

SCHEDULE 2

PROPOSED LAND COVENANTS

Interpretation

1. For the purposes of these covenants the following expressions shall have the following meanings ascribed to them:
 - (a) **Builder:** means any builder, contractor or sub-contractor (or employee of such).
 - (b) **Council:** means the Napier City Council and any successor body.
 - (c) **Design Confirmation:** means the confirmation received by the Owner from the Parklands Design Review Panel as described in clause 6 below.
 - (d) **Guidelines:** means the design guidelines for Parklands as contained in the latest version of the Parklands Design Guidelines prepared by and available from the Council. The Guidelines may be amended by the Council from time to time provided that any change to the Guidelines will not have retrospective effect on any construction which has previously received Design Confirmation.
 - (e) **Owner:** means the registered proprietor(s) from time to time of any part of the burdened land.
 - (f) **Parklands Design Review Panel:** means the design review panel appointed by the Council for the purpose of ensuring all Residences, fences and other structures erected on the Property comply with the relevant Guidelines for the Precinct in which the Property is situated.
 - (g) **Precinct:** means the area of the Parklands development in which the Property is situated for which specific design guidelines are applicable and which are identified in clause 18 of these covenants.
 - (h) **Property:** means all and any of the parcels of land identified as burdened land in the instrument used for registering these land covenants.
 - (e) **Residence:** means a detached residential building designed for and occupied exclusively as one household unit for residential purposes only; provided that a Residence may be part of a duplex or terraced building in specific Precincts where such buildings are provided for in the Guidelines.

SITE DESIGN

Construction of a Residence

2. The Owner may not construct or erect on the Property anything other than a Residence and any structure supplementary to such Residence that is permitted in the Guidelines (such as garages and fencing). The Owner must not use the Property for any purpose other than construction and occupation of a Residence.
3. Any development (including, but not limited to, the erection of Residences, garages and fences) undertaken on the Property shall be in accordance with the Guidelines. The Guidelines

applicable to each Property shall be those in place immediately prior to the Owner submitting its application for building consent.

4. It shall be the Owner's ultimate responsibility to establish which version of the Guidelines is applicable to the Property. However, if requested, the Council will make information available to the Owners in respect of which version of the Guidelines is applicable and an Owner may rely on such information.
5. If an Owner requests a specific exemption to the Guidelines in its application for Design Confirmation the Parklands Design Review Panel will be under no obligation to grant or consider such a request. If the Parklands Design Review Panel does consider an exemption request it shall have no obligation to act reasonably or in accordance with previous decisions when making its decision. If an exemption to the Guidelines is granted by the Parklands Design Review Panel then a Residence or structure shall not be in breach of these covenants only for the reason that it does not comply with the relevant Guideline in respect of which an exemption has been received. Any exemption granted under this clause 5 shall not set a precedent and the Parklands Design Review Panel will not be obliged to grant or consider similar exemptions in respect of any other Property.
6. No construction works shall commence until Council is in receipt of a Design Confirmation from the Parklands Design Review Panel noting that the design of the Residence and other supplementary structures (including garages, fences and driveways) is in accordance with the Guidelines. Compliance with the Guidelines and receipt of a Design Confirmation does not warrant that such design complies with the district plan for Napier City and compliance with the said district plan remains the ultimate responsibility of the Owner.
7. The number of Residences on a Property shall not exceed those provided for in the Guidelines for the Precinct in which the Property is situated.
8. No granny flat or supplementary unit may be erected on any Property unless expressly provided for in the Guidelines.

Design Confirmation – Services and Roads

9. The issue of a Design Confirmation by the Parklands Design Review Panel must be based on the plans, specifications and other information supplied by the Owner, including any certificate or information supplied by the Owner's building designer. It shall not imply any warranty by the Council that:
 - (a) The proposed Residence may utilise existing services;
 - (b) The proposed siting of any proposed Residence is not affected by the location of existing services;
 - (c) The location of egress on the building designer's plans is in accordance with the Council's requirements as to public roads.

Subdivision

10. Subject to the further provisions of this clause 10, the Owner must not:

- (a) Erect any flats or other dwelling units which may be subject to a cross lease or registration under the Unit Titles Act 2010; or
- (b) Complete any further subdivision of the Property.

Except that further subdivision of a Property may be approved in conjunction with a Design Confirmation relating to duplex or terraced housing typologies within a Precinct for which the Guidelines allows such typologies.

Boundary Adjustment

- 11. The Owner must not alter the boundaries of the Property whether by amalgamation, boundary adjustment or in any manner whatsoever without first obtaining the consent in writing of the Council.

Boundary Fencing

- 12. Prior to the Residence on the Property being occupied for residential purposes or being offered for sale the Owner must ensure that all boundary fences around the said Property have been erected in accordance with the Guidelines and any Design Confirmation.
- 13. No fence already erected in accordance with the Guidelines may be changed without the Council's consent. Such consent shall be at the Council's sole discretion and there shall be no requirement for the Council to act reasonably or to provide a reason for withholding its consent.
- 14. Where the Council has agreed contractually to take on the responsibility and cost of erecting a boundary fence the Council retains the right to alter the said boundary fence at its sole discretion, including the total fence height or fence material, provided such alteration is undertaken prior to completion of construction of the Residence.

Foundations

- 15. The foundations for any residence constructed on the Property must comply with the design for foundations for such properties (as recommended by any geotechnical consultant employed or contracted by the Council) current at the time the Owner (or their agent) applies for a building consent. The Owner may request a copy of such design recommendations from the Council.

Driveways

- 16. Each property is limited to one vehicle crossing.

Garages

- 17. Where garage doors face the street frontage, the garage must not extend forward of the front façade of the Residence. A garage door facing a street frontage must be no greater than 45 per cent of the width of the front façade of the Residence. In addition to the provisions of this Clause 17, Garages must be constructed in accordance with the Guidelines.

Precincts

- 18. For the purposes of the Guidelines and these covenants:

- (a) Lots 97 to 108 (inclusive), and Lots 112 to 121 (inclusive), shall be deemed to be in the **Traditional Parklands Precinct**;
- (b) Lots 99 and 121 are also classified as marker sites, **Type M1**;
- (c) Lots 109, 110 and 111 shall be deemed to be in the **Parkside Precinct**;
- (d) Lots 109 and 111 are also classified as marker sites, **Type M2**;
- (e) Lots 5 to 10 (inclusive) shall be deemed to be in the **Prebensen Drive Precinct**;

SITE ESTABLISHMENT

Construction timeframes

19. The Owner must commence construction of a Residence on the Property within one (1) year of the date of possession, as specified on the Agreement of Sale and Purchase that first saw possession of the Property pass from the Council (whether possession passed to the Owner or any other interim party). The Owner must not permit any deviation from the Council approved plans and specifications used to obtain the Design Confirmation without the written consent of the Council, and must complete the construction of the Residence within one (1) year from the date of receiving the Design Confirmation.

Contractors

20. The Owner must immediately prior to commencing the construction of any Residence on the Property construct an all weather access crossing for the purpose of avoiding unsightly mud and rubbish being deposited on to the roads. Except where the access crossing is to be used as part of the driveway to the Property, the access crossing shall on completion of the construction of any Residence on the Property, be removed by the Owner and the surface of the ground restored to its condition immediately prior to the laying of the access crossing.
21. The Owner must also before commencing the construction of any Residence on the Property construct a mud free, hard stand loading pad for a distance of 5 metres from the boundary of the Property into the Property, and of a minimum width of 3.5 metres.
22. In constructing the access crossing and loading pad the Owner must ensure that no damage is caused to any existing roads, berms or footpaths and the Owner hereby indemnifies the Council from any ensuing cost or liability suffered by the Council in respect of any such damage.
23. The Owner must ensure that no concrete trucks servicing any construction activities on the Property dump concrete slurry on the land.
24. The Owner must not permit any Builder to commence construction of the Residence without first ensuring that the Builder is familiar with the requirements of clauses 20 to 23 (inclusive) and all other provisions relating to the construction of the Residence. The Owner shall be responsible for ensuring that these provisions are complied with.

GENERAL

Access for Further Works

25. The Council and its agents and employees shall continue, after possession has been given, to have the right to enter upon the Property for the purpose of completing any subdivisional work including surveying, earthworks, constructing drains, roads, footpaths, driveways and the installation or maintenance of services generally.

Section Maintenance

26. The Owner must ensure from the date of possession that the Property is kept in a neat and tidy condition and maintained free from long grass, weeds, rubbish, builder's waste or other substances before, during and after the construction of any Residence thereon. In the event that while the Property remains unoccupied the Owner fails to do so the Council may arrange for the Property to be cleared and the Owner must pay to the Council immediately upon demand the costs incurred by the Council together with interest thereon at a rate of 20 percent per annum on a daily basis from the date that such costs were incurred by the Owner.
27. The use of adjacent or abutting land for access and dumping of rubbish and waste concrete is strictly prohibited; provided however that the Owner or the Owner's Builder may have access across any other land upon obtaining written approval from the Council.
28. The Owner is liable for any damage caused to roads or footpaths or to any adjoining land resulting from the construction of any Residence on the Property, and the Owner hereby indemnifies the Council from any ensuing cost or liability suffered by the Council in respect of any such damage.

Occupation of Residence

29. Any Residence constructed on the Property must not be occupied until all exterior claddings to the Residence are installed and completed; the driveway has been laid; the grounds around the Residence are levelled and prepared for the development of lawn and gardens; and the boundary fences have been erected around the property to the minimum standard set out herein.

Relocatable Structures

30. The Owner must not place on any Property any relocated or transportable building or structure whether new, used, or recycled provided that builder's sheds or such other buildings that are required during the course of the construction and erection of any Residence may be placed on any Property but must be removed on completion of construction.

Disrepair of Buildings

31. The Owner must not allow on any Property any buildings or structures to become dilapidated or to fall into disrepair or allow any nuisance or disturbance to be caused to any owner or occupier of neighbouring residences.

Temporary Dwellings

32. No temporary dwelling, caravan, trade vehicle or other equipment and materials may be brought onto or allowed to remain on the Property following completion of the Residence unless they are garaged or screened so as to preserve the neighbourhood amenity values.

Graffiti

33. The Owner must not allow to remain on any wall, fence, structure or building on the Property any graffiti or similar disfiguring for more than 5 working days from the date that such occurred or was brought to the notice of the Owner.

Animals

34. The Owner must not keep any poultry or farm animals and not breed for commercial purposes any animals or birds on the Property.

Trees

35. The Owner will take measures to ensure that any tree planted on the Property is located a minimum of 1.5 metres away from any underground services (whether those services are on the Property or not).

Screens

36. Clauses 37-39 below shall apply to any motor vehicles with a gross weight in excess of 2.5 tonnes (whether mobile or immobile), caravans, boats, trailers, recreational vehicles, machinery, firewood, apparatus or any such similar thing.
37. The Owner will not bring on or allow to remain on the Property any of the items described in Clause 35 if such items, when parked or stored on the Property, exceed a height of 2.5 metres and/or are longer than 6 metres unless such items are parked or stored entirely within the confines of a shed or garage.
38. The Owner will not bring on or allow to remain on the Property any of the items described in Clause 36 if such items, when parked or stored on the Lot, are under 2.5 metres in height and less than 6 metres in length unless such items are parked or stored in a shed, garage or carport and/or any area that is properly screened from the street.
39. The Owner will not allow any of the items described in Clause 36 to be parked on a street within the Parklands subdivision.

Fencing Covenant

40. The Council is not liable to pay for or contribute towards the expense of erection or maintenance of any fence between the Property and any contiguous land of the Council but this proviso shall not enure for the benefit of any subsequent purchaser of the contiguous land.

Council's Indemnity

41. The Owner agrees that it will at all times hereafter save harmless and keep indemnified the Council from all proceedings costs claims and demands in respect of any breaches by the Owner of any of the covenants and restrictions hereinbefore on the Owner's part contained or implied.

Enforcement of Covenants

42. The Council shall not be required or obliged to enforce all or any of the covenants (including the requirement to follow the Guidelines), stipulations and restrictions contained herein nor liable to the Owner for any breach thereof by any of the registered proprietors from time to time of the other properties which are subject to the within covenants.

Damages for Breach

43. The Council has a legitimate interest in the covenants contained in this document being complied with. Those legitimate interests include, but are not limited to, the effect a breach of such covenants may have on:
- (a) the amenity value of the subdivision; and
 - (b) the value of properties in the subdivision still owned by the Council.
44. In the event of a breach of any covenant the Owner will upon demand by the Council:
- (a) remedy the breach of the relevant covenant at its cost, to the reasonable satisfaction of the Council and within a reasonable time (such time to be no greater than 30 days from the date the Council's demand is received); and
 - (b) if the Owner does not remedy the breach of the covenant in accordance with sub-clause (a) above, the Owner shall pay to the Council a sum equivalent to the sum of \$40,000.00. This sum together with all costs incurred in enforcing the covenant will constitute a debt due to the Council and is recoverable by the Council as liquidated damages. Nothing in this clause 44 shall interfere with any other rights the Council might have in relation to a covenant (including, but not limited to, injunctive relief and enforcing specific performance of the covenant).

PARKLANDS DESIGN GUIDELINES

1 AUGUST 2020

INTRODUCTION

PARKLANDS

These Design Guidelines are intended to ensure land owners and their designers contribute toward achieving the Napier City Council's vision for the Parklands development. Accordingly, these Design Guidelines comprise a combination of mandatory requirements (intended to maintain standards within the development) and recommendations for the design, materials and landscaping of your new house.

OBJECTIVES

This document has been prepared by Napier City Council to establish a basis for the development of housing at Parklands from the date of these Guidelines.

The objective is to create a neighbourhood which:

- Provides a quality living environment for all residents
- Provides a range of housing choice within a modern suburban character
- Achieves safe and attractive streets and public open spaces
- Enables clear legibility and circulation
- Minimises environmental impact

The Design Guidelines are formulated to allow sufficient flexibility for individuals and designers to provide their own architectural response in achieving the above objectives.

PRECINCTS

To assist in achieving the objectives, including providing for a range of housing choice within the Parklands community, a number of precincts have been established (refer to the table below). In addition to the guidelines in this document, specific guidelines for each precinct are also contained in the guidelines worksheet applicable to that precinct. It is therefore important to know and understand which precinct your property is in.

<i>Precinct</i>	<i>Description</i>
<i>Traditional Parklands</i>	This is the largest precinct. It seeks to achieve a modern suburban character generally consistent with the established Parklands area. The precinct enables single storey (generally maximum 5.5m height), single house development on a range of site sizes and frontage widths to avoid monotony and enable a wider range of house sizes (1 – 4 bedrooms).
<i>Cottages</i>	This precinct provides a cluster of smaller sites (generally 300sqm – 400sqm) with lower building coverage

<i>Precinct</i>	<i>Description</i>
	allowances to enable 1-2 bedroom single level cottages in a community setting.
<i>Prebensen Drive</i>	Variety of building heights (up to 2 storey) and roof forms, and dual aspect designed houses are encouraged within this precinct to provide quality amenity for the Prebensen Drive reserve as well as the street.
<i>Parkside</i>	Larger standalone houses including duplex forms (up to 2 storey) are enabled within this precinct, contributing to greater housing choice in Parklands. Dual aspect houses are encouraged to provide quality onsite amenity and relationship to the street and reserve.
<i>Terraced Housing</i>	Attached housing forms (2 storey) enabled with greater building coverage and smaller private open space to provide a higher intensity residential offering and achieve a strong, quality edge to the adjacent reserves and/or street frontage. Additional design assessment applies for multi-unit development.

Marker Sites

In addition to the precincts identified above, a number of sites are identified within the Land Covenants applicable to each property as “Marker sites”. Marker sites are usually corner or “book-end” properties located throughout the Traditional Parklands, Prebensen Drive and Parkside precincts. The same precinct design guidelines generally apply, however additional height is required. Single storey with higher roof pitches (Type M1) or two storey dwellings (Type M2) provide variety and assist residents and visitors in wayfinding around the development. Houses on corner sites are required to have frontages on both streets. These sites are generally larger to accommodate the additional height while minimising impacts on neighbours.

THE PROCESS

Design review process

No construction of a residence within the Parklands development may commence until the Parklands Design Review Panel (“the Panel”) has issued a design confirmation that confirms the design of the residence is in accordance with these Design Guidelines and the guideline worksheet applicable to the precinct in which the residence is to be situated.

Why is a design review process required?

The role of the Panel is to promote good design, and a quality built environment within the Parklands development, with reference to the objectives and design controls stated in the Design Guidelines.

A covenant on the title of each property will require, among other things, that any building design be in accordance with the Design Guidelines. Therefore, the Design Guidelines controls will constrain what can be built. The provisions of the Napier District Plan as they relate to Main Residential zones will continue to apply to any proposed build within the Parklands development, provided that these Design Guidelines may provide for further controls and restrictions than those contained within the District Plan. The design review process will confirm that the site layout and concept design meets the relevant requirements of the Design Guidelines. However, the focus of the Panel is on design and a design confirmation is not a warranty or guarantee from the Panel that:

- the proposed design will comply with all aspects of the District Plan or any other statutory requirements relevant to construction of a residence (such as the Building Code); or
- that the Council will issue a building consent.

It shall remain the responsibility of the owner to ensure their construction complies with the District Plan, the Building Code and any other applicable statutory requirements.

How and when do I apply for design review?

Prior to applying to Napier City Council for building consent, design drawings are to be submitted to the Panel for approval. The designs will be assessed against the criteria within these Design Guidelines.

The Council has prepared “worksheets” to assist owners in ensuring their property layout and building design meets the requirements of any covenants registered against the property, these Design Guidelines, and the District Plan.

Drawings submitted shall include plans and elevations, as well as streetscape elevations when necessary, showing proposed materials and colour treatments, and how the house relates to its neighbours and adjacent public space (ie. roads and/or reserves).

How long does it take?

The Panel will use all reasonable endeavours to provide written approval, or otherwise, within ten (10) working days from receipt of a complete package of plans from the owner.

Following the design review, if the Panel is satisfied the design fully complies with the Design Guidelines for the relevant precinct then the Panel will issue a design confirmation which you must include with your application for building consent. If the Panel is not satisfied the design fully complies with the Design Guidelines for the relevant precinct then the Panel must issue to the applicant a Design Assessment Report recording the Panel’s view as to the degree of consistency of the proposal with the Design Guidelines. You will then have an opportunity to revise and re-submit your design proposal.

In all instances the Panel shall be the sole judge of whether a design proposal complies with the Design Guidelines. Where the design proposal varies from the design controls set out in the Design Guidelines but the Panel considers, in its sole discretion, that this variance will produce good built form outcomes, the report will record the reasons for this view and the Panel may issue a design confirmation. The issue of a design confirmation in such instances will not set a precedent and does not mean that the relevant design control is varied or that the Panel will agree to any variation from such design control in the future.

DESIGN GUIDELINES

DISTRICT PLAN AND OTHER STATUTORY OBLIGATIONS

The Design Guidelines are intended to be supplementary and additional to the requirements of the District Plan and other relevant statutory requirements related to the construction of a dwelling (such as the Building Code). Owners should be mindful that compliance with these Design Guidelines does not necessarily mean they will receive a Building Consent for their proposed dwelling or that all aspects of the District Plan have been complied with.

DENSITY, HEIGHT AND COVERAGE

Objectives

- Achieve a quality, modern suburban character while providing for a range of housing typologies and choice
- Provide strong, attractive edges along reserves
- Enable additional height in identified locations to provide variety and improve wayfinding

Design Guidelines: *Density*

The following site sizes and density guidelines apply in each precinct:

- *Traditional Parklands, Prebensen Drive and Cottages precincts*: Only one house is permitted per site.
- *Parkside precinct*: Either a single house, or two houses in the form of a duplex on identified sites, is permitted per site. Duplex development requires both houses on a site to have direct frontage onto the street.
- *Terraced housing precinct*: Terraced housing forms are encouraged in this precinct. No density limit applies, provided that the development meets the guidelines set out in this document and the relevant worksheet for that precinct.

Granny flats or supplementary units are not permitted within the Parklands development.

Design Guidelines: *Building Coverage*

- The District Plan – Main Residential Zone control of maximum 50% building coverage applies unless otherwise specified below:
 - *Cottages precinct*: Maximum building coverage of 40% applies
- No minimum building coverage applies.

Design Guidelines: *Building Height*

The following building height guidelines apply:

- *Traditional Parklands and Cottages Precincts*: All houses in these precincts shall be single storey, unless identified as a “Marker Site”. The maximum building height is 5.5m. Additional height may be approved by the Panel where this would improve architectural variety and amenity without impacting on the amenity of adjacent sites.
- *Marker Sites*: Houses on “marker sites” shall either be:
 - Type M1: Single storey, provided that the roof is of a height and form to enable the house to visually define the street. An appropriate method to achieve this includes a roof with both a steep pitch (30 degrees or more) and gable ends to the street. Other methods may be acceptable where the Panel is satisfied the design visually defines the street; or
 - Type M2: Two storeys (maximum of 8m height as required by the District Plan – Main Residential zone).

- *Prebensen Drive and Parkside Precincts:* Flexibility in height (up to two storeys) is enabled in this precinct to encourage a range of housing forms, roof pitches and designs. A maximum of 8m height applies as required by the District Plan – Main Residential Zone.
- *Terraced Housing Precinct:* Two storey buildings are required in this precinct. A maximum of 8m height applies as required by the District Plan – Main Residential Zone.

SITE ACCESS

Objectives

- Driveways do not visually dominate front yards and landscape elements.
- Pedestrian and vehicular conflicts are minimised and safe sightlines are provided for.

Design Guidelines:

- Each property is limited to one vehicle crossing.
- Driveway width is a maximum of 5.0m (double) or 3.5m (single), with localised widening in front of the garage if required.
- The design and finish of the driveway must be a permanent surface of concrete, concrete paver, flagstones, cobbles, brick paving or tar sealing with paver insets, with such surfacing to be completed to a good tradesman-like standard.
- A pedestrian path to the front door that is separated from the driveway by landscaping, or visually differentiated from the driveway by use of a different material, is preferred (see Figure 1 below).
- For houses within the Terraced Housing Precinct, vehicle access into a car space or garage must be from the rear of the house where practicable.

GARAGES

Objectives:

- Garages are integrated into the site design
- Garage doors do not visually dominate the street.
- Where car standing spaces are provided between a garage and the street, sufficient space is provided within the site to avoid cars over-hanging the footpath, providing for pedestrian amenity and safety.

Design Guidelines:

- The house must include either a carport or a fully enclosed, attached, or separate garage which is to be completed at the same time as the residential building, and in the same or similar type of materials and style as the house.

- A garage door facing the street must be set back at least 5m from the site's frontage.



Figure 1: Differentiated pedestrian entrance; garage set back from front façade; and garage width not dominating the frontage of the house

Figure 2: Side wall of garage facing the street, no fence and soft landscaping along front boundary, front door visible from the street



- Where garage doors face the street frontage, the garage must not extend forward of the front façade of the house (refer Figure 1 above). Ideally, garages should be set back from the front façade of the house by a minimum of 1m. This control does not apply where garage doors face side boundaries.
- A garage door facing a street must be no greater than 45% of the width of the front façade of the house to which the garage relates (refer Figure 2 below). This may be achieved by a single door facing the street, or a double door facing the side boundary. Double garages facing the street may be feasible on wider sites, subject to achieving compliance with these design guidelines.

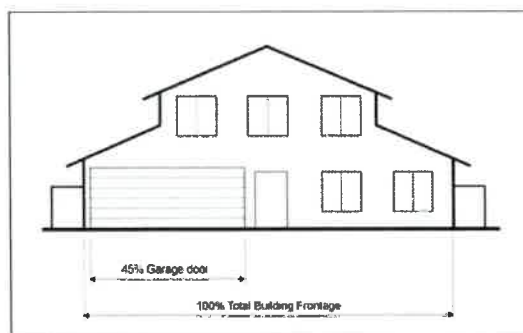


Figure 2: Maximum width of garage door in relation to house width

For the purpose of these controls, the front facade consists of a length of building facade in the first 10m from the street frontage of the lot. In the case of a corner lot, both sides of the house facing the street will be considered as the front facade.

STREET AND RESERVE INTERFACES

Objectives:

- Houses contribute to passive surveillance of the street and reserves, i.e. windows and general outlook to street and reserve.
- Houses positively address the street and reserves.
- Front yards are attractive transition spaces between the footpath and the front of the house that positively contribute to the streetscape.
- Fences within front yards and on reserve interfaces are limited to minimise visual dominance effects on the street or reserve and enable passive surveillance

Design Guidelines:

The following guidelines apply in all precincts:

Building frontage design

- Glazing to the street (and reserves, where applicable) is maximised. As a guide, a façade of a house which faces the street or a reserve should contain glazing to a habitable room / rooms of no less than 10 per cent (cumulatively) of the area of the façade. For the purpose of this control, a “habitable room” is any room in the house excluding a laundry, bathroom, toilet or any room used solely as an entrance hall, passageway or garage.
- Houses are encouraged to locate a habitable room other than a bedroom to the street or reserve frontages.
- Front doors must be visible to the street.

Front yards

- The following front yards (building setbacks from road frontage boundary) apply:
 - *Cottages precinct*: 5m
 - *Terraced housing precinct*: 1.5m
 - *All other precincts*: 3m
- Front yard landscaping for lots within the Traditional Parklands, Cottages, Prebensen Drive and Parkside precincts must include a minimum of one tree of PB95 or 3m height at the time of planting, unless an alternative landscaping proposal will provide a positive contribution to the amenity of the street. The owner

retains responsibility for ensuring the roots of any tree planted on the property do not interfere with any utility services (e.g. pipes and cables) on the property.

- Air conditioning units, rainwater tanks and other utility equipment should be avoided in front yards and placed in side or rear yards where appropriately screened from direct view from the house's principal living room.

Front fences

- Front fences within 5 metres of any boundary fronting a road are not permitted in the Cottages precinct.
- Within all other precincts fences within front yards are generally discouraged.
- Where fences, hedges and walls are provided within 3 metres of any boundary fronting a road or reserve and further forward of the main façade of the house (except the Prebensen Drive reserve boundary), these must be either:
 - a maximum 1.0m in height above the natural ground level,
 - a maximum of 1.5m in height above the natural ground level and at least 50% visually open (refer Figure 3 below). Shade cloths or similar are not permitted.



Figure 3: Example fence on left not accepted – does not provide passive surveillance or connection with the street.

Example fence on right provides balance between privacy, passive surveillance and visual amenity.

- Fences must not be constructed of corrugated iron, raw concrete block, or post and wire. Exceptions may be approved by the Panel where the fence complements the architecture of the house and will contribute to the amenity of the street.
- Timber fences must not be stained or painted in a bright or bold colour.

ROOFS

Objectives:

- Roofs do not contribute to contamination of stormwater and the receiving environment.

- Each roof form reads as a strong, simple element from street level.

Design Guidelines:



Figure 5: Examples of a variety of roof forms

- Roof profile is stepped vertically to provide relief and visual interest.
- Roofs should have a non-reflective finish.
- The use of unpainted galvanised iron, unpainted zincalume or similar product must be avoided to ensure water quality.
- Eaves are strongly encouraged for the architectural character, with a minimum depth of 200mm.
- Large expanses of solar heating panels should be avoided on parts of a roof visible to the street.
- Satellite dishes must not be placed on a roof (or wall) of a house visible to the street. Small satellite dishes (up to 1m diameter) may be accepted where the Design Review Panel is satisfied they will not detract from the amenity of the streetscape.

HOUSE FAÇADES, MATERIALS AND COLOURS

Objectives:

- Facade design and appearance contributes to visual interest along the street and from reserves, while avoiding overly complicated combinations of forms, materials and colours. This achieves a high amenity, varied but unified streetscape.

Design Controls:

- Facades facing the street and reserve should have depth and visual interest. Methods to achieve this include:
 - receding or projecting parts of the façade,

- visually strong roof forms,
 - provision of pergolas, bay windows, dormer windows, verandahs and balconies integrated with the design of the façade
 - the use of cladding materials with vertical or horizontal patterning
 - providing a complementary and/or contrasting house style from adjacent houses.
- Identical, or repetitive façade styles are discouraged. As a guide, no more than four adjoining houses should have strongly repeating elements.
 - Houses should generally have no more than three cladding materials and colours.
 - Any weatherboard detailing shall include, as the preferred design, traditional box and scribe treatments to the corners and windows, in conjunction with an appropriate use of colour.
 - Any buildings detached from the main house (garage or garden shed) should be of a complementary appearance to the main house on the site.
 - Any recycled or second-hand building material or joinery used for any purpose must be of a quality and appearance similar to that of an equivalent new item or material.
 - The front entrance to the house should be recessed or have a canopy integrated within the architecture of the house.

The following additional guidelines apply to “Marker sites”, and for end units in a terraced housing block:

- For corner lots or end houses, design elements used in the primary façade should be incorporated into the secondary frontage visible to the public realm.



- Corner lots should be designed to address both street frontages / reserve.

Figure 6: Example of a corner site with dual façades facing the street

ADJACENT RESIDENTIAL SITE AMENITY

Objectives:

- Require the height, bulk and location of development to maintain a reasonable standard of sunlight access and privacy and to minimise visual dominance effects to adjoining residential sites.

Design Controls:

The following controls apply in all precincts:

- *Side and rear yards:* No building within 1.5m of side or rear boundaries, except for duplex and terraced housing typologies where these are connected across boundaries.
- *Fences:*
 - No fence along the back and side boundary may exceed 1.5m in height in the Cottages precinct and 1.83m in height in all other precincts (except where reserve interfaces apply), and is not permitted to extend forward of the front of the house/building.
 - Under no circumstance may any fence be constructed of corrugated iron, raw concrete block, or post and wire.
- *Height in relation to boundary:* The height in relation to boundary control of 3m + 45 degrees in the Main Residential zone of the District Plan applies (except for duplex and terraced housing typologies connected across boundaries) (refer Figure 7 below).
- *Shading:* In addition to compliance with the height in relation to boundary requirement, consideration should be given to site layout and building design to minimise shading to neighbouring houses on the southern and eastern boundaries.
- *Privacy:* Upper level windows are offset from those of neighbouring houses to minimise effects on privacy.

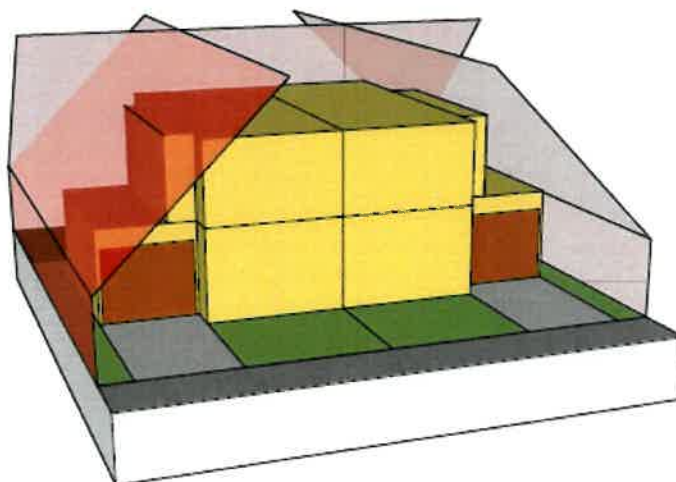


Figure 7: Height in relation to boundary control for duplex development

Within the Terraced housing and Parkside precincts, the following additional criterion applies:

- *Privacy:* To minimise overlooking to adjacent residential sites and provide an appropriate level of privacy, outlook from windows must be provided either within the site, over the street or over a reserve. Outlook distances of the following minimum depth must be provided perpendicular to the window as follows:
 - Principal living room: 6m
 - All other habitable rooms (including bedrooms): 3m

ONSITE AMENITY

Objectives:

- Houses are designed to provide access to daylight and sunlight and provide the amenities necessary to meet the day-to-day needs of residents.
- Sufficient useable and accessible outdoor living space is provided to meet the needs of residents.
- Houses within the Cottages precinct are universally accessible.

Design Controls:

- The following minimum outdoor living space areas shall be provided for each house:
 - Within the Cottage, Parkside and Terraced housing precincts, a minimum private open space of 20m² per house must be provided.
 - Within all other precincts, each house must have an amount of open space on the building site of not less than 50% of the gross floor area of all buildings on the site, except that a minimum of 50m² per house must be provided (as required by the Main Residential Zone of the District Plan).
 - The open space must have a minimum dimension of 3 metres above natural ground level at the boundary.

Resource consent will be required for infringing the above requirements.

- The outdoor living space must be directly accessible from the principal living, dining or kitchen area and free of buildings, parking spaces and manoeuvring areas.
- The outdoor living space should be designed to maximise the number of sunlight hours during winter.
- All sites must have a landscaped area not less than 30% of the net site area as required by the Main Residential Zone of the District Plan. Resource consent will be required for non-compliance with this control.

Additional criteria:

Within the Terraced housing precinct, and for duplexes in the Parkside precinct, the following additional criteria apply:

- Houses should be designed to provide for efficiency, convenience and amenity including:
 - Sufficient space within any room to provide for furniture, fittings and ease of circulation. As a guide, principal living rooms should have a minimum dimension of 6m by 3m.
 - Orientating and locating windows to optimise daylight, sunlight and privacy and encourage natural cross ventilation within the house.
 - Provide the necessary storage and waste collection and recycling facilities in conveniently accessible locations that are screened from public view.

Within the Cottages precinct, the following controls apply:

- Doorways must have a minimum clear opening width of 810mm
- Corridors must have a minimum width of 1050mm
- The principal means of access front the frontage, or the parking space serving the house, to the principal entrance of the house must have:
 - A minimum width of 1.2m
 - A maximum crossfall of 1:50

SUSTAINABLE BUILDING

Objectives:

- Sustainable design principles are incorporated in development design to minimise environmental impact and ongoing operating costs.

Design Controls:

No specific controls apply. However, applicants are encouraged to consider the following principles in the site and house design:

- *Energy efficiency:*
 - Orientating the house on the site and positioning the most frequently used habitable rooms (for example, the lounge) to achieve maximum possible benefit from solar gain from low level sun in winter months, while considering design elements, such as screening devices, to manage solar gain from high level sun in summer months
 - Locating exposed concrete floors within the house, or other internal surfaces with a high thermal mass, in areas exposed to direct low-level sunlight in winter months
 - Prioritising natural, non-mechanical techniques for cooling and venting along with heat transfer and the consideration of integrated heat recovery systems
 - Reducing the size of the house (smaller buildings are more efficient to heat).

- *Water efficiency:*
 - Using water efficient building features, appliances and devices
 - Reusing grey water for irrigation
 - Providing for onsite water collection and re-use.

- *Stormwater management:*
 - Minimising stormwater runoff including by limiting building coverage and/or impervious areas, or by utilising permeable paving.