



Transport Environment

GUIDELINE TO THE RULES

The *Transport Environment* Rules apply to activities on *land* within the *Transport Environment* as shown on the *Human Environments* Maps. Most of the *Transport Environment* Rules apply to “*Any Activity*” which may be proposed.

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

The “City Wide Rules” section includes 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* in the city.

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 *Transport Environment* Rules themselves.

The procedure outlined on the next page is a guideline to apply the *Plan* rules for an activity proposed within the *Transport 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 *site* on the *Natural Areas* Maps and the *Human Environments* Maps. If the *site* is within the *Transport Environment*, refer to this guideline. If the *site* is within another *Human Environment* refer to the other appropriate guideline. Note the *Natural Area* which applies to the *site*, and any other information from the maps which is relevant such as *sensitive ridges, heritage, designation* or *scheduled site* status. 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 to the *site*, or the area within which the *site* is located.

STEP 3

Check to see whether the *site* is within a *Natural Hazards Area* (information is available from the Council). Refer to the *Natural Hazards* 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

Determine whether the activity proposed is a “Residential Activity”, or a “Rural Activity”, or a “Non-Residential Activity” (refer to the definitions part of the *Plan*).

STEP 6

Check the *Transport 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 Design and Location of Buildings
- Rule 3 Street Trading
- Rule 4 Signs
- Rule 5 Infrastructure
- Rule 6 Glare

Rule 7 Vehicle Crossings

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” Section of the *Plan* 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. 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 7 apply to activities on land situated in the *Transport Environment*.

1.1 Notification/Non-Notification

In relation to *Controlled Activities* and *Limited Discretionary Activities* under the following Rules 2 to 7, 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

DESIGN AND LOCATION OF BUILDINGS

RULES

2.0 General

The following rules shall apply to *Any Activity* involving the erection or alteration of *buildings*.

2.1 Controlled Activities

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

- Any *building* proposed in the *transport corridor*, and associated with transport and/or communication, in the current rail corridor referenced as NZR1 and shown on the *Human Environment* Maps as at 15 October 1995.

Assessment of *Controlled Activity* applications made under this rule will be limited to the matters of *design*, location, scale, *landscape treatment* and provision for vehicles and pedestrians and will be considered in accordance with Assessment Criteria 2(a)-2(i).

2.2 Limited Discretionary Activities

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

- (a) *buildings* (except *public transport terminals* and any *building* being a *Controlled Activity* under Rule 2.1 and retaining walls) not exceeding 20m² in *gross floor area* and located away from any area used or which may be used for a *carriageway*;

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 *buildings*, other than a *public transport terminal*, a phone box, a post box, or a kerbside *electricity distribution substation* relate to and are compatible with activities and *development* on the immediately *adjoining site*.

2(b)

The extent to which *buildings* create adverse *effects* on **amenity values** and **neighbourhood character**.

2(c)

The extent to which *buildings* need to be located on a *road* rather than on the *site* to which they relate.

2(d)

The extent to which a buffer is maintained between the *carriageway* and *adjoining sites*.

2(e)

The extent to which *buildings* create adverse *effects* on access to *sites* provision for on-street parking or the efficient use for traffic movement of any existing or possible future *road*.

2(f)

The extent to which *buildings* create adverse *effects* on pedestrian, cyclist or motor vehicle occupant **safety**.

2(g)

The extent to which *buildings* create adverse *effects* on any *natural features* or *natural landscape elements*.

2(h)

The extent to which *buildings* create adverse *effects* on streetscape or **views** enjoyed from the *road* and/or adjacent *sites*.

2(i)

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, 5.2, 10.27, 11.3, 11.4

(Policy Section of the Waitakere District Plan)

RULE 2

DESIGN AND LOCATION OF BUILDINGS

- (b) *public transport terminals* located away from any area used or which may be used for a *carriageway*.
- (c) retaining walls within that part of the *Transport Environment* that is not within the Waitakere Ranges Heritage Area, and which are adjacent to a *Living Environment*, *Community Environment*, *Open Space Environment* or *Rural Villages Environment*, and are more than 1.5 metres in height. Δ30
- (d) retaining walls within the Waitakere Ranges Heritage Area that are more than 1.5 metres in height above the *road carriageway* or *vehicle crossing surface*.Δ31

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

2.3 Discretionary Activities

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

- any *building* not meeting the standards in Rules 2.1 or 2.2.

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

RESOURCE CONSENT CONDITIONS

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

- limiting *building coverage*
- limiting *building bulk*
- specifying the *building* location
- requiring provision of a *landscape treatment* plan and implementation of that plan within a given time
- specifying *design*, including colour to be used
- the imposition of a *bond* to ensure satisfaction of conditions of consent
- requiring *financial contributions* in accordance with the *Plan*
- requiring *on-site* or *off-site* works and services to avoid, remedy, mitigate or offset adverse *effects*
- such other matters provided in section 108 of the *Act*.

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

RULE 3

STREET TRADING

RULES

3.0 General

The following rules shall apply to *Any Activity* involving *street trading*.

3.1 Permitted Activities

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

- *street trading* which:
 - is associated with and of a scale *subsidiary* to an *adjoining site* within either a *Community Environment* or within a *site* scheduled for *retail activity*; and
 - has a minimum clear width of 1.5 metres of the footpath remaining clear and free of any obstacle or obstruction; and
 - if it has display stands, has no such stands with protruding parts or sharp corners.

3.2 Discretionary Activities

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

- *street trading* not meeting the requirements of Rule 3.1.

Discretionary Activity applications will be assessed having regard to Assessment Criteria 3(a)-3(g) 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*, 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. See the *Temporary Activity Rules* for other provisions allowed by the *Plan*.
8. No street trading activities may be undertaken on *land* designated as State Highway or motorway without the express permission of Transit New Zealand.

ASSESSMENT CRITERIA

3(a)

The extent to which *street trading* creates adverse *effects* on **amenity values** and **neighbourhood character**.

3(b)

The extent to which *street trading* fragments the surrounding streetscape.

3(c)

The extent to which *street trading* creates adverse *effects* on the efficient use of any *road* for traffic movement .

3(d)

The extent to which *street trading* creates adverse *effects* on pedestrian, cyclist or motor vehicle occupant **safety**.

3(e)

The extent to which *street trading* creates adverse *effects* on access to *sites* or on-street *car parking*.

3(f)

The extent to which, where the *street trading* generates a need for *car parking*, sufficient space to meet likely demand with safe access is available for that *car parking*.

3(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 10.27, 11.4

(Policy Section of the Waitakere District Plan)

RULE 3

STREET TRADING

RESOURCE CONSENT CONDITIONS

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

- requiring alterations to the scale or location of the activity
- requiring provision for *car parking* and access to *car parking*
- limiting hours of operation
- specifying the location and *design* of any associated *signs*
- requiring *financial contributions* in accordance with the *Plan*
- requiring *on-site* or *off-site* works and services to avoid, remedy, mitigate or offset adverse *effects*
- such other matters provided for in section 108 of the Act.

RULE 4

SIGNS

RULES

4.0 General

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

4.1 Permitted Activities

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

- (a) *sign* boards located not more than 0.3 metres outside the *site* to which they relate and having a total *sign area* of no more than 3m², provided that no individual *sign* is greater than 0.5m² in area and that the *adjoining site* is located either within a *Community Environment* or a *Working Environment* or within a *scheduled site* used for *retail activity*;
- (b) one sandwich board of not more than 0.5m² in *sign area* and not more than 1m in *height*, located immediately outside a *site* located either within a *Community Environment* or a *Working Environment* or a *scheduled site* used for *retail activity*;
- (c) *temporary signs*;
- (d) *road signs*.

ASSESSMENT CRITERIA

4(a)

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

4(b)

The extent to which *Parks Signs* and *signs* create a situation hazardous to the safe movement of traffic.

4(c)

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

Note: See also Policies 5.2, 10.27, 10.28, 11.4, 11.8, 11.11, 11.32 and 12.9

(Policy Section of the Waitakere District Plan)

NOTES

1. If an activity is not controlled or restricted in any way by any part of the *Plan* it is permitted, but may require consents under other legislation/ plans.
2. Activities must comply with all other relevant rules of the *Plan* or be the subject of a *resource consent*. Check all other rules in this *Human Environment* and also the *Natural Area Rules*, 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. See the *Signs* in the Roads Environment Policy for guidance as to the types of *signs* that will be authorised by Council.
8. No *sign* may be erected on *land designated* as State Highway or motorway without the express permission of Transit New Zealand.

RULE 4

SIGNS

4.2 Limited Discretionary Activities

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

- *signs* not meeting the standards of Rule 4.1 where the *sign* is located outside either a *site* within a *Community Environment* or a *Working Environment* or a *scheduled site* used for *retail activity*, or is a *Parks Sign* adjacent to land in the *Open Space Environment*.

Assessment of *Limited Discretionary Activity* applications will be limited to the matters of location, scale and *design* and considered in accordance with Assessment Criteria 4(a)-4(c).

4.3 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*.

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 size, *height* shape, illumination, motion and/or location of *signs*
- specifying the *design* and wording of *signs*
- requiring *financial contributions* in accordance with the *Plan*
- imposition of a *bond* to ensure satisfaction of conditions of consent
- requiring *on-site* or *off-site* works and services to avoid, remedy, mitigate or offset adverse *effects*
- such other matters provided for in section 108 of the *Act*.

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

RULE 5

INFRASTRUCTURE

RULES {A203 A211, A217}

5.0 General

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

5.1 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,

and includes the 24 hour kerbside carparking as shown on the New Lynn Urban Concept Plan.

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. See the *City Wide Rules* - General Noise Standards for relevant rules relating to noise and roads.
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*.

ASSESSMENT CRITERIA

5(a)

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

5(b)

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

5(c)

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

5(d)

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

5(e)

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

5(f)

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

5(g)

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

5(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*.

5(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.

5(j)

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

- (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.

5(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*.

5(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 *connections* or potential or likely *buildings*.

5(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.

5(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.

RULE 5

INFRASTRUCTURE

5.2 Controlled Activities

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

- (a) *Any Activity* involving *infrastructure* not meeting the standards specified in Rule 5.1 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:
 - any stormwater pipe or wastewater pipe not operated by a *network utility operator*
 - 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
- (b) *Any Activity* involving *infrastructure* associated with transport in the current rail corridor referenced as NZR1 and shown on the *Human Environment Maps* as at 15 October 1995.

Assessment of *Controlled Activity* applications made under this rule will be limited to the matters of *design*, capacity, *construction*, location, scale, health and **safety**, *landscape treatment* and provision for vehicles and pedestrians and will be considered in accordance with Assessment Criteria 5(a)- 5(t).

5.3 Discretionary Activities

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

- *Any activity* involving *infrastructure* or *connections* not meeting the standards specified in Rules 5.1 or 5.2, provided that no new *infrastructure* having a *height* exceeding 12 metres may be located on a *sensitive ridgeline*, headland, cliff or scarp.

Discretionary Activity applications will be assessed having regard to Assessment Criteria 5(a)-5(t) and any other matters that are relevant under section 104 of the *Act*.

5(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.

5(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*.

5(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.

5(r)

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

5.4 Non-Complying Activities

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

5(s)

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

5(t)

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 1.14, 2.12, 5.2, 10.27, 11.4

(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 6

GLARE

RULES

6.0 General

The following rules apply to street lighting:

6.1 Permitted Activities

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

- street lighting which:
 - (i) complies with AS/NZS 1158 (1996).

6.2 Limited Discretionary Activities

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

- *Any Activity* involving street lighting which does not comply with AS/NZS 1158 (1996).

Assessment of *Limited Discretionary Activity* applications made under this rule will be limited to the matter of intensity and direction of lighting and will be considered in accordance with Assessment Criteria 6(a)-6(c).

6.3 Non Complying Activities

Any 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*.

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. The Transit New Zealand Act 1989 requires that Transit New Zealand be consulted for vehicle crossings directly to and from the State Highway Network in order that their approval be obtained, with or without conditions, and, in the case of proposed accesses within areas declared Limited Access Roads, a Minister's notice issued.

ASSESSMENT CRITERIA

6(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.

6(b)

The extent to which outdoor lighting is selected, located, aimed, adjusted, *designed* and *screened* to ensure that:

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

6(c)

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

Note: See also Policies 10.21, 10.27, 11.4 (Policy Section of the Waitakere District Plan)

RESOURCE CONSENT CONDITIONS

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

- limiting lux intensity and lux spill
- requiring mitigation measures to reduce adverse *effects*
- requiring provision of *screening* and/or *planting*
- limiting hours of operation
- the imposition of a charge to cover the costs of monitoring the activity
- the imposition of a *bond* to cover satisfaction of conditions of consent
- requiring *on-site* or *off-site* works and services to avoid, remedy, mitigate or offset adverse *effects*
- such other matters provided for in section 108 of the *Act*.

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

RULE 7

VEHICLE CROSSINGS

RULES

7.0 General

The following rules shall apply to the construction of *vehicle crossings*.

7.1 Permitted Activities

Activities meeting the following Performance Standard shall be *Permitted Activities*:

- *vehicle crossings* where there is no more than one *vehicle crossing* to a *site* which is not located in the *Waitakere Ranges Environment, Bush Living Environment* or *Coastal Villages Environment*.

7.2 Controlled Activities

Activities meeting the following Performance Standard shall be *Controlled Activities*:

- *vehicle crossings* where there is no more than one *vehicle crossing* to a *site* which is located in the *Waitakere Ranges Environment, Bush Living Environment* or *Coastal Villages Environment*.

Assessment of *Controlled Activity* applications will be limited to the matters of location, *design* and drainage and be considered in accordance with Assessment Criteria 7(a)-7(d).

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

7(a)

The extent to which *vehicle crossings* are constructed to a maintenance-free standard.

7(b)

The extent to which *vehicle crossings* are located and *designed* to allow safe access to the *site* from the *carriageway* including, if necessary, the use of platforms where the land slopes steeply from the *carriageway*.

7(c)

The extent to which *vehicle crossings* are *designed* and constructed to blend with the surrounding *environment*.

7(d)

The extent to which adequate provision is made in the *design* and *construction* of *vehicle crossings* for stormwater drainage.

Note: See also Policies 5.2, 11.4, 11.15

(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:

- specifying *design* parameters to be used in *construction* of the *vehicle crossing*
- specifying the location of *vehicle crossings*
- specifying the width of *vehicle crossings*
- specifying provision to be made for stormwater disposal
- imposition of a *bond* to cover satisfaction of conditions of consent
- requiring *on-site* or *off-site* works and services to avoid, remedy, mitigate or offset adverse *effects*
- such other matters provided for in section 108 of the *Act*.

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

RULE 7

VEHICLE CROSSINGS

7.3 Limited Discretionary Activities

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

- *vehicle crossings* where there is more than one *vehicle crossing* to the *site*.

Assessment of *Limited Discretionary Activity* applications will be limited to the matters of location, *design* and *drainage* and be considered in accordance with Assessment Criteria 7(a)-7(d).

