

APPLYING THE RULES

The following provides a general guideline to applying the rules. More specific guidelines can be found throughout the *Plan*.

The general approach of this *Plan* is to control the *effects* of activities, rather than the activities themselves. There are specific references to activities (for instance, some retail activities), but generally the *Plan* divides activities into only two categories - “Residential Activities” and “Non-Residential Activities”. These terms are defined in the *Plan*. Most rules within the *Natural Areas* Rules and the *Human Environments* Rules will apply to “Any Activity” (i.e. a *Residential Activity* or a *Non-Residential Activity*) - but there are some rules that may apply only to a *Residential Activity* or only to a *Non-Residential Activity*. The individual rules make it clear which type of activity the rule relates to (see the “General” Rule at the beginning of most rules pages).

STEP 1

Locate the *site* on the Natural Areas Maps and the Human Environments Maps. Note the *Natural Area* which applies, and also any *natural landscape element*. Note the *Human Environment* which applies, and any *heritage, designation* or *scheduled site* notation. If there is a particular notation on the maps, refer to the relevant part of the *Plan* containing rules in respect of that notation (see the main index at the front of the Rules Section and Contents pages within the different parts of the Rules Section)

STEP 2

Refer to the Roding Hierarchy Map. Note any requirements that apply to the *site* or the area in which the *site* is located.

STEP 3

Check to see whether the *site* is in a *Natural Hazards* Area (information is available from the Council). Refer to the *Natural Hazards* Rules if it is.

STEP 4

Determine whether the activity is a *Prohibited Activity* (see *City-Wide Rules* on *Prohibited Activities*. If it is, then the activity is not permitted and no *resource consent* application can be made.

STEP 5

Determine whether the activity is a *subdivision* or a “*Residential Activity*” or a “*Non-Residential Activity*”, (refer to the Definitions for meanings of these terms).

STEP 6

Check the relevant rules in the *City-Wide Rules*, the *Natural Areas* Rules, the *Human Environments* Rules. The activity must comply with all relevant rules in order to be permitted as of right.

STEP 7

Under each of the relevant rules, the activity proposed will be either a *Permitted Activity*, a *Controlled Activity*, a *Limited Discretionary Activity*, a *Discretionary Activity* or a *Non-Complying Activity*. A *resource consent* is required for all activities other than *Permitted Activities*. If, under a particular rule, an activity is a *Permitted Activity*, then there is no need for a *resource consent* application in terms of that rule. However the activity may still require a *resource consent* under another rule. Refer to the relevant rule page and the *City-Wide Rules* of the *Plan* for guidance on *resource consent* applications.

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 including land that is managed by the Auckland Regional Council.

STEP 8

Once it has been established that all relevant rules are met, or *resource consents* have been granted, and the other requirements of the *Plan* are also satisfied, then the activity may proceed. Note that approvals under other legislation, e.g. the issuing of a *building consent* or a resource consent from the Auckland Regional Council, may be necessary.

