

# Permeability Guidelines

## Introduction

In-fill housing, together with increased intensification and the desire for low or no maintenance properties, has resulted in progressively more paved impermeable surfaces on residential sites.

Additionally, how we use land in Auckland has a considerable effect on the amount of stormwater generated. The more we cover the city with impervious surfaces such as buildings, pavements and roads, the greater the peak flow of stormwater becomes.

To control flooding and pollution we must limit these kinds of surfaces. This is done by the Auckland City's District Plan that specifies how much of a site can be covered with buildings or paving.

The increased use of impermeable surfaces has led to a corresponding increase in the level of complaints received on paving issues by Auckland City Council. This in turn has raised the issue of consistency in administering the District Plan.

Pursuant to the Resource Management Act 1991, council officers do not have discretion to allow a breach to a district plan rule, unless the breach is approved by resource consent or has existing use rights.

Compliance monitoring has a no variance policy to ensure that the District Plan is enforced according to the appropriate rules. This ensures procedural fairness through the avoidance of inconsistency and minimises the risk of criticism.

To that end, the following information is provided as a quick reference on the rules on permeability, as stated in the District Plan.

## The District Plan

The District Plan explains the context in which the Council's Resource Management Strategy is undertaken. This Strategy provides for activities and development throughout the Isthmus. The District Plan controls for development and activities are based on objectives, policies and rules. The objectives indicate the desired end result that the Council wishes to achieve. The policies identify the proposed action of the Council while the rules are the precise planning controls that govern the development.

In formulating the District Plan, the Council undertakes wide public participation. In addition, the Council consults extensively with government and other statutory agencies to ensure that the District Plan is current and relevant.

There is an overlying pattern of activity areas, and the District Plan through its objectives, policies and rules provides guidance for sensitive and responsible development taking into account the environmental, amenity, interested parties concerns and infrastructure.

The objectives relevant to stormwater run-off and amenity control result in rules controlling the amount of paved surface on sites. These rules encourage open space and landscaping in lower density zones with greater amounts of paving and less landscaping provided for in higher density zones. These rules link into the overlying pattern of activity areas discussed above.

As an example, the most common residential zone is 6A where a maximum of 25% of the site area is to be covered in paved impermeable surface and a minimum of 40% of the site is to be covered in landscaped permeable surface. In lower density zones, such as Res 2a and 2b, open space, landscaping and large trees are encouraged. While the maximum amount of paved impermeable surface is also 25% in these zones, maximum building coverage is lower at 30% with the minimum amount of landscaped permeable surface being higher at 45%.

This shows how the Maximum Paved Impermeable surface rule works together with Maximum Building Coverage and Minimum Landscaped Permeable Surface to achieve the objectives. It would be wise to consider all three coverage controls when looking at developing your site.

Below are excerpts from the Operative City District Plan 1999 – Isthmus Section that directly relate to permeability. Please note that for rules relating to equivalent rules in the Hauraki Gulf Islands and Central Area that the respective District Plan will need to be referred to.

Of note is that as the calculations in the Residential 1 and 3 zones are dependent on the size of each individual site, the surface information for these zones is more detailed. The reason for individual calculations is that these zones are characterised by relatively high building coverage and little room for landscaping. For example, Residential 1 areas such as Ponsonby have an environment derived from small lots of 300-500m<sup>2</sup> typical of the Victorian/Edwardian subdivision of the area. This results in a close-knit, built up environment which contrasts with more spacious suburban areas. The District Plan attempts to provide for this form through the surface area controls.

In contrast, the controls for the most common residential zone 6a, aim to mitigate negative effects of development, such as sites being largely paved, which in turn can compromise amenity and increase stormwater run-off to unsustainable levels. However, sites within this zone as well as the Residential 2, 5 and 7 zones are afforded greater standardisation than the Residential 1 and 3 zones and as such do not require specific surface calculations.

## Residential Zones

The Maximum Paved Impermeable surface rule (Rule 7.8.1.6) works together with Maximum Building Coverage (Rule 7.8.1.4) and Minimum Landscaped Permeable Surface (Rule 7.8.1.5).

There is also a minimum amount of landscaping provided for in the front yard (Rule 7.8.1.7) that complements the above rules and achievement of zone objectives.

### Excerpts from the Operative City District Plan 1999 – Isthmus Section

#### 7.8.1.4 MAXIMUM BUILDING COVERAGE

##### Residential 1 and 3a

See Figure 7.5 and the following:

a) For sites up to and including 200m <sup>2</sup> , the following controls apply:	
Maximum building coverage	55%
Minimum landscaped permeable surface	28%
Maximum paved impermeable surface	17%

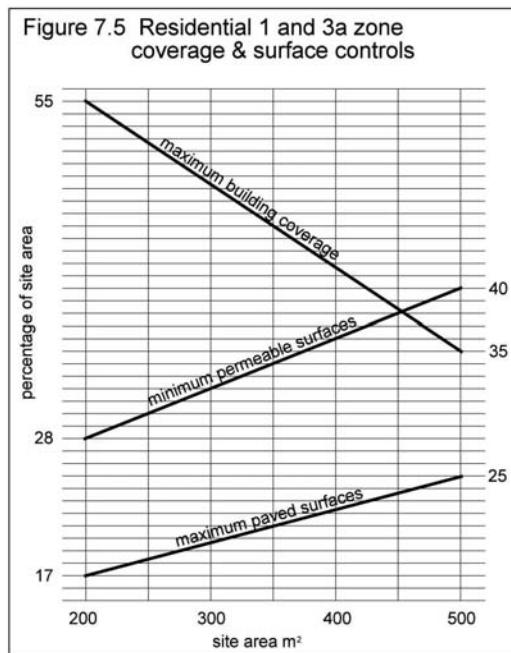
b) Formulae for sites between 201m <sup>2</sup> and 499m <sup>2</sup> :	
% Maximum building coverage	$35 + [(500 - A) \times 0.06^*]$
% Minimum landscaped permeable surface	$40 - [(500 - A) \times 0.04^*]$
% Maximum paved impermeable surface	$25 - [(500 - A) \times 0.02^*]$
Where A = site area (m <sup>2</sup> ) * = recurring	

c) For sites of 500m <sup>2</sup> and over, the following controls apply:	
Maximum building coverage	35%
Minimum landscaped permeable surface	40%
Maximum paved impermeable surface	25%

<b>Residential 2a</b>	25% of net site area.
<b>Residential 2b and 3b</b>	30% of net site area.
<b>Residential 2c</b>	25% of net site area.
<b>Residential 4</b>	7.5% of net site area.
<b>Residential 5-7</b>	35% of net site area.

Except that sites affected by B09-01 (views to and from the Auckland War Memorial Museum) may have a different maximum building coverage. Refer Diagram B09-01 Appendix C to the Planning Maps.

**Refer to Figure 7.5 for Residential 1 and 3a zone coverage & surface Controls**



### 7.8.1.5 MINIMUM LANDSCAPED PERMEABLE SURFACE

#### Residential 1 and 3a

Refer to Figure 7.5

#### Residential 2b and 3b

45% of net site area.

#### Residential 2a and 2c

50% of net site area.

**Residential 4**

85% of net site area.

**Residential 5-7**

Not less than 40% of net site area shall be landscaped to the satisfaction of the Council.

**7.8.1.6 MAXIMUM PAVED IMPERMEABLE SURFACE****Residential 1 and 3a**

Refer to Figure 7.5.

**Residential 4**

Not more than 7.5% of net site area shall be covered in a paved impermeable surface.

**Residential 2a, 2b, 2c, 3b, 5-7**

Not more than 25% of any net site area shall be covered in a paved impermeable surface, provided that the figure may be increased to a maximum 35% of net site area where any such increase above 25% of net site area is offset by an equivalent reduction in building coverage below the relevant maximum building coverage specified in RULE 7.8.1.4 MAXIMUM BUILDING COVERAGE.

**7.8.1.7 YARDS****A. Front Yard****Residential 1 and 3a Zones**

No building or part of a building shall be erected between the road boundary and the average existing set back of residential units on adjacent sites in the zone. Adjacent sites in this context means:

- i) the three sites on each side of the subject site; or in the alternative
- ii) the six sites on one side of the subject site.

On sites other than rear sites, not less than 60% of the front yard shall comprise landscaped permeable surface. This landscaping requirement shall apply on each frontage of a corner site.

## **Residential 2a, 2b, 2c and 3b Zones**

6.0 metres provided that on a corner site one yard may be reduced to 3.0 metres. On sites other than rear sites, not less than 60% of the front yard shall comprise landscaped permeable surface. This landscaping requirement shall apply on each frontage of a corner site.

## **Residential 4 Zone**

7.5 metres

Not less than 90% of the front yard shall comprise landscaped permeable surface.

## **Residential 5 Zone**

4.5 metres except that on sites other than rear sites not less than 50% of that part of the site between the road boundary and a parallel line 6 metres therefrom shall comprise landscaped permeable surface. The landscaping requirement shall apply on each frontage of a corner site.

## **Residential 6-7 Zones**

except that on sites other than rear sites not less than 60% of that part of the site between the road boundary and a parallel line 6 metres therefrom shall comprise landscaped permeable surface. The landscaping requirement shall apply on each frontage of a corner site.

## **Rule 8.8.1 Relevant Development Controls in Business Zones**

### **8.8.1.3 Frontages**

#### **C. Streetscape Improvement**

Business 2 and 3 (only applies if not subject to the verandah and retail frontage controls in Part A and B of this rule)	Not less than 50% of that part of the site between the road boundary and a parallel line 3m therefrom
Business 4 sites within the area shown in Figure 8.1 which do not have frontage directly opposite a residential zone (only applies if not subject to A and B)	All of that part of the site between the road boundary and a parallel line 2m therefrom which is not occupied by buildings or used for access shall be densely planted in shrubs and trees which grow to at least 1 metre in height
Business 4 other than included above (only applies if	Not less then 50% of that part of the site between the road boundary

not subject to A and B)	and a parallel line 3m therefrom
Business 5, 5A & 6	Not less than 50% of that part of the site between the road boundary and a parallel line 2m therefrom.

**D. Special Yard**

A special yard as defined on the Planning Maps shall apply as follows:
(a) Minimum width
<ul style="list-style-type: none"> <li>• <b>E02-02</b> ..... <b>6m</b> This yard shall be in addition to any other required yard.</li> <li>• <b>F04-13</b> ..... <b>9m</b> This yard shall be in substitution for any other required yard.</li> </ul>
(b) No building, storage of goods or materials, parking, loading, or manoeuvring of motor vehicles shall be permitted within the yard.
(c) The yard shall be landscaped, planted and maintained to the satisfaction of the Council at all times and in such a manner as to create and preserve a good standard of amenity.

**8.8.1.13 ADDITIONAL CONTROLS FOR BUSINESS 3, 4, 5, 5A AND 6 ZONES**

**Yards**

Front Yard

Business 4	3m
Business 5, 5a and 6	2m

Where a site’s boundaries abut or face residential or open space zoned land.

Rear and Side Yards

Business 4, 5, 5a and 6	6m
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**Landscaping**

A 3m wide strip adjoining the length of the site boundary of any rear and side yard shall be landscaped in such a way as to create and preserve a good standard of visual amenity.

## **Rule 8.8.2 DEVELOPMENT CONTROLS FOR THE BUSINESS 7, 7A and 7B ZONES**

### **8.8.2.3 YARDS**

The following yards are required adjacent to residential and open space zones and any road boundary, unless stated otherwise in the management plan for the site.

#### **Minimum Yards**

Front	15m
Rear	15m
Side	15m

### **8.8.2.4 Landscaping**

A landscaped area with a minimum width of 3m shall be provided adjacent to the length of the respective site boundary of every required yard, except where it is necessary to provide vehicle access points. The required landscaping shall be planted and maintained at all times and in such a manner as to create and preserve a visual screen for adjacent sites.

## **Options when District Plan rules are breached**

In instances where a breach of a District Plan rule results, the following options exist:

- Amend the development/proposal on site to comply with the District Plan
- Apply for and obtain a resource consent

In terms of good practice prior to considering a resource consent, it is recommended the proposal is discussed with a planner at Front of House to determine:

- whether or not the property is in a higher risk area, for example the catchment area
- likelihood of success
- likelihood of notified / non-notified consent, neighbours consents required etc
- information required, for example engineer's report.

## **Additional information**

Please log onto [www.aucklandcity.govt.nz](http://www.aucklandcity.govt.nz) for more detailed information on the District Plan or specific property advice or contact the planning helpdesk on 373 2020.