

# APPENDIX 1

## RECOMMENDED CHANGES TO PLAN CHANGE 18 – CITY WIDE URBAN DESIGN RULES

New text proposed in response to submissions is shown underlined and **coloured**. Note that deleted text has been removed and is not indicated in strikethrough, in order to more clearly indicate the recommended final form of the Plan Change.

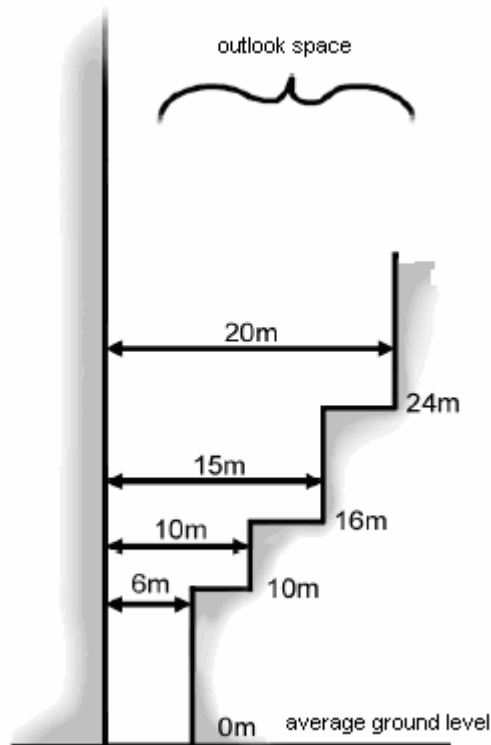
### CITY WIDE RULE 1

### APARTMENT DESIGN

<p><b>1.0 General Performance Standards</b></p> <p>The following performance standards shall apply only to <i>Apartments</i> <u>and <i>Apartment Buildings</i></u>.</p> <p><u>(Note: Refer to the relevant Human Environment rule for resource consent status). Clause 10(2)</u></p> <p><b>(i) Apartment Size</b></p> <p>Apartments shall <u>have a minimum gross floor area of 40 m<sup>2</sup> excluding garages, dedicated external storage areas, balconies, roof gardens, outdoor living areas and common internal access.</u></p> <p><b>(ii) Balconies, roof gardens, courtyards</b></p> <p>Each <i>Apartment</i> shall be provided with its own balcony, roof garden or courtyard, <u>which has</u> a minimum area of 7m<sup>2</sup>, accommodates a <u>2.0</u> metre diameter circle, and is directly accessed from the main living room.</p> <p><b>(iii) Outlook/Amenity</b></p> <p>a) <u>An outlook space shall be provided from the main glazing of each Apartment (from one exterior face of the Apartment Building only).</u></p> <p>b) <u>The minimum dimensions of the outlook space, measured at right angles to the exterior face of each storey of the building shall be in accordance with <b>Figure 1(iii)</b>.</u></p> <p>c) <u>The outlook space may be over:</u></p>	<p><b>ASSESSMENT CRITERIA</b></p> <p><b>1(a) General</b></p> <p>Applications <u>that comply with the General Performance Standards 1.0 (i) – (iii) will be assessed in relation to assessment criterion 1(a) only.</u></p> <p>(i) <u>The extent to which each Apartment and Apartment Building meets the design criteria of the Apartment Design Criteria Appendix to this rule; and</u></p> <p>(ii) <u>The extent to which the Apartment Building contributes to high standards of design, pedestrian amenity, safe and attractive streets and public places and assists in stimulating pedestrian activity; and</u></p> <p>(iii) <u>The extent to which any new Apartment Building or any additions or alternations to an existing Apartment Building in either case being over 20 metres in height will be required to mitigate any actual or potential adverse effects on public open spaces or streets from changes in wind patterns.</u></p> <p><u>Note: A report by a registered engineer qualified in wind assessments will be required to accompany any application for an Apartment Building with a height of 20 metres or greater.</u></p>
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- i) the site on which the *Apartment Building* is located;
- ii) legal road;
- iii) public open space; or
- iv) another site, provided that in this event all of the following shall apply:
  - the outlook space shall be secured in perpetuity for the benefit of the *Apartment Building* by a legal instrument to be put in place prior to the commencement of construction.
  - written approval of the owner of the adjoining site for the outlook space shall be provided when the application for resource consent is lodged.
  - more than one *Apartment Building* may share an outlook space.

**Figure 1(iii) Outlook/Amenity**



Where the Performance Standards specified in Rule 1.0 are not met, a resource consent

### **1(b) Apartment Size**

- (i) The extent to which a variety of *Apartment sizes* is provided within a *Apartment Building* or in combination with other existing or proposed *Apartment Buildings*.
- (ii) The extent to which the layout or internal design of each *Apartment* provides amenity and convenience for the occupants.
- (iii) The extent to which adequate storage is provided for each *Apartment*.

### **1(c) Balconies, roof gardens, courtyards**

- i The extent to which private balconies, courtyards and rooftop gardens relate to the size of the *Apartment* and the potential number of occupants in the *Apartment*.
- ii The extent to which complementary or secondary open spaces such as Juliet balconies accessible from other rooms of the *Apartment* are provided, or
- iii The extent to which indoor/and or outdoor communal recreation facilities are provided elsewhere in the *development* for the exclusive use of occupants, or
- iv The extent to which the ability to meet the standards is affected by a proposal to retrofit an existing *building* in a *town centre*, or
- v The extent to which balconies are of diminished amenity value due to unavoidable southerly orientation.

### **1(d) Outlook/Amenity**

The extent to which the layout or arrangement of *Apartment(s)* on the site and the design and location of the *main glazing* of the apartment(s) ensures adequate sunlight, daylight, and air admission

Where existing *buildings* are converted to *Apartment Buildings*, the extent to which it can be demonstrated that appropriate light, air, amenity and outlook can be provided by alternative means for each *Apartment* with design solutions such as sky lights.

### **1(f)**

For *Apartments* or *Apartment Buildings* which

will be required. The resource consent category shall be as prescribed in the relevant Human Environment Rule and will be assessed having regard, as relevant, to assessment criteria 1(a) – 1(i) and any other matters that 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. Applicants for *Apartments*, *mixed use* and other *development* in town centres should have a pre-application meeting with Council staff to discuss the application prior to lodging. This process should identify potential design issues.

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

#### **1(g)**

The extent to which the *Apartment(s)* or *Apartment Building* are in accordance with any *Concept Plan and/or* approved Comprehensive Development Plan.

#### **1(h) Apartment Buildings for Retirement Purposes**

Where an *Apartment Building* is to be dedicated for retirement purposes (defined as being for residents are at least 55 years or older) and where that *Apartment Building* does not meet one of the *performance standards* and/or the design criteria of the *Apartment Design Criteria Appendix*, the extent to which the noncompliance is offset by the special circumstances and needs of the occupants.

#### **1(i) Mixed Use Buildings and Mixed Use Areas**

The extent to which an *Apartment* within a *Mixed Use Building* or *Mixed Use Area* is located and designed in such a way as to ensure the avoidance or mitigation of reverse sensitivity effects, and safe and efficient access for residents.

Note see also policies. 1.1, 1.2, 1.14, 1.15, 2.1, 3.1, 4.2, 10.2, 10.3, 10.4, 10.5, 10.7, 10.18, 10.27, 11.1, 11.2, 11.3, 11.11, 11.12, 11.15, 11.19, 11.20, 11.27, 11.28, 11.35, 11.36, 11.37, 11.38, 11.42, 11.44, 11.45

(Policy Section of the Waitakere District Plan)

#### **RESOURCE CONSENT CONDITIONS**

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

- Requiring alterations to *design* and/or location

	<ul style="list-style-type: none"> <li>• Requiring the registration of consent notices on titles if necessary to meet an ongoing performance standard</li> <li>• Requiring the provision of a <i>landscape treatment</i> plan and implementation of that plan within a given time</li> <li>• Limiting the bulk and scale of <i>activities</i> and other <i>development</i></li> <li>• Requiring measures within all <i>Apartments</i> to attenuate potential adverse effects from adjoining non-residential activities</li> <li>• Requiring certification at the completion of building or development by an acoustic engineer or other suitably qualified person</li> <li>• The imposition of a <i>bond</i> to ensure satisfaction of conditions of consent</li> <li>• Requiring <i>financial contributions</i> in accordance with the <i>Plan</i></li> <li>• Requiring <i>onsite</i> or <i>offsite</i> works and services to avoid, remedy, mitigate or offset <i>adverse effects</i></li> <li>• Requiring compliance with the findings of an assessment of the effects of wind from the proposed development on the adjoining environment</li> <li>• <u>Ensuring appropriate conditions in body corporate documents and the like to provide advice or note limitations on the extent of compliance with a noise control.</u></li> <li>• <u>Requiring protection of an outlook space in perpetuity.</u></li> <li>• Such other matters provided for in section 108 of the Act <u>or in the assessment criteria.</u></li> </ul>
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**Add the following new definitions to the Definitions section of the Plan:**

**APARTMENT(S)**

Means a dwelling or dwellings within a multi storey *development* and any associated common internal access, recreation facilities or parking and access, but does not include *medium density housing*.

**APARTMENT BUILDING**

Means a building containing Apartments.

**Include consequential amendments to the following definitions:**

**NET UNIT AREA**

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

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## MEDIUM DENSITY HOUSING

Means *development* on a site with a minimum *net site area* of 2,000 m<sup>2</sup> containing *dwellings* and their associated private open space at a density of more than one *dwelling* for every 350 m<sup>2</sup> of *net site area* exclusive of *roads*, reserves, communally owned *driveways*, *open space* and other commonly owned or public facilities, and includes housing types such as terrace housing or townhouses but does not include *Apartments*.

GLAZING means windows that perform the following functions:

- Main glazing means the main windows of the main living room on an exterior wall of an Apartment and may include a combination of both windows and doors. For the avoidance of doubt the Outlook Amenity Control (City Wide Rule 1.(iii) shall only apply from one exterior face of the building.
- Secondary glazing means the main windows of a habitable room other than the living room on an exterior wall of an Apartment.
- Tertiary glazing means windows in an Apartment that are located on an exterior wall that are:
  - A window in a service or non-habitable room, or
  - A tertiary window in a habitable room that has a minimum sill height of 1.7 metres above the finished floor level or is a fixed obscure glazing.

## CITY WIDE RULE 1

## APPENDIX - APARTMENT DESIGN CRITERIA

### INTRODUCTION

This appendix sets out the design criteria for *Apartments* and Apartment Buildings. The criteria provide performance measures for assessing the design of *Apartments* to provide opportunities for *site responsive designs*, while ensuring that *Apartments* provide a positive contribution to the character and *amenity* of the particular neighbourhood in which they are located. A further aim is to enable the development of *Apartments* that ensure a good level of amenity for residents.

The design criteria are grouped into the following three categories:

- Element A** Site Development;
- Element B** Apartment Design (relating to the layout of individual *apartments*); and
- Element C** Apartment Buildings

The Apartment Design criteria are a necessary adjunct to the *City-Wide Rule 1 Apartment Design*, which establishes three basic requirements for an *Apartment*: size; provision of a balcony or

other outdoor space; and a minimum outlook area. These requirements are quantified and measurable and are necessary in order to provide certainty of a minimum standard of development.

The *Apartment Design Criteria* establish the design criteria that *Apartments* and Apartment Buildings will be assessed against. These criteria are generally qualitative rather being quantifiable. This is because each *Apartment* and Apartment Building will require a different design solution for the issues such as internal access, layout, and ventilation.

Some of the design criteria specify minimum requirements (storage, for example) that are deemed to satisfy the criteria but which are qualified by a range of assessment criteria. Other design criteria are not necessarily measurable but resource consent applications will need to demonstrate consideration of and appropriate provision for meeting those criteria in the proposal. While there may be circumstances where the various elements may need to be balanced against each other, an appropriate level of amenity must be

achieved for all aspects of the development.

For *Apartments in a Mixed Use Building or Mixed Use Area* there are specific criteria that address reverse sensitivity and separation of uses to ensure that those *Apartments* have safe and secure access for residents.

Note: These Apartment Design Criteria should be read in conjunction with any available non-statutory apartment or building design guideline available from Council.

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## APARTMENT DESIGN CRITERIA

ELEMENT A	SITE DEVELOPMENT
<p><b>NEIGHBOURHOOD CHARACTER, SITE LAYOUT AND BUILDING LOCATION</b></p> <p>The integration of any new development into its neighbourhood requires careful attention to the relationship with the surrounding properties, <u>public space</u> and streetscape. This becomes more essential the more established the neighbourhood is because of the potential change to the <i>landscape character</i> and <i>amenity values</i> that can result from the introduction of different building and architectural styles, loss of trees and changes to the relationship with the street arising from building bulk and location.</p> <p>Rules ensure that architects and designers analyse the nature of the neighbourhood when preparing the concept for a development. The purpose of the <i>Site Analysis</i> and <i>Street Frontage</i> rules is to address the above issues, and in conjunction with the <i>City Wide Rule 1 Apartment Design</i> and this <i>Apartment Design Criteria Appendix</i> <u>are intended to</u> ensure <i>Apartments</i> are developed in a manner which achieves good integration with <u>their</u> neighbourhood.</p> <p><i>The Site Analysis, Street Frontage</i> and <i>Apartment Design</i> rules, in conjunction with the existing bulk and location rules <u>in those Human Environments that provide for Apartments</u>, ensure that new <i>apartment buildings</i> or the retrofitting or constructing of additional floors to existing buildings <u>for Apartment purposes</u> will provide certainty of quality urban design outcomes.</p>	<p><b>DESIGN CRITERIA</b></p> <p><b>A1</b> The proposed <i>development</i> <u>should address the criteria of</u> the <i>site analysis</i> and <i>Street Frontage</i> rules relating to the specific site.</p> <p><b>A2</b> The overall <i>design, character</i> and <i>landscape treatment</i> of the site layout <u>should:</u></p> <ul style="list-style-type: none"><li>a) provide for the retention of existing natural features such as trees, with an emphasis on protected and heritage trees</li><li>b) limit earthworks and ensure the <u><i>Apartment Building and its associated</i> development</u> relates to the topography and <u>views</u></li><li>c) provide well oriented <i>living spaces</i> - balconies and any common outdoor areas, and efficient and safe <i>site</i> access</li><li>d) <u>provide for an integrated streetscape.</u></li></ul> <p><b>A3</b> The <i>height and design</i> of the <u><i>Apartment Building</i></u> <u>should</u> relate to adjacent <i>buildings</i> and <i>site boundaries</i> to ensure <u>overshadowing and dominance is minimised.</u></p>

### Gross Floor Areas

*City-Wide Rule 1 Apartment Design* requires a minimum floor area for *apartments*, and is considered necessary to ensure that the residential development achieves a minimum level of amenity for the occupants.

### Provision for a Mix of Apartments

In addition to the rules for a minimum floor area, compliance with the design criteria should ensure that the size, layout, provision for storage, natural ventilation and daylight in apartments are adequate for the amenity and well-being of residents. Flexibility in apartment design is desirable to ensure that apartments will provide for a range of permanent and temporary occupants in different age groups, and to take into account differences in the number of residents wishing to share accommodation.

A range of Apartment sizes should be provided in an Apartment Building or Apartment Building development. In general, it is desirable that a development includes a range of apartments to achieve a mix of occupants and variety in the building form and appearance.

In some cases, Human Environment (eg. special areas) rules require the preparation of a comprehensive development plan. This may negate the necessity for having a range of apartment sizes in each Apartment Building as that variety can be achieved across the precinct in a number of Apartment Buildings. These

### DESIGN CRITERIA

**B1** Apartments should be appropriate size to meet minimum amenity standards for occupants. Generally minimum apartment sizes should be as follows:

- studio 40 m<sup>2</sup>.
- one bedroom 45 m<sup>2</sup>.
- one and a half bedroom 60 m<sup>2</sup>.
- two bedroom 70 m<sup>2</sup>.
- three bedroom 90 m<sup>2</sup>.

(in all cases exclusive of balconies, roof gardens and courtyards, but which may include up to 50% of the minimum requirement for storage space where that is provided elsewhere in the Apartment Building).

Note: The above may vary for Apartments utilised for dedicated retirement purposes.

**B2** A range of Apartment sizes should be provided in an Apartment Building. Where an Apartment Building contains 10 or more apartments, no more than 60% should be one bedroom or studio units. Where Apartment Buildings are to be used for student accommodation or retirement purposes this criterion may be waived.

**B3** The internal layout of each apartment should provide for the following:

- convenience and efficiency in the layout and room proportions with good circulation and relationships to glazing
- habitable rooms with a minimum floor to ceiling height of 2.4m (see also ventilation requirements)
- Living areas that are adequately sized and proportioned. As a guide, living and dining areas should have a minimum width of 3.2 metres and a minimum area of:
  - studio 11 m<sup>2</sup>,
  - one bedroom 21 m<sup>2</sup>,
  - two bedroom 30 m<sup>2</sup>
  - three bedroom unit 38 m<sup>2</sup>

(in all cases exclusive of kitchen

same considerations may also apply to apartments in town centres particularly for smaller developments and additions to existing buildings, but would need to be addressed as apart of the design response.

A greater number of smaller apartments are acceptable where the development is part of a purpose-built facility, such as a retirement home, or a student accommodation, provided that communal lounges, living spaces and outdoor areas, and facilities are provided to off set the smaller living spaces. In such cases the proposal should be dedicated, for instance by legal covenant, for the purpose proposed.

- and circulation areas)  
the provision of the following basic furniture items (to be illustrated on scale drawings of the apartment floor plan):
  - a) Living areas of sufficient floor area to contain a dining table and chairs, standard size lounge seating for the number of intended occupants storage for a stereo and TV set, all able to be arranged in suitable positions which allow for ease of movement about the furniture
  - b) Kitchens. Bench with a minimum length of 1.5m by 0.5 wide, storage units/drawers and cupboards for equipment and food, stove, and space for a 0.7m by 0.7m refrigerator.
  - c) Bathrooms. Bath or shower, wash hand basin and/or vanity unit and toilet if not provided in separate room
  - d) Toilet, if not provided in a bathroom
  - e) Clothes washing and drying facilities, provided that there may be communal provision for drying facilities
  - f) Bedrooms. Beds and wardrobe(s) able to be arranged in suitable positions which allow for ease of movement about the furniture

- B4** The layout of *apartments* in an Apartment Building should provide for the following:
- (i) Adequate separation of sleeping quarters from living areas between units and from lift shafts, and mechanical vents
  - (ii) Ease of access for the delivery/removal of furniture into and out of an apartment with provision of non standard height and larger width entrances, lobbies, doors, common corridors, staircases, or where necessary service lifts

### **Requirements for Storage**

Studies have highlighted a lack of suitable storage facilities in apartment developments. By ensuring a minimum gross floor area for apartments it is considered that there will be

- B5** The layout should provide for adequate storage. As a guide the following apply:
- (i) Studio/one bedroom apartment 4m<sup>3</sup>
  - (ii) Two bedroom apartment 5 m<sup>3</sup>
  - (iii) Three bedroom apartment 5.5m<sup>3</sup>

adequate space to meet the storage needs of the occupants. All apartments shall be provided with a designated internal storage space, separate to the hot water cupboard and be designed to allow easy access and use.

In identified town centres (such as New Lynn), because of the accessibility of integrated passenger transport facilities (bus and rail stations) with a higher frequency of service, there is not a requirement for car parking associated with Apartment Buildings. Cycling is also an alternative mode of transport and is being encouraged with the development of cycleways around the City and is also popular for recreation. Apartment Buildings, particularly in town centres and Special Areas where car parking requirements are relaxed, need to provide secure convenient bicycle storage.

### **Natural Ventilation and Daylight**

Natural ventilation is the preferred ventilation for apartments, but it is acknowledged that where apartments are adjacent to external noise or air discharges, alternative ventilation may be appropriate. Alternative ventilation systems should minimise energy use.

Ensuring an adequate level of daylight access into apartments is beneficial to the occupants well being and health. The design and layout of apartments should provide for daylight access.

Provided that:

- (iv) A minimum of 50% of the required storage should be provided within the apartment, the remainder provided within the Apartment Building.

**B6** Provisions should be made within the Apartment Building for secure bicycle storage, particularly in town centres.

**B7** Apartments should be designed to achieve appropriate natural ventilation and daylight requirements.

In respect of habitable rooms (excluding kitchens) glazing should achieve daylight penetration to the maximum depth of the room and rooms should generally meet the following dimensions:

- (i) 2.4m ceiling height = 6m room depth from window
- (ii) 2.7m ceiling height = 9m maximum room depth from window
- (iii) 3.0m ceiling height = 12m maximum room depth from window

[amend to add illustration]

**B8** Ventilation should be provided within the Apartment Building as follows:

- i. Cross-ventilation, through window and door configurations, allowing unimpeded air movement through the full width and depth of the Apartment
- ii. Kitchens and bathrooms rooms are independently ventilated,
- iii. Basement car parks and service areas are ventilated
- iv. Preference should be given in all cases to natural ventilation (eg. opening windows). Alternative ventilation may be acceptable

where natural ventilation is shown to not be appropriate

### **Balconies, Roof Gardens and Courtyards**

The *City-Wide Rule 1 Apartment Design* requires a private balcony, roof garden or courtyard for each apartment for passive recreation by the occupants.

The climate in Auckland is generally mild and the summer months can be warm and humid. The provision of balconies, rooftop gardens or courtyards for all apartments is **required** to enable passive recreation by the occupants of the apartment. In addition to meeting minimum dimensions, balconies or decks should be designed to ensure that they are useable and provide a satisfactory level of amenity.

The apartment layout needs to provide for convenient access to the balcony, roof garden or courtyard, and together with the main glazing of the living room an orientation and outlook that ensures appropriate levels of **privacy**, outlook, daylight and sunlight while also considering opportunities for surveillance.

Shared *outdoor space* (such as gardens and barbecue areas), *or* recreational facilities (such as swimming pools and tennis courts) with safe and efficient access from apartments, while not being mandatory, may also be provided for developments where appropriate.

### **Outlook and Amenity**

The *City-Wide Rule 1 Apartment Design* requires a minimum outlook from the **main glazing** of the apartment. The purpose of the rule is to ensure that the light, air and amenity of an apartment is protected where the main outlook and glazing of the apartment does not front a **road** or public space and the land adjoining the apartment is in a **Special Area**, Community, Working or Living Environment and could be developed with a large building or high solid wall on the boundary.

### **B9** Balconies, roof gardens **and** courtyards **should**

- (i) **be a reasonable location, size, dimension and orientation to relate adequately to the size of the Apartment and the potential number of occupants in the Apartment. As a guide studio and one bedroom apartments should have a minimum balcony size of 7 m<sup>2</sup> and two and three bedroom apartments should have balcony size greater than 7 m<sup>2</sup>.**
- (ii) **be oriented to achieve privacy from adjoining Apartments, and are protected from the wind**
- (iii) **be oriented to provide passive surveillance of public spaces, internal access ways or communal (but privately owned) outdoor space**
- (iv) **be oriented to maximise sun and daylight access**
- (v) **add visual interest and aesthetic coherence to the façade**
- (vi) **avoid being located adjacent to any air discharge device from within the Apartment Building or on an adjoining site;**

### **B11** The setback from the main outlook and glazing of an apartment to any site boundary, other than a boundary with a road, or building on the same site, **should** ensure access to daylight and air, providing for the amenity of the occupants. **(Note: Compliance with City Wide Rule 1.0 (iii) "Outlook/Amenity" satisfies this criterion).**

### **B11A** **As a guide, secondary glazing should maintain an outlook space for light, air and amenity from other habitable rooms with a minimum dimension of:**

**Building height up to 12 metres – 3 metre outlook space.**

**Building height above 12 metres – 4.5**

metre outlook space.

measured at right angles to the exterior face of the building.

Provided that where existing buildings are converted to Apartment Buildings, these criteria may be reduced or waived where it can be demonstrated that appropriate light, air, amenity and outlook can be provided by alternative means for each Apartment with design solutions such as sky lights.

Tertiary glazing shall comply with the requirements of the Building Code.

### **Solar Access**

An adequate amount of sunlight is beneficial for peoples' well being and health. Ensuring an adequate level of solar access into apartments is beneficial to the occupants and can reduce heating costs thereby contributing to energy efficiency. The design and layout of apartments should provide access to winter sunlight from north, east or west facing windows or living areas and appropriate shading to north and west facing glazing in summer.

### **B14** The design should ensure:

- (i) habitable rooms and outdoor spaces allow for solar admission and sun access during the shortest winter day (As a guide habitable rooms for at least 70 percent of the units should receive sun access for a minimum of three hours between 9 am and 3 pm on the winter solstice (June 21))
- (ii) glazing is of sufficient size and appropriately located to allow natural light into rooms to allow daily activities to occur without the need for artificial lighting
- (iii) design devices such as overhangs, vertical screens, heat absorbing materials (such as tiles) and reflective glass are used to help to regulate summer and winter solar gain and provide passive sources of heating
- (iv) apartments have adequate ceiling heights and appropriate depths to maintain apartment amenity by allowing day light penetration

### **Visual Privacy**

Visual privacy relates to design of apartments to provide for the **privacy** of residents and neighbouring sites.

**B15** Reasonable levels of privacy should be maintained between the main indoor and outdoor living areas of the Apartment. Windows and balconies should be designed to reduce overlooking of the private open space in the same or an adjoining Apartment Building. Proposals will be assessed in terms of the use of architectural devices such as screens, or window positioning and dimensions that are integrated with the

building design without adverse effect on amenity for residents or neighbours.

### **Acoustic Privacy**

Acoustic privacy is important for the well-being of residents living in apartments. Noise sources are both internal and external. The requirements of the Building Act [2004](#) will ensure common elements of an apartment development are constructed to prevent [unacceptable](#) noise transmission to the habitable spaces of household units.

Managing internal noise can be minimised by ensuring the layout of the apartment provides separation for noise sensitive sleeping and living areas from noise sources such as a kitchen or laundry in the same or adjoining apartment.

Other sources of noise include (but are not limited to)

- (i) Lift shafts, stairwells, common circulation areas
- (ii) vehicle parking, driveways and security doors
- (iii) service ducts or equipment areas including pump maintenance, air conditioning and garbage chutes and collection areas
- (iv) active recreational areas - swimming pools, spas, barbeque areas and tennis courts in the development

External noise sources can be from high noise transport routes and entertainment activities in town centres or nearby industrial areas. Issues of reverse sensitivity are addressed by requiring all apartments to comply with the City Wide [Noise Rule 1.10 – Residential Activities – Noise Attenuation](#).

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**Building Entries, Circulation and Mailboxes**

The *design* and layout of Apartment Building entries should achieve identity and visibility, shelter, security and potential for disabled persons' access in addition to appropriate placement of mail boxes and provision for the movement of furniture into an apartment.

Apartment Building entries need to be clearly identifiable and provide simple, safe, secure and direct access for both residents and visitors.

The main objective for common circulation areas is to ensure they have a high level of amenity allowing for ease of movement for people and their possessions and for personal safety. Minimum dimensions are specified as a guide and lighting and ventilation should be considered.

Long corridors should be avoided.

For proposals departing from the guidelines above there will need to be specific reasons and a very high level of amenity demonstrated.

**Safety**

The form of urban development can influence the use of public space and perceptions of safety and security as well as actual opportunities for crime. The purpose of these design criteria are to ensure that development minimises opportunities for crime. Apartment Buildings need to provide a safe and secure environment for residents and visitors. Opportunities for crime can be minimised by providing safe and controlled ground level entry and exit into apartment buildings at all times of the day and night. Passive surveillance from apartments and any other uses in the Apartment

**DESIGN CRITERIA**

- C1** Lobbies and common or shared corridors to apartments should be designed as follows::
- (i) Lobbies minimum dimension 2 metres in any direction
  - (ii) Corridors providing access to a maximum of 5 apartments – a minimum width of 1.2 metres
  - (iii) Corridors providing access to more than 6 apartments – a minimum width of 1.6 metres.
- C2** The design should provide for:
- (i) Legible and visible entrances from road with residential activity entrances being separated from non-residential activities in *mixed use* developments
  - (ii) Secure access to the building, car parking areas and communal areas
  - (iii) Appropriate lighting of building entries, common area corridors and access from car parking
  - (iv) For furniture delivery and removal from apartments to be easily undertaken
  - (v) Appropriate weather protection
  - (vi) Accessible mailboxes for residents and delivery services, located in a safe, secure and well-lit location
  - (vii) Provision for communal paper recycling facilities adjacent to the mailboxes for unwanted circulars
  - (viii) a safety audit for personal security and safety
- C3** The design should:
- (i) Ensure that living spaces of apartments front and maintain views over roads and open spaces to provide passive surveillance
  - (ii) minimise or avoid high solid fences and walls along roads
  - (iii) Provide secure access to the building, car parking areas and communal areas
  - (iv) Provide appropriate lighting of building entries, corridors and access from car parking areas

Building and clearly delineating public and private areas are other methods of creating safer environments.

The Crime Prevention Through Environmental Design guidelines are a good reference for designers.

### **Building Facilities**

To protect occupants from exposure to unacceptable effects, appropriately locate and *design* shared facilities to provide for rubbish collection and service *connections*.

- (v) Include a safety audit for personal security and safety, Crime Prevention Through Environmental Design, and access for younger and older residents, and those with disabilities provided that only apartments with access to lifts must allow for full wheelchair access.

### **Rubbish and Recycling Facilities and Collection**

- C4** Rubbish and recycling facilities should be provided within each apartment building by:
- (i) Designing and locating facilities to minimise adverse impacts on the streetscape
  - (ii) Providing convenient and practical access for residents and for collection vehicles
  - (iii) Locating facilities to avoid adverse impact on resident amenity, in particular when the waste is being collected, and from odour, litter and visual impacts
  - (iv) Accommodating appropriately sized facilities for the potential waste and recycling needs of the residents and total number of units in the building
  - (v) Separating waste into disposal and recycling bins (including the full range of recyclable materials and organic waste).
  - (vi) Managing a regular public or private collection
  - (vii) Designing well ventilated, durable, waterproof, and rodent proof facilities
  - (viii) Providing facilities with water and drainage for cleaning and maintenance

### **ICT Infrastructure**

#### **C4A**

Where possible provide each apartment with the ability to access a Broadband standard of communications infrastructure.

### **Building Maintenance**

Building design and construction should facilitate

### **Building Maintenance**

**C5**

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regular and easy maintenance. This is not a reason for plain buildings with uninteresting facades and no articulation. Instead it requires both the use of good quality durable building materials for the exterior cladding and for the surfacing of common areas within the building in conjunction with the provision of good building maintenance systems. The design of an Apartment Building will be considered in relation to the relevant design criteria in C5.

- (i) Utilise good quality durable building materials for the interior surfaces of the common areas and for exterior cladding.
- (ii) Facilitate easy and cost effective building maintenance of parking and rubbish storage/collection areas with access to power supply and outdoor taps,
- (iii) secure storage facilities which may include provision for maintenance and cleaning materials
- (iv) allocate a car parking space for the building manager, if provision is made for a building manager and/or maintenance and cleaning service providers

### **Site and Building Management**

The ownership arrangements of most apartment buildings and developments are established under the Unit Titles Act 1972 (or any subsequent amendment thereof). Day to day management of commonly owned property in the building is administered by a body corporate or other legal entity representing all owners. The body corporate sets annual fees to cover matters such as insurance, maintenance, administration and property management. Building managers can be employed and some building managers live on site.

The Council as the consent authority has an interest in ensuring that an appropriate system or management is put in place for apartment buildings to minimise potential adverse effects arising due to poorly maintained buildings or inadequate management.

Therefore a condition of any resource consent that is issued may require the establishment of a Body Corporate or other legal entity to address the proposed management systems for the Apartment Buildings relating to the following matters:

- type of management – employment of an onsite manager or use of building management firm.
- the regular maintenance (Maintenance Plan and Schedule), repair and renewal throughout the lifetime of the apartment complex of

**C6** The body corporate or other legal entity should provide appropriate management systems for the proposed development.

infrastructure and amenities for use by the residents including (without limitation) gymnasiums, spa pools, swimming pools, outdoor gardens, courtyards, tennis courts, drainage and planted vegetation.

- rubbish collection services
- cleaning
- site security.

### **Stormwater**

This relates to the potential for landscape *design* to enhance and integrate the *development* into the surrounding neighbourhood, and create a quality living *environment*. The specific response will relate to the location because there will be limited opportunities in town centre locations, but may require accommodating existing protected trees.

### **Landscape Treatment**

The opportunity for landscaping will depend on the nature of the development. Landscaping may be hard or soft or a combination of both depending on the location and opportunities to provide landscaping within the structure of the building.. Larger sites may have ground level areas held in common for passive recreation, or ground level apartments may have their own private outdoor areas.

For larger developments that are staged, the proposed landscaping needs to be established prior to the occupation of buildings in the associated development stage in order to provide the necessary screening or mitigation of the development. Details of the implementation or and maintenance of landscaping should be provided with applications for resource consent.

- C7** The design should:
- (i) Attenuate, treat and reuse storm water within the site
  - (ii) Provide water saving devices such as low flow shower heads
  - (iii) Utilise storm water for landscaping or gardens within the site and or development
  - (iv) Be in accordance with an Integrated Catchment Management Plan.
- C8** A landscaping plan will be required for all applications for apartment developments.
- C9** The design of the proposed landscaping plan
- (i) Is an integrated design that incorporates the site development with the character of the adjoining land and any existing vegetation or trees
  - (ii) Provides plant types that are appropriate to the *site*, locality, and their ongoing growth
  - (iii) Provides semi-permeable surfaces where appropriate, to paved areas to assist with rainwater drainage
  - (iv) Provides opportunities for residents to create their own small gardens such as the provision of planter boxes
  - (v) Enhances energy efficiency by locating deciduous trees in locations where they can provide shade in summer to west facing balconies and windows
  - (vi) Includes an implementation and maintenance schedule outlining the methodology (including site works and construction) to be

undertaken for the establishment of the proposed landscaping on the site and its ongoing care

## **Car Parking and Vehicle Access**

The design and layout of *driveways* for resident and visitor *car parking* should achieve convenient, safe and attractive vehicle access.

There will be different car parking and driveway standards for Apartment Buildings depending on their location with respect to town centres and public transport nodes to encourage the use of public transport.

Where vehicle parking is to be provided it shall be designed to avoid unattractive gaps in the street frontage. Access from a service lane should also be considered. Underground parking or parking on an upper floor level of the building is also possible.

## **C10 Car Parking and Loading**

The design should ensure:

- (i) Sufficient car parks are provided on site for residents and visitors
- (ii) Car parking areas are secure, well lit and conveniently accessible for residents
- (iii) Car parks are located behind buildings (not visible from the street) or in semi or full basements to preserve an uninterrupted streetscape

## **C11 Access**

The design should ensure:

- (i) Access ways and driveways avoid adverse impacts on the visual quality of the streetscape
- (ii) Access is by rear service lanes in town centres
- (iii) Ramps to basements, including transition spaces are located within the property boundary and avoid effects on the functioning of the street and its visual qualities
- (iv) Security gates are located within property boundaries to ensure queuing vehicles can wait within the property, maintaining uninterrupted pedestrian, cyclist and vehicle movements along the street and footpath

## **C12 Parking for Mixed Use and Apartment Development**

- (i) Separation or clear demarcation for the car parking, vehicle access, loading and service areas of non-residential tenants from residential car parking spaces (if provided)
- (ii) Security for residential car parks (if provided)

## **C13 Alternative Provision for Parking for Apartments**

Alternative parking arrangements such as complementary parking utilising parking

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spaces for adjoining commercial activities, which operate at different times, or kerbside parking, will be considered.

Conditions of consent where parking is not provided for apartments may include placing Consent Notices on titles to prevent the future conversion of apartments to other uses which require car parking, or to ensure only compatible activities locate in the development.

#### **C14 Bicycle Parking**

Provision of bicycle parking/storage will be considered with all apartment developments, and is required in the following circumstances:

- (i) Where parking standards are reduced
- (ii) For developments located in town centres, and in the case of *mixed use* developments this may include provision for employees working in the building

**C15** Parking / Storage for bicycles should provide for the following:

- (i) A rail to which the bicycle frame and both wheels can be locked, or parking / storage;
- (ii) A locked enclosure or cage accessed by residents only;
- (iii) A fully enclosed bicycle locker;
- (iv) Appropriate visitor bicycle parking.

#### **Mixed Use Developments**

The provision for non residential and residential activities in the same Apartment Building or development requires design solutions to ensure that the non-residential activities do not adversely impact on the amenity and security of residents.

**C16** The following matters will be considered in assessing the suitability of proposed mixed use buildings or developments

(i) The design should avoid, remedy or mitigate potential adverse effects (from non-residential activities located within the building or development) on the amenity of residential activities located within the same building or development by addressing the following:

- (a) Provision of noise attenuation to the residential units from activities in mixed use areas. Refer City Wide General Noise Standard Rule 1.10 – Residential Activities – Noise Attenuation for acoustic requirements.
- (b) Controlling odour from non-residential activities. (Also refer Community Environment Rule 10 Air Discharges)
- (c) Provision of appropriate facilities for

- waste storage and collection for non-residential activities provision of the convenient location of facilities for rubbish collectors. This includes managing the time of the day when collection occurs.
- (d) Separation or clear demarcation for car parking, vehicle access, loading, and service areas for non-residential tenants from residential car parking (if provided).
- (e) security for residential car parks (if provided).

## POLICIES RELATED TO STREET FRONTAGE

Amend the Policy Section of the Plan by:-

### Policy 11.45

Development with frontage to a *street* should be of a high standard in terms of layout, design and visual appearance, contributing to the development of high quality pedestrian environments within integrated mixed use town centres and their adjoining neighbourhoods. Particular attention should be paid to:

- Development of attractive, safe and active streets that are well defined by their adjacent buildings. Buildings should be designed to contain the street, generally being a minimum of two storeys in height along the town centre streets where required by applicable street typology.
  - Activities and development relating positively to the street, creating an attractive public/ private interface. The placement and design of buildings should ensure that there is a high degree of integration between buildings and the street through buildings being built up close to the street edge and through the use of substantial areas of doors, windows and display space at ground and upper levels. For developments on sites with extensive road frontage to streets other than a 'mainstreet' and 'transitional commercial', parts of the building may be set back to accommodate some car parking to the side of buildings. However in all cases, blank walls along street frontages should be avoided and appropriate articulation, transparent openings and landscaping provided to enhance the visual appearance of the frontage.
  - Informal surveillance of streets and public spaces from activities and buildings through the placement of windows, doors, decks and balconies.
  - Facades of larger format buildings (including larger format retail and Mall type developments) should be articulated by providing doors, windows and openings to avoid large expanses of blank and inactive facades at street level. Where active street frontages are not achieved buildings should be sleeved by outward facing, smaller scale activities along street frontages.
  - Along the main town centre streets and high pedestrian routes, car parking, loading spaces and storage areas should be located to the rear or within buildings to help retain active street frontages. On other streets, a limited amount of car parking is possible beside buildings provided that a safe and high quality pedestrian environment is provided by a building fronting the street and landscaping of car parking areas.
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- **Along mainstreets and those streets with existing or potential high volumes of pedestrian traffic, provide continuous weather protection. On other streets, provide weather protection above the pedestrian entrance on the street façade of the building.**
- **Streets with a predominance of residential activities should provide entrances, habitable rooms, glazing, and balconies facing the street. Car parking and garaging should be recessed to avoid dominating of the street and landscape treatment utilised to soften the appearance of buildings, driveways and car parking.**

### ***Explanation***

With the prospect of a more mixed, intensive urban environment in existing town centres and the development of new integrated mixed use town centres and neighbourhoods in Massey North/Westgate, Hobsonville Village and Hobsonville Airbase, high standards of urban design are needed to ensure that the centres and neighbourhoods develop as attractive employment, living and community hubs. To this end the policy (and associated rules) sets out a range of matters that need to be taken into account in the design and layout of new development. A particular emphasis is placed on the public / private interface. Active street frontages are sought, whereby development positively integrates with streets. In general, town centres that have a high proportion of their streets lined by active frontages also demonstrate a vibrant mix of retail and employment activities. Together the active street frontages and mix of activities combine to create centres of high amenity that are valued community resources.

Urban centres consist of a mix of uses, building types and quality, street environments and pedestrian movement patterns that reflect community values. These urban centres provide opportunities for a variety of community services and amenity. The policy recognises the range of street environments and establishes street typologies and performance standards to allow the assessment of Comprehensive Development Plans, developments and buildings.

The street typologies are determined by their location and function within a town centre's overall movement network. It is necessary to determine the street's existing function or for new and expanding centres the desired level of pedestrian and town centre activity. In new Town Centres (eg. Massey North), a Comprehensive Development Plan is utilised to allow the finer grained design of the urban form, translated from the Urban Concept Plan. Street typologies are shown on the Concept Plan as 'indicative' to assist in providing guidance to achieve a high quality pedestrian environments. The final street typologies (sourced from City Wide Rule 3 Building Design - Street Frontage) will be allocated to the movement network either through an Urban Concept Plan, included as part of the district plan, or on the basis of an approved Comprehensive Development Plan. All subsequent resource consent applications for the individual buildings will need to comply with this street typology framework.

It is necessary to understand a street's importance in the town centre movement network to determine:

- The appropriate location of buildings within a lot.
- Frontage elements necessary on the building's street façade.
- Compatibility of activities and buildings on both sides of a street.

Key determinants for the street typologies and their location are:

- Level of street integration in the town centre
  - Level of intensification of buildings, employment and residents
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- Level of existing or anticipated pedestrian activity and effective practical walkable catchments
- Level of retail activity
- Amenity of the town centre

The Street Typologies contained within City Wide Rule 3 Building Design - Street Frontages are:

- The 'Town Centre & Mainstreet' typology applies to those areas of existing or new town centres where there is a need for continuous retail frontage. This has two sub-types, Typology 1 (existing centres) and Typology 2 (new centres). The area with the highest (current or possible) pedestrian related (fine-grained) retail activity. The typology is generally located along or adjacent to the busiest portion of a town centre's mainstreet.
- The 'Commercial' typology (Typology 3) applies to those areas that form the edge of existing town centres (e.g. New Lynn). These streets have high levels of non-retail related pedestrian activity. They are generally located within an effective 10 minute walkable catchment of the inner core.
- The 'Transitional Commercial' typology (Typology 4) applies to those areas that form the transitional zone between the edge and core of new town centres (e.g. Massey North). This is the typology of the 'next highest' pedestrian related activity. It is generally adjacent to the inner core and within approximately 5 minute (effective) walkable catchment.
- The 'Mixed Use' typology (Typology 5) applies to those areas in centres and neighbourhoods that provide opportunities for a range of residential and non-residential activities to coexist in a single building. The purpose of the typology and minimum ceiling height is to ensure that mixed use buildings and development are suitably designed for a range of uses now and in the future. In particular the ground floor of buildings and development need to be able to accommodate a range of Non Residential Activities over time to ensure that the streetscape remains vibrant and interesting.
- The 'Periphery' typology (Typology 6) applies to areas generally outside the walkable catchment of the core and are typified by lower pedestrian volumes and higher numbers of vehicular movements. Within precincts utilising the periphery typology there will be streets that should have active building frontages, being located on important movement corridors for pedestrians and vehicles. Other streets may serve as access points for vehicles and may not have continuous active frontages. The approved Comprehensive Development Plan, utilising the indicative typologies of the Urban Concept Plan, should differentiate between 'primary' and 'secondary' periphery streets (sub-typologies), being those that have active continuous building frontages adjoining the street and those where this may not be possible because of servicing and loading, access or car parking requirements.
- The 'Residential' typology (Typology 7) applies to the residential areas of the town centres and new residential neighbourhoods. The typology equally provides for detached houses, duplexes, medium density housing (terrace units) and higher density housing (apartment units)

### Existing Centres

To maintain and enhance the amenity values associated with the central part of existing centres (such as the New Lynn Town Centre), two different street types have been identified – 'Town Centre & Mainstreet (Typology 1)' and 'Commercial' streets (Typology 3). In the case of New Lynn, these are shown on the New Lynn Concept Plan. The 'Town

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Centre & Mainstreet’ classification applies to those areas of the centre where there is a need for continuous retail frontage. These streets are characterised by buildings being built up to the street edge and where there are few gaps between buildings. Generally ground floor facades are dominated by windows, doors and display spaces and continuous weather protection is provided for pedestrians in the street. The New Lynn Concept Plan seeks to extend this character to parts of Clark Street in the vicinity of the train station. Further from the core of the centre, existing ‘Commercial’ streets are characterised by a range of building types, some of which create active street frontages, while some detract from streetscapes because of their design and set back. Sites with narrow frontages to the commercial streets present particular challenges when parking occurs in the front yards. There is a loss of a feeling of containment of the street because buildings are set back different distances, while numerous vehicle crossing points disrupt the pedestrian environment. The policies and rules seek a consistent treatment of the street frontage in these areas. On most sites there are opportunities to develop car parking areas that are visible from the street, being located in the side yard with buildings fronting at least 50% of the site’s street frontage.

### New Centres

To develop and enhance amenity values associated with the new town centres (such as at Hobsonville Airbase) and the new and extended town centres (such as at Massey North/Westgate and Hobsonville Village), street typologies will be identified in the Urban Concept Plans and Comprehensive Development Plans. These typologies include ‘Town Centre & Mainstreet (typology 2)’, ‘Transitional Commercial’ (Typology 4), ‘Mixed Use’ (Typology 5), ‘Periphery’ (Typology 6) and ‘Residential’ (Typology 7). A range of performance standards are provided to recognise and allow varying forms of development which may occur on existing and future high volume pedestrian routes and those streets which may have high traffic volumes and potentially less numbers of pedestrians. New buildings and additions and alternations to existing buildings will also be assessed against the performance standards to ensure the development contributes to an integrated centre with high standards of pedestrian amenity.

### And

Some forms of development, such as large internally focused malls, or extension to existing industrial activities may not be able to meet all of the criteria listed in the policy. However the policy seeks to ensure that these developments still meet the intent of the policy to create attractive, mixed use town centres.

‘Town Centre & Mainstreet’ typologies do not allow residential activities at ground level, thereby maintaining continuous active retail and commercial activity street frontages.

*Mixed use* developments are encouraged fronting street typologies 1 – 5 in particular to provide a wide range of living, employment and retail opportunities.

While the street typology approach is considered appropriate for all town centre and higher density development areas, it does not cover all such areas at present. It is anticipated that further Urban Concept Plans may be prepared for other town centres and street frontage policies and rules applied in the future.

### **Methods**

#### ***District Plan Rules:***

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**Other Methods:**  
 Design Guidelines

CITY WIDE RULE 3	BUILDING DESIGN – STREET FRONTAGE
<p><b>3.0 General Performance Standards</b></p> <p>The following performance standards apply to <i>Street Typologies</i> <u>except that these standards shall not apply where minor additions and alterations are proposed to existing buildings.</u></p> <p><b>3.1 Standards for Street Typologies</b></p> <p>(Note: refer to the relevant <i>Human Environment</i> rules for <i>Permitted Activity</i> or <i>resource consent</i> status)</p> <p><b>A. Town Centre – ‘<u>Town Centre &amp; Mainstreet Typology 1</u>’</b></p> <p><u>Note: This typology applies to existing town centres</u></p> <p>The following Performance Standards apply to <i>buildings</i> or <i>development</i> on a <i>site</i> which fronts a <i>street</i> <u>or Urban Open Space</u> identified on an <i>Urban Concept Plan</i>, <i>Human Environment</i> map or an Approved Comprehensive Development Plan as <i>Town Centre &amp; Mainstreet Typology 1</i>:</p> <p><u>Buildings and development on sites where:</u></p> <p>(i) <i>Buildings</i>:</p> <ul style="list-style-type: none"> <li>▪ <u>have a minimum of two storeys of useable floorspace (above the finished level of the street and may include atriums or arcade entries),</u></li> <li>▪ <u>are built up to and are continuous for the full width of the site’s street frontage.</u></li> </ul> <p><u>provided that exceptions will be allowed where:</u></p> <p>(a) an outdoor plaza <u>is</u> associated with the <i>building’s</i> ground floor activities,</p>	<p><b>ASSESSMENT CRITERIA</b></p> <p>(Note: refer to the relevant <i>Human Environment</i> rules for <i>resource consent</i> status <u>and other assessment criteria that may apply to a particular resource consent application</u>)</p> <p><b><u>General – All Street Typologies</u></b></p> <p>3(a)  <u>The extent to which all development and buildings</u> contribute to high standards of <i>design</i>, <i>pedestrian amenity</i>, safe and attractive streets and <i>public places</i> and assist in stimulating pedestrian activity by:</p> <ol style="list-style-type: none"> <li>i. modulation and detailing of the building’s structure through the use of architectural elements ;</li> <li>ii. avoiding blank walls on <i>street frontages</i>. Ground floors, <u>including frontage to plazas and Urban Open Spaces</u> should have a predominance of windows, doors and openings, while upper floors should use windows, <i>balconies</i> and other articulations to create <b>active street frontages</b>. <u>Shop front lighting should be provided to assist night-time visibility and pedestrian safety;</u></li> <li>iii. avoiding excessive earthworks (cut and fill) and retaining walls on the <i>street frontage</i> that affect the continuity of <b>active street frontages</b>, the <b>visual appearance</b> of the <i>street frontage</i> facade and the ease of pedestrian access to the site;</li> <li>iv. <u>designing so that outdoor plazas and seating areas associated with cafes and restaurants enhance the streetscape. These should be open to the street with limited use of walls and changes in height to delineate the semi public spaces, so as to maintain a visual connection between the activity and the street.</u></li> <li>v. providing continuous weather protection</li> </ol>

<p><u>provided that it does</u> not exceed 10 metres of the site's <i>street frontage</i> and <u>has</u> a maximum depth from the <i>street</i> to the <i>building</i> of 10 metres.</p> <p>(b) where <u>it can be shown that</u> access can<u>not</u> be achieved by a <u>rear</u> service lane or from a <i>street</i> not identified as <i>Town Centre – Mainstreet Typology 1</i>, <u>no more than one vehicular access or service lane for the site not exceeding 3 metres in width.</u></p> <p>(c) <u>a recess is provided in the building frontage for pedestrian entrances or lobbies.</u></p> <p>(d) <u>an Urban Open Space is developed in accordance with that identified on an Urban Concept Plan or Approved Comprehensive Development Plan, and that area is fronted by buildings.</u></p> <p>(ii) <i>Buildings</i> <u>have</u> a canopy across the full width of the <i>street frontage</i> of the <i>building</i> (<u>except where approved vehicle access is provided</u>) sufficient to provide weather protection for pedestrians and connection to <i>canopies</i> on <i>adjoining sites</i> or <i>building</i>.</p> <p><b>B. Town Centre – ‘<u>Town Centre &amp; Mainstreet Typology 2</u>’</b></p> <p>The following Performance Standards apply to <i>buildings</i> or <i>development</i> on a <i>site</i> which fronts a <i>street</i> <u>or Urban Open Space</u> identified on an <i>Urban Concept Plan</i>, <i>Human Environment</i> map or an <i>Approved Comprehensive Development Plan</i> as <i>Town Centre &amp; Mainstreet Typology 2</i>: 257/488 in part, 257/269 in part</p> <p><u>Note: This typology applies to new town centres.</u></p> <p><u>Buildings and development on sites where:</u></p> <p>(i) <i>Buildings</i>:</p> <ul style="list-style-type: none"> <li>• <u>have</u> a minimum of two <i>storeys</i> of useable floorspace (<u>above the finished level of the street and may include atriums or arcade entries</u>),</li> <li>• <u>are built up to and are continuous</u></li> </ul>	<p>for pedestrians where a <i>site</i> has <i>street frontage</i> to a <i>Town Centre &amp; Mainstreet Typology 1</i>, <i>Town Centre &amp; Mainstreet Typology 2</i> or <i>Town Centre – Transitional Commercial Typology 4</i> or <u>weather protection over pedestrian entrances on other <i>street frontages</i> sufficient to provide amenity for pedestrians;</u></p> <p>vi. <u>in the case of larger format buildings (above 2500 m<sup>2</sup> ground floor area) avoiding blank walls by providing <b>active street frontages</b> utilising the techniques in 3(a) i &amp; ii. Where this is not achieved buildings should be <b>sleeved</b> with smaller <i>building(s)</i> and <i>activities</i> which provide <b>active street frontages</b>;</u></p> <p>vii. <u>with the exception of the <i>Town Centre – Periphery Typology 6</i> and <i>Town Centre – Residential 7 Typology</i>, designing <i>car parking</i> and <i>loading spaces</i> either:</u></p> <p>(a) <u>located to the rear of the <i>building</i>, in a basement (or semi-basement) below the ground level or within the <i>building</i> at ground level, provided that the <i>building</i> must be able to accommodate a <i>non-residential activity</i> between any ground floor parking area and the <i>street</i> which is oriented towards <i>streets</i> rather than parking areas; or</u></p> <p>(b) <u>for larger sites</u> according to a perimeter block layout where <i>car parking</i> is provided behind or within <i>buildings</i> (except for kerbside parking) and with the <b>active street frontages</b> oriented towards <i>streets</i> rather than parking areas; <u>and/or</u></p> <p>(c) <u>maximising the opportunity for provision of communal <i>car parking areas</i>.</u></p> <p>vii. <u>Where <i>site</i> adjoins an <i>Open Space</i> environment, <i>pedestrian walkway</i>, <i>reserve</i>, ‘<i>drainage / ecological open space</i>’ or <i>Urban Open Space</i> illustrated on an <i>Urban Concept Plan</i> or <i>Approved Comprehensive Development Plan</i> or other <i>public space</i>, designing the frontage of the <i>building</i> or <i>development</i> to a high standard, and where appropriate providing <b>active street frontages</b> ensuring the amenity of the <i>adjoining site</i> is maintained and that the proposal provides for safe and attractive <i>public places</i>.</u></p> <p>viii. <u>providing for vehicular and pedestrian safety while achieving <b>active street</b></u></p>
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for the full width of the street frontage of the site,  
Provided that exceptions will be allowed where:

- (a) an outdoor plaza is associated with the building's ground floor activities, provided that it does not exceed 10 metres of the site's *street frontage* and has a maximum depth from the *street* to the *building* of 10 metres.
  - (b) a recess is provided in the building frontage for pedestrian entrances or lobbies.
  - (c) There is no more than one vehicular access or service lane not exceeding 6 metres in width per 50 metres of the *street frontage*, provided that no vehicle access shall be permitted within the 'Mainstreet' identified on the *Massey North Urban Concept Plan*.
  - (d) an Urban Open Space area is developed in accordance with that identified on an Urban Concept Plan or Approved Comprehensive Development Plan, and that area is fronted by buildings.
- (ii) *Buildings* have a *canopy* across the full width of the *street frontage* of the *building* (except where an approved vehicle access is provided) sufficient to provide weather protection for pedestrians and connection to *canopies* on *adjoining sites* or *building*.
- (iii) *Buildings* do not have *residential activities* at ground level, except for entrances, lobbies and access ways associated with *residential activities* on the upper floors.

### **C. Town Centre – 'Commercial Typology 3'**

The following Performance Standards apply to *buildings* or *development* on a *site* which fronts a *street* or Urban Open Space identified on an *Urban Concept Plan* or Human Environment map as *Town Centre – Commercial*:

Note: This typology presently applies to existing town centres.

### **frontages.**

ix. incorporating 'Crime Prevention Through Environmental Design' and 'Universal Design' principles.

x. Meeting the design criteria for the relevant street typology set out in 3(b) – 3(f) below:

### **3(b) Town Centre & Mainstreet (Typology 1 & 2), or Town Centre – Transitional Commercial Typology 4**

*Development with street frontage to Town Centre & Mainstreet Typology 1, Town Centre & Mainstreet Typology 2 and Town Centre – Transitional Commercial Typology 4* should:

- i. be built up to the site's street frontage for the entire length of the *street frontage* of the *site*. In the *New Lynn Town Centre*, where gaps between *buildings* are necessary for vehicle access, then they should be carefully *designed* to limit their effect on pedestrian activity, and where appropriate provide only a single lane access. In the *Massey North Town Centre Special Area*, service lanes should be provided within urban blocks in accordance with the Urban Concept Plan or an Approved Comprehensive Development Plan to allow access to the rear of *buildings*, minimising gaps in the streetscape;
- ii. provide the main pedestrian entrance to the building directly accessible from the street. Where the building fronts two different types of street the main pedestrian entrance should be located on the façade fronting the Town Centre & Mainstreet Typology 1 or 2.

### **3(c) Town Centre – Commercial Typology 3**

*Development with street frontage to a Town Centre – Commercial Typology 3* should:

- i. ensure *car parking*, manoeuvring and loading areas and site access do not dominate the streetscape and pedestrian environment or result in the *building* being distant from the *street*;
- ii. provide **active street frontages** for at least 50% of the site's frontage, by bringing parts of the building close to the *street* edge, as well as through appropriate treatment of ground floor facades, including display space and glazing achieved through the use of transparent

*Buildings and development on sites where:*

- i *Buildings* are set back a maximum of 3 metres from the *street*.
- ii *Buildings* have a minimum of 2 storeys of useable floorspace (above the finished level of the street and may include atriums or arcade entries) along the *street frontage*.
- iii *Buildings* occupy at least 50% of the street frontage of the site.
- iv The front yard (excluding driveways) is planted in accordance with an approved landscape treatment plan.

#### **D. Town Centre – ‘Transitional Commercial Typology 4’**

Note: This typology presently applies to new town centres.

The following Performance Standards apply to *buildings* or *development* on a *site* which fronts a *street* or Urban Open Space identified on an *Urban Concept Plan*, *Human Environment* maps or an Approved Comprehensive Development Plan as *Town Centre – Transitional Commercial*:

*Buildings and development on sites where:*

- (i) *Buildings* which are built up to and are continuous for the full width of that site’s street frontage and which adjoin adjacent buildings provided that exceptions will be allowed where: :
  - (a) There is no more than one vehicular access or service lane not exceeding 6 metres in width, per 50 metres of the *street* or per *site*.
  - (b) a recess is provided in the building frontage for pedestrian entrances or lobbies.
  - (c) an outdoor plaza is associated with the building’s ground floor activities, provided that it does not exceed 10 metres of the site’s street frontage and has a maximum depth from the

doors and windows.

- ii. provide the main pedestrian entrance to the building directly accessible from the street.
- iii. design and implement a landscape treatment plan to soften the dominance and visual appearance to the street and pedestrian environment of parking areas, manoeuvring areas and buildings while ensuring planting:
  - (a) comprises trees rather than shrubs or other low profile vegetation;
  - (b) does not have a detrimental effect on the safe and efficient movement of pedestrians and vehicles around the site and between the site and the surrounding road network;
  - (c) does not adversely effect sight lines at intersections between internal routes and entrances and exits from the site.

#### **3(i) Town Centre - Mixed Use Typology 5**

Development with street frontage to Town Centre – Mixed Use Typology 5 should:

- i. be built with a minimal setback to the street for the entire length of the street frontage of the site. Vehicles access should be shared between buildings to reduce gaps in the streetscape and service lanes should be provided within urban blocks in accordance with the Urban Concept Plan or an Approved Comprehensive Development Plan;

#### **3(e) Town Centre – Periphery Typology 6**

Development with street frontage to a Town Centre – Periphery Typology 6 should develop street frontages indicated by the ‘primary’ and ‘secondary’ streets shown on an Approved Comprehensive Development Plan or Urban Concept Plan and:

- i. for ‘primary’ Periphery streets ensure that buildings adjoin the street and contribute to continuous building and active street frontages and are developed in accordance with the assessment criteria in 3(a). Car parking, manoeuvring loading and service areas and site access should be located behind buildings or located fronting ‘secondary’ Periphery streets to ensure these do not dominate the streetscape and pedestrian environment or result in the buildings being distant from the street;
- ii for ‘secondary’ Periphery streets, buildings

street to the building of 10 metres

- (ii) Buildings have a canopy across the full width of the street frontage of the building (except where approved vehicle access is provided) sufficient to provide weather protection for pedestrians and connection to canopies on adjoining sites or premises.

### **E. Town Centre – ‘Mixed Use’ Typology 5**

The following Performance Standards apply to buildings or development on a site which fronts a street or Urban Open Space identified on an Urban Concept Plan, Human Environment maps or an Approved Comprehensive Development Plan as Town Centre – Mixed Use:

Buildings and development on sites where:

(i) Buildings:

- have a minimum of two storeys of useable floorspace,
- are setback a maximum of 1.5 metres from the street,
- are continuous for the full width of that site’s street frontage and adjoin adjacent buildings.

Provided that exceptions will be allowed where:

- (a) there is no more than one vehicular access not exceeding 6 metres in width, per 50 metres of the street or per site.
- (b) a recess is provided in the building frontage for pedestrian entrances or lobbies.

### **F. Town Centre – ‘Periphery Typology 6’**

The following Performance Standards apply to buildings or development on a site which fronts a street or Urban Open Space identified on an Urban Concept Plan, Human Environment maps or an Approved Comprehensive Development Plan as Town Centre – Periphery:

(i) Buildings and development on sites

and development adjoining streets should develop active street frontages through use of glazing and display space and avoid continuous blank walls. Car parking, manoeuvring loading and service areas and site access should be appropriately screened or landscaped.

- iii. design and implement a *landscape treatment* plan to soften the dominance and visual appearance to the street and pedestrian environment of parking areas, manoeuvring areas and buildings while ensuring that planting.

- (a) comprises trees rather than shrubs or other low profile vegetation;
- (b) provides for planting of any front yard between the building and the street,
- (c) provides a planted strip between the car parking areas (excluding driveways) and the street suitably sized for trees capable of growing to maturity;
- (d) provides planting for areas of uncovered at grade car parking with 1 specimen tree for every 6 car parking stalls.
- (e) does not have a detrimental effect on the safe and efficient movement of pedestrians and vehicles around the site and between the site and the surrounding road network;
- (f) does not adversely effect sight lines at intersections between internal routes and entrances and exits from the site.

### **3(f) Town Centre – Residential Typology 7**

*Development with street frontage to a Town Centre – Residential Typology 7* should:

- i. provide opportunities for passive surveillance of the street from habitable rooms (Ground floor Apartments, where adjoining the street, have glazing from a habitable room such as a kitchen, living or dining room overlooking the street).
- ii. ensure car parking, manoeuvring and loading areas and site access do not dominate the streetscape and pedestrian environment or result in the *apartment building* being distant from the street;
- v. ensure retaining walls do not dominate the streetscape and pedestrian environment or reduce opportunities for passive surveillance;

where:

- (ii) The front yard (excluding driveways) and car parking areas are planted in accordance with an approved landscape treatment plan.

### **G. Town Centre – ‘Residential Typology 7’**

The following Performance Standards apply to *buildings* or *development* on a *site* which fronts a street identified on an *Urban Concept Plan*, *Human Environment* maps or an Approved Comprehensive Development Plan as *Town Centre – Residential*:

*Buildings* and *development* on *sites* where:

- (i) *Buildings* are set back no greater than 3 metres from the *street*, except that garages and car ports fronting a street shall be setback a minimum of 5 metres from the *street*.

and

- (ii) The front yard (excluding driveways) and car parking areas are planted in accordance with an approved landscape treatment plan.

#### NOTES

1. For the Street Frontage Rule please refer to Rule 5A Building Design – Street Frontage – New Lynn of the *Community Environment*, or Rule 21 Hobsonville Base Village Special Area, or Rule 25 Hobsonville Village Centre Special Area, or Rule 26 Massey North Town Centre Special Area, all of the *Special Areas* Rules.
2. 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.
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.

- v. ensure that where *buildings* adjoining the *street*, have the main pedestrian entrance directly accessible from the *street*.

- v. design and implement a *landscape treatment* plan to soften the **visual appearance** of parking areas, manoeuvring areas and *buildings* while ensuring that *planting*.

- (a) comprises trees rather than shrubs or other low profile *vegetation*;
- (b) does not have a detrimental effect on the *safe* and efficient movement of pedestrians and vehicles around the *site* and between the *site* and the surrounding road network;
- (c) does not adversely *effect* sight lines at intersections between internal routes and entrances and exits from the *site*.

3(g)

The extent to which *outdoor storage areas* should be located, *designed* or screened to avoid creating adverse visual and odour *effects* on pedestrian *amenity*, *roads* and *adjoining sites*.

3(h)

The extent to which *building(s)*, parking, entranceways and footpaths are *designed* for ease of access for the disabled, elderly and children.

3(i)

The extent to which more than minor adverse *effects* can be 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(j) **Town Centre & Mainstreet (Typology 1 & 2), Town Centre – Commercial Typology 3 or Town Centre – Transitional Commercial Typology 4**

In the case of *Town Centre & Mainstreet (Typology 1 & 2), Town Centre – Commercial Typology 3 or Town Centre – Transitional Commercial Typology 4, the extent to which Comprehensive Retail Developments* with a *gross floor area* greater than 10,000 m<sup>2</sup> (either by itself or in combination with existing *buildings* on the *site*) involving a shopping mall/multi tenancy complex activity (which generally has shop frontages internally rather than externally focussed) should ensure that:

<p>5. Words in <b>bold</b> are explained - see the Explanations part of the Introduction to the Rules.</p> <p>6. The Council may have a guideline to help interpret this rule - check at the Council Offices.</p> <p>7. For <i>resource consents</i> see the Information Requirements in the <i>City-Wide Rules</i>.</p>	<ul style="list-style-type: none"> <li>i. street facades are <b>sleeved</b> by smaller <i>building(s)</i> and <i>activities</i> to avoid blank walls and inactive facades along <i>street frontages</i>. At least 50% of the façade should be treated in this way, with the remaining façade articulated so as to avoid adverse visual effects. Continuous stretches of blank walls should not exceed 10m in length;</li> <li>ii. <i>developments</i> on sites with <i>street frontage</i> to a <i>Town Centre – Mainstreet Typology 1</i> and <i>Town Centre – Mainstreet Typology 2</i> are <i>designed</i> and located so that there is at least one main pedestrian entrance to the <i>development</i>, directly from the <i>street</i>;</li> <li>iii. building height is sufficient to create a contained street scene. Development should be a minimum of two storeys <u>usable floor space</u> in height where it is within 10 metres of the <i>street</i>;</li> <li>iv. weather protection for pedestrians is provided along any <i>street frontage</i> for pedestrian access through or around the site;</li> <li>v. <i>natural features</i> are protected and recognised in the <i>development</i>. <i>Development</i> should relate to these features through the positioning of entrances, windows and outdoor seating and eating areas;</li> <li>vi. <i>car parking</i>, storage areas and vehicular accesses are not located on a <i>Town Centre – Mainstreet Typology 1</i> and <i>Town Centre – Mainstreet Typology 2</i> frontage;</li> <li>vii. appropriate pedestrian access routes are incorporated through the <i>site</i>, with these routes open to the public at least during business hours, helping to form part of a logical pedestrian network within the Town Centre.</li> </ul> <p>3(k) The extent to which, for any <i>development</i> not meeting the minimum <i>building height</i> where fronting a <i>Town Centre – Mainstreet Typology 1</i> and <i>Town Centre – Mainstreet Typology 2</i>, there are <u>exceptional circumstances relating to the nature of the activity that would make upper storeys impractical.</u></p> <p><u>Note: Double volume atriums and arcade entrances are deemed to comply with Rules 3A(i) and 3B(i).</u></p>
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	<p>3(d) The extent to which areas of open space, plazas, planting and street frontage treatment are used to offset the visual impact of <i>buildings</i> and <i>development</i>.</p> <p>Note see also policies. 1.15, 4.1, 10.3, 10.5, 10.6, 10.8, 10.27, 11.3, 11.8, 11.10, 11.14, 11.15, 11.16, 11.7 11.19, 11.35, 11.36, 11.37, 11.38, 11.42, 11.44, 11.45 (Policy Section of the Waitakere District Plan)</p> <p><b>RESOURCE CONSENT CONDITIONS</b></p> <p>In granting a <i>resource consent</i> Council may impose conditions. Conditions may include any one or more of the following matters:</p> <ul style="list-style-type: none"> <li>• <i>Building height</i></li> <li>• <i>Building design and location</i></li> <li>• The location and <i>design</i> of vehicle access, including driveways and service lanes</li> <li>• The <i>design</i> and location of <i>car parking</i></li> <li>• Requiring the provision of a <i>landscape treatment</i> plan and implementation of that plan within a given time</li> <li>• Specifying the <i>design</i> and location of <i>planting</i></li> <li>• Specifying the species, height and density of <i>planting</i></li> <li>• Provision for weather protection</li> <li>• Limiting the bulk and scale of <i>activities</i> and other <i>development</i></li> <li>• The imposition of a <i>bond</i> to ensure satisfaction of conditions of consent</li> <li>• Requiring <i>financial contributions</i> in accordance with the <i>Plan</i></li> <li>• Requiring <i>onsite</i> or <i>offsite</i> works and services to avoid, remedy, mitigate or offset <i>adverse effects</i></li> <li>• Such other matters provided for in section 108 of the <i>Act</i></li> </ul>
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**Add two new explanations to City Wide Explanations:**

**Crime Prevention Through Environmental Design (CPTED)**

CPTED is based on the concept that crime and fear of crime can be minimised through the effective planning and design in the built environment. There are two important components to the CPTED approach. One is to design the environment in such a way that it reduces the opportunity for crime to occur. The other is to design the environment in such a way that it enhances urban safety and, more specifically, perceptions of personal safety.

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## **Universal Design**

Universal Design refers to the design of environments to be usable by all people, to the greatest extent possible, without the need for adaptation or specialised design. Universal Design benefits people of all ages and abilities.

### **Add new or amended definitions**

#### ***Urban Concept Plan***

means a plan prepared by, or on behalf of, the Waitakere City Council, which outlines a concept for urban development of a defined existing or proposed urban area within the *Living Environment* or within or adjoining a *town centre*.

#### ***Street Typology***

Means one or more of the street typologies referred to in the *City-Wide Rule* "3 Building Design – Street Frontage".

#### **Town Centre & Mainstreet Typology 1**

means the *street* typology identified on an *Urban Concept Plan* or *Human Environment* maps to which the standards in the *City-Wide Rule* "3 Building Design – Street Frontage" apply.

#### **Town Centre & Mainstreet Typology 2**

means the *street* typology identified on an *Urban Concept Plan*, *Human Environment* maps or an Approved Comprehensive Development Plan to which the standards in the *City-Wide Rule* "3 Building Design – Street Frontage" apply.

#### **Town Centre – Commercial Typology 3**

means the *street* typology identified on an *Urban Concept Plan* or *Human Environment* maps to which the standards in the *City-Wide Rule* "3 Building Design – Street Frontage" apply.

#### **Town Centre – Transitional Commercial Typology 4**

means the *street* typology identified on an *Urban Concept Plan*, *Human Environment* maps or an Approved Comprehensive Development Plan to which the standards in the *City-Wide Rule* "3 Building Design – Street Frontage" apply.

#### **Town Centre – Mixed Use Typology 5**

means the *street* typology identified on an *Urban Concept Plan*, *Human Environment* maps or an Approved Comprehensive Development Plan to which the standards in the *City-Wide Rule* "3 Building Design – Street Frontage" apply.

#### **Town Centre – Periphery Typology 6**

means the *street* typology identified on an *Urban Concept Plan*, *Human Environment* maps or an Approved Comprehensive Development Plan to which the standards in the *City-Wide Rule* "3 Building Design – Street Frontage" apply and includes 'primary' and 'secondary' sub-typologies.

#### **Town Centre – Residential Typology 7**

means the *street* identified on an *Urban Concept Plan*, *Human Environment* maps or an Approved Comprehensive Development Plan to which the standards in the *City-Wide Rule* "3 Building Design – Street Frontage" apply.

**Consequently amend the definition of street in PC 17 as follows:**

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**Street**

Shall have the same meaning as a road and may include but is not limited to private roads, proposed roads, indicative roads and shared driveways.

**Consequently amend the definition of street frontage in PC 17 as follows:**

**Street frontage**

That part of a site which adjoins a road, Urban Open Space as shown on an Urban Concept Plan or approved Comprehensive Development Plan, proposed or indicative roads or a pedestrian walkway.

**Urban Open Space**

means land which is intended as a public space or reserve and is shown on an Urban Concept Plan or an Approved Comprehensive Development Plan.

**Drainage / Ecological Open Space**

means land which is intended to provide for stormwater management, including detention and quality structure and/or for the preservation and restoration of streams, riparian margins and other ecosystems and are shown on an Urban Concept Plan or an Approved Comprehensive Development Plan.

**Useable Floor Space**

means floorspace associated with a storey of a building which has sufficient area, dimensions and stud height to allow its use for non-residential activities or residential activities.

**Ceiling Height**

Means the height as defined between the finished floor level of one storey and the finished floor level of the next floor above.

**CITY WIDE RULE 4 - MIXED USE**

[Deleted – elements of the rule incorporated into Rule 1 Apartment Design, and Rule 1.10 Residential Activities - Noise Attenuation]

**CITY WIDE RULE 1.10 – RESIDENTIAL ACTIVITIES – NOISE ATTENUATION**

RULE 1.10	<u>RESIDENTIAL ACTIVITIES</u> - - NOISE <u>ATTENUATION</u>
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## RULES

### 1.10.0 General

- (a) The following rules shall apply only to *Residential Activities and associated development*.

### 1.10.1 Performance Standards – Residential Activities – Noise Attenuation

The following are Permitted Activities in respect to this rule:-

Additions and alterations to any existing building or any new building **that is to be utilised for Residential Activities**, located on a *site* in the following:

- *Community Environment*,
- *Community Periphery Environment*,
- *Living 5 Environment*,
- *Living 6 Environment*,
- *Hobsonville Village Centre Special Area*
- *Hobsonville Base Village Special Area* where nominated by an approved Comprehensive Development Plan in accordance with Rule 21.3(g)(xii), or
- *Massey North Town Centre Special Area*

that are acoustically designed to achieve a noise level **inside any habitable room** meeting the following Performance Standards at the time of any application for either a building consent (in the case of a permitted activity for a building or residential activity) or resource consent for a building or residential activity.

#### (a) Required Internal Noise Standard

**45dBA L10 between the hours of 0700 – 2200, and 35dBA L10 between the hours of 2200 – 0700.**

#### (b) Design

- (i) Compliance with this rule shall be demonstrated by the provision of an acoustic design report from a suitably qualified and experienced acoustic engineer confirming that the building to be constructed is designed to achieve the above noise levels inside any habitable room.

- (ii) The acoustic design shall be based on the assumption that: noise at the boundary of the site is at the level shown in the table below;

	<b>Octave Band Centre Frequency (Hz)</b>
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## ASSESSMENT CRITERIA

### 1.10(a)

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

### 1.10(b)

The extent to which adequate noise buffers are provided on sites used for residential activities.

### 1.10(c)

The extent to which the acoustic design of a residential activity in a building or development with frontage to a *major road* is designed to mitigate predicted traffic flows in the 10 years following the application for resource consent.

### 1.10(d)

The extent to which the acoustic design of a residential activity avoids, remedies or mitigates reserve sensitivity effects.

Note: See also Policies:

10.2, 10.8, 10.15, 10.27, 11.3, 11.13, 11.19, 11.24

(Policy Section of the Waitakere District Plan)

## RESOURCE CONSENT CONDITIONS

In granting a *resource consent* Council may impose conditions. Conditions

	63	125	250	500	1k	2k	4k
Daytime incident L10 Sound Pressure Level (dB)	69	62	61	56	54	54	49
Night time incident L10 Sound Pressure Level (dB)	64	57	56	51	49	49	44

- (iii) Where measurements are required inside any habitable room all doors and windows in the receiving habitable room shall be shut.
- (iv) At the same time and under the same physical conditions as the internal noise levels in the table (ii) above will be achieved, all habitable rooms **must** be adequately ventilated in accordance with the Building Code.
- (v) The noise levels shall be measured in accordance with the requirements of NZS 6801:1991 Measurement of Sound and during the daytime shall be assessed in accordance with the requirements of NZS6802:1991 Assessment of Environmental Sound. At night time the noise shall be assessed in accordance with the requirements of NZS6802:1991 Assessment of Environmental Sound, except clause 4.4 shall not be used for any frequency below 250Hz.

**Note:** These controls only achieve the design criteria within the habitable rooms on the assumption that doors and windows are shut. The noise levels outside on balconies are not controlled below the levels as set out in (ii) above.

(c)

### 1.10.2 Discretionary Activities

The following are *Discretionary Activities*:-

- (a) Any Residential Activity to which this rule relates not meeting the standards in Rule 1.10.1

may include any one or more of the following matters:

- Requiring the alteration to the *design* of the building or development
- Requiring certification by a suitably qualified and experienced acoustic engineer that the completed building complies with the approved acoustic design report
- The imposition of a *bond* to ensure satisfaction of conditions of consent
- Requiring mitigation measures in relation to vehicle noise and lights
- 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.

Assessment of *Discretionary Activities* applications will be assessed having regard to Assessment Criteria 1.10(a) – 1.10(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 *City-Wide Rules* rules, the relevant *Human Environment* and also the *Natural Area 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*.

**Consequential amendment to COMMUNITY ENVIRONMENT - RULE 13 NOISE:**

**Replace Clause (c) with the following amendment:**

(c)

For any Residential Activity see “City Wide General Noise Standards Rule 1.10 - Residential Activities – Noise Attenuation

**Consequential amendment to WORKING ENVIRONMENT RULE 8 NOISE**

**Amend Clause (d) as follows**

(d) where any existing or new *building* or part thereof is to be utilised for a *Residential Activity*, an acoustic design report from a suitably qualified and experienced acoustic engineer confirming that the *building* if constructed as designed, will achieve a noise level inside any *habitable room* meeting the following Performance Standards at the time of application for either a building consent (in the case of a Permitted Activity for a building or residential activity) or resource consent for a building or residential activity

**Required Internal Noise Standard**

- (i) 45dBA L10 between the hours of 0700 – 2200, and 35dBA L10 between the hours of 2200 – 0700.

**Design**

- (ii) Compliance with this rule shall be demonstrated by the provision of an acoustic design report from a suitably qualified acoustic engineer confirming that the building to be constructed is designed to achieve the above noise levels inside any habitable room.
- (iii) The acoustic design shall be based on the assumption that noise at the boundary of the site is at the level shown in the table below;

	Octave Band Centre Frequency (Hz)						
	63	125	250	500	1k	2k	4k
Daytime incident L10 Sound Pressure Level (dB)	74	67	66	61	59	59	54
Night time incident L10 Sound Pressure Level (dB)	69	62	61	56	53	53	49

- (iii) Where measurements are required inside any *habitable room* all doors and windows in the receiving room shall be shut
- (iv) At the same time and under the same physical conditions as the internal noise levels in the table (i) above will be achieved, all habitable rooms will be adequately ventilated in accordance with the Building Code.

**Note:** These controls only achieve the design criteria within the *habitable rooms* on the assumption that doors and windows are shut. The noise levels outside on balconies are not controlled below the levels as set out in (ii) above.

## Consequential amendment to General Noise Standards Rule 1.1 – 1.5

Amend as follows:

### Rule 1.2 High Noise Routes

(a) Any *dwelling* or *building* containing *Residential Activities* erected on a *front site* adjoining an existing *High Noise Route* shall be a *Permitted Activity* where any *habitable rooms* of the *dwelling* or *Residential Activity* meet the following acoustic standards: ~~providing that the traffic noise as measured within does not exceed a level of 45 dBA Leq (24 hours) with windows closed.~~

And

(b) Any dwelling or building containing Residential Activities erected on a site adjoining a rail corridor shall be a Permitted Activity where any habitable rooms of the dwelling or Residential Activity meet the following acoustic standards:

### Required Internal Noise Standard

- (i) 45dBA Leq between the hours of 0700 – 2200, and 35dBA Leq between the hours of 2200 – 0700.
- (ii) Compliance with this rule shall be demonstrated by the provision of an acoustic design report from a suitably qualified and experienced acoustic engineer confirming that the building to be constructed is designed to achieve the above noise levels inside any *habitable room*.
- (iii) Where measurements are required inside any *habitable room* all doors and windows in the receiving room shall be shut.
- (iv) The acoustic design shall be based on the traffic flows predicted for the road a minimum of 10 years after the above building has been constructed.
- (v) Certification shall be provided at the completion of the construction of the *dwelling* or *building* with *Residential Activities* by a suitably qualified and experienced acoustic engineer that the completed building complies with the approved acoustic design report.

Amend as follows:

### Rule 1.3 Future High Noise Routes

- (a) *Roads* which are to be *High Noise Routes* shall be a *Permitted Activity* where they are designed so that the traffic noise as measured:  
3.0 metres inside any *adjoining site*, or 1.0 metre from the most exposed facade of any existing *dwelling* and 1.2m above the *ground*, will not exceed 65dBA Leq(24hours).
  - (b) Any new *dwelling* or *building* containing *Residential Activities*, or any additions or alterations to *habitable rooms* of an existing *dwelling* erected on a *front site* adjoining a *Future High Noise Route*, that will reach the predicted traffic flows for a *High Noise Route* within the 10 years following the application for *building consent* shall be a *Permitted Activity* where any *habitable rooms* of the *dwelling* or *Residential Activity* meet the acoustic standards in Rule 1.2 (a) to (e) above.
-

## Amend Rule 8 Noise of the Working Environment as follows:

### 8.0 General

The following rules apply to *Any Activity*.

### 8.1 Permitted Activities

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

- *Any Activity* which

(a) *meets* the noise standards set out in the following table as measured at any part of any site within the *Living Environment, College Special Areas, Foothills Environment, Bush Living Environment, Rural Villages Environment* or *Countryside Environment*;

Note: this rule does not apply to sites in the Working Environment that adjoin sites in the Living 6 Environment in the New Lynn Town Centre.

and

## POLICY SECTION

### Proposed Changes to District Plan Objectives, Policies and Rules for City Wide Rule - Mixed Use Development Noise

Amend Policy 10.1 by adding the following sentence to the end of the existing policy:

Residential activities in town centres and identified mixed use areas will require specific design to attenuate permitted noise to avoid reverse sensitivity effects.

### Policy 10.2

Activities should not emit noise such that it causes a nuisance to occupants of surrounding properties. Activities within town centres can generate varying noise effects, and should be managed so as to avoid excessive noise **beyond that permitted in the area** that conflicts with the need to encourage a mix of **non-residential and residential** activities in these areas. **Residential activities will require specific design to meet acoustic attenuation standards in town centres and mixed use areas.**

#### ***Explanation***

Noise has been identified by residents as one of the most significant concerns that affect health. Noise, single intensive noise sources and background or ambient noise levels, contribute to stress which in turn can become a significant factor affecting people's health. This policy is concerned with addressing both single source or event noise and ambient noise levels. Standards for noise are set out in all the Human Environments. In all cases the standards are set to reflect the characteristic levels of quiet of the area, and all fall within the safety levels for people. It is acknowledged that the noise levels within a town centre can be greater than traditional residential areas. The District Plan seeks to ensure that reasonable noise attenuation is provided by residential activities within town centres and recognises that residential activities must coexist with existing and future activities.

## METHODS

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***District Plan Rules:***

- General Noise Standards
- [Residential Activities](#) – Noise [Attenuation](#)
- Noise Rules

**Policy 10.15**

**Settlement within those parts of the City where existing noise levels exceed that compatible with human health should be avoided, provided that settlement may occur where any adverse effect on occupants of any site can be remedied or mitigated through the design of structures and the screening of the site from the noise source.**

***Explanation***

There are some areas of the City, particularly around the RNZAF air bases, where noise levels exceed that compatible with human health. A number of high noise routes have also been identified. In the case of the airbases, the District Plan has adopted a policy that seeks to avoid further settlement in these areas as a precaution against further harm. However it recognises that this should be balanced against the possibility that design solutions may offset the effect. The habitable rooms of *dwellings* on *sites* adjoining *High Noise Routes* or on *sites* adjoining future *High Noise Routes* must be constructed to achieve the stated performance standards and the process is more rigorous.

**Methods**

***District Plan Rules:***

- Subdivision Rules
- General Noise Standards Rules
- [Residential Activities](#) – Noise [Attenuation](#)
- General Apartment Design Rules
- Noise Rules

**Policy 11.13**

**Activities should be carried out in a way that maintains the characteristic levels of quiet of each Human Environment.**

***Explanation***

This policy is designed to protect a level of quiet found in different Environments, and avoids incremental rises in noise to the level such that the amenity value associated with that quiet is adversely affected. *Mixed Use Development* – Noise Rules ensure that amenity levels are maintained and to encourage a variety of compatible mixed use activities within town centres.

**Methods**

***District Plan Rules:***

- General Noise Standards Rules
- Noise Rules
- [Residential Activities](#) – Noise [Attenuation](#)

**Policy 11.24**

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**Activities within the Lincoln Road Working Environment should be designed, located and carried out in a way that recognises and provides for:**

- the higher standard of amenity that exists in this area relative to other Working Environments;
- the maintenance of a range of location choices for businesses.

### ***Explanation***

The Lincoln Road Working Environment can be distinguished from other Working Environments by higher standards of amenity and the presence of less noxious industry. The area already has a mix of residential activities due to the proximity of the Bible College of New Zealand, and this mix could be extended by residential development along the banks of the Henderson Creek. Reinforcing these amenity levels will help maintain a range of business locations in the City ~~and also help to reduce home/work separation by providing for a reasonable level of residential activity in this area while allowing for limited residential development.~~

### **Methods**

#### ***District Plan Rules:***

- Working Environment Rules
- Residential Activities Rules
- Residential Activities – Noise Attenuation

**Add the following paragraph to the Explanation in 6.2.6 Non-Residential Activities:**

#### **Explanation for the Rule**

There are rules relating to the management of noise in all the human environments of the District Plan and the rules have been designed to reflect the predominant activity occurring in that environment. These rules are generally appropriate when measured at the boundary of a site, which defines different *environments*, but these controls are less effective for *residential activities* located in *mixed use developments* in *Community Environments* and in *Working Environments* where the issue is one of *reverse sensitivity*. This is because specific design does not reduce the low frequencies as effectively as the high frequencies. The types of *Non-Residential Activity* that could be outside the sound spectrum and that may generate very high levels of low frequency noise include some nightclubs, bars, cafes with live or amplified music or industrial activities.

For these *Non-Residential Activities*, the approach adopted sets a limit in dBA at the common building element such as floor/ceiling or walls separating different ownership plus a limit on the level of low frequency noise that may be generated by the activity. The combination of design parameters will then control the noise to within a residential use so that the majority of buildings will achieve the design goal.

Changes to other rules relate to *sites* adjoining a *High Noise Route* and *sites* adjoining future *High Noise Routes*. While the standards to be achieved within habitable rooms of *dwellings* have not changed a more rigorous process to ensure that the buildings are constructed to achieve the stated performance standards is required.

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