

Appendix 3 – Officers Recommended Amendments to Medium Density Residential Zone Chapter as sought by Kāinga Ora

Note the below provisions represent provisions sought by Kāinga Ora (formatting plan wide consistency updates) with the Section 42A Report Writing Officer’s recommended amendments to the provisions (with underline used for new text and ~~strikethrough~~ for deleted text).

Overview

The Far North District contains a mix of diverse communities and urban centres. The Medium Density Residential zone represents ~~an area surrounding the Kerikeri Town Centre~~ an urban environment where there is an expectation of higher density residential development, when compared to the Medium Density Residential zone, and is a location with adequate capacity of available or programmed development infrastructure for this growth.

To support urban sustainability and affordable infrastructure, the Medium Density Residential zone has been applied to consolidate growth around Kerikeri town centre.

The Medium Density Residential Zone provides for residential areas predominantly used for residential activity with a high concentration and bulk of buildings, enabling a range of dwelling typologies, and other compatible activities. It is a transformative zone that will result in changes to existing densities and built form characteristics and a greater diversity of housing options for the District.

The provisions provide the framework for managing the effects of use and development and ensuring a built environment that provides for the amenity and well-being of people and communities residing in the Zone, consistent with its planned urban built environment. It is anticipated that the urban built form, appearance and amenity of residential environments within the Zone will change over time.

The Medium Density Residential Zone recognises that residential activities encompass a wide range of housing and living arrangements. It does not promote one form of housing over another but instead provides flexibility to meet the community’s diverse housing demands.

Home business and other activities that support the social and economic health and wellbeing of the community may also occur in the Zone where they are of a compatible scale and nature.

Objectives	
MDRZ-01	The Medium Density Residential Zone: a. Primarily consists of residential activities; and

	<ul style="list-style-type: none"> b. Accommodates other activities that support the amenity and wellbeing of people and communities, where they are compatible with the planned urban built environment and amenity values of the zone
MDRZ-O2	<p>The planned urban built environment in the Medium Density Residential Zone is characterised by:</p> <ul style="list-style-type: none"> a. A planned built form of predominantly three-storey buildings, which is integrated into public and private open space; b. Good quality on-site and off-site residential amenity that provides for the health and well-being of people residing in the Medium Density Residential Zone; and c. An urban environment that is visually attractive, safe, easy to navigate and convenient to access
MDRZ-O3	Non-residential activities contribute to the well-being of the community while complementing the scale, character and amenity of the Medium Density Residential zone.
MDRZ-O4	Land use and subdivision in the Medium Density Residential zone is supported where there is adequacy and capacity of available or programmed development infrastructure.
Policies	
MDRZ-P1	Recognize and provide for the diverse accommodation needs of the community by enabling a range of housing typologies with a mix of densities, including three-storey attached and detached dwellings, and low rise apartments
MDRZ-P2	<p>Enable land use in the Medium density Residential zone where it:</p> <ul style="list-style-type: none"> a. Provides a high level of amenity for occupants b. Ensure any adverse amenity effects on neighbouring sites are appropriately managed; and c. Is connected to reticulated services and road networks, and where any adverse effects on the capacity or functioning of infrastructure is able to be mitigated.
MDRZ-P3	<p>Recognise the benefits of, and provide for, non-residential activities and buildings that contribute to the health and wellbeing of people and communities where:</p> <ul style="list-style-type: none"> a. They support the needs of local communities; b. These are of an intensity, scale and design that is compatible with the planned urban built environment and amenity of the <u>area-zone</u>; c. They contribute positively to the urban environment and achieve attractive and safe streets; d. The hours of operation are compatible with residential amenity values; e. Maintain the safety and efficiency of the transport network; f. Are adequately serviced by <u>development</u> three waters infrastructure or can address any constraints on the site; and g. For Emergency Service Facilities, the activity has an operational or functional need to locate in the zone
MDRZ-P4	<p>Provide for retirement villages and community facilities where they:</p> <ul style="list-style-type: none"> a. Complement the character and amenity values of the surrounding area; b. Contribute to the diverse needs of the community; c. Do not adversely affect road safety or the efficiency of the transport network; and d. Can be serviced by adequate development infrastructure
MDRZ – P5	Only allow commercial activities where they are ancillary to a residential activity and of a scale where significant adverse effects are avoided, and any other adverse effects are appropriately remedied or mitigated.
MDRZ-P6	Provide for residential intensification of a site where it can be demonstrated that the development achieves positive design outcomes and living environments, taking into

	<p>consideration the following design objectives as relevant to the specific site, development type, and the planned urban built environment of the zone:</p> <p>Built form:</p> <ol style="list-style-type: none"> Optimise the quality of the built form outcome with an integrated, comprehensive design approach to the site; Achieve a positive frontage to the street; Achieve visual interest while also achieving aesthetic coherence and integration; and Achieve driveways, manoeuvring and parking areas that are safe, convenient and attractive. <p>Amenity and well-being</p> <ol style="list-style-type: none"> Integrate building form and open space design to achieve high internal amenity and form well-located and usable private open spaces; Achieve reasonable sunlight, daylight and outlook; Provide reasonable internal visual privacy for all units within a development; Ensure outdoor living areas are well-located, functional for the intended use, and high quality; Achieve visual amenity, safety and functionality with planting; Achieve high quality, legible and efficient circulation; and Provide for servicing that is suitably generous, convenient and visually discreet.
MDRZ-P7	Avoid non-residential activities which are incompatible with the anticipated purpose, character and amenity values of the Zone.
MDRZ-P8	Require development to provide a minimum level of permeable surface to assist with reducing the rate and amount of storm water run-off.
MDRZ-P9	Encourage the retention of existing vegetation, particularly native vegetation and visually prominent trees that may not otherwise be protected, and where vegetation is proposed to be removed, seek new landscaping of equal or better quality to help integrate new development into the surrounding environment and minimise hard surfacing.
Rules	

Notification:

~~(1) Any application for resource consent for the following activities will be considered without public or limited notification or the need to obtain the written approval from affected parties unless the Council decides that special circumstances exist under section 95A(9) of the Resource Management Act 1991:~~

~~a) residential development that does not comply with Standards MDRZ-S5, MDRZ-S6, MDRZ-S8 and MDRZ-S10~~

~~b) 4 or more residential units per site that comply with all of the required standards.~~

~~(2) Any application for resource consent for any other activity listed below which is not listed 1(a) or (b) above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991~~

Notes:

- There may be other rules in Part 2- District-Wide Matters of the District Plan that apply to a proposed activity, in addition to the rules in this zone chapter. These District-Wide rules may be more stringent than the rules in this chapter. Ensure that relevant District-Wide Matters chapters are also referred to in addition to this chapter, to determine

whether resource consent is required under other rules in the District Plan. Refer to the *how the plan works* chapter to determine the activity status of a proposed activity where resource consent is required under multiple rules.

2. This zone chapter does not contain rules relating to setback to waterbodies for building and structures or setbacks to waterbodies for earthworks and indigenous vegetation clearance. The Natural Character chapter contains rules for activities within wetland, lake and river margins. The Natural Character chapter should be referred to in addition to this zone chapter.

MDRZ-R1	New buildings or structures, <u>relocated buildings</u> or extensions or alterations to an existing buildings or structures	
Medium Density Residential zone	Activity status: Permitted	Activity status where compliance not achieved with PER-1: <u>Restricted Discretionary</u>
	Where: PER-1 The new building or structures, <u>relocated buildings</u> or extension or alteration to an existing building or structure, will accommodate a permitted or controlled activity. PER-2 The new building or structure, or extension or alteration to an existing building or structure complies with standards: MDRZ-S1 Maximum height; MDRZ -S2 Height in relation to boundary; MDRZ -S3 Building Setback (excluding from MHWS or wetland, lake and river margins); MDRZ -S4 Outdoor living space MDRZ -S5 Outlook Space; MDRZ -S6 Landscaped area; MDRZ -S7 Fences and standalone walls along boundaries MDRZ-S8 Windows to street MDRZ-S9 Site Coverage	Activity status where compliance not achieved with PER-12: <u>Restricted Discretionary</u> Matters of discretion are restricted to: <ul style="list-style-type: none"> a. The matters of discretion of any infringed standard
MDRZ-R2	Residential activity and residential units, excluding papakāinga	
Medium Density Residential zone	Activity status: Permitted Where: PER-1 <ul style="list-style-type: none"> a. No more than three Residential units occupy the site; and b. Compliance with the standards MDRZ-S1, MDRZ-S2, MDRZ-S3, MRDZ-S5 and MRDZ-S9 	Activity status where compliance not achieved with PER-1: <u>Restricted Discretionary</u> Matters of discretion where PER-1a is not met are restricted to: <ul style="list-style-type: none"> a. The scale, form, and appearance of the development is compatible with the planned urban built form of the neighbourhood; b. The development contributes to a safe and attractive public realm and streetscape; c. The extent and effects on the three waters infrastructure, achieved by demonstrating that at

		<p>the point of connection the infrastructure has the capacity to service the development; <u>Servicing details of the site</u></p> <p>d. The degree to which the development delivers quality on-site amenity and occupant privacy that is appropriate for its scale.</p> <p>e. <u>Any amenity effects on adjoining properties.</u></p> <p>Matters of discretion where PER-1b is not met are restricted to:</p> <p>a. The extent and effect of non-compliance with any relevant standard as specified in the associated assessment criteria for the infringed standard.</p>
MDRZ-R3	Papakainga	
Medium Density Residential zone	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1</p> <ul style="list-style-type: none"> a. The site is held under Te Ture Whenua Māori Act 1993; b. The gross floor area of all commercial activities does not exceed 100m² per site; and c. The gross floor area of all community facilities does not exceed 200m² per site. 	<p>Activity status where compliance not achieved with PER-1: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> a. The bulk, scale and location of existing, proposed and future buildings and structures; b. The location of any archaeological site, heritage site or waahi tapu site; c. How the development will be serviced with three waters infrastructure; d. Compliance with the transportation provisions, including location and formation of vehicle crossings and access arrangements
MDRZ-R4	Home business	
Medium Density Residential zone	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1</p> <p>The home business is undertaken within:</p> <ul style="list-style-type: none"> 1. a residential unit; or 2. an accessory building that does not exceed GFA of 40m². 	<p>Activity status where compliance not achieved with PER-2, PER-3 and PER-4: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> a. scale, intensity and character of the business; b. traffic generation, safety and access;

	<p>PER-2 There is no more than <u>one</u> two full-time equivalent person engaged in the home business who resides off-site.</p> <p>PER-3 Unloading or loading of vehicles or the receiving or customers or deliveries only occur between: <u>0730 and 1900 on any day</u> 1. <u>7am - 8pm Monday to Friday.</u> 2. <u>8am - 8pm Weekends and public holidays.</u></p>	<p>c. provision of parking; d. noise, odour and dust; e. disturbance and loss of privacy for surrounding sites; and f. hours of operation.</p> <p>Activity status where compliance not achieved with PER-1: Discretionary</p>
MDRZ-R5	Visitor accommodation	
Medium Density Residential zone	<p>Activity Status: Permitted</p> <p>Where:</p> <p>PER-1 The occupancy does not exceed six guests per night</p>	<p>Activity status when compliance not achieved with PER-1: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> Planned Residential character and amenity. <u>Urban built form</u> The effects on the amenity of adjoining sites, the surrounding residential area, the streetscape and adjoining public space.
MDRZ-R6	Educational facility	
Medium Density Residential zone	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The educational facility is within a residential unit or accessory building.</p> <p>PER-2 The number of students attending at one time does not exceed four, excluding those who reside onsite.</p>	<p>Activity status where compliance not achieved with PER-1 or PER-2: Discretionary</p>
MDRZ-R7	Supported residential care	
Medium Density Residential zone	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The supported residential care is within a residential unit or accessory building.</p> <p>PER-2 The number of occupants does not exceed six <u>10</u></p>	<p>Activity status where compliance not achieved with PER-1 or PER-2: <u>Restricted</u> Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> The effects on the amenity of adjoining sites, the surrounding residential area, the streetscape and adjoining public space.

MDRZ-R8	Conservation activity	
Medium Density Residential zone	Activity status: Permitted	Activity status where compliance not achieved: Not applicable

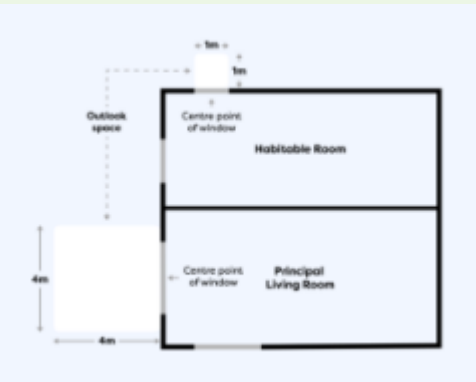
MDRZ-R9	Retirement village	
Medium Density Residential zone	Activity status: Restricted discretionary Where: Matters of discretion are restricted to: <ol style="list-style-type: none"> safe integration of vehicle and pedestrian access with the adjoining road network. provision of landscaping and bunding, on-site amenity for residents, recreational facilities and stormwater systems. residential amenity for surrounding sites in respect of outlook and privacy. The effects arising from the quality of the interface between the retirement village and adjacent street and public spaces. the benefits associated with provision of accommodation to meet the needs of the elderly. 	Activity status where compliance not achieved : Not applicable
MDRZ-R10	Healthcare Activity	
Medium Density Residential zone	Activity status: Restricted Discretionary	Matters of discretion are restricted to: <ol style="list-style-type: none"> Residential character and amenity Design and layout Transport safety and efficiency Scale of activity and hours of operation Infrastructure servicing
MDRZ-R11	Community facility	
Medium Density Residential zone	Activity status: Restricted Discretionary	Matters of discretion are restricted to: <ol style="list-style-type: none"> Residential character and amenity Design and layout Transport safety and efficiency Scale of activity and hours of operation Infrastructure servicing

MDRZ-R12	Place of assembly	
Medium Density Residential zone	Activity status: Discretionary	Activity status where compliance not achieved: Not applicable
MDRZ-R13	Emergency services facility	
Medium Density Residential zone	Activity status: Restricted Discretionary	Matters of discretion are restricted to: <ul style="list-style-type: none"> a. Residential character and amenity b. Design and layout c. Transport safety and efficiency d. Scale of activity and hours of operation e. Infrastructure servicing
MDRZ-R14	Activities not otherwise listed in this chapter	
Medium Density Residential zone	Activity status: Discretionary	Activity status where compliance not achieved: Not applicable
MDRZ-R15	Industrial activity	
Medium Density Residential zone	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable
MDRZ-R16	Commercial activity not provided for as a permitted or restricted discretionary activity	
Medium Density Residential zone	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable
MDRZ-R17	Rural industry	
Medium Density Residential zone	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable
MDRZ-R18	Hospital	
Medium Density Residential zone	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable
MDRZ-R19	Offensive trade	

Medium Density Residential zone	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable
MDRZ-R20	Commercial composting	
Medium Density Residential zone	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable
MDRZ-R21	Cleanfill area or landfill, including managed fill	
Medium Density Residential zone	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable
Standards		
MDRZ-S1	Maximum height	
Medium Density Residential zone	<p>The maximum height of a building or structure, or extension or alteration to an existing building or structure is 11m above ground level.</p> <p>Except that: 50% of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed his height by 1m, where the entire roof slopes 15° or more.</p> <p>This standard does not apply to:</p> <ol style="list-style-type: none"> Solar and water heating components not exceeding 0.5m in height on any elevation; or Chimney structures not exceeding 1.2m in width and 1m in height on any elevation; or Satellite dishes and aerals not exceeding 1m in height and/or diameter on any elevation; or Architectural features (e.g. finials, spires) not exceeding 1m in height on any elevation. 	<p>Where the standard is not met, matters of discretion are restricted to:</p> <ol style="list-style-type: none"> the character and amenity of the surrounding built environment; dominance in relation to the road and adjoining sites; loss of privacy to adjoining sites, including potential loss in relation to vacant sites; shading and loss of access to sunlight to adjoining sites; and landscaping.
MDRZ-S2	Height in relation to boundary	
Medium Density Residential zone	<ol style="list-style-type: none"> Buildings, accessory buildings, and structures adjoining another site within a Residential zone shall be contained within a building envelope defined by a 45°recession plane measured from 4m above existing ground level at the internal boundaries of the sites, except: <ol style="list-style-type: none"> This rule does not apply to a road boundary or where the adjoining site 	<p>Where the standard is not met, matters of discretion are restricted to:</p> <ol style="list-style-type: none"> the character and amenity of the surrounding built environment; dominance in relation to the road and adjoining sites;

	<p>has a commercial, light industrial zoning.</p> <p>b. This rule does not apply to proposed internal boundaries or where a common wall is proposed.</p> <p>c. The following intrusions are permitted:</p> <ul style="list-style-type: none">i. Gutters and eaves by up to 600mm measured vertically;ii. Solar panels;iii. Chimneys, poles, masts, and roof plant where each of these structures does not exceed 1m in length parallel to the boundaryiv. Where the boundary adjoins a vehicle accessway to a rear site that is less than 6m in width or is secured via a legal mechanism and shared between more than one site, the recession plane shall be taken from the far side of the accessway.	<p>c. loss of privacy to adjoining sites, including potential loss in relation to vacant sites;</p> <p>d. shading and loss of access to sunlight to adjoining sites and</p> <p>e. landscaping.</p>								
MDRZ-S3	Setback (excluding from MHWS or wetland, lake and river margins)									
Medium Density Residential zone	<p>The buildings or structures, or extension or alteration to an existing building or structure must be set back from the relevant boundary by the minimum depth listed in the yards table below:</p> <table><tr><th>Yard</th><th>Minimum Depth</th></tr><tr><td>Front</td><td>1.5m where the boundary is to the road, otherwise it must be 1m</td></tr><tr><td>Side</td><td>1m</td></tr><tr><td>Rear</td><td>1m (excluded on corner sites)</td></tr></table> <p>This standard does not apply to:</p> <ul style="list-style-type: none">1. One accessory building or structure less than 2m in height and less than 7m long per site;2. Eaves up to a maximum of 600mm in width and external gutters or downpipes (including their brackets) up to an additional width of 150mm; or3. Fences or standalone walls.	Yard	Minimum Depth	Front	1.5m where the boundary is to the road, otherwise it must be 1m	Side	1m	Rear	1m (excluded on corner sites)	<p>Where the standard is not met, matters of discretion are restricted to:</p> <ul style="list-style-type: none">a. the character and amenity of the surrounding area;b. screening, planting and landscaping on the site;c. the design and siting of the building or structure with respect to privacy and shading;d. the safety and efficiency of the current or future roading network; and private accesswayse. the impacts on existing and planned public walkways, reserves and esplanades.
Yard	Minimum Depth									
Front	1.5m where the boundary is to the road, otherwise it must be 1m									
Side	1m									
Rear	1m (excluded on corner sites)									
MDRZ-S4	Outdoor living space									
Medium Density Residential zone	<p>1. A residential unit 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:</p>	<p>Where the standard is not met, matters of discretion are restricted to:</p>								

<p>a. Where located at ground level, has no dimension less than 3m;</p> <p>b. Where provided in the form of a balcony, patio, or roof terrace, is at least 8m² and has a minimum dimension of 1.8m;</p> <p>c. Is accessible from the residential unit; and</p> <p>d. May be—</p> <ul style="list-style-type: none"> i. Grouped cumulatively by area in 1 communally accessible location; or ii. Located directly adjacent to the unit; and <p>e. Is free of buildings, parking spaces, and servicing and manoeuvring areas.</p> <p>2. A residential unit located above ground floor level must have an outdoor living space in the form of a balcony, patio, or roof terrace that:</p> <p>a. Is at least 8m² and has a minimum dimension of 1.8m; and</p> <p>b. Is accessible from the residential unit; and</p> <p>c. May be—</p> <ul style="list-style-type: none"> i. Grouped cumulatively by area in 1 communally accessible location, in which case it may be located at ground level; or ii. Located directly adjacent to the unit. <p>3. Except that the following alternative outdoor living space standards can be applied:</p> <p>a. Ground floor residential units can be provided with a balcony of at least 8m² and a minimum dimension 1.8m at an upper level instead of a ground floor balcony, patio, or roof terrace under MRZ-S5-1 above, subject to being:</p> <ul style="list-style-type: none"> i. Directly connected to and accessible from the living or dining room of the unit served; and ii. Located to the west, north, or east of the unit served; <p>b. One-bedroom residential units above ground can be provided with a balcony of at least 5m² instead an outdoor living space in the form of a balcony, patio, or roof terrace of 8m² under MRZ-S5-2 above. The balcony must:</p> <ul style="list-style-type: none"> i. Be directly connected to and accessible from the living or dining room of the unit served; and ii. Located to the west, north, or east of the unit served; <p>c. Ground floor apartments can be provided with a ground floor, balcony, patio, or roof terrace space that is at least 8m² and has a minimum dimension of 1.8m, where the</p>	<ul style="list-style-type: none"> a. the provision of sufficient outdoor living space; b. the residential amenity for the occupants of the residential unit; c. accessibility and convenience for residents; d. alternative provision of outdoor living space, such as proximity to accessible public open space; e. the provision of adequate access to sunlight on the outdoor living space throughout the year; and f. topographical or other site constraints making compliance with the standard impractical.
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	<p>balance of the required outdoor living space under MRZ-S5-1 above:</p> <ul style="list-style-type: none"> i. Is provided as a shared outdoor living space with other apartments on the site; and ii. The shared outdoor living space is open to the north. <p>This standard does not apply to papakāinga</p>	
MDRZ-S5	Outlook space	
Medium Density Residential zone	<p>1. An outlook space must be provided for each residential unit as specified in this clause.</p> <p>2. An outlook space must be provided from habitable room windows as shown in the diagram below.</p>  <p>3. The minimum dimensions for a required outlook space are as follows:</p> <ul style="list-style-type: none"> a. Residential character and amenity. b. Occupant amenity a. A principal living room must have an outlook space with a minimum dimension of 4m in depth and 4m in width; and b. All other habitable rooms must have an outlook space with a minimum dimension of 1m in depth and 1m in width. <p>4. The width of the outlook space is measured from the centre point of the largest window on the building face to which it applies.</p> <p>5. Outlook spaces may be over driveways and footpaths within the site or over a public street or other public open space.</p> <p>6. Outlook spaces may overlap where they are on the same wall plane in the case of a multi-storey building.</p> <p>7. Outlook spaces may be under or over a balcony.</p> <p>8. Outlook spaces required from different rooms within the same building may overlap.</p> <p>9. Outlook spaces must:</p> <ul style="list-style-type: none"> a. Be clear and unobstructed by buildings; and b. Not extend over an outlook space or outdoor living space required by another dwelling. 	<p>Where the standard is not met, matters of discretion are restricted to:</p> <ul style="list-style-type: none"> a. Residential character and amenity b. <u>Residential amenity for the occupants of the residential unit.</u>

	This standard does not apply to papakāinga	
MDRZ-S6	Landscaped area	
Medium Density Residential zone	<p>1. A residential unit at ground floor level must have a landscaped area of a minimum of 20% of a developed site with grass or plants and can include the canopy of trees regardless of the ground treatment below them.</p> <p>2. The landscaped area may be located on any part of the development site and does not need to be associated with each residential unit.</p> <p>This standard does not apply to papakāinga</p>	<p>Where the standard is not met, matters of discretion are restricted to:</p> <ul style="list-style-type: none"> a. the streetscape and amenity of the surrounding area; b. screening, planting and landscaping;
MDRZ-S7	Fences and standalone walls along boundaries	
Medium Density Residential zone	<p>1. All fences and standalone walls must not exceed a maximum height above ground level of:</p> <ul style="list-style-type: none"> a. 1.5m for the length of the site boundary where that boundary is located between the front of a principal building and a road, except that the height above ground level can be up to 2m for up to 50% of the length of the boundary with a road; b. 1.5m where a site boundary adjoins a public reserve, vested under the Reserves Management Act, or up to 2m where the section above 1.5m is at least 50% visually permeable; and c. 2m for all other site boundaries 	<p>Where the standard is not met, matters of discretion are restricted to:</p> <ul style="list-style-type: none"> a. the streetscape and amenity of the surrounding area; b. the amenity of adjoining properties; c. screening, planting and landscaping; and d. topographical or other site constraints making compliance with the standard impractical.
MDRZ-S8	Windows to street	
Medium Density Residential zone	<p>1. Any residential unit facing the street must have a minimum of 20% of the street-facing façade in glazing. This can be in the form of windows or doors.</p> <p>2. This standard only applies to sites with a direct frontage to a road and the residential unit is within 15m of that frontage.</p> <p>This standard does not apply to papakāinga</p>	<p>Where the standard is not met, matters of discretion are restricted to:</p> <ul style="list-style-type: none"> a. the streetscape and amenity of the surrounding area; b. the amenity of adjoining properties; c. screening, planting and landscaping; and d. topographical or other site constraints making compliance with the standard impractical.
MDRZ-S9	Coverage	
Medium Density Residential zone	<p>1. The impermeable surface coverage of any site is no more than 60%</p> <p><u>2. Where a connection to Council's reticulated stormwater system is not available the stormwater must be disposed of within the site.</u></p>	<p>Where the standard is not met, matters of discretion are restricted to:</p> <ul style="list-style-type: none"> a. the amenity and character of the surrounding area

	<u>Note: An engineering/sit suitability report is required to determine compliance with these standards.</u>	<ul style="list-style-type: none"> b. the bulk and scale of the buildings, structure and impervious surfaces c. stormwater management
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SUB-S1 Minimum allotment sizes		
Zone	Controlled Activity	Discretionary activity
Medium Density Residential zone	<u>No minimum subdivision requirements around existing dwellings where no vacant allotment is created</u>	<u>No minimum lot size</u>
	<u>Vacant allotment 300m²</u>	<u>Subdivision creating allotments with a minimum net site area of 700m² or greater</u>

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Overview

The Town Centre Zone applies to the existing urban centre of the District’s largest township – Kerikeri. The focus of the zone is to continue to support the vitalisation of the Kerikeri urban centre in recognition of its significance ~~in~~ to the District. The zone provides for a wide range of retail, service, business, recreational and community activities to serve the needs of local residents, regional businesses, as well as visitors.

~~Economic~~ Commercial and residential growth and intensification are encouraged within the town centre and any new development should contribute towards achieving an attractive, vibrant, safe, diverse and high amenity environment. Residential activities are encouraged within the town centre as this will enhance community safety, vibrancy and commercial success. New activities which are not consistent with the anticipated amenity and character within the town centre are encouraged to be located outside of the town centre.

It is essential that the design and built form within the town centre contribute positively to the pedestrian experience and does not compromise the character, vibrancy and amenity of the town centre. The typical built form within the town centre is anticipated to be up to six storeys. In town centre “main street” environments, where a pedestrian frontage is applied as per the planning maps, buildings are typically built up to the road boundary with verandas and display windows and provide a high amenity retail and commercial-centre environment for the community.

Objectives	
TCZ-O1	The town centre of Kerikeri is a strategically important focal point for ongoing investment, and is a centre that promotes commercial and residential activities, provides employment, housing and goods and services, at a variety of scales
TCZ-O2	The intensification of the existing town centre of Kerikeri is undertaken in a manner that provides for the social and economic needs of the District, with sufficient capacity for employment, commercial, and community opportunities being provided.
TCZ-O3	Development in the Town Centre Zone is of a form, scale and design-quality that achieves a high quality urban form that is visually attractive, safe, easy to orientate, conveniently accessible, and responds positively to local character and content.
TCZ-O4	The adverse environmental effects generated by activities within the zone are managed, in particular at zone boundaries.
Policies	

TCZ-P1	Accommodate a diverse range of activities that are compatible with the function and role the town centre, and support the vibrancy and viability, of the town centre.
TCZ-P2	Promote residential activities and limit activities which would unreasonably detract from residential amenity.
TCZ-P3	Discourage incompatible activities within the town centre zone to ensure that the role, function and amenity of the town centres is maintained.
TCZ-P4	<p>Growth of Town Centre Provide for growth in commercial activities primarily through the intensification of Kerikeri town centre by enabling a wide range of compatible activities and increased building heights and building scale.</p> <p>Improve access to a range of facilities, goods and services in a convenient and efficient manner.</p> <p>Supports a safe and efficient multi-modal transport network which is integrated with the centre.</p>
TCZ-P5	<p>Require new development within the town centre to be high quality in a manner that:</p> <ul style="list-style-type: none"> (a) Provides an attractive urban environment with a distinctive sense of place and quality public places; (b) Manages <u>adverse</u> effects on adjoining environments; (c) Encourages medium to high intensity development forms; (d) Achieves the functional and operational requirements of activities within a town centre; (e) Provides high quality street environments and an active street frontage that contributes to the character and coherence of a centre; (f) Encourages pedestrian activity and amenity along streets and in adjoining lower intensity residential or open space zones; and (g) Locates parking and storage areas where they do not visually dominate the street frontage, and avoiding carparking <u>areas</u> that have direct frontage to main retail streets.
TCZ-P6	<p>Ensure residential development achieves high quality on-site residential amenity through providing:</p> <ul style="list-style-type: none"> (a) Adequately sized and conveniently located outdoor living spaces, and access to reasonable levels of sunlight commensurate with a commercial environment; (b) Reasonable levels of privacy through unit design, balcony placement, and window orientation that limits the extent of overlooking of private spaces by other residential units; and (c) Adequate internal floor areas and layouts.
TCZ-P7	Ensure an acceptable level of amenity is provided by activities adjacent to residential and open space zones, through controls on building setbacks, recession planes, boundary landscaping, and the types of activities anticipated in Town Centre Zone.
TCZ-P8	<p><u>Consider the following matters where relevant when assessing and managing the effects of land use and subdivision in the Town Centre Zone:</u></p> <ul style="list-style-type: none"> a. <u>consistency with the scale, density, design, amenity and character of the planned Town Centre environment;</u> b. <u>the location, scale and design of buildings or structures, outdoor storage areas, parking and internal roading;</u> c. <u>Opportunities for connectivity, within and between developments, public open space, services and facilities</u> d. <u>at zone interfaces:</u>

	<ul style="list-style-type: none"> i. <u>any setbacks, fencing, screening or landscaping required to address potential conflicts;</u> ii. <u>any adverse effects on the character and amenity of adjacent zones;</u> e. <u>the adequacy and capacity of available or programmed development infrastructure to accommodate the proposed activity; including:</u> <ul style="list-style-type: none"> i. <u>opportunities for low impact design principles;</u> ii. <u>management of three waters infrastructure and trade waste;</u> f. <u>managing natural hazards;</u> g. <u>the adequacy of roading infrastructure to service the proposed activity;</u> h. <u>any adverse effects on historic heritage and cultural values, natural features and landscapes or indigenous biodiversity, and</u> i. <u>any historical, spiritual, or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6.</u>
Rules	

Notes:

1. There may be other rules in Part 2 - District-Wide Matters of the District Plan that apply to a proposed activity, in addition to the rules in this zone chapter. These District-Wide rules may be more stringent than the rules in this chapter. Ensure that relevant District-Wide Matters chapters are also referred to in addition to this chapter, to determine whether resource consent is required under other rules in the District Plan. Refer to the *how the plan works* chapter to determine the activity status of a proposed activity where resource consent is required under multiple rules.
2. The zone chapter does not contain rules relating to setback to waterbodies for building and structures or setbacks to waterbodies for earthworks and indigenous vegetation clearance. The Natural Character chapter contains rules for activities within wetlands, lakes and river margins. The Natural Character chapter should be referred to in addition to this zone chapter.

TCZ-R1	New buildings or structures, <u>relocated buildings</u> or extensions or alterations to existing buildings or structures	
Town Centre zone	Activity status: Permitted Where: PER-1 The new building or structure, <u>relocated buildings</u> or extension or alteration to an existing building or structure complies with standards: TCZ-S1 Maximum height; TCZ-S2 Height in relation to boundary; TCZ-S3 Setback (excluding from MHWS or wetland, lake and river margins); TCZ-S4 Pedestrian frontages; TCZ-S5 Verandahs; TCZ-S9 Landscaping for sites that adjoin any other than mixed use. <u>TCZ-S10 Coverage</u> PER-2	Activity status where compliance not achieved with PER-1: Restricted Discretionary Matters of discretion are restricted to: a. the matters of discretion of any infringed standard.
		Activity status where compliance not achieved with PER-2: Non- Complying

	Any extension or alteration to an existing building or structure where the activity is Non-complying	
TCZ-R2	Commercial activity excluding trade and yard-based retail	
Town Centre zone	Activity status: Permitted Where: PER-1 Any new non-residential activities or extensions or alterations to an existing building or structure is: a. Less than 450m ² GFA where a pedestrian frontage applies as identified on the Planning Maps. b. Less than 1,000m ² GFA where a pedestrian frontage does not have apply as identified on the Planning Maps.	Activity status where compliance not achieved with PER-1: Restricted Discretionary
		The extent to which the development: a) Recognises and reinforces the centre's role, context, and character. b) Promotes active engagement with, and contributes to the vibrancy and attractiveness of, any adjacent streets, lanes or public spaces. c) Takes account of nearby buildings in respect of the exterior design, architectural form and detailing of the building. d) Provides a human scale and minimises building bulk while having regard to the functional requirements of the activity. e) Is designed to promote Crime Prevention Through Environmental Design (CPTED) principles, including surveillance, effective lighting, management of public areas and boundary demarcation. f. Provides safe, legible, and efficient access for all transport users. Notification: An application under this rule is precluded from being publicly notified or limited notified in accordance with section 96 of the RMA.
TCZ-R3	Visitor accommodation	
Town Centre zone	Activity status: Permitted Where: PER-1	Activity status where compliance not achieved with PER-1: Non-complying

	Where the site is identified with a pedestrian frontage as per the planning maps, the visitor accommodation is located above the ground floor level of a building. This rule does not apply to visitor accommodations that existed at 27 July 2022.	
TCZ-R4	Emergency Service facility	
Town Centre zone	Activity status: Permitted	Activity status where compliance not achieved with PER-1: Discretionary
TCZ-R5	Residential unit	
Town Centre zone	Activity status: Permitted Where: PER-1 <ol style="list-style-type: none"> Each Residential Unit shall be a minimum of 35m² Gross Floor Area for a studio and 45m² Gross Floor Area for units containing one or more bedrooms. The GFA excludes areas used as garaging or outdoor living space Each residential unit shall be provided with an outdoor living space or a contiguous area that is a minimum area of 8m² and a minimum dimension of 1.5m. Balconies or living area windows at first floor level or above shall be setback a minimum of 4m from internal boundaries, with bedroom windows setback a minimum of 1m. No setbacks are required for: <ol style="list-style-type: none"> Windows associated with a hall, stairwell, or bathroom; Windows that are more than 90 degrees to the boundary; Windows where the sill height is more than 1.6m above internal floor level. PER-2 Where the site is identified with a pedestrian frontage as per the planning maps, the residential unit is located above the ground floor level of a building. This rule does not apply to residential units that existed at 27 July 2022.	Activity status where compliance not achieved with PER-1: Restricted discretionary Matters of discretion for TCZ-R5.a. are restricted to: <ol style="list-style-type: none"> The functioning of the size and dimension of the internal habitable space Matters of discretion for TCZ-R5.b. are restricted to: <ol style="list-style-type: none"> The degree to which the outdoor living space will receive sunlight The function, accessibility, convenience, size and layout of the outdoor living space for the occupiers. Matters of discretion for TCZ-R5.c. are restricted to: <ol style="list-style-type: none"> Any adverse privacy overlocking, or visual dominance effects on adjacent sites Privacy and amenity of occupants Activity status where compliance not achieved with PER -2: Non - Complying
TCZ-R6	Healthcare activity	

Town Centre zone	Activity status: Permitted	Activity status where compliance not achieved: Not applicable
TCZ-R7	Community facility	
Town Centre zone	Activity status: Permitted	Activity status where compliance not achieved: Not applicable
TCZ-R10	Conservation activity	
Town Centre zone	Activity status: Permitted	Activity status where compliance not achieved: Not applicable
TCZ-R11	Healthcare activity	
Town Centre zone	Activity status: Permitted	Activity status where compliance not achieved: Not applicable
TCZ-R12	Educational facility	
Town Centre zone	Activity status: Restricted Discretionary Where: The maximum business net floor area <u>GFA</u> is 800m ²	Activity status where compliance not achieved: Discretionary
TCZ-R14	Retirement village -	
Town Centre zone	Activity status: Non Complying	Activity status where compliance not achieved: Not applicable
TCZ-R15	Large format retail	
Town Centre zone	Activity status: Non Complying	Activity status where compliance not achieved: Not applicable
TCZ-R17	Activities not otherwise listed in this chapter	
Town Centre zone	Activity status: Discretionary	Activity status where compliance not achieved: Not applicable
TCZ-R18	Drive-through Activity	
Town Centre zone	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable
TCZ-R19	Heavy industrial activity	
Town Centre zone	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable
TCZ-R20	Primary production activity	

Town Centre zone	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable
TCZ-R21	Rural industry	
Town Centre zone	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable
TCZ-R22	Land fill	
Town Centre zone	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable
Standards		
TCZ-S1	Maximum height	
Town Centre zone	<p>The maximum height of a building or structure, or extension or alteration to an existing building or structure, is 22m <u>16m</u> above ground level.</p> <p>This standard does not apply to:</p> <ul style="list-style-type: none"> i. Solar and water heating components not exceeding 0.5m in height above the building envelope on any elevation; ii. Chimney structures not exceeding 1.2m in width and 1m in height above the building envelope on any elevation; iii. Satellite dishes and aerials not exceeding 1m in height above the building envelope and/or diameter on any elevation; iv. Architectural features (e.g. finials, spires) not exceeding 1m in height above the building envelope on any elevation; and v. Lift overruns provided these do not exceed the height by more than 1m above the building envelope on any elevation 	<p>Where the standard is not met, matters of discretion are restricted to:</p> <ul style="list-style-type: none"> a. the character and amenity of the surrounding area; b. dominance in relation to the road and adjoining sites; c. loss of privacy to adjoining sites, including potential loss in relation to vacant sites; d. shading and loss of access to sunlight to adjoining sites; e. landscaping; and f. natural hazard site constraints.
TCZ-S2	Height in relation to boundary	
Town Centre zone	<p>Where the building or structure, or extension or alteration to an existing building or structure adjoins a site zoned General Residential, <u>Medium density residential zone</u>, Rural Residential, Rural Lifestyle, Māori Purpose - Urban, Open Space, Natural Open Space, or Sport and Recreation it must be contained within a building envelope defined by recession planes measured inwards from the respective boundary:</p>	<p>Where the standard is not met, matters of discretion are restricted to:</p> <ul style="list-style-type: none"> a. loss of privacy to adjoining sites, including potential loss in relation to vacant sites; b. shading and loss of access to sunlight to adjoining sites, including buildings and outdoor areas; and c. natural hazard site constraints.

	<p>1. 60 degrees at 4m above ground level at the side and rear boundaries of the site.</p> <p>This standard does not apply to:</p> <ul style="list-style-type: none"> i. solar and water heating components not exceeding 0.5m in height on any elevation; ii. Chimney structures not exceeding 1.2m in width and 1m in height on any elevation; iii. Satellite dishes and aerals not exceeding 1m in height and/or diameter on any elevation; iv. Architectural features (e.g. finials, spires) not exceeding 1m in height on any elevation; or v. lift overruns provided these do not exceed the height by more than 1m on any elevation. 	
TCZ-S3	Setback (excluding from MHWS or wetland, lake and river margins)	
Town Centre zone	<p>The building or structure, or extension or alteration to an existing building or structure must be setback at least 3m from the boundary of any site zoned General Residential, <u>Medium Density Residential Zone</u> Rural Residential, Rural Lifestyle, Māori Purpose - Urban, Open Space, Natural Open Space, or Sport and Recreation.</p> <p>This standard does not apply to:</p> <ul style="list-style-type: none"> i. solar and water heating components not exceeding 0.5m in height above the building envelope on any elevation; ii. fences or walls no more than 2m in height above ground level; or iii. uncovered decks no more than 1m above ground level. 	<p>Where the standard is not met, matters of discretion are restricted to:</p> <ul style="list-style-type: none"> a. the natural character of the coastal environment; b. screening, planting and landscaping on the site; c. the design and siting of the building or structure with respect to privacy and shading; d. natural hazard mitigation and site constraints; e. the effectiveness of the proposed method for controlling stormwater; f. the safety and efficiency of the current or future roading network; and g. the impacts on existing and planned public walkways.
TCZ-S4	Pedestrian frontages	
Town Centre zone	<p>For sites with pedestrian frontage identified on the planning maps:</p> <ul style="list-style-type: none"> 1. Any new building, or extension or alteration to a buildings (including alterations to the façade) must be built up to the road boundary; and 2. At least 65% of the building frontage at ground floor must be clear glazing; and 3. The principal public entrance to the building must be located on the front boundary. 	<p>Where the standard is not met, matters of discretion are restricted to:</p> <ul style="list-style-type: none"> a. the character and amenity of the streetscape; and b. the ability to reuse and adapt the building for a variety of activities.
TCZ-S5	Verandahs	

Town Centre zone	<p>For sites with pedestrian frontage identified on the planning maps:</p> <ol style="list-style-type: none"> 1. A verandah must be provided for the full frontage of the road boundary of the site. The verandah shall: <ol style="list-style-type: none"> a. directly adjoin any adjacent veranda so there is no horizontal gap to provide continuous pedestrian coverage; b. have a minimum height of 3m and a maximum height of 6m above the footpath immediately below; and c. be setback a minimum of 300mm and a maximum of 600mm from a vertical line measured up from the face of the kerb. 	<p>Where the standard is not met, matters of discretion are restricted to:</p> <ol style="list-style-type: none"> a. pedestrian amenity, including shelter; b. maintenance of character of the building and street; and c. whether the provision of a complying verandah would detract from the quality of the streetscape.
TCZ-S6	Landscaping for sites that adjoin any sites other than mixed use or industrial	
Town Centre zone	<p>Site boundaries that adjoin any zone other than Mixed Use, Light Industrial or Heavy Industrial must:</p> <ol style="list-style-type: none"> 1. be fenced with a solid fence or wall with a minimum height of 1.8m; or 2. be landscaped with plants or trees with a minimum height of 1m at installation and shall achieve a continuous screen of 1.8m in height and 1.5m in width within five years; or 3. be screened with a combination of (1) and (2) above. 	<p>Where the standard is not met, matters of discretion are restricted to:</p> <ol style="list-style-type: none"> a. the outlook, character, and amenity of adjoining sites in a residential, rural, open space or Māori purpose zone; b. the scale of the building and its distance from the boundary with residential, rural, open space or Māori purpose zones; c. the ability to mitigate any adverse visual effects of reduced, alternative or no screening through the use of alternative methods; and d. the design, layout and use of the site which may compensate for reduced, alternative or no screening.
TCZ-S10	Coverage	
Town Centre zone	<ol style="list-style-type: none"> 1. <u>At least 10% of the site shall be planted in grass, vegetation or landscaped with permeable material; and</u> 2. <u>Where a connection to Council's reticulated stormwater system is not available the stormwater must be disposed of within the site</u> <p><u>An engineering/ site suitability report is required to determine compliance with these standards</u></p>	<p>Where the standard is not met, matters of discretion are restricted to:</p> <ol style="list-style-type: none"> a. <u>the character and amenity of the surrounding area;</u> b. <u>whether the activity is within an existing consented urban stormwater management plan or discharge consent;</u> c. <u>the extent to which building site coverage and impermeable</u>

		<p><u>surfaces contribute to total catchment impermeability and the provisions of any catchment or drainage plan for that catchment;</u></p> <p>d. <u>the extent to which low impact design principles have been used to reduce site impermeability;</u></p> <p>e. <u>natural hazard mitigation and site constraints;</u></p> <p>f. <u>the effectiveness of the proposed method for controlling stormwater without adverse effects on adjoining waterbodies (including groundwater and aquifers) on adjoining or downstream properties;</u></p> <p>g. <u>the extent to which existing grass, vegetation or landscaping provided on site can mitigate the adverse effects resulting from reduced, alternative or no permeable surface; and</u></p> <p>h. <u>extent of potential adverse effects on cultural, spiritual, heritage and/or amenity values of any affected waterbodies.</u></p>
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<u>SUB-S1</u>	<u>Minimum allotment sizes</u>	
<u>Zone</u>	<u>Controlled Activity</u>	<u>Discretionary activity</u>
<u>Town Centre zone</u>	<u>No minimum lot size</u>	<u>No minimum lot size</u>

Appendix 3 – Officers Recommended consequential amendments to plan wide rules

Add MDRZ alongside General Residential zone in the below rules

Add TCZ alongside Mixed use zone in the below rules

Rule	Comment
I-R4 Electricity generators or self-contained power units for the supply of a network utility	add MDRZ
I – R14 Amateur radio infrastructure	add MDRZ
TRANS-S1 requirements for parking	Add TCZ
TRAN-S4 Requirements for road design	add MDRZ and TCZ
SUB-P5	Add MDRZ and TCZ
SUB- R3 Subdivision of land to create a new allotment	Add MDRZ and TCZ
SUB-S2 requirements for building platforms for each allotment	Add MDRZ
SUB-S6 Telecommunications and power supply	Add MDRZ and TCZ
EW-S1 Maximum earthworks thresholds	Add MDRZ and TCZ
LIGHT -P3	Add TCZ
LIGHT-S1	Add MDRZ and TCZ
NOISE -P2	Add TCZ
NOISE -S1	Add MDRZ and TCZ
NOISE -S2	Add MDRZ and TCZ
NOISE-S4	Add MDRZ
NOISE-S5	Add TCZ
NOISE – Table1 Design noise level incident	Add TCZ
SIGN-R11 Digital signs R17	Add TCZ
SIGN-R15 Third Party Signs R18	Add TCZ
SIGN-S1	Add MDRZ and TCZ
SIGN -S2 Maximum height of signs	Add TCZ
SIGN -S3 Maximum number of signs	Add MDRZ and TCZ
SIGN-S5 Sign design and content	Add TCZ
TA-R1 Temporary activity (excluding any activity listed in the rules below as permitted or restricted discretionary)	Add MDRZ
TA -R3 Temporary buildings or structures ancillary to a construction project	Add MDRZ
TA-R6 Temporary network utilities	Add MDRZ
RPROZ-R13 Catteries and dog boarding kennels	Add MDRZ and TCZ

RPROZ-S6 Buildings or structures used to house, milk or feed stock (excluding buildings or structures used for an intensive indoor primary production activity)	Add MDRZ and TCZ
RLZ-S6 Buildings or structures used to house, milk or feed stock (excluding buildings or structures used for an intensive indoor primary production activity)	Add MDRZ and TCZ
MUZ-S2 Height in relation to boundary	Add MDRZ
MUZ-S3 Setback (excluding from MHWS or wetland, lake and river margins)	Add MDRZ
LIZ-O5	Add TCZ
LIZ-P4	Add TCZ
LIZ-S1 Height	Add MDRZ
LIZ-S2 Height in relation to boundary	Add MDRZ
LIZ-S3 Setback (excluding from MHWS or wetland, lake and river margins)	Add MDRZ
Hot Buildings or structures used to house, milk or feed stock (excluding buildings used for an intensive indoor primary production activity)	Add MDRZ and TCZ
Māori purpose zone urban overview	Add MDRZ
MPZ-S3 Setback (excluding from MHWS or wetland, lake and river margins)	Add MDRZ
GRZ-P4	Add TCZ