The Rural Villages Environment Rules apply to activities on sites within the “Rural Villages Environment” as shown on the Human Environments Maps. Most of the Rural Villages Environment Rules apply to “Any Activity” which may be proposed, although some rules apply only to “Residential Activities”, or only to “Non-Residential Activities”. These terms are defined in the Plan as follows:

- **Residential Activity** means the use of land or buildings by people for living accommodation (whether or not any person is subject to care or supervision) where those people voluntarily live at the site for a period of one month or more and will generally refer to the site as their home and permanent address, and includes baches and other similar private holiday accommodation, but excludes a Temporary Activity and a Prohibited Activity.

- **Non-Residential Activity** means any activity which is not defined as a Residential Activity or a Temporary Activity or a Prohibited Activity.

- **Any Activity** means a Residential Activity or a Non-Residential Activity, but does not include a Prohibited Activity or a Temporary Activity.

There are rules in the Plan other than the Rural Villages Environment Rules that may also apply to a proposed activity.

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

The “Natural Areas Rules” cover vegetation alteration, earthworks, impermeable surfaces, establishment of vegetation, stock grazing and forestry.

The “Subdivision Rules” cover all standards relating to the subdivision of land in the city - including those standards which specifically apply to the Rural Villages Environment.

An indication of which parts of the Plan will apply to a particular activity is given on the Human Environments Maps and the Natural Areas Maps and in the Rural Villages Environment Rules themselves.

The procedure outlined on the next page is a guideline to apply the Plan rules for an activity proposed within the Rural Villages Environment.

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 site on the Natural Areas Maps and the Human Environments Maps. If the site is within the Rural Villages Environment, refer to this guideline. If the site is within another Human Environment refer to the other appropriate guideline. Note the Natural Area 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
Determine whether the activity proposed is a Residential Activity or a Non-Residential Activity (refer to the definitions on the previous page).

STEP 6
Check the Rural Villages Environment 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 3 Building Location - Natural Landscape Elements
Rule 4 Building Height
Rule 5 Height in Relation to Boundaries, Separation of Buildings
Rule 6 Front Yards
Rule 7 Building Coverage
Rule 8 Building Location - Privacy/Amenity
Rule 12 Carparking and Driveways
Rule 14 Air Discharges, Odour, Dust, Glare and Vibration
Rule 15 Signs
Rule 16 Relocated Buildings
Rule 18 Infrastructure

Additional Rules which may apply only to Residential Activities include:

Rule 2 Residential Activities/Density
Rule 9 Outdoor Space

Additional Rules which may apply only to Non-Residential Activities include:

Rule 10 Non-Residential Activities
Rule 11 Traffic Generation
Rule 13 Noise

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

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, may also be necessary.

Note: Words which appear in italics are defined in the Plan - See the Definitions at the front of the City-Wide Rules. Words which appear in bold are explained in the Plan. See the Explanations at the end of the Introduction to the Rules.
RULE 1

RULES

1.0  General
The following Rules 1.1 and 2 to 17 apply to activities on land situated in the Rural Villages Environment.

1.1  Notification/Non-Notification
In relation to Controlled Activities and Limited Discretionary Activities under the following Rules 2 to 17, applications for resource 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**

### RESIDENTIAL ACTIVITIES / DENSITY

#### RULES

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

**2.1 Permitted Activities**
Activities meeting the following Performance Standards are Permitted Activities:
- **Residential Activities** comprising no more than:
  - (a) one dwelling on each site, and
  - (b) one minor household unit on each site, provided that the minimum net site area is 1,500m² and provided further that any separation distance between the dwelling and the minor household unit shall not exceed 20m.

**2.2 Limited Discretionary Activities**
Activities meeting the following Performance Standards are Limited Discretionary Activities:
- **Residential Activities** which involve no more than one minor household unit per site not meeting the standards of Rule 2.1.

**2.3 Non-Complying Activities**
Residential Activities to which this rule applies which are not a Permitted Activity or a Limited Discretionary Activity shall be deemed to contravene a rule in this Plan and shall be a Non-Complying Activity.

#### ASSESSMENT CRITERIA

2(a) The extent to which the minor household unit and associated development detracts from the amenity values and neighbourhood character.

2(b) The extent to which the minor household unit and associated development requires the clearance of native vegetation and habitat of native fauna, or results in adverse effects on ecosystems.

2(c) The extent to which the minor household unit and associated development requires development in any Riparian Margin/Coastal Edge Area or Restoration Natural Area or on any natural landscape element.

2(d) The extent to which adequate wastewater treatment and disposal systems and stormwater treatment and disposal systems are provided for the minor household unit and associated development.

**Note:** See also Policies 1.1, 1.14, 2.1, 3.1, 10.17, 11.1, 11.2

(Policy Section of the Waitakere District Plan)

#### RESOURCE CONSENT CONDITIONS
In granting a resource consent the Council may impose conditions. The conditions may include any of the following matters:
- Altering the location of the minor household unit on the site
- Requiring the retention of trees and/or planting
- Requiring provision of screening and/or planting
- Altering the design of the building
- Requiring on-site or off-site works and services to avoid, remedy, mitigate or offset adverse effects.

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**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.
**RULE 3**

**BUILDING LOCATION - NATURAL LANDSCAPE ELEMENTS**

**RULES**

### 3.0 General

The following rules shall apply to *Any Activity* involving the erection or alteration of buildings and establishment of development.

### 3.1 Permitted Activities

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

(a) buildings and development which are not on land identified as a sensitive ridge or headland/cliff/scarp on the Natural Areas Maps;

(b) decks less than 1.0 metre in height on land identified as a sensitive ridge or headland/cliff/scarp on the Natural Areas Maps;

(c) additions or alterations to existing buildings or development on land identified as a sensitive ridge or headland/cliff/scarp on the Natural Areas Maps, provided that the additions or alterations:

- do not increase the height of the building or development at any point, or increase the building coverage beyond the existing building bulk;
- are not for the enclosure of a deck.

### 3.2 Controlled Activities

Activities meeting either of the following Performance Standards are *Controlled Activities*:

#### ASSESSMENT CRITERIA

3(a)

The extent to which buildings are obtrusively visible on or above sensitive ridgelines from a public place.

3(b)

The extent to which buildings and development compromise the visual landscape qualities of sensitive ridgelines, and other natural landscape elements.

3(c)

The extent to which development adversely affects the visual, historical, cultural and spiritual significance for iwi of sensitive ridges.

3(d)

The extent to which landscape treatment is used to mitigate the visual impact of buildings and development.

3(e)

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(f)

The extent to which the height of the building or development will interrupt identified Public Views, as listed in Appendix K of the Policy Section of the Plan.

See also Policies 2.8, 8.7, 9.3, 9.5, 9.12, 10.27, 11.7, 11.8, 11.9

(Policy Section of the Waitakere District Plan)

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**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. A guideline to help determine which “roads” and “public places” a building may be visible from is kept by the Council.

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 Human Environment and also the Natural Area Rules and the City-Wide Rules and, where relevant, 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 help interpret this rule - check at the Council Offices.

7. For resource consents see the Information Requirements in the City-Wide Rules.

8. Council officers may be able to give advice on designing buildings in natural landscape areas - check at the Council offices.

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Effects on Amenity Values continued

RULE 3 BUILDING LOCATION - NATURAL LANDSCAPE ELEMENTS

• buildings and development on land identified as a sensitive ridge or headland/cliff/scarp on the Natural Areas Maps provided that any building is not visible in front of the sea or above the skyline as viewed from a road or other public place.
• additions or alterations to existing buildings or development on land identified as a sensitive ridge or headland/cliff/scarp on the Natural Areas Maps, provided that the additions or alterations do not increase the height of the building or development at any point, or increase the building coverage by more than 20m².

Assessment of Controlled Activity applications made under this rule will be limited to matters of height, location, design, landscape treatment, and scale and will be considered in accordance with Assessment Criteria 3(a)-3(f).

3.3 Limited Discretionary Activities
Activities meeting the following Performance Standard are Limited Discretionary Activities:
• buildings and development on land identified as a modified sensitive ridge not meeting the standards in Rules 3.1 and 3.2.

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

3.4 Discretionary Activities
Activities meeting the following Performance Standard are Discretionary Activities:
• buildings and development on land identified as a natural sensitive ridge which does not meet the performance standards in Rules 3.1, 3.2 and 3.3, provided that no structure located on a sensitive ridgeline, headland, cliff or scarp has a height exceeding 10.0 metres.

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

3.5 Non-Complying Activities
Any 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.

RESOURCE CONSENT CONDITIONS

In granting a resource consent Council may impose conditions. These conditions may involve any one or more of the following:
• limiting the height of buildings
• altering the location of buildings
• altering the design of buildings
• requiring the provision of planting
• requiring financial contributions in accordance with the Plan
• the imposition of a bond to cover satisfaction of conditions of consent
• such other matters provided for in section 108 of the Act
• covenanting of existing or planted vegetation
• requiring on-site or off-site works and services to avoid, remedy, mitigate or offset adverse effects
• Provided that, in the case of Controlled and 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 4

RULES

4.0 General
The following rules shall apply to Any Activity involving the erection or alteration of buildings.

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

• buildings having a maximum building height not exceeding 8.0 metres.

(See diagram 4A)

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

• buildings having a maximum building height exceeding 8.0 metres.

Discretionary Activity applications made under this rule will be assessed having regard to Assessment Criteria 4(a)-(d) and any other matters which are relevant under section 104 of the Act.

ASSESSMENT CRITERIA

4(a)
The extent to which the height of buildings will create adverse effects on neighbourhood character.

4(b)
The extent to which the height of buildings will physically dominate adjoining sites.

4(c)
The extent to which the height of buildings will intrude into the privacy of adjoining sites.

4(d)
The extent to which the height of buildings will interrupt views from sites in the vicinity.

Note: See also Policies 1.15, 9.5, 10.5, 10.21, 11.3, 11.8 (Policy Section of the Waitakere District Plan)

RESOURCE CONSENT CONDITIONS

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

• limiting height

• requiring the alteration of window design or positioning

• requiring alteration in the design of the buildings

• requiring provision of planting or screening

• the imposition of a bond to cover satisfaction of conditions of consent

• 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.

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

RULES

5.0  General
The following rules shall apply to Any Activity involving the erection or alteration of buildings.

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

- buildings which:
  (i) have ground floor windows of any habitable rooms located no less than 1.2 metres from a site boundary or from a building on the same site, and
  (ii) do not project beyond the following recession planes:
    - southernmost site boundary recession plane 35°;
    - westernmost and easternmost site boundary recession plane 45°;
    - northernmost site boundary recession plane 55°
as measured from any point 2.5 metres vertically above ground level on any site boundary adjoining land within a Rural Villages Environment or a Bush Living Environment or a Waitakere Ranges Environment or an Open Space Environment or a Countryside Environment or a Foothills Environment, provided that:
  - gable ends may penetrate the recession plane by no more than one-third of the gable height; and

ASSESSMENT CRITERIA

5(a) The extent to which the height, location and design of buildings will allow for reasonable sunlight and daylight access to adjoining sites.

5(b) The extent to which the height, location and design of buildings will allow for reasonable sunlight and daylight access to the proposed building.

5(c) The extent to which each habitable room in a building is located to allow for reasonable daylight access.

5(d) The extent to which the height, location, scale and design of buildings will complement amenity values and neighbourhood character.

Note: See also Policies 1.15, 10.5, 11.3 (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 height
- requiring a specific setback between the building and site boundaries
- requiring provision of planting or screening
- the imposition of a bond to cover satisfaction of conditions of consent
- 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.

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

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.

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RULE 5  HEIGHT IN RELATION TO BOUNDARIES/ SEPARATION OF BUILDINGS

- 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;
- no account shall be taken of solar panels.

Diagram 5A

Where a site boundary adjoins a legally established driveway(s) / shared driveway(s) serving a rear dwelling / rear site, the measurement shall either be taken from the farthest boundary of the driveway(s) / shared driveway(s), or at a parallel line 3.2 metres from the site boundary, whichever is the lesser. (See Living Environment diagram 5B).

5.2 Limited Discretionary Activities
Activities meeting the following Performance Standard are Limited Discretionary Activities:
• ground floor windows of a habitable room within 1.2 metres of a site boundary or a building on the same site.

Assessment of Limited Discretionary Activity applications made under this rule will be limited to matters of height, location, design, screening and planting and will be considered in accordance with Assessment Criterion 5(c).

5.3 Discretionary Activities
Activities meeting the following Performance Standard are Discretionary Activities:
• buildings projecting beyond the recession plane standards set out in Rule 5.1.

Discretionary Activity applications made under this rule will be assessed having regard to Assessment Criteria 5(a) - 5(d) and any other matters that are relevant under section 104 of the Act.
RULE 6  

FRONT YARDS

RULES

6.0 General
The following rules shall apply to Any Activity involving the erection or alteration of buildings.

6.1 Permitted Activities
Activities meeting the following Performance Standard are Permitted Activities:
• buildings set back from the road boundary by 3.0 metres or more.

6.2 Limited Discretionary Activities
Activities meeting the following Performance Standard are Limited Discretionary Activities:
• buildings set back less than 3.0 metres from the road boundary.

Assessment of Limited Discretionary Activity applications made under this rule will be limited to matters of location, screening and planting and will be considered in accordance with Assessment Criteria 6(a)-6(e).

ASSESSMENT CRITERIA

6(a)
The extent to which the setback of a building from the road boundary will create any adverse effects on amenity values and neighbourhood character.

6(b)
The extent to which the setback of a building from the road boundary will maintain opportunities for lawn and tree planting in the front yard.

6(c)
The extent to which the setback of a building from the road boundary will allow for safe traffic movement on and off the road and parking and manoeuvring off the road.

6(d)
The extent to which a building closer to the road boundary would offer greater safety through surveillance, to users of the road.

6(e)
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.

Note: See also Policies 1.15, 10.5, 10.6, 10.27, 11.3
(Policy Section of the Waitakere District Plan)

RESOURCE CONSENT CONDITIONS

In granting a resource consent Council may impose conditions. The conditions may include any one or more of the following matters:
• requiring a specific setback between the building and road boundary
• requiring provision of screening and/or planting
• requiring on-site or off-site works and services to avoid, remedy, mitigate or offset adverse effects
• requiring financial contributions in accordance with the Plan
• the imposition of a bond to cover satisfaction of conditions of consent

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.
**Effects on Amenity Values, Neighbourhood Character and Safety continued**

<table>
<thead>
<tr>
<th>RULE 6</th>
<th>FRONT YARDS</th>
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<td>• 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.</td>
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RULE 7 BUILDING COVERAGE

RULES

7.0 General
The following rules shall apply to Any Activity involving the erection or alteration of buildings.

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

(a) for sewered areas buildings having a building coverage of not more than 200m² or 20% of the net site area, whichever is the greater, provided that no single building may exceed 200m² (single storey) or 150m² (two storey);
(b) for non-sewered areas buildings having a building coverage of not more than 200m² or 15% of the net site area whichever is the greater; (See diagram 7A - page 13)
(c) decks less than 2.0 metres in height.

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

• buildings resulting in a building coverage not meeting the standards in Rule 7.1 provided that building coverage does not exceed 35% of the net site area.

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

ASSESSMENT CRITERIA

7(a)
The extent to which building coverage will create adverse effects on amenity values, neighbourhood character and landscape character.

7(b)
The extent to which the proposal creates demands for public upgrading of infrastructure to accommodate increased building coverage.

7(c)
The extent to which building coverage will physically dominate adjoining sites.

7(d)
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.

Note: See also Policies 10.4, 10.5, 10.6, 10.17, 10.27, 11.3, 11.8

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

- requiring a specific setback between buildings and site boundaries
- requiring provision of a landscape treatment plan, and its implementation within a given time
- requiring on-site or off-site works and services to avoid, remedy, mitigate or offset adverse effects
- requiring a financial contribution in accordance with the Plan
- the imposition of a bond to cover satisfaction of conditions of consent
- such other matters provided for in section 108 of the Act.
RULE 8

BUILDING LOCATION - PRIVACY/AMENITY

RULES

8.0 General
The following rules shall apply to Non-Residential Activities and also Residential Activities involving the erection or alteration of dwellings.

8.1 Permitted Activities
Activities meeting the following performance Standards are Permitted Activities:
(a) dwellings located and designed so that:
• the main glazing of the main living room, and
• any on-site outdoor space required under Rule 9.0; and
• is separated by a minimum of 6.0 metres from the site boundary with an adjoining site
• is screened from adjoining sites
(b) Any Non-Residential Activities which are screened from adjoining sites and the road provided that one vehicle associated with the Non-Residential Activity may be visible.

8.2 Discretionary Activities
Activities meeting the following Performance Standards are Discretionary Activities:
(a) dwellings which do not meet the standards in Rule 8.1(a).
(b) any Non-Residential Activities not meeting the standards in Rule 8.1(b).
Discretionary Activity applications made under these rules will be assessed having regard to Assessment Criteria 8(a)-8(c) and any other matters that are relevant under section 104 of the Act.

ASSESSMENT CRITERIA

8(a)
The extent to which privacy is maintained between the main indoor and outdoor living areas of adjoining sites.

8(b)
The extent to which any Non-Residential Activity creates adverse visual effects on adjoining sites and the road.

8(c)
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.

Note: See also Policies 10.5, 10.27, 11.3
(Policy Section of the Waitakere District Plan)

RESOURCE CONSENT CONDITIONS

In granting a resource consent Council may impose conditions. The conditions include any one or more of the following matters:
• requiring a specific setback between buildings and site boundaries
• requiring provision of a landscape treatment plan, and its implementation within a given time
• requiring on-site or off-site works and services to avoid, remedy, mitigate or offset adverse effects
• requiring a financial contribution in accordance with the Plan
• the imposition of a bond to cover satisfaction of conditions of consent
• such other matters provided for in section 108 of the Act.

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

9.0 General
The following rules shall apply to Residential Activities involving the erection or alteration of dwellings.

9.1 Permitted Activities
Activities meeting the following Performance Standard are Permitted Activities:
- dwellings having provision for a minimum single area of outdoor space. Dwellings and minor household units may share the same outdoor space, or they each may have a separate outdoor space. In either case, an outdoor space must:
  (i) have an area totalling 25 m² of on-site outdoor space per bedroom; and
  (ii) have a minimum dimension of 3.0 metres; and
  (iii) contain a circle with a diameter of 6.0 metres which is wholly contained within a bearing to the north of between 135° and 225° from the wall of the dwelling or minor household unit which abuts the required outdoor space; and
  (iv) have a maximum slope over 75% of the required outdoor space area of 20% (1 in 5); and
  (v) be accessible from within the dwelling or minor household unit, on foot, through a door on the same side of dwelling or minor household unit as the outdoor space, dwelling or

ASSESSMENT CRITERIA

9(a)
The extent to which the amount of outdoor space provided on-site is related to the likely number of occupants of the dwelling.

9(b)
The extent to which outdoor space is of a useable size and slope.

9(c)
The extent to which outdoor space is designed and located to meet the likely needs of the occupants of the dwelling.

9(d)
The extent to which the positioning of outdoor space allows for reasonable daylight and sunlight access to that outdoor space.

9(e)
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.

Note: See also Policies 10.4, 10.27, 11.3, 11.10 (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. 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 9**

**OUTDOOR SPACE**

*minor household unit, without any intervening dwelling or minor household unit.*

Where a *dwelling* and *minor household unit* share the same *outdoor space*, then the bearing referred to in (iii) is to be taken from the *dwelling*. (See Diagram 9A).

**9.2 Limited Discretionary Activities**

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

• *dwellings* with *outdoor space* not meeting the standards in Rule 9.1.

Assessment of *Limited Discretionary Activity* applications made under this rule will be limited to the matters of location, scale, useability, daylight access, design, screening and planting and will be considered in accordance with Assessment Criteria 9(a)-9(e).

**RESOURCE CONSENT CONDITIONS**

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

• *specifying* the location, scale and *design* of *outdoor space*
• *requiring* provision of *screening* and/or *planting*
• *requiring* *on-site* or *off-site* works and services to avoid, remedy, mitigate or offset adverse effects
• *requiring* *financial contributions* in accordance with the *Plan*
• *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.

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![Diagram 9A](image-url)
RULE 10 NON-RESIDENTIAL ACTIVITIES

RULES

10.0 General
The following rules shall apply to all Non-Residential Activities except for Non-Residential Activities on scheduled sites.

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

- home occupations meeting the following requirements:
  - no more than five persons, except for small brothels that are limited to four persons, are engaged in the home occupation, at least one of whom resides on the site; and
  - the home occupation is carried out within an existing building which is clearly marked with the relevant street number in accordance with By-Law No.4 Chapter 2 Public Places 1972 (Clause 244 as amended); and
  - the home occupation does not involve traffic generation involving a heavy traffic vehicle exceeding two vehicle movements per week; and
  - the home occupation, apart from the parking of one vehicle, is screened from the adjoining sites and the road; and
  - except where goods are primarily ordered by mail or electronic transaction and redistributed by post or courier, any retail sales and services are confined to front sites

ASSESSMENT CRITERIA

10(a) The extent to which the character, scale, hours of operation and intensity of Non-Residential Activities are compatible with amenity values and neighbourhood character.

10(b) The extent to which the effects of Non-Residential Activities create demands for public upgrading of infrastructure.

10(c) The extent to which Non-Residential Activities create adverse effects on the residential coherence and the safety of residents of the neighbourhood.

10(d) 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(e) The extent to which regard has been given to section 15 of the Prostitution Reform Act 2003.

Note: See also Policies 1.2, 1.3, 1.18, 4.1, 4.7, 10.1, 10.3, 10.14, 10.27, 11.1, 11.8, 11.10, 11.11, 11.17, 11.18, 11.30, 11.31, 11.50
(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. 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.
7. Scheduled Sites are covered in a separate part of the Plan. Rules within that Part may allow Non-Residential Activities which are not provided for in the above rules.
**RULE 10**

**NON-RESIDENTIAL ACTIVITIES**

with individual *driveway* access and a minimum net *site* area of 450m², are of goods produced on the site and the hours of operation are between 0700 and 1900 daily; and
- *retail sales* are conducted from buildings on the site

**10.2 Limited Discretionary Activities**

Activities meeting the following Performance Standard are *Limited Discretionary Activities*:
- *Non-Residential Activities* including *home occupations* not meeting the standards in Rule 10.1 but excluding *commercial sex activities* and *small brothels* that are a *home occupation* not meeting the standards in Rule 10.1 where:
  - the activities are located within a *building* originally erected as a *dwelling* and there are no *retail sales*, or
  - the activities are associated with an existing *Non-Residential Activity* on the site, do not involve *retail sales* and do not increase the *gross floor area of buildings* on the site to more than 250m².

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

**10.3 Discretionary Activities**

Activities meeting the following Performance Standard are *Discretionary Activities*:
- *Non-Residential Activities*, including *home occupations* that do not meet the standards in Rule 10.1 and 10.2 provided there are no *retail sales*, but excluding *Commercial Sex Activities* and *small brothels* that are a *home occupation* not meeting the standards in Rule 10.1.

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

**RESOURCE CONSENT CONDITIONS**

In granting a *resource consent* Council may impose conditions. The conditions may include any one or more of the following matters:
- requiring alterations to *design* and/or *location* of *buildings* on the site
- requiring alteration to the *car park*/*access design* and/or *location*
- requiring the retaining or addition of *trees* and/or other *vegetation*
- limiting the *scale* of the *development* or *use*
- limiting *hours of operation*
- requiring the provision of *screening*
- requiring provision of a *landscape treatment plan* and its implementation within a given *time*
- requiring *on-site or off-site* works and services to avoid, remedy, mitigate or offset adverse *effects*
- the imposition of a charge to cover costs of *monitoring the activity*
- the imposition of a *bond* to cover satisfaction of conditions of consent
- requiring *financial contributions* in accordance with the *Plan*
- 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.

This page updated 14/09/07
**Effects on Water, Native Vegetation and Fauna Habitat, Land, Air Quality, Amenity Values, Neighbourhood Character and Health & Safety**

<table>
<thead>
<tr>
<th>RULE 10</th>
<th>NON-RESIDENTIAL ACTIVITIES</th>
</tr>
</thead>
<tbody>
<tr>
<td>10.4 Non-Complying Activities</td>
<td>Non-Residential Activities (other than those on Scheduled Sites) to which these rules apply which are 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 this Plan and shall be a Non-Complying Activity.</td>
</tr>
</tbody>
</table>
### RULE 11 TRAFFIC GENERATION (NON-RESIDENTIAL ACTIVITIES)

#### RULES

**11.0 General**  
The following rules shall apply to all Non-Residential Activities.

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

- **Non-Residential Activities** on front sites having traffic generation not exceeding 20 vehicle movements per day or 1% of the road's daily traffic volume, whichever is the greater.

Assessment of Limited Discretionary Activity applications made under this rule will be limited to matters of *screening, landscape treatment, retaining of vegetation, road capacity, safety, duration, hours of operation and scale* and will be considered in accordance with Assessment Criteria 11(a) and 11(b).

#### ASSESSMENT CRITERIA

**11(a)**  
The effects of traffic generation on:
- the capacity of roads giving access to the site, having regard to the road's function in the Roading Hierarchy
- the amenity of residential front sites from traffic generated by the non-residential use of rear sites
- the safety and efficiency of road intersections
- the safety of road users, including cyclists and pedestrians
- the reduction of overall levels of traffic and encouragement of other, less polluting forms of transport such as walking, cycling and public transport
- neighbourhood character and amenity values.

**11(b)**  
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.

Note: See also Policies 10.14, 10.27, 11.12, 11.30, 11.31

(Policy Section of the Waitakere District Plan)

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**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.
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4. Words in **bold** are explained - see the Explanations part of the Introduction to the Rules.
5. For resource consents see the Information Requirements in the City-Wide Rules.
6. See the Traffic Generation Section of the Parking and Driveway Guideline (available from the Council) for interpretation of this Rule and guidance on traffic generated by different land uses.
11.2 Discretionary Activities
Activities meeting the following Performance Standard are Discretionary Activities:

- Non-Residential Activities not meeting the standards in Rule 11.1.

Discretionary Activity applications made under this rule will be assessed having regard to Assessment Criteria 11(a) and 11(b) and any other matters that are relevant under section 104 of the Act.

RESOURCE CONSENT CONDITIONS
In granting a resource consent Council may impose conditions. These conditions may include any one or more of the following matters:

- limiting the size of building and/or scale of activity
- requiring alteration to the location and design of car parking and driveways
- requiring the retention of trees and/or other vegetation
- requiring mitigation measures in relation to vehicle noise and lights
- requiring mitigation measures in relation to pedestrian, cyclist and motor vehicle occupant safety
- requiring provision of a landscape treatment plan and its implementation within a specified time
- limiting the hours of operation
- limiting the duration of the activity
- requiring on-site or off-site works and services to avoid, remedy, mitigate or offset adverse effects
- the imposition of a charge to cover costs of monitoring the activity
- requiring financial contributions in accordance with the Plan
- the imposition of a bond to ensure satisfaction of conditions of consent
- 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 12 CARPARKING AND DRIVEWAYS

RULES

12.0 General
The following rules apply to Any Activity.

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

(a) dwellings where:
   (i) two on-site car parks are provided for each dwelling, and
   (ii) at least one required car park space per dwelling is located in a position where it would be possible under the rules of this Plan to erect a garage or carport with dimensions of at least 3.0 metres by 6.0 metres.

(b) minor household units where one additional on-site car park is provided.

(c) home occupations meeting the standards of Rule 10.1 where one additional on-site car park is provided.

ASSESSMENT CRITERIA

12(a)
The extent to which driveways provide safe, maintenance-free, adequately drained, efficient, effective and visually attractive vehicular access from the road to buildings.

12(b)
The extent to which car parking accommodates expected peak demand of an activity, having regard to the position of the site in relation to public transport routes and the parking capacity of adjacent roads, and the road’s function in the Roading Hierarchy.

12(c)
The extent to which driveways and car parking create adverse visual or noise effects on adjoining sites.

12(d)
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.

Note: See also Policies 10.11, 10.16, 10.27, 11.10

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.
7. See the Car parking and Driveway Guidelines for guidance on car park space numbers and driveway design and construction standards.
8. For design and construction standards for driveways see the Waitakere City Code of Practice.
9. Transit New Zealand must be consulted for vehicle crossing directly to and from the State Highway Network in order that their approval be obtained, with or without conditions, and in the case of proposed accesses within areas declared Limited Access roads, Transit New Zealand’s authorisation obtained.

(Policy Section of the Waitakere District Plan)
Provided that for each car park space required under (a), (b) and (c) above:

(i) each car park space has dimensions of at least 2.5 metres by 5.0 metres and a slope not exceeding 6.25% (1 in 16)

(ii) each car park space is connected to the road by a driveway which:
- gives access to no more than one dwelling and one minor household unit, and
- does not exceed a gradient of 20% (1 in 5) in any part, and
- provides for on-site turning where the site adjoins a major road or where there is a distance of 20 metres or more between the road and the car park space. (See diagram 12A - page 23)

12.2 Controlled Activities
Activities meeting the following Performance Standards are Controlled Activities:

- shared driveways serving more than one dwelling designed and constructed in accordance with the following standards

(i) and;

(ii) the required passing bays in Category II are provided at an appropriate position along the course of the driveway at intervals not exceeding 50 metres, and

(iii) the required passing bays in Category III are provided:
- at the entrance to the driveway
- at an appropriate position along the driveway at intervals not exceeding 50 metres and;

<table>
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<tr>
<th>Category</th>
<th>No. of dwellings served by the driveway</th>
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<th>Additional width of service strips required (m)</th>
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<td>0.7m</td>
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<tr>
<td>II</td>
<td>3-5</td>
<td>2.7m with passing bays</td>
<td>1.3m</td>
</tr>
<tr>
<td>III</td>
<td>6-15</td>
<td>3.5m with passing bays</td>
<td>1.5m</td>
</tr>
</tbody>
</table>
Effects on Water, Air Quality, Amenity Values and Health & Safety continued

**RULE 12**

**CARPARKING AND DRIVEWAYS**

(iv) the *service strip* requirement includes a 0.3 metre strip (unobstructed) on one side of the *carriageway* for Category I *driveways* and 0.6 metres on one side of the *carriageway* for Category II and III *driveways*. These strips are to be kept clear for power reticulation. The remaining aggregate width of *service strip* may be provided separate from the *carriageway* provided that the aggregate width of *service strip* or strips in Category II can be reduced to not less than 0.96 metres for existing *rear sites* served by an existing *driveway* less than 4.0 metres in width; and

(v) the furthermost point of any *site* served by a *driveway* is within 135 metres of a *fire hydrant*; and

(vi) all bends on a *carriageway* within a *driveway* have a minimum inside turning radius of 6.5 metres; and

(vii) the minimum required *driveway* width is unobstructed by the *buildings* from the ground upward to a *height* of 4.2 metres and is clear of *fences*; and

(viii) the *shared driveway* serves a *net site area* of no more than 10,000m² or 10 *dwellings* whichever is the lesser.

(See diagram 12B - page 24)

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**Diagram 12A**

- Diagram showing the dimensions and requirements for *service strip* and *carriageway* within a *driveway*.
Assessment of Controlled Activity applications made under this rule will be limited to the matters of driveway design, safety, efficiency, driveway capacity and method of construction and be considered in accordance with matters set out in Criteria 12(a),(c) and (d).

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

- Any Activity not meeting the standards in Rule 12.1 or 12.2 including:
  - (i) car parking and driveways associated with all Non-Residential Activities except home occupations meeting the standards in Rule 10.1, and
  - (ii) car parking and driveways associated with all Residential Activities except dwellings and minor household units.

Assessment of Limited Discretionary Activity applications made under the above rules will be limited to the matters of design, location, safety, efficiency, driveway capacity, number of car parks, screening and planting and will be considered in accordance with Assessment Criteria 12(a)-12(d).

Diagram 12B
RURAL VILLAGES ENVIRONMENT

1.3.0 General
The following rules apply to Non-Residential Activities.

1.3.1 Permitted Activities
Activities meeting the following Performance Standard are Permitted Activities:
• Non-Residential Activities meeting the noise standards set out in the following table as measured in accordance with NZS 6801:1999 Acoustics - Measurement of Sound and NZS 6802:1999 Acoustics - Assessment of Environmental Sound at the appropriate part of a site (other than the site on which the activity is situated) within the Rural Villages Environment, Foothills Environment, Open Space Environment, Bush Living Environment, Living Environment and Countryside Environment.

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<th>LMax</th>
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<td>70dBA</td>
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<td>7.00am-10.00pm</td>
<td></td>
<td></td>
</tr>
<tr>
<td>10.00pm-7.00am</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

1.3.2 Discretionary Activities
Activities meeting the following Performance Standards are Discretionary Activities:
• Any Non-Residential Activity not meeting the standards in Rule 1.3.1.

Discretionary Activity applications made under this rule will be assessed in accordance with Assessment Criteria 13(a)-13(e) and any other matters as are relevant under Section 104 of the Act.

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

See also Policies 10.2, 10.15, 10.27, 11.13

(Policy Section of the Waitakere District Plan)
RULE 14 AIR DISCHARGES, ODOUR, DUST, GLARE AND VIBRATION

RULES

14.0 General

The following rules apply to Non-Residential Activities, Temporary Activities and Any Activities producing artificial light or involving processes listed in the Air Discharges Appendix.

14.1 Permitted Activities

Activities meeting the following Performance Standards are Permitted Activities:

(a) Any Activity and Temporary Activities generating vibration levels (acceleration measured in metres per second squared) relative to frequency not exceeding the base curve of figure 2a (z axis), 3a (x and y axes) and 4a (combined x,y, and z axes) contained within ISO 2631-2:1989.

Assessment of vibration shall be carried out by a suitably qualified and experienced person in accordance with Annex A and Table 2 of ISO 2631-2:1989. Instruments used to measure vibrations and the methods of measurement shall comply with a recognised standard such as Australian Standard AS2973: 1987 “Vibration and Shock - Human response vibration-measuring instrumentation.”

(b) Any Activity and Temporary Activities that do not involve a Part A, B or C process as listed in the Air Discharges Appendix.

ASSESSMENT CRITERIA

14(a)

The extent to which glare from outdoor lighting fixtures causes discomfort to any person, detracts from residents' ability to sleep or degrades the level of visual amenity and the dark night-time sky environment.

14(b)

The extent to which outdoor lighting (including security lights) is so selected, located, aimed, adjusted, designed and screened to ensure that:

- glare from the light is not directed, into the adjoining sites, yards or windows
- glare is not aimed in a random direction
- reflective glare is controlled to the extent that this is practicable.

14(c)

The extent to which odour, dust or vibration from an activity is or is likely to be noxious, dangerous, offensive or objectionable, due to its frequency, intensity (odour), quantity (dust), duration, location or nature (or a combination of these factors) to such an extent that it has, or is likely to have, an adverse effect on the environment.

14(d)

The extent to which activities involving air discharges have the potential to affect health, safety or amenity.

14(e)

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.

Note: See also Policies 10.1, 10.3, 10.10, 10.21, 10.24, 10.27 (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. 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.
7. Relevant air discharge, vibration, lighting and dust standards will be consulted when considering any resource consent application.
**(c) Any Activity emitting artificial outdoor lighting which:**

(i) has not more than 10 lux spill (horizontal and vertical) of light as measured at the site boundary of any adjoining site; and

(ii) 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

(iii) AS/NZS 1158 (1996); and

(iv) for illuminated signs:

- does not produce more than 600 candelas per square metre for sign areas less than 10m² and not more than 400 candelas per square metre for sign areas equal to or greater than 10 square metres;

- with the exception of neon signs, the light source used to light any sign shall not be visible from an adjoining site including all roads.

(See diagram 14A)
Effects on Air Quality and Health continued

**RULE 14 AIR DISCHARGES, ODOUR, DUST, GLARE AND VIBRATION**

**14.2 Limited Discretionary Activities**
Activities meeting the following Performance Standard are *Limited Discretionary Activities*:
- *Any Activity* and *Temporary Activities* with lighting exceeding 10 lux spill up to an additional 15 lux and which otherwise meet the standards in Rule 14.1(c)-(i),(ii) and (iii).

Assessment of *Limited Discretionary Activity* applications made under this rule will be limited to the matter of intensity, location, duration and direction of lighting and will be considered in accordance with Assessment Criteria 14(a)-14(b) and 14(c).

**14.3 Discretionary Activities**
Activities meeting the following Performance Standard are *Discretionary Activities*:
- *Any Activity* and *Temporary Activities* which does not meet the standards of Rules 14.1(a) or 14.1(b) or 14.1(c) and which does not involve a Part A or B process as listed in the Air Discharges Appendix.

*Discretionary Activity* applications made under this rule will be assessed having regard, as relevant, to Assessment Criteria 14(a)-14(e) and any other matters that are relevant under section 104 of the *Act*.

**14.4 Non Complying Activities**
*Any Activity* and *Temporary Activities* to which these rules apply which are 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 this *Plan* and shall be a *Non-Complying Activity*. 


**RULE 15**

**RULES**

15.0 General
The following rules apply to Any Activity and Temporary Activities involving the erection of signs.

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

(a) Any Activity and Temporary Activities with a residential sign where the maximum sign area does not exceed 0.1m² and the sign is located on the site to which the sign relates and

(b) Any temporary sign.

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

- Any Activity and Temporary Activities with a non-residential sign (including signs associated with a home occupation meeting the standards of Rule 10.1) where the sign is located on the site to which it relates, has a maximum sign area of 1.5m², and is not flashing or moving.

Assessment of Limited Discretionary Activity applications made under this rule will be limited to the matters of design, scale, location and safety and will be considered in accordance with Assessment Criteria 15(a)-15(d).

**ASSESSMENT CRITERIA**

15(a)
The extent to which signs are visually appropriate to amenity values and neighbourhood character.

15(b)
The extent to which signs create a situation hazardous to the safe movement of traffic.

15(c)
The extent to which signs are of a height which avoids the sign dominating the neighbourhood and nearby structures.

15(d)
The extent to which more than minor adverse effects can be adequately remedied, mitigated or offset on-site or, if this is not possible, can be adequately remedied, mitigated or offset by a financial contribution off-site.

Note: See also Policies 10.3, 10.27, 11.8, 11.11 (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. 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.
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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.
15.3 Non-Complying Activities

Any Activity and Temporary Activities to which these rules apply which are not a Permitted Activity or 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.

RESOURCE CONSENT CONDITIONS

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

• altering the scale, height shape and/or location of signs
• specifying the design and wording of signs
• requiring on-site or off-site works and services to avoid, remedy, mitigate or offset adverse effects
• requiring financial contributions in accordance with the Plan
• the imposition of a bond to ensure satisfaction of conditions of consent
• 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 16 RELOCATED BUILDINGS

#### RULES

**16.0 General**
The following rule shall apply to *Any Activity involving relocated buildings.*

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

- *Any Activity involving the relocation of a building onto a site.*

Assessment of *Limited Discretionary Activity* applications made under this rule will be limited to matters of design, screening, retaining of vegetation, location and landscape treatment and will be considered in accordance with Assessment Criteria 16(a)-16(c).

#### ASSESSMENT CRITERIA

16(a)
The extent to which development involving relocated buildings is of a design and location on the site which is compatible with the design of housing on the same site and on adjoining sites.

16(b)
The extent to which development involving relocated buildings detracts from visual amenity or neighbourhood character.

16(c)
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.

Note: See also Policies 10.27, 11.3, 11.8

#### RESOURCE CONSENT CONDITIONS

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

- requiring alterations to the building design and/or building location on the site
- requiring the retaining of trees and/or other vegetation
- requiring provision of a landscape treatment plan and its implementation within a given time
- requiring on-site or off-site works and services to avoid, remedy, mitigate or offset adverse effects
- requiring financial contributions in accordance with the Plan
- the imposition of a bond to cover satisfaction of conditions of consent
- 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.

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#### 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.
RULE 17 INFRASTRUCTURE

RULES

17.0 General
The following rules shall apply to Any Activity involving the erection or provision of infrastructure.

17.1 Permitted Activities
Activities meeting the following Performance Standards are Permitted Activities:
(a) the upgrading of infrastructure which is a Permitted Activity or has received a resource consent in respect of any of the relevant rules of the Plan relating to:
   • the General Noise Standards within the City Wide Rules
   • the Heritage Rules
   • the Natural Area within which the site is located
   • the odour, glare, dust, vibration and air discharges, hazardous facilities and signs Rules applying to the Human Environment within which the site is located.

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).

ASSESSMENT CRITERIA
17(a)
The extent to which infrastructure or connection height or bulk adversely affects the amenity values and neighbourhood character.
17(b)
The extent to which infrastructure or connection height or bulk physically dominates adjoining sites.
17(c)
The extent to which infrastructure or connection height or bulk intrudes into the privacy of adjoining sites.
17(d)
The extent to which infrastructure or connection height or bulk avoids, where possible, interruption of views from sites in the vicinity.
17(e)
The extent to which the scale and design of the infrastructure or connection proposed complements amenity values and neighbourhood character.
17(f)
The extent to which buildings and development make provision for infrastructure to serve the needs of the site.
17(g)
The extent to which provision is maintained to provide for the planting of lawns and trees around the infrastructure or connection.
17(h)
The extent to which the infrastructure or connection is located in a position which allows for safe traffic movement on the road, and car parking and manoeuvring off the road.
17(i)
The extent to which the infrastructure or connection is constructed and will be maintained in such a manner as not to adversely affect the health, safety and wellbeing of any person.

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. 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. Upgrading which meets the Permitted Activity standards, is not subject to most of the Human Environment Rules in the District Plan.
4. 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.
5. Words in italics are defined - see the Definitions part of the City-Wide Rules.
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 resource consents see the Information Requirements in the City-Wide Rules.
9. Criteria relating to engineering matters can be met by satisfying standards in the Waitakere City Code of Practice - check with the Council.
(b) *Any Activity* involving infrastructure which:
   (i) is an above-ground sewage, stormwater or water pipe and
       - has a **height** not exceeding 1.0 metre above ground level and
       - a diameter not exceeding 300mm; and
       - extends for an above-ground distance not exceeding 25.0 metres at any one place;
   (ii) is any other infrastructure which has a **height** not exceeding 1.5 metres above ground level and covers an above ground area not exceeding 2\(\text{m}^2\) provided that this rule shall not allow:
       - any stormwater pipe or wastewater pipe not operated by a *network utility operator* or otherwise not covered by clause (c) below
       - 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.

(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.

17(j) The extent to which infrastructure or connection are placed to avoid important natural features such as existing vegetation.

17(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.

17(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.

17(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.
   - ensure 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.
17.2 Controlled Activities
Activities meeting the following Performance Standards are Controlled Activities:

- Any Activity involving infrastructure not meeting the standards specified in Rule 17.1 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:
  (i) any stormwater pipe or wastewater pipe not operated by a network utility operator
  (ii) high pressure gaslines with a gauge pressure of more than 2000kPa
  (iii) 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 17(a) - 17(t).

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

- Any activity involving infrastructure or connections not meeting the standards specified in Rules 17.1 or 17.2, provided that no new infrastructure having a height exceeding 12.0 metres may be located on a sensitive ridgeline, headland, cliff or scarp.

Discretionary Activity applications will be assessed having regard to Assessment Criteria 17(a)-17(t) and any other matters that are relevant under Section 104 of the Act.

17.4 Non-Complying Activities
Any Activity to which these rules apply which is not a Permitted Activity or a Controlled Activity or a Discretionary Activity shall be deemed to contravene a Rule in the Plan and shall be a Non-Complying Activity.

17(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.

17(o)
The extent to which the stormwater treatment and disposal system is designed having regard to the natural upstream catchment area, including likely future development and any adverse effects it may have on the downstream system.

17(p)
The extent to which the design and location of the stormwater treatment and disposal system:

- 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 site and any likely future development.
- ensure adequate measures are taken to screen out litter, silt and other contamination.
- achieve 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 any other infrastructure or connection of likely building development.
- provide for stormwater disposal from all of the land within the site.
- ensure that development will not contribute to flooding downstream of the site.

17(q)
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 effects on natural water or downstream systems.
RULE 17

INFRASTRUCTURE

17(r)
The extent to which any infrastructure or connection is located and constructed to minimise the need for maintenance, allow for access and avoid impacts on other infrastructure or connection.

17(s)
The extent to which the design and location of infrastructure or connection adversely affect the mauri of water.

17(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.

Note: See also Policies 1.14, 2.11, 3.5, 10.1, 10.9, 10.17, 10.18, 10.27, 11.4, 11.7

(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.