

RULES**23.0 General**

- (a) The following rules shall apply to Any Activity on land situated in the Hobsonville Landing Special Area.
- (b) Where there is any conflict between the following rules and other rules in the Plan, the following rules shall prevail.
- (c) All of the following rules shall apply, where relevant, to Any Activity.

23.1 Discretionary Activities

The following are *Discretionary Activities*:-

- (a) Facilities directly related to the retrieval and launching of boats where required in association with the Hobsonville Marine Industry Precinct
- (b) Facilities directly related to ferry services
- (c) The construction of an access roadway between the hardstand and the Hobsonville Marine Industry Precinct Special Area

Discretionary Activity applications will be assessed having regard to Assessment Criteria 23(a) – 23(r) and any other relevant matter under section 104 of the Act.

23.2 Other Rules Applying

The following rules of the Plan shall apply to Any Activity:-

- All relevant City-wide Rules
- All relevant Natural Area Rules
- Working Environment Rule 3 – Building and Development Location
- Working Environment Rule 6 – Air Discharges
- Working Environment Rule 8 – Noise
- Working Environment Rule 9 – Parking, Loading and Driveway Access
- Working Environment Rule 10 – Odour, Glare and Vibration
- Working Environment Rule 11 – Signs
- Working Environment Rule 12 - Infrastructure

23.3 Non-Complying Activities

Any Activity which is not a Permitted Activity or a Limited Discretionary Activity or a Discretionary

ASSESSMENT CRITERIA

- 23(a) The extent to which facilities for the retrieval or launching of boats or ferry facilities are of a size, location, scale and design which complements the character of existing buildings and development within the Hobsonville Landing Special Area and adjoining areas.
- 23(b) The extent to which development provides a good standard of aural and visual amenity between buildings and between activities and adjoining land.
- 22(c) The extent to which construction of an access roadway over the hardstand meets a minimum standard for the transport of boats up to 60 metres in length, while creating no more than minor effects on the natural qualities of the marine/ land interface and the landscape qualities of the adjoining land.
- 23(d) The extent to which the coastal environment and natural landscape qualities of the area are respected.
- 23(e) The extent to which adverse effects arising from the activity on the adjoining coastal marine environment and water quality are avoided, remedied or mitigated.
- 23(f) The extent to which the location and scale of buildings and activities avoids, remedies or mitigates adverse effects on the amenity values of the adjoining coastal environment, including views of the site from the harbour and over the site to the harbour.
- 23(g) The extent to which landscape treatment and development complements the natural landscape character.
- 23(h) The extent to which driveways, car parking and road access provides for safe and efficient provision for motor vehicles and access for retrieval and launching of boats.
- 23(i) The extent to which driveways, car parking and road access provides for safe and efficient provision for motor vehicles in association with ferry facilities.
- 23(j) The extent to which traffic generation creates adverse effects on:
- i. The capacity of roads giving access to the site;
 - ii. The safety of road users including cyclists and pedestrians; and
 - iii. neighbourhood character.

Activity under the above rules shall be deemed to contravene a rule in the *Plan* and shall be a *Non-Complying Activity*.

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 the *Hobsonville Marine Industry Precinct Special Area* Concept Plan for further information.
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*, 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. Reference to the "Northern Strategic Growth Area Water Environment Plan" should be made for matters relating to water.

23(k) The extent to which *development* promotes a safe environment for pedestrians, including adequate lighting and appropriate location and *design* of entrances, windows and *driveways*.

23(l) The extent to which *signs* are visually appropriate to the character of the *Hobsonville Landing Special Area*.

23(m) The extent to which recognition has been given to the document "3 Waters Infrastructure Management Initiatives: Hobsonville Peninsula" when designing *infrastructure*.

23(n) The extent to which all relevant assessment criteria under the "Other Rules Applying" of the *Working Environment* rules are addressed in any *resource consent*.

23(o) The extent to which infrastructure meets the assessment criteria 12(a) – 12(t) of Rule 12, in the *Working Environment* rules.

23(p) The extent to which any *development* adversely affects the historical, cultural or spiritual significance of any site, or any waahi tapu of significance to iwi.

23(q) 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*.

23(r) The extent to which there has been consultation with the Auckland Regional Council regarding the co-ordination of consent requirements, in order to ensure comprehensive planning of all required development is achieved.

Note: See also Policies: 1.1, 1.5, 1.7, 1.8, 1.9, 1.10, 1.11, 1.12, 1.13, 1.14, 2.1, 2.12, 2.13, 2.15, 3.3, 3.4, 6.2, 15.7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 7.7, 8.1, 8.2, 8.3, 8.4, 8.5, 8.7, 8.9, 10.1, 10.2, 10.3, 10.4, 10.5, 10.6, 10.7, 10.8, 10.9, 10.10, 10.11, 10.12, 10.13, 10.14, 10.16, 10.17, 10.18, 10.19, 10.20, 10.22, 10.23, 10.27, 11.1, 11.2, 11.3, 11.5, 11.6, 11.7, 11.8, 11.10, 11.11, 11.12, 11.13, 11.14, 11.18, 11.23, 11.27, 11.28, 11.32, 11.37, 12.1, 12.2, 12.3, 12.4, 12.5, 12.6, 12.7, 12.8.
(Policy Section of the Waitakere District Plan)

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 *design* and/or location
- Requiring the provision of a *landscape treatment plan* and implementation of that plan within a given time
- Limiting the scale of *activities* and other *development*
- The imposition of a *bond* to ensure satisfaction

	<p>of conditions of consent</p> <ul style="list-style-type: none"> • <u>Requiring <i>financial contributions</i> in accordance with the <i>Plan</i>.</u> • <u>Requiring <i>onsite</i> or <i>offsite</i> works and services to avoid, remedy, mitigate or offset <i>adverse effects</i></u> • <u>In the case of a subdivision consent, other matters provided for in section 220 of the <i>Act</i>.</u> • <u>Such other matters provided for in section 108 of the <i>Act</i>.</u>
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1. Insert the following new definition in the City Wide Rules Definitions Section

Ferry Services means facilities for the carriage of passengers for hire or reward by means of a harbour ferry and includes carparking and infrastructure associated with such facilities

2. Include the words “Hobsonville Landing Special Area” in the following Rules:-

- **Working Environment Rule 3 – Building and Development Location**
- **Working Environment Rule 6 – Air Discharges**
- **Working Environment Rule 10 – Odour, Glare, Vibration, as follows**
At 10.1(b) (i), first bullet point, after the words “of any adjoining site” add “or at the edge of the Coastal marine area adjoining the Hobsonville Landing Special Area”
- **Working Environment Rule 8 – Noise as follows:**
After the words “Working Environment “ in rule 8.1 (b) add the words “Hobsonville Landing Special Area”
- **Hazardous Facilities Rule 1 – Consent Status Matrix Table**

Amend Rule 1.0 of the Special Area rules to include reference to Rule 23

2. Amend the Plan Maps by:-

- (a) Re-identifying the area shown on the Hobsonville Human Environments Map from Countryside Environment to Hobsonville Landing Special Area as indicated on the attached map.
- (b) Amending Appendix II to delete those provisions relating to Hobsonville Airfield.