

GUIDELINE TO THE RULES

The *Scheduled Sites* Rules apply to activities on *scheduled sites* as shown on the *Human Environments* Maps. The *Scheduled Site* Rules in part replace those rules which would normally apply for the *Human Environment* within which the *Scheduled Site* is located. The standards applicable to the *Scheduled Site* are more liberal to the extent that some standards in the relevant *Human Environment* (such as *design* compatibility) do not apply.

There are rules in the *Plan* other than the *Scheduled Sites* Rules that may apply to a proposed activity.

Some of the rules within the relevant *Human Environment* applying to the *Scheduled Sites* will need to be met by the activity for which the *site* is scheduled. The *Human Environment* Rules will also apply in their entirety to *Any Activity* other than that activity for which the *site* is scheduled.

The “City-Wide Rules” include rules on information 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*.

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* Map and in the *Scheduled Sites* Rules themselves.

The following procedure is a guideline to apply the *Plan* rules for an activity proposed within a *scheduled site*.

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

scheduled sites



PROCEDURAL GUIDELINE FOR THE RULES

STEP 1

Locate the *site* on the *Natural Areas* Maps and the *Human Environments* Maps. If the *site* is a *Scheduled Site* refer to this guideline. If the *site* is not a *Scheduled Site* 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* or *designation* 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 index at the front of the Introduction to the Rules).

Once it has been established that all 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.

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*.

STEP 4

Determine whether the activity is a *Prohibited Activity* in 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 relevant *Scheduled Sites* and *Human Environments Rules*. The activity must comply with all relevant Rules to be permitted as of right.

STEP 6

Under each of the relevant rules the activity proposed will be either a *Permitted Activity*, a *Controlled 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 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

RULES

1.0 General

The following Rules 1.1, 2 and 4 apply to *Scheduled Activities* on *scheduled sites*.

1.1 Notification / Non-Notification Δ7

In relation to *Controlled Activities* and *Limited Discretionary Activities* under the following Rules 2 to 4, 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.

scheduled sites

RULE 2

SERVICE STATIONS

RULES

2.0 General

The following rules shall apply to the establishment, operation, redevelopment and/or upgrading of *service stations* on *sites* which are scheduled for *service station* activities in the *Scheduled Sites* Appendix.

2.1 Permitted Activities

Service stations on *sites* scheduled for *service station* activities in the *Scheduled Sites* Appendix and meeting the following Performance Standards are *Permitted Activities*:

- *development* involving:
 - (i) *buildings* (including *canopies*) of over 100m² in *gross floor area* located no less than 6.0 metres from a *site boundary* adjoining any *site* within an *Open Space Environment* or a *Living Environment* or a *Countryside Environment* or a *Foothills Environment* or a *Bush Living Environment*; and
 - (ii) *buildings* (including *canopies*) less than 100m² in *gross floor area* located no less than 3.0 metres from a *site boundary* adjoining any *site* within a *Open Space Environment* or a *Living Environment* or a *Countryside Environment* or a *Foothills Environment* or a *Bush Living Environment*; and

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*.

scheduled sites

RULE 2

SERVICE STATIONS

- (iii) *buildings* (including *canopies*) not less than 2.0 metres from a *road boundary*; and
- (iv) *buildings* on *sites* adjacent to the boundary of a *Living Environment*, *Countryside Environment*, *Foothills Environment* or *Bush Living Environment* which have no vehicle access or loading doors, fans, air conditioning or air discharge device within 20 metres of the *site boundary*; and
- (v) a minimum 1.8 metre high *close boarded fence* along any *site boundary* adjoining a *Living Environment*, *Open Space Environment*, *Countryside Environment*, *Foothills Environment*, *Bush Living Environment*, provided that the fence may be set back by up to 2.0 metres from the *Transport Environment* for purposes of traffic visibility; and
- (vi) any *outdoor storage* screened from a *Living Environment*, *Countryside Environment*, *Foothills Environment*, *Bush Living Environment* or an *Open Space Environment*, and
- (vii) a *planted strip*:
 - no less than 2.0 metres in width alongside the *road boundary* except for *vehicle crossings*; and
 - no less than 3.0 metres in width alongside any *site boundary*; and
- (viii) *signs* where these are limited to any *sign* which is not moving or flashing and:
 - which is painted on or affixed to a *building* and does not protrude beyond the outline of that *building*; and
 - which is a *sign* not greater than 3m² in *sign area* affixed to permanent forecourt structures and does not protrude above the line of a *building*; and
 - one free-standing portable *sign* of not more than 1m² in area and not more than 3.0 metres in *height*; and
 - entry/exit *signs* of not more than 0.2m² in *sign area* and not more than 1m in *height*.

ASSESSMENT CRITERIA

2(a)

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

2(b)

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

2(c)

The extent to which *signs* are of a *height* which avoids the *sign* dominating the neighbourhood and nearby *structures*.

Note: (See also the relevant *Human Environment* Criteria relating to *Non-Residential Activities*)

See also Policies 1.3, 4.1, 11.11, 11.17, 11.18

(Policy Section of the Waitakere District Plan)

RULE 2

SERVICE STATIONS

2.2 Controlled Activities

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

- free-standing *signs* for *service stations* on a *site* scheduled for *service station* activities where the *sign* is no more than 3.0 metres in width, 7.0 metres in *height* nor 12m² in *sign area*.

Assessment of *Controlled Activity* applications made under this rule will be limited to the matters of *amenity*, *design*, traffic safety and location and will be considered in accordance with matters set out in Assessment Criteria 2(a)-2(c).

2.3 Discretionary Activities

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

- any *service station* on a *site* scheduled for *service station* activities not meeting the standards in Rules 2.1 or 2.2 provided that the activity:
 - does not involve a Part A or Part B process as listed in the Air Discharges Appendix.

Discretionary Activity applications will be assessed having regard to the relevant Assessment Criteria applying to the *Human Environment* within which the *site* is located and any other relevant matters under section 104 of the *Act*.

2.4 Non-Complying Activities

Any Activity to which these rules apply which is not a *Permitted Activity*, a *Controlled 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. The conditions may include any one or more of the following matters:

- requiring alterations to *design* and/or location of *buildings* or *signs* on the *site*
- requiring alteration to the *car park* numbers and *car park* / access *design* and/or location
- requiring the retention 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
- 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 *Controlled Activities* conditions may only be imposed in respect of the matters specified above to which the *Council* has restricted the exercise of its discretion.

| RULE 3 | | RETAIL ACTIVITIES | |
|--|--|--|--|
| RULES | | ASSESSMENT CRITERIA | |
| <p>3.0 General</p> <p>The following rules shall apply to the establishment of <i>retail sales</i> activities on <i>sites</i> which are scheduled for <i>retail sales</i> activities in the <i>Scheduled Sites</i> Appendix, provided that <i>retail sales</i> associated with vineyards shall be limited to the sale of wine and restaurant food.</p> <p>3.1 Permitted Activities</p> <p>Activities involving <i>retail sales</i> on <i>sites</i> scheduled for <i>retail sales</i> activities in the <i>scheduled sites</i> Appendix meeting the following Performance Standards are <i>Permitted Activities</i>:</p> <ul style="list-style-type: none">• <i>development</i> involving:<ul style="list-style-type: none">(i) <i>buildings</i> of over 200m² in <i>gross floor area</i> located no less than 6.0 metres from a <i>site boundary</i> adjoining any <i>site</i> within an <i>Open Space Environment</i> or a <i>Living Environment</i> or a <i>Countryside Environment</i> or a <i>Foothills Environment</i> or a <i>Bush Living Environment</i>; and | | <p>3(a)</p> <p>The extent to which <i>signs</i> are visually appropriate to amenity values and neighbourhood character.</p> <p>3(b)</p> <p>The extent to which <i>signs</i> create a situation hazardous to the safe movement of traffic.</p> <p>3(c)</p> <p>The extent to which <i>signs</i> are of a <i>height</i> which avoids the <i>sign</i> dominating the neighbourhood and nearby <i>structures</i>.</p> <p>Note: (See also the relevant <i>Human Environment</i> Criteria relating to <i>Non-Residential Activities</i>)</p> <p>See also Policies 1.3, 4.1, 11.11, 11.17, 11.18</p> <p>(Policy Section of the Waitakere District Plan)</p> | |
| <p>NOTES</p> <ol style="list-style-type: none">1. If an activity is not controlled or restricted in any way by any part of the <i>Plan</i> it is permitted, but may require consents under other legislation/ plans.2. Activities must comply with all other relevant rules of the <i>Plan</i> or be the subject of a <i>resource consent</i>. Check all other rules in this <i>Human environment</i> and also the <i>Natural Area</i> Rules, the <i>City-Wide Rules</i> and, where relevant, the <i>Subdivision Rules</i>.3. Words in <i>italics</i> are defined - see the Definitions part of the <i>City-Wide Rules</i>.4. Words in bold are explained - see the Explanations part of the Introduction to the Rules.5. The Council may have a guideline to help interpret this rule - check at the Council Offices.6. For <i>resource consents</i> see the Information Requirements in the <i>City-Wide Rules</i>.7. Council officers may be able to give advise on designing <i>buildings</i> in natural landscape areas - check at the Council offices. | | | |

RULE 3

RETAIL ACTIVITIES

- (ii) *buildings* less than 100m² in *gross floor area* located no less than 3.0 metres from a *site boundary* adjoining any *site* within an *Open Space Environment* or a *Living Environment* or a *Countryside Environment* or a *Foothills Environment* or a *Bush Living Environment*; and
- (iii) *buildings* on *sites* adjacent to the boundary of a *Living Environment*, *Countryside Environment*, *Foothills Environment* or *Bush Living Environment* which have no vehicle access or loading doors, fans, air conditioning or air discharge device within 20 metres of the *site boundary*; and
- (iv) *development* incorporating a minimum 1.8 metre high *close boarded fence* along any *site boundary* adjoining a *Living Environment*, *Open Space Environment*, *Countryside Environment*, *Foothills Environment*, *Bush Living Environment*; and
- (v) any *outdoor storage* screened from a *Living Environment*, *Countryside Environment*, *Foothills Environment*, *Bush Living Environment* or an *Open Space Environment*; and
- (vi) *signs* where these are limited to any *sign* which is not moving or flashing and:
 - which is painted on or affixed to a *building* and does not protrude beyond the outline of that *building*; and
 - one free-standing portable *sign* of not more than 1m² in area.

3.2 Discretionary Activities

Any *retail sales* activities on *sites* which are scheduled for *retail sales* activities meeting the following Performance Standards are *Discretionary Activities*:

- Any *Activity* not meeting the standards in Rules 3.1 provided that the activity does not involve a Part A or Part B process as listed in the Air Discharges Appendix.

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* or *signs* on the *site*
- requiring alteration to the *car park* numbers and *car park* / access *design* and/or location
- requiring the retention 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
- 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*.

| RULE 3 | RETAIL ACTIVITIES |
|--|-------------------|
| <p><i>Discretionary Activity</i> applications will be assessed having regard to, where relevant, Assessment Criteria 3(a)-3(c) and the relevant Assessment Criteria applying to the <i>Human Environment</i> within which the <i>site</i> is located and any other relevant matters under section 104 of the <i>Act</i>.</p> <p>3.3 Non-Complying Activities</p> <p><i>Any Activity</i> to which these rules apply which is not a <i>Permitted Activity</i> or a <i>Discretionary Activity</i> under the above rules shall be deemed to contravene a rule in this <i>Plan</i> and shall be a <i>Non-Complying Activity</i>.</p> | |

scheduled sites

RULE 4

LOT 1 DP 37752 WAIKAUKAU ROAD, GLEN EDEN

RULES

4.0 General

The following rules shall apply to the scheduled *site* at 2 Waikaukau Road, Glen Eden (Lot 1 DP 37752).

4.1 Permitted Activities

The following activities shall be *Permitted Activities*:

- **Health Clinic** - meaning the use of *land* or *buildings* for the care and treatment of visiting patients by medical staff.
- **Office** - meaning the office of a person or persons who provide services to the public, including accountants, lawyers, real estate agencies, surveyors and the like.
- **Community Halls** - meaning *buildings* utilised for community activities including seminars, public meetings, religious activities and the like.
- **Educational Institutions** - meaning *land* or *buildings* where primary, intermediate, secondary, tertiary or religious studies are undertaken.
- **Preschool Facilities** - meaning the use of any *land, building* or part of a *building* for the education and care of children under the age of five.
- **Child Care Centre** - meaning the afterschool care of children over the age of five.
- **Libraries** - meaning any *land* or *building* where books and other reference materials are made available on loan to the public.
- **Churches**
- **Accessory Buildings** - meaning a *building* which is ancillary to the main *building* on a particular *site*.

4.2 Other Rules Applying

Any Activity and development shall otherwise be subject to the rules and provisions of the *Living Environment* with the exception of Rule 8.1(b) which shall be replaced for the purposes of this scheduled *site* by the following:

- Any *Non-residential Activities* with a minimum 1.8m high close boarded *fence* and minimum 1m wide *planted* strip along the *site boundary* of any *adjoining site* within a *Living Environment*.