

APPENDIX A - WAITAKERE CITY COUNCIL DESIGNATIONS					
LOCATION	REF	LOCAL PLAN	LEGAL DESCRIPTION	DESIGNATED PURPOSE	
75 - 79 Glen Rd, Massey	WCCPSC1	D7	Lot 1 DP 19247	Park service centre purposes Te Rangī Hiroa Park - includes nursery & house	
The Concourse, Te Atatu	WCCBF1	D9	Pt Lot 6 DP 27417, SO 44455, SO 54452	Solid waste baling station & recycling centre	
Henderson Valley Rd and 182 Candia Road	WCCOS1	F7	Lot 2 DP 73162, Pt 2 DP 36537	Proposed reserve	
Te Rangī Hiroa Park 68 Chamberlain Rd	WCCOS2	D7	2, DP 64720, Pt Lot 1 DP 34613, Lot 2 DP 114138, Lot 1	Proposed reserve	
Henderson Valley RD and adjoining sites	WCCOS3	E8, F7, F8	Pt 40 DP 1467, Pt 8 DP 8632	Proposed reserve	
Pioneer Park 9 Alderman Dr	WCCOS5	E9	Pt Lot 1 DP 59689	Reserve Purposes	
Ranui Station Rd/Marinich Dr	WCCDR1	E7	Allot 584 SO 47133	Drainage reserve purposes	
Easter Parade	WCCSPS1	G8	as shown on S.O. plan 66659, Lot 53 DP 56067	Sewage processing purposes -pumping station	
Colwill Rd	WCCSPS2	C9	Pt 8 SO 47474	Sewage processing purposes -pumping station	
Phillip Ave	WCCSPS3	G9	Pt 24 SO 53569	Sewage processing purposes -pumping station	
McEntee Rd	WCCWSP1	D4	Allot 649	Water supply reservoir purposes	
Don Buck Rd	WCCWSP2	D7	Pt Sec 30 SO 49939	Water supply reservoir purposes	
Te Henga Rd	WCCWSP3	D4	Allot 630	Water supply reservoir purposes	
Scenic Dr	WCCWSP4	H8	Lots 1, 2 & 7 DP 57315	Water supply reservoir purposes	
Bush Rd, Waīatarua	WCCWSP5	G6	Pt 3, 10, 11	Water supply reservoir purposes	

Huia Rd	WCCWSP6	J6	Allot 209	Water supply reservoir purposes
Claridge St 45 Woodglen Rd	WCCWW1	F9	Pt Allot 573	Walkway & reserve purposes
Dora St	WCCRP2	E9	Lot 1 DP 107436, Lot 1 DP 131829, Lot 5 DP 130645	Roading purposes
Harvest Dr	WCCRP3	E8	Pt 1 DP 101256	Roading purposes
Marinich Dr	WCCRP4	E7	Pt 1 DP 8269	Roading purposes
Palamino Dr to Monroe Rd	WCCRP6	E8	Lot 2 DP 159697, Lot 3 DP 61899, Pt 22 DP 1467	Roading purposes
Hutchinson Ave	WCCRP7	G11	Lot 1 DP 35532	Roading and access purposes
Waitemata Drive	WCCRP8	D7	DP 100574 and part Lot 11 DP 101216	Roading purposes
Waipareira Avenue	WCCRP9	E9	Pt Lot 4 DP 121630	Roading purposes
Alderman Dr	WCCCP1	E9	Lots 1,2,3,4 DP 24633, Lots 3A, Pt 1, 2 DP 7645	Public carparking purposes
Delta Ave 1	WCCCP3	F11	Pt Lots 39 & 40 DP 20556	Public carparking purposes
McNaughton Way	WCCCP4	F11	Lot 6 DP 112466	Public carparking purposes
Great North Rd	WCCCP5	F11	Lot 2 DP 55645	Public carparking purposes
Afton Pt	WCCA1	E7	Lot 36 DP 83263	Roading & access purposes
Allington Rd	WCCA2	C9	Lot 99 DP 73302	Roading & access purposes
Claverdon Rd	WCCA5	C9	Lot 19 DP 83162	Roading & access purposes
Daffodil St	WCCA6	G9	DP 117572	Roading & access purposes

Denver Rd	WCCA7	F9	Lot 5 DP 134216	Roading & access purposes
Denver Rd	WCCA8	F9	Pt 39 DP 91501	Roading & access purposes
De Val Dr	WCCA9	G10	Lot 11 DP 47939	Roading & access purposes
Edwin Freeman Pl	WCCA10	D7	Lot 95 DP 104330	Roading & access purposes
Fairbanks Pl	WCCA11	E9	Lot 13 DP 102986	Roading & access purposes
Fairdene Ave	WCCA12	E8	Lot 76 DP 45530	Roading & access purposes
Glengarry Rd	WCCA13	F8	Lot 41 DP 19309	Roading & access purposes
Glynbrook Rd	WCCA14	E9	Lot 49 DP 64924	Roading & access purposes
Greenock Rd	WCCA17	E7	Lot 21 DP 60913	Roading & access purposes
Lincoln Park Ave	WCCA19	D8	Lot 13 DP 43700	Roading & access purposes
Lincoln Park Ave	WCCA20	D8	Lot 19 DP 58862	Roading & access purposes
McKinley Rd	WCCA21	F9	Lot 38 DP 91502	Roading & access purposes
Redwood Dr	WCCA22	D8	Lot 3 DP 64552	Roading & access purposes
Reynella Dr	WCCA23	D8	Lot 58 DP 73821	Roading & access purposes
Sari Pl	WCCA25	D8	Lot 15 DP 79815	Roading & access purposes
Spargo Rd	WCCA26	C9	Pt 1 DP 15959	Roading & access purposes
Timandra Pl	WCCA27	D8	Lot 48 DP 84168	Roading & access purposes

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Vinceroy PI Carlos Way 35 Ranui Station Rd	WCCA29	G10	Lot 1 DP 116438	Roading & access purposes
Henderson Square A	WCCA32	E7	Lots 1-4 DP 319849 45172, Lot 1 DP 87577, Lot 1 DP 65958	Roading, Car Parking and Access Purposes
Henderson Square B	WCCSL1	E8, E9	Lot 3 DP 62528, Lots 3,4 DP 58612, Lots 3,4 DP 85296	Service Lane
Hugh Brown A, B, C	WCCSL2	E9	Lots 1,5 DP 112446, Lot 3 DP 109406	Service Lane
James Laurie St	WCCSL3	F11	Lots 1,2,3 DP 54146	Service Lane
Ratanui St	WCCSL4	E9	49031, Pts 17, 18, 19 DP 8010, Sec 2	Service Lane
Todd Ave	WCCSL5	E8, E9	Lot 2 DP 55643, Lot 5 DP 107435, Lot 1 DP 58705	Service Lane
Great North Rd	WCCSL6	F11	DP 11643 SO 17726	Service Lane
O'Neils Rd	WCCC1	F9	Allotment 192, Parish Waipareira	Cemetery
Ambrico Place	WCCC2	E6	Lot 3 DP 152489	Cemetery
Kay Road	WCCOS4	F11	Pt Allot A6 +177 Waipareira Parish	Reserve Purposes
	WCCPR4	D6		Proposed reserve
LOCATION	REF	LOCAL PLAN	DESIGNATED PURPOSE	DESCRIPTION
Birdwood Rd	WCCRW1	D7, D6	Road widening purposes	Both sides from Birdwood Road/ Glen Rd to Crows Rd intersection
Clark St	WCCRW2	F11	Road widening purposes	Both sides of Clark St between Portage Rd & Totara Ave rail crossing
Edmonton Rd	WCCRW3	E9,	Road widening purpose	7645, Lot 4 DP 39797, Lot 3 DP 79209 Edmonton Rd frontage - splay

A4

Great North Rd	WCCRW4	E9, E8, F10	Road widening purposes	Both sides from Wadier Pl to Buscomb Ave Northern side: Archibald Rd to Sabulite Rd 102240, Pt 1 DP 125187, PT 3 DP 34671, Lot 2 DP 131804 Lots 1&2 DP 150663, Lot 2 DP (being Lot 26 DP 9617) Eastern side: opposite Hill Crescent to 118 Portage Road (being Lot 11 DP (north) & Lot 1 DP 37598 (south) Both sides from O'Neills Rd to Lot 4 DP 40861 15 m from road
Lincoln Rd	WCCRW5	D8, E8	Road widening purposes	
Portage Rd	WCCRW6	F11, G11	Road widening purposes	
Swanson Rd	WCCRW7	E8	Road widening purposes	
Te Atatu Rd South	WCCRW9	E9	Road widening purposes	Both sides from Edmonton Rd to motorway SP 476538, Pt 2 CT 702/107, Lot 3 DP 19000
Titirangi Rd	WCCRW 10	F10, G10	Road widening purposes	Northern side: from Gt North Rd to Lot 1 DP 45689 to 43 Totara Avenue PT ALLOT 257 SO 898
Totara Ave	WCCRW 11	F11	Road widening purposes	
West Coast Rd	WCCRW 13	F9, F10	Road widening purposes	Both sides along entire length
Swanson Rd	WCCRW 14	E8	Road widening purposes	Lincoln Rd to just past Sturges Rd
Alderman Drive	WCCRW 15	E9	Road Widening Purposes	Southern side of Alderman Drive from Oratia Stream to Ratanui Street
Conditions Relating to Waitakere City Council Designations				
All designations shall be subject to:				
<ol style="list-style-type: none"> 1. All relevant Natural Area Rules 2. City-Wide Rules of the Plan relating to: noise standards, natural hazards, hazardous facilities and contaminated sites, and heritage 3. All relevant Human Environment Rules relating to: noise, air discharges and odour, dust, glare and vibration. 				

AS

- roads, driveways, manoeuvring areas, parking areas and other paved surfaces

BUILDING PLATFORM

means an area of *land* on which *buildings* could be accommodated, of a type likely to be established in accordance with the standards of the relevant *Human Environment* Rules applying to the *site*

BUILDABLE SITE(S)

means a *site* on which a *building* could be erected under the *Plan*

BUILDING BULK

means the total dimension of a *building*, including width, length and *height*

BUILDING COVERAGE

means that proportion of the *net site area* which may be covered by *buildings* or parts of *buildings*, and includes overhangs or eaves in excess of 0.75 metres in width, but excludes uncovered:

- decks
- terraces
- steps
- satellite dishes
- swimming pools
- pergolas

(Note: see the definition of “impermeable” which differs from the above)

BUSH LIVING ENVIRONMENT

means *land* shown on the *Human Environments* Maps as *Bush Living Environment* and to which the *Bush Living Environment* Rules apply

CANOPY

means a weather-proof covering, substantially covering a footpath used by the public

CAR PARKING (CAR PARK)

means provision for the parking of motor vehicles where each car park space has dimensions of no less than 2.5 metres by 5.0 metres and includes provision for manoeuvring to and from each car park space, each *car park* to be formed in a permanent, maintenance free surface, marked out and with provision made for the drainage of stormwater

CARRIAGEWAYS

means that part of a *driveway* or *road* formed for the carriage of motor vehicles

CATCHMENT(S)

means the area(s) which the Council has defined relating to the:

- *road(s)*; and/or
- *wastewater treatment and disposal system(s)*; and/or
- *stormwater treatment and disposal system(s)*; and/or
- *public water supply system(s)*; and/or
- *reserve(s)*

over which a *financial contribution* will apply

CENTRAL POINT

means the point shown on the *Human Environments* Maps as “*Central Point*” to which Rule 2 in the *Living Environment* Rules relates

CERTIFICATE(S) OF COMPLIANCE

means a certificate granted by a local authority under Section 139 of the *Act*

CHANGED USE

means a *building* or *site* used for a significantly different purpose than the immediately previous use, and will include a change from a *Residential Activity* to a *Non-Residential Activity*, or a change from *Any Activity* to a *Retail Activity*

CITY-WIDE RULES

means rules appearing in the *City-Wide Rules* part of the *Plan*

CLEANFILL(S)

means depositing onto or into *land*, material of natural content not subject to biological breakdown

CLEARANCE

means removing or killing any *native vegetation* of any *height* or any *exotic vegetation* with a *height* of 1.0m or more, including any alteration of the root *structure* of such *vegetation* likely to result in plant death, provided that this definition shall not include *pruning* or:

- the removal of any *vegetation* that, in the opinion of an expert recognised by the Council, is dead or suffering from an untreatable or dangerously infectious disease
- removal or alteration of *vegetation* necessary to avoid injury to persons or damage to property



definitions

CONVENIENCE SHOP(S)

means premises used for *retail services* or *retail sales* provided that *retail sales* shall be limited to one or more of the following: food, *beverages*, books, magazines and stationery items and health care items

CORBANS ESTATE SPECIAL AREA

means *land* shown on the *Human Environments* Maps as *Corbans Estate Special Area* and to which the *Special Areas* Rules apply

COUNTRYSIDE ENVIRONMENT

means *land* shown on the *Human Environments* Maps as *Countryside Environment* and to which the *Countryside Environment* Rules apply

DESIGN, DESIGNED

means the external appearance of any *building*, *structure*, landform or any *development*, and includes materials used, dimension and colour

DESIGNATED

means containing a *designation*

DESIGNATION(S)

means the meaning given in section 166 of the *Act*

DEVELOPMENT

means the alteration in any form of the physical nature of a *site* or any use of a *site* and includes any *structure*, *earthworks*, *planting*, cutting and *clearance*, and *Any Activity*

DISCRETIONARY ACTIVITY

means an activity:

- (a) which is provided for as a *Discretionary Activity* by a rule in the *Plan*; and
- (b) which is allowed only if a *resource consent* is obtained in respect of that activity; and
- (c) which may have standards and terms specified in the *Plan*

DISPLAY SPACE

means window space within which goods are displayed for *retail sale* or within which there is advertising or display of services or products available within the premises

DRIPLINE

means all that area (including the ground and beneath the ground) below the *canopy* spread of a plant

DRIVEWAY

means privately owned *land* providing vehicular access to a *site* or to a parking space and includes any *manoeuvring area* associated with the vehicular access

DUST

means small particles containing metallic elements, quartz, asbestos, organic or other materials including, but not limited to, fertilisers, cement, coal, soot, carbon, tars, wood, fibres and pathogenic substances, provided that *dust* shall not include material *produced* as a result of natural processes including, but not limited to, pollens and seeds

DWELLING(S)

means a *building* or part of a *building* *designed* or used for *Residential Activity* and which contains, or is intended to contain no more than one housekeeping unit, consisting of either:

- (a) one person, or
- (b) two or more persons related by blood, marriage, adoption or legal guardianship, or
- (c) a group of not more than eight persons unrelated by blood, marriage, adoption or legal guardianship
- (d) a combination of (b) and (c) above, provided the total number of persons does not exceed eight.

and includes *buildings* which are *subsidiary* to a *dwelling*, but does not include a *minor household unit* or any *buildings* used for *Non-Residential Activities*

EARTHWORKS

means earthmoving operations carried out by any means for any purpose and includes:

- (a) quarrying;
- (b) prospecting and exploration;
- (c) the disturbance of *land* surfaces by moving, removing, placing or replacing soil or earth, or by excavation, cutting or filling operations;
- (d) contouring;
- (e) *road*, *driveway* and other access *construction*;
- (f) *cleanfill* operations;



Definitions

LOADING SPACE(S)

means facilities for the loading and unloading of goods, generally from a heavy vehicle and includes a parking space measuring no less than 7.0 metres by 3.0 metres, and the *manoeuvring area* to and from that parking space

LOT

Has the same meaning as given to Allotment in section 218(2) of the *Act*

MAHINGA MAATAITAI

means a seafood gathering area

MAIN GLAZING

means the largest window in a room (see Diagram E)

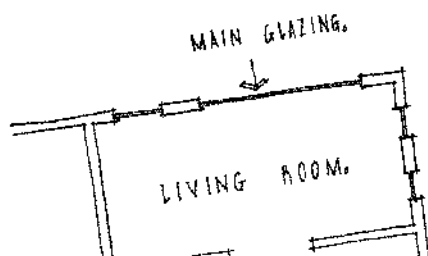


Diagram E

MAIN LIVING ROOM

means the largest room in a *residential building*, other than a room used principally as a *bedroom*, laundry or bathroom

MAINTENANCE

in relation to a *heritage item* listed in the *Heritage Appendix*, means the painting of previously painted surfaces, plumbing or guttering *maintenance* work, water washing and such similar work excluding abrasive or high pressure cleaning, as is required to keep a *building* clean, safe or weatherproof

MAJOR ROAD(S)

means a Strategic Arterial Road or a Regional Arterial Road or a District Arterial road as indicated on the *Roading Hierarchy Map*

MAJOR TOWN CENTRE

means those areas identified on the *Human Environment* maps as *New Lynn Community Environment*, *Henderson Community Environment* and *Westgate Community Environment*, including any *Community Environment periphery* in those areas

MANAGED NATURAL AREA

means *land* shown on the *Natural Areas Maps* as *Managed Natural Area* and to which the *Managed Natural Area Rules* apply

MANOEUVRING AREA(S)

means the area required by the *Plan* for the *on-site turning* of motor vehicles

MANUFACTURING ACTIVIT(Y)(IES)

means an activity involving the making of items by physical labour or machinery and includes assembly of items

MARAE SPECIAL AREA

means *land* shown on the *Human Environments Maps* as *Marae Special Area* and to which the *Special Areas Rules* apply

MARINA SPECIAL AREA

means *land* shown on the *Human Environments Maps* as *Marina Special Area* and to which the *Special Areas Rules* apply

MEDIUM DENSITY HOUSING

means *development* on a *site* with a minimum *net site area* of 2,000 m² containing *dwelling*s at a density of more than one *dwelling* for every 350m² of *net site area* exclusive of *roads*, reserves, communally owned *driveways*, *open space* and other commonly owned or public facilities

METEOROLOGICAL ACTIVITIES

means the establishment and operation of *structures* to measure, collect and distribute meteorological information, and includes associated *telecommunication*, radio and satellite links

MINERAL(S)

has the meaning given in section 2(1) of the *Crown Minerals Act 1991*



definitions

RURAL ACTIVITY

means the use of *land* or *buildings* for the purposes of commercial agricultural, horticultural or pastoral farming, but shall not include *intensive livestock farming* or *woodlots* or *forestry*

RURAL VILLAGES ENVIRONMENT

means *land* shown on the *Human Environments* Maps as *Rural Villages Environment* and to which the *Rural Villages Environment* Rules apply

SCHEDULED ACTIVITIES

means activities appearing in the *Scheduled Sites* lists appended to the *scheduled sites* Rules

SCHEDULED SITE

means a *site* shown on the *Human Environments* Maps as a *scheduled site* which is or, subsequent to a *Plan Change* prepared by or in association with the Council, subject to the *scheduled sites* Rules

SCREEN (ED) (ING)

means wholly or substantially separated from view, for instance by *fencing* or *planting* such as a *fence*, wall or trellis of a minimum *height* of 1.6m; or a strip of *vegetation* which has or will attain a minimum *height* of 1.6m; opaque glass; or windows with a sill *height* at least 1.6m above floor level

SECONDARY FLOW PATH(S)

means paths over the *land* which will allow for the drainage of stormwater at times when the *reticulated* stormwater system reaches capacity

SEA

means the Tasman Sea or the Manukau Harbour or the Waitemata Harbour

SENSITIVE RIDGELINES (RIDGES)

means a *modified sensitive ridgeline* or a *natural sensitive ridgeline* as shown on the *Natural Areas* Maps

SERVICE STATION(S)

means any undertaking where the dominant activity is *retail sales* of motor vehicle fuels (including petrol, LPG, CNG and diesel) and may also include any one or more of the following:

- *retail sales* of kerosene, alcohol based fuels, lubricating oils, tyres, batteries, vehicle spare parts and other accessories normally associated with motor vehicles; and

- mechanical repair and servicing (including washing and lubing) of motor vehicles (including motorcycles, caravans, boats and trailers) and domestic equipment; and
- warrant of fitness testing; and
- other *retail sales subsidiary* to the main use of the *site*

SERVICE STRIP

means a strip of specified minimum width available for underground reticulation of services

SETBACK, SET BACK

means the horizontal distance between a *structure* and a *site boundary* or any proposed *road widening designation*

SEWERED

means able to be connected to a *reticulated wastewater disposal system*

SHAPE FACTOR

means a dimensioned square able to be contained within the internal boundaries of a *site* on a horizontal plane

SHARED DRIVEWAY

means a *driveway* shared by more than one *site* or by more than one *dwelling*

SHOP(S)

means any *land*, *building* or part of a *building* on or in which goods are displayed, sold, or offered for sale to the public

SIGN(S)

means any device intended to attract attention for the purpose of directing, identifying, informing or advertising, except for advertising matter placed on or within a display window of commercial premises, except signs defined as *Parks Signs*

SIGN AREA

means the sum of the area of a *sign* or *signs* visible from any one direction



RULES**1.0 General**

The following Rules 1.1 and 2 to 17 apply to activities on land situated in the *Living Environment*, including the *Living (L1) Environment*, the *Living (L2) Environment*, the *Living (L3) Environment* and the *Living Environment (Harbour View)*.

1.1 Notification/Non-Notification Δ7

In relation to *Controlled Activities* and *Limited Discretionary Activities* under the following Rules 2 to 17, applications for *resource consent* need not be notified and the written approvals of affected persons will not be required, nor in terms of limited notification under the *Act*, will notice to adversely affected persons need to be served.

RULE 2

RESIDENTIAL ACTIVITIES / DENSITY

RULES

2.0 General

The following rules shall apply to all *Residential Activities*.

2.1 Permitted Activities

Activities meeting the following Performance Standard are *Permitted Activities*:

- any *Residential Activity* which involves:
 - (i) *dwelling*s with a minimum 450m² *net unit area* per *dwelling* except in the *Living (3) Environment*; and
 - (ii) *dwelling*s with a minimum 650m² *net unit area* and an average of 800m² *net unit area* in the *Living (3) Environment*; and
 - (iii) *minor household units* with a minimum 600m² *net unit area* for the *minor household unit* and associated *dwelling*, and
 - (iv) a *dwelling* on any *site* or *proposed site* for which a Council certificate pursuant to section 223 of the *Act* or section 314 of the Local Government Act 1974 was issued prior to 14 October 1995, and which complied with district plan standards prior to that date.

ASSESSMENT CRITERIA

2(a)

The extent to which the *development* complements **amenity values** and **neighbourhood character**.

2(b)

The extent to which the *development* is compatible with the size of the *site*.

2(c)

The extent to which the *development* complements existing *development* on the *site*, having regard to:

- separation distances between *dwelling*s
- the visual impact of access to *rural dwelling*s
- the visual appearance of the *development* from the *road*
- privacy between *buildings* and of *outdoor space*.

2(d)

The extent to which the *development* has regard to and where possible incorporates *natural features* on or around the *site*.

2(e)

The extent to which more than minor adverse *effects* can be adequately avoided, remedied, mitigated or offset through provision of works and services on or off the *site* and/or through payment or provision of a *financial contribution*.

Note: See also Policies 1.1, 1.2, 1.14, 2.1, 3.1, 4.2, 10.17, 10.27, 11.1, 11.2, 11.27, 11.28

(Policy Section of the Waitakere District Plan)

NOTES

1. If an activity is not controlled or restricted in any way by any part of the *Plan* it is permitted, but may require consents under other legislation/plans.
2. Activities must comply with all other relevant rules of the *Plan* or be the subject of a *resource consent*. Check all other rules in this *Human Environment* and also the *Natural Area Rules* and the *City-Wide Rules* and, where relevant, the *Subdivision Rules*.
3. Words in *italics* are defined - see the Definitions part of the *City-Wide Rules*.
4. Words in **bold** are explained - see the Explanations part of the Introduction to the Rules.
5. The Council may have a guideline to help interpret this rule - check at the Council Offices (see also the Medium Density Housing Criteria Appendix).
6. For *resource consents* see the Information Requirements in the *City-Wide Rules*.

living environment

RULE 2

RESIDENTIAL ACTIVITIES / DENSITY

2.2 Limited Discretionary Activities

Activities meeting the following Performance Standards are *Limited Discretionary Activities*:

- (a) any Residential Activity involving *medium density housing* which is:
 - (i) established on a site with a minimum *net site area* of 2000m² and either:
 - has frontage to a Strategic or Regional Arterial (excluding the North-Western Motorway) (see the Roading Hierarchy map); or
 - is on a site in the *Living Environment* falling wholly within a 700 metre radius of the *central point* of the *Glen Eden* or *Westgate Community Environment*, or within a 1,000 metre radius of the *central point* of the *Henderson* or *New Lynn Community Environments* (see *Human Environment Maps*); or
 - is on a site in the *Living Environment* falling wholly within a 500 metre radius of a train station; or
 - is within the *Living Environment (Harbour View)*.

Assessment of *Limited Discretionary Activity* applications made under this rule will be limited to the matters of *design*, *location*, *scale*, *outdoor space*, *screening*, *landscape treatment* and provision for vehicles and pedestrians, and will be considered in accordance with the "Medium Density Housing Criteria" Appendix to these rules.

- (b) dwellings, except in the *Living (3) Environment* and not in a *medium density housing development* and not satisfying the requirements of Rule 2.1 where:
 - (i) the minimum *net unit area* in the *Living Environment* including the *Living Environment (Harbour View)* but not including the *Living (L1) Environment* or *Living (L2) Environment* is 350 m²; or
 - (ii) the minimum *net unit area* in the *Living (L1) Environment* is 400 m²; or (see *Human Environment Maps*).

RESOURCE CONSENT CONDITIONS

In granting a *resource consent* Council may impose conditions. Conditions may include any one or more of the following matters:

- requiring alterations to the *design* and/or *location* on the *site*
- requiring the retention of trees and/or other *vegetation*
- requiring provision of a *landscape treatment plan* and implementation of that plan within a given time
- requiring provision for *outdoor space*
- requiring *financial contributions* in accordance with the *Plan*
- the imposition of a *bond* to cover satisfaction of conditions of consent
- requiring *on-site* or *off-site* works and services to avoid, remedy, mitigate or offset adverse effects
- such other matters provided for in section 108 of the *Act*.

Provided that, in the case of *Limited Discretionary Activities*, conditions may only be imposed in respect of the matters specified above to which the Council has restricted the exercise of its discretion.

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RULE 2

RESIDENTIAL ACTIVITIES / DENSITY

Assessment of *Limited Discretionary Activity* applications made under this rule will be limited to the matters of *design, scale, location, screening and landscape treatment* and will be considered in accordance with Assessment Criteria 2(a)-2(e).

2.3 Discretionary Activities

Activities meeting the following Performance Standard are *Discretionary Activities*.

- Any *Residential Activity* not meeting the standards in Rules 2.1 or 2.2.

Discretionary Activity applications made under this rule will be assessed having regard to Assessment Criteria 2(a)-2(e) and, where relevant, the Medium Density Housing Criteria Appendix to these rules and any other matters which are relevant under section 104 of the *Act*.

RULE 3

BUILDING LOCATION - NATURAL LANDSCAPE ELEMENTS

RULES

3.0 General

The following rules shall apply to any activity involving the erection or alteration of buildings and establishment of development.

3.1 Permitted Activities

Activities meeting the following Performance Standard are Permitted Activities:

- buildings and development which are not on land identified as a sensitive ridge or headland/cliff/scarp on the Natural Areas Maps.

3.2 Controlled Activities

Activities meeting either of the following Performance Standards are Controlled Activities:

- buildings and development on land identified as a sensitive ridge or headland/cliff/scarp on the Natural Areas Maps provided that any building is not visible in front of the sea or above the skyline as viewed from a road or other public place.
- additions or alterations to existing buildings or development on land identified as a sensitive ridge or headland/cliff/scarp on the Natural Areas Maps, provided that the additions or alterations do not increase the height of the building or development, or increase the building coverage by more than 20m².

NOTES

1. If an activity is not controlled or restricted in any way by any part of the Plan it is permitted, but may require consents under other legislation/plans.
2. A guideline to help determine which "roads" and "public places" a building may be visible from is kept by the Council.
3. Activities must comply with all other relevant rules of the Plan or be the subject of a resource consent. Check all other rules in this Human Environment and also the Natural Area Rules and the City-Wide Rules and, where relevant, the Subdivision Rules.
4. Words in italics are defined - see the Definitions part of the City-Wide Rules.
5. Words in bold are explained - see the Explanations part of the Introduction to the Rules.
6. The Council may have a guideline to help interpret this rule - check at the Council Offices.
7. For resource consents see the Information Requirements in the City-Wide Rules.
8. Council officers may be able to give advice on designing buildings in natural landscape areas - check at the Council offices.

ASSESSMENT CRITERIA

3(a)

The extent to which buildings are obtrusively visible on or above sensitive ridgelines from a public place.

3(b)

The extent to which buildings and development compromise the visual landscape qualities of sensitive ridgelines, and other natural landscape elements.

3(c)

The extent to which development adversely affects the visual, historical, cultural and spiritual significance for iwi of sensitive ridges.

3(d)

The extent to which landscape treatment is used to mitigate the visual impact of buildings and development.

3(e)

The extent to which more than minor adverse effects can be adequately avoided, remedied, mitigated or offset through provision of works and services on or off the site and/or through payment or provision of a financial contribution.

3(f)

The extent to which the height of the building or development will interrupt identified Public Views, as listed in Appendix K of the Policy Section of the Plan.

See also Policies 2.8, 8.7, 9.3, 9.5, 9.12, 10.27, 11.7, 11.8, 11.9

(Policy Section of the Waitakere District Plan)

living environment

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RULE 3

BUILDING LOCATION - NATURAL LANDSCAPE ELEMENTS

Assessment of *Controlled Activity* applications made under this rule will be limited to matters of *height, location, design, landscape treatment, and scale* and will be considered in accordance with Assessment Criteria 3(a)-3(f).

3.3 Limited Discretionary Activities

Activities meeting the following Performance Standard are *Limited Discretionary Activities*:

- *buildings and development on land identified as a modified sensitive ridge* not meeting the standards in Rules 3.1 and 3.2.

Limited Discretionary Activity applications will be assessed having regard to Assessment Criteria 3(a)-3(f) and other matters which are relevant under section 104 of the *Act*.

3.4 Discretionary Activities

Activities meeting the following Performance Standard are *Discretionary Activities*:

- *buildings and development on land identified as a natural sensitive ridge* which does not meet the performance standards in Rules 3.1, 3.2, and 3.3.
- *buildings and development on land identified as a natural sensitive ridge* which does not meet the performance standards in Rules 3.1, 3.2 and 3.3, provided that no *structure* located on a *sensitive ridgeline, headland, cliff or scarp* has a *height* exceeding 10.0 metres.

Discretionary Activity applications will be assessed having regard to Assessment Criteria 3(a)-3(f) and any other matters which are relevant under section 104 of the *Act*.

3.5 Non-Complying Activities

Any Activity to which these rules apply which is not a *Permitted Activity* or a *Limited Discretionary Activity* or a *Discretionary Activity* under the above rules shall be deemed to contravene a rule in the *Plan* and shall be a *Non-Complying Activity*.

RESOURCE CONSENT CONDITIONS

In granting a *resource consent* Council may impose conditions. These conditions may involve any one or more of the following:

- limiting the *height of buildings*
- altering the *location of buildings*
- altering the *design of buildings*
- requiring the provision of *planting*
- requiring *financial contributions* in accordance with the *Plan*
- the imposition of a *bond* to cover satisfaction of conditions of consent
- requiring *on-site or off-site* works and services to avoid, remedy, mitigate or offset adverse effects
- such other matters provided for in section 108 of the *Act*
- covenanting of existing or *planted vegetation*
- requiring *on-site or off-site* works and services to avoid, remedy, mitigate or offset adverse effects.

Provided that, in the case of *Controlled and Limited Discretionary Activities*, conditions may only be imposed in respect of the matters specified above to which the Council has restricted the exercise of its discretion.

RULE 4

BUILDING HEIGHT

RULES

4.0 General

The following rules shall apply to *Any Activity* involving the erection or alteration of *buildings*, except *dwellings* in a *medium density housing development*.

4.1 Permitted Activities

Activities meeting the following Performance Standard are *Permitted Activities*:

- *buildings* having a maximum *building height* not exceeding 8.0 metres. (See diagram 4A)

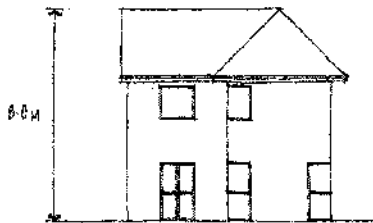


Diagram 4A

4.2 Discretionary Activities

Activities meeting the following Performance Standard are *Discretionary Activities*:

- *buildings* having a maximum *height* exceeding 8.0 metres.

Discretionary Activity applications made under this rule will be assessed having regard to Assessment Criteria 4(a)-4(d) and any other matters which are relevant under section 104 of the *Act*.

- NOTES
1. If an activity is not controlled or restricted in any way by any part of the *Plan* it is permitted, but may require consents under other legislation/plans.
 2. Activities must comply with all other relevant rules of the *Plan* or be the subject of a *resource consent*. Check all other rules in this *Human Environment* and also the *Natural Area Rules* and the *City-Wide Rules* and, where relevant, the *Subdivision Rules*.
 3. Words in *italics* are defined - see the Definitions part of the *City-Wide Rules*.
 4. Words in **bold** are explained - see the Explanations part of the Introduction to the Rules.
 5. The Council may have a guideline to help interpret this rule - check at the Council Offices.
 6. For *resource consents* see the Information Requirements in the *City-Wide Rules*.

ASSESSMENT CRITERIA

4(a)

The extent to which the *height of buildings* will create adverse *effects on neighbourhood character*.

4(b)

The extent to which the *height of buildings* will **physically dominate adjoining sites**.

4(c)

The extent to which the *height of buildings* will intrude into the *privacy of adjoining sites*.

4(d)

The extent to which the *height of buildings* will interrupt views from *sites* in the vicinity.

Note: See also Policies 1.15, 9.5, 10.5, 11.3, 11.8

(Policy Section of the Waitakere District Plan)

RESOURCE CONSENT CONDITIONS

In granting a *resource consent* Council may impose conditions. The conditions may include any one or more of the following matters:

- limiting *height*
- requiring the alteration of window *design* or positioning
- requiring alteration in the *design* of the *buildings*
- requiring provision of *planting* or *screening*
- the imposition of a *bond* to cover satisfaction of conditions of consent
- such other matters provided for in section 108 of the *Act*
- requiring *on-site* or *off-site* works and services to avoid, remedy, mitigate or offset adverse *effects*.

living environment

RULE 5 HEIGHT IN RELATION TO BOUNDARIES/SEPARATION OF BUILDINGS

RULES

5.0 General

The following rules shall apply to *Any Activity* involving the erection or alteration of *buildings*, except internal boundaries in a *medium density housing development*.

5.1 Permitted Activities

Activities meeting the following Performance Standards are *Permitted Activities*:

- *buildings* which:
 - (i) have ground floor windows of any *habitable rooms* located no less than 1.2 metres from a *site boundary* or from a *building* on the same *site*; and
 - (ii) do not project beyond the following *recession planes*:
 - *southernmost site boundary recession plane* 35°
 - *westernmost and easternmost site boundary recession plane* 45°
 - *northernmost site boundary recession plane* 55°

as measured from any point 2.5 metres vertically above *ground level* on any *site boundary* (or, in the case of more than one *dwelling* on a *site*, the *unit area boundary*) adjoining *land* within a *Living Environment* or a *Bush Living Environment* or a *Waitakere Ranges Environment* or an *Open Space Environment* or a *Countryside Environment* or a *Foothills Environment*, provided that:

ASSESSMENT CRITERIA

5(a)

The extent to which the *height*, location and *design* of *buildings* will allow for **reasonable sunlight and daylight access** to *adjoining sites*.

5(b)

The extent to which the *height*, location and *design* of *buildings* will allow for **reasonable sunlight and daylight access** to the proposed *building*.

5(c)

The extent to which each *habitable room* in a *building* is located to allow for **reasonable daylight access**.

5(d)

The extent to which privacy is safeguarded by the provision of *planting* or *screening*.

Note: See also Policies 1.16, 10.5, 10.8, 11.3

(Policy Section of the Waitakere District Plan)

NOTES

1. If an activity is not controlled or restricted in any way by any part of the *Plan* it is permitted, but may require consents under other legislation/plans.
2. Activities must comply with all other relevant rules of the *Plan* or be the subject of a *resource consent*. Check all other rules in this *Human Environment* and also the *Natural Area Rules* and the *City-Wide Rules* and, where relevant, the *Subdivision Rules*.
3. Words in *italics* are defined - see the *Definitions* part of the *City-Wide Rules*.
4. Words in **bold** are explained - see the *Explanations* part of the introduction to the *Rules*.
5. The Council may have a guideline to help interpret this rule - check at the Council Offices.
6. For *resource consents* see the *Information Requirements* in the *City-Wide Rules*.

living environment

RULE 5 HEIGHT IN RELATION TO BOUNDARIES/SEPARATION OF BUILDINGS

- gable ends may penetrate the *recession plane* by no more than one-third of the gable height;
- no account shall be taken of TV aerials, chimneys, and decorative features that do not extend more than 1.0 metre in any horizontal direction;
- where a *site boundary* adjoins a *shared driveway* or pedestrian accessway serving a *rear dwelling* the *site boundary* for the purposes of this rule shall be taken as the farthest boundary of that *shared driveway* or pedestrian accessway. (See diagram 5.A next page)

5.2 Limited Discretionary Activities

Activities meeting the following Performance Standard are *Limited Discretionary Activities*:

- ground floor windows of a *habitable room* within 1.2 metres of a *site boundary* or a *building* on the same *site*.

Assessment of *Limited Discretionary Activity* applications made under this rule will be limited to matters of *height*, location, *design*, *screening* and *planting* and will be considered in accordance with Assessment Criterion 5(c) and 5(d).

5.3 Discretionary Activities

Activities meeting the following Performance Standard are *Discretionary Activities*:

- *buildings* projecting beyond the *recession plane* requirements set out in Rule 5.1. (See diagram 5.A next page)

Discretionary Activity applications made under this rule will be assessed having regard to Assessment Criteria 5(a), 5(b) and 5(d) and any other matters that are relevant under section 104 of the *Act*.

RESOURCE CONSENT CONDITIONS

In granting a *resource consent* Council may impose conditions. Conditions may include any one or more of the following matters:

- limiting *height*
- requiring a specific *setback* between the *building* and *site boundaries*
- requiring provision of *planting* or *screening*
- the imposition of a *bond* to cover satisfaction of conditions of consent
- such other matters provided for in section 108 of the *Act*
- requiring *on-site* or *off-site* works and services to avoid, remedy, mitigate or offset adverse effects.

Provided that, in the case of *Limited Discretionary Activities*, conditions may only be imposed in respect of the matters above to which the Council has restricted the exercise of its discretion.

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RULE 5 HEIGHT IN RELATION TO BOUNDARIES/SEPARATION OF BUILDINGS

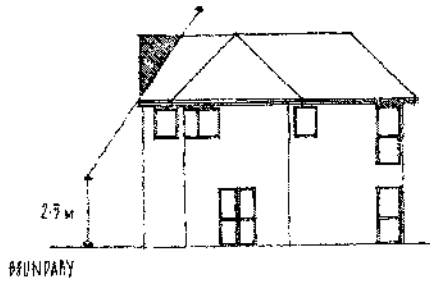
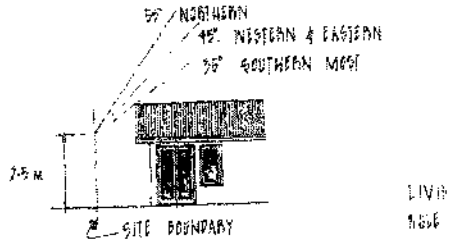


Diagram 5A

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RULE 7 BUILDING COVERAGE

RULES

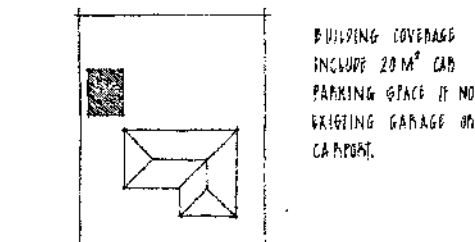
7.0 General

The following rules shall apply to *Any Activity* involving the erection or alteration of *buildings*, except *buildings* in a *medium density housing development* and *Scheduled Activities* on *Scheduled Sites*.

7.1 Permitted Activities

Activities meeting the following Performance Standard are *Permitted Activities*:

- *buildings* resulting in a *building coverage* of no more than 35% of the *net site area* (including 20m² *building coverage* for a covered car space where a covered car space is not otherwise provided).
(See diagram 7A)



HOUSES AND CAR PARKING SPACE SHOULD NOT EXCEED 35% OF NET SITE AREA.

Diagram 7A

- NOTES**
1. If an activity is not controlled or restricted in any way by any part of the *Plan* it is permitted, but may require consents under other legislation/plans.
 2. See also the *impermeable surfaces* standards in the *Natural Areas Rules*.
 3. Activities must comply with all other relevant rules of the *Plan* or be the subject of a *resource consent*. Check all other rules in this *Human Environment* and also the *Natural Area Rules* and the *City-Wide Rules* and, where relevant, the *Subdivision Rules*.
 4. Words in *italics* are defined - see the *Definitions* part of the *City-Wide Rules*.
 5. Words in **bold** are explained - see the *Explanations* part of the *Introduction to the Rules*.
 6. The Council may have a guideline to help interpret this rule - check at the Council Offices.
 7. For *resource consents* see the *Information Requirements* in the *City-Wide Rules*.

ASSESSMENT CRITERIA

7(a)

The extent to which *building coverage* will create adverse *effects* on *amenity values* and *neighbourhood character*.

7(b)

The extent to which *building coverage* will maintain opportunities to provide for the planting of lawns and trees around *buildings*.

7(c)

The extent to which *building coverage* will maintain opportunities to provide for adequate *outdoor space* associated with *residential activities* on the *site*.

7(d)

The extent to which *building coverage* will *physically dominate* adjoining *sites*.

7(e)

The extent to which more than minor adverse *effects* can be adequately avoided, remedied, mitigated or offset through provision of works and services on or off the *site* and/or through payment or provision of a *financial contribution*.

Note: See also Policies 10.4, 10.5, 10.6, 10.17, 10.27, 11.3, 11.8

(Policy Section of the Waitakere District Plan)

living environment

RULE 7

BUILDING COVERAGE

7.2 Discretionary Activities

Activities meeting the following Performance Standard are *Discretionary Activities*:

- *buildings* resulting in a *building coverage* of over 35% of the *net site area*.

Discretionary Activity applications made under this rule will be considered in accordance any other matters which are relevant under section 104 of the *Act*.

RESOURCE CONSENT CONDITIONS

In granting a *resource consent* Council may impose conditions. The conditions may include any one or more of the following matters:

- limiting *building coverage*
- limiting *building bulk*
- requiring protection of existing *vegetation*
- requiring provision of a *landscape treatment plan*, and implementation of that plan within a given time
- the imposition of a *bond* to cover satisfaction of conditions of consent
- requiring *financial contributions* in accordance with the *Plan*
- requiring *on-site or off-site* works and services to avoid, remedy, mitigate or offset adverse effects
- such other matters provided for in section 106 of the *Act*

RULE 8

BUILDING LOCATION - PRIVACY/AMENITY

RULES

8.0 General

The following rules shall apply where relevant to *Non-Residential Activities* (except *Scheduled Activities* on *Scheduled Sites*), and also *buildings* for *Residential Activities* except *minor household units* and *dwellings* in a *medium density housing development*.

8.1 Permitted Activities

Activities meeting the following Performance Standards are *Permitted Activities*:

- (a) *Residential buildings* located and *designed* so that:
 - (i) the *main glazing* of the *main living room*; and
 - (ii) any *outdoor space* required under Rule 9.0;
 - is separated by a minimum of 6.0 metres from the *site boundary* (except a *road boundary*) or, in the case of more than one *dwelling*, on a *site* from the *unit area boundary* of *adjoining sites*; or
 - is *screened* from *adjoining sites*.
- (b) Any *Non-Residential Activities* which are *screened* from *adjoining sites* and the *road* provided that one vehicle associated with the *Non-Residential Activity* may be visible.
- (c) *Residential buildings* located in the *Living Environment (Harbour View)* which, in respect of noise generated by any service station on Lor 1 DP 140845, will be located so as to meet the noise standards

NOTES

- 1. If an activity is not controlled or restricted in any way by any part of the *Plan* it is permitted, but may require consents under other legislation/ plans.
- 2. Activities must comply with all other relevant rules of the *Plan* or be the subject of a *resource consent*. Check all other rules in this *Human Environment* and also the *Natural Area Rules* and the *City-Wide Rules* and, where relevant, the *Subdivision Rules*.
- 3. Words in *italics* are defined - see the *Definitions* part of the *City-Wide Rules*.
- 4. Words in **bold** are explained - see the *Explanations* part of the introduction to the Rules.
- 5. The Council may have a guideline to help interpret this rule - check at the Council Offices.
- 6. For *resource consents* see the *Information Requirements* in the *City-Wide Rules*.

ASSESSMENT CRITERIA

8(a)

The extent to which **privacy** is maintained between the main indoor and outdoor living areas of *adjoining sites*.

8(b)

The extent to which *Non-Residential Activity* creates adverse visual effects on *adjoining sites* and the *road*.

8(c)

The extent to which more than minor adverse effects can be adequately avoided, remedied, mitigated or offset through provision of works and services on or off the *site* and/or through payment or provision of a *financial contribution*.

Note: See also Policies 10.6, 10.8, 10.27

(Policy Section of the Waitakere District Plan)

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RULE 8

BUILDING LOCATION - PRIVACY/AMENITY

outlined in the table below, measured at 1.0 metre from any wall of that residential building. An Acoustic Design report shall be obtained from a suitably qualified Acoustic Engineer confirming that any new building is designed to meet this Performance Standard.

7.00am-7.00pm Monday-Saturday		7.00am-10.00pm Monday-Saturday 7.00am-10.00pm Sundays & Public Holidays		10.00pm-7.00am	
L ₁₀ 50dBA	L _{Max} N/A	L ₁₀ 45 dBA	L _{Max} N/A	L ₁₀ 40dBA	L _{Max} 70dBA

8.2 Discretionary Activities

Activities meeting the following Performance Standards are *Discretionary Activities*:

- (a) residential buildings which do not meet the standards in Rule 8.1(a);
- (b) any Non-Residential Activities not meeting the standards in Rule 8.1(b).

Discretionary Activity applications made under these rules will be assessed having regard to Assessment Criteria 8(a)-8(c) and any other matters that are relevant under section 104 of the Act.

(See diagram 8A)

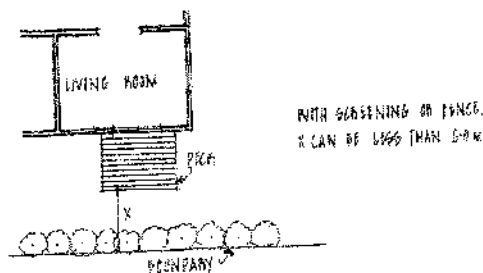
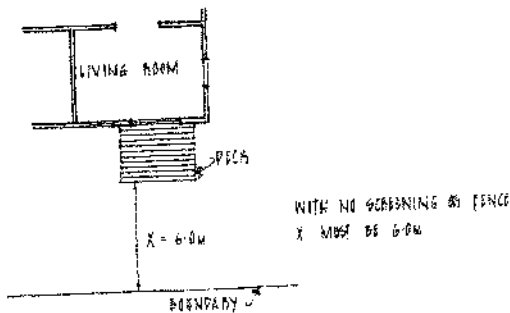


Diagram 8A

RESOURCE CONSENT CONDITIONS

In granting a resource consent Council may impose conditions. The conditions may include any one or more of the following matters:

- requiring a specific setback between buildings and site boundaries
- requiring provision of a landscape treatment plan, and its implementation within a given time
- requiring a financial contribution in accordance with the Plan
- the imposition of a bond to cover satisfaction of conditions of consent
- requiring on-site or off-site works and services to avoid, remedy, mitigate or offset adverse effects
- such other matters provided for in section 108 of the Act.

living environment

RULE 9

OUTDOOR SPACE

RULES

9.0 General

The following rules shall apply to *Residential Activities* except *minor household units* and *dwellings* in a *medium density housing* development.

9.1 Permitted Activities

Activities meeting the following Performance Standard are *Permitted Activities*:

- *residential buildings* having provision for a minimum single area of *outdoor space* which:
 - has an area totalling 25m² of *on-site outdoor space* per bedroom, and
 - is so located that a horizontal line 6.0 metres long drawn at right angles to the wall of the *building* which abuts the required *outdoor space* which:
 - > is wholly contained within the required *outdoor space*;
 - > and has a bearing to the north of between 135° and 225°; and
 - has a minimum dimension of 3.0 metres and is capable of containing a circle with a diameter of 6.0 metres; and
 - has a maximum slope over 75% of the required *outdoor space* area of 20% (1 in 5). (See Diagram 9A next page)

ASSESSMENT CRITERIA

9(a)

The extent to which the amount of *outdoor space* provided *on-site* is related to the likely number of occupants of the *dwelling*.

9(b)

The extent to which *outdoor space* is of a useable size and slope.

9(c)

The extent to which *outdoor space* is designed and located to meet the likely needs of the occupants of the *dwelling*.

9(d)

The extent to which the positioning of *outdoor space* allows for reasonable daylight and sunlight access to that *outdoor space*.

9(e)

The extent to which more than minor adverse effects can be adequately avoided, remedied, mitigated or offset through provision of works and services on or off the *site* and/or through payment or provision of a *financial contribution*.

Note: See also Policies 10.4, 10.27, 11.3

(Policy Section of the Waitakere District Plan)

NOTES

1. If an activity is not controlled or restricted in any way by any part of the *Plan* it is permitted, but may require consents under other legislation/ plans.
2. Activities must comply with all other relevant rules of the *Plan* or be the subject of a *resource consent*. Check all other rules in this *Human Environment* and also the *Natural Area Rules* and the *City-Wide Rules* and, where relevant, the *Subdivision Rules*.
3. Words in *italics* are defined - see the *Definitions* part of the *City-Wide Rules*.
4. Words in **bold** are explained - see the *Explanations* part of the *Introduction to the Rules*.
5. The Council may have a guideline to help interpret this rule - check at the Council Offices.
6. For *resource consents* see the *Information Requirements* in the *City-Wide Rules*.

RULE 9

OUTDOOR SPACE

9.2 Limited Discretionary Activities

Activities meeting the following Performance Standard are *Limited Discretionary Activities*:

- residential buildings with outdoor space not meeting the standards in Rule 9.1.

Assessment of *Limited Discretionary Activity* applications made under this rule will be limited to the matters of location, scale, useability, daylight access, design, screening and planting and will be considered in accordance with Assessment Criteria 9(a)-9(e).

RESOURCE CONSENT CONDITIONS

In granting a *resource consent* Council may impose conditions. The conditions may include any one or more of the following matters:

- specifying the location, scale and design of outdoor space
- requiring provision of screening and/or planting
- requiring financial contributions in accordance with the Plan
- requiring on-site or off-site works and services to avoid, remedy, mitigate or offset adverse effects
- such other matters provided for in section 108 of the Act.

Provided that, in the case of *Limited Discretionary Activities*, conditions may only be imposed in respect of the matters specified above to which the Council has restricted the exercise of its discretion.

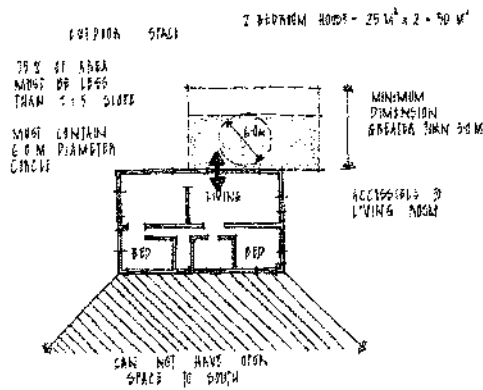


Diagram 9A

Living environment

RULE 10

NON-RESIDENTIAL ACTIVITIES

RULES

10.0 General

The following rules shall apply to all *Non-Residential Activities* except for *Scheduled Activities* on *Scheduled Sites*.

10.1 Permitted Activities

Activities meeting the following Performance Standard are *Permitted Activities*:

- *home occupations* meeting the following requirements:
 - no more than five persons are engaged in the *home occupation*, at least one of whom resides on the *site*; and
 - the *home occupation* is carried out within an existing *building*, and
 - the *home occupation* does not involve traffic generation involving a *heavy traffic vehicle* exceeding two *vehicle movements* per week; and

except where goods are primarily ordered by mail or electronic transaction and redistributed by post or courier, any *retail sales* and services are confined to front sites with individual *driveway* access and a minimum *net site area* of 450m² and shall be of goods produced on site; and

- the *home occupation*, apart from the parking of one vehicle, is *screened* from the *adjoining sites* and the *road*.

NOTES

1. If an activity is not controlled or restricted in any way by any part of the *Plan* it is permitted, but may require consents under other legislation/ plans.
2. Activities must comply with all other relevant rules of the *Plan* or be the subject of a *resource consent*. Check all other rules in this *Human Environment* and also the *Natural Area Rules* and the *City-Wide Rules* and, where relevant, the *Subdivision Rules*.
3. Words in *italics* are defined - see the *Definitions* part of the *City-Wide Rules*.
4. Words in **bold** are explained - see the *Explanations* part of the *Introduction* to the *Rules*.
5. The Council may have a guideline to help interpret this rule - check at the Council Offices.
6. For *resource consents* see the *Information Requirements* in the *City-Wide Rules*.
7. *Scheduled Sites* are covered in a separate part of the *Plan*. Rules within that Part may allow *Non-Residential Activities* which are not provided for in the above rules.

ASSESSMENT CRITERIA

10(a)

The extent to which the character, scale and intensity of *Non-Residential Activities* are compatible with **amenity values** and **neighbourhood character**.

10(b)

The extent to which the effects of *Non-Residential Activities* on *infrastructure* can be accommodated without the need for public upgrading.

10(c)

The extent to which *Non-Residential Activities* create adverse effects on the residential coherence and the **safety** of residents of the neighbourhood.

10(d)

The extent to which more than minor adverse effects can be adequately avoided, remedied, mitigated or offset through provision of works and services on or off the *site* and/or through payment or provision of a *financial contribution*.

Note: See also Policies 1.2, 1.3, 1.18, 4.1, 4.7, 10.1, 10.3, 10.14, 10.27, 11.8, 11.10, 11.17, 11.18, 11.31

(Policy Section of the Waitakere District Plan - Note the policies on water, land and air)

living environment

RULE 10

NON-RESIDENTIAL ACTIVITIES

10.2 Limited Discretionary Activities

Activities meeting the following Performance Standard are *Limited Discretionary Activities*:

- *Non-Residential Activities* including *home occupations* not meeting the standards in Rule 10.1 where:
 - the activities are located within a *building* originally erected as a *dwelling* and there are no *retail sales*; or
 - the activities are associated with an existing *Non-Residential Activity* on the *site*, do not involve *retail sales* and do not increase the *gross floor area* of *buildings* on the *site* to more than 250m².

Assessment of *Limited Discretionary Activity* applications made under this rule will be limited to matters of scale, *design*, retention of *vegetation*, *screening* and *planting*, hours of operation and location and will be considered in accordance with Assessment Criteria 10(a)-10(d).

10.3 Discretionary Activities

Activities meeting the following Performance Standard are *Discretionary Activities*:

- *Non-Residential Activities* other than a *home occupation* meeting the standards in Rule 10.1 but not meeting the standards in Rule 10.2 provided there are no *retail sales*.

Discretionary Activity applications will be assessed having regard to Assessment Criteria 10(a)-10(d) and any other matters that are relevant under section 104 of the *Act*.

Note: See limitations on front sites under the Traffic Generation Rule 11.1.

10.4 Non-Complying Activities

Non-Residential Activities to which these rules apply (other than *Scheduled Activities* on *Scheduled Sites*) which are not a *Permitted Activity* or a *Limited Discretionary Activity* or a *Discretionary Activity* under the above rules shall be deemed to contravene a rule in this *Plan* and shall be a *Non-Complying Activity*.

RESOURCE CONSENT CONDITIONS

In granting a *resource consent* Council may impose conditions. The conditions may include any one or more of the following matters:

- requiring alterations to *design* and/or location of *buildings* on the *site*
- requiring alteration to the *on park/ access design* and/or location
- requiring the retention or addition of trees and/or other *vegetation*
- limiting the scale of the *development* or use
- limiting hours of operation
- requiring the provision of *screening*
- requiring provision of a *landscape treatment plan* and its implementation within a given time
- the imposition of a charge to cover costs of monitoring the activity
- the imposition of a *bond* to cover satisfaction of conditions of consent
- requiring *financial contributions* in accordance with the *Plan*
- requiring *on-site* or *off-site* works and services to avoid, remedy, mitigate or offset adverse effects
- such other matters provided for in section 108 of the *Act*

Provided that, in the case of *Limited Discretionary Activities*, conditions may only be imposed in respect of the matters specified above to which the Council has restricted the exercise of its discretion.

RULE 12

CARPARKING AND DRIVEWAYS

RULES

12.0 General

The following rules apply to *Any Activity* except a *medium density housing development*.

12.1 Permitted Activities

Activities meeting the following Performance Standards are *Permitted Activities*:

- (a) dwellings where:
 - (i) *2 on-site car parks* are provided for each *dwelling* and
 - (ii) at least one required *car park* space per *dwelling* is located in a position where it would be possible under the rules of this *Plan* to erect a garage or carport with dimensions of at least 3.0 metres by 6.0 metres.
- (b) *minor household units* where one *on-site car park* is provided;
- (c) *home occupations* meeting the standards of Rule 10.1 where one *on-site car park* is provided.
Provided that for each *car park* space required under (a),(b) and (c) above:

NOTES

1. If an activity is not controlled or restricted in any way by any part of the *Plan* it is permitted, but may require consents under other legislation/plans.
2. *Vehicle crossings* require a consent from the Council - see Rule 7 in the *Transport Environment*.
3. Activities must comply with all other relevant rules of the *Plan* or be the subject of a *resource consent*. Check all other rules in this *Human Environment* and also the *Natural Area Rules* and the *City-Wide Rules* and, where relevant, the *Subdivision Rules*.
4. Words in *italics* are defined - see the Definitions part of the *City-Wide Rules*.
5. Words in **bold** are explained - see the Explanations part of the Introduction to the Rules.
6. The Council may have a guideline to help interpret this rule - check at the Council Offices.
7. For *resource consents* see the Information Requirements in the *City-Wide Rules*.
8. See the Car Parking and Driveway Guidelines for guidance on car park space numbers and driveway design and construction standards.
9. For *design* and *construction* standards for *driveways* see the Waitakere City Code of Practice.
10. Transit New Zealand must be consulted for *vehicle crossing* directly to and from the State Highway Network in order that their approval be obtained, with or without conditions, and in the case of proposed accesses within areas declared Limited Access roads, Transit New Zealand's authorisation obtained.

ASSESSMENT CRITERIA

12(a)

The extent to which *driveways* provide safe, maintenance-free, adequately drained, efficient, effective and visually attractive vehicular access from the *road* to *buildings*.

12(b)

The extent to which *car parking* accommodates expected peak demand of an activity, having regard to the position of the *site* in relation to public transport routes and the parking capacity of adjacent *roads*, and the *road's* function in the Roading Hierarchy.

12(c)

The extent to which *driveways* and *car parking* create adverse visual or aural effects on *adjoining sites*.

12(d)

The extent to which more than minor adverse effects can be adequately avoided, remedied, mitigated or offset through provision of works and services on or off the *site* and/or through payment or provision of a *financial contribution*.

Note: See also Policies 10.11, 10.16, 10.27, 11.3, 11.10

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CARPARKING AND DRIVEWAYS

- (i) each *car park* space has dimensions of at least 2.5 metres by 5.0 metres and a slope not exceeding 6.25% (1 in 16).
- (ii) each *car park* space is connected to the road by a *driveway* which:
 - gives access to no more than one *dwelling* and one *minor household unit*, and
 - does not exceed a gradient of 20% (1 in 5) in any part; and
 - provides for *on-site turning* where the *site* adjoins a *major road* or where there is a distance of 20 metres or more between the *road* and the *car park* space. (See diagram 12A)

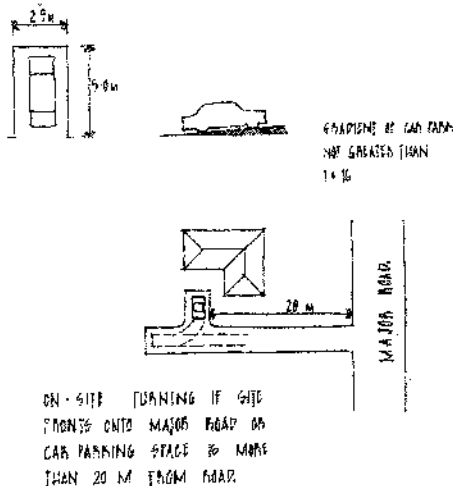


Diagram 12A

12.2 Controlled Activities

Activities meeting the following Performance Standards are *Controlled Activities*:

- *shared driveways* serving more than one *dwelling* which are *designed* and *constructed* in accordance with the following standards:

(i)

Category	No. of dwellings served by the driveway	Carriageway width required (m)	Additional width of service strips required (m)
I	1-2	2.5m	0.7m
II	3-5	2.7m with passing bays	1.3m
III	6-10	3.5m with passing bays	1.5m

RESOURCE CONSENT CONDITIONS

In granting a *resource consent* Council may impose conditions. Conditions may include any one or all of the following matters:

- requiring a specified number of *car park* spaces
- specifying *design* parameters to be used in the construction of *driveways* and *car park* spaces
- requiring the provision of *screening* or *planting*
- requiring *financial contributions* in accordance with the *Plan*
- the imposition of a *bond* to cover satisfactory conditions of consent
- requiring *on-site* or *off-site* works and services to avoid, remedy, mitigate or offset adverse effects
- such other matters provided for in section 108 of the *Act*.

Provided that, in the case of *Controlled Activities* and *Limited Discretionary Activities*, conditions may only be imposed in respect of the matters specified above to which the Council has restricted the exercise of its discretion.

RULE 12

CARPARKING AND DRIVEWAYS

and

- (ii) the required passing bays in Category II are provided at an appropriate position along the course of the *driveway* at intervals not exceeding 50 metres; and
- (iii) the required passing bays in Category III are provided:
 - at the entrance to the *driveway*
 - at an appropriate position along the *driveway* at intervals not exceeding 50 metres; and
- (iv) the *service strip* requirement includes a 0.3 metre strip (unobstructed) on one side of the *carriageway* for Category I *driveways*, and 0.6 metres on one side of the *carriageway* for Category II and III *driveways*. These strips are to be kept clear for power reticulation. The remaining aggregate width of *service strip* may be provided separate from the *carriageway*, provided that the aggregate width of *service strip* or *strips* in Category II can be reduced to not less than 0.96 metres for existing *rear sites* served by an existing *driveway* less than 4.0 metres in width; and
- (v) the furthestmost point of any *site* served by a *driveway* is within 135 metres of a fire hydrant; and
- (vi) all bends on a *carriageway* within a *driveway* have a minimum inside turning radius of 6.5 metres; and
- (vii) the minimum required *carriageway* width is unobstructed by the *buildings* from the ground upward to a *height* of 4.2 metres and is clear of *fences*; and
- (viii) the *shared driveway* serves a *net site area* of no more than 10,000m² or 10 *dwellings*.

Assessment of *Controlled Activity* applications made under this rule will be limited to the matters of *driveway design*, **safety**, efficiency, *driveway* capacity and method of *construction*, and be considered in accordance with matters set out in Criteria 12(a),(c) and (d). (See Diagram 12B - pg 28)

(Note: see also relevant "City-Wide Rules - Subdivisions").

living environment

RULE 12

CARPARKING AND DRIVEWAYS

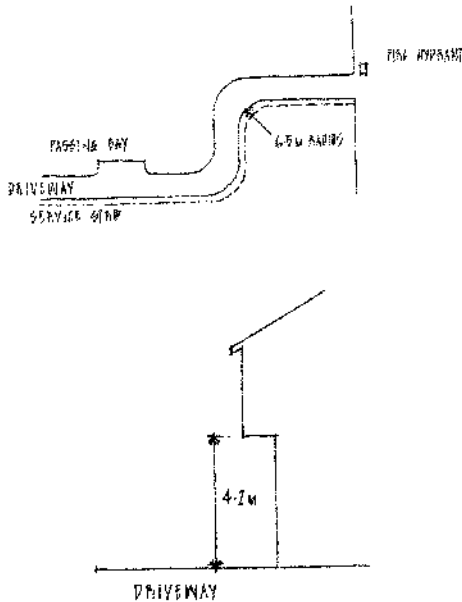


Diagram 12B

12.3 Limited Discretionary Activities

Activities meeting the following Performance Standards are *Limited Discretionary Activities*:

- (a) *Any Activity* not meeting the standards in Rule 12.1 or 12.2 including:
 - (i) *car parking and driveways* associated with all *Non-Residential Activities* except *home occupations* meeting the standards in Rule 10.1; and
 - (ii) *car parking and driveways* associated with all *Residential Activities* except *dwellings* and *minor household units*.

Assessment of *Limited Discretionary Activity* applications made under the above rules will be limited to the matters of *design*, *location*, **safety**, *efficiency*, *driveway capacity*, *number of car parks*, *screening* and *planting* and will be considered in accordance with Assessment Criteria 12(a)-12(d).

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RULE 13 **NOISE (NON-RESIDENTIAL ACTIVITIES)**

RULES

13.0 General

The following rules apply to *Non-Residential Activities*.

13.1 Permitted Activities

Activities meeting the following Performance Standard are *Permitted Activities*:

- *Non-Residential Activities* meeting the noise standards set out in the following table as measured at any part of a *site* (other than the *site* on which the activity is situated) within the *Living Environment, Foothills Environment, Open Space Environment, Bush Living Environment, Waitakere Ranges Environment or Countryside Environment*.

7.00am-7.00pm Monday-Saturday		7.00pm-10.00pm Monday-Saturday 7.00am-10.00pm Sundays & Public Holidays		10.00pm-7.00am	
L ₁₀ 50dBA	L _{Max} N/A	L ₁₀ 45 dBA	L _{Max} N/A	L ₁₀ 40dBA	L _{Max} 70dBA

13.2 Discretionary Activities

Activities meeting the following performance standards are *Discretionary Activities*:

- Any *Non-Residential Activity* not meeting the standards in Rule 13.1

Discretionary Activity applications made under this rule will be assessed in accordance with Assessment Criteria 13(a)-13(d) and any other matters as are relevant under Section 104 of the *Act*.

<p>NOTES</p> <ol style="list-style-type: none"> 1. If an activity is not controlled or restricted in any way by any part of the <i>Plan</i> it is permitted, but may require consents under other legislation/plans. 2. Activities must comply with all other relevant rules of the <i>Plan</i> or be the subject of a <i>resource consent</i>. Check all other rules in this <i>Human Environment</i> and also the <i>Natural Area Rules</i> and the <i>City-Wide Rules</i> and, where relevant, the <i>Subdivision Rules</i>. 3. Words in <i>italics</i> are defined - see the Definitions part of the <i>City-Wide Rules</i>. 4. The Council may have a guideline to help interpret this rule - check at the Council Offices.

ASSESSMENT CRITERIA

13(a)

The extent to which background noise level (L₉₅) in the vicinity of the subject *site* affects the relevance of noise standards for *Permitted Activities*.

13(b)

The extent to which noise generated will exceed the existing background level.

13(c)

The extent to which the noise generated will meet the provisions of New Zealand Standard NZS 6802: 1991 "Assessment of Environmental Sound" clauses 4.2.1 and 4.2.2.

13(d)

The extent to which more than minor adverse effects on the *environment* can be avoided, remedied or mitigated or off set through provision of works and services on or off the *site* and/or through payment or provision of a *financial contribution*.

Note: See also Policies 10.2, 10.15, 10.27, 11.13

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RULE 14 AIR DISCHARGES, ODOUR DUST, GLARE AND VIBRATION RULES

RULES

14.0 General

The following rules apply to *Non-Residential Activities, Temporary Activities* and *Any Activity* producing artificial light or involving processes listed in the Air Discharges Appendix.

14.1 Permitted Activities

Activities meeting the following Performance Standards are *Permitted Activities*:

- (a) *Any Activity* and *Temporary Activities* generating vibration levels (acceleration measured in metres per second squared) relative to frequency not exceeding the base curves of figure 2a (z axis), 3a (x and y axes) and 4a (combined x,y, and z axes) contained within ISO 2631-2:1989.

Assessment of vibration shall be carried out by a suitably qualified and experienced person in accordance with Annex A and Table 2 of ISO 2631-2:1989. Instruments used to measure vibrations and the methods of measurement shall comply with a recognised standard such as Australian Standard AS2973: 1987 "Vibration and Shock - Human response vibration - measuring instrumentation."

- (b) *Any Activity* and *Temporary Activities* that do not involve a Part A, B or C process as listed in the Air Discharges Appendix.

NOTES

1. If an activity is not controlled or restricted in any way by any part of the *Plan* it is permitted, but may require consents under other legislation/ plans.
2. Activities must comply with all other relevant rules of the *Plan* or be the subject of a *resource consent*. Check all other rules in this *Human Environment* and also the *Natural Area Rules* and the *City-Wide Rules* and, where relevant, the *Subdivision Rules*.
3. Words in *italics* are defined - see the *Definitions* part of the *City-Wide Rules*.
4. Words in **bold** are explained - see the *Explanations* part of the introduction to the Rules.
5. The Council may have a guideline to help interpret this rule - check at the Council Offices.
6. For *resource consents* see the *Information Requirements* in the *City-Wide Rules*.
7. Relevant air discharge, vibration, lighting and *dust* standards will be consulted when considering any *resource consent* application.

ASSESSMENT CRITERIA

14(a)

The extent to which glare from outdoor lighting fixtures causes discomfort to any person, detracts from residents' ability to sleep or degrades the level of *visual amenity* and the dark night-time sky *environment*.

14(b)

The extent to which outdoor lighting (including security lights) is so selected, located, aimed, adjusted, *designed* and *screened* to ensure that:

- glare from the light is not directed into the *adjoining sites, yards or windows*
- glare is not aimed in a random direction
- reflective glare is controlled to the extent that this is practicable.

14(c)

The extent to which an odour *or dust* from an activity is *or is likely to be* noxious, dangerous, offensive, or objectionable, due to its frequency, intensity (odour), quantity (*dust*), duration, location or nature (or a combination of these factors) to such an extent that it has, or is likely to have, an adverse effect on the *environment*.

14(d)

The extent to which *activities* involving air discharges have the potential to affect health, safety or *amenity*.

14(e)

The extent to which more than minor adverse effects can be adequately avoided, remedied, mitigated or offset through provision of works and services on or off the *site* and/or through payment or provision of a *financial contribution*.

Note: See also Policies 10.1, 10.3, 10.10, 10.27

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RULE 2

BUILDING HEIGHT

2.2 Limited Discretionary Activities

The following are *Limited Discretionary Activities*:-

- (a) *Parks Facilities, Parks Furniture, Parks Infrastructure* and *Parks Signs*; provided the maximum building height does not exceed 8.0m; or
- (b) Additions and alterations to existing *Parks Buildings* provided that the maximum gross floor area of any additions is no more than 10m² and there is no increase in the number of people the building is designed to accommodate, and the maximum building height does not exceed 8.0m

Assessment of *Limited Discretionary Activities* applications will be limited to the matters of *height, location, screening, planting and design* and will be considered in accordance with Assessment Criteria 2(a) - 2(f)

2.3 Discretionary Activities

The following are *Discretionary Activities*:-

- (a) *Parks Furniture* and *Parks Infrastructure*; where the maximum building height would exceed 8.0m
- (b) *Parks buildings* provided the maximum building height does not exceed 8.0m
- (c) *Parks Facilities* and additions and alterations to existing *parks buildings* not meeting the standards in Rule 2.3 (b)

Assessment of *Discretionary Activities* applications will be assessed having regard to Assessment Criteria 2(a) - 2(f) and any other matters which are relevant under Section 104 of the *Act*.

2.4 Non-complying Activities

Any Activity involving the erection or alteration of *Parks Buildings, Parks Furniture, Parks Infrastructure* and *Parks Signs* or any other building, which is not a *Permitted Activity* or a *Limited Discretionary Activity* or a *Discretionary Activity* under the above rules shall be deemed to contravene a rule in the *Plan* and shall be a *Non-Complying Activity*.

RESOURCE CONSENT CONDITIONS

In granting a *resource consent* Council may impose conditions. Conditions may include any one or more of the following matters:

- Limiting the *height* of *parks buildings*
- Altering the location of *parks buildings*
- Specifying building materials (*exterior cladding*) and colour to be used
- Requiring the provision of *screening or planting*
- Requiring the alteration of window *design or positioning*
- The imposition of a *bond* to ensure satisfaction of conditions of consent
- Requiring *on-site or off-site* works and services to avoid, remedy, mitigate or offset *adverse effects*
- Such other matters provided for in section 108 of the *Act*

Provided that, in the case of *Limited Discretionary Activities*, conditions may only be imposed in respect of the matters specified above to which Council has restricted the exercise of its discretion.

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RULE 3

HEIGHT IN RELATION TO BOUNDARIES

RULES

3.0 General

The following rules shall apply to *Any Activity* involving the erection or alteration of *Parks Buildings, Parks Facilities, Parks Field Structures, and Parks Infrastructure*.

3.1 Permitted Activities

- (a) Additions and alterations to existing *Parks Buildings* provided that the maximum *gross floor area* of any additions is no more than 10m² and there is no increase in the number of people the building is designed to accommodate; and
- (b) *Parks Facilities* and *Parks Field Structures* provided (a) and (b) above meet the following performance standard:
 - do not project beyond the following *recession plane*:
 - southern most site boundary recession plane 35°
 - western and eastern most site boundary recession plane 45°
 - northern most site boundary recession plane 55°
 as measured from any point 2.5m vertically above ground level on any *site boundary* adjoining land within the *Living, Bush Living, Waitakere Ranges, Rural Villages, Coastal Villages, Countryside or Footbills Environments*, provided that:
 - gable ends may penetrate the recession plane by no more than one-third of the gable height; and
 - no account shall be taken of TV aerials, chimneys and decorative features that do not extend more than 1.0 metres in any horizontal direction
 - where a site boundary adjoins a shared driveway, entrance strip, access lot or pedestrian access way the *site boundary* shall be taken as the furthest boundary of the above

ASSESSMENT CRITERIA

3(a)

The extent to which the *height, location and design* of *Parks Buildings, Parks Facilities or Parks Field Structures* will allow for reasonable sunlight and daylight access to *adjoining sites*.

3(b)

The extent to which the *height, location and design* of *Parks Buildings or Parks Facilities* will allow for reasonable sunlight and daylight access to the proposed building.

3(c)

The extent to which *Parks Buildings, Parks Facilities or Parks Field Structures* detract from the open space character of reserves or the natural landscape.

3(d)

The extent to which the *Parks Buildings, Parks Facilities or Parks Field Structures* are in accordance with the provisions of a relevant *Operative Reserve Management Plan, Parks Concept Plan, current Waitakere City Parks Strategy or current operative Regional Parks Management Plan*.

3(e)

The extent to which more than minor adverse effects can be adequately avoided, remedied, mitigated or offset through provision of works and services on or off the *site* and/or through payment or provision of a *financial contribution*.

Note: See also Policies: 1.15, 5.3, 10.3, 10.6, 10.28, 11.3, 11.7, 11.32, 12.9

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