



A Guide to

The Setback Requirements

Why do we control the location of buildings on a site?

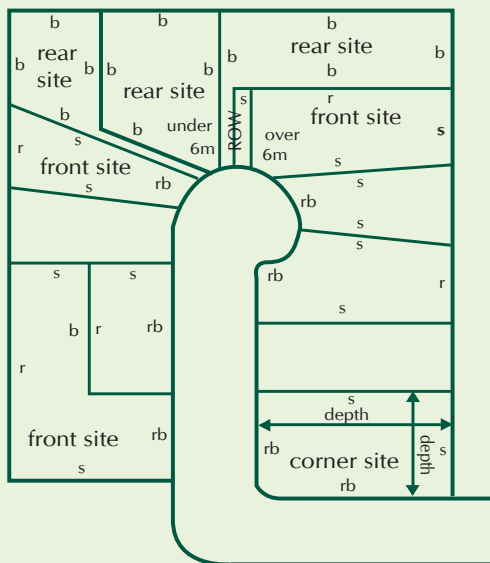
The main reason for controlling the location of buildings is to ensure that they do not have adverse effects on the environment and the neighbouring land use. Some land uses have adverse effects that require greater set-backs from boundaries to minimise the impact on adjacent sites.

What is a setback?

A setback is the area between the outside wall of a building and the site boundary which is required to be unobstructed by buildings from the ground upwards (except as otherwise provided for in the Operative Waipa District Plan). The setback depends on the zone the site is in and whether it is a road boundary or internal boundary (see diagram below).

Road setback – the area between the legal road boundary for a property and a line parallel to this extending across the front of the site.

Internal setback – the area between the side and rear boundary and a line parallel to this extending across the site.



s side boundary)
 r rear boundary) internal site boundaries
 b boundary)
 rb road boundary

How is the setback rule applied?

- Identify the zoning of your site by checking the Planning Maps in the District Plan.
- Determine whether the boundary you want to build on is a road or internal (side and rear) boundary.
- Refer to the table below for the relevant setback requirements.
- If the proposed building does not comply with the setback requirements, you will need to apply for resource consent. Refer to the District Plan to determine what type of resource consent is required.

What are the minimum building setback requirements in the operative Waipa District Plan?

(Also refer to the notes below where applicable).

ZONE	ROAD BOUNDARY	INTERNAL (side & rear) BOUNDARY
Rural Zone including Rural Residential Area	For all buildings including accessory buildings: Rural Zone • All roads – 15.0m ⁽¹⁾ Rural Residential Area • Primary roads – 15.0m • Other roads – 10.0m	For dwellinghouses & accessory buildings: Rural Zone • On properties more than 1ha – 10.0m ⁽²⁾ • On properties less than 1ha – 5.0m ⁽²⁾ Rural Residential Area • All properties – 5.0m ⁽²⁾ • Buildings housing animals, including milking sheds and shearing sheds – 30.0m • Other buildings (includes implement sheds) – 15.0m
	(See Rule 2.4.13)	(See Rule 2.4.14)
Residential	For all buildings including accessory buildings: • All roads (other than below) – 5.0m • On State Highways & Hall Street, Cambridge. – 7.5m • On roads within Character Areas 1 and 4 in the Cambridge Park Residential Zone – 3.0m	For Dwellinghouses, Multi-Unit Residential Accommodation & Accessory Buildings: ⁽³⁾ • All buildings – 1.5m ⁽⁴⁾ • Accessory Buildings - no accessory building shall be permitted in any position which is likely to prejudice on site vehicle manoeuvring. Other Buildings & Structures: ⁽³⁾ • All buildings – 3.0m
	(See Rule 3.4.5)	(See Rule 3.4.6)



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(Continued)
What are the minimum building setback requirements in the operative waipa district plan?
 (Also refer to the notes below where applicable).

ZONE	ROAD BOUNDARY	INTERNAL (side & rear) BOUNDARY
Deferred Residential	Refer to Rural Zone Rules.	
General	<ul style="list-style-type: none"> All roads – 5.0m 	<ul style="list-style-type: none"> Adjoining a Residential Zone – 1.5m (5) Buildings shall be set-back 1.5 metres from sections of internal boundaries adjoining a site or sites which have all existing and committed buildings (except accessory buildings) set-back from that boundary at least 1.5 metres. ‘Committed’ in this Rule means where a building consent has been issued.
	(See Rule 5.4.1)	(See Rule 5.4.2)
Town Centres	No setback requirements	
Industrial	<ul style="list-style-type: none"> All roads (other than below) – 3.0m On State Highways & Primary Roads – 5.0m 	<ul style="list-style-type: none"> Buildings shall be set back a minimum of 5.0 metres from internal boundaries adjoining a Residential Zone.
	(See Rule 7.4.2)	(See Rule 7.4.3)

NOTES

- Provided that in the remainder of the Rural Zone a building may be located closer to a road boundary than 15m, but not less than 10m in cases where a suitable building cannot be constructed in a conforming position but only in the following circumstances:
 - where the maximum depth of a front site is less than the road frontage of the site; or
 - where the maximum depth of a corner site measured at right angles to its shortest frontage is less than the length of that frontage; or
 - where the depth of a site will be reduced due to road widening or other public works and a building of reasonable size cannot be located in a conforming position; or
 - where there are legal restraints preventing complying siting (e.g. easements)
- Provided that this rule does not apply to an extension to an existing dwelling house or accessory building which has a floor area of 30% or less of the existing building and the extent of the non-compliance is not increased.

- Exemptions
 - The eaves of any building may encroach into the required set-back by not more than 0.6 metres;
 - A retaining wall not exceeding 1.5 metres in height may be erected on or closer to a site boundary;
 - A fence not exceeding 2.0 metres in height may be erected on or closer to any site boundary; and
 - Pergolas and similar open ornamental structures not exceeding 3.0 metres in height whether attached to a household unit or not may be erected in any yard provided that they are not located closer than 3.0 metres to any residential building on an adjoining site and providing that the structure shall comply with Rule 3.4.10.
 - It is a Permitted Activity for accessory buildings to encroach the set back requirements for an internal boundary, providing that the building complies with the height requirements of Rule 3.4.10, and providing written consent has been obtained from affected parties. Evidence of written consent will be required when a building permit is applied for.
- Except that, in the case of a dwellinghouse which does not incorporate car accommodation within the structure or attached to the structure of the dwellinghouse at the time the dwellinghouse is erected, vehicle access from the street between the dwellinghouse and one side boundary of at least 3.0m shall be provided.
- Notwithstanding the above, the following are permitted:
 - the eaves of any building may encroach into the required set-back by not more than 0.6 metres;
 - a retaining wall not exceeding 1.5 metres in height may be erected on or closer to a site boundary;
 - a fence or wall not exceeding 2.0 metres in height may be erected on or closer to a site boundary; and
 - pergolas and similar open ornamental structures not exceeding 3.0 metres in height whether attached to a building or not may be erected in any yard provided that no part of them is located closer than 3.0 metres to any residential building on an adjoining site.

Need to know more?

For further advice in relation to the Fencing Act please contact a lawyer or staff at your nearest Community Law Centre.

For further information and assistance in relation to the Building Act or the District Plan, please contact a Building Control Officer or a Planning Officer respectively at your nearest Waipa District Council Office.

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