

there is no increase in the number of people the building is designed to accommodate, and

- which meet the following performance standard:
6.0m setback from a road boundary, and
3m setback from any other site boundary.

Assessment of Limited Discretionary Activities applications will be limited to the matters of height, location, screening, planting and design and will be considered in accordance with Assessment Criteria 4(a) – 4(g).

4.3 Discretionary Activities

The following are Discretionary Activities:-

Parks Buildings, and which meet the following performance standard:

are setback 3m from any site boundary which adjoins land within the following Environments: Living, Bush Living, Waitakere Ranges, Rural Villages, Coastal Villages, Countryside or Foothills Environment.

- (a) Additions and alterations to existing parks buildings where there is not meeting the Performance Standards in Rule 4.2(b)

— an increase in the occupancy of the building, or the additions exceed 40m²

which meet the following performance standard:

are setback 3m from any site boundary which adjoins land within the following Environments: Living, Bush Living, Waitakere Ranges, Rural Villages, Coastal Villages, Countryside or Foothills Environment.

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

4.4 Non-complying Activities

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

can be adequately avoided, remedied, mitigated or offset through provision of works and services on or off the site and/or through payment or provision of a financial contribution.

Note: See also Policies: 1.15, 5.3, 10.5, 10.6, 10.27, 10.28, 11.3, 11.32

(Policy Section of the Waitakere District Plan)

RESOURCE CONSENT CONDITIONS

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

- Requiring a specific setback between the parks building, parks facilities, parks furniture or parks infrastructure and the road boundary or other site boundaries
- Requiring the provision of screening or planting
- Altering the location of parks buildings, parks parks facilities, parks field structures and sports fields, parks infrastructure and parks furniture
- Requiring the alteration to the layout of the parks building, parks facilities, parks field structures, parks furniture, parks infrastructure and parks sports fields to balance privacy on adjoining sites and to increase opportunities for surveillance of the park
- The imposition of a bond to ensure satisfaction of conditions of consent
- Requiring onsite or offsite works and services to avoid, remedy, mitigate or offset adverse effects.
- Such other matters provided for in section 108 of the Act.

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

Activity, Limited Discretionary Activity or a Discretionary Activity or any subdivision under the above rules shall be deemed to contravene a rule in the *Plan* and shall be a *Non-Complying Activity*.

NOTES

1. If an activity is not controlled or restricted in any way by any part of the *Plan* it is permitted, but may require consents under other legislation/ plans.
2. Activities must comply with all other relevant rules of the *Plan* or be the subject of a *resource consent*. Check all other rules in this *Human Environment* and also the *Natural Area Rules*, the *City-Wide Rules* and, where relevant, the *Subdivision Rules*.
3. Words in *italics* are defined - see the *Definitions* part of the *City-Wide Rules*.
4. Words in **bold** are explained - see the *Explanations* part of the *Introduction to the Rules*.
5. The Council may have a guideline to help interpret this rule - check at the *Council Offices*.
6. For *resource consents* see the *Information Requirements* in the *City-Wide Rules*.

Rule 5

RULES

5.0 General

The following rules shall apply to Any Activity or development, but not including involving the erection or alteration of Parks Buildings, Parks Facilities, Parks Furniture, Parks Field Structures, Parks Infrastructure and Parks Sports Fields.

5.1 Permitted Activities

The following are Permitted Activities:-

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

5.2 Limited Discretionary Activities

The following are Limited Discretionary Activities:-

- (a) Additions and alterations to existing Parks Buildings provided that the maximum gross floor area of any additions is no more than 10m² and there is no increase in the number of people the building is designed to accommodate, and
- (b) Parks Facilities, which do not meet the permitted activity performance standards in Rule 5.1:

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

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

ASSESSMENT CRITERIA

5(a)

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

5(b)

The extent to which the building coverage of will maintain opportunities to provide for the planting of lawns and trees around parks buildings and parks facilities.

5(c)

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

5(d)

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

5(e)

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

5(f)

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

5(g)

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

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

(Policy Section of the Waitakere District Plan)

5.3 Discretionary Activities

The following are *Discretionary Activities*:-

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

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

5.4 Non-complying Activities

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

NOTES

1. If an activity is not controlled or restricted in any way by any part of the Plan it is permitted, but may require consents under other legislation/ plans.
2. Activities must comply with all other relevant rules of the Plan or be the subject of a resource consent. Check all other rules in this Human Environment and also the Natural Area Rules, the City-Wide Rules and, where relevant, the Subdivision Rules.
3. Words in *italics* are defined - see the Definitions part of the City-Wide Rules.
4. Words in **bold** are explained - see the Explanations part of the Introduction to the Rules.
5. The Council may have a guideline to help interpret this rule - check at the Council Offices.
6. For resource consents see the Information Requirements in the City-Wide Rules.

RESOURCE CONSENT CONDITIONS

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

- Limiting the *building coverage*
- Limiting the *building bulk*
- Requiring protection of existing *vegetation*
- Requiring provision of a *landscape treatment plan*, and implementation of that plan within a given time
- Requiring the provision of environmentally sustainable solutions to the provision of infrastructure
- The imposition of a *bond* to ensure satisfaction of conditions of consent
- Requiring *onsite* or *offsite* works and services to avoid, remedy, mitigate or offset adverse effects.
- Such other matters provided for in section 108 of the Act.

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

RULES**6.0 General**

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

6.1 Permitted Activities

Activities meeting the following Performance Standard are Permitted Activities:

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

6.2 Controlled Activities

The following are Controlled Activities:-

- (a) Parks Buildings, Parks Facilities, Parks Furniture, Parks Infrastructure and Parks Field Structures on land identified as a sensitive ridge or headland/cliff/scarp on the Natural Areas Maps, provided that any building or structure is not visible in front of the sea or above the skyline as viewed from a road or other public place.

- (b) Additions and alterations to existing Parks Buildings on land identified as a sensitive ridge or headland/cliff/scarp on the Natural Areas Maps, provided that the maximum gross floor area of any additions or alterations to existing Parks Buildings is no more than 10m² and there is no increase in the number of people the building is designed to accommodate, and there is no increase in the height of the building.

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

ASSESSMENT CRITERIA**6(a)**

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

6(b)

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

6(c)

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

6(d)

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

6(e)

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

6(f)

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

6(g)

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

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

(Policy Section of the Waitakere District Plan)

6.3 Limited Discretionary Activities

The following are Limited Discretionary Activities:-

- (a) Parks Buildings, Parks Facilities, Parks Furniture, Parks Infrastructure and Field Structures on land identified as a modified sensitive ridge on the Natural Areas Maps, not meeting the standards in Rules 6.1 and 6.2.
- (b) Additions and alterations to an existing parks building provided that the maximum gross floor area of any additions is no more than 10m² and there is no increase in the number of people the building is designed to accommodate, on land identified as a modified sensitive ridge on the Natural Areas Maps, that do not meet the standards in Rule 6.2.

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

6.4 Discretionary Activities

The following are Discretionary Activities:-

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

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

6.5 Non-complying Activities

Any Activity to which these rules apply which is not a Permitted Activity, Controlled Activity, Limited Discretionary Activity or a Discretionary

RESOURCE CONSENT CONDITIONS

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

- Limiting the building coverage
- Limiting the building bulk
- Requiring protection of existing vegetation
- Requiring provision of a landscape treatment plan, and implementation of that plan within a given time
- Requiring the provision of environmentally sustainable solutions to the provision of infrastructure
- The imposition of a bond to ensure satisfaction of conditions of consent
- Requiring onsite or offsite works and services to avoid, remedy, mitigate or offset adverse effects.
- Such other matters provided for in section 108 of the Act.

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

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

NOTES

1. If an activity is not controlled or restricted in any way by any part of the *Plan* it is permitted, but may require consents under other legislation/ plans.
2. Activities must comply with all other relevant rules of the *Plan* or be the subject of a *resource consent*. Check all other rules in this *Human Environment* and also the *Natural Area Rules*, the *City-Wide Rules* and, where relevant, the *Subdivision Rules*.
3. Words in *italics* are defined - see the Definitions part of the *City-Wide Rules*.
4. Words in **bold** are explained - see the Explanations part of the Introduction to the Rules.
5. The Council may have a guideline to help interpret this rule - check at the Council Offices.
6. For *resource consents* see the Information Requirements in the *City-Wide Rules*.

Rule 7

<u>RULES</u>	<u>ASSESSMENT CRITERIA</u>
<p><u>7.0 General</u></p> <p>(a) <u>The following rules shall apply to Any Activity or development involving the erection or alteration of Parks Buildings, Parks Field Structures and Parks Sports Fields but not including Parks Facilities, Parks Furniture and Parks Infrastructure.</u></p> <p><u>7.1 Permitted Activities</u></p> <p><u>The following are Permitted Activities:-</u></p> <p>(a) <u>Parks Field Structures on parks where there is existing on site parking</u></p> <p><u>7.2 Limited Discretionary Activities</u></p> <p><u>The following are Limited Discretionary Activities:-</u></p> <p>(a) <u>Parks Sports Fields, and</u> (b) <u>Parks Field Structures on parks where there is no existing on site parking</u> (c) <u>Parks Buildings and additions and alterations to existing Parks Buildings provided that:</u> - <u>the gross floor area of the Parks Building, including any proposed additions or alterations, does not exceed 150m²</u> (d) <u>Parks Infrastructure for carparks with 9 or more car parks</u></p> <p><u>Assessment of Limited Discretionary Activities applications will be limited to the matters of scale, road capacity, safety, number of carparks, screening, planting and screening and will be considered in accordance with Assessment Criteria 7(a) – 7(e)</u></p> <p><u>7.3 Discretionary Activities</u></p> <p><u>The following are Discretionary Activities:-</u></p> <p>(a) <u>Parks Buildings and additions and alterations to existing Parks Buildings where the gross floor area of the Parks Building, including any proposed additions or alterations, would exceed 150m²</u></p>	<p><u>7(a)</u></p> <p><u>The extent to which parking and traffic generation creates adverse effects on:</u></p> <ul style="list-style-type: none"> • <u>the capacity of roads giving access to the site, having regard to the roads function in the Roading Hierarchy</u> • <u>the safety of road users, including cyclists and pedestrians</u> • <u>neighbourhood character</u> <p><u>7(b)</u></p> <p><u>The extent to which the provision of car parking promotes accessibility and/or contributes to energy efficiency</u></p> <p><u>7(c)</u></p> <p><u>The extent to which the provision of car parking in the park/reserve detracts from its open space character or the natural landscape.</u></p> <p><u>7(d)</u></p> <p><u>The extent to which the car parking is in accordance with the provisions of a relevant Operative Reserve Management Plan, Parks Concept Plan, current Waitakere City Parks Strategy or current operative Regional Parks management plan.</u></p> <p><u>7(e)</u></p> <p><u>The extent to which more than minor adverse effects can be adequately avoided, remedied, mitigated or offset through provision of works and services on or off the site and/or through payment or provision of a financial contribution.</u></p> <p><u>Note: See also Policies: 10.11, 10.14, 10.16, 10.27, 10.28, 11.3, 11.11, 11.32</u></p> <p><u>(Policy Section of the Waitakere District Plan)</u></p>

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

3.4 Non-complying Activities

Any Activity involving the erection or alteration of Parks Buildings, Parks Field Structures and Parks Sports Fields which is not a Permitted Activity, Controlled Activity, Limited Discretionary Activity or a Discretionary Activity under the above rules or any subdivision shall be deemed to contravene a rule in the Plan and shall be a Non-Complying Activity.

NOTES

1. If an activity is not controlled or restricted in any way by any part of the Plan it is permitted, but may require consents under other legislation/ plans.
2. Activities must comply with all other relevant rules of the Plan or be the subject of a resource consent. Check all other rules in this Human Environment and also the Natural Area Rules, the City-Wide Rules and, where relevant, the Subdivision Rules.
3. Words in *italics* are defined - see the Definitions part of the City-Wide Rules.
4. Words in **bold** are explained - see the Explanations part of the Introduction to the Rules.
5. The Council may have a guideline to help interpret this rule - check at the Council Offices.
6. For resource consents see the Information Requirements in the City-Wide Rules.

RESOURCE CONSENT CONDITIONS

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

- Limiting the size of parks buildings and/or scale of activity
- Requiring the alteration to the location and design of car parking and driveways
- increasing the provision of car parks
- Requiring protection of existing vegetation
- Requiring the provision of screening or planting
- Requiring provision of a landscape treatment plan, and implementation of that plan within a given time
- The imposition of a bond to ensure satisfaction of conditions of consent
- Requiring mitigation measures in relation to vehicle noise and lights
- Requiring mitigation measures in relation to pedestrian, cyclist and motor vehicle occupant safety
- The imposition of a charge to cover costs of monitoring the activity
- Requiring a financial contribution
- Requiring onsite or offsite works and services to avoid, remedy, mitigate or offset adverse effects.
- Such other matters provided for in section 108 of the Act.

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

RULES

9.0 General

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

9.1 Permitted Activities

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

(a) the *upgrading of infrastructure* which is a *Permitted Activity* or has received a *resource consent* in respect of any of the relevant rules of the *Plan* relating to:

- the General Noise Standards within the *City Wide Rules*
- the *Heritage Rules*
- the *Natural Area* within which the *site* is located
- the odour, glare, *dust*, vibration and air discharges, *hazardous facilities* and *signs* Rules applying to the *Human Environment* within which the *site* is located.

Note: The above rule shall not compromise the ability of the Council or any other person to pursue action relating to adverse effects on the environment. (See sections 16 and 17 of the Act).

(b) *Any Activity* involving *infrastructure* which;

(i) is an above-ground sewage, stormwater or water pipe and

- has a *height* not exceeding 1.0 metre above *ground level*; and
- a diameter not exceeding 300mm; and

- extends for an above-ground distance not exceeding 25.0 metres at any one place;

(ii) is any other *infrastructure* which has a *height* not exceeding 1.5 metres above *ground level* and covers an above ground area not exceeding 2m² provided that this rule shall not allow;

- any stormwater pipe or wastewater pipe not operated by a *network utility operator* or otherwise not covered by clause (c) below

- high pressure gaslines with a gauge pressure of more than 2000kPa

- *lines* and associated *structures* conveying electricity with a voltage over 110kV and a capacity exceeding

100MVA.

ASSESSMENT CRITERIA

9(a)

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

9(b)

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

9(c)

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

9(d)

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

9(e)

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

9(f)

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

9(g)

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

9(h)

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

9(i)

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

(c) *Connections*, provided that the *connection* is provided in accordance with any *network utility operator* requirements; and
 (i) where the *connection* involves any *line* or pipe, the *line* or pipe is located underground, or
 (ii) where the *connection* involves any above ground *line*, the *connection* is an additional *connection* to an existing *building* which is already supplied from an above ground *line*.

Provided that this rule shall not allow:

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

9.2 Controlled Activities

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

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

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

9.3 Limited Discretionary Activities

The following are *Limited Discretionary Activities*:

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

Assessment of *Limited Discretionary Activities*

9(j)

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

9(k)

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

9(l)

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

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

9(m)

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

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

9(n)

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

9(o)

The extent to which the *stormwater treatment and disposal system* is *designed* having regard to the natural upstream *catchment area*, including likely

applications will be limited to the matter of and will be considered in accordance with Assessment Criteria 9(a) – 9(u).

9.4 Discretionary Activities

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

- Any activity involving *infrastructure or connections*

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

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

9.5 Non-complying Activities

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

NOTES

1. If an activity is not controlled or restricted in any way by any part of the *Plan* it is permitted, but may require consents under other legislation/ plans.
2. Applicants intending to build within 20m of a transmission line or within 4m of any other electric line are advised to consult with the owner of that line.
3. *Upgrading* which meets the *Permitted Activity* standards, is not subject to most of the *Human Environment Rules* in the District Plan.
4. Activities must comply with all other relevant rules of the *Plan* or be the subject of a *resource consent*. Check all other rules in this *Human Environment* and also the *Natural Area Rules*, the *City-Wide Rules* and, where relevant, the *Subdivision Rules*.
5. Words in *italics* are defined - see the Definitions part of the *City-Wide Rules*.
6. Words in **bold** are explained - see the Explanations part of the Introduction to the Rules.
7. The Council may have a guideline to help interpret this rule - check at the Council Offices.
8. For *resource consents* see the Information Requirements in the *City-Wide Rules*.
9. Criteria relating to engineering matters can be met by satisfying standards in the Waitakere City Code of Practice - check with the Council.

future *development* and any adverse *effects* it may have on the downstream system.

9(p)

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

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

9(q)

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

9(r)

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

9(s)

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

9(t)

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

9(u)

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

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

Note: See also Policies 1.4, 2.11, 3.5, 5.3, 10.1, 10.9, 10.17, 10.18, 10.27, 10.28, 11.4, 11.7, 11.32 (Policy Section of the Waitakere District Plan)

RESOURCE CONSENT CONDITIONS

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

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

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

RULES**10.0 General**

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

10.1 Permitted Activities

Activities meeting the following performance standard are Permitted Activities:

Any Activity and any Temporary Activity emitting artificial outdoor lighting which:

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

10.2 Limited Discretionary Activities

The following are Limited Discretionary Activities:

Any Activity and any Temporary Activity involving buildings and meeting the following performance standards:

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

Assessment of *Limited Discretionary Activities* applications will be limited to the matter of intensity, location, duration and direction of lighting and will be considered in accordance with Assessment Criteria 10(a) – 10(f).

10.3 Non-complying Activities

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

ASSESSMENT CRITERIA**10(a)**

The extent to which glare from outdoor lighting fixtures causes discomfort to any person, residents' ability to sleep or degrades the level of **visual amenity** and the dark night-time sky environment.

10(b)

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

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

10(c)

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

10(d)

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

10(e)

The extent to which the parks building is in accordance with the provisions of a relevant Operative Reserve Management Plan, Parks Concept Plan, current Waitakere City Parks Strategy or current operative Regional Parks management plan.

10(f)

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

Note: See also Policies: 10.3, 10.21, 10.27, 10.28, 11.32.

(Policy Section of the Waitakere District Plan)

NOTES

1. If an activity is not controlled or restricted in any way by any part of the Plan it is permitted, but may require consents under other legislation/ plans.
2. Activities must comply with all other relevant rules of the Plan or be the subject of a resource consent. Check all other rules in this Human Environment and also the Natural Area Rules and the City-Wide Rules.
3. Words in italics are defined - see the Definitions part of the City-Wide Rules.
4. Words in bold are explained - see the Explanations part of the Introduction to the Rules.
5. The Council may have a guideline to help interpret this rule - check at the Council Offices.
6. For resource consents see the Information Requirements in the City-Wide Rules.
7. Relevant lighting standards will be consulted when considering any resource consent application.

RESOURCE CONSENT CONDITIONS

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

- Limiting lux intensity and lux spill
- Requiring mitigation measures to reduce adverse effects
- Limiting the duration of lighting
- Requiring provision of screening and/or planting
- Altering the location of parks buildings and/or lighting standards/poles
- The imposition of a charge to cover the costs of monitoring the activity
- The imposition of a bond to ensure satisfaction of conditions of consent
- Requiring onsite or offsite works and services to avoid, remedy, mitigate or offset adverse effects.
- Such other matters provided for in section 108 of the Act.

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

Rule 11

RULES**11.0 General**

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

11.1 Permitted Activities

Activities meeting the following Performance Standards are Permitted Activities:

(a) Parks Signs:

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

(c) Any temporary sign

11.2 Limited Discretionary Activities

The following are Limited Discretionary Activities:

Signs for Parks Buildings and additions and alterations to Parks Buildings where the maximum sign area does not exceed 1.5m² and the sign is not flashing or moving and is located on the building to which the sign relates;

Any Activity and Temporary Activities with a sign where the maximum sign area does not exceed 1.5m² and the sign is not flashing or moving and is located on the site to which the sign relates;

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

11.3 Discretionary Activities

The following are Discretionary Activities:

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

ASSESSMENT CRITERIA**11(a)**

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

11(b)

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

11(c)

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

11(d)

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

11(e)

The extent to which signage for a Parks Building, Any Activity or Temporary Activities is in accordance with the provisions of a relevant Operative Reserve Management Plan, Parks Concept Plan, current Waitakere City Parks Strategy or current operative Regional Parks management plan.

11(f)

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

Note: See also Policies: 10.3, 10.27, 10.28, 11.3, 11.11, 11.32

(Policy Section of the Waitakere District Plan)

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

Assessment of Discretionary Activities applications will be considered in accordance with Assessment Criteria 11(a) – 11(f) and any other matters that are relevant to Section 104 of the Act.

NOTES

1. If an activity is not controlled or restricted in any way by any part of the Plan it is permitted, but may require consents under other legislation/ plans.
2. Activities must comply with all other relevant rules of the Plan or be the subject of a resource consent. Check all other rules in this Human Environment and also the Natural Area Rules, the City-Wide Rules and, where relevant, the Subdivision Rules.
3. Words in *italics* are defined - see the Definitions part of the City-Wide Rules.
4. Words in **bold** are explained - see the Explanations part of the Introduction to the Rules.
5. The Council may have a guideline to help interpret this rule - check at the Council Offices.
6. For resource consents see the Information Requirements in the City-Wide Rules.
7. Where a proposed sign may affect the **safety** and efficiency of a State Highway or motorway comments may be invited (sought) from Transit New Zealand regarding the **safety** of road users.

RESOURCE CONSENT CONDITIONS

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

- Altering the scale, height, shape and/or location of signs
- Specifying the design and wording of signs
- Requiring the provision of screening or planting
- The imposition of a bond to ensure satisfaction of conditions of consent
- Requiring financial contributions in accordance with the Plan
- Requiring onsite or offsite works and services to avoid, remedy, mitigate or offset adverse effects.
- Such other matters provided for in section 108 of the Act.

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

CONSEQUENTIAL AMENDMENTS TO TRANSPORT ENVIRONMENT

Rule 4 Signs

4.2 Limited Discretionary Activities

Amend the bullet point by adding the words that are underlined to Rule 4.2 as follows:

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

ASSESSMENT CRITERIA

Amend assessment criteria 4(a) and 4(b) by including the underlined words as follows:

4(a)

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

4(b)

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

To the Note at the end of the Assessment Criteria add the following 2 Policy numbers

10.28 11.32 and 12.9

District Plan Policy

Significant resource management issues objectives, policies and methods

To Objective 10 add the following Policy (Page 68)

Policy 10.28

Public open space should provide for the recreation needs of the city's residents by:

- **Providing for a range of activities, facilities and experiences in existing and new parks**
- **Ensuring that development is appropriate to the size and function of a park**
- **Ensuring that development in parks is well designed, located and maintained particularly with respect to adjoining properties**

Explanation

Provision has been made, by way of definitions, for basic parks infrastructure, facilities and activities, which are necessary for the use and development of parks, as permitted activities. Public open space provides for both passive and active recreation for the city's residents, and the range of activities and facilities provided for recreation on the City's network of parks and reserves should be related to the size and purpose of the park. New development and redevelopment on parks would take into account reserve management plans but where such plans do not exist, the current Parks Strategy. There are existing controls relating to the bulk and location of buildings on parks, and these have been extended to include the new provisions for parks furniture, parks facilities and parks infrastructure etc and other parks activities such as parks maintenance.

Parks are a public asset for the enjoyment and benefit of the wider community and there are also advantages for residents living next to a park but development and use of parks needs to be balanced to ensure that the amenities and privacy of properties adjoining parks is considered. Providing adequate setbacks and landscaping can mitigate effects such as noise from development and activities of parks on the amenities of surrounding properties. Measures to make parks safer include the provision of permeable fencing on park boundaries to facilitate surveillance from the properties surrounding them.

Methods

District Plan Rules

- **Open Space Environment rules**

Other Methods

- **The Parks Strategy**
- **Reserve Management Plans**
- **Councils "Code of Practice"**
- **Parks Contracts**

To Objective 11 add the following Policy (Page 89)

Policy 11.32

Public open space should be managed in a way that balances the needs of the city's residents for recreational opportunities with the protection of the natural environment by:

- **ensuring that the management and development of recreational facilities on land in the Open Space Environment is sensitive to the natural landscape elements and qualities**

- protecting outstanding natural features and vegetation in the Green Network from development
- ensuring that where necessary the natural environment is enhanced by planting and or restoration
- maintaining the infrastructure and facilities on parks to provide a high level of environmental amenity

Explanation

Public open space includes land in all the natural areas in the Green Network and the provision for development and for different types of activities will depend on the natural attributes on each individual park. Infrastructure in parks should be well maintained to ensure the public's enjoyment and safety. The need for ongoing maintenance in the city's parks, such as clearing and improving tracks and trails, weed removal and replanting and upgrading bridges and boardwalks has been recognised with the provision for parks maintenance in the Open Space Environment and Natural Areas rules. The Council and the Auckland Regional Council have responsibilities to ensure that this is undertaken in a timely and sustainable manner that ensures positive outcomes for the environment.

Methods

District Plan Rules

- Open Space Environment rules
- Natural Areas rules

Other Methods

- The Parks Strategy
- Reserve Management Plans
- Council's "Code of Practice"
- Supervision and monitoring of parks contractors
- Parks Contracts

Add the following policy after Policy 12.8

Policy 12.9

Natural and cultural resources of national, regional or local significance that are located on public open space must be sustainably managed to ensure their long term protection. These resources on public open space are:

- Outstanding natural features, landforms, geological sites and soils
- Outstanding landscapes
- The natural character of the coast and margins of lakes, rivers and wetlands
- Significant and outstanding native vegetation and fauna habitat
- Rare and threatened plants
- Waahi tapu and other archaeological sites of significance to Maori
- Buildings, sites, artefacts and trees of historical significance

They are identified on the Maps (City and Tangata Whenua) and Appendices in the Policy Section to the District Plan.

Methods

Natural Areas Rules - Vegetation Clearance, Earthworks and Establishment of Vegetation

Open Space Environment Rules

Heritage Rules

Policy Maps and Appendices

Other Methods

- Reserve Management Plans
- Management Protocols between public agencies /organisations
- Public education programmes
- Pest eradication

- Fencing or excluding public access for short periods to allow restoration or breeding programmes to be implemented
- Non-regulatory support to voluntary organisations involved in projects

Explanation

The outstanding natural resources together with the historical and cultural heritage in Waitakere have created a unique identity for the City. Many of these natural and cultural resources are located in the City's parks and reserves and contribute to the recreation opportunities and leisure of its residents and for future generations. The protection and enhancement of natural and cultural resources is an important aspect in the management of parks and reserves. Iwi and the public agencies that administer the parks have a responsibility and important role to provide leadership in the management practices and protection of the City's natural and cultural heritage resources.

Special interest groups and private individuals also make an important contribution to the conservation, understanding and appreciation of these resources. Public involvement in projects such as coastal restoration, the preparation of reserve management plans and education programmes is also an important part of the process of appreciating and learning about the City's natural and cultural resources. The sharing of ideas, scientific knowledge and information between all parties in the community will achieve the best outcome for the City's natural and cultural heritage resources.

It should be noted that there is no inventory of rare and threatened plants in the District Plan but Volume 1 of the Regional Parks Management Plan contains a list, and the Department of Conservation and/or recognized experts may be consulted on this matter if appropriate.

Add this policy reference to all Natural Areas and Open Space Environment Rules

District Plan – Policy

Explanation of the strategic direction: policies and methods

6.2.7 Open Space Management

Delete 6.2.7 on p 27 in its entirety and replace with the following text:

"The Council and other public bodies such as the Auckland Regional Council and Department of Conservation are responsible for the management of the public parks and reserves in the City. Parks and reserves in the City are included in the Open Space Environment of the District Plan. The previous provisions for the Open Space Environment in the District Plan were based on the use of reserve management plans for the City's parks and reserves to outline specifically what activities/development would be provided on the park and to ensure that the activities, facilities and layout of reserves incorporated the specific qualities of the parks and reserves while the rules of the Open Space Environment would better manage off site effects.

The Waitakere City Parks Strategy 1999 established a vision for how parks should look in the future and the key steps to achieve the vision. The management and administration of parks, which includes a policy for the preparation of management plans is one of the ten objectives in the strategy. In accordance with the Reserves Act 1977 the purpose of management plans is to outline Council's general intentions for the use, development and maintenance of its reserves. The preparation of each plan involves community consultation to ascertain the needs of the public and

to ensure that the development of the park provides appropriate recreational opportunities that are consistent with the natural qualities inherent in the particular landscape.

The rules of the Open Space Environment are designed to control the effects from the development, use and activities on parks, on the surrounding land. The rules for the Open Space Environment in the District Plan control effects such as the bulk and location of structures near boundaries, noise, lighting, and traffic movements.

There are parks and reserves within every natural area in the District Plan and the purpose of the Natural Area rules is to manage the effects of activities such as vegetation alteration, earthworks and impermeable surfaces on the natural environment.

The rules of the Open Space Environment made no provision for permitted activities on a park or reserve without an Operative Reserve Management Plan. Likewise, the Natural Area rules had only limited provision for general maintenance to be undertaken in parks without resource consents being required. To date approximately 24% of the City's parks and reserves are included in Reserve Management Plans and several of these are due for review, which is a ten yearly requirement. Furthermore, reserve management plans often include only generalized provision for future development rather than detailed designs. Thus both the lack of reserve management plans for the City's parks and reserves and the lack of detail for future development in existing reserve management plans has necessitated a large number of resource consents.

The proposed plan change provides for the establishment of a wide range of facilities and activities normally associated with the development and use of parks and reserves. The requirement for any activity on a park without an Operative Reserve Management Plan to be assessed as a non-complying activity has been removed from the Open Space Environment and the Natural Areas rules. The rules of the Open Space Environment and Natural Areas now provide for normal park activities such as the provision of paths, children's play equipment, toilets, signage, playing fields and club buildings to occur as permitted, controlled, limited discretionary and discretionary activities.

The City-Wide rules include new definitions for the following activities; parks buildings, parks facilities (such as toilets changing facilities, shelters and shade structures under 100m²), parks furniture (seating tables rubbish bins barbecues and art works), parks infrastructure (footpaths, track marker bollards), parks field structures (goal posts, courts and playing fields), parks maintenance (weed removal, track maintenance), parks signs and parks sports fields.

The provision for these new categories of activities in the Open Space Environment and Natural Areas rules has been considered in relation to their potential impacts on the physical and built environment of the park and surrounding land. Thus activities, which are an essential asset for the public enjoyment of a park, such as parks furniture, would be provided for as a permitted activity. Similarly, parks facilities and parks infrastructure, which would be likely to generate low environmental impacts if located in a General Natural Area within the Open Space Environment, are also generally provided for as a permitted activity. Small additions to existing parks buildings would be limited discretionary activities. Provision for new parks buildings would be more restrictive because of the potential to generate more effects on the environment and would become discretionary activities.

However, the importance of reserve management plans continues to be acknowledged by including reference to them in the assessment criteria of the Open Space Environment rules.

Reference to the 1999 Parks Strategy, that has relevance to all parks in the City and concept plans that have been prepared for some parks are now also included in the assessment criteria of the Open Space Environment rules. Including these documents in the assessment criteria for assessment of limited discretionary and discretionary activity applications will enable full cognisance of the context for any development proposals or management issues to be considered.

Existing assessment criteria in the Open Space Environment rules address the potential effects on the adjoining land uses and in some cases these have been expanded.

The Open Space Rules provide for new parks buildings as a discretionary activity on parks even when there is an Operative Reserve Management Plan. While this may seem onerous, given that reserve management plans have been developed with community consultation such development may have the potential to generate temporary adverse effects on the immediate and neighbouring environs, and these need to be managed, by way of resource consent conditions. Furthermore, new buildings proposed in an Operative Reserve Management Plan are often only conceptual and the full impact of their design and location in relation to external boundaries can only be determined and assessed when the detailed drawings are prepared.

It is likely that in cases where a proposed discretionary activity generally complies with a current Operative Management Plan the use of limited notification, a new process available through the 2003 amendments to the Resource Management Act 1991 may well be applicable rather than public notification.

The Plan Change also includes changes to the section of the District Plan "Introduction to the rules". The chapter on resource consents includes "Written Consents and notification – discretionary activities and non-complying activities". This information provides a guide to assist applicants and interested parties about notification and includes a general outline of the types of resource consents that require written consents and public notification. Applications for discretionary activities are classified into those which will generally not be notified if the written consents of the owners of adjoining sites are submitted, to those where applications will generally be notified. Development, which falls to be considered as discretionary activity on land in the Open Space Environment where there is an Operative Reserve Management Plan is included in the category where public notification may not be necessary if the written consents of affected persons are submitted. These changes would strengthen the relevance of Operative Reserve Management Plans in determining if notification is required. Discretionary activity applications on parks without a reserve management plan would be more likely to require public notification, depending of course on the circumstances and Council's responsibilities under the Act.

Currently the objectives and policies for the Open Space Environment relate more to the acquisition of land for new reserves and its consequential development. Thus the existing policies (10.7 and 11.5) for new open space are specifically concerned with ensuring land obtained for open space, is well designed and located in terms of signage, surveillance and integration with local neighbourhoods. Policy 10.20 relates to the provision of access, particularly between areas of public land and to the coast and along waterways. These policies tend to be articulated through the subdivision rules in the District Plan rather than the rules of the Open Space Environment. The policies will continue to be relevant to the acquisition, location and design of new public spaces and, will also be applicable to new development on existing parks. There are other policies relating to the protection and preservation of vegetation and the natural character of the coastal environment, which have relevance to the development of land in the Open Space Environment and the creation of reserves upon subdivision.

As new activities for parks have been formulated two new policies to support these changes have been developed and included in the proposed plan change. These policies reinforce protection of neighbourhood amenities and the natural environment.

The proposed plan change makes better provision for the range of activities usually associated with the use and development of land in the Open Space Environment. While removing reserve management plans as a determinant of the activity status of a proposal from the rules of the Open Space Environment and Natural Areas, the assessment criteria continue to provide continuity with management plans. In addition the 1999 Parks Strategy and concept plans are included for consideration when assessing more significant activities within the Open Space Environment.

The change in direction for the management of open space has been carefully considered following the analysis of the process over a period of several years. The proposed changes seek to balance the provision of basic facilities on parks without the need for unnecessary resource consents whilst still protecting the amenity and environmental values of parks and the surrounding land uses. The change promulgates a more responsive process for managing an expanding Council asset.

APPENDIX '2'

List of Non-Statutory Documents Incorporated by Reference into the District Plan.

The following non-statutory documents have been incorporated by reference into the District Plan, and are intended to have legal effect as part of the District Plan:

Waitakere City Operative Reserve Management Plans - this includes a range of operative reserve management plans
Auckland Regional Council - Regional Parks Management Plan, September 2004 (Reprint incorporating Variation No. 1)
Volume 1: Overview and Strategic Direction, Volume 2: Resource Inventory and Volume 3: Maps
Waitakere City Parks Strategy 1999
Waitakere City Leisure Strategy Draft
The New Zealand Standards Handbook for Track and Outdoor Visitor Structures (SNZHB8630:2004)

Any amendment to, or replacement of, the above non-statutory documents shall have legal effect as part of the District Plan. The non-statutory documents shall have legal effect in the manner, and to the extent, stated in the district plan. Where there is any inconsistency between the district plan and the non-statutory document, then the district plan wording shall prevail. However it is intended that the non-statutory document and the district plan should be read in a manner that allows both documents to be given effect to, wherever that is possible.

NOTE: Each non-statutory document listed above will be certified as a correct copy. The certified copies of the documents will be available at the hearing, and copies will be available for inspection by members of the public, as required by the First Schedule Resource Management Act 1991 clauses 30 – 35, subsequent to this hearing.

APPENDIX 3

PLAN CHANGE 12 – OPEN SPACE ENVIRONMENT PROVISIONS - Decision on Submissions

Pursuant to Clause 10 (1) of the First Schedule of the Resource Management Act 1991, the relief sought by the following submissions are rejected or accepted as indicated. Further submissions made in support or opposition of primary submissions are accepted, rejected or accepted in part accordingly.

Discussion relating to each submission is contained in Section 4 of the Decision Notice.

Accepted:

12/8 Department of Conservation

Accepted in Part:

12/1 Water Care Services Ltd

12/2 Auckland Regional Council

Rejected:

12/6 Te Atatu Residents and Ratepayers Association Ltd

Rejected in Part:

12/3 Te Atatu Residents and Ratepayers Association Ltd

12/4 Te Atatu Residents and Ratepayers Association Ltd

12/5 Anne Grace

12/7 Waitakere City Council

The primary submissions from Te Atatu Residents and Ratepayers Association Ltd 12/3 and Anne Grace 12/5 were very detailed and the relief sought incorporated as indicated in this decision notice, while some of the points have been considered to lack resource management merit or be beyond the scope of Plan Change 12.