

I550. Millwater South Precinct

I550.1. Precinct Description

The Millwater South precinct is located northwest of the original Silverdale town centre and applies to approximately 51 ha of land bounded by Wainui Road to the south and west, Manuel Road to the east and Grut Greens to the north. It is part of the wider Millwater residential area. It is characterised by a steep north east facing horseshoe shaped valley with views of Orewa and the coast from the higher areas.

The purpose of the precinct is to ensure that the development is carried out in an integrated way and that the urban form is consistent with the rest of the already developed Millwater area to the north. The precinct enables more intensive development than the underlying Single House zone and enables a mix of housing densities. The rules also apply a consistent approach to the development controls under which the rest of the Millwater area was developed.

The zoning of the land in the Millwater South precinct is Residential - Single House zone.

I550.2. Objectives

- (1) Subdivision and development are designed and implemented in a comprehensive, efficient and integrated manner.
- (2) Open space and land for community facilities are identified.
- (3) Significant views from public places are protected.
- (4) High standards of urban design are achieved including distinctive architectural styles, attractive landscaping and the use of colours and materials that will not dominate the landscape setting or compromise character of the streetscape or neighbourhood in which they are located.
- (5) A range of housing types, densities and site sizes are provided in the precinct.

The overlay, Auckland-wide and zone objectives apply in the precinct in addition to those specified above.

I550.3. Policies

- (1) Enable flexibility to develop a range of housing sizes, types and densities throughout the precinct.
- (2) Encourage higher densities around public open space.
- (3) Require and protect sunlight access to proposed and existing private outdoor living spaces to ensure they receive at least five hours of sunshine between 9am and 3pm on 22 March/September.
- (4) Require development of two or more dwellings to achieve the following outcomes:
 - (a) a high standard of architectural design;
 - (b) buildings that are well proportioned and articulated;

- (c) landscaping that will reduce the appearance of building bulk and mass;
 - (d) a high standard of amenity including provision for and protection of privacy and solar access to private outdoor living spaces.
- (5) Discourage subdivision that creates rear sites.
- (6) Require that buildings and structures in the Subject to Building Restrictions area in the Millwater South I550.10.1 Precinct plan 1 do not obscure significant view shafts when viewed from identified public places.

The overlay, Auckland-wide and zone policies apply in the precinct in addition to those specified above.

I550.4. Activity table

The provisions in any relevant overlays, zone and the Auckland-wide provisions apply in this precinct unless otherwise specified below.

PC 78 ([see Modifications](#))

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Table I550.4.1 Activity table, specifies the activity status of land use, development and subdivision activities in the Millwater South Precinct pursuant to section 9(3) and 11 of the Resource Management Act 1991 or any combination of all of these sections where relevant.

Table I550.4.1 Millwater South Precinct

Activity		Activity status
Use		
Accommodation		
(A1)	Two dwellings on a site	P
(A2)	Three or more dwellings on a site	RD

PC 78 ([see Modifications](#))

I550.5. Notification

- (1) Any application for resource consent for an activity listed in Table I550.4.1 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\(4\)](#).

I550.6. Standards

The standards applicable to the zone, overlays and Auckland-wide apply in this precinct unless otherwise specified below.

PC 78 ([see Modifications](#))

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All activities listed as permitted or restricted discretionary in Table I550.4.1 Activity table must comply with the following standards.

Development that does not comply with clauses I550.6.1 and I550.6.7 is a discretionary activity unless otherwise specified.

I550.6.1. Activities

PC 78 ([see Modifications](#))

(1) Densities are those allowed in the Residential - Single House zone except for the following:

(a) The number of dwellings on a site must not exceed the limits specified in Table I550.6.1.1 below:

Table I550.6.1.1

Density – site size per dwelling	Percentage of dwellings in development area
150m ² - 449.9m ²	25 – 35 per cent
450m ² - 649.9m ²	30 – 50 per cent
650m ² +	20 – 40 per cent

(b) Where two dwellings are proposed on a site, each dwelling must front a street.

(c) Where two to four dwellings are proposed on a site, the site must be at least 15m wide:

- (i) at the site frontage; and
- (ii) for at least 80 per cent of the length of its side boundaries.

(d) Where five or more dwellings are proposed on a site, the site:

- (i) has a minimum net site area of 1200m²; and
- (ii) is at least 20m wide:
 - at the site frontage;
 - for at least 80 per cent of the length of its side boundaries.

I550.6.2. Height

(1) Buildings must not exceed a height of 9m.

I550.6.3. Side and Rear Yards

(1) Buildings must be set back:

(a) 3m from one side yard;

PC 78 ([see Modifications](#))

- (b) 1m from any other side yard except where a wall is located on a boundary as provided for in clause [H3.6.8.2](#) in the Residential - Single House zone; and
- (c) 3m from rear yard, or for rear sites, 3m for one rear yard and 1m for any other rear yard.

I550.6.4. Private outdoor living space

PC 78 ([see Modifications](#))

- (1) For sites less than 450m², the Residential - Mixed Housing Suburban zone standards apply.
- (2) In applying the Residential – Mixed Housing Suburban standard for outdoor living space, rainwater tanks shall be considered as ‘buildings’.

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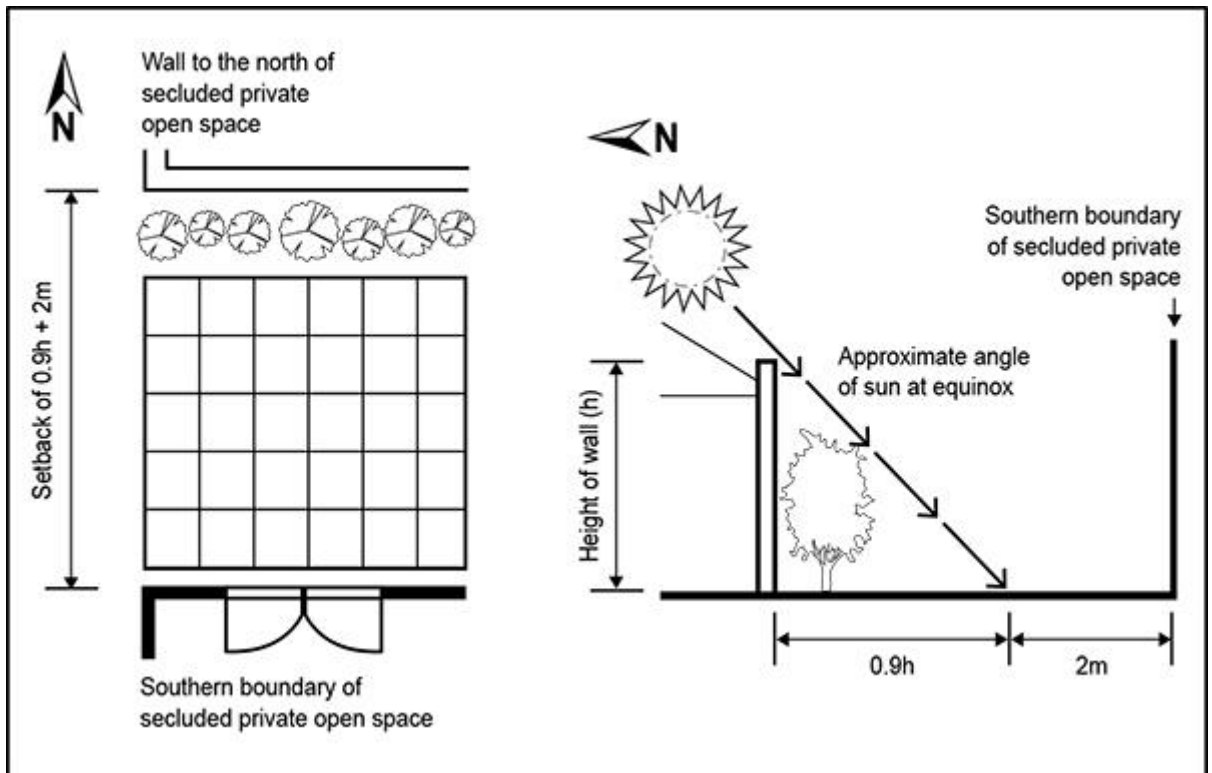
I550.6.5. Sunlight access to the private outdoor living space of proposed and existing dwellings

- (1) Private outdoor living space must be located to receive at least five hours of sunshine between 9am and 3pm on 22 March/September.

PC 78 ([see Modifications](#))

- (2) A wall, building or rainwater tank on a side or rear boundary allowed by clause [H3.6.8.2](#) in the Residential - Single House zone must not reduce sunlight to the private outdoor living space of another dwelling to less than five hours between 9am and 3pm on 22 March/September. The private outdoor living space of another dwelling is deemed to be any area behind the front facade of the dwelling that contains a square measuring at least 4.5m by 4.5m. If existing sunlight to the private outdoor living space of another dwelling is already less than required by this rule, the amount of sunlight must not be further reduced.
- (3) The southern boundary of any private outdoor living space must be set back from a wall on the north of the space at least $(2 + 0.9h)$ metres, where ‘h’ is the height of the wall (Refer Figure I550.6.5.1).

Figure I550.6.5.1: Sunlight access to private outdoor living space



I550.6.6. Additional controls for sites 450m² to 650m²

I550.6.6.1. Height in relation to boundary

- (1) No part of any building shall exceed a height equal to 3m plus the shortest horizontal distance between that part of the building and any site boundary, except a front boundary, and except that on side boundaries within 14m of the road frontage, the maximum height of a building shall not exceed a height equal to 5m plus the horizontal distance between that part of the building and the side boundary.
- (2) This rule shall not apply to:
 - (a) chimneys, radio and television aerials, domestic satellite dishes less than 1m in diameter;
 - (b) the apex of any roof or gable end not exceeding 1m² in area;
 - (c) dormers not exceeding 2m in width (not more than two per building facing the same boundary); and
 - (d) those parts of buildings that share a common wall on a site boundary.
- (3) Where a site boundary adjoins a site in the precinct with a site size of 650m² or greater that is not part of a multi-unit development then rule [H3.6.7.6 Residential - Single House height in relation to boundary](#) shall apply to that boundary.

I550.6.6.2. Yards

Table I550.6.6.2.1 Yards

Yard	Dimension
Front	3m
Side	One yard of 1m and one yard of 3m
Rear	See I550.6.6.3 below

Front Yards: The siting of the building does not cause vehicles parked on site to protrude over the front boundary of the site.

Notwithstanding the above, the following additional rules also apply:

- (1) Bay windows, steps, verandas, porches and balconies may protrude into the 3m maximum front yard but shall not be closer than 1.5m to the front boundary;
- (2) No fence, wall, or screen located within the front yard may exceed 0.8m in height; and
- (3) Where a garage faces the street, then the front wall (containing the garage door) of the garage shall be set back a minimum of 6m from the front boundary.

I550.6.6.3. Rear Yards/Open Space

- (1) The minimum rear yards dimensions must be as follows;
 - (a) For sites accessed from street frontages oriented between NW (315°) and NE (45°) of the lot:
 - (i) The minimum rear yard depth extending across the entire width of the site shall be sufficient to accommodate a 6m wide by 6m deep private open space that is directly adjoining and accessible from the living room or kitchen of the associated dwelling.
 - (b) For sites accessed from street frontages oriented between SW (225°) and SE (135°) of the site:
 - (i) The minimum rear yard depth extending across the entire width of the site must be sufficient to accommodate a 6m wide by 6m deep private open space that is directly adjoining and accessible from the living room or kitchen of the associated dwelling.
 - (c) For sites accessed from street frontages oriented between NE (45°) and SE (135°) and NW (315°) and SW (225°) of the site:
 - (i) The minimum rear yard depth extending across the entire width of the site shall be sufficient to accommodate a 4.5m wide by 6m

deep private open space that is directly adjoining and accessible from the living room or kitchen of the associated dwelling.

I550.6.6.4. Building Frontages

- (1) The total area of all attached or detached garages doors or the open façade of a carport fronting the street shall not occupy more than 35 per cent of the building frontage which excludes:
 - (a) Any vertical faces that are located more than 3m to the rear of the garage door; and
 - (b) Any roof.

I550.6.7. Additional controls for two or more dwellings

PC 78 ([see Modifications](#))

- (1) The Residential - Mixed Housing Suburban zone standards, except for building height, apply where two or more dwellings are proposed on a site.

I550.6.8. View Protection

- (1) Buildings and structures (including a parapet, chimney, communication device, tank or building services component, ornamental tower or lift tower) on any land identified within the view shafts shown on Precinct Plan 1 must not exceed the height limits specified in the standards for the underlying zone.
- (2) Development that does not comply with clause I550.6.8(1) above is a non-complying activity.

I550.6.9. Subdivision

I550.6.9.1. General

- (1) The following subdivision controls apply.
- (2) Site sizes must comply with the net site area specified in Table I550.6.9.1.1 below:

Table I550.6.9.1.1 Minimum net site size

Site size per dwelling	Percentage of sites in development area
150m ² - 449.9m ²	25 – 35 per cent
450m ² - 649.9m ²	30 – 50 per cent
650m ² +	20 – 40 per cent

- (3) All residential sites must have:
 - (a) a minimum frontage and access of 6m; and

- (b) a minimum 0.5m landscaped strip on each side of a carriageway within a jointly owned accessway or right of way.

I550.7. Assessment – controlled activities

There are no controlled activities in the precinct.

I550.8. Assessment – restricted discretionary activities

I550.8.1. Matters of discretion

The Council will restrict its discretion to all of the following matters when assessing a restricted discretionary activity resource consent application, in addition to the matters specified for the relevant restricted discretionary land use activities in the overlay, Auckland-wide or zone provisions:

- (1) Three or more dwellings on a site
Development generally in accordance with I550.10.1 Millwater South Precinct Plan 1:
 - (a) the effect of the siting, scale, form, design, appearance of development and landscaping of buildings and development on the amenity and character of the area;
 - (b) the effects of development on sunlight access to outdoor living space; and
 - (c) the effects of development on views as identified by the view shafts in Precinct Plan 1.

I550.8.2. Assessment criteria

The Council will consider the relevant assessment criteria below for relevant restricted discretionary activities, in addition to the assessment criteria specified for the relevant restricted discretionary activities in the overlay, Auckland-wide or zone provisions:

- (1) Three or more dwellings on a site
 - (a) The extent to which landscaping and planting enhances the amenity values and character of the streetscape and surrounding area and mitigates the visual effects of building and development.
 - (b) The extent to which the location and height of any buildings or structures within the view shafts identified in Precinct Plan I550.10.1 obscure views to features or public places protected by the relevant view shaft.
 - (c) The extent to which the construction, additions, alterations or the relocation of any buildings should be developed and landscaped to comply with policy I550.3(4).

- (d) The extent to which the bulk, shape and design of buildings:
 - (i) is consistent with the buildings in the neighbourhood;
 - (ii) adversely affects public enjoyment of public open space, including the street; and
 - (iii) adversely affects the provision of landscaping on the site, on neighbouring sites or on the street.
- (e) The extent to which the setback of a building from a side or rear boundary allows for the efficient use of the site while respecting the character of the neighbourhood and the amenity of adjacent sites.
- (f) The extent to which the location of buildings:
 - (i) results in significant shading effects;
 - (ii) results in a significant reduction in visual and/or aural privacy;
 - (iii) results in significant adverse visual impacts;
 - (iv) adversely affects the safe and efficient operation, including maintenance, of any utility or network utility; and
 - (v) adversely affects practical access to the rear of the site.
- (g) The extent to which additional building coverage compromises the character of the streetscape and surrounding neighbourhood and whether any effects are off-set by additional landscaping.
- (h) The extent to which garage(s) dominate the street frontage.
- (i) The extent to which street frontages of dwellings provide potential for surveillance of the street.
- (j) The extent to which private outdoor living space is located on the north side of the dwelling , and if not, whether it is oriented to the side or rear of the dwelling to maximise solar access and avoid unreasonable overshadowing from a wall on its northern boundary. Consideration will also be given to:
 - (i) whether the private outdoor living space receives adequate levels of sunlight;
 - (ii) the usability and amenity of the private outdoor living space based on the sunlight it will receive; and
 - (iii) whether the private outdoor living space is directly accessible to and part of the associated dwelling.
- (k) The extent to which the location of any wall on a boundary unreasonably overshadows any north facing windows or the private outdoor living space of any adjacent property.

I550.9. Special information requirements

An application for the following activities must be accompanied by the following additional information to that required in the underlying zone required to address the matters for discretion.

Buildings, and alterations and additions to buildings, and subdivision must provide the following information:

- (1) Where three or more dwellings are proposed a design statement equivalent to that required for more than five dwellings in the Mixed Housing Suburban zone must be prepared in accordance with the Special Information requirements of the residential zones (refer to Chapter I clause 12).

[PC 78 \(see Modifications\)](#)

I550.10. Precinct plans

I550.10.1. Precinct Plan 1: Millwater South Precinct

