

1.0 General Performance Standards

The following performance standards shall apply only to Residential Activities - Apartments.

(i) Apartment Size

Apartments shall meet one of the following two standards:

1. The minimum gross floor area of each apartment, excluding balconies, roof gardens, outdoor living areas and common internal access shall be: 40m²; and all habitable rooms are to be provided with direct and exclusive access to daylight from a window located on an exterior wall of the building; or:
2. The minimum gross floor area of each apartment, excluding balconies, roof gardens, outdoor living areas and common internal access shall be:
Studio - 40m² Minimum GFA
One bedroom - 50m² Minimum GFA
Two bedrooms 70m² Minimum GFA
Three bedrooms 95m² Minimum GFA

(ii) Balconies, roof gardens, courtyards

Each apartment shall be provided with its own balcony, roof garden or courtyard meeting the following standards:

- a) A minimum area of 7m² and is capable of accommodating a 1.5 metre diameter circle, and is directly accessed from the main living room.
- b) Glazing in the main living room that has a minimum area of 5m² and opening doors with a minimum width of 1.5 metres.

(iii) Outlook/Amenity (Community Environment)

Within the Community Environment, the main glazing of each apartment, or the outside face of the balcony, whichever is closer to the adjoining boundary or another building on the same site, shall be provided with an outlook area, unimpeded by

ASSESSMENT CRITERIA**1(a) General**

The assessment of applications will relate to the following assessment criteria:

- (i) Apartments should be designed to satisfy the design criteria of the Apartment Design Criteria Appendix to this rule.

1(b) Apartment Size

- (i) A variety of apartment sizes should be provided within a building or development.
- (ii) The extent to which the layout or internal design of each apartment provides amenity and convenience for the occupants.
- (iii) The extent to which adequate storage is provided for each apartment.
- (iv) The extent to which secure, covered bicycle storage will be provided for residents and visitors.

1(c) Balconies, roof gardens, courtyards

The extent to which private balconies, courtyards and rooftop gardens:

- (i) optimise passive solar design, and provide protection from prevailing winds;
- (ii) are oriented to maximise sun and daylight access;
- (iii) take advantage of views/outlook from the site;
- (iv) are designed to provide for visual privacy;
- (v) add visual interest and aesthetic coherence to the façade;
- (v) are oriented to provide passive surveillance of public spaces, internal access ways or communal (but privately owned) outdoor space;
- (vi) avoid being located adjacent to any air discharge device from within the building or on an adjoining site; and
- (vii) relate to the size of the apartment and the potential number of occupants in the apartment.

1(d) Outlook/Amenity

The extent to which the light, air and amenity of the apartment(s) is protected from adverse effects resulting from the potential development on an adjoining site permitted by the Community Environment and Open Space

buildings and immediately adjacent to that glazing. The outlook area must have a minimum dimension calculated using the following equation:

$$\text{Outlook area} = \frac{\text{height of building}^2}{10}$$

Provided that the minimum outlook area shall be 8 metres and the maximum required outlook area shall be 20 metres.

The outlook areas shall be measured at right angles to the wall of the building within which the glazing is located, or the outside face of the balcony, provided that the outlook area may comprise the following components:

- (i) An area of on-site space which must be kept free of structures (not including trees or vegetation); and
- (ii) Areas of road reserve or open space, (unless it is freehold land in the Open Space Environment).

(iv) Visual Privacy

Apartments within buildings located and designed so that on the second storey and all other storeys above, there is a minimum separation distance of:

- a) 10 metres between the main glazing of the main living room of an apartment and that of another apartment or dwelling situated either on the same or an adjoining site; and
- b) 10 metres between the balcony or roof garden of an apartment and that of another apartment or dwelling situated either on the same or an adjoining site; and
- c) 10 metres between the balcony of an apartment and the main glazing of the main living room of another apartment or dwelling situated either on the same or an adjoining site.

(v) Acoustic Privacy

- (i) Apartments located on land in the Community Environment (New Lynn) or Community Environment (Henderson), or Working Environment or in a Mixed Use development in the Hobsonville Base Village Special Area, Hobsonville Village Centre Special

Environment rules.

1(e) Visual Privacy

The extent to which reasonable levels of privacy are maintained between the main indoor and outdoor living areas of residential activities.

1(f) Acoustic Privacy

- (i) The extent to which the design and layout of an apartment minimises potential noise sources within and between units.
- (ii) The extent to which acoustic privacy within apartments is protected from existing or future external noise sources.

1(g)

For apartments which do not meet one of the performance standards, the extent to which the noncompliance is offset by special circumstances, including compliance with other specific design elements of the General Apartment Design Rule and/or the provision of some other facility or amenities within the development which will be available for the occupants/residents of the apartments to ensure their well being.

1(h)

The extent to which the apartment(s) or apartment development are/is in accordance with an approved Comprehensive Development Plan within the Hobsonville Peninsula Special Area, or the Massey North Special Area or the Hobsonville Village Centre Special Area.

1(i)

Any proposed building, or additions or alternations to an existing building (where the height proposed is 20 metres or greater) will be required to mitigate any actual or potential adverse effects on public open spaces or streets from changes in wind patterns.

A report by a registered engineer qualified in wind assessments will be required to accompany any application for a building with a height of 20 metres or greater.

Note see also policies. 1.1, 1.2, 1.14, 1.15, 2.1, 3.1, 4.2, 10.2, 10.3, 10.4, 10.5, 10.7, 10.18,

<p><u>Area or the Massey North Town Centre Special Area or in the Living 5 and 6 Environments or on sites with frontage to a high noise route shall comply with City Wide Rule 4 Mixed Use Development - Noise (relating to controls for Apartments)</u></p> <p>(ii) <u>Apartments on a site in any other human environment shall meet the following internal noise standards:</u></p> <p>(a) <u>maximum L10 standard of 40dBA and LMax 70DBA between 10pm and 7am provided that an acoustic report prepared by an acoustic engineer or other suitably qualified person establishing how the maximum internal noise would meet the L10 standard of 40dBA and LMax 70DBA between 10pm and 7am for each apartment shall be provided with any application.</u></p> <p><u>(vi) Street Frontage, and Height in Relation to Boundary of Developments</u></p> <p><u>The street frontage, and height in relation to the boundary rules for developments containing apartments shall be in accordance with the relevant street frontage rule and the specific human environment in which the site is located.</u></p>	<p><u>10.27, 11.1, 11.2, 11.3, 11.11, 11.12, 11.15, 11.19, 11.20, 11.27, 11.28, 11.35 11.36, 11.37, 11.38, 11.42, 11.44, 11.45</u> (Policy Section of the Waitakere District Plan)</p> <p><u>RESOURCE CONSENT CONDITIONS</u></p> <p><u>In granting a resource consent Council may impose conditions. Conditions may include any one or more of the following matters:</u></p> <ul style="list-style-type: none"> • <u>Requiring alterations to design and/or location</u> • <u>Requiring the registration of consent notices on titles if necessary to meet an ongoing performance standard</u> • <u>Requiring the provision of a landscape treatment plan and implementation of that plan within a given time</u> • <u>Limiting the bulk and scale of activities and other development</u> • <u>Requiring measures within all apartments to attenuate potential adverse effects from adjoining non-residential activities</u> • <u>Requiring certification at the completion of building or development by an acoustic engineer or other suitably qualified person</u> • <u>The imposition of a bond to ensure satisfaction of conditions of consent</u> • <u>Requiring financial contributions in accordance with the Plan</u> • <u>Requiring onsite or offsite works and services to avoid, remedy, mitigate or offset adverse effects</u> • <u>Requiring compliance with the findings of an assessment of the effects of wind from the proposed development on the adjoining environment that has been peer reviewed and or approved</u> • <u>Such other matters provided for in section 108 of the Act</u>
<p><u>NOTES</u></p> <ol style="list-style-type: none"> 1. <u>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.</u> 2. <u>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, the City-Wide Rules and, where relevant, the Subdivision Rules.</u> 3. <u>Words in italics are defined - see the Definitions part of the City-Wide Rules.</u> 4. <u>Words in bold are explained - see the Explanations part of the Introduction to the Rules.</u> 5. <u>The Council may have a guideline to help interpret this rule - check at the Council Offices.</u> 6. <u>For resource consents see the Information Requirements in the City-Wide Rules.</u> 	

7. <u>Applicants for <i>apartments, mixed use and development</i> in town centres should have a pre-application meeting with Council staff to discuss the application prior to lodging. This process should identify potential design issues.</u>	

Add the following new definition to the Definitions

APARTMENT(S)

Means multi storey *development* providing for *residential activities* and any associated common internal access, recreation facilities or parking and access, that meet the *General Apartment Design Rule* and the performance criteria in the *Apartment Design Criteria Appendix*, and which may include retail or other commercial activities (***Mixed Use***) in the same *development* or building, but does not include *medium density housing*.

HABITABLE ROOM

Any room that has a horizontal dimension greater than 1.7 metres, and is not a bathroom, toilet, laundry or kitchen.

Include consequential amendments to the following definitions:

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

NET UNIT AREA

Means that portion of a site required by the Plan to be provided in association with a *dwelling*, less any area within a *driveway* less than 6.0 metres in width leading to a *rear dwelling*, but does not apply to *apartment(s)*

MEDIUM DENSITY HOUSING

Means *development* on a site with a minimum *net site area* of 2,000 m² containing *dwellings* and their associated private open space at a density of more than one *dwelling*

for every 350 m² of *net site area* exclusive of *roads*, reserves, communally owned *driveways*, *open space* and other ~~commonly owned or public~~ facilities, but does not include *apartments*. *Medium Density Housing* includes housing types such as terrace housing and townhouses.

MIXED USE

means the integration of compatible land uses/activities in one locality, block or building and includes a mixture of *Residential Activities and Non-Residential Activities* such as *apartments* or *medium density housing* and commercial, retail, hospitality or recreational.
