

RULES

10.0 General

The following rules apply to *Subdivision of land* within the *Bush Living Environment* except that area identified as Titirangi Subdivision Area 1 and Titirangi-Laingholm Subdivision Area 2 as shown on Appendix XI to the Planning Maps (see Rule 10A).

10.01 Limited Discretionary Activities

- (a) A *subdivision*, which incorporates the total area of the *existing site* contained within 35 Turanga Road (Certificate of Title 1887/99) and creates one (1) additional lot to contain a future *dwelling*. The *building platform* for the new *dwelling* will be identified through this application, and will be located in the *Managed Natural Area*, utilising the area of degraded *vegetation*. The *subdivision* will also include a *boundary adjustment* between the subject *site* and adjacent Auckland Regional Council parkland.

Assessment of *Limited Discretionary Activity* applications will be limited to matters of

- The *design*, scale and location of *sites*;
- Provision for *landscape treatment* and restoration planting;
- Protection of natural features and native *vegetation*, including the use of protective covenants;

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. Approval is required under the *Plan* for any *vegetation alteration* - check the *Natural Areas Rules*.
3. Activities must comply with all other relevant rules of the *Plan* or be the subject of a *resource consent*. Check all other rules in this *Environment* and also the *Natural Area Rules* and the *City-Wide Rules*.
4. Words in *italics* are defined - see the Definitions part of the *City-Wide Rules*.
5. Words in **bold** are explained - see the Explanations part of the Introduction to the Rules.
6. The Council may have a guideline to help interpret this rule - check at the Council Offices.
7. For *resource consents* see the Information Requirements in the *City-Wide Rules*.
8. Criteria relating to engineering matters can be met by satisfying standards in the Waitakere City *Code of Practice* - check with the Council.

ASSESSMENT CRITERIA

General

10(a)

The extent to which the *subdivision design* avoids the need for *clearance* of *native vegetation*, retains or links significant *vegetation* and fauna habitat areas contains proposals to plant *native vegetation* on areas of the *site* not necessary for *Residential Activities* permitted by the *Plan*, avoids *development* on *natural landscape elements* and *heritage* features, minimises soil erosion, encourages *on-site* water retention, avoids *development* on floodplains and uses drainage methods that protect and enhance streams.

10(b)

The extent to which formal/legal protection will be achieved for the elements of the *Green Network*, including Riparian Margins, areas of outstanding natural features or outstanding *native vegetation*

10(c)

The extent to which *sites* are large enough to ensure that future *buildings* meet the relevant standards of the *Plan*.

10(d)

The extent to which *sites* are provided with practical vehicle access to a *road*, with passing bays where necessary.

10(e)

The extent to which *sites* are of a useable shape.

10(f)

The extent to which the *subdivision design* integrates with the surrounding **neighbourhood character** and **rural landscape**.

10(g)

The extent to which the *subdivision design* enables efficient provision of *infrastructure*.

10(h)

The extent to which the *site* orientation and *site* dimensions facilitate the siting and *design* of *dwellings* which minimise fossil fuel use and maximise use of passive solar energy.

10(i)

The extent to which the *design* and location of *driveways* and *building platforms* minimise alterations to landform, avoid visible scars on the landscape and take advantage of natural drainage systems.

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- The location, *design* and *construction* of *infrastructure*;
 - The *design*, location, *construction* and alignment of *driveways*;
 - The location of the *building platform*, particularly in relation to effects on protected *vegetation*
- And will be considered in accordance with Assessment Criteria 10(a)-10(ae).

10.1 Discretionary Activities

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

- (a) the minimum *net site area* of any *proposed site*:
 - (i) averages 4000m² over the *net site area* of the *site* existing as at October 14 1995 with a minimum *net site area* of 2000m² for each individual *proposed site*, provided that each *proposed site* must be able to contain a *building platform* situated within a *General Natural Area* or a *Restoration Natural Area* as shown on the *Natural Areas Maps*; or is 8000m² where a *building platform* is situated within the *Managed Natural Area* where there is no more than one new *site* created per *site* existing as at October 14 1995, and each *proposed site* will be provided with a *connection* to a *reticulated* wastewater disposal system; or
 - (ii) where (i), and (ii) above do not apply, is 4ha; and
 - (iii) in respect of (i), (ii) ,and (iii) above, *subdivision* will not lead to any *development* on *land* within a *Protected Natural Area* or a *Coastal Natural Area* or a *Riparian Margins Natural Area*;
- (b) each *proposed site* has practical and legal motor vehicle access to a *road*.

10.2 Prohibited Activities

Any *subdivision* to which these rules apply which is not a *Discretionary Activity* under the above rules shall be deemed to contravene a rule in this *Plan* and shall be a *Prohibited Activity*.

10(j)

The extent to which shared accessways are to be used, where appropriate

10(k)

The extent to which *driveway carriageways* are constructed of materials and to a *design* strength sufficient to carry the likely wheel loads of vehicles and which enables the carriage of motor vehicles, at a minimum future maintenance cost.

10(l)

The extent to which edges of *driveway carriageways* are appropriately *designed* and will be constructed to:

- avoid edge fretting
- allow safe and ready access to *adjoining sites* at appropriate locations.

10(m)

The extent to which, where relevant, *design*, *construction* and location and provision of *infrastructure* owned by *network utility operators* (if provided):

- ensure sufficient capacity to provide services to potential *development* within the *subdivision* and to any further *development* which may occur outside the *subdivision*
- ensure sufficient capacity for firefighting, including provision of fire hydrants
- are of a sufficient standard and compatibility with existing systems to minimise maintenance costs
- ensure sufficient water quality and water pressure is available for likely needs
- provide for water metering
- ensure public water supply mains are watertight
- ensure that there are no more than minor adverse *effects* on *natural features* and other *infrastructure* ensure that continued access is made available to *network utility operators* to ensure maintenance can be undertaken.

10(n)

The extent to which, having regard to the requirements of any comprehensive *catchment resource consent* issued by the Auckland Regional Council, the *stormwater treatment and disposal system* is *designed*, *constructed* and located to:

- serve the whole of the natural upstream *catchment* area having regard to likely future *development*
- ensure maintenance of water quality in receiving natural waters, including treatment where necessary to provide for removal of *contaminants* ensure sufficient capacity to provide for the safe

and efficient disposal of stormwater from the *subdivision* and future *development*

- ensure adequate measures are taken to screen out litter, silt and other contamination
- be of a sufficient standard and compatibility with any existing *stormwater treatment and disposal system* to minimise maintenance costs
- ensure no more than minor adverse *effects* on other *infrastructure* or likely *building development*
- provide for stormwater treatment and disposal from all of the *land* within each *site*
- avoid flooding on or downstream of the *site*.

10(o)

The extent to which consideration is given to the use of riparian margins, ponds and open natural waterway systems for stormwater disposal (in such cases the open natural water system should be capable of efficiently accommodating the stormwater generated by the *subdivision*, in a manner which allows for adequate long-term maintenance and with no more than minor adverse *effects* on the natural systems or downstream systems).

10(p)

The extent to which the *design* of stormwater systems incorporates measures to reduce run-off rates where there may be damage caused to natural waterway systems.

10(q)

The extent to which, where a *connection* is proposed or required to a public stormwater system, there is sufficient capacity within that system to accommodate the proposed and future planned *development*.

10(r)

The extent to which sufficient *secondary flow paths* are provided, to avoid adverse *effects* from damage in flood conditions, and, if over private *land*, are protected by appropriate *easements* and *consent notices*.

10(s)

The extent to which the *design, construction* and location of the *wastewater treatment and disposal system* have regard to the upstream *catchment* and effect on the downstream *catchment*, including likely future *development*.

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10(t)

The extent to which the *design, construction* and location of *wastewater treatment and disposal systems*:

- ensure sufficient capacity and treatment to provide for the safe and efficient disposal of wastewater to be generated by *development* likely on each *site*, having particular regard to human health and water quality
- ensure adequate measures to avoid leakage, entry of stormwater and penetration by plant roots
- are of a sufficient standard and compatibility with existing *wastewater treatment and disposal systems* to minimise maintenance costs
- ensure that there are no more than minor adverse *effects* on *natural features*, on other *infrastructure*, or potential or likely *buildings*
- where wastewater disposal is to be provided for *on-site*, give sufficient regard to suitability in respect of topography, soils, water tables and proximity to natural water courses or water bodies.

10(u)

The extent to which, where necessary, *easements* and *consent notices* are applied to protect the integrity of *wastewater treatment and disposal systems*.

10(v)

The extent to which *subdivision* adversely affects the **mauri** (life-force) of water, *native vegetation* and fauna habitat and *land*.

10(w)

The extent to which *subdivision* adversely affects the historical, cultural or spiritual significance of any site or *waahi tapu* of significance to *whi*.

10 (x)

The extent to which *subdivision* adversely affects the visual, historical, cultural and spiritual significance for *whi* of *sensitive ridges*.

10(y)

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*.

10(z)

The extent to which the *subdivision*, where relevant, provides for public access to and alongside the coast, streams, *lakes* and wetlands.

10(aa)

The extent to which measures have been incorporated into the *subdivision* proposal which avoid, remedy or mitigate any threat to the *Green Network* that could arise from the introduction of animals as a result of the *subdivision*.

10(ab)

For any *subdivision* within a *structure plan area*, the extent to which:

- **Enhancement** Areas are, or will be, *planted* with species appropriate to the landscape and ecology of the area
- **Enhancement** Areas that are identified as *Ecological Linkage Opportunities* or *Restoration Natural Areas* are, or will be, planted with *native* species
- Bush Improvement Areas are, or will be, planted using *native* species.

10(ac)

For any *subdivision* within a *structure plan area*, the extent to which:

- Protection and **Enhancement** areas are encompassed within *proposed sites* in a manner which best provides for their future maintenance and protection
- Protection and **Enhancement** areas are permanently *fenced*, if necessary to exclude stock
- *subdivision* boundaries are positioned so that there is no more than one *dwelling* per *site*.

10(ad)

The extent to which the proposal contributes to the achievement of the relevant future character and amenity statement of Section 5B.3 of the Policy Section of the Waitakere District Plan.

10(ae)

In the *Waiaatarua Local Area*, the extent to which *subdivision*:

- (i) retains and enhances the forested character and landscape **values** of Waiaatarua;
- (ii) located building platforms to reduce their visibility from a *road*;
- (iii) avoids establishment of reticulated wastewater infrastructure; and

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(iv) avoids transportation infrastructure of an urban scale and character.

Note: See also Policies 1.1, 1.4, 1.7, 1.10, 1.14, 1.15, 1.17, 1.20, 2.1, 2.2, 2.3, 2.13, 3.1, 3.4, 3.5, 4.3, 4.4, 5.2, 5.4, 5.5, 6.1, 6.3, 7.1, 7.2, 7.3, 8.3, 8.5, 9.1, 9.2, 9.3, 9.6, 9.7, 9.9, 9.14, 10.4, 10.7, 10.8, 10.9, 10.13, 10.15, 10.16, 10.17, 10.18, 10.20, 10.22, 10.23, 10.27, 11.1, 11.2, 11.4, 11.5, 11.6, 11.9, 11.29, 12.4, 12.8, 5B.1, 5B.3

(Policy Section of the Waitakere District Plan)

RESOURCE CONSENT CONDITIONS

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

- requiring the *planting* of *native vegetation* altering the scale, *design* and location of *sites*
- requiring alteration in the *design*, *alignment* and location of *roads* and *driveways*
- specifying *construction* materials and methods to be used for *driveways* and *infrastructure*
- requiring specific provision to be made in the *subdivision design* for the efficient provision of *infrastructure* including, but not limited to:
 - providing for a specified *design* life for stormwater and wastewater treatment and disposal, public water supply and *driveways* and *roads*
 - ensuring sufficient capacity for all *development* likely to be served by the *infrastructure*
 - providing ease of access to *infrastructure* for maintenance purposes
 - ensuring *infrastructure* is sensitively placed to avoid environmental damage, such as *earthworks* and *cutting* and *clearance* of *vegetation*
- specifying the location of *infrastructure*
- restricting the number of *dwelling*s or *sites* to be served by a *driveway*
- requiring *on-site* or *off-site* works and services to avoid, remedy, mitigate or offset adverse *effects*.
- restricting the amount of *earthworks* and *pruning* and *clearance*
- requiring through appropriate *design* the satisfaction of specified water quality standards (having regard to standards or rules within any Regional Plan)
- requiring monitoring systems to ensure sediment or *contaminants* are not discharged to ground or natural water
- requiring the provision of a *landscape treatment* plan and its implementation within a given time
- the imposition of a *bond* to ensure satisfaction of conditions of consent

- requiring the provision of *easements* or *consent notices*
- the imposition of a charge to cover the costs of monitoring
- requiring *financial contributions* in accordance with the *Plan*
- requiring any stock on the property to be permanently fenced out of Protection and **Enhancement** Areas shown on a *structure plan*
- requiring an ongoing programme of weed and pest control to be carried out in Protection and **Enhancement** Areas
- requiring a site plan and a management plan to be prepared, indicating the boundaries of Protection and **Enhancement** Areas shown on a *structure plan*, and the management plan to be implemented for these areas
- requiring the protection of Protection Areas shown on a *structure plan* as a condition of a *consent notice*
- such other matters provided for in sections 220 and 108 of the *Act*.