



CHAPTER
04

RESIDENTIAL AND
URBAN LIVING ZONES

Te Nōhanga Ki Uta, Te Nōhanga Ki Tai

4 Residential and Urban Living Zones

Refer to Chapters 11 to 20 for additional rules that may apply to these zones.

4.1 OBJECTIVES AND POLICIES

- Objective Res1* *The maintenance and enhancement of the character and amenity for dwellings and residential activities within Residential and Urban Living Zoned areas.*
- Policy 1 To ensure a site is large enough for a proposed use, development or subdivision to ensure residents on-site or in the neighbourhood retain or will have a high level of residential amenity.
- Policy 2 To ensure adequate sunlight and daylight enters **dwellings** and other forms of residential **buildings**.
- Policy 3 To maintain spatial privacy, usable outdoor space and access about **dwellings** and other forms of residential **buildings**.
- Policy 4 To maintain and enhance a high level of amenity on residential sites by requiring the provision of;
a. screened service courts to be provided;
b. private indoor and outdoor **living areas**; and
c. safe on-site parking and manoeuvring.
- Policy 5 To enable changes in land use, including greater density of residential development in urban areas, without compromising the existing level of amenity.
- Policy 6 To maintain a pleasant, safe and functional streetscape in urban areas by;
a. restricting structures (including fences and signs) in the front yard;
b. incorporating street trees in the road reserve;
c. encouraging vegetated front yards;
d. requiring minimum areas of glazing; and
e. requiring garaging to be set back.
- Policy 7 To ensure comprehensive redevelopment in the Urban Living Zone does not compromise streetscape or **building** and site amenity.
- Objective Res 2* *The avoidance of business activities and incompatible home occupations, community facilities and accommodation facilities from establishing and operating within Residential and Urban Living Zones and along urban arterial routes through residential areas unless provided for as part of an approved Structure Plan.*
- Policy 1 To limit the scale of business activities including **home occupations**, community facilities and **accommodation facilities** to those that are domestic in scale and character having regard to;
a. the design and appearance of the **building**;
b. traffic generation, parking, access and manoeuvring;
c. signs; and
d. nuisance effects such as noise, light spill, dust, vibration and contaminants.

4.2 RULES

The following standards and terms apply to Permitted, Controlled, and Restricted Discretionary activities and will be used as a guide for Discretionary and Non-Complying activities.

Non-compliance with any rule will make the activity a Discretionary Activity unless otherwise stated in the rule.

Refer to Chapters 11 to 20 for additional rules that may apply to this zone.

For comprehensive developments within any of the Structure Plan areas defined in section 2.4 of this plan which do not comply with one or more of the Rules in 4.2.1 to 4.2.14 shall meet the requirements of Rule 2.2.2.3. In this event, Rule 2.2.2.3, associated assessment criteria shall take precedence over Rules 4.2.1 to 4.2.14 and assessment criteria in this Chapter.

For comprehensive developments within the Ōpihi Structure Plan areas defined in section 2.4 of this Plan which do not comply with one or more of the Rules in 4.2.2 to 4.2.14, Rules 2.2.2.2, 2.2.2.3 and 2.4.2.1 shall apply.

4.2.1 Height

4.2.1.1 No **building** shall extend above the following **height planes**:

Zone	Permitted Activity	Discretionary Activity
Residential, Education	9 metres	10 metres
Urban Living	10 metres	12 metres

Table 4:1 Building Height Planes

Rules 4.2.1.3 and 4.2.1.4 contain building height rules for the Ōpihi Structure Plan area.

4.2.1.2 In addition to the **height plane** Rule 4.2.1.1 above, in the areas subject to the 12m height restriction (maps 107B, 110B, 111B, 117B, 118B and 119B) no **building** will exceed a vertical height of 12m measured from the lowest point of the building, at the lowest finished site level which exists after all cut and fill for all new **buildings** has occurred to the highest point of the **building**.

Advice note: At the time that resource consent applications are processed, the appropriate ground level and associated controls are determined. This process represents the appropriate balance between enabling efficient development and managing potential adverse effects. Although **ground level** for the Whakatāne-Ōhope escarpment is determined at the time of resource consent, this is not sufficient to manage potential adverse effects along the Whakatāne-Ōhope escarpment. This is because along the Whakatāne-Ōhope escarpment, sloping land is associated with;

- a. Outstanding Natural Features and Landscapes;
- b. Significant Amenity Landscapes; and
- c. **Significant Indigenous Biodiversity sites.**

The controls in Rule 5.2.1.1 relating to “**height planes**”, and by definition to “**ground level**”, apply to all Residential and Urban Living Zone sites, including those along the Whakatāne-Ōhope escarpment, but they do not prevent “hill-side creep” on steep sites. “Hill-side creep” can have an adverse effect on landscapes and biodiversity sites (i – iii above). An additional rule, Rule 5.2.1.2, places an additional control on **building height** along the Whakatāne-Ōhope escarpment, because this is where “hill-side creep” could have an adverse effect on the places listed in (i) to (iii) above.

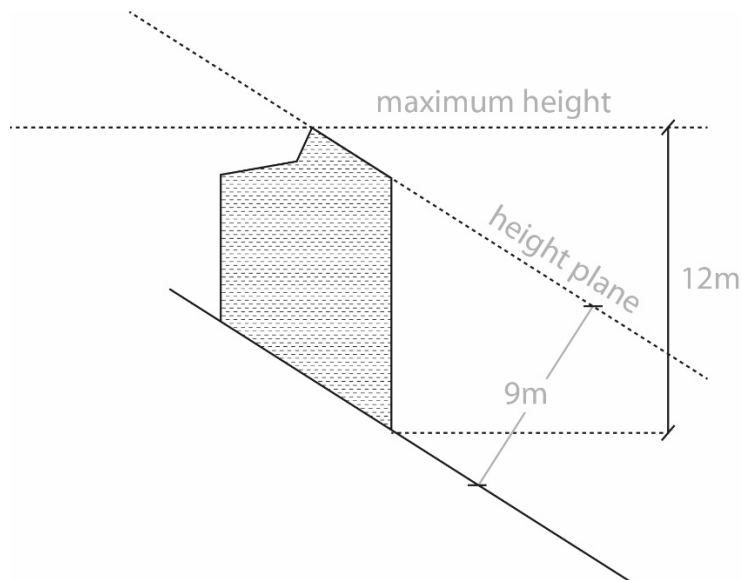


Figure 4.1 Height diagram

- 4.2.1.3 Where a site has a common boundary with the **CPZ**: In addition to yards required by the Rules in 4.2.4 within 6m of the common boundary, the maximum **building** height shall be 7m above **ground level**.
- 4.2.1.4 Non-compliance with the Rules in 4.2.1 shall be a Non-Complying activity.
- 4.2.1.5 Within the Ōpihi Structure Plan no building shall extend above the following height planes:

Ōpihi Structure Plan as shown in 2.6.2	Permitted Activity	Controlled Activity	Restricted Discretionary Activity	Discretionary Activity
Additional Height Area	9 metres	Not applicable	RL 20 metres where part of a Comprehensive Development Plan under Rule 2.4.2, and an Architectural Design Statement has been provided under Rule 4.2.1.6	Not applicable
Landscape Sensitivity Area	Up to 9 metres, or a lower height as may be imposed by a consent notice condition of subdivision consent under Rule 2.3.1 or 2.4.1	Not applicable		10 metres
Neighbourhood Centre	9 metres	Not applicable		10 metres
Within 6m of the Coastal Protection Zone boundary	7 metres	Not applicable		
Within 6m of the Urupa Buffer boundary	6 metres Detached single level buildings	Not applicable		

Landscape Buffer, Coastal Protection and Urupa Buffer Area	6 metres	Not applicable	9 metres
All other areas within the Ōpihi Structure Plan	9 metres	Not applicable	10 metres

4.2.1.6 Any resource consent application for height greater than 9m within the Additional Height Area shown on the Ōpihi Structure Plan under Rule 4.2.1.3 shall be supported by an Architectural Design Statement which shall include:

- a. Analysis of the buildings' purpose, function, and relationships with surroundings;
- b. Site opportunities and constraints, including coastal, landscape and cultural sensitivities as well as the anticipated patterns of surrounding development;
- c. Principles applied to the elements of the design, including functionality, unity and harmony, balance, hierarchy, scale and proportion, dominance and emphasis, and similarity and contrast;
- d. Building concept plans, including colours, external materials and landscaping.

Note: Assessment Criteria are set out in 4.4.13.

4.2.1.7 Within 6m of the Urupa Buffer as shown on the Opihi Structure Plan, development shall be limited to detached, single level buildings not exceeding 6m in height.

4.2.2 Natural Light

4.2.2.1 No part of any building shall exceed a height equal to 2.7m plus the horizontal distance between that part of the **building** and the nearest site boundary (including boundaries with public roads), except as provided for in 4.2.2.2 below;

4.2.2.2 Any part of a building may exceed a height beyond the natural light plane (shown in Figure 4.2 Natural Light Plane)

- a. up to maximum of 1m measured parallel to the plane; and
- b. with a maximum additional vertical face of 5m² (area that is seen by the adjoining neighbour); and
- c. where the adjoining neighbour has provided written approval to the height beyond the natural light plane; and
- d. that written approval has been lodged with the **Council**.

4.2.2.3 For the purposes of Rules 4.2.2.1 and 4.2.2.2, the nearest site boundary shall be, where applicable, the midpoint of any adjacent right-of-way or access leg or access lot or permanent open space such as a road or reserve.

4.2.2.4 For buildings that are attached, Rules 4.2.2.1 and 4.2.2.2 shall not apply to the adjoining walls of the **building**.

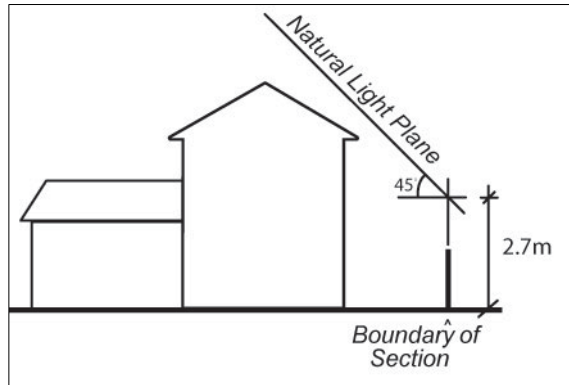


Figure 4.2 Natural Light Plane

4.2.2.5 Non-compliance with the Rules in 4.2.2 shall be a Restricted Discretionary activity (see Criteria in 4.4.2).

4.2.3 **Retail Activities at Pt Lot 2 DP 32234 within the Ōpihi Structure Plan**

4.2.3.1 Total retail activities at Lot 2 DP 32234 that have a maximum floor area of 2,000m² and a maximum individual tenancy size of 400m² shall be a Controlled Activity.

4.2.4 **Distance to Boundary (Yards)**

4.2.4.1 In the Residential and Urban Living Zones;

- a. no **building** shall be located within 4m of the front boundary;
- b. no **dwelling**s or **accessory buildings** for habitation shall be located closer than 3m to the side or rear boundaries, except as provided for in (d) below;
- c. no **accessory buildings** (not for habitation) shall be located closer than 1m to the side or rear boundaries, except as provided for in (d) below;
- d. for **dwelling**s and **accessory buildings** (for habitation or otherwise);
 - i. in the Urban Living Zone, one side or rear yard may be reduced to 1.5m and one side rear yard may be reduced to 0m;
 - ii. in the Residential Zone, one side or rear yard may be reduced to 1.5m.
- e. subject to the written approval of any affected adjoining neighbour having been obtained, and that written approval having been lodged with the Council, **dwelling**s and **accessory buildings** (for habitation or otherwise) may be constructed within the side or rear yards up to the boundary.
- f. no other **building** shall be located within 3m to the side and rear boundaries ;
- g. Notwithstanding all of the above;
 - i. the eaves of any building may project up to 600mm into any yard; and
 - ii. subject to the Rules in 11.2.19, signs and sign structures may be located within yards.

4.2.4.2 In addition to 4.2.4.1 above;

- a. where a garage door or carport entrance faces the street the door or carport shall be located at least 5.5m from the front boundary;
- b. where a planning map indicates proposed road widening or land to be used for other roading

purposes, yards shall be measured from the position of the new boundary of the site as if the road widening or other roading work had been undertaken, and legal transfer of the affected land to a roading authority had occurred;

- c. all buildings shall be set back from the Mean High Water Springs mark a minimum distance of 20m plus the prescribed yard listed above;
- d. all **buildings** shall be located at least 20m from the bank of a river or the margin of a lake, as in section 230 of the RMA; and
- e. all dwellings and **accessory buildings for habitation** shall be located at least 40m from the boundary of State Highway 30.

4.2.4.3 Non-compliance with the Rules in 4.2.4 shall be a Restricted Discretionary activity (see Criteria in 4.4.3).

4.2.5 Location of Residential Activities

4.2.5.1 A minimum distance of 6m is to be maintained between;

- a. **dwellings** on the same lot (see Figure 4.3); or
- b. a **dwelling** and an **accessory building to be used for habitation** on the same lot (see Figure 4.4); or
- c. blocks of adjoining **dwellings** on the same lot (see Figure 4.5).

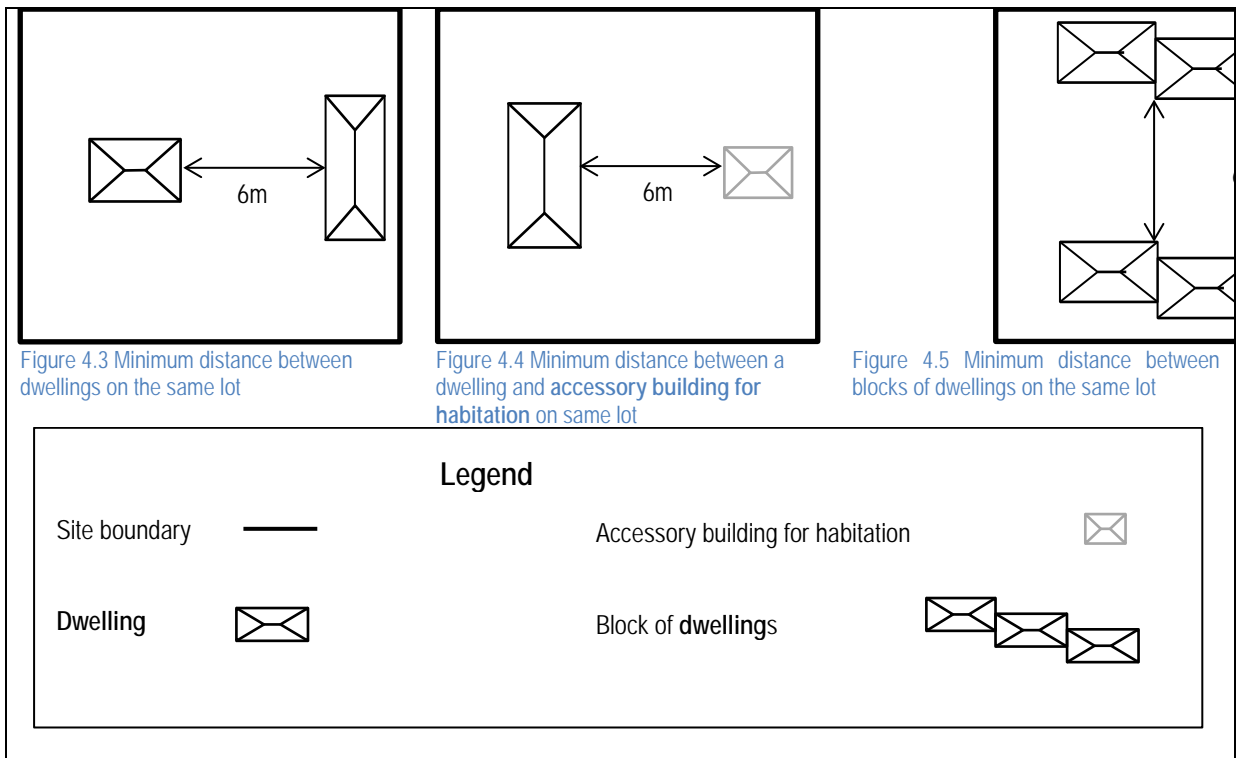


Figure 4.3 Minimum distance between dwellings on the same lot

Figure 4.4 Minimum distance between a dwelling and accessory building for habitation on same lot

Figure 4.5 Minimum distance between blocks of dwellings on the same lot

4.2.5.2 Non-compliance with the Rules in 4.2.5 shall be a Restricted Discretionary activity.

4.2.6 Density of Residential Dwellings

- 4.2.6.1 The maximum density for residential dwellings in the Residential Zone shall be one dwelling per 350m² of lot area (excluding any accessway) or one dwelling per 1,200m² of lot area if an on-site effluent treatment system is required.
- 4.2.6.2 The maximum density for residential dwellings in the Urban Living Zone shall be;
- a. one dwelling per 250m² of lot area if the dwellings are not attached (excluding any accessway);
 - b. one dwelling per 200m² of lot area if the dwellings are attached (excluding any accessway); and
- 4.2.6.3 The maximum density for **accommodation facilities** shall be one unit of accommodation per 50m² of lot area (excluding any accessway).
- 4.2.6.4 A comprehensive development within a Structure Plan area shall have a maximum average density within the development area of one dwelling per 350m².
- 4.2.6.5 A comprehensive development comprising a retirement village within a Structure Plan area shall have a maximum average density within the development area of one dwelling per 250m².
- 4.2.6.6 Non-compliance with the Rules in 4.2.6 shall be a Discretionary activity.

4.2.7 Outdoor Living Space

- 4.2.7.1 Each **dwelling** shall have outdoor living space which shall;
- a. if located at **ground level** (see Figure 4.6, Figure 4.7 and Figure 4.9);
 - i. have a minimum area of 40m² in the Residential Zone and a minimum area of 28m² in the Urban Living Zone;
 - ii. have a minimum dimension of 6m in the Residential Zone and a minimum dimension of 4m in the Urban Living Zones; and
 - iii. shall be unobstructed by **buildings**, parking spaces or vehicle access and manoeuvring areas;
 - b. if located above **ground level** (see Figure 4.8);
 - i. have a minimum area of 6m²;
 - ii. have a minimum dimension of 2m; and
 - iii. provide from the **main living area** a 10m unobstructed outlook either;
 - over the site; or
 - to an area of permanent open space such as a public road or a reserve; and
 - c. be directly accessible from the **main living area** of the **dwelling** (for example, living room) and be located to the north, east or west of the **dwelling**; and

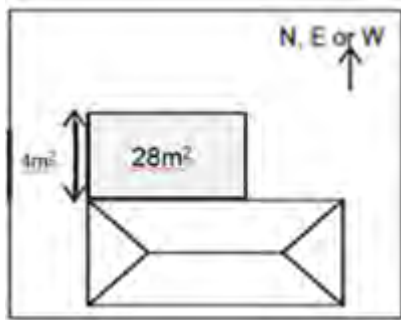
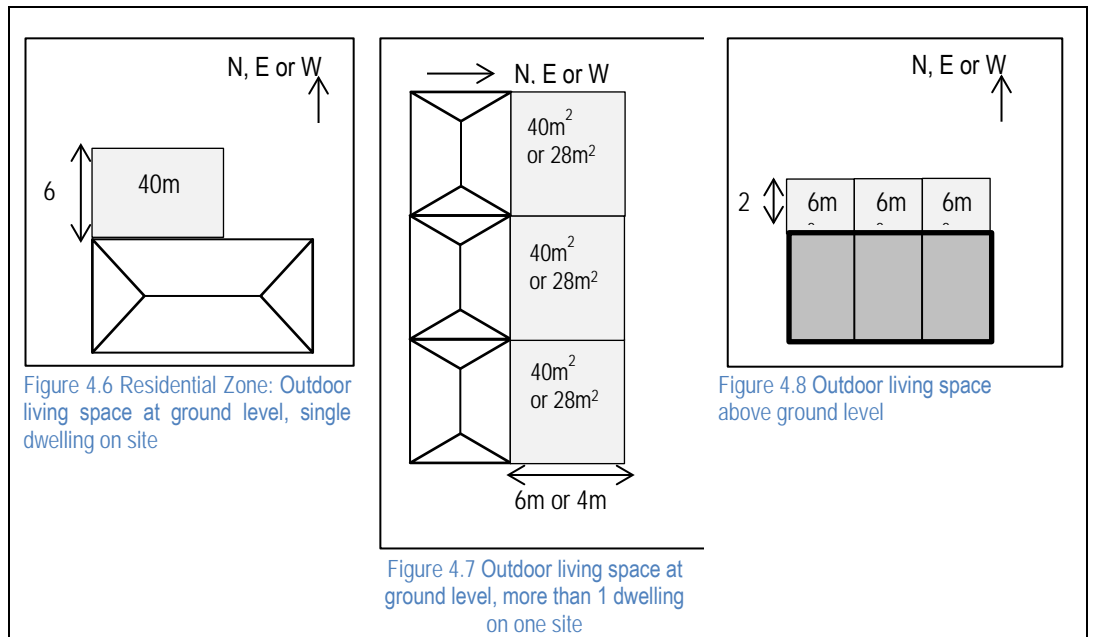
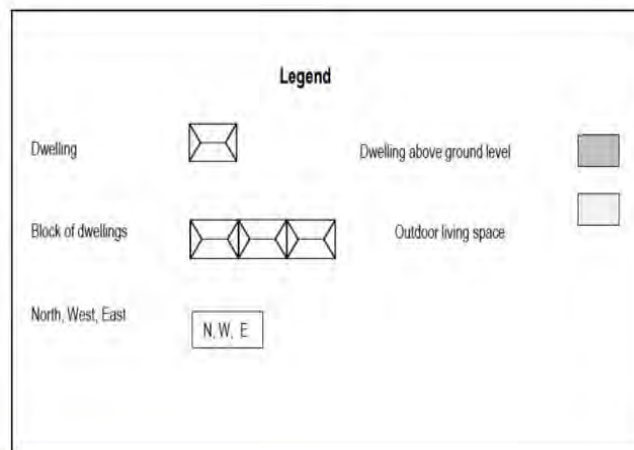


Figure 4.9 Urban Living Zone: Outdoor living space at ground level, single dwelling on site



4.2.7.2 Non-compliance with Rule 4.2.7 shall be a Controlled activity (see Criteria in 4.3.2) if the extent of variance does not exceed 10%; otherwise, non-compliance in excess of 10% or for any other non-compliance will be a Restricted Discretionary activity (see Criteria in 4.4.5).

4.2.8 Outdoor Service Courts

4.2.8.1 Each dwelling shall have an outdoor service court which;

- a. shall have a minimum area of 5m² and a minimum dimension of 1.5m for clothes drying and storage of rubbish bins;
- b. may be adjoining for a group of dwellings or serve an individual dwelling; and
- c. is not to be located in the front yard.

4.2.8.2 Non-compliance with Rule 4.2.8 shall be a Restricted Discretionary activity (see Criteria in 4.4.6).

4.2.9 **Visual Privacy**

4.2.9.1 There shall be no direct line of sight from the **main living area** of one **building** into the **main living** area of another **building** where any nominated **building platform**, **proposed dwelling** or **accessory building** to be used for habitation is to be sited within 10m of another;

- a. nominated **building platform**;
- b. **dwelling**; or
- c. **accessory building** to be used for habitation.

4.2.9.2 In order to avoid direct views from the living area(s) of one residential unit into the outdoor living space of another residential unit (whether on the same, or an adjoining site or delineated area), the main glazing of the living area(s) shall not be within 10m of the outdoor living space of another unit (measured at right angles to the glazing), unless;

- a. a visual screen between the glazing and the outdoor living space is provided by fencing, trellis, vegetative screen or other feature (for example, topography, garden shed); or
- b. the written approval of the affected owners has been obtained.

4.2.9.3 Where the required outdoor living spaces of two or more units on the same lot are within 6m of each other and visible to each other they shall be separated by a continuous line of vegetation, trellis or fencing having a minimum height of 1.2m.

4.2.9.4 Non-compliance with the rules in 4.2.9 shall be a Restricted Discretionary activity (see Criteria in 4.4.7).

4.2.10 **Building Coverage and Site Permeability**

4.2.10.1 Building coverage shall be subject to;

- a. in the Residential Zone, no **building** or combined area of **buildings** (including **accessory buildings**) shall exceed 40% of the land area of the **lot** or site.
- b. in the Urban Living Zone, no **building** or combined area of **buildings** (including **accessory buildings**) shall exceed 50% of the land area of the **lot** or site.
- c. for **lots defined in cross lease titles**, **building coverage** shall be calculated over the freehold title area.

4.2.10.2 Non-compliance with Rule 4.2.10.1 shall be a Restricted Discretionary activity (see Criteria in 4.4.10).

4.2.10.3 In the Residential Zone;

- a. total **impermeable surfaces** up to 55% of the land area of the **lot** or **site** shall be a Permitted

Activity; and

- b. total **impermeable surfaces** >55% and up to 65% of the land area of the lot or site shall be a Restricted Discretionary Activity (see Criteria in 4.4.11)

4.2.10.4 In the Urban Living Zone;

- a. total **impermeable surfaces** up to 65% of the land area of the lot or site shall be a Permitted Activity; and
- b. total **impermeable surfaces** >65% and up to 75% of the land area of the lot or site shall be a Restricted Discretionary Activity (see Criteria in 4.4.11)

4.2.11 Fencing

4.2.11.1 A fence shall be no higher than 2m except that a fence on a front boundary shall be no higher than 1.8m provided that where the outdoor living space is located within the front yard then the fence may be up to 2m to provide privacy.

4.2.11.2 A retaining wall shall be no higher than 2m provided that a retaining wall shall be no higher than 1.5m if located within a side or rear yard, unless the affected landowner has given written approval to a greater height, up to a maximum of 2m and that written approval has been lodged with the Council.

4.2.11.3 All fencing along the common boundary of the lot and the **CPZ**, or within the **CPZ** shall be a maximum height of 1.2m and be;

- a. constructed with timber, post and rail comprising round posts and three rails; and
- b. painted in earth tones or left to naturally weather (see Rules in 17.2.4).

4.2.11.4 Non-compliance with the Rules in 4.2.11 shall be a Restricted Discretionary activity (See Criteria in 4.4.8).

4.2.12 Accessory Buildings for Habitation

4.2.12.1 No accessory building for habitation shall exceed 65m² in GFA.

4.2.13 Reflectivity for Buildings Located on a Site Adjoining a Coastal Protection Zone

4.2.13.1 The provisions in Rule 17.2.4 shall apply.

4.2.14 Glazing

4.2.14.1 Building facades that face a street frontage shall have an area of at least 20% in glazing.

4.2.14.2 Non-compliance with the rules in 4.2.14 shall be a Restricted Discretionary activity (See Rule 4.4.9).

4.3 ASSESSMENT CRITERIA FOR CONTROLLED ACTIVITIES

4.3.1 Two or Three Dwellings per Lot (see Activity Status Table 3.4 Item 2)

4.3.1.1 Council shall exercise its control over;

- a. the bulk and location of each dwelling and associated parking areas;

- b. the number, location and design of access and parking space, and on-site vehicle manoeuvring to ensure the safe and efficient operation of the transport network;
- c. the provision of northerly orientated outdoor **living areas**;
- d. the fencing or screening of the respective residential areas and outdoor living space;
- e. the degree of natural sun light received in internal **living areas** and bedrooms of adjacent **dwellings**;
- f. the provision of exterior service courts;
- g. sight lines from living room windows to retain privacy of adjacent **dwellings**;
- h. the degree to which architectural elements have been used to;
 - i. break up the form of the façade to minimise linear form and monoclad surfaces of the building, to mitigate the apparent bulk of the building and create a varied design;
 - ii. modulate the form of the **building** so that its potential scale and impact is reduced for pedestrians. For example, a **building** may have a lower height along the frontage to partially screen and set back a taller form of **building**; and
- i. the use of a variety of cladding and colours compatible with the surrounding residential character;
- j. the provision of landscaping; and
- k. the degree to which the **building** incorporates elements that promotes sustainability, including but not limited to, energy efficiency and water conservation.

4.3.2 **Outdoor Living Space – less than 10% variance (see Rules in 4.2.7)**

4.3.2.1 Council shall exercise its control over;

- a. site layout—whether the outlook from the residential unit, privacy levels, and orientation of the unit will provide an acceptable standard of accommodation; and
- b. compatibility with adjoining uses—whether the location of adjoining uses and **buildings** is such that a modification will enable potential adverse effects on the unit to be mitigated or avoided, and the residential unit will not have an adverse effect on the character of the area.

4.3.3 **Retirement Villages which exclude a Hospital**

4.3.3.1 Council shall exercise its control over:

- a. amenity of the site and adjacent public areas in terms of;
 - i. shadowing;
 - ii. physical domination;
 - iii. privacy;
 - iv. noise;
 - v. lighting;
 - vi. visual character and variety through variation in building form and building materials (including but not limited to building facades and roof forms);
 - vii. screening;
 - viii. traffic safety;
 - ix. safe access to, and egress from the site;
 - x. safe on site manoeuvring of vehicles;

- xi. landscaping including vegetation that will;
 - enhance privacy and mitigate physical domination by **buildings**;
 - exacerbate shadowing and vehicle-pedestrian conflict; and
- b. the degree to which the **building** incorporates elements that promote sustainability including but not limited to energy efficiency and water conservation.

4.3.4 **Retail Activities within the Ōpihi Structure Plan Area**

4.3.4.1 Council shall exercise its control over:

- a. the matters contained in Section 2.3.1; and
- b. the type of retail and commercial uses to be provided.

4.3.5 **Temporary Places Of Assembly**

4.3.5.1 Council shall exercise its control over the matters listed in 11.3.1.

4.4 **ASSESSMENT CRITERIA FOR RESTRICTED DISCRETIONARY ACTIVITIES**

4.4.1 **Four or More Dwellings Per Lot and Retirement Villages which include a Hospital (see Activity Status Table 3.4 Item 8)**

4.4.1.1 Council shall restrict its discretion to;

- a. amenity of the site and adjacent public areas in terms of;
 - i. shadowing;
 - ii. physical domination;
 - iii. privacy;
 - iv. noise;
 - v. lighting;
 - vi. visual character and variety through variation in building form and building materials (including but not limited to building facades and roof forms);
 - vii. screening;
 - viii. traffic safety;
 - ix. safe access to, and egress from the site;
 - x. safe on site manoeuvring of vehicles;
 - xi. landscaping including vegetation that will;
 - enhance privacy and mitigate physical domination by **buildings**;
 - exacerbate shadowing and vehicle-pedestrian conflict; and
 - xii. the degree to which the **building** incorporates elements that promote sustainability including but not limited to energy efficiency and water conservation.

4.4.2 **Natural Light (see Rules in 4.2.2)**

4.4.2.1 Council shall restrict its discretion to;

- a. whether the proposed **building**, structure or dense planting of trees will have an adverse effect on the access of sunlight and daylight to adjoining sites, and the form of development on adjoining sites in rural locations; this will include an assessment of the effect of the dense planting of trees on soil conditions on adjoining sites; and

- b. the extent of modification sought with particular regard to the length of common boundary affected, the external appearance of the proposed **building** and intended activities, topographical features and the means of mitigating adverse effects.

4.4.3 Distance to Boundaries (**Yards**) (see Rules in 4.2.4)

4.4.3.1 Council shall restrict its discretion to;

- a. the amenity of sites and public areas nearby, including but not limited to transport corridors, in terms of;
 - i. shadowing;
 - ii. physical domination;
 - iii. privacy;
 - iv. noise;
 - v. lighting;
 - vi. traffic safety;
 - vii. visual character and variety through variation in building form and building materials (including but not limited to building facades and roof forms);
 - viii. landscaping;
 - ix. screening; and
 - x. safe access to, and egress from the site.

4.4.4 Location of Residential Activities (see Rules in 4.2.5)

4.4.4.1 Council shall restrict its discretion to;

- a. the amenity of the site in terms of;
 - i. shadowing;
 - ii. physical domination;
 - iii. privacy;
 - iv. noise;
 - v. safe manoeuvring of vehicles;
 - vi. landscaping including vegetation that will;
 - enhance privacy and mitigate physical domination by **buildings**; and
 - exacerbate shadowing and vehicle-pedestrian conflict.

4.4.5 Outdoor Living Space (see Rules in 4.2.7)

4.4.5.1 Council shall restrict its discretion to;

- a. amenity in terms of;
 - i. the quality of the unobstructed outlook;
 - ii. the availability of contiguous public recreation reserve; and
 - iii. access to alternative recreation areas, including but not limited to on-site indoor swimming pool.

4.4.6 Outdoor Service Courts (see Rules in 4.2.8)

4.4.6.1 Council shall restrict its discretion to;

- a. the practicality of the outdoor space provided; and
- b. the practicality of the internal space provided for service functions.

4.4.7 Visual Privacy (see Rules in 4.2.9)

4.4.7.1 Council shall restrict its discretion to;

- a. amenity of **dwelling**s, **accessory buildings** used for habitation and sites nearby in terms of views and screening.

4.4.8 Fencing (see Rules in 4.2.11)

4.4.8.1 Council shall restrict its discretion to;

- a. amenity on the **site**, and on **sites and public areas nearby** (including but not limited to transport corridors) in terms of;
 - i. **passive surveillance**;
 - ii. **physical domination**; and
 - iii. **spaciousness and openness**;

4.4.9 Glazing (see Rules in 4.2.14)

4.4.9.1 Council shall restrict its discretion to;

- a. **passive surveillance**;
- b. **physical domination by the built environment**; and
- c. **character of the locality**, as viewed from neighbouring properties and public places.

4.4.10 Building Coverage (see Rules in 4.2.10)

4.4.10.1 Council shall restrict its discretion to;

- a. the extent to which the proposal mitigates any loss of amenity due to more intensive development.

4.4.11 Site Permeability (see Rules 4.2.10.3 (b) and 4.2.10.4 (b))

4.4.11.1 Council shall restrict its discretion to the extent to which the proposal achieves hydrological neutrality and avoids the potential adverse effects of stormwater run-off.

4.4.12 Papakāinga

4.4.12.1 Council shall restrict its discretion to the matters listed in 7.3.1.1 a to h.

4.4.13 Building in Ōpihi Structure Plan “Additional Height Area” over 9m (see Rules in 4.2.1.5)

4.4.13.1 Council shall restrict its discretion to:

- a. the assessment criteria for the Ōpihi Structure Plan in Rule 2.3.1.1 and Rule 2.4.1.1 including, in particular, 2.3.1.1(f) and 2.4.1.1(f);
- b. the assessment criteria for modification to maximum height in Rule 3.7.39; and
- c. the scope and adequacy of the architectural design statement submitted with the proposal.

4.5 ASSESSMENT CRITERIA—DISCRETIONARY ACTIVITIES / NON-COMPLYING ACTIVITIES

See Section 3.7

4.6 OTHER METHODS

4.6.1.1 Through other activities of Council, such as road safety, Council will consider initiatives in conjunction with other agencies to reduce the incidence of driveway run over injuries.

4.6.1.2 Council will encourage communities to develop neighbourhood plans that enable people and communities to provide for their social, economic and cultural well-being while adverse effects on the environment are managed. Plans could provide for Papakāinga housing and community gardens.

4.6.1.3 Council will provide information and advice to the community about urban trees