

riparian margins / coastal edges natural area

GUIDELINE TO THE RULES

The *Riparian Margins/Coastal Edges Natural Area* Rules apply to activities on *land* within the *Riparian Margins/Coastal Edges Natural Area* as shown on the *Natural Areas* Maps, and to activities on the surface of *rivers* and *lakes* within the Waitakere City territorial district. The *Riparian Margins/Coastal Edges Natural Area* is part of the City's *Green Network*. The *Riparian Margins/Coastal Edges Natural Area* Rules apply to *any activity* which may be proposed.

There are rules in the *Plan* other than the *Riparian Margins/Coastal Edges Natural Area* Rules that may apply to a proposed activity.

The “City-Wide Rules” include rules on information for *resource consents*: *financial contributions*, *natural hazards*, *hazardous facilities* and *contaminated sites*, *heritage*, *Prohibited Activities* and *Temporary Activities*. Definitions and explanations of terms used in the *Plan* also appear in the *City-Wide Rules*.

The “Human Environments Rules” cover such things as *building height*, location, density, *building coverage* and *design*, traffic, *car parking* and access, nuisance and health standards and *infrastructure* requirements.

The “Subdivision Rules” cover all those standards relating to the *subdivision of land*.

An indication of which parts of the *Plan* will apply to a particular activity is given on the *Natural Areas* Maps and the *Human Environments* Maps, and in the *Riparian Margins/Coastal Edges Natural Area* Rules themselves.

The procedure outlined on the next page is a guideline to apply the *Plan* rules for an activity proposed within the *Riparian Margins/Coastal Edges Natural Area*.

Note that a *resource consent* from the Auckland Regional Council may be necessary in addition to these rules.



PROCEDURAL GUIDELINE FOR THE RULES

STEP 1

Locate the *land* on the *Natural Areas* Maps and the *Human Environments* Maps. If the *land* is within the *Riparian Margins/Coastal Edges Natural Area*, refer to this guideline. If the *land* is within another *Natural Area* refer to the other appropriate guideline. Note the *Human Environment* which applies to the *site*, and any other information from the maps which is relevant such as *sensitive ridges*, *heritage*, *designation* or *scheduled site* status. 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 index at the front of the Rules Section).

STEP 2

Refer to the *Roading Hierarchy* map. Note any requirements that apply to the *site*, or the area within which the *site* is located.

STEP 3

Check to see whether the *site* is within a *Natural Hazards* area (information is available from the Council). Refer to the *Natural Hazards* requirements in the *City-Wide Rules* if it is.

STEP 4

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

STEP 5

Check the *Riparian Margins/Coastal Edges Natural Area* Rules. The activity must comply with all relevant Rules to be permitted as of right. Rules which may apply to *Any Activity* include:

- Rule 1 General
- Rule 2 Vegetation Alteration
- Rule 3 Earthworks
- Rule 4 Impermeable Surfaces
- Rule 5 Stock
- Rule 6 Establishment of Vegetation
- Rule 7 Buildings

STEP 6

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 “Resource Consents” part of the Introduction to the Rules for guidance on *resource consent* applications.

STEP 7

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, eg the issuing of a *building consent*, may be necessary.

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.

RULES

1.0 General

The following Rules 1.1 and 2 to 7 apply to activities on:

- *land* in the *Riparian Margins/Coastal Edges Natural Area*; and
- the surfaces of *rivers* and *lakes* within the Waitakere City territorial district.

1.1

Where *development* involves *land* in more than one *Natural Area* each part of the *development* shall comply with the *Natural Area Rules* applying to the *Natural Area* in which that particular part of the *development* is located.

1.2 Notification/Non-Notification

In relation to *Controlled Activities* and *Limited Discretionary Activities*, under the following Rules 2 to 7, applications for consent need not be notified and the written approvals of affected persons will not be required, nor in terms of limited notification under the *Act*, will notice to adversely affected persons need to be served.

RULE 2

VEGETATION ALTERATION

RULES

2.0 General

The following rules shall apply only to those activities involving *vegetation alteration* (*pruning, clearance* and any work within the *dripline* of *vegetation*). On a *site* that is not an *urban environment allotment*.

2.1 Permitted Activities

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

- (a) the *pruning* of native *vegetation* if done in accordance with accepted modern arboricultural practice, and no more than 20% of the foliage of a plant is removed in any one calendar year
- (b) any *pruning* of *exotic vegetation* greater than 6.0 metres high or 600mm girth (as measured at any point higher than 1.4 metres above the ground)
- (c) any *vegetation alteration* of:
 - (i) *exotic vegetation* less than 6.0 metres in height and less than 600mm in girth (as measured at any point higher than 1.4 metres above the ground)

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. Where *sites* are situated in more than one *Natural Area* the most restrictive *Natural Area* Rules relating to *land* affected by an activity will apply.
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 *Natural Area* also the *Human Environment* Rules and the *City-Wide Rules* and the *Subdivision* 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 interpret this rule - check at the Council Offices.
7. For *resource consents* see the Information Requirements in the *City-Wide Rules*.
8. The Environmentally Damaging Plants Appendix and the Removable Vegetation Appendix appear at the end of the *Natural Areas* Rules.
9. When plants are included in the *Heritage Vegetation* Appendix, reference must be made to the *Heritage* Rules. *Resource Consent* must be obtained from the Council for any *clearance* of *heritage vegetation*.
10. In the case of a tree having multiple trunks, the girth measurement shall be the aggregate or collective measurement of all trunks which have a circumference of 250mm or more.

ASSESSMENT CRITERIA

2(a)

The extent to which *vegetation alteration* adversely affects the overall **resilience, biodiversity and integrity of the Green Network** and, where possible, utilises areas of the *site* not within the *Riparian Margins/Coastal Edges Natural Area*.

2(b)

The extent to which *vegetation alteration* reduces the extent, range and linkages between *vegetation*, fauna habitat and *natural features*.

2(c)

The extent to which *vegetation alteration* adversely affects the **mauri** (life-force) of *native vegetation*.

2(d)

The extent to which *clearance* adversely affects the water quality of *taiapure* or *mahinga maataitai*.

2(e)

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

2(f)

The extent to which *vegetation alteration* adversely affects the significance or landscape or natural character or *heritage* value of any *natural features*.

2(g)

The extent to which trees which are notable examples of their species are retained.

2(h)

The extent to which *vegetation alteration* creates **edge effects** from wind or light on remaining *native vegetation*.

2(i)

The extent to which *vegetation alteration* adversely affects *heritage* or **amenity values**.

2(j)

The extent to which *vegetation alteration* can be offset by **restoration** or **enhancement** around and within the area subject to the application.

2(k)

The extent to which *vegetation alteration* creates, contributes to, or exacerbates stability problems.

RULE 2

VEGETATION ALTERATION

- (ii) *vegetation* listed in the Environmentally Damaging Plants Appendix,
- provided that any *clearance* does not exceed 10% of the Riparian Margin/Coastal Edge on the *site*.
- (d) *Vegetation alteration* for Parks Maintenance in the Open Space Environment provided that the *vegetation alteration* meets the following standards:
- (i) the *vegetation alteration* of *native* and *exotic vegetation* is less than 6.0 metres in height and less than 600mm in girth (measured 1.4 metres above the ground), and
- (ii) the work is undertaken using environmental best practices that include accepted modern arboricultural practices, *weed management plans* and measures to protect adjoining *vegetation*
- (iii) is no greater than 1.0 metre from either edge of a footpath (to provide unimpeded pedestrian access) or a cycleway, bridle track, *boardwalk* or track, and
- (iv) meets the requirements set out in the New Zealand Standards Handbook for Track and Outdoor Visitor Structures (SNZHB8630:2004) for bush walks, tramping tracks and routes or is no more than 1 metre from the edge of the track which ever is the lesser distance.

2.2 Controlled Activities

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

- (a) Any *clearance* of:
- (i) *exotic vegetation* less than 6.0 metres in height and less than 600mm in girth (measured 1.4 metres above the ground)
- (ii) *vegetation* listed in the Environmentally Damaging Plants Appendix,
- beyond 10% of the Riparian Margin/Coastal Edge on the *site*.
- (b) *vegetation alteration* not meeting the standards in Rule 2.1 undertaken or required by a *network utility operator* necessary for the maintenance of that operator's works.
- (c) *pruning* of *native vegetation* not meeting the standards of Rule 2.1.

Assessment of *Controlled Activity* Applications will be limited to the matters of *landscape treatment*, scale,

2(l)

The extent to which existing cleared areas are utilised for proposed *development*.

2(m)

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*.

2(n)

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 *vegetation alteration* (other than *clearance*) for cultural purposes in accordance with established protocols
- for *pruning* to preserve *public views*.
- to facilitate the appropriate use of land in the *Open Space Environment*

2(o)

The extent to which *vegetation alteration* adversely affects the natural, cultural and **amenity values** of surface water in *rivers* and *lakes*.

2(p)

The extent to which *vegetation alteration* affects or may affect the water quality and aquatic ecosystem health of any part of the waterway, adjacent to, upstream of or downstream of, the *vegetation alteration*

2(q)

The extent to which any *vegetation alteration* associated with a *subdivision* can be avoided by carrying out works on parts of the *site* which are not in a *Green Network Natural Area*.

2(r)

The extent to which *vegetation alteration* associated with a *subdivision* is necessary to construct a *stream crossing*.

2(s)

The extent to which *vegetation alteration* associated with a *subdivision* is minimised.

RULE 2

VEGETATION ALTERATION

method and location and will be considered in accordance with Assessment Criteria 2(a)-2(u).

2.3 Limited Discretionary Activities

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

- (a) *clearance* of *exotic vegetation* greater than 6.0 metres in height or greater than 600mm in girth (as measured at any point higher than 1.4 metres above the ground).
- (b) *vegetation alteration* associated with a *subdivision* being a *Controlled Activity* or a *Limited Discretionary Activity* in Subdivision Rule 4 (Greenfields Subdivision) which is necessary to provide for *infrastructure* or *stream crossing*, provided that the *Riparian Margins/Coastal Edges Natural Area* does not exceed 7.0m as marked on the *Natural Areas Maps*.
- (c) *vegetation alteration* for *Parks Infrastructure* in the *Open Space Environment*.

Assessment of *Limited Discretionary Activity* 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(~~uv~~).

2.4 Discretionary Activities

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

- the *clearance* of *native vegetation* for the purposes of establishing *driveways*, *roads* or *infrastructure* not meeting the standards in Rule 2.3(b);
- any *vegetation alteration* requiring a *resource consent* pursuant to Subdivision Rule 4 (Greenfields Subdivision) which is necessary to provide for *infrastructure* or *stream crossing*, and does not otherwise meet the standards in Rule 2.3(b).
- any *vegetation alteration* for *Parks Maintenance* in the *Open Space Environment* not meeting the performance standards in Rule 2.1(d) or the enhancement/improvement to a footbridge, *boardwalk* or culvert exceeds 40%,
- any *vegetation alteration* for *Parks Infrastructure* where a foot bridge or *boardwalk* is greater than 15m in length, or for culverts over 10m in length, or for *car parks* with more than 8 *car parking* spaces, or for parks access roads in the *Open Space Environment*.

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.

2(u)

The extent to which the proposed *vegetation alteration* in an *Open Space Environment* avoids significant *vegetation* and any species known to be threatened, endangered or uncommon.

2(v)

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.

Note: See also Policies 1.1, 1.5, 1.6, 1.7, 1.8, 1.9, 1.11, 1.16, 1.19, 1.20, 2.3, 2.4, 2.11, 2.12, 2.13, 3.2, 5.1, 5.2, 5.3, 5.4, 5.7, 6.2, 7.3, 7.4, 7.7, 8.1, 8.2, 8.4, 8.8, 9.9, 9.10, 9.11, 9.13, 9.14, 10.27, 10.28, 11.2, 11.7, 11.32, 12.1, 12.6, 12.7, 12.9, 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:

- specifying the location of *vegetation alteration*
- limiting the amount of *vegetation alteration*
- specifying the methods by which any *vegetation alteration* is carried out
- requiring any *vegetation alteration* be carried out over a period of time
- requiring 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
- the imposition of a charge to cover the costs of monitoring
- requiring *financial contributions* in accordance with the *Plan*
- requiring *on-site* or *off-site* works and services to avoid, remedy, mitigate or offset adverse *effects*
- requiring work to be assessed and/or supervised by an expert recognised by the Council
- such other matters provided for in section 108 of the *Act*.

RULE 2	VEGETATION ALTERATION
<p><i>Discretionary Activity</i> applications will be assessed having regard to Assessment Criteria 2(a)- 2(ivv) and any other matters which are relevant under section 104 of the <i>Act</i>.</p> <p>2.5 Non-Complying Activities</p> <p><i>Any Activity</i> and 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> or a <i>Discretionary Activity</i>, shall be deemed to contravene a rule in this <i>Plan</i> and shall be a <i>Non-Complying Activity</i>.</p>	<p>Provided that, in the case of <i>Controlled Activities</i> and <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>

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RULE 3

EARTHWORKS

RULES

3.0 General

The following rules shall apply only to those activities involving *earthworks*.

3.1 Permitted Activities

The following activities are *Permitted Activities*.

- *Earthworks* for *Parks Furniture*, *Parks Signs* and *Parks Maintenance* in the *Open Space Environment*.
- *earthworks* within the *Transport Environment*, provided that:
 - *earthworks* are in accordance with the sediment control measures outlined in the Erosion/Sediment Control Measures Appendix.
 - the height of any cut or fill within the Waitakere Ranges Heritage Area is no more than 1.5 metres above the level of the *road carriage-way* or *vehicle crossing* surface.
 - in the event of archaeological features being uncovered (e.g. shell middens, hangi or ovens, pit depressions, defensive ditches, artefactual material or human bones) work shall cease in the vicinity of the discovery and the area shall be secured. The Manager Resource Consents, the New Zealand Historic Places Trust Auckland Regional
 - Council Archaeologist and the appropriate Iwi authorities shall be contacted so that

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. Where *sites* are situated in more than one *Natural Area* the most restrictive *Natural Area* Rules relating to *land* affected by an activity will apply.
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 *Natural Area* also the *Human Environment* Rules and the *City-Wide Rules* and the *Subdivision 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 interpret this rule - check at the Council Offices.
7. For *resource consents* see the Information Requirements in the *City-Wide Rules*.
8. Activities will also need to comply with the relevant provisions of the Auckland Regional Council's Auckland Regional Plan: Sediment Control.
9. Activities may also require consents from the Auckland Regional Council where *earthworks* are proposed in a watercourse.

ASSESSMENT CRITERIA

3(a)

The extent to which *earthworks* degrade or lead to the degradation of existing water quality in the adjoining stream, *river*, *lake*, harbour or *sea*.

3(b)

The extent to which *earthworks* adversely affect the overall **resilience, biodiversity and integrity of the Green Network** and, where possible, utilise areas of the *site* not within the *Riparian Margins / Coastal Edges Natural Area*.

3(c)

The extent to which *earthworks* adversely affect the **mauri** (life-force) of *land* and water.

3(d)

The extent to which *earthworks* adversely affect the water quality of *taiapure* or *mahinga maataitai*.

3(e)

The extent to which *earthworks* adversely affect the historical, cultural or spiritual significance of any site or *waahi tapu* of significance to *iwi*.

3(f)

The extent to which *earthworks* adversely affect the potential for **restoration** or **enhancement** around the area of *earthworks*.

3(g)

The extent to which *earthworks* reduce the extent, range and linkages between *vegetation*, fauna habitat and *natural features*.

3(h)

The extent to which *earthworks* adversely affect the significance or natural character, or landscape or *heritage* value of *natural landscape elements* and other *natural features*.

3(i)

The extent to which *earthworks* exacerbate or contribute to flooding, erosion or instability of *land*, or the potential for flooding, erosion or instability of *land*.

RULE 3

EARTHWORKS

appropriate action can be taken. The Manager: Maori Issues can advise on appropriate iwi authorities. This includes such persons being given a reasonable time as determined by the Council to record and recover archaeological features discovered before work may recommence.

- weed establishment on exposed earth shall be prevented until full revegetation or other stabilisation occurs.

3.2 Limited Discretionary Activities

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

- (a) any *earthworks* provided that:
 - *earthworks* on any *site* are for the purpose of *driveway* or *infrastructure construction* or erosion mitigation and do not exceed 30m³.
 - the *earthworks* are not for the purpose of a *Solid Waste Landfill*.
- (b) *earthworks* associated with a *subdivision* being a *Controlled Activity* or a *Limited Discretionary Activity* in Subdivision Rule 4 (Greenfields Subdivision) which are necessary to provide for *infrastructure* or *stream crossing*, provided that the *Riparian Margins/Coastal Edges Natural Area* does not exceed 7.0m as marked on the *Natural Areas Maps*.
- (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.
- (e) *earthworks* for *infrastructure* and *roads* within the *Massey North Employment Special Area*.
- (f) *earthworks* for *development* provided for in a comprehensive development plan within the *Massey North Town Centre Special Area*.

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

3(j)

The extent to which *earthworks* exacerbate or contribute to degradation of natural watercourses in a way that destroys or reduces their ability to support instream *vegetation* and fauna; their ability to be used as a healthy food source; their clarity, water quality and flow; and their suitability for swimmers.

3(k)

The extent to which *earthworks* adversely affect the **visual amenity** of the *site* or *adjoining sites*.

3(l)

The extent to which *earthworks* may harm the health and **safety** of residents.

3(m)

The extent to which heavy vehicle traffic generated to the *site* by *earthworks* activities creates:

- adverse *effects* on **amenity values** and *neighbourhood character*
- a situation hazardous or unsafe to *road* users
- physical damage to *roads*.

3(n)

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*.

3(o)

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

3(p)

The extent to which *earthworks* are avoided.

3(q)

The extent to which unavoidable *earthworks* are minimised.

3(r)

The extent to which the duration of *earthworks* is minimised.

3(s)

The extent to which *earthworks* adversely affect the natural, cultural and **amenity values** of surface water in *rivers* and *lakes*.

RULE 3

EARTHWORKS

3.3 Discretionary Activities

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

- any *earthworks* associated with a *subdivision* requiring a *resource consent* pursuant to Subdivision Rule 4 (Greenfields Subdivision) which is necessary to provide for *infrastructure* or *stream crossing*, and does not otherwise meet the standards in Rule 3.1(b).
- *earthworks* for *Parks Infrastructure* where a foot bridge or boardwalk is greater than 15m in length, or a culvert is greater than 10m in length, or for *car parks* with more than 8 *car parking* spaces or for parks access roads in the *Open Space Environment*.
- *earthworks* for *Parks Maintenance* where the enhancement/improvement to a foot bridge, boardwalk or culvert exceeds 40%, in the *Open Space Environment*.

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

3.4 Non-Complying Activities

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

3(t)

The extent to which the *earthworks* affect or may affect the water quality and aquatic ecosystem health of any part of the waterway, adjacent to, upstream of or downstream of, the *earthworks*.

3(u)

The extent to which any *earthworks* associated with a *subdivision* can be avoided by carrying out works on parts of the *site* which are not in a *Green Network Natural Area*.

3(v)

The extent to which any *earthworks* associated with a *subdivision* are *designed* to achieve a low impact on significant *natural features*.

3(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 and avoids any species known to be threatened or endangered.

3(x)

The extent to which the proposed *earthworks* in an *Open Space Environment* avoids significant *vegetation* and any species known to be threatened, endangered or uncommon.

3(y)

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.

Note: See also policies 1.1, 1.5, 1.6, 1.7, 1.8, 1.9, 1.11, 1.12, 1.14, 1.16, 1.19, 1.20, 2.4, 2.8, 2.10, 3.2, 3.4, 3.5, 5.1, 5.4, 6.2, 7.2, 7.3, 7.5, 7.7, 8.1, 8.4, 8.6, 8.7, 9.6, 9.7, 9.10, 9.11, 9.12, 9.14, 10.13, 10.27, 10.28, 11.2, 11.4, 11.7, 11.32, 12.9, 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:

- limiting the extent of *earthworks*
- specifying the methods by which work on the *site* is carried out
- limiting any *vegetation alteration*
- requiring provision of a *landscape treatment plan* and implementation of that plan within a given time

RULE 3	EARTHWORKS
	<ul style="list-style-type: none">• the imposition of a charge to cover the costs of monitoring• requiring <i>financial contributions</i> in accordance with the <i>Plan</i>• requiring <i>on-site</i> or <i>off-site</i> works and services to avoid, remedy, mitigate or offset adverse <i>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>

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RULE 4

IMPERMEABLE SURFACES

RULES

4.0 General

The following rules shall apply only to those activities involving the establishment of *impermeable surfaces*.

4.1 Limited Discretionary Activities

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

- the establishment of *impermeable surfaces* not exceeding 10% of the part of the *site* within the *Riparian Margins/ Coastal Edges Natural Area*.

Assessment of *Limited Discretionary Activity* applications will be limited to the matters of scale, location, *clearance*, *planting* and method and will be considered in accordance with Assessment Criteria 4(a)-4(n).

4.2 Non-Complying Activities

Any Activity and any *Temporary Activity* to which these rules apply which is not a *Limited Discretionary Activity* under the above rules shall be deemed to contravene a rule in this *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.
- Where *sites* are situated in more than one *Natural Area* the most restrictive *Natural Area* Rules relating to *land* affected by an activity will apply.
- 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 *Natural Area* also the *Human Environment* Rules and the *City-Wide Rules* and the *Subdivision Rules*.
- Words in *italics* are defined - see the Definitions part of the *City-Wide Rules*.
- Words in **bold** are explained - see the Explanations part of the Introduction to the Rules.
- The Council may have a guideline to interpret this rule - check at the Council Offices.
- For *resource consents* see the Information Requirements in the *City-Wide Rules*.

ASSESSMENT CRITERIA

4(a)

The extent to which *impermeable surfaces* degrade or lead to the degradation of existing water quality in the adjoining stream, *river*, *lake*, wetland, harbour or *sea*.

4(b)

The extent to which *impermeable surfaces* adversely affect the overall **resilience, biodiversity and integrity of the Green Network**.

4(c)

The extent to which *impermeable surfaces* adversely affect potential for **restoration** or **enhancement** around and within the area subject to the application, and *adjoining sites*.

4(d)

The extent to which *impermeable surfaces* reduce the extent, range and linkages between *vegetation*, fauna habitat and *natural features*.

4(e)

The extent to which *impermeable surfaces* adversely affect the significance and the landscape value of *natural features*.

4(f)

The extent to which *impermeable surfaces* contribute to the creation, or exacerbate stormwater flooding problems *on-site* or in any other part of the stream *catchment*, with particular regard to impacts in known flood-prone areas and any impacts on an existing stormwater system.

4(g)

The extent to which runoff from *impermeable surfaces* adversely affects the quality of receiving natural water, including the life-supporting quality of natural water.

4(h)

The extent to which *impermeable surfaces* destroy or harm surrounding *native vegetation*.

4(i)

The extent to which *impermeable surfaces* result in adverse *effects* on the **mauri** (life force) of water.

4(j)

The extent to which *impermeable surfaces* result in adverse *effects* arising from soil loss from the *site*.

RULE 4

IMPERMEABLE SURFACES

4(k)

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*.

4(l)

The extent to which proposed *impermeable surfaces* are necessary to accommodate *development* otherwise permitted by the *Plan*.

4(m)

The extent to which *impermeable surfaces* adversely affect the natural, cultural and **amenity values** of surface water in *rivers* and *lakes*.

4(n)

The extent to which the *impermeable surfaces* affects or may affect the water quality and aquatic ecosystem health of any part of the waterway, adjacent to, upstream of or downstream of, the *impermeable surfaces*.

4(o)

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.

Note: See also Policies 1.1, 1.5, 1.6, 1.7, 1.9, 1.10, 1.11, 1.12, 1.16, 1.19, 1.20, 2.10, 5.1, 5.4, 7.2, 7.3, 7.7, 8.1, 8.4, 9.6, 9.7, 9.10, 9.11, 9.12, 9.14, 10.27, 11.2, 5B.1, 5B.3
(Policy Section of the Waitakere District Plan)

RESOURCE CONSENT CONDITIONS

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

- limiting the scale of *impermeable surfaces*
- limiting the amount of *vegetation alteration*
- requiring the provision of *planting*
- specifying the methods by which any work is carried out
- the imposition of a *bond* to ensure satisfaction of conditions of consent
- requiring *financial contributions* in accordance with the *Plan*
- requiring *on-site* or *off-site* works and services to avoid, remedy, mitigate or offset adverse *effects*
- such other matters provided for in section 108 of the *Act*.

riparian margins/coastal edges natural area

RULE 4	IMPERMEABLE SURFACES
	<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>

RULE 5		STOCK
RULES		ASSESSMENT CRITERIA
<p>5.0 General</p> <p>The following rule shall apply only to those activities involving the grazing of stock.</p> <p>5.1 Non-Complying Activities</p> <p><i>Any Activity</i> and any <i>Temporary Activity</i> involving the grazing of stock shall be deemed to contravene a rule in this <i>Plan</i> and shall be a <i>Non-Complying Activity</i>.</p> <p>.</p>		<p>5(a)</p> <p>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.</p> <p>Note: See also Policies 1.5, 1.6, 1.7, 1.9, 1.11, 1.16, 1.19, 1.20, 2.7, 2.14, 5.4, 7.3, 7.7, 8.1, 8.4, 9.10, 9.11, 11.2 5B.1, 5B.3 (Policy Section of the Waitakere District Plan)</p>
<div>NOTES</div> <div><div>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.</div><div>2. Where <i>sites</i> are situated in more than one <i>Natural Area</i> the most restrictive <i>Natural Area</i> Rules relating to <i>land</i> affected by an activity will apply.</div><div>3. 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>Natural Area</i> also the <i>Human Environment</i> Rules and the <i>City-Wide Rules</i> and the <i>Subdivision</i> Rules.</div><div>4. Words in <i>italics</i> are defined - see the Definitions part of the <i>City-Wide Rules</i>.</div><div>5. Words in bold are explained - see the Explanations part of the Introduction to the Rules.</div><div>6. The Council may have a guideline to interpret this rule - check at the Council Offices.</div><div>7. For <i>resource consents</i> see the Information Requirements in the <i>City-Wide Rules</i>.</div></div>		

riparian margins/coastal edges natural area

RULE 6

ESTABLISHMENT OF VEGETATION

RULES

6.0 General

The following rule shall apply only to those activities involving establishment of *vegetation*.

6.1 Permitted Activities

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

- of the establishment of any *vegetation* except:
 - any *vegetation* listed in the Environmentally Damaging Plants Appendix; and
 - any *vegetation* established for *woodlot* or *forestry* purposes.

6.2 Non-Complying Activities

Any Activity and any *Temporary Activity* to which this rule applies which is not a *Permitted Activity* under the above rules shall be deemed to contravene a rule in this *Plan* and shall be a *Non-Complying Activity* .

ASSESSMENT CRITERIA

6(a)

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.

Note: See also Policies 1.5, 1.6, 1.7, 1.9, 1.11, 1.16, 1.19, 1.20, 2.5, 2.8, 2.14, 3.2, 5.1, 5.4, 6.2, 7.3, 7.7, 8.1, 8.4, 9.10, 9.11, 11.2, 5B.1, 5B.3

(Policy Section of the Waitakere District Plan)

NOTES

1. If an activity is not controlled or restricted in any way by any part of the *Plan* it is permitted, but may require consents under other legislation/ plans.
2. Where *sites* are situated in more than one *Natural Area* the most restrictive *Natural Area* Rules relating to *land* affected by an activity will apply.
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 *Natural Area* also the *Human Environment* Rules and the *City-Wide Rules* and the *Subdivision* 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 interpret this rule - check at the Council Offices.
7. For *resource consents* see the Information Requirements in the *City-Wide Rules*.

RULE 7

BUILDINGS

RULES

7.0 General

The following rules shall apply only to the erection or alteration of *buildings* where existing *building coverage* is increased.

7.1 Permitted Activities

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

- the alteration of *buildings* where existing *building coverage* is not increased.
- Parks infrastructure* and *Parks Maintenance* in the *Open Space Environment*.

7.2 Limited Discretionary Activities

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

- 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 Edges Natural Area*;
- the erection of a *bridge*.
- Parks Infrastructure* where a foot *bridge* or *boardwalk* is greater than 15m in length or a culvert is greater than 10m in length in the *Open Space Environment*.

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.
- Where *sites* are situated in more than one *Natural Area* the most restrictive *Natural Area* Rules relating to *land* affected by an activity will apply.
- 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 *Natural Area* also the *Human Environment* Rules and the *City-Wide Rules* and the *Subdivision* Rules.
- Words in *italics* are defined - see the Definitions part of the *City-Wide Rules*.
- Words in **bold** are explained - see the Explanations part of the Introduction to the Rules.
- The Council may have a guideline to interpret this rule - check at the Council Offices.
- For *resource consents* see the Information Requirements in the *City-Wide Rules*.
- Activities may also require consents from the Auckland Regional Council when erecting or altering *structures*, including *buildings*, and for any *stream crossing* within the *Riparian Margins/Coastal Edges Natural Area*.
- Discretionary Activity Applications will be considered only on the basis of policies, objectives, assessment criteria and any other matter relevant to the planning control which the activity does not satisfy.

ASSESSMENT CRITERIA

7(a)

The extent to which the *building* will adversely affect the overall **resilience, biodiversity and integrity of the Green Network**.

7(b)

The extent to which the *building* will reduce the extent, range and linkages between *vegetation*, fauna habitat, and *natural features*.

7(c)

The extent to which the *building* will adversely affect the **mauri** (life force) of *native vegetation*.

7(d)

The extent to which the *building* adversely affects the water quality of *taiapure* or *mahinga maataitai*.

7(e)

The extent to which the *building* will adversely affect the historical, cultural or spiritual significance of any site or *waahi tapu* of significance to *imi*.

7(f)

The extent to which the *building* will adversely affect the significance or landscape value or natural character of any *natural features*.

7(g)

The extent to which the *building* will adversely affect *amenity*.

7(h)

The extent to which the *building* can be offset by **restoration** or **enhancement** around and within the area subject to the proposed *development*.

7(i)

The extent to which the *building* creates, contributes to, or exacerbates flooding, erosion stability problems or the potential for flooding, erosion or stability problems.

7(j)

The extent to which the *building* will exacerbate or contribute to degradation of natural watercourses in a way that destroys or reduces their ability to support instream *vegetation* and fauna; their ability to be used as a healthy food source; their clarity; water quality and flow and their suitability for swimmers.

RULE 7

BUILDINGS

- *Parks Maintenance* where the enhancement/improvement to a foot *bridge*, *boardwalk* or culvert exceeds 40%, in the *Open Space Environment*.

Assessment of *Limited Discretionary Activity* application will be limited to the matters of scale, location and *design* and will be considered in accordance with Assessment Criteria 7(a)-7(pq).

7.3 Discretionary Activities

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

- *Any Activity* not meeting the standards in Rules 7.1 or 7.2.

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

7(k)

The extent to which the *building* is necessary to provide access to a *site* that will avoid the need to pipe or culvert a stream or natural watercourse or **water body**.

7(l)

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*.

7(m)

The extent to which the *building* affects or may affect the water quality and aquatic ecosystem health of any part of the waterway, adjacent to, upstream of or downstream of, the *building*.

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*.

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 and avoids any species known to be threatened or endangered.

7(p)

The extent to which proposed *building* in an *Open Space Environment* avoids significant *vegetation* and any species known to be threatened, endangered or uncommon.

7(q)

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.

Note: See also Policies 1.1, 1.5, 1.6, 1.7, 1.9, 1.11, 1.12, 1.16, 1.19, 1.20, 2.1, 2.10, 5.1, 5.4, 7.3, 7.7, 8.1, 8.4, 9.10, 9.11, 9.12, 10.27, 10.28, 11.2, 11.32, 12.9, 5B.1, 5B.3

(Policy Section of the Waitakere District Plan)

RULE 7	BUILDINGS
	<p data-bbox="853 344 1350 383">RESOURCE CONSENT CONDITIONS</p> <p data-bbox="853 392 1388 495">In granting a <i>resource consent</i> the Council may impose conditions. Conditions may include any one or more of the following matters:</p> <ul data-bbox="853 504 1388 947" style="list-style-type: none">• limiting the scale of the <i>building</i>• specifying the location of the <i>building</i>• specifying the methods by which any work is carried out• imposition of a <i>bond</i> to ensure satisfaction of conditions of consent• requiring <i>on-site</i> or <i>off-site</i> works and services to avoid, remedy, mitigate or offset adverse <i>effects</i>• requiring <i>financial contributions</i> in accordance with the <i>Plan</i>• such other matters provided for in section 109 of the <i>Act</i>• requiring <i>on-site</i> or <i>off-site</i> works and services to avoid, remedy, mitigate or offset adverse <i>effects</i>. <p data-bbox="853 952 1388 1072">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>

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