

Chapter D Overlays - Historic heritage and special character
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D17. Historic Heritage Overlay

Historic heritage has been identified as a qualifying matter in accordance with sections 77I(a) and 77O(a) of the RMA.

D17.1. Background

These provisions apply to scheduled historic heritage places on land and in the coastal marine area that are identified in [Schedule 14.1 Schedule of Historic Heritage](#) and shown on the Plan maps.

Scheduled historic heritage places have been evaluated and meet the heritage significance criteria and thresholds set out in the Regional Policy Statement (Chapter [B5.2](#)).

A scheduled historic heritage place can be an individual feature, or encompass multiple features and/or properties, and may include public land, land covered by water and any body of water. A historic heritage place may include; cultural landscapes, buildings, structures, monuments, gardens and plantings, archaeological sites and features, traditional sites, sacred places, townscapes, streetscapes and settlements.

The provisions ~~within this chapter~~ of this overlay manage the protection, conservation, maintenance, modification, relocation, use and development of scheduled historic heritage places.

Some precincts contain more detailed information and specific rules relating to a scheduled historic heritage place/s. Where this is the case the more specific precinct rules will replace the rules in D.17.4 in this section.

Categories of scheduled historic heritage places

Each scheduled historic heritage place has been assigned a category (refer to Section [B5.2.2.\(4\)](#)).

[Schedule 14.1 Schedule of Historic Heritage](#) contains the following categories of places:

- Category A Places: historic heritage places of outstanding significance well beyond their immediate environs; generally expected to be of significance to the Auckland region or a greater geographic area;
- Category A* Places: the most significant scheduled historic heritage places from legacy plans where the total or substantial demolition or destruction was a discretionary or non-complying activity (rather than a prohibited activity). This is an interim category until a comprehensive re-evaluation of these places is undertaken and their category status is addressed through a plan change process;
- Category B Places: historic heritage places that are of considerable significance to a locality or greater geographic area. Most scheduled historic heritage places are Category B; and
- Historic Heritage Areas: groupings of interrelated, but not necessarily contiguous, places or features that collectively meet the Category A or B criteria. Historic Heritage Areas may include both contributing and non-contributing sites or features, places individually scheduled as Category A or B places, and notable trees. Before

the map for each Historic Heritage Area in [Schedule 14.2. Historic Heritage Areas - Maps and statements of significance](#) there is a statement of significance which summarises the heritage values of each Historic Heritage Area and the relative importance of the values.

Primary features and non-primary features of Category A, A and B places*

The primary features of Category A, A* and B places form the fundamental basis for scheduling a historic heritage place. The primary features of historic heritage places are identified in [Schedule 14.1 Schedule of Historic Heritage](#), and for some places in [Schedule 14.3 Historic Heritage Place maps](#).

Not all primary features of Category B places have been identified. Until such time as the primary features of Category B places are identified, all features within the extent of place of a Category B place will be considered a primary feature for the purposes of implementing the rules in this chapter.

Non-primary features are features which are not specifically identified as either a primary feature or a feature in the exclusions column in [Schedule 14.1 Schedule of Historic Heritage](#) or as identified in [Schedule 14.3 Historic Heritage Place maps](#).

Extent of place of scheduled historic heritage places

Most scheduled historic heritage places include an identified area around a heritage feature; referred to as the 'extent of place'.

The extent of place comprises the area that is integral to the function, meaning and relationships of the place and illustrates the historic heritage values identified for the place. The provisions relating to a historic heritage place apply within the area mapped as the extent of place on the Plan maps, including the airspace.

[Schedule 14.3 Historic Heritage Place maps](#) clarifies the extent of place that applies to some historic heritage places.

Exclusions

Some scheduled historic heritage places have listed exclusions in [Schedule 14.1 Schedule of Historic Heritage](#), for example the interiors of buildings or ancillary buildings. Features listed as exclusions do not contribute to, or may detract from the values for which the historic heritage place has been scheduled.

[Schedule 14.3 Historic Heritage Place maps](#) clarifies the exclusions that applies to some historic heritage places.

Archaeological sites or features

Scheduled historic heritage places that are archaeological sites, or include archaeological sites or features that contribute to the significance of a scheduled place, are identified in [Schedule 14.1 Schedule of Historic Heritage](#). The proportion of archaeological sites within Auckland that are identified in [Schedule 14.1 Schedule of Historic Heritage](#) is low.

Archaeological sites are subject to additional rules to manage activities that have the potential to adversely affect archaeological values, such as land disturbance, or

disturbance of the foreshore or seabed. The accidental discovery rule in [E12 Land disturbance - District](#) applies in order to protect presently unknown archaeological values that may be discovered when works or development is undertaken.

Places of Māori interest or significance

Scheduled historic heritage places and places identified as having significance or value to Mana Whenua may overlap. In these instances the provisions in [D21 Sites and Places of Significance to Mana Whenua Overlay](#) also apply, in addition to any other overlay that may apply to the scheduled historic heritage place.

Setting of a historic heritage place

The setting of a historic heritage place includes elements of the surrounding context beyond the identified extent of place within which a historic heritage place is experienced. The setting of a historic heritage place includes the sea, sky, land, structures, features, backdrop, skyline and views to and from the place. It can also include landscapes, townscapes, streetscapes and relationships with other historic heritage places which contribute to the value of the place.

Unscheduled historic heritage

Much of Auckland's heritage has not been identified or evaluated to determine its significance.

Some places that have been identified as having significant heritage values are not presently included in the historic heritage schedule, either because of incomplete information, lack of consultation with landowners, or for other reasons. Presently unscheduled historic heritage places that meet the criteria for scheduling will be evaluated for inclusion in the schedule through future plan change processes.

Role of Heritage New Zealand Pouhere Taonga (Heritage New Zealand) in heritage protection and management

Heritage New Zealand has both an advocacy and a statutory role in relation to the conservation and protection of historic heritage.

Heritage New Zealand maintains the New Zealand Heritage List/Rārangī Kōrero which is a list of historic places, historic areas and wahi tapu areas. Heritage New Zealand is also required to establish and maintain the list of National Historic Landmarks/Ngā Manawhenua o Aotearoa me ōna Kōrero Tūturu. A scheduled historic heritage place in this Plan may also be on the New Zealand Heritage List.

In addition to the requirements of this Plan, the Heritage New Zealand Pouhere Taonga Act 2014 requires an authority to be obtained from Heritage New Zealand to modify or destroy any archaeological site meeting the criteria set out in that Act, whether or not it is recorded or scheduled.

If works are proposed to a scheduled historic heritage place, and the place meets the definition of an 'archaeological site' in the Heritage New Zealand Pouhere Taonga Act 2014, then the works will be subject to the provisions of that Act in addition to this Plan. Some places that meet the definition of an 'archaeological site' under the Heritage New Zealand Pouhere Taonga Act 2014 will not be included in [Schedule 14.1 Schedule of](#)

[Historic Heritage](#), and an authority to modify an archaeological site will be required from Heritage New Zealand.

Prior to starting work, or making an application for a resource consent affecting a historic heritage place Heritage New Zealand should be contacted to confirm whether, in addition to any rules applying in this Plan:

- (1) an authority is required from Heritage New Zealand to modify an archaeological site; or
- (2) the place is on the New Zealand Heritage List/Rārangi Kōrero or list of National Historic Landmarks.

D17.2. Objectives [rcp/dp]

- (1) The protection, maintenance, restoration and conservation of scheduled historic heritage places is supported and enabled.
- (2) Scheduled historic heritage places are protected from inappropriate subdivision, use and development, including inappropriate modification, relocation, demolition or destruction.
- (3) Appropriate subdivision, use and development, including adaptation of scheduled historic heritage places, is enabled.

D17.3. Policies [rcp/dp]

Maintenance and repair

- (1) Encourage and enable maintenance and repair appropriate to scheduled historic heritage places where it is:
 - (a) based upon a clear understanding of the heritage values of the place; and
 - (b) undertaken in accordance with good practice conservation principles and methods.
- (2) Encourage and support maintenance and repair appropriate to scheduled historic heritage places through such measures as:
 - (a) reducing or waiving consent application costs;
 - (b) providing funding, grants and other incentives; or
 - (c) providing expert advice.

Use and development, including adaptation

- (3) Enable the use, development and adaptation of scheduled historic heritage places where:
 - (a) it will not result in adverse effects on the significance of the place;

- (b) it will contribute to the ongoing maintenance and enhancement of the historic heritage values of the place;
 - (c) it is in accordance with good practice conservation principles and methods;
 - (d) it will not result in cumulative adverse effects on the historic heritage values of the place;
 - (e) it will support the long-term viability, retention or ongoing use of the place; and
 - (f) it will not lead to significant adverse effects on the surrounding area.
- (4) Enable the use of scheduled historic heritage places, whether or not the use is otherwise provided for in the zone, where it does not detract from the heritage values of the place and will not otherwise have significant adverse effects.
- (5) Support use, development or adaptation appropriate to scheduled historic heritage places through such measures as:
- (a) reducing or waiving consent application costs;
 - (b) granting consent to infringement of the development standards for underlying zones and Auckland-wide rules where this does not result in significant adverse effects;
 - (c) providing funding, grants and other incentives;
 - (d) providing expert advice; or
 - (e) providing transferable development rights.
- (6) Enable use and development of contributing and non-contributing sites or features within a Historic Heritage Area where it is compatible with the historic heritage values of the area.
- (7) Require the assessment of the effects for proposed works to scheduled historic heritage places, including where one or more places are affected, to address all the effects on:
- (a) the heritage values of the place/s;
 - (b) the significance of the place; and
 - (c) the setting and the relationship between places.

Modifications, restoration and new buildings within historic heritage places

- (8) Maintain or enhance historic heritage values by ensuring that modifications to, or restoration of, scheduled historic heritage places, and new buildings within scheduled historic heritage places:

- (a) minimise the loss of fabric that contributes to the heritage values and level of significance of the place;
 - (b) do not compromise the ability to interpret the place and the relationship to other heritage places;
 - (c) complement the form, fabric and setting which contributes to, or is associated with, the heritage values of the place;
 - (d) retain and integrate with the heritage values of the place;
 - (e) avoid significant adverse effects, including from loss, destruction or subdivision that would reduce or destroy the heritage values of the place; and
 - (f) avoid, remedy or mitigate adverse effects on the heritage values of the place.
- (9) Enable modifications to, or restoration of, scheduled historic heritage places, and new buildings within scheduled historic heritage places where the proposal:
- (a) will not result in adverse effects on the significance of the place;
 - (b) will contribute to the ongoing maintenance and enhancement of the historic heritage values of the place;
 - (c) is in accordance with good practice conservation principles and methods;
 - (d) will not result in cumulative adverse effects on the historic heritage values of the place; and
 - (e) will contribute to the long-term viability, retention or ongoing functional use of the place.
- (10) Support modifications to, or restoration of, scheduled historic heritage places that will do any of the following:
- (a) recover or reveal heritage values of the place;
 - (b) remove features or additions that compromise the heritage values of the place; or
 - (c) secure the long-term viability and retention of the place.
- (11) Provide for modifications to, or restoration of, parts of buildings or structures where this is necessary for the purposes of adaptation, repair or seismic strengthening, either in its own right or as part of any modifications.

Demolition or destruction

- (12) Avoid the total demolition or destruction of the primary features of Category A scheduled historic heritage places.
- (13) Avoid the total or substantial demolition or destruction of features (including buildings, structures or archaeological sites) within scheduled historic heritage places where it will result in adverse effects (including cumulative adverse effects) on the overall significance of the scheduled historic heritage place to the extent that the place would no longer meet the significance thresholds for the category it has been scheduled.
- (14) Avoid the total or substantial demolition or destruction of:
- (a) the primary features of Category A* and Category B scheduled historic heritage places;
 - (b) the non-primary features of Category A and A* scheduled historic heritage places; and contributing features within Historic Heritage Areas;
- unless:
- (i) the demolition or destruction is required to allow for significant public benefit that could not otherwise be achieved; and
 - (ii) the significant public benefit outweighs the retention of the feature, or parts of the feature, or the place; or
 - (iii) the demolition or destruction is necessary to remove a significant amount of damaged heritage fabric to ensure the conservation of the scheduled historic heritage place.
- (15) Enable the total or substantial demolition or destruction of features (including buildings, structures or archaeological sites) where:
- (a) it is established that the feature detracts from the heritage values of a scheduled historic heritage place;
 - (b) the feature is identified as a non-contributing feature within a scheduled Historic Heritage Area; or
 - (c) the feature is identified as an exclusion in [Schedule 14.1 Schedule of Historic Heritage](#).
- (16) Provide for the temporary and reversible dismantling of parts of buildings or structures where this is necessary for the purposes of seismic strengthening, without determining the dismantling to constitute total or substantial demolition or destruction.

Relocation

- (17) Avoid the permanent relocation of the primary features of Category A historic heritage places beyond the scheduled extent of place.
- (18) Avoid the temporary relocation of the primary features of Category A historic heritage places beyond the scheduled extent of place, unless the relocation is necessary to allow for significant public benefit that could not otherwise be achieved.
- (19) Avoid the permanent relocation of features of scheduled historic heritage places unless:
 - (a) it is necessary to allow for significant public benefit that could not otherwise be achieved; and
 - (b) the significant public benefit outweighs the value of retaining the feature in its present location.
- (20) Enable the permanent relocation of buildings or structures beyond the scheduled extent of place where any of the following apply:
 - (a) it is established that building or structure detracts from the heritage values of a scheduled historic heritage place;
 - (b) the building or structure is identified as an exclusion in [Schedule 14.1 Schedule of Historic Heritage](#); or
 - (c) the building or structure is identified as a non-contributing feature within a scheduled Historic Heritage Area.

Temporary activities

- (21) Provide for signs associated with temporary activities within scheduled historic heritage places where any adverse effects on the heritage values of the place are avoided, remedied or mitigated.
- (22) Provide for freestanding displays, exhibits and temporary structures within scheduled historic heritage places where any adverse effects on the heritage values of the place are avoided, remedied or mitigated.

Subdivision

- (23) Provide for the subdivision of scheduled historic heritage places only where:
 - (a) the subdivision will support use and development that is complementary to the heritage values of the place;
 - (b) all the potential effects of the subdivision and any associated development on the heritage values of the place have been considered and any adverse effects on these values are avoided to the greatest extent possible, and any other effects are remedied or mitigated; and

- (c) the subdivision contributes to the retention of the place.

Infrastructure

- (24) Enable the operation, maintenance, repair and upgrading of network utilities and small-scale electricity generation facilities, and connections to buildings for network utilities within scheduled historic heritage places in a manner that avoids, remedies or mitigates new adverse effects on the heritage values.
- (25) Enable the establishment of network utilities and small-scale electricity generation facilities within scheduled historic heritage places where all of the following apply:
 - (a) there is a functional need or operational constraint that necessitates their location within a scheduled historic heritage place;
 - (b) significant adverse effects on the heritage values of the place are avoided where practicable; and
 - (c) other adverse effects are avoided, remedied or mitigated.
- (26) Avoid the relocation and total or substantial demolition or destruction of features within a scheduled historic heritage place to provide for network utilities and electricity generation facilities unless all of the following apply:
 - (a) a functional need or operational constraint limits available alternatives;
 - (b) there is no reasonable practicable alternative;
 - (c) the infrastructure will provide a significant public benefit that could not otherwise be achieved; and
 - (d) the adverse effects on the heritage values of a place are minimised to the extent practicable.

D17.4. Activity tables

Tables D17.4.1 to D17.4.3 specify the activity status of land-use activities (pursuant to section 9(3) of the Resource Management Act 1991), subdivision (pursuant to section 11 of the Resource Management Act 1991), and activities in the coastal marine area (pursuant to section 12(1), (2) or (3) of the Resource Management Act 1991) affecting scheduled historic heritage places. The most restrictive applicable rule determines overall activity status.

Table D17.4.1 Activity table – Activities affecting Category A, A* and B scheduled places applies to Category A, A* and B scheduled historic heritage places as identified in [Schedule 14.1 Schedule of Historic Heritage](#) and [Schedule 14.3 Historic Heritage Place maps](#).

Table D17.4.2 Activity Table - Activities subject to additional archaeological rules applies to historic heritage places where additional archaeological rules apply as identified in [Schedule 14.1 Schedule of Historic Heritage](#).

Table D17.4.3 Activity Table - Activities in Historic Heritage Areas applies to Historic Heritage Areas, as identified in [Schedule 14.1 Schedule of Historic Heritage](#) and [Schedule 14.2 Historic Heritage Areas - Maps and statements of significance](#). Where a Category A, A* or B scheduled historic heritage place, or a site subject to an additional archaeological rule is also located within a Historic Heritage Area, Table D17.4.1 and Table D17.4.2 also apply.

Other rules that apply to scheduled historic heritage places are contained in:

- [E26 Infrastructure](#);
- [E12 Land disturbance - District](#); and
- Chapter F Coastal - the rules in the activity table in Chapter F General Coastal Marine Zone apply, except where reference is made to the rules in this chapter.

Rules relating to the extent of place for places annotated with # in [Schedule 14.1 Schedule of Historic Heritage](#)

Where the extent of place for a scheduled historic heritage place is annotated with a # in [Schedule 14.1 Schedule of Historic Heritage](#), no geographic extent of place has been mapped. In this case the rules in Table D17.4.1 and Table D17.4.2 apply to all land or water within 50m of the feature annotated with #.

Rules where the primary features of Category B places are not identified

Not all primary features of Category B places have been identified in [Schedule 14.1 Schedule of Historic Heritage](#). Until such time as the primary features of Category B places are identified, all features within the extent of a Category B place will be considered a primary feature for the purposes of the rules in this chapter.

Rules relating to the interiors of scheduled buildings

The rules in Table D17.4.1 apply to the interiors of scheduled buildings unless they are specifically identified as exclusions in [Schedule 14.1 Schedule of Historic Heritage](#) or [Schedule 14.3 Historic Heritage Place maps](#).

Rules relating to seismic strengthening

The temporary and reversible dismantling of parts of buildings or structures for the purposes of seismic strengthening will not be considered to constitute demolition or destruction for the purposes of these rules.

Rules relating to demolition or destruction of a feature (including building, structure, archaeological site or feature)

For the purpose of determining the rules relating to demolition or destruction of a feature, volume is measured from the outermost surface of the building or feature, including any surfaces below ground level, unless a site-specific rule applies. Details for determining the particular application of this rule for some scheduled places is provided in [Schedule 14.3 Historic Heritage Place maps](#).

A blank in the activity status for an activity in Tables D17.4.1, D17.4.2 or D17.4.3 means that the provisions of the zone or Auckland-wide provisions apply.

The provisions of this overlay replace the equivalent provisions of the underlying zone.

A qualifying matter rule only applies to district plan provisions.

Table D17.4.1 Activity table – Activities affecting Category A, A* and B scheduled historic heritage places [rcp – where reference is made in Chapter F to these rules applying]

		Primary feature Category A places	Primary feature Category A* places	Activities within the scheduled extent of place of Category A and A* places	Primary feature Category B places	Activities within the scheduled extent of place of Category B places	Features identified as exclusions	
Development								
Demolition or destruction								
Qualifying matter as per s771(a) and s770(a) of the RMA	(A1)	Demolition or destruction of 70% or more by volume or footprint (whichever is the greater) of any feature	Pr	NC	NC	D	D	P - where the feature is free-standing P – for interior of building(s) where identified as an exclusion C – where the feature is connected to a scheduled feature
	(A2)	Demolition or destruction of 30% or more, but less than 70%, by volume or footprint (whichever is the greater) of any feature Note: Demolition or destruction of less than 30%, by volume or footprint (whichever is greater) of any feature, is considered under 'Modification and Restoration' – Activity (A9), in	NC	NC	NC	D	D	P - where the feature is free-standing P – for interior of building(s) where identified as an exclusion C – where the feature is connected to a scheduled feature

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Qualifying matter as per s771(a) and s770(a) of the RMA

	this table (D17.4.4)						
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For the purpose of applying rule D17.4.1(A1) and (A2) to Oakley Hospital Main Building (ID 1339) the map in [Schedule 14.3 Historic Heritage Place maps](#) identifies the footprint for the area of the building that comprises the primary feature

Qualifying matter as per s771(a) and s770(a) of the RMA

Relocation							
(A3)	Relocation of features (including buildings or structures) within the scheduled extent of place	NC	NC	D	D	RD	C
(A4)	Relocation of features (including buildings or structures) beyond the scheduled extent of place	Pr	NC	D	D	RD	P - where the feature is free-standing P – for interior of building(s) where identified as an exclusion C – where the feature is connected to a scheduled feature
(A5)	Temporary relocation of features (including buildings or structures) beyond the scheduled extent of place	NC	NC	D	D	RD	P
Maintenance and repair							
(A6)	Maintenance and repair of features including buildings and structures	P	P	P	P	P	P
(A7)	Maintenance and repair of gardens, lawns, garden amenities, driveways, parking areas, effluent disposal systems, swimming	P	P	P	P	P	P

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	pools, sports fields, courts and grounds, bridle paths, footpaths, cycle and walking tracks, including the planting of vegetation						
(A8)	Pest plant removal, biosecurity tree works	P	P	P	P	P	P
Modification and restoration							
(A9)	Modifications to, or restoration of, buildings, structures, fabric or features of a scheduled historic heritage place, except where provided for as a permitted, controlled or restricted discretionary activity in another rule in this overlay.	RD	RD	RD	RD	RD	P
(A9A)	Trimming and alteration of trees specifically identified in Schedule 14.1	P	P	P	P	P	
(A9B)	Tree and vegetation removal, trimming and alteration, except any tree or other planting specifically identified in Schedule 14.1 Schedule of Historic Heritage	P	P	P	P	P	P
(A9C)	Modification of a grave ledger to allow the insertion of	P	P	P	P	P	

Qualifying matter as per s771(a) and s770(a) of the RMA



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	cremated ash remains							
Buildings and structures								
Qualifying matter as per s771(a) and s770(a) of the RMA	(A10)	New buildings or structures	D	D	D	D	RD	
	(A11)	Temporary buildings and structures, including structures accessory to temporary activities	P	P	P	P	P	
Seismic strengthening								
Qualifying matter as per s771(a) and s770(a) of the RMA	(A12)	Modifications to buildings, structures or features of a scheduled historic heritage place for seismic strengthening	RD	RD	RD	RD	RD	P - where the feature is free-standing P – for interior of building(s) where identified as an exclusion C – where the feature is connected to a scheduled feature
	(A12A)	Modifications to buildings, structures or features of a scheduled historic heritage place for invasive seismic investigation	P	P	P	P	P	
Signs and ancillary structures								
	(A13)	Identification and safety signs	P	P	P	P	P	P
	(A14)	Temporary signs	P	P	P	P	P	P
	(A15)	Signs not otherwise provided for as a permitted activity	RD	RD	RD	RD	RD	
	(A16)	Security lighting and alarm systems	P	P	P	P	P	P

Qualifying matter as per s771(a) and s770(a) of the RMA

Subdivision							
(A17)	Subdivision of land within the scheduled extent of place	D	D	D	D	D	
Use							
(A18)	Farming provided for as a permitted activity in the underlying zone within the scheduled extent of place, excluding where archaeological controls apply	P	P	P	P	P	P
(A19)	Use of a scheduled historic heritage place for an activity that is not otherwise provided for in the underlying zone or precinct, or not otherwise provided for in Tables D17.4.1 to D.17.4.3 Note – this rule does not override any prohibited activity	D	D	D	D	D	D

Table D17.4.2 Activity table – Activities subject to additional archaeological rules [rcp/dp]

		Primary feature Category A places	Primary feature Category A* places	Activities within the scheduled extent of place of Category A and A* places	Primary feature Category B places	Activities within the scheduled extent of place of Category B places	Features identified as exclusions
Use							
Rural							
(A20)	Farming (except grazing of sheep, goats, llamas)	D	D	D	D	D	

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	and alpacas) within the scheduled extent of place						
(A21)	Grazing of sheep, goats, llamas and alpacas	P	P	P	P	P	P
(A22)	Forestry	Pr	NC	NC	NC	NC	C - 15m from the perimeter of any scheduled archaeological site
(A23)	Conservation planting	D	D	D	D	D	P
Development							
Archaeological investigation							
(A24)	Non-invasive archaeological investigation	P	P	P	P	P	P
(A25)	Archaeological investigation not otherwise provided for as a permitted activity	RD	RD	RD	RD	RD	P
Tree removal							
(A26)	Removal of trees greater than 3m in height or greater than 300mm girth	D	D	D	D	D	P

D17.4.3 Activity table – Activities in Historic Heritage Areas [dp]

		Contributing sites/features	Non-contributing sites/features	Features identified as exclusions
Development				
Demolition or destruction				
(A27)	Demolition or destruction of 30 per cent or more by volume or footprint (whichever is the greater) of any feature Note: Demolition or destruction of less than 30%, by volume or footprint (whichever is greater) of any feature; is considered under 'Modifications and Restorations' – Activity (A33), in this table (D17.4.3)	D	C	P
Relocation				
(A28)	Relocation of features (including buildings or structures) within an Historic Heritage Area	D	C	C
(A29)	Relocation of features (including buildings or structures) beyond the Historic Heritage Area	D	C	P
Maintenance and repair				

Qualifying matter as per s771(a) and s770(a) of the RMA

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(A30)	Maintenance and repair of features (including buildings or structures)	P	P	P
(A31)	Maintenance and repair of gardens, lawns, driveways, parking areas, effluent disposal systems, swimming pools, sports fields, courts and grounds, bridle paths, footpaths, cycle and walking tracks, including the planting of vegetation	P	P	P
(A32)	Pest plant removal, biosecurity tree works	P	P	P
Modifications and restoration				
(A33)	Modifications to, or restoration of, a building, structure, or feature, within a Historic Heritage Area except for controlled and restricted discretionary activities specifically listed in this table	RD	C	P
New buildings and structures				
(A34)	New buildings or structures within a Historic Heritage Area	RD	RD	
Signs and temporary buildings, structures and signs				
(A35)	Temporary buildings, structures and signs, including buildings, structures and signs accessory to a temporary activity	P	P	P
(A36)	Identification and safety signs	P	P	P
(A37)	Signs not otherwise specified	RD	RD	
(A38)	Security lighting and alarm systems	P	P	P
Subdivision				
(A39)	Subdivision of land within a Historic Heritage Area	D	RD	
Use				
(A40)	Farming provided for as a permitted activity in the underlying zone within a Historic Heritage Area, except where archaeological controls apply	P	P	P

Qualifying matter as per s771(a) and s770(a) of the RMA

Qualifying matter as per s771(a) and s770(a) of the RMA

D17.5. Notification

(1) An application for resource consent for the following controlled or restricted discretionary activities listed in Table D17.4.1 Activity Table – Activities affecting Category A, A* and B scheduled places, Table D17.4.2 Activity table - Activities subject to additional archaeological rules or Table D17.4.3 Activity table – Activities in Historic Heritage Areas will be considered without public or limited notification, or need to obtain written approval from affected parties unless the Council decides that special circumstances exist under section 95A(9) of the Resource Management Act 1991:

- (a) modifications to buildings, structures or features of a scheduled historic heritage place specifically for seismic strengthening;
- (b) restoration activities;

- (c) signs not otherwise provided for as a permitted activity ;
 - (d) subdivision of non-contributing sites in a Historic Heritage Area;
 - (e) archaeological investigations not otherwise provided for as a permitted activity in Table D17.4.2 Activity Table - Activities subject to additional archaeological rules;
 - (f) demolition of buildings or structures on non-contributing sites within Historic Heritage Area;
 - (g) demolition of buildings or structures identified as exclusions in [Schedule 14.1 Schedule of Historic Heritage](#); or
 - (h) maintenance and repair that does not comply with all of the standards in D17.6.
- (2) Any application for a resource consent not provided for in rule D17.5 (1)(a) to (h) above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.
- (3) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule [C1.13\(4\)](#).

D17.6. Standards

All activities listed as permitted in Table D17.4.1 Activity Table – Activities affecting Category A, A* and B scheduled places, Table D17.4.2 Activity table - Activities subject to additional archaeological rules and Table D17.4.3 Activity table – Activities in Historic Heritage Areas must comply with the following permitted activity standards.

D17.6.1. Demolition, destruction or relocation of free-standing features identified as exclusions, and features identified as exclusions

- (1) The total or substantial demolition, destruction, or relocation (including temporary relocation) of free-standing features identified as exclusions, and features identified as exclusions, must not involve earthworks or disturbance of land or the foreshore or seabed where archaeological controls apply, other than as provided for as a permitted activity in Table D17.4.2 Activity table – Activities subject to additional archaeological rules.

D17.6.2. Maintenance and repair of features (including buildings and structures) excluding features identified as exclusions, and non-contributing sites or features within Historic Heritage Areas

- (1) The maintenance and repair of features (including buildings and structures) excluding features identified as exclusions, and non-contributing sites or features within Historic Heritage Areas, must not result in any of the following:

- (a) changes to the existing surface treatment of fabric, painting of any previously unpainted surface, or the rendering of any previously un-rendered surface;
- (b) the use of abrasive or high-pressure cleaning methods, such as sand or water-blasting;
- (c) the affixing of scaffolding to the building or structure;
- (d) changes to the design, texture, or form of the fabric;
- (e) changes to the extent, floor levels, location of internal walls, form, proportion and scale of the building or structure;
- (f) the use of materials other than those the same as the original or most significant fabric, or the closest equivalent; or
- (g) earthworks or disturbance of land or the foreshore or seabed being undertaken where archaeological controls apply, other than as provided for as a permitted activity.

D17.6.3. Maintenance and repair of gardens, lawns, garden amenities, driveways, parking areas, effluent disposal systems, swimming pools, sports fields, courts and grounds, bridle paths, footpaths, cycle and walking tracks, including the planting of vegetation

- (1) The maintenance and repair of gardens, garden amenities, lawns, effluent disposal systems, swimming pools, bridle paths, footpaths, cycle and walking tracks, including the planting of vegetation within a scheduled extent of place, excluding features identified as exclusions, or non-contributing sites or features in Historic Heritage Areas, must not result in any of the following:
 - (a) the removal of any tree or other planting identified in [Schedule 14.1 Schedule of Historic Heritage](#);
 - (b) earthworks or disturbance of land or the foreshore or seabed, where archaeological controls apply, other than as provided for as a permitted activity in Table D17.4.2 Activity table – Activities subject to additional archaeological rules; or
 - (c) the planting of a tree where archaeological controls apply, other than as a replacement for a pre-existing tree where it is planted within the root plate of the pre-existing tree.
- (2) The maintenance and repair of driveways, parking areas, sports fields, courts and grounds within a scheduled extent of place, excluding features identified as exclusions, or non-contributing sites or features in Historic Heritage Areas, must not result in earthworks that extend more than 300mm below the surface where archaeological controls apply.

D17.6.4. Pest plant removal, biosecurity tree works and tree and vegetation removal, trimming and alteration

- (1) Must not result in the removal of any tree or other planting specifically identified in [Schedule 14.1 Schedule of Historic Heritage](#), other than features identified as exclusions, or non-contributing sites or features in Historic Heritage Areas.
- (2) Works within scheduled historic heritage places that are subject to archaeological controls must be undertaken:
 - (a) using hand-operated tools (including hand-held mechanical tools); and
 - (b) must not involve earthworks or disturbance of land or the foreshore or seabed, other than as provided for as a permitted activity.

Qualifying matter as per s771(a) and s770(a) of the RMA

D17.6.5. Modifications to buildings, structures, fabric or features of a scheduled historic heritage place identified as exclusions

- (1) Modifications to features identified as exclusions must not result in any of the following:
 - (a) changes to the footprint, height or volume of any building or structure;
 - (b) changes to floor levels or the external openings of buildings where modifications are made to interiors identified as exclusions; or
 - (c) earthworks or disturbance of land or the foreshore or seabed being undertaken where archaeological controls apply, other than as provided for as a permitted activity.

D17.6.5A. Trimming and alteration of specific trees identified in Schedule 14.1

- (1) The maximum branch diameter must not exceed 50mm at severance.
- (2) No more than 10 per cent of live growth of the tree may be removed in any one calendar year.
- (3) The works must meet best arboriculture practice.
- (4) All maintenance and trimming must retain the natural shape, form, and branch habit of the tree.

D17.6.5B. Modification to grave ledgers to allow the insertion of cremated ash remains

- (1) Apertures for insertion of cremated remains must:
 - (a) be cut or drilled;
 - (b) not exceed a maximum dimension of 250mm; and
 - (c) be repaired or covered by a plaque following insertion. Repairs shall comply with standard D17.6.2. Plaques shall not exceed 0.5m².

Plaques shall be of copper alloy or a material that is the same as the original or most significant fabric on the grave, or the closest equivalent.

D17.6.6. Temporary buildings and structures and signs including those accessory to a temporary activity

- (1) Temporary buildings, structures and signs, including those accessory to a temporary activity, but excluding internal shop displays that do not result in modifications to a scheduled place, must not result in any of the following:
 - (a) earthworks or disturbance of the foreshore or seabed being undertaken where archaeological controls apply, other than as provided for as a permitted activity Table D17.4.2 Activity table – Activities subject to additional archaeological rules, or that is provided for in a related resource consent;
 - (b) the building, structure or sign being attached, painted, fixed or projected on to any existing building, structure or feature within the scheduled historic heritage place, other than a building, structure or feature identified in the exclusions column in [Schedule 14.1 Schedule of Historic Heritage](#); or
 - (c) being in place longer than either:
 - (i) the maximum duration of the temporary activity, where the building or structure is ancillary to a temporary activity; or
 - (ii) 21 consecutive days in any 60-day period.

D17.6.6A. Modifications to buildings, structures or features of a scheduled historic heritage place for invasive seismic investigation

- (1) Modifications to buildings, structures, or features of a scheduled historic heritage place for invasive seismic investigation must not result in any of the following:
 - (a) holes, cuts or drilling in visually obvious locations;
 - (b) holes, cuts or drilling in or through original panel finishes such as but not limited to timber, pressed metal;
 - (c) removal of original fabric;
- (2) All investigation works must be repaired/made good with the same material as the original fabric, or the closest equivalent

D17.6.7. Identification and safety signs

- (1) Identification and safety signs within scheduled historic heritage places, other than road safety signs in accordance with New Zealand standards, or

identification signs within the interiors of buildings where the interior is identified as an exclusion, must not:

- (a) be attached, painted, fixed, or projected on to the exterior of any scheduled building, object, feature, or structure;
- (b) exceed two signs per scheduled historic heritage place (taking only one side of double-sided signs into account, or if a sign has more than two sides, then taking all of the faces of the sign into account);
- (c) exceed 0.5m² per sign;
- (d) be flashing, illuminated or variable; or
- (e) involve any disturbance of land or the foreshore or seabed to construct the sign where archaeological rules in Table D17.4.2 Activity table – Activities subject to additional archaeological rules apply.

(2) Identification and safety signs must be for one or more of the following purposes:

- (a) to provide information relating directly to the on-site activities or uses;
- (b) to aid traffic or maritime safety or navigation or provide public health and safety information;
- (c) to provide interpretive material on the heritage values of the place; or
- (d) to provide directional and way-finding information.

D17.6.8. Non-invasive archaeological investigation

(1) Non-invasive archaeological investigation involving minor earthworks or disturbance of the foreshore or seabed for the purpose of defining the location or extent of archaeological sites or features must comply with all of the following:

- (a) not be undertaken in areas where archaeological remains are evident, or known to be present;
- (b) not disturb or remove any archaeological material encountered during an investigation;
- (c) conform to accepted archaeological practice;
- (d) not involve the use mechanical tools, but use a probe not exceeding a diameter of 10mm, or a spade;
- (e) not result in spade holes that exceed 250mm x 250mm in size; and
- (f) on completion of works reinstate the ground to at least the state existing prior to the commencement of any works.

D17.7. Assessment – controlled activities

D17.7.1. Matters of control

The Council will reserve its control to the following matters when assessing a controlled activity resource consent application:

- (1) the demolition or destruction of 30 per cent or more by volume or footprint (whichever is the greater) of features identified as exclusions where the feature is connected to a scheduled feature, and non-contributing sites or features in a Historic Heritage Area:
 - (a) the method of demolition or destruction;
 - (b) the effects on the heritage values of any scheduled historic heritage place connected to the feature being demolished; and
 - (c) ground reinstatement and finished contours and surfaces.
- (2) relocation of features within the extent of place where identified as an exclusion; or beyond the extent of place where identified as an exclusion and the feature is connected to a scheduled feature; or identified as non-contributing or excluded site or feature in a Historic Heritage Area:
 - (a) the method of relocation;
 - (b) the effects on the heritage values of a scheduled historic heritage place;
 - (c) the effects on the views to, from or within, a scheduled historic heritage place; and
 - (d) ground reinstatement and finished contours and surfaces.
- (3) modifications for the purpose of seismic strengthening where the feature is identified as an exclusion and the feature is connected to a scheduled feature:
 - (a) the method of seismic strengthening and effects on the scheduled historic heritage place.
- (4) forestry 15m from the perimeter of any scheduled archaeological site:
 - (a) the effects of root disturbance, felling and extraction on archaeological sites.

D17.7.2. Assessment criteria

The Council will consider the relevant assessment criteria below for controlled activities:

- (1) for controlled activities in D17.7.1(1), (2) and (3):

- (a) the extent to which the proposal will affect the identified values of the scheduled historic heritage place it relates to, including the setting, and the measures to avoid, remedy or mitigate adverse effects on the scheduled historic heritage place;
 - (b) whether the method and techniques proposed will minimise the risk of damage to, or loss of value, of a scheduled historic heritage place;
 - (c) whether any earthworks or land disturbance are designed and located to avoid adverse effects on the stability and structural integrity of a scheduled historic heritage place;
 - (d) whether any archaeological site will be affected by the proposed works and the measures taken to avoid any adverse effects; and
 - (e) the extent to which works proposed for seismic strengthening purposes addresses anticipated effects on the scheduled historic heritage place.
- (2) for forestry 15m from the perimeter of any scheduled archaeological site:
- (a) the extent to which the forestry activity will adversely affect a scheduled archaeological site and the measures to avoid, remedy or mitigate any adverse effects.

D17.8. Assessment – restricted discretionary activities

D17.8.1. Matters of discretion

The Council will restrict its discretion to the following matters when assessing a restricted discretionary resource consent application:

- (1) for all restricted discretionary activities in Table D17.4.1 Activity table – Activities affecting Category A, A* and B scheduled places, Table D17.4.2 Activity table - Activities subject to additional archaeological rules and Table D17.4.3 Activity table – Activities in Historic Heritage Areas and for activities that do not meet one or more of the standards in D17.6:
 - (a) effects on the known heritage values of a historic heritage place from the scale, location, design, (including materials), duration and extent of the proposal, the construction methodology and associated site works;
 - (b) effects on the inter-relationship between buildings, structures and features within the place;
 - (c) effects of the proposal on the overall significance of the place;
 - (d) effects on the inter-relationship between contributing places within a Historic Heritage Area, including the views to, within or from the place or area;

- (e) the purpose and necessity for the works and any alternatives considered;
 - (f) effects of the proposal on the long-term viability and/or the ongoing functional use of the place; and
 - (g) the provisions of a conservation plan where one has been prepared for the scheduled historic heritage place.
- (2) additional matters for signs not provided for as a permitted activity:
- (a) the duration of the sign or structure;
 - (b) the content and visual appearance of the sign; and
 - (c) the method of constructing or affixing the sign or structure.
- (3) additional matters for modifications to buildings, structures, or features specifically for seismic strengthening:
- (a) the method proposed to be used for seismic strengthening, and the consideration of alternative methods; and
 - (b) the consideration of the use of the scheduled historic heritage place in relation to the level of seismic strengthening required.

D17.8.2. Assessment criteria

The Council will consider the relevant assessment criteria below for restricted discretionary activities:

- (1) for restricted discretionary activities in Table D17.4.1 Activity table – Activities affecting Category A, A* and B scheduled places, Table D17.4.2 Activity table - Activities subject to additional archaeological rules and Table D17.4.3 Activity table – Activities in Historic Heritage Areas:
- (a) whether the proposed works will result in adverse effects (including cumulative adverse effects) on the heritage values of the place and the extent to which adverse effects are avoided, remedied or mitigated;
 - (b) whether the proposed works will maintain or enhance the heritage values of the plac, including by:
 - (i) avoiding or minimising the loss of fabric that contributes to the significance of the place;
 - (ii) removing features that compromise the heritage values of the place;

- (iii) avoiding significant adverse effects on the place, having regard to the matters set out in [B5 Historic heritage and special character](#);
 - (iv) complementing the form and fabric which contributes to, or is associated with, the heritage values of the place; and
 - (v) recovering or revealing the heritage values of the place.
- (c) whether the proposed works will compromise the ability to interpret features within the place and the relationship of the place to other scheduled historic heritage places;
- (d) whether the proposed works, including the cumulative effects of proposed works, will result in adverse effects on the overall significance of the place such that it no longer meets the significance thresholds for which it was scheduled;
- (e) whether the proposed works will be undertaken in accordance with good practice conservation principles and methods appropriate to the heritage values of the place;
- (f) whether the proposal contributes to, or encourages, the long-term viability and/or ongoing functional use of the place;
- (g) whether modifications to buildings, structures, or features specifically for seismic strengthening:
- (i) consider any practicable alternative methods available to achieve the necessary seismic standard that will reduce the extent of adverse effects on the significance of the place; and
 - (ii) take into account the circumstances relating to the ongoing use and retention of the place that affect the level of seismic resilience that is necessary to be achieved.
- (h) whether the proposed relocation of features, within or beyond scheduled extents of place, in addition to the criteria above:
- (i) is necessary in order to provide for significant public benefit that could not otherwise be achieved; and
 - (ii) the significant public benefit outweighs the retention of the feature in its existing location within the extent of place.

D17.9. Special information requirements

- (1) An application for resource consent for works affecting scheduled historic heritage places must be accompanied by a heritage impact assessment that is commensurate to the effects of the proposed works on the overall significance of

a historic heritage place, and taking into account whether the works affect a primary, non-primary, non-contributing or excluded site or feature.

- (2) Any application for modifications specifically for seismic strengthening must include a plan detailing the methodology for dismantling, removal, relocation and reassembly of the building or structure or its parts.
- (3) Applications for subdivision, or the total or substantial demolition or destruction or relocation of a scheduled historic heritage place shall provide details of the proposed development or development potential that will be enabled by the subdivision, destruction or demolition or relocation.
- (4) A conservation plan where one has been prepared shall be provided for:
 - (a) Category A places where the application is for:
 - (i) substantial demolition or destruction;
 - (ii) relocation within the scheduled extent of place; or
 - (iii) significant restoration or modification works.
 - (b) Category A* and B places where the application is for:
 - (i) total or substantial demolition or destruction;
 - (ii) relocation; or
 - (iii) forestry.

D18. Special Character Areas Overlay – Residential and Business

The Special Character Areas Overlay – Residential and Business is identified as a qualifying matter in accordance with sections 77I(j) and 77O(j) of the RMA.

D18.1. Background

The Special Character Areas Overlay – Residential and Business seeks to retain and manage the special character values of specific residential and business areas identified as having collective and cohesive values, importance, relevance and interest to the communities within the locality and wider Auckland region.

Each special character area is supported by a ~~Special~~special character area statement identifying the key special character values of the area (see [Schedule 15 Special Character Schedule, Statements and Maps](#)). Assessment of proposals for development and modifications to buildings within special character areas will be considered against the relevant policies and the special character area-statements and the special character values that are identified in those statements. These values set out and identify the overall notable or distinctive aesthetic, physical and visual qualities of the area and community associations.

Standards have been placed on the use, development and demolition of buildings to manage change in these areas.

Special character areas are provided for as follows:

- (1) Special Character Areas - Business; and
- (2) Special Character Areas – Residential; and
- (3) Special Character Areas - General (both residential and business).

Areas in the Special Character Areas Overlay - General may contain a mix of sites zoned residential or business. In such cases, for any site/s in a residential zone, the Special Character Areas Overlay - Residential provisions will apply and for any site/s in a business zone, the Special Character Areas Overlay - Business provisions will apply.

The following areas are identified as special character areas:

Special Character Areas Overlay - Residential	Special Character Areas Overlay - Business	Special Character Areas Overlay – General (both Residential and Business)
Special Character Areas Overlay – Residential : Balmoral Tram Suburb, West	Special Character Areas Overlay – Business : Howick	Special Character Areas Overlay – General : Balmoral Tram Suburb, East
Special Character Areas Overlay – Residential : Helensville	Special Character Areas Overlay – Business : Balmoral Shopping Centre	Special Character Areas Overlay – General : Foch Avenue and Haig Avenue
Special Character Areas Overlay – Residential :	Special Character Areas Overlay – Business : Eden Valley	Special Character Areas Overlay – General : Hill Park

D18 Special Character Areas Overlay – Residential and Business

Special Character Areas Overlay - Residential	Special Character Areas Overlay - Business	Special Character Areas Overlay – General (both Residential and Business)
North Shore—Birkenhead Point		
Special Character Areas Overlay—Residential : North Shore—Devonport and Stanley Point	Special Character Areas Overlay—Business : Ellerslie	Special Character Areas Overlay—General : Puhoi
Special Character Areas Overlay—Residential : North Shore—Northcote Point	Special Character Areas Overlay – Business : Grey Lynn	<u>Special Character Areas Overlay – General : North Shore – Birkenhead Point</u>
Special Character Areas Overlay – Residential : Early Road Links	Special Character Areas Overlay – Business : Helensville Central	<u>Special Character Areas Overlay – General : North Shore – Devonport and Stanley Point</u>
Special Character Areas Overlay – Residential : Kings Road and Princes Avenue	Special Character Areas Overlay – Business : Kingsland	<u>Special Character Areas Overlay – General : North Shore – Northcote Point</u>
Special Character Areas Overlay – Residential : Isthmus A	Special Character Areas Overlay – Business : Lower Hinemoa Street	
Special Character Areas Overlay – Residential : Isthmus B – Remuera	Special Character Areas Overlay – Business : Devonport	
Special Character Areas Overlay—Residential : Isthmus B—Remuera / Meadowbank	Special Character Areas Overlay – Business : Mt Eden Village	
Special Character Areas Overlay—Residential : Isthmus B—Mission Bay	Special Character Areas Overlay – Business : Newmarket	
Special Character Areas Overlay—Residential : Isthmus B—St Heliers	Special Character Areas Overlay – Business : Parnell	
Special Character Areas Overlay—Residential : Isthmus B—Herne Bay	Special Character Areas Overlay – Business : Ponsonby Road	
Special Character Areas Overlay—Residential : Isthmus B—Parnell	Special Character Areas Overlay – Business : Sandringham	

D18 Special Character Areas Overlay – Residential and Business

Special Character Areas Overlay - Residential	Special Character Areas Overlay - Business	Special Character Areas Overlay – General (both Residential and Business)
Special Character Areas Overlay – Residential : Isthmus B – Epsom	Special Character Areas Overlay – Business : Upper Symonds Street	
Special Character Areas Overlay – Residential : Isthmus B – Epsom/Greenlane	Special Character Areas Overlay – Business : West Lynn	
Special Character Areas Overlay – Residential : Isthmus B – Mount Eden/Epsom (Part A)	Special Character Areas Overlay – Business :	
Special Character Areas Overlay – Residential : Isthmus B – Mount Eden/Epsom (Part B)	Special Character Areas Overlay – Business : Otahuhu	
Special Character Areas Overlay – Residential : Isthmus B – Mount Albert		
Special Character Areas Overlay – Residential : Isthmus B – Mount Roskill		
Special Character Areas Overlay – Residential : Isthmus B – Otahuhu		
Special Character Areas Overlay – Residential : Isthmus C – St Heliers		
Special Character Areas Overlay – Residential : Isthmus C – Mount Eden		
Special Character Areas Overlay – Residential : Isthmus C – Three Kings		
Special Character Areas Overlay – Residential : Isthmus C – Mount Albert		
Special Character Areas Overlay – Residential :		

Special Character Areas Overlay - Residential	Special Character Areas Overlay - Business	Special Character Areas Overlay – General (both Residential and Business)
Isthmus C— Remuera/Epsom		
Special Character Areas Overlay—Residential : Station Road, Papatoetoe		
Special Character Areas Overlay – Residential : Pukehana Avenue		

The special character area statements are located in [Schedule 15 Special Character Schedule, Statements and Maps](#).

The location and extent of the Special Character Areas Overlay – Residential and Business are shown in the planning maps, for the following special character areas are located in [Schedule 15 Special Character Schedule, Statements and Maps](#):

Special Character Areas Overlay – Residential	Special Character Areas Overlay – Business	Special Character Areas Overlay – General (both Residential and Business)
Special Character Areas Overlay—Residential : Balmoral Tram Suburb, West	Special Character Areas Overlay—Business : Balmoral Shopping Centre	Special Character Areas Overlay—General : Balmoral Tram Suburb, East
Special Character Areas Overlay—Residential : Helensville	Special Character Areas Overlay—Business : Eden Valley	Special Character Areas Overlay—General : Foch Avenue and Haig Avenue
Special Character Areas Overlay—Residential : North Shore—Birkenhead Point	Special Character Areas Overlay—Business : Ellerslie	
Special Character Areas Overlay—Residential : North Shore—Devonport and Stanley Point	Special Character Areas Overlay—Business : Grey Lynn	
Special Character Areas Overlay—Residential : North Shore—Northcote Point	Special Character Areas Overlay—Business : Helensville Central	
Special Character Areas Overlay—Residential : Early Road Links	Special Character Areas Overlay—Business : Kingsland	

D18 Special Character Areas Overlay – Residential and Business

Special Character Areas Overlay – Residential	Special Character Areas Overlay – Business	Special Character Areas Overlay – General (both Residential and Business)
Special Character Areas Overlay – Residential : Kings Road and Princes Avenue	Special Character Areas Overlay – Business : Lower Hinemoa Street	
Special Character Areas Overlay – Residential : Isthmus B – Remuera	Special Character Areas Overlay – Business : Devonport	
Special Character Areas Overlay – Residential : Isthmus B – Remuera / Meadowbank	Special Character Areas Overlay – Business : Mt Eden Village	
Special Character Areas Overlay – Residential : Isthmus B – Mission Bay	Special Character Areas Overlay – Business : Newmarket	
Special Character Areas Overlay – Residential : Isthmus B – St Heliers	Special Character Areas Overlay – Business : Parnell	
Special Character Areas Overlay – Residential : Isthmus B – Herne Bay	Special Character Areas Overlay – Business : Ponsonby Road	
Special Character Areas Overlay – Residential : Isthmus B – Parnell	Special Character Areas Overlay – Business : Sandringham	
Special Character Areas Overlay – Residential : Isthmus B – Epsom	Special Character Areas Overlay – Business : Upper Symonds Street	
Special Character Areas Overlay – Residential : Isthmus B – Epsom/Greenlane	Special Character Areas Overlay – Business : West Lynn	
Special Character Areas Overlay – Residential : Isthmus B – Mount Eden/Epsom (Part A)	Special Character Areas Overlay – Business : Onehunga	
Special Character Areas Overlay – Residential : Isthmus B – Mount Eden/Epsom (Part B)	Special Character Areas Overlay – Business : Otahuhu	

D18 Special Character Areas Overlay – Residential and Business

Special Character Areas Overlay – Residential	Special Character Areas Overlay – Business	Special Character Areas Overlay – General (both Residential and Business)
Special Character Areas Overlay – Residential : Isthmus B – Mount Albert	Special Character Areas Overlay – Business : Howick	
Special Character Areas Overlay – Residential : Isthmus B – Mount Roskill		
Special Character Areas Overlay – Residential : Isthmus B – Otahuhu		
Special Character Areas Overlay – Residential : Isthmus C – St Heliers		
Special Character Areas Overlay – Residential : Isthmus C – Mount Eden		
Special Character Areas Overlay – Residential : Isthmus C – Three Kings		
Special Character Areas Overlay – Residential : Isthmus C – Mount Albert		
Special Character Areas Overlay – Residential : Isthmus C – Remuera/Epsom		
Special Character Areas Overlay – Residential : Station Road, Papatoetoe		
Special Character Areas Overlay – Residential : Pukehana Avenue		

The maps for the following special character areas are only provided in the planning maps:-

Special Character Areas Overlay – Residential	Special Character Areas Overlay – Business	Special Character Areas Overlay – General (both Residential and Business)
Special Character Areas Overlay – Residential : Isthmus A		Special Character Areas Overlay – General : Hill Park

Special Character Areas Overlay – Residential: Pukehana Avenue	Special Character Areas Overlay – General: Puhoi
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D18.2. Objectives

Special Character Areas Overlay – Residential and Business

- (1) The special character values of the area, as identified in the special character area statement are maintained and enhanced.
- (2) The physical attributes that define, contribute to, or support the special character of the area are retained, including:
 - (a) built form, design and architectural values of buildings and their contexts;
 - (b) streetscape qualities and cohesiveness, including historical form of subdivision and patterns of streets and roads; and
 - (c) the relationship of built form to landscape qualities and/or natural features including topography, vegetation, trees, and open spaces.
- (3) The adverse effects of subdivision, use and development on the identified special character values of the area are avoided, remedied or mitigated.

Special Character Areas Overlay – Residential

- (4) Existing residential buildings provide for and respond to housing needs and demand in a way that maintains and enhances the special character values of the area.
- (5) A minor dwelling provides for additional housing needs and demand in a way that maintains and enhances the special character values of the area.
- (6) A limited range of non-residential activities in residential areas provide for the community's social, economic and cultural well-being, while maintaining and enhancing special character values, as identified in the special character area statement.

D18.3. Policies

Special Character Areas Overlay - Residential

- (1) Require all development and redevelopment to have regard and respond positively to the identified special character values and context of the area as identified in the special character area statement.
- (2) Maintain and enhance the built form, design and architectural values of the buildings and the area, as identified in the special character area statement, so

that new buildings, alterations and additions to existing buildings, infrastructure and subdivision (where applicable):

- (a) maintain the continuity or coherence of the identified special character values of the area;
 - (b) maintain the streetscape qualities and cohesiveness;
 - (c) respond positively to the design, scale, height, setback and massing of existing development, any distinctive pattern of subdivision, intensity of development, its relationship to the street, streetscape cohesiveness and is of a compatible form which contributes to the identified special character values of the area;
 - (d) maintain the relationship of built form to open space and landscape context;
 - (e) maintain the setting of the special character area, where these features, such as mature trees and landform, contribute to the special character values of the area;
 - (f) enable the removal of additions and features that detract from the special character of the building or identified special character of the wider area;
 - (g) minimise the loss of built fabric and encourage maintenance and repair;
 - (h) require new materials to be compatible with the age, detailing, finishes and colour; and
 - (i) recover or reveal special character values of buildings and features.
- (3) Discourage the removal or substantial demolition of buildings that contribute to the continuity or coherence of the special character area as identified in the special character area statement.
- (4) Require any application for demolition or removal of a building in a special character area to, on its own or cumulatively as a result of other removals or demolition, demonstrate that the loss of the building:
- (a) would not erode the identified special character values of the area; and
 - (b) would not disrupt the cohesiveness of the streetscape and wider special character area, including links with scheduled historic heritage places.
- (5) Encourage the on-going use and maintenance of buildings in special character areas.

- (6) Manage the design and location of car parking, garaging and accessory buildings to maintain and enhance the streetscape and special character values of the area, as identified in the special character area statement.
- (7) Encourage the retention of special features such as boundary walls, fences, paths and plantings that contribute to the character of the area.
- (7A) Enable the conversion of existing buildings to provide for up to two dwellings, or for up to two dwellings and one minor dwelling where the special character values of the area, as identified in the special character area statement, are maintained.
- (7B) Enable the establishment of a minor dwelling where the special character values of the area, as identified in the special character area statement, are maintained.
- (7C) Provide for non-residential activities in residential areas that:
 - (a) are in keeping with the special character values as identified in the special character area statement;
 - (b) support the social and economic well-being of the community; and
 - (c) avoid, remedy or mitigate adverse effects on residential amenity.

Special Character Areas Overlay – Business

- (8) Require all development and redevelopment to have regard and respond positively to the identified special character values and context of the area as identified in the special character area statement.
- (9) Identify individual buildings that contribute to the identified special character according to the following descriptions:
 - (a) character defining – makes a considerable contribution to the character of the area because of historical, physical and visual qualities; and
 - (b) character supporting – makes a moderate contribution to the character of the area. The building should contribute to the appearance, quality, and identity of the area and should be consistent with the values of character-defining places.
- (10) Require any application for demolition or removal of a character-defining and character-supporting building in a Special Character Area- Business to, on its own or cumulatively as a result of other demolition, demonstrate that the loss of the building:
 - (a) would not erode the identified special character values of the area; and

(b) would not disrupt the cohesiveness of the streetscape and wider special character area, including links with scheduled historic heritage places.

- (11) Discourage the removal or substantial demolition of buildings that contribute to the continuity or coherence of the special character area as identified in the special character area statement.
- (12) Require new buildings, alterations or additions to existing buildings, or infrastructure, which are within the overlay but are not character defining or character supporting buildings, to maintain the integrity of the context of the area by providing quality design, materials, colour and decoration which respects and enhances the built form and streetscape of the area.
- (13) Require additions and alterations to existing character defining and character-supporting buildings, to be compatible with and respect the special character and existing scale of development.
- (14) Encourage the ongoing use and maintenance of buildings in special character areas.

D18.4. Activity table

- (1) Table D18.4.1 Activity table Special Character Areas Overlay – Residential specifies the activity status of land use and development for activities in the Special Character Area Overlay – Residential pursuant to section 9(3) of the Resource Management Act 1991.
- (2) Areas in the Special Character Areas Overlay – General may contain a mix of sites zoned residential or business. In such cases, for any site/s in a residential zone, the Special Character Areas Overlay – Residential rules in Table D18.4.1 Activity table will apply and for any site/s in a business zone, the Special Character Areas Overlay – Business rules in Table D18.4.2 Activity table will apply.
- (3) The rules and standards in the Special Character Areas Overlay – Residential replace the rules and standards of any relevant residential zone.
- (4) Rules for network utilities and electricity generation in the Special Character Areas Overlay – Residential and Business are located in [E26 Infrastructure](#).

Table D18.4.1 Activity table – Special Character Areas Overlay – Residential

Activity	Activity status	<u>Standards to be complied with</u>
<u>Use</u>		
(AA1)	<u>Activities not provided for</u>	<u>NC</u>
<u>Residential</u>		
(AB1)	<u>One dwelling per site, except as provided for in Rule</u>	<u>P</u>

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	<u>D18.4.1(AC1) conversion of a principal dwelling</u>		
<u>(AC1)</u>	<u>The conversion of a principal dwelling existing as at 30 September 2013 into a maximum of two dwellings</u>	<u>P</u>	<u>Standard D18.6.1A.1 Conversion of a principal dwelling into a maximum of two dwellings</u>
<u>(AD1)</u>	<u>The conversion of a principal dwelling that does not meet Standard D18.6.1A.1</u>	<u>NC</u>	
<u>(AE1)</u>	<u>One minor dwelling per site</u>	<u>P</u>	<u>Standard D18.6.1A.2 Minor dwellings</u>
<u>(AF1)</u>	<u>A minor dwelling that does not meet Standard D18.6.1A.2</u>	<u>NC</u>	
<u>(AG1)</u>	<u>Home occupations</u>	<u>P</u>	<u>Standard D18.6.1A.3 Home occupations.</u>
<u>(AH1)</u>	<u>Home occupations that do not meet Standard H3A.6.2</u>	<u>D</u>	
<u>(AI1)</u>	<u>Supported residential care accommodating up to 10 people per site inclusive of staff and residents</u>	<u>P</u>	<u>Standard D18.6.1.5 Landscaped area; Standard D18.6.1.6 Maximum impervious area; Standard D18.6.1.7 Fences, walls and other structures</u>
<u>(AJ1)</u>	<u>Supported residential care accommodating greater than 10 people per site inclusive of staff and residents</u>	<u>D</u>	
<u>(AK1)</u>	<u>Boarding houses accommodating up to 10 people per site inclusive of staff and residents</u>	<u>P</u>	<u>Standard D18.6.1.5 Landscaped area; Standard D18.6.1.6 Maximum impervious area; Standard D18.6.1.7 Fences, walls and other structures</u>
<u>(AL1)</u>	<u>Boarding houses accommodating greater than 10 people per site inclusive of staff and residents</u>	<u>D</u>	
<u>(AM1)</u>	<u>Visitor accommodation accommodating up to 10 people per site inclusive of staff and visitors</u>	<u>P</u>	<u>Standard D18.6.1.5 Landscaped area; Standard D18.6.1.6 Maximum impervious area; Standard D18.6.1.7 Fences, walls and other structures</u>

(AN1)	<u>Visitor accommodation accommodating greater than 10 people per site inclusive of staff and visitors</u>	<u>D</u>	
Commerce			
(AO1)	<u>Dairies up to 100m² gross floor area per site</u>	<u>RD</u>	<u>Standard D18.6.1.5 Landscaped area; Standard D18.6.1.6 Maximum impervious area; Standard D18.6.1.7 Fences, walls and other structures</u>
(AP1)	<u>Restaurants and cafes up to 100m² gross floor area per site</u>	<u>D</u>	
(AQ1)	<u>Offices within the Centre Fringe Office Control as identified on the planning maps</u>	<u>P</u>	<u>Standard D18.6.1A.4 Offices within the Centre Fringe Office Control as identified on the planning maps</u>
Community			
(AR1)	<u>Care centres accommodating up to 10 people per site excluding staff</u>	<u>P</u>	<u>Standard D18.6.1A.5 Care centre accommodating up to 10 people per site excluding staff; Standard D18.6.1.5 Landscaped area; Standard D18.6.1.6 Maximum impervious area; Standard D18.6.1.7 Fences, walls and other structures</u>
(AS1)	<u>Care centres accommodating greater than 10 people per site excluding staff</u>	<u>D</u>	
(AT1)	<u>Healthcare facilities up to 200m² gross floor area per site</u>	<u>RD</u>	<u>Standard D18.6.1.5 Landscaped area; Standard D18.6.1.6 Maximum impervious area; Standard D18.6.1.7 Fences, walls and other structures</u>
Development			
(A1)	Restoration and repair to a building on all sites in the Special Character Areas Overlay–Residential or the	<u>P</u>	<u>Standard D18.6.1.1 Building height; Standard D18.6.1.2 Height in relation to boundary; Standard D18.6.1.3 Yards; Standard 18.6.1.4 Building</u>

	Special Character Areas Overlay – General (with a residential zoning)		<u>coverage; Standard D18.6.1.5 Landscaped area; Standard D18.6.1.6 Maximum impervious area; Standard D18.6.1.7 Fences, walls and other structures</u>
(A2)	Minor alterations to the rear of a building on all sites in the Special Character Area Overlay – Residential or Special Character Areas Overlay – General (with a residential zoning) where works to the building use the same design and materials to the existing building	P	<u>Standard D18.6.1.1 Building height; Standard D18.6.1.2 Height in relation to boundary; Standard D18.6.1.3 Yards; Standard 18.6.1.4 Building coverage; Standard D18.6.1.5 Landscaped area; Standard D18.6.1.6 Maximum impervious area; Standard D18.6.1.7 Fences, walls and other structures</u>
(A3)	Total demolition or substantial demolition (exceeding 30 per cent or more, by area, of wall elevations and roof areas) of a building, or the removal of a building (excluding accessory buildings), or the relocation of a building within <u>any site subject to demolition, relocation and removal rules as shown in either the Property Summary in the planning maps or the Special Character Area Map in Schedule 15 Special Character Schedule, Statements and Maps</u> The site on: (a) all sites in all the following Special Character Areas Overlay – Residential ÷ (i) Special Character Area Overlay – Residential : Isthmus A;	RD	

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	<p>(ii) Special Character Areas Overlay – Residential: Pukehana Avenue;</p> <p>(iii) Special Character Area Overlay – General: Hill Park (those sites with a residential zone); and</p> <p>(iv) Special Character Area Overlay – General: Puhoi (those sites with a residential zone); and</p> <p>(b) all other sites identified as subject to demolition, removal or relocation rules as shown in the maps in the Special Character Areas Overlay Statements.</p>		
(A3A)	<p><u>Total demolition or substantial demolition (exceeding 30 per cent or more, by area, of wall elevations and roof areas) of a building, or the removal of a building (excluding accessory buildings), or the relocation of a building within the site on all sites in the Special Character Areas Overlay – Residential not otherwise subject to Rule D18.4.1(A3)</u></p>	P	
(A4)	<p>External alterations or additions to a building on all sites in the Special Character Areas Overlay – Residential or Special Character Areas Overlay – General (with a residential zoning)</p>	RD	<p><u>Standard D18.6.1.1 Building height; Standard D18.6.1.2 Height in relation to boundary; Standard D18.6.1.3 Yards; Standard 18.6.1.4 Building coverage; Standard D18.6.1.5 Landscaped area; Standard D18.6.1.6 Maximum impervious area; Standard D18.6.1.7 Fences, walls and other structures</u></p>

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(A5)	Construction of a new building or relocation of a building onto a site on all sites in the Special Character Area Overlay–Residential or Special Character Areas Overlay – General (those sites with a residential zone)	RD	<u>Standard D18.6.1.1 Building height; Standard D18.6.1.2 Height in relation to boundary; Standard D18.6.1.3 Yards; Standard 18.6.1.4 Building coverage; Standard D18.6.1.5 Landscaped area; Standard D18.6.1.6 Maximum impervious area; Standard D18.6.1.7 Fences, walls and other structures</u>
(A5A)	Rainwater tank	P	<u>D18.6.1.8 Rainwater tanks</u>

- (1) Table D18.4.2 Activity table – Special Character Area – Business specifies the activity status of land use and development for activities in the Special Character Area Overlay – Business pursuant to section 9(3) of the Resource Management Act 1991.
- (2) Areas in the Special Character Areas Overlay – General may contain a mix of sites zoned residential or business. In such cases, for any site/s in a residential zone, the Special Character Areas Overlay – Residential rules in Table D18.4.1 Activity table will apply and for any site/s in a business zone, the Special Character Areas Overlay – Business rules in Table D18.4.2 Activity table will apply.
- (3) The rules and standards in the Special Character Areas Overlay – Business are in addition to the rules and standards of the underlying business zone.
- (4) Rules for network utilities and electricity generation in the Special Character Areas Overlay – Residential and Business are located in [E26 Infrastructure](#).
- (5) Identified character defining buildings and identified character supporting buildings are shown in either the Property Summary in the planning maps or the Special Character Area Map in [Schedule 15 Special Character Schedule, Statements and Maps](#).

Table D18.4.2 Activity table – Special Character Areas Overlay – Business

Activity	Activity status	
Development		
Special Character Areas Overlay – Business with identified character defining buildings		
(A6)	External redecoration and repair to a character defining building	P
(A7)	Alterations to the rear of a character defining building	P
(A8)	Additions to a character defining building	RD
(A9)	Total or substantial demolition (exceeding 30 per cent or more, by area, of wall elevations and roof area) of a character defining building	D

(A10)	Any demolition of the front façade of a character defining building	RD
(A11)	Alterations to a character defining building not otherwise provided for above	RD
(A12)	New buildings	RD
(A13)	Alterations and additions to buildings, not identified as character defining buildings	RD
Special Character Areas Overlay – Business with identified character supporting buildings		
(A14)	External redecoration and repair of a character supporting building	P
(A15)	Alterations to the rear of a character supporting building, except on corner sites where the works use a similar design and materials to the existing building	P
(A16)	Additions to a character supporting building	RD
(A17)	Alterations to a character supporting building not otherwise provided for above	RD
(A18)	Total or substantial demolition of a character supporting building (exceeding 30 per cent or more, by area, of wall elevations and roof area)	RD
(A19)	Any demolition of the front façade of a character supporting building	RD
(A20)	New buildings	RD
(A21)	Alterations and additions to buildings not identified as character supporting buildings	RD
Special Character Areas Overlay – Business with no identified character defining or character supporting buildings		
(A22)	External redecoration and repair of a building in the Special Character Areas Overlay – Business with no identified character defining or character-supporting buildings	P
(A23)	Alterations to the rear of a building in the Special Character Areas Overlay – Business with no identified character defining or character-supporting buildings	P
(A24)	Additions to a building in the Special Character Areas Overlay – Business with no identified character defining or character-supporting buildings	RD
(A25)	Alterations to a building in the Special Character Areas Overlay – Business with no identified character defining or character-supporting buildings	RD
(A26)	Total or substantial demolition of a building (exceeding 30 per cent or more, by area, of wall elevations and roof area) in the Special Character Areas Overlay – Business with no identified character defining or character-supporting buildings	RD
(A27)	New buildings in the Special Character Areas Overlay – Business with no identified character defining or character-supporting buildings	RD

D18.5. Notification

- (1) Any application for resource consent for an activity listed in Table D18.4.1 or Table D18.4.2 will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.
- (2) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule [C1.13\(4\)](#).

D18.6. Standards

D18.6.1. Standards for buildings in the Special Character Areas Overlay – Residential

All activities listed in Table D18.4.1 Activity table – Special Character Areas Overlay – Residential must comply with the following standards.

D18.6.1A Standards for uses in the Special Character Areas Overlay – Residential

All uses listed in Table D18.4.1A Activity table – Special Character Areas Overlay – Residential must comply with the following standards, as relevant to the use.

D18.6.1A.1 The conversion of a principal dwelling existing as at 30 September 2013 into a maximum of two dwellings

Purpose: to enable a dwelling existing as at 30 September 2013 to be converted into a maximum of two dwellings, and to provide for sufficient outdoor living space for each of the dwellings.

(1) The conversion of a principal dwelling existing as at 30 September 2013 into a maximum of two dwellings must comply with all the following standards:

(a) each dwelling must have an outdoor living space that is:

(i) at least 5m² for a studio or one-bedroom dwelling and 8m² for a two or more bedroom dwelling;

(ii) at least 1.8m in depth; and

(iii) directly accessible from the dwelling.

(iv) where there is an existing standalone minor dwelling on the site, there must be no more than two dwellings in addition to the minor dwelling.

D18.6.1A.2 Minor dwelling

Purpose:

- to provide accommodation that is limited in size and secondary to the principal dwelling on a site;
- to ensure that sufficient outdoor living space is provided for the minor dwelling;
- to ensure there is no more than one minor dwelling on each site;
- to ensure minor dwellings do not detract from the special character values of an area.

(1) A minor dwelling must comply with all the following standards:

(a) Maximum floor area of 65m² excluding decks and garaging.

(b) The outdoor living space must be:

(i) at least 5m² for a studio or one-bedroom dwelling and 8m² for a two or more bedroom dwelling; and

(ii) at least 1.8m in depth; and

(iii) directly accessible from the minor dwelling.

(2) There must be no more than one minor dwelling per site.

(3) Where the minor dwelling is a standalone building, it must be sited to the rear of the existing principal dwelling.

(4) There must be no more than two existing dwellings on the site.

(5) Any garage or carport provided for the minor dwelling must not exceed 18m².

D18.6.1A.3 Home occupations

Purpose: to enable people to work from home at a scale that ensures residential character and amenity is maintained.

(1) A home occupation must comply with all the following standards:

(a) at least one person engaged in the home occupation must use the dwelling on the site as their principal place of residence;

(b) no more than two people who do not use the dwelling as their principal place of residence may work in the home occupation;

(c) no more than four people in total may work in the home occupation;

(d) the sale of goods or services from the home occupation that requires customers to come to the site and the delivery of goods to and from the site may not occur before 7am or after 7pm;

(e) car trips to and from the home occupation activity must not exceed 20 per day;

(f) heavy vehicle trips must not exceed two per week;

(g) no more than one commercial vehicle associated with the home occupation may be on site at any one time;

(h) storage for rubbish and recycling associated with the home occupation must be provided on site and screened from public view;

(i) materials or goods manufactured, serviced or repaired in the home occupation must be stored and worked on within a building on the same site; and

(j) goods sold from the home occupation must be:

(i) goods produced on site; or

(ii) goods that are primarily ordered by mail or electronic transaction and redistributed by post or courier; or

(iii) goods ancillary and related to a service provided by the home occupation.

D18.6.1A.4 Offices within the Centre Fringe Office Control as identified on the planning maps

(1) Offices must be located in existing buildings.

D.18.6.1A.5 Care centres accommodating up to 10 people per site excluding staff

(1) A care centre must comply with the following standards:

(a) no more than four staff in total may work on site at any one time;

(b) car trips to and from the care centre must not exceed 20 per day;

(c) heavy vehicle trips must not exceed two per week;

(d) storage for rubbish and recycling associated with the care centre must be provided on site and screened from public view.

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RMA

D18.6.1.1. Building height

Purpose: to manage the height of buildings to:

• retain the existing built form character of predominantly one to two storeys in

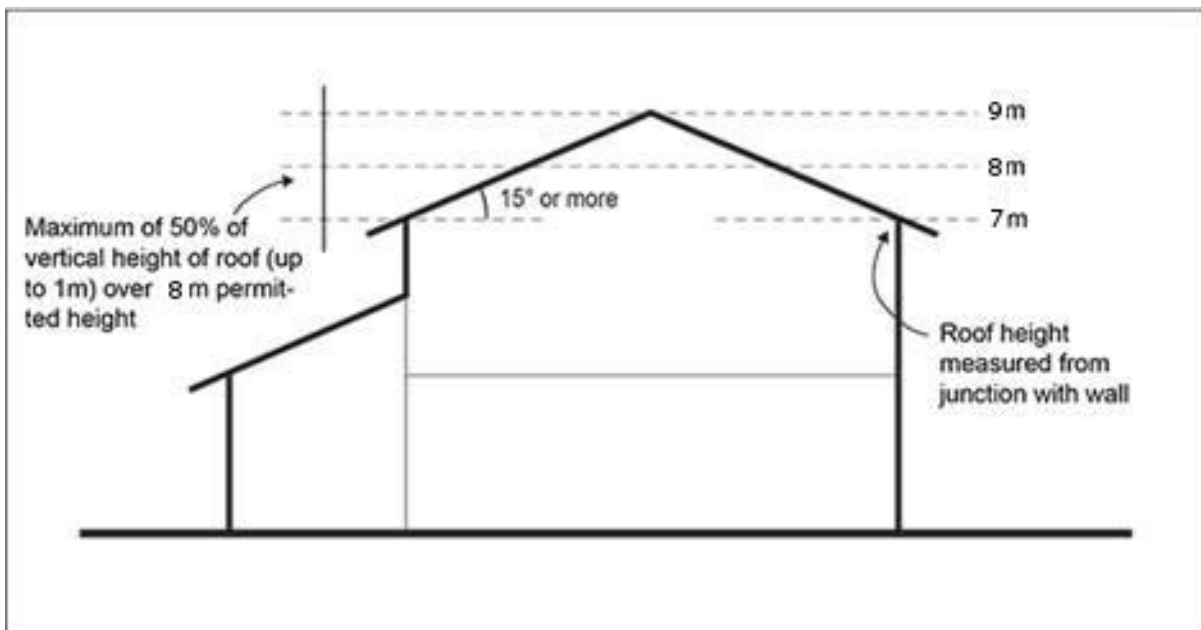
Qualifying matter as per s771(j) of the RMA

established residential neighbourhoods;

- maintain the relationship of built form to the street and open space; and
- maintain a reasonable level of sunlight access and minimise visual dominance effects for adjoining sites.

- (1) Buildings in the Special Character Areas Overlay – Residential must not exceed 8m height except that 50 per cent of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1m, where the entire roof slopes 15 degrees or more. This is shown in Figure D18.6.1.1.1 Building height in the Special Character Areas Overlay – Residential.

Figure D18.6.1.1.1 Building height in the Special Character Areas Overlay – Residential



Qualifying matter as per s771(j) of the RMA

D18.6.1.2. Height in relation to boundary

Purpose: to manage the height and bulk of buildings to:

- retain the character of the streetscape;
- enable a built form that reflects the identified character of the area; and
- maintain a reasonable level of sunlight access and minimise visual dominance effects to immediate neighbours.

- (1) Buildings in the Special Character Areas Overlay – Residential must not project above a 45-degree recession plane measured from a point 3m above the ground level along any boundary of the site.

- (2) Standard D18.6.1.2(1) does not apply to site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.

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as per s771(j) of
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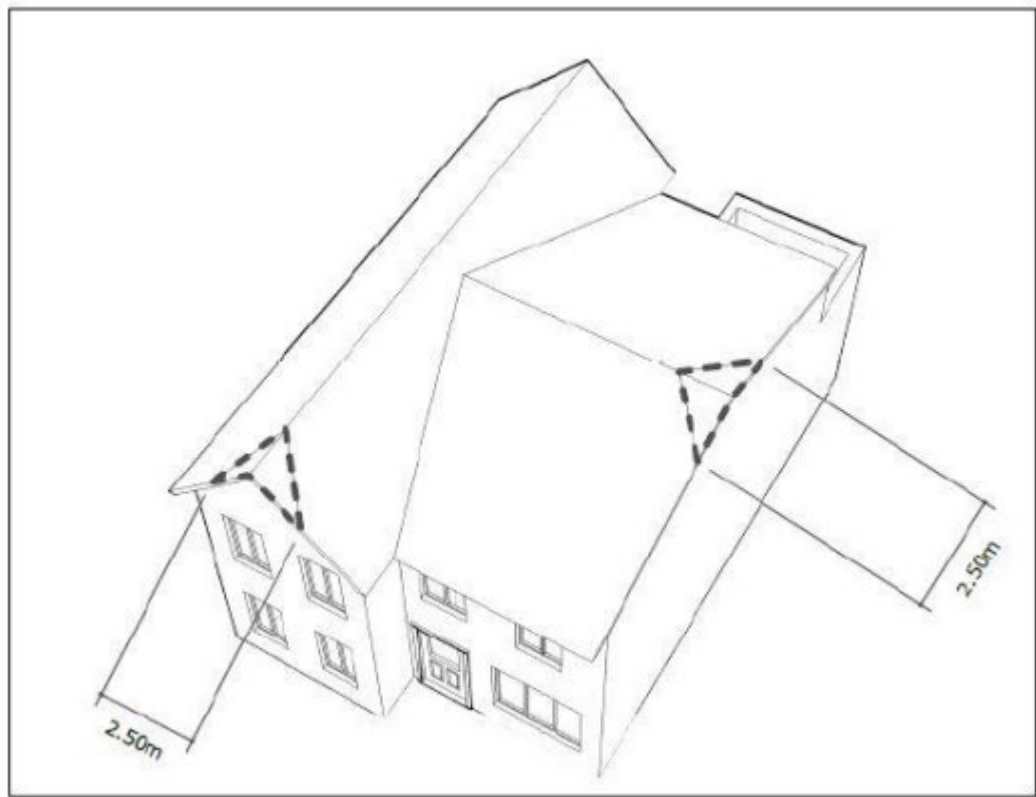
(3) Where the boundary forms part of a legal right of way, entrance strip, or access site, Standard D18.6.1.2(1) applies from the farthest boundary of the legal right of way, entrance strip or pedestrian accessway.

(4) A gable end, dormer or roof may project beyond the recession plane where that portion beyond the recession plane is:

(a) no greater than 1.5m² in area and no greater than 1m in height; and

(b) no greater than 2.5m cumulatively in length measured along the edge of the roof.

Figure D18.6.1.2.1 Exceptions for gable ends and dormers and roof projections



(5) No more than two gable ends, formers or roof projections are allowed for every 6m length of site boundary.

D18.6.1.3. Yards

Purpose:

- to retain the character of the streetscape by managing the set back of buildings from the road boundary and relationship of the building to the street;
 - to retain the relationship of buildings to landscape qualities and natural features;
- and
- to enable buildings and services on the site or adjoining sites to be adequately maintained.

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- (1) A building or parts of a building on a front site in the Special Character Overlay – Residential must be set back from the relevant boundary by the minimum depth listed in Table D18.6.1.3.1 Yards below:

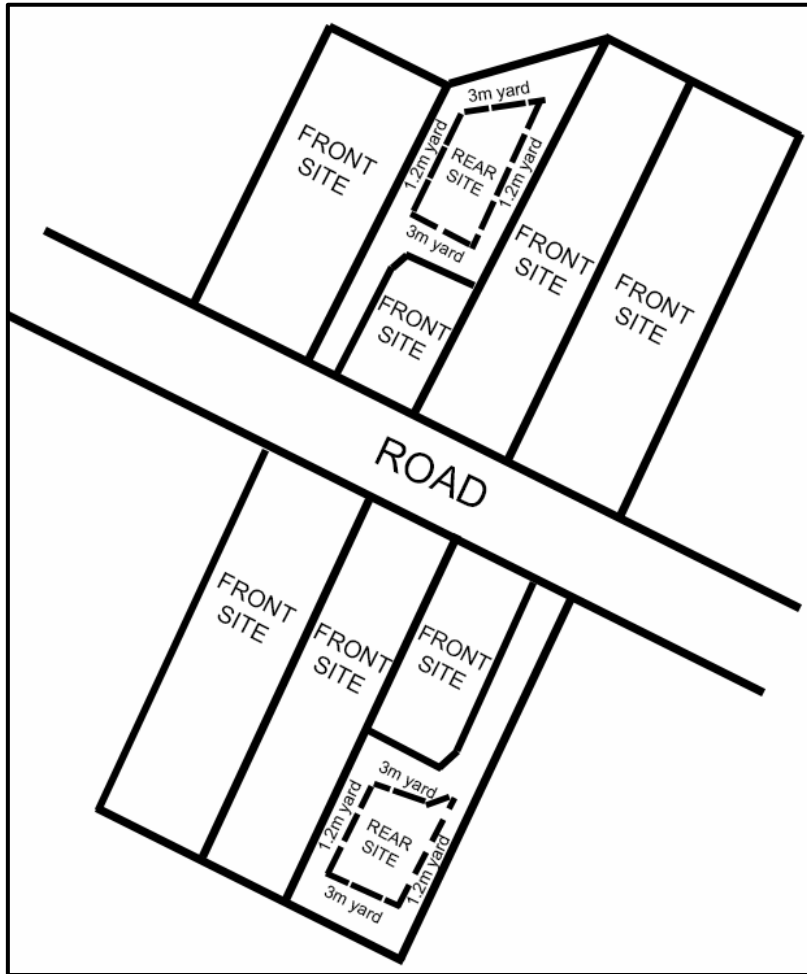
Table D18.6.1.3.1 Yards

Yard	Minimum depth
Front	The average of existing setbacks of dwellings on adjacent sites, being the three sites on either side of the subject site or six sites on one side of the subject site
Side	1.2m
Rear	3m

- (2) A building or parts of a building on a rear site in the Special Character Overlay – Residential must be set back a minimum depth of 3m from at least two boundaries and 1.2m from all other boundaries. This is shown in Figure D18.6.1.3.1 Setback for buildings on rear sites in the Special Character Areas Overlay – Residential.
- (3) Standard 18.6.1.3 does not apply to site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.
- (4) The underlying zone yard standards apply for all other yards not specified within Table D18.6.1.3.1.

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Figure D18.6.1.3.1 Setback for buildings on rear sites in the Special Character Areas Overlay – Residential



D18.6.1.4. Building coverage

Purpose: to manage the extent of buildings on a site to:

- be commensurate with the existing built character of the neighbourhood; and
- ensure sufficient open space is retained on sites to maintain the character values of the area.

(1) The maximum building coverage for sites in the Special Character Areas Overlay – Residential must not exceed the percentage of net site area listed in Table D18.6.1.4.1 Building coverage in the Special Character Areas Overlay – Residential below:

Table D18.6.1.4.1 Building coverage in the Special Character Areas Overlay – Residential

Site area	Building coverage
Up to 200m ²	55 per cent of the net site area
200m ² – 300m ²	45 per cent of the net site area

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300m ² – 500m ²	40 per cent of the net site area
500m ² – 1,000m ²	35 per cent of the net site area
Greater than 1,000m ²	25 per cent of the net site area

D18.6.1.5. Landscaped area

Purpose:

- to maintain the landscaped character of the streetscape; and
- to maintain a minimum level of planting on sites that is consistent with the identified character of the area.

(1) The minimum landscaped area for sites in the Special Character Areas Overlay – Residential is the percentage of net site area listed in Table D18.6.1.5.1 Landscaped area in the Special Character Areas Overlay – Residential below:

Table D18.6.1.5.1 Landscaped area in the Special Character Areas Overlay – Residential

Site area	Landscaped area
Up to 200m ²	28 per cent of the net site area
200m ² – 500m ²	33 per cent of the net site area
500m ² – 1,000m ²	40 per cent of the net site area
Greater than 1,000m ²	50 per cent of the net site area

(2) The front yard must comprise at least 50 per cent landscaped area.

D18.6.1.6. Maximum paved area impervious area

Purpose:

- to reinforce the building coverage and landscaped area standards; and
- to limit impervious areas on a site to maintain the identified character of the area.

(1) The maximum ~~paved~~ impervious area for sites in the Special Character Areas Overlay – Residential must not exceed the percentage of net site area listed in Table D18.6.1.6.1 Maximum impervious ~~paved~~ area in the Special Character Areas Overlay – Residential below:

Table D18.6.1.6.1 Maximum impervious ~~paved~~ area in the Special Character Areas Overlay – Residential

Site area	Paved <u>Maximum impervious</u> area
Up to 200m ²	47 72 per cent of the net site area
200m ² – 500m² <u>300m²</u>	20 65 per cent of the net site area
500m² <u>300m²</u> – 1,000m ²	25 60 per cent of the net site area

Greater than 1,000m ²	25 <u>50</u> per cent of the net site area
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D18.6.1.7. Fences, walls and other structures

Purpose:

• To retain the boundary fences and walls that contribute to the character of the area and ensure that new fences and walls complement the existing character of the streetscape and retain views of character buildings.

(1) Fences, and walls, and other structures, or any combination of these, in the Special Character Areas Overlay – Residential must not exceed a the height specified below, measured from of 1.2m above ground level.:

(a) On the street boundary of the front yard and between the street boundary of the front yard and the primary façade of the house, 1.2m in height.

(b) On the side boundary of the front yard, or between the house and the side yard boundary, where the fence or wall is located forward of the primary façade of the house, 1.2m in height.

(c) On any other boundary or within any other yard not described above, 2m in height

(2) For houses on corner sites, D18.6.1.7(1)(a) applies to the street boundary of the front yard which is directly in front of the principal façade of the house and to that part of any other front yard boundary with the street which is directly in front of the secondary façade. D18.6.1.7(c) applies to the remainder of any other front yard boundary with the street that is not directly in front of the secondary façade.

(3) For the purposes of this standard, the primary or secondary façade of the house means the front wall of the house facing a street, and shall exclude bay windows, verandahs, stairs, attached garages and similar projecting features.

D18.6.1.8. Rainwater tanks

Purpose: To enable rainwater tank installation while maintaining the character of the streetscape

(1) Rainwater tanks must not be located in a front yard unless they are at least 1.5m from the front boundary and located wholly below ground level. This standard shall not apply to a rear service lane where the dwellings have frontage to a public street.

(2) Rainwater tanks directly adjoining a side yard facing building façade or located within a side yard must be wholly below ground level or set back at least 1m behind a line from the street facing building façade.

- (3) Rainwater tanks must not obscure (partially or totally) any window or door of the dwelling on the subject site.
- (4) Rainwater tanks directly adjoining a side façade or located within a side yard must be no greater than 800mm in width.
- (5) Rainwater tanks directly adjoining a side facade of a building must match the colour of that façade.
- (6) Rainwater tanks must not exceed 2 m in height, or 3 m in height where the rainwater tank directly adjoins an existing building.
- (7) Any overflow from the rainwater tank must discharge to the existing authorised stormwater system for the site.

Note: If there is a new stormwater discharge or diversion created Chapter E8.6.2.1 and Building Act requirements must be complied with.

Note: Building Act regulations apply. A building consent may be required under the Building Act.

D18.6.2. Standards for buildings in the Special Character Areas Overlay – Business

All activities listed in Table D18.4.2 Activity table – Special Character Areas Overlay – Business must comply with the standards for the zone in which they are located, unless otherwise specified.

D18.7. Assessment – controlled activities

There are no controlled activities in this section.

D18.8. Assessment – Restricted discretionary activities

D18.8.1. Matters of discretion

The Council will restrict its discretion to all the following matters when assessing a restricted discretionary resource consent application.

D18.8.1.1. Special Character Areas Overlay – Residential

(A1) For dairies up to 100m² gross floor area per site; and healthcare facilities up to 200m² gross floor area per site:

- (i) the effects on the neighbourhood character, residential amenity and the surrounding residential area from any noise, lighting and the hours of operation of the activity.

(B1) For healthcare facilities up to 200m² gross floor area per site:

(ii) the effects on the neighbourhood character, residential amenity and the surrounding residential area from any noise, lighting and the hours of operation of the activity.

- (1) For the total demolition or substantial demolition (exceeding 30 per cent or more, by area, of wall elevations and roof areas); or the removal of a building (excluding accessory buildings) from a site; or the relocation of a building within the site:
 - (a) the effects on the streetscape and special character context as outlined in the special character area statement;
 - (b) the integrity of the building in its current state, having regard to its architectural form and style and the authenticity of its component parts as well as its contribution to the streetscape character;
 - (c) the building's relationship to other adjacent buildings, and if it contributes to a group in such a way that its loss or relocation would result in the loss of a character value attributable to the group;
 - (d) the condition of the building, and the practicality and cost of any necessary rehabilitation, and the ability to achieve reasonable amenity for occupants and reasonable compliance with any requirement of the Building Act 2004;
 - (e) where a replacement building is proposed, its design, quality, purpose and amenities and the contribution that such as building might make to the qualities of streetscape character; and
 - (f) the effect on landscape and vegetation.
- (2) for external alterations or additions to buildings; or for the construction of a new building or the relocation of a building onto a site:
 - (a) the effects on the streetscape and special character context as outlined in the Special Character Area Statement;
 - (b) the building and its contribution to streetscape character; including its design, quality, purpose and amenities including matters of scale, form, massing, materials, setbacks and the relationship to the street; and
 - (c) the effects on landscape and vegetation, and:-
 - (d) where a minor dwelling is proposed, its scale and location relative to the principal dwelling on the site.
- (3) ~~for an infringement of the any of the standards listed in Standard D18.6.4 Standards for buildings in the Special Character Areas Overlay – Residential:~~ located For buildings that do not comply with Standard D18.6.1 Building

height; Standard D18.6.1.2 Height in relation to boundary; Standard D18.6.1.3 Yards; Standard D18.6.1.4 Building coverage; D18.6.1.5 Landscaped area; D18.6.1.6 Maximum impervious areas; D18.6.1.7 Fences, walls and other structures; D18.6.1.8 Rainwater tanks;

- (a) ~~the effects of the infringement of the standard on the streetscape and special character context as outlined in the special character area statement;~~

~~Note 1~~

~~Where more than one standard will be infringed, the effects of all infringements on the streetscape and special character context as outlined in the special character area statement will be considered together.~~

- (aa) and any policy which is relevant to the standard;
- ~~(b) the matters for external alterations or additions to buildings or for the construction of a new building or relocation of buildings onto a site listed in D18.8.1.1(2) above.~~
- (bb) the purpose of the standard;
- (c) the effects of the infringement of the standard;
- (d) the effects on the character in the overlay;
- (e) the effects on the amenity of neighbouring sites;
- (f) the effects of any special or unusual characteristic of the site which is relevant to the standard;
- (g) the characteristics of the development;
- (h) any other matters specifically listed for the standard;
- (i) where more than one standard will be infringed, the effects of all infringements; and
- (j) the effect of the infringement of the standard on the streetscape and special character context as outlined in the special character area statement.

D18.8.1.2. Special Character Business Areas

- (1) For all restricted discretionary activities:
 - (a) the effects of the activity on the streetscape and special character context as outlined in the special character area statement;

- (b) the integrity of the building in its current state, having regard to its architectural form and style and the authenticity of its component parts as well as its contribution to the streetscape character;
 - (c) the building's relationship to other adjacent buildings, and if it contributes to a group in such a way that its demolition, alteration or addition would result in the loss of a character value attributable to the group; and
 - (d) the condition of the building, and the practicality and cost of any necessary rehabilitation, and the ability to achieve reasonable amenity for occupants and reasonable compliance with any requirement of the Building Act 2004.
- (2) for an infringement of the any of the standards on the zone in which the building is located :
- (a) the effects of the infringement of the standard on the streetscape and special character context as outlined in the special character area statement.

Note 1

Where more than one standard is infringed, the effects of all infringements on the streetscape and special character context as outlined in the special character area statement will be considered together.

D18.8.2. Assessment criteria

The Council will consider the relevant assessment criteria below for restricted discretionary activities.

D18.8.2.1. Special Character Areas Overlay – Residential

(A1) for dairies up to 100m² gross floor area per site; and healthcare facilities up to 200m² gross floor area per site:

(a) policies D18.3(1) to (7)(C);

(b) noise, lighting and hours of operation:

(i) whether noise and lighting and the hours of operation of the activity avoids, remedies or mitigates adverse effects on the residential amenity of surrounding properties, by:

- locating noisy activities away from neighbouring residential boundaries;
- screening or other design features; and
- controlling the hours of operation and operational measures.

(AB1) Healthcare facilities up to 200m² gross floor area per site:

(a) policies D18.3(1) to (7)(C);

(b) noise, lighting and hours of operation:

- (i) whether noise and lighting and the hours of operation of the activity avoids, remedies or mitigates adverse effects on the residential amenity of surrounding properties, by:
 - locating noisy activities away from neighbouring residential boundaries;
 - screening or other design features; and
 - controlling the hours of operation and operational measures.

(1) For the total demolition or substantial demolition (exceeding 30 per cent or more, by area, of wall elevations and roof areas); or the removal of a building (excluding accessory buildings) from a site; or the relocation of a building within the site:

(a) Policies D18.3(1) to (7);

(b) for all areas in a Special Character Areas Overlay other than Special Character Areas Overlay – Residential : Isthmus B and Residential : Isthmus C:

- (i) whether the building has retained its original (or repaired) visual design features relating to form, mass, proportion and materials so that restoration/renovation of the building is practical and reasonable. When determining what is practical and reasonable, regard shall be had to providing amenity for occupants and compliance with any requirement of the Building Act;
- (ii) the extent to which any special character qualities and original design features of the existing building are visible from the street or a public realm;
- (iii) whether the building is beyond rehabilitation to its original state and the costs of the rehabilitation to reproduce the special character qualities of the building and enhance the architectural qualities and special character of the streetscape and the surrounding area, in comparison to the costs of a new building of a similar size and quality;
- (iv) whether in rare cases the building is beyond rehabilitation in terms of poor structural or physical condition, and the costs of the repair work or upgrading necessary to extend the useful life of the building are prohibitive, (in comparison to the costs of a new building of similar size), an application for a new building may be considered favourably in accordance with assessment criteria D18.8.2.1(1)(b)(v) below;
- (v) whether any proposed replacement building, in terms of its design, quality and amenities, makes a positive contribution to the qualities of streetscape character;

(c) for Special Character Areas Overlay – Residential : Isthmus B and Residential : Isthmus C:

- (i) whether the special character and architectural value of the existing building (irrespective of age) and its contribution to streetscape character warrants its retention;
- (ii) whether the special character value of the building by reference to its architectural style, whether as an exemplar of the type or as being representative of the type warrants its retention;
- (iii) whether the integrity of the building in its current state, having regard to its architectural form and style and the authenticity of its component parts warrants its retention;
- (iv) whether its relationship to other adjacent buildings and whether the contribution it makes to a group of buildings is such that its loss would result in the loss of a character value attributable to the group;
- (v) whether its contribution to streetscape character by reference to surrounds within the site, and/or to the public street, and/or to relationships to open space shared with adjacent buildings warrants its retention;
- (vi) whether the practicability and cost of any necessary rehabilitation, and the inability to achieve reasonable amenity for occupants and reasonable compliance with any requirement of the Building Act warrants its demolition;
- (vii) whether any proposed replacement building, in terms of its design, quality and amenities makes a positive contribution to the qualities of streetscape character.
- (viii) in Special Character Areas Overlay – Residential : Isthmus C; the extent to which the nature and extent of any disturbance to the biophysical components that contribute to streetscape character such as landform or vegetation cover can be avoided, remedied or mitigated.

(2) For external alterations and additions to a building:

- (a) policies D18.3(1) to (7);
- (b) for Special Character Areas Overlay – Residential : Helensville; Residential : General (with a residential zone); Residential – Balmoral Tram Suburb, West; Residential : Early Road Links; Residential : Kings Road and Princes Avenue; and Residential : Pukehana Avenue; ~~Residential : Station Road, Papatoetoe:~~

- (i) whether the effect of the additions and/or alterations on the special character of the building maintains or enhances its contribution to the streetscape of the area;
- (ii) whether the design and appearance of the additions and/or alterations respond positively to the building, in terms of scale, proportions, architectural form, massing, materials and detailing;
- (iii) whether the addition or alteration is of a design and uses materials similar or compatible with the traditional character and material of the building;
- (iv) whether consideration has been given to retaining as much of the existing building façade as practicable by refurbishing, restoring and adapting parts of the existing building rather than replacing them;
- (v) whether the colour scheme is compatible with the age and detailing of the building; and
- (vi) whether the location and design of attachments, such as aerials and air conditioning units, are sympathetic to the existing building through the use of appropriate colour, design, form and location on the building.

(c) for Special Character Areas Overlay – Residential : Isthmus A:

- (i) whether, where garages or carports are to be adjoined to the existing building on the site, they are designed primarily to allow good visibility of the residential building from the street. Where visibility of the building will be significantly obscured, whether alternative designs and locations for garages and carports or provision of a car pad have been considered.

(d) for Special Character Areas Overlay – Residential : Isthmus A and Residential : Isthmus C:

- (i) whether the form, mass, proportion and scale of the external additions and alterations are such that they maintain or enhance the streetscape character and amenity.

(e) for Special Character Areas Overlay – Residential : Isthmus A and Residential : Isthmus C1:

- (i) whether the alterations and/or additions to expand the building within a roof space leave visible the dominant form and lines of the existing roof, particularly when viewed from the street;
- (ii) whether, where decoration and architectural features are used, they follow the characteristic form and detail of the existing

building on the site, or if the original features have been removed/altered, they follow the characteristic form and detail of other buildings of the same period in the street;

- (iii) whether materials used are the same or similar as the existing materials of the building so that the new building work is consistent with the traditional character and material of existing buildings on the site and in the street;
- (iv) whether any existing traditional fencing along the road frontage boundary is preserved or reinstated at the completion of development; and
- (v) whether, for those parts of the buildings highly visible to the street or public place the proportions and detail of the new windows and doors are consistent with those traditionally present in buildings of the style including the overall window to wall ratio.

(f) for Special Character Areas Overlay – Residential : Isthmus B:

- (i) whether the alteration or addition has regard to, or complements the form, style and materials of the existing building;
- (ii) whether the proposed change contributes positively to the street; and
- (iii) whether the alteration or addition is designed to have regard to landscape elements, including structural and built elements and existing established trees and hedges which make a significant contribution to streetscape value or if, where this is not practical, replacement planting or a replacement structural/built element is proposed.

(g) for Special Character Areas Overlay – Residential : Isthmus C:

- (i) whether the scale, form, mass, proportion and colour of the external addition or alteration is compatible with the prevailing architectural style of the existing building on the site; and
- (ii) whether the additions and alterations which are visible from the street or public realm detract from the architectural character of period housing or landscape qualities that are predominant in the street.

(h) for Special Character Areas Overlay – Residential : Isthmus C1:

- (i) whether, where garages or carports are to be adjoined to the existing building on the site, they are designed primarily to allow good visibility of the residential building from the street. Where

visibility of the building will be significantly obscured, whether alternative designs and locations for garages and carports or provision of a car pad have been considered, unless such alternative locations create adverse visual effects on a volcanic landform;

- (ii) whether the addition or alteration or associated site-works for any proposed addition or relocation has avoided physical effects on the natural volcanic landform, including cumulative effects; and
- (iii) whether the addition, alteration or relocation has minimized adverse visual effects on the volcanic landscape by minimising alteration to the natural landform, and by appropriate placement of additions or alterations on the site.

(i) for Special Character Areas Overlay – Residential : Isthmus C2:

- (i) whether, the additions, alterations or relocation are located so that larger trees on the site are retained, where this is not practical, whether replacement planting, particularly of indigenous trees will be undertaken where appropriate; and
- (ii) whether, the addition, alteration or relocation minimizes adverse visual effects on the landscape context by avoiding visually obtrusive excavation, and by appropriate placement of additions on the site.

(j) for Special Character Areas Overlay – Residential : North Shore:

Note1

The threshold limits outlined below and illustrated in Figure D18.8.2.1(2)(j).1 Threshold limits for alterations and additions have been determined in consideration of the sensitivity to change inherent in the various elements of special character buildings. These thresholds distinguish between relatively minor proposals for change and proposals which will require additional consideration and assessment.

An application which proposes the following may be assessed only against criteria D18.8.2.1(2)(j)(i) – (v) below, where relevant:

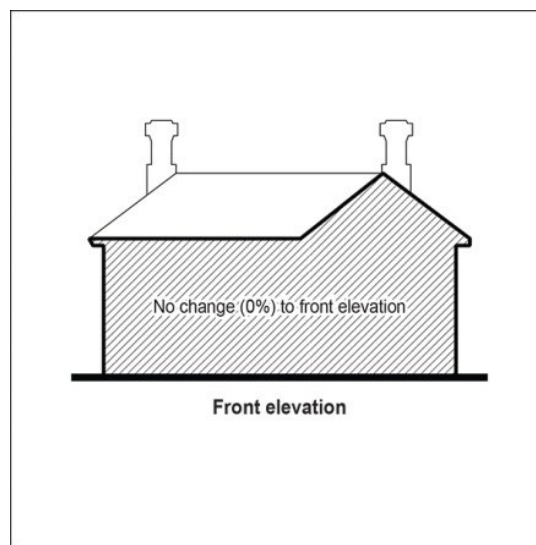
- no change to the front elevation (excluding the roof); and/or
- changes involving up to 20 per cent of the area of one or each of the side elevations (excluding the roof); and/or
- changes involving up to 80 per cent of the area of the rear elevation (excluding the roof); and/or

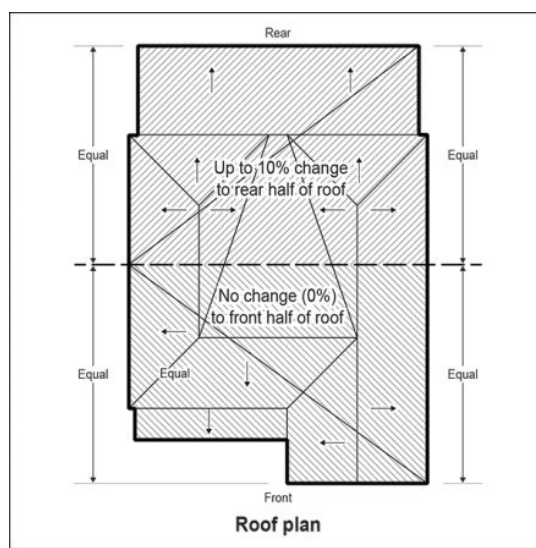
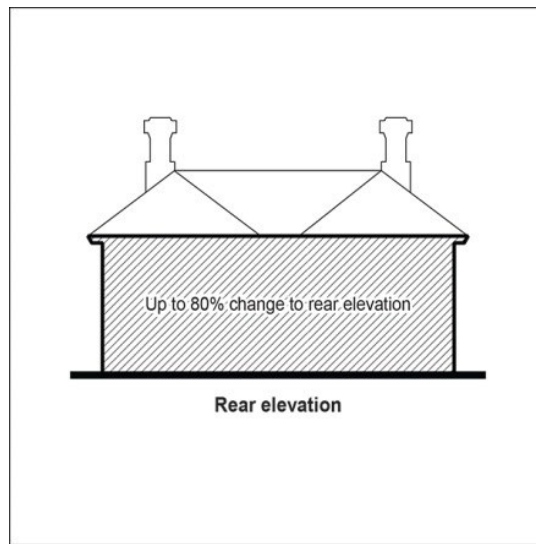
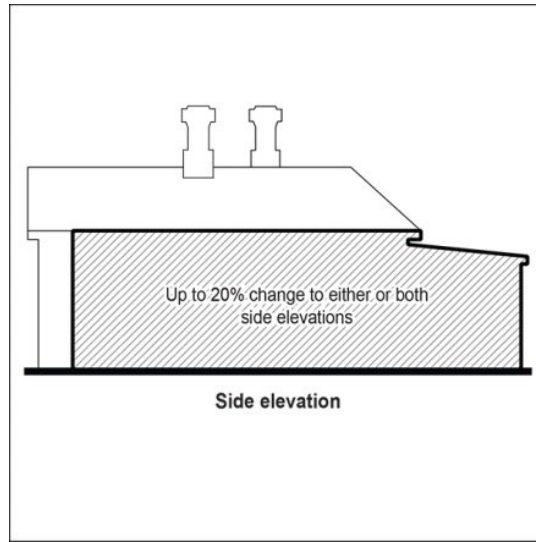
- no change to the front half of the roof; and/or
- changes involving up to 10 per cent of the rear half of the roof.

An application which proposes the following may be assessed against D18.8.2.1(2)(j)(i) – (vi) below, where relevant:

- any change to the front elevation (excluding the roof); and/or
- changes involving more than 20 per cent of the area of either side elevation (excluding the roof); and/or
- changes involving more than 80 per cent of the area of the rear elevation (excluding the roof); and/or
- any change to the front half of the roof; and/or
- changes involving more than 10 per cent of the rear half of the roof.

Figure D18.8.2.1(2)(j).1 Threshold limits for additions and alterations





- (i) whether the proposed additions/alterations to pre-1940 buildings retain the architectural and historic fabric, including the original

roof form, proportions and style of the building and other design characteristics such as design detailing, built fabric and materials, finishes, proportions, and window size, proportion and location within walls. Whether alterations to post-1940s buildings are designed to avoid dominance of, or contrast with, the streetscape character;

- (ii) whether the alterations and/or additions to expand the building within a roof-space leave visible the dominant form and lines of the existing roof, particularly when viewed from the street;
 - (iii) whether the additions and/or alterations adversely affects the contribution the subject building makes to a group of buildings which contribute to the special character of the area, particularly when the subject site is adjacent to or in the vicinity of any scheduled historic heritage place;
 - (iv) whether the design and appearance of alterations or additions use materials that are the same or similar to existing materials to maintain the integrity of the special character of the area. Traditional materials such as corrugated steel sheet, timber shingles, timber weatherboards, and timber joinery are considered generally appropriate, especially where these materials match or are very similar to the original materials, and are used in the same manner as those of the subject building;
 - (v) whether alterations and additions, to buildings that are clearly visible from the street or public realm should fit compatibly within the context of surrounding buildings and the neighbourhood and avoid dominance of, or contrast with the character of that context. Special attention must be paid to the bulk, scale, form, massing and use of materials and consistency with the style and detailing of the building; and
 - (vi) whether the additions/alterations have been designed to avoid cumulative adverse effects arising from successive additions and alterations. Where cumulative effects cannot be avoided, whether proposals include initiatives to recover original built form and lost details, particularly at the front of the buildings.
- (3) For the construction of a new building or relocation of a building onto a site:
- (a) policies D18.3(1) to (7) and (7B);
 - (ab) where minor dwelling is proposed, whether it is subservient to the principal dwelling on the site.

- (b) for all areas in a Special Character Areas Overlay other than Special Character Areas Overlay – Residential : Isthmus B and Residential : Isthmus C:
- (i) whether the design and external appearance of the proposed building is compatible with the streetscape and the identified special character of the area;
 - (ii) whether the form, mass, proportion and scale of the building is compatible with the special character of the area;
 - (iii) whether the building preserves the sense of visual frontage access and interactivity between residential buildings and the street, and does not present blank or near-blank façades to the street;
 - (iv) whether materials used maintain the integrity of, and have a clear relationship to, the traditional character and materials of buildings in the street;
 - (v) whether those parts of a building which are highly visible to the street maintain a window to wall ratio visible from the street that is similar to that surviving original predominant character buildings in the street;
 - (vi) whether the building is located on a site that reflects the original subdivision and development patterns existing in the street, particularly in situations where development is occurring on an amalgamated site so as to maintain the 'grain' of the area in terms of the size, spacing and rhythm of street front buildings;
 - (vii) whether particular attention has been paid to the continuity of the front façade alignment to the street;
 - (viii) whether the building has a roof form that is compatible with the traditional roof forms predominant in the special character area and identified in the special character area statement;
 - (ix) whether the provision of any vehicle access and parking complements the character of the streetscape, having particular regard to location, design, detailing, use of materials and landscaping;
 - (x) whether garages and carports allow good visibility of the building from the street, and where possible are located to the rear of, underneath (where appropriate in terms of topography), or alongside the building on the site.

- (xi) consent to the location of a garage or carport in the front yard may be considered acceptable where:
 - no practical location is available elsewhere on the site;
 - any structure associated with the parking provisions is minimal in scale, (which in most circumstances will exclude a double-width garage or double-width carport) and is designed in a manner which is coherent with the architectural character of any buildings on the site; and
 - the garage or carport will not significantly obscure the visibility of the existing building from the street or public realm;
- (xii) whether any existing traditional fencing along the front boundary will be preserved or reinstated at the completion of development; and
- (xiii) the extent to which a building is designed to have regard to any particular landscape elements including mature trees, which make a significant contribution to the streetscape and special character of the area, or how the proposal mitigates this through replacement planting.

(c) for Special Character Areas Overlay – Residential : Isthmus B:

- (i) the design of a proposed new/relocated building will complement the existing patterns of bulk and location, and the relationship to the street in the vicinity of the site;
- (ii) if a new/relocated building is significantly larger than existing adjacent buildings, its architectural design acknowledges the predominant scale of those existing buildings, through its massing and formal arrangement on the site. In the case of non-residential buildings, it is acknowledged that such formal arrangement may not be appropriate;
- (iii) whether bulk and location standards prevent the achievement of an architectural scale which might otherwise be appropriate to the locality or to the prevailing scale, or whether some relaxation of such standards will enable development of more appropriate form and scale;
- (iv) whether the design of a new/relocated building in a contemporary idiom can be shown by analysis to have qualities which are sympathetic to existing established architectural forms and scale, in such a way as to make a positive contribution to streetscape; and

- (v) whether a new/relocated building is designed to have regard to landscape elements, including structural and built elements and existing established trees and hedges which make a significant contribution to streetscape value or if, where this is not practical, replacement planting or a replacement structural/built element is proposed

(d) for Special Character Areas Overlay – Residential : Isthmus C1:

- (i) whether materials used maintain the integrity of, and have a clear relationship to, the traditional character and materials of existing buildings along the street;
- (ii) whether the scale, form, mass, proportion and colour of the building is compatible with the architectural style predominant in the street;
- (iii) whether those parts of a building highly visible to the street maintain a window to wall ratio visible from the street that is similar to the predominant special character buildings in the street;
- (iv) whether the building is located on a site so that it reflects the original subdivision and development patterns existing in the street, particularly in situations where development is occurring on an amalgamated site so as to maintain the 'grain' of the area in terms of the size, spacing and rhythm of street-front buildings;
- (v) whether buildings are located on a site so as not to detract from the continuity of the front façade alignment of residential buildings in the street;
- (vi) whether any new or relocated building is visually compatible with and minimises the adverse effects on the volcanic landscape by minimising alteration to the landform and the appropriate placement of the building on the site;
- (vii) whether any existing traditional fencing along the front boundary will be preserved or reinstated at the completion of development;
- (viii) whether the buildings preserves the sense of visual frontage access and interactivity between houses and the street, and does not present blank or near-blank façades to the street;
- (ix) whether the building maintains the predominance of pitched roof form; and

- (x) whether garages and carports obscure the visibility of the existing dwelling from the street or give rise to adverse visual effects on the volcanic landscape.

(e) for Special Character Areas Overlay – Residential : Isthmus C2:

- (i) whether materials used maintain the integrity of, and have a clear relationship to, the traditional character and materials of existing buildings on the street;
- (ii) whether the scale, form, mass, proportion and materials of the building is compatible with the architectural style of the existing building on the site, or the architectural style predominant in the street;
- (iii) whether the new building detracts from or adds to the consistency and harmony of building forms in the street and the coherence of the streetscape;
- (iv) whether the building contributes positively to the special character and coherence of the streetscape;
- (v) whether the building is located so that larger trees on the site are retained, and where this is not practical, replacement planting, particularly of indigenous trees are undertaken where appropriate;
- (vi) whether any building or site-works avoids physical effects on the natural land-form, including cumulative effects;
- (vii) whether any new or relocated building minimises adverse visual effects on the landscape by avoiding visually obtrusive excavation and by appropriate placement of the building on the site; and
- (viii) whether pitched roofs, in gabled and/or hipped forms, are used to mitigate adverse visual effects on the natural environment.

(4) for an infringement of any of the standards listed in Standard D18.6.1

Standards for buildings in the Special Character Areas Overlay – Residential:

- (a) policies D18.3(1) to (7C).

D18.8.2.2. Special Character Areas Overlay - Business

- (1) For the total or substantial demolition (exceeding 30 per cent or more, by area, of wall elevations and roof area) of a character defining building or a character supporting building; or for the total or substantial demolition (exceeding 30 per cent or more, by area, of wall elevations and roof area) of a building in the Special Character Areas Overlay – Business with no identified

character defining or character-supporting buildings; or for any demolition of the front façade of a character supporting building:

- (a) policies D18.3(8) to (14) as relevant, and in addition, all of the following:
 - (i) whether the proposal significantly adversely affects the built special character of the area, including the contribution the individual building makes to the context, character or cohesiveness of the streetscape;
 - (ii) the contribution the building makes to adjoining or nearby scheduled buildings and other character defining or supporting buildings or to the wider character area where there are no identified character supporting or character defining buildings, either through the context and the relationship of the building or through the building's mass, height or rhythm of façades;
 - (iii) whether the existing building forms part of a cohesive group of buildings in terms of similarity of age, scale, proportion or design and the extent to which the building's demolition or partial demolition would detract from the contribution that group makes to streetscape, the special character and context of the area;
 - (iv) whether the building is beyond rehabilitation to a state which would display its special qualities, architectural qualities or special characteristics of the streetscape and the surrounding area; and
 - (v) whether the costs of restoration and repair are significantly greater in comparison to the costs of a new building of similar size and quality.

(2) For additions to a character defining building:

- (a) policies D18.3(8) to (14) as relevant, and in addition, all of the following:
 - (i) whether the additions are appropriate when considered against the relevant assessment criteria for additions in the zone;
 - (ii) whether at the street elevation(s) maintains an appearance similar to the original façade of the character defining building;
 - (iii) where relevant, whether the addition to building is positioned and designed to retain the continuity of the front façade alignment of the building or adjoining buildings and the established horizontal or vertical modulation;

- (iv) whether the design and materials respect and respond positively to those originally used and contribute strongly to the architectural character and detailing of the building;
- (v) whether the additions to building are compatible with the architectural form, mass, proportions and style of the existing building(s) on the site;
- (vi) whether the additions to the building retain as much of the existing building fabric as practicable;
- (vii) whether the additions to building use a colour scheme which is compatible with the age and detailing of the building;
- (viii) for retail premises whether the additions to the building have main frontage(s) incorporating significant areas of unobscured display glazing and building entries reflecting traditional forms in order to maintain good visual connections with the street; and
- (ix) whether the additions to the building locate and design attachments, such as signs, aerials and air conditioning units, sympathetically to the existing building.

(3) For alterations or additions to buildings identified as character supporting:

- (a) policies D18.3(8) to (14);
- (b) whether the alterations or additions to the building:
 - (x) are appropriate when considered against the relevant assessment criteria for alterations or additions in the zone;
 - (xi) have street elevation(s) sympathetic to the existing building, and any other surrounding scheduled historic heritage place, character-defining or character-supporting buildings;
 - (xii) where relevant, are positioned and designed to retain the continuity of the front façade alignment of the building or adjoining buildings, and the adjoining established horizontal or vertical modulation;
 - (xiii) are compatible with the dominant architectural style of the existing building in terms of form, mass, proportion and materials;
 - (xiv) use materials which maintain the integrity of the special character and materiality of the building;

- (xv) propose to combine adjoining buildings and whether the finished appearance/façade retains visual evidence of the historic pattern of development by vertical modulation;
 - (xvi) for retail premises, have main frontage(s) incorporating significant areas of unobscured display glazing and building entries reflecting traditional forms in order to maintain good visual connections with the street; and
 - (xvii) locate and design attachments, such as signs, aerials and air conditioning units, sympathetically to the existing building.
- (4) For new buildings; or alterations and additions to buildings not identified as character defining or character supporting:
- (a) policies D18.3(8) to (14);
 - (b) whether the new building or alterations and additions to buildings not identified as character defining or character supporting:
 - (i) are appropriate when considered against the relevant assessment criteria for new buildings or alterations or additions in the zone;
 - (ii) reflect and have regard to the special character area statement for the area;
 - (iii) are designed to respond positively to the architectural form, bulk, proportions, materials and colour of any existing buildings on the site and/or any surrounding scheduled historic heritage place, character-defining or character-supporting buildings;
 - (iv) are designed to respond positively to the built form characteristics and urban structure of the special character area;
 - (v) are designed and located in a manner that respects original physical features of the special character area as identified in the built form section of the special character area statement;
 - (vi) where possible, are positioned to reflect and/or enhance the continuity of the historic front façade alignments of the adjoining character defining or character supporting buildings;
 - (vii) are constructed with materials that are of a high standard of quality and durability that respond positively to the architectural character and detailing of any scheduled historic heritage place, character-defining or character-supporting buildings;
 - (viii) are designed to respond positively to the established horizontal or vertical modulation evident on the front façade of any existing

scheduled historic heritage place, character-defining or character-supporting buildings;

- (ix) for retail premises, have main frontage(s) incorporating significant areas of unobscured display glazing and building entries reflecting traditional forms in order to maintain good visual connections with the street;
- (x) proposes to combine buildings and/or sites, so that the finished appearance/facade maintains visual evidence of the previous pattern of development by vertical modulation; and
- (xi) provides for on-site parking or loading where this would enable better outcomes in terms of maintaining/enhancing special character and supporting commercial land use viability.

(5) For additions or alterations to a building in a Special Character Areas Overlay – Business with no identified character supporting or character defining buildings; or for a new building in a Special Character Areas Overlay – Business with no identified character supporting or character defining buildings:

(a) policies D18.3(8) to (14);

(b) whether the proposal:

- (i) is appropriate when considered against the relevant assessment criteria for new buildings or alterations or additions in the zone;
- (ii) reflects and has regard to the special character area statement for the area;
- (iii) is designed to respond positively to the architectural form, bulk, proportions, materials, colour and other built form characteristics and urban structure of the special character area;
- (iv) is designed and located in a manner that respects original physical features of the special character area as identified in the built form section of the special character area statement;
- (v) where possible, is positioned to reflect and/or enhance the continuity of the front façade alignments of the adjoining buildings;
- (vi) is constructed with materials that are of a high standard of quality and durability that respond positively to the architectural character and detailing identified in the special character area statement;

- (vii) is designed to respond positively to the established horizontal or vertical modulation evident on the front façade of the existing buildings in the character area;
- (viii) for retail premises, has main frontage(s) incorporating significant areas of unobscured display glazing and building entries reflecting traditional forms in order to maintain good visual connections with the street;
- (ix) proposes to combine buildings and/or sites, so that the finished appearance/facade maintains visual evidence of the previous pattern of development by vertical modulation; and
- (x) provides for on-site parking or loading where this would enable better outcomes in terms of maintaining/enhancing special character and supporting commercial land use viability.

D18.9. Special information requirements

There are no special information requirements in this section.

D19. Auckland War Memorial Museum Viewshaft Overlay

D19.1. Background

Auckland War Memorial Museum is located in a prominent location within Auckland Domain.

The museum is a landmark building with historic, community and architectural significance and is one of Auckland's most popular vantage points. Sited on relatively low grounds in relation to the surrounding ridges, the view to and from the museum could be easily compromised or lost through the erection of tall buildings. The combination of landform, dominant building presence and setting contribute to the museum's unique visual quality. Special visual protection measures are applied to secure the highly appreciated views and aspect qualities associated with this historic heritage place. The overlay rules limit building height and include provision for parapets, chimneys communications antennae, support structures, housing, building services components and advertising signs.

Auckland War Memorial Museum Viewshaft Overlay are a qualifying matter in accordance with Clause 77I(a) and 77O(a) of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021.

The provisions of this overlay take precedence over the provisions of the underlying zone with respect to new buildings and subdivision.

D19.2. Objective

- (1) Significant views to and from the Auckland War Memorial Museum are protected.

D19.3. Policy

- (1) Prevent the visual intrusion of buildings and structures into current identified views to and from the museum.

D19.4. Activity table

Table D19.4.1 Activity table specifies the activity status of development activities in the Auckland War Memorial Museum Viewshaft Overlay pursuant to section 9(3) of the Resource Management Act 1991.

- The rules that apply to network utilities and electricity generation in the Auckland War Memorial Museum Viewshaft Overlay are located in Section [E26 Infrastructure](#).
- Refer to the applicable zone rules for the permitted height limit
- The Auckland War Memorial Museum Viewshaft Overlay provisions do not apply to structures that do not exceed the height limits specified on Figures D19.6.1.1, D19.6.1.2 and D19.6.1.3 within the areas identified on the planning maps.

Table D19.4.1 Activity table

Activity		Activity status
Development		
(A1)	Temporary construction and safety structures	P
(A2)	Buildings, structures, parapets, chimneys, communication devices, tanks or building services components, ornamental towers, lift towers or advertising signs that exceed the height limits specified on Figures D19.6.1.1 Height limit surface, D19.6.1.2 Height limit surface – 2 and D19.6.1.3 Height limit surface – 3 within the areas identified on the planning maps to protect views to or from the Auckland War Memorial Museum	NC

Qualifying matter as per s77I(a) and s77O(a) of the RMA

D19.5. Notification

- (1) Any application for resource consent for an activity listed in Table D19.4.1 Activity table will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.
- (2) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule [C1.13\(4\)](#).

D19.6. Standards

All activities listed as a permitted activity in Table D19.4.1 Activity table must comply with the following standard.

D19.6.1. Building coverage

- (1) For sites where the view protection height limit surface is lower than the height limit in the zone, the maximum building coverage is 40 per cent, unless a greater building coverage is allowed in the zone.

Figure D19.6.1.1 Height limit surface

Qualifying matter as per s77I(a) and s77O(a) of the RMA

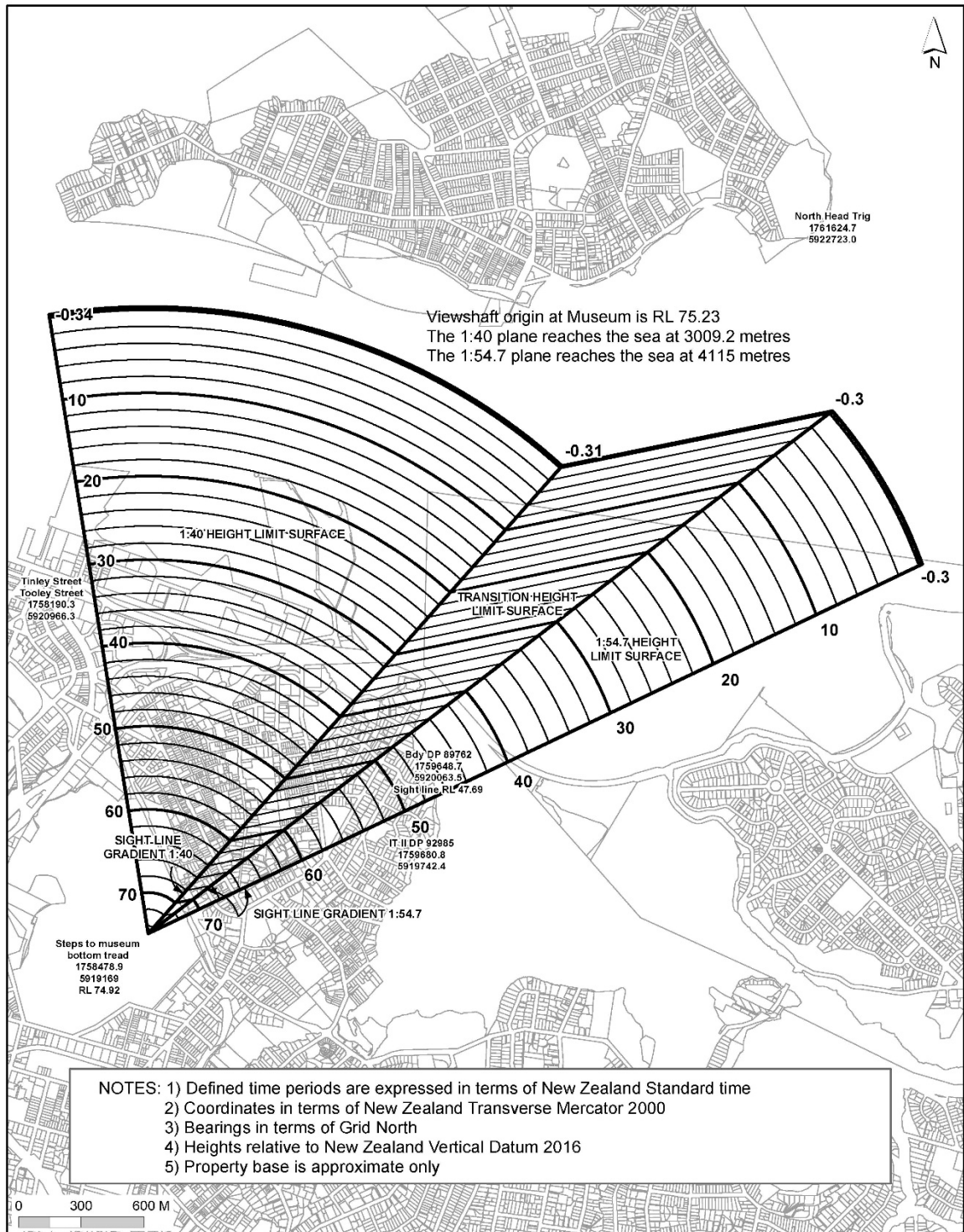
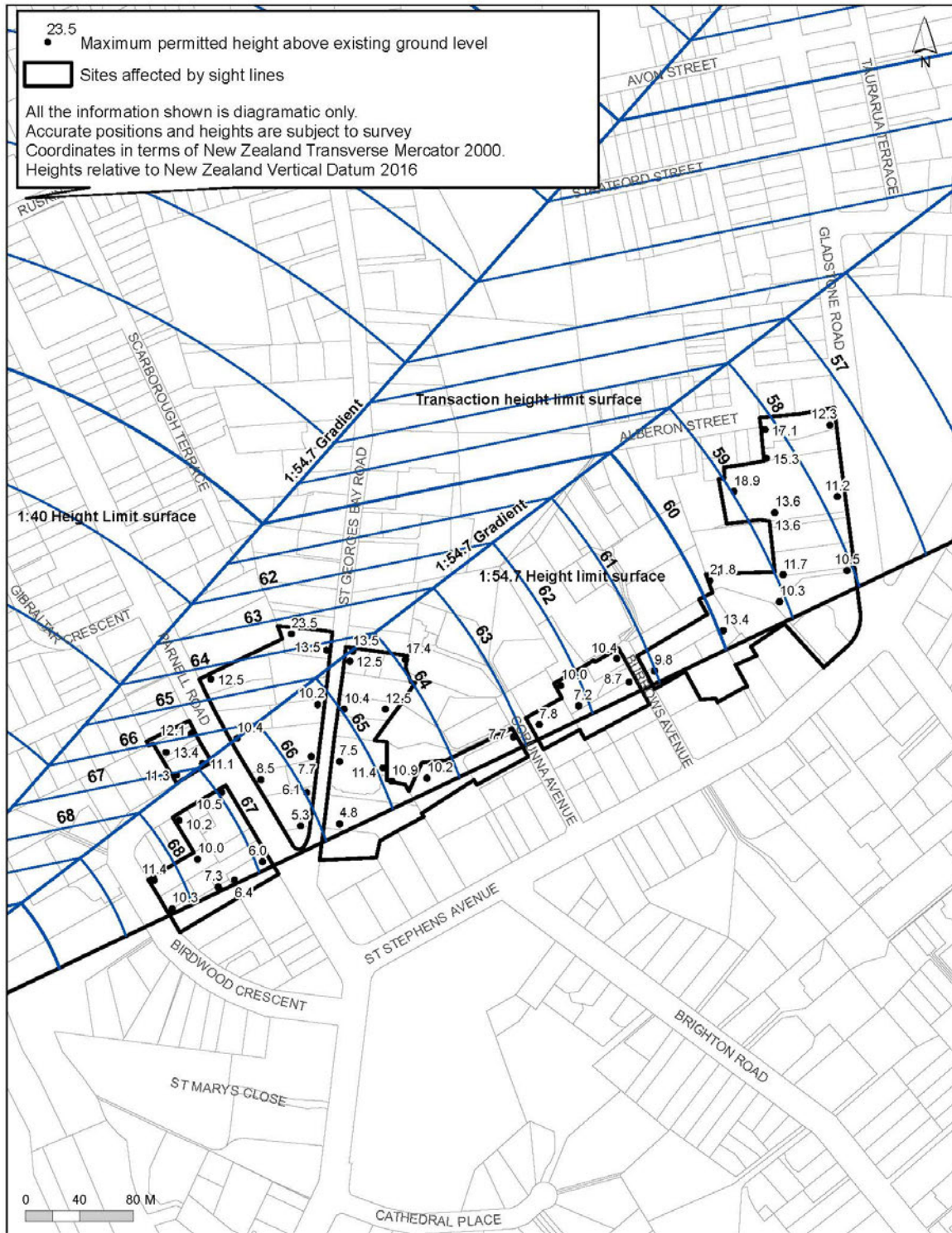
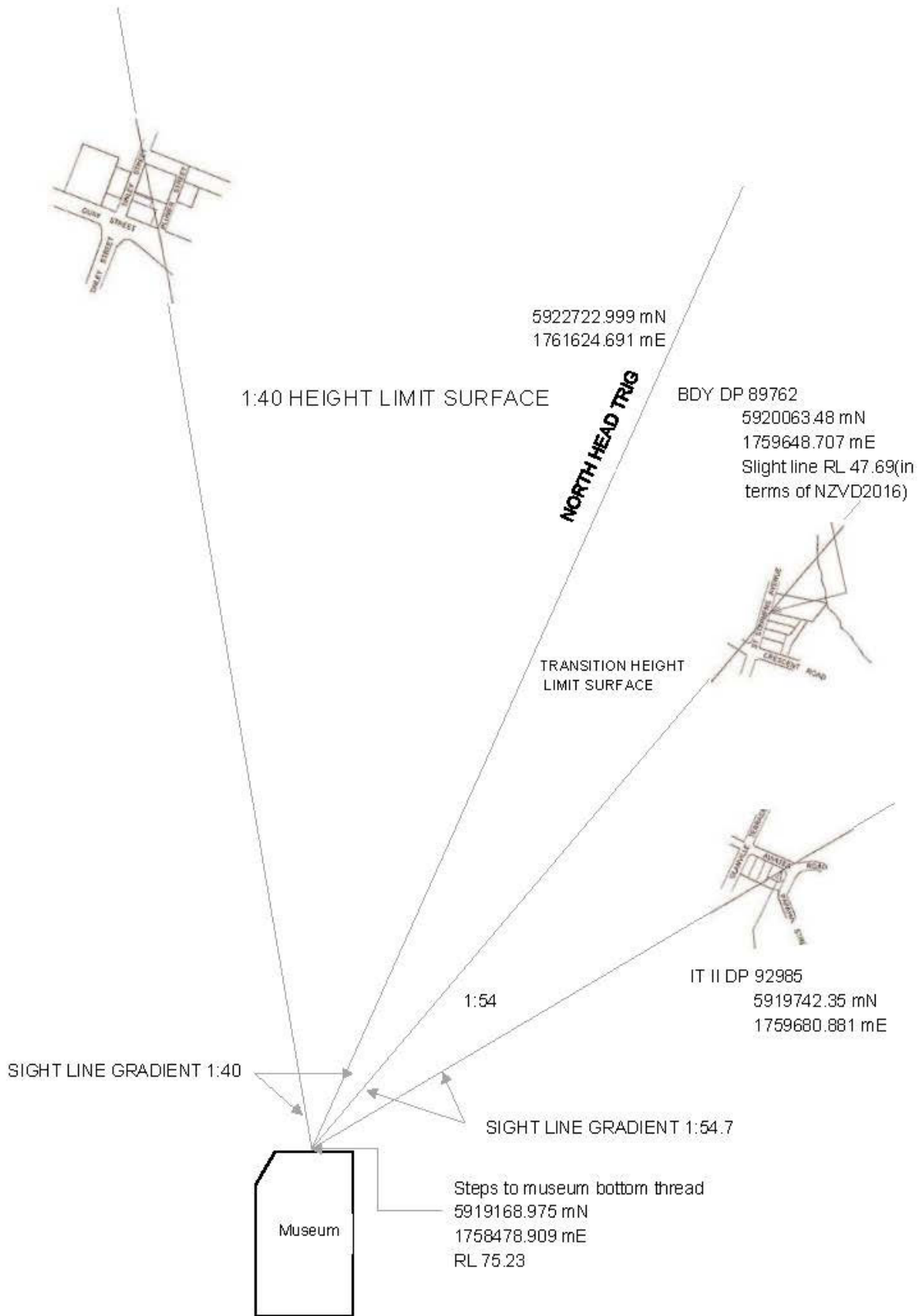


Figure D19.6.1.2 Height limit surface - 2



Qualifying matter as per s771(a) and s770(a) of the RMA

Figure D19.6.1.3 Height limit surface - 3



D19.7. Assessment – controlled activities

There are no controlled activities in this overlay.

D19.8. Assessment – restricted discretionary activities

There are no restricted discretionary activities in this overlay.

D19.9. Special information requirements

There are no special information requirements in this overlay.

D20A. Stockade Hill Viewshaft Overlay

D20A.1. Overlay description

This overlay is used to restrict building heights to ensure that new development is of a height that does not intrude into or obstruct views to the coastal environment.

Stockade Hill Viewshaft Overlay are a qualifying matter in accordance with Clause 771(j) of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021.

The provisions of this overlay take precedence over the provisions of the underlying zone with respect to new buildings and subdivision.

D20A.2. Objectives [rcp/dp]

(1) Objective [D16.2.\(1\)](#) applies to this overlay.

D20A.3. Policies [rcp/dp]

(1) Policies [D16.3.\(1\)](#), [D16.3.\(2\)](#) and [D16.3.\(3\)](#) apply to this overlay.

D20A.4. Activity table

Table D20A.4.1 Activity table specifies the activity status of development activities in the Stockade Hill Viewshaft Overlay pursuant to section 9(3) of the Resource Management Act 1991.

- The rules that apply to network utilities and electricity generation in the Overlay are located in [E26 Infrastructure](#).
- For the avoidance of doubt, it is noted that the Stockade Hill Viewshaft Overlay does not apply any height limits to road network activities within the legal road.

Table D20A.4.1 Activity table

Activity		Activity status
Development (where it intrudes into the viewshaft)		
(A1)	Temporary construction and safety structures	P
Buildings in the 8m height area depicted in Figure D20A.6.1.1, excluding network utilities, electricity generation facilities, broadcasting facilities and road networks		
(A2)	Buildings, structures and external additions and alterations to buildings that do not comply with D20A.6.1	RD

Qualifying Matter as per s771(j) of the RMA

D20A.5. Notification

- (1) Any application for resource consent for an activity listed in Table D20A.4.1 Activity table above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.
- (2) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule [C1.13\(4\)](#).

D20A.6.Standards

Qualifying Matter
as per s771(j)
of the RMA

D20A.6.1 Height

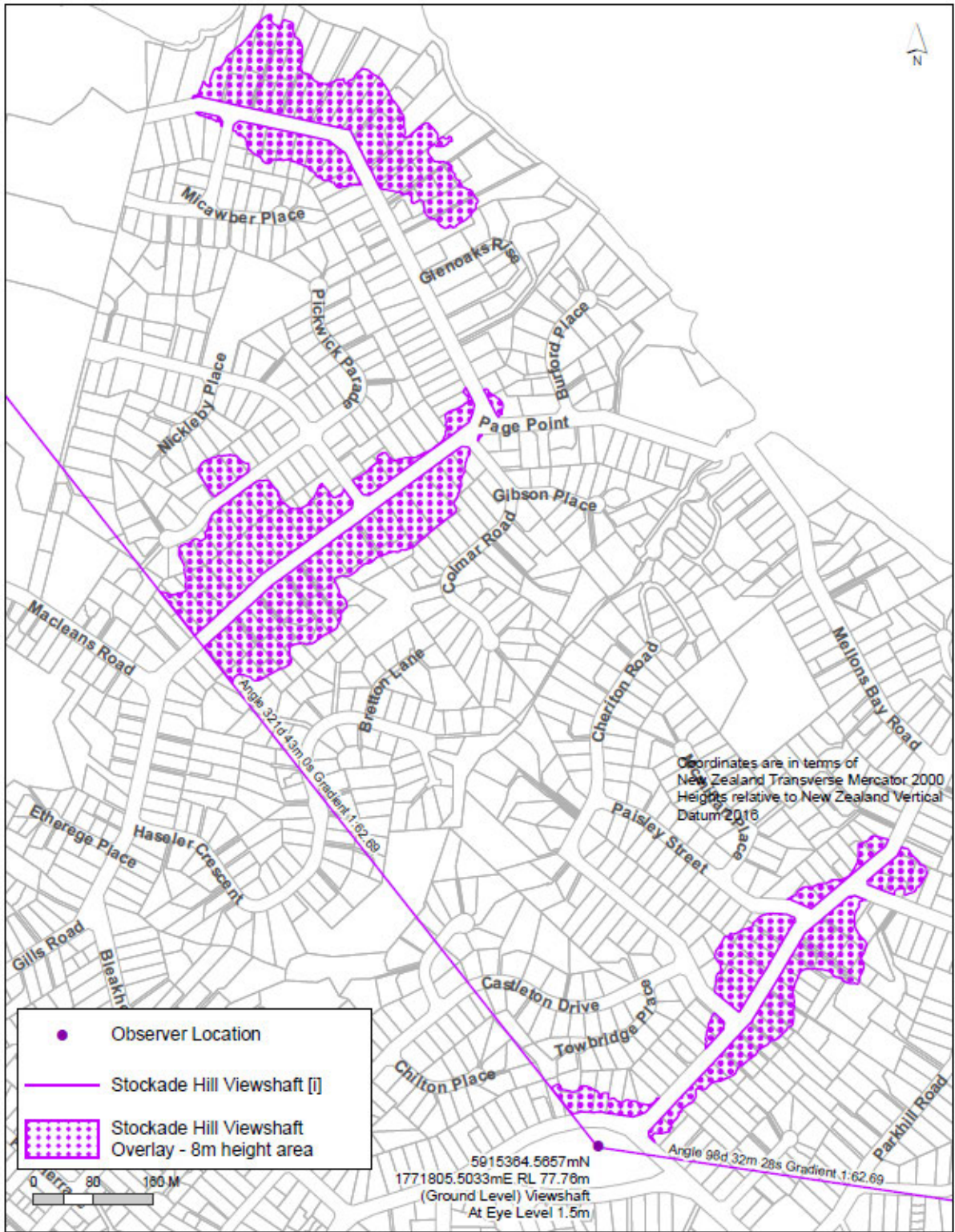
Purpose: to manage the height of buildings to:

- maintain the visual integrity of the view by minimising the visual intrusion of buildings
- protect views to the coastal environment from public open spaces, including scheduled historic heritage place

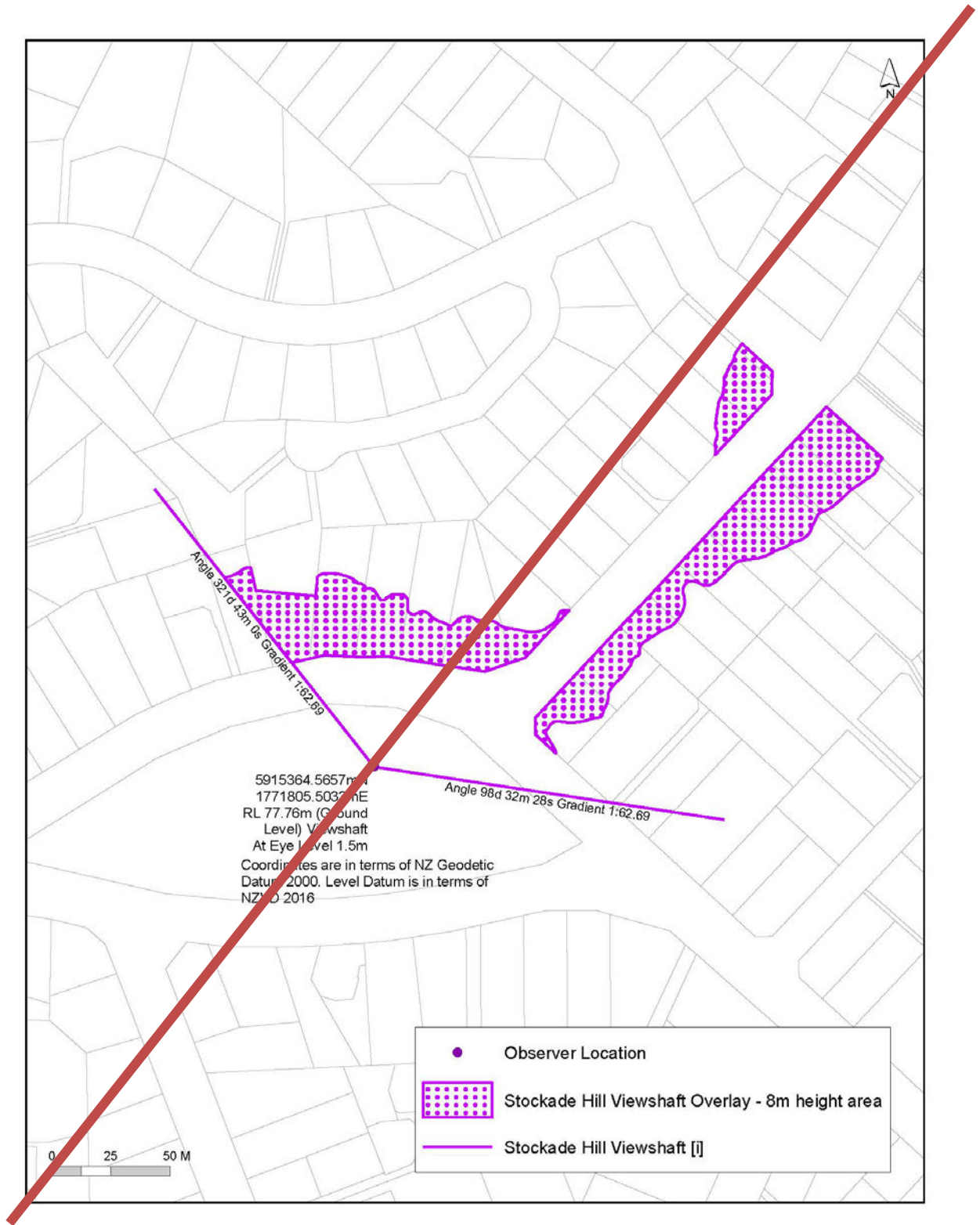
(1) In applying these standards, height must be measured using the average ground level method.

(2) Buildings within the Stockade Hill Viewshaft must not exceed a maximum building height of 8m within the areas as shown on Figure D20A.6.1.1

Figure D20A.6.1.1 Building Height



D20A Stockade Hill Viewshaft Overlay



D20A.7. Assessment – Controlled activities

There are no controlled activities in this overlay.

D20A.8. Assessment – Restricted discretionary activities

D20A.8.1. Matters of discretion

The Council will restrict its discretion to the following matters when assessing a restricted discretionary resource consent application:

- (1) buildings and structures that intrude into the viewshaft:
 - (a) effects on the visual integrity of the view from the identified viewing point;
 - (b) location, nature, form and extent of proposed works;
 - (c) the functional need or operational need for the proposal and any alternatives considered to fulfil that need without the intrusion into the view; and
 - (d) the relevant objectives and policies in D20A.

D20A.8.2. Assessment criteria

The Council will consider the relevant assessment criteria for restricted discretionary activities from the list below:

- (1) buildings and structures that intrude into the viewshaft:
 - (a) whether the nature, form and extent of the building adversely affects the visual integrity of the viewshaft and its view;
 - (b) whether the proposed building has a functional or operational requirement to be in the location proposed and the proposed height of the building is consistent with that requirement; and
 - (c) whether there are practicable alternatives available that will not intrude into. or will minimise the intrusion into the viewshaft.

D20A.9. Special information requirements

There are no special information requirements in this overlay.