

## PROPOSED CHANGES TO POLICY SECTION

### Part 3 – The City’s Environment

#### 3.6.2 The City’s Other Landscapes

Table 3.7 (a) Local Area

Add the following to table 3.7(a):

Local Areas	Landscape Elements	Landscape Characteristics
<u>New Lynn Town Centre</u>	<ul style="list-style-type: none"> <li>• <u>Multi storey buildings</u></li> <li>• <u>Mixed use development</u></li> <li>• <u>Apartments / office / services</u></li> <li>• <u>Retail at ground level</u></li> <li>• <u>Fine grained, connected road pattern</u></li> </ul>	<ul style="list-style-type: none"> <li>• <u>Retail character</u></li> <li>• <u>Community hub</u></li> <li>• <u>Transport node</u></li> <li>• <u>Vibrancy, day and evening activity</u></li> </ul>

#### 3.9 SPECIAL AREAS

Add the following bullet point to the end of the section:

- Monier (CSR) – occupies a large site in Rankin Avenue and provides for the existing activities associated with the manufacturing of ceramics on the site while protecting the future development potential of the site should these activities cease to continue.

## Part 5 – Significant Resource Management Issues, Objectives, Policies and Methods

### Human Environments (page 3)

#### **Special Areas**

Includes areas that contain a unique grouping of activities differing markedly from the surrounding area. These are:

- Harbour View
- Monterey Park
- Bible College
- Hospital
- the three existing marae areas within the City
- Boating (Te Atatu)
- Quarry
- Balefill
- Marina (West Harbour)
- Lincoln Park
- Corbans Winery Estate
- Monier (CSR).

#### 5.4 ISSUE - EFFECTS ON AIR QUALITY / ATMOSPHERIC QUALITY

##### **Policy 4.1**

***Retail activities* should be located in a way that minimises the adverse impacts of motor vehicles on air quality. *Retail activities* should be encouraged to locate in locations which will minimise vehicle trip length and numbers, promote passenger transport, support *major town centres* as key transport destination points, and reinforce those areas identified for population intensification. Any location of *retail activity* outside of *town centres* should not compromise the achievement of these aims.**

##### **Explanation**

This policy emphasises the consolidation of retail activities in order to reduce the need for and length of vehicle trips. The policy has been adopted in part because of significant impacts on air quality that arise from vehicle emissions. Retail activities have been identified as having a major influence on the number and pattern of vehicle trips with the City. The wide dispersal of retail activities increases vehicle trips across the City, with consequent impacts on air quality from fossil fuel combustion products. The consolidation of retail activities will contribute to the reduction of trips by (amongst other things) encouraging people to carry out multiple shopping task sometimes in conjunction with other activities, or to utilise public or mass passenger transport systems. These aims would be best met by generally consolidating retail activity in major town centres which are, or will be, close to the highest population concentrations. Any new retail activity outside town centres will need to satisfy the matters outlined in Policy 11.17.

##### **Methods**

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

Retailing Rules;  
Non-Residential Activities Rules;  
Scheduled Sites Rules;  
Working and Community Environment Rules.

###### ***Other Methods:***

- provision of design guidelines for medium density housing and apartments and advice to interested groups and individuals;
- promotion of medium density housing at Harbour View and other areas of the City;

- promotion of apartments and mixed use developments in the New Lynn and Henderson Town Centres;
- continued implementation of town centre revitalisation programmes.

## Policy 4.2

**Intensive housing (such as Medium Density Housing or Apartments) and Mixed Use Developments should be encouraged in areas where it will help to reduce emissions from motor vehicles by reducing vehicle trip length and vehicle numbers and support public transport, in particular around main town centres, train stations and major roads. Apartments should be accommodated in the main town centres of the City.**

### ***Explanation***

Research carried out in Australia and New Zealand has revealed strong links between low density urban settlement and high levels of private vehicle use. The studies show that higher densities correlate with higher passenger transport use, and that if these higher densities are located around main transport routes and junctions, this would contribute to more viable passenger transport systems (be it bus or train transport). Current densities, even with increased infill housing, are considered to be insufficient to enhance a viable passenger transport system.

This policy encourages the concentration of apartments within the *Community Environment* of the New Lynn and Henderson town centres, in particular, as a way of contributing to the viability of public transport systems. Medium-rise apartment developments are also provided for in the Crown Lynn Place area of New Lynn. Mid to high-rise apartments are not appropriate outside of the City's town centres.

While medium density housing has been occurring around town centres there is a need to encourage higher density development in the main town centres. Apartment living is actively encouraged, preferably as part of multi-storey, mixed use developments that contribute to the vitality and liveliness of the town centres, helping to develop a resident community, and to counter pressures for the continued outward spread of the urban area.

Medium density housing is provided for and encouraged in a wider range of residential areas including along key transport routes. Medium density housing in Living Environments that are distant from transport and community hubs is discouraged.

## Methods

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

- provision for Apartments;
- Apartment Design Criteria;
- provision for Medium Density Housing;
- Medium Density Housing Assessment Criteria.

### ***Other Methods:***

- provision of design guidelines and advice to interested groups and organisations;
- promotion of medium density housing on Council-owned land at Harbour View;
- adoption of a strong advocacy position by Waitakere City Council with interested groups.
- Council shall make available to developers and landowners the "Passenger Transport Supportive Land Use Guidelines" prepared by the Auckland Regional Council.

## 5.10 ISSUE - EFFECTS ON AMENITY VALUES: HEALTH AND SAFETY

Human communities (and, it is assumed, the individuals that make up these communities), are defined under the Resource Management Act as being an integral part of the environment. As such, the effects of activities on those elements, and characteristics of the environment that contribute to human enjoyment of it, are a concern under the Act.

The proximity of structures, the relationship between them in terms of height and shadowing, and the nature, shape and location of usable open space between structures, have long been acknowledged as having an impact on the health and wellbeing of residents or users of a building. More recently, it has been acknowledged that the relationship between “private” space and public spaces, such as roads, parks, car parks and public squares and the location of structures, including pathways, within these areas, has a major impact on safety. The ability to move around these areas, between the private home and the public or semi-public areas such as shops, also has a major impact on both safety and a sense of belonging which can contribute to both physical and mental health.

Amenity values that contribute to the wellbeing of residents and workers, include, amongst other things, maintaining a safe and accessible environment. There is a strong tradition of public access in New Zealand, particularly as it relates to the coast, lakes, rivers and streams. The maintenance and enhancement of public access is important to local communities for a variety of cultural, recreational, scientific and commercial reasons.

There are a great number of aspects to public access, including: public access to and along waterways; public access through elements of the green network; safe efficient pedestrian access through urban areas; issues of equality of access; and access for the disabled.

The amount of noise, vibration, odour or artificial light discharged or emitted by an activity, can also have a major impact on health.

Residential activities within town centres help bring vitality and vibrancy to these areas, but due to their sensitivity to noise and other effects, they can have an impact on the operation of surrounding town centre activities such as restaurants and cafes.

Some parts of the City are experiencing increasing ambient noise levels, while the general physical layout of sections, houses, neighbourhoods and roads, continues to be under pressure from population growth.

These changes to the City’s environment, and particularly to the more intensively settled urban area, have resulted in the following significant resource management issues:

#### **Policy 10.1**

**Non-residential activities should be managed in a way that emissions of odour, dust, electromagnetic radiation, radiofrequency radiation and other discharges to air do not cause a nuisance, or otherwise have an adverse effect on the health of occupants of surrounding residential properties. Where a resource consent is required and specific reference is made in the rules or assessment criteria to health and safety matters, an assessment of adverse effects will be required. This will include, where relevant, reference to any appropriate standards or scientific opinion. Where activities cannot be managed in a way that avoids the creation of a nuisance on adjacent sites;**

- **they must be located at a sufficient distance from those sites, or within an appropriate Working Environment.**
- **or appropriate performance measures to minimise emissions should be imposed so that the adverse effects of any emissions are avoided.**

#### ***Explanation***

The perception of what is a distasteful odour can vary from person to person. Tolerance can also vary. However, although the identification of odour nuisance is inherently problematic, this policy has been adopted to limit the impact of odour emissions. In addition, dust and other discharges can be a nuisance and a health problem. This policy seeks to limit their impacts on surrounding sites. A precautionary approach should be taken to the management of electro-magnetic radiation and radiofrequency radiation.

Rule 3 and 3A in the Community Environment and Rule 3 in the Working Environments specifies, as a Permitted Activity, minimum setbacks from boundaries with a Living and/or Open Space Environment. Those minimum setbacks reinforce the intention of this policy. However, it is acknowledged that there

will be circumstances, such as those related to the particular use proposed, constraints of the development site and the nature and position of adjoining development, which will enable the policy to be met at a lesser separation distance than specified in the rules.

As the *New Lynn Town Centre* is not an Industrial Air Quality Management Area under the Auckland Regional Plan: Air Land and Water it may not be an appropriate location for activities that generate significant air discharges. As a result, over time, a change in the nature of employment related activities in the centre is expected with the likely departure of a number of older, heavier industries. In the interim, to avoid adverse effects that may arise from the intensification of a range of activities in the centre, development in the *Living (L6) Environment* must provide appropriate design responses (including setbacks and consideration of building orientation and design), to buffer residential apartment activities from the adjoining Working and Community Environments and any Special Areas. In addition, Rule 10 of the *Community Environment (New Lynn)* specifies minimum setbacks for *air discharge devices*, including air conditioning, from existing site boundaries to maintain opportunities for a range of activities to be developed on adjacent sites without experiencing adverse nuisance effects.

## Methods

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

- Non-Residential Activities Rules. Non-residential activities are permitted activities where odour, dust and other discharges emitted or generated are not discernible by neighbours. Where any emission is discernible, a resource consent is necessary. Provision is made for the location of more noxious activities within the City's Working Environments. Requirements for the Lincoln Working Environment are more stringent than in other Working Environments, in recognition of the greater mix of activities in this area.
- Air Discharges, Odour, Dust, Glare and Vibration Rules
- Working and Community Environment Rules
- Rules and criteria relating to infrastructure effects on the well-being, safety and health of any person.

## Policy 10.2

**Activities in residential and rural areas 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 not to cause excessive noise that conflicts with the need to encourage a mix of business and residential activities in these 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.

## Methods

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

- General Noise Standards;
- Noise Rules;
- 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 humans. Any activity emitting noise exceeding these standards is a non-complying activity.

## Policy 10.3

**Activities should be managed in a way that any associated artificial lighting of roads, driveways, signs and sites and the exterior of buildings do not detract from the ability of occupants of surrounding buildings to achieve uninterrupted and adequate levels of sleep.**

### ***Explanation***

Artificial lighting, particularly in residential areas, can be of such a level of glare that it reduces people's ability to sleep, or interrupts sleep to the extent that it creates stress, and at times, direct physical effects on the health of residents. The development of town centres may result in additional lighting of buildings to create a sense of place, and may conflict with the increasing number of residential activities within the same area. There are two aspects to this problem: the general loss of a dark night sky from the cumulative effects of lighting and the nuisance caused by single sources that emit a high level of glare.

### **Methods**

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

- Air Discharges, Odour, Dust, Glare and Vibration Rules;
- Non-Residential Activities Rules;
- Signs Rules;
- Open Space Environments Rules.

#### ***Other Methods:***

- information on possible lighting design solutions;
- management of lighting in parks and on roads;
- Code of Practice: lighting guidelines.

### **Policy 10.4**

**Wherever possible, ~~buildings should be located on residential activities sites in a way that should provide~~ for an adequate area of outdoor space for recreation and leisure, including providing:**

- sufficient outdoor space for the anticipated number of occupants of the dwelling;
- outdoor space which is of a usable shape for recreation;
- sunlight access to the outdoor space area.

**Where such outdoor space cannot be provided on-site, the offsetting of consequent adverse effects on public open space that arise from increased usage may be required. Such an offsetting of effects would be in addition to any other requirement to contribute to the provision of public open space made under Policy 10.10.**

### ***Explanation***

The provision of an area of outdoor space on-site, sufficient to provide for children's play and relaxation and leisure for others, has long been considered to contribute to the health and well-being of residents. This policy continues to require such provision. In addition, the provision of on-site outdoor space relieves pressure on areas of public open space. This is important within more intensively settled areas, in particular, where higher densities increase usage of a limited resource. However the policy provides for sufficient flexibility to allow the offsetting of the effects of not providing on-site outdoor space, through financial contributions to the provision of public open space.

In intensive housing (apartment) developments, open space is provided through minimum balcony sizes and outlook areas for each unit.

### **Methods**

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

Outdoor Space Rules;  
Building Coverage Rules;  
Subdivision Rules;  
Apartment Rules.

## Policy 10.5

Structures should be placed to ensure that adequate levels of daylight reach any habitable rooms on-site, and allow adequate levels of sunlight and daylight to reach adjacent properties throughout the year. In town centres, taller buildings mean that access to sunlight is less certain. A minimum outlook space unobstructed by buildings or structures needs to be provided to ensure that access to daylight and air to the dwelling is maintained.

### **Explanation**

Overshadowing can affect the health of residents. Traditionally, protection of neighbours from the effect of overshadowing has been a concern of land-use management in more intensively settled areas. It continues to be an issue in areas where there are settlement pressures - both on-site and for neighbours.

In higher density living areas, reduced access to sunlight is common. Minimum requirements are imposed to ensure that reasonable access to daylight is maintained.

### **Methods**

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

- Height in Relation to Boundaries, Separation of Buildings Rules;
- Front Yards Rules;
- Building Coverage Rules;
- Height Rules;
- Building Location - Privacy and Amenity Rules;
- Apartment Rules.

## Policy 10.6

**Buildings, storage and parking areas should be designed and placed on-site, or screened in a way that maintains the privacy and onsite amenity of adjacent residential properties, including the privacy of outdoor space. Particular regard should be had for the protection of privacy within the more intensively settled Living and Rural Villages Environments.**

### **Explanation**

Privacy is a highly valued aspect of residential life, and something that is under pressure as a result of intensification of residential areas. This policy is adopted to ensure that buildings do not intrude on the privacy of existing households. It also emphasises the importance of having private outdoor space, as well as privacy within a house.

Rule 3 and 3A in the Community Environment and Rule 3 in the Working Environments specifies, as a Permitted Activity, minimum setbacks from boundaries with a Living and/or Open Space Environment. Those minimum setbacks reinforce the intention of this policy. However, it is acknowledged that there will be circumstances, such as those related to the particular use proposed, constraints of the development site and the nature and position of adjoining development, which will enable the policy to be met at a lesser separation distance than specified in the rules. In the New Lynn Town Centre, to protect the operation of adjacent industrial activities, appropriate setbacks and buffers should be provided within the Living (L6) Environment, to limit reverse sensitivity effects of residential apartments on activities in adjoining Working and Community Environments and any Special Areas.

### **Methods**

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

- Outdoor Space Rules;
- Building Location Rules;
- Landscape Treatment Rules;
- Building Coverage Rules;
- Yards Rules.

## **Policy 10.7**

**New public and semi-public spaces should be designed in a way that ensures the safety of all users and, in particular, should provide for:**

- overlooking (surveillance) of public and semi-public spaces from surrounding buildings during the day and where possible at night;**
- direct and efficient movement routes through such spaces;**
- adequate signage indicating connections with other routes, and the location of the space within the surrounding area for public reserves, walkways, and within Community Environments;**
- adequate lighting;**
- integration of pedestrian systems with vehicle routes;**
- the minimisation of any physical barrier to the reasonable movement of people within any public space.**

This policy has been adopted in order to ensure that new buildings are designed and located around public and semi-public spaces (such as car parks), in a way that avoids adverse impacts on the safety and mobility of users. It also sets out those key factors which are relevant to achieving safe spaces. Although the management of activities in terms of impacts on safe public space has not been part of traditional land-use planning, safety and freedom from fear are important to the amenity of any community. New semi public spaces in town centres, such as plazas and through site links, should be the subject of a Safety Audit assessing their safety, with the outcomes of the audit taken into account in the design of these spaces.

### **Methods**

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

- Subdivision Rules.

#### ***Other Methods:***

- town centre revitalisation;
- roading upgrades and design;
- Council's Code of Practice.

## **Policy 10.8**

**Land use development and subdivision must recognise the need for a transportation strategy which provides for the safe and efficient movement of people through private and public transport in a way that avoids, remedies or mitigates potential adverse effects on the environment and which does not compromise the needs of future generations, through ensuring the:**

- **safe movement of pedestrians, cyclists and vehicles around the City;**
- **recognising and providing for the interdependence between transportation and other activities;**
- **supporting the creation of an efficient public transport network which provides an integrated system with appropriate levels of convenience and services;**
- **protection of the transport corridor for public transport purposes, conveyance of goods and communications;**
- **ensuring that the impact of activities on the capacity and safety of the road system is adequately catered for;**
- **maintaining amenity values that contribute to the well-being of residents and workers;**
- **integrating roads with safe and efficient pedestrian cycle routes;**
- **minimising impacts of noise and traffic movement on the amenity of surrounding sites;**
- **contributing where required to an upgrading of the transport system, proportionate to the pressures on that system created by the development proposed.**

#### ***Explanation***

There is a need to manage the use and development of the City's transportation resources in a way that enables people in communities to provide for their social and economic well-being, while providing

for the sustainable management of the City's environment. The roading system has been designed around the efficient flow of vehicle traffic and relief of congestion. These aims are important, but just as important are the health of surrounding residents, amenity levels and the need to provide adequately for public transport, pedestrian and cycle access. The transportation system must provide for an adequate balance of these concerns.

In town centres, concept plans have been prepared to show future transport linkages that are required to ensure that the centres can cope with the additional movement of people, vehicles and goods. Development and subdivision is expected to provide for the linkages and connections shown.

#### **Methods:**

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

- Subdivision Rules;
- General Noise Standards Rules;
- Assessment criteria for subdivision design on Greenfields sites require, amongst other concerns, that roads are designed to ensure safe and efficient movement of traffic. Criteria also include assessment of impacts on amenity values;
- Subdivision along high noise routes (strategic arterial roads, regional arterial roads, district arterial roads, as shown on the primary roading network, Maps Section of the District Plan) must be designed to minimise or mitigate the impacts of traffic noise;
- Rules relating to financial contributions provide a formula for calculating the impact levy for the supply of infrastructure. (See Part 7.2.12 for further explanation of financial contributions);
- Urban Concept Plans.

##### ***Other Methods***

- *Council's Code of Practice.*

#### **Policy 10.11**

##### **Activities should provide for:**

- **the on-site parking and loading of motor vehicles; and**
- **the location and design of access to car parking and loading areas, including areas for reverse manoeuvring to ensure that the safe and efficient functioning of adjacent roads, according to the positioning of that road in the Roding Hierarchy, is not adversely affected**

**provided that residential activities in the Community Environment (New Lynn) do not have to provide any on-site car parking.**

##### ***Explanation***

Street parking has the potential to cause hazards for pedestrians and cars through the reduction of room for manoeuvring, and the impeding of sight lines. Safe access on-and off-site can also be compromised. This policy requires sufficient on-site parking and manoeuvring area to relieve pressures on the surrounding streets and to ensure safe access on- and off-site. This will vary according to the function of the road and the amount of traffic that it has been designed to cater for. (See Appendix M for a description of the Roding Hierarchy).

In the *Community Environment (New Lynn)*, because of the accessibility of integrated passenger transport facilities (bus and rail stations) with a high frequency of service, there is no requirement for car parking associated with residential developments.

#### **Methods**

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

- Carparking Rules.

##### ***Other Methods:***

- provision of guidelines relating to the parking needs of different activities.

## 5.11 ISSUE - EFFECTS ON AMENITY VALUES - LANDSCAPES, LOCAL AREAS AND NIEGHOUBHOOD CHARACTER

Chapter 3 identified the key landscape elements and landscape characteristics that contributed to the amenity of particular landscapes and areas within them. These were set out in a series of tables. The landscape elements varied from the ridgelines, bush and stream catchments of the foothills, to the rolling pasture of the countryside area, to the primarily built forms of the urban area. The character ranged from the complexities of the foothills, to the pastoral feeling of the north, to the residential character of the living environment.

The City's local areas and villages can be affected by intensification of settlement and, to a degree, changing uses, such that some of the key elements and characteristics that make these areas unique can be adversely affected. The key factors affecting local areas are changes in section size and the style of housing, such that the original style, form and scale of buildings is changed, and loss of the essential character of an area that is derived from the dominant activities. In most areas, this is an issue of the fragmentation of residential activities (apart from the foothills catchments where the key elements are the mix of orchards, vineyards, pasture and residential activities), and the construction of buildings that are out of scale with the existing buildings and section sizes of the area.

Town centres have a more urban, built-up character and a constant movement of people and vehicles, creating a node of activity. Intensification of activities and development in town centres and an increasing mix of uses within these centres are outcomes sought by the Plan. Poorly designed development may potentially detract from the character of town centres and adversely affect the vitality and vibrancy of these areas, in turn affecting their ability to attract further activities.

The dispersal of retailing away from major areas of population and business activity, and particularly away from town centres, could undermine the strategic direction and transportation objectives of the Auckland Regional Policy Statement, such as those provisions which relate to population intensification around major nodes, reduction in private motor vehicle use and emissions and encouragement of greater use of public transport. In addition, the dispersal of retailing away from town centres has the potential to:

- lead, through the inefficient use of the physical resources of such centres, to a lowering of amenity values, particularly in the pedestrian-orientated areas, and
- detract from their ability to provide an effective community node and reduce the extent to which they are able to provide for the community's social and economic wellbeing.

These potential changes to local areas, particularly in the more intensively settled urban area, raise the following significant resource management issues:

Pressures on these areas have resulted in the following significant resource management issues:

### **General:**

- modification of noted landscape elements and landscape character to the degree that they no longer contribute to, or are a factor in, the amenity values of the landscape.
- a loss of the unique combination of elements and characteristics, and a sense of place and belonging, such that they no longer contribute to or are a factor in the amenity values of the area.
- loss of amenity within town centres, reducing their potential to attract people and business.

### **Specific:**

- The effects are set out in Table 5.11(a).
- Specific effects are set out in Table 5.11(b).

Table 5.11 (b) - Add the following to table 5.11:

Local Areas	Effects on Landscape Elements	Effects on Landscape Characteristics
<u>New Lynn Town Centre</u>	<ul style="list-style-type: none"> <li>• <u>Discontinuous street frontages</u></li> <li>• <u>Loss of feeling of enclosure / containment of the streetscape</u></li> <li>• <u>Inadequate connections and lost opportunities for additional connections</u></li> </ul>	<ul style="list-style-type: none"> <li>• <u>Loss of relationship between street and ground floor activities</u></li> <li>• <u>Incompatible activities/reverse sensitivity</u></li> <li>• <u>Under utilisation of land/lack of intensification</u></li> <li>• <u>Poor street amenity</u></li> </ul>

### Policy 11.1

Settlement should be of a type and a density that protects amenity values, including neighbourhood character of different parts of the City, by:

- maintaining the low density of sites with high levels of private planting, large areas of open space around dwellings and detached housing characteristic in the Glen Eden, Green Bay and New Lynn local character areas and the Coastal and Rural Villages.
- allowing for development within the Kelston, Te Atatu South and Te Atatu Peninsula local character areas, provided that it maintains the existing low-density character high levels of planting, and openness of the area;
- providing for more intensive settlement in other parts of the Living Environment in a way that protects the wellbeing of residents and enhances the amenity of these areas;
- providing for higher intensity development in or adjacent to town centres;
- ensuring that settlement densities are consistent with the dispersed pattern of settlement within the Countryside Environment; {See also A112, A113}
- providing for a pattern of settlement in the Foothills Environment that is in keeping with complex, varied and overall natural character of the area; {See also A114}
- maintaining the characteristic patterns of settlement within the Rural Villages Environment and Coastal Villages Environment.

#### **Explanation**

Within each Environment there are variations in building style and section size which contribute to the particular character of different neighbourhoods. Residents value the different features which contribute to the character. This policy has been adopted to ensure that any pressures for future development in the City, are managed in a way that is compatible with amenity values and character. This policy does not seek to keep densities similar to present levels in all parts of the City. Rather, the policy manages the rate and quality of change and takes account of cumulative impacts within certain defined parameters. (See Part 7 for further explanation of the links between policies relating to urban containment and protection of amenity values).

#### **Methods**

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

- Residential Activities / Density Rules;
- provision for Medium Density Housing;
- provision for apartments;
- Subdivision Rules.

### Policy 11.3

Buildings and structures should be located so that they maintain the neighbourhood character, visual amenity of the surrounding area and the characteristic streetscape of the area, including providing for:

- the overlooking of streets by buildings;

- maintaining characteristic links between private and public space arising from the orientation of buildings ~~houses~~ and the way they face the street;
  - the setback of buildings from the road boundary;
  - planting of section frontages;
- in a way that gives particular regard to variations in amenity values, and neighbourhood character.

### ***Explanation***

The design and appearance of buildings and streets is a valued feature of the City. Protecting the key elements of these landscapes, local areas and neighbourhoods and streets, and providing for their particular character within different Environments, is an important aspect to protecting overall amenity. This policy is specifically concerned with the retention of key elements that define different parts of the City.

A major influence on the characteristic openness of the City's more urban Human Environments, is the degree to which buildings are set back from the front boundary of their site, their degree of integration with the street (doors and openings versus high, blank walls), and the overall width of the road within the Transport Environment. The width of the carriageway is incidental to this effect. The width of the berm and the amount of planting can also contribute to the characteristic "greenness" of many of these areas.

The District Plan seeks to better manage the critical interface between the public parts of town centres (streets and public places) and private property. Housing developments involving medium density developments and/or apartments require an analysis of the site being developed and its context to ensure that development contributes to an attractive streetscape.

There may be situations where a serious detraction from amenity values or neighbourhood character could occur, for instance through inadequate maintenance of land or buildings or the presence of unsightly stored structures and vehicles. This can be a particular problem when affecting amenity values of neighbourhood character in residential and other living environments, and also streetscapes and other areas which are visible to the general public. The Plan contains controls over the maintenance of land and buildings in most areas, and reference is also made to obligations under Section 17 of the Act.

### **Methods**

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

- Yards Rules;
- Building Coverage Rules;
- Height in Relation to Boundaries, Separation of Building Rules;
- Building Height Rules;
- Apartment Rules and Design Criteria;
- Site Analysis Rules;
- Street Frontage Rules.

#### ***Other Methods:***

- carrying out of Council operations within the Transport Environment in a way that is consistent with this policy.

### **Policy 11.4**

**Structures (including infrastructure) within the Transport Environment should be of a scale (height, form and bulk), and designed, located and managed in a way that the adverse effects on the amenity values and neighbourhood character of any surrounding Environments and which enhances the amenity of the Transport Environment itself. In particular, structures should:**

**be compatible with the existing streetscape, including the links between streetscape and the neighbourhood character and amenity of the surrounding Environments;**

**minimise impact on views from adjacent sites;**  
**minimise the removal or damage to existing native and exotic vegetation;**  
**minimise physical domination and intrusion into the privacy of adjoining sites;**  
**located so that planting of road berms can be provided for.**

***Explanation***

The relationship between a road and the surrounding areas can have a major impact on amenity and neighbourhood character. Structures and activities can dominate surrounding sites. Similarly, the nature of the streetscape itself, (the combination of hard surfaces, berms, vegetation and the overall width and connection with surrounding private spaces) is a major component of the amenity and character of an area. Indeed roads, along with reserves and parks, are the prominent areas of public space that define and enhance many residential areas. This policy manages activities not only in terms of impacts on the Transport Environment itself, but also in terms of impacts on the relationship between the Transport Environment and the surrounding area.

**Methods**

***District Plan Rules:***

- Transport Environments Rules;
- Vegetation Clearance Rules;
- Subdivision Rules;
- Infrastructure Rules;
- Street Frontage Rules.

**Policy 11.8**

**Structures, (except within the Working and Community Environments and specific intensive Living Environments), should be of a form, height and scale which avoids physical domination of surrounding sites and buildings, which does not adversely affect the landscape character and other amenity values of these areas, and which minimises encroachment on views. In particular, relocated housing must be of a scale, form and finished quality, and located so as to maintain and enhance surrounding amenity values and neighbourhood character.**

***Explanation***

This policy is concerned with ensuring structures are of a scale and height that does not overwhelm the generally low-rise building character of the Human Environments. This is important in the non-urban Environments, in that failure to protect building scale and form would detract from the dominant natural character. Within the Living and Rural Villages Environments, the construction of buildings that have no reference to surrounding building form and scale, would lead to domination of sites and a loss of the overall cohesiveness that is characteristic of these areas.

The presence of buildings that are not of similar design as residential buildings - in terms of complexity of the floor plan, use of windows, and placement of entrances - can detract from the residential character of an area. The presence of non-residential buildings in a residential neighbourhood can also isolate housing, making residents vulnerable to and fearful of attacks on their safety. For these reasons, this policy has been adopted which requires activities to take account of these concerns.

Low to mid-rise residential apartment buildings are appropriate in specific *Living Environments* (Living (L6)) to achieve the intensification of activities within and around town centres. Developments in this environment will create some over shadowing and domination of adjoining sites.

**Methods**

***District Plan Rules:***

- Building Height Rules;
- Building Location - Natural Landscape Elements Rules;
- Building Coverage Rules;
- Non-Residential Activities Rules;
- Relocated Buildings Rules.

## Policy 11.14

**Activities and structures located within the Community and Working Environments:**

- must be of a height and scale which is compatible with the scale of buildings of any adjacent Environment;
- should not physically dominate any residential building to the extent that the amenity values of an area are adversely affected;
- should be screened in a way that buildings, parking and storage areas are not visible from any site adjacent to the Environment boundary.

**Tall buildings in the Community Environment (New Lynn) should be designed to avoid any adverse effects on the pedestrian environment associated with changes to wind conditions and to allow for reasonable sunlight and daylight access to streets and public places.**

### ***Explanation***

Buildings within these Environments have the potential to dominate surrounding residential areas and to detract from their amenity. This policy is concerned with managing the impacts of larger commercial and industrial buildings on the edge of these Environments as a way of avoiding these effects.

Development proposals involving all buildings over 20 metres in height in New Lynn, and apartment buildings over 20 metres in height in other parts of the City are required to provide an assessment of likely wind effects, and the design of the building is to specifically address any adverse effects. Buildings over 20 metres in height must be stepped back from the street edge to allow for some sunlight and daylight access to streets.

## Methods

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

Working and Community Environments Rules  
Height in Relation to Boundaries Rules  
Building and Development Location Rules

## Policy 11.16

**Structures that front on to Catherine Place ~~or Memorial Square~~ or Memorial Drive, or are located on the north side of Great North Road in the Henderson Community Environment, should be designed to ensure that sunlight can reach these areas.**

### ***Explanation***

These areas within the Henderson ~~and New Lynn~~ Community Environments and Community Environment (New Lynn) are key places, for shopping and rest and as meeting areas for visitors to the town centre. It is important that there are adequate levels of sunlight to these areas to protect their amenity value for users.

## Methods

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

- Community Environments Rules;
- Building Bulk, Location and Design Rules.

### ***Other Methods:***

- design advice and guidelines for development within the Community Environment.

## Policy 11.18

**Non-residential activities (other than retail activities) may be located within residential areas of the City, provided that the individual and cumulative impacts of such a provision do not adversely affect amenity values and neighbourhood character or fragment residential activities to the point that essential residential character is lost, and the safety of residents is harmed.**

**In residential areas that provide for apartment-type developments, a broad range of non-residential activities can locate in these areas to provide a mixed use environment for residents, provided that the nature and scale of activities is managed to protect the vibrancy of adjacent town centre cores.**

### ***Explanation***

Past planning practice has emphasised the separation of residential activities from other activities. While in recent years there has been some easing of these policies to allow such things as home occupations, the establishment of businesses, small factories and restaurants in residential areas has been relatively difficult.

Allowing a greater mix of activities at the local level would contribute to a reduction of vehicle trips and associated adverse impacts on amenity from vehicle use. However, such a change must be carefully managed so that the mix of activities contributes to the enhancement of local neighbourhoods, and does not undermine them to the point that further pressures are created to move away from these areas. This would include a careful assessment of cumulative effects of non-residential activities on the essential residential character of any area, and the extent to which it can be fragmented by other activities, before that character is lost and safety is adversely affected. It also involves careful management of noise, glare, odour and other potential sources of nuisance. Because the separation of activities has occurred largely because of past planning controls and because the resulting amenity of these areas is the result of regulation, any shift towards a more sustainable suburban form requires a clear policy direction in the District Plan.

Provision is made for convenience shops and shops that sell food and beverages within the higher intensity *Living (L6) Environment* to support the local community, while ensuring that the amenity values of the centre are not lost by retail activities wanting to locate on the edge of the town centre, instead of within the town centre. Smaller scale workplaces (up to a cumulative total of 5000m<sup>2</sup> of floor area) are also provided for within the New Lynn *Living (L6) Environment* to support employment opportunities for residents.

The Marina Special Area recognises the unique mix of marina, commercial and residential activities possible on the site. The Plan imposes rules to ensure that development provides a high quality marine village atmosphere while maintaining amenity including, where appropriate, views through and over the site to the harbour and public access and enjoyment of the foreshore.

The Whenuapi Special Area recognises the unique characteristics of the longstanding presence of timber-based and associated activities at Whenuapai. The Plan provides for existing and proposed activities within the Special Area while ensuring that development remains consistent with the character of the site and neighbourhood, and the limitations by the existing infrastructure.

## **Methods**

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

- Scheduled Sites Rules;
- Non-Residential Activities Rules.

## Policy 11.19

**Residential activities may be located within the Community Environment, provided that the impacts of odour, noise, vibration and glare on any residential activity can be adequately mitigated. Apartments within town centres are encouraged to enable intensification and enhance the vibrancy and mix of uses.**

### ***Explanation***

Traditionally, the separation of residential activities from non-residential activities, has meant that very little housing has been able to locate within the ~~Working and~~ Community Environments. In some cases this has been desirable because of the possible impacts of industrial processes on human health. However, in areas of light industry and commercial businesses, a range of uses can be compatible. For this reason, Council has adopted a policy that endorses the mixing of uses in town centres. The development of apartments in town centres is actively encouraged to provide a greater choice offered to residents in particular and the of housing, with advantages of for people potentially locating to locate adjacent to work and within the town centre or within walking distance of a transport node. The new Apartment Design Criteria will ensure a high level of internal amenity for residents and issues of reverse sensitivity will be addressed. Mixed use is seen as a major benefit to the City.

### **Methods**

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

- Residential Activities including apartments Rules;
- Apartment Design Criteria.

### **Policy 11.20**

**Activities located on sites in the periphery area of the Henderson and ~~New Lynn~~ Community Environments should be designed and carried out in a way that ensures there are safe pedestrian linkages provided between the development and the core of the town centre and that site layout and design of the development contributes to the pedestrian-oriented amenity of the centre. Pedestrian linkages within the New Lynn Town Centre shall be in accordance with the *New Lynn Concept Plan*.**

### ***Explanation***

The amenity of the City's town centres, with all their vibrancy and interest, is derived primarily from their pedestrian scale, and the location of shops and services to cater for pedestrians using the core areas. If these amenity values are to be maintained, then the retention of pedestrian linkages and a high level of amenity for pedestrians is essential.

The size of ~~New Lynn and the Henderson~~ Community Environments means that development on the edge of ~~these~~ the centres can result in the fragmentation of an integrated centre. This is contrary to the promotion of these centres as pedestrian oriented community and transport hubs, and contrary to the enhancement of amenity values. The *New Lynn Concept Plan* has been developed to promote increased pedestrian connectivity within the centre. This policy seeks to maintain these links and to ensure the enhancement of these areas.

### **Methods**

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

- Building Bulk, Location and Design Rules;
- New Lynn Concept Plan Rules.

### **Policy 11.21**

**Off-street carparking within the core of the Henderson and ~~New Lynn~~ Community Environment and the entire Community Environment (New Lynn) should be provided in a way that:**

- **protects and enhances the visual amenity and pedestrian based character of the area;**
- **ensures a flexibility of use ~~on ground floor sites~~ as a way of maintaining and enhancing the vibrancy and interest that is characteristic of the core by taking advantage of the potential for sharing of carparking and available access to passenger transport;**
- **enables the redevelopment of smaller properties in the central area of the New Lynn town centre.**

### ***Explanation***

Off-street carparking is required in all parts of the City as a way of maintaining road safety. Requirements under this provision relate to the function of the road and the nature or size of the

activity on site. However, visual amenity of the Community Environment core can be adversely affected by large areas of carparking. The policy also recognises that carparking requirements may affect the character of the area by imposing costs on activities that lead to the exclusion of some. This could have an adverse effect on the range of activities and therefore the character of the area. Parking associated with activities in the retail area of the New Lynn Town Centre should be provided to the rear or side of the site, and buildings must provide a non-residential activity between any ground floor parking and the street frontage to retain the vibrancy of the street frontage.

The policy recognises that there is potential for the sharing of carparking within these areas and, that the need for carparking may vary relative to other areas because of the nature of retail shopping patterns, and the function of the core as a passenger transport node. In New Lynn, there are no requirements for on-site car parking for smaller sites in the central core of the centre. This is to enable the reuse and redevelopment of these sites for a range of mixed use activities.

## Methods

### **District Plan Rules:**

- Landscaping Treatment - Carparking Rules;
- Street Frontage Rules.

## Policy 11.23

**Activities and structures should be designed, located and carried out in a way that maintains and enhances the particular character and amenity of the City's Special Areas. Particular regard should be given to ensuring that the character and amenity arising from the unique complex of activities within each Special Area is maintained, and in the case of the Quarry and Balefill Special Areas, the site should be restored to a level of amenity similar to the surrounding area when current active use of the site ends.**

### **Explanation**

A range of Special Areas was identified in Part 3. They differ from local areas and neighbourhoods in that the latter are variations of the main landscapes that lie across the City. The Special Areas, in contrast, are unique exceptions to areas that otherwise have many features in common. Their uniqueness arises from the nature of the activities carried out on site, the kinds of structures associated with the site and the clear boundaries that lie between these areas and the surrounding Environments. This policy recognises their unique nature and provides for the operation of these activities within the surrounding environment. The Quarry and Balefill differ from other Special Areas in that they must be restored to a high level of amenity once the particular activities have ended.

The Balefill Management Plan indicates that the area is to become a passive recreation reserve, as decided in the mediation agreement between Council and the community. Once sufficient restoration work has been carried out the Balefill site will be reidentified as Open Space Environment. This restoration work is envisaged as taking at least ten years to complete.

The Monier (CSR) Special Area is located on a large site on the edge of the New Lynn Town Centre and has been identified as having potential, in the long-term, to provide for the future expansion of the town centre. The special area classification protects the existing activities associated with the manufacturing of ceramic-related building products while ensuring that any change of use does not adversely affect the future potential of the site. Redevelopment of the site for activities not involving a continuation of the current industrial and manufacturing activities will require a Plan Change.

## Methods

### **District Plan Rules:**

Special Areas Rules.

### **Other Methods:**

Quarry and Balefill Management Plans.

## Policy 11.27

Where possible, the amenity of the urban area should be enhanced through the provision of a range of opportunities for different housing types, provided that such provision occurs in a way that is consistent with the protection of other amenity values within an area.

### ***Explanation***

Waitakere City has a limited range of housing available to residents. This restricts the ability of single parent and single person households to settle in the City. For some groups, especially older people, this forces them to move, and to leave those areas which they especially value in terms of amenity values and neighbourhood character. A flexible and varied building resource, particularly housing resource, therefore, is a key element in contributing to peoples' enjoyment of their environment. For these reasons, Council has adopted policies and rules that signal a need to shift towards a greater variety and choice.

### **Methods**

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

- Provision for apartments;
- Apartment Rule;
- Apartment Design Criteria;
- Provision for Medium Density Housing;
- Medium Density Housing Design Assessment Criteria.

## Policy 11.28

Medium density housing should be comprehensively designed so that a high quality of ~~internal~~ amenity is provided to the overall development. Particular regard should be given to:

- designing for visual and aural privacy, safety, sunlight and daylight access, on-site parking and outdoor space in a way that is appropriate to and consistent with the medium density settlement pattern;
- protecting the privacy and amenity of surrounding residential areas;
- integrating the development with any adjacent public open space and road system such that safe use of these areas is ensured;
- integrating the development with the surrounding neighbourhood, and community focal points, so that they are accessible, where possible, on foot.

### ***Explanation***

~~The number of medium density housing developments established in the last decade within Waitakere City is a relatively new form of settlement has been significant, while design outcomes have been mixed.~~ This policy continues to seek a high quality environment within any area of medium density housing and encourages the integration of such housing within the wider context. Particular emphasis is placed on ~~protecting residents in houses adjacent to a medium density area.~~ ensuring that amenity standards for medium density housing are of a very high standard. ~~The policy recognises that standards for medium density housing may vary, in the case of on-site outdoor space, for example, in recognition that this is a different kind of housing and that residents' needs and expectations will differ from conventional housing.~~

### **Methods**

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

- provision for Medium Density Housing;
- Medium Density Housing Design Assessment Criteria;
- Apartment Rule;
- Apartment Design Criteria.

**Other Methods:**

- Council projects and advocacy of medium density housing and apartments.

**Policy 11.28A**

**Apartments should be located in the City's town centres. They should be comprehensively designed as an integral part of the mixed use environments in these areas. The design of apartments is to be managed to ensure that they provide a high quality living environment for residents. Apartments should be of a minimum size (floor area) to provide reasonable internal spaces, while decks, balconies and outlook areas are mandatory.**

**Explanation**

Apartments are suitable activities for town centre environments. This policy seeks to encourage apartments in mixed use developments in the City's town centres of New Lynn and Henderson and other specific locations. Apartment developments will be required to comply with the minimum standards of the *Apartment City-wide rule* and *General Mixed Use Building Design City-Wide rule* and the performance criteria detailed in the *Apartment Design Criteria*. This is to ensure a high standard of amenity for the occupants of the developments and for the integration of the buildings with the existing and future built form of the town centre.

**Methods**

**District Plan Rules:**

- Apartment Rule;
- Apartment Design Criteria.

**Other Methods:**

- Council projects and advocacy of good design for apartments.

**Policy 11.46**

**The New Lynn Town Centre should continue to redevelop and intensify as a mixed use urban centre, providing for a range of retail, service, employment and residential activities within a compact urban environment. This is to be achieved by:**

- **Allowing for a mix of residential and non-residential activities (including retail activities) within the central part of New Lynn, generally in that area within 400m of Memorial Drive, and covering Great North Road and Clark Streets west of Ward / Veronica Streets, including Totrara Avenue, Delta Avenue and the northern part of Crown Lynn Place.**
- **Providing for industrial and employment activities generally east of Binstead Road, Ward and Veronica Streets and Astley Avenue. Residential activities are not permitted in this industrial area.**
- **Enabling intensive residential development in the Ambrico Place, Crown Lynn Place and Reid Road areas.**
- **Providing for the continued operation of the Monier (CSR Building Products) plant.**

**Explanation**

The New Lynn Town Centre is in a process of transition from a suburban to an urban environment, consistent with City and Regional urban growth strategies. As part of this process a greater mixing of activities is anticipated, along with a more intensively developed urban pattern. To ensure that a range of activities can locate in the town centre, an expanded mixed use commercial area is provided. This commercial area will need to accommodate a substantial increase in retail floor space, as well as a range of service and residential activities. Retail development is anticipated to occur along Clark Street, helping to meet demand for additional retail activities, including larger format retail. Further intensification of retail activities within the current retail area is also expected. However retail

development should not spread beyond this core area, as this will lead to a fragmented centre. Within the expanded Community Environment, rules relating to the street frontages are in place to maintain and extend the built character of the current mainstreet area, and to ensure new retail developments contributes to an integrated centre with high standards of pedestrian amenity.

Surrounding this mixed, commercial core are a number of areas focused on specific activities. These areas are provided to ensure that a broad mix of activities can continue to operate in the area, and that employment and residential activities will not be forced out of the centre by an uncontrolled expansion of retail and commercial activities.

In terms of residential areas, a new *Living (L5) Environment* has been created to provide for medium density housing and low-rise apartments in the Rewarewa Creek and Reid Road areas north-west of the *New Lynn Town Centre* and in the Ambrico Place area was previously zoned as *Working Environment*, although is almost exclusively used for medium density housing.

A new *Living (L6) Environment* provides for medium rise apartments in the Crown Lynn Place/Clinker Place area. This Environment provides an important opportunity to increase the number of household units in the *New Lynn Town Centre* through the provision of medium-rise apartments. The area is within close walking and cycling distance of the Town Centre, bus station and the train station making it ideal for apartments. Apartment-type development, of a minimum of four storeys in height, will ensure that the areas unique opportunities will be realised, allowing the best utilisation of the land. Its identification as *Living (L6) Environment* clearly indicates the residential potential of the land and prevents pressure for locating retail activities outside the *Community Environment (New Lynn)* and the existing walkable, compact town centre precinct.

Existing industrial activities will continue in the eastern flank of the Centre. To protect this area for employment related activities, residential development is a Non Complying Activity.

## **Methods**

### **District Plan Rules:**

Building Design – Street Frontages;

Provision for apartments

Community Environment (New Lynn) Rules

New Lynn Concept Plan

Monier (CSR) Rules

### **Other Methods:**

design guidelines.

## **Policy 11.47**

**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 principal streets.**
- **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 main street and transitional commercial street, parts of the building may be set back to accommodate some car parking in the front yard. 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.
- Larger format retail developments, including Mall type developments should be sleeved by outward facing, smaller scale activities along street frontages, avoiding large expanses of blank, inactive facades at street level. Along other street frontages, facades should be articulated. Doors, windows and openings should be provided.
- Along the main retail 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 in the front yard, provided that a safe and high quality pedestrian environment is provided.
- Along main streets and those streets with existing or potential high volumes of pedestrian traffic, continuous weather protection should be provided. On other streets, weather protection above the pedestrian entrance on the street façade of the building is appropriate.
- 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 these elements dominating 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.

To maintain and enhance the amenity values associated with the central part of the *New Lynn Town Centre*, two different street types have been identified on the *New Lynn Concept Plan*. The 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. 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, 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 larger sites with more road frontage, there is the opportunity to set part of the building back from the street edge.

To develop and enhance amenity values associated with the new town centres at Hobsonville Airbase and the new and extended town centres at Massey North/Westgate and Hobsonville Village, street typologies will be identified in the Urban Concept Plans and Comprehensive Development Plans. These typologies include Mainstreet (typology 1 and 2), Transitional Commercial, Periphery and Residential. 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 alterations to existing buildings will also be assessed against the performance standards to ensure that development contributes to an integrated centre with high standards of pedestrian amenity.

Some forms of development, such as large internally focused malls, or extensions 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.

On mainstreets, residential activities are not provided for at ground level, thereby maintaining continuous active retail and commercial frontages. Mixed use developments are encouraged fronting all the street typologies to provide a wide range of living, employment and retail opportunities.

It is anticipated that further *Urban Concept Plans* may be prepared for other town centres and street frontage policies and rules applied.

## **Methods**

### **District Plan Rules:**

Building Design – Street Frontages;  
Comprehensive Development Plans;  
Urban Concept Plans.

### **Other Methods:**

design guidelines.

## **Policy 11.48**

**Subdivision and development within the *New Lynn Town Centre* must contribute to the achievement of the *New Lynn Concept Plan*, and in particular the provision of the road and street linkages and connections shown:**

- **New buildings and development and extensions to existing buildings should not compromise the attainment of the proposed roads and indicative streets and connections shown on the Concept Plan.**
- **Proposed Roads and indicative Streets should be provided at the time of subdivision and development:**
  - **proposed roads should be provided in the location shown;**
  - **for indicative streets there is flexibility over the alignment of these connections, but in general, development proposals should provide the same level of connectivity to adjacent sites and roads as that shown on the Concept Plan;**
  - **Indicative connections may be provided in a variety of ways and may follow different alignments, provided that routes are safe and provide reasonably direct connections between activity areas.**
- **Proposed reserves should be provided generally in accordance with the Concept Plan.**

### **Explanation**

With the intensification of activities in the *New Lynn Town Centre* area there will be more movement in and around the centre by foot, bike and vehicle. To cope with this additional movement, as well as to develop a more integrated centre, there is a need for additional street connections, particularly in the south-eastern quadrant. Additional reserve areas are also needed to meet the recreational demands of a larger population.

In the central part of the Town Centre, there are proposals to extend Memorial Drive over the rail line so that it connects with Clark Street, as well as an extension of Clark Street so it joins Great North Road, west of Totara Avenue. These new connections will help to distribute traffic more evenly through the centre, while creating a more integrated retail area. As part of these changes, part of Crown Lynn Place may be closed to through traffic, with access provided by two new connections to the east and west.

In the south-east, apartment-type development is anticipated in part of this area, and new connections are needed to help existing and future residents easily access the central part of the town centre.

The policies and rules make a distinction between proposed roads and indicative streets. Proposed roads need to be provided in the location indicated to ensure that the centre can function efficiently, both now and in the future. There is more flexibility over the alignment and role of the indicative streets. Their function is to enable better local circulation.

## **Methods**

**District Plan Rules:**  
Subdivision Rules;  
Urban Concept Plan.

**Other Methods:**  
design guidelines.

## **Policy 11.49**

**The Working Environment (New Lynn) shall be maintained for employment-related activities. Residential activities may not be located within this environment. Retail activities are limited to those that serve the day-to-day needs of workers, or are associated with manufacturing activities.**

### **Explanation**

The role of the *Working Environment (New Lynn)* in providing for employment and economic development is critical. Increased employment will be required within the City to provide for a growing resident population, to contribute to the local economy and to reduce dependency on other districts for employment. The development of residential activities in the *Working Environment (New Lynn)* reduces land availability for employment activities.

Maintenance of the *New Working Environment (New Lynn)* for employment and economic development activities avoids reverse sensitivity effects from the development of incompatible residential activities. Reverse sensitivity refers to the difficulties that often arise when activities which are lawfully carried out on neighbouring sites cause residents living in the Working Environment to complain as they have expectations relating to the environmental quality of their residential units. Effects such as noise, odour, vibration, pollution (both air and solid waste), traffic, parking and the visual qualities of buildings are the most common sources of complaints. The presence of residential activities can therefore adversely impact on the operation and continued development of existing businesses (which may include potentially noxious activities) and deter other businesses from locating in New Lynn. Note: Caretakers units, being an activity subsidiary to the primary land use are provided for within the *Working Environment (New Lynn)*.

## **Methods**

**District Plan Rules:**

- Working Environment Rules

# PROPOSED CHANGES TO RULES

## RULES INTRODUCTION

Page 6, Written Consents and Notification – Discretionary Activities & Non-complying Activities - insert the following:

Number 3 (discretionary consent may not be notified with the written consent of affected persons)

- Community Environment Rule 11.3(c) Residential Activities
- Living Environment Rule 2.3(c) Residential Activities.

Number 4 (discretionary consent may not be notified after having regard to Council's responsibilities under s93 and 94)

- Living Environment Rule 2.3(a) and (b) Medium Density Housing and Apartments in Living (L5) Environment.

Number 5 (generally notified discretionary consent)

- Community Environment Rule 5A Building Design – Street Frontages – New Lynn
- Community Environment Rule 6A – Building Height – New Lynn.

Number 6 (non-complying activities generally notified)

...and in particular the following:

- Residential Activities in the *Working Environment (New Lynn)*.

## SCHEDULE OF EFFECTS

Effects on Amenity Values II (Local Area and Neighbourhood)

Insert the following into Table B Effects on Local Areas (Page 22):

Local Areas	Effects on Landscape Elements	Effects on Landscape Characteristics
<u><i>New Lynn Town Centre</i></u>	<ul style="list-style-type: none"> <li>• <u>Discontinuous street frontages</u></li> <li>• <u>Loss of feeling of enclosure / containment of the streetscape</u></li> <li>• <u>Inadequate connections and lost opportunities for additional connections.</u></li> </ul>	<ul style="list-style-type: none"> <li>• <u>Loss of relationship between street and ground floor activities</u></li> <li>• <u>Incompatible activities/reverse sensitivity</u></li> <li>• <u>Underutilisation of land/lack of intensification</u></li> <li>• <u>Poor street amenity.</u></li> </ul>

## EXPLANATIONS

Add new explanations as follows:

### **Active Street Frontage**

Is a *building*, or groups of *buildings* that has the following characteristics:

- Building facades are varied and articulated to provide visual interest
- Street level windows and numerous building entries are present
- Arcades, porches and balconies are used
- Generally there is a continuous building façade along the street frontage and buildings are adjacent to or close to the street edge
- Retail and commercial uses predominate on the ground floor
- Commercial and residential uses on the upper floors overlook the street through the location of glazing and balconies and the location of rooms containing activity like offices, and living areas in residential units.

Buildings that involve blank walls, an unbroken series of garage doors, or high fences along street frontages do not create active street frontages.

### **Sleeved (Sleeving)**

Locating small *buildings* and activities, with their entrances orientated to the street, on the outside of a large format retail building or activity; thereby helping to create an **active street frontage** and mitigating the effects of large expanses of blank, unarticulated walls.

## DEFINITIONS

Add new and amended definitions as follows:

### **Air Discharge Device**

The point at which air and air borne pollutants are discharged from an activity, excluding motor vehicles. Examples of air discharge devices include a chimney, flue, fan, air conditioning unit and forced ventilation unit.

### **Balcony**

An area open to the outside of an apartment building which is not enclosed but may be recessed and which has access from an upper floor.

### **Community Environment Core**

Means those areas identified on the *Human Environment* maps as ~~New Lynn Community Environment (New Lynn)~~, *Henderson Community Environment* and *Westgate Community Environment* which are not in the *periphery*.

### **Indicative Street and Indicative Connection**

Means a street or other connection which may be used by motor vehicles and pedestrians (such as a lane or accessway) shown to be built on a site on the *New Lynn Concept Plan*.

### **Landmark Site**

Means those sites identified on the *New Lynn Concept Plan* within the *Human Environment* maps.

### **Living Environment**

Means *land* shown on the *Human Environment* Maps as *Living Environment* and to which the *Living Environment* Rules apply and includes the Living (L1), Living (L2), Living (L3), Living (L5) and Living (L6) and the *Living Environment (Harbour View)*.

### **Monier (CSR) Special Area**

Means the use of a *building* or *land* at Lot 4 DP 122011 and Pt Allot 257 DP 3659 located fronting Rankin Avenue for the manufacture of ceramic-related building products, including the storage, wholesale, retail and distribution of ceramic-related building products such as bricks and roofing tiles, and any ancillary activity.

### **New Lynn Community Environment (New Lynn)**

Means *land* shown on the *Human Environment* Map as *Community Environment (New Lynn)* including the ~~*periphery*~~ of that Environment and to which the *Community Environment* Rules apply.

### **New Lynn Concept Plan**

Means the concept plan appearing in the District Plan maps.

### **New Lynn Town Centre**

*Human Environments* located within a one kilometre radius of the New Lynn rail station.

### **Periphery**

Means *land* shown as *periphery* within the ~~*New Lynn Community Environment*~~ and the *Henderson Community Environment*.

### **Proposed Reserve**

Means a *reserve* shown to be provided on a site in the *New Lynn Concept Plan*.

### **Proposed Road**

Means a *road* shown to be built on a site on the *New Lynn Concept Plan*.

**Storey**

That part of a *building* from the upper surface of any floor to the upper surface of the floor above, measured from finished floor level. The topmost storey shall be from the upper surface of the topmost floor to the upper surface of the ceiling joists above, or where no ceiling exists to the upper surface of the roof cladding.

For the purposes of calculating the height of a building, where this is fixed by the number of storeys:

- The maximum height of a storey shall be 4 metres
- A basement or any other space under the ground floor shall be counted as a storey, when the distance from ground level to the upper surface of the floor above exceeds 2.5 metres over 50% of the area of the floor above
- An attic, or any space between ceiling joists and a roof shall be counted as a storey when the distance from the upper surface of the ceiling joists, or floor, to the mean height of the upper surface of the roof, is 3 metres or more over 5m<sup>2</sup> or more of the area of the ceiling joists or floor below.

**Street**

Shall have the same meaning as a *road*.

**Street frontage**

That part of a site which adjoins a public *street* or *road*.

**Street Typology**

Means one or more of the street typologies referred to in the *City-Wide Rules - "Design - Intensification Developments"*.

**Town Centre – Mainstreet Type 1**

Means the *street typology* identified on the *Human Environment Maps* to which the standards in the *City-Wide Rules - "Design - Intensification Developments"* apply.

**Town Centre – Commercial**

Means the *street typology* identified on the *Human Environment Maps* to which the standards in the *City-Wide Rules - "Design - Intensification Developments"* apply.

**Travel Demand Management Plan**

A plan aimed at reducing travel to and from workplaces and other locations by single-occupant vehicles, as well as promoting alternatives such as cycling, walking, public transport use, telecommuting and carpooling.

**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 area within the *Living Environment* or within or adjoining a *town centre*.

**Working Environment (New Lynn)**

*Working Environment* located within the *New Lynn Town Centre*.

# Community Environment

## PROCEDURAL GUIDELINE FOR THE RULES (PAGE 2)

Insert new step – Step 6A

For activities in the *Community Environment (New Lynn)* refer to the following rules:

Rule 1

Rule 2A

Rule 2

Rule 3

Rule 4

Rule 5A

Rule 6A

Rule 7A

Rule 9

Rule 10

Rule 11

Rule 12

Rule 13

Rule 14A

Rule 15

Rule 16

## **RULE 1 GENERAL**

Amend Rule 1.0 as follows:

### 1.0 General

The following Rules 1.1 and 2 to 16 apply to activities on land situated in the *Community Environment* including the *Henderson Community Environment* (including *periphery*) the ~~New Lynn Community Environment~~ (~~including periphery~~) (New Lynn) the .....

## **RULE 2 HEIGHT IN RELATION TO BOUNDARIES**

Amend 2.1 as follows:

### 2.1 Permitted Activities

Activities which meet the following Performance Standards are *Permitted Activities*:

- (a) *Buildings* which do not project beyond the following *recession plane*:
  - southernmost site boundary recession plane 35°*
  - all other site boundaries recession plane 45°*as measured from any relevant point 2.5 metres vertically above *ground level* on any *site boundary* adjoining *land* within a *Living Environment* (except the *Living (L6) Environment within the New Lynn Town Centre*), or an *Open Space Environment*.
- ~~(b) Buildings which do not project beyond a recession plane of 45° as measured from any relevant point 10 metres vertically above ground level on any site boundary adjoining land within the Living (L6) Environment within the New Lynn Town Centre.~~

ADD NEW RULE 2A AS FOLLOWS:

<b>Rule 2A</b>	<b>Height in Relation to Boundaries – New Lynn</b>
<p><b><u>RULES</u></b></p> <p><b><u>2A.0 General</u></b></p> <p>The following rules shall apply to <i>Any Activity</i> involving the erection or alteration of <i>buildings</i> or <i>development</i> in the <i>Community Environment (New Lynn)</i>.</p> <p><b><u>2A.1 Permitted Activities</u></b></p> <p>Activities which meet the following Performance Standards are <i>Permitted Activities</i>:</p> <p>(i) <i>buildings</i> on sites fronting Memorial Drive or adjoining land within an <i>Open Space Environment</i> built within a recession plane measured at 45° into the <i>site</i> from a point 15 metres above the ground of the boundary with Memorial Drive or the <i>Open Space Environment</i>.</p> <p><b><u>2A.2 Discretionary Activities</u></b></p> <p>Activities meeting the following Performance Standards are <i>Discretionary Activities</i>:</p> <p>(i) <i>buildings</i> not meeting the standard in Rule 2A.1.</p> <p><i>Discretionary Activity</i> applications will be assessed having regard to Assessment Criteria 2A(a) and any other matters that are relevant under section 104 of the <i>Act</i>.</p>	<p><b><u>ASSESSMENT CRITERIA</u></b></p> <p><b><u>2A(a)</u></b></p> <p>Additional <i>building</i> bulk projecting beyond <i>recession planes</i> should not have a material effect upon sunlight access to streets and <i>public places</i>. The height in relation to boundary rule is intended to retain sunlight access to <i>streets</i> and <i>public places</i>, especially during the midday period when they are most heavily used.</p> <p>Note: See also Policies 1.15,10.1, 10.5, 10.6,11.3,11.10, 11.14, 11.16, 11.16, 11.46 11.47, 11.48</p> <p>(Policy Section of the Waitakere District Plan)</p> <p><b><u>RESOURCE CONSENT CONDITIONS</u></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>• <u>limiting the height of buildings</u></li> <li>• <u>requiring a specific setback between the building and boundaries</u></li> <li>• <u>limiting the bulk and scale of activities and other development</u></li> <li>• <u>requiring the alteration of window design or positioning</u></li> <li>• <u>requiring screening or planting</u></li> <li>• <u>the imposition of a bond to ensure satisfaction of conditions of consent</u></li> <li>• <u>Requiring financial contributions in accordance with the Plan.</u></li> <li>• <u>requiring on-site or off-site works and services to avoid, remedy, mitigate or offset adverse effects</u></li> <li>• <u>such other matters provided for in section 108 of the Act.</u></li> </ul>
<p><b><u>NOTES</u></b></p> <ol style="list-style-type: none"> <li>1. <u>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.</u></li> <li>2. <u>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.</u></li> <li>3. <u>Words in italics are defined - see the Definitions part of the City-Wide Rules.</u></li> <li>4. <u>Words in bold are explained - see the Explanations part of the Introduction to the Rules.</u></li> <li>5. <u>The Council may have a guideline to help interpret this rule - check at the Council Offices.</u></li> <li>6. <u>For resource consents see the Information Requirements in the City-Wide Rules.</u></li> </ol>	

### **RULE 3 BUILDING AND DEVELOPMENT LOCATION**

Amend 3.1 as follows:

#### **3.1 Permitted Activities**

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

- (a) development (except on site(s) adjoining the Living (L6) Environment within the New Lynn Town Centre) in respect of which:

*buildings* except for residential *buildings* which are located no less than 6.0 metres from either a *Living Environment* or an *Open Space Environment*, and *buildings* having no vehicle access doors or loading doors, fans, air conditioning equipment or air discharge device within 20.0 metres of a *Living Environment*, and

there is a minimum 1.8 metres high *close boarded fence* and a minimum 1.0 metres wide *planted strip* along the *site boundary* of any adjoining site within a *Living Environment* or an *Open Space Environment*, and any *outdoor storage* is *screened* from other sites within a *Community Environment, Living Environment* or an *Open Space Environment*.

- (b) buildings on any site adjoining land within a Living (6) Environment within the New Lynn Town Centre do not have to meet the requirements of 3.1(a).

Add following additional references to policies:

Note: See also Policies 1.15, 10.1, 10.5, 10.6, 10.27, 11.3, 11.10, 11.14, 11.15, 11.16, 11.46, 11.47, 11.48

### **RULE 4 BUILDING LOCATION-NATURAL LANDSCAPE ELEMENTS**

Amend Rule 4 as follows:

#### 4.1

Add to third bullet point:

... centrepoint of its Titirangi Road frontage (Titirangi Town Centre), where the roof complies  
...

#### 4.2

Add to first bullet point:

... centrepoint of its Titirangi Road frontage (Titirangi Town Centre).

**RULES 5, 6, 7, 8**

Amend rules 5, 6, 7, 8 as follows:

- Rule 5 is retitled: **Rule 5B Building and Site Design – Henderson**. Remove all references to New Lynn Community Environment and Memorial Square
- Rule 6 is retitled: **Rule 5B Building and Site Design – Henderson Periphery**. Remove all references to New Lynn Community (Periphery)
- Rule 7 is retitled: **Rule 5C Building and Site Design - Titirangi**
- Rule 8 becomes Rule 5 and is retitled: **Rule 5 Building Design – All Community Environments except New Lynn, Henderson and Titirangi**.

Insert new Rule 5A as follows:

<b>Rule 5A</b>	<b>BUILDING DESIGN – STREET FRONTAGE – NEW LYNN</b>
<p><b><u>RULES</u></b></p> <p><b><u>5A.0 General</u></b></p> <p><u>The following rules shall apply to any Activity involving the erection or alteration of buildings or development in the Community Environment (New Lynn).</u></p> <p><b><u>5A.1 Permitted Activities</u></b></p> <p><u>Activities meeting the following Performance Standards are Permitted Activities:</u></p> <p><u>(a) buildings or development not visible from a street.</u></p> <p><b><u>5A.2 Limited Discretionary Activities</u></b></p> <p><u>Activities meeting the following Performance Standards are Limited Discretionary Activities:</u></p> <p>(i) <u>buildings or development visible on a site which fronts a street identified as Town Centre – Mainstreet Typology 1 and which meets Performance Standard A: Town Centre – Mainstreet Typology 1 of City-Wide Rule 3: Building Design – Street Frontage</u></p> <p><u>Or</u></p> <p>(ii) <u>buildings or development visible on sites which front a street identified as Town Centre –Commercial and which meet Performance Standard C: Town Centre - Commercial of City-Wide Rule 3: Building Design – Street Frontage.</u></p> <p><u>Assessment of Limited Discretionary Activity applications will be limited to the matters of design, pedestrian amenity, screening, landscape treatment and car parking and access and will be</u></p>	<p><u>Refer to:</u> <u>Assessment Criteria 3(a) to 3(m), and the Policies and Resource Consent conditions of City-Wide Rule 3: Building Design – Street Frontage.</u></p>

considered in accordance with Assessment Criteria 3(a) to 3(i) of *City-Wide Rule 3: Building Design – Street Frontage*.

### **5A.3 Discretionary Activities**

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

- (i) *buildings or development* not meeting the Performance Standards in Rule 5A.2.

*Discretionary Activity* applications made under this rule will be assessed having regard to Assessment Criteria 3(a) to 3(m) of *City-Wide Rule 3: Building Design – Street Frontage* and any other matters which are relevant under section 104 of the *Act*.

#### **NOTES**

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

Insert New Rule 6A as follows:

Rule 6A	BUILDING HEIGHT– NEW LYNN
<p><b><u>RULES</u></b></p> <p><b><u>6A.0 General</u></b></p> <p><u>The following rules shall apply to Any Activity involving the erection or alteration of buildings or development in the Community Environment (New Lynn).</u></p> <p><b><u>6A.1 Permitted Activities</u></b></p> <p><u>Activities meeting the following Performance Standards are Permitted Activities:</u></p> <p>(i) <u>any building where the building height is less than 20 metres.</u></p> <p><b><u>6A.2 Limited Discretionary Activities</u></b></p> <p><u>Activities meeting the following Performance Standards are Limited Discretionary Activities:</u></p> <p>(i) <u>any building not meeting the standards in Rule 6A.1.</u></p> <p><u>Assessment of Limited Discretionary Activity applications made under this rule will be limited to the matters of height, location, design and pedestrian amenity and will be considered in accordance with Assessment Criteria 6A(a) to 6A(d).</u></p>	<p><b><u>ASSESSMENT CRITERIA</u></b></p> <p><u>6A(a)</u></p> <p><u>Whether the additional building height will create adverse wind conditions around the building or in the immediate locality, including effects on the pedestrian environment at street level and nearby public places.</u></p> <p><u>6A(b)</u></p> <p><u>Buildings over 20 metres in height should be subject to a wind assessment by a qualified engineer to determine the wind environment conditions that are likely to be created and the methods to avoid or mitigate adverse effects. The assessment should consider the shape and height of the building, its exposure, surrounding terrain, orientation with respect to prevailing winds, topography and sheltering effects from or adverse interactions with other buildings. If the assessment identifies significant effects, then a wind tunnel test may be required to establish more precisely the impact of the proposed building.</u></p> <p><u>6A(c)</u></p> <p><u>The extent to which building design elements avoid or mitigate adverse conditions that might affect street users and users of nearby public places.</u></p>
<p><b><u>NOTES</u></b></p> <ol style="list-style-type: none"> <li>1. <u>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.</u></li> <li>2. <u>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.</u></li> <li>3. <u>Words in italics are defined - see the Definitions part of the City-Wide Rules.</u></li> <li>4. <u>Words in bold are explained - see the Explanations part of the Introduction to the Rules.</u></li> <li>5. <u>The Council may have a guideline to help interpret this rule - check at the Council Offices.</u></li> <li>6. <u>For resource consents see the Information Requirements in the City-Wide Rules.</u></li> </ol>	<p><u>6A(d)</u></p> <p><u>Buildings over 20 metres in height should provide daylight access to and maintain views from surrounding sites, minimise effects of shading on public places and ensure an element of scale to the development (that is, they are not monolithic structures). Tower and podium designs are encouraged to maintain a strong, continuous street edge condition, but with set backs at upper levels, especially where the development involves residential activities on upper floors. The building design should be of a high standard of architectural design and the building should act as a visual marker defining the location of the New Lynn Centre from a distance.</u></p>
	<p><u>Note see also policies. 1.15, 10.5, 10.27, 11.3, 11.8, 11.14, 11.16, 11.46, 11.47, 11.48</u>  <u>(Policy Section of the Waitakere District Plan)</u></p>

	<p><b><u>RESOURCE CONSENT CONDITIONS</u></b></p> <p><u>In granting a <i>resource consent</i> Council may impose conditions. Conditions may include any one or more of the following matters:</u></p> <ul style="list-style-type: none"><li>• <u>limiting the height of the <i>building</i></u></li><li>• <u>requiring alterations to the <i>design</i> and/or location of the <i>building</i></u></li><li>• <u>limiting the bulk and scale of <i>activities</i> and other <i>development</i></u></li><li>• <u>the imposition of a <i>bond</i> to ensure satisfaction of conditions of consent</u></li><li>• <u>requiring <i>financial contributions</i> in accordance with the <i>Plan</i>.</u></li><li>• <u>requiring <i>onsite</i> or <i>offsite</i> works and services to avoid, remedy, mitigate or offset <i>adverse effects</i></u></li><li>• <u>such other matters provided for in section 108 of the <i>Act</i>.</u></li></ul>
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Insert: Rule 7A as follows:

<b>Rule 7A</b>	<b>NEW LYNN CONCEPT PLAN</b>
<p><b><u>RULES</u></b></p> <p><b><u>7A.0 General</u></b></p> <p><u>The following rules shall apply to Any Activity involving the erection or alteration of buildings or development in the Community Environment (New Lynn).</u></p> <p><b><u>7A.1 Permitted Activities</u></b></p> <p><u>Activities meeting the following Performance Standards are Permitted Activities:</u></p> <p>(a) <u>any development or building located more than 20m from a:</u></p> <ul style="list-style-type: none"> <li>- <u>proposed road</u></li> <li>- <u>indicative street</u></li> <li>- <u>indicative connection</u></li> <li>- <u>proposed reserve</u></li> </ul> <p><u>shown on the New Lynn Concept Plan.</u></p> <p>(b) <u>any development or building which is not located on a landmark site identified on the New Lynn Concept Plan.</u></p> <p><b><u>7A.2 Limited Discretionary Activities</u></b></p> <p><u>Activities meeting the following Performance Standards are Limited Discretionary Activities:</u></p> <p>(a) <u>any development or building not meeting the standards in Rule 7A.1.</u></p> <p><u>Assessment of Limited Discretionary Activities applications made under this rule will be limited to matters of building design and location, provisions of roading and pedestrian networks and connectivity, and reserve location, shape, design and amenity, and will be considered in accordance with assessment criteria 7A(a) to 7A(f).</u></p>	<p><b><u>ASSESSMENT CRITERIA</u></b></p> <p><b><u>7A(a)</u></b></p> <p><u>Development shall provide the proposed roads shown on the New Lynn Concept Plan within 20 metres of the locations shown. These roads shall be vested as public roads.</u></p> <p><b><u>7A(b)</u></b></p> <p><u>The development shall provide the indicative streets and indicative connections shown on the New Lynn Concept Plan, with their alignment generally to be in accordance with the New Lynn Concept Plan. Indicative Streets should provide for pedestrians and vehicles in a shared, low speed environment. Indicative Connections may be public or private and may be formed as streets, lanes and accessways or where vehicle access is impractical, pedestrian connections.</u></p> <p><b><u>7A(c)</u></b></p> <p><u>Reserves and open spaces shall be provided generally in accordance with the location of the proposed reserves shown on the New Lynn Concept Plan. The design of reserves and open spaces shall ensure they have street frontage, and provide a high quality of amenity to the neighbourhood and are easily accessible.</u></p> <p><b><u>7A(d)</u></b></p> <p><u>Buildings and development adjoining reserves and open spaces should provide balconies, decks, and main glazing overlooking these spaces, ensuring that they are safe for users.</u></p> <p><b><u>7A(e)</u></b></p> <p><u>On sites noted as landmark sites on the New Lynn Concept Plan, buildings and development should reinforce the importance of their location within the New Lynn Town Centre, contribute to the legibility of New Lynn Town Centre and support the creation of a distinctive, high quality urban environment through the quality of the architecture or the incorporation of public art as part of the adjacent street or public place. Particular consideration should be given to:</u></p> <ul style="list-style-type: none"> <li>• <u>articulation of corners through variation in height and design features</u></li> <li>• <u>ensuring the development makes a positive contribution to the character and vibrancy of adjacent public places.</u></li> </ul>
<p><b><u>NOTES</u></b></p> <ol style="list-style-type: none"> <li>1. <u>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.</u></li> <li>2. <u>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.</u></li> <li>3. <u>Words in italics are defined - see the Definitions part of the City-Wide Rules.</u></li> <li>4. <u>Words in bold are explained - see the Explanations part of the Introduction to the Rules.</u></li> </ol>	

<p>5. <u>The Council may have a guideline to help interpret this rule - check at the Council Offices.</u></p> <p>6. <u>For resource consents see the Information Requirements in the City-Wide Rules.</u></p>	<p><b><u>7A (f)</u></b></p> <p><u>Development should include appropriate low impact stormwater techniques so that stormwater runoff from all impermeable surfaces is attenuated and treated prior to entering the public stormwater system.</u></p> <p><u>Note see also policies. 4.3, 4.4, 10.1, 10.8, 11.15, 11.20, 11.46, 11.47, 11.48</u> (Policy Section of the Waitakere District Plan)</p> <p><b><u>RESOURCE CONSENT CONDITIONS</u></b></p> <p><u>In granting a resource consent Council may impose conditions. Conditions may include any one or more of the following matters:</u></p> <ul style="list-style-type: none"> <li>• <u>requiring alterations to design and/or location of buildings and development</u></li> <li>• <u>requiring the provision of a landscape treatment plan and implementation of that plan within a given time</u></li> <li>• <u>requiring the development of roading infrastructure and other transport infrastructure and where appropriate, its vesting as public road.</u></li> <li>• <u>requiring the development of reserves and open spaces and its vesting as public reserve.</u></li> <li>• <u>the imposition of a bond to ensure satisfaction of conditions of consent</u></li> <li>• <u>requiring financial contributions in accordance with the Plan.</u></li> <li>• <u>requiring onsite or offsite works and services to avoid, remedy, mitigate or offset adverse effects</u></li> <li>• <u>such other matters provided for in section 108 of the Act.</u></li> </ul>
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## Rule 9 Landscape Treatment (Car Parking)

Amend Rule 9 as follows:

### 9.0 General

The following rules shall apply to *Non-Residential Activities* involving the erection or alteration of *buildings*, or *development* of a *site*.

Where there is any conflict, in relation to the location of *building(s)*, between the following rules and Rule 5A: Building Design – Street Frontage – New Lynn, the latter rules shall prevail. Rule 9 shall apply to the landscaping of car parks, where provided, adjoining *street frontages* in the *Community Environment (New Lynn)*.

## Rule 10 Air Discharges

Amend 10.1 as follows:

### 10.1 Permitted Activities

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

- (a) Any Activity involving a Part C process as listed in the Air Discharges Appendix, excluding *Intensive Livestock Farming* or a *Waste Management Facility*, provided that in the *Community Environment (New Lynn)* the air discharge is located more than 10 metres from any *site boundary* and more than 3 metres vertical distance above the footpath.

Amend 10.2 as follows:

*Discretionary Activity* applications will be assessed having regard to Assessment Criteria 10(a) - 10(e) 10(d) and any other matters which are relevant under section 104 of the *Act*.

Amend Assessment Criteria: Add 10(d) as follows:

### 10(d)

*Air discharge devices* and air discharges (including those for the purposes of air conditioning and forced ventilation) in the *Community Environment (New Lynn)* should be located or mitigated to maintain the quality of the environment including the pedestrian environment, and the suitability of the location in relation to existing and future *apartments*.

Add following additional references to policies:

Note: See also Policies 10.1, 10.3, 10.6, 10.27, 11.46, 11.47

Amend Rule 11 as follows:

RULE 11	RESIDENTIAL ACTIVITIES
<p><b>RULES</b></p> <p><b>General</b></p> <p>The following rules shall apply only to <i>Residential Activities</i>.</p> <p><b>11.1 Permitted Activities</b></p> <p>Activities meeting the following Performance Standards are <i>Permitted Activities</i>:</p> <p>(i) <i>Residential Activities</i> where there is no more than one <i>dwelling</i> on each site and <u>no habitable room is located within 20 metres of either the Working Environment (New Lynn) or the Monier (CSR) Special Area.</u></p> <p><b>11.2 Limited Discretionary Activities</b></p> <p>Activities meeting the following Performance Standards are <i>Limited Discretionary Activities</i>:</p> <ul style="list-style-type: none"> <li>● <del><i>Residential Activities</i> not meeting the standards in Rule 1.1.</del></li> </ul> <p>(a) <u>Any residential activity meeting the performance standards of City-Wide Rule 1: Apartments; City-Wide Rule 4: Building Design - Mixed Use and City Wide General Noise Standard Rule 1.10: Mixed Use Noise;</u></p> <p><u>And</u></p> <p>(b) <u>Any residential activity in the Community Environment (New Lynn) which:</u></p> <ul style="list-style-type: none"> <li>(i) <u>involves a purpose built apartment building with a minimum height of four storeys;</u></li> <li>(ii) <u>does not locate habitable rooms within 20 metres of land either within the Working Environment (New Lynn) or the Monier (CSR) Special Area;</u></li> <li>(iii) <u>does not have residential activities at ground level facing streets identified as Town Centre – Mainstreet Typology 1, except for</u></li> </ul>	<p><b>ASSESSMENT CRITERIA</b></p> <p><b>11(a)</b></p> <p>The extent to which <i>habitable rooms</i> are located to receive adequate daylight.</p> <p><b>11(b)</b></p> <p>The extent to which private outdoor space and living rooms are protected from overlooking.</p> <p><b>11(c)</b></p> <p>The extent to which <i>development</i> promotes a safe environment for residents, including adequate lighting and location and <i>design</i> of entrances.</p> <p><b>11(d)</b></p> <p>The extent to which more than minor adverse <i>effects</i> can be adequately avoided, remedied, mitigated or offset through provision of works and services on or off the <i>site</i> and/or through payment or provision of a <i>financial contribution</i>.</p> <p><b>11(e)</b></p> <p><u>Residential activities in the Community Environment (New Lynn) should be located and designed to minimise any adverse effects on residents from being in close proximity to non-residential activities in the Working Environment (New Lynn) and Monier (CSR) Special Area, including noise, light, vehicle movements, wastes and air discharges generated from activities in these areas.</u></p> <p><b>11(f)</b></p> <p><u>Apartments should not be developed in close proximity to existing air discharge devices and air discharges in the Community Environment (New Lynn). Apartments should be located away from air discharge devices and air discharges to avoid effects on the residents amenity and reverse sensitivity effects on lawfully established non-residential activities. Alternatively, measures should be undertaken to avoid, remedy or mitigate the adverse effects, including noise, odour, vibration and visual impacts.</u></p>

<p><u>entrances, lobbies and accessways associated with residential activities on the upper floors.</u></p> <p>(iv) <u>Residential activities may be at ground level for developments facing streets identified as Town Centre – Commercial.</u></p> <p>Assessment of <i>Limited Discretionary Activity</i> applications will be limited to the matters of location, <i>design, landscape treatment, amenity</i> and <i>screening</i>, and will be considered in accordance with Assessment Criteria 11(a) – 11(df) and the Assessment Criteria of the <i>City-Wide Rule 1: Apartments; City Wide General Noise Standard Rule 1.10; Mixed Use Noise and City-Wide Rule 4: Building Design - Mixed Use.</i></p> <p><b><u>11.3 Discretionary Activities</u></b></p> <p><u>Activities meeting the following Performance Standards are <i>Discretionary Activities</i>:</u></p> <p>(a) <u>any residential activity not meeting the Performance Standards in Rule 11.2 (a) and 11.2 (b)(i), (ii) and (iv);</u></p> <p>(b) <u>any development for residential activities involving the conversion, retrofitting or reuse of an existing building.</u></p> <p><u>Discretionary Activity applications made under this rule will be assessed having regard to Assessment Criteria 11(a) – 11(f) and the Assessment Criteria of the <i>City-Wide Rule 1 Apartments, the Assessment Criteria of the City Wide General Noise Standard Rule 1.10 - Mixed Use Noise and the Assessment Criteria of the City-Wide Rule 4 Building Design - Mixed Use and any other matters which are relevant under section 104 of the Act.</i></u></p> <p><b><u>11.4 Non-Complying Activities</u></b></p> <p><u>Activities meeting the following Performance Standards are <i>Non-Complying Activities</i>:</u></p> <p>(a) <u>any residential activity not meeting the Performance Standards in Rule 11.2 (b) (iii).</u></p>	<p>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, 11.11, 11.12, 11.15, 11.19, 11.20, 11.27, 11.28, 11.28A, 11.46, 11.47, 11.48 (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>• requiring alterations to <i>building design</i> and/or <i>building location on the site</i></li> <li>• requiring the retention of existing and planting of new trees and/or <i>vegetation</i></li> <li>• requiring specific acoustic and ventilation designs</li> <li>• requiring provision of a <i>landscape treatment</i> plan showing screen fencing and/or <i>planting</i> and its implementation within a given time.</li> <li>• requiring <i>financial contributions</i> in accordance with the <i>Plan</i></li> <li>• the imposition of a <i>bond</i> to ensure satisfaction of conditions of consent</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> <p>Provided that, in the case of <i>Limited Discretionary Activities</i>, conditions may only be imposed in respect of the matters above to which the Council has restricted the exercise of its discretion.</p>
<p>NOTES</p> <ol style="list-style-type: none"> <li>1. If an activity is not controlled or restricted in any way by any part of the <i>Plan</i> it is permitted, but may require consents under other legislation/ plans.</li> <li>2. Activities must comply with all other relevant rules of the <i>Plan</i> or be the subject of a <i>resource consent</i>. Check all other rules in this <i>Human Environment</i> and also the <i>Natural Area Rules</i>, the <i>City-Wide Rules</i> and, where relevant, the <i>Subdivision Rules</i>.</li> <li>3. Words in <i>italics</i> are defined - see the Definitions</li> </ol>	

<p>part of the <i>City-Wide Rules</i>.</p> <ol style="list-style-type: none"><li>4. Words in <b>bold</b> are explained - see the Explanations part of the Introduction to the Rules.</li><li>5. The Council may have a guideline to help interpret this rule - check at the Council Offices.</li><li>6. For <i>resource consents</i> see the Information Requirements in the City-Wide Rules.</li></ol>	
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Insert new Rule 14A: Parking, Loading & Driveway Access – New Lynn as follows:

<u>RULE 14A</u>	<u>PARKING, LOADING &amp; DRIVEWAY ACCESS – NEW LYNN</u>
<p><b><u>RULES</u></b></p> <p><b><u>14A.0 General</u></b></p> <p>The following rules shall apply to <u>Any Activity in the Community Environment (New Lynn) involving the erection or alteration of buildings or development of a site.</u></p> <p>Note: Where a <u>site fronts roads with different street typologies</u>, the performance standards required for the <u>Town Centre – Mainstreet Typology 1</u> shall apply.</p> <p><b><u>14A.1 Permitted Activities</u></b></p> <p>Activities meeting the following Performance Standards are <u>Permitted Activities</u>:</p> <p>(a) <u>For any Residential Activity and for any Non-Residential Activity on a site with an area of less than 1000m<sup>2</sup> and adjoining a street identified as Town Centre – Mainstreet Typology 1, there is no requirement to provide parking.</u></p> <p>(b) <u>Any Non-Residential Activity on a site with an area of greater than 1000m<sup>2</sup> and adjoining a street identified as Town Centre – Mainstreet Typology 1 with:</u></p> <p>(i) <u>one car park for every 35m<sup>2</sup> of gross floor area at ground floor or mezzanine level;</u></p> <p>(ii) <u>one car park for every 50 m<sup>2</sup> of gross floor area for floorspace not covered in (i) above.</u></p> <p>(c) <u>Any Non-Residential Activity on a site adjoining a street identified as Town Centre – Commercial with:</u></p> <p>(i) <u>one car park for every 25m<sup>2</sup> of gross floor area at ground floor or mezzanine level;</u></p> <p>(ii) <u>one car park for every 35 m<sup>2</sup> of gross floor area for floorspace not covered in (i) above.</u></p> <p>(d) <u>Any Activity (except residential activities and non residential activities) on a site less than 1000m<sup>2</sup> adjoining a street identified as Town Centre – Mainstreet Typology 1 with the following minimum</u></p>	<p><b><u>ASSESSMENT CRITERIA</u></b></p> <p><b><u>14A(a)</u></b></p> <p>The extent to which adequate provisions is made for the parking of vehicles generated by activities on the <u>site</u> having regard to:</p> <p>(i) <u>Whether it can be demonstrated that a substantial number of people walk, cycle or take public transport to activities</u></p> <p>(ii) <u>Whether activities on the same or nearby sites operate at different times and can share car parking</u></p> <p>(iii) <u>Special or unusual characteristics to the parking demands of the activity, such as most parking being associated with pick up or drop off.</u></p> <p><b><u>14A(b)</u></b></p> <p>A reduction in on-site <u>car parking</u> requirements is generally appropriate, provided that one or more of the following circumstances apply:</p> <p>i) <u>The activity is located within 400 metres (walking distance) of the train station and bus interchange with direct and safe physical access to these services.</u></p> <p>ii) <u>The development is targeted at user groups who are likely to have lower car ownership rates, e.g. older adults or students, and the design and facilities provided by the development mean that the development will continue to serve these groups into the future.</u></p> <p>iii) <u>The development can create new, additional kerb side parking spaces that can form part of the road reserve, such as through the creation of parking bays on the site adjacent to the street, with the amount of on-site parking reduced in proportion to the amount of kerb side parking created.</u></p> <p>iv) <u>The development involves the reuse of an existing building where the provision of additional on-site car parking is not feasible.</u></p> <p>v) <u>The configuration of the site means that the provision of on-site parking is likely to lead to adverse outcomes in terms of the building design and layout, such as frontages or ground floors dominated by car parking areas and/or garages.</u></p> <p>vi) <u>The extent to which secure, covered bicycle storage will be provided for residents and visitors.</u></p>

<p><u>number of loading spaces to be provided in respect of:</u></p> <p><u>General Goods Handling (retail, wholesale, manufacturing, etc):</u></p> <p><u>0-5,000m<sup>2</sup></u> <u>1 space required</u></p> <p><u>5,001-10,000m<sup>2</sup></u> <u>2 spaces</u></p> <p><u>Greater than 10,001</u> <u>3 spaces plus 1 space per 7,500m<sup>2</sup> above 10,000m<sup>2</sup></u></p> <p><u>Non-Goods Handling (offices, etc):</u></p> <p><u>0-20,000m<sup>2</sup></u> <u>1 space required</u></p> <p><u>20,001-50,000m<sup>2</sup></u> <u>2 spaces</u></p> <p><u>Greater than 50,000m<sup>2</sup></u> <u>3 spaces plus 1 space per 40,000m<sup>2</sup> above 50,000m<sup>2</sup></u></p> <p><u>(e) Disabled car parks are to be provided in accordance with NZS 4121 (1985) 'Design for Access and use of Buildings and Facilities by Disabled Persons'. (Note: these car parks shall comprise part of the parking numbers requirement)</u></p> <p><b><u>14A.2 Controlled Activities</u></b> <u>Activities meeting the following Performance Standard are <i>Controlled Activities</i>:</u></p> <p><u>Any Activity not meeting the standards of Rule 14A.1.</u></p> <p><u>Assessment of <i>Controlled Activity</i> applications made under this rule will be limited to the matters of number of car parks and loading spaces, and design, construction and location of car parking and driveways and will be considered in accordance with the matters set out in Assessment Criteria 14A(a)-14A(j).</u></p>	<p><u>vii) The development and activities implement a Council approved <i>Travel Demand Management Plan</i>.</u></p> <p><b><u>14A(c)</u></b></p> <p><u>The extent to which provision can be made for the safe movement of pedestrians from car parks to the building or activity the car parking serves.</u></p> <p><b><u>14A(d)</u></b></p> <p><u>The extent to which loading spaces are provided of a sufficient number to serve the loading needs of activities proposed or likely on the site.</u></p> <p><b><u>14A(e)</u></b></p> <p><u>The extent to which all car parking, loading spaces and driveways are screened from any Residential Activity within the Living Environment.</u></p> <p><b><u>14A(f)</u></b></p> <p><u>The extent to which car parking and loading areas are located to allow efficient and safe access to the activity for which that car parking and loading area is provided including separate provision for pedestrians.</u></p> <p><b><u>14A(g)</u></b></p> <p><u>The extent to which car parking and loading spaces and driveway access to them are of a dimension and location to allow efficient and safe access by motor vehicles.</u></p> <p><b><u>14A(h)</u></b></p> <p><u>The extent to which provision is made for on-site turning of vehicles to avoid reverse movement between the car parking or loading area and the road where the reverse manoeuvring would disrupt the safe and efficient functioning of the road.</u></p> <p><b><u>14A(i)</u></b></p> <p><u>The extent to which car parking is constructed of maintenance free materials, adequately drained and well marked out.</u></p> <p><b><u>14A(j)</u></b></p> <p><u>The extent to which driveway access from the road is located and designed to allow safe and efficient movement on and off the road, including provision for safe and efficient sightlines.</u></p>
<p><b><u>NOTES</u></b></p> <ol style="list-style-type: none"> <li><u>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.</u></li> <li><u>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.</u></li> <li><u>Words in italics are defined - see the Definitions part of the City-Wide Rules.</u></li> </ol>	

<p>4. <u>Words in <b>bold</b> are explained - see the Explanations part of the Introduction to the Rules.</u></p> <p>5. <u>The Council may have a guideline to help interpret this rule - check at the Council Offices.</u></p> <p>6. <u>For <i>resource consents</i> see the Information Requirements in the <i>City-Wide</i> Rules.</u></p>	<p><b>14A(k)</b></p> <p><u>The extent to which <i>activities</i> generating a high number of traffic movements and their access arrangements adversely affect the safe and efficient functioning of the adjacent <i>road</i> network, including the capacity of adjacent intersections, taking into account the <i>road's</i> function in the <i>Roading Hierarchy</i>.</u></p> <p><u>Note: See also Policies 4.2, 10.10, 10.11, 11.9, 11.13, 11.14, 11.21, 11.28, 11.28A, 11.46, 11.47 (Policy Section of the Waitakere District Plan)</u></p> <p><b>RESOURCE CONSENT CONDITIONS</b></p> <p><u>In granting a <i>resource consent</i> Council may impose conditions. Conditions may include any one or all of the following matters:</u></p> <ul style="list-style-type: none"> <li>• <u>requiring a specified number of <i>car park</i> and <i>loading spaces</i></u></li> <li>• <u>requiring bicycle facilities</u></li> <li>• <u>requiring the implementation of a <i>Travel Demand Management Plan</i></u></li> <li>• <u>limiting the scale of the activity</u></li> <li>• <u>specifying <i>design</i> parameters to be used in the method of <i>construction of driveways, pedestrian ways, car parking</i> and <i>loading spaces</i></u></li> <li>• <u>specifying the number and location of <i>access points</i></u></li> <li>• <u>requiring the provision of <i>screening</i> or <i>planting</i></u></li> <li>• <u>requiring <i>financial contributions</i> in accordance with the <i>Plan</i></u></li> <li>• <u>the imposition of a <i>bond</i> to cover satisfactory conditions of consent</u></li> <li>• <u>requiring <i>on-site</i> or <i>off-site</i> works and services to avoid, remedy, mitigate or offset adverse <i>effects</i></u></li> <li>• <u>such other matters provided for in section 108 of the <i>Act</i>.</u></li> <li>• <u>Provided that, in the case of <i>Controlled Activities</i>, conditions may only be imposed in respect of the matters specified above to which Council has restricted the exercise of its discretion.</u></li> </ul>
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# Living Environment

Amend Living Environment Rules as follows:

## RULE 1 GENERAL

### 1.0 General

The following Rules 1.1 and 2 to 17 apply to activities on land situated in the *Living Environment*, including the *Living (L1) Environment*, the *Living (L2) Environment*, the *Living (L3) Environment*, the *Living (L5) Environment*, the *Living (L6) Environment* and the *Living Environment (Harbour View)*.

## RULE 2 RESIDENTIAL ACTIVITIES / DENSITY

### 2.0 General

The following rules shall apply to all *Residential Activities*.

### 2.1 Permitted Activities

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

- any *Residential Activity* which involves:

(v) an existing *building* in the *Living (L5) Environment* and *Living (L6) Environment*.

### 2.2 Limited Discretionary Activities

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

(a) any *Residential Activity* involving *medium density housing* (except in the *Living (L5) and Living (L6) Environment*) which is:

(b) ....

(c) any *Residential Activity* involving *medium density housing* or *apartments* located in the *Living (L5) Environment* which:

- is established on a *site* with a minimum *net site area* of 1500m<sup>2</sup> and a minimum *street frontage* of 20 metres; and
- has a minimum density of 1 unit per 200 m<sup>2</sup> of *net site area*; and
- provides not greater than 70% of the *site* as impermeable area; and
- complies with the Performance Standards of the *City-Wide Rule 1 General Apartment Design*.

Assessment of *Limited Discretionary Activity* applications made under this rule will be limited to the matters of *design*, location, scale, *outdoor space*, *screening*, *landscape treatment* and provision for vehicles and pedestrians, and will be considered in accordance with Assessment Criteria 2(a) to 2(e) and the Assessment Criteria of the *City-Wide Rule 1 General Apartment Design*.

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(d) any *Residential Activity* involving *apartments* located in the *Living (L6) Environment* which:

complies with the Performance Standards of the *City-Wide Rule 1 General Apartment Design*, Performance Standards of the *City-Wide General Noise Standard Rule 1.10 - Mixed Use Noise* and the Performance Standards of the *City-Wide Rule 4 Building Design - Mixed Use*; and

provides not greater than 70% of the site as impermeable area; and where located in the *New Lynn Town Centre*:

- (a) complies with the Performance Standards of Rule 7A .1: New Lynn Concept Plan of the *Community Environment*;
- (b) locates habitable rooms more than 20 metres from any *site boundary* adjoining land within a *Working Environment (New Lynn)* or the *Monier (CSR) Special Area*;
- (c) provides each individual *apartment* or the *apartment building as a whole* with a forced air mechanical ventilation system.

Assessment of *Limited Discretionary Activity* applications made under this rule will be limited to the matters of *design, location, scale, outdoor space, screening, landscape treatment, amenity* and provision for vehicles and pedestrians, and will be considered in accordance with Assessment Criteria 2(a) to 2(f) and the assessment criteria of the *City-Wide Rule 1 General Apartment Design, City Wide General Noise Standard Rule 1.10 - Mixed Use Noise, City-Wide Rule 4 Building Design - Mixed Use, and 7A(a) to 7A(e) of Rule 7A - New Lynn Concept Plan of the Community Environment.*

### **2.3 Discretionary Activities**

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

- (a) Any *Residential Activity* not meeting the performance standards in Rules 2.1 or 2.2 (a) or (b)

*Discretionary Activity* applications made under this rule 2.3 (a) will be assessed having regard to Assessment Criteria 2(a)-2(e) and, where relevant, the Medium Density Housing Criteria Appendix to these rules and any other matters which are relevant under section 104 of the Act.

- (b) Any *Residential Activity* involving *apartments* located in the *Living (L5) Environment* not meeting the performance standards in Rule 2.2 (c).

*Discretionary Activity* applications made under Rule 2.3 (b) will be assessed having regard to Assessment Criteria 2(a) to 2(g), the Assessment Criteria of the *City-Wide Rule 1 General Apartment Design* and any other matters which are relevant under section 104 of the Act.

- (c) Any *Residential Activity* involving *apartments* located in the *Living (L6) Environment* not meeting the standards in Rule 2.2 (d).

*Discretionary Activity* applications made under Rule 2.3 (c) will be assessed having regard to Assessment Criteria 2(a) to 2(g), the Assessment Criteria of the *City-Wide Rule 1 General Apartment Design, City Wide General Noise Standard Rule 1.10 - Mixed Use Noise, City-Wide Rule 4 Building Design - Mixed Use, and Rule 7A of the Community Environment* and any other matters which are relevant under section 104 of the Act.

Add New Assessment Criteria for Rule 2 as follows:

#### **2(f)**

The extent to which the *apartment development*, located in the *Living (L5) Environment* (adjoining Rankin Avenue) and *Living (L6) Environment (New Lynn)* mitigates noise, dust and other nuisances from the adjoining activities in the *Working Environment (New Lynn)* or the *Monier (CSR) Special Area*.

#### **2(g)**

The extent to which the *apartment development* located in the *Living (L5) Environment* and the *Living (L6) Environment* is of a sufficient density to support the intensification of the *New Lynn Town Centre*.

Add following additional references to policies:

Note: see also policies: ... .. 11.8, 11.28, 11.28A, 11.46, 11.47, 11.48

#### RULE 4 BUILDING HEIGHT

Amend Rule 4 as follows:

##### **4.1 Permitted Activities**

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

- *buildings having a maximum building height not exceeding 8.0 metres in the Living (L1), (L2), (L3) and (L4) Environments*
- *buildings for medium density housing or apartments having a maximum building height not exceeding 11.0 metres in the Living (L5) Environment.*
- *buildings with a minimum building height of 4 storeys, and a maximum building height of 10 storeys in the Living (L6) Environment, provided that for buildings over 20 metres in height Rule 6A of the Community Environment shall also apply.*

##### **4.2 Discretionary Activities**

~~.....*buildings having a maximum height exceeding 8.0 metres.*~~

- *buildings not meeting the performance standards in Rules 4.1.*

Add following additional references to policies:

Note: see also policies: ... .. 11.28, 11.28A, 11.46, 11.47, 11.48

#### RULE 5 HEIGHT IN RELATION TO BOUNDARIES/SEPARATION OF BUILDINGS

Amend Rule 5 as follows:

##### **5.0 General**

The following rules shall apply to *Any Activity* involving the erection or alteration of *buildings*, except internal boundaries in a *medium density housing development or apartment development*.

##### **5.1 Permitted Activities**

Activities (except in the *Living (L6) Environment*) meeting the following Performance Standards are *Permitted Activities*:

*buildings* (which:

... ..

*buildings in the Living (L6) Environment* which:

(i) have the ground floor of any building located no less than 5 metres from a site boundary (except from a road).

Add following additional references to policies:

Note: see also policies: ... .. 11.8, 11.28, 11.28A, 11.46, 11.47, 11.48

## RULE 6 FRONT YARDS

Amend Rule 6.0 as follows:

### **6.0 General**

The following rules shall apply to *Any Activity (including apartments in the Living (L5) and (L6) Environments) involving the erection or alteration of buildings, except buildings in a medium density housing development or scheduled Activities on Scheduled Sites.*

Add following additional references to policies:

Note: see also policies: ... .. 11.8, 11.28, 11.28A, 11.46, 11.47, 11.48

## RULE 7 BUILDING COVERAGE

Amend Rule 7.0 as follows;

### **7.0 General**

The following rules shall apply to *Any Activity involving the erection or alteration of buildings, except buildings in a medium density housing development, apartment developments or scheduled Activities on Scheduled Sites.*

## RULE 8 BUILDING LOCATION – PRIVACY

Amend Rule 8.0 as follows:

### **8.0 General**

The following rules shall apply where relevant to *Non-Residential Activities (except Scheduled Activities on Scheduled Sites), and also buildings for Residential Activities except minor household units and dwellings in a medium density housing development or apartment development.*

## RULE 9 OUTDOOR SPACE

Amend Rule 9.0 as follows:

### **9.0 General**

The following rules shall apply to *Residential Activities except minor household units and dwellings in a medium density housing development or apartment developments.*

## RULE 10 NON RESIDENTIAL ACTIVITIES

Amend Rule 10.2 as follows:

### 10.2 Limited Discretionary Activities

•(a) ....

(b) any Non-Residential Activities (except a home occupation) located in the Living (L6) Environment in the New Lynn Town Centre which meets the following Performance Standards:

- i. the non-residential activity shall only be located on the ground or first level of an apartment building and shall directly front and be accessed from the street;
- ii. retail activities are limited to convenience shops and shops selling food and beverages, provided that individual activities shall be no greater than 200m<sup>2</sup> of gross floor area.
- iii. total floorspace taken up by non-residential activities not involving retailing activities shall not exceed 5,000m<sup>2</sup> gross floor area.

Assessment of *Limited Discretionary Activity* applications made under this rule will be limited to matters of scale, *design*, retention of *vegetation*, *screening* and *planting*, hours of operation and location and will be considered in accordance with Assessment Criteria 10(a)-10(~~e~~)(e).

Add new Assessment Criteria:

### 10(e)

The non-residential activities proposed in the Living (L6) Environment within the New Lynn Town Centre should be compatible with the higher density residential character and amenity of the neighbourhood. Where located on the ground floor, the non-residential activity should front a street and have its main pedestrian entrance fronting the street. Car parking associated with the non-residential activity should not be located between the building and the street boundary. For buildings involving non-residential activities, the development should provide 50% transparency at the street level façade, through transparent door and window openings. Outdoor storage areas should be screened from the street and adjoining sites and residential activities and managed to ensure nuisance effects including odour and vermin, noise disturbances from deliveries and rubbish collection are avoided. The non-residential activities should not be associated with any outdoor activities except for car parking. It is preferable that non-residential activities are located on sites within the Living (L6) Environment where they provide a buffer between the residential activities and the adjoining New Lynn Working Environment and the Monier (CSR) Special Area.

Add following additional references to policies:

Note: see also policies: ... .. 11.8, 11.44, 11.28, 11.28A, 11.46, 11.47, 11.48

## RULE 11 TRAFFIC GENERATION (NON-RESIDENTIAL ACTIVITIES)

Amend Rule 11 as follows:

### 11.1 Permitted Activities

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

(a) Non-residential activities on front sites in the Living (L1), (L2), (L3), (L4) and (L5) Environment, having traffic generation not exceeding 20 vehicle movements per day.

(b) Traffic generated from non-residential activities which comply with Rule 10.2 on front sites in the Living (L6) Environment in the New Lynn Town Centre.

Add following additional references to policies:

Note: see also policies: ... .. 11.8, 11.28, 11.28A, 11.46, 11.47, 11.48

## RULE 12 CARPARKING AND DRIVEWAYS

Amend Rule 12 as follows:

### **12.0 General**

The following rules apply to *any Activity (including apartments in the Living (L5) and Living (L6) Environments)* except a *medium density housing development*.

### **12.1 Permitted Activities**

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

(a) ...

(b) ...

(c) ...

(d) apartments in the Living (L5) and Living (L6) Environment where 1 on-site car park is provided for each apartment dwelling.

(e) non-residential activities (except home occupations) in the Living (L6) Environment within the New Lynn Town Centre that provide car parks, loading and driveway access in accordance with Rule 14 Parking, Loading and Driveways of the Community Environment.

### **12.3 Limited Discretionary Activities**

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

(a) ...

(b) Apartment developments in the Living (L5) and Living (L6) Environments where car parks from 10 or more apartment dwellings are proposed to access a driveway or road.

Add following additional references to policies:

Note: see also policies: ... .. 11.8, 11.28, 11.28A, 11.46, 11.47, 11.48

# Working Environment

## RULE 2 HEIGHT AND HEIGHT IN RELATION TO BOUNDARIES

Amend Rule 2 Working Environment as follows:

### 2.1 Permitted Activities

Activities which meet the following Performance Standards are *Permitted Activities*:

- (a) existing text rule 2.1 ...
- (b) Buildings which do not project beyond a recession plane of 45<sup>0</sup> as measured from any relevant point 10 metres vertically above ground level on any site boundary adjoining land within the Living (L6) Environment within the New Lynn Town Centre.

Add reference to the following policies:

10.1, 10.6, 11.46, 11.48, 11.49

## RULE 3 BUILDING AND DEVELOPMENT LOCATION

Amend 3.1 as follows:

### 3.1 Permitted Activities

Activities which meet the following Performance Standards are *Permitted Activities*:

- (a) ...
- (b) ...
- (c) Buildings on any site adjoining land within a Living (L6) Environment within the New Lynn Town Centre do not need to meet the requirements of 3.1(a) – (b) .

Add reference to the following policies:

10.1, 10.6, 11.46, 11.48, 11.49

## RULE 7 RESIDENTIAL ACTIVITIES

Amend Rule 7 as follows:

### 7.3 Discretionary Activities

Residential Activities except in the Working Environment (New Lynn) not meeting the standards of Rules 7.1 or 7.2

### 7.4 Non Complying Activities

Any Residential Activity in the Working Environment (New Lynn) which is not a Permitted Activity under the above rules shall be deemed to be contravening a rule in this Plan and shall be a Non-Complying Activity.

Add reference to the following policies:

10.1, 10.6, 11.46, 11.48, 11.49

# Monier (CSR) Special Area

Add to Contents Page 2 Special Areas:

Rule 28                  Monier (CSR) Special Area.

Add new Rule 28 as follows:

Rule 28	MONIER (CSR) SPECIAL AREA
<p><b><u>RULES</u></b></p> <p><b><u>28.0 General</u></b></p> <p><u>(a) The following rules shall apply to <i>Any Activity on land</i> situated in the <i>Monier (CSR) Special Area</i>.</u></p> <p><b><u>28.1 Permitted Activities</u></b></p> <p><u>Activities meeting the following Performance Criteria are <i>Permitted Activities</i>:</u></p> <p>a) <u>Manufacturing, storage and retail of ceramics.</u>  b) <u>Other <i>non-residential activities</i> (except <i>retail activities</i>) not covered by (a).</u></p> <p><b><u>28.3 Non-Complying Activities</u></b></p> <p><u>Activities meeting the following Performance Criteria are <i>Non-Complying Activities</i>:</u></p> <p>a) <u><i>Retail activities</i></u>  b) <u><i>Residential activities</i>.</u></p> <p><b><u>28.4 Other Rules</u></b></p> <p><u>The following rules of the Plan shall apply to <i>Any Activity</i>:</u></p> <p>a) <u>All relevant <i>city-wide rules</i></u>  b) <u>Working Environment Rules 2.1(b), 3.1(c), 4, 6, 8, 9, 10, 11, and 12</u></p> <p><b><u>NOTES</u></b></p> <ol style="list-style-type: none"> <li>1. <u>If an activity is not controlled or restricted in any way by any part of the <i>Plan</i> it is permitted, but may require consents under other legislation/ plans.</u></li> <li>2. <u>Activities must comply with all other relevant rules of the <i>Plan</i> or be the subject of a <i>resource consent</i>. Check all other rules in this <i>Human Environment</i> and also the <i>Natural Area Rules</i>, the <i>City-Wide Rules</i> and, where relevant, the <i>Subdivision Rules</i>.</u></li> <li>3. <u>Words in <i>italics</i> are defined - see the Definitions part of the <i>City-Wide Rules</i>.</u></li> <li>4. <u>Words in <b>bold</b> are explained - see the Explanations part of the Introduction to the Rules.</u></li> <li>5. <u>The Council may have a guideline to help interpret this rule - check at the Council Offices.</u></li> <li>6. <u>For <i>resource consents</i> see the Information Requirements in the <i>City-Wide Rules</i>.</u></li> </ol>	<p><b><u>ASSESSMENT CRITERIA</u></b></p> <p><u>28(a)</u></p> <p><u>All relevant assessment criteria contained within the <i>city-wide rules</i>.</u></p> <p><u>28(b)</u></p> <p><u>All relevant assessment criteria contained within <i>Working Environment</i> Rules 2.1(b), 3.1(c), 4, 5, 6, 8, 9, 10, 11, and 12.</u></p> <p><u>Note: See also policies 4.7, 10.1, 10.2, 10.3, 10.5, 10.6, 10.7, 10.8, 10.10, 10.11, 10.12, 10.14, 10.15, 10.16, 10.27, 11.1, 11.3, 11.5, 11.8, 11.10, 11.11, 11.12, 11.18, 11.23, 11.46, 11.48.</u></p> <p><u>(Policy Section of the Waitakere District Plan)</u></p>

## SUBDIVISION RULES

Add the following assessment criteria and resource consent condition to:

Rule 3 – Infill Subdivision;

Rule 4 – Greenfields Subdivision;

Rule 5 – Working Environment and Community Environment.

### Assessment Criteria:

Subdivision occurring within the New Lynn Town Centre shall recognise and provide for all proposed roads and proposed reserves shown on the New Lynn Concept Plan. Subdivision should also provide the indicative streets and connections where practicable.

### Resource consent conditions:

- Requiring the provision roads and connections.