



open space environment

GUIDELINE TO THE RULES

The *Open Space Environment* Rules apply to activities on *sites* within the “Open Space Environment” as shown on the *Human Environments* Maps. Most of the *Open Space Environment* Rules apply to “Any Activity” which may be proposed, although there are rules which apply only to specified activities.

There are rules in the *Plan* other than the *Open Space Environment* Rules that may apply to a proposed activity.

- The “**City-Wide Rules**” include rules on information for *resource consents*, *natural hazards*, *financial contributions*, *hazardous facilities* and *contaminated sites*, *heritage*, *prohibited activities* and *temporary activities*. Definitions of terms used in the *Plan* also appear in the *City-Wide Rules*.
- The “**Natural Areas Rules**” cover *vegetation alteration*, *earthworks*, *impermeable surfaces*, establishment of *vegetation*, stock grazing and *forestry*.

The “Subdivision Rules” cover all standards relating to the *subdivision* of *land* - including those standards which specifically relate to the *Open Space Environment*.

An indication of which parts of the *Plan* will apply to a particular activity is given on the *Human Environments* Maps and the *Natural Areas* Maps and in the *Open Space Environment* Rules themselves.

The procedure outlined on the next page is a guideline to apply the *Plan* rules for an activity proposed within the *Open Space Environment*.

Note that a *resource consent* from the Auckland Regional Council may be necessary in addition to these rules.



PROCEDURAL GUIDELINE FOR THE RULES

STEP 1

Locate the *land* on the *Natural Areas* Maps and the *Human Environments* Maps. If the *land* is within the *Open Space Environment*, refer to this guideline. If the *land* is within another *Human Environment* refer to the other appropriate guideline. Note the *Natural Area* which applies to the *land*, and any other information from the maps which is relevant such as a *designation*. If there is a particular notation on the maps, refer to the relevant part of the *Plan* containing rules in respect of that notation (see the index at the front of the Rules Section).

STEP 2

Refer to the Roading Hierarchy map. Note any requirements that apply.

STEP 3

Check to see whether the *land* is within a *Natural Hazards* area (information is available from the Council). Refer to the requirements in the *City-Wide Rules* if it is.

STEP 4

Determine whether the activity is a *Prohibited Activity* (see the *City-Wide Rules*) If it is, then the activity is not permitted and no *resource consent* application can be made.

STEP 5

Refer to the Definitions part of the *Plan* for any terms which you are not clear about.

STEP 6

Check the *Open Space Environment* Rules. The activity must comply with all relevant Rules to be permitted as of right. Rules which may apply to *Any Activity* include:

- Rule 1 General
- Rule 2 Building Height
- Rule 3 Height in Relation to Boundaries
- Rule 4 Yards
- Rule 5 Building Coverage
- Rule 6 Building Location
- Rule 7 Traffic Generation
- Rule 8 Noise
- Rule 9 Infrastructure

Rule 10 Glare

Rule 11 Signs

STEP 7

Under each of the relevant rules the activity proposed will be either a *Permitted Activity*, a *Controlled Activity*, a *Limited Discretionary Activity*, a *Discretionary Activity* or a *Non-Complying Activity*. A *resource consent* is required for all activities other than *Permitted Activities*. If, under a particular rule, an activity is a *Permitted Activity*, then there is no need for a *resource consent* application in terms of that Rule. However the activity may still require a *resource consent* under another rule. Refer to the relevant rule page and the “Resource Consents” part of the Introduction to the Rules for guidance on *resource consent* applications.

STEP 8

Once it has been established that all relevant rules are met, or *resource consents* have been granted, and the other requirements of the *Plan* are also satisfied, then the activity may proceed. Note that approvals under other legislation, eg the issuing of a *building consent*, may be necessary.

Note that the written approval of the landowner - Waitakere City Council, Auckland Regional Council or Department of Conservation will be required in relation to any proposed *activity* in the *Open Space Environment* and the lease (if applicable) may need amending, and including land that is managed by the Auckland Regional Council.

Words which appear in *italics* are defined in the *Plan* - see the Definitions at the front of the *City-Wide Rules*. Words which appear in **bold** are explained in the *Plan*. See the Explanations at the end of the Introduction to the Rules.

RULES

1.0 General

The following Rules 1.1 and 2 to 11 apply to activities on land situated in the *Open Space Environment*.

1.1 Notification/Non-Notification

In relation to *Controlled Activities* and *Limited Discretionary Activities* under the following Rules 2 to 11, applications for 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

BUILDING HEIGHT

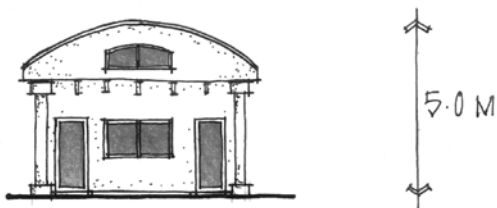
RULES

2.0 General

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

2.1 Permitted Activities

- (a) *Parks Facilities, Parks Furniture, Parks Infrastructure and Parks Signs*; provided the maximum *building height* does not exceed 5.0m
- (b) *Parks Field Structures* - no height limit



- 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*, 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

- 2(a) The extent to which *Parks Buildings, Parks Facilities* or *Parks Signs* are of a *height* which avoid adverse effects on **neighbourhood character**.
- 2(b) The extent to which *Parks Buildings, Parks Facilities* or *Parks Signs* are of a *height*, which does not **physically dominate** or intrude into **privacy** of *adjoining sites*.
- 2(c) The extent to which *Parks Buildings, Parks Facilities* or *Parks Signs* are of a *height*, which avoids where possible, interruption of **views** from *sites* in the vicinity.
- 2(d) The extent to which *Parks Buildings, Parks Facilities* or *Parks Signs* detract from the open space character of *reserves* or the **natural landscape**.
- 2(e) The extent to which the *Parks Buildings, Parks Facilities, Parks Furniture, Parks Infrastructure* or *Parks Signs* 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.
- 2(f) 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: 4.3, 9.5, 10.3, 10.5, 10.20, 10.28, 11.3, 11.7, 11.32, 12.9

(Policy Section of the Waitakere District Plan)

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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 *onsite* or *offsite* 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.

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 assessment criteria~~

- where a *site boundary* adjoins a legally established *driveway(s)* / *shared driveway(s)* or *entrance strip*, the measurement shall either be taken from the farthest boundary of the *driveway(s)* / *shared driveway(s)*, or at a parallel line 3.2 metres from the *site boundary*, whichever is the lesser. (See *Living Environment diagram 5B*). A26

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*.

3(f)

The extent to which the *height, location, scale and design* of *Parks Buildings, Parks Facilities* and *Parks Field Structures* will complement **amenity values** and **neighbourhood character**. A26

Note: See also Policies: 1.15, 5.3, 10.3, 10.5, 10.28, 11.3, 11.7, 11.32, 12.9

(Policy Section of the Waitakere District Plan)

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RULE 3

HEIGHT IN RELATION TO BOUNDARIES

pedestrian access way the *site* boundary shall be taken as the furthest boundary of the above

3.2 Limited Discretionary Activities

The following are *Limited Discretionary 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*: which do not meet the standards for recession planes in Rule 3.1

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 3(a) - 3 (e f). A26

3.3 Discretionary Activities

The following are *Discretionary Activities*:-

- (a) *Parks Buildings* which 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 with 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~~

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*
- Altering the *design* of buildings
- Specifying building materials (exterior cladding) and colour to be used
- Requiring the provision of *screening* or *planting*
- Covenanting of existing or *planted vegetation*
- The imposition of a *bond* to ensure satisfaction of conditions of consent
- Requiring *onsite* or *offsite* 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 3

HEIGHT IN RELATION TO BOUNDARIES

- where a *site boundary* adjoins a legally established *driveway(s)* / *shared driveway(s)* or entrance strip, the measurement shall either be taken from the farthest boundary of the *driveway(s)* / *shared driveway(s)*, or at a parallel line 3.2 metres from the *site boundary*, whichever is the lesser. (See Living Environment diagram 5B). **Δ26**
- (b) Additions and alterations to existing *Parks Buildings* and *Parks Facilities* not meeting the standards in Rule 3.1 or Rule 3.2.

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

3.4 Non-complying Activities

Any Activity involving the erection or alteration of Parks Buildings, Parks Infrastructure, Parks Facilities and Parks Field Structures or any other building which is not a Permitted Activity, Controlled Activity, 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.

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*, 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*.

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RULE 4

YARDS

RULES

4.0 General

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

4.1 Permitted Activities

- (a) *Parks Facilities, Parks Furniture and Parks Infrastructure*, which meet the following performance standard:
 - 3m *setback* from any *site* boundary which adjoins land within the *Living, Bush living, Waitakere Ranges, Rural Villages, Coastal Villages, Countryside or Foothills Environments*, provided that footpaths in pedestrian access ways providing access into a park or between two public places are exempt from this provision.
- (b) *Parks Field Structures* which meet the following performance standard:
 - 6.0m *setback* from a *road boundary* and
 - 4m from any other *site* boundary
- (c) *Parks Sports Fields (markings)* which meet the following performance standard:
 - 6.0m *setback* from any *site* boundary which adjoins land within the *Living, Bush Living, Waitakere Ranges, Rural Villages, Coastal Villages, Countryside or Foothills Environments*
 - 5m from any other *site* boundary

4.2 Limited Discretionary Activities

The following are *Limited Discretionary Activities*:

- (a) *Parks Facilities, Parks Field Structures, Parks Furniture, Parks Infrastructure and Parks Sports Fields* not meeting the standards in Rule 4.1(a).
- (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
 - which meet the following performance standard:
 - 6.0m *setback* from a *road boundary*, and 3m *setback* from any other *site boundary*.

ASSESSMENT CRITERIA

4(a)

Parks Facilities, Parks Furniture, Parks Infrastructure, Parks Field Structures and Parks Sports Fields should be located a sufficient distance back from any adjoining land within a *Living Environment* or a *Waitakere Ranges Environment* or a *Rural Villages Environment* or *Countryside Environment* or a *Foothills Environment* to ensure a balance between the need for privacy and opportunities for surveillance of the park.

4(b)

Parks Facilities, Parks Furniture, Parks Infrastructure, Parks Field Structures and Parks Sports Fields should be located a sufficient distance back from the road boundary and site boundaries to avoid adverse effects on **neighbourhood character**.

4(c)

Parks Facilities, Parks Furniture, Parks Infrastructure, parks Field Structures and Parks Sports Fields should be located a sufficient distance back from the *road boundary* to maintain opportunities for *planting*.

4(d)

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

4(e)

The extent to which there are adequate *setbacks*, for *Parks Field Structures and Parks Sports Fields* to ensure **safety** for activities in the park or reserve

4(f)

The extent to which the *Parks Buildings, Parks Facilities, Parks Field Structures, Parks Furniture, Parks Infrastructure and Parks Sports Fields* 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.

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RULE 4

YARDS

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 4(a) - 4 (g).

4.3 Discretionary Activities

The following are *Discretionary Activities*: *Parks Buildings* which meet the following performance standard

- (a) are setback 3m from any *site* boundary which adjoins land within the following *Environments*: *Living Bush Living, Waitakere Ranges, Rural Villages, Coastal Villages, Countryside or Foothills Environment*,
- (b) Additions and alterations to existing *parks buildings* not meeting the Performance Standards in Rule 4.2(b)

Assessment of *Discretionary Activities* applications will be assessed having regard to Assessment Criteria 4(a) - 4 (g) and any other matters which are relevant under Section 104 of the *Act*.

4.4 Non-Complying Activities

Any Activity, involving the erection or alteration of Parks Buildings, Parks Facilities, Parks Furniture, Parks Infrastructure, Parks Field Structures and Parks Sports Fields or any other *building* which is not a *Permitted Activity, 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*.

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, 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*.

4(g)

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, 10.5, 10.6, 10.27, 10.28, 11.3, 11.32, 12.9

(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 a specific setback between the *parks building, parks facilities, parks furniture* or *parks infrastructure* and the *road boundary* or other *site boundaries*
- Requiring the provision of *screening* or *planting*
- Altering the location of *parks buildings, parks facilities, parks field structures* and *sports fields, parks infrastructure* and *parks furniture*
- Requiring the alteration to the layout of the *parks building, parks facilities, parks field structures, parks furniture, parks infrastructure* and *parks sports fields* to balance privacy on adjoining *sites* and to increase opportunities for surveillance of the park
- The imposition of a *bond* to ensure satisfaction of conditions of consent
- Requiring *onsite* or *offsite* 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 5

BUILDING COVERAGE

RULES

5.0 General

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

5.1 Permitted Activities

The following are *Permitted Activities*:-

- (a) *Parks Facilities* which meet the following performance standard:
 - 10% of the *site* area for *sites* up to 2500m² in area, including all existing building coverage on the park or reserve; or
 - a maximum of 5% of the *site area* for *sites* over 2500m² in area, including all existing building coverage on the park or reserve

5.2 Limited Discretionary Activities

The following are *Limited Discretionary 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*, which do not meet the permitted activity performance standards in Rule 5.1:

provided that the total building coverage for additions and alterations to existing *Parks Buildings*, and *Parks Facilities*, shall not exceed 20% *building coverage* of the *site area* including all existing building coverage.

Assessment of *Limited Discretionary Activities* applications will be limited to the matters of *physical domination*, neighbourhood character, location, *screening*, *planting* and *design* and will be considered in accordance with Assessment Criteria 5(a) - 5 (g)

5.3 Discretionary Activities

The following are *Discretionary Activities*:-

ASSESSMENT CRITERIA

5(a)

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

5(b)

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

5(c)

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

5(d)

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

5(e)

For parks outside the MUL the extent to which *building coverage* creates pressure on existing infrastructure or the receiving ability of the surrounding natural environment from the buildings or the activities to be conducted within them - in particular on water supply, waste water and stormwater drainage, water tables, proximity to water courses, solid and road access.

5(f)

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

5(g)

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*.

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RULE 5

BUILDING COVERAGE

- (a) *Parks Buildings* and additions and alterations to existing *Parks Buildings* where there will be an increase of more than 10m² provided that the total building coverage shall not exceed 35% *building coverage* of the *site area* including all existing building coverage on the park or reserve.

Assessment of *Discretionary Activities* applications will be assessed having regard to Assessment Criteria 5(a) - 5(g) and any other matters which are relevant under Section 104 of the *Act*.

5.4 Non-Complying Activities

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

Note: See also Policies: 5.3, 10.3,10.5, 10.6, 10.7, 10.27, 10.28, 11.3, 11.32, 12.9

(Policy Section of the Waitakere District Plan)

RESOURCE CONSENT CONDITION

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

- Limiting the *building coverage*
- Limiting the *building bulk*
- Requiring protection of existing *vegetation*
- Requiring provision of a *landscape treatment plan*, and implementation of that plan within a given time
- Requiring the provision of environmentally sustainable solutions to the provision of infrastructure
- The imposition of a *bond* to ensure satisfaction of conditions of consent
- Requiring *onsite* or *offsite* 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.

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*, 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 6

BUILDING LOCATION - NATURAL LANDSCAPE ELEMENTS

RULES

6.0 General

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

6.1 Permitted Activities

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

- (a) *Parks Buildings, Parks Facilities, Parks Furniture, Parks Infrastructure* and *Parks Field Structures*, which are not on *land* identified as a *sensitive ridge* or headland/cliff/scarp on the *Natural Areas* Maps.

6.2 Controlled Activities

The following are *Controlled Activities*:

- (a) *Parks Buildings, Parks Facilities, Parks Furniture, Parks Infrastructure* and *Parks Field Structures* on *land* identified as a *sensitive ridge* or headland/cliff/scarp on the *Natural Areas* Maps, provided that any building or structure is not visible in front of the sea or above the *skyline* as viewed from a *road* or other *public place*.
- (b) Additions and alterations to existing *Parks Buildings* on *land* identified as a *sensitive ridge* or headland/cliff/scarp on the *Natural Areas* Maps, provided that the maximum gross floor area of any additions or alterations to existing *Parks Buildings* is no more than 10m² and there is no increase in the number of people the building is designed to accommodate, and there is no increase in the *height* of the *building*.

Assessment of *Controlled Activity* applications made under this rule will be limited to the matters of *height, location, design, landscape treatment*, and scale and will be considered in accordance with Assessment Criteria 6(a) - 6(g).

ASSESSMENT CRITERIA

6(a)

The extent to which *Parks Buildings, Parks Furniture, Parks Infrastructure* or *Parks Facilities* are *obtrusively visible* on or above *sensitive ridgelines* or a headland/cliff/scarp from a *public place*.

6(b)

The extent to which the *Parks Buildings, Parks Furniture, Parks Infrastructure* or *Parks Facilities* *compromise the visual landscape qualities* of *sensitive ridgelines* or a headland/cliff/scarp and other *natural landscape elements*.

6(c)

The extent to which the *activity* adversely affects the visual, historical, cultural and spiritual significance for *invi* of *sensitive ridges* or a headland/cliff/scarp.

6(d)

The extent to which *landscape treatment* is used to mitigate the visual impact of *Parks Buildings, Parks Facilities, Parks Furniture* and *Parks Infrastructure*.

6(e)

The extent to which the height of the *Parks Buildings, Parks Furniture, Parks Infrastructure* or *Parks Facilities* will interrupt identified *Public Views*, as listed in Appendix K of the Policy Section of the *Plan*.

6(f)

The extent to which the *parks Facilities, Parks Furniture, Parks Infrastructure* and *Parks Buildings* 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..

6(g)

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*.

RULE 6

BUILDING LOCATION - NATURAL LANDSCAPE ELEMENTS

6.3 Limited Discretionary Activities

The following are *Limited Discretionary Activities*:-

- (a) *Parks Buildings, Parks Facilities, Parks Furniture, Parks Infrastructure and Parks Field Structures* on land identified as a *modified sensitive ridge* on the natural *Areas Maps*, *not meeting the standards in Rules 6.1 and 6.2*.
- (b) Additions and alterations to an existing *parks building* 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, on land identified as a *modified sensitive ridge* on the *Natural Areas Maps*, that do not meet the standards in Rule 6.2.

Limited Discretionary Activities applications will be assessed having regard to the assessment criteria 6(a) - 6(g).

6.4 Discretionary Activities

The following are *Discretionary Activities*:-

- (a) Additions and alterations to existing *parks buildings* which do not meet the standards in Rules 6.1, 6.2 or 6.3, provided that no *structure* on a *sensitive ridgeline*, headland, cliff or scarp has a height exceeding 10.0m.
- (b) *Parks Buildings, Parks Facilities and Parks Infrastructure* which do not meet the standards in Rules 6.1, 6.2 or 6.3, provided that no *structure* on a *sensitive ridgeline*, headland, cliff or scarp has a height exceeding 10.0m.

Assessment of *Discretionary Activities* applications will be assessed having regard to Assessment Criteria 6(a) - 6(g) and any other matters which are relevant under Section 104 of the *Act*.

6.5 Non-Complying Activities

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

Note: See also Policies: 5.3, 8.7, 9.3, 9.5, 9.12, 10.27, 10.28, 11.7, 11.8, 11.9, 11.32, 12.9

(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:

- Limiting the *building coverage*
- Limiting the *building bulk*
- Requiring protection of existing *vegetation*
- Requiring provision of a *landscape treatment plan*, and implementation of that plan within a given time
- Requiring the provision of environmentally sustainable solutions to the provision of infrastructure
- The imposition of a *bond* to ensure satisfaction of conditions of consent
- Requiring *onsite* or *offsite* 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.

RULE 6

BUILDING LOCATION - NATURAL LANDSCAPE ELEMENTS

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*, 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*.

open space environment

RULE 7

PARKING, ACCESS AND TRAFFIC GENERATION

7.0 General

- (a) The following rules shall apply to *Any Activity* involving the *erection or alteration of Parks Buildings, Parks Field Structures, Parks Sports Fields and Parks Infrastructure*.

7.1 Permitted Activities

The following are *Permitted Activities*:-

- (a) *Parks Field Structures* on parks where there is existing on-site parking; and
(b) *Parks infrastructure* for 1-8 *car parks*

7.2 Limited Discretionary Activities

The following are *Limited Discretionary Activities*:-

- (a) *Parks Sports Fields*; and
(b) *Parks Field Structures* on parks where there is no existing on-site parking; and
(c) *Parks Buildings* and additions and alterations to existing *Parks Buildings* provided that:
- the *gross floor area* of the *Parks Building*, including any proposed additions or alterations, does not exceed 150m²
(d) *Parks Infrastructure* for *car parks* with 9-69 *car parks*

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*.
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. See the Traffic Generation Guide (available from the Council) for guidance on traffic generated by different *land uses*.
8. See the Parking and Driveways Guideline (available from the Council) for guidance on car park numbers and *design*.

ASSESSMENT CRITERIA

7(a)

The extent to which parking and traffic generation creates adverse effects on:

- the capacity of roads, giving access to the *site*, having regard to the roads function in the *Roading Hierarchy*
- the safety of road users, including cyclists and pedestrians
- **neighbourhood character**

7(b)

The extent to which the provision of *car parking* promotes *accessibility* and/or contributes to energy efficiency

7(c)

The extent to which the provision of *car parking* in the park/reserve detracts from its open space character of the **natural landscape**

7(d)

The extent to which the *car parking* is in accordance with the provisions of a relevant Operative Reserve Management Plan, Parks Concept Plan, current Waitakere City Parks Strategy

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: 10.11, 10.14, 10.16, 10.27, 10.28, 11.3, 11.11, 11.32, 12.9

(Policy Section of the Waitakere District Plan)

open space environment

RULE 7

PARKING, ACCESS AND TRAFFIC GENERATION

Assessment of *Limited Discretionary Activities* applications will be limited to the matters of *scale, road capacity, safety*, number of carparks, *screening* and *planting* and will be considered in accordance with Assessment Criteria 7(a) - 7(e)

7.3 Discretionary Activities

The following are *Discretionary Activities*:

- (a) *Parks Buildings* and additions and alterations to existing *Parks Buildings* where the gross floor area of the *Parks Building*, including any proposed additions or alterations, would exceed 150m²
- (b) *Parks infrastructure* for *car parks* with 70 or more *car parks*

Assessment of *Discretionary Activities* applications will be assessed having regard to Assessment Criteria 7(a) - 7(e) and any other matters which are relevant under Section 104 of the *Act*.

7.4 Non-Complying Activities

Any Activity involving the erection or alteration of *Parks Buildings, Parks Field Structures* and *Parks Sports Fields*, or any other *building* which is not a *Permitted Activity, Controlled Activity, 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*.

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*.
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*.

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 size of *parks buildings* and/or scale of activity
- Requiring the alteration to the location and *design* of *car parking* and *driveways*
- Increasing the provision of *car parks*
- Requiring protection of existing *vegetation*
- Requiring the provision of *screening* or *planting*
- Requiring provision of a *landscape treatment plan*, and implementation of that plan within a given time
- The imposition of a *bond* to ensure satisfaction of conditions of consent
- Requiring mitigation measures in relation to vehicle noise and lights
- Requiring mitigation measures in relation to pedestrian, cyclist and motor vehicle occupant safety
- The imposition of a charge to cover costs of monitoring the *activity*
- Requiring a financial contribution
- Requiring *onsite* or *offsite* 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.

open space environment

RULE 8

NOISE

RULES

8.0 General

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

8.1 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 in accordance with NZS 6801:1999 Acoustics - Measurement of Sound and NZS 6802:1999 Acoustics - Assessment of Environmental Sound at the appropriate any part of a site within the Living Environment, Foothills Environment, Bush Living Environment, Waitakere Ranges Environment, Coastal Villages Environment, Rural Villages Environment and Countryside Environment. Δ26

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

8.2 Discretionary Activities

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

- Any *Non-Residential Activity* not meeting the standards in Rule 8.1.

Discretionary Activity applications made under this rule will be assessed in accordance with Assessment Criteria 8(a)-8(e) 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*.
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

ASSESSMENT CRITERIA

8(a)

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

8(b)

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

8(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.~~ NZS 6802:1999 Acoustics - Assessment of Environmental Sound. Δ26

8(d)

The extent to which adequate noise buffers are provided between the activity and residential and other noise sensitive activities of other *sites*.

8(e)

The extent to which more than minor adverse *effects* on the *environment* 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 10.2, 10.15, 10.27, 11.13

(Policy Section of the Waitakere District Plan)

Note: Activities involving parks buildings in a reserve or park for which there is no operative management plan under the Reserves Act 1977, the Conservation Act 1897, the Local Government Act 1974 or the Auckland Centennial Memorial Park Act 1941 are Non-Complying Activities.

open space environment

RULES

9.0 General

The following rules shall apply to *Any Activity* involving the erection or provision of *infrastructure*.

9.1 Permitted Activities

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

- (a) the *upgrading* of *infrastructure* which is a *Permitted Activity* or has received a *resource consent* in respect of any of the relevant rules of the *Plan* relating to:
 - the General Noise Standards within the *City Wide Rules*
 - the *Heritage Rules*
 - the *Natural Area* within which the *site* is located
 - the odour, glare, *dust*, vibration and air discharges, *hazardous facilities* and *signs* Rules applying to the *Human Environment* within which the *site* is located.

Note: The above rule shall not compromise the ability of the Council or any other person to pursue action relating to adverse effects on the *environment*. (See sections 16 and 17 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. Applicants intending to build within 20m of a transmission line or within 4m of any other electric line are advised to consult with the owner of that line.
3. *Upgrading* which meets the *Permitted Activity* standards, is not subject to most of the *Human Environment Rules* in the District Plan.
4. 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*.
5. Words in *italics* are defined - see the Definitions part of the *City-Wide Rules*.
6. Words in **bold** are explained - see the Explanations part of the Introduction to the Rules.
7. The Council may have a guideline to help interpret this rule - check at the Council Offices.
8. For *resource consents* see the Information Requirements in the *City-Wide Rules*.
9. Criteria relating to engineering matters can be met by satisfying standards in the Waitakere City Code of Practice - check with the Council.

ASSESSMENT CRITERIA

9(a)

The extent to which *infrastructure* or *connection height* or bulk adversely affects the **amenity values** and **neighbourhood character**.

9(b)

The extent to which *infrastructure* or *connection height* or bulk **physically dominates** *adjoining sites*.

9(c)

The extent to which *infrastructure* or *connection height* or bulk intrudes into the **privacy** of *adjoining sites*.

9(d)

The extent to which *infrastructure* or *connection height* or bulk avoids, where possible, interruption of **views** from *sites* in the vicinity.

9(e)

The extent to which the scale and *design* of the *infrastructure* or *connection* proposed complements **amenity values** and **neighbourhood character**.

9(f)

the extent to which *buildings* and *development* make provision for *infrastructure* to serve the needs of the *site*.

9(g)

The extent to which provision is maintained to provide for the *planting* of lawns and trees around the *infrastructure* or *connection*.

9(h)

The extent to which the *infrastructure* or *connection* is located in a position which allows for safe traffic movement on the *road*, and *car parking* and manoeuvring off the *road*.

9(i)

The extent to which the *infrastructure* or *connection* is *constructed* and will be maintained in such a manner as not to adversely affect the health, **safety** and wellbeing of any person.

RULE 9

INFRASTRUCTURE

- (b) *Any Activity* involving *infrastructure* which;
 - (i) is an above-ground sewage, stormwater or water pipe and
 - has a *height* not exceeding 1.0 metre above *ground level*; and
 - a diameter not exceeding 300mm; and
 - extends for an above-ground distance not exceeding 25.0 metres at any one place;
 - (ii) is any other *infrastructure* which has a *height* not exceeding 1.5 metres above *ground level* and covers an above ground area not exceeding 2m² provided that this rule shall not allow;
 - any stormwater pipe or wastewater pipe not operated by a *network utility operator* or otherwise not covered by clause (c) below
 - high pressure gaslines with a gauge pressure of more than 2000kPa
 - *lines* and associated *structures* conveying electricity with a voltage over 110kV and a capacity exceeding 100MVA.
- (c) *Connections*, provided that the *connection* is provided in accordance with any *network utility operator* requirements; and
 - (i) where the *connection* involves any *line* or pipe, the *line* or pipe is located underground, or
 - (ii) where the *connection* involves any above ground *line*, the *connection* is an additional *connection* to an existing *building* which is already supplied from an above ground *line*.

Provided that this rule shall not allow:

- *connections* involving high pressure gaslines with a gauge pressure of more than 2000 kPa
- *connections* involving *lines* and associated *structures* conveying electricity with a voltage over 110kV and a capacity exceeding 100MVA.
- *connections* that have an above ground *height* of more than 12.0 metres, except as provided for by clause c(ii) above.

9(j)

The extent to which *infrastructure* or *connection* are placed to avoid important *natural features* such as existing *vegetation*.

9(k)

The extent to which the *design* and capacity of the *wastewater treatment and disposal system* takes into account any relevant feature of the *catchment*, including likely future *development*.

9(l)

The extent to which the *design* and location of the *wastewater treatment and disposal system*.

- ensure sufficient capacity and treatment to provide for the safe and efficient disposal of wastewater to be generated by *development* likely on the *site*, having particular regard to human health and water quality.
- ensure adequate measures to avoid leakage, entry of stormwater and penetration of roots to any piped system.
- achieve a sufficient standard and compatibility with existing *wastewater treatment and disposal systems* to minimise maintenance costs.
- ensure there are no more than minor adverse *effects* on other *infrastructure* or *connection* or potential or likely *buildings*.

9(m)

The extent to which the *design* of water supply systems:

- ensures sufficient capacity to provide water to potential *development* within the *site* and to any further *development* which may occur outside the *site*
- ensures sufficient capacity for fire fighting, including provision of fire hydrants
- is of a sufficient standard and compatibility with the *public water supply system* to minimise maintenance costs
- ensures there are no more than minor adverse *effects* on any *infrastructure* or *connection*
- ensures sufficient water quality and water pressure is available for likely needs
- provides for water metering
- is watertight.

9.2 Controlled Activities

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

- *Any Activity* involving *infrastructure* not meeting the standards specified in Rule 9.1 where the activity has a *height* not exceeding 2.5 metres above ground level and covers an above ground area not exceeding 6m², provided that this rule shall not allow;
 - (i) any stormwater pipe or wastewater pipe not operated by a *network utility operator*
 - (ii) high pressure gaslines with a gauge pressure of more than 2000kPa
 - (iii) *lines* and associated *structures* conveying electricity with a voltage over 110kV and a capacity exceeding 100MVA

Assessment of *Controlled Activity* applications made under this rule will be limited to the matters of *design*, capacity, *construction*, location, health and **safety** and will be considered in accordance with Assessment Criteria 9(a) - 9(v).

9.3 Limited Discretionary Activities

The following are *Limited Discretionary Activities*:

- Wetlands, bunds and stormwater quality ponds on land in the *Open Space Environment*.

Assessment of *Controlled Activity* applications made under this rule will be limited to the matters of *design*, capacity, *construction*, location, health and **safety** and will be considered in accordance with Assessment Criteria 9(a) - 9(v)

9.4 Discretionary Activities

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

- *Any activity* involving *infrastructure* or *connections* not meeting the standards specified in Rules 9.1 or 9.2, provided that no new *infrastructure* having a *height* exceeding 12.0 metres may be located on a *sensitive ridgeline*, headland, cliff or scarp.

Discretionary Activity applications will be assessed having regard to Assessment Criteria 9(a)-9(v) and any other matters that are relevant under Section 104 of the *Act*.

9(n)

The extent to which the *stormwater treatment and disposal system* has regard to the requirements of any comprehensive *catchment resource consent* issued by the Auckland Regional Council.

9(o)

The extent to which the *stormwater treatment and disposal system* is *designed* having regard to the natural upstream *catchment* area, including likely future *development* and any adverse *effects* it may have on the downstream system.

9(p)

The extent to which the *design* and location of the *stormwater treatment and disposal system*:

- ensure maintenance of water quality in receiving natural waters, including treatment where necessary to provide for removal of *contaminants*.
- ensure sufficient capacity to provide for the safe and efficient disposal of stormwater from the *site* and any likely future *development*.
- ensure adequate measures are taken to screen out litter, silt and other contamination.
- achieve a sufficient standard and compatibility with any existing *stormwater treatment and disposal system* to minimise maintenance costs.
- ensure no more than minor adverse *effects* on any other *infrastructure* or *connection* of likely *building development*.
- provide for stormwater disposal from all of the *land* within the *site*.
- ensure that *development* will not contribute to flooding downstream of the *site*.

9(q)

The extent to which there has been consideration given to the use of ponds and open natural waterway systems for stormwater disposal, having regard to the capability of the natural waterway system to efficiently accommodate the stormwater generated by the activity, in a manner which allows for adequate long term maintenance and with no more than minor adverse *effects* on natural water or downstream systems.

RULE 9

INFRASTRUCTURE

9.5 Non-Complying Activities

Any activity or any *Temporary Activity* to which these rules apply which is not a *Permitted Activity*, or a *Controlled 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*.

- 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. Applicants intending to build within 20m of a transmission line or within 4m of any other electric line are advised to consult with the owner of that line.
 3. *Upgrading* which meets the *Permitted Activity* standards, is not subject to most of the *Human Environment Rules* in the District Plan.
 4. 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*.
 5. Words in *italics* are defined - see the Definitions part of the *City-Wide Rules*.
 6. Words in **bold** are explained - see the Explanations part of the Introduction to the Rules.
 7. The Council may have a guideline to help interpret this rule - check at the Council Offices.
 8. For *resource consents* see the Information Requirements in the *City-Wide Rules*.
 9. Criteria relating to engineering matters can be met by satisfying standards in the Waitakere City Code of Practice - check with Council.

9(r)

The extent to which any *infrastructure* or *connection* is located and *constructed* to minimise the need for maintenance, allow for access and avoid impacts on other *infrastructure* or *connection*.

9(s)

The extent to which the *design* and location of *infrastructure* or *connection* adversely affect the **mauri** of water.

9(t)

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

9(u)

The extent to which the proposed *infrastructure* or wetlands, bunds and stormwater quality ponds in an *Open Space Environment*

- can be accommodated without compromising the particular qualities of the park or reserve; and
- is in accordance with development proposed in a relevant Operative Reserve Management Plan, Parks Concept Plan, current Waitakere City Parks Strategy or current Operative Regional Parks Management Plan.

9(v)

The extent to which *infrastructure* or *connection* are placed to avoid or reduce adverse *effects* on the current or expected use of the park and on the natural character of the park.

Note: See also Policies 1.4, 2.11, 3.5, 5.3, 10.1, 10.9, 10.17, 10.18, 10.27, 10.28, 11.4, 11.7, 11.32, 12.9

(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 all of the following matters;

- limiting the *height* and/or scale and/or location and/or bulk of the *infrastructure* or *connection*
- requiring provision of *screening* and/or *planting*
- requiring *on-site* or *off-site* works and services to avoid, remedy, mitigate or offset adverse *effects*.
- specifying *design* parameters to be used in the construction of the *infrastructure* or *connection*
- the imposition of a charge to cover costs of monitoring the *activity*
- requiring the retention of trees and/or other *vegetation*
- requiring the imposition of a *bond* to cover satisfaction of conditions of consent
- requiring *financial contributions* in accordance with the *Plan*
- specifying the location of the *infrastructure* or *connection*
- such other matters provided for in section 108 of the *Act*.

Provided that, in the case of *Controlled 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 10

GLARE

RULES

10.0 General

The following rules apply to lighting, except lighting used for aircraft navigation and safety purposes.

10.1 Permitted Activities

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

- *Any Activity* and any *Temporary Activity* emitting artificial outdoor lighting which:
 - (i) has not more than 10 lux spill (horizontal and vertical) of light as measured at the *site boundary* of any *adjoining site* and
 - (ii) is shielded in such a manner that light emitted by the fixture, is projected below a horizontal plane running through the lowest point on the fixture where light is emitted or is shielded in such a manner that the lower edge of the shield is at or below the centre line of the light source; and
 - (iii) complies with AS/NZS 1158(1996).

10.2 Limited Discretionary Activities

The following are Limited Discretionary Activities.

Any Activity and any *Temporary Activity* involving *buildings* and meeting the following Performance Standards are *Limited Discretionary Activities*:

- *Any Activity* and any *Temporary Activity* with lighting exceeding 10 lux spill up to an additional 15 lux and otherwise meeting the standards in Rule 10.1.

Assessment of *Limited Discretionary Activity* applications made under this rule will be limited to the matter of intensity, location, duration and direction of lighting and will be considered in accordance with Assessment Criteria 10(a)-10(f).

10.3 Non Complying Activities

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

ASSESSMENT CRITERIA

10(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.

10(b)

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

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

10(c)

The extent to which adequate *screening* is provided from activities that emit glare from outdoor lighting fixtures.

10(d)

The extent to which *Parks Buildings* detracts from the open space character of reserves or the **natural landscape**.

10(e)

The extent to which the *Parks Building* is 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.

10(f)

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 10.3, 10.21, 10.27, 10.28, 11.32, 12.9

(Policy Section of the Waitakere District Plan)

open space environment

RULE 10

GLARE

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.
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 lighting standards will be consulted when considering any resource consent application.

RESOURCE CONSENT CONDITIONS

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

- Limiting lux intensity and lux spill
- Requiring mitigation measures to reduce adverse *effects*
- Limiting the duration of lighting
- Requiring provision of screening and/or planting
- Altering the location of parks buildings and/or lighting standards/poles
- The imposition of a charge to cover the costs of monitoring the *activity*
- The imposition of a bond to ensure satisfaction of conditions of consent
- Requiring onsite or offsite 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 its discretion.

RULES

11.0 General

The following rules shall apply to *Any Activity* and *Temporary Activities* involving the erection of *signs*.

11.1 Permitted Activities

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

- (a) *Parks Signs*;
- (b) *Any Activity* and *Temporary Activities* with a *sign* where the *maximum sign area* does not exceed 0.1m² and the *sign* is not illuminated, flashing or moving and is located on the *site* to which the *sign* relates; and
- (c) Any *temporary sign*

11.2 Limited Discretionary Activities

The following are *Limited Discretionary Activities*:

- (a) *Signs* for *Parks Buildings* and additions and alterations to *Parks Buildings* where the *maximum sign area* does not exceed 1.5m² and the *sign* is not flashing or moving and is located on the *building* to which the *sign* relates;
- (b) *Any Activity* and *Temporary Activities* with a *sign* where the *maximum sign area* does not exceed 1.5m² and the *sign* is not flashing or moving and is located on the *site* to which the *sign* relates;

Assessment of *Limited Discretionary Activities* applications will be limited to the matters of *design*, scale, location, and **safety** and will be considered in accordance with Assessment Criteria 11(a) - 11(f).

11.3 Discretionary Activities

The following are *Discretionary Activities*:

- (a) Any other sign where the *maximum sign area* does not meet the standards in Rule 11.2.

ASSESSMENT CRITERIA

11(a)

The extent to which *signs* and *signage* for *Parks Buildings* are visually appropriate to **amenity values** and **neighbourhood character**.

11(b)

The extent to which any proposed *signs* create a situation hazardous to the safe movement of traffic.

11(c)

The extent to which any proposed *signs* are of a *height* which avoids the *sign* dominating the neighbourhood and nearby *structures*.

11(d)

The extent to which any proposed *signs* detract from the open space character of reserves or the **natural landscape**.

11(e)

The extent to which signage for a *Parks Building*, *Any Activity* or *Temporary Activities* is 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.

11(f)

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: 10.3, 10.27, 10.28, 11.3, 11.11, 11.32, 12.9

(Policy Section of the Waitakere District Plan)

RULE 11

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

Assessment of *Discretionary Activities* applications will be considered in accordance with Assessment Criteria 11(a) - 11(f) and any other matters that are relevant to 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:

- Altering the scale, *height*, shape and/or location of *signs*
- Specifying the *design* and wording of *signs*
- Requiring the provision of *screening* or *planting*
- The imposition of a *bond* to ensure satisfaction of conditions of consent
- Requiring *financial contributions* in accordance with the *Plan*
- Requiring *onsite* or *offsite* 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.

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*, 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. Where a proposed sign may affect the **safety** and efficiency of a State highway or motorway, comments may be invited from Transit New Zealand regarding the **safety** of road users.