where terraced, each terrace shall be level and with a minimum dimension of 3 metres or 1.5 metres in the case of a *minor dwelling unit* and a maximum difference in level between terraces of 1.5 metres.

Outdoor Service Area

Outdoor Service Area:

Minimum Area	Minimum Dimension
20m ²	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 court shall:

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

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 Low Density 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) 50m²; or
 - (ii) 60m² 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 or 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 25m².

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Standard	Requirement
Gross Floor Area	A maximum gross floor area of 50m ² OR 60m ² with Lifemark Design™ Certification or another certification acceptable to Council.
Accessory Buildings	Have no accessory buildings other than a single garage/carport and a garden shed with a combined roof area of no greater than 25m ² .
Outdoor Living Area	Minimum Area: 30m ² . 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.
Minimum Net Site Area	<u>1,000m² per associated dwelling</u> if the site is connected to the reticulated sewer network. <u>2,500m² per associated dwelling</u> if the site is not connected to the reticulated sewer network.

For further information on Lifemark Design™ Certification refer to: www.lifemark.co.nz

A Minor Dwelling Unit must also comply with the Low Density 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

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.

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:

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*.
- (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*.
- (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 Low Density Residential Zone, subject to the following standards:

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Standard	Requirement
Maximum Area of Earthworks	500m ²
Maximum Volume of Earthworks	200m ³
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/Ponding Area	No cleanfill shall be placed in an overland flow path or ponding area.

Council must be informed of the fill action (where exceeding 30m³) 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 month of the earthworks being completed.
- Compliance is also required with the activity specific standard for land subject to inundation.

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

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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 Building Consent Application 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

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Zone/Area	Standard
(1) Paeroa – Areas identified on the planning maps as being ' <i>Subject to Inundation</i> '	Any new <i>building</i> or additions to existing <i>buildings</i> in the area shown on the planning maps as being ' <i>Subject to Inundation</i> ' 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.
Paeroa – All other areas in all urban <i>zones</i> excluding the Flood Ponding Zone	The provisions of the Building Act 2004 shall apply.
(3) In all other <i>zones/areas</i> (excluding the Paeroa Flood Ponding Zone) not otherwise specified in (1) and (2) above	The provisions of the Building Act 2004 apply.

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.



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