

## RULE 9

## COASTAL VILLAGES ENVIRONMENT

### RULES

#### 9.0 General

The following rules apply to the *subdivision* of land situated in the *Coastal Villages Environment*.

#### 9.1 Limited Discretionary Activities

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

- (a) the minimum *net site area* for each *proposed site* is 4000m<sup>2</sup>; and
- (b) a *building platform* is available within each *proposed site* on an area cleared of *native vegetation* as at 14 October 1995 (note: the Council has maps showing areas of *native vegetation* and cleared areas in the City); and
- (c) each *proposed site* has practical and legal motor vehicle access to a *road*; and
- (d) no new *roads* are created by the *subdivision*.

Assessment of *Limited Discretionary Activity* applications will be limited to the matters of:

- the *design*, location, *construction* and *alignment* of *driveways*;

#### 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. *Subdivisions* must comply with all other relevant rules of the *Plan* or be the subject of a *resource consent*. Check all other *subdivision* rules and also the *Natural Areas Rules*, the relevant *Human Environment Rules* and the *City-Wide Rules*.
3. Approval is required under the *Plan* for any *vegetation clearance* - check the *Natural Area Rules*.
4. Words in *italics* are defined - see the Definitions part of the *City-Wide Rules*.
5. Words in **bold** are explained - see the Explanations part of the Introduction to the Rules.
6. The Council may have a guideline to help interpret this rule - check at the Council Offices.
7. For *resource consents* see the Information Requirements in the *City-Wide Rules*.
8. 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 the *subdivision design* retains or links significant *vegetation* and fauna habitat areas, avoids *development* on *natural landscape elements* and *heritage* features, gives regard to natural character, involves the *planting* of *native vegetation* on any land within a *Restoration Natural Area*, minimises soil erosion, encourages *on-site* water retention, avoids *development* on floodplains and uses drainage methods that protect and enhance streams.

#### 9(aa)

The extent to which the subdivision design has regard to coastal character.

#### 9(b)

The extent to which *sites* are large enough to ensure that future *buildings* meet the relevant standards of the *Plan*.

#### 9(c)

The extent to which *sites* are provided with practical vehicle access to a *road*, with passing bays where necessary.

#### 9(d)

The extent to which *sites* are of a useable shape.

#### 9(e)

The extent to which the *subdivision design* integrates with the surrounding **neighbourhood character** and **landscape character**.

#### 9(f)

The extent to which the *subdivision design* enables efficient provision of *infrastructure*.

#### 9(g)

The extent to which the *subdivision design* recognises the policies and rules relating to *Natural Areas* on each *proposed site*.

#### 9(h)

The extent to which the *design* and location of *driveways* and *building platforms* minimise alterations to landform, avoid visible scars on the landscape and take advantage of natural drainage systems.

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- the *design*, scale and location of *sites*;
  - provision for *landscape treatment*;
  - protection of *natural features*;
  - the location, *design* and *construction* of *infrastructure*;
- and will be considered in accordance with Assessment Criteria 9(a)-9(x).

**9.2 Non-Complying Activities**

Any *subdivision* to which these rules apply which is not 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*.

**9(i)**

The extent to which *driveway carriageways* are constructed of materials and to a *design* strength sufficient to carry the likely wheel loads of vehicles, and which enable the carriage of motor vehicles at a minimum future maintenance cost.

**9(j)**

The extent to which edges of *driveway carriageways* are appropriately *designed* and will be constructed to:

- avoid edge fretting
- allow safe and ready access to *adjoining sites* at appropriate locations.

**9(k)**

The extent to which, wherever relevant, *design*, *construction*, location and provision of *infrastructure* owned by *network utility operators* (if provided):

- ensure sufficient capacity to provide services to potential *development* within the *subdivision* and to any further *development* which may occur outside the *subdivision*
- ensure sufficient capacity for firefighting, including provision of fire hydrants
- are of a sufficient standard and compatibility with existing systems to minimise maintenance costs
- ensure sufficient water quality and water pressure is available for likely needs
- provide for water metering
- ensure public water supply mains are watertight
- ensure that there are no more than minor adverse *effects* on *natural features* and other *infrastructure*.
- ensure that continued access is made available to *network utility operators* to ensure maintenance can be undertaken.

**9(l)**

The extent to which, having regard to the requirements of any comprehensive *catchment resource consent* issued by the Auckland Regional Council, the *stormwater treatment and disposal system* is *designed*, constructed and located to:

- serve the whole of the natural upstream *catchment* area, having regard to likely future *development*

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- 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 *subdivision* and future *development*
- ensure adequate measures are taken to screen out litter, silt and other contamination
- be of a sufficient standard and compatibility with any existing *stormwater treatment and disposal system* to minimise maintenance costs
- ensure there are no more than minor adverse *effects* on other *infrastructure* or likely *building development*
- provide for stormwater treatment and disposal from all of the *land* within each *site*
- avoid flooding on or downstream of the *site*.

**9(m)**

The extent to which consideration is given to the use of riparian margins, ponds and open natural waterway systems for stormwater disposal (in such cases the open natural water system should be capable of efficiently accommodating the stormwater generated by the *subdivision*, in a manner which allows for adequate long-term maintenance and with no more than minor adverse *effects* on the natural systems or downstream systems).

**9(n)**

The extent to which the *design* of stormwater systems incorporates measures to reduce run-off rates, where there may be damage caused to natural waterway systems.

**9(o)**

The extent to which, where a *connection* is proposed or required to a public stormwater system, there is sufficient capacity within that system to accommodate the proposed and future planned *development*.

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**9(p)**

The extent to which sufficient *secondary flow paths* are provided, to avoid adverse *effects* from damage in flood conditions, and, if over private *land*, are protected by appropriate *easements* and *consent notices*.

**9(q)**

The extent to which the *design, construction* and location of the *wastewater treatment and disposal system* have regard to the upstream *catchment* and effect on the downstream *catchment*, including likely future *development*.

**9(r)**

The extent to which the *design, construction* and location of *wastewater treatment and disposal systems*:

- ensure sufficient capacity and treatment to provide for the safe and efficient disposal of wastewater to be generated by *development* likely on each *site*, having particular regard to human health and water quality
- ensure adequate measures to avoid leakage, entry of stormwater and penetration by plant roots
- are of a sufficient standard and compatibility with existing *wastewater treatment and disposal systems* to minimise maintenance costs
- are constructed so that there are no more than minor adverse *effects* on *natural features*, on other *infrastructure* or potential or likely *buildings*
- where wastewater disposal is to be provided for *on-site*, give sufficient regard to suitability in respect of topography, soils, water tables and proximity to natural water courses or **water bodies**.

**9(s)**

The extent to which, where necessary, *easements* and *consent notices* are applied to protect the integrity of *wastewater treatment and disposal systems*.

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9(t)

The extent to which *subdivision* adversely affects the historical, cultural or spiritual significance of any site or *waahi tapu* of significance to *imi*, and the **mauri** (life-force) of water, *native vegetation*, fauna habitat and *land*.

9(u)

The extent to which *subdivision* adversely affects the historical, cultural or spiritual significance for *imi* of *sensitive ridges*.

9(v)

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*.

9(w)

The extent to which formal/legal protection will be achieved for the elements of the *Green Network*, including Riparian Margins, and areas of outstanding *natural features* or outstanding *native vegetation*.

9(x)

The extent to which the *subdivision*, where relevant, provides for public access to and alongside the coast, streams, *lakes* and wetlands.

Note: See also Policies 1.1, 1.10, 1.14, 1.15, 1.20, 2.1, 2.3, 2.13, 3.1, 3.4, 3.5, 4.3, 4.4, 5.2, 5.4, 6.1, 6.4, 7.1, 7.2, 7.3, 8.3, 8.5, 9.1, 9.3, 9.6, 9.7, 9.9, 9.14, 10.4, 10.7, 10.8, 10.9, 10.13, 10.15, 10.16, 10.17, 10.18, 10.20, 10.22, 10.23, 10.27, 11.1, 11.2, 11.4, 11.5, 11.6, 11.9, 12.4, 12.8

(Policy Section of the Waitakere District Plan)

RESOURCE CONSENT CONDITIONS

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

- requiring the *planting* of *native vegetation*
- altering the scale, *design* and location of *sites*
- requiring alteration in the *design, alignment* and location of *roads* and *driveways*

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- requiring specific provision to be made in the *subdivision design* for the efficient provision of *infrastructure* including, but not limited to:
  - providing for a specified *design* life for stormwater and wastewater treatment and disposal, public water supply and *driveways* and *roads*
  - ensuring sufficient capacity for all *development* likely to be served by the *infrastructure*
  - providing ease of access to *infrastructure* for maintenance purposes
  - ensuring *infrastructure* is sensitively placed to avoid environmental damage, such as *earthworks* and *pruning* and *clearance* of *vegetation*
- specifying the location of *infrastructure*
- restricting the number of *dwellings* or *sites* to be served by a *driveway*
- restricting the amount of *earthworks* and *vegetation pruning* and *clearance*
- requiring through appropriate *design* the satisfaction of specified water quality standards (having regard to standards or rules within any Regional Plan)
- requiring monitoring systems to ensure sediment or *contaminants* are not discharged to ground or natural water
- requiring the provision of a *landscape treatment plan* and its implementation within a given time
- the imposition of a *bond* to ensure satisfaction of conditions of consent
- requiring the provision of *easements* or *consent notices*
- the imposition of a charge to cover the costs of monitoring
- requiring *financial contributions* in accordance with the *Plan*
- such other matters provided for in sections 220 and 108 of the *Act*
- requiring *on-site* or *off-site* works and services to avoid, remedy, mitigate or offset adverse *effects*.

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