



Waitakere City Council
Te Taiao o Waitakere

PROPOSED PLAN CHANGE 12

OPEN SPACE ENVIRONMENT PROVISIONS IN THE DISTRICT PLAN

11 November 2004

District Plan – Rules #1

INTRODUCTION TO THE RULES

RESOURCE CONSENTS

(Page 6)

WRITTEN CONSENTS & NOTIFICATION – DISCRETIONARY ACTIVITIES AND NON-COMPLYING ACTIVITIES

Add a second bullet point to the following:

For *Discretionary Activity* applications seeking *resource consent* in respect of the following matters, applications will generally not be notified:

Development in the Open Space Environment which is in accordance with an Operative Reserve Management Plan (this may also include an Approved Concept Plan or Landscape Design and Planting Plan) and the proposal complies with the rules of Open Space Environment.

Add a new bullet point to the following:

For *Discretionary Activity* applications seeking *resource consent* in respect of the following matters, applications will generally not be notified if the written consents of the owners of *adjoining sites* are submitted.

Development in the Open Space Environment which is in accordance with an Operative Reserve Management Plan, (this may also include an Approved Concept Plan or Landscape Design and Planting Plan) but the proposal does not comply with all the rules of Open Space Environment.

Add a new bullet point to the following:

For *Discretionary Activity* applications seeking *resource consent* in respect of the following matters, applications may not be notified after having regard to Council's responsibilities under Sections 93 and 94 of the Act:

Development in the Open Space Environment where there is no Operative or Draft Reserve Management Plan or Approved Concept Plan or Landscape Design and Planting Plan but the proposal will comply with the rules of Open Space Environment.

Add a new bullet point to the following:

For *Discretionary Activity* applications seeking *resource consent* in respect of the following matters, applications will generally be notified.

Development in the Open Space Environment where there is no Operative or Draft Reserve Management Plan or Approved Concept Plan or Landscape Design and Planting Plan and the proposal does not comply with the rules of Open Space Environment.

CITY WIDE RULES

DEFINITIONS

Add the following changes and additions to the definitions

BOARDWALK

means a *structure* under 1m in height that provides pedestrian access over a wetland, along the coast or through bush in order to protect vegetation and/or roots

BRIDGE(S)

Means a *structure* that spans and provides access over a *river*, stream or watercourse but excludes a culvert or covered pipes, and includes board walks over 1.0m above the ground

DRIPLINE

Means all that area (including the ground and beneath the ground below the canopy spread of a plant (Canopy is defined as a weather-proof covering, substantially covering a footpath used by the public, so the italics should be removed from the word canopy in the above definition)

PARKS BUILDINGS

Means flood lights, or any *building* or *structure* 100m² or more in gross floor area, for a use associated with a park or for community purposes, located in the Open Space Environment but shall not include:

childrens play equipment

buildings of up to 100m² in gross floor area used for the storage of parks equipment or maintenance materials; or

goal posts

but excluding *buildings* and *structures* defined as, *parks facilities*, *parks furniture*, *parks infrastructure*, *parks signs* and *parks sports field structures*.

PARKS CONTRACT

Means a formal contract, between the Council (WCC or ARC) or the Department of Conservation and a contractor, for work undertaken on land in the *Open Space Environment* that incorporates quality assurance processes, best practice methods and relevant and current Codes of Practice for work in parks.

PARKS FACILITIES

Means any *building* or *structure* less than 100m² in gross floor area, located in the *Open Space Environment*, and shall include the following:

shelters/shade structures,

toilets and changing facilities

buildings used for the storage of parks equipment or maintenance materials, or equipment associated with an activity on a park

childrens play equipment, excluding skate board facilities

but excluding *buildings* and *structures* defined as *parks buildings*, *parks furniture*, *parks infrastructure*, *parks signs* and *parks field structures*.

PARKS FIELD STRUCTURES

Means structures relating to an active sport or recreational activity provided by WCC that are located in the *Open Space Environment*, and shall include the following:

goal posts, cricket nets, fences, petanque courts, playing courts, sideline shelters and other similar structures which are ancillary to and used in conjunction with, sports grounds, playing fields, hard courts and greens, skate board facilities and pony club course structures (jumps) and arenas

but excluding *buildings* and *structures* defined as *parks buildings*, *parks facilities*, *parks furniture*, *parks infrastructure* and *parks signs*.

PARKS FURNITURE

means outdoor furniture provided by the WCC or ARC that is located in the *Open Space Environment* and shall include the following:

- seats, tables, rubbish bins, barbecues, drinking fountains, and
- sculptures/art works
- bicycle racks
- amenity lighting

PARKS INFRASTRUCTURE

means infrastructure located in the *Open Space Environment* and shall include the following

- footpaths, track and trail systems, fitness trails, cycle ways, bridle trails,
- entry gates, track marking bollards, soldier bollards and chains, post and rail fences
- footbridges or boardwalks 15m or less in length
- culverts 10m or less in length
- access drives associated with parks activities
- jetties and boat ramps
- carparking for a maximum of 5 vehicles

provided that the above work is being undertaken in accordance with a Parks Contract or by ARC Parks Staff using best practice methods such as is specified in the following relevant and current documents: "Regional Parks Environmental Best Practice Guidelines", "Regional Parks Infrastructure, Tracks and Design Manual" and current "operative Regional Parks management plan".

PARKS MAINTENANCE

means undertaking any of the following activities on land located in the *Open Space Environment*,

- clearance of vegetation in the Removable Vegetation Appendix and the Environmentally Damaging Plants Appendix (Vol 1- Appendices), including where this clearance occurs within the dripline of any vegetation, undertaken in accordance with a *weed management plan* and provided all exposed areas of earth are re-vegetated
- vegetation alteration of native and exotic vegetation less than 6.0 metres in height and less than 600mm in girth (measured 1.4metres above the ground), within 1.0m of the edge of an existing footpath, track, footbridge or boardwalk to provide for unimpeded pedestrian access on the path
- maintenance and repair of footpaths (concrete, gravel and shell)
- track and trail maintenance and repair including re-metalling re-shelling bush tracks and including clearing/reforming drainage channels alongside tracks and minor re-alignment of tracks within 1.0m of the edge of a track to minimise erosion.
- re-topsoiling, reseeding, sandslitting for parks sports fields and parks
- grass mowing
- replacement, repairs and maintenance of existing bridges, boardwalks, and culverts and includes any enhancement/improvements provided that there shall be no more than a 40% increase in the width, length or height of footbridges or boardwalks over 15m in length or culverts over 10m in length
- Resealing and sealing metal carparks and access drives
- Maintenance of jetties and boat ramps
- Repairs and maintenance to the exterior of *parks buildings, parks facilities parks field structures, parks furniture and parks signs.*
- Replanting

provided that the above work is being undertaken in accordance with a Parks Contract, or by ARC Parks Staff using best practice methods such as is specified in the following relevant and current documents "Regional Parks Environmental Best Practice Guidelines", "Regional Parks Infrastructure, Tracks and Design Manual" and current "operative Regional Parks management plan".

PARKS SIGNS

means any sign located in an *Open Space Environment (or Transport Environment)*, that has been authorised by the WCC or ARC for the purpose of identifying the name of a reserve and detailing the activities that take place on that reserve, provided that the sign is in accordance with a *parks contract* or relevant and current codes of practice.

PARKS SPORTS FIELD(S)

Means land, which has been/is to be formed by WCC, for formal and informal sports activities, including sports grounds, playing fields, sand fields, artificial turfs, greens and hard courts in the Open Space Environment.

WEED MANAGEMENT PLAN

Means a plan prepared by a professionally qualified expert for the management of land in a way that facilitates the removal of weeds utilising current best practice, and ensuring effects on existing terrestrial and aquatic habitat values are minimised through the process of weed removal.

Consequential amendment to the definition of BUILDING(S) as follows:

BUILDING(S)

means any structure or part of a *structure*, whether temporary or permanent, moveable or immovable, and includes additions to *buildings* but does not include:

- the interior of any *building*
- any scaffolding erected temporarily for *construction* or maintenance purposes
- *fences* up to 2.0m in *height*
- *structures* which are both less than 1.5 metres in *height* and 2m² *ground coverage* in area
- masts poles telephone aerials less than 6.0m in *height*
- chimneys and aerials and water overflow pipes which are on the roof of *buildings*
- *any sign* or *Parks Sign*
- any *film* set
- *roads, driveways, manoeuvring areas, parking areas* and other paved surfaces

Consequential amendment to the definition of SIGN(S) as follows:

SIGN(S)

means any device intended to attract attention for the purpose of directing, identifying, informing or advertising, except for advertising matter placed on or within a display window of commercial premises, except signs defined as *Parks Signs*

natural area rules

The following rules are amended:

general natural area

**Procedural Guideline For The Rules – Step 7
Rule 2 Vegetation Alteration
Rule 3 Earthworks**

restoration natural area

**Procedural Guideline For The Rules – Step 7
Rule 2 Vegetation Alteration
Rule 3 Earthworks**

managed natural area

**Procedural Guideline For The Rules – Step 7
Rule 2 Vegetation Alteration
Rule 3 Earthworks**

coastal natural area

**Procedural Guideline For The Rules – Step 7
Rule 2 Vegetation Alteration
Rule 3 Earthworks**

protected natural area

**Procedural Guideline For The Rules – Step 7
Rule 2 vegetation alteration
Rule 3 Earthworks**

riparian margins/coastal edges

**Procedural Guideline For The Rules – Step 7
Rule 2 Vegetation Alteration
Rule 3 Earthworks
Rule 7 Buildings**

GENERAL NATURAL AREA

PROCEDURAL GUIDELINE FOR THE RULES

Step 7

(Page 2)

Add a new sentence to the end of this section as follows:

Note that the written approval of the landowner – Waitakere City Council, Auckland Regional Council or Department of Conservation will be required in relation to any proposed activity in the Open Space Environment.

RULE 2 VEGETATION ALTERATION

2.1 Permitted Activities

Amend 2.1(a) (ii) as follows:

(a) any *vegetation alteration* of :

- (i) *native vegetation* and *exotic vegetation* less than 6.0 metres in height and less than 600mm in girth (as measured at any point higher than 1.4metres above the ground), and
 - (ii) *vegetation* listed in the Removable Vegetation Appendix and the Environmentally Damaging Plants Appendix,
- provided that any *clearance* does not exceed a *total cleared area* of 500m², and is not in the Open Space Environment.

Amend 2.1(c) as follows:

(c) ~~*Parks Maintenance* and *Parks Infrastructure* any *vegetation alteration* for track and trail systems where provided for in park management plans and approved under the Reserves Act 1977, Conservation Act 1987, Local Government Act 1974 or Auckland Centennial Memorial Park Act 1941, in the *Open Space Environment*~~

2.3 Limited Discretionary Activities

Add the following two bullet points to Rule 2.3 :

- any *vegetation alteration* for *Parks Maintenance* when the *native and exotic vegetation* is more than 6.0 metres in height and greater than 600mm in girth (measured 1.4 metres above the ground), or where the width from the edge of a footpath, track, footbridge or boardwalk is greater than 1.0m, or where the enhancement/improvements to a footbridge, boardwalk or culvert exceed 40%, in the *Open Space Environment*.
- *vegetation alteration* for *Parks Infrastructure* when the *native and exotic vegetation* is more than 6.0 metres in height and greater than 600mm in girth (measured 1.4metres above the ground), or where a footbridge or boardwalk is greater than 15m in length, or culverts over 10m in length, or for carparks with more than 5 car parking spaces in the *Open Space Environment*.

Amend the wording of the following sentence:

Assessment of *Limited Discretionary Activities* applications will be limited to the matters of scale, method, *landscape treatment* and location and will be considered in accordance with Assessment Criteria 2(a) – 2(l).

ASSESSMENT CRITERIA

Amend assessment criterion 2(e) as follows:

2(e)

The extent to which the proposed *vegetation alteration* is necessary:

- to accommodate *development* otherwise permitted by the Plan
- to ensure the **safety** or integrity of existing *development* on the *site*
- for *pruning* to provide light
- for *pruning* to preserve *public views*.
- to facilitate the use of land in the *Open Space Environment*

Add a new assessment criterion 2(l) as follows:

2(l)

The extent to which the proposed *vegetation alteration* is for development proposed in a relevant Operative Reserve Management Plan, Parks Concept Plan, current Waitakere City Parks Strategy or current operative Regional Parks management plan.

To the Note at the end of the Assessment Criteria add the following 2 Policy numbers 10.28 and 11.32

RULE 3 EARTHWORKS

3.1 Permitted Activities

Add the following two clauses (c) and (d) to Rule 3.1 as follows:

(c) *Parks Maintenance, Parks Infrastructure in the Open Space Environment*

(d) *earthworks for Parks Field Structures, Parks Furniture and Parks Signs in the Open Space Environment*

3.2 Controlled Activities

Add 3.2 (b) as follows:

(b) *earthworks for Parks Sports Fields in accordance with a Parks Contract in the Open Space Environment where the total volume of earthworks does not exceed 500m³ and the average slope of the land is less than 15°.*

Amend the wording of the following sentence:

Assessment of *Controlled Activity* Applications will be limited to the matters of scale, method, *design, landscape treatment* and location and will be considered in accordance with Assessment Criteria 3(a) – 2(r).

3.3 Limited Discretionary Activities

Add 3.1(c) and (d) as follows:

(c) *earthworks for Parks Infrastructure where a footbridge or boardwalk is greater than 15m in length or for culverts greater than 10m in length or for carparks with more than 5 carparking spaces in the Open Space Environment*

(d) *earthworks for Parks Maintenance where the enhancement/improvement to a bridge, boardwalk or culvert exceeds 40% in the Open Space Environment.*

Amend the wording of the following sentence:

Assessment of *Limited Discretionary Activities* applications will be limited to the matters of scale, method, *design, landscape treatment* and location and will be considered in accordance with Assessment Criteria 3(a) – 2(r).

Amend the wording of the following sentence:

Discretionary Activities applications will be assessed having regard to Assessment Criteria 3(a) – 3(r) and any other matters which are relevant under section 104 of the Act.

ASSESSMENT CRITERIA

Amend the assessment criterion **3(l)** as follows:

3(l)

The extent to which proposed *earthworks* are necessary to accommodate *development* otherwise permitted by the *Plan*, or to facilitate the use of land in the *Open Space Environment*.

Add a new criterion **3(r)** as follows:

3(r)

The extent to which the proposed *earthworks* are for development proposed in a relevant Operative Reserve Management Plan, Parks Concept Plan, current Waitakere City Parks Strategy or current operative Regional Parks management plan.

To the Note at the end of the Assessment Criteria add the following 2 Policy numbers 10.28 and 11.32

RESTORATION NATURAL AREA

PROCEDURAL GUIDELINE FOR THE RULES

Step 7

(Page 2)

Add a new sentence to the end of this section as follows:

Note that the written approval of the landowner – Waitakere City Council, Auckland Regional Council or Department of Conservation will be required in relation to any proposed activity in the Open Space Environment.

RULE 2 VEGETATION ALTERATION

2.1 Permitted Activities

Amend 2.1(c) as follows:

(c) any *vegetation alteration* of :

- (i) *vegetation* listed in the Environmentally Damaging Plants Appendix, and
- (ii) *exotic vegetation* less than 6.0 metres in height and less than 600mm in girth (as measured at any point higher than 1.4metres above the ground),
provided that any *clearance* does not exceed a *total cleared area* of 500m², and is not in the Open Space Environment.

Amend 2.1(e) as follows:

~~(e) *Parks Maintenance* in the *Open Space Environment* any *vegetation alteration* or track and trail systems where provided for in park management plans and approved under the Reserves Act 1977, Conservation Act 1987, Local Government Act 1974 or Auckland Centennial Memorial Park Act 1941.~~

2.2 Controlled Activities

Add 2.1(e) as follows:

(e) *Parks Infrastructure* in the *Open Space Environment*.

2.3 Limited Discretionary Activities

Add the following two bullet points to Rule 2.3:

- any *vegetation alteration* for *Parks Maintenance* where the *native and exotic vegetation* is more than 6.0 metres in height and greater than 600mm in girth (measured 1.4metres above the ground), or where the width from the edge of a footpath, track, footbridge or boardwalk is greater than 1.0m, or the enhancement/improvement to a footbridge, boardwalk or culvert exceeds 40%, in the *Open Space Environment*.
- any *vegetation alteration* for *Parks Infrastructure* where a footbridge or boardwalk is greater than 15m in length, or for culverts over 10m in length, or for carparks with more than 5 car parking spaces in the *Open Space Environment*.

Amend the wording of the following sentence:

Assessment of *Limited Discretionary Activities* applications will be limited to the matters of scale, method, *landscape treatment* and location and will be considered in accordance with Assessment Criteria 2(a) – 2(m).

ASSESSMENT CRITERIA

Add a new bullet point to the assessment criterion **2(l)** as follows:

2(l)

The extent to which the proposed *vegetation alteration* is necessary to:

- facilitate the use of land in the Open Space Environment

Add a new criterion **2(m)** as follows:

2(m)

The extent to which the proposed *vegetation alteration* is for development proposed in a relevant Operative Reserve Management Plan, Parks Concept Plan, current Waitakere City Parks Strategy or current operative Regional Parks management plan.

To the Note at the end of the Assessment Criteria add the following 2 Policy numbers 10.28 and 11.32

RULE 3 EARTHWORKS

3.1 Permitted Activities

Add a second bullet point to Rule 3.1 as follows:

- *earthworks for Parks Furniture, Parks Signs, and Parks Maintenance in the Open Space Environment* provided that there are no earthworks on a sensitive ridge or headland/cliff/scarp as shown on the Natural Areas Maps.

3.2 Limited Discretionary Activities

Add 3.1(d) as follows:

- (d) any *earthworks for Parks Infrastructure* in the *Open Space Environment* provided that there are no earthworks on a sensitive ridge or headland/cliff/scarp as shown on the Natural Areas Maps.

Amend the wording of the following sentence:

Assessment of *Limited Discretionary Activities* applications will be limited to the matters of scale, *clearance*, method, and *landscape treatment* and will be considered in accordance with Assessment Criteria 3(a) – 2(r).

3.3 Discretionary Activities

Add 3.3 (c) and (d) as follows:

- (c) any *earthworks for Parks Maintenance* where the enhancement/improvement to a footbridge, boardwalk or culvert exceeds 40%, in the *Open Space Environment*.
- (d) any *earthworks for Parks Infrastructure* where a footbridge or boardwalk is greater than 15m in length, or for culverts over 10m in length, or for carparks with more than 5 car parking spaces in the *Open Space Environment*.

Amend the wording of the following sentence:

Discretionary Activities applications will be assessed having regard to Assessment Criteria 3(a) – 3(r) and any other matters which are relevant under section 104 of the Act.

ASSESSMENT CRITERIA

Amend the assessment criterion **3(l)** as follows:

3(l)

The extent to which proposed *earthworks* are necessary to accommodate *development* otherwise permitted by the *Plan*, or to facilitate the use of land in the *Open Space Environment*.

Add a new criterion **3(r)** as follows:

3(r)

The extent to which the proposed *earthworks* are for development proposed in a relevant Operative Reserve Management Plan, Parks Concept Plan, current Waitakere City Parks Strategy or current operative Regional Parks management plan.

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

10.28 and 11.32

MANAGED NATURAL AREA

PROCEDURAL GUIDELINE FOR THE RULES

Step 7

(Page 2)

Add a new sentence to the end of this section as follows:

Note that the written approval of the landowner – Waitakere City Council, Auckland Regional Council or Department of Conservation will be required in relation to any proposed activity in the Open Space Environment.

RULE 2 VEGETATION ALTERATION

2.1 Permitted Activities

Amend 2.1(b) as follows:

- (b) any *vegetation alteration* of :
- (i) *exotic vegetation*, and
 - (ii) *vegetation* listed in the Removable Vegetation Appendix and the Environmentally Damaging Plants Appendix,
- provided that any *clearance* does not exceed a *total cleared area* of 500m², and is not in the Open Space Environment.

Amend 2.1(d) as follows:

- (d) ~~*Parks Maintenance* in the *Open Space Environment* any *vegetation alteration* for track and trail systems where provided for in park management plans and approved under the Reserves Act 1977, Conservation Act 1987, Local Government Act 1974 or Auckland Centennial Memorial Park Act 1944.~~

2.2 Controlled Activities

Add 2.2 (e) as follows:

- (e) *Parks Infrastructure* in the *Open Space Environment*.

Amend the wording of the following sentence:

Assessment of *Controlled Activity* Applications will be limited to the matters of *landscape treatment*, scale, method and location and will be considered in accordance with Assessment Criteria 2(a) – 2(t)

2.3 Limited Discretionary Activities

Add the following two clauses (d) and (e) to Rule 2.3:

- (d) any *vegetation alteration* for *Parks Maintenance* where the *native* and *exotic vegetation* is more than 6.0 metres in height and greater than 600mm in girth (measured 1.4metres above the ground), or where the width from the edge of a footpath, track, footbridge, boardwalk is greater than 1.0m, or the enhancement/improvement to a footbridge, boardwalk or culvert exceeds 40%, in the *Open Space Environment*.

- (e) any *vegetation alteration* for *Parks Infrastructure* where a footbridge or boardwalk is greater than 15m in length, or for culverts over 10m in length, or for carpark with more than 5 car parking spaces in the *Open Space Environment*.

Amend the wording of the following sentence:

Assessment of *Limited Discretionary Activities* applications will be limited to the matters of *landscape treatment*, scale, method, and location and will be considered in accordance with Assessment Criteria 2(a) – 2(t).

Amend the wording of the following sentence after 2.4 Discretionary Activities:

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

ASSESSMENT CRITERIA

Add a new bullet point to the assessment criterion **2(p)** as follows:

2(p)

The extent to which the proposed *vegetation alteration* is necessary to:

- facilitate the use of land in the Open Space Environment

Add a new criterion **2(t)** as follows:

2(t)

The extent to which the proposed *vegetation alteration* is for development proposed in a relevant Operative Reserve Management Plan, Parks Concept Plan, current Waitakere City Parks Strategy or current operative Regional Parks management plan.

To the Note at the end of the Assessment Criteria add the following 2 Policy numbers 10.28 and 11.32

RULE 3 EARTHWORKS

3.1 Permitted Activities

Add a new clause (b) to Rule 3.1 and renumber the existing clause (a) Activities meeting the following Performance Standards are *Permitted Activities*:

- (a) *earthworks* confined to an *approved building platform* provided that:
- there are no *earthworks* on a *sensitive ridge* or headland/cliff/scarp as shown on the *Natural Areas Maps*; and
 - the *earthworks* activities are in accordance with sediment control measures outlined in the Erosion /Sediment Control Measures Appendix,
 - *the earthworks are not for the purpose of a Solid Waste Landfill.*

- (b) *earthworks for Parks Furniture, Parks Signs and Parks Maintenance in the Open Space Environment.*

3.2 Limited Discretionary Activities

Add the following two clauses (d) and (e) to Rule 3.2:

- (d) *earthworks for Parks Infrastructure in the Open Space Environment, and*

- (e) *earthworks for Parks Maintenance where the enhancement/improvements to a footbridge, boardwalk or culvert exceeds 40% in the Open Space Environment.*

- (f) *earthworks outside a building platform for Parks Facilities provided that they do not exceed 30m³*

Amend the wording of the following sentence:

Assessment of *Limited Discretionary Activities* applications will be limited to the matters of scale, *design*, location, method and *landscape treatment* and will be considered in accordance with Assessment Criteria 3(a) – 3(r).

3.3 Discretionary Activities

Add the following clause (c) to Rule 3.3:

(c) earthworks for Parks Infrastructure where a footbridge or boardwalk is greater than 15m in length, or for culverts over 10m in length, or for carparks with more than 5 car parking spaces in the Open Space Environment.

Amend the wording of the following sentence:

Discretionary Activities applications will be assessed having regard to Assessment Criteria 3(a) – 3(r) and any other matters which are relevant under section 104 of the Act.

Assessment Criteria

Amend the assessment criterion **3(l)** as follows:

3(l)

The extent to which proposed *earthworks* are necessary to accommodate *development* otherwise permitted by the *Plan*, or to facilitate the use of land in the *Open Space Environment*.

Add a new criterion **3(r)** as follows:

3(r)

The extent to which the proposed *earthworks* are for development proposed in a relevant Operative Reserve Management Plan, Parks Concept Plan, current Waitakere City Parks Strategy or current operative Regional Parks management plan.

To the Note at the end of the Assessment Criteria add the following 2 Policy numbers 10.28 and 11.32

COASTAL NATURAL AREA

PROCEDURAL GUIDELINE FOR THE RULES

Step 7

(Page 2)

Add a new sentence to the end of this section as follows:

Note that the written approval of the landowner – Waitakere City Council, Auckland Regional Council or Department of Conservation will be required in relation to any proposed activity in the Open Space Environment.

RULE 2 VEGETATION ALTERATION

2.1 Permitted Activities

Amend 2.1(d) as follows:

(d) ~~*Parks Maintenance* in the *Open Space Environment* any *vegetation alteration* for track and trail systems where provided for in park management plans and approved under the Reserves Act 1977, Conservation Act 1987, Local Government Act 1974 or Auckland Centennial Memorial Park Act 1944.~~

2.2 Controlled Activities

Add 2.2 (e) as follows:

(e) *Parks Infrastructure* in the *Open Space Environment*.

2.3 Limited Discretionary Activities

Add two new clauses (c) and (d) to Rule 2.3:

(c) any *vegetation alteration* for *Parks Maintenance* where the *native and exotic vegetation* is more than 6.0 metres in height and greater than 600mm in girth (measured 1.4 metres above the ground), or where the width from the edge of a footpath, track, footbridge or boardwalk is greater than 1.0m, or the enhancement/improvement to a footbridge, boardwalk or culvert exceeds 40%, in the *Open Space Environment*.

(d) any *vegetation alteration* for *Parks Infrastructure* where a footbridge or boardwalk is greater than 15m in length, or for culverts over 10m in length, or for carparks with more than 5 car parking spaces in the *Open Space Environment*.

Amend the wording of the following sentence:

Assessment of *Limited Discretionary Activities* applications will be limited to the matters of scale, method, *landscape treatment, planting* and location and will be considered in accordance with Assessment Criteria 2(a) – 2(p).

Amend the wording of the following sentence after 2.4 Discretionary Activities:

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

ASSESSMENT CRITERIA

Add a new bullet point to the assessment criterion **2(o)** as follows:

2(o)

The extent to which the proposed *vegetation alteration* is necessary to:

- facilitate the use of land in the Open Space Environment

Add a new criterion **2(p)** as follows:

2(p)

The extent to which the proposed *vegetation alteration* is for development proposed in a relevant Operative Reserve Management Plan, Parks Concept Plan, current Waitakere City Parks Strategy or current operative Regional Parks management plan.

To the Note at the end of the Assessment Criteria add the following 2 Policy numbers 10.28 and 11.32

RULE 3 EARTHWORKS

3.1 Permitted Activities

Add a second bullet point to Rule 3.1 as follows:

- *earthworks for Parks Furniture, Parks Signs and Parks Maintenance in the Open Space Environment* provided that there are no earthworks on a *sensitive ridge* or *headland/cliff/scarp* as shown on the Natural Areas Maps.

3.2 Limited Discretionary Activities

Add the two following bullet points to Rule 3.2:

- *any earthworks for Parks Infrastructure in the Open Space Environment* provided that there are no earthworks on a *sensitive ridge* or *headland/cliff/scarp* as shown on the Natural Areas Maps;
- *earthworks outside a building platform for parks facilities* provided that they do not exceed 30m³

Amend the wording of the following sentence:

Assessment of *Limited Discretionary Activities* applications will be limited to the matters of scale, method, location, *design* and *landscape treatment* and will be considered in accordance with Assessment Criteria 3(a) – 3(r).

3.3 Discretionary Activities

Add the following two bullet points to Rule 3.3:

- *any earthworks for Parks Maintenance* where the enhancement/improvement to a *footbridge, boardwalk* or *culvert* exceeds 40%, in the *Open Space Environment*.
- *any earthworks for Parks Infrastructure* where a *footbridge* or *boardwalk* is greater than 15m in length, or for *culverts* over 10m in length, or for *carparks* with more than 5 car parking spaces in the *Open Space Environment*.

Amend the wording of the following sentence:

Discretionary Activities applications will be assessed having regard to Assessment Criteria 3(a) – 3(r) and any other matters which are relevant under section 104 of the Act.

ASSESSMENT CRITERIA

Amend the assessment criterion **3(n)** as follows:

3(n)

The extent to which proposed *earthworks* are necessary to accommodate *development* otherwise permitted by the *Plan*, or to facilitate the use of land in the *Open Space Environment*.

Add a new criterion **3(r)** as follows:

3(r)

The extent to which the proposed *earthworks* are for development proposed in a relevant Operative Reserve Management Plan, Parks Concept Plan, current Waitakere City Parks Strategy or current operative Regional Parks management plan.

To the Note at the end of the Assessment Criteria add the following 2 Policy numbers 10.28 and 11.32

PROTECTED NATURAL AREA

PROCEDURAL GUIDELINE FOR THE RULES

Step 7 (Page 2)

Add a new sentence to the end of this section as follows:

Note that the written approval of the landowner – Waitakere City Council, Auckland Regional Council or Department of Conservation will be required in relation to any proposed activity in the Open Space Environment.

RULE 2 VEGETATION ALTERATION

2.1 Permitted Activities

Amend Rule 2.1(d) as follows:

- (d) *Parks Maintenance in the Open Space Environment.* ~~any vegetation alteration for track and trail systems where provided for in park management plans approved under the Reserves Act 1977, Conservation Act 1987, Local Government Act 1974 or Auckland Centennial Memorial Park Act 1941.~~

2.2 Controlled Activities

Amend the wording of the following sentence:

Assessment of *Controlled Activity* applications will be limited to the matters of *landscape treatment*, scale, method, *planting* and location and will be considered in accordance with Assessment Criteria 2(a) – 2(q).

Add the following category:

2.3 Limited Discretionary Activities

Add the following bullet point to Rule 2.3:

- *Parks Infrastructure in the Open Space Environment.*

Add the following sentence:

Assessment of *Limited Discretionary Activity* applications will be limited to the matters of *landscape treatment*, scale, method, *planting* and location and will be considered in accordance with Assessment Criteria 2(a) – 2(q)

Renumber ~~2.3~~ 2.4 Discretionary Activities

Add the following two bullet points to Rule 2.4

- *any vegetation alteration for Parks Maintenance where the native and exotic vegetation is more than 6.0 metres in height and greater than 600mm in girth (measured 1.4metres above the ground), or where the width from the edge of a footpath, track, footbridge or boardwalk is greater than 1.0m, or where the enhancement/improvement to a footbridge, boardwalk or culvert exceeds 40%, in the Open Space Environment.*
- *any vegetation alteration for Parks Infrastructure where a footbridge or boardwalk is greater than 15m in length, or for culverts over 10m in length, or for carparks with more than 5 car parking spaces in the Open Space Environment.*

Renumber ~~2.4~~ 2.5 Non-Complying Activities

ASSESSMENT CRITERIA

Add a new bullet point to the assessment criterion **2(n)** as follows:
2(n)

The extent to which the proposed *vegetation alteration* is necessary to:

- facilitate the use of land in the *Open Space Environment*

Add a new criterion **2(q)** as follows:

2(q)

The extent to which the proposed *vegetation alteration* is for development proposed in a relevant Operative Reserve Management Plan, Parks Concept Plan, current Waitakere City Parks Strategy or current operative Regional Parks management plan.

To the Note at the end of the Assessment Criteria add the following 2 Policy numbers 10.28 and 11.32

RULE 3 EARTHWORKS

3.1 Permitted Activities

Add a second bullet point to Rule 3.1:

- *earthworks for Parks Furniture, Parks Signs and Parks Maintenance in the Open Space Environment* provided that there are no earthworks on a *sensitive ridge* or headland/cliff/scarp as shown on the Natural Areas Maps; and

3.2 Limited Discretionary Activities

Add the following two bullet point to Rule 3.2:

- *earthworks for Parks Infrastructure* in the *Open Space Environment* provided that there are no earthworks on a *sensitive ridge* or headland/cliff/scarp as shown on the Natural Areas Maps;
- *earthworks outside a building platform for parks facilities* provided that they do not exceed 30m³

Amend the wording of the following sentence:

Assessment of *Limited Discretionary Activities* applications will be limited to the matters of scale, location, method, *design* and *landscape treatment* and will be considered in accordance with Assessment Criteria 3(a) – 3(r).

Add the following category:

3.3 Discretionary Activities

Add the following two bullet points to Rule 3.3:

- *earthworks for Parks Maintenance* where the enhancement/improvement to a footbridge, boardwalk or culvert exceeds 40%, in the *Open Space Environment*.
- *earthworks for Parks Infrastructure* where a footbridge or boardwalk is greater than 15m in length, or for culverts over 10m in length, or for carparks with more than 5 car parking spaces in the *Open Space Environment*.

Add the following sentence:

Discretionary Activities applications will be assessed having regard to Assessment Criteria 3(a) – 3(r) and any other matters which are relevant under section 104 of the Act.

Renumber ~~3.3~~ 3.4 Non-Complying Activities

ASSESSMENT CRITERIA

Amend the assessment criterion **3(m)** as follows:

3(m)

The extent to which proposed *earthworks* are necessary to accommodate *development* otherwise permitted by the *Plan*, or to facilitate the use of land in the *Open Space Environment*.

Add a new criterion **3(r)** as follows:

3(r)

The extent to which the proposed *earthworks* are for development proposed in a relevant Operative Reserve Management Plan, Parks Concept Plan, current Waitakere City Parks Strategy or current operative Regional Parks management plan.

To the Note at the end of the Assessment Criteria add the following 2 Policy numbers 10.28 and 11.32

RIPARIAN MARGINS/COASTAL EDGES NATURAL AREA

PROCEDURAL GUIDELINE FOR THE RULES

Step 7 (Page 2)

Add a new sentence to the end of this section as follows:

Note that the written approval of the landowner – Waitakere City Council, Auckland Regional Council or Department of Conservation will be required in relation to any proposed activity in the Open Space Environment.

RULE 2 VEGETATION ALTERATION

2.1 Permitted Activities

Amend Rule 2.1(d) as follows:

~~(d) *Parks Maintenance* in the *Open Space Environment*. *vegetation alteration* for track and trail systems where provided for in parkmanagement plans approved under the Reserves Act 1977, Conservation Act 1987, Local Government Act 1974 or Auckland Centennial Memorial Park Act 1941.~~

2.2 Controlled Activities

Amend the wording of 2.2 (a) as follows:

- (i) *exotic vegetation* less than 6.0m in height and less than 600mm in girth (measured 1.4metres above the ground)

2.3 Limited Discretionary Activities

Add 2.1(c) as follows:

(c) *vegetation alteration* for *Parks Infrastructure* in the *Open Space Environment*.

Amend the wording of the following sentence:

Assessment of *Limited Discretionary Activities* applications will be limited to the matters of scale, method, *landscape treatment* and location and will be considered in accordance with Assessment Criteria 2(a) – 2(t).

2.4 Discretionary Activities

Add the following two bullet points to Rule 2.4:

- *any vegetation alteration* for *Parks Maintenance* where the *native and exotic vegetation* is more than 6.0 metres in height and greater than 600mm in girth (measured 1.4metres above the ground), or where the width from the edge of a footpath, track, footbridge or boardwalk is greater than 1.0m, or the enhancement/improvement to a footbridge, boardwalk or culvert exceeds 40%, in the *Open Space Environment*.
- *any vegetation alteration* for *Parks Infrastructure* where a footbridge or boardwalk is greater than 15m in length, or for culverts over 10m in length, or for carparks with more than 5 car parking spaces in the *Open Space Environment*.

Amend the wording of the following sentence:

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

ASSESSMENT CRITERIA

Add a new bullet point to the assessment criterion **2(n)** as follows:

2(n)

The extent to which the proposed *vegetation alteration* is necessary to:

- facilitate the use of land in the *Open Space Environment*

Add a new criterion **2(t)** as follows:

2(t)

The extent to which the proposed *vegetation alteration* is for development proposed in a relevant Operative Reserve Management Plan, Parks Concept Plan, current Waitakere City Parks Strategy or current operative Regional Parks management plan.

To the Note at the end of the Assessment Criteria add the following 2 Policy numbers 10.28 and 11.32

RULE 3 EARTHWORKS

3.1 Permitted Activities

Add the following bullet point to Rule 3.1:

- (f) *earthworks for Parks Furniture, Parks Signs and Parks Maintenance in the Open Space Environment.*

Renumber ~~3.4~~ **3.2 Limited Discretionary Activities**

Add two new clauses (c) and (d) to Rule 3.2;

- (c) *earthworks for Parks Infrastructure in the Open Space Environment.*
- (d) *earthworks outside a building platform for parks facilities provided that they do not exceed 30m³*

Amend the wording of the following sentence:

Assessment of *Limited Discretionary Activities* applications will be limited to the matters of scale, method, *design, monitoring* and *planting* and location and will be considered in accordance with Assessment Criteria 3(a) – 3(w).

Renumber ~~3.2~~ **3.3 Discretionary Activities**

Add the two following bullet points to Rule 3.3:

- *earthworks for Parks Infrastructure where a footbridge or boardwalk is greater than 15m in length, or a culvert is greater than 10m in length, or for carparks with more than 5 car parking spaces in the Open Space Environment.*
- *earthworks for Parks Maintenance where the enhancement/improvement to a footbridge, boardwalk or culvert exceeds 40%, in the Open Space Environment.*

Amend the wording of the following sentence:

Discretionary Activity applications will be assessed having regard to Assessment Criteria 3(a) – 3(w) and any other matters which are relevant under section 104 of the Act.

ASSESSMENT CRITERIA

Add a new clause to the assessment criterion **3(o)** as follows:

3(o)

The extent to which the proposed *earthworks* are necessary to accommodate development otherwise permitted by the Plan, or facilitate the use of land in the Open Space Environment.

Add a new criterion **2(w)** as follows:

2(w)

The extent to which the proposed *earthworks* are for development proposed in a relevant Operative Reserve Management Plan, Parks Concept Plan, current Waitakere City Parks Strategy or current operative Regional Parks management plan.

Renumber ~~3.3~~ **3.4 Non-Complying Activities**

To the Note at the end of the Assessment Criteria add the following 2 Policy numbers 10.28 and 11.32

Rule 7 BUILDINGS

7.1 Permitted Activities

Add a new (second) bullet point to Rule 7.1 as follows:

- *Parks Infrastructure and Parks Maintenance in the Open Space Environment.*

7.2 Limited Discretionary Activities

Amend the first bullet point of Rule 7.2 as follows:

- The alteration of existing *buildings* including *Parks Buildings or Parks Facilities* or *construction* of new *buildings* including *Parks Buildings or Parks Facilities* not exceeding 10% of the part of the site within the *Riparian Margins/Coastal Edge Natural Area*

Add two new bullet points as follows:

- *Parks Infrastructure* where a footbridge or boardwalk is greater than 15m in length or a culvert is greater than 10m in length in the *Open Space Environment.*
- *Parks Maintenance* where the enhancement/improvement to a footbridge, boardwalk or culvert exceeds 40%, in the *Open Space Environment.*

Amend the wording of the following sentence:

Assessment of *Limited Discretionary Activities* applications will be limited to the matters of scale, location, method, *design*, and *monitoring* and will be considered in accordance with Assessment Criteria 7(a) – 7(n).

Amend the wording of the following sentence:

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

ASSESSMENT CRITERIA

Add a new assessment criterion **7(n)** as follows:

7(n)

The extent to which proposed *bridge* or *building* is necessary to facilitate the use of land for public access in the *Open Space Environment*.

Add a new criterion **7(o)** as follows:

7(o)

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

To the Note at the end of the Assessment Criteria add the following 2 Policy numbers 10.28 and 11.32

District Plan Rules - #2

Open space environment

**Procedural Guideline for the Rules
Amend Step 8 as per the following attachment:**

Rules

Replace the following rules in their entirety:

Rule 2 Building Height

Rule 3 Height in Relation to Boundary

Rule 4 Yards

Rule 5 Building Coverage

Rule 6 Building Location

Rule 7 Parking and Traffic Generation

Rule 10 Glare

Rule 11 Signs

Amend Rule 9 Infrastructure, by adding the underlined words

Rule 8 Noise remains unchanged

Open space environment

PROCEDURAL GUIDELINE FOR THE RULES

Step 8

(Page 2)

Add a new sentence to the end of the first paragraph of this section as follows:

“Note that the written approval of the landowner – Waitakere City Council, Auckland Regional Council or Department of Conservation will be required in relation to any proposed activity in the Open Space Environment and the lease (if applicable) may need amending.”

Rule 2	BUILDING HEIGHT
<p>RULES</p> <p>2.0 General</p> <p>The following rules shall apply to <i>Any Activity or development</i> but not including <i>Parks Maintenance</i>.</p> <p>2.1 Permitted Activities</p> <p>(a) <i>Parks Facilities, Parks Furniture, Parks Infrastructure and Parks Signs</i>; provided the maximum <i>building height</i> does not exceed 5.0m</p> <p>(b) <i>Parks Field Structures</i> – no height limit</p> <p>2.3 Limited Discretionary Activities</p> <p>The following are <i>Limited Discretionary Activities</i>:-</p> <p>(a) <i>Parks Facilities, Parks Furniture, Parks Infrastructure and Parks Signs</i>; provided the maximum building height does not exceed 8.0m; or</p> <p>(b) Additions and alterations to existing <i>Parks Buildings</i> provided that the maximum gross floor area of any additions is no more than 10m² and there is no increase in the number of people the building is designed to accommodate, and the maximum building height does not exceed 8.0m</p> <p>Assessment of <i>Limited Discretionary Activities</i> applications will be limited to the matters of <i>height, location, screening, planting and design</i> and will be considered in accordance with Assessment Criteria 2(a) – 2(f)</p> <p>2.4 Discretionary Activities</p> <p>The following are <i>Discretionary Activities</i>:-</p> <p>(a) <i>Parks Furniture and Parks Infrastructure</i>; where the maximum building height would exceed 8.0m</p> <p>(b) <i>Parks buildings</i> provided the maximum building height does not exceed 8.0m</p> <p>(c) <i>Parks Facilities</i> and additions and alterations to existing <i>parcs buildings</i> not meeting the standards in Rule 2.3 (b)</p>	<p>ASSESSMENT CRITERIA</p> <p>2(a)</p> <p>The extent to which <i>Parks Buildings, Parks Facilities or Parks Signs</i> are of a <i>height</i> which avoid adverse effects on neighbourhood character.</p> <p>2(b)</p> <p>The extent to which <i>Parks Buildings, Parks Facilities or Parks Signs</i> are of a <i>height</i>, which does not physically dominate or intrude into privacy of <i>adjoining sites</i>.</p> <p>2(c)</p> <p>The extent to which <i>Parks Buildings, Parks Facilities or Parks Signs</i> are of a <i>height</i>, which avoids where possible, interruption of views from <i>sites</i> in the vicinity.</p> <p>2(d)</p> <p>The extent to which <i>Parks Buildings, Parks Facilities or Parks Signs</i> detract from the open space character of reserves or the natural landscape.</p> <p>2(e)</p> <p>The extent to which the <i>Parks Buildings, Parks Facilities, Parks Furniture, Parks Infrastructure or Parks Signs</i> are in accordance with the provisions of a relevant Operative Reserve Management Plan, Parks Concept Plan, current Waitakere City Parks Strategy or current operative Regional Parks management plan.</p> <p>2(f)</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>Note: See also Policies: 5.3, 9.5, 10.3, 10.5, 10.20 10.28, 11.3, 11.7, 11.32</p> <p>(Policy Section of the Waitakere District Plan)</p>

Assessment of *Discretionary Activities* applications will be assessed having regard to Assessment Criteria 2(a) – 2(f) and any other matters which are relevant under Section 104 of the Act.

2.5 Non-complying Activities

Parks Buildings or *Any Activity* which is not a *Permitted Activity* or a *Limited Discretionary Activity* or a *Discretionary Activity* or any *subdivision* shall be deemed to contravene a rule in the *Plan* and shall be a *Non-Complying Activity*.

NOTES

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

RESOURCE CONSENT CONDITIONS

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

- Limiting the *height of parks buildings*
- Altering the location of *parks buildings*
- Specifying building materials (exterior cladding) and colour to be used
- Requiring the provision of *screening or planting*
- Requiring the alteration of window *design* or positioning
- The imposition of a *bond* to ensure satisfaction of conditions of consent
- Requiring *onsite* or *offsite* works and services to avoid, remedy, mitigate or offset *adverse effects*.
- Such other matters provided for in section 108 of the Act.

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

Rule 3	HEIGHT IN RELATION TO BOUNDARIES
<p>RULES</p> <p>3.0 General</p> <p>The following rules shall apply to <i>Any Activity</i> or <i>development</i>, but not including <i>Parks Furniture</i> and <i>Parks Infrastructure</i>.</p> <p>3.1 Permitted Activities</p> <p>(a) Additions and alterations to existing <i>Parks Buildings</i> provided that the maximum gross floor area of any additions is no more than 10m² and there is no increase in the number of people the building is designed to accommodate, and</p> <p>(b) <i>Parks Facilities</i> and <i>Parks Field Structures</i>;</p> <p>provided (a) and (b) above meet the following performance standard:</p> <ul style="list-style-type: none"> - do not project beyond the following <i>recession plane</i>: -southern most site boundary recession plane 35° -western and eastern most site boundary recession plane 45° -northern most site boundary recession plane 55° <p>as measured from any point 2.5m vertically above ground level on any site boundary adjoining land within the <i>Living, Bush Living, Waitakere Ranges, Rural Villages, Coastal Villages, Countryside</i> or <i>Foothills Environments</i>, provided that :</p> <ul style="list-style-type: none"> - gable ends may penetrate the recession plane plane by no more than one- third of the gable height; and - no account shall be taken of TV aerials, chimneys and decorative features that do not extend more than 1.0 metre in any horizontal direction - where a site boundary adjoins a shared driveway, entrance strip, access lot or pedestrian access way the site boundary shall be taken as the furthest boundary of the above <p>3.2 Limited Discretionary Activities</p> <p>The following are <i>Limited Discretionary Activities</i>:-</p> <p>(a) Additions and alterations to existing <i>Parks Buildings</i> provided that the maximum</p>	<p>ASSESSMENT CRITERIA</p> <p>3(a)</p> <p>The extent to which the <i>height</i>, location and <i>design</i> of <i>Parks Buildings, Parks Facilities</i> or <i>Parks Field Structures</i> will allow for reasonable sunlight and daylight access to adjoining sites.</p> <p>3(b)</p> <p>The extent to which the <i>height</i>, location and <i>design</i> of <i>Parks Buildings</i> or <i>Parks Facilities</i> will allow for reasonable sunlight and daylight access to the proposed building</p> <p>3(c)</p> <p>The extent to which <i>Parks Buildings, Parks Facilities</i> or <i>Parks Field Structures</i> detract from the open space character of reserves or the natural landscape.</p> <p>3(d)</p> <p>The extent to which the <i>Parks Buildings, Parks Facilities</i> or <i>Parks Field Structures</i> are in accordance with the provisions of a relevant Operative Reserve Management Plan, Parks Concept Plan, current Waitakere City Parks Strategy or current operative Regional Parks management plan.</p> <p>3(e)</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>Note: See also Policies: 1.15, 5.3, 10.3, 10.5, 10.28, 11.3, 11.7, 11.32</p> <p>(Policy Section of the Waitakere District Plan)</p>

gross floor area of any additions is no more than 10m² and there is no increase in the number of people the building is designed to accommodate, and

- (b) *Parks Facilities* and *Parks Field Structures*: which do not meet the standards for recession planes in Rule 3.1

Assessment of *Limited Discretionary Activities* applications will be limited to the matters of *height*, *location*, *screening*, *planting* and *design* and will be considered in accordance with Assessment Criteria 3(a) – 3(e).

3.3 Discretionary Activities

The following are *Discretionary Activities*:-

- (a) *Parks Buildings* which meet the following performance standard:

- do not project beyond the following *recession plane*:

-southern most site boundary recession plane 35°

-western and eastern most site boundary recession plane 45°

-northern most site boundary recession plane 55°

as measured from any point 2.5m vertically above ground level on any site boundary adjoining land within the *Living, Bush Living, Waitakere Ranges, Rural Villages, Coastal Villages, Countryside* or *Foothills Environments*, provided that :

- gable ends may penetrate the recession plane by no more than one- third of the gable height; and
- no account shall be taken of TV aerials, chimneys and decorative features that do not extend more than 1.0 metre in any horizontal direction
- where a site boundary adjoins a shared driveway, entrance strip, access lot or pedestrian access way the site boundary shall be taken as the furthest boundary of the above

- (b) Additions and alterations to existing *Parks Buildings* and *Parks Facilities* not meeting the standards in Rule 3.1 or Rule 3.2.

Assessment of *Discretionary Activities* applications will be assessed having regard to Assessment Criteria 3(a) – 3(e) and any other matters which are relevant under Section 104 of the *Act*.

RESOURCE CONSENT CONDITIONS

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

- Limiting the *height* of *parks buildings*
- Altering the location of *parks buildings*
- Altering the *design* of buildings
- Specifying building materials (exterior cladding) and colour to be used
- Requiring the provision of *screening* or *planting*
- Covenanting of existing or *planted vegetation*
- The imposition of a *bond* to ensure satisfaction of conditions of consent
- Requiring *onsite* or *offsite* works and services to avoid, remedy, mitigate or offset *adverse effects*.
- Such other matters provided for in section 108 of the *Act*.

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

3.4 Non-complying Activities

Parks Buildings or *Any Activity* which is not a *Permitted Activity*, *Controlled Activity*, *Limited Discretionary Activity* or a *Discretionary Activity* or any *subdivision* shall be deemed to contravene a rule in the *Plan* and shall be a *Non-Complying Activity*.

NOTES

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.

Activities must comply with all other relevant rules of the *Plan* or be the subject of a *resource consent*. Check all other rules in this *Human Environment* and also the *Natural Area Rules*, the *City-Wide Rules* and, where relevant, the *Subdivision Rules*.

3. Words in *italics* are defined - see the Definitions part of the *City-Wide Rules*.
4. Words in **bold** are explained - see the Explanations part of the Introduction to the Rules.
5. The Council may have a guideline to help interpret this rule - check at the Council Offices.
6. For *resource consents* see the Information Requirements in the *City-Wide Rules*.

Rule 4	YARDS
<p>RULES</p> <p>4.0 General</p> <p>The following rules shall apply to <i>Any Activity</i> or <i>development</i>.</p> <p>4.1 Permitted Activities</p> <p>(a) <i>Parks Facilities, Parks Furniture</i> and <i>Parks Infrastructure</i>, which meet the following performance standard:</p> <ul style="list-style-type: none"> - 3m <i>setback</i> from any site boundary which adjoins land within the <i>Living, Bush Living, Waitakere Ranges, Rural Villages, Coastal Villages, Countryside</i> or <i>Foothills Environments</i>, provided that footpaths in pedestrian access ways providing access into a park or between two public places are exempt from this provision. <p>(b) <i>Parks Field Structures</i> which meet the following performance standard:</p> <ul style="list-style-type: none"> - 6.0m <i>setback</i> from a <i>road boundary</i> and - 4m from any other <i>site boundary</i> <p>(c) <i>Parks Sports Fields (markings)</i> which meet the following performance standard:</p> <ul style="list-style-type: none"> - 6.0m <i>setback</i> from any site boundary which adjoins land within the <i>Living, Bush Living, Waitakere Ranges, Rural Villages, Coastal Villages, Countryside</i> or <i>Foothills Environments</i> - 5m from any other <i>site boundary</i> <p>4.3 Limited Discretionary Activities</p> <p>The following are <i>Limited Discretionary Activities</i>:-</p> <p>(a) <i>Parks Facilities, Parks Field Structures, Parks Furniture, Parks Infrastructure</i> and <i>Parks Sports Fields</i> not meeting the standards in Rule 4.1(a)</p> <p>(b) Additions and alterations to existing <i>Parks Buildings</i> provided that the maximum gross floor area of any additions is no more than 10m² and there is no increase in the number of people the building is designed to accommodate, and</p>	<p>ASSESSMENT CRITERIA</p> <p>4(a)</p> <p><i>Parks Facilities, Parks Furniture, Parks Infrastructure, Parks Field Structures</i> and <i>Parks Sports Fields</i> should be located a sufficient distance back from any adjoining land within a <i>Living Environment</i> or a <i>Waitakere Ranges Environment</i> or a <i>Rural Villages Environment</i> or a <i>Countryside Environment</i> or a <i>Foothills Environment</i> to ensure a balance between the need for privacy and opportunities for surveillance of the park.</p> <p>4(b)</p> <p><i>Parks Facilities, Parks Furniture, Parks Infrastructure, Parks Field Structures</i> and <i>Parks Sports Fields</i> should be located a sufficient distance back from the road boundary and site boundaries to avoid adverse effects on neighbourhood character.</p> <p>4(c)</p> <p><i>Parks Facilities, Parks Furniture, Parks Infrastructure, Parks Field Structures</i> and <i>Parks Sports Fields</i> should be located a sufficient distance back from the <i>road boundary</i> to maintain opportunities for <i>planting</i>.</p> <p>4(d)</p> <p>The extent to which <i>Parks Buildings, Parks Facilities, Parks Furniture, Parks Infrastructure, Parks Field Structures</i> and <i>Parks Sports Fields</i> detract from the open space character of reserves or the natural landscape.</p> <p>4(e) The extent to which there are adequate <i>setbacks Parks Field Structures</i> and <i>Parks Sports Fields</i> to ensure safety for activities in the park or reserve</p> <p>4(f)</p> <p>The extent to which the <i>Parks Buildings, Parks Facilities, Parks Field Structures, Parks Furniture, Parks Infrastructure</i> and <i>Parks Sports Fields</i> are in accordance with the provisions of a relevant Operative Reserve Management Plan, Parks Concept Plan, current Waitakere City Parks Strategy or current operative Regional Parks management plan.</p> <p>4(g)</p> <p>The extent to which more than minor adverse <i>effects</i></p>

<p>- which meet the following performance standard: 6.0m <i>setback</i> from a <i>road boundary</i>, and 3m <i>setback</i> from any other <i>site boundary</i>.</p> <p>Assessment of <i>Limited Discretionary Activities</i> applications will be limited to the matters of <i>height</i>, location, <i>screening</i>, <i>planting</i> and <i>design</i> and will be considered in accordance with Assessment Criteria 4(a) – 4(g).</p> <p>4.3 Discretionary Activities</p> <p>The following are <i>Discretionary Activities</i>:-</p> <p>(a) <i>Parks Buildings</i>, and (b) Additions and alterations to existing <i>parks buildings</i> where there is</p> <ul style="list-style-type: none"> - an increase in the occupancy of the building, or the additions exceed 10m² <p>which meet the following performance standard:</p> <p>are <i>setback</i> 3m from any site boundary which adjoins land within the following <i>Environments: Living, Bush Living, Waitakere Ranges, Rural Villages, Coastal Villages, Countryside</i> or <i>Foothills Environment</i>,</p> <p>Assessment of <i>Discretionary Activities</i> applications will be assessed having regard to Assessment Criteria 4(a) – 4(g) and any other matters which are relevant under Section 104 of the <i>Act</i>.</p> <p>4.4 Non-complying Activities</p> <p><i>Parks Buildings</i> or <i>Any Activity</i>, which is not a <i>Permitted Activity, Controlled Activity, Limited Discretionary Activity</i> or a <i>Discretionary Activity</i> or any <i>subdivision</i> shall be deemed to contravene a rule in the <i>Plan</i> and shall be a <i>Non-Complying Activity</i>.</p>	<p>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>Note: See also Policies: 1.15, 5.3, 10.5, 10.6, 10.27, 10.28, 11.3, 11.32</p> <p>(Policy Section of the Waitakere District Plan)</p> <p>RESOURCE CONSENT CONDITIONS</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"> • Requiring a specific setback between the <i>parks building, parks facilities, parks furniture</i> or <i>parks infrastructure</i> and the <i>road boundary</i> or other <i>site boundaries</i> • Requiring the provision of <i>screening</i> or <i>planting</i> • Altering the location of <i>parks buildings, parks parks facilities, parks field structures and sports fields, parks infrastructure and parks furniture</i> • Requiring the alteration to the layout of the <i>parks building, parks facilities, parks field structures, parks furniture, parks infrastructure and parks sports fields</i> to balance privacy on adjoining sites and to increase opportunities for surveillance of the park • The imposition of a <i>bond</i> to ensure satisfaction of conditions of consent • Requiring <i>onsite</i> or <i>offsite</i> works and services to avoid, remedy, mitigate or offset <i>adverse effects</i>. • Such other matters provided for in section 108 of the <i>Act</i>. <p>Provided that, in the case of <i>Limited Discretionary Activities</i>, conditions may only be imposed in respect of the matters specified above to which the Council has restricted the exercise of its discretion.</p>
<p>NOTES</p> <ol style="list-style-type: none"> 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. 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 	

Human Environment and also the *Natural Area Rules*, the *City-Wide Rules* and, where relevant, the *Subdivision Rules*.

3. Words in *italics* are defined - see the Definitions part of the *City-Wide Rules*.
4. Words in **bold** are explained - see the Explanations part of the Introduction to the Rules.
5. The Council may have a guideline to help interpret this rule - check at the Council Offices.
6. For *resource consents* see the Information Requirements in the *City-Wide Rules*.

Rule 5	BUILDING COVERAGE
<p>RULES</p> <p>5.0 General</p> <p>The following rules shall apply to <i>Any Activity or development</i>, but not including <i>Parks Furniture, Parks Field Structures, Parks Infrastructure and Parks Sports Fields</i>.</p> <p>5.1 Permitted Activities</p> <p>The following are <i>Permitted Activities</i>:-</p> <p>(a) <i>Parks Facilities</i> which meet the following performance standard:</p> <ul style="list-style-type: none"> - 10% of the <i>site area</i> for <i>sites</i> up to 2500m² in area, including all existing building coverage on the park or reserve, or - a maximum of 5% of <i>the site area</i> for <i>sites</i> over 2500m² in area, including all existing building coverage on the park or reserve <p>5.2 Limited Discretionary Activities</p> <p>The following are <i>Limited Discretionary Activities</i>:-</p> <p>(a) Additions and alterations to existing <i>Parks Buildings</i> provided that the maximum gross floor area of any additions is no more than 10m² and there is no increase in the number of people the building is designed to accommodate, and</p> <p>(b) <i>Parks Facilities</i>, which do not meet the permitted activity performance standards in Rule 5.1:</p> <p>provided that the total building coverage for additions and alterations to existing <i>Parks Buildings</i>, and <i>Parks Facilities</i>, shall not exceed 20% <i>building coverage</i> of the <i>site area</i> including all existing building coverage.</p> <p>Assessment of <i>Limited Discretionary Activities</i> applications will be limited to the matters of <i>physical domination</i>, neighbourhood character, location, <i>screening</i>, <i>planting</i> and <i>design</i> and will be considered in accordance with Assessment Criteria 5(a) – 5(g)</p>	<p>ASSESSMENT CRITERIA</p> <p>5(a)</p> <p>The extent to which <i>building coverage</i> will create adverse effects on amenity values and neighbourhood character.</p> <p>5(b)</p> <p>The extent to which the <i>building coverage</i> of will maintain opportunities to provide for the planting of lawns and trees around <i>parks buildings</i> and <i>parks facilities</i>.</p> <p>5(c)</p> <p>The extent to which the <i>building coverage</i> will physically dominate adjoining sites.</p> <p>5(d)</p> <p>The extent to which <i>Parks Buildings</i> and <i>Parks Facilities</i> detract from the open space character of reserves or the natural landscape.</p> <p>5(e)</p> <p>For parks outside the MUL the extent to which <i>building coverage</i> creates pressure on existing infrastructure or the receiving ability of the surrounding natural environment from the buildings or the activities to be conducted within them - in particular on water supply, waste water and stormwater drainage, water tables, proximity to water courses, soils and road access.</p> <p>5(f)</p> <p>The extent to which the <i>Parks Buildings</i> or <i>Parks Facilities</i> are in accordance with the provisions of a relevant Operative Reserve Management Plan, Parks Concept Plan, or the current Waitakere City Parks Strategy or current operative Regional Parks management plan.</p> <p>5(g)</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>Note: See also Policies: 5.3, 10.3, 10.5, 10.6, 10.7, 10.27, 10.28, 11.3, 11.32</p> <p>(Policy Section of the Waitakere District Plan)</p>

5.3 Discretionary Activities

The following are *Discretionary Activities*:-

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

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

5.4 Non-complying Activities

Parks Buildings or *Any Activity*, which is not a *Permitted Activity*, *Controlled Activity*, *Limited Discretionary Activity* or a *Discretionary Activity* or any *subdivision* shall be deemed to contravene a rule in the *Plan* and shall be a *Non-Complying Activity*.

NOTES

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

RESOURCE CONSENT CONDITIONS

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

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

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

Rule 6	BUILDING LOCATION – NATURAL LANDSCAPE ELEMENTS
<p>RULES</p> <p>6.0 General</p> <p>The following rules shall apply to <i>Any Activity</i> involving the erection or alteration of <i>Parks Buildings, Parks Facilities, Parks Furniture, Parks Field Structures</i> and <i>Parks Infrastructure</i>.</p> <p>6.1 Permitted Activities</p> <p>Activities meeting the following Performance Standard are <i>Permitted Activities</i>:</p> <p>(c) <i>Parks Buildings, Parks Facilities, Parks Furniture, Parks Infrastructure</i> and <i>Parks Field Structures</i>, which are not on <i>land</i> identified as a <i>sensitive ridge</i> or headland/cliff/scarp on the <i>Natural Areas Maps</i>.</p> <p>6.2 Controlled Activities</p> <p>The following are <i>Controlled Activities</i>:-</p> <p>(a) <i>Parks Buildings, Parks Facilities, Parks Furniture, Parks Infrastructure</i> and <i>Parks Field Structures</i> on <i>land</i> identified as a <i>sensitive ridge</i> or headland/cliff/scarp on the <i>Natural Areas Maps</i>, provided that any building or structure is not visible in front of the sea or above the <i>skyline</i> as viewed from a <i>road</i> or other <i>public place</i>.</p> <p>(b) Additions and alterations to existing <i>Parks Buildings</i> on <i>land</i> identified as a <i>sensitive ridge</i> or headland/cliff/scarp on the <i>Natural Areas Maps</i>, provided that the maximum gross floor area of any additions or alterations to existing <i>Parks Buildings</i> is no more than 10m² and there is no increase in the number of people the building is designed to accommodate, and there is no increase in the <i>height</i> of the <i>building</i>.</p> <p>Assessment of <i>Controlled Activity</i> applications made under this rule will be limited to the matters of <i>height</i>, location, <i>design</i>, <i>landscape treatment</i>, and scale and will be considered in accordance with Assessment Criteria 6(a) – 6(g)</p>	<p>ASSESSMENT CRITERIA</p> <p>6(a)</p> <p>The extent to which <i>Parks Buildings Parks Furniture, Parks Infrastructure</i> or <i>Parks Facilities</i> are <i>obtrusively visible</i> on or above <i>sensitive ridgelines</i> or a headland/cliff/scarp from a <i>public place</i>.</p> <p>6(b)</p> <p>The extent to which the <i>Parks Buildings Parks Furniture, Parks Infrastructure</i> or <i>Parks Facilities</i> compromise the visual landscape qualities of <i>sensitive ridgelines</i> or a headland/cliff/scarp and other <i>natural landscape elements</i>.</p> <p>6(c)</p> <p>The extent to which the activity adversely affects the visual, historical, cultural and spiritual significance for <i>iwi</i> of <i>sensitive ridges</i> or a headland/cliff/scarp.</p> <p>6(d)</p> <p>The extent to which <i>landscape treatment</i> is used to mitigate the visual impact of <i>Parks Buildings, Parks Facilities, Parks Furniture</i> and <i>Parks Infrastructure</i>.</p> <p>6(e)</p> <p>The extent to which the height of the <i>Parks Buildings Parks Furniture, Parks Infrastructure</i> or <i>Parks Facilities</i> will interrupt identified <i>Public Views</i>, as listed in Appendix K of the Policy Section of the <i>Plan</i>.</p> <p>6(f)</p> <p>The extent to which the <i>Parks Facilities, Parks Furniture, Parks Infrastructure</i> and <i>Parks Buildings</i> are in accordance with the provisions of a relevant Operative Reserve Management Plan, Parks Concept Plan, current Waitakere City Parks Strategy or current operative Regional Parks management plan.</p> <p>6(g)</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>Note: See also Policies: 5.3, 8.7, 9.3, 9.5, 9.12, 10.27, 10.28, 11.7, 11.8, 11.9, 11.32 (Policy Section of the Waitakere District Plan)</p>

6.3 Limited Discretionary Activities

The following are *Limited Discretionary Activities*:-

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

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

6.4 Discretionary Activities

The following are *Discretionary Activities*:-

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

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

6.5 Non-complying Activities

Any Activity to which these rules apply which is not a *Permitted Activity, Controlled Activity,*

RESOURCE CONSENT CONDITIONS

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

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

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

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

NOTES

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

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

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

3.4 Non-complying Activities

Any Activity which is not a *Permitted Activity*, *Controlled Activity*, *Limited Discretionary Activity* or a *Discretionary Activity* or any *subdivision* shall be deemed to contravene a rule in the *Plan* and shall be a *Non-Complying Activity*.

NOTES

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

RESOURCE CONSENT CONDITIONS

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

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

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

Rule 9	INFRASTRUCTURE
<p>RULES</p> <p>9.0 General</p> <p>The following rules shall apply <i>Any Activity</i> involving the erection or provision of <i>infrastructure</i>.</p> <p>9.1 Permitted Activities</p> <p>Activities meeting the following performance standard are <i>Permitted Activities</i>:</p> <p>(a) the <i>upgrading of infrastructure</i> which is a <i>Permitted Activity</i> or has received a <i>resource consent</i> in respect of any of the relevant rules of the <i>Plan</i> relating to:</p> <ul style="list-style-type: none"> • the General Noise Standards within the <i>City Wide Rules</i> • the <i>Heritage Rules</i> • the <i>Natural Area</i> within which the <i>site</i> is located • the odour, glare, <i>dust</i>, vibration and air discharges, <i>hazardous facilities</i> and <i>signs</i> Rules applying to the <i>Human Environment</i> within which the <i>site</i> is located. <p>Note: The above rule shall not compromise the ability of the Council or any other person to pursue action relating to adverse effects on the environment. (See sections 16 and 17 of the Act).</p> <p>(b) <i>Any Activity</i> involving <i>infrastructure</i> which;</p> <p>(i) is an above-ground sewage, stormwater or water pipe and</p> <ul style="list-style-type: none"> - has a <i>height</i> not exceeding 1.0 metre above <i>ground level</i>; and - a diameter not exceeding 300mm; and - extends for an above-ground distance not exceeding 25.0 metres at any one place; <p>(ii) is any other <i>infrastructure</i> which has a <i>height</i> not exceeding 1.5 metres above <i>ground level</i> and covers an above ground area not exceeding 2m² provided that this rule shall not allow;</p> <ul style="list-style-type: none"> - any stormwater pipe or wastewater pipe not operated by a <i>network utility operator</i> or otherwise not covered by clause (c) below - high pressure gaslines with a gauge pressure of more than 2000kPa - <i>lines</i> and associated <i>structures</i> conveying electricity with a voltage over 110kV and a capacity exceeding 100MVA. 	<p>ASSESSMENT CRITERIA</p> <p>9(a)</p> <p>The extent to which <i>infrastructure</i> or <i>connection height</i> or bulk adversely affects the amenity values and neighbourhood character.</p> <p>9(b)</p> <p>The extent to which <i>infrastructure</i> or <i>connection height</i> or bulk physically dominates <i>adjoining sites</i>.</p> <p>9(c)</p> <p>The extent to which <i>infrastructure</i> or <i>connection height</i> or bulk intrudes into the privacy of <i>adjoining sites</i>.</p> <p>9(d)</p> <p>The extent to which <i>infrastructure</i> or <i>connection height</i> or bulk avoids, where possible, interruption of views from sites in the <i>vicinity sites</i>.</p> <p>9(e)</p> <p>The extent to which the scale and design of the <i>infrastructure</i> or <i>connection</i> proposed complements amenity values and neighbourhood character.</p> <p>9(f)</p> <p>The extent to which <i>buildings</i> and <i>development</i> make provision for <i>infrastructure</i> to serve the needs of the <i>site</i>.</p> <p>9(g)</p> <p>The extent to which provision is maintained to provide for the <i>planting</i> of lawns and trees around the <i>infrastructure</i> or <i>connection</i>.</p> <p>9(h)</p> <p>The extent to which the <i>infrastructure</i> or <i>connection</i> is located in a position which allows for safe traffic movement on the <i>road</i>, and <i>car parking</i> and manoeuvring off the <i>road</i>.</p> <p>9(i)</p> <p>The extent to which the <i>infrastructure</i> or <i>connection</i> is <i>constructed</i> and will be maintained in such a manner as not to adversely affect the health, safety and wellbeing of any person.</p>

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

Provided that this rule shall not allow:

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

9.2 Controlled Activities

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

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

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

9.3 Limited Discretionary Activities

The following are *Limited Discretionary Activities*:

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

Assessment of *Limited Discretionary Activities*

9(j)

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

9(k)

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

9(l)

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

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

9(m)

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

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

9(n)

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

9(o)

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

<p>applications will be limited to the matter of and will be considered in accordance with Assessment Criteria 9(a) – 9(u).</p> <p>9.4 Discretionary Activities</p> <p>Activities meeting the following performance standard are <i>Discretionary Activities</i>:</p> <ul style="list-style-type: none"> • Any activity involving <i>infrastructure or connections</i> not meeting the standards specified in Rules 9.1 or 9.2, provided that no new <i>infrastructure</i> having a <i>height</i> exceeding 12.0 metres may be located on a <i>sensitive ridgeline</i>, headland, cliff or scarp. <p><i>Discretionary Activity</i> applications will be assessed having regard to Assessment Criteria 9(a) - 9(t) and any other matters that are relevant under Section 104 of the <i>Act</i>.</p> <p>9.5 Non-complying Activities</p> <p>Any activity or any temporary activity to which these rules apply which is not a <i>Permitted Activity</i>, or a <i>Controlled Activity</i> or a <i>Limited Discretionary Activity</i> or a <i>Discretionary Activity</i> under the above rules shall be deemed to contravene a rule in the <i>Plan</i> and shall be a <i>Non-Complying Activity</i>.</p>	<p>future <i>development</i> and any adverse <i>effects</i> it may have on the downstream system.</p> <p>9(p)</p> <p>The extent to which the <i>design</i> and location of the <i>stormwater treatment and disposal system</i>:</p> <ul style="list-style-type: none"> • ensure maintenance of water quality in receiving natural waters, including treatment where necessary to provide for removal of <i>contaminants</i>. • ensure sufficient capacity to provide for the safe and efficient disposal of stormwater from the <i>site</i> and any likely future <i>development</i>. • ensure adequate measures are taken to screen out litter, silt and other contamination. • achieve a sufficient standard and compatibility with any existing <i>stormwater treatment and disposal system</i> to minimise maintenance costs. • ensure no more than minor adverse <i>effects</i> on any other <i>infrastructure</i> or <i>connection</i> of likely <i>building development</i>. • ensure adequate measures are taken to screen out litter, silt and other contamination. • achieve a sufficient standard and compatibility with any existing <i>stormwater treatment and disposal system</i> to minimise maintenance costs. • ensure no more than minor adverse <i>effects</i> on any other <i>infrastructure</i> or <i>connection</i> of likely <i>building development</i>. • provide for stormwater disposal from all of the <i>land</i> within the <i>site</i>. • ensure that <i>development</i> will not contribute to flooding downstream of the <i>site</i>. <p>9(q)</p> <p>The extent to which there has been consideration given to the use of ponds and open natural waterway systems for stormwater disposal, having regard to the capability of the natural waterway system to efficiently accommodate the stormwater generated by the activity, in a manner which allows for adequate long term maintenance and with no more than minor adverse <i>effects</i> on natural water or downstream systems.</p> <p>9(r)</p> <p>The extent to which any <i>infrastructure</i> or <i>connection</i> is located and <i>constructed</i> to minimise the need for maintenance, allow for access and avoid impacts on other <i>infrastructure</i> or <i>connection</i>.</p> <p>9(s)</p> <p>The extent to which the <i>design</i> and location of <i>infrastructure</i> or <i>connection</i> adversely affect the mauri of water.</p>
<p>NOTES</p>	
<ol style="list-style-type: none"> 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. 2. Applicants intending to build within 20m of a transmission line or within 4m of any other electric line are advised to consult with the owner of that line. 3. <i>Upgrading</i> which meets the <i>Permitted Activity</i> standards, is not subject to most of the <i>Human Environment Rules</i> in the District Plan. 4. 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>. 5. Words in <i>italics</i> are defined - see the Definitions part of the <i>City-Wide Rules</i>. 6. Words in bold are explained - see the Explanations part of the Introduction to the Rules. 7. The Council may have a guideline to help interpret this rule - check at the Council Offices. 8. For <i>resource consents</i> see the Information Requirements in the <i>City-Wide Rules</i>. 9. Criteria relating to engineering matters can be met by satisfying standards in the Waitakere City Code of Practice - check with the Council. 	

9(t)

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

9(u)

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

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

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

RESOURCE CONSENT CONDITIONS

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

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

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

Rule 10	GLARE
<p>RULES</p> <p>10.0 General</p> <p>The following rules shall apply to lighting, except lighting used for aircraft navigation and safety purposes.</p> <p>10.1 Permitted Activities</p> <p>Activities meeting the following performance standard are Permitted Activities:</p> <p>Any Activity and any Temporary Activity emitting artificial outdoor lighting which:</p> <ul style="list-style-type: none"> - has not more than 10 lux spill (horizontal and vertical) of light as measured at the site boundary of any adjoining site and - is shielded in such a manner that light emitted by the fixture, is projected below a horizontal plane running through the lowest point on the fixture where light is emitted or is shielded in such a manner that the lower edge of the shield is at or below the centre line of the light source; and - complies with AS/NZS 1158(1996) <p>10.2 Limited Discretionary Activities</p> <p>The following are Limited Discretionary Activities:</p> <p>Any Activity and any Temporary Activity involving buildings and meeting the following performance standards:</p> <ul style="list-style-type: none"> - Any Activity and any Temporary Activity with lighting exceeding the 10 lux spill up to an additional 15 lux and otherwise meeting the standards in Rule 10.1 <p>Assessment of <i>Limited Discretionary Activities</i> applications will be limited to the matter of intensity, location, duration and direction of lighting and will be considered in accordance with Assessment Criteria 10(a) – 10(f).</p> <p>10.3 Non-complying Activities</p> <p>Any activity or any temporary activity to which these rules apply which is not a Permitted Activity, Limited Discretionary Activity or a Discretionary Activity under the above rules shall be deemed to contravene a rule in the Plan and</p>	<p>ASSESSMENT CRITERIA</p> <p>10(a)</p> <p>The extent to which glare from outdoor lighting fixtures causes discomfort to any person, residents' ability to sleep or degrades the level of visual amenity and the dark night-time sky environment.</p> <p>10(b)</p> <p>The extent to which outdoor lighting (including security lighting) is so selected, located, aimed, adjusted, designed and screened as to ensure that:</p> <ul style="list-style-type: none"> • glare from the light is not directed into adjoining sites • glare is not directed in a random direction • reflective glare is controlled to the extent that this is practicable. <p>10(c)</p> <p>The extent to which adequate screening is provided from activities that emit glare from outdoor lighting fixtures.</p> <p>10(d)</p> <p>The extent to which Parks Buildings detract from the open space character of reserves or the natural landscape.</p> <p>10(e)</p> <p>The extent to which the parks building is in accordance with the provisions of a relevant Operative Reserve Management Plan, Parks Concept Plan, current Waitakere City Parks Strategy or current operative Regional Parks management plan.</p> <p>10(f)</p> <p>The extent to which more than minor adverse effects can be adequately avoided, remedied, mitigated or offset through provision of works and services on or off the site and/or through payment or provision of a financial contribution.</p> <p>Note: See also Policies: 10.3, 10.21, 10.27, 10.28, 11.32.</p> <p>(Policy Section of the Waitakere District Plan)</p>

shall be a Non-Complying Activity.	
<p>NOTES</p> <ol style="list-style-type: none"> 1. If an activity is not controlled or restricted in any way by any part of the Plan it is permitted, but may require consents under other legislation/ plans. 2. Activities must comply with all other relevant rules of the Plan or be the subject of a resource consent. Check all other rules in this Human Environment and also the Natural Area Rules and the City-Wide Rules. 3. Words in italics are defined - see the Definitions part of the City-Wide Rules. 4. Words in bold are explained - see the Explanations part of the Introduction to the Rules. 5. The Council may have a guideline to help interpret this rule - check at the Council Offices. 6. For resource consents see the Information Requirements in the City-Wide Rules. 7. Relevant lighting standards will be consulted when considering any resource consent application. 	<p>RESOURCE CONSENT CONDITIONS</p> <p>In granting a resource consent Council may impose conditions. Conditions may include any one or more of the following matters:</p> <ul style="list-style-type: none"> • Limiting lux intensity and lux spill • Requiring mitigation measures to reduce adverse effects • Limiting the duration of lighting • Requiring provision of screening and/or planting • Altering the location of parks buildings and/or lighting standards/poles • The imposition of a charge to cover the costs of monitoring the activity • The imposition of a bond to ensure satisfaction of conditions of consent • Requiring onsite or offsite works and services to avoid, remedy, mitigate or offset adverse effects. • Such other matters provided for in section 108 of the Act.
	<p>Provided that, in the case of Limited Discretionary Activities, conditions may only be imposed in respect of the matters specified above to which the Council has restricted the exercise of its discretion.</p>

Rule 11	SIGNS
<p>RULES</p> <p>11.0 General</p> <p>The following rules shall apply to <i>Any Activity</i> and <i>Temporary Activities</i> involving the erection of <i>signs</i>.</p> <p>11.1 Permitted Activities</p> <p>Activities meeting the following Performance Standards are <i>Permitted Activities</i>:</p> <p>(a) <i>Parks Signs</i>;</p> <p>(b) <i>Any Activity</i> and <i>Temporary Activities</i> with a <i>sign</i> where the <i>maximum sign area</i> does not exceed 0.1m² and the <i>sign</i> is not illuminated, flashing or moving and is located on the <i>site</i> to which the <i>sign</i> relates; and</p> <p>(c) <i>Any temporary sign</i></p> <p>11.2 Limited Discretionary Activities</p> <p>The following are <i>Limited Discretionary Activities</i>:</p> <p><i>Signs</i> for <i>Parks Buildings</i> and additions and alterations to <i>Parks Buildings</i> where the <i>maximum sign area</i> does not exceed 1.5m² and the <i>sign</i> is not flashing or moving and is located on the <i>building</i> to which the <i>sign</i> relates;</p> <p><i>Any Activity</i> and <i>Temporary Activities</i> with a <i>sign</i> where the <i>maximum sign area</i> does not exceed 1.5m² and the <i>sign</i> is not flashing or moving and is located on the <i>site</i> to which the <i>sign</i> relates;</p> <p>Assessment of <i>Limited Discretionary Activities</i> applications will be limited to the matters of <i>design</i>, scale, location, and safety and will be considered in accordance with Assessment Criteria 11(a) – 11(f)</p> <p>11.3 Discretionary Activities</p> <p>The following are <i>Discretionary Activities</i>:</p> <p>(a) Any other sign where the <i>maximum sign area</i> does not meet the standards in Rule 11.2.</p>	<p>ASSESSMENT CRITERIA</p> <p>11(a)</p> <p>The extent to which <i>signs</i> and <i>signage</i> for <i>Parks Buildings</i> are visually appropriate to amenity values and neighbourhood character.</p> <p>11(b)</p> <p>The extent to which any proposed <i>signs</i> create a <i>situation</i> hazardous to the safe movement of traffic.</p> <p>11(c)</p> <p>The extent to which any proposed <i>signs</i> are of a <i>height</i> which avoids the <i>sign</i> dominating the neighbourhood and nearby <i>structures</i>.</p> <p>11(d)</p> <p>The extent to which any proposed <i>signs</i> detract from the open space character of reserves or the natural landscape.</p> <p>11(e)</p> <p>The extent to which signage for a <i>Parks Building</i>, <i>Any Activity</i> or <i>Temporary Activities</i> is in accordance with the provisions of a relevant Operative Reserve Management Plan, Parks Concept Plan, current Waitakere City Parks Strategy or current operative Regional Parks management plan.</p> <p>(11f)</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>Note: See also Policies: 10.3, 10.27, 10.28, 11.3, 11.11, 11.32</p> <p>(Policy Section of the Waitakere District Plan)</p>

<p>(b) Any <i>Temporary Activity</i> to which these rules apply which is not a <i>Permitted Activity</i> or a <i>Limited Discretionary Activity</i> under the above rules shall be deemed to be deemed to contravene a rule in this <i>Plan</i> and shall be a <i>Discretionary Activity</i>.</p> <p>Assessment of <i>Discretionary Activities</i> applications will be considered in accordance with Assessment Criteria 11(a) – 11(f) and any other matters that are relevant to Section 104 of the <i>Act</i>.</p>	<p>RESOURCE CONSENT CONDITIONS</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"> • Altering the scale, <i>height</i>, <i>shape</i> and/or location of <i>signs</i> • Specifying the <i>design</i> and wording of <i>signs</i> • Requiring the provision of <i>screening</i> or <i>planting</i> • The imposition of a <i>bond</i> to ensure satisfaction of conditions of consent • Requiring <i>financial contributions</i> in accordance with the <i>Plan</i> • Requiring <i>onsite</i> or <i>offsite</i> works and services to avoid, remedy, mitigate or offset <i>adverse effects</i>. • Such other matters provided for in section 108 of the <i>Act</i>.
<p>NOTES</p> <ol style="list-style-type: none"> 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. 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 and</i> also the <i>Natural Area Rules</i>, the <i>City-Wide Rules</i> and, where relevant, the <i>Subdivision Rules</i>. 3. Words in <i>italics</i> are defined - see the Definitions part of the <i>City-Wide Rules</i>. 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 <i>resource consents</i> see the Information Requirements in the <i>City-Wide Rules</i>. 7. Where a proposed sign may affect the safety and efficiency of a State Highway or motorway comments may be invited (sought) from Transit New Zealand regarding the safety of road users. 	<p>Provided that, in the case of <i>Limited Discretionary Activities</i>, conditions may only be imposed in respect of the matters specified above to which the Council has restricted the exercise of its discretion.</p>

CONSEQUENTIAL AMENDMENTS TO TRANSPORT ENVIRONMENT

Rule 4 Signs

4.2 Limited Discretionary Activities

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

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

ASSESSMENT CRITERIA

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

4(a)

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

4(b)

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

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

10.28 and 11.32

District Plan Policy

Significant resource management issues objectives, policies and methods

To Objective 10 add the following Policy (Page 68)

Policy 10.28

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

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

Explanation

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

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

Methods

District Plan Rules

- Open Space Environment rules

Other Methods

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

To Objective 11 add the following Policy (Page 89)

Policy 11.32

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

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

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

Explanation

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

Methods

District Plan Rules

- Open Space Environment rules
- Natural Areas rules

Other Methods

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

District Plan – Policy

Explanation of the strategic direction: policies and methods

6.2.7 Open Space Management

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

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

The Waitakere City Parks Strategy 1999 established a vision for how parks should look in the future and the key steps to achieve the vision. The management and administration of parks, which includes a policy for the preparation of management plans is one of the ten objectives in the strategy. In accordance with the Reserves Act 1977 the purpose of management plans is to outline Council’s general intentions for the use, development and maintenance of its reserves. The preparation of each plan involves community consultation to ascertain the needs of the public and to ensure that the development of the park provides appropriate recreational opportunities that are consistent with the natural qualities inherent in the particular landscape.

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

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

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

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

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

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

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

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

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

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

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

reserve management plan would be more likely to require public notification, depending of course on the circumstances and Council's responsibilities under the Act.

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

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

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

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