



From the Auckland Unitary Plan – Operational in Part

What constitutes a Minor Dwelling?

Section J1 Definitions defines a Minor Dwelling as a “dwelling that is secondary to the principal dwelling on the site”.

Dwelling (Section J1 Definitions)

Living accommodation used or designed to be used for a residential purpose as a single household residence contained within one or more buildings, and served by a food preparation facility/kitchen.

A food preparation facility/kitchen includes all of the following:

- means for cooking food, food rinsing, utensil washing and waste water disposal; and
- space for food preparation (including a suitable surface) and food storage including a refrigerator or a perishable food storage area capable of being cooled.

Note that our experience is that Council ignores the word all above and substitutes it with some. A query to a senior council member as to what they consider resulted in the following response:

When looking at such areas we're looking for key items such as:

- Does it have independent external access
- Does it have bathroom facilities
- Are there cooking and dishwashing facilities

Also, just for sake of clarity, a stove is not required. Because customers are able to pop down to Noel Leeming to purchase a stove and install it without consent, it is not a key determining factor for us.

If you wanted to remove as few as possible elements from the project to avoid a development contribution, removing the sink would be the easiest way to achieve that in most cases

Minor Dwellings – Rural Production Zone

- Table H19.8.1 shows that Minor Dwellings that comply with H19.10.11 are a Restricted Discretionary (RD) activity in the Rural Production Zone. Those that don't are a Prohibited Activity (Pr)
 - H19.10.11 states
 - Maximum of one per site;
 - Must comply building height standards in H19.10.2 – dwellings and accessory buildings must not exceed a height of 9m
 - Must comply minimum yard setback requirements in H19.10.3 (Table H19.10.3.1)
 - Front yard – 10m
 - Front yard of sites adjoining arterial roads (planning maps) – 20m
 - Side or Rear yard – 12m
- Note there are different requirements for Coastal, Riparian and Quarry Buffer Areas
- Site must be greater than 1 hectare
 - Floor area must be less than 65m² excluding decks and garaging
 - Must use the same driveway as the principal dwelling
 - Note: Development contributions of around \$13,000 will be payable

H19.2 Assessment – Restricted Discretionary Activities

Council will restrict its discretion to the following matters when assessing a restricted discretionary resource consent application:

1. effects on rural character and amenity values of the neighbourhood;
2. effects of noise on the amenity values of the neighbourhood;
3. effects of traffic volume on the safety of and convenience of other road users;
4. effects of stormwater management;
5. effects on land containing elite soil or prime soil for rural production activities;
6. effects on areas identified in the Outstanding Natural Landscapes, Outstanding Natural Character and High Natural Character Areas overlays;
7. effects of building siting and access on landscape, rural character and amenity values;
8. the cumulative effects of additional development on the site;
9. the adequacy of access to the dwelling;
10. proximity to the principal dwelling on the site;
11. whether the proposed height and scale of the building adversely affect the rural character of a site;
12. whether the proposed height and location of buildings adversely affect the visual character of adjacent sites; and
13. whether the proposed height and scale of the building adversely affect amenity values of neighbouring sites by reducing privacy or sunlight access.

Disclaimer:

1. *This document is intended to provide a brief overview of Minor Dwellings in the Rural Production Zone and not to be the definitive guide;*
2. *If you have questions as to the possibility of a property being able to house a Minor Dwelling it is strongly recommended that you undertake your own investigation by engaging the services of a planner.*