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# Updated August 2005



## SECTION 3 RESIDENTIAL SETTLEMENT

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### **3.1 General Features**

#### **3.1.1 District Population**

The Kaipara district had a usually resident population of 17,367 people at the time of the March 1996 census. This represented about 12% of Northland's population. The usually resident population of the district has grown slightly over recent years. An increase of 320 or 1.9% was recorded between the 1991 and 1996 censii. This compared with the 0.3% increase (55 people) recorded between 1986 and 1991.

Although information on the usually resident population from the 2001 census is not available, provisional results show that the total population at 31 March 2001 was 17,679. Total population is based on everyone in the household on census night including visitors - not people who normally reside in a particular area. This was an increase of only 96 or 0.5% on the March 1996 figure of 17, 583. It was significantly lower than the increase of 258 or 1.5% recorded between the 1991 and 1996 censii.

Significant population changes have occurred within the district over recent years. There have been substantial losses of people from some outlying rural areas and the growth of several settlements, notably Mangawhai and Kaiwaka.

**Table 3.1. Kaipara District : Usually Resident Population Changes 1986 – 1996**

Area	1986	1996	% Change
Kaipara Coastal (1)	3149	3193	1.5
Rehia – Oneriri (2)	4404	4643	5.4
Maungaru (3)	1793	1673	- 6.7
Dargaville	4765	4477	- 6.0
Mangawhai	623	1136	82.3
Maungaturoto	897	846	- 5.7
Ruawai	520	471	- 9.4
Te Kopuru	520	493	- 5.2
Kaiwaka	323	437	35.3
<b>TOTAL DISTRICT</b>	<b>16994</b>	<b>17369</b>	<b>2.2</b>

- (1) Kaipara Coastal is the area west of the Waihue - Kairara Rd and includes all of the Pouto Peninsula
- (2) Rehia - Oneriri is the area south of the Tokatoka - Mangapai Rd
- (3) Maungaru is the area north of the Tokatoka – Mangapai Rd

Source: Statistics N.Z. - Census of Population.

The population of the district is a relatively young one with a high proportion of school age children and comparatively low numbers in the 15 - 25 age group. The elderly component of the population varies considerably. It is relatively low in most rural areas but high in major towns like Dargaville and Mangawhai.

#### **3.1.2. Settlement Patterns**

The district's population is split fairly evenly between rural and urban areas. Dargaville is the largest settlement, and in 1996 it had usually resident a population of 4477 or 25% of the district total. A further 3383 people or 20% of the usually resident population in 1996 lived in and adjacent to the next five biggest settlements of Mangawhai, Maungaturoto, Ruawai, Te Kopuru and Kaiwaka. The census area units for the settlements take in some adjacent rural areas.

The usually resident population of Dargaville has decreased over recent years. It fell by 6% between 1991 and 1996 having fallen 2% over the previous five year period. Prior to 1986 slight increases were recorded. Kaiwaka and Mangawhai grew considerably between 1986 and 1996 recording 35% and 82% increases. The usually resident population increases were amongst the highest recorded in the region.

If the provisional results from the 2001 census on the total population in different parts of the district are taken as a guide then the gains and losses in the usually resident population in different parts of the district are likely to have continued, albeit at a lower level. For instance Dargaville, Maungaturoto and Ruawai all experienced losses in total population between 1996 and 2001, like they did over the two previous intercensal periods. Kaiwaka and Mangawhai experienced significant increases in total population - 17% and 8% respectively, compared to the 12% and 34% increases recorded between 1991 and 1996.

### **3.1.3 Housing**

The Kaipara district had 6567 occupied residential dwellings at the time of the 2001 census, over 90% of which are single family homes. The proportion of flats and other forms of multi-unit accommodation varies between the various settlements, with the highest being in Dargaville (13% in 1991). However, compared to other towns of a similar size Dargaville has a relatively low number of units. It also has a relatively small stock of rental housing, 19% at the time of the 1991 census.

The size of the housing stock has increased over recent years. A 3.9% increase (246 dwellings) was recorded between 1996 and 2001. This is significantly less than the 7.4% increase (438 dwellings) recorded between 1986 and 1991 and the similar increase (405 dwellings) between 1986 and 1991. New housing development has tended to be in the southern half of the district, particularly in the Kaiwaka and Mangawhai areas. They recorded respective 20% and 11% increases in the number of dwellings between 1996 and 2001. In the case of Mangawhai some 60 new houses were built over the five year period. A 7% increase in the number of dwellings (120) was recorded in the Rehia-Oneriri area between 1996 and 2001. This reflects the increasing attraction of the land around the north-eastern fringes of the Kaipara Harbour for small lot farming and other business ventures.

## **3.2 Legislative Considerations**

### **3.2.1 Resource Management Act**

The Resource Management Act establishes a new legislative framework for managing natural and physical resources which include buildings and other structures. It places emphasis in the environmental effects of resource use rather than the control of development, both in its form and direction, which guided the former Town and Country Planning Act.

Section 6 of the Resource Management Act lists five matters of national importance, two of which have direct application to the residential settlement provisions of this plan. These matters are:-

- The preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and

their margins, and the protection of them from inappropriate subdivision, use, and development:

- The protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:

The application of the above mentioned matters of national importance are discussed in later parts of this section and also Section 6 which deals with coastal lake and river management.

The other provisions of the Act which are particularly relevant to aspects of residential settlement are Sections 9 and 30 and the associated Second Schedule Part 1. Under these provisions the Council is expected to control the actual or potential effects of the use development and protection of land. The term use is defined in Section 9 and includes:-

- (a) Any use, erection, reconstruction, placement, alteration, extension, removal, or demolition of any structure or part of any structure in, on, under, or over the land; or
- (b) Any excavation, drilling, tunnelling, or other disturbance of the land; or
- (c) Any destruction of, damage to, or disturbance of, the habitats of plants or animals in, on, or under the land; or
- (d) Any deposit of any substance in, on, or under the land; or
- (e) Any other use of land -

### **3.2.2 Building Act**

The Building Act 1991 deals with the regulation and control of buildings. Section 6 outlines its purpose as being to provide for:-

- (a) Necessary controls relating to building work and the use of buildings, and for ensuring that buildings are safe and sanitary and have means of escape from fire; and
- (b) The co-ordination of those controls with other controls relating to building use and the management of natural and physical resources.

As indicated above controls relating to the construction and use of buildings under the Building Act are to be co-ordinated with those established under the Resource Management Act. This means there is a need for any rules relating to the design

location and use of residential buildings in this plan to complement and not duplicate similar controls in the Building Act.

One of the key features of the Act is the provision for a National Building Code. This code has been established under special regulations, being the Building Regulations 1991. It describes standards for the construction, maintenance and demolition of buildings including matters related to:-

- fire prevention
- protection of property
- sanitary facilities
- structural and fire rating behaviour
- access and facilities for use by disabled people.

Section 32 of the Act establishes a complementary system whereby building consents are required from the Council for certain building works. Some works are exempted from the building consent procedures under Section 32 and the associated Third Schedule to the Act.

### **3.3 Management Issues**

#### **3.3.1 Urban Growth and Servicing**

The Kaipara district contains over twenty settlements. They vary considerably in size as do the types of housing and services within them. Generally they can be categorised as follows:-

#### **Townships** - Dargaville.

Dargaville is by far the largest settlement in the district and has a distinctly urban character. It covers around 420 ha of land and is home to around 4700 people. The township has substantial commercial and industrial areas and a range of community facilities including a hospital, schools and reserves. It has a full range of utility services including reticulated sewerage, stormwater and water supplies.

#### **Rural Service Centres** - Te Kopuru, Ruawai, Maungaturoto, Paparoa & Kaiwaka.

The five settlements above serve as rural service centres for surrounding farming areas. They range in size (20 - 60 ha) and population 400 - 900 people). The settlements have small commercial and industrial areas and generally a school and other community facilities. Some of the settlements are serviced - Te Kopuru (sewerage), Ruawai (water supply), Maungaturoto (sewerage and water supply), Kaiwaka (sewerage).

#### **Coastal Settlements** - Maunganui Bluff, Omamari, Baylys Beach, Glinks Gully, Pouto Point, Kellys Bay, Tinopai, Pahi, Whakapirau, and Mangawhai.

The ten settlements above are situated along the west coast or around the Kaipara or Mangawhai harbours. They are popular holiday attractions and have a mix of permanent and visitor populations. The permanent populations range considerably with the highest proportion being at Mangawhai. The settlements are generally unserviced relying on household septic tank and roof or bore water supplies. Baylys Beach and Glinks Gully are the only settlements with community water supplies. Part of Glinks Gully is also served by a small sewage treatment plant.

#### **Rural Settlements.** - Donnellys Crossing, Kaihu, Tangiteroria, Matakoe, Ararua and Hukatere.

The six settlements above are very small containing a few houses and businesses along with a community hall, church and school. No public utility services are in place.

The zoning technique has traditionally been used to control the scale and intensity of development in and around the various settlements. Specific areas have been zoned for principally residential, commercial or industrial use and restrictions placed on the

establishment of such uses in the adjacent rural zoned areas. This approach was adopted in view of the requirements in Section 3 of the former Town and Country Planning Act to prevent sporadic subdivision and urban development in rural areas and preserve the natural character of the coastal environment from unnecessary subdivision and development.

Section 6 of the Resource Management Act requires the Council to similarly preserve the natural character of the coastal environment from inappropriate subdivision use and development. Zoning of land for urban use is considered the most effective method for achieving this. It enables urban development to be concentrated at strategic locations and the rest of the coastal environment to be retained largely in its natural state. The coast is in most parts of the district under some development pressure. The land is environmentally sensitive both in terms of its distinctive landscape character and capacity to absorb stormwater, waste effluent and other pollutant material. For these reasons the zoning of land for present and future urban development along the coast is a key component of this plan.

Valid reasons can also be advanced for using the zoning technique to control the subdivision, use and development of land in and around Dargaville and the main rural service centres. The settlements have been provided with public road, sewerage, stormwater and water supply services at considerable cost to the community. These services need to be fully utilised wherever possible and land progressively developed and serviced in a manner which makes best use of them.

Some of the settlements contain or are surrounded by environmentally sensitive land. For instance some land adjacent to Dargaville is prone to flooding. Its development needs to be controlled and use made of land which is more suitably located. The zoning of land for urban use in the settlements of Dargaville, Te Kopuru, Ruawai, Maungaturoto and Kaiwaka is for the above reasons seen as an appropriate and cost effective planning strategy.

### **3.3.1A Mangawhai Area Future Development Plan**

The Mangawhai Planning Study (1997) recorded that the Mangawhai Heads and Mangawhai Village settlements had a relatively small number of vacant sections and blocks of land which were potentially developable for residential use. At the same time it highlighted the subdivision 'pressure' on the surrounding rural zoned land, some of which has natural character as well as soil and water resource development

limitations. The study identified four potential future development areas and recommended investigation of servicing options for those areas and the existing settlements. It recommended a structure plan be prepared for the principal future growth area on the lower Molesworth Peninsula.

The Mangawhai Infrastructural Assets Study (1999) investigated the future servicing methods of the settlements based on their recent residential growth and alternative growth scenarios. Water supply, wastewater, stormwater, roading and reserve needs were investigated and recommendations made based on a projected usually resident population of around 2150 people and a summer population of around 5700 people by 2011. Over the 1996-2011 period an estimated 360 new dwellings and possibly up to 500 new dwellings were considered likely. The study highlighted the ongoing popularity of Mangawhai as a 'retirement' location, the limited availability of residential sites in settlements closer to Auckland and the improved access with extensions to the northern motorway.

The main findings and recommendations of the Infrastructural Assets Study were:

- the discharges of effluent from the large number of septic tank systems in the settlement are impacting on the environment. The Council should promote and plan for a community wastewater system. A conventional treatment plant - oxidation pond - land disposal system was likely to be the most cost effective but other options should be investigated.
- the community are generally satisfied with the present predominantly individual water supply arrangements but have a desire for improved water quality, and in the long term (10-20 years) possibly a reticulated supply. Upgrading of the Mangawhai commercial area supply is recommended along with a tanker supply point for peak demands and information on householder water supply quality.
- the two settlements are generally not served by highly engineered stormwater systems and problems are confined to a few areas. However problems may increase if significant development occurs and flow paths are not protected. Low impact design systems which are favoured by residents, should be promoted through the district plan and subdivision code of practice.

The two studies along with the community consultation generally support controlled and better serviced future growth recognising the environmental sensitivity of the area, particularly the Mangawhai estuary. This approach has been further developed in terms of a Mangawhai Area Future Development Plan (Map 80 in the district planning maps), which forms the basis of revised zonings, policies and rules for the area. The key features of the plan are:

- maintenance and enhancement of the low density 'treed' character of the Mangawhai Beachfront Area.
- provision for residential development of undeveloped blocks within the settlements, but on the basis of low impact wastewater and stormwater systems, provided at the time of subdivision.
- a variety of rural-residential areas around the fringes of the settlement which protect and enhance ecological, landscape and rural amenity values and provide an alternative to 'conventional' residential subdivisions .
- development of viable business centres based around the existing commercial and industrial areas.
- selective purchase and development of reserve land with emphasis on enhancing public access to the coast.

The plan identifies areas of land in the Mangawhai Heads, Molesworth Peninsula and Mangawhai Village areas which are to be rezoned Residential to cater for future growth over the next 10-20 years. Rural-Residential zoned areas are also identified along with the key environmental and servicing constraints which go with them. Further details on the zoned areas are on the planning maps (Maps 55-59).

### **3.3.2 Form and Scale of Residential Development**

District plans have traditionally contained a number of residential zones, mainly related to the functions of the different settlements and associated services available. They were also used as a means of directing or encouraging some types of residential development eg, multi-unit flats, motels, etc into particular areas for economic or social reasons. The Resource Management Act requires the Council to look primarily at the environmental effects of different types of development rather than their economic or social impact. On this basis the Council considers that the zoning

provisions should be kept relatively simple and not unnecessarily restrict development, where appropriate environmental and servicing standards can be met.

The district plan accordingly has one Residential zone which covers land generally suitable for residential related activities. It provides for a range of owner-occupier, rental and visitor accommodation types. Community and recreational facilities and some uses of a commercial nature are listed as discretionary activities. Such uses can have a significant effect on the environmental qualities of residential areas and may not be suitable on some sites.

The boundaries of the Residential zone have been set taking into account the existing patterns of development in the settlements and the suitability of adjacent areas for similar subdivision and use. The three main factors used in this assessment were:-

- the physical topography of the land and any natural hazards, threats eg erosion, flooding and land slippage.
- the ability of the land to be serviced and its proximity to existing roads and sewerage, stormwater, water, power and telephone services.
- the need to protect important heritage and natural features, especially in the coastal environment.

Consideration was also given to the current demand for sections in the respective settlements and the need to provide for ongoing development over the 10 year planning period. This factor was not so important because under the Act property owners and other interested parties can at any time request changes to the plan, including the rezoning of land for residential development.

The district plan also has a Rural-Residential (Landscape and Ecological Enhancement) zone which was introduced following the Mangawhai Planning Study (1997). The zone covers several areas of land at Mangawhai which have been partially developed for rural-residential use and have some ecological and landscape values. The zone is intended to provide for further development which protects and/or enhances the land's 'natural' character values. It may in future be applied to other blocks of similar land in the district either by a Council or privately initiated plan changes.

The Rural Residential (Landscape and Ecological Enhancement) zone at Mangawhai Heads North contains a shrubland area which is on the Department of Conservation's Schedule of Sites of Biological Interest (S.S.B.I.). Rare native orchids and other significant plants have been found on one of the properties. An ecological assessment of each property in this zoned area is required prior to its subdivision.

### **3.3.3 Molesworth Peninsula Structure Plan**

The Molesworth Peninsula structure plan prescribes the general form of development for a future growth area of approximately 100 ha. The form of servicing required, including new road and reserve/public open space linkages are identified.

The 'inner' largely undeveloped area of the peninsula is zoned Residential, recognising its limited natural character values, and potential to be progressively developed into attractive and readily accessible residential areas. Some of the land has drainage limitations and residential development is only provided for on the basis of whole subdivision stormwater and wastewater systems. All future subdivision is also dependent on provision of a comprehensive development plan showing an ultimate layout with associated road and reserve areas. This is to prevent progressive 'piecemeal' residential subdivision which relies on individual on-site services, and compromises future road and reserve planning.

The 'outer' fringes of the peninsula are zoned Rural-Residential (Landscape and Ecological Enhancement) to provide for ongoing low density 'lifestyle' development in accordance with the areas moderate ecological and natural character values. The associated zone policies and rules are directed at protecting the few remaining native specimen trees - mainly pohutukawas, and limiting vegetation clearance to existing cleared areas and areas required for building sites and access. Native revegetation, particularly of estuary margins is encouraged and development incentives are offered in this regard.

The structure plan shows existing natural features which are expected to be retained and enhanced as part of the areas future development. Indicative east-west coast pedestrian linkages through some of these features are also shown. An area of land at the southern end of the peninsula is identified as a proposed reserve to cater for future resident and visitor needs. The boundaries of the proposed reserve are indicative and expected to be negotiated with the landowner at the time of any future subdivision or sooner if necessary.

The southern part of the peninsula currently has one road access - Moir Point Rd. It has limitations in terms of serving future residential development. The need to upgrade this road, form a second linkage via Thelma Road, and improve intersections are to be addressed through a financial contribution system.

### **3.3.4 Wastewater Disposal**

The Mangawhai Planning Study (1997) and Mangawhai Infrastructural Assets Study (1999) recorded the limitations of soils in the Mangawhai area for septic tank effluent disposal. Most of the other settlements in the district are also situated on soils which have limited capacity to treat waste effluent. For instance Ruawai is situated on Kaipara clay soils which have poor natural drainage. They have a high water table and in winter especially can become saturated with septic tank effluent. The settlements along the west coast such as Baylys Beach and Glinks Gully are situated on more free draining sands but significant areas are underlain by a hard ironstone pan. Few of the settlements contain moderate draining soils which retain the effluent in the ground for a sufficient period to allow effective waste treatment by aerobic bacteria.

In recent years concerns have been expressed about the potential environmental and public health risks arising from the large scale use of septic tank type systems in urban areas. The risks are greatest in settlements such as Mangawhai where the effluent can reach underground water supplies and adjacent harbour areas. The risks are becoming more significant because of a number of related circumstances, these are:-

- smaller section sizes and increasing building coverage
- higher occupancy of dwellings by both permanent residents and visitors
- greater use of water and associated household appliances eg dishwashers
- increasing age of the septic tank systems and lack of regular maintenance

The environmental and public health risks are reduced by the installation of whole community or whole subdivision based sewerage systems. However for some settlements the first option is not feasible because of the high establishment costs involved, small resident populations and limited growth potential. In rapidly growing areas, most notably Mangawhai, viable options do exist and these are being investigated by the Council. This matter is further discussed in Section 10.

The Council is of the view that the small settlements which rely on individual septic tank type systems and have limited growth potential will continue to do so for the foreseeable future. In such circumstances it considers that fairly stringent controls on subdivision are required along with the number and size of dwelling units which can be built on lots. Rules relating to these matters have accordingly been incorporated into the provisions of the Residential zone. The rules emphasise the need for subdividers to evaluate alternative wastewater systems, including whole subdivision systems, for large undeveloped properties. The district plan provisions are to be backed up with educative measures intended to ensure that appropriate wastewater treatment and disposal systems are installed and maintained in the settlements. Information on recommended systems will be made available to people seeking resource consents and building consents. A bylaw on septic tank maintenance is also being investigated.

### **3.3.5 Building Design and Open Space Needs**

The settlements in the district have been traditionally developed around the single family dwelling on a relatively large freehold section. As a result they have a low density residential character with considerable open space between dwellings. In recent years there has been more development of multi-unit housing for particular groups in the community, eg retired people. This trend has been most evident in the larger settlements, like Dargaville, where few on-site servicing limitations exist.

The Council supports the establishment of various housing types in the settlements and in this regard has its own pensioner housing programme. It however recognises that people value the low density character of the settlements they live in and some specific controls are required on site coverage and the height and location of buildings for amenity and privacy purposes. Development standards have been incorporated into the Residential zone for these purposes. They cover the following matters:-

- Building Coverage - limits are placed on the extent of building coverage to ensure that each household has adequate private open space for recreation, parking and storage.
- Height of Buildings - restrictions are placed on the height of all buildings so as to protect adjoining properties from excessive shading.
- Distances between buildings - minimum yard requirements between buildings are set to allow access for fire-fighting and maintenance purposes and to contribute to the open space and privacy requirements of households.
- Distance between buildings and adjacent streets - minimum front yard requirements are set to reduce the impact of street traffic noise on the living environment.

Multi unit developments are provided for as controlled activities on sites served by reticulated wastewater systems and discretionary activities on other sites.

### **3.3.6 Earthworks and Removal of Vegetation**

The soils in some of the settlements, especially along the west coast, are shallow in nature and prone to erosion. There have in the past been instances where extensive earthworks associated with building developments have lead to unnecessary erosion of private properties and adjacent public roads and reserves. The erosion risk is greatest when no protective or stabilisation measures are planned as part of the development and the exposed ground is subject to high wind and/or rainfall conditions. Extensive earthworks and vegetation clearance can also adversely affect the amenity values of residential areas.

The Council considers some controls are required over the extent of earthworks and removal of vegetation within settlements. The Regional Council has some rules on earthworks, but these have limited application in residential areas. The 5,000 m<sup>3</sup> threshold above which land use consent is required (except on identified "erosion prone" land) is relatively high and has been developed primarily from a soil conservation perspective. Special earthworks and vegetation clearance rules have accordingly been incorporated into the provisions of the Residential and Rural-Residential (Landscape & Ecological Enhancement) zones. They are intended to

ensure that building excavations and other ground clearance works are minimised and associated amenity/landscape and erosional/instability issues are addressed. The effectiveness of the rules will be monitored and if necessary changes made to them.

### **3.3.7 Home Occupations**

Over the years a number of small businesses have been established in residential areas of Dargaville and the other settlements. The businesses tend to be of an office or small manufacturing nature and operated by one or two people from their homes. The Council recognises the importance of these businesses or home occupations in providing employment opportunities in the wider community. It considers that a range of small businesses can be established in residential areas without unduly detracting from their character.

The district plan lists home occupations as permitted activities in the Residential zone. The associated definition and performance standards are intended to meet the following objectives:-

- The activity will remain ancillary to the residential use of the site both in terms of the floor area occupied and the number of people employed; and
- The activity will not generate significant traffic and parking demands in a residential street, and
- No operations will be carried out that will create a noise nuisance for adjacent residents; and
- No raw materials, finished products or advertising signs will be displayed so as to detract from the residential character of the neighbourhood.

### **3.3.8 Reserves and Public Open Space**

The Council maintains a number of parks and reserves in and adjacent to residential areas in the various settlements. Most are of an open grassed nature and used for a variety of formal and informal recreational activities. Some contain attractive stands of native bush and other natural features which add to the landscape character of the

settlements. The Council has acquired some of the parks and reserves when the surrounding land was subdivided.

Under the Act the Council can require people who develop or subdivide land to make a financial contribution towards the provision of reserves and other public open spaces. Such financial contributions can be in the form of land, cash, or works, including the planting of trees or other vegetation. The provisions in the Act are of a general nature and can only be utilised if more specific objectives, policies and rules are incorporated into the district plan.

The Council considers that reserves and associated public open spaces need to be developed and maintained as an integral part of residential areas. Increasing attention is being placed on recreation in the promotion of human health and well-being. Local parks and reserves serve an important role in this regard catering for activities ranging from children's play to organised sports.

The nature of the parks and reserves required in each settlement will vary according to their location, size and layout and the natural features within them. Under the Local Government Act the Council was expected to achieve a minimum of 4 ha of reserve land for every 1000 residents. As outlined in Table 3.2 all of the major settlements in the district have reserve areas well in excess of this recommended minimum. However some of the reserves in the settlements are in a relatively undeveloped state. Most would also benefit from some upgrading and provision of additional facilities eg picnic tables, play equipment, walking tracks, and tree planting. Only a limited number of facilities can be developed each year as the costs generally have to be met from rates.

The Council is of the view that people who develop or subdivide land for principally residential purposes should contribute to the provision of reserves in their immediate area. Although the amount sought whether in land cash or works is relatively small it has in the past been an important factor in upgrading reserve facilities in the respective settlements.

**Table 3.2 : Kaipara District : Reserve And Public Open Space Areas in Settlements**

Settlement	Population (1)	No of Reserves (2)	(ha)
	Total Area (1991)	+ Public Open Spaces	
Dargaville	4760	15	54.5
Mangawhai	950	4	16.6
Maungaturoto	860	3	10.5
Ruawai	500	3	4.6
Te Kopuru	500	1	4.1
Kaiwaka	420	2	8.2
Paparoa	-	2	0.5
Maunganui Bluff	-	2	0.4
Omamari	-	2	1.9
Baylys Beach	-	2	11.2
Glinks Gully (3)	-	-	-
Pouto Point	-	1	0.3
Kellys Bay	-	1	1.4
Tinopai	-	4	2.3
Pahi	-	1	1.4
Whakapirau	-	1	0.1

(1) Population estimates of resident population.

(2) Excluding esplanade reserves.

(3) Adjoins Kopuru Beach Domain (435 ha)

Source : Department of Statistics and Council Records.

This plan requires as a matter of policy that a financial contribution be made towards the provision of reserves for all resource consent applications which involve either:-

- the subdivision of a site into two or more lots of a principally residential nature, or

- the development of two or more household units on a site.

The financial contribution may be in land, cash or works depending on the nature of the site, scale of development or subdivision and associated layout of buildings and services. As a general policy the Council will require that land be set aside for reserve purposes and works carried out where one or more of the following circumstances apply:-

- there are insufficient recreation reserves in the immediate vicinity of the site being developed or subdivided. As a general guide the Council will look towards having a reserve which caters for recreational activities within 500 metres of all residential properties in the main settlements.
- the site contains a notable stand of bush, specimen trees, pa site or other similar heritage or natural feature which warrants protection.
- the site contains an area of land which could be planted or developed as a local purpose (amenity) reserve to enhance the landscape qualities of the area.
- the site contains an area of land which could be developed to provide access to an existing reserve or other public facility.

It will generally seek cash contributions in all other circumstances.

The particular basis upon which reserves contributions in land, cash or works are to be sought by the Council is explained in Section 11.3.4.

The areas which have been formally set aside as reserves are managed in accordance with the provisions in the Reserves Act 1977. Under the Act all reserves are required to be classified according to their principal purpose, these being historic, nature, recreation, scientific, government purpose and local purpose. Management plans are required for all reserves except those of a local purpose nature. Such plans are to be prepared following a public process, and reviewed every five years. The Council has management plans for all the reserves in the former Hobson County area. Draft management plans have been prepared for some of the reserves in the former Dargaville Borough and Otamatea County. The Council intends having a complete set of management plans in place for its reserves as soon as practicable.

### **Section 3.3.8A - Mangawhai Area Reserves**

The Mangawhai Planning Study (1999) and Mangawhai Infrastructural Study (1999) investigated the adequacy of existing reserves and likely future needs. The latter study recommended:

- creation of a linkage reserve along the Molesworth Drive frontage of the 'Mangawhai Park' property owned by the Council
- a reserve at the southern end of the Molesworth Peninsula which provided access to the estuary and associated boat launching, parking and picnic facilities
- pedestrian walkway linkages developed on the lower Molesworth Peninsula as this area is developed for residential use
- the northern part of the Mangawhai Camping Ground be reinstated for public use by 2011 consistent with the draft management plan for the reserve
- additional land is to be acquired in the vicinity of the North Ave boat ramp for boat and vehicle parking

The report also recommended that management plans be prepared and reviewed for key reserves including the Mangawhai Heads Recreation reserve on a priority basis.

Subsequent investigation of the 34ha 'Mangawhai Park' property indicated parts of it could be developed for residential and commercial-industrial use, whilst still providing significant recreational open space areas and serving an amenity corridor function. A community consultation - investigation process is to be undertaken for this block of land the result of which is expected to be some rezoning of the property and designation of reserve areas. The property does not at this stage form part of the Molesworth Peninsula Structure Plan. The structure plan does however show the likely extent of reserves on the rest of the peninsula, including an area of approximately 5000m<sup>2</sup> at the southern end.

### **3.3.9. Relocation of Existing Dwellings**

The district plan contains specific provisions relating to the resiting of existing dwellings. They are intended to give the Council the ability to control their structural soundness and finished appearance. There have over the years been instances where

people have wanted to bring into the district dwellings which are not structurally sound, or have left dwellings in a fairly untidy state for considerable periods of time.

The structural soundness of resited dwellings has in the past been generally controlled under the Council's buildings by laws. The new Building Act gives the Council very limited powers in this area with its involvement mainly related to certifying the building's new foundations. The finished appearance of the dwellings is also not subject to any control under the Building Act. This can be a problem particularly in residential areas where the amenities of adjacent properties are adversely affected.

For the reasons outlined above the 'relocation of existing dwellings' is listed as a discretionary activity in all zones. Assessment criteria have been incorporated into the rules for dealing with associated applications.

## **3.4 Objectives Policies and Methods of Implementation**

### **3.4.1 Objectives - Residential Settlement**

Objective 1: To facilitate the co-ordinated development and servicing of residential areas with high amenity values.

Explanation: The establishment of attractive and well serviced residential areas is sought by the community and, of public benefit to the district.

### **3.4.2 Policies and Methods of Implementation**

#### **(1) Settlement Patterns**

Policy 1: To concentrate residential development within and adjacent to existing settlements.

Methods of Implementation

- 1 Zone land for principally residential and rural-residential subdivision and use in the Dargaville, Te Kopuru, Ruawai, Maungaturoto, Paparoa, Kaiwaka, Maunganui Bluff, Omamari, Baylys Beach, Glinks Gully, Pouto Point, Kellys Bay, Tinopai, Pahi, Whakapirau, and Mangawhai areas.

- 2 Rules which limit the development and subdivision of land for intensive residential use in the Coastal, Maori Purposes and Rural zones.
- 3 Monitor residential section demands and housing trends and initiate appropriate changes to the plan.

Explanation: The planned development of residential and rural-residential areas in strategic locations is a cost effective strategy consistent with the sustainable management purpose and principles of the Act.

Objective: To manage the future growth of the Mangawhai area in a manner which enhances its distinctive coastal character, residential amenity and soil, water, ecological and landscape values.

- Policy 1 : To manage the peripheral residential expansion of the Mangawhai Heads and Mangawhai Village Settlements and promote efficient resource use and servicing.
- Policy 2: To promote integrated business, residential, rural-residential and public open space development on the Molesworth Peninsula and link it to the two existing settlements.
- Policy 3: To promote a community wastewater scheme for the Mangawhai Heads, Mangawhai Village and Molesworth Peninsula Settlement areas.
- Policy 4: To limit the extent of both 'greenfield' and 'infill' subdivision of residential areas based on individual lot stormwater and wastewater servicing and promote comprehensive low impact design solutions.
- Policy 5: To retain the low density character of the Mangawhai Heads 'Beachfront' Area and require the protection and enhancement of amenity and landscape values in all subdivisions and land use developments
- Policy 6: To provide for a range of lots and residential developments in areas outside the Mangawhai Heads 'Beachfront' Area to cater for the changing nature of resident and visitor populations.

Method of Implementation 1: Mangawhai Area Future Development Plan and zonings.

Method of Implementation 2: Molesworth Peninsula Structure Plan, zonings, notations and rules.

Method of Implementation 3: Community Wastewater Scheme Working Party and Project Manager

Method of Implementation 4: Land Use and Subdivision rules

## **(2) Residential Amenities**

Policy 1: To maintain the low density open space character of residential and rural-residential areas and their associated amenity values.

### Methods of Implementation

- 1 Rules which provide for residential dwellings comprising one household unit per site and home occupations as permitted activities in the Residential zone and Rural-Residential (Landscape and Ecological Enhancement) zone.
- 2 Rules which list multi-unit developments in the Residential zone as controlled activities where they are served by reticulated wastewater systems and discretionary activities in the Rural-Residential (Landscape and Ecological Enhancement) zone and have assessment criteria relating to building form, private open space, access and servicing.
- 3 Utilise the provisions in the Act for public notification of multi-unit developments where they are likely to have significant off-site environmental effects.
- 4 Rules which provide for community and recreational facilities, visitor accommodation and some commercial uses as discretionary activities in the Residential and Rural-Residential (Landscape and Ecological Enhancement) zones.

- 5 Administer rules (environmental standards) relating to the location and height of all buildings, site coverage, and noise emissions.
- 6 Have rules which control major earthworks and vegetation clearance activities in the Residential zone and Rural-Residential (Landscape and Ecological Enhancement) zone.

Explanation : The character of residential and rural-residential areas can be adversely affected by insensitive developments, especially on small sites with topographic or servicing limitations.

### **(3) Services**

Policy 1: To encourage and where practicable require the development of community based sewerage, stormwater and water supply services in residential areas.

Policy 2: To control the development and subdivision of land based on septic tanks and other similar forms of wastewater disposal and monitor environmental conditions in such areas.

#### Methods of Implementation

- 1 Rules which limit the intensity of residential subdivision in areas which are unsewered or where further development would exceed the capacity of sewage disposal systems to provide effective treatment.
- 2 Rules which limit building coverage on sites which rely on septic tank systems and other similar forms of wastewater disposal.
- 3 Utilise the findings of the Molesworth Peninsula Urban Capability Survey and commission similar surveys and site suitability reports where necessary.
- 4 Maintain existing sewerage, stormwater and water supply services and require appropriate financial contributions towards their extension and upgrading as conditions of land use and subdivision consent.
- 5 Prepare and distribute publicity material on alternative wastewater treatment systems and associated conservation measures.

- 6 Investigate introduction of bylaws relating to the maintenance and desludging of septic tanks in key settlements.

Explanation: The effective servicing of residential sites is required to safeguard human health and the natural environment.

### **(4) Reserves and Public Open Space**

Policy 1: To ensure that adequate reserves and public open spaces are developed and maintained in residential areas.

#### Methods of Implementation

- 1 Rules which enable reserve contributions in land, cash or works to be sought where sites are subdivided or developed for principally residential purposes.
- 2 Rules which enable the protection of notable natural or heritage features at the time of land subdivision and development.
- 3 Upgrade and develop new facilities on reserves in accordance with a five yearly reserves management strategy.
- 4 Prepare and maintain management plans for all historic recreation and scenic reserves and those local purpose reserves which warrant them.

Explanation: A variety of related measures are necessary to provide an effective network of reserves and public open spaces in residential areas.

## **3.5 Rules**

### **3.5.1 Residential Zone - Zone Statement**

This zone applies to land within or adjacent to existing settlements which is generally suitable for residential development. It covers land in the Dargaville, Te Kopuru, Ruawai, Maungaturoto, Paparoa, Kaiwaka, Maunganui Bluff, Omamari, Baylys Beach, Glinks Gully, Pouto Point, Kellys Bay, Tinopai, Pahi, Whakapirau and Mangawhai areas. The zone boundaries have been drawn taking into account the

physical character of the land, its heritage and natural values, and ability to be serviced. They include some areas of undeveloped land which can be utilised for future residential needs in accordance with the plan's settlement objectives.

The zone provides for a range of land use activities which are compatible with a predominantly residential living environment. Multiunit dwellings on a site are listed as controlled activities in order that reserve contributions and servicing requirements can be assessed. The latter are particularly important in many of the greater settlements which rely on septic tank and other on-site means of effluent disposal. Controls on building height and location, residential density, site coverage, and provision of open space areas are specified for amenity purposes and to retain the low density character of the zone.

### **3.5.2 Residential Zone - Permitted Activities**

1. Conservation areas and reserves.
2. Farming in compliance with the Keeping of Animals Poultry and Bees Bylaw.
3. Home occupations.
4. Homestay accommodation.
5. Network utilities including those in existence at the date of public notification of the proposed plan and their maintenance and upgrading where of a minor nature.
6. Residential dwellings containing one household unit per site.
7. Soil conservation and river control works.
8. Temporary military activities.
9. Walkways.
10. Accessory buildings and uses to any of the above.

### **3.5.3 Residential Zone - Controlled Activities**

1. Cottage industries.
2. Mineral prospecting and exploration.
3. Rest homes and welfare homes.
4. Wharves jetties and other landing facilities.
5. Multiunit dwellings on a site served by a reticulated wastewater system.
6. Accessory buildings and uses to any of the above.

### **3.5.4 Residential Zone - Discretionary Activities<sup>#</sup>**

1. Camping grounds and visitor accommodation.
2. Community and recreational facilities including Kohanga reo.
3. Commercial services, offices and shops.
4. Electricity substations, electricity transmission lines (high voltage), telecommunication works and telephone exchanges.
5. Forestry.
6. Hospitals
7. Network utilities not being a permitted activity.
8. Multiunit dwellings containing two or more household units on a site not served by a reticulated wastewater system.
9. Restaurants.
10. Accessory buildings and uses to any of the above.
11. Any activity listed as a permitted or controlled activity which fails to comply with the environmental standards for the zone.

### **3.5.5 Residential Zone - Environmental Standards**

The following standards shall apply to all permitted activities in the zone, except network utilities.

#### **1. Buildings and Structures<sup>#</sup>**

##### **(a) Location of Buildings in Relation to Site Boundaries (Yards)**

No building shall be erected within the front side or rear yards of a site which are as follows:-

- Front yards - 5 metres
- Side yards - one of 1.5 metres and one of 3.0 metres
- Rear yards - 3.0 metres except on rear sites where one yard of 1.5 metres may be provided

provided that an accessory building may be erected in any side or rear yard where:

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<sup>#</sup> Updated August 2005

- vehicle access is retained to the rear of the site, and
  - it is at least 3.0 metres from any habitable room on an adjoining site, and
  - it does not exceed 10 metres in length or 25% of the length of the side or rear yard whichever is the lesser.
- (b) **Location of Buildings Near Lakes Rivers and the Sea**  
No building shall be erected within 30 metres of mean high water mark of the coastal marine area, or the banks of any lake whose bed has an area of 8ha or more, or the bank of any river or stream whose bed has an average width of 3 metres or more.
- (c) **Height of Buildings - General**  
No building shall exceed a height of 7.5 metres or that equal to 3 metres plus the shortest horizontal distance between that part of the building and any site boundary whichever is the lesser.
- (d) **Relocation of Dwellings**
- (i) Any relocated dwelling intended for use as a dwelling (excluding previously used garages and accessory buildings) must have been previously designed built and used as a dwelling.
  - (ii) A building inspection report shall accompany the application for a building consent. That report is to identify all reinstatement work required to the exterior of the building.
  - (iii) All work required to reinstate the exterior of any relocated building, including the siting of the building on permanent foundations, shall be completed within six months of the building being delivered to the site.

NB: Relocated dwellings are permitted activities only where they meet the environmental standards above. Where it will take longer than 6 months to carry out the necessary work to meet these standards an application must be made for consent to a discretionary activity. The Council may use its powers under sections 314 and 322 of the Resource Management Act 1991 to apply for an enforcement order or to issue an abatement notice where these standards are not met and/or appropriate consent has not been granted.

- (e) **Building Coverage**  
Building coverage of a site shall not exceed 35% of the net site area.
- (f) **Minimum Floor Levels of Buildings**  
See N.Z. Building Code (Clause E13.2)
- (g) **Building and Structures Near Road and Railway Intersections**  
See Section 9.10
- (h) **Buildings and Structures Near Electricity Lines**  
See Electricity Regulations 1993
- (i) **Buildings and Structures Near Gas Lines**  
See Gas Supply Regulations 1984
- (j) **Buildings and Structures Near Drains**  
See Kaipara District Council Land Drainage Bylaw

NB: Compliance with the above standards does not derogate from the Council's powers under section 36 of the Building Act 1991.

## 2. Earthworks<sup>#</sup>

Earthworks shall not be carried out on any site within any 12 month period which:

- (i) are on land having an average slope greater than 1 in 8; and
- (ii) extend over an area greater than 200m<sup>2</sup> (measured in a horizontal plane\*); or
- (iii) involve the depositing of more than 50m<sup>3</sup> of fill material.\*\*

This rule shall not apply to trenches for the undergrounding of any network utility.

\* Explanation: As measured on a plan or a map.

\*\* Advice Note (not forming part of the rule): Such a volume equates to approximately 5 standard truck loads of material.

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<sup>#</sup> Updated August 2005

**3. Private Open Space**

Each household unit shall be provided with an area of private open space equivalent to 50% of the gross floor area of the unit. The private open space shall be of a usable shape of no less than 3 metre minimum dimension and capable of accommodating one circle of no less than 5 metres in diameter. The private open space is to meet the following requirements:

- be located on the east, north or west side of the household unit; and
- have one side abutting the main living area of the household unit; and
- be unobstructed by vehicle access or parking areas; and
- be adequately screened from adjoining household units and adjacent sites, except in the case of reserves.

The above private open space requirements are illustrated in Appendix 3A.

**4. Impermeable Surfaces**

The area of any site covered by buildings and other impermeable surfaces shall not exceed 50% of the net site area.

**5. Noise Emissions**

(a) Noise Limits

All activities shall be conducted so as to ensure that noise from the site shall not exceed the following limits, neither at nor within the boundary of any other site zoned Residential:

7.00 am to 7.00 pm Monday to Saturday	50 dBA L10
All other times and on public holidays	40 dBA L10
Any day from 10.00 pm to 7.00 am the following day	65 dBA Lmax

(b) Measurement of Noise

Subject to the express provisions of this rule, sound levels shall be measured in accordance with New Zealand Standard NZS 6801:1991 Measurement of Sound and assessed in accordance with NZS 6802:1991 Assessment of Environmental Sound.

(c) Construction Noise

Construction noise shall meet the limits recommended in, and shall be measured and assessed in accordance with, NZS 6803P:1984 The Measurement and Assessment of Noise from Construction, Maintenance and Demolition Work.

(d) Noise From Temporary Military Activities

Noise emanating from military activities of a temporary nature shall not exceed the following limits, neither at nor within the boundary of any site zoned Residential nor within the notional boundary of any dwelling on a site in the Rural, Coastal and Maori Purposes zones.

Time (Any Day)	Limits (dBA)		
	L10	L95	Lmax
0630 - 0730	60	45	70
0730 - 1800	75	60	90
1800 - 2000	70	55	85
2000 - 0630	40		

Notwithstanding the above, noise resulting from the use of explosives shall not exceed 122 dBC and shall be limited to daylight hours. The noise measurement shall be taken at or within the boundary of site zoned Residential and within the notional boundary of any dwelling on a site in the Rural, Coastal or Maori Purposes zones.

**6. Contaminant Discharges**

No activity shall be carried out which results in the discharge of any contaminant to the air, onto land or into water in contravention of Section 15 of the Resource

Management Act unless provided for by a rule in a Regional Plan or a Proposed Regional Plan or a Resource Consent (See Section 4.3.4 for further explanation).

**7. Protection of Heritage and Natural Features** See Section 8.

**8. Signs** See Section 9.

**9. Vehicle Access Loading and Parking** See Section 9.

#### **10. Other Resource Consents**

People undertaking a land use listed as a permitted activity, controlled activity or discretionary activity in the zone are advised to contact the Northland Regional Council to determine if any other resource consents are required under the provisions of any Regional Plan. All Regional Plans are available for inspection at the Regional Council offices in Dargaville and Whangarei.

### **3.6 Rural-Residential (Landscape and Ecological Enhancement) Zone**

#### **3.6.1 Zone Statement**

This zone covers several areas of land at Mangawhai which have significant ecological and natural character values and provide associated landscape context to the settlement. They have been partially developed for rural-residential purposes and have the potential to be further developed with appropriate ecological and landscape protection/enhancement measures.

The nature of the land within the zoned areas varies considerably in terms of contour, relationship to the coast and vegetation present. The zone rules are directed at encouraging innovative subdivision and building developments which respect the natural features of sites and utilise low impact servicing methods. There are restrictions on earthworks and clearance of naturally occurring indigenous vegetation. The zone also has rules requiring information on the ecological and landscape values of sites, and information on the effects of subdivision and land use activities on these values. This information is to be provided with all resource consent applications.

The land at Mangawhai Heads forms an important visual backdrop to the settlement with controls of subdivision and buildings above the 60 metre contour line on the

most seaward ridge. It also contains some shrubland areas with significant ecological values, which are to be protected and enhanced when subdivision and land use activities requiring consent are undertaken.

#### **3.6.2 Rural-Residential (Landscape Ecological Enhancement) Zone - Permitted Activities**

1. Conservation areas and reserves.
2. Farming in compliance with the Keeping of Animals Poultry and Bees Bylaw.
3. Forestry.
4. Home occupations.
5. Homestay accommodation.
6. Network utilities including those in existence at the date of public notification of the proposed plan and their maintenance and upgrading where of a minor nature.
7. Plant nurseries.
8. Residential dwellings containing one household unit per site.
9. Soil conservation and river control works.
10. Temporary military activities.
11. Walkways.
12. Accessory buildings and uses to any of the above.

#### **3.6.3 Rural-Residential (Landscape and Ecological Enhancement) Zone - Controlled Activities**

1. Cottage industries.
2. Mineral prospecting and exploration.
3. Roadside stalls.
4. Accessory buildings and uses to any of the above.

#### **3.6.4 Rural-Residential (Landscape and Ecological Enhancement) Zone - Discretionary Activities<sup>#</sup>**

1. Camping grounds and visitor accommodation.
2. Coastal protection works.

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<sup>#</sup> Updated August 2005

3. Community and recreational facilities including kohanga reo.
4. Commercial services, offices and shops.
5. Electricity substations, electricity transmission lines (high voltage), telecommunication works and telephone exchanges.
6. Hospitals, rest homes and welfare homes.
7. Network utilities not being a permitted activity.
8. Multiunit dwellings.
9. Restaurants.
10. Accessory buildings and uses to any of the above.
11. Any activity listed as a permitted or controlled activity which fails to comply with the environmental standards for the zone.

### **3.6.5 Rural-Residential (Landscape and Ecological Enhancement) Zone - Environmental Standards**

The following standards shall apply to all permitted activities in the zone, except network utilities.

#### **1. Buildings and Structures<sup>#</sup>**

- (a) Location of Buildings in Relation to Site Boundaries (Yards)  
No building shall be erected within the front side or rear yards of a site which are as follows:-
- Front yards - 5 metres
  - Side yards - one of 1.5 metres and one of 3.0 metres
  - Rear yards - 3.0 metres except on rear sites where one yard of 1.5 metres may be provided
- provided that an accessory building may be erected in any side or rear yard where:
- vehicle access is retained to the rear of the site, and

- it is at least 3.0 metres from any habitable room on an adjoining site, and
- it does not exceed 10 metres in length or 25% of the length of the side or rear yard whichever is the lesser.

- (b) Location of Buildings Near Lakes Rivers and the Sea  
No building shall be erected within 30 metres of mean high water mark of the coastal marine area, or the banks of any lake whose bed has an area of 8ha or more, or the bank of any river or stream whose bed has an average width of 3 metres or more.
- (c) Height of Buildings - General  
No building shall exceed a height of 7.5 metres or that equal to 3 metres plus the shortest horizontal distance between that part of the building and any site boundary whichever is the lesser.
- (d) Relocation of Dwellings
- (i) Any relocated dwelling intended for use as a dwelling (excluding previously used garages and accessory buildings) must have been previously designed built and used as a dwelling.
  - (ii) A building inspection report shall accompany the application for a building consent. That report is to identify all reinstatement work required to the exterior of the building.
  - (iii) All work required to reinstate the exterior of any relocated building, including the siting of the building on permanent foundations, shall be completed within six months of the building being delivered to the site.
- NB: Relocated dwellings are permitted activities only where they meet the environmental standards above. Where it will take longer than 6 months to carry out the necessary work to meet these standards an application must be made for consent to a discretionary activity. The Council may use its powers under sections 314 and 322 of the Resource Management Act 1991 to apply for an enforcement order or to issue an abatement notice where these standards are not met and/or appropriate consent has not been granted.
- (e) Building Coverage  
Building coverage of a site shall not exceed 20% of the net site area.

<sup>#</sup> Updated August 2005

- (f) Minimum Floor Levels of Buildings  
See N.Z. Building Code (Clause E13.2)
- (g) Building and Structures Near Road and Railway Intersections  
See Section 9.10
- (h) Buildings and Structures Near Electricity Lines  
See Electricity Regulations 1993
- (i) Buildings and Structures Near Gas Lines  
See Gas Supply Regulations 1984
- (j) Buildings and Structures Near Drains  
See Kaipara District Council Land Drainage Bylaw.
- (k) Location of Buildings in Visually Prominent Areas  
No part of any building shall extend above the 60 metre contour line shown on the planning maps for the Mangawhai Heads North area (See Planning Maps 55 & 80).

NB: Section 13.2.7 makes provision for people to seek land use consent to undertake activities not in compliance with the abovementioned rules. Such applications are considered as discretionary activities.

NB: Compliance with the above standards does not derogate the Council's powers under section 36 of the Building Act 1991.

## 2. Earthworks and Clearance of Indigenous Vegetation

No land use is to be carried out which involves the following activities:

- earthworks in excess of 200m<sup>2</sup> in area in any 12 month period,
- clearance of naturally occurring indigenous vegetation in excess of 200m<sup>2</sup> in area
- damage to any single naturally occurring indigenous tree over 3 metres in height.

Land use consent can be sought to carry out earthworks or indigenous vegetation clearance which exceed the abovementioned standards (Ref. Section 13.2.7 of the plan). Any such application shall be considered as a restricted discretionary activity and maybe processed by the Council in a non-notified manner pursuant to the provisions in Section 92 of the Act. Section 13.2.7 of the district plan identifies matters the Council will have regard to in considering such applications.

## 3. Noise Emissions

- (i) Noise Limits  
All activities shall be conducted so as to ensure that noise from the site shall not exceed the following limits, neither at nor within the boundary of any other site zoned Residential or Rural-Residential (Landscape and Ecological Enhancement):-
- |  |             |
|--|-------------|
| 7.00 am to 7.00 pm Monday to Saturday              | 50 dBA L10  |
| All other times and on public holidays             | 40 dBA L10  |
| Any day from 10.00 pm to 7.00 am the following day | 65 dBA Lmax |
- (ii) Measurement of Noise  
  
Subject to the express provisions of this rule, sound levels shall be measured in accordance with New Zealand Standard NZS 6801:1991 Measurement of Sound and assessed in accordance with NZS 6802:1991 Assessment of Environmental Sound.
- (iii) Construction Noise  
  
Construction noise shall meet the limits recommended in, and shall be measured and assessed in accordance with, NZS 6803P:1984 The Measurement and Assessment of Noise from Construction, Maintenance and Demolition Work.
- (iv) Noise From Temporary Military Activities  
  
Noise emanating from military activities of a temporary nature shall not exceed the following limits, neither at nor within the boundary of any site zoned Residential nor within the notional boundary of any

dwelling on a site in the Rural-Residential, Rural, Coastal and Maori Purposes zones.

Time (Any Day)	Limits (dBA)		
	L10	L95	Lmax
0630 - 0730	60	45	70
0730 - 1800	75	60	90
1800 - 2000	70	55	85
2000 - 0630	40		

Notwithstanding the above, noise resulting from the use of explosives shall not exceed 122 dBC and shall be limited to daylight hours. The noise measurement shall be taken at or within the boundary of site zoned Residential and within the notional boundary of any dwelling on a site in the Rural-Residential, Rural, Coastal or Maori Purposes zones.

#### 4. Contaminant Discharges

No activity shall be carried out which results in the discharge of any contaminant to the air, into land or into water in contravention of Section 15 of the Resource Management Act unless provided for by a rule in a Regional Plan or a Proposed Regional Plan or a Resource Consent (See Section 4.3.4 for further explanation).

#### 5. Protection of Heritage and Natural Features

See Section 8.

#### 6. Signs

See Section 9.

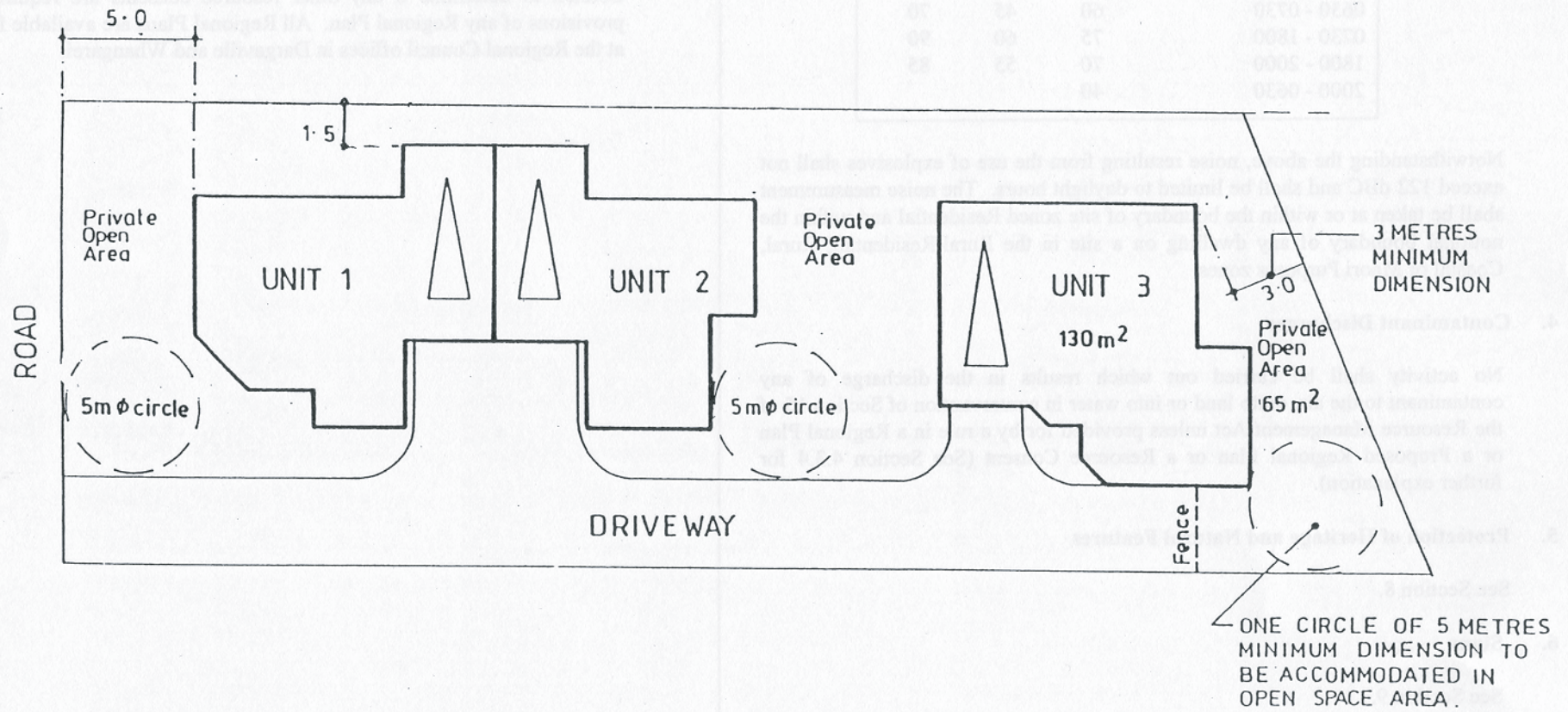
#### 7. Vehicle Access Loading and Parking

See Section 9.

#### 8. Other Resource Consents

People undertaking a land use listed as a permitted activity, controlled activity or discretionary activity in the zone are advised to contact the Northland Regional Council to determine if any other resource consents are required under the provisions of any Regional Plan. All Regional Plans are available for inspection at the Regional Council offices in Dargaville and Whangarei.

APPENDIX 3A – RESIDENTIAL ZONE – PRIVATE OPEN SPACE REQUIREMENTS



Scale 1:250