

# Design Control Committee Guidelines (Building & Development Guidelines)

## 1.0 The OMAHA BEACH philosophy

Omaha Beach is a unique and special place.

These guidelines are intended to protect what makes Omaha special including its natural environment, views, and coastal character.

The goal of development within Omaha is to achieve harmony between buildings and nature with buildings designed to "fit" with their surroundings and to enhance Omaha's special character and environment.

The benefits of these guidelines are therefore environmental and aesthetic.

## 1.1 Design Control Approval

Design Control approval is required from the Omaha Beach Residents Society Design Control Committee ("**Design Control Committee**") prior to commencing any work for building construction (including external additions and alterations and new accessory structures such as sheds), changes to the exterior colour scheme of buildings, landscaping and fencing. This approval is required prior to lodging and obtaining resource consent or a building consent from Auckland Council. It is separate from any Council approval and is not a warranty that the proposal complies with the Auckland Unitary Plan rules or any Council by-laws. The details for the Design Approval process are set out in Section 4.8 below and the Design Approval process is summarised as follows:

### Summary: Design Approval Steps

1. Property owners ("**Owners**") submit Preliminary Design concept plans to the Design Control Committee for review.
2. On receipt of the Design Control Committee response, either proceed to Final Submission stage or resubmit with revisions as required.
3. Owners submit plans and information to the Design Control Committee for Final Design approval
4. On receipt of Final Design approval Owners may apply for Local Authority Consents
5. Upon building set out, Owners submit a surveyor's certificate to the Design Control Committee confirming the building set out and levels are in accordance with the approved plans.
6. Within 3 months of building and landscape completion, including fencing if applicable, Owners submit a Completion Inspection form to the Design Control Committee. This must include a Council Code of Compliance certificate for the building.
7. The Design Control Committee undertakes a site inspection to confirm that the development of the site has been completed to its satisfaction. Provided the development has been completed satisfactorily it initiates the refund of the balance of the Owners deposit.

It is an Owners responsibility to ensure their development complies with the relevant Auckland Unitary Plan rules (refer to the link on the Omaha Beach Residents Society web page for assistance), along with these Guidelines and any applicable covenants.

So please take a few minutes to read these Guidelines and ensure that your architect/designer, landscape designer and builder are also familiar with them. That way we're all working towards the same goal: to create New Zealand's most exceptional coastal community.

## 2.0 HARMONY with the ENVIRONMENT

The Omaha design concept carefully fits development into the coastal environment.

The most environmentally sensitive areas of the Omaha South Precinct have been retained as public open space and reserves. The following guidelines outline ways in which individual buildings can fit with the Omaha urban environment and help preserve its character.

### 2.1 Siting and Grading

Buildings must be located on the site in accordance with the relevant yard rules in the Auckland Unitary Plan - Omaha South Precinct listed in Table I528.6.9.1 Yards, below:

Table I528.6.9.1

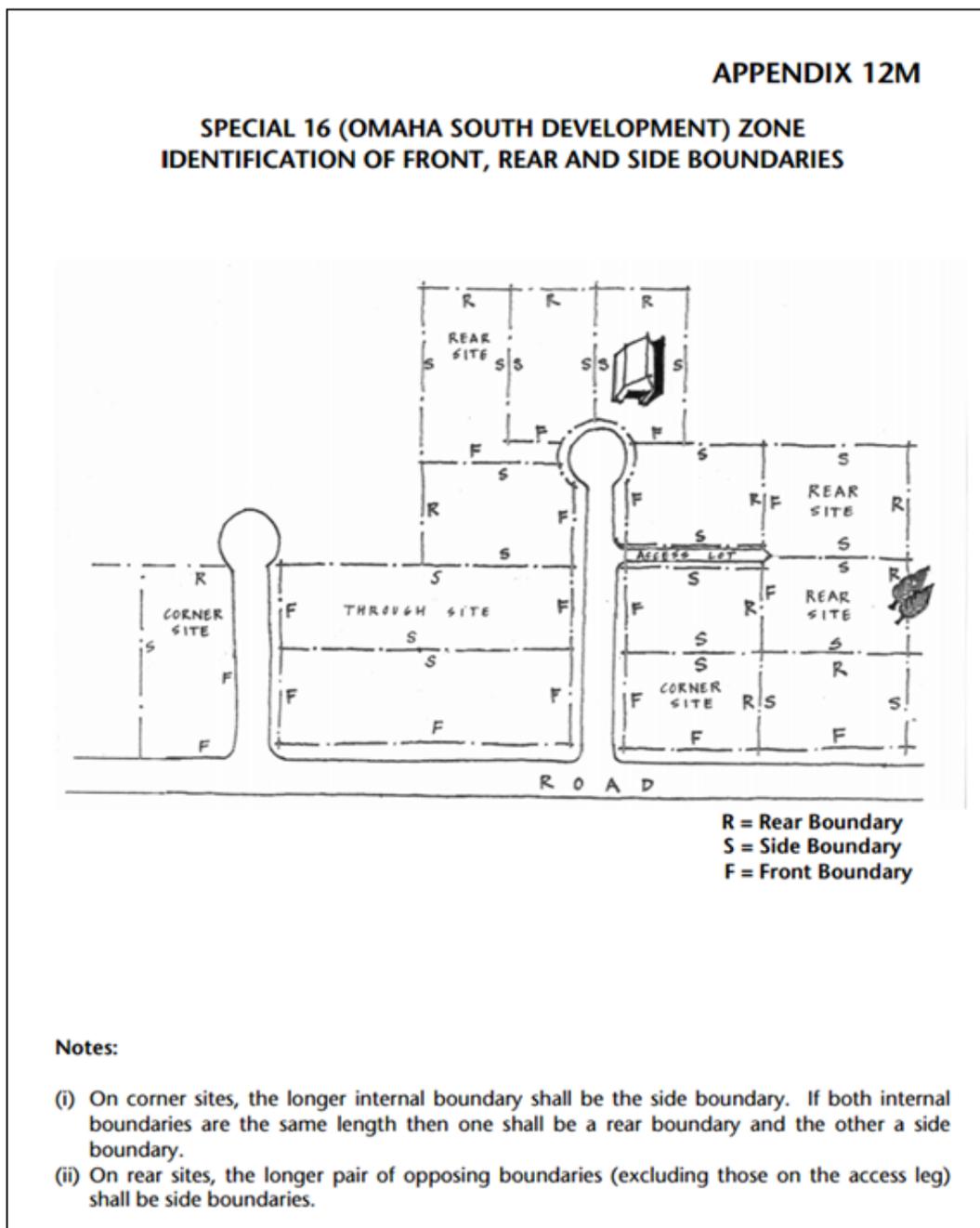
Use	Front yard	Side yard	Rear yard
<b>Type A</b>	5m	5m	10m
<b>Type B</b>	7.5m	2m	7.5m
<b>Type C</b>	2.5m	1.5m	5m
<b>Type D</b>	7.5m	7.5m	7.5m
<b>Buildings and structures accessory to Residential Use</b>	5m	1.5m	1.5m
<b>Visitor Accommodation</b>	7.5m	7.5m	7.5m
<b>Retail</b>		Nil	5m
<b>Offices</b>	Nil except where the site adjoins a residential sub-precinct where the yard must be 1m	Nil except where the site adjoins a residential sub-precinct where the yard must be 1m	5m
<b>Restaurants</b>		Nil except where the site adjoins a residential sub-precinct where yard must be 5m	5m
<b>Buildings and structures accessory to Commerce Use</b>	1m	1m	5m

The above yard standards that apply in the Omaha South Precinct are the same as the legacy Rodney District Plan yard development controls for Omaha South, that became operative in January 2000. However, the Auckland Unitary Plan yard definitions and the subsequent application of the yard standards differs from the legacy Rodney District Plan, for sites in Omaha South.

The original subdivision layout and the size and shape of lots within the Omaha South subdivision were designed to accommodate specific building platforms. In order to enable development that was generally in accordance within these building platforms, an additional diagram titled "Appendix 12M", defining the location of front side and rear boundaries, was included in the definitions section of the legacy Rodney District Plan for sites in the Omaha South Special Zone.

This interpretation differed from the application of yards for sites generally throughout the rest of the Rodney District. In particular, corner sites included a rear yard and front and side yards applied on rear sites. The present Auckland Unitary Plan definitions for yards is inconsistent with the historic development pattern of buildings in Omaha South generally and more particularly on corner sites and in many instances fails to provide for practical building platforms on rear sites.

Owners of residential properties in Omaha South have relied on the legacy Rodney District Plan yard provisions when designing and locating buildings for their sites and considering their amenity and the probable impact of neighbouring development. In order to ensure that the location of buildings on sites remains consistent with the overall established pattern of development in Omaha South and that the established levels of amenity are maintained, including building separation from neighbouring buildings and reserves, views, daylight and privacy and to ensure that practical building platforms are enabled on rear sites, the Yard standards in Table I528.6.9.1 shall be applied in accordance with the diagram titled Appendix 12M, below:



It is noted that it is also the responsibility of Owners to ensure their project complies with any applicable covenants and that where they are more restrictive than or are in addition to the applicable Omaha South Precinct rules under the Auckland Unitary Plan that the covenants take precedence.

Modifications to the ground levels and grading pattern approved at time of subdivision are not permitted without the written approval of the Design Control Committee.

## **2.2 Paving and Drainage**

Impervious surfaces (e.g. asphalt, courtyard paving, concrete) should be minimised and drainage contained on site as much as possible. Rooftop drainage must be directed to storage tanks for domestic water supply.

Any overflow rooftop drainage and surface drainage must be directed into the ground by soakage pits within those areas required and shown on the Omaha South: Precinct plan 1. The Auckland Unitary Plan - Omaha South Precinct also includes the minimum size of soakage pits.

## **2.3 Fences, Walls and Retaining Walls**

### **Philosophy**

The general preference is to minimise fences (fences includes walls) especially adjacent to road-ways and reserves. This assists with surveillance of these areas supporting security in our beach community and while it is acknowledged there are locations where fencing is necessary, particular consideration should be given to reducing its visual dominance in the landscape. Keeping front yards more open also assists in achieving a character more consistent with coastal development.

### **Height & Privacy**

For privacy, planting is generally preferred over fencing.

View protection corridors apply to many properties that adjoin reserves, particularly the beachfront reserve and the golf course, where covenants restrict the height of fences within defined areas on a property. Where covenants apply, Owners must ensure that all fencing complies with the maximum heights permitted within the covenant areas, which is generally up to 1.2m.

It is preferred that front yards, between the front facade of a dwelling and the street, and rear yards where they adjoin public reserves, are appropriately landscaped and remain unfenced to achieve an open, landscaped presence to the street or reserve. However, where fencing is required in these areas they should be constructed to a height of less than 1.4 metres, but preferably 1.2 metres or less, and be supplemented with appropriate planting to ensure a landscaped presence is retained to the street or reserve.

High fencing or walls creates a more urban type of built environment which is not consistent with the open, spacious coastal character of the Omaha South Precinct. Fencing higher than 1.4m and up to 1.8m may be appropriate in areas adjacent to living rooms, outdoor living areas/patios or to shield small service areas to provide a higher level of privacy than is required around other areas of the site.

This, or even a pergola may also be applicable in unusual situations, for example where high ground bordering walkways materially compromises living privacy. In these circumstances each proposal will be considered in relation to the particular characteristics and context of the site.

Where a higher fence is proposed, mitigation by way of planting, stepping, staggering or a change in materials should be considered. On public boundaries, long fences should include recesses or set back so that space can be made for external planting. The height of all fencing shall be measured at the outside face of the fence, taken from the ground level to the top of the structure.

### Location

In general, high fencing located within the rear of properties should return to the house at a point behind the front facade of the building. This assists in achieving a more open and landscaped streetscape in character with a coastal setting.

The Committee recognises that there are instances where fencing within a front yard may be necessary or desirable. This fencing should be low in height and needs to be coupled with landscaping, and incorporate design features that break up the fence and minimise its impact and dominance to the street.

### Type

The type and appearance of fencing is to be of comparable quality to the building itself and integration and coordination with existing neighbours fencing is also encouraged.

Timber fences are preferred. All fencing is to be painted or stained, except that hardwood fences that may be left unpainted to weather naturally. Dark or recessive colours are preferred to assist to minimise the visual impact and prominence of fencing.

Horizontal over vertical palings with conventional and longitudinal batons are preferred as they contribute to a lower profile. Ideally materials should be consistent with and in keeping with the house.

### Assessment

All submissions are assessed on their individual merits presented and will be considered as a total concept along with the fencing and landscaping.

## 2.4 Services

All services and utilities shall be located below ground. Water supply is to be through roof collection and storage. No groundwater bores will be allowed. Water storage tanks are to be located below ground, alternatively water tanks may be located under a dwelling where they are completely enclosed and screened from view to the satisfaction of the Design Control Committee.

Water storage capacities shall be provided for each dwelling as required by the Auckland Unitary Plan - Omaha South Precinct rules.

All pumps, including spa pool and swimming pool pumps, water pumps and heat pumps, must be housed in an appropriate enclosure incorporating satisfactory acoustic treatment to ensure that they do not cause a noise nuisance and comply with the Auckland Unitary Plan noise rules. Gas cylinders shall be suitably concealed from public view.

Reticulated sewer connections are provided to all sites and no septic systems will be allowed. Low flow plumbing fixtures and other water conservation measures are strongly recommended.

## **2.5 Planting**

Existing vegetation and planting outside the building envelope should be protected during construction. All vegetation planted within an area subject to view protection, where restrictive land covenants apply, must comply with the maximum heights permitted within the covenant areas which are generally a maximum of 1.2m in height.

Owners are required to submit a landscape plan for approval with the Final Design submission. Native, locally sourced coastal plant materials should be used wherever possible and larger specimens are preferred at planting.

The approved landscaping is to be completed within the next planting season following the completion of the building. All landscaping is to be satisfactorily maintained and any plants that die within 18 months of planting are to be replaced with new specimens by Owners.

Owners are not to alter or remove vegetation within any public open space or Council reserve areas e.g. coastal reserve land, without the necessary written authorisation of Council.

## **2.6 Exterior Lighting & Security Cameras**

Outdoor lighting must be installed so that light is directed downwards and all outdoor lighting shall be designed and operated to comply with the Auckland Unitary Plan lighting rules to avoid causing a nuisance on neighbouring land.

Any security cameras installed on a property must not be operated in a manner that is unlawful, to ensure that a satisfactory standard of privacy and amenity is maintained for neighbours and the general public.

## **2.7 Cultural Sites**

Cultural Sites, including middens, have been identified for protection on a number of residential properties throughout Omaha and within public reserves. These sites are protected and are identified by rocks placed around their base and are recorded on titles where they are on private property. Council requires these areas to be covered with rocks or vegetation and they must remain undisturbed. No construction of buildings or structures will be allowed to encroach on or over these sites.

## **3.0 CONTEXT & DESIGN**

While a wide variety of architectural styles and materials is evident throughout Omaha, abrupt contrasts and poor-quality development can detract from the community's image and amenity. These guidelines are intended to encourage individual buildings which are considerate of the Community in which they are located and that will enhance the character and quality of

development in Omaha.

### **3.1 Context**

Buildings should relate to existing and proposed buildings on adjacent sites in terms of height, massing, scale and appearance. Buildings which demand attention by exotic forms, colours or finishes are inappropriate. "Mirror image", relocated, pre-fabricated houses or standard, repetitive plans (especially for buildings in close proximity) are discouraged.

### **3.2 Views**

Owners must ensure that all buildings, structures, fences and vegetation within an area subject to view protection, where height covenants apply, comply with the maximum heights permitted within the covenant areas.

In addition to the maximum height rules in the Auckland Unitary Plan - Omaha South Precinct, the maximum building height on lots 2-14 in Sub-precinct "E" of the Omaha South: Precinct Plan 1 is 6.0m, provided that 50% of the width of their Building Envelope shall be not more than 5.0m in height so as to protect views from properties behind.

### **3.3 Dwellings, Accessory Buildings & Accessory Activities**

A staged construction of a dwelling is permitted provided that stage one is not less than 50m<sup>2</sup>, that it complies with the Guidelines and appears in itself a completed unit. The total staged concept for the overall dwelling is to be approved initially.

Only 1 dwelling shall be permitted per site on Type A to Type C Lots. These types of lots and the Omaha South Precinct provisions have been designed, as has the Omaha South Infrastructure, to accommodate only 1 dwelling per site on Type A to C Lots.

The limitation of development to a single dwelling is consistent with the Auckland Unitary Plan provisions for Omaha South. It also ensures that the established scale and pattern of development within Omaha South and the intensity of the use of Type A to C Lots, that contribute to the established special character and amenity of these lots, is maintained.

The subdivision layout for Omaha South is not conducive to more intensive development on Type A to C Lots. More intensive development would impact on the existing planned character of Omaha South and the established level of residential amenity throughout Omaha South.

Minor dwellings are not permitted on Type A to Type C Lots, for the reasons stated above.

Any accessory construction building or structure is not allowed on site outside the actual construction period. This includes containers and porta-coms.

Specific approval may be sought for an accessory shed. Approval will be based on the degree to which the shed is unobtrusively located and constructed of materials and colour sympathetic to the surrounds e.g. no bright aluminum cladding. Owners are encouraged to integrate storage requirements and pump rooms into the initial building designs.

Outdoor fireplaces, including pizza ovens and built in barbecues, are to be designed in accordance with the relevant Council by-laws and building code requirements and Owners must ensure that their operation does not cause a hazard or nuisance.

Long term (longer than 3 weeks per year) camping or living in caravans or campervans on residential properties is not permitted.

The construction of small toilet/ablution buildings on residential properties is not permitted.

Large vehicles including campervans, caravans and boats parked on residential properties must be sufficiently removed from boundaries with adjacent properties to avoid causing the shading of outdoor living areas, living rooms and bedrooms in dwellings on neighbouring properties.

### **3.4 Scale and Massing**

Larger, multi-storey buildings that incorporate one storey elements or low eave lines at the perimeter to reduce their apparent scale or 'bulk' are preferred. Scale can also be reduced by breaking larger buildings into several smaller blocks, wings or components.

### **3.5 Roofs**

Lower pitch roofs and single pitch roofs are encouraged as this is more consistent with the simpler architectural designs traditionally found in coastal residential areas.

All roofs should be painted neutral or dark colours, exceedingly bright colours should be avoided.

### **3.6 Chimneys and Rooftop Equipment**

All chimneys and rooftop equipment must comply with the maximum building height rules in the Auckland Unitary Plan.

It is preferred that all metal chimney flues and other roof penetrations are enclosed or painted to make them less visually obtrusive. However, their treatment is dependent on their design and scale and the architectural style of the building and each proposal will be considered on its merits.

Large satellite dishes and antennae are not permitted. Small satellite dishes (under 1m diameter) and antennae will be considered provided they are mounted unobtrusively.

Solar panels may be approved on roofs but panels must be set back from the leading edge of the roof, installed on lower roof elements and angled as low as possible to minimise their visual presence and avoid any nuisance from glare.

### **3.7 Wall Materials**

The use of timber exterior wall materials and plaster finishes is encouraged. Finishes using transparent or semi-transparent stains are considered most appropriate for timber cladding and plaster finishes are to be painted.

## **4.0 BUILDING**

Owners are to ensure that construction activities are managed in accordance with Council's by-laws and the Auckland Unitary Plan construction rules, including noise and hours of

operation, to minimise any unnecessary disturbance to neighbours.

#### **4.1 Construction Time Limit**

While there is no obligation to build, once construction has started the exterior cladding of all buildings is to be completed within two years of the date of the commencement of building works.

Where a staged construction is approved this applies to each stage.

#### **4.2 Legal Surveys and Grades**

It is suggested that Owners and their builders first visit the site and inspect legal, grade, easement and other engineering plans to ensure that there is no conflict between driveway / sidewalk locations, cultural sites, signs, street lighting, electrical and telephone services, etc.

Owners should also check the following matters:

- a) The Auckland Unitary Plan Omaha South: Precinct plan 1 that shows the neighbourhoods (sub-precincts) in Omaha South and that contains the key planning rules including yard setbacks, building coverage, floor area and maximum building height along with any relevant underlying zone rules or other Auckland-wide rules.
- b) Whether there are any view protection areas on the property where restrictive land covenants limit the height of buildings, structures, fences and vegetation.
- b) Ground Level: This is the level that is to be used for determining the height of all buildings and structures and it is the finished level of the ground at the time of the completion of the original subdivision of the Omaha South Precinct. However, where there has been a more recent subdivision in which additional sites were created, where the Ground Level is the finished level of the ground at the time of the completion of the subdivision, unless stated otherwise in the subdivision consent.
- c) Whether there are any cultural sites (all of which are protected from development or disturbance) on the property.

Each lot will be staked at all corners with wooden pegs. Builders must be very careful when working around these pegs and must use a surveyor to confirm their position at the time of setting out the building. Please note that prior to pouring the footings or slabs for the approved building owners must submit to the Design Control Committee an engineering or surveyor's certificate confirming that the grades, height and location of all buildings and surveyor's pegs are in accordance with the approved drawings.

Owners are responsible for ensuring that development on their property is in accordance with the Auckland Unitary Plan and all covenants registered on the property title.

#### **4.3 Erosion Control and Damage during Construction**

Satisfactory measures shall be undertaken to ensure that all disturbed areas on a site are protected from wind and water erosion during and after the construction period. Wind erosion is a particular concern at Omaha.

All exposed sand or soil shall be covered with matting or vegetation to avoid dust nuisance on neighbouring properties. All earthworks shall be re-vegetated within one month of completion by either the spreading of a grass seed mix (perennial rye grasses and clover) or by planting native sand-binding groundcovers (e.g. Muehlenbeckia Complexa, Muehlenbeckia Axillaris or shore bindweed).

#### 4.4 Swales and Soakage Pits

The storm water system seeks to maximise groundwater recharge through swales in public places, including roads, and through on-site soakage pits on residential properties. Those areas where on-site soakage is required on properties is shown on the Auckland Unitary Plan - Omaha South: Precinct Plan 1.

Builders must:

- not dispose of or allow runoff of concrete or other impermeable materials into swales, soakage pits or roadways;
- not remove or damage vegetation in road reserves or close to swales and soakage pits;
- avoid the use of heavy machinery wherever possible, as they can compact soils and reduce permeability;

#### 4.5 Construction Storage

All construction materials, rubbish and excavation materials must be stored within the boundaries of the site. Builders must provide adequate rubbish containers on the site and control waste materials so as to prevent dispersal by wind onto other properties.

No fires are permitted.

If proper clean up does not occur, debris will be removed and the cost thereof charged to the Owner.

#### 4.6 Compliance costs

Owners shall pay to the Omaha Beach Residents Society ("**Residents Society**") a Bond from which actual costs incurred by the Design Control Committee (including professional consultancy fees) relating to applications for design approval and monitoring, administering and ensuring compliance with the terms of the design approval, will be deducted. These costs shall be paid by Owners to the Residents Society in advance, at the time Owners submit Final plans for approval and otherwise when requested by the Residents Society.

Where the balance of a bond has been refunded and additions or alterations to buildings, sheds, landscaping or fencing are submitted to the Design Control Committee, a deposit shall be paid at the time the Preliminary Design submission is submitted to the Committee.

The actual costs of the design review will be charged to Owners directly, in accordance with the Omaha Beach Residents Society Constitution. The balance of any deposit fee paid will be refunded to Owners should the design approval charges be less than the deposit. The deposit fees are set out below:

- Building additions and exterior alterations: \$3,500.

- Major landscaping, sheds, fencing and swimming pools: \$750
- Exterior repainting: \$100

#### **4.7 Right of Refusal**

The Design Control Committee retains the right, at their sole discretion, to refuse approval of any plans which, in their opinion, do not meet acceptable standards of design quality.

The Committee will provide details of the reasoning behind any refusals or concerns raised, including positive suggestions where appropriate.

#### **4.8 Approval Process**

The Guidelines supplement the requirements of the Auckland Council. Owners must obtain the approval of the Committee before making an application to Auckland Council for a resource consent or building consent. Owners making an application to Auckland Council for resource consent or building consent without the prior written approval of the Design Control Committee will be in breach of the constitution of the Omaha Beach Residents Society.

The Bond, which Owners pay to the Residents Society on settlement of the purchase of the lot, provides the Residents Society with security for performance by Owners of the obligation to obtain and comply with the terms of an approval of the Design Control Committee, generally as outlined in these guidelines and otherwise as provided for in the constitution of the Residents Society.

##### **1. Preliminary Submittal**

A completed Preliminary Design submission form along with two sets of documents are to be submitted to the Design Control Committee consisting of conceptual plans showing the site planning and building concepts. Electronic copies of the plans and documents are preferred and can be sent to the e-mail address provided on the Preliminary Design submission form. Should the Residents Society not hold a bond for the property a deposit fee shall be paid at the time the Preliminary Design submission is submitted to the Committee. The deposit fees applicable are set out in Section 4.6 above.

Owners are to ensure that the proposed development is in accordance with the relevant Auckland Unitary Plan - Omaha South precinct rules, the Guidelines and any covenants on the property title.

The Design Control Committee will review these documents and provide a written response within 20 working days of receipt of the completed submission.

##### **2. Final Submittal**

1. Following the Preliminary Design submission and provided the Committee is satisfied with the building concept a completed Final Design submission form and three full sets of final drawings (or electronic copies) are to be submitted to the Design Control Committee including:
  - a) legal description

b) landscape / Site Plan (A3 plans @ 1:100 or 1:200 scale)

- utilities locations - existing and proposed
- cultural sites
- location, size and screening of water storage tanks
- drainage and location/ size of soakage pits (dry wells)
- building yard setbacks - and covenants
- sidewalks, stairway, courtyards, swimming pools, greenhouses, playhouses, awnings, fences and walls
- garages, other accessory buildings
- any fence location, height, appearance and construction materials
- location of plants, lawn area, trees, ground cover areas, and shrubs
- plant list including species, size, height at maturity.

c) building Plans (A3 Plans@ 1:50,1:100 scale)

- site plan, floor plans, & elevations
- roof slope and building height
- colours and materials identified
- any rooftop equipment including antennae, satellite dishes, chimneys, solar panels, and exterior lighting.

d) Specifications

- samples for colours of roof and exterior wall cladding materials and of other special features

3. House e.g. and grades, exterior design, materials and colours will be reviewed by the Design Control Committee within 20 working days of a completed submission being received.
4. Approved plans can be collected from the Design Control Committee. In the event of a refusal of approval by the Design Control Committee Owners and / or their architect may work with the Design Control Committee to obtain approval.
5. Owners or their agent may only apply for and proceed with Resource Consent or Building Consent from Auckland Council after Final Design approval has been granted by the Design Control Committee.

6. Prior to pouring the footings or slabs, Owners shall submit to the Design Control Committee engineering or surveyor's certificate confirming that the grades, height and location of all buildings and surveyor's pegs on the site are in accordance with the approved drawings.
7. The final design approval will lapse five years after having been granted unless work on the approved building has commenced or an extension of time has been approved.
8. Owners shall contact the Design Control Committee when the new building work (including additions and alterations), landscaping and any fencing are complete.
9. The Bond will be returned to Owners once the finished project matches the approved drawings to the satisfaction of the Design Control Committee and all the terms of the Bond have been complied with. The Bond may be forfeited and additional action taken by the Design Control Committee should the finished project vary from the approved drawings.
10. The Design Control Committee will require Owners to pay its reasonable fees in relation to the review and approval process which will be deducted from the Bond or from a deposit fee for additions and alterations or changes to fencing, landscaping or exterior colour schemes should the bond have already been refunded.