

## 2.3 Residential zones - section 32 evaluation for the Proposed Auckland Unitary Plan

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## **1 Overview and Purpose**

This evaluation should be read in conjunction with Part 1 in order to understand the context and approach for the evaluation and consultation undertaken in the development of the Proposed Auckland Unitary Plan (the Unitary Plan).

### **1.1 Subject Matter of this Section**

Auckland Council inherited seven legacy district plans with a total of 99 residential zones across the region. At the Regional Policy Statement (RPS) level, providing for housing choice and focusing growth in centres and within suitable neighbourhoods are key outcomes. The Unitary Plan structure has been devised to provide for six generic residential zones with local variation provided through precincts and design and development overlays.

The six residential zones are:

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

### **1.2 Resource Management Issue to be Addressed**

The number and complexity of residential zones in legacy district plans across Auckland does not support the relevant key strategic directions of the Auckland Plan which are:

- to augment the supply of residential dwellings by 13,000 per year for the next four years
- provide for a quality built environment
- provide for a compact city model.

Auckland Council can influence housing supply by ensuring that its regulation is targeted to those controls governing the bulk and location of buildings, land use and development. It should provide incentives for more efficient use of residential land close to public transport, parks and amenities and where there is existing infrastructure. There should be fewer controls on zones where little change or growth is anticipated. The new regulatory regime should be simpler than its predecessors, and streamlined to provide for ease of use by applicants and the community in general. The residential section of the Unitary Plan should provide for checks and balances that are in keeping with the effects of an activity.

Auckland Council is committed to achieving a quality built environment. This is a key policy of the Auckland Plan and is being implemented through the Unitary Plan and other important non-statutory documents:

- the Auckland Design Manual
- City Centre Masterplan.

The drive to achieve a quality built environment is a requirement of the RMA and central government (Ministry for the Environment) has provided guidance on this matter in their 2005 publication "The Value of Urban Design – The economic, environmental and social benefits of urban design". Good urban design:

- demonstrates design excellence in urban development and architecture
- distributes benefits widely in the population
- produces environmental benefits
- responds to local features and needs
- is relevant to the contemporary world
- leaves open the possibility for continuing adaptation and change
- integrates new development

As Auckland continues to grow it is important that the proposed Unitary Plan provides opportunities for growth balanced by the need to retain local amenity, enhance the natural environment and recognise and maintain special character.

### **1.3 Significance of this Subject**

The residential section of the Unitary Plan will influence capital investment in new and existing housing across Auckland. The zones will give subtle cues to the market about ease of development that will have flow-on effects for housing supply and affordability and provide for appropriate checks and balances in terms of environmental effects. Providing a suitable regulatory framework will positively contribute to Auckland's future built form and the wellbeing of its residents. Both the built form and affordability of housing influences:

- household wealth
- health outcomes
- central government policies and expenditure on superannuation, health and education.
- neighbourhood amenity

The Mixed Housing Urban and Mixed Housing Suburban zones make up approximately 49% of residential land. Both zones allow for four dwellings as a permitted activity provided the dwellings meet the density and development controls of the zone. It is anticipated that this policy change will reduce the cost of compliance for development. This means that only a building consent will be required in circumstances where an application satisfies the density and development controls for the relevant zone.

This section 32 report does not take into account the variations to these rules provided by precincts and overlays. The effect of precincts and overlays will vary the development and re-development capacity of sites.

### **1.4 Auckland Plan**

Section D of the Auckland Plan provides a high-level development strategy for the Auckland Region. Auckland has grown into a city-region of 1.5 million people, of whom 1.4 million live in the urban area. Several key principles underpin the Auckland Plan's vision of a quality compact city. These principles are:

- Quality first – creating attractive neighbourhoods that people choose to live in
- Generational change and a transition to a quality compact form
- Providing for most growth inside existing urban areas
- A rural-urban boundary and staged release of greenfields land, with timely delivery of infrastructure
- Decade by decade housing supply that keeps up with population growth.

Chapter 11 of the Auckland Plan states:

*“Secure, healthy and affordable housing is fundamental to individual, family/whanau, community and economic well-being. A secure, stable home is the hub of family life and provides a foundation for building strong communities and financial security for families. An adequate supply of quality, affordable housing located near jobs or transport links, is a core requirement for society and the economy to function, and provides a good quality of life for everyone. Poorly designed, inefficient and unaffordable housing not only affects individuals and household well-being and expenses, but is a cost to us all in its impacts on health, social spending and the environment.*

....

*There is no single solution, nor a single sector to address these issues, and urgent, large-scale, bold, multi-sector action is required to:*

- *Increase housing supply to meet demand*
- *Increase housing choice to meet diverse preferences and needs*
- *Increase the quality of existing and new housing*
- *Improve housing affordability*
- *Increase the supply of affordable housing.*”

### **1.5 Current Objectives, Policies, Rules and Methods**

Existing legacy plans have combined geographical, historic/heritage values, amenity values and rural, landscape and coastal character and tree protection elements into their zones.

This has resulted in provisions that reflect local variation. The proposed Unitary Plan structure now deals with those matters in overlays and precincts. The essential bulk and location controls are:

- Height
- Yards
- Height in relation to boundary
- Density
- Site coverage
- Impermeable surfaces
- Private open space

Several legacy zones, prescribing more stringent design standards, also include additional controls relating to:

- Privacy
- Outlook

A comparison of height (an example of just one development control) shows that the Auckland Council District Plan (Manukau) Section residential zones have a standard height of 8m with its residential heritage zones ranging from 5.5m (RH3) to 9m (RH4). Auckland Council District Plan (Rodney Section) provides for a standard 9m maximum height. The Auckland Council District Plan (Franklin Section) has a maximum height of 8m for its residential zone. The Auckland Council District Plan (Papakura) Section provides for a maximum height of 9m and 10m as a controlled activity for apartment buildings within its central area. The Auckland Council District Plan (Waitakere) Section has a maximum building height of 8m in its residential zones. The Auckland Council Plan (North Shore) Section provides for an 8m maximum height in all of its residential zones except for the Residential 6 zone where intensive housing on sites larger than 1500m<sup>2</sup> has a maximum height of 9m.

Structure planned areas such as Hobsonville have added levels of complexity to district plans and resulted in some unusual outcomes. For example, infrastructure was provided in a different location in Hobsonville than was initially anticipated and the rules require every connection to it to be processed as a non-complying activity.

People involved in the design and construction of new housing have advised council that the Unitary Plan should:

- be clear on when applications will be notified
- provide for a more relaxed height in relation to boundary standard on smaller sites
- Provide for development control rules that support different building types.

### **1.6 Information and Analysis**

#### *1.0.1 Political Direction Setting/Framework*

Auckland Council analysed its bulk and location controls from across the legacy plans and subsequently employed Beca Consultants to undertake a zone harmonisation process. In July 2012 council staff were directed to create five residential zones: Large Lot, Rural and Coastal Settlements, Single House, Mixed Housing and Terrace Housing and Apartment Buildings zones. Between July 2012 and March 2013 further analysis of the Rural and Coastal Settlements and Large Lot zones indicated there was a clear difference between those settlements that were serviced by reticulated wastewater and those that were not. Those serviced areas were re-zoned Single House accordingly. The minimum lot size of 4,000m<sup>2</sup> for Large Lot and Rural and Coastal Settlements was arrived at on the basis of commonly occurring averages across Auckland and codes of practice that specify a minimum land area for safe level for stormwater and wastewater effects to be contained on-site.

The methodology for applying the zones spatially across Auckland was approved by the Political Working Party in 2012 and subsequently implemented by staff. There was some refinement of the methodology following review by the infrastructure workstream. This resulted in a refined zoning pattern where there were known hazards and potential for reverse sensitivity near overhead power lines. Two workshops with local boards and councillors were held in July and August 2013 to refine the maps.

The Auckland Plan Committee meetings in August 2013 made some refinements to the residential package, particularly the Mixed Housing Urban and Mixed Housing Suburban zones. The proposed changes are likely to result in a loss of potential new dwellings in Mixed Housing Suburban zone from the March draft provisions.

#### *1.0.2 Existing Local Area Analysis*

The council's area planning teams applied the five residential zones for Hibiscus & Bays and Mangere-Otahuhu based on an analysis of each geographic unit and the suitability of the proposed outcomes for the area. Those maps were approved by the local area boards.

The methodology was adapted for the Auckland isthmus where significant analysis had already occurred through the Future Planning Framework process.

<http://www.itsmybackyard.co.nz>

A small team council officers were involved in reviewing the framework maps in line with the five new residential zones between May and August 2012, including consideration of how the intended outcomes of the Future Planning Framework would be carried across by a reduced number of new residential zones.

#### *1.0.3 Capacity For Growth Studies*

##### *1.0.3.1 Baseline Analysis: What are we changing from?*

The Capacity for Growth Study 2012 was completed by RIMU in April 2013, based on the operative legacy planning rules in place as at May 2012.

<http://www.aucklandcouncil.govt.nz/EN/planspoliciesprojects/reports/technicalpublications/Pages/capacityforgrowthstudy.aspx>

For residential capacity across the whole of Auckland the study found that:

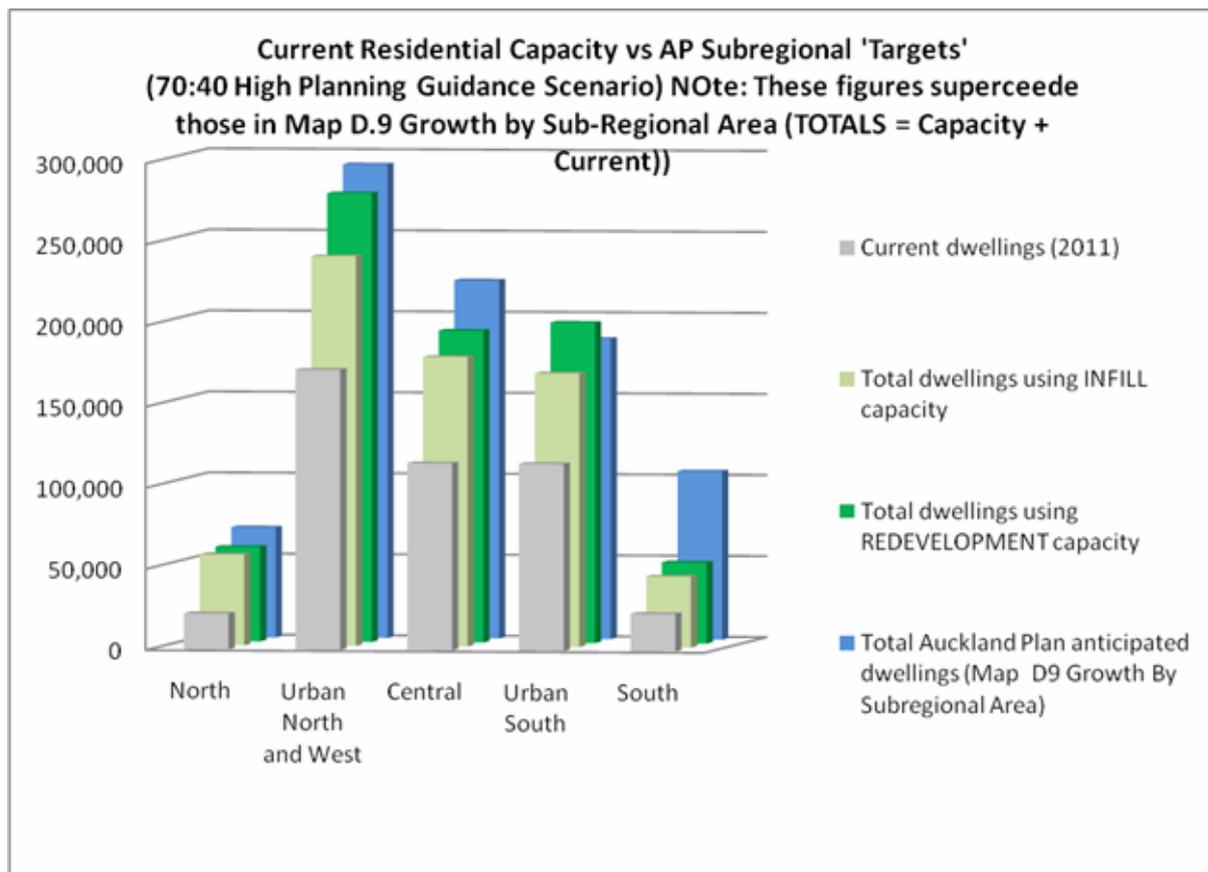
- There were 6476 vacant residential zoned parcels within the urban area and rural towns that have potential capacity for an additional 22,188 dwellings based on operative district plan rules

- There were 22,024 residential zoned parcels within the urban area and rural towns with potential capacity for an additional 40,606 dwellings through infill if they were developed
- If all residentially zoned parcels within the urban area and rural towns were redeveloped to their maximum capacity, they would yield an additional 115,965 dwellings in addition to the more than 460,000 dwellings already in Auckland.
- There is potential capacity for an additional 103,930 dwellings in business areas and centres in the urban area and rural towns
- There is potential capacity from areas that have structure plans and special areas to provide capacity for an additional 49,769 dwellings

The study also stated that selected greenfields areas with an operative zoning and bulk infrastructure in place have the capacity for approximately 15,000 dwellings that are “ready to go”.

Analysis in the study also identified that even assuming 100% of this capacity was realised (or developed), this would not meet various targets in the Auckland Plan, including 30 year supply targets for 400,000 dwellings and more localised and short term expectations.

Figure 1 below illustrates current residential capacity versus Auckland Plan sub-regional targets.



The study also identified that the spatial distribution of growth opportunities provided by the legacy planning system would not provide the opportunities required to deliver on the Development Strategy vision, particularly with respect to the areas of significant change, and mainly residential areas in proximity to transport infrastructure and centres.

### 1.0.3.2 March Draft Unitary Plan

The Council's RIMU team prepared capacity modelling of all rural, business and residential zones based on the spatial information and draft Unitary Plan rules as at 28 March 2013.

The residential capacity results indicate:

- 38,576 additional dwellings on parcels that are vacant and have a residential base zone
- 78,584 additional dwellings on parcels that have infill potential and have a residential base zone
- 231,004 additional dwellings if all parcels that have a residential base zone are redeveloped to their maximum capacity at the modelled consent category.

Table 1 below outlines the initial results of the Draft UP by 'base zone', noting that the capacity has been modelled using a combination of zone, precinct and overlay. Some technical issues with the study (base data problems with building footprints in outlying rural towns) and the plan being modelled (not all provisions are possible as an infill option – Terrace Housing and Apartment Buildings and unlimited density in Mixed Housing Zone developments for example are modelled as redevelopment only) mean that redevelopment and infill in particular are not directly comparable.

However the model outputs provided useful feedback on the manner in which the rules would play out spatially both at the macro and micro scale and whether these outcomes were compatible with the Unitary Plan objectives and policies, and wider Auckland Plan intentions.

Table 1: Residential capacity results by Unitary Plan Base Zone:

Base draft Unitary Plan zone <sup>1</sup>	Capacity for additional dwellings		
	Vacant Capacity	Infill Capacity	Redevelopment Capacity
Large Lot	280	2,842	16
Mixed Housing	19,258	46,964	129,090
Single House	15,397	21,361	16,577
Terrace Housing and Apartment Buildings	1,068	1,330	83,281
'Other' <sup>[5]</sup>	2,573	6,087	2,040
<b>TOTAL</b>	<b>38,576</b>	<b>78,584</b>	<b>231,004</b>

The results of this modelling showed that most residential capacity increases (when compared to legacy provisions) were derived from the (then) Mixed Housing Zone and Terrace Housing and Apartment Buildings zones. Potential yield in these zones is limited by the interface of the frontage controls and site area requirements to existing cadastral patterns compared to the 'theoretical potential' they offer (at a simple dwelling per land area assumption). That is the physical layout of parcels, in combination with their size and frontage means that 'on the ground' outcomes are much less intensive than the base density suggests. In addition, while capacity measured against existing cadastre is relatively significant (c.f. legacy provisions), capacity for further redevelopment is highly dependent on site amalgamation (to achieve the site size and frontage requirements for 'bonus' density options).

Only 1.6% of sites in the Mixed Housing zone meet the unlimited density site requirements and a large number have existing development on them. Obviously amalgamation has the potential to increase the 'spread' of 'unlimited density' developments. However the degree to which the provisions provide sufficient incentive to overcome the practical barriers to amalgamation is yet to be determined, but it is more likely than under legacy provisions which did not provide the same spatial spread for this opportunity (some legacy zones enabled a similar approach, but it was much less widespread).

This also highlights that concerns around unlimited density provisions having the potential to change entire neighbourhoods is perhaps overstated, given that there are few sites that meet the criteria currently that would be viable propositions for redevelopment, and fewer again that will be amalgamated.

A number of other queries and tests have been undertaken as the Draft Plan has been refined and developed which have assisted in testing and refining the suggestions from public and councillor feedback, as well as officer developed options.

No technical report or results outputs have been published for this work as it has been primarily developed for internal use and testing, and as a preliminary set-up phase for the final notified Plan.

#### *1.0.3.3 Notified version of Unitary Plan*

Once the Unitary Plan is notified (post all changes made by Councillors) a final model will be developed, along with the required technical reports and documentation. A large proportion of the Draft Model will be able to be reused, but some aspects will need to be redeveloped to reflect the notified rules and spatial data. It is intended that this information and the model can be used to inform the formal public engagement and hearings process with respect to growth issues generally and location specific questions as appropriate.

#### *1.0.4: Public Feedback on Draft:*

Feedback following the March draft indicated that the Mixed Housing zone was perhaps too broad in its spatial application and that a greater range of heights and densities could be established that better reflected local issues and opportunities. This view came through feedback from both the general public, as well as more technical feedback from architects and urban designers. The wider public were generally concerned with the fact that a 10m high building could be approved as a restricted discretionary activity, (amongst other matters) and general concerns around resulting changes in neighbourhood amenity.

Architects and urban designers were concerned that the Mixed Housing zone was too broad in its spatial application and in what it was trying to achieve, and recommended splitting it into two zones.

In May-June 2013 the Auckland Plan Committee directed staff to split the zone in two based on criteria related to

- proximity to centres and public transport,
- height and
- density.

On 31<sup>st</sup> July 2013 the Auckland Plan Committee endorsed the development controls for all the residential zones and required refinement of some provisions ready for public notification of the Unitary Plan on 30 September 2013.

Figure 2 below has been prepared by RIMU staff showing the difference in yield between the March draft Mixed Housing zone rules, and the two new zones – Mixed Housing Suburban

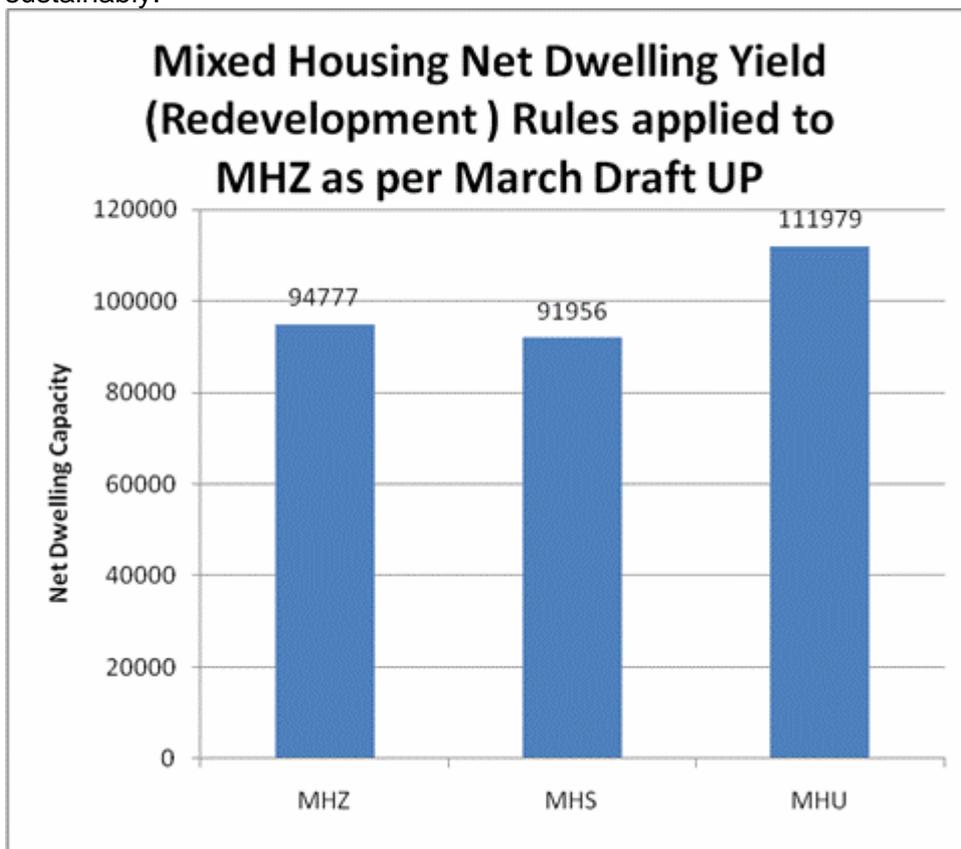
and Mixed Housing Urban may yield, if they were applied over the entire Mixed House Zone (the spatial distribution of Mixed Housing and the two new zones being at the time unclear).

This analysis suggests that, while there will be place specific differences in outcomes, overall a similar overall number of potential dwellings as provided by the March draft.

The Mixed Housing Suburban zone is likely to result in a decrease from the March draft due to the larger section size proposed (from 300m<sup>2</sup> to 400m<sup>2</sup> balanced with a 1:200m<sup>2</sup> where 7.5m frontage is available) whereas the Mixed Housing Urban Zone may result in a net increase due with a 1:300 base density, a 1:200 where 7.5m of frontage is available and the potential for a the three storey built form on 'Unlimited Density' qualifying sites enabling a higher density of development than two levels as modelled on the same sites under the Mixed Housing and Mixed Housing Suburban scenarios.

Note that this is a regional figure comparing different zoning options over the same set of parcels (ie MHS and MHU should not be added together) and is not fully accurate because there are still minor changes being made to the maps, and the rules (e.g. Mixed Housing Suburban 7.5m frontage option has been increased from 1:250 to 1:300 as modelled).

Nevertheless this analysis suggests that the changes proposed will result in relatively minor overall variation in terms of dwelling yields across the two split zones, but that the distribution of those dwellings is potentially more acceptable to the public, and a better alignment with wider goals around location of growth into locations that can best support it sustainably.



The yields in any particular location will depend on the spatial application of the zones and the site characteristics i.e. whether sites have a wide frontage enabling greater densities. This modelling work and graph above was prepared prior to decisions made by the Auckland Plan Committee rejecting the unlimited density for the Mixed Housing Suburban zone. This

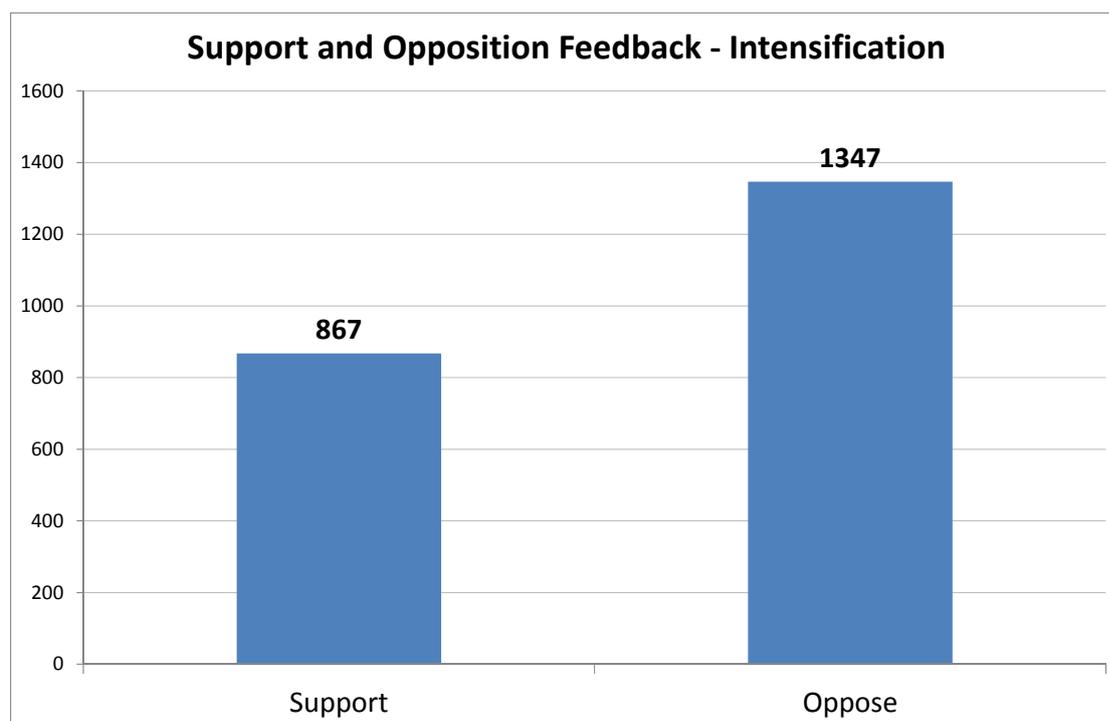
will mean that less capacity will now be provided through the Mixed Housing Suburban zone. Modelling work post notification will clarify what the changes made will mean for future capacity.

### 1.7 Consultation Undertaken

Consultation on the residential provisions has been extensive. Auckland Council staff convened three workshops with developers on 27 March 2012, August 2012 and September/October 2012. The purpose of the first workshop was to inform greenfields developers about the RUB process and to discuss what legacy approaches should be modified. Councillors also received presentations from Mark Todd of Ockham Developments and Martin Udale on the development sector. Mark Todd advocated for removal of the density controls, providing for additional height but leaving many of the other bulk and location controls in place. Council employed Cranleigh Consultants to provide advice on a suitable residential package and as a follow-up to the first round of advice commissioned work from Cranleigh and Jasmax on draft “deemed to comply” provisions for up to 12 dwellings as a permitted activity. Council staff also consulted with the External Advisory Panel from February to August 2012 on draft controls, sustainable design and home occupations provisions. Council staff engaged with all local boards on a regular three-monthly basis throughout 2012 and 2012 at relevant milestones as each iteration of the provisions and mapping progressed.

The most thorough engagement undertaken throughout the process was the eleven week feedback period on the draft Unitary Plan from March to May this year. It provided an opportunity for all sectors of the public, government and non-governmental organisations to comment on the draft Unitary Plan. The residential section drew considerable feedback on a range of issues from the minimum dwelling size, through to maximum building heights and to a much lesser extent development controls.

Public opinion is generally opposed to intensification, which indicates that Auckland Council still has some work to do with communities to demonstrate that quality growth can occur. The graph below shows feedback in support and opposed to intensification.



## 1.8 Decision-Making

Decision-making on the residential provisions has been achieved through a series of workshops with the Auckland Plan Committee and prior to that with the Political Working Party. Rather than receiving detailed reports, most decisions were made based on presentations prepared by staff which provided direction on the spatial extent of zones, policies, activity table and draft development controls.

## 1.9 Proposed Provisions

The Large Lot zone has a minimum lot size of 4000m<sup>2</sup> and has been applied to areas on the periphery of Auckland's urban areas that are generally un-serviced and have constraints for more intensive development, high landscape values or other physical limitations.

## 1.10 Reference to Other Evaluations

This section 32 report is also relevant to the following evaluations:

- 2.1 Urban form and land supply
- 2.2 Rural urban boundary location
- 2.4 Business
- 2.5 Building heights
- 2.7 Design statements
- 2.8 Sustainable design
- 2.9 Accessory parking
- 2.10 Electricity Transmission Corridors
- 2.12 Pre-1944 demolition
- 2.13 Historic heritage
- 2.14 Treaty settlements
- 2.19 Landscapes
- 2.20 Conversion of dwellings
- 2.21 Affordable housing
- 2.24 Urban stormwater
- 2.26 Flooding
- 2.28 Natural hazards
- 2.31 Earthworks
- 2.37 Schools
- 3.44 Air quality buffers – major roads
- 2.45 Air quality buffers – heavy industry
- 2.50 Retirement Villages

## Large Lot Zone

The Large Lot zone provides for:

Permitted land use activities	
Dwellings (including new buildings, additions, alterations and demolition)	
Home occupations	
Care centres up to 200m <sup>2</sup> per site	
Grazing of livestock on sites greater than 2,000m <sup>2</sup> net site area	
Control	Details
Building height	8 metres
Front yard	10 metres
Side yard	6 metres
Rear yard	6 metres
Coastal Protection yard	25 metres
Riparian yard	10 metres
Lake	30 metres

Impervious area threshold	10%
Maximum building coverage	10% of the site area or 400m <sup>2</sup> , whichever is the lesser
Minimum landscaped permeable area	N/A

This zone does not have a height in relation to boundary control because the yard rules in combination with the building height and section size negate the need for them. The typical range of section sizes within the zone varies from approximately 1500m<sup>2</sup> to 2ha. Yards, building height and maximum building coverage are the main determinants of built form. Similarly the minimum landscaped area as used in more intensive residential zones is not specified because these sites typically are already well-landscaped.

The Rural and Coastal Settlement zone has been applied to un-serviced rural and coastal towns. These sites must manage both stormwater and wastewater on-site. The zone is often located close to rural production or countryside living areas. As such the form of development should generally be low-scale and not create reverse sensitivity effects to rural activities. The Rural and Coastal Settlement zone should maintain the established rural or coastal character.

### Rural and Coastal Settlements Zone

The Rural and Coastal Settlements zone provides for:

Permitted land use activities	
Dwellings (including new buildings, additions, alterations and demolition)	
Home occupations	
Supported residential care and boarding houses up to 200m <sup>2</sup> per site	
Care centres up to 200m <sup>2</sup> per site	
Grazing of livestock on sites greater than 2,000m <sup>2</sup> net site area	
Control	Details
Building height	8 metres
Minimum site size for subdivision	4000m <sup>2</sup>
Front yard	5 metres
Side and rear yard	1m
Riparian	10m
Lake	30m
Coastal Protection Yard	20m
Maximum building coverage	20% or 200m <sup>2</sup> , whichever is the lesser.
Minimum landscaped permeable area	N/A
Maximum impervious area	10%
Height in relation to boundary	2.5m plus 45 degrees
Outdoor Living Space	A dwelling must have an outdoor living space measuring at least 80m <sup>2</sup> that: <ul style="list-style-type: none"> <li>is free of buildings, car parking, servicing and manoeuvring area</li> <li>excludes any area with a dimension less than 1 metre</li> </ul>
Principal living room at ground floor level	Part of the required outdoor living space must be able to contain a square measuring 4.5m x 4.5m that is directly accessible from the principal living room and is flat
Principal living room above ground floor	Part of the required outdoor living space must include a balcony or roof terrace that: <ul style="list-style-type: none"> <li>is directly accessible from the principal living room</li> <li>has a minimum area of 8m<sup>2</sup></li> <li>has a minimum depth of 2.4m</li> </ul>

The key changes between the March draft Unitary Plan and the Proposed Plan are:

- amendment to the height in relation to boundary control
- removal of the privacy rule
- removal of the fence rule
- removal of the garages rule
- removal of the dwellings fronting the street rule
- amendment to the landscaping rule

The majority of feedback received related to the proposed development controls for the zone. For example, a moderate proportion of comments received expressed concern over, or opposed, the building coverage control. In some cases changes were requested, including removal of the 200m<sup>2</sup> limit. Other respondents requested that side and rear yard controls be introduced to retain the open nature of the rural and coastal settlement areas. There were a small number requesting more provision for tourism and recreation opportunities within the Rural and Coastal Settlement zone.

The privacy rule was removed on the basis that these sites are generally 4,000m<sup>2</sup> or more and generally located in well vegetated locations or large sites where the likelihood of one dwelling directly looking into a bedroom or living room of another dwelling is remote. The combination of the larger section size, yards and building height negates the need for a privacy control. The privacy control as it was developed for the March draft is no longer required for this zone. Similarly the rule on dwellings fronting streets was removed because it addresses issues more commonly found in more intense urban settings. The fence rule was removed because it was incompatible with how sites in the zone are used i.e. rural sites often have stock that require different forms of fencing and coastal locations are often unfenced to retain an open or vegetated character.

The revised height in relation to boundary rule was developed in response to feedback from the Built Environment Unit. Height in relation to boundary does not apply the legal road boundary and it is simpler to have one control rather than different ones for the southern and eastern and western elevations. Many legacy plans had side and rear yards which have been “bundled up” to provide for a one metre setback plus recession plane.

Given the size of these sites, and landscaping that commonly occurs independent of regulation, the garages rule was removed.

The dwellings fronting the street rule is better suited to a more urban environment and it was consequently removed.

A wall on boundary rule was introduced but its height limited to a maximum of 3m and length of 7m. This rule was introduced to allow for garages on boundaries.

### Single House Zone

The Single House zone reflects the traditional residential zoning pattern of one dwelling per 500m<sup>2</sup>. The zone has been applied to areas of least change and those areas with historic character or housing close to the coast where there are known constraints.

Permitted land use activities	
Dwellings (including additions and alterations and demolition)	
Conversion of a dwelling in to a maximum of two dwellings	
Home occupations	
Supported residential care and boarding houses up to 200m <sup>2</sup> per site	
Care centres up to 200m <sup>2</sup> per site	
Control	Details

Building height	8 metres
Maximum density	1 dwelling per site
Minimum site size for subdivision	500m <sup>2</sup>
Side and rear yards	1metre
Front yard	5 metres
Riparian	10 metres
Lake	30 metres
Coastal Protection Yard	10m
Maximum building coverage	35%
Landscaping	40% of a site of which a minimum of 10% must be planted with trees and shrubs, including at least one tree that is pB95 or larger at the time of planting
Impervious area threshold	60% with 10% maximum impervious within a riparian yard
Common walls	Height in relation to boundary controls do not apply where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed
Height in relation to boundary	2.5m height + 45 degrees.
Outdoor Living Space	A dwelling must have an outdoor living space measuring at least 80m <sup>2</sup> that: <ul style="list-style-type: none"> <li>• is free of buildings, car parking, servicing and manoeuvring areas</li> <li>• excludes any area with a dimension less than 1 metre.</li> </ul>
Principal living room at ground floor level	Part of the required outdoor living space must be able to contain a square measuring 4.5m x 4.5m that is directly accessible from the principal living room and is flat.
Principal living room above ground floor	Part of the required outdoor living space must include a balcony or roof terrace that: <ul style="list-style-type: none"> <li>• is directly accessible from the principal living room</li> <li>• has a minimum area of 8m<sup>2</sup></li> <li>• has a minimum depth of 2.4m</li> </ul>
Fences	Fences in a front yard must not exceed a height of 1.6 metres.
Garages	A garage door facing a street must be no greater than 40% of the width of the front façade of the building to which the garage relates
Universal access	Where a new building contains 10 or more dwellings, 20 per cent of those dwellings must have: <ul style="list-style-type: none"> <li>• doorways with a minimum clear opening width of 810mm</li> <li>• stairwells must have a minimum width of 900mm</li> <li>• corridors must have a minimum width of 1050mm</li> <li>• other requirements for a parking space servicing the dwelling, slope and crossfall</li> </ul>

The changes to the Single House zone rules include:

- the privacy rule has been deleted
- the height in relation to boundary rule amended
- the garages rule amended to reduce percentage width of the garage door from 50% to 40%. The fences rule has been changed to limit fence height in the front yard to a maximum height of 1.6m
- introduction of requirements for universal access
- there is a new rule 6.1 that states where building infringe three or more of the following development controls the application becomes discretionary. The

## Mixed Housing Zone

The Mixed Housing zone has been developed to support growth and a range of housing choice in Auckland's suburbs. Housing choice is a response to social and economic factors. The benefits of difference have become valued with those suburbs with a distinct identity.

For the March draft it was intended to provide for one-two storey houses, town houses, two-three level terraced housing and apartments all within the same Mixed Housing zone. The zone was amended following feedback and split in two, providing for some differences in height and density.

The Mixed Housing Suburban zone provides a transition from the Mixed Housing Urban zone to the Single House zone.

The key changes between the March draft and the notified version are:

- Mixed Housing zone split in two
- A revised height in relation to boundary control with a permitted standard and a restricted discretionary activity standard
- Some variation in maximum building coverage and impermeable surfaces depending on the section size
- Changes to the fence rule
- Changes to the landscaping requirements
- Changes to the frontage requirements to encourage terrace housing
- Building separation rule
- Universal access rule
- A new rule that states where three or more development controls are infringed, the application becomes discretionary
- A new rule requiring that an applicant must be able to demonstrate that there is an available connection to water and wastewater

The revised Mixed Housing Suburban zone provides for:

Permitted land use activities	
Up to three dwellings (including additions and alterations and demolition). Proposals for 4 or more dwellings require resource consent for a restricted discretionary activity	
Conversion of a dwelling in to a maximum of two dwellings complying with certain controls	
Home occupations	
Supported residential care and boarding houses up to 200m <sup>2</sup> per site	
Care centres up to 200m <sup>2</sup> per site	
Control	Details
Building height	8 metres
Maximum density	One dwelling per 400m <sup>2</sup> net site area or One dwelling per 300m <sup>2</sup> net site area where specific site dimensions are met (too long to repeat here)
Minimum frontage/site width	3 or 4 dwellings – 15 metres 5+ dwellings – 20 metres
Minimum site size for subdivision	400m <sup>2</sup> (up to four dwellings)
Front yard	4m with a maximum of 5m
Side yards	1m
Rear yard	3m

Permitted land use activities	
Up to three dwellings (including additions and alterations and demolition). Proposals for 4 or more dwellings require resource consent for a restricted discretionary activity	
Conversion of a dwelling in to a maximum of two dwellings complying with certain controls	
Home occupations	
Supported residential care and boarding houses up to 200m <sup>2</sup> per site	
Care centres up to 200m <sup>2</sup> per site	
Control	Details
Riparian yard	10m
Lake yard	30m
Common walls	The height in relation to boundary and yards development controls do not apply where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.

Maximum building coverage	40% for sites of 400m <sup>2</sup> or more 50% for sites less than 400m <sup>2</sup> that meet certain requirements
Landscaping	40% where a site is 400m <sup>2</sup> or more or where a site is less than 400m <sup>2</sup> at least 30% must comprise landscaped area <ul style="list-style-type: none"> <li>At least 10 per cent of the required landscaped area must be planted with shrubs including at least one tree that is pB95 or larger at the time of planting</li> <li>At least 50% of the front yard must comprise landscaped area.</li> </ul>
Impervious area threshold	60%
Height in relation to boundary	Permitted –2.5m and 45 degrees  RDA - Buildings must not exceed a height of 3.6m measured vertically above ground level at side and rear boundaries. Thereafter buildings must be set back 0.3m for every additional metre in height (73.3 degrees) up to 6.9 metres and then one metre for every additional metre in height (45 degrees). Applications under this rule will be subject to normal tests for notification. Any infringement of this will be processed as a discretionary activity.
Outlook	An outlook space must be provided from all habitable rooms. The minimum dimensions for outlook space are 4m in width and 6m in depth for principal living rooms and 3m in width and 3m in depth for the principal bedroom and 3m in width and 1m in depth and 1m in width for all other habitable rooms. There are other requirements of the rule that are too long to re-state here.
Outdoor Living Space	A dwelling at ground level must have an outdoor living space measuring at least 40m <sup>2</sup> that: <ul style="list-style-type: none"> <li>is free of buildings, car parking, servicing and manoeuvring areas</li> <li>excludes any area with a dimension less than 1 metre</li> </ul> Where a dwelling has the principal living room at ground level, part of the required outdoor living space must be able to contain a delineated area measuring at least 20m <sup>2</sup> that: <ul style="list-style-type: none"> <li>has no dimension less than 4m</li> <li>is directly accessible from the principal living</li> </ul>

	<ul style="list-style-type: none"> <li>• has a gradient not exceeding 1 in 20</li> </ul>
Principal living room above ground floor	<p>Part of required outdoor living space must include balcony or roof terrace that:</p> <ul style="list-style-type: none"> <li>• is directly accessible from the principal living room</li> <li>• has a minimum area of 8m<sup>2</sup></li> <li>• has a minimum depth of 2.4m</li> </ul> <p>Where an entire dwelling is above ground level, it must contain an outdoor living space in the form of a balcony or roof terrace that is at least 10m<sup>2</sup> and has a minimum depth of 2.4m</p>
Dwellings fronting the street	<p>The front façade of a dwelling or dwellings on a front site must contain:</p> <ul style="list-style-type: none"> <li>• glazing that is cumulatively at least 30% of the area of the front façade (excluding area of garage door)</li> <li>• A main entrance door that is visible from the street</li> </ul>
Maximum building length	The maximum length of a building along a side or rear boundary is 20m, after which there must be a separation of at least 5m along the same boundary to any other building on the same site.
Fences	Maximum height of 1.2m
Garages	<p>A garage door facing a street must be no greater than 40 per cent of the width of the front façade of the dwelling to which the garage relates.</p> <ul style="list-style-type: none"> <li>• Garage doors must not project forward of the front façade of a dwelling</li> <li>• The garage door must be set back at least 5m from the site's frontage.</li> </ul>
Minimum dwelling size	Dwellings must have a minimum gross floor area of 40m <sup>2</sup> for studios and 45m <sup>2</sup> for one bedroom dwellings
Dwelling mix	In a single building containing more than 20 dwellings, the combined number of studio and one bedroom units must not exceed 70% of the total number of dwellings in the building
Minimum dimension of principal living rooms and principal bedrooms	<p>The principal living room within a dwelling must have no dimension less than 3 metres, measured perpendicular from the internal walls of the room.</p> <ul style="list-style-type: none"> <li>• The principal bedroom within a dwelling must be at least 3m in width and 3.5m in length measured perpendicular from the internal walls of the room.</li> </ul> <p>Cupboards and other storage space may be included in the minimum dimension.</p>
Daylight to dwellings	<p>Glazing to principal living room: Min. 40% of floor area of the living room</p> <p>Glazing to bedrooms: Min. 20% of floor area of the bedroom</p>
Servicing and waste	A building or site containing 10 or more dwellings must provide a communal storage area for waste. The rule specifies specific areas.
Separation between buildings within a site	Buildings must be separated where the habitable room of a dwelling has windows or balconies that face out to the wall of another building on the same site.

	<p>The separation space must be free of buildings for the depth, width and height</p> <ul style="list-style-type: none"> <li>• Principal living room – separation space required is equal to the height of the facing wall above the floor level of the habitable room, or 15m whichever is the lesser</li> <li>• Principal living room – the depth of the separation space is equal to the height of the facing wall above the floor level of the habitable room, or 15m, whichever is the lesser</li> <li>• For the principal bedroom, the depth of the separation space required is 6m</li> <li>• For all other habitable rooms, the depth of the separation space is 3m</li> <li>• There are other requirements for measuring etc that are too long to mention here.</li> </ul>
Universal access	Where a new building or development contains 10 or more dwellings, 20% of those dwellings must comply with certain requirements for ease of access (doorway widths, slope, crossfall etc)
Storage	<ul style="list-style-type: none"> <li>• A building or development containing 5 or more dwellings must provide covered storage space for each dwelling with internal measurements of at least 4m<sup>3</sup>, excluding storage within the kitchen and bedroom wardrobes. The storage may be within the dwelling or external to it, within the site.</li> <li>• The required storage space for each dwelling must include a single covered storage space within internal dimensions of at least 2m<sup>3</sup>.</li> </ul>
Water and wastewater	<ul style="list-style-type: none"> <li>• At the time of application for building consent, the applicant must demonstrate to the satisfaction of council that there is an available connection to the water supply and wastewater networks.</li> </ul>

The Mixed Housing zone has had some substantial changes made largely as a result of splitting the zone into two. For the Mixed Housing Suburban zone the key changes are:

- An increase in the minimum section site size of one dwelling per 400m<sup>2</sup> as opposed to 1:300m<sup>2</sup> as outlined in the March draft.
- There is the ability to achieve a density of one dwelling per 300m<sup>2</sup> where each dwelling has a road boundary frontage of at least 7.5m width for the full length of the site and each dwelling is set back at least 4m and no more than 5m from the site frontage and any garage door fronting the road boundary is no more than 3.5m wide and is recessed at least 0.5m behind the front façade of the dwelling.
- The provisions for unlimited density have been removed from the Mixed Housing Suburban zone as a result of changes made at the September meeting of the Auckland Plan Committee.
- The height in relation to boundary for boundaries other than the legal road boundary is 2.5m plus 45 degrees
- One metre side and rear yards have been introduced
- There is an alternative height in relation to boundary which is processed as a restricted discretionary activity. This allows for a more efficient use of land, where more building can be achieved at the second storey. The alternative height in relation to boundary control has been taken from the Victorian or Melbourne model which has been in use for over twenty years in that jurisdiction. Applications using this rule will be subject to the normal tests for notification.

- The front yard requirement has changed from 2.5m to 4m and there is a new coastal protection yard of 10m.
- The landscaping provisions have changed depending on the site size and while fifty per cent of the front yard still needs to be landscaped, there is now an additional requirement for 10 per cent of the required minimum landscaped area to be planted with shrubs including at least one tree of pB95 or greater at the time of planting. This provision has been developed in response to feedback from the stormwater team that grass does not absorb as much water as trees and shrubs.
- The outlook controls have changed for Mixed Housing suburban to provide an outlook space from all habitable rooms with principal living rooms the outlook space must be at least 4m in width and 5m in depth (this was formerly 6m in depth).
- There is now a maximum building length rule limiting the overall length of buildings on side and rear boundaries to discourage “sausage flats” where there are continuous building lengths that create a poor built form outcome.
- The fencing rule has been changed to allow for a front fence of 1.2m. This replaces the March version that has a solid wall for the first 1.2m with the ability to build up to 1.8m provided that the top part was 75% transparent.
- There is a garage rule limiting garage doors facing the street to no more than 40% of the width of the front façade and requiring them to not project forward of the front façade in line with good urban design principles.
- The minimum dwelling size has increased from 30m<sup>2</sup> to 40m<sup>2</sup> for studio dwellings and 45m<sup>2</sup> for 1 bedroom dwellings.
- The minimum dimension of principal living rooms and bedrooms has changed to clarify widths.
- There is a new provision relating to covered storage that can either be provided inside a dwelling or outside of it.
- The dwelling mix rule has reduced the threshold from 20 dwellings to 10.
- There are new requirements for universal access
- The wall on boundary rule has been deleted.
- There is a new provision to ensure that new development is able to connect to the water supply and wastewater networks.

The Mixed Housing Urban zone shares some features in common with the Residential 7 zones in the Auckland City District Plan (Isthmus section) that allowed for a density of 1:200m<sup>2</sup>. The height limit for Residential 7a is 10m, 12.5m for Res 7b and 20m for Res 7c.

The Mixed Housing Urban zone shares most of the same controls as the Mixed Housing Suburban zone outlined above. The controls are set out in full below:

Permitted land use activities	
Up to three dwellings (including additions and alterations and demolition). Proposals for four or more dwellings require resource consent for a restricted discretionary activity	
Conversion of a dwelling in to a maximum of two dwellings complying with certain controls	
Home occupations	
Supported residential care and boarding houses up to 200m <sup>2</sup> per site	
Care centres up to 200m <sup>2</sup> per site	
Control	Details
Building height	10 metres. Buildings may exceed this height by 1m where the entire roof slopes 15 degrees or more (see diagram in rule 8.2.
Maximum density	One dwelling per 400m <sup>2</sup> net site area or One dwelling per 300m <sup>2</sup> net site area where specific site dimensions are met (too long to repeat here)

Permitted land use activities	
Up to three dwellings (including additions and alterations and demolition). Proposals for four or more dwellings require resource consent for a restricted discretionary activity	
Conversion of a dwelling in to a maximum of two dwellings complying with certain controls	
Home occupations	
Supported residential care and boarding houses up to 200m <sup>2</sup> per site	
Care centres up to 200m <sup>2</sup> per site	
Control	Details
	4+ dwellings – no density limit where the minimum site size is 1200m <sup>2</sup> with a 20m frontage for at least 80% of the length of its side boundaries
Minimum frontage/site width	3 or 4 dwellings – 15 metres 4+ dwellings – 20 metres
Minimum site size for subdivision	400m <sup>2</sup> (up to four dwellings)
Front yard	2.5m
Side and rear yards	1m
Riparian and Coastal Protection	10m
Lake	30m

Maximum building coverage	40% for sites of more than 300m <sup>2</sup> 50% for sites of 300m <sup>2</sup> or less where certain requirements are met
Landscaping	40% for a site of 300m <sup>2</sup> or more <ul style="list-style-type: none"> <li>Where a site is less than 300m<sup>2</sup> at least 30% must comprise landscaped area</li> <li>At least 10% of the required landscaped area must be planted with shrubs including at least one tree that is pB95 or larger at the time of planting</li> <li>At least 50% of the front yard must comprise landscaped area.</li> </ul>
Impervious area threshold	60%
Height in relation to boundary	Permitted –3m and (45 degrees)  RDA - Buildings must not exceed a height of 3.6m measured vertically above ground level at side and rear boundaries. Thereafter buildings must be set back 0.3m for every additional meter in height (73.3 degrees) up to 6.9 metres and thereafter one metre for every additional metre in height (45 degrees). Applications under this rule will be subject to the normal tests for notification.
Outlook	An outlook space must be provided from all habitable rooms. The minimum dimensions for outlook space are 4m in width and 6m in depth for principal living rooms and 3m in width and 3m in depth for the principal bedroom and 3m in width and 1m in depth and 1m in width for all other habitable rooms.
Outdoor Living Space	A dwelling at ground level must have an outdoor living space measuring at least 40m <sup>2</sup> that: <ul style="list-style-type: none"> <li>is free of buildings, car parking, servicing and manoeuvring areas</li> <li>excludes any area with a dimension less than 1 metre</li> </ul>
Principal living room at ground floor	Part of the required outdoor living space must be able to contain a delineated area measuring at least 20m <sup>2</sup> that has no dimension less than 4m, is directly accessible

	from principal living room and is flat (gradient not exceeding 1 in 20)
Principal living room above ground floor	<p>Part of required outdoor living space must include balcony or roof terrace that:</p> <ul style="list-style-type: none"> <li>• is directly accessible from the principal living room</li> <li>• has a minimum area of 8m<sup>2</sup></li> <li>• has a minimum depth of 2.4m</li> </ul> <p>Where an entire dwelling is above ground level, it must contain an outdoor living space in the form of a balcony or roof terrace that is at least 10m<sup>2</sup> and has a minimum depth of 2.4m</p>
Dwellings fronting the street	<p>The front façade of a dwelling or dwellings on a front site must contain:</p> <ul style="list-style-type: none"> <li>• glazing that is cumulatively area of at least 30% of the area of the front façade (excluding area of garage door)</li> <li>• A door that is the main entrance to the dwelling</li> </ul>
Maximum building length	<ul style="list-style-type: none"> <li>• The maximum length of a building along a side or rear boundary is 20m, after which there must be a separation of at least 5m along the same boundary to any other building on the same site.</li> </ul>
Fences	Maximum height of 1.2m
Garages	<p>A garage door facing a street must be no greater than 40% of the width of front façade of the dwelling to which the garage relates.</p> <ul style="list-style-type: none"> <li>• Garage doors must not project forward of the front façade of a dwelling</li> <li>• The garage door must be set back at least 5m from the site's frontage.</li> </ul>
Minimum dwelling size	Dwellings must have a minimum gross floor area of 40m <sup>2</sup> for studios and 45m <sup>2</sup> for one bedroom dwellings
Dwelling mix	In a single building containing more than 20 dwellings, the combined number of studio and one bedroom units must not exceed 70% of the total number of dwellings in the building
Minimum dimension of principal living rooms and principal bedrooms	<p>The principal living room within a dwelling must have no dimension less than 3 metres, measured perpendicular from the internal walls of the room.</p> <ul style="list-style-type: none"> <li>• The principal bedroom within a dwelling must be at least 3m in width and 3.5m in length measured perpendicular from the internal walls of the room.</li> <li>• Cupboards and other storage space may be included in the minimum dimension.</li> </ul>
Daylight to dwellings	<p>Glazing to principal living room: Min. 40% of floor area of the living room</p> <p>Glazing to bedrooms: Min. 20% of floor area of the bedroom</p>
Servicing and waste	A building or site containing 10 or more dwellings must provide a communal storage area for waste
Separation between buildings within a site	<p>Buildings must be separated where the habitable room of a dwelling has windows or balconies that face out to the wall of another building on the same site.</p> <p>The separation space must be free of buildings for the depth, width and height</p> <ul style="list-style-type: none"> <li>• Principal living room – separation space required is equal to the height of the facing wall above the</li> </ul>

	<ul style="list-style-type: none"> <li>Principal living room – the depth of the separation space is equal to the height of the facing wall above the floor level of the habitable room, or 15m, whichever is the lesser</li> <li>For the principal bedroom, the depth of the separation space required is 6m</li> <li>For all other habitable rooms, the depth of the separation space is 3m</li> </ul>
Universal access	Where a new building contains 10 or more dwellings, 20% of those dwellings must comply with certain requirements for ease of access (doorway widths, slope, crossfall etc)
Water supply and wastewater networks	At the time of application for building consent, the applicant must demonstrate to the satisfaction of the council that there is an available connection to the water supply and wastewater networks

The key differences between the Mixed Housing Suburban and Mixed Housing Urban zones are the reduced height and differences in densities. The dwellings on smaller section sizes have a corresponding change to the landscaping and building coverage rules to provide for 'suitable' building forms. This means that there is a recognition that building coverage will need to increase where the residential section size is smaller. The minimum dwelling size has changed from 30m<sup>2</sup> to 40m<sup>2</sup> for a studio and 45m<sup>2</sup> for a one bedroom dwelling. The privacy control has been deleted from these zones for the proposed plan version. The Mixed Housing Urban retains the unlimited density provisions whereas these have been deleted from the Mixed Housing Suburban zone in response to feedback during the March draft and decisions made by the Auckland Plan Committee in September 2013. A new provision on water and wastewater supply also addresses many of the concerns raised by the public that new development should be able to be serviced. The universal access provisions were developed in response to feedback from the community and the disability advisory group.

There is also a new provision in this zone that provides where buildings infringe three of more development controls (building height, height in relation to boundary, yards, maximum impervious area, building coverage, landscaping, outlook) then the activity status becomes discretionary.

The Terrace Housing and Apartment Buildings ("THAB") zone has been developed to support growth and housing choice by encouraging intensive housing to be established on the periphery of local, town and metropolitan centres, capitalising on access to frequent public transport networks and employment in centres. Terraced houses and apartments are expected to develop in these locations over the next 20 years. The building height varies from four - six storeys. The zone has been applied to areas at the edge of centres and within 250m of the edge of centres and, in some cases, along high frequency transport routes. Workshops with elected members have provided for much more local variation in heights of the THAB zone.

Permitted land use activities	
Demolition of buildings	
Home occupations	
Supported residential care and boarding houses up to 200m <sup>2</sup> per site	
Care centres up to 200m <sup>2</sup> per site	
Control	Details
Building height	Generally 14.5m (4 storeys) where semi-basement

	parking is provided. Semi-basement parking must not exceed 1m in height. Other heights for 5 storeys -17.5m and 6 storeys 20.5m.
Maximum density	Density determined by design review process
Minimum frontage/site width	25m where a building of up to 4 storeys is proposed 30m where a building of greater than 4 storeys is proposed
Minimum site size for subdivision	1200m <sup>2</sup> with min. frontage of 20m
Yards and building setbacks	2.5m front yard Where sites in the Terrace Housing and Apartment Buildings zone adjoin another site in the same zone, buildings must be set back at least 3m from side and rear boundaries for storeys one and two and 5m for storeys three and four.  Where a building is more than four storeys the building must be setback from side and rear boundaries at least: <ul style="list-style-type: none"> <li>• 5m for storeys one to four</li> <li>• 7m for storeys three and four</li> </ul> This control does not apply on boundaries where a common wall of the same height exists or is proposed.
Maximum building coverage	40%
Minimum landscaped area	40%
Maximum impervious threshold	60%
Building setbacks adjoining lower density zones	Where THAB zone adjoins sites in the Single House zone or sites less than 2000m <sup>2</sup> in the open space zones buildings must be set back from side and rear boundaries as follows: <ol style="list-style-type: none"> <li>a. 5m for storeys one and two</li> <li>b. 9m for storeys three and four</li> <li>c. 13m for storeys five and six</li> </ol> Where sites in the THAB zone adjoin sites in the Mixed Housing Suburban and Mixed Housing Urban zones, buildings must be set back from side and rear boundaries as follows: <ol style="list-style-type: none"> <li>a. 3m for storeys one and two</li> <li>b. 7m for storeys three and four</li> <li>c. 11m for storeys five and six</li> </ol>
Outdoor Living Space Principal living room at ground floor	A dwelling with the principal living room at ground level must have an outdoor living space capable of containing a delineated area measuring at least 20m <sup>2</sup> that: <ul style="list-style-type: none"> <li>• Has no dimension less than 4m</li> <li>• Is directly accessible from the principal living room</li> <li>• Has a gradient not exceeding 1 in 20</li> </ul>
Outdoor Living Space Principal living room above ground floor	Balcony or roof terrace of 8m <sup>2</sup> with min. depth of 2.4m
Fences	Maximum height–1.2m
Garages	A garage door facing a street must be no greater than 40 per cent of the width of the front façade of the dwelling to which the garage relates <ul style="list-style-type: none"> <li>• Garage doors must not project forward of the front façade of a dwelling</li> <li>• The garage door must be set back at least 5m from the site's frontage</li> </ul>
Outlook	An outlook space must be provided from the face of a

	<p>building containing windows or balconies to a habitable room. Where the room has two or more external faces with windows or balconies the outlook space must be provided from, in order of priority, the face with the largest balcony or largest area of glazing.</p> <p>The minimum dimensions for required outlook space are as follows:</p> <ul style="list-style-type: none"> <li>• Principal living rooms the outlook space must be at least 4m in width and 6m in depth</li> <li>• Principal bedrooms must be at least 3m in width and 3m in depth</li> <li>• All other habitable rooms: 1m in depth and 1m in width</li> </ul> <p>There are other parts to the rule which are too long to detail here.</p>
Floor to ceiling height	<p>Ground floor: 4m for a depth of 10m where adjoining an arterial road.</p> <p>In all other instances, the finished floor to ceiling height of habitable rooms must be at least 2.55m</p>
Minimum dwelling size	<p>Dwellings must have a minimum gross floor area of 40m<sup>2</sup> for studios and 45m<sup>2</sup> for one bedroom dwellings</p>
Dwelling mix	<p>In a single building containing more than 20 dwellings, the combined number of studio and one bedroom units must not exceed 70% of the total number of dwellings in the building</p>
Minimum dimension of principal living rooms and principal bedrooms	<p>The principal living room within a dwelling must have no dimension less than 3 metres, measured perpendicular from the internal walls of the room</p> <ul style="list-style-type: none"> <li>• The principal bedroom within a dwelling must be at least 3m in width and 3.5m in length measured perpendicular from the internal walls of the room. Cupboards and other storage space may be included in the minimum dimension.</li> </ul>
Daylight to dwellings	<p>Glazing to principal living room: Min. 40% of floor area of the living room</p> <p>Glazing to bedrooms: Min 20% of floor area of the bedroom</p>
Servicing and waste	<p>A building or site containing 10 or more dwellings must provide a communal storage area for waste</p>
Storage	<p>A dwelling must contain covered storage space measuring at least 4m<sup>3</sup>, excluding storage within the kitchen and bedroom wardrobes. The storage may be within the dwelling or external to it, within the site on the site.</p> <ul style="list-style-type: none"> <li>• The required storage space for each dwelling must include a single covered storage space within internal dimensions of at least 2m<sup>3</sup></li> </ul>
Universal access	<p>Where a new building or buildings contains 10 or more dwellings, 20 percent of those dwellings must comply with certain requirements for widths of doorways, stairwells, corridors, access and slope.</p>
Maximum building length	<p>There must be a recess in the façade of a building where it faces a side or rear boundary from the point at which the building exceeds a length of 16m. The recess must:</p> <ul style="list-style-type: none"> <li>• Be at least 2m, for a length of at least 4m</li> <li>• Be for the full height of the wall, excluding any structures 1m or less in height above ground level</li> <li>• Include a break in the eave line and roof line of</li> </ul>

	The maximum length of a building along a side or rear boundary is 30m, after which there must be a separation of at least 5m along the same boundary to any other building on the same site.
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The main changes to the Terrace Housing and Apartment Building zone between the March draft and the notified plan are:

- An increase in minimum dwelling size
- The dwelling mix control applies to 20 or more dwellings.
- Changes in the outlook control to address concerns raised by feedback on privacy and outlook.
- A change to the floor to ceiling height to only apply 4m for development adjoining arterial roads and to lower the height to 2.55m in all other cases
- Introduced storage requirements to be able to cope with bulky items such as bicycles, gardening and sports equipment that may otherwise be stored on balconies, affecting the overall amenity of developments.
- Additional setback controls to manage the interface between other residential and open space zones.
- A new requirement for a percentage of dwellings to comply with universal access requirements. This has been in response to concerns from the community and disability advisory/reference group that some new building stock should cater for the needs of the disabled. If a dwelling is designed to be suitable for a disabled person, it will also be accessible for children, the elderly and those with temporary or permanent impairments.
- There is a new rule making buildings that infringe three or more of the following development controls a discretionary activity for building height, yards, building setbacks within the THAB zone, building setback adjoining lower density zones.

The changes have been largely made in response to concerns raised by the community about:

- building heights,
- quality of terrace housing and apartment development; and
- the potential for visual dominance of neighbouring sites.

## **2 Objectives, Policies and Rules**

The Single House, Large Lot and Rural and Coastal Settlements zone's objectives and policies are not discussed further as there is little change in these zones from existing provisions.

### **2.1 Objective – 2.2.1-3**

The following objectives are proposed:-

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

### **Appropriateness of the Objective(s) Relevance**

Part 2 of the RMA has a number of guiding principles that councils and regional councils must take into account in developing plans. The objectives above are consistent with s. 5 in terms of providing for sustainable management. Auckland's urban area is generally well served by infrastructure and it is logical to make efficient use of existing capacity, particularly in locations where there are few constraints. Residential growth should support investment in business and commerce. A quality compact urban form should also make best use of central government investment in schools, hospitals, courts, police, etc.

### **Usefulness**

The objectives are useful in guiding decision-making on where growth should occur and provides a hierarchy for what areas should receive more growth i.e. centres first, followed by urban areas, satellite areas and finally serviced towns and villages.

### **Achievability**

The council has the ability to deliver on these objectives primarily through its application of regional and district plan functions (statutory) and through directing its council controlled organisations ("CCOs") such as Watercare Services Ltd and Auckland Transport (non-statutory) to provide servicing to these areas in order of importance.

### **Reasonableness**

The objective is reasonable and provides clear messages to the public and development community about where investment will occur for infrastructure upgrades, discourages growth in ecologically significant areas, protects valued areas and fosters improvements to supporting business and commercial areas.

### **Legacy issues**

Legacy plans provided for growth in different ways. For example:

- Franklin provided for growth around established towns such as Pukekohe but also allowed for the creation and expansion of rural villages through Plan Change14
- Auckland City provided for growth in existing urban areas
- Rodney, North Shore, Waitakere and Manukau provided for a mix of growth in existing areas and greenfields land.

### **District Level Objectives**

General 3.2.1.1 -3

1. *Auckland's residential areas are attractive environments with quality development that positively responds to and enhances the street, public open space and neighbourhood and contributes to safety and a positive sense of place.*
2. *A diverse range of housing provides choice for households and communities to meet their varied needs and lifestyles.*
3. *Non-residential activities that locate in residential areas contribute to and support the amenity of the neighbourhood and provide opportunities for social, economic and cultural well-being.*

### **Relevance**

The objectives give effect to the regional policy statement level objectives and policies by providing for residential growth, housing choice and supporting non-residential activities. This is consistent with the RMA hierarchy.

### **Usefulness**

The objectives are useful because they guide the general residential policies and the specific ones for each zone. The objectives foreshadow further guidance on how housing choice, growth and a quality built environment will be achieved within a residential context. It also provides direction on the role of non-residential activities in an urban context.

## **Achievability**

Both the regional and district level objectives are achievable. Council has the duties, functions and powers under sections 30 and 31 of the RMA to direct where and how residential growth should occur.

## **Reasonableness**

It is reasonable to provide clear policy direction on these matters.

## **Legacy**

Various legacy plans had general residential policies followed by more specific zone policies. This follows a similar format.

### **2.1.1 Policies 3.2.1.1.1- 5**

1. *Require developments to contribute positively to the visual quality and safety of streets, public open spaces and neighbourhoods.*
2. *Recognise that the density of Auckland's residential areas will increase, to varying degrees over time and apply controls to manage that change.*
3. *Provide a range of residential zones that enable different housing densities, a variety of housing opportunities and different housing types that are appropriate for the existing and planned infrastructure, natural environment and the existing and planned residential character of the area.*
4. *Require a percentage of medium to large scale residential development to provide equal physical access and use for people of all ages and abilities.*
5. *Enable an existing dwelling to be converted into two, in specific zones, in a manner that provides high quality internal and on-site amenity.*
6. *Enable non-residential activities that provide benefits to local communities and which will have minimal adverse effects on amenities of the residential area.*

The general policies have been written to provide overarching principles for the residential zones so they don't need to repeat recurring themes such as equal physical access, conversion of dwellings and non-residential development.

Each policy has methods or rules that relate to it. For example policy 3 correlates to rule 3.1 for density, policy 5 foreshadows rules on conversion of dwellings, and policy 2 refers to several controls including daylight to dwellings and outlook.

## **2.2 Objectives and policies - Large Lot**

Objectives 1-3 state:

1. *Development is of a height and bulk that maintains and positively responds to the site and the area's spacious landscape character.*
2. *Development maintains the amenity of adjoining sites.*
3. *Development is of a density that is appropriate for the physical and environmental attributes of the site and any infrastructure constraints.*

Policies 1-2 state:

1. *Limit development on a site to a single dwelling and accessory buildings and ensure that the site size will:*
  - a. *be able to accommodate the infrastructure necessary to support the dwelling*
  - b. *not detract from any high quality landscapes or natural features*
  - c. *not exacerbate any physical limitations such as land instability*

## **Relevance**

The Large Lot zone has been applied in selected locations that are usually on the periphery of Auckland's urban areas. The zone often, but not always, forms a transition between rural land and urban land. The section sizes in the Large Lot zones vary from existing sizes of around 1500m<sup>2</sup> through to areas such as Greenhithe where sites are typically around two hectares in area. As discussed earlier in the assessment, the minimum site size has been informed by legacy zones and codes of practice on the section size required to treat stormwater and wastewater on-site. Given the minimum site size and typical built form, the zone has relatively few controls. The objectives foreshadow this.

### **Usefulness**

The objectives are useful in capturing the essence of the zone and its purpose which is to retain certain characteristics whilst enabling housing. Any future development should respect the existing spacious landscape character and ensure that effects can be contained on-site.

### **Achievability**

The objectives are achievable. The policies and rules reinforce the outcomes stated in the objectives.

### **Reasonableness**

The Large Lot zone is associated with certain site characteristics. Communities who live in these areas value the open, spacious and sometimes vegetated nature of these sites. The range of activities provided for in the zone such as grazing, reflects the lifestyle that people enjoy. The rules have been streamlined to cover only those bulk and location controls that are specifically required. Any other site characteristics such as vegetation may be subject to other overlays to manage those specific features.

### **Legacy issues**

The legacy zones that comprise the Large Lot zone were used by legacy councils to reflect physical limitations, ecological or landscape features. They typically had site sizes in the range of 4,000-8,000m<sup>2</sup>. The Large Lot zone has amalgamated several similar zones and simplified them.

#### **2.2.1 Rules and methods**

The proposed provisions are summarised in 1.9 above. For Large Lot the controls are restricted to:

- density of 1:4000m<sup>2</sup>
- maximum height of 8m
- yards – front yards of 10m, side and rear yards of 6m, riparian yards of 10m, lake yard of 30m and coastal protection yard of 25m
- maximum impervious area -10%
- maximum building coverage

The density of one site per 4,000m<sup>2</sup> threshold has been based on a number of factors. Several legacy zones had differing densities. Rodney District's Landscape Protection zone allowed for one household unit per 8,000m<sup>2</sup> but allowed for one household unit per 4,000m<sup>2</sup> where clustering occurs. The Low Intensity Residential zone in the Rodney Plan allowed for one dwelling per 4,000m<sup>2</sup> and if applicants wished to construct a minor unit, they need a minimum site area of 4,000m<sup>2</sup> or greater. The North Shore's Residential 1 zone applied minimum section sizes of one dwelling per 1200m<sup>2</sup> where a site was serviced and one dwelling per 4,000m<sup>2</sup> if it was unserviced. Similar ranges in site sizes are evident too in other legacy plans. A decision was made that at 4,000m<sup>2</sup> sites would be able to contain their effects on-site of stormwater and wastewater. The Large Lot zone has been applied to areas that are on septic tanks.

The maximum height selected is an average across Auckland with some plans favouring up to 9m in height or 8.5m and others at the 8m height level. The feedback on the March draft did not challenge this level.

The yards act as a building set back in the zone and replace height in relation to boundary. The 10m front yard is similar to some large lot controls in Long Bay, the side yards of 6m are similar to those applied in the Physical Limitations, Low Intensity Residential land Landscape Protection zones in the Rodney legacy plan. These yard requirements should be easy to achieve on large sections.

The maximum impervious area of 10% and building coverage of 10% of 400m<sup>2</sup> whichever is the lesser has been developed to keep the buildings at a scale where the effects can be readily managed across a range of soil types and topography.

### **2.2.2 Costs and Benefits of Proposed Policies and Rules**

The costs of the proposed policies and rules are that the Large Lot zone is a low-intensity zone where residents still need to commute some distance to access services, education and amenities. The benefits of the zone are that it is applied sparingly across Auckland and provides for housing choice. Residents living in these areas value the lifestyle that they have often enjoy in the vicinity of highly valued landscapes, bordering rural areas or near the coast. The range of non-residential land uses is limited in these areas to retain the special qualities of the zone.

The benefits of the proposed policies and rules are that the Large Lot zone provides for a semi-rural lifestyle with more space for families. Providing for housing choice in the Auckland context means that people can expect to live in different types of housing within their lifetime depending on several factors. This zone suits one sector of the residential market.

### **2.2.3 Adequacy of Information and Risk of Not Acting**

It is considered that there is sufficient information on which to base the proposed policies and methods.

## **2.3 Objectives and policies - Rural and Coastal Settlement zone**

Objectives 1-3 state:

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

### *Policies*

1. *Enable subdivision and development that provides for a single dwelling and accessory buildings and ensure that the site size will:
  - a. *be able to accommodate the infrastructure necessary to support the dwelling*
  - b. *not detract from any high quality landscapes or natural features*
  - c. *do not exacerbate any physical limitations such as land instability.**
2. *Require development to be of a height and bulk that maintains a reasonable level of sunlight access and privacy to immediate neighbours.*
3. *Require development to have sufficient set backs and open space so as to maintain the rural and coastal residential character of the area.*
4. *Require dwellings to be designed to have useable and accessible outdoor living space of a size consistent with the spacious qualities of the zone.*

### **Relevance**

The Rural and Coastal Settlement zone has been applied in unserviced rural and coastal settlements around on the periphery of urban Auckland such as Muriwai and Kaukapakapa. The zone often, but not always, forms a transition between rural or coastal land and rural production land.

### **Usefulness**

The objectives and policies are useful in capturing the essence of the zone and its purpose which is to retain certain rural and coastal characteristics while enabling residential housing. Any future development should respect the existing spacious landscape character and ensure that effects can be contained on-site.

### **Achievability**

The objectives are achievable. The policies and rules reinforce the outcomes stated in the objectives.

### **Reasonableness**

The Rural and Coastal Settlement zone is associated with certain site characteristics. The existing site sizes within the zone vary considerably with some sites in Piha and Muriwai being in the ball-park of 800-1200m<sup>2</sup>. This small section size has arisen historically as surveyors often prepared plans more than 80 years ago based on residential section sizes irrespective of servicing. As a result of this, the zone has more sophisticated controls than the Large Lot zone.

Other site characteristics such as outstanding natural landscapes or vegetation may be subject to other overlays to manage those specific features.

### **Legacy issues**

Rural and Coastal Settlement zones and their equivalents were used by legacy councils to reflect physical limitations, ecological or landscape features. They typically had site sizes in the range of 1,500-8,000m<sup>2</sup>. The Rural and Coastal Settlement zone has amalgamated several similar legacy zones and simplified them.

#### **2.3.1 Rules and methods.**

The proposed provisions are summarised in 1.9 above. The Rural and Coastal Settlement development controls are restricted to:

- density of 1:4000m<sup>2</sup>
- maximum height of 8m
- height in relation to boundary of 2.5m plus 45 degrees
- yards – front yards of 5m, side and rear yards of 1m, riparian yards of 10m, lake yard of 30m and coastal protection yard of 20m
- maximum impervious area of 10%
- maximum building coverage is 20% or 200m<sup>2</sup> whichever is the lesser
- Outdoor living space- outlined in section 1.9
- Garages – a garage door facing a street must be 40 per cent or less of the width of the front façade of the building to which the garage relates. Garage doors must not project forward to the front façade of a dwelling.

The density of one site per 4,000m<sup>2</sup> has been selected to enable sites to contain their effects on-site of stormwater and wastewater. The zone has been applied to areas that are on septic tanks where landowners are responsible for all maintenance related to this.

The maximum height selected is an average across Auckland with some plans favouring up to 9m in height or 8.5m and others at the 8m height level. The feedback on the March draft did not challenge this proposed height level.

The yards reflect fairly generous front yards with 1m side and rear yards to allow for access around dwellings and maintenance. The height in relation to boundary control is conservative, to reflect to low-scale nature of the zone.

The maximum impervious area of 10% and building coverage of 20% of 200m<sup>2</sup> whichever is the lesser has been developed to keep the buildings at a scale where the effects can be readily managed across a range of soil types and topography.

Outdoor living space is provided for in the zone to ensure that people have sufficient space for enjoyment of their property, a space for outdoor living and entertaining.

### **2.3.2 Costs and Benefits of Proposed Policies and Rules**

The costs of the proposed policies and rules are that the Rural and Coastal Settlement zone is a low-intensity zone where residents still need to commute some distance to access services, education and amenities. The benefits of the zone are that it is applied in selected locations across Auckland and provides for housing choice. Residents living in these areas value the lifestyle that they have and enjoy their proximity to highly valued landscapes, bordering rural areas or near the coast. Non-residential land uses are limited in these areas to retain the rural and coastal characteristics of the zone. Dwellings in this zone are used by resident populations and there are also some properties that are used as baches.

The benefits of the proposed policies and rules are that the zone provides for a certain lifestyle that cannot be provided for elsewhere. Providing for housing choice in the Auckland context means that people can expect to live in different types of housing within their lifetime depending on several factors. This zone suits one sector of the residential market.

### **2.3.3 Adequacy of Information and Risk of Not Acting**

It is considered that there is sufficient information on which to base the proposed policies and methods.

## **2.4 Objectives and policies - Single House Zone**

Objectives 1 and 2 state:

- 1. Development is of a height, bulk and form that maintains and positively responds to the site and the neighbourhood's low density suburban residential character.*
- 2. Development provides high quality on-site amenity for residents and maintains the amenity of adjoining sites.*

*Policies*

- 1. Manage the height, bulk, form and appearance of development and require sufficient setbacks, landscaped areas and open space to maintain the low density suburban residential character of one to two storeys, detached dwellings within a generally spacious setting.*
- 2. Require development to be of a height and bulk that maintains a reasonable level of sunlight access and privacy to immediate neighbours.*
- 3. Require dwellings to be designed to have useable and accessible outdoor living space of a size consistent with the spacious qualities of the zone.*
- 4. Require fences to be sufficiently low to allow passive surveillance of the street.*

## **Relevance**

The Single House zone has been applied in serviced rural and coastal settlements on the periphery of urban Auckland, in most historic character and conservation overlay areas and in selected parts of Auckland that do not have good access to public transport or have flooding constraints. The zone title explains simply the expected outcome although the land use allows for a dwelling to be converted into two.

### **Usefulness**

The objectives and policies are useful in capturing the essence of the zone and its purpose which is to retain a built form appearance of one-two storey detached dwellings that have good amenity. Any future development should respect the existing character of neighbourhoods.

### **Achievability**

The objectives are achievable. The policies and rules reinforce the outcomes stated in the objectives.

### **Reasonableness**

The Single House zone is associated with certain site characteristics. Its development controls aim to retain the existing low-density suburban residential qualities.

### **Legacy issues**

The Single House zone has many equivalents in legacy plans. It is regarded as a traditional form of residential development with section sizes commonly in the range of 450m<sup>2</sup>- 1000m<sup>2</sup> range.

#### **2.4.1 Rules and methods**

The proposed provisions are summarised in 1.9 above. The Single House zone development controls are restricted to:

- density of 1:500m<sup>2</sup>
- maximum height of 8m
- height in relation to boundary of 2.5m plus 45 degrees
- yards – front yards of 5m, side and rear yards of 1m, riparian yards of 10m, lake yard of 30m and coastal protection yard of 10m
- maximum impervious area of 60%
- landscaped area- 40% landscaped area with 50% of the front yard landscaped and a requirement for some trees and shrubs
- maximum building coverage is 35%
- Outdoor living space- outlined in section 1.9
- Garages – a garage door facing a street must be 40 per cent or less of the width of the front façade of the building to which the garage relates. Garage doors must not project forward to the front façade of a dwelling.

The density of one site per 4,000m<sup>2</sup> has been selected to enable sites to contain their effects on-site of stormwater and wastewater. The zone has been applied to areas that are on septic tanks where landowners are responsible for all maintenance related to this.

The maximum height selected is an average across Auckland with some plans favouring up to 9m in height or 8.5m and others at the 8m height level. The feedback on the March draft did not challenge this level.

The yards reflect fairly generous front yards with 1m side and rear yards to allow for access around dwellings and maintenance. The height in relation to boundary control is conservative, to reflect the low-scale nature of the zone.

The maximum impervious area of 60% and building coverage of 35% has been developed to still allow for green spaces around dwellings.

Outdoor living space is provided for in the zone to ensure that people have sufficient space for enjoyment of their property, a space for outdoor living and entertaining.

#### **2.4.2 Costs and Benefits of Proposed Policies and Rules**

The costs of the proposed policies and rules are that the Single House zone is a low-intensity zone where the overall built form and setting is desirable to retain. However, it does mean that in order to keep a 70/40 split between brownfields and greenfields development, the council needs to encourage more intensification in the Mixed Housing Suburban, Mixed Housing Urban, Terrace House and Apartment Building zone and in centres. The Single House zone is generally well served by local amenities, parks and infrastructure.

The benefits of the zone are that it is applied in selected locations across Auckland and provides for housing choice. Residents living in these areas value the lifestyle that they have and often enjoy living in coastal areas (the former Res 2 zones in the North Shore), historic character areas or conservation areas. The zone also applies to some serviced rural and coastal areas. Non-residential land uses are limited.

The benefits of the proposed policies and rules are that the zone provides for a certain lifestyle that cannot be provided for elsewhere. Providing for housing choice in the Auckland context means that people can expect to live in different types of housing within their lifetime depending on several factors. This zone suits one sector of the residential market.

#### **2.4.3 Adequacy of Information and Risk of Not Acting**

It is considered that there is sufficient information on which to base the proposed policies and methods.

### **2.5 Objectives and policies - Mixed Housing Suburban zone**

Objectives 1-4 state:

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

*Policies*

1. *Enable a variety of detached and attached housing types*
2. *Manage the height, bulk, form and appearance of development and require sufficient setbacks and landscaped areas to maintain a suburban residential character of generally two storeys.*
3. *Require development to be of a height and bulk that allows immediate neighbours to have a reasonable standard of sunlight access and privacy and to avoid excessive dominance effects*
4. *Enable attached housing on smaller sites where the development faces the street and integrates well into the neighbourhood.*
5. *Require dwellings to be designed to:*
  - a) *have useable and accessible outdoor living space*
  - b) *provide privacy and outlook*

- c) *be of a size, have access to daylight and sunlight and provide the amenities necessary to meet the day to day needs of residents.*
- 6. *Require development to be designed, with a particular emphasis on those parts of the dwelling visible from the street to:*
  - a) *create visual interest*
  - b) *face the street and maximise passive surveillance of it*
  - c) *minimise the dominance of garage doors visible from the street*
- 7. *Limit the density and scale of development to take account of one or more of the following factors:*
  - a. *achieving a balance between making the most efficient use of the site and providing high-quality on-site amenity*
  - b. *the proportions or topography of the site or the width of the road frontage mean that it is not possible to maximise development without generating unreasonable adverse effects on the amenity of adjoining sites and the surrounding area*
  - c. *any infrastructure constraints.*
- 8. *Require development to have available connections to water supply and wastewater networks.*

### **Relevance**

The Mixed Housing Suburban zone is one of the broadest residential zones in the Unitary Plan. Spatially, it is typically applied between the Mixed Housing Urban zone and the Single House zone. The zone will be one of transition with some sites staying in a similar form of one dwelling per 400m<sup>2</sup> and others being redeveloped for more intensive residential development such as terraced housing or town houses. The objectives and policies indicate that there will be a spectrum of built outcomes however these should retain a suburban quality.

### **Usefulness**

The objectives and policies provide guidance on how a quality built environment will be achieved. The policies reflect an increasing level of regulation for this zone that is commensurate with the zone intensity. Each rule in the zone relates back to specific policy outcomes. For example the policies reflect the fact that there is an outlook control. The outlook control also considers privacy issues. There is also greater consideration of infrastructure and servicing than the March draft.

### **Achievability**

The objectives and policies are achievable, although the degree of change in this zone will be slowed down considerably through the density thresholds set by the September meeting of the Auckland Plan Committee. The objectives and policies lay down the foundations for design based rules. The proposed provisions will be completed by non-statutory design advice in the Auckland Design Manual ("ADM").

### **Reasonableness**

The Mixed Housing Suburban zone has been applied broadly across Auckland. The objectives and policies indicate a transition from the low intensity residential zones through to more intense zones with greater height and densities. The densities set in this zone will mean that this zone is relatively stable.

### **Legacy issues**

The Manukau District Plan has a Main Residential zone that allows for a minimum site size of one dwelling per 400m<sup>2</sup> but if an applicant has 1000m<sup>2</sup> then it is possible to achieve sites of 1:300m<sup>2</sup>. There is significant variation across legacy plans and the Mixed Housing Suburban zone contains a selection of the most suitable controls together with several new ones.

### **2.5.1 Rules and methods**

The proposed provisions are summarised in 1.9 above. The Mixed Housing Suburban development controls are:

- density of 1:400m<sup>2</sup> or 1:300m<sup>2</sup> where certain site size and road frontage controls are met and the site meets certain site size and road frontage controls.
- maximum height of 8m
- height in relation to boundary of 3m plus 45 degrees or an alternative standard where buildings must be set back 1m from side and rear boundaries to a maximum height of 3.6m, thereafter 1m and 0.3m for every metre in height up to 6.9m (73.3 degrees) and thereafter one metre in height for every additional metre in height (45 degrees).
- common walls
- yards – front yards minimum of 4m and a maximum of 5m, side and rear yards of 1m, riparian yards of 10m, lake yard of 30m and coastal protection yard of 10m
- maximum impervious area of 60%
- maximum building coverage is 40% for sites of 400m<sup>2</sup> or more and 50% for sites less than 400m<sup>2</sup> with certain site characteristics
- outdoor living space
- garages
- landscaped area
- outlook
- dwellings fronting the street
- maximum building length
- fences in front yards must not exceed 1.6m in height
- daylight to dwellings
- minimum dimensions of principal living rooms and principal bedrooms
- servicing and waste
- storage
- universal design
- water and wastewater servicing
- infringement of three or more key development controls changes the activity status to discretionary

The proposed rules have been developed to enable a range of detached, attached and semi-attached housing to be developed. There are some sites where higher densities will be possible and the rules provide for minimum levels of amenity. There is a strong incentive for developers to avoid infringing three or more of the following development controls in this zone or else the activity status of their application will become discretionary:

- the alternative height in relation to boundary rule
- walls on boundaries
- maximum building length
- building coverage
- landscaping and
- outlook.

### **2.5.2 Costs and Benefits of Proposed Policies and Rules**

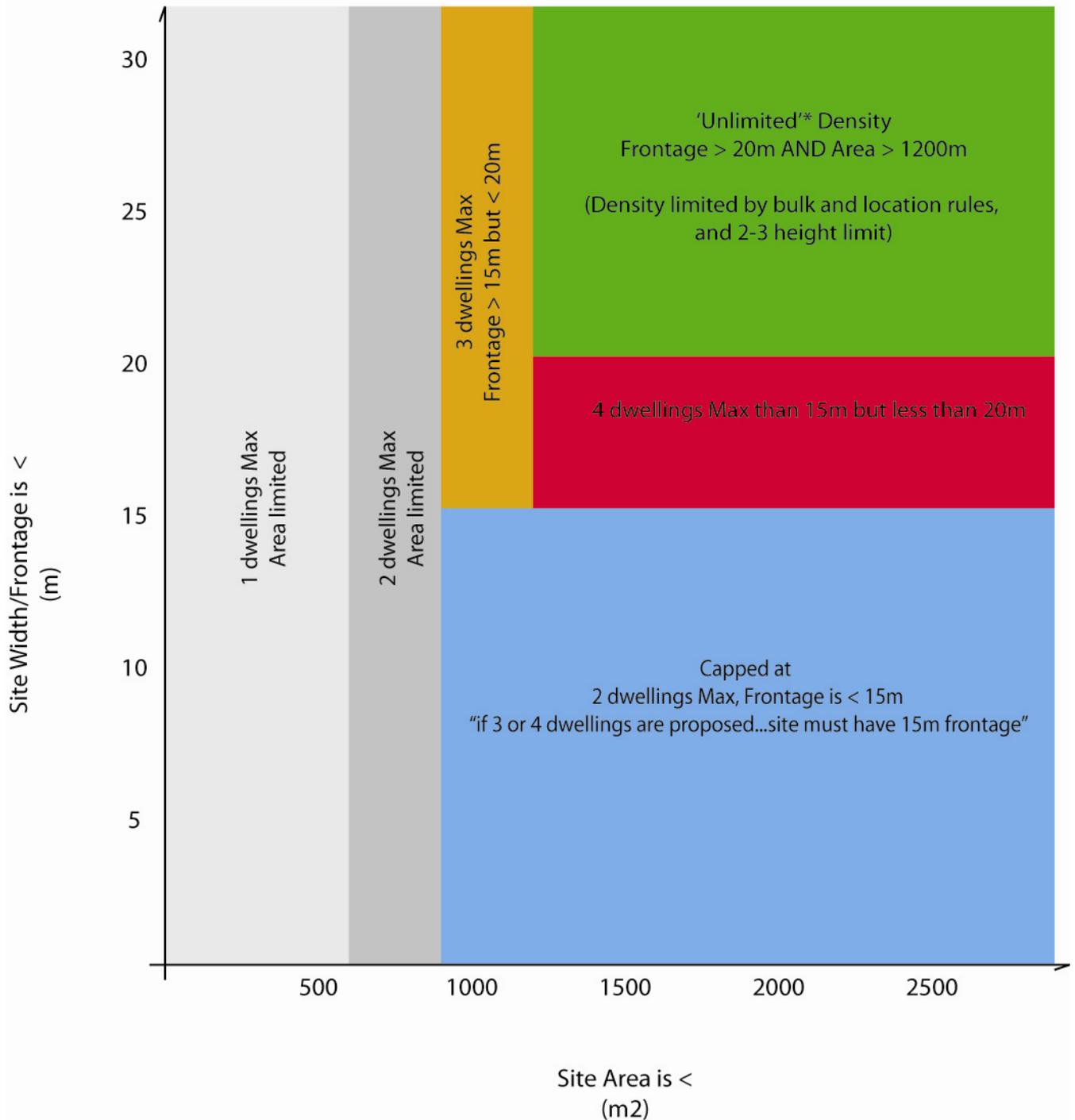
The Mixed Housing zone allows for up to four residential dwellings as a permitted activity, provided the development meets bulk and location requirements. The zone rules cascade from the objectives and policies. Housing supply is a key outcome of the zone. New development should either match the existing amenity or enhance it. The design quality and overall built form will be critical to ensuring the public accept changes in density.

The Mixed Housing zone has been spatially applied to areas that are relatively free of constraints and where existing data indicates there is potential to provide for several thousand additional residential sections. Housing supply is most likely to be augmented through a combination of small-scale developers subdividing in the existing urban areas as well as the larger greenfield developers increasing supply through large-scale subdivision. The rules provide for a density of one dwelling per 400m<sup>2</sup> or 1:300m<sup>2</sup> where certain site characteristics are met. In selecting the 300m<sup>2</sup> site size, council staff have taken into account the average site sizes across urban Auckland, feedback on servicing from Watercare and feedback from developers given at workshops in February and September 2012. The residential zones that have been harmonised into the Mixed Housing zone currently have a density within the range of 1:300- 1:500m<sup>2</sup> under legacy plans. By reducing the density to the lower end of the scale, it is likely to create redevelopment opportunities.

The objectives, policies and rules of this zone are designed to release growth potential within the existing urban area. It is likely that the distribution of uptake will vary depending on land value, existing capital value of buildings on sites, mortgage rates and whether the Unitary Plan is made operative within a short time-frame. If applicants are required to prepare consents under two plans they will need to do additional drawings and assess their applications under the operative provisions and new provisions. This would be compounded by uncertainty on the issue of public notification in legacy plans. The Mixed Housing Urban rules provide a certainty for developers because all restricted discretionary activity consents will be processed on a non-notified basis unless three of the key development controls are infringed.

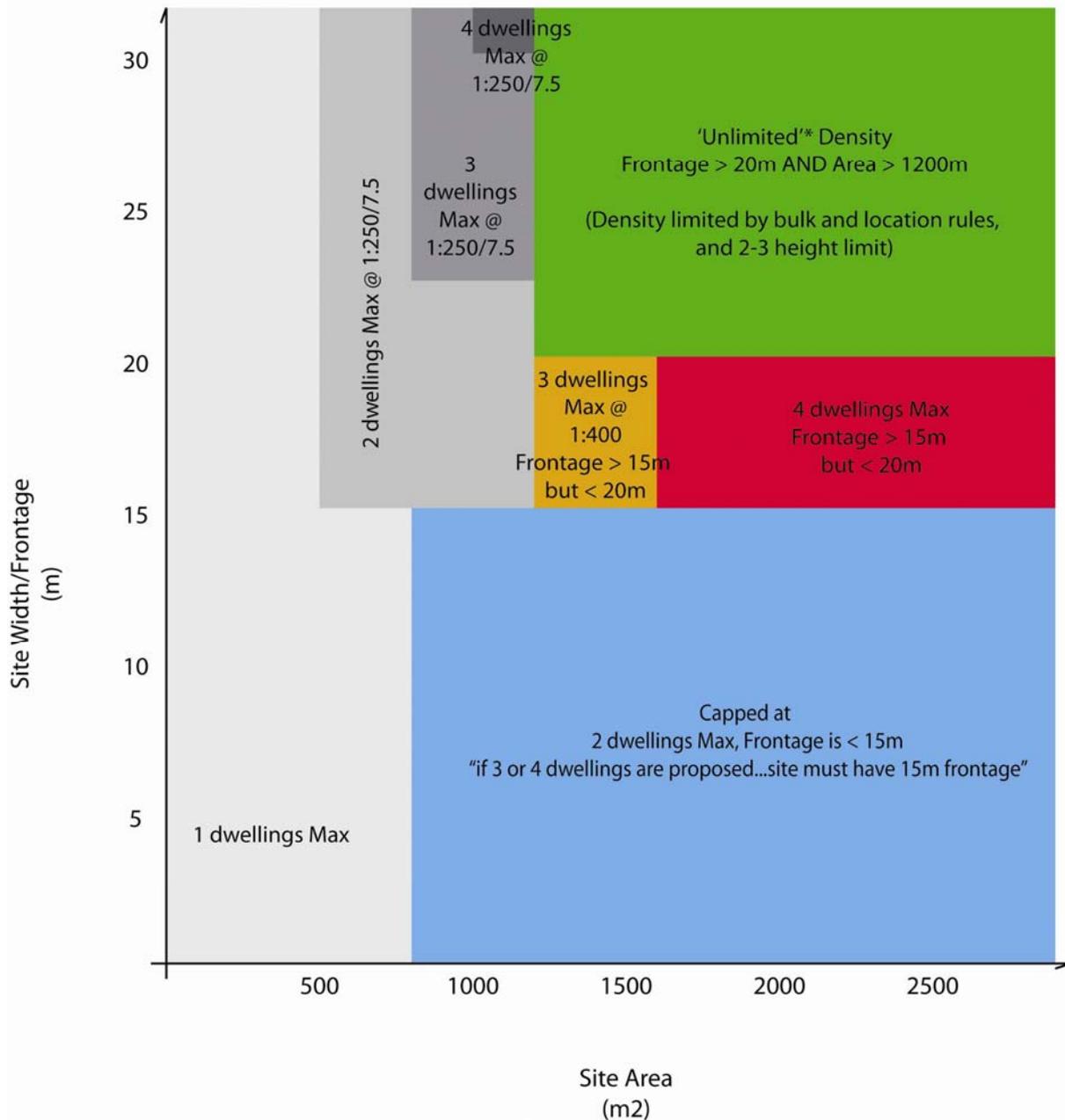
The diagram below shows how the March draft of the Mixed Housing provisions worked.

## Frontage/Area Rule Diagram Mixed Housing Zone (March 2013, Draft UP) :



The diagram below has been prepared by modelling staff in RIMU to demonstrate how the site frontage rule and site area characteristics guide how many dwellings can be developed under the proposed rules.

**Frontage/Area Rule Diagram  
Mixed Housing Suburban Zone (August 2013, Review UP) :**



In September 2012, Jasmox was employed by council to provide some worked examples of infill on amalgamated sites and to develop potential yields for low-rise apartment forms. Their work suggests challenges increase at three storeys and above with height, bulk, form of external space, vehicle provisions and relationship to adjacent buildings in particular requiring careful management. Jasmox modelled development in the Mixed Housing zone and achieved lot sizes between 1:144m<sup>2</sup> and 1:240m<sup>2</sup> for two-storey development. These figures were based on optimising sites by removing existing dwellings and potentially amalgamating sites. The development community has advised council that amalgamation of lots can be difficult to achieve in practice because of the low probability of getting two willing vendors located next to each other to reach agreement with a prospective purchaser. The only obvious exception would be property held in single ownership such as Housing New Zealand (HNZ) land. The site sizes modelled by Jasmox were moderated based on

developer feedback and data about existing infill development. Data suggests that in most cases, existing dwellings are generally retained and many small-scale developers favour vacant lot subdivision. During 2013 the Auckland Plan Committee became concerned that the Mixed Housing zone should not provide for unlimited density or relaxed density, particularly in response to issues raised by Auckland 2040 and other residents groups through the March feedback period.

RIMU will be able to supply updated modelling for future capacity post-notification as they require finalised maps and rules to run the model.

### **2.5.3 Adequacy of Information and Risk of Not Acting**

It is considered that there is sufficient information on which to base the proposed policies and methods.

## **2.6 Objectives and policies - Mixed Housing Urban zone**

Objectives 1-4 state:

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

*Policies*

- 1. Enable a variety of detached and attached housing types at increased densities including low-rise apartments.*
- 2. Manage the height, bulk, form and appearance of development and require sufficient setbacks and landscaped areas consistent with an urban residential character of three storeys.*
- 3. Require development to be of a height and bulk that allows immediate neighbours to have a reasonable standard of sunlight access and privacy and to avoid excessive dominance effects.*
- 4. Enable attached housing on smaller sites where the development faces the street and integrates well into the neighbourhood.*
- 5. Require dwellings to be designed to:*
  - a. have usable and accessible outdoor living space*
  - b. provide privacy and outlook*
  - c. be of a size, have access to daylight and sunlight, and provide the amenities necessary to meet the day to day needs of residents.*
- 6. Require development to be designed with a particular emphasis on those parts visible from the street to:*
  - a. create visual interest*
  - b. face the street and maximise passive surveillance of it*
  - c. minimise the dominance of garage doors visible from the street*
- 7. Limit the density and scale of development to take account of one or more of the following factors:*
  - a. achieving a balance between making the most efficient use of the site and providing high-quality on-site amenity*
  - b. the proportions or topography of the site or the width of the road frontage mean that it is not possible to maximise development without generating*

*unreasonable adverse effects on the amenity of adjoining sites and the surrounding area*

*c. any infrastructure constraints.*

8. *Require development to have available connections to water supply and wastewater networks.*

### **Relevance**

The Mixed Housing Urban zone is a key residential zone where change is anticipated. It typically is applied between the Mixed Housing Suburban zone and the Single House zone. The zone will be one of transition with some sites staying in a similar form of one dwelling per 300m<sup>2</sup> and other sites being re-developed for terraced housing or town houses. The objectives and policies indicate that there will be a spectrum of built outcomes for the site but it should retain a suburban quality.

### **Usefulness**

The objectives and policies provide guidance on how a quality built environment will be achieved. The policies reflect an increasing level of regulation for this zone that is commensurate with the zone intensity. Each rule in the zone relates back to specific policy outcomes. For example the policies reflect the fact that there is an outlook control. The outlook control also addresses privacy issues.

### **Achievability**

The objectives are achievable. The proposed provisions will be completed by non-statutory design advice in the Auckland Design Manual (“ADM”).

### **Reasonableness**

The Mixed Housing Urban zone has been applied broadly across Auckland. The objectives and policies indicate a transition from the low intensity residential zones through to more intense zones with greater height and densities.

### **Legacy issues**

The Manukau District Plan has Main Residential zone that allows for a minimum site size of one dwelling per 400m<sup>2</sup> but if an applicant has 1000m<sup>2</sup> then it is possible to achieve sites of 1:300m<sup>2</sup> this zone shares elements of the Mixed Housing Urban and Suburban. The Isthmus 7a zone has a density of one dwelling per 200m<sup>2</sup> and a maximum height of 10m. The Residential 7b zone in the same plan provides for a maximum height of 12.5m. Virtually all legacy plans provided for medium density or high intensity zones of one form or another. The Medium density provisions in the Waitakere Plan allowed for a relaxation in densities if a site was 2000m<sup>2</sup> in area and within close proximity to a train station.

There is a lot of variation across legacy plans and the Mixed Housing Urban zone contains a selection of the most suitable controls together with some new ones.

#### **2.6.1 Rules and methods**

The proposed provisions are summarised in 1.9 above. The Mixed Housing Urban development controls are:

- density of 1:300m<sup>2</sup> or 1:250m<sup>2</sup> where certain site size and road frontage controls are met or no density limits apply where five or more dwellings are proposed and the site meets certain site size and road frontage controls.
- maximum height of 10m
- height in relation to boundary of 3m plus 45 degrees or an alternative standard where buildings must be set back 1m from side and rear boundaries to a maximum height of 3.6m, thereafter 1m and 0.3m for every metre in height up to 6.9m (73.3 degrees) and thereafter one metre in height for every additional metre in height (45 degrees).

- Common walls
- yards – front yards minimum of 4m and a maximum of 5m, side and rear yards of 1m, riparian yards of 10m, lake yard of 30m and coastal protection yard of 10m
- maximum impervious area of 60%
- maximum building coverage is 40% for sites of 300m<sup>2</sup> or more and 50% for sites less than 300m<sup>2</sup> with certain site characteristics
- Outdoor living space
- Garages
- Landscaped area
- Outlook
- Dwellings fronting the street
- Maximum building length
- Fences in front yards must not exceed 1.6m in height
- Daylight to dwellings
- Minimum dimensions of principal living rooms and principal bedrooms
- Servicing and waste
- Storage
- Universal design
- Separation between buildings
- Water and wastewater

The proposed rules have been developed to enable a range of detached, attached and semi-attached housing to be developed up to three storeys. There are some sites where higher densities will be possible and the rules provide for minimum levels of amenity. There is a strong incentive for developers to avoid infringing three or more of the following development controls in this zone or else the activity status of their application will become discretionary:

- the alternative height in relation to boundary rule
- walls on boundaries
- maximum building length
- building coverage
- landscaping and
- outlook.

## **2.6.2 Costs and Benefits of Proposed Policies and Rules**

The Mixed Housing Urban zone allows for up to four residential dwellings as a permitted activity, provided the development meets bulk and location requirements. The zone rules cascade from the objectives and policies. Increasing housing supply while retaining a quality built form are key outcomes of the zone. New development should be designed to not only meet the development controls but also be designed to its context. The proposed rules should assure the public that the new residential zones will result in good quality design.

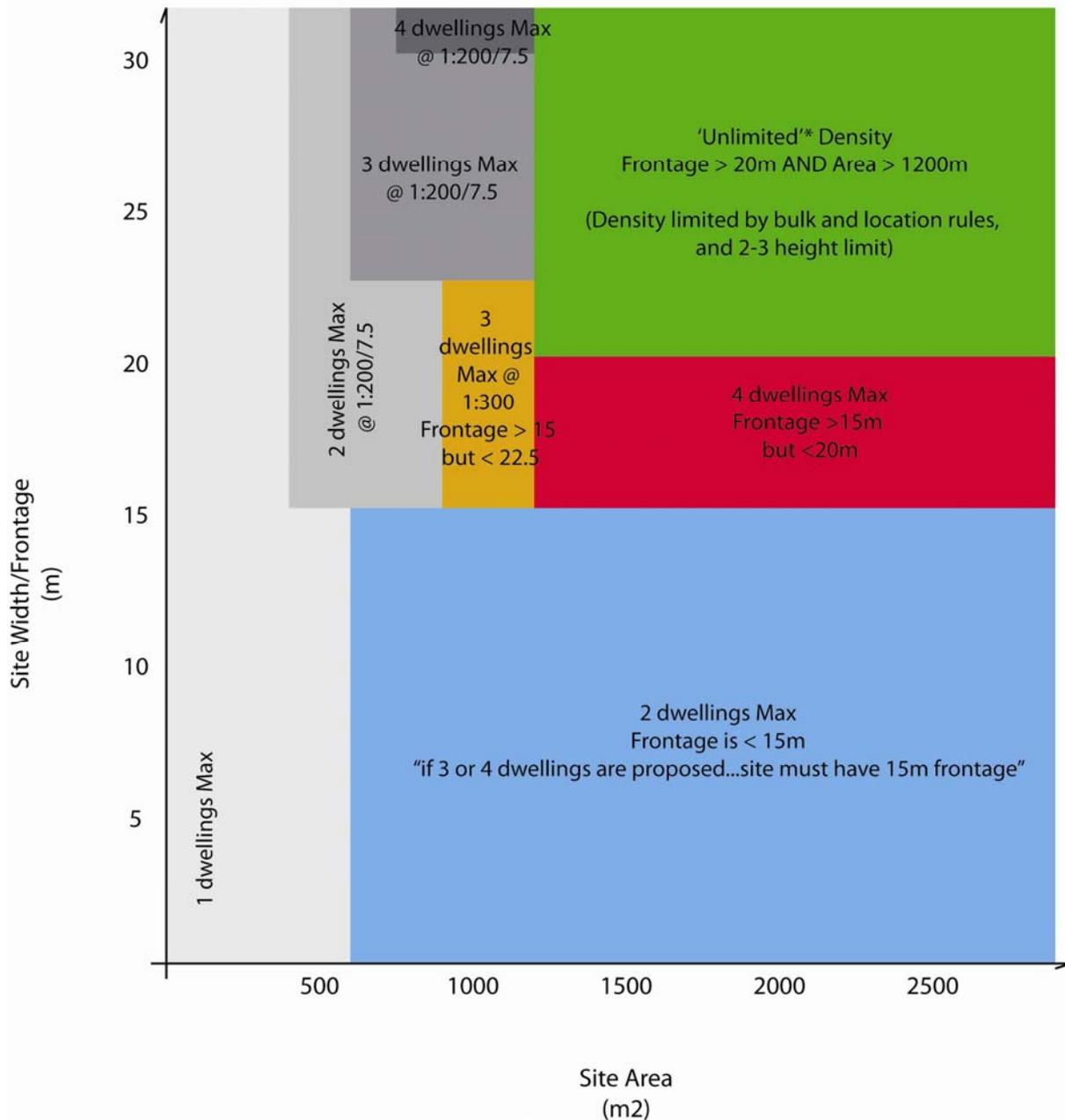
The Mixed Housing Urban zone has been spatially applied to areas that are within close proximity to frequent transport networks, civic amenities and centres. Housing supply is most likely to be augmented through a combination of small-scale developers subdividing in the existing urban areas as well as the larger greenfield developers increasing supply through large-scale subdivision. The rules provide for a density of one dwelling per 300m<sup>2</sup> generally and unlimited density where applicants have 1200m<sup>2</sup> of land with a 20m road frontage. The 1200m<sup>2</sup> site size and the road frontage were selected based on urban design advice about the optimal site size for creating a neighbourhood. In selecting the 300m<sup>2</sup> site size, council staff have taken into account the average site sizes across urban Auckland, feedback on servicing from Watercare and feedback from developers given at workshops in February and September 2012. The residential zones that have been harmonised into the Mixed Housing

zone currently have a density within the range of unlimited density through to 1:500m<sup>2</sup> under legacy plans. For some parts of Auckland there will be an increase in minimum site size and a decrease at the other end of the scale. Overall, this zone is likely to create redevelopment opportunities.

The objectives, policies and rules of this zone are designed to release growth potential within the existing urban area. It is likely that the distribution of uptake will vary depending on land value, existing capital value of buildings on sites, mortgage rates and whether the Unitary Plan is made operative within a short time-frame. If applicants are required to prepare consents under two plans they will need to do additional drawings and assess their applications under the operative provisions and new provisions. This would be compounded by uncertainty on the issue of public notification in legacy plans. The Mixed Housing Urban rules provide a certainty for developers because all restricted discretionary activity consents will be processed on a non-notified basis unless three or more of the key development controls are infringed. This should act as a strong incentive to comply with bulk and location controls.

The diagram below has been prepared by modelling staff in RIMU to demonstrate how the site frontage rule and site area characteristics guide how many dwellings can be developed under the proposed rules.

**Frontage/Area Rule Diagram  
Mixed Housing Urban Zone (August 2013, Review UP) :**



In September 2012, Jasmox was employed by council to provide some worked examples of infill on amalgamated sites and to develop potential yields for low-rise apartment forms. Their work suggests challenges increase at three storeys and above with height, bulk, form of external space, vehicle provisions and relationship to adjacent buildings in particular requiring careful management. Jasmox modelled development in the Mixed Housing zone and achieved lot sizes between 1:144m<sup>2</sup> and 1:240m<sup>2</sup> for two-storey development. These figures were based on optimising sites by removing existing dwellings and potentially amalgamating sites. The development community has advised council that amalgamation of sections can be difficult to achieve in practice because of the low probability of getting two willing vendors located next to each other to reach agreement with a prospective purchaser. The only obvious exception would be property held in single ownership such as HNZ (HNZ) land. The site sizes modelled by Jasmox were moderated based on developer feedback and

data about existing infill development. Data suggests that in most cases, existing dwellings are generally retained and many small-scale developers favour vacant lot subdivision.

Feedback received from the public on the Mixed Housing zone favoured splitting the zone. Some people wanted more density and the ability to readily build three storey town houses and many people were keen to keep a one to two storey building typology in the suburbs. Splitting the zone and providing for some clear points of difference in terms of height and proximity to centres, means that people have more clarity about what can be built in their neighbourhood.

### **2.6.3 Adequacy of Information and Risk of Not Acting**

It is considered that there is sufficient information on which to base the proposed policies and methods.

## **2.7 Objectives and policies – THAB Zone**

Objectives 1-5 state:

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

### *Policies*

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

- d. *prioritise pedestrian access, safety and movement*
- 9. *Require development to be designed, with a particular emphasis on those parts visible from the street to:*
  - a. *achieve a high standard of visual quality*
  - b. *face the street and maximise passive surveillance of it*
  - c. *minimise the dominance of garage doors visible from the street.*
- 10. *Require residential development to make the most efficient use of the site as practicable, taking into account:*
  - a. *the ability to provide high-quality on-site amenity*
  - b. *the proportions or topography of the site or the width of the road frontage mean that it is not possible to maximise development without generating unreasonable adverse effects on the amenity of adjoining sites and surrounding area*
  - c. *any infrastructure constraints*
- 11. *Provide for a range of non-residential activities while ensuring that the intensity of use will not detract from the residential amenity of the area.*

### **Relevance**

The Terrace Housing and Apartment Buildings zone is a key residential zone where change is anticipated and encouraged. Virtually all activities in this zone are a restricted discretionary activity except for a single dwelling, which is a permitted activity. The zone is typically applied between the centres and the Mixed Housing Urban zone. The zone will be one of transition with some sites remaining in the form of one dwelling until sites can be amalgamated or re-developed by either current or future owners. The objectives and policies indicate that there will be a range of built outcomes for the site but it is anticipated that there will be change and provided that sites are developed in accordance with the bulk and location requirements, applications can be processed on a non-notified basis.

These objectives, policies and rules will allow the area of land covered by the zone to be managed sustainably and to recognise amenity values (s. 5 and 7). Housing is essential to sustain community well-being. It is important that new housing is functional and well designed. Housing diversity and choice is important to provide for sustainable management of Auckland's urban land.

### **Usefulness**

The objectives and policies provide guidance on how a quality built environment will be achieved. The policies reflect an increasing level of regulation for this zone that is commensurate with the zone intensity. Each rule in the zone relates back to specific policy outcomes. The Terrace Housing and Apartment Building zone will form a transition between centres and the surrounding residential areas. The objectives and policies are outcome-focussed.

The objectives and policies assist with decision-making by putting an emphasis on making efficient use of land surrounding centres and encouraging more urban living. The objective sends a message that housing on the periphery of centres should contribute to vibrancy.

### **Achievability**

The objectives are achievable. The proposed provisions will be completed by non-statutory design advice in the Auckland Design Manual ("ADM"). The rules for the zone provide for design standards in outlook, yards, building set backs between buildings on the same site and buildings on adjacent sites, impervious area, building coverage, dwelling mix, maximum building length, minimum dwelling size, servicing and waste.

There are a small number of developers in Auckland that specialise in building apartments. Apartments have already been built in market-attractive areas of Auckland. Zoning is one of

the tools council has to encourage development. It is likely that the uptake of this form of development will be slow. It is likely to be 5-10 years before there is a significant change in the built form of centres due to the costs and risks involved in this form of development.

### **Reasonableness**

The Terrace Housing and Apartment Buildings zone has been applied across Auckland with virtually all local boards (excluding Franklin) having some of this zone in each local board area. The uptake of the zone will depend on several factors such as market attractiveness. Even if apartments are not built in the immediately the zone is “future-proofing” Auckland’s ability to grow and make efficient use of land close to civic amenities, frequent transport networks and centres. The objectives and policies support the proposed built form outcomes. A lot of analysis has taken place following the release of the March draft on outlook controls, privacy and overshadowing issues. These have been addressed through more prescriptive interface controls between this zone and Mixed Housing Urban, Mixed Housing Suburban, Single House and Open Space zones. The rules are now more robust as a result of public and industry feedback.

The outcome of attractive, quality terraced and apartment housing is reasonable for Auckland.

### **Legacy issues**

Auckland has learned from its experience of apartment development in the 1990s. Much of the feedback received the public has been focussed on quality, height and interface issues. Some legacy plans developed good policy on apartments (North Shore, Waitakere) and the urban design panel was created to consider design matters on complex resource consents in Auckland City. Virtually all legacy plans have bulk and location provisions for apartments, although they vary considerably in their scope and discretion. Some parts of Auckland had good provisions but few applications taking up the opportunities afforded.

Legacy plans were often concerned with integrating new development with existing rather than housing contributing to a new or preferred neighbourhood character. The proposed regulatory framework puts an emphasis on quality and creating local identity.

#### **2.7.1 Rules and methods**

The proposed provisions are summarised in 1.9 above. The Terrace Housing and Apartment Buildings zone development controls are:

- One dwelling per site as a permitted activity, two to four dwellings per site is a discretionary activity or no density limits apply where five or more dwellings are proposed and the site meets certain site size and road frontage controls.
- maximum height – various depending on the area provides for four to six storeys
- Building setbacks within the zone depending on the number of storeys and different setbacks where this zone interfaces with other adjoining residential or Open Space zones.
- yards – front yards minimum of 2.5m, riparian yards of 10m, lake yard of 30m and coastal protection yard of 10m
- maximum impervious area of 60%
- maximum building coverage is 40%
- Garages
- Landscaped area-40%
- Outlook
- Outdoor living space
- Dwellings fronting the street
- Maximum building length
- Fences in front yards must not exceed 1.6m in height

- Daylight to dwellings
- Minimum dimensions of principal living rooms and principal bedrooms
- Servicing and waste
- storage

### **2.7.2 Costs and Benefits of Proposed Policies and Rules**

The objectives, policies and rules of this zone are designed to release growth potential within the existing urban area. It is likely that the uptake of the potential to develop apartments and terraced housing will vary depending on land value, existing capital value of buildings on sites, mortgage rates and whether the Unitary Plan is made operative within a short time-frame. If applicants are required to prepare consents under two plans they will need to do additional drawings and assess their applications under the operative provisions and new provisions. This would be compounded by uncertainty on the issue of public notification in legacy plans. The Terrace Housing and Apartment Buildings rules provide a certainty for developers because all restricted discretionary activity consents will be processed on a non-notified basis unless three of the key development controls are infringed.

The costs associated with this form of housing are that residential buildings over four storeys are constructed with steel reinforced concrete, lifts are required for buildings four storeys or more and floor area is diminished for stairs and hallways. The design and engineering costs associated with this form of development and cost of materials add risk and complexity.

The Council contracted Graeme Scott, architect, to provide design advice on this zone, the development controls and interface issues between this zone and adjoining zones. The result of this further analysis and feedback from the public resulted in some fine tuning of the development controls. In particular, much more specific changes were made to the setbacks of buildings within the zone and at zone interfaces. Rule 9.4 deals with building setbacks within the THAB zone. It provides:

- where the building is between one and four storeys, the building must be set back 3m for storeys one and two
- 5m for storeys three and four
- where the building is more than four storeys it must be set back 5m for storeys one to four and 7m for storeys five and six

Rule 9.5 deals with building setbacks adjoining lower density zones and provides:

- Where sites in the THAB zone adjoin sites in the Single House zone or Public Open Space zones not exceeding 2000m<sup>2</sup>, the building must be set back from side and rear boundaries by:
  - a. 5m for storeys one and two
  - b. 9m for storeys three and four
  - c. 13m for storeys five and six

Where sites in the THAB zone adjoin sites in the Mixed Housing Suburban and Mixed Housing Urban zones, buildings must be set back from side and rear boundaries by:

- 3m for storeys one and two
- 7m for storeys three and four
- 11m for storeys five and six

These setbacks have been introduced to effectively address issues of visual dominance and shading.

Much of the discussion around minimum dwelling size was highlighted through this zone and the changes to increasing the sizes of studios and one bedroom dwellings has had a flow-on

effect for other zones that are likely to experience multi-unit development. The proposed minimum net floor areas should mean that people living in this form of accommodation do not need to leave it within six months because they cannot adequately store belongings or find that it has insufficient space for day to day living.

There is a strong incentive to build in accordance with the development controls for the zone as infringement of three or more development controls relating to building setbacks, building coverage, landscaping or outlook will change the activity status of the application from a restricted discretionary activity into a discretionary one.

### **2.7.3 Adequacy of Information and Risk of Not Acting**

It is considered that there is sufficient information on which to base the proposed policies and methods.

## **3 Alternatives**

The proposed preferred alternative is discussed in 2.0 above. The status quo alternative is outlined in 1.5 above.

Alternatives are:

1. Status quo - Retain existing zones, policies and objectives
2. Preferred - Draft Unitary Plan five residential zones, objectives and policies, mapping methodology and RPS level objectives and policies
3. Remove all rules

The table below discusses each alternative compared to the Proposed Alternative.

	Status Quo Alternative	Alternative 2 - preferred	Alternative 3 – remove all rules
<b>Appropriateness</b>	<p>The status quo differs from the approach taken in the Unitary Plan. The status quo follows the approach of the existing legacy plans, including the RPS, that in some cases are more than 20 years old. These plans reflect the strategic thinking of that time and the imperatives of predecessor organisations, and in many cases, this approach is no longer appropriate.</p> <p>In many cases, the approach taken to residential intensification in legacy district plans was different. For example, some plans favoured apartments and terraced housing in centres and corridors whereas others placed equal value on railway stations and others only favour town centres.</p>	<p>The zone provisions support the objectives and policies of each zone and the RPS. The proposed approach is the most prudent and integrated approach.</p>	<p>The 'do-nothing' option is not considered appropriate.</p>
<b>Effectiveness</b>	<p>The status quo has a baseline level of effectiveness.</p>	<p>There has been some refinement of the maps and specific zone provisions following feedback on the draft Unitary Plan. The overall proposed regulatory framework is considered to be sound and effective. The risks involved in not notifying the draft provisions are that we continue on a 'business-as-usual' model that fails to spur the development community to increase building across Auckland.</p>	<p>The approach of removing all rules is risky and would make funding the costs of growth and infrastructure virtually impossible. There would be no quality control on the design of housing and no consistency in built form unless secured by legal means. It would create uncertainty for the financial sector as the value of loans could become worthless if a property were altered in such a way as to devalue the value of a loan, for example, converting a house to accommodate a prohibited activity e.g. changing a house into a poultry farm.</p> <p>Effectiveness would need to be measured in time and it is likely that the removal of district plan rules would result in strengthening bylaws and the use of additional legal instruments. Loan agreements by banks and financial institutions would become more complex to limit the behaviour of clients.</p>
<b>Efficiency</b>	<p>The status quo has a baseline level of efficiency but the costs of continuing in the same vein raises risks for council, the market and central government. The main risk relates to how easily people can develop additional housing. The status quo provides for market potential but supply needs to occur at different scales i.e. small-scale developers, entrepreneurs and established developers who build more than 20 houses per year. The status quo is not delivering sufficient housing in Auckland.</p>	<p>The benefits of the proposed objectives, policies, rules, maps and six zones outweigh the costs associated with promulgating the Unitary Plan through the usual statutory process and time taken for the community to familiarise themselves with the new provisions.</p>	<p>The costs of removing all planning rules is considered to be higher than the benefits because of the uncertainty and the instability it would create in the real estate, property and financial sectors.</p>
<b>Costs</b>	<p>There is a cost to Auckland if it maintains the status quo. There is variation in the areas supplied for growth within the existing urban area and the objectives, policies and rules related to them. There are some key development areas with prescriptive planning controls that are both difficult to administer and for applicants to navigate. Some areas in Auckland, such as Long Bay and Hobsonville Point, have been slow to develop based on the complexity of current rules where the landowners have advised council that the regulatory environment is overly complex.</p> <p>If large developers such as the Todd Group and Hobsonville Land Co have to operate within a complex regulatory environment, this increases housing costs. Costs associated with preparing consents are generally passed onto prospective purchasers. Council can control two factors associated with a shortage of housing supply - appropriate zoning of land and regulation.</p> <p>RIMU's data on population projections and modelling in its current state establishes a benchmark to measure whether the Unitary Plan rules will deliver lower, similar or improved level of growth.</p>	<p>The costs of implementing the draft RPS level objectives and policies, six residential zones objectives and policies are:</p> <ul style="list-style-type: none"> <li>the costs associated with staff time and potentially appeals for promulgating the Unitary Plan</li> <li>costs associated with installing air conditioning units into apartments and terraced housing developments (normally required under the Building Act 1991) where these are in air quality transport corridor separation overlays</li> <li>costs associated with the effects of other overlays that constrain development</li> <li>lower costs associated with consultants only having to familiarise themselves with one set of provisions for the entire region, creating a level playing field for development Auckland-wide</li> <li>a simpler regulatory framework – six residential zones varied by overlays and precincts</li> <li>zones that encourage quality housing to be built by different players in the market</li> <li>if the Unitary Plan can be made operative sooner, greater certainty for people to invest and start building, resulting in a</li> </ul>	<p>The costs of removing all the rules mean council would need to notify a plan change revoking all current district plans, and change its delegations manual and committee structures accordingly. Presumably, the Environment Court would still have jurisdiction to settle appeals before it, but could not direct council to change its district plan as it would no longer exist. There would be costs associated with staff redundancies and uncertainty created in the market.</p> <p>The environment would be likely to suffer as highly valued areas could be developed as of right. There would be no protection for heritage or character buildings which would have an effect on Auckland's built form and natural heritage. The quality of the environment would start to degrade as common goods such as water and air were discharged into or taken with no regulation.</p> <p>Council staff are not readily able to quantify how much the community values the certainty of Unitary Plan rules. However, new costs might arise in civil litigation for blocking light/overshadowing/excessive height but these would most likely be concentrated in higher value areas or where litigants could better afford to lodge appeals. There would be</p>

	Status Quo Alternative	Alternative 2 - preferred	Alternative 3 – remove all rules
	<p>There is a social cost to the status quo. Home ownership rates in Auckland are decreasing and fewer people are able to afford their own house. This is likely to turn into an economic issue over a 20 -30 year cycle as many retirees rely on equity in their main asset (their homes) to fund movement into retirement villages/rest homes. If fewer retirees are financially independent there may be a corresponding increase in the number of people requiring accommodation supplements as the 65+ age group. This may potentially force councils to be more involved in the provision of social housing.</p> <p>There are financial costs associated with the status quo. Many of the existing provisions have financial contributions provisions in them and the council has adopted a development contributions policy under the Local Government Act. The development contributions policy simplifies the processes for paying towards the true cost of development, rather than potentially double-dipping with land owners paying for financial contributions as well as development contributions.</p>	<p>flow-on effect of raising employment and housing levels in Auckland</p> <ul style="list-style-type: none"> <li>less costs of having to assess applications against two sets of rules.</li> </ul>	<p>greater use of restrictive covenants and easements on new development to control design elements, legal mechanisms and use of bylaws to fill the gap. In the normal course of events these legal mechanisms are used to secure property rights in perpetuity or for a specific period of time.</p>
<b>Benefits</b>	<p>The benefits of maintaining the status quo are that skilled staff and planning consultants are already familiar with the controls and it is business as usual.</p>	<ul style="list-style-type: none"> <li>The RPS level of policies and objectives aim to provide for housing choice in Auckland. This makes the provision of housing a key message.</li> <li>The objectives and policies in the zones encourage differing levels of change and intensity depending on the values that they are trying to protect e.g. Rural and Coastal Settlements and Large Lot zones value spaciousness, Single House zone values traditional suburban settings, the Mixed Housing zone is encouraging two-three level residential development, and the Terrace Housing and Apartment Buildings zone values proximity to centres, transport and community facilities with commensurate levels of intensity.</li> <li>The social effects of implementing the provisions are that more housing should be able to be supplied to match changing family structures from one-bedroom studios through to single houses in highly valued areas.</li> <li>Central government should be able to make sound decisions on funding core infrastructure (police, education, courts, and health) based on where population centres are located. Other parts of government such as HNZ have been able to influence the creation of a precinct for the Tamaki Project that should create additional housing and make best use of HNZ land.</li> <li>The opportunity cost of not promulgating the Unitary Plan and making it operative at the point of notification is high, as it is likely to stimulate investment in building and housing across Auckland.</li> </ul>	<p>The benefits of the do nothing approach are that the market would direct where growth would occur and at what rate. It would take some time for the market to stabilise as some suburbs may become hot growth areas until the infrastructure capacity was used up. This would have a flow-on effect socially, as some schools would experience corresponding increases in children attending schools and the Ministry of Education would find it difficult to allocate education resources across Auckland's. The main benefit would be that anyone developing their property would only have to be concerned with complying with bylaws and the Building Act 1991.</p>
<b>Risks</b>	<p>The risks of acting are that some objectives/policies/development controls may need to be tweaked, but this is seen as a manageable risk. The chances for interventions/re-writing may happen during the consultation phase, review of section 32 phase, prior to notification of the proposed Unitary Plan, submission phase and at the phase when commissioners make their findings.</p> <p>The risks of not acting are that the market cannot deliver more housing if the regulatory framework is too complex or restrictive, meaning housing supply will remain fairly static.</p>	<ul style="list-style-type: none"> <li>The risks of acting are quantifiable and relate largely to political risk. There is ample opportunity to make corrections and policy adjustments where needed as a result of feedback/submissions.</li> <li>The risks of not acting are that operative plans end up being changed more frequently to reflect current thinking and there is no consistency across Auckland on standard residential provisions.</li> <li>Auckland is New Zealand's largest city and cannot afford to lose opportunities for growth and investment.</li> </ul>	<p>The risks of acting are outlined above and relate to uncertainty that would be created by leaving a policy vacuum where not all items covered by the Unitary Plan could be otherwise governed. If there is no removal of all the rules, the status quo would need to prevail or an alternative set of provisions.</p>

## 4 Conclusion

Based on the above discussion, the following conclusions are drawn:

The package of six residential zones provides for sufficient variation and housing choice. The base zones can be varied by precincts and overlays. The Large Lot, Rural and Coastal Settlement and Single House zones enable low-density development at a “business as usual” scale. The development controls are targeted to ensure that the low-scale, spacious and landscaped character of these zones is maintained. The provision for converted dwellings allows people to continue to provide for extended family or have a small rental income. This is important in providing for social and economic wellbeing.

The Mixed Housing zone has been split as a result of feedback with some net benefits of clearer messaging around potential for height and intensity. Both Mixed Housing zones will make a positive impact on housing affordability in the Auckland market as a result of four dwellings being a permitted activity. This is a significant policy development and a positive step towards augmenting housing supply.

The Terrace Housing and Apartment Buildings zone has been applied in a more broad-brush manner than similar zones by legacy councils. This means there will be a period of adjustment required as the market gets used to supplying this form of housing (currently there is a small group of approximately six developers operating in this market), together with the more constrained opportunities to do low-scale redevelopment of four or less dwellings in the Terrace Housing and Apartment Buildings zone.

The quick wins are most likely to occur where key landowners such as HNZ are able to take up redevelopment opportunities under the new rules. In terms of the private sector, there is also likely to be market resistance and political pressure from neighbours sensitive to increased height.

This may result in some areas with greater potential to absorb growth, other areas that refuse to accept growth and areas of low land values that are more accepting of proposed heights (although the market uptake in these areas) may be slow. The draft rules need to correlate with optimal housing supply calculations.

The factors outlined above may mean that the majority of short-to-medium term growth occurs in the Single House and Mixed Housing zones as the rules are well understood by the community and there is significant potential for vacant lot subdivision. Uptake in the Terrace Housing and Apartment Buildings zone is likely to take longer and the rules may need further amendment to clarify whether council is seeking adaptive re-use of buildings i.e. a three-storey high-value apartment block with one dwelling per floor or if the number of dwellings supplied is the main criterion.

## 5 Record of Development of Provisions

### 5.1 Information and Analysis

- Resource Management Act, *Central Government*, 1991 (Appendix 3.3.1)
- Local Government Act, *Central Government*, 2002 (Appendix 3.3.2)
- Local Government (Auckland Council) Act, *Central Government*, 2009 (Appendix 3.3.3)
- Residential Tenancies Act, *Central Government*, 1986 (Appendix 3.3.4)
- Unit Titles Act, *Central Government*, 2010 (Appendix 3.3.5)
- Graeme Scott advice – July- August 2013

## **5.2 Consultation Undertaken**

- Consultation with local boards May 2012, August 2012, November/December 2012
- Consultation with developers February, May, September
- Feedback from HNZ post-August draft
- Consultation with Watercare Services Ltd August/September 2012
- Property Council workshop September 2012
- Local Board workshops on content and maps 2012-2013

## **5.3 Decision-Making**

- PWP decisions various 2011-2012 on zones, Unitary Plan structure
- PWP decisions August 2012 – December 2012
- Feedback from senior management - September 2012- January 2013 provisions changed/amended/developed.
- Auckland Plan Committee meetings