

I558. Beach Haven Precinct

I558.1. Precinct Description

The purpose of the Beach Haven Precinct is to enable greater density and make efficient use of highly accessible land close to the Beach Haven Local Centre and public transport. The Beach Haven Precinct incorporates the Medium Density Residential Standards contained in Schedule 3A of the Resource Management Act 1991.

The Beach Haven precinct applies to a 0.7147ha site located immediately to the north of the Beach Haven Local Centre. The zoning of the land within this precinct is Residential – Mixed Housing Urban. The outcomes anticipated in the precinct correspond to the Residential Mixed Housing Urban zone with the Medium Density Residential Standards incorporated, and the provisions apply except to the extent the density standards are less enabling to accommodate a qualifying matter.

There are known water supply and wastewater capacity constraints in the infrastructure network serving the Beach Haven Precinct. At the time a land use or subdivision consent application is made, an applicant must demonstrate that there is adequate capacity in the local and bulk network to cater for the proposed development. In practice, this means that consultation with the Council's water and wastewater network utility provider will be required for any subdivision or additional development on the land.

The precinct is subject to Designation 4311 Whenuapai Airfield Approach and Departure Path Protection which imposes restrictions in relation to permanent and temporary structure height. No permanent or temporary obstacle shall penetrate the approach and departure path obstacle limitation surfaces identified in Designation 4311 without prior approval in writing of the New Zealand Defence Force.

I558.2. Objectives

- (1) A well-functioning urban environment that enables all people and communities to provide for their social, economic and cultural wellbeing, and for their health and safety, now and into the future.
- (2) A relevant residential zone provides for a variety of housing types and sizes that respond to –
 - (a) housing needs and demand; and
 - (b) the neighbourhood's planned urban built character, including three-storey buildings.
- (3) Objective Subdivision and development is enabled where it can be adequately serviced by the local and bulk water supply and wastewater network.

All relevant overlay, Auckland-wide and zone objectives apply in this precinct in addition to those specified above with the exception of the following:

- H5.2(2) Objectives.

I558.3. Policies

- (1) Enable a variety of housing types with a mix of densities within the zone, including three-storey attached and detached dwellings, and low-rise apartments.
- (2) Apply the MDRS across all relevant residential zones in the District Plan except in circumstances where a qualifying matter is relevant (including matters of significance such as historic heritage and the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wahi tapu, and other taonga).
- (3) Encourage development to achieve attractive and safe streets and public open spaces, including by providing for passive surveillance.
- (4) Enable housing to be designed to meet the day-to-day needs of residents.
- (5) Provide for developments not meeting permitted activity status, while encouraging high-quality developments.
- (6) Require subdivision and development to be coordinated with the provision of water supply or wastewater infrastructure with adequate capacity to service the proposed development. Where mitigation or upgrades are necessary, require this to occur prior to, or at the same time as, the proposed subdivision and development.

All relevant overlay, Auckland-wide and zone policies apply in this precinct in addition to those specified above with the exception of the following:

- H5.3(1)-(5) Policies

I558.4. Activity table

All relevant overlay, Auckland-wide and zone activities apply in this precinct unless specified below at Table I558.4.1.

Table I558.4.1 specifies the activity status of activities in the I558 Beach Haven Precinct pursuant to section 9(3) and 11 of the Resource Management Act 1991.

A blank table cell with no activity status specified means that the zone, Auckland-wide and overlay provisions apply.

In addition to the zone, Auckland-wide and any overlay provisions, for two or three dwellings on a site, the conversion of a principal dwelling, four or more dwellings, new buildings or additions to buildings, and subdivision, the matters of discretion, assessment criteria and special information requirements set out in I558.8.1, I558.8.2 and I558.9 apply.

Note 1

All applications for subdivision consent are subject to section 106 of the RMA.

Note 2

Activity table I558.4.1 does not specify any subdivision activities for the purpose of the construction or use of dwellings because only one dwelling per site is enabled as a permitted activity in this precinct.

Table I558.4.1 Activity table

Activity		Activity status
Use		
(A1)	One dwelling per site which complies with I558.6.1.1 to I558.6.1.10 inclusive	P
(A2)	Two or three dwellings on a site complying with standards I558.6.1.1 to I558.6.1.10 inclusive	RD
(A3)	The conversion of a principal dwelling into a maximum of three dwellings which complies with Standards I558.6.1.1 to I558.6.1.10 inclusive	RD
(A4)	Four or more dwellings per site	
Development		
(A5)	Accessory buildings associated with a development of dwellings each of which complies with Standards I558.6.1.1 to I558.6.1.10 inclusive	P
(A6)	Internal and external alterations to buildings for a development of dwellings all of which complies with Standards I558.6.1.1 to I558.6.1.10 inclusive	P
(A7)	Additions to an existing dwelling which complies with Standards I558.6.1.1 to I558.6.1.10 inclusive	P
(A8)	New buildings and additions to buildings	The same activity status and standards as applies to the land use activity the new building or addition to a building.
Subdivision for the purpose of the construction or use of dwellings (Note 2)		
Subdivision		
(A9)	Any subdivision	

Qualifying
Matter
s77I(j) of
the RMA

I558.5. Notification

- (1) Any application for resource consent for the construction and use of one dwelling listed in Activity Table I558.4.1(A1) above that does not comply with one or more of the following standards listed in I558.5(1)(a)-(h) will be considered without public notification or the 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) Standard I558.6.1.2 Building height;
 - (b) Standard I558.6.1.3 Height in relation to boundary;
 - (c) Standard I558.6.1.4 Yards;
 - (d) Standard I558.6.1.5 Building coverage;
 - (e) Standard I558.6.1.6 Landscaped area;
 - (f) Standard I558.6.1.7 Outlook space (per unit);
 - (g) Standard I558.6.1.8 Outdoor living space (per unit); and
 - (h) Standard I558.6.1.9 Windows to street.
- (2) Any application for a resource consent which is listed in I558.5(1) above which also requires resource consent under other rules in the Plan will be subject to the normal tests for notification under the relevant sections of the RMA where the rule states that is required.

I558.6. Standards

- (1) Unless specified in Standard I558.6(2) below, all relevant overlay, Auckland-wide and zone standards apply to all activities in the I558 Beach Haven Precinct.
- (2) The following zone standards do not apply to activities I558.4.1(A1), (A2), (A3), (A5), (A6) and (A7) listed in Activity Table I558.4.1 above:
 - (a) H5.6.6 Alternative height in relation to boundary;
 - (b) H5.6.4 Building height;
 - (c) H5.6.5 Height in relation to boundary (except standards in H.5.6.5(2), (3) and (4) and (7) apply in the I558 Beach Haven Precinct)
 - (d) H5.6.7 Height in relation to boundary adjoining lower intensity zones;
 - (e) H5.6.8 Yards;
 - (f) H5.6.10 Building coverage;
 - (g) H5.6.11 Landscaped area;

- (h) H5.6.12 Outlook space;
- (i) H5.6.14 Outdoor living space;
- (3) The activities listed as a permitted activity in Activity Table I558.4.1 must comply with permitted activity standards I558.6.1.1 to I558.6.1.10.
- (4) The activities listed as a restricted discretionary activity in Activity Table I558.4.1 must comply with standards I558.6.1.2 to I558.6.1.10.
- (5) The activity listed as a restricted discretionary activity in Activity Table H5.4.1(A4) must comply with I558.6.1.3(2) and I558.6.1.10, in addition to the standards in the Mixed Housing Urban Zone.

Qualifying
Matter
s77I(j) of
the RMA

I558.6.1.1. Number of dwellings per site

- (1) There must be no more than one dwelling per site.

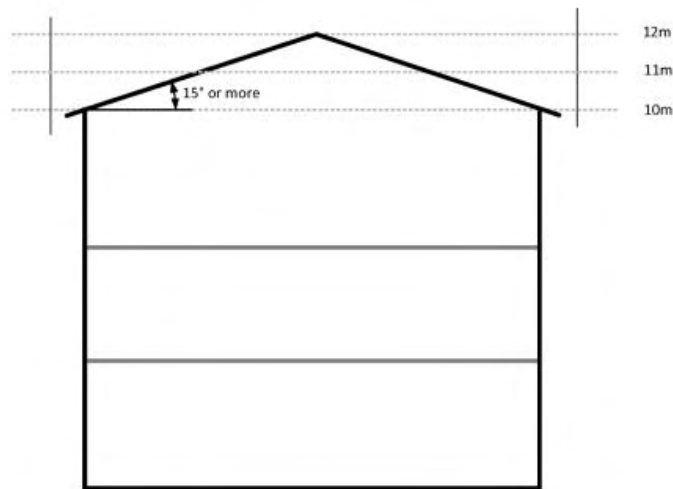
I558.6.1.2. Building height

Purpose: To manage the height of buildings to:

- achieve the planned urban built character of predominantly three storeys;
- minimise visual dominance effects;
- maintain a reasonable standard of residential amenity for adjoining sites;
and
- provide some flexibility to enable variety in roof forms

- (1) Buildings must not exceed 11m in height, except that 50% 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° or more, as shown in Figure I558.6.1.2.1 below.

Figure I558.6.1.2.1 Building height



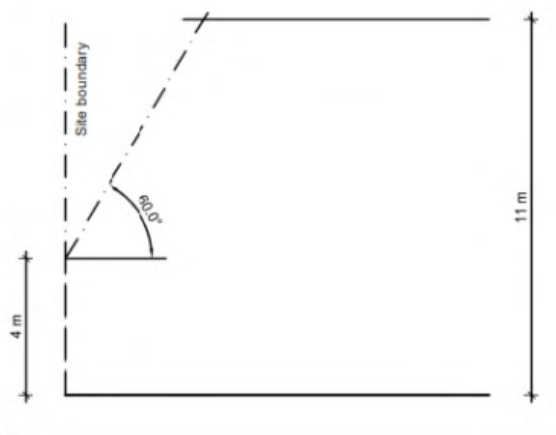
I558.6.1.3. Height in relation to boundary

Purpose: To manage the height and bulk of buildings at boundaries to maintain a reasonable level of sunlight access, privacy and minimise adverse visual dominance effects to immediate neighbours.

- (1) Buildings must not project beyond a 60-degree recession plane measured from a point 4m vertically above ground level along side and rear boundaries as shown in Figure I558.6.1.3.1 Height in relation to boundary below. Where the boundary forms part of a legal right of way, entrance strip, access site, or pedestrian access way, the height in relation to boundary applies from the farthest boundary of that legal right of way, entrance strip, access site or pedestrian access way. This standard does not apply to-
 - (a) a boundary with a road;
 - (b) existing or proposed internal boundaries within a site; or
 - (c) site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.
- (2) Except that on the boundary identified on Precinct Plan 1, buildings must not project beyond a 45-degree recession plane measured from a point 3m vertically above ground level along side and rear boundaries.

Qualifying
Matter
s771(j) of
the RMA

Figure I558.6.1.3.1 Height in relation to boundary



I558.6.1.4. Yards

Purpose:

- to create an urban streetscape character and provide sufficient space for landscaping within the front yard;
- to maintain a reasonable standard of residential amenity for adjoining sites; and
- to enable buildings and services on the site or adjoining sites to be adequately maintained.

(1) Buildings must be setback from the relevant boundary by the minimum depth listed below:

(a) Front yards: 1.5m.

(b) Side and rear yards: 1m

(2) This standard 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.

I558.6.1.5. Building coverage

Purpose: To manage the extent of buildings on a site to achieve the planned character of buildings surrounded by open space.

(1) The maximum building coverage must not exceed 50 per cent of the net site area.

I558.6.1.6. Landscaped area

Purpose:

- to provide for quality living environments consistent with the planned urban built character of buildings surrounded by open space; and
- to create a landscaped urban streetscape character.

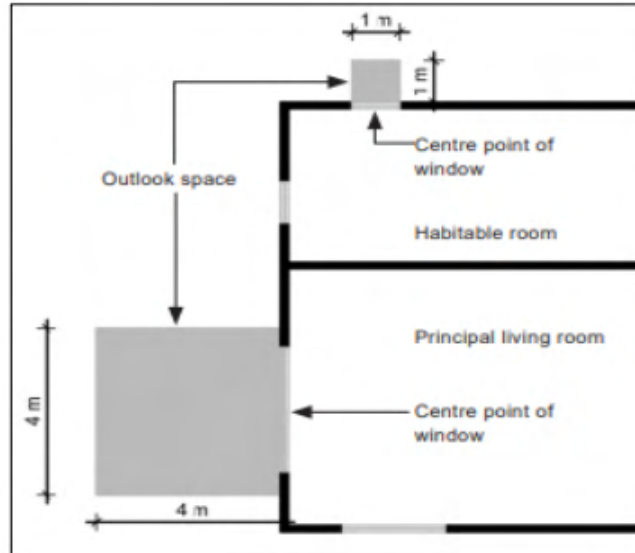
- (1) A dwelling at ground floor level must have a landscaped area of a minimum of 20 per cent of a developed site with grass or plants, and can include the canopy of trees regardless of the ground treatment below them.
- (2) The landscaped area may be located on any part of the development site, and does not need to be associated with each dwelling.

I558.6.1.7. Outlook space (per dwelling)

- to ensure a reasonable standard of visual privacy between habitable rooms of different buildings, on the same or adjacent sites; and
 - in combination with H5.6.13. Daylight Standard, manage visual dominance effects within a site by ensuring that habitable rooms have an outlook and sense of space.
- (1) An outlook space must be provided for each dwelling as specified in this clause.
 - (a) An outlook space must be provided from habitable room windows as shown in Figure I558.6.1.7.1 Outlook space.
 - (b) The minimum dimensions for a required outlook space are as follows and as shown in Figure I558.6.1.7.1:
 - (i) a principal living room must have an outlook space with a minimum dimension of 4 metres in depth and 4 metres in width; and
 - (ii) all other habitable rooms must have an outlook space with a minimum dimension of 1 metre in depth and 1 metre in width.
 - (c) The width of the outlook space is measured from the centre point of the largest window on the building face to which it applies.
 - (d) Outlook spaces may be over driveways and footpaths within the site or over a public street or other public open space.
 - (e) Outlook spaces may overlap where they are on the same wall plane in the case of a multi-storey building.
 - (f) Outlook spaces may be under or over a balcony.
 - (g) Outlook spaces required from different rooms within the same building may overlap.
 - (h) Outlook spaces must—
 - (i) be clear and unobstructed by buildings; and

- (ii) not extend over an outlook space or outdoor living space required by another dwelling.

Figure I558.6.1.7.1 Outlook space



I558.6.1.8. Outdoor living space (per dwelling)

Purpose: To provide dwellings with outdoor living space that is of a functional size and dimension, has access to sunlight, is separated from vehicle access and manoeuvring areas, and ensure:

- private outdoor living spaces are directly accessible from the principal living room, dining room or kitchen;
- where provided communal outdoor living spaces are conveniently accessible for all occupants.

(1) A dwelling at ground floor level must have an outdoor living space that is at least 20m² and that comprises ground floor, balcony, patio, or roof terrace space that, —

(a) where located at ground level, has no dimension less than 3 metres; and

(b) where provided in the form of a balcony, patio, or roof terrace, is at least 8m² and has a minimum dimension of 1.8 metres; and

(c) is accessible from the dwelling; and

(d) may be—

I558 Beach Haven Precinct

- (i) grouped cumulatively by area in 1 communally accessible location;
or
 - (ii) located directly adjacent to the dwelling; and
- (e) is free of buildings, parking spaces, and servicing and manoeuvring areas.
- (2) A dwelling located above ground floor level must have an outdoor living space in the form of a balcony, patio, or roof terrace that—
 - (a) is at least 8m² and has a minimum dimension of 1.8 metres; and
 - (b) is accessible from the dwelling; and
 - (c) may be—
 - (iii) grouped cumulatively by area in 1 communally accessible location, in which case it may be located at ground level; or
 - (iv) located directly adjacent to the dwelling.

I558.6.1.9. Windows facing the street

Purpose: To provide for passive surveillance while maintaining privacy for residents and users.

- (1) Any dwelling facing the street must have a minimum of 20 per cent of the street-facing façade in glazing. This can be in the form of windows or doors.

I558.6.1.10. Pedestrian Access to Beach Haven Road

Purpose: To ensure safe pedestrian access to the Precinct via Beach Haven Road.

- (1) Vehicle access must not be provided in the location shown on Precinct Plan 1.

I558.7. Assessment – controlled activities

There are no controlled activities in this precinct.

I558.8. Assessment – restricted discretionary activities

I558.8.1. Matters of discretion

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

- (1) For buildings that do not comply with one or more of Standards I558.6.1.1 to I558.6.1.10:
 - (a) any precinct and zone policies relevant to the standard;

- (b) the purpose of the standard;
 - (c) the effects of the infringement of the standard;
 - (d) the effects on the urban built character of the precinct;
 - (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; and
 - (i) where more than one standard will be infringed, the effects of all infringements.
- (2) Any subdivision in the Beach Haven Precinct:
- (a) the effects of infrastructure capacity, including whether there is adequate provision and capacity in the local and bulk wastewater and water supply networks to service the subdivision;
 - (b) whether appropriate management of stormwater runoff has been provided on the site;
 - (c) whether stormwater discharge effects (including cumulative effects from within the precinct) are managed so that flooding risks to downstream properties are not increased in events up to the 1 per cent annual exceedance probability (AEP);
 - (d) refer to Policy I558.3(6); and
 - (e) refer to E38.12.1(7) Matters of discretion.
- (3) Two or three dwellings on a site, the conversion of a principal dwelling, four or more dwellings per site, new buildings and additions to buildings:
- (a) effects of local and bulk infrastructure capacity, including whether there is adequate provision and capacity in the local and bulk wastewater and water supply networks to service the development;
 - (b) whether appropriate management of stormwater runoff has been provided on the site;
 - (c) whether stormwater discharge effects (including cumulative effects from within the precinct) are managed so that flooding risks to downstream properties are not increased in events up to the 1 per cent annual exceedance probability (AEP); and
 - (d) refer to Policy I558.3(6).

I558.8.2. Assessment criteria

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

(1) For buildings that do not comply with one or more of Standards I558.6.1.1 to I558.6.1.10:

(a) for all infringements to standards:

(i) refer to Policy I558.3(5)

(b) for building height:

(i) refer to Policy I558.3(1)

(ii) refer to Policy I558.3(2)

Visual dominance

(iii) the extent to which buildings as viewed from the street or public places are designed to minimise visual dominance effects of any additional height, taking into account:

- the planned urban built character of the precinct;
- the location, orientation and design of development; and
- the effect of the proposed height on the surrounding and neighbouring development.

Character and Visual Amenity

(iv) the extent to which the form and design of the building and any additional height responds to the planned form and existing character of the surrounding area, including natural landforms and features; and

(v) how buildings as viewed from the street or public places are designed to appear against the skyline, taking into account:

(c) for height in relation to boundary:

(i) refer to Policy I558.3(1)

Sunlight access

(ii) within the context of the planned urban built character anticipated for the Precinct, whether the height and bulk of the development achieves a reasonable level of sunlight access and minimises visual dominance effects to immediate neighbours. This will include considering the specific context of the development and the outlook and orientation of neighbours' principal living room and outdoor living space.

(iii) consideration will be given to the range of design techniques proposed to mitigate potential effects on sunlight access and visual dominance, including building location and separation, the use of

setbacks and upper floors, and the use of landscaping and recessive building elements.

Visual dominance

- (iv) the extent to which buildings, as viewed from the side or rear boundaries of adjoining residential sites or developments, are designed to reduce visual dominance effects, taking into account:
- the planned urban built character of the zone;
 - the location, orientation and design of development;
 - the physical characteristics of the site and the neighbouring site;
 - the design of side and rear walls, including appearance and dominance; and
 - providing adequate visual and/or physical break up of long continuous building forms.

Overlooking and privacy

- (v) the extent to which direct overlooking of a neighbour's habitable room windows and outdoor living space is minimised to maintain a reasonable standard of privacy, including through the design and location of habitable room windows or balconies or terraces, setbacks, or screening.
- (d) for yards:
- (i) refer to Policy I558.3(1)
 - (ii) refer to Policy I558.3(3)
- (e) for building coverage:
- (i) refer to Policy I558.3(1)
 - (ii) refer to Policy I558.3(3)
 - (iii) whether the non-compliance is appropriate to the context, taking into account:
 - whether the balance of private open space and buildings is consistent with the existing and planned urban character anticipated for this Precinct;
 - the degree to which the balance of private open space and buildings reduces onsite amenity for residents, including the useability of outdoor living areas and functionality of landscape areas;
 - the proportion of building scale in relation to the proportion of the site.

(f) for landscaped area:

- (i) refer to Policy I558.3(1)
- (ii) refer to Policy I558.3(3)
- (iii) refer to Policy H5.3(10) and
- (iv) the extent to which existing trees are retained.

(g) for outlook space:

- (i) refer to Policy I558.3(1)
- (ii) refer to Policy I558.3(3)
- (iii) refer to Policy I558.3(4); and
- (iv) the extent to which overlooking of a neighbour's habitable room windows and private and/or communal outdoor living space can be minimised through the location and design of habitable room windows, balconies or terraces and the appropriate use of building and glazing setbacks and/or screening which is integrated part of the overall building design.

(h) for outdoor living space:

- (i) refer to Policy I558.3(1);
- (ii) refer to Policy I558.3(4); and
- (iii) the extent to which dwellings provide private open space and communal open space that is useable, accessible from each dwelling and attractive for occupants.

(i) for windows facing the street:

- (i) refer to Policy I558.3(3); and
- (ii) the extent to which the proposal provides for passive surveillance while maintaining privacy for residents and users.

(j) for pedestrian access to Beach Haven Road:

- (i) refer to Policy I558.3(3); and
- (ii) the extent to which safe pedestrian access is provided to the Precinct via Beach Haven Road.

(2) Any subdivision within the Beach Haven Precinct:

- (a) the effects on infrastructure capacity, including whether there is adequate provision and capacity in the local and bulk wastewater and water supply networks to service the subdivision, including any mitigation proposed;
- (b) whether appropriate management of stormwater runoff has been provided on the site;

- (c) whether stormwater discharge effects (including cumulative effects from within the precinct) are managed so that flooding risks to downstream properties are not increased in events up to the 1 per cent annual exceedance probability (AEP);
 - (d) the effect on the functions of floodplains and provision for any required overland flow paths:
 - (i) refer to Policy E38.3(2).
 - (e) the effect of the design and layout of the sites to achieve the purpose of the Precinct and to provide safe and legible and convenient access to a legal road.
 - (f) whether safe and convenient pedestrian access is provided to the Beach Haven Local Centre taking into the location of existing transport infrastructure, including bus stops and on-street parking on Beach Haven Road.
- (3) Two or three dwellings on a site, the conversion of a principal dwelling, four or more dwellings, new buildings or additions to buildings:
- (a) the effects on infrastructure capacity, including whether there is adequate provision and capacity in the local and bulk wastewater and water supply networks to service the development, including any mitigation proposed;
 - (b) whether appropriate management of stormwater runoff has been provided on the site;
 - (c) whether stormwater discharge effects (including cumulative effects from within the Precinct) are managed so flooding risks to downstream properties are not increased in events up to the 1 per cent annual exceedance probability (AEP).
 - (d) whether safe and convenient pedestrian access is provided to the Beach Haven Local Centre taking into account the location of existing transport infrastructure, including bus stops and on-street parking on Beach Haven Road.
 - (e) refer to Policy I558.3(1).

I558.9. Special information requirements

- (1) requirement For two or three dwellings on a site, the conversion of a principal dwelling, four or more dwellings on a site, any subdivision, or any new buildings or additions to existing buildings where connections to water supply and wastewater infrastructure are proposed, the resource consent application must provide:
- (a) a water supply and wastewater infrastructure capacity assessment, which includes information on how the development and/or subdivision will be

served and whether there is capacity within the local and bulk water supply and wastewater networks, including any mitigation if needed.

(b) a flood risk assessment to determine the effects on properties downstream of the precinct, including cumulative effects of development within the precinct. This assessment must consider:

- (i) Building footprints and any obstructions to overland flow path and any private infrastructure (such as culverts and retaining walls). This may include recent publicly available information (i.e. visual inspection from within the precinct or public places, GIS information and other public records);
- (ii) The volume and rate of the discharge from the development compared to pre-development levels, and any associated change in flood hazards; and
- (iii) Information on how the subdivision and/or development will mitigate flood effects. This may include demonstrating that there is no increase in peak discharge above pre-development level (based on existing terrain and catchment area) for up to a 1% AEP flood event, with allowance for climate change adjustments to rainfall.

I558.10. Precinct plans

I558.10.1 Precinct plan 1 – Development Standards

