

## GUIDELINE TO THE RULES

The “Special Area Rules” apply to the *Special Areas* which are identified on the *Human Environments* Maps. For most of the *Special Areas* activities particular to the individual *site* are allowed by the *Plan*. The approved concept plans for each *Large Property Management Area* are included in the Maps Section.

The “Special Areas Definitions” give meanings of the various activities provided for, and the rules specify the specific standards to be applied. Other standards also need to be met, which generally are those standards applying in the *Human Environment* nearest to the *Special Area*.

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

The “City-Wide Rules” section includes 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*.

The “Subdivision Rules” cover all standards relating to the *subdivision of land* in the City - including those standards which specifically apply to the *Special Areas*.

An indication of which parts of the *Plan* will apply to a particular activity is given on the *Human Environments* Maps and the *Natural Area* Maps and in the *Special Area* Rules themselves.

The procedure outlined on the next page is a guideline to apply the *Plan* rules for an activity proposed within a *Special Area*.

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

special areas



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## 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 a *Special Area* 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 ridgelines*, *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 falls within the definition of an activity provided for in the particular *Special Area* (see the *Special Area* General Rules - Definitions).

### STEP 6

Check the relevant *Special Area* Rules. The activity must comply with all relevant rules to be permitted as of right.

### STEP 7

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

*resource consent* under another rule. Refer to the relevant rule page and the “Resource Consents” Section of the *Plan* 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, eg the issuing of a *building consent*, may be necessary.

## RULES

### 1.0 General

The following Rules 1.1, 1.2 and 2 to 31 apply to activities on *land* situated in a *Special Area*.

### 1.1 Notification/Non-Notification

Application for *Controlled Activity* and *Limited Discretionary Activity* resource consents under Rules 2-31 of the Plan need not be publicly notified, or limited notified in accordance with the notification provisions of the Act, except where an application is made for a comprehensive development plan which requires consent as a *Limited Discretionary Activity*.

An application for a comprehensive development plan that is classified as a *Limited Discretionary Activity* needs to be limited notified in accordance with the provisions of the Act. For that purpose the affected persons in relation to the activity shall be the following unless the person has given written approval to the activity:

- (a) Owners of land to which the comprehensive development plan applies.
- (b) Auckland Transport, The New Zealand Transport Agency and any successor to those public authorities.
- (c) Any landowner within an adjoining precinct who the Council determines is an affected person under section 95E of the Act.

### 1.2 Special Area Definitions

**“Babich Winery Activities”** means viticulture, storage and distribution warehouses associated with viticulture, manufacturing uses associated with viticulture, the sale of wine, and administrative offices associated with the manufacture and distribution of wine.

**“Boating Activities”** means jetties, wharves and ramps; boat launching, hauling out, refuelling, storage and boat locker facilities; boat servicing, maintenance and repair facilities.

**“College Activities”** means the use of *land* or *buildings* for education, and associated residential accommodation, recreation facilities, places of worship and Sunday schools.

“**Corban Estate Activities**” means:

Within area A on the Corban Estate Concept Plan:

- *apartments,*
- *medium density housing,*
- *home occupation.*

Within area B on the Corban Estate Concept Plan:

- conference, convention, exhibition and festival centres;
- places of assembly
- educational facilities, for arts, performing arts, design and cultural activities;
- performance and audio-visual theaters;
- catering facilities required for *on-site* activities;
- outdoor performance and display areas;
- recreation and entertainment;
- storage facilities;
- the *retail sale* of art, crafts, and souvenirs;
- manufacturing activity directly connected to activities on the site and related to the *retail sale* of goods associated with live performance. art, crafts and souvenirs;
- shops for the *retail sales* of items serving the *on-site* needs of people on the site;
- *restaurants;*
- tourist accommodation;
- offices and related facilities; and
- *Residential Activities* which are *subsidiary* to any of the foregoing.

“**Hospital Activities**” means the use of *buildings* and *land* for any hospital or other institution for the reception and treatment of persons requiring medical treatment or suffering from disease and includes:

- (a) any maternity hospital;
- (b) any convalescent home;
- (c) disabled persons housing;
- (d) any hospice;
- (e) any rehabilitation facilities;
- (f) any community welfare facility used for providing information, counselling and material welfare of a personal nature;
- (g) clinics, pharmacies, medical laboratories, diagnostic imaging and outpatients departments;
- (h) community and mental health facilities; and
- (i) any *Residential Activity*.

**“Large Property Management Areas”**

**“Wainamu Activities”** means the use of *land* for *dwellings* located in accordance with the Wainamu Concept Plan: Large Property Management Area 2, filming, horse trekking, grazing (subject to Rules 17.3(d) which shall apply in respect of any *subdivision*), farmstays, maintenance of existing access roads to and within Wainamu, and firewood gathering and harvesting within the Forest-Native area shown on the Wainamu Concept Plan: Large Property Management Area 2.

**“Te Henga Activities”** means the use of *land* for *dwellings* (including rental accommodation) and grazing located in accordance with *Large Property Management Area (3)*, and horse trekking.

**“Bethells Activities”** means the use of *land* for grazing and viticulture located in accordance with the *Large Property Management Area (4)*, and *filming*.

**“Lincoln Centre Activities”** means the use of *land* and *buildings* for the following:

- One discount department store not exceeding 8000m<sup>2</sup> in gross floor area (gfa) provided that no more than 30% of the gfa shall be dedicated to the sale of clothing and footwear and no more than 500m<sup>2</sup> shall be sublet or otherwise subject to derivative occupational rights from time to time.
- One retail store having as its predominant business the sale of children’s goods (including toys).
- The retail sale of any kind of vehicle (including boats), automotive and marine products, industrial and marine machinery and parts and accessories for the foregoing.
- Dairies, tobacconists/hairdressers, chemists, drycleaners, butchers, fruit and vegetable stores, bakeries, newsagents, post shop, Lotto shop.

And, in addition to the above, shops selling one or more of the following, provided that the gross leasable area (gla) for each store is no less than 400m<sup>2</sup>:

- furniture (including the sale of house appliances and other household effects, and audio and visual electronic equipment), floor, wall and window coverings, heating appliances, barbecues and camping equipment;
- home improvement and handyman supplies, including building materials, barbecues, swimming pools, spa pools, garden furniture,

plants and garden supplies and art and craft supplies;

- business and office supplies and equipment, including business machines, office furniture, fixtures, fittings and wall coverings and electronic communication devices;
- automotive equipment and spare parts sales;
- sporting goods;
- clothing and footwear, provided that such items are clearly ancillary to another predominant business and provided further that under no circumstances shall any such store devote more than 30% of its gla to the sale of clothing and/or footwear;
- garden centres;
- auction markets.

“**Lincoln Park Activities**” means:

- administrative, commercial and professional offices;
- commercial kitchens and catering facilities;
- cafes, *restaurants* and other eating places;
- reception, conference, seminar and theatre facilities (excluding overnight tourist accommodation);
- educational, pre-school and childcare facilities;
- healthcare facilities (including medial centres, hospitals and rest homes);
- *subsidiary* workshops for the foregoing;
- *service stations* (limited to only one within the *Lincoln Park Special Area* with the main access provided from Lincoln Road);
- shops for the retail sales of arts and crafts and souvenirs not exceeding 400m<sup>2</sup> total on the *Lincoln Park Special Area*;
- a *supermarket* (limited to only one on the *Lincoln Park Special Area*) with a gross floor area not less than 6,000m<sup>2</sup>;
- garden centres
- other shops provided that the *gross floor area* of each shop is not less than 6,000m<sup>2</sup> and any *retail sales* are limited to hardware and building materials, furniture, household appliances, business and office supplies and equipment.

Note: *Supermarket* in respect of the above definition means a store within which retail sales are primarily of food and grocery items.

“**Marae Activities**” means the use of *land* and *buildings* for *whare nui* (wharepuni) or meeting House, carved or otherwise; *whare karakia* (place of

prayer/worship); whare kai (Dining Hall), Kaauta (Cookhouse/Kitchen); tangihanga, hura kohatu, hui-a-iwi; kaumatua housing (housing for the elderly); employment facilities; places of learning - including pura pura (pre-school), kohanga-reo (language nests) kurakaupapa (schools for older children), takanga wanaga (advanced learning institutions); healing and health services; tangi hanga; and *Residential Activities* subsidiary to the foregoing.

“**Marina Activities**” means jetties, wharves, piers and ramps, boat launching, hauling out, refuelling, storage and locker facilities, boat building, boat servicing, and boat accessory, hire, sale, maintenance and repair facilities, administration offices and clubrooms associated with the marina, and *buildings*, *car parking* and *Residential Activities subsidiary* to the foregoing.

“**Massey North Town Centre Precinct A Activities**” means the use of *land* and *buildings* for one or more of the following:

- any *retail sales* and/or *retail services activities* with a *gross floor area* not greater than 9,000m<sup>2</sup> per retail unit, but excluding *yard-based activities*;
- any administrative, commercial and/or professional offices;
- cafes, restaurants and other eating places;
- entertainment facilities (including bars, taverns, nightclubs and cinemas);
- reception, conference, seminar and theatre facilities (including overnight tourist accommodation);
- educational, preschool and childcare facilities;
- *residential activities*;
- healthcare facilities (including medical centres, hospitals, rest homes);
- public and private parking *buildings* and passenger transport facilities;
- community facilities including libraries, public toilets, recreational facilities, religious facilities, gymnasiums;
- emergency facilities (including police, fire and ambulance);
- *roads*, *bridges*, *infrastructure* and *any activity* that is necessary to implement the Totara Creek Integrated Management Plan.

Note 1: Massey North Town Centre Precinct A Activities are subject to Rule 26.3.

Note 2: The activities listed in this definition may be combined to form *mixed* use.

**“Massey North Town Centre Precinct B Activities”** means the use of *land* and *buildings* for one or more of the following:

- *retail sales* and/or *retail services* involving the following:
  - furniture retailing (including the sale of household appliances and other household effects, floor, wall and window coverings, heating appliances, barbeques, lawnmowers and camping equipment and art and craft supplies;
  - *yard-based activities*
  - home improvement and handyman supplies including building materials, swimming pools and garden furniture, plant and garden supplies, servicing activities and;
  - business and office supplies and equipment including business machines, office furniture, fixtures, fittings and wall coverings;
  - automotive equipment and spare parts sales and service;
  - garden centres;
  - auction markets;

provided that *retail sales* and *retail services* may be established in tenancies less than 400m<sup>2</sup> up to a total *gross floor area* of 10% of the all *retail activities* established in precinct B. All other tenancies shall have a minimum *gross floor area* of 400m<sup>2</sup>. No individual tenancy shall have a ground floor retail area greater than 15,000m<sup>2</sup>.

- any administrative, commercial and professional offices;
- cafes, restaurants and other eating places;
- *residential activities*, provided that no *residential activity* shall occur on the ground floor within the Large Format Retail/Commercial Area;
- public and private parking *buildings* and passenger transport facilities;
- community facilities (including libraries, public toilets, recreational facilities, religious facilities, gymnasiums);
- emergency facilities (including police, fire and ambulance);
- electronics;
- *roads, bridges, infrastructure* and *any activity* that is necessary to implement the Totara Creek Integrated Management Plan.

Provided that the above activities shall be limited to the Large Format Retail/Commercial Area of Precinct B as shown on the *Massey North Urban*

*Concept Plan* except for residential and *mixed use* activities.

Note 1: The activities listed in this definition may be combined to form *mixed use*.

**“Massey North Town Centre Precinct C Activities”** means the use of *land* and *buildings* for one or more of the following:

- the following *retail sales* and *retail services*:
  - one supermarket of no more than 5500m<sup>2</sup> GFA that is to be located within the south-eastern street block adjoining Hobsonville Road/SH16;
  - large format retail activities that are to be located in the street blocks adjacent to SH16 north of the intersection with Don Buck Road, provided that the total *gross floor area* of all large format retail shall not exceed 22,000m<sup>2</sup>. Large format retail activities are:
    - furniture retailing (including the sale of household appliances and other household effects, floor, wall and window coverings, heating appliances, barbeques, lawnmowers and camping equipment and art and craft supplies);
    - home improvement and handyman supplies including building materials, swimming pools and garden furniture, plant and garden supplies, servicing activities;
    - business and office supplies and equipment including business machines, office furniture, fixtures, fittings and wall coverings;
    - automotive equipment and spare parts sales and service;
    - garden centres;
    - auction markets;
    - electronics.
  - other general *retail sales* provided that the gross floor area of all general retail shall not exceed 4,000m<sup>2</sup>;
- any administrative, commercial and professional offices;
- *service stations* located within the Mixed Use Periphery/Commercial Area of precinct C as shown on the *Massey North Urban Concept Plan*;
- cafes, restaurants and other eating places;

- reception, conference, seminar and theatre facilities (including overnight tourist accommodation);
- educational, preschool and childcare facilities;
- *residential activities*;
- healthcare facilities (including medical centres, hospitals, rest homes);
- entertainment facilities, (excluding cinemas but including bars, taverns, nightclubs);
- public and private parking *buildings*;
- community facilities (including libraries, public toilets, recreational facilities, religious facilities, gymnasiums);
- emergency facilities (including police, fire and ambulance);
- passenger transport facilities;
- *roads, bridges, infrastructure* and *any activity* that is necessary to implement the Totara Creek Integrated Management Plan.

Note 1: The activities listed in this definition may be combined to form *mixed use*.

**“Massey North Precinct D Activities”** means the use of *land* and *buildings* for one or more of the following:

- *retail sales* or *retail services*, excluding *yard-based activities*, up to a maximum of 5,000m<sup>2</sup> *gross floor area* of *retail sales* or *retail services*, and individual *retail sales* or *retail services* tenancies are not to exceed 500m<sup>2</sup> *gross floor area*;
- any administrative, commercial and professional offices;
- *service stations* located within the Mixed Use Periphery/Commercial Area of Precinct D as shown on the *Massey North Urban Concept Plan*;
- cafes, restaurants and other eating places;
- reception, conference, seminar and theatre facilities including overnight tourist facilities;
- educational, preschool and childcare facilities;
- *residential activities*;
- healthcare facilities (including medical centres, hospitals, rest homes);
- entertainment facilities, (excluding cinemas but including bars, taverns, nightclubs);
- public and private parking *buildings*;
- community facilities including libraries, recreational facilities, religious facilities, gymnasiums);
- emergency facilities (including police, fire and ambulance);

## RULE 1

## GENERAL

- *roads, bridges, infrastructure and any activity* that is necessary to implement the Totara Creek Integrated Management Plan.

In addition to the above specific restrictions, the above activities shall be limited to the Community Facility or Mixed Use Periphery/ Commercial Area of Precinct D as shown on the *Massey North Urban Concept Plan* except for residential and *mixed use* activities.

Note 1: The activities listed in this definition may be combined to form *mixed use*.

**“Massey North Precinct E Activities”** means the use of land and buildings for one or more of the following:

- *Retail sales and retail services* provided that, after 1 July 2013 and until such time as *buildings* totalling no less than 44,200m<sup>2</sup> *gross floor area* have established and are operating in Precinct A:
- there is no more than 10,000m<sup>2</sup> *gross floor area* of additional *retail sales and retail services*, up to a maximum of 44,200m<sup>2</sup> *gross floor area*;
- of the additional 10,000m<sup>2</sup>, no more than 5,000m<sup>2</sup> of additional *gross floor area* *retails sales and retails services* comprise activities in tenancies of less than 400m<sup>2</sup> *gross floor area*, of which no less than 750m<sup>2</sup> shall be allocated to tenancies located along the Main Street to a depth of 20 metres and the balance of up to 4,250m<sup>2</sup> may comprise redevelopment (including sleeving) of an existing *building*; and
- notwithstanding the above thresholds, the provision of *retail sales and retail services* is enabled provided they are part of a *development* comprising no more that 33% of the total *gross floor area* of any new *building*.
- Any administrative, commercial and professional offices;
- Cafes, restaurants and other eating places;
- Reception, conference, seminar and theatre facilities (including overnight tourist accommodation);
- Educational, preschool and childcare facilities;

- *Residential activities*;
- Healthcare facilities (including medical centres, hospitals, rest homes);
- Entertainment facilities, including cinemas;
- Public and private parking *buildings* and passenger transport facilities;
- Community facilities including libraries, recreational facilities, religious facilities;
- Emergency facilities (including police, fire and ambulance);
- *Roads, bridges, infrastructure* and *any activity* that is necessary to implement the Totara Creek Integrated Management Plan.

Note 1: The activities listed in this definition may be combined to form *mixed use*.

Note 2: *Gross floor area* does not include any park and ride facility, town square, structured parking area or any public open space in Precinct A.

“**Monterey Park Activities**” means tourist facilities (including cinema, museums and facilities for scale model displays and demonstrations; and *subsidiary restaurants*, cafes, bars and souvenir shops, but excluding overnight accommodation).

“**Whenuapai Special Area Activities**” means *buildings* and activities for the storage, cutting, processing and retailing of timber and timber products and any subsidiary activity, *forestry*, retailing of home improvement and handyman supplies including *building materials*, *retail activities* and *retail services* associated with agricultural, horticultural and pastoral goods and services.

“**Non-Residential Activity**” means an activity not defined as a *Residential Activity* or a *Temporary Activity* or a *Prohibited Activity*.

“**Residential Activity**” means the use of *land* or *building* 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*.

“**Mixed Use**” means a *development* in a Mixed Used Area or subject to a *Town Centre - Mixed Use Typology*<sup>5</sup>, being a combination of residential activities and non-residential activities in a single *building* or on a single *site*.

RULE 1

GENERAL

Advice Notes: Constituent land use activities will need to comply with relevant rules applicable in the relevant Human Environments and Special Areas and also the City-Wide Rules relating to Urban Design - Apartment Design, Site Analysis, Building Design Street Frontage, Residential Activities - Noise Attenuation; and, refer to Special Area Rule 1.3.

## RULE 2

## BALEFILL SPECIAL AREA

### RULES

#### 2.0 General

The following rules apply to *Any Activity* on land situated in the *Balefill Special Area*.

#### 2.1 Permitted Activities

*Any Activity* involving:

- the depositing of baled refuse to a maximum of 207,000 tonnes after 30 November 1993;
- the importation, excavation and depositing of *cleanfill* for the purpose of covering refuse and rehabilitation of the *Balefill Special Area*;
- facilities for the collection *landfill* gas and its flaring or conversion into electricity or other use;
- *vegetation alteration* on that part of the *Balefill Special Area* affected by the balefill operation;
- uses essential to the operation of the above, including treatment and disposal of leachate and stormwater and the operation and maintenance of machinery and vehicles;
- *buildings* and works ancillary to the above;
- *Any Activity* meeting the standards of the *Open Space Environment*;

and which meet the following Performance Standards are *Permitted Activities*:

- (a) *Any Activity* meeting the standards of the Balefill Management Plan;
- (b) *Any Activity* involving the depositing of bales up to 30 November 1996 provided that should the operator be unable to deposit bales on the *land* in the period 1 May 1994 to 30 November 1996 due to the absence of necessary consents or approvals, then the closure date will be

#### 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 Balefill Management Plan is available for inspection at the Council offices.
6. For *resource consents* see the Information Requirements in the *City-Wide Rules*.

### ASSESSMENT CRITERIA

#### 2(a)

The extent to which the background noise level (L95) in the vicinity of the subject *site* affects the relevance of noise standards for *Permitted Activities*.

#### 2(b)

The extent to which noise generated will exceed the existing background level.

#### 2(c)

The extent to which the noise generated will meet the provisions of New Zealand Standard NZS 6802: 1991 "Assessment of Environmental Sound" clauses 4.2.1 and 4.2.2.

#### 2(d)

The extent to which adequate noise buffers are provided between the activity and residential and other noise sensitive activities on other *sites*.

#### 2(e)

The extent to which more than minor adverse *effects* on the *environment* 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*.

See also Policies 5.3, 5.6, 10.27, 11.23

(Policy Section of the Waitakere District Plan)

## RULE 2

## BALEFILL SPECIAL AREA

extended for such time as the operators is unable to use the *land* up to a maximum of 6 months provided that no bales shall be deposited after 31 May 1997;

- (c) *Any Activity* meeting the noise standards set out below as measured at any part of a *site* with the *Living Environment* or *Footbills Environment* or *Rural Village Environment*

7.00am-7.00pm Monday-Friday 7.00am-12 noon Saturday		12noon-4.00pm Saturday		all other times	
L <sub>10</sub> 55dBA	L <sub>Max</sub> N/A	L <sub>10</sub> 45dBA	L <sub>Max</sub> N/A	L <sub>10</sub> 40dBA	L <sub>Max</sub> 70dBA

### 2.2 Limited Discretionary Activities

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

- activities meeting the requirements of any amendment to the Balefill Management Plan, provided that this plan shall meet the standards of 2.1(b) and (c) and continue to make provision for the following:
  - (a) “conservation and development plan” which is to show that area within which the depositing of bales and/or the excavation of *cleanfill* material is not permitted and where existing *native* trees will be protected. This plan is to be in general accordance with Plan BA;
  - (b) a “development plan” which shall show the parts of the *Balefill Special Area* in which balefill operations are to be undertaken, those areas which are to remain undisturbed, and the staging of works to be carried out. This plan is to be in general accordance with Plan BB;
  - (c) a “reserve landscape plan” showing the *land* in its finished state after completion of balefilling activities. This plan is to be in general accordance with Plan BC;
  - (d) the intended hours of operation;
  - (e) the operation of vehicles and machinery on the *Balefill Special Area*;

### RESOURCE CONSENT CONDITIONS

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

- specifying standards to be incorporated in the Balefill Management Plan in accordance with the matters listed in Rule 2.2;
- limiting hours of operation;
- limiting any *vegetation alteration*;
- requiring provision for the maintenance of *roads* giving access to the *site*;
- *financial contributions* in accordance with the *Plan*;
- requiring *on-site* or *off-site* works and services to avoid, remedy, mitigate or offset adverse *effects*
- such other matters provided for in section 108 of the *Act*.

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 2

BALEFILL SPECIAL AREA

- (f) the number of truck movements to and from the *site* and route of truck movements to, from and within the *site*;
- (g) refuse type, with particular regard to materials of potentially hazardous content;
- (h) provision for staging, including the deposition of bales, the covering of bales, the area by area completion of balefilling activity, *land* rehabilitation and landscaping;
- (i) the best practicable means proposed to control nuisances and adverse *effects* - including noise, gas, odour, spillages, litter, *dust*, muddy wheels, vermin, birds, scavengers, ground stability, landscape impacts and social impacts;
- (j) means by which there is to be continuing liaison with surrounding residents on the operation of the *Balefill Special Area*;
- (k) stormwater and leachate control;
- (l) the means by which gas is to be disposed of, including if proposed, the conversion of gas into electricity or other use;
- (m) detailed proposals for monitoring of all of the above;
- (n) proposals for closure of the balefill at the completion of balefilling and after care within a new *open space* area to be created over the full *Balefill Special Area* site.

Assessment of *Limited Discretionary Activity* applications will be limited to the matters of scale, method, *design* and consultation with affected parties and will be considered in accordance with the relevant objectives and policies for the *Balefill Special Area*.

**2.3 Discretionary Activities**

Activities meeting the following performance standards are *Discretionary Activities*:

- *Any Activity* not meeting the standards in Rule 2.1(c).

*Discretionary Activity* applications made under this rule will be assessed in accordance with Assessment Criteria 2(a)-2(e) and any other matters which are relevant under Section 104 of the *Act*.

**2.4 Other Rules Applying**

The following rules of the *Plan* shall apply to *Any Activity*:

- All relevant City-Wide Rules

RULE 2

BALEFILL SPECIAL AREA

- Foothills Environment  
Rule 4          Yards
- Foothills Environment  
Rule 3          Building Location
- Foothills Environment  
Rule 6          Outdoor Storage
- Foothills Environment  
Rule 7          Building Coverage
- Foothills Environment  
Rule 12        Signs
- Foothills Environment  
Rule 13        Relocated Buildings
- Subdivisions  
Rules 1 & 2    General

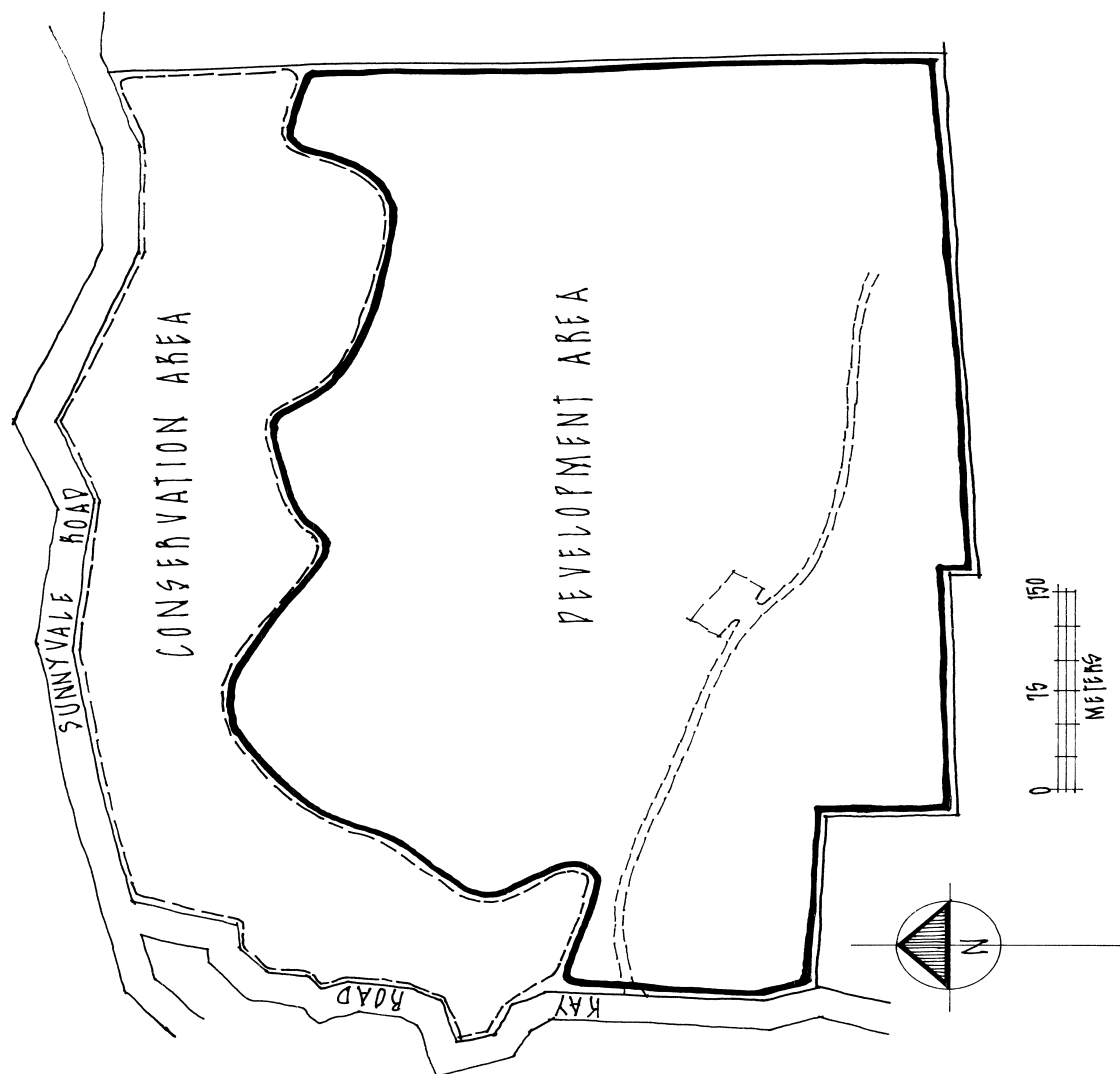
**2.5 Non-Complying Activities**

Activities 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*.

*special areas*

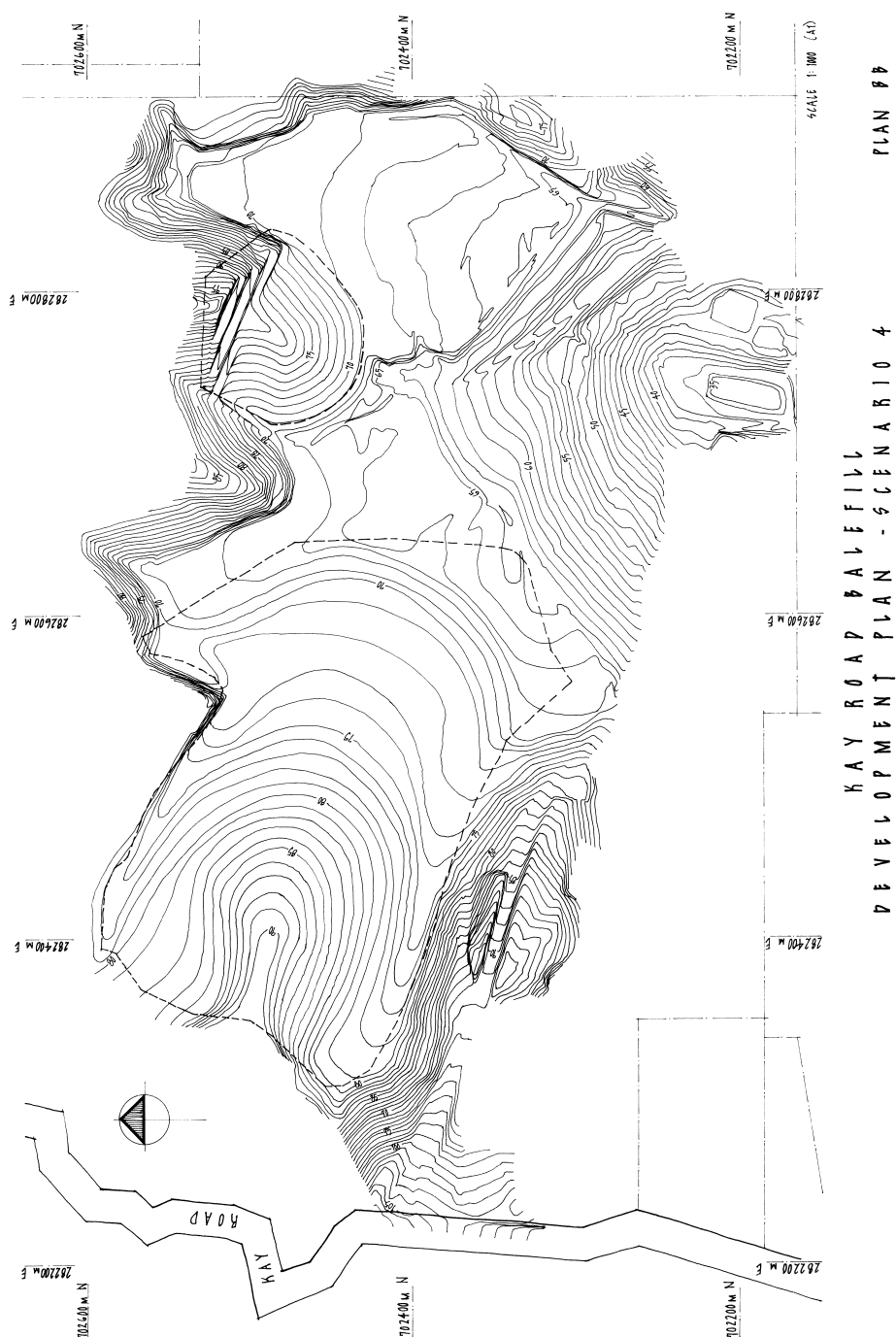
RULE 2

BALEFILL SPECIAL AREA



PLAN B A  
CONSERVATION & DEVELOPMENT PLAN

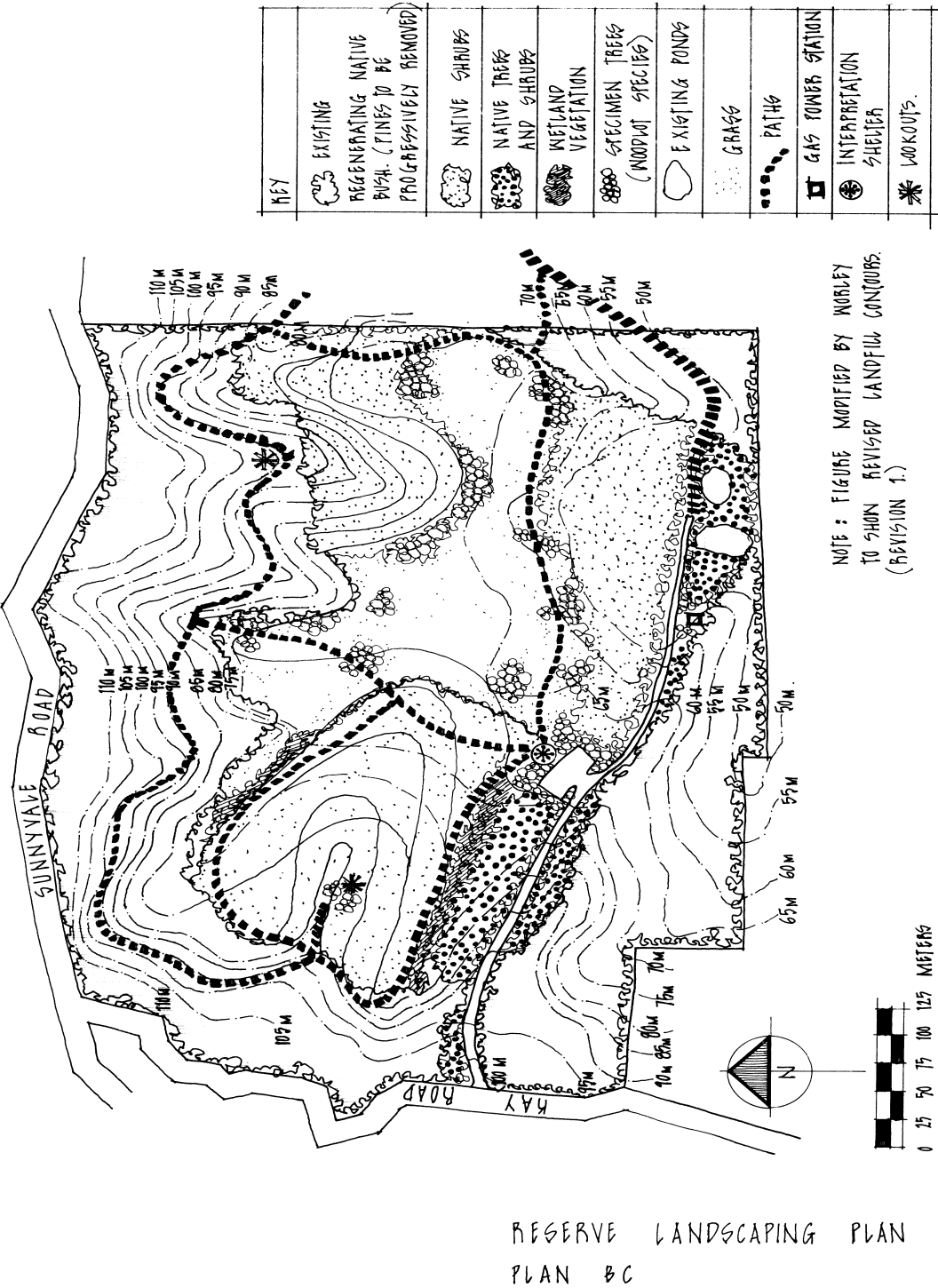
special areas



*special areas*

RULE 2

BALEFILL SPECIAL AREA



special areas

## RULE 3

## BOATING SPECIAL AREA

### RULES

#### 3.0 General

The following rules shall apply to *Any Activity* on land situated in the *Boating Special Area*.

#### 3.1 Permitted Activities

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

- (a) *Boating Activities* not involving the erection or alteration of *buildings*;
- (b) parks, playgrounds and walkways.

#### 3.2 Controlled Activities

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

- *Any Activity* involving the generation of motor vehicle traffic.

Assessment of *Controlled Activity* applications made under this rule will be limited to the matters of number of *car parking* spaces and *design, construction* standard and location of *car parking* and *driveways* and be considered in accordance with the matters set out in Assessment Criteria 3(a)-3(h) and 3(k).

#### 3.3 Limited Discretionary Activities

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

- the erection or alteration of any *building* to be utilised for any *Boating Activity*, except activities for business purposes, where the maximum *building height* does not exceed 8.0 metres and the *building coverage* does not exceed 10% of the *site area*.

#### 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*. For a definition of *Boating Activities* see Rule 1.2 of this section.
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*.

### ASSESSMENT CRITERIA

#### 3(a)

The extent to which adequate provision is made for the parking of vehicles generated by activities on the *site* having regard to:

- whether it can be demonstrated that a substantial number of people walk, cycle or take public transport to the activity
- whether activities on the same or nearby *sites* operate at different times and can share *car parking*
- there are special or unusual characteristics to the parking demands of the activity, such as most parking being associated with pick-up or drop off.

#### 3(b)

The extent to which provision can be made for the safe movement of pedestrians from *car parks* to the *building* or activity that the *car parking* serves.

#### 3(c)

The extent to which *loading spaces* are provided of sufficient number to meet the loading needs of activities proposed or likely on the *site*.

#### 3(d)

The extent to which all *car parking, loading spaces* and *driveways* are screened from any *Residential Activity* within the *Living Environment*.

#### 3(e)

The extent to which *car parking* and *loading areas* are located to allow efficient and safe access to the activity for which that *car parking* is provided including separate provision for pedestrians.

#### 3(f)

The extent to which *car parking* and *loading spaces* and *driveway* access to them are of a dimension and location to allow efficient and safe access.

#### 3(g)

The extent to which *car parking* is constructed of maintenance free materials, is adequately drained and is well marked out.

#### 3(h)

The extent to which *driveway* access from the *road* is located and *designed* to allow safe and efficient movement on and off the *road*.

#### 3(i)

The extent to which the scale, *design, height* and *height* of *buildings* adversely affects **amenity values**,

## RULE 3

## BOATING SPECIAL AREA

Assessment of *Limited Discretionary Activities* applications will be limited to the matters of scale, *height*, location, *screening*, *landscape treatment* and *design* and will be considered in accordance with Assessment Criteria 3(a)-(k).

### 3.4 Discretionary Activities

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

- (a) *Any Activity* for social or business purposes associated with boats or a boating club;
- (b) *Residential Activities subsidiary* to a boating club;
- (c) *public water transport facilities*;
- (d) *buildings* utilised for a *Boating Activity* exceeding a maximum *height* of 8.0 metres;
- (e) *buildings* exceeding a *building coverage* of 10% of the *site area*.

Assessment of *Discretionary Activities* applications will be considered in accordance with Assessment Criteria 3(i)-3(k) and any other matters that are relevant under Section 104 of the *Act*.

### 3.5 Other Rules Applying

The following rules of the *Plan* shall apply to *Any Activity*:

- All relevant City-Wide Rules.
- Living Environment  
Rule 5 Height in Relation to Boundaries
- Working Environment  
Rule 3 Building and Development Location
- Living Environment  
Rule 11 Traffic Generation
- Living Environment  
Rule 13 Noise
- Living Environment  
Rule 14 Air, Discharges, Odour, Dust, Glare and Vibration
- Living Environment  
Rule 15 Signs
- Living Environment  
Rule 16 Relocated Buildings
- Living Environment  
Rule 17 Infrastructure
- Subdivision  
Rules 1 & 2 General

### 3.6 Non-Complying Activities

**neighbourhood character** and coastal **landscape character**.

#### 3(j)

The extent to which the scale, *design*, location and *height* of *buildings* **physically dominates** or intrudes into the **privacy** of *adjoining sites*.

#### 3(k)

The extent to which more than minor adverse *effects* can be adequately avoided, remedied, mitigated or offset through provision of works and services on or off the *site* and/or through payment or provision of a *financial contribution*.

See also Policies 1.6, 1.7, 1.10, 1.13, 1.19, 10.27, 11.23  
(Policy Section of the Waitakere District Plan)

## RESOURCE CONSENT CONDITIONS

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

- requiring alterations to *building design* and/or location on the *site*
- requiring specified provision for *car parking* and *driveways*
- requiring the provision of *screening* and/or *planting*
- requiring a *landscape treatment* plan and its implementation within a given time
- limiting the scale of *development* or use
- limiting hours of operation
- requiring *financial contributions* in accordance with the *Plan*
- requiring *on-site* or *off-site* works and services to avoid, remedy, mitigate or offset adverse *effects*
- such other matters provided for in Section 108 of the *Act*.

Provided that, in the case of *Controlled Activities* 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 3

BOATING SPECIAL AREA

*Any Activity* which is not a *Permitted Activity* or a *Controlled 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*.

special areas

## RULE 4

## COLLEGE SPECIAL AREA

### RULES

#### 4.0 General

The following rules shall apply to *Any Activity* on land situated in the *College Special Area*.

#### 4.1 Permitted Activities

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

- Any *College Activity* where one parking space is provided for each *dwelling* and two parking spaces are provided for every 3 full-time employees and non-residential students, provided that:
  - (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), and
  - (ii) each *car park* space is connected to the *road* by a *driveway* which:
    - uses no more access points than existed as at 14 October 1995
    - provides for *on-site* turning where the *driveway* exits onto a *major road*.

#### 4.2 Controlled Activities

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

- Any *Non-Residential Activity* which is not a *College Activity* where provision is made for *car parking*, *loading spaces* and *driveway* access to that *car parking*.

Assessment of *Controlled Activity* applications made under this rule will be limited to the matters of number of parking spaces and *design*, *construction* and location of

#### 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*. For a definition of *College Activities* see Rule 1.2 of this section.
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*.

### ASSESSMENT CRITERIA

#### 4(a)

The extent to which adequate provision is made for the parking of vehicles generated by activities on the *site*.

#### 4(b)

The extent to which the number of *car parks* to be provided *on-site* takes into account:

- whether it can be demonstrated that a substantial number of people walk, cycle or take public transport to the activity
- whether activities on the same or nearby *sites* operate at different times and can share *car parking*
- whether there are special or unusual characteristics to the parking demands of the activity, such as most parking being associated with pick up or drop off.

#### 4(c)

The extent to which sufficient provision is made to serve the loading needs of activities proposed or likely on the *site*.

#### 4(d)

The extent to which *car parking* and *loading spaces* are located to allow efficient and safe access to the activity for which that *car parking* is provided, including separate provision made for pedestrians.

#### 4(e)

The extent to which *car parking* and *loading spaces*, and *driveway* access to them are of a dimension and location to allow efficient and safe access.

#### 4(f)

The extent to which *habitable rooms* are located to receive adequate daylight.

#### 4(g)

The extent to which *outdoor space* and living rooms are protected from overlooking by *dwelling* layout, *screening*, separation or *landscape treatment*.

#### 4(h)

The extent to which *development* promotes a safe *environment* for residents, including adequate lighting and appropriate location of *design* of entrances.

See also Policies 10.5, 10.6, 10.11, 10.14, 10.15, 10.16, 11.3, 11.14, 11.19, 11.23

(Policy Section of the Waitakere District Plan)

## RULE 4

## COLLEGE SPECIAL AREA

*car parking* and *driveways* and be considered in accordance with the matters set out in Assessment Criteria 4(a)-4(e).

### 4.3 Limited Discretionary Activities

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

- *Residential Activities* not associated with a *College Activity*

Assessment of *Limited Discretionary Activity* applications will be limited to the matters of location, *design*, *landscape treatment*, *screening*, *car parking* and *driveways* and will be considered in accordance with Assessment Criteria 4(f)-4(h).

### 4.4 Other Rules Applying

The following rules of the *Plan* shall apply to *Any Activity*:

- All relevant City-Wide Rules.
- Working Environment  
Rule 4 Landscape Treatment
- Working Environment  
Rule 5 Retailing
- Working Environment  
Rule 6 Air Discharges
- Working Environment  
Rule 8 Noise
- Working Environment  
Rule 10 Odour, Glare and Vibration
- Working Environment  
Rule 11 Signs
- Working Environment  
Rule 12 Infrastructure
- Subdivisions  
Rules 1 & 2 General
- Subdivisions  
Rule 5 Working and Community  
Environments

### 4.5 Non-Complying Activities

*Any Activity* 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 this *Plan* and shall be a *Non-Complying Activity*.

## RESOURCE CONSENT CONDITIONS

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

- requiring a specified number of *car park* and *loading spaces*
- specifying *design* parameters to be used in the construction of *driveways*, *pedestrian ways*, *car parking* and *loading spaces*
- requiring the provision of *screening* or *planting*
- requiring a *landscape treatment* plan and its implementation within a give time
- requiring *screening* or *planting*
- 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 *Controlled Activities* 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 5

## CORBAN ESTATE SPECIAL AREA

### RULES

#### 5.0 General

The following rules shall apply to *Any Activity* on land situated in the *Corban Estate Special Area*.

#### 5.1 Permitted Activities

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

- Corban Estate Activities* not requiring the construction of any buildings or additions to any existing building;
- Parks, playgrounds, cycleways and walkways; and
- Car parking as provided for in Table 5.1(i).

Table 5.1(i)

Activity	Parking Formula
Retail Sales	$1/20\text{m}^2 \times 0.85$
Educational Facilities	1/3 full time equivalent staff + 1/4 students
Corban Estate Arts Centre	$1/40\text{m}^2 \times 0.85$
Theatre	0 (assumes shared parking with Educational Facilities)
Residential	3/2 units
Retail Sales - Cafe	1/3 customers
Waitakere Pacific Arts and Cultural Trust	$1/40\text{m}^2 \times 0.85$

#### 5.2 Limited Discretionary Activities

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

- The erection or alteration of buildings for any *Corban Estate Activity*;
- The erection or alteration of apartments meeting City Wide Rule 1.0 Apartment Design General Performance Standards; and
- Car parking for the activities identified in Table 5.1(i), where that activity provides more parking spaces than that required for in Table 5.1(i).

### ASSESSMENT CRITERIA

#### 5(a)

The extent to which *development*:

- is of a character and appearance that provides a high standard of amenity,
- provides an attractive environment and good links through the Special Area, and with the surrounding area, for pedestrians and cyclists,
- provides variation in building form and style rather than uniformity,
- provides articulation of building facades rather than blank facades,
- integrates with other development,
- uses land on the Corban Estate efficiently for *Corban Estate Activity*,
- is of a location and design that is compatible with the heritage character of the Corban Estate as at 2012.

#### 5(b)

The extent to which buildings and/or activities compromise the natural **landscape character** of the adjacent *Open Space Environment* and the Opanuku Stream and the *Ecological Linkage/Restoration Natural Area*.

#### 5(c)

The extent to which *habitable rooms* are located to receive adequate daylight.

#### 5(d)

The extent to which *habitable rooms* are to be protected from overlooking by adjacent buildings and/or activities

#### 5(e)

The extent to which *development* promotes a safe environment for people, including adequate lighting, and location and design of entrances and car parking spaces.

#### 5(f)

The extent to which *development* maintains the heritage values identified on the Corban Estate Heritage Features plan and is sympathetic to and respectful of the heritage items and buildings and the buildings and the heritage character of the Special Area.

#### 5(g)

The extent to which more than minor adverse effects will be adequately avoided, remedied, mitigated or offset through provision of works and services on

## RULE 5

## CORBAN ESTATE SPECIAL AREA

Assessment of *Limited Discretionary Activity* applications made under this rule will be limited to matters of **density**, *design*, location, scale, *outdoor space*, *screening*, *landscape treatment*, *amenity* and provision for vehicles and pedestrians, and will be considered in accordance with the Assessment Criteria of *City-Wide Rule 1 Apartment Design*, *City Wide Noise Standard Rule 1.10 Residential Activities - Noise Attenuation*, *Medium Density Housing Criteria* and will also be considered in accordance with a Travel Management Plan and Assessment Criteria 5(a) - 5(l).

### 5.3 Discretionary Activities

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

- (a) *Apartments* not meeting the General Performance Standards of Urban Design City Wide Rule 1 Apartment Design;
- (b) Car parking for activities other than those specified in Table 5.1(i).

Assessment of *Discretionary Activity* applications will be considered in accordance with a Travel Management Plan and Assessment Criteria 5(a) - 5(l) and any other matters that are relevant under section 104 of the *Act*.

### 5.4 Other Rules Applying

The following rules of the *Plan* shall apply, where relevant, to *Any Activity*.

#### City-Wide Rules

Commercial Sex Activities

Prohibited Activities

Temporary Activities

Maintenance and Condition of Buildings

#### 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*. For a definition of *Corbans Estate Activities* see Rule 1.2 of this section.
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*.

or off the *site* and/or through payment or provision of a *financial contribution*.

### Transportation Criteria

(note: all of the following assessment criteria are to be addressed in a Travel Management Plan prepared to satisfy the standards in Rule 5.2 and 5.3.)

#### 5(h)

The extent to which *development* has been designed to integrate land uses with transport systems, through the use of an integrated transport assessment methodology for major trip generating activities, including provision for public transport, walking and cycling within and beyond the special area.

#### 5(i)

The extent to which *car parking* accommodates the expected demands of an *activity*, having regard to the relative locations of the *activity* and the *car parking* serving that *activity*, the possible joint use of *car parking*; walking, cycling and public transport alternatives, limitations through covenants, and relevant parking guidelines (see the Waitakere City parking and Driveway Guideline, August 2010).

#### 5(j)

The extent to which *car parking* is provided for within a 5 minute walking distance of *activities*, rather than necessarily adjoining those *activities* in the Special Area, except in the case of *retail activities* and other *non-residential activities* which require on site or close by *car parking*.

#### 5(k)

The extent to which *car parking* is designed having regard to:


- (i) the capacity of *roads* giving access to the *site*;
- (ii) the safety of *road* users including cyclist and pedestrians; and/or
- (iii) *car parking* areas which are secure, well lit and conveniently accessible.

#### 5(l)

The extent to which *activities* provide for on site loading facilities for service vehicles, delivery vehicles, and rubbish collection vehicles.

See also Policies 1.1, 1.2, 1.5, 1.10, 1.16, 1.20, 2.1, 2.4, 3.1, 5.3, 5.4, 8.8, 10.2, 10.5, 10.6, 10.11, 10.14, 10.15, 10.16, 10.27, 11.3, 11.23, 11.27, 11.28, 11.33.

(Policy Section of the Waitakere District *Plan*)

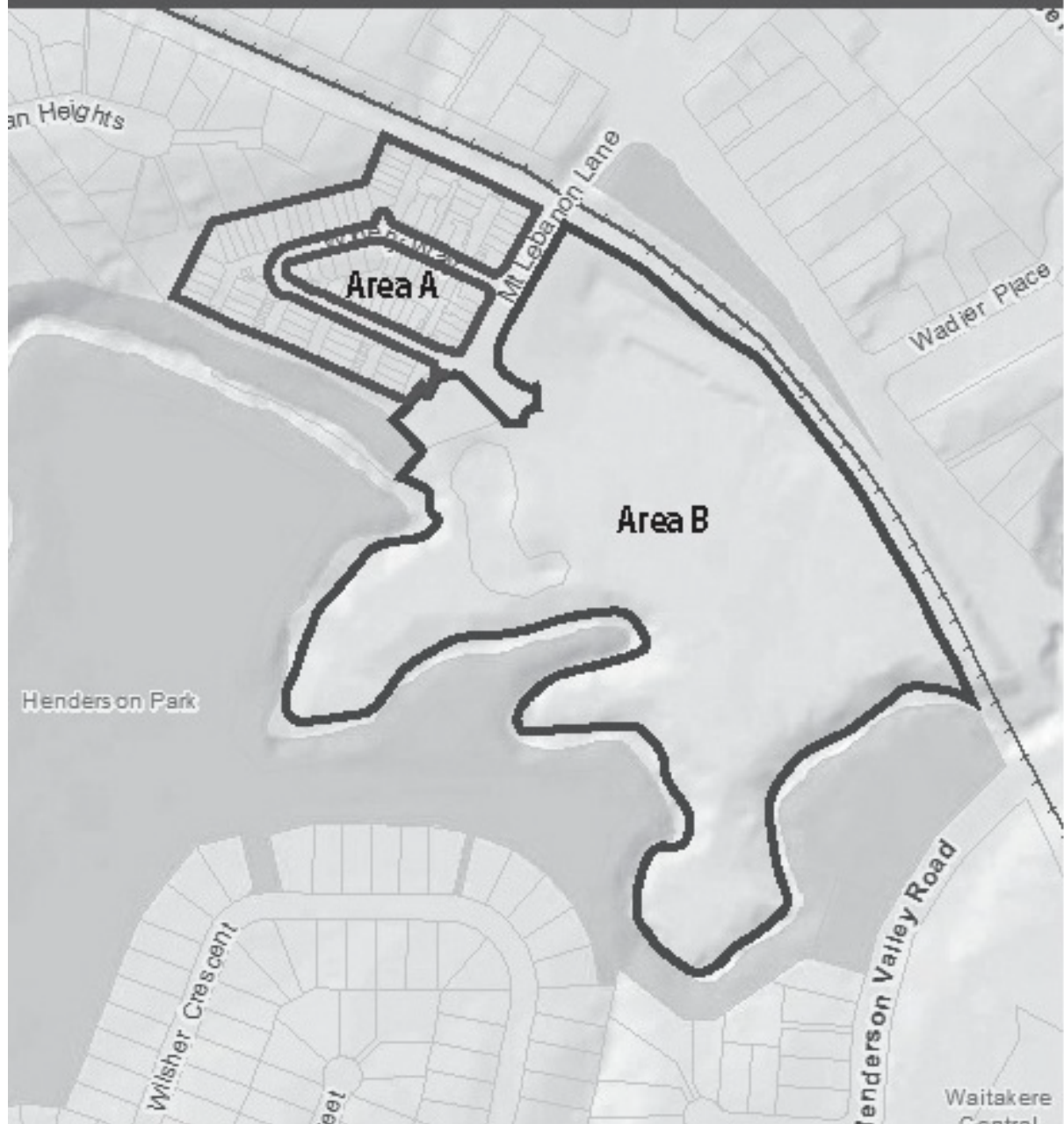
RULE 5	CORBAN ESTATE SPECIAL AREA
<p>General Noise Standards</p> <p>Natural Hazards</p> <p>Hazardous Facilities and Contaminated Sites</p> <p>Heritage</p> <p>Apartment Design</p> <p>Site Analysis</p> <p>Noise Standard Rule 1.11 Residential Activities - Noise Attenuation</p> <p><b>Living Environment</b></p> <p><i>Living Environment Rules</i> that apply to <i>Medium Density Housing</i></p> <p>Medium Density Housing Assessment Criteria</p> <p><b>Working Environment</b></p> <p>Rule 2 Height in Relation to Boundaries</p> <p>Rule 5 Retailing</p> <p>Rule 6 Air Discharges</p> <p>Rule 8 Noise</p> <p>Rule 10 Odour, Glare and Vibration</p> <p>Rule 11 Signs</p> <p>Rule 12 Infrastructure</p> <p><b>Subdivision</b></p> <p>Rules 1 &amp; 2 General</p> <p>Rule 3 Infill Subdivision</p> <p><b>5.5 Non-Complying Activities</b></p> <p><i>Any Activity</i> to which is not a <i>Permitted Activity</i> or a <i>Limited Discretionary 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>	

special areas

RULE 5

CORBAN ESTATE SPECIAL AREA

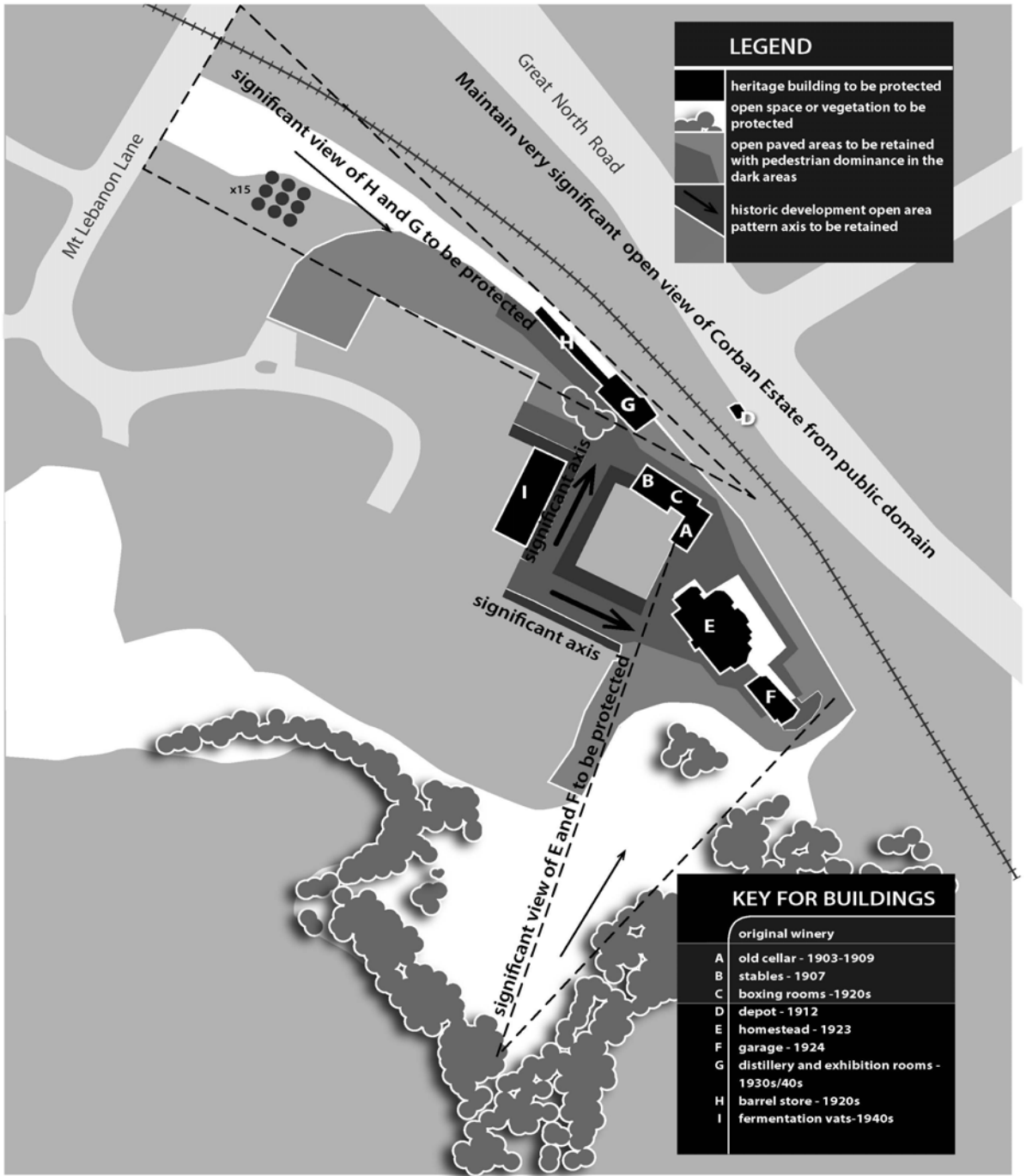
## Corban Estate Concept Plan



*special areas*

RULE 5CORBAN ESTATE SPECIAL AREA

Corban Estate Heritage Features



special areas

## RULE 6

## HARBOUR VIEW NORTH SPECIAL AREA

### RULES

#### 6.0 General

The following rules shall apply to *Any Activity* on land situated in the *Harbour View North Special Area*.

#### 6.1 Permitted Activities

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

- *Any Activity* which is a *Permitted Activity* in the *Living Environment (Harbour View)*
- *Any subdivision* which is a *Permitted Activity* in *Subdivisions Rule 2.1(a)*.

#### 6.2 Controlled Activities

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

- *Any Activity* which is a *Controlled Activity* in the *Living Environment (Harbour View)*
- *Any subdivision* which is a *Controlled Activity* where relevant to the *Living Environment*.

#### 6.3 Limited Discretionary Activities

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

- *Any Activity* which is a *Limited Discretionary Activity* in the *Living Environment (Harbour View)*.

#### 6.4 Discretionary Activities

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

- *Any Activity* which is a *Discretionary Activity* in the *Living Environment (Harbour View)*; and
- *Any Activity* which is a *Permitted Activity* or a *Limited Discretionary Activity* or a *Discretionary Activity* in the *Community Environment Rules*
- *Any subdivision* which is a *Discretionary Activity* where relevant to the *Living Environment*.

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

### RESOURCE CONSENT CONDITIONS

In granting a *resource consent*, the consent authority 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 retention of trees and/or other *vegetation*;
- requiring the protection or maintenance of the Corban Estate Heritage Features and the heritage character of the Special Area;
- requiring provision of a *landscape treatment plan* and its implementation within a given time frame;
- requiring *financial contributions* in accordance with the *Plan*;
- the imposition of a *bond* to cover conditions of consent;
- requiring *on-site* or *off-site* works and services to avoid, remedy, mitigate or offset adverse *effects*;
- the design and location of car parking spaces;
- requiring an acoustic consultant report to confirm required noise standards will be met;
- requiring measures in respect of proposals for *residential activities* to attenuate potential adverse effects from adjoining or nearby *non-residential activities*;
- requiring that measures to address land stability issues be included in the *construction of structures* and where required in the implementation of the *Landscape Treatment Plan*;
- in the case of a subdivision consent, other matters as provided for in section 220 of the *Act*;
- such other matters provided for in section 108 of the *Act*.

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

RULE 6	HARBOUR VIEW NORTH SPECIAL AREA
<p><b>6.5 Other Rules Applying</b></p> <p><i>Any Activity</i> shall comply with all relevant <i>City-Wide Rules</i>.</p> <p><b>6.6 Non-Complying Activities</b></p> <p><i>Any Activity</i> which is not a <i>Controlled Activity</i> or a <i>Limited Discretionary Activity</i> or a <i>Discretionary Activity</i> under this rule shall be deemed to contravene a rule in the <i>Plan</i> and shall be a <i>Non-Complying Activity</i>.</p>	<p>Note: See Policies 1.1, 1.10, 1.14, 1.15, 1.20, 2.1, 2.3, 2.13, 3.1, 3.4, 3.5, 4.2, 4.3, 4.4, 5.2, 5.4, 6.1, 6.4, 7.1, 7.2, 7.3, 8.3, 8.5, 9.1, 9.3, 9.6, 9.7, 9.14, 10.4, 10.7, 10.8, 10.9, 10.13, 10.15, 10.16, 10.17, 10.18, 10.20, 10.22, 10.23, 11.1, 11.2, 11.4, 11.5, 11.6, 11.9, 11.23, 12.4, 12.8</p> <p>(Policy Section of the Waitakere District Plan)</p>

special areas

RULE 7

(DELETED BY PLAN CHANGE 2)

*special areas*

RULE 8

HOSPITAL SPECIAL AREA

RULES

8.0 General

The following rules shall apply to *Any Activity* involving the use, erection or alteration of *buildings* on land situated in the *Hospital Special Area*.

8.1 Permitted Activities

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

- any *hospital activity*; and
- services, offices, childcare centres, maintenance workshops, storage facilities, horticultural gardens and undertakings maintained in connection with, or incidental to, *hospital activities*; and
- helicopter facilities *subsidiary* to *hospital activities*; and
- *convenience* shops not exceeding 100m<sup>2</sup> in *retail floorspace*; and
- *shops* ancillary to a *hospital activity* on the same *site* not occupying more than 15% of the *gross floor* area of the part of the *building* which is occupied by the activity or 100m<sup>2</sup> *retail floorspace* whichever is the lesser.

8.2 Other Rules Applying

The following rules of the *Plan* shall apply to *Any Activity*.

- All relevant City-Wide Rules.
- Working Environment  
Rule 2 Height in Relation to Boundaries
- Working Environment  
Rule 4 Landscape Treatment
- Working Environment  
Rule 3 Building and Development Location

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*. For a definition of *Hospital Activities* see Rule 1.2 of this section.
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*.

See also Policies 4.6, 10.1, 10.2, 10.3, 10.5, 10.6, 10.7, 10.11, 10.12, 10.14, 10.15, 10.16, 10.26, 11.23  
Policy Section of the Waitakere District *Plan*

RULE 8	HOSPITAL SPECIAL AREA
<ul style="list-style-type: none"><li>• Working Environment Rule 6 Air Discharges</li><li>• Working Environment Rule 8 Noise</li><li>• Working Environment Rule 9 Parking, Loading and Driveway Access</li><li>• Working Environment Rule 10 Odour, Glare and Vibration</li><li>• Working Environment Rule 11 Signs</li><li>• Working Environment Rule 12 Infrastructure</li><li>• Subdivisions Rules 1 &amp; 2 General</li><li>• Subdivision Rules 3 &amp; 4 Living Environment</li></ul> <p><b>8.3 Non-Complying Activities</b></p> <p><i>Any Activity 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 this Plan and shall be a Non-Complying Activity.</i></p>	

special areas

## RULE 9

## LINCOLN PARK SPECIAL AREA

### RULES

#### 9.0 General

The following rules shall apply to *Any Activity* situated on *land* within the *Lincoln Park Special Area*.

#### 9.1 Permitted Activities

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

- (a) *Lincoln Park Activities* within an existing *building*.
- (b) parks, playgrounds and walkways.

#### 9.2 Limited Discretionary Activities

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

- the erection or alteration of any *building* for a *Lincoln Park Activity* or a *Residential Activity*, where:
  - the maximum *building height* is 15.0 metres; and
  - any proposed *building* is shown on a Comprehensive Development Plan approved as a *Limited Discretionary Activity* under this Rule and which shows, for the whole of the *Lincoln Park Special Area*:
    - >the location, *design* and scale of *buildings*
    - >proposals for integration of *development* with the Lincoln North *Community Environment*

#### 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*.
3. Notwithstanding Note 1 above, with regard to the relevant policy sections, any retail activity or mix of retail activity beyond those identified as *Lincoln Park Activities* would be non-complying.
4. Retail activities in the *Lincoln Park Special Area* are limited to a minimum gross floor area of 6,000m<sup>2</sup> - retail activities not meeting this standard are contrary to *Plan* policies.
5. Limited retail activity is enabled in the *Lincoln Park Special Area* due to consideration of the historical context of development in the immediate area. Such provision is not intended as a basis for future intensification of activities in the *Lincoln Park Special Area*, nor for development of the surrounding land.
6. Words in *italics* are defined - see the Definitions part of the *City-Wide Rules*.
7. Words in **bold** are explained - see the Explanations part of the Introduction to the Rules.
8. For *resource consents* see the Information Requirements in the *City-Wide Rules*.

### ASSESSMENT CRITERIA

#### 9(a)

The extent to which *buildings*, *driveways*, *car parking* and other *development* are of a size, location, scale and *design* which complements the character of the *site* as a whole.

#### 9(b)

The extent to which any retail *development* on the *site* is designed and located to integrate with the Lincoln North *Community Environment*.

#### 9(c)

The extent to which *buildings* and *Lincoln Park Activities* avoid adverse *effects* on **neighbourhood character** and **amenity values**.

#### 9(d)

The extent to which *driveways*, *carparking* and *road* access provide for safe and efficient provision for motor vehicles.

#### 9(e)

The extent to which *development* of the *site* avoids adverse *effects* on *roads* giving access to the *site*.

#### 9(f)

The extent to which provision is made for passenger transport facilities within and/or beyond the *site*.

#### 9(g)

The extent to which any proposal for *Residential Activities* meets those criteria outlined in the "Medium Density Housing Criteria" section of the *Plan*.

#### 9(h)

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 4.7, 10.1, 10.2, 10.3, 10.5, 10.6, 10.7, 10.8, 10.10, 10.11, 10.12, 10.14, 10.15, 10.16, 10.27, 11.1, 11.3, 11.5, 11.8, 11.10, 11.11, 11.12, 11.18, 11.23

(Policy Section of the Waitakere District *Plan*)

## RULE 9

## LINCOLN PARK SPECIAL AREA

- >provision for improvements to *roads* giving access to the *site*
- >provision for *car parking* and *driveways*
- >provision for *landscape treatment*
- >provision for *open space*.

Assessment of *Limited Discretionary Activity* applications made under this rule will be limited to matters of number of household units, *building coverage*, bulk and location, *car parking* and *driveways*, *design*, *screening* and *landscape treatment*, and provision for *outdoor space*, and will be considered in accordance with Assessment Criteria 9(a)-(h).

### 9.3 Other Rules Applying

The following rules of the *Plan* shall apply to *Any Activity*:

- All relevant City-Wide Rules
- Working Environment
  - Rule 2 Height in Relation to Boundaries
- Working Environment
  - Rule 3 Building and Development Location
- Working Environment
  - Rule 4 Landscape Treatment
- Working Environment
  - Rule 6 Air Discharges
- Working Environment
  - Rule 8 Noise
- Working Environment
  - Rule 9 Parking, Loading and Driveway Access
- Working Environment
  - Rule 10 Odour, Glare and Vibration
- Working Environment
  - Rule 11 Signs
- Working Environment
  - Rule 12 Infrastructure

### 9.4 Non-Complying Activities

*Any Activity* 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 this *Plan* and shall be a *Non-Complying Activity*.

## RESOURCE CONSENT CONDITIONS

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

- requiring alterations to the *design* and/or location of *buildings* on the *site*
- requiring provision to be made for integration of *development* with the Lincoln North *Community Environment*
- specifying provision to be made for *road* improvements
- requiring the retention of trees and/or other *vegetation*
- specifying provision to be made for *driveways* and *car parking*
- requiring the provision of *screening* and/or *planting*
- limiting the scale of *development* or use
- the imposition of a *bond* to ensure satisfaction of conditions of consent
- requiring *financial contributions* in accordance with the *Plan*
- requiring *on-site* or *off-site* works and services to avoid, remedy, mitigate or offset adverse *effects*
- such other matters provided for in section 108 of the Act.

## RULE 10

## MARAE SPECIAL AREA

### RULES

#### 10.0 General

The following rules shall apply to *Any Activity* on land situated in a *Marae Special Area*.

#### 10.1 Permitted Activities

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

- (a) Marae Activities
- (b) any *Residential Activity*
- (c) parks, playgrounds and walkways
- (d) Any *Non-Residential Activity* (excluding Marae Activities) resulting in total traffic generation to the *site* not exceeding 40 *vehicle movements* per day or 1% of the *roads* daily volume, whichever is the greater.

#### 10.2 Limited Discretionary Activities

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

- *Any Activity* resulting in traffic generation not meeting the standards in Rule 10.1(d).

Assessment of *Limited Discretionary Activity* applications made under this rule will be limited to matters of *road* capacity, **safety** and scale and will be assessed in accordance with Assessment Criteria 10(a) and 10(b).

#### 10.3 Other Rules Applying

The following rules of the *Plan* shall apply to *Any Activity*:

- All relevant City-Wide Rules
- Living Environment
  - Rule 5 Height in Relation to Boundaries

#### 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*. For a definition of *Marae Activities* see Rule 1.2 of this section.
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*.

### ASSESSMENT CRITERIA

#### 10(a)

The extent to which traffic generation creates adverse *effects* on:

- the capacity of *roads* giving access to the *site*,
- the **safety** of *road* users, including cyclists and pedestrians.

#### 10(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*.

See also Policies 8.9, 9.1, 9.4, 9.5, 9.7, 9.8, 9.9, 10.1, 10.2, 10.3, 10.5, 10.6, 10.9, 10.14, 10.16, 10.27, 11.23  
(Policy Section of the Waitakere District *Plan*)

RULE 10

MARAE SPECIAL AREA

- Living Environment  
Rule 13 Noise
- Living Environment  
Rule 14 Air Discharges Odour, Dust, Glare and Vibration
- Living Environment  
Rule 17 Infrastructure
- Subdivision  
Rules 1 & 2 General

10.4 Non-Complying Activities

Any Activity 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 this *Plan* and shall be a *Non-Complying Activity*.

RESOURCE CONSENT CONDITIONS

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

- limiting the scale of *development* or use
- requiring alteration to the location and *design* of *car parking* and *driveways*
- requiring mitigation measures in relation to vehicle noise and lights
- requiring mitigation measures in relation to pedestrian, cyclist and motor vehicle occupant **safety**
- requiring *financial contributions* in accordance with the *Plan*
- requiring *on-site* or *off-site* works and services to avoid, remedy, mitigate or offset adverse *effects*
- such other matters provided for in section 108 of the *Act*.

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 11

## MARINA SPECIAL AREA

### RULES

#### 11.0 General

The following rules shall apply to *Any Activity* on *land* situated in the *Marina Special Area*.

The “Concept Plan” referred to in these rules is the Concept Plan for Westpark Marina and Environs, dated November 1999.

#### 11.1 Permitted Activities

The following are *Permitted Activities*, subject to meeting the Performance Standards in Rule 11.3.

- (a) Areas A and C on the Concept Plan - any *Marina Activity* or *Residential Activity* or *Non-Residential Activity* or *Retail Sales* or *Public Water Transport Facility* not requiring the *construction* or alteration of *buildings*.
- (b) Area A on the Concept Plan - any *Marina Activity* involving the *construction* or alteration of *buildings*.
- (c) Area D on the Concept Plan - *Any Activity* being a *Permitted Activity* in the *Living Environment*.
- (d) Parks, playgrounds and walkways.

#### 11.2 Controlled Activities

The following are *Controlled Activities*, subject to meeting the Performance Standards in Rule 11.3:

- (a) Area A on the Concept Plan - any *Residential Activity* or *Non-Residential Activity* or *Retail Sales* or *Public Water Transport Facility*.
- (b) Area B on the Concept Plan - any *Residential Activity* or *Marina Activity* or *Non-Residential Activity* or *Retail Sales*

#### 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*. For a definition of *Marina Activities* see Rule 1.2 of this section.
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*.

### ASSESSMENT CRITERIA

#### 11(a)

The extent to which the scale of *buildings* creates adverse *effects* on **neighbourhood character** and **amenity values**, including **views** over the *site* to the Harbour.

#### 11(b)

The extent to which activities and *structures* maintain and enhance the character and *amenity* of the *Special Area*.

#### 11(c)

The extent to which the scale and location of *buildings* provides and maintains pedestrian access to the coastal area generally as shown on the Concept Plan.

#### 11(d)

The extent to which areas of *open space* and *planting* are used to offset the visual impact of additional *building coverage*.

#### 11(e)

The extent to which traffic generation creates adverse *effects* on:

- the capacity of *roads* giving access to the *site*
- the safety of *road* users, including cyclists and pedestrians
- **neighbourhood character**.

#### 11(f)

The extent to which *development* meets the following *design* criteria:-

- (i) The *design* of the new *development* has appropriate residential character and detail to enhance the existing streetscape.
- (ii) The large *building* facades which are highly visible from the *road* should be adequately articulated and detailed for visual interest.
- (iii) Solid *fencing* should be minimised and used only to separate *Residential Activities* from other *Non-residential Activities*.
- (iv) *Landscape treatment* should complement the existing neighbourhood.
- (v) The *development* should be well connected into the neighbourhood with appropriate vehicle and pedestrian links.
- (vi) The *development* should be arranged to minimise the overlooking of any residential *outdoor space*, both within the *site* and the *adjoining sites*.
- (vii) The *design* of *buildings* should maximise exposure to winter sunshine.

## RULE 11

## MARINA SPECIAL AREA

- (c) Area C on the Concept Plan - any *Residential Activity* or *Marina Activity* or *Non-Residential Activity* or *Retail Sales* or Public Water Transport Facility.
- (d) Area D on the Concept Plan - any *Medium Density Housing*.

Assessment of *Controlled Activity* applications will be limited to matters of location, design, landscape treatment and construction and will be assessed having regards to Assessment Criteria 11(a) to 11(g) and other relevant matters under section 104 of the *Act*.

### 11.3 Performance Standards Relating to Permitted Activities and Controlled Activities

- (a) Maximum *Building Coverage*
- Concept Plan Area A - 60% of each *site*
  - Concept Plan Area B - 35% of each *site*
  - Concept Plan Area C - 60% of each *site*
  - Concept Plan Area D - 35% of each *site*
- (b) Maximum *Building Height*
- Concept Plan Area A - 12 metres
  - Concept Plan Area B - 8 metres
  - Concept Plan Area C - 10 metres
  - Concept Plan Area D - 8 metres
- (c) Maximum Height in Relation to Boundary
- Concept Plan Area A - this rule does not apply
  - Concept Plan Area B - as for *Working Environment* Rule 2.1
  - Concept Plan Area C - this rule does not apply
  - Concept Plan Area D - as for *Living Environment* rule 5.1
- (d) Parking, Loading and Driveway Access
- For all areas on the Concept Plan - as for *Working Environment* Rule 9.1

- (viii) Manipulate the impact of sun and wind by considering the *effects* of overhangs, eaves, verandahs, pergolas and *planting*.
- (ix) Capitalise on **views** from the *site*, whilst considering **privacy** both within the *development* and of adjoining *sites*.
- (x) *Buildings* are encouraged to be linked to allow the efficient use of *sites*.
- (xi) *Building* form and *site* layout is *designed* to minimise *impermeable surfaces* and allow efficient stormwater management.
- (xii) *Habitable rooms* should be located to achieve adequate daylight.
- (xiii) The windows of one *building* should not face directly into those of another unless direct **views** are restricted with *screening* or *planting* or the windows are offset or sufficiently distant.
- (xiv) Sufficient *carparking* should be provided to meet projected needs.
- (xv) *Carparking* facilities should be closed and convenient to *buildings*, be well ventilated if enclosed, be well lit and clearly identify any visitor *carparking*.
- (xvi) *Carparking* and *driveway* should not dominate the **view** of the *development* from the *road*, be surfaced and graded to ensure efficient stormwater disposal and be *planted* with shade trees and *screening vegetation* where practicable.
- (xvii) The entrance to *buildings* should be located where they are clearly visible from the road so that visitors can easily identify the particular *land use* activity.
- (xviii) Entries to *buildings* should provide a sense of personal address, shelter and transitional space between the entry and the *road*.
- (xix) Garbage bin enclosures, mail boxes and external storage facilities are to be *designed* to complement the overall *development* and be constructed of durable materials.
- (xx) Garbage bin enclosures are to be sized to accommodate the garbage receptacles as required by Council and to provide for recycling collections.
- (xxi) Combined garbage bin enclosures are to be located adjacent to the *road* for ease of collection.
- (xxii) Combined garbage bin enclosures are to include a trap and sump for the cleaning and washing down of the area.

## RULE 11

## MARINA SPECIAL AREA

### (e) Landscape Treatment

- Concept Plan Area A - 10% of each *site* shall be landscaped in trees, shrubs or grass
- Concept Plan Area B - 35% of each *site* shall be landscaped in trees, shrubs or grass, including an 8.0 metre wide strip within Lot 8, adjoining the northern boundary with the esplanade reserve
- Concept Plan Area C - 15% of each *site* shall be landscaped in trees, shrubs or grass
- Concept Plan Area D - 35% of each *site* shall be landscaped in trees, shrubs or grass

### 11.4 Limited Discretionary Activities

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

- *development* on any *site* not meeting the standards of Rule 11.3(a).

Assessment of *Limited Discretionary Activity* applications will be limited to matters of location, *design*, *landscape treatment* and *construction* and will be assessed having regard to Assessment Criteria 11(a) to 11(g) and other relevant matters under section 104 of the *Act*.

### 11.5 Discretionary Activities

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

- *development* on any *site* not meeting the standards of Rules 11.3(b), (c), (d) or (e)

*Discretionary Activity* applications will be assessed having regard to Assessment Criteria 11(a)-11(g) and any other matters which are relevant under section 104 of the *Act*.

### 11.6 Other Rules Applying

The following rules of the *Plan* shall apply to *Any Activity*

- All relevant City-Wide Rules
- Living Environment  
Rule 8 Building Location
- Living Environment  
Rule 13 Noise
- Living Environment
- Rule 14 Air Discharges, Odour, Dust, Vibration and Glare

- (xxiii) *Landscape treatment* should assist with blending new *developments* with the surrounding streetscape.
- (xxiv) *Landscape treatment* should not affect the *structure* of proposed *buildings*.
- (xxv) *Landscape treatment* should enhance energy efficiency by providing shade in winter to west facing windows and allowing penetration of winter sun and shelter from winter winds.
- (xxvi) *Landscape treatment* should improve **privacy** between *buildings*.
- (xxvii) *Fencing* types should enhance the *development* and streetscape. Large blank walls facing the street should be avoided.
- (xxviii) The selection of *planting* types should consider their relationship to living spaces and *outdoor space*, relationship to the *road* and ongoing maintenance requirements.

### 11(g)

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*.

See also Policy 10.27

(Policy Section of the Waitakere District *Plan*)

## RESOURCE CONSENT CONDITIONS

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

- requiring alterations to *design* and/or location
- requiring the retention of trees and/or other *vegetation*
- requiring the provision of a *landscape treatment* plan and implementation of that plan within a given time
- limiting the scale of *development* of use
- limiting the hours of operation
- the imposition of a *bond* to ensure satisfaction of conditions of consent
- requiring *financial contributions* in accordance with the *Plan*
- requiring *on-site* or *off-site* works and services to avoid, remedy, mitigate or offset adverse *effects*
- such other matters provided for in section 108 of the *Act*.

RULE 11

MARINA SPECIAL AREA

- Living Environment  
Rule 17Infrastructure

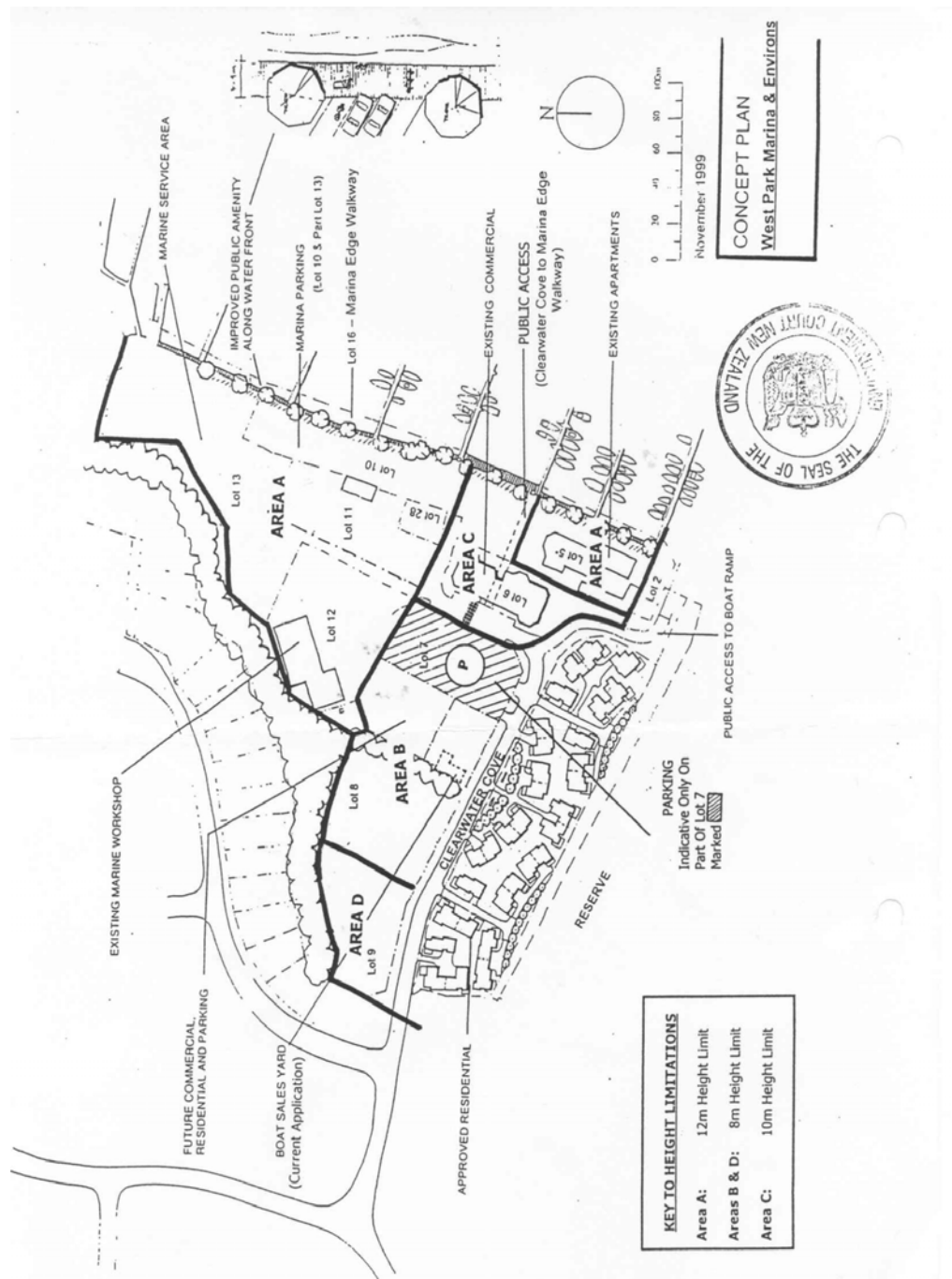
11.7 Non-Complying Activities

Any Activity which is not a Permitted Activity or a Controlled 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.

special areas

RULE 11

MARINA SPECIAL AREA



special areas

## RULE 12

## MONTEREY PARK SPECIAL AREA

### RULES

#### 12.0 General

The following rules shall apply to *Any Activity*.

#### 12.1 Permitted Activities

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

- (a) any *Monterey Park Activity* within an existing *building*, and
- (b) *Residential Activities* involving no more than one *dwelling* and one *minor household unit* on each *site*.

#### 12.2 Limited Discretionary Activities

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

- the erection or alteration of any *building* for a *Monterey Park Activity*, a *Residential Activity* subsidiary to a *Monterey Park Activity* not meeting the standards under Rule 12.1, or for overnight tourist accommodation where any proposed *building* is shown on a Comprehensive Development Plan approved as a *Limited Discretionary Activity* under this Rule and which shows, for the whole of the *Monterey Park Special Area*
  - the location, *design* and scale of *buildings*
  - provision for *car parking* and *driveways*
  - provision for *landscape treatment*

Assessment of *Limited Discretionary Activity* applications made under this rule will be limited to the matters of number of household units, scale and bulk of *buildings*, *design*, *landscape treatment*, *car parking*

### ASSESSMENT CRITERIA

#### 12(a)

The extent to which *buildings* are of a *scale* which avoids adverse *effects* on **neighbourhood character** and **amenity values**.

#### 12(b)

The extent to which activities compromise **natural landscape character** and coastal **landscape character**.

#### 12(c)

The extent to which traffic generation creates adverse *effects* on:

- the capacity of *roads* giving access to the *site*
- the **safety** of *road* users, including cyclists and pedestrians
- **neighbourhood character**.

#### 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*.

See also Policies 1.6, 1.7, 1.10, 1.13, 1.19, 10.5, 10.6, 10.11, 10.14, 10.15, 10.16, 10.27, 11.3, 11.14, 11.18, 11.19, 11.23

(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*, the *City-Wide Rules* and, where relevant, the *Subdivision Rules*.
3. Word in *italics* are defined - see the Definitions part of the *City-Wide Rules*. For a definition of *Monterey Park Activities* see Rule 1.2 of this section.
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 12

MONTEREY PARK SPECIAL AREA

and *drivenways*, road capacity and **safety** and will be considered in accordance with Assessment Criteria 12(a)-12(d). Where an application will have effects on the **safety** and efficiency of State Highway 18, comment may be invited from Transit New Zealand.

12.3 Other Rules Applying

The following rules of the *Plan* shall apply to *Any Activity*.

- All relevant City-Wide Rules
- Countryside Environment  
Rule 3 Yards
- Countryside Environment  
Rule 5 Outdoor Storage
- Countryside Environment  
Rule 6 Building Coverage
- Countryside Environment  
Rule 8 Traffic Generation, Access  
and Carparking
- Countryside Environment  
Rule 9 Noise
- Countryside Environment  
Rule 10 Air Discharges, Odour, Dust,  
Glare and Vibration
- Countryside Environment  
Rule 11 Signs
- Subdivisions  
Rules 1 & 2 General
- Subdivisions  
Rule 6 Countryside Environment

12.4 Non-Complying Activities

*Any Activity* 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 this *Plan* and shall be a *Non-Complying Activity*.

RESOURCE CONSENT CONDITIONS

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

- requiring alterations to the *design* and/or location on the *site*
- requiring the retention of trees and/or other *vegetation*
- requiring the provision of a *landscape treatment* plan and its implementation within a given time
- limiting the scale of *development* or use
- limiting hours of operation
- the imposition of a *bond* to ensure satisfaction of conditions of consent
- requiring *financial contributions* in accordance with the *Plan*
- requiring *on-site* or *off-site* works and services to avoid, remedy, mitigate or offset adverse *effects*
- such other matters provided for in section 108 of the *Act*.

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 13

## QUARRY SPECIAL AREA

### RULES

#### 13.0 General

The following rules apply to *Any Activity* on land situated in the *Quarry Special Area*.

#### 13.1 Permitted Activities

*Any Activity* involving:

- the quarrying, crushing, *screening* and stockpiling of stone, including associated *buildings* and *structures*
- *buildings* for the maintenance of plant and vehicles used in connection with quarrying
- the sale of crushed stone produced on the *Quarry Special Area* land
- offices, canteens, dining rooms, toilet facilities and administration *buildings subsidiary* to the above activities

and which meet the following Performance Standards are *Permitted Activities* provided that the above activities shall cease to be *Permitted Activities* at the expiry of the Quarry Management Plan on 31 August 2020:

- (a) *Any Activity* meeting the standards of the Quarry Management Plan (included as an Appendix to these rules), and
- (b) *Any Activity* meeting the noise standards set out below as measured at any part of a *site* within the *Waitakere Ranges Environment* or *Bush Living Environment*.

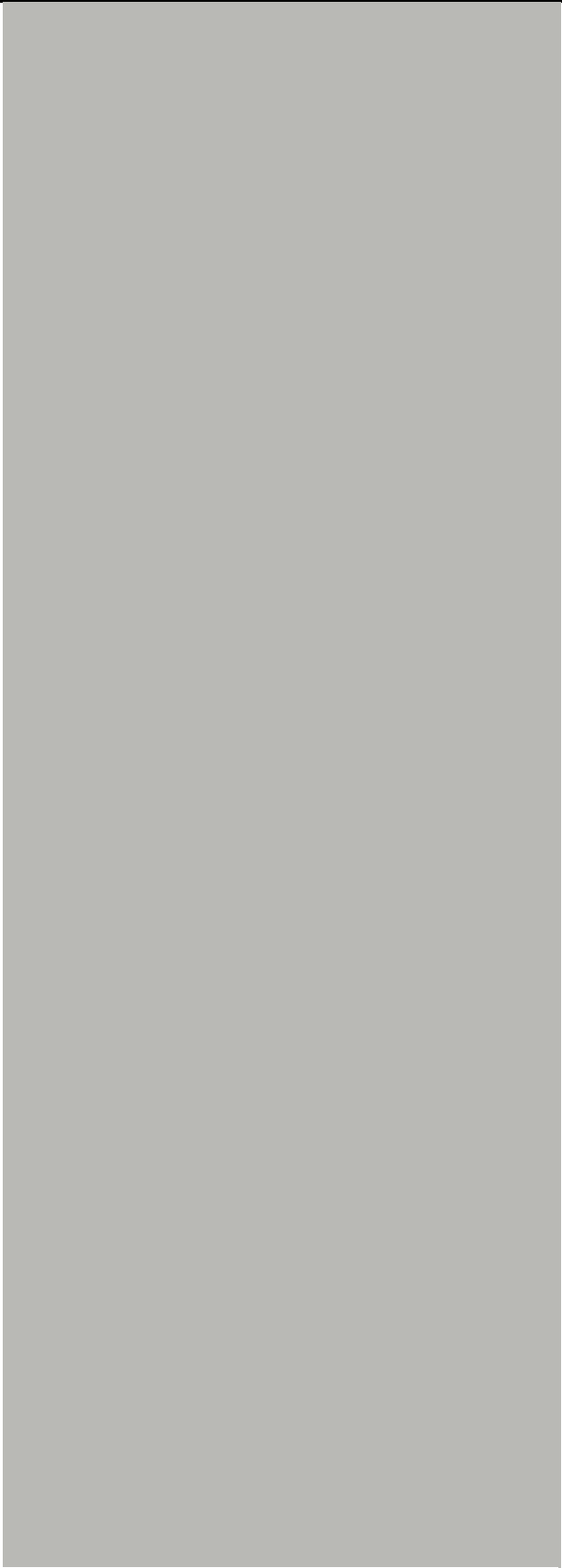
Note: See also Policies 1.5, 1.6, 1.7, 1.9, 1.10, 1.12, 1.13, 1.14, 3.3, 5.3, 5.6, 10.10, 11.23

(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*. Note that the Quarry Management Plan contains provisions which allow activities which would not otherwise be possible under the *Natural Area 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*.

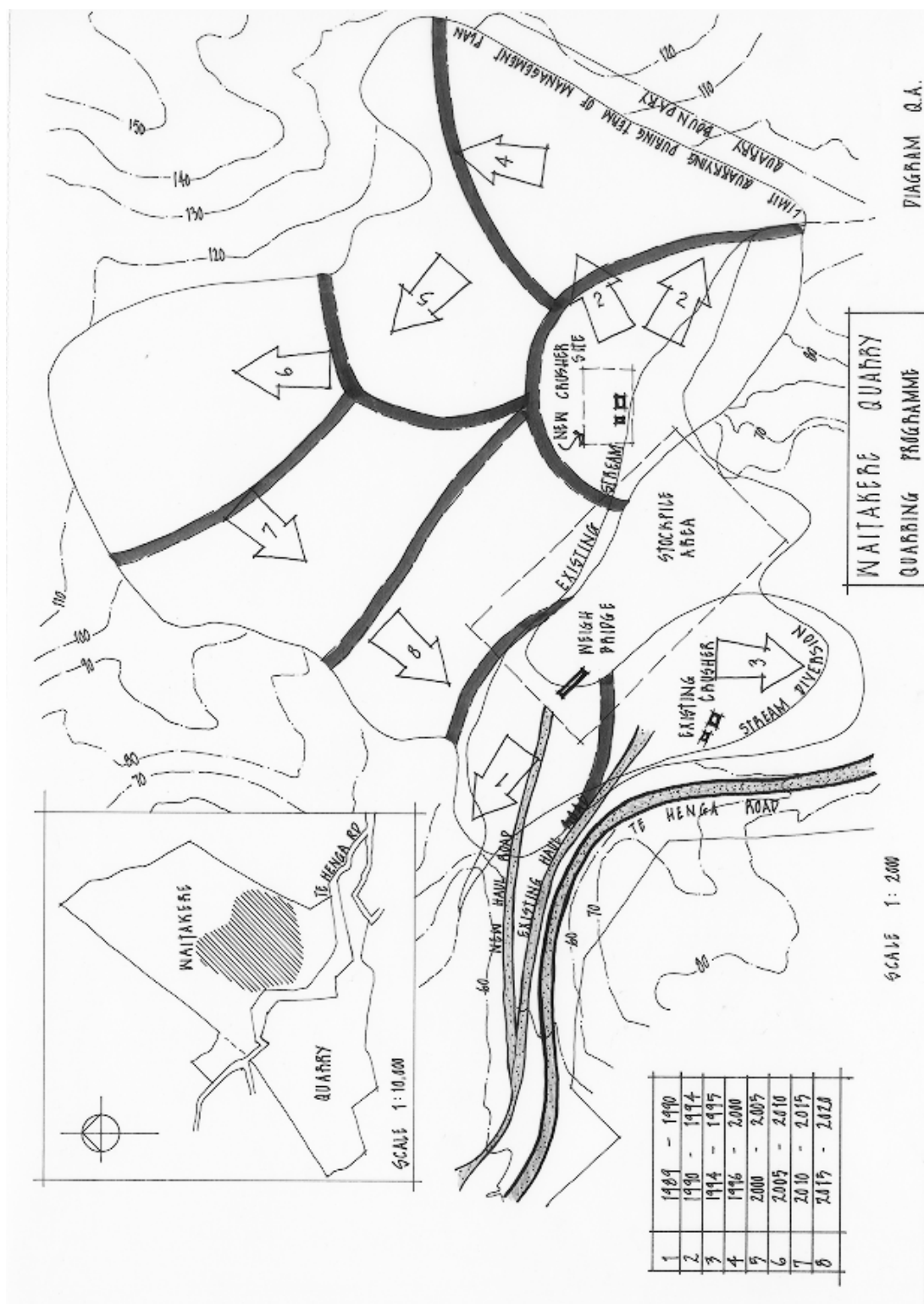
special areas

RULE 13	QUARRY SPECIAL AREA
<p><b>13.2 Other Rules Applying</b></p> <p>The following rules of the <i>Plan</i> shall apply to <i>Any Activity</i>.</p> <ul style="list-style-type: none"><li>• All relevant City-Wide Rules</li><li>• Subdivision Rules 1 &amp; 2 General Rules 1 &amp; 2 General</li></ul> <p><b>13.3 Non-Complying Activities</b></p> <p><i>Any Activity</i> which is not a <i>Permitted Activity</i> or a <i>Controlled Activity</i> or a <i>Limited Discretionary 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>	

special areas

RULE 13

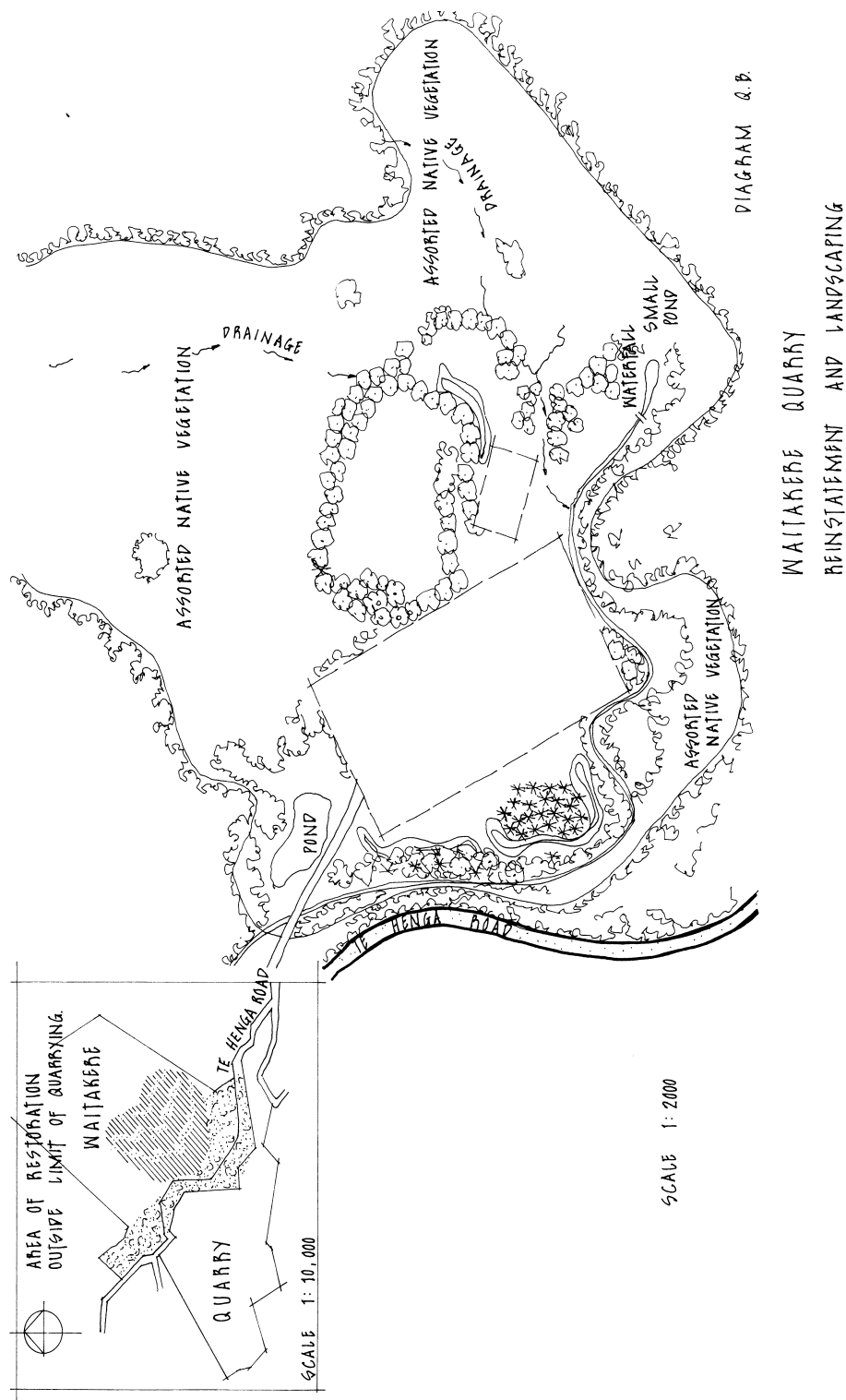
QUARRY SPECIAL AREA



special areas

RULE 13

QUARRY MANAGEMENT PLAN



special areas

## RULE 13 APPENDIX A

## QUARRY MANAGEMENT PLAN

### 13.4 Quarry Management Plan

Management of the *Quarry Special Area* will be undertaken in accordance with the following plans:

- Plan QA Quarry Programme
- Plan QB Reinstatement and *Landscape Treatment*

### 13.5 Crushed Stone Extraction

- (a) Crushed stone is to be extracted from the quarry in a staged procedure which includes removal of *vegetation*, stripping of overburden, drilling, blasting and transporting to crusher, excavating, crushing and processing, *screening*, stockpiling and delivery, and reinstatement of quarried areas.
- (b) Stripping of *vegetation* and removal of overburden will be generally carried out annually during the summer months and limited in area to that sufficient to allow extraction of crushed stone for the next years production.
- (c) The overburden material is to be placed in quarried areas and contoured to allow for the permanent reinstatement of *vegetation* and *landscape treatment*. Silt control over the stripped areas is to be in accordance with Auckland Regional Council requirements.
- (d) Rock is to be quarried by means of blasting, which shall take place within 30 minutes of noon with necessary safety precautions and with the provisions of Quarry Special Area Rules 13.1 (b) and 13.1(c). Blasting shall be preceded by a warning siren. Blasting of the face is to be generally carried out no more than once weekly.
- (e) Reviews of blasting technique shall be carried out and further modifications made when appropriate. Only one quarry face shall be worked at one time, orientated whenever possible to minimise noise, *dust* and visual impact on areas outside the *Quarry Special Area*.

### 13.6 Projected Volume of Crushed Stone Extraction

- (a) The projected volume of crushed stone to be extracted is forecast to continue at an average rate of 120,000 cu.m. pa and shall have an upper limit of 150,000m<sup>3</sup> per annum in any one year.

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## RULE 13 APPENDIX A

## QUARRY MANAGEMENT PLAN

### 13.7 Sequence for Crushed Stone Removal

- (a) Plan QA indicates the proposed sequence for crushed stone removal from the quarry, and the approximate time zones for quarrying. The proposed sequence shall be:
  - (i) relocated existing silt pond to the quarry floor and continue quarrying to the north west through the narrow valley.
  - (ii) Realign the stream from alongside the quarry to a new alignment through the quarry floor.
  - (iii) Quarry in a north easterly direction until sufficient areas have been excavated to allow relocation of the crushing plant.
  - (iv) Quarry out the area previously beneath the crushing plant. This is to be accomplished as soon as possible, consistent with the sound management and operation of the quarry.
  - (v) Relocate the weighbridge and stock pile area onto the quarry floor.
  - (vi) Continue quarrying to the east and north, swinging around to the west and south in the pattern shown.
- (b) Before an area extending in depth 50m from the boundary with the Karanga Camp is to be subject of any quarrying activity, the quarry operator shall first establish by appropriate engineering techniques that the underlying rock resource is of an extent and quality to warrant extraction, paying due regard to the environmental losses that will follow the removal of *vegetation* to permit quarrying to proceed. A certificate from an appropriate qualified person shall be required in respect of this standard.
- (c) A low earth bund is to be constructed alongside and partly encircling the new crusher location, and *planted* to provide a visual barrier and noise shield to protect neighbouring sites.
- (d) The stockpile area is to be relocated as part of the medium term operation and the existing stockpile area revegetated with the objective of removing from public view all areas of the quarry operation.

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RULE 13 APPENDIX A

QUARRY MANAGEMENT PLAN

13.8 Sequence for Backfilling

- (a) The strategy for extracting the mineral resource will result in a lowering of the quarry floor. The overburden stripped from the next section to be quarried is to be used for backfilling of the previously quarried area.

The backfilling sequence will thus be the same as the quarrying sequence shown of the Plan QA.

13.9 Hours of Operation

Quarrying shall be limited to the hours 7.00 am to 5.30 pm, Monday to Friday, excluding Public Holidays. Normal maintenance may be carried out Monday to Saturday, 7.00 am to 5.30 pm and in emergencies on Sundays.

13.10 Noise Control

- (a) In respect of an alleged breach of a rule relating to noise, the Council’s response will be immediate. Appropriate action, within the Council’s legal ability, will be taken to bring noise levels within the required standards as soon as possible. If necessary, an abatement notice will be issued or an application made for an enforcement order or an interim enforcement order. Prosecution action may be initiated by the Council in these cases.
- (b) In the event that the Council’s acoustical engineer’s opinion is not accepted by the quarry operator or any resident or residents, Council will seek a further report on that matter from the Department of Health, Audiology Division, Auckland, or its equivalent. The quarry operator shall act upon the recommendations of the Department in relation to any attenuation measures *designed* to achieve an appropriate degree of amelioration in relation to proven noise nuisances that are found to be arising from quarry operations.

NOTE: Noise control will include, among other things, the use of efficient noise suppression equipment on engines.

13.11 Vehicle Movements

- (a) Truck movements shall generally not exceed 60 truck loads (carrying approximately 500m<sup>3</sup>) per day over the operating year.

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## RULE 13 APPENDIX A

## QUARRY MANAGEMENT PLAN

- (b) Trucks are to generally travel from the quarry along Te Henga Road, Bethells Road and Scenic Drive/Swanson Road.

### 13.12 Retention of Areas of Native Vegetation

Plan QA indicates the proposed extent of quarrying during the term of this Management Plan, and the extent of the *land* zoned for quarry purposes. During the quarrying operations the area defined for quarrying shall be progressively stripped, quarried and reinstated. Outside these limits the existing *vegetation* cover shall be retained.

### 13.13 Screening

- (a) The previously quarried areas on either side of the relocated Te Henga Road shall be reshaped and *planted* with *native* trees. This work shall continue and when complete shall screen the major part of the quarry operation from *public places* and *adjoining sites*.
- (b) The crusher shall be *screened* by a bund of overburden or equivalent to *screen* the crusher as much as possible from Steam Hauler Track, the Karanga Camp and nearby residential areas.
- (c) The crusher shall be *screened* by a bund of overburden or equivalent to *screen* the crusher as much as possible from Steam Hauler Track, the Karanga Camp and nearby residential areas.
- (d) The area formerly occupied by the crusher, once quarried, shall be utilised for relocation of the stockpile area and weighbridge.

### 13.14 Landscape Treatment

- (a) *Landscape treatment*, including wherever possible, reinstatement of *native vegetation*, shall proceed in accordance with Plan QB including:
  - (i) Replanting of the existing overburden beside the Te Henga Road.
  - (ii) Replanting of the existing stockpile area upon relocation of the stockpile to the existing quarry floor.
  - (iii) Progressive replanting of the quarried area upon completion of overburden deposition in each location.
- (b) The *landscape treatment* shall include retopsoiling and replanting in *native vegetation* to:

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## RULE 13 APPENDIX A

## QUARRY MANAGEMENT PLAN

- (i) cover exposed surfaces to prevent erosion and wind blown *dust*.
- (ii) cover exposed surfaces to prevent the invasion of tough weed species (e.g. wattle, pampas) and to provide a suitable *environment* for the regeneration of *native vegetation*.
- (iii) replanting of selected *native* species amongst the ground cover to facilitate *native vegetation* regeneration.

### 13.15 Water Quality

- (a) A silt trap shall be formed and maintained on the quarry floor. The crusher shall have new bunds built around it when it is relocated. At this stage a new silt trap shall be built for the crusher.
- (b) Quarry operations shall be carried out in such a way as to ensure that silt and any *hazardous* substances from the quarry does not enter the stream, even in conditions of heavy rain and flooding, and in accordance with any resource consent issued by the Auckland Regional Council.

### 13.16 Consultative Committee


That Council shall maintain a consultative committee to liaise with local residents on matters affecting future operations of the *Quarry Special Area*. This Committee is to include at least one Council nominee, one quarry operator's nominee and two resident nominees and shall meet at predetermined times, at least quarterly. Residents and the Council shall give notice at east one week before the nominated time for any meeting of any items that are to be placed on an agenda for discussion.

### 13.17 Dust Control

The quarry operator shall take all measures reasonably necessary to suppress *dust* generated from the quarry operations including:

- (a) all haul *roads* from the weighbridge to the *road* shall be sealed
- (b) fixed water sprays on all *dust* generating sources from crushing and screening plants. The crusher shall not be operable when there is no water.
- (c) avoid overburden stripping in excessively dry and windy conditions

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RULE 13 APPENDIX A	QUARRY MANAGEMENT PLAN
<p>(d) use of <i>dust</i> collection devises on drilling equipment</p> <p>(e) all haul <i>roads</i> leading between the quarry face, the crusher and the crushed stone stockpile and around the stockpile itself shall be sprayed with water to be kept moist during cartage operations</p> <p>(f) during overburden stripping operations the haul <i>roads</i> being used and the immediate dump area shall be kept damp.</p>	

*special areas*

RULE 14

BIRDWOOD SPECIAL AREA

RULES

14.0 General

*Any Activity* in the *Birdwood Special Area* shall be subject to the rules relating to the *Foothills Environment* including relevant *City-Wide Rules* and *Subdivision Rules*.

Note: See also Policies 11.23  
(Policy Section of the Waitakere District Plan)

## RULES

### 15.0 General

The following rules apply to *Any Activity* on land situated in the *Lincoln Centre Special Area*.

### 15.1 Permitted Activities

The following are *Permitted Activities*:

- *Any Activity* which is a *Permitted Activity* in the *Lincoln Working Environment* except the construction of any new *building*;
- Any *Lincoln Centre Activity*.

### 15.2 Controlled Activities

The following are *Controlled Activities*:

- *Any Activity* which is a *Controlled Activity* in the *Lincoln Working Environment*;
- the *construction* of a new *building*.

Assessment of *Controlled Activity* applications will be limited to matters of number of household units, *building coverage*, *bulk* and location, *car parking* and *driveways*, *design*, *screening* and *landscape treatment*, and will be assessed having regard to the Assessment Criteria 15(a) - 15(f).

### 15.3 Limited Discretionary Activity

The following are *Limited Discretionary Activities*:

- *Any Activity* which is a *Limited Discretionary Activity* in the *Lincoln Working Environment*.

Assessment of *Limited Discretionary Activity* applications will be limited to matters of number of household units, *building coverage*, *bulk* and location, *car parking* and *driveways*, *design*, *screening* and *landscape*

## ASSESSMENT CRITERIA

### 15(a)

The extent to which *buildings*, *driveways*, *car parking* and other *development* are of a *size*, location, scale and *design* which complements the character of the existing *buildings* on the *site*.

### 15(b)

The extent to which *buildings* avoid adverse *effects* on **neighbourhood character** and **amenity values**

### 15(c)

The extent to which *driveways*, *car parking* and *road* access provides for safe and efficient provision for motor vehicles.

### 15(d)

The extent to which any proposal for *Residential Activity* meets those criteria outlined in the “Medium Density Housing Criteria” section of this *Plan*.

### 15(e)

The extent to which *development* promotes a safe *environment* for pedestrians, including adequate lighting and appropriate location and *design* of entrances.

### 15(f)

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 Policy 1.2, 1.3, 4.7, 10.27, 11.17, 11.17(a), 11.17(b), 11.17(d), 11.23

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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*. For a definition of *Lincoln Centre Activities* see Rule 1.2 of this section.
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 15

## LINCOLN CENTRE SPECIAL AREA

*treatment* and will be assessed having regard to Assessment Criteria 15(a) - 15(f).

### 15.4 Discretionary Activities

The following are *Discretionary Activities*:

- *Any Activity* which is a *Discretionary Activity* in the *Lincoln Working Environment*

*Discretionary Activity* applications will be assessed having regard to Assessment Criteria 15(a) - 15(f) and any other relevant matter under section 104 of the *Act*.

### 15.5 Non-Complying Activities

*Any Activity* which is not a *Permitted Activity* or a *Controlled 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. Conditions may include any one or more of the following matters:

- requiring alterations to the *design* and/or location
- requiring the provision of a *landscape treatment* plan and implementation of that plan within a given time
- limiting the scale of *development*
- the imposition of a *bond* to ensure satisfaction of conditions of consent
- requiring *financial contributions* in accordance with the *Plan*
- requiring *on-site* or *off-site* works and services to avoid, remedy, mitigate or offset adverse *effects*
- such other matters provided for in section 108 of the *Act*.

Provided that, in the case of *Controlled Activities* 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 16

## WAIATARUA PARKLANDS LARGE PROPERTY MANAGEMENT AREA

### RULES

#### 16.0 General

The following Rules apply to *subdivision* on land situated in *Large Property Management Area (1)*.

#### 16.1 Limited Discretionary Activity

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

- Any *subdivision* which creates the same or a lesser number of *sites* generally coinciding with the location of proposed lot boundaries shown on the “Waatarua Parklands” Concept Plan included in this *Plan* as *Large Property Management Area (1)* provided that on any *subdivision* a reserve is vested as shown on that concept plan pursuant to the Reserves Act 1977 and that any Protection and Enhancement Areas shown on the “Waatarua Parklands” Concept Plan shall have required *planting* established prior to the issue of a certificate under section 224 of the *Act* and be protected by way of a covenant, encumbrance or *consent notice*.

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

- the *design*, location, *construction* and alignment of roads and *driveways*;
- the *design*, scale and location of *proposed sites*;
- provision for *landscape treatment*;
- provision for protection and **enhancement** of *vegetation* and other *natural features* including *fencing* and/or legal protection;

#### NOTES

- To the extent that the Rule 16 conflicts with the *Human Environment Rules*, then Rule 16 shall prevail. All other rules shall apply.
- 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.
- 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*.
- Words in *italics* are defined - see the Definitions part of the *City-Wide Rules*. For a definition of *Lincoln Centre Activities* see Rule 1.2 of this section.
- Words in **bold** are explained - see the Explanations part of the Introduction to the Rules.
- The Council may have a guideline to help interpret this rule - check at the Council Offices.
- For *resource consents* see the Information Requirements in the *City-Wide Rules*.

Note: See also Policies 1.1, 1.16, 2.1, 11.23  
(Policy Section of the Waitakere District Plan)

- the location, *design* and *construction* of *infrastructure*; and will be considered in accordance with Assessment Criteria 11(a)-11(f) of the *Subdivision Rules*, Rule 11 - *Waitakere Ranges Environment*.

### 16.2 Discretionary Activities

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

- Any *subdivision* not meeting the standards in Rule 2.1 (a) where the *subdivision* creates lot boundaries which differ significantly from those shown on the “Waiatarua Parklands” Concept Plan in this *Plan*, provided that the overall density of lots shall not exceed that shown on the concept plan pursuant to the Reserves Act 1977 and that any Protection and **Enhancement** Areas shown on the “Waiatarua Parklands” Concept Plan have required *planting* established prior to the issue of a certificate under section 224 of the *Act* and are protected by way of a covenant, encumbrance or *consent notice*.

*Discretionary Activity* applications will be assessed in accordance with Assessment Criteria 11(a) - 11(f) of the Subdivision Rules, Rule 11 - *Waitakere Ranges Environment* and any other relevant matters under section 104 of the *Act*.

### 16.3 Non-Complying Activities

Any *subdivision* to which these rules apply which is not 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 17

## WAINAMU LARGE PROPERTY MANAGEMENT AREA

### RULES

#### 17.0 General

The following rules shall apply to *Any Activity* and *Subdivision* on *land* situated in *Large Property Management Area* (2).

#### 17.1 Permitted Activities

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

- (a) Wainamu Activities
- (b) *Buildings* having a *building coverage* of no more than 15% of the *net site area* or 300m<sup>2</sup> whichever is the lesser.

#### 17.2 Controlled Activities

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

- *Forestry* provided that it is located in the areas nominated on the Wainamu Concept Plan: Large Property Management Area 2.

Assessment of *Controlled Activity* applications will be limited to matters of **amenity values** and **neighbourhood character**, the natural functioning of water courses, landscape, fire safety, protection of **mauri** and *sites* of significance to *whi* and any other relevant matters under section 104 of the *Act*, and will be considered in accordance with Assessment Criteria 17(a)-(h).

#### 17.3 Limited Discretionary Activities

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

#### NOTES

1. To the extent that the Rule 17 conflicts with the *Human Environment* Rules, then Rule 17 shall prevail. All other rules shall apply.
2. Traffic Generation Rule 8 of the *Waitakere Ranges Environment* applies to this *Special Area*.
3. 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.
4. Activities must comply with all other relevant rules of the *Plan* or be the subject of a *resource consent*.
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. For *resource consents* see the Information Requirements in the *City-Wide Rules*.

### ASSESSMENT CRITERIA

#### 17(a)

The extent to which the proposed *development* will adversely affect *sensitive ridgelines*, **amenity values** and **neighbourhood character**.

#### 17(b)

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

#### 17(c)

The extent to which the activity adversely affects or contributes to the degradation of the water table or of natural water courses in a way that destroys or reduces their ability to support instream *vegetation* and fauna or be used as a healthy food source.

#### 17(d)

The extent to which adequate provision is made for fire safety.

#### 17(e)

The extent to which the proposed *development* adversely affects the **mauri** (life force) of *native vegetation* and fauna habitat within the *Green Network*.

#### 17(f)

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

#### 17(g)

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*.

#### 17(h)

A management plan is to be submitted with any application to establish *vegetation* for *forestry* purposes. The management plan should include the following:

- location and dimensions of areas proposed for production planting;
- location and extent of any *archaeological sites* or historic *sites* within the areas proposed for *planting* and how those *sites* will be protected;
- anticipated date(s) and time period(s) of harvesting;
- estimated volumes of timber produced and intended methods of transport of harvested timber for milling;

special areas

## RULE 17

## WAINAMU LARGE PROPERTY MANAGEMENT AREA

- (a) the siting of a new *dwelling* in a position not in accordance with that shown on the Wainamu Concept Plan;
- (b) any *minor household unit*;
- (c) *buildings* having a *building coverage* not meeting the standards in Rule 17.1(b), provided that *building coverage* does not exceed 15% of the *net site area*.

Assessment of *Limited Discretionary Activity* applications will be limited to matters of location in relation to the protection of *sensitive ridges* and provision for *landscape treatment* and will be considered in accordance with Assessment Criteria 17(a)-17(m) of this Rule in respect of Rules 17.3(a) and (b) and Assessment Criteria 6(a)-(6)c in Rule 6 - *Waitakere Ranges Environment* in respect of Rule 17.3(c).

- (d) *subdivisions* where any *subdivision* creates *sites* generally coinciding with the location of proposed lot boundaries shown on the Wainamu Concept Plan: Large Property Management Area 2 provided that the Streamside Enhancement Area shown on the Wainamu Concept Plan: Large Property Management Area 2 has manuka and/or flax planted or seeded prior to the issue of a certificate under section 224 of the *Act* that the Wetland Protection Area shown on the Wainamu Concept Plan is made permanently inaccessible to stock by the erection of a stock barrier in the position shown on the Wainamu Concept Plan: Large Property Management Area 2.

Assessment of *Limited Discretionary Activity* applications will be limited to matters of the *design*, location and *construction* of *driveways*; the *design*, scale and location of proposed *sites*; provision for *landscaping treatment*; provision for protection and **enhancement** of *vegetation* and other *natural features* including *fencing* and/or legal protection; drainage works and other *infrastructure* works and access between *road* carriageways and individual *sites*, and will be assessed in accordance with Assessment Criteria 11(a)-11(f) of the *Subdivision Rules* - Rule 11 *Waitakere Ranges Environment*, and where relevant, Assessment Criteria 17(a)-17(m) of this Rule.

- the likely demands placed on *roads* through the transportation of harvested timber;
- details of an appropriate rehabilitation programme for the area to be subject to *forestry* activities;
- the species to be used;
- the method of management to be used.

**17(i)**

The extent to which the *dwelling* or *minor household unit* and associated *development* detracts from the amenity values and the natural landscape.

**17(j)**

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

**17(k)**

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

**17(l)**

The extent to which adequate *wastewater treatment and disposal systems* and *stormwater treatment and disposals systems* are provided for the *dwelling* or *minor household unit* and associated *development*.

**17(m)**

The extent to which adequate provision is made to ensure that there will be no separation by way of *subdivision* of a *minor household unit* from the main *dwelling*.

Note: See also Policies 1.1, 1.16, 2.1, 11.23  
(Policy Section of the Waitakere District Plan)

#### 17.4 Discretionary Activities

*Subdivision* meeting the following Performance Standard is a *Discretionary Activity*:

- Any *subdivision* not meeting the standards in Rule 17.3(d) where the *subdivision* creates the same number of *sites* as that shown on the Wainamu Concept Plan: Large Property Management Area 2, provided that the Streamside Enhancement Area shown on the Wainamu Concept Plan: Large Property Management Area 2 has manuka and/or flax planted or seeded prior to the issue of a certificate under section 224 of the *Act* and that the Wetland Protection Area shown on the Wainamu Concept Plan is made permanently inaccessible to stock by the erection of a stock barrier in the position shown on the Wainamu Concept Plan: Large Property Management Area 2.

*Discretionary Activity* applications will be assessed in accordance with, where relevant, Assessment Criteria 17(a)-17(m) of this Rule, 11(a)-11(f) of the Subdivision Rules - Rule 11 *Waitakere Ranges Environment* and any other relevant matters under section 104 of the *Act*.

#### 17.5 Non-Complying Activities

Any *Activity* and any *subdivision* which is not a *Permitted Activity* or a *Controlled 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*, the Council may impose conditions. The conditions may include any one or more of the following matters, and relevant *resource consent* conditions set out in Rule 11 *Waitakere Ranges Environment*:

- requiring provision of *planting* and *screening*
- requiring alteration in the *design* of the *building*
- specifying *building* colour
- requiring the provision of or alteration to *non-reflective surfaces*
- requiring alteration in the location of the *building*
- restricting the amount of *earthworks*
- limiting the extent of the *forestry*
- specifying the location of the *forestry*
- specifying the methods by which any aspect of the operation is carried out
- limiting the hours of operation of harvesting activities
- requiring provision for the maintenance of *roads* giving access to the *site*
- 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
- requiring a *bond* to cover satisfaction of conditions of consent
- requiring registration of the *forestry* on the Land Information Memorandum System
- such other matters provided for in section 108 of the *Act*.

## RULE 18

## TE HENGA LARGE PROPERTY MANAGEMENT AREA

## RULES

**18.0 General**

The following rules shall apply to *Any Activity* and *subdivision* on *land* situated in the *Large Property Management Area* (3).

**18.1 Permitted Activities**

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

- (a) Te Henga Activities
- (b) *Buildings* having a *building coverage* of no more than 15% of the *net site area* or 350m<sup>2</sup> whichever is the lesser provided that no single *building* may exceed a coverage of 300m<sup>2</sup>.

**18.2 Limited Discretionary Activities**

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

- (a) the siting of a new *dwelling* in a position not in accordance with that shown on the Te Henga Concept Plan.

Assessment of *Limited Discretionary Activity* applications will be limited to matters of location in relation to the protection of *sensitive ridges* and provision for *landscape treatment* and will be considered in accordance with Assessment Criteria 2(a)-(d) in Rule 2 - *Waitakere Ranges Environment*.

- (b) *Subdivisions*, where any *subdivision* create(s) *sites* generally coinciding with the location of proposed *lot* boundaries shown on the Te Henga Concept Plan provided that the

## RESOURCE CONSENT CONDITIONS

In granting a *resource consent*, the Council may impose conditions. The conditions may include any one or more of the following matters, and relevant resource consent conditions set out in Rule 11 *Waitakere Ranges Environment*:

- requiring provision of *planting* or *screening*
- requiring alteration in the *design* of the *building*
- specifying *building* colour
- requiring the provision of or alteration to *non-reflective surfaces*
- requiring alteration in the location of the *building*
- restricting the amount of *earthworks*
- limiting the extent of the *forestry*
- specifying the methods by which any aspect of the operation is carried out
- limiting the hours of operation of harvesting activities
- 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
- requiring a *bond* to cover satisfaction of conditions of consent
- requiring registration of the *forestry* on the Land Information Memorandum System
- such other matters provided for in section 108 of the *Act*.

Note: See also Policies 1.1, 1.16, 2.1, 11.23  
(Policy Section of the Waitakere District Plan)

## NOTES

1. To the extent that the Rule 18 conflicts with the *Human Environment*, *Natural Area* or *Subdivision* Rules, then Rule 18 shall prevail. All other rules shall apply.
2. 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.
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, 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*. For a definition of *Te Henga Activities* see Rule 1.2 of this section.
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*.

Lakeside Enhancement Area shown on the Te Henga Concept Plan has required planting established prior to the issue of a certificate under section 224 of the *Act*.

Assessment of *Limited Discretionary Activity* applications will be limited to matters of the *design*, location and *construction* of *drivenways*; the *design*, scale and location of proposed sites; provision for *landscaping treatment*; provision for protection and **enhancement** of *vegetation* and other *natural features* including *fencing* and/or legal protection; drainage works and other *infrastructure* works and access between *road carriageways* and individual *sites*, and will be assessed in accordance with Assessment Criteria 11(a)-11(f) of the Subdivision Rules - Rule 11 *Waitakere Ranges Environment*.

### 18.3 Discretionary Activities

Subdivisions meeting the following Performance Standard are *Discretionary Activities*.

- (a) Any *subdivision* not meeting the standards in Rule 2.1(a) where the *subdivision* creates the same or a lesser number of *sites* as that shown on the Te Henga Concept Plan, provided that the Lakeside Enhancement Area shown on the Te Henga Concept Plan has required *planting* established prior to the issue of a certificate under section 224 of the *Act*.

*Discretionary Activity* applications will be assessed in accordance with Assessment Criteria 11(a)-11(f) of the *Subdivision Rules* - Rule 11 *Waitakere Ranges Environment* and any other relevant matters under section 104 of the *Act*.

### 18.4 Non-Complying Activities

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

## RULE 19

## BTHELLS LARGE PROPERTY MANAGEMENT AREA

### RULES

#### 19.0 General

The following rules shall apply to *Any Activity* on *land* situated in *Large Property Management Area (4)*.

#### 19.1 Permitted Activities

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

- (a) Bethells Activities
- (b) *Vegetation alteration* within those areas nominated on the concept plan for grazing, horticulture, viticulture, *buildings*, *forestry* and farm forestry.

#### 19.2 Residential Activities/Density

##### 19.2.1 Controlled Activities

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

- five additional *dwellings* where the *dwellings* are sited in a position more or less in accordance with that shown on the Bethells concept plan.

Assessment of *Controlled Activity* applications will be limited to matters of visual impact, *landscape treatment*, *design*, appearance, colour, and sewage/stormwater management, and will be assessed in accordance with Assessment Criteria 19(a)-(f).

##### 19.2.2 Limited Discretionary Activities

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

#### NOTES

1. To the extent that Rule 19 conflicts with the *Human Environment*, *Natural Area* and *Subdivision Rules*, then Rule 19 shall prevail. All other rules shall apply.
2. 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.
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*, 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*. For a definition of *Bethells Activities* see Rule 1.2 of this section.
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*.

### ASSESSMENT CRITERIA

#### 19(a)

The extent to which *buildings* are visible, particularly from a public place such as a *road* or beach

#### 19(b)

The extent to which *buildings* compromise the visual landscape qualities of the area

#### 19(c)

The extent to which the proposed *development* will adversely affect **amenity values** and **neighbourhood character**

#### 19(d)

The extent to which *buildings* are of a colour and reflectively compatible with **amenity values** and the *natural landscape*, particularly as viewed from beyond the *site*, from *roads* and other *public places*

#### 19(e)

The extent to which the *building* is or may be *screened*

#### 19(f)

The extent to which the *building* creates pressure on the ability of the surrounding natural *environment* to adequately absorb the *effects* of wastewater disposal and stormwater drainage

#### 19(g)

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

#### 19(h)

The extent to which the activity adversely affects or contributes to the degradation of the water table or of natural water courses in a way that destroys or reduces their ability to support instream *vegetation* and fauna

#### 19(i)

The extent to which adequate provision is made for fire safety

#### 19(j)

The extent to which the proposed *development* adversely affects the **mauri** (life force) of *native vegetation* and fauna habitat within the *Green Network*

- Any *dwelling* which is sited in a position not in accordance with that shown on the Bethells concept plan.

Assessment of *Limited Discretionary Activities* will be limited to matters of visual impact, *landscape treatment, design*, location, appearance, colour and sewage/stormwater management and will be assessed in accordance with Assessment Criteria 19(a)-19(f).

### 19.3 Building Coverage

#### 19.3.1 Controlled Activities

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

- New *buildings* having a total *building coverage* of no more than 2,100m<sup>2</sup>, provided that no single *building* may exceed a coverage of 300m<sup>2</sup>.

Assessment of *Controlled Activity* applications will be limited to matters of *building coverage*, building bulk, *screening, landscape treatment*, and sewage/stormwater management, and will be assessed in accordance with Assessment Criteria 19(a)-19(f).

#### 19.3.2 Discretionary Activities

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

- New *buildings* having a total *building coverage* of no more than 3,500m<sup>2</sup>, provided that no single *building* may exceed a coverage of 500m<sup>2</sup>.

*Discretionary Activity* applications will be assessed in accordance with Assessment Criteria 19(a)-19(f) and any other relevant matters under section 104 of the *Act*.

### 19.4 Non-Residential Activities

#### 19.4.1 Controlled Activities

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

- A recording studio and *dwelling* located in the same *building*, sited in a position more or less in accordance with that shown on the Bethells concept plan.
- An implement shed sited in a position more or less in accordance with that shown on the Bethells concept plan.

Assessment of *Controlled Activity* applications will be limited to matters of visual impact, *landscape treatment, design*, appearance, colour and sewage/

#### 19(k)

The extent to which the activity adversely affects the historical, cultural or spiritual significance of any *site* or *maahi tapu* of significance to *whānau*

#### 19(l)

The extent to which more than minor adverse *effects* can be adequately avoided, remedied, mitigated or offset through provision of works and services on or off the site and/or through payment or provision of a *financial contribution*

#### 19(m)

A management plan is to be submitted with any application to establish *vegetation* for *forestry* purposes. The management plan should include the following:

- location and dimensions of areas proposed for production *planting*;
- location and extent of any *archaeological sites* or historic *sites* within the areas proposed for *planting* and how those *sites* will be protected;
- measures to be used to protect any areas of *native vegetation*;
- methods to be used to prevent erosion during any *planting* or harvesting work;
- the time period over which any *planting* will take place;
- measures to be used to protect water flow and quality of any **water bodies** or *wetlands* in the vicinity;
- methods to be employed to inhibit the spread of fire within and in the vicinity of the area to be forested;
- likely methods to be employed in harvesting operations;
- anticipated date(s) and time period(s) of harvesting;
- estimated volumes of timber produced and intended methods of transport of harvested timber for milling;
- the likely demands placed on *roads* through the transportation of harvested timber;
- details of an appropriate rehabilitation programme for the area to be subject to *forestry* activities;
- the species to be used;
- the method of management to be used.

## RULE 19

## BETHELLS LARGE PROPERTY MANAGEMENT AREA

stormwater management, and will be assessed in accordance with Assessment Criteria 19(a)-19(f)

#### 19.4.2 Limited Discretionary Activities

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

- Any *building* erected for a purpose which is a *Controlled Activity* which is sited in a position not in accordance with that shown on the Bethells concept plan.

Assessment of *Limited Discretionary Activities* will be limited to matters of visual impact, *landscape treatment, design*, appearance, colour and sewage/stormwater management, and will be assessed in accordance with Assessment Criteria 19(a)-19(f)

#### 19.4.3 Discretionary Activities

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

- A cafe or restaurant
- visitor facilities

*Discretionary Activity* applications will be assessed in accordance with Assessment Criteria 19(a)-(f)

### 19.5 The Establishment of Forestry and Farm Forestry Activities

#### 19.5.1 Limited Discretionary Activities

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

- The establishment of *forestry* and farm forestry provided that it is located in the areas nominated on the Bethells Concept Plan for this purpose.

Assessment of *Limited Discretionary Activity* applications will be limited to matters of **amenity values** and neighbourhood character, the natural functioning of water courses, landscape, fire **safety**, protection of **mauri** and sites of significance to *invi* and any other relevant matters under section 104 of the Act, and will be considered in accordance with Assessment Criteria 19(c) and (g)-(m).

#### 19.6 Non-Complying Activities

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

## ASSESSMENT CRITERIA

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

- requiring provision of *planting* or *screening*
- requiring alteration in the *design* of the *building*
- specifying *building* colour
- requiring the provision of or alteration to non-reflective surfaces
- requiring a bond to cover satisfaction of conditions of consent
- requiring alteration in the location of the *building*
- limiting the extent of the *forestry*
- specifying the location of the *forestry*
- specifying the methods by which any aspect of the operation is carried out
- limiting the hours of operation of *harvesting* activities
- requiring provision for the maintenance of *roads* giving access to the *site*
- requiring *onsite* or *offsite* works and services to avoid, remedy, mitigate or offset adverse *effects*
- the imposition of a charge to cover costs of monitoring
- requiring registration of the *forestry* on the Land Information Memorandum System
- such other matters provided for in section 108 of the *Act*.

Note: See also Policies 1.1, 1.16, 2.1, 11.23

6(Policy Section of the Waitakere District Plan)

## RULE 20

## WHENUAPAI SPECIAL AREA

### RULES

#### 20.0 General

The following rules shall apply to *Any Activity* on *land* situated in the *Whenuapai Special Area*.

The “Concept Plan” referred to in these rules is the Concept Plan for the *Whenuapai Special Area*.

#### 20.1 Permitted Activities

The following are *Permitted Activities*, subject to meeting the Performance Standards in Rule 20.4:

- (a) In Area A on the Concept Plan:
  - Any *Yard-based Activity*
  - *Any Activity* which is a *Permitted Activity* in the *Countryside Environment*
- (b) In Area B on the Concept Plan:
  - Any *Whenuapai Special Area activity* which is located in an existing *building* as at 1 July 2000 or in an extension to an existing *building* not exceeding 50m<sup>2</sup> in floorspace area
  - *Any Activity* which is a *Permitted Activity* in the *Countryside Environment*

#### 20.2 Controlled Activities

The following are *Controlled Activities*, subject to meeting the Performance Standards in Rule 20.4.

- (a) In Area B on the Concept Plan:
  - Any *Whenuapai Special Area Activity* not provided for as a *Permitted Activity*
  - Any *Yard-based Activity*

#### 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*. For a definition of *Marina Activities* see Rule 1.2 of this section.
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*.

### ASSESSMENT CRITERIA

#### 20(a)

The extent to which the scale of *buildings* creates adverse *effects* on **neighbourhood character**, **landscape character** and **amenity values**.

#### 20(b)

The extent to which the scale, *design* location and (where relevant) *height* of *buildings*, *car parking*, *loading spaces* and *driveways* dominate or intrude into the **privacy** of *adjoining sites*.

#### 20(c)

The extent to which *outdoor storage* detracts from the **visual amenity** enjoyed by residents of *adjoining sites*.

#### 20(d)

The extent to which areas of *open space* and *planting* are used to offset the visual impact of additional *building coverage*.

#### 20(e)

The extent to which any *subdivision* meets the assessment criteria applying to *subdivision* in the *Countryside Environment* (see Subdivision Rule 6).

#### 20(f)

The extent to which adequate provision is made for the *on-site* treatment and disposal of stormwater and wastewater.

#### 20(g)

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

(Policy Section of the Waitakere District Plan)

## RULE 20

## WHENUAPAI SPECIAL AREA

Assessment of *Controlled Activity* applications will be limited to matters of location, *design*, *landscape treatment* and provision of *infrastructure* and will be assessed having regard to Assessment Criteria 20(a) to 20(g).

### 20.3 Limited Discretionary Activities

The following are *Limited Discretionary Activities*, subject to meeting the Performance Standards in Rule 20.4 and the following Performance Standards.

In Area A on the Concept Plan

- Any *Whenuapai Special Area Activity*

Assessment of *Limited Discretionary Activity* applications will be limited to matters of location, *design*, *landscape treatment* and *construction* and will be assessed having regard to Assessment Criteria 20(a) to 20(g).

### 20.4 Performance Standards Relating to Permitted Activities, Controlled Activities and Limited Discretionary Activities

- (a) Maximum *Building Coverage* 35% of the *net site area*
- (b) Maximum *Building Height*
  - In Area A on the Concept Plan - 10 metres
  - In Area B on the Concept Plan - 15 metres; provided that 15% of the actual *building coverage* on the *site* may be occupied by a *building* to a *height* of not more than 20 metres where that *building* is required for the efficient operation of the activity and is not associated with advertising.
- (c) Yards
 

10 metre yard *setback* from all *site boundaries* provided that any *building* within 20 metres of a boundary with the Whenuapai School shall be *screened* from the school by a 5 metre wide *planted* buffer strip.
- (d) Landscape Treatment
 

10% of each *site* shall be landscaped in tress, shrubs or grass.
- (e) *Building and Site Design*

In Area A on the Concept Plan *buildings* shall have no less than 50% of the ground floor facade facing the *road* in *display space*.

## RESOURCE CONSENT CONDITIONS

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

- requiring alterations to *design* and/or location
- requiring the provision of a *landscape treatment* plan and implementation of that plan within a given time
- limiting the scale of *development*
- the imposition of a *bond* to ensure satisfaction of conditions of consent
- requiring *financial contributions* in accordance with the *Plan*
- requiring *on-site* or *off-site* works and services to avoid, remedy, mitigate or offset adverse *effects*
- such other matters provided for in section 108 of the *Act*.

Provided that in the case of *Controlled Activities* 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.

### 20.5 Discretionary Activities

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

- *Development* on any *site* not meeting the standards of Rule 20.4

*Discretionary Activity* applications will be assessed, as relevant, in accordance with Assessment Criteria 20(a)-20(g) and any other matter which is relevant under section 104 of the *Act*.

### 20.6 Other Rules Applying

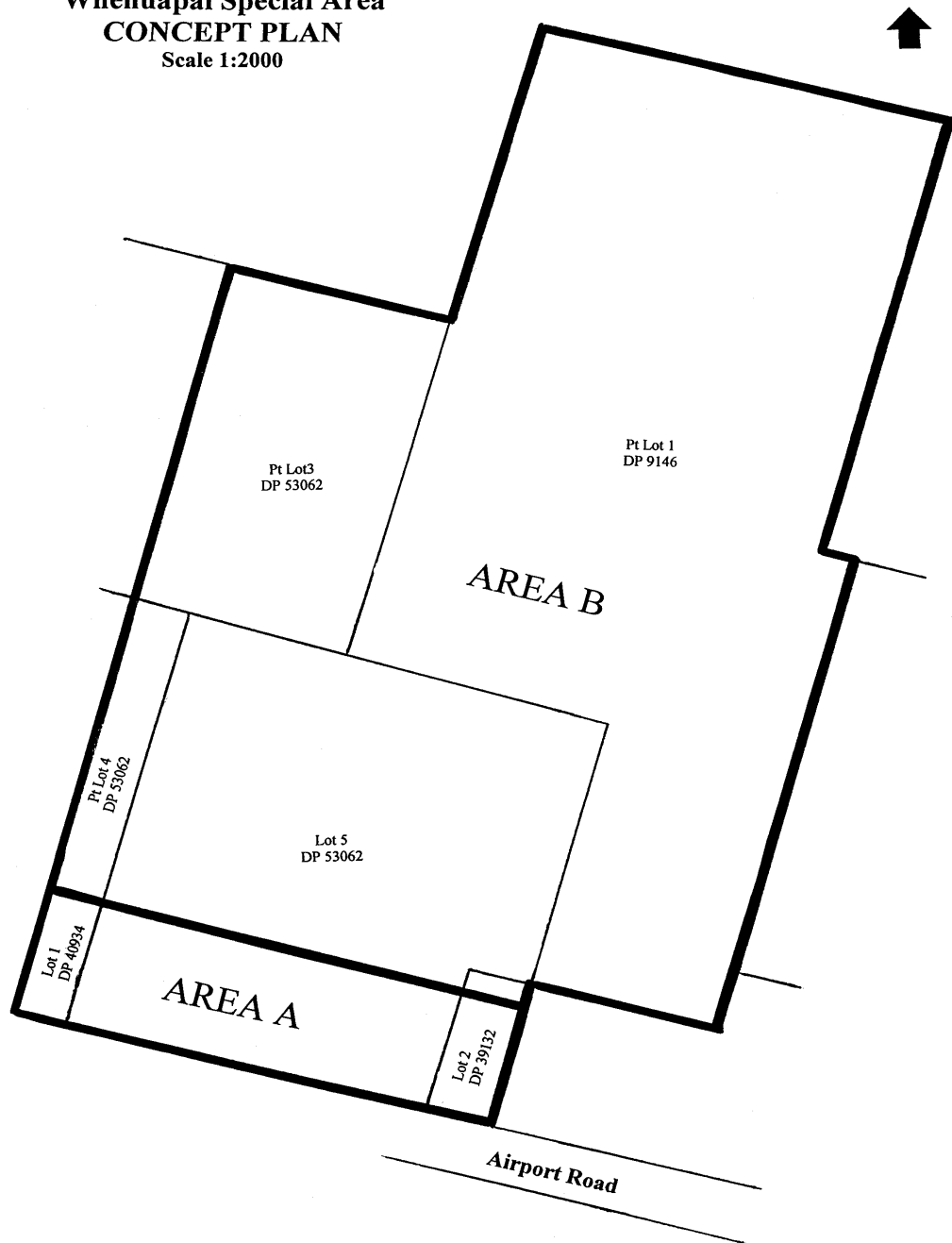
The following rules of the *Plan* shall apply to *Any Activity*:

- All relevant *City-Wide Rules*
- Working Environment  
Rule 2 Height in Relation to Boundaries
- Working Environment  
Rule 6 Air Discharges
- Working Environment  
Rule 8 Noise
- Working Environment  
Rule 9 Parking, Loading and Driveway Access
- Working Environment  
Rule 10 Odour, Glare and Vibration
- Working Environment  
Rule 1 Signs
- Working Environment  
Rule 12 Infrastructure
- Subdivisions  
Rule 1 and 2 General
- Subdivisions  
Rule 6 Countryside Environment

### 20.7 Non-Complying Activities

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

**Whenuapai Special Area  
CONCEPT PLAN**  
Scale 1:2000



*special areas*

## RULES

### 21.0 General

- (a) The following rules shall apply to *Any Activity* on land and the *subdivision* of land situated in the *Hobsonville Base Village Special Area*.
- (b) Where there is any conflict between the following rules and other rules in the *Plan*, the following rules shall prevail.
- (c) The City Wide Rule 2 Site Analysis shall not apply to the assessment of any Comprehensive Development Plan.
- (d) Where there is any conflict between the Auckland Regional Council Permit 27016 and the Natural Area Rules, the Auckland Regional Council permit shall prevail.

### 21.1 Permitted Activities

The following are *Permitted Activities*:-

- (a) *Filming Activities* in existing *buildings* erected prior to 1 January 2000, provided that there is no structural change affecting the external appearance of those existing *buildings*, and no need for new *infrastructure* to service the activity.
- (b) Any *residential activity* in a *building* established for a *residential activity* pursuant to Rules 21.2, 21.3 or 21.4.
- (c) *Home occupations* meeting the following performance standards:
  - (i) no more than 5 persons are engaged in the *home occupation*, at least one of whom resides on the *site*; and
  - (ii) the *home occupation* is carried out within an existing *building*; and
  - (iii) the *home occupation* does not involve traffic generation involving a *heavy traffic vehicle* exceeding two *vehicle movements* per week; and
  - (iv) 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 goods produced on site; and
  - (v) the *home occupation*, apart from the parking of one vehicle is screened from the *adjoining sites* and the road.

## ASSESSMENT CRITERIA

### General Criteria

- 21(a) The extent to which any proposed Comprehensive Development Plan has resulted from a process involving consultation with all landowners within that precinct and adjoining precincts (including within the *Hobsonville Marine Industry Special Area*), and which implements the Hobsonville Peninsula Urban Concept Plan and Hobsonville Peninsula Urban Concept Plan - Features, Policies 11.34 and 11.35 and the specific policies for each precinct as appropriate.
- 21(b) The extent to which any proposed development, *buildings* and activities implement the Hobsonville Peninsula Urban Concept Plan, the Hobsonville Peninsula Urban Concept Plan - Features, Policies 11.34 and 11.35 and the specific policies for each precinct as appropriate and the relevant Precinct Comprehensive Development Plan.
- 21(c) The extent to which *building design* themes established through design guidelines and other appropriate means will achieve:-
  - (i) a community that models sustainability, particularly the principles of passive solar design and walkable neighbourhoods;
  - (ii) a character and appearance that will ensure a high standard of amenity values and avoid conflicts between activities within the relevant precinct and between that precinct and other precincts;
  - (iii) in areas of containing existing airbase houses, hangers and other ex-airforce buildings, maintenance and enhancement of those features through comprehensive development planning and Heritage Management Plans, including achieving design integration with the intended surrounding development.
  - (iv) a consistent and attractive streetscape character;
  - (v) variations in building footprints, form and style rather than rows of buildings of the same footprint, form and style;

## RULE 21

## HOBSONVILLE BASE VILLAGE SPECIAL AREA

- (d) *Signs* which meet Rule 12 of the *Community Environment* rules in respect of any activity within a neighbourhood centre defined on a Comprehensive Development Plan approved pursuant to Rule 21.3(a), and in all other cases *signs* up to 0.1m<sup>2</sup> in *sign area*;
- (e) Grazing;
- (f) the *upgrading* of *infrastructure* which has received a *resource consent* under these rules, and is a *Permitted Activity* or has received a *resource consent* under the following rules:
  - (i) the General Noise Standards within the *City Wide Rules*;
  - (ii) the *Heritage Rules*;
  - (iii) the *Natural Area* within which the *site* is located;
  - (iv) odour, glare, *dust*, vibration, air discharges, *hazardous facilities* and *signs* rules applying to the *Human Environment* within which the *site* is located.

**21.2 Controlled Activities**

The following are *Controlled Activities*:-

- (1) Any new *building* or additions to a *building* solely intended for *residential activities*, provided that:
  - (i) The building complies with the relevant precinct Comprehensive Development Plan standards and conditions prepared and approved pursuant to Rule 21.3(a);
  - (ii) Connections are available to *infrastructure* approved in accordance with Rule 21.3(f);
  - (iii) The building complies with:
    - (a) *City-Wide Urban Design* Rule 1 when the *development* seeks approval for *Apartments*; or
    - (b) Where the activity does not include apartments Special Area Rule 21.5 applies
  - (iv) The activity complies with Rule 1.10 of the *City Wide Rules* - Residential Activities - Noise Attenuation
- (2) *Filming activities* where there is an approved Comprehensive Development Plan.

- (vi) the articulation of any *building* facades which are visible from *roads*;
- (vii) access by windows of habitable rooms to sunlight, daylight and outlook;
- (viii) the use of permeable fencing except where *Residential Activities* need clear separation from *Non-Residential Activities*;
- (ix) The incorporation of existing views and natural features around the *Hobsonville Base Village Special Area*, including the natural landscape qualities of the environment adjacent to the coastal esplanade reserve.

21(d) The extent to which *activities*, *buildings*, *driveways*, *car parking* and other *development* are of a *size*, *location scale* and *design* that will accommodate the proposed activity and complement the character of *buildings* and *development* of adjoining land, having regard to existing buildings and features, and the existing and potential use(s) of that adjoining land.

21(e) The extent to which redevelopment of, or additions and alterations to, existing *buildings* complement existing *development* having regard to:-

- (i) the heritage values of the *Hobsonville Base Village Special Area* (in which case a Heritage Management Plan shall be required);
- (ii) the architectural elements (including heritage elements) of the building which contribute to its character, such as cladding and fenestration;
- (iii) the visual appearance of the development from the road and reserves;
- (iv) **amenity values** and **neighbourhood character**.

21(f) The extent to which the character, scale and intensity of *Non-Residential Activities* are compatible with the **amenity values**, **neighbourhood character** and heritage values of the *Hobsonville Base Village Special Area* and adjoining areas.

21(g) The extent to which any *development* provides a good standard of ~~aural~~ amenity, appropriate hours of activity, traffic mitigation in relation to noise, odours and

- (3) Any new *building* or additions to a *building* intended for a *Mixed Use* or a non-residential activity, where the *building* complies with the relevant precinct Comprehensive Development Plan standards and conditions prepared and approved pursuant to Rule 21.3(a).

Assessment of *Controlled Activity* applications will be limited to matters of *design, construction*, location, provision to be made for transport systems and the integration of those systems with land use, health and safety and matters within Assessment Criteria 21(a) - 21 (bc), and relevant assessment criteria in the specified *City Wide Rules*.

### 21.3 Limited Discretionary Activities

The following are *Limited Discretionary Activities*:-

- (a) A Comprehensive Development Plan for any one or more of the following Precincts as shown on the Hobsonville Peninsula Urban Concept Plan provided that the specified General Standards (Rule 21.3(g)) and Precinct Standards (Rule 21.3(h)) and any relevant standards in the City-Wide Urban Design Rules - are satisfied, and provided further that any consent under this Rule shall be limited to the first Comprehensive Development Plan only in respect of each precinct (any further Comprehensive Development Plan or any amendment to a Comprehensive Development Plan shall be a Discretionary Activity pursuant to Rule 21.4):-
- (i) The Sunderland Head Precinct;
  - (ii) The Campus/Runway Park Precinct;
  - (iii) The Motorway Interchange Precinct;
  - (iv) The Hudson Bay Precinct;
  - (v) The Buckley Precinct;
  - (vi) The Triangle Precinct;
  - (vii) The Hobsonville Village Precinct;
  - (viii) The Base Housing Precinct.
- (b) Any *Mixed Use Activity*, provided that connections are available to *infrastructure* approved in accordance with Rule 21.3(g), and provided further that the activity complies with the following:-
- (i) the relevant Precinct Comprehensive Development Plan standards and conditions

particularly in relation to potential conflicts between *residential activities* and *non-residential activities*.

- 21(h) The extent to which *landscape treatment* and *development* complements and enhances the **natural landscape character** of adjoining land, the coastal margin and views into the land from the Waitemata Harbour.
- 21(i) The extent to which a comprehensive landscape concept will ensure that potential adverse effects of *development* are avoided, remedied or mitigated and that a high standard of amenity is achieved consistent with the overall existing or introduced environmental context.
- 21(j) The extent to which the selection of planting types are related to living spaces and outdoor space, relationship to the road and ongoing maintenance requirements.
- 21(k) The extent to which areas of open space, planting and streetscape treatment are used to offset the visual impact of *buildings* and *development*.
- 21(l) The extent to which *signs* are:-
  - (i) visually appropriate to the **neighbourhood character**;
  - (ii) of a height which avoids the *sign* dominating the neighbourhood and nearby structures;
  - (iii) do not create a situation hazardous to the safe movement of traffic.
- 21(m) The extent to which any *development* adversely affects the historical, cultural or spiritual significance of any *site* or *area* or any *waahi tapu* of significance to *whi*.

### Transportation Criteria

(note: all of the following assessment criteria are to be addressed in a *Transport Management Plan* prepared to satisfy the standards in Rule 21.3(g)(xii)).

- 21(n) The extent to which development has been designed to integrate land uses with transport systems, through the use of an integrated transport assessment methodology for major trip generating activities, including provision for public transport within the precinct, between precincts, and beyond the Base Village Special Area. (Note, it is expected that in the

## RULE 21

## HOBSONVILLE BASE VILLAGE SPECIAL AREA

- prepared and approved pursuant to Rule 21.3(a) or Rule 21.4;
- (ii) in relation to the *City Wide Urban Design Rules* -
  - (a) Rule 1 - when the *development* seeks approval for *Apartments*;
  - (b) Where the activity does not include apartments, Special Area Rule 21.5 applies;
- (iii) Rule 1.10 of the *City Wide Rules Residential Activities - Noise Attenuation*
- (c) Any *non-residential activity* not meeting the standards in Rule 21.1, including any new *building* proposed for that activity provided that:
  - (i) The activity complies with the relevant Precinct's Comprehensive Development Plan standards and conditions prepared and approved pursuant to Rule 21.3(a) or Rule 21.4;
  - (ii) Connections are available to *infrastructure* approved in accordance with Rule 21.3(g).
- (d) Any *sign* not meeting the standards of Rule 21.1(d).
- (e) *Subdivision* of any *site* which:
  - (i) Complies with the relevant Precinct(s) Comprehensive Development Plan standards and conditions prepared and approved pursuant to Rule 21.3(a) or Rule 21.4, or
  - (ii) comprises the *site* specified in a *land use consent*; or
  - (iii) is intended solely to define the boundary of a *Special Area*, or precinct as shown on the Hobsonville Peninsula Urban Concept Plan and Hobsonville Peninsula Urban Concept Plan - Features.
- (iv) Subsequent to an approved Comprehensive Development Plan subdivision Rule 3 and/ or Rule 4 (as appropriate) - *Living Environment* applies, except in an area nominated on an approved Comprehensive Development Plan as a neighbourhood centre, in which case subdivision Rule 5 - Working and Community Environment applies.
- (f) The establishment *and upgrading* of infrastructure.
- (g) **General Standards for Comprehensive Development Plans**

development of comprehensive development plans, there will be consultation with the Auckland Regional Council, the Auckland Regional Transport Authority and New Zealand Transport Agency).

- 21(o) The extent to which *design* of streets and public lanes will ensure well-connected, attractive and safe transport routes, with appropriate provision for vehicle, cycle and pedestrian movements, car parking, infrastructure services, street tree planting, and landscape treatment consistent with the overall existing or introduced environmental context.
- 21(p) The extent to which the secondary roading network provides a highly inter-connected roading system so as to reduce trip distances and to improve local accessibility to community facilities, reserves, public transport facilities and the town centre core
- 21(q) The extent to which provision has been made for public transport facilities, including a public transport interchange, taxi stops and bus stops.
- 21(r) The extent to which traffic generation from proposed activities creates adverse *effects* on:
  - (i) The capacity of *roads* giving access to the *site*;
  - (ii) The safety of road users including cyclists and pedestrians;
  - (iii) The sustainability of the primary road network;
  - (iv) **neighbourhood character.**

(Note: The New Zealand Transport Agency interprets criteria 21(r)(iii), sustainability of the primary roading network, as meaning the preservation of the transport network's function as a State Highway network, so as to maintain the optimum level of speed and capacity)

- 21(s) The extent to which *car parking* accommodates the expected demands of an activity, having regard to the relative locations of the activity and the *car parking* serving that activity, the possible joint use of *car parking*, public transport alternatives, limitations through covenants or similar legal mechanisms on car ownership, and relevant parking guidelines (see the Waitakere City Parking and Driveway Guideline).

Each Comprehensive Development Plan shall include provision for all relevant components of the Hobsonville Peninsula Urban Concept Plan and Hobsonville Peninsula Urban Concept Plan - Features for the whole of the relevant precinct and any *infrastructure* required to service that precinct, and shall include:-

- (i) The exact boundaries between the precinct and adjoining precincts;
- (ii) The exact location and *design* of *roads*;
- (iii) The nomination of street frontage typologies “Mixed Use - Typology 5” or “Residential Typology 7” from the *City-Wide Urban Design Rule 3*; or the provision of other street frontage typologies if 5 or 7 are not relevant;
- (iv) The exact location and *design* of the Coastal Walkway;
- (v) Identification of the main pedestrian routes that provide circulation around each precinct and between precincts, to schools, parks and community services and how they are integrated with public transport nodes and bus stops;
- (vi) The exact location and design of proposed areas of open space, open space and ecological linkages, natural features to be retained and/or enhanced, and areas to be developed for storm water treatment and detention purposes, consistent with the relevant network discharge consent;
- (vii) Low impact design and source control of contaminants in accordance with the integrated catchment management plan;
- (viii) The proposed location of *residential* and *non-residential activities*;
- (ix) The means by which provision is to be made for the maintenance of aural amenity, particularly between *residential* and *non-residential activities*;
- (x) The method by which the development of each precinct is to be staged, and the means of managing any vacant land through the staging process, and how precincts will relate to each other and other surrounding land/coast;
- (xi) A *site* development/building *design* guide for the relevant precinct;
- (xii) A transport management plan in accordance with assessment criteria 21(n)-(w) including traffic modelling;

21(t) The extent to which *car parking* is provided for within a 5 minute walking distance of land use activities, rather than necessarily adjoining those activities or in the same precinct, except in the case of *retail activities* and other *non-residential activities* which require on site or close-by *car parking*.

21(u) The extent to which *car parking* is designed having regard to:-

- (i) the capacity of *roads* giving access to the *site*;
- (ii) the safety of *road* users including cyclists and pedestrians;
- (iii) a perimeter block layout where *car parking* is provided behind *buildings* or in basements or on roofs, except for kerbside parking, so that the main “activity frontage” for *buildings* is oriented towards *roads* rather than parking areas;
- (iv) provide *car parking* areas which are secure, well lit and conveniently accessible for residents/workers.

21(v) The extent to which activities provide for on site loading facilities for service vehicles, delivery vehicles, rubbish collection vehicles.

21(w) The extent to which adequate provision is made for access to *car parking* and vehicle manoeuvring.

#### Infrastructure Criteria

(Note: all of the following assessment criteria are to be addressed in an Infrastructure Management Plan (that takes cognisance of the January 2007 Integrated Transport Assessment) prepared to satisfy the standards in Rule 21.3(g)(xiii))

21(x) The extent to which the *infrastructure* provided to serve any new *development* complies with the Waitakere City Code of Practice or an equivalent recognised public standard.

21(y) The extent to which *roads* create high quality public spaces, and incorporate quality amenity features such as tree planting and footpath paving.

21(z) The extent to which street lighting will assist in creating and enhancing a consistent and safe character throughout the relevant precinct and the *Hobsonville Base Village Special Area* as a whole consistent with the

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- (xiii) An *infrastructure* management plan in accordance with assessment criteria 21(x)-(ah) including traffic modelling;
  - (xiv) A *heritage* management plan, including, but not limited to, a heritage inventory, how the heritage values will be protected and enhanced, the method by which any phoenix palms, Special Features and Notable Buildings will be managed, and a heritage design statement;
  - (xv) The nomination of areas to which City Wide Noise Rule 1.10 - Residential Activities - Noise Attenuation) shall apply;
  - (xvi) The design of all strategic road linkages as identified on the Hobsonville Peninsula Urban Concept Plan;
  - (xvii) Confirmation that:
    - (1) *Car parking* for *non residential activities* will not exceed one *car park* for every 25m<sup>2</sup> of *gross floor area* at ground floor or mezzanine level;
    - (2) One *car park* for every 35m<sup>2</sup> of *gross floor area* for floorspace not covered in (1) above;
    - (3) The minimum number of *loading spaces* to be provided in respect of General Goods Handling activities (retail, wholesale, manufacturing, etc), will be:
      - (a) up to 5,000m<sup>2</sup> gross floor area - 1 *loading space*;
      - (b) 5,001-10,000m<sup>2</sup> gross floor area - 2 *loading spaces*
      - (c) Greater than 10,000m<sup>2</sup> gross floor area - 3 *loading spaces* plus 1 *loading space* per 7,500m<sup>2</sup> above 10,000m<sup>2</sup>;
    - (4) The minimum number of *loading spaces* to be provided in respect of Non Goods handling activities (offices, etc.) will be:
      - (a) 0-20,000m<sup>2</sup> gross floor area - 1 *loading space*;
      - (b) 20,001-50,000m<sup>2</sup> gross floor area - 2 *loading spaces*;
      - (c) Greater than 50,000m<sup>2</sup> gross floor area - 3 *loading spaces* plus 1 *loading space* per 40,000m<sup>2</sup> above 50,000m<sup>2</sup>;
    - (5) *Maximum car parking* for *residential activities* will not exceed one *car park* overall existing or introduced environmental context.
- 21(aa) The extent to which stormwater management features such as rain gardens, swales and permeable paving are incorporated into *road design*.
  - 21(ab) The extent to which the *design* and *construction* of *roads* is capable of providing access to the wider movement network.
  - 21(ac) The extent to which the *design* of streets and public lanes conserves land and encourages walkability by using minimal dimensions for carriageways and integrating service lines beneath footpaths or parking bays consistent with the overall existing or introduced environmental context.
  - 21(ad) The extent to which *infrastructure* for stormwater, wastewater and water supply are designed to ensure techniques are used to minimise water use and generation.
  - 21(ae) The extent to which the *infrastructure* provided to serve any new *development* models a range of different methods to achieve sustainability, with a particular emphasis on the efficient use and natural treatment of water systems.
  - 21(af) The extent to which provision for storm water management and land use meets the requirements of the Integrated Catchment Management Plan - Hobsonville Peninsula. Development shall not cause a non-compliance with the conditions of consent for network discharge consent for Auckland Regional Council Permit 27016.
  - 21(ag) The extent to which an integrated approach to stormwater management is adopted for stormwater mitigation, with the emphasis being in the first instance on the reduction of stormwater generated from sites through reuse of stormwater and provision of permeable areas, including decompaction of soils following earthworks.  
(Note: Catchment wide stormwater management facilities such as wetlands and treatment ponds shall only be used as a final form of treatment, not the primary form).
  - 21(ah) The extent to which stormwater retention and treatment facilities are to be designed to retain in stream ecological values and added additional habitat (e.g. wetlands) where possible.

for every *dwelling* with up to one bedroom and two car parks for every *dwelling* with two or more bedrooms; and

- (6) Disabled *car parks* are provided in accordance with NZS 4121 (1985) 'Design for Access and Use of Buildings and Facilities by Disabled Persons'. (Note: these *car parks* shall comprise part of the parking numbers requirement).

(h) **Precinct Standards for Comprehensive Development Plans**

(Note: Number References relate to the Hobsonville Peninsula Urban Concept Plan-Features)

**(1) The Sunderland Head Precinct (Precinct A)**

The Comprehensive Development Plan for the Sunderland Head Precinct is to provide details of:

- (i) Proposals for landscape treatment of the Catalina Green and it's bounding streets (1)
- (ii) Establishment of headland reserves at Harrier Point (2) and Sunderland Head (3), and the protection and enhancement of viewshafts from them
- (iii) The development of Hudson Bay Road as a two-way street with footpaths to the waterfront (4)
- (iv) Provision to be made for carparking, and, where relevant, loading or service bays for all proposed activities
- (v) Through an appropriate Heritage Management Plan, provision for retaining the officer housing and associated areas in Marlborough Crescent (5)
- (vi) Provision for a direct public footpath link from Marlborough Crescent to the *Landing Special Area* (5)
- (vii) Through an appropriate Heritage Management Plan Pprovision for retaining the Catalina block, or rebuilding or modifying that building in a style that is representative of the existing character
- (viii) Provision for a *Mixed Use Activity building* or *buildings* south of Hudson Bay Road (4)

21(ai) The extent to which *development* retains, enhances and provides protection for riparian margins, coastal edges and esplanade reserves.

21(aj) The extent to which areas of public open space are developed to protect and enhance natural and character features.

21(ak) The extent to which areas of public open space are provided and developed so that they are:-

- (i) readily visible and accessible, such as with a generous street frontage or bordering onto yards of sites and preferably front faces of buildings, with no fencing or permeable fencing along boundaries;
- (ii) located to provide visual relief, particularly in intensively developed areas;
- (iii) integrated with surrounding *development*;
- (iv) sized and developed according to community and neighbourhood needs (having regard to any current and/or proposed Council Parks Strategy);
- (v) easily maintained.

21(al) The extent to which the coastal walkway and all other walkways are designed to be:-

- (i) suitable and safe for regular pedestrian use;
- (ii) easily visible and accessible;
- (iii) located in front of rather than behind adjoining *development*;
- (iv) linked to the public walkway and cycleway network.

21(am) The extent to which *earthworks* and other site works are undertaken in such a way as to avoid adverse effects on watercourse, areas of ecological values and neighbouring properties arising from changes in landform and the generation of sediments.

**Precinct-Specific Design Criteria**

Sunderland Head Precinct

21(an) The extent to which a high quality of landscape treatment is achieved for the Catalina Green and it's adjacent streets.

21(ao) The extent to which the *mixed use activity building(s)* south of Hudson Bay Road are suitably designed and orientated to avoid more than minor adverse effects in respect

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- (ix) Provision, wherever existing *buildings* are not to be retained, for *apartment buildings* or *Mixed Use Activity buildings*
- (x) An indicative layout of *proposed sites*
- (xi) The location of bus stops
- (xii) Design Guidelines including standards and conditions which are developed to achieve the matters outlined in Policy 11.35
- (xiii) The manner by which *development* of the precinct is to be staged and the means of managing any vacant land during the staging process
- (xiv) The proposed method by which no less than 379, household units will be provided for within this precinct or if fewer than that number can be provided, how the balance will be accommodated in another precinct or precincts (in addition to the number of units otherwise specified for that precinct in Rule 21.3)
- (xv) Provision for the protection and enhancement of the coastal margin as esplanade reserve, and the provision of public access to and along the coast
- (xvi) Through an appropriate Heritage Management Plan provision for retaining the external components of the Cadet HQ building, as well as the flagpole and parade ground (8)
- (xvii) Through an appropriate Heritage Management Plan retaining of Mill House and associated land/gardens as heritage buildings and public open space (14)
- (xviii) Provision for *apartment buildings*, on Buckley Road
- (xix) Through an appropriate Heritage Management Plan provision for retaining within the *Hobsonville Base Village Special Area* the inter-war cottages currently located on the south side of Marine Parade (9)
- (xx) Provision for opening up the viewshaft down Marine Parade, and establishing a pedestrian connection to the old wharf (10)

of noise, odour and visual amenity for activities located within the *Hobsonville Marine Precinct Special Area*.

- 21(ap) The extent to which there is a *design* theme established which, for the entire Precinct, reflects an inter-war air force theme.
- 21(aq) The extent to which provision is made for office, retail and education activities.
- 21(ar) The extent to which the neighbourhood retail centre is developed in such a way as:-
  - (i) it is easily accessible by car, walking and cycling
  - (ii) it has an attractive street frontage, with buildings located on the street frontage with generous *display space*
  - (iii) activities are designed to serve the local neighbourhoods, rather than a wider area and recognises the Hobsonville Village Centre as being the focus for future retail and commercial development in the Hobsonville area
  - (iv) it has provision for activities other than retail, including residential activity above ground floor level
  - (v) it contains and will maintain a distinctive and consistent design theme
  - (vi) it is adequately provided with parking and infrastructure.

**Runway Park/Campus Precinct**

- 21(as) The extent to which any fencing of Runway Park complements development of the surrounding neighbourhood, is reasonably transparent (wrought iron or similar), is required to delineate areas of periodic exclusive use and, where necessary, is able to be closed during school hours.
- 21(at) The extent to which schools are built intensively, (generally 2-3 storeys high), and buildings relate to the street and Runway Park.
- 21(au) The extent to which fencing of the schools and Runway Park does not compromise their shared use.
- 21(av) The extent to which there has been consultation with the Auckland Council about opportunities for shared community use of school facilities.

**Hudson Bay Precinct**

(xxi) Provision for opening up the viewshaft down Beach Rd and establishing a pedestrian connection to the foreshore beach (11)

(xxii) Provision for development to front the Coastal Walkway running along the top of the escarpment from the end of Marine Parade to the end of Beach Rd (12)

(xxiii) Provision, including exact boundaries, for a neighbourhood retail centre, retail *gross floor area* not to exceed 2,000m<sup>2</sup>, with retail shops not to exceed an average *gross floor area* of 200m<sup>2</sup> or a maximum individual *gross floor area* of 500m<sup>2</sup>

(xxiv) Provision for *retail activities* outside the neighbourhood retail centre, including in any *mixed use* area or *mixed use building*, provided that *retail activities* shall be limited to:-

(e) *convenience shops* not exceeding a *gross floor area* of 100m<sup>2</sup>; and

- *restaurants* not exceeding a *gross floor area* of 200m<sup>2</sup>; and
- no more than two adjoining *retail activities* in any one location.

(xxv) Provision of bus-stops to serve the neighbourhood retail centre

(xxvi) Provision to be made for car parking, and, where relevant, loading or service bays for all proposed activities

(xxvii) All premises to have externally-focused active street edges and the ability to be integrated with other commercial and residential development

## (2) The Campus/Runway Park Precinct (Precinct B)

The Comprehensive Development Plan for the Campus/Runway Park Precinct is to provide details of:-

- (i) Landscaping, parkland and building forms as an entry statement for the Campus / Runway Park Sunderland Head neighbourhood
- (ii) The exact boundaries for schools (including state educational facilities)

21(aw) The extent to which there is a design theme established which, for the entire Precinct, reflects an inter-war airforce theme.

### Motorway Interchange Precinct

21(ax) The extent to which the neighbourhood retail centre is developed south of the intersection of Squadron Drive (Motorway access road) and Buckley Avenue in such a way as:-

- (i) the design and location provides for an attractive gateway to the community
- (ii) it is easily accessible by car, walking and cycling
- (iii) retail activities are designed to serve the local neighbourhoods, rather than a wider area, and recognise the Hobsonville Village Centre as being the focus for future retail development in the Hobsonville area
- (iv) it may contain car-orientated activities, but not yard-based activities
- (v) it has provision for activities other than retail
- (vi) it contains and will maintain a distinctive and consistent design theme
- (vii) it is adequately provided with parking and infrastructure.

### Hobsonville Village Precinct

21(ay) The extent to which retail activities are designed to service the local neighbourhoods rather than the wider area recognising the Hobsonville Village Centre as being the focus for future retail and commercial development in the Hobsonville area.

### Other Criteria

21(az) The provision of pedestrian and cyclist networks throughout the Precinct, and linked to adjoining precincts and the Hobsonville Village Town Centre.

21(ba) The extent to which there has been consultation with the Auckland Regional Council regarding the co-ordination of consent requirements, in order to ensure

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## HOBSONVILLE BASE VILLAGE SPECIAL AREA

designed if practicable to promote shares use of the sports fields and open space

- (iii) The exact boundaries of a park (Runway Park)
- (iv) Provision for public carparking serving Runway Park
- (v) Provision for connecting school grounds and playing fields to the Coastal Walkway and other pedestrian networks
- (vi) Provision for *apartments* along the southern side of Runway Park
- (vii) Provision for *apartments* on the northern side of the Avenue of Palms, the eastern side of Squadron Drive, the central spine road and the northern side of Landing Drive
- (viii) Provision for an integrated amenity and storm water reserve in the gully near the western end of the precinct, bounded by a lane and detached housing
- (ix) Provision for *medium density housing* in the residual areas of the precinct
- (x) An indicative layout of *proposed sites*
- (xi) Provision to be made for carparking, and, where relevant, loading or service bays for all proposed activities
- (xii) The location of bus stops
- (xiii) Design Guidelines including standards and conditions which are developed to achieve the matters outlined in Policy 11.35
- (xiv) The manner by which *development* of the precinct is to be staged and the means of managing any vacant land during the staging process
- (xv) The proposed method by which no less than 674 household units will be provided for within this precinct or if fewer than that number can be provided, how the balance will be accommodated in another precinct or precincts (in addition to the number of units otherwise specified for that precinct in Rule 21.3).

**(3) The Motorway Interchange Precinct (Precinct C).**

comprehensive planning of all required development is achieved.

- 21(bb) The extent to which relevant assessment criteria under the “Other Rules Applying” are addressed in any *resource consent*.
- 21(bc) 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*, including an *upgrading contribution*.

Note: See also Policies: 1.1, 1.5, 1.7, 1.8, 1.9, 1.10, 1.11, 1.12, 1.13, 1.14, 2.1, 2.12, 2.13, 2.15, 3.3, 3.4, 7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 7.7, 8.1, 8.2, 8.3, 8.4, 8.5, 8.7, 8.9, 10.1, 10.2, 10.3, 10.4, 10.5, 10.6, 10.7, 10.8, 10.9, 10.10, 10.11, 10.12, 10.13, 10.14, 10.16, 10.17, 10.18, 10.19, 10.20, 10.22, 10.23, 10.27, 11.1, 11.2, 11.3, 11.5, 11.6, 11.7, 11.8, 11.10, 11.11, 11.12, 11.13, 11.14, 11.18, 11.23, 11.27, 11.28, 11.32, 11.34, 11.36, 11.47, 12.1, 12.2, 12.3, 12.4, 12.5, 12.6, 12.7, 12.8. Policy Section 6.2.15.

(Policy Section of the Waitakere District Plan)

The Comprehensive Development Plan for the Motorway Interchange Precinct is to provide details of:-

- (i) Traffic signals and pedestrian crossing places at the intersection of Squadron Drive and Buckley Ave (13)
- (ii) Provision for a neighbourhood retail centre, located south of the intersection of Squadron Drive (motorway access road) and Buckley Ave
- (iii) Provision, including exact boundaries, for a neighbourhood retail centre, retail *gross floor area* not to exceed 2,000m<sup>2</sup>, with retail shops not to exceed an average *gross floor area* of 200m<sup>2</sup> or a maximum individual *gross floor area* of 500m<sup>2</sup>
- (iv) Provision for *retail activities* outside the neighbourhood retail centre, including in any *mixed use building*, provided that *retail activities* shall be limited to:-
  - *convenience shops* not exceeding a *gross floor area* of 100m<sup>2</sup>; and
  - *restaurants* not exceeding a *gross floor area* of 200m<sup>2</sup>; and
  - no more than two adjoining *retail activities* in any one location.
- (v) Provision for *Mixed Use Activity buildings*
- (vi) An indicative layout of *proposed sites*
- (vii) Provision to be made for carparking, and, where relevant, loading or service bays for all proposed activities
- (viii) The location of bus stops
- (ix) Design Guidelines including standards and conditions which are developed to achieve the matters outlined in Policy 11.35
- (x) The manner by which *development* of the precinct is to be staged and the means of managing any vacant land during the staging process
- (xi) The proposed method by which no less than 96 household units will be provided for within this precinct or if fewer than that number can be provided, how the balance will be accommodated in another precinct

## RESOURCE CONSENT CONDITIONS

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

- Requiring alterations to *design* and/or location and the application of street frontage typologies;
- Requiring the provision of a *landscape treatment* plan and implementation of that plan within a given time;
- Limiting the scale of *activities* and other *development*;
- The imposition of a *bond* to ensure satisfaction of conditions of consent;
- Requiring an acoustic consultant report to confirm required noise standards will be met;
- Requiring measures in respect of proposals for *residential activities* to attenuate potential adverse effects from adjoining or nearby *non-residential activities*;
- Allowing a 10 year consent period in respect of Comprehensive Development Plan consents;
- Requiring *financial contributions* in accordance with the *Plan*;
- Requiring *onsite* or *offsite* works and services to avoid, remedy, mitigate or offset *adverse effects*;
- In the case of a subdivision consent, other matters provided for in section 220 of the *Act*;
- Such other matters provided for in section 108 of the *Act*;

See Policy 11.34, 11.37A and its Explanation in Policy Section 6.2.15.

or precincts (in addition to the number of units otherwise specified for that precinct in Rule 21.3)

#### (4) The Hudson Bay Precinct (Precinct D)

The Comprehensive Development Plan for the Hudson Bay Precinct is to provide details of:-

- (i) Through an appropriate Heritage Management Plan provision for retaining within the *Hobsonville Base Village Special Area* the dwellings and associated areas currently located in Sunderland Avenue (15)
- (ii) Provision for *apartment buildings*, on the south side of Hudson Bay Road
- (iii) Provision for *medium density housing* on other streets
- (iv) An indicative layout of *proposed sites*
- (v) The location of bus stops
- (vi) Design Guidelines including standards and conditions which are developed to achieve the matters outlined in Policy 11.35
- (vii) The manner by which *development* of the precinct is to be staged and the means of managing any vacant land during the staging process
- (viii) The proposed method by which no less than 169 household units will be provided for within this precinct or if fewer than that number can be provided, how the balance will be accommodated in another precinct or precincts (in addition to the number of units otherwise specified for that precinct in Rule 21.3)

#### (5) The Buckley Precinct (Precinct E)

The Comprehensive Development Plan for the Buckley Precinct is to provide details of:-

- (i) Provision for detached dwellings along the edge of the escarpment
- (ii) Elsewhere provision for *apartments* and *medium density housing*
- (iii) Provision for development to front a Access Place (refer to Appendix M) running along the top of the escarpment between Nevill Rd and Cochrane Rd and

from the end of Isitt Rd westwards along the edge of the reserve to meet Buckley Avenue

- (iv) An indicative layout of *proposed sites*
- (v) Provision to be made for carparking, and, where relevant, loading or service bays for all proposed activities
- (vi) The location of bus stops
- (vii) Design Guidelines including standards and conditions which are developed to achieve the matters outlined in Policy 11.35
- (viii) The manner by which *development* of the precinct is to be staged and the means of managing any vacant land during the staging process
- (ix) Provision for the protection and enhancement of the coastal margin as esplanade reserve and open space and the provision of public access to and along the coast
- (x) The proposed method by which no less than 247 house hold units will be provided for within this precinct or if fewer than that number can be provided, how the balance will be accommodated in another precinct or precincts (in addition to the number of units otherwise specified for that precinct in Rule 21.3).

**(6) The Triangle Precinct (Precinct F)**

The Comprehensive Development Plan for the Triangle Precinct is to provide details of:-

- (i) Realignment of Scott Rd to meet Clark Rd at a right angle
- (ii) A reserve in front of historic Hobsonville church and cemetery
- (iii) Provision for *medium density housing* fronting the reserve, and associated adjoining *roads*
- (iv) An indicative layout of *proposed sites*
- (v) Provision to be made for car parking, and, where relevant, loading or service bays for all proposed activities
- (vi) The location of bus stops

- (vii) Design Guidelines including standards and conditions which are developed to achieve the matters outlined in Policy 11.35
- (viii) The manner by which *development* of the Precinct is to be staged and the means of managing any vacant land during the staging process
- (ix) The proposed method by which no less than 50 household units will be provided for within this precinct or if fewer than that number can be provided, how the balance will be accommodated in another precinct or precincts (in addition to the number of units otherwise specified for that precinct in Rule 21.3).

**(7) The Base Housing Precinct (Precinct G)**

The Comprehensive Development Plan for the Base Housing Precinct is to provide details of:-

- (i) Provision for *medium density housing*
- (ii) An indicative layout of *proposed sites*
- (iii) Provision to be made for carparking, and, where relevant, loading or service bays for all proposed activities
- (iv) The location of bus stops
- (v) Design Guidelines including standards and conditions which are developed to achieve the matters outlined in Policy 11.35
- (vi) The manner by which *development* of the precinct is to be staged and the means of managing any vacant land during the staging process
- (vii) The proposed method by which no less than 382 household units will be provided for within this precinct or if fewer than that number can be provided, how the balance will be accommodated in another precinct or precincts (in addition to the number of units otherwise specified for that precinct in Rule 21.3).

**(8) The Hobsonville Village Precinct (Precinct H)**

The Comprehensive Development Plan for the Hobsonville Village Precinct is to provide details of:-

- (i) Provision for *Mixed Use Activity buildings* provided that *retail activities* shall be limited to:-
  - (a) *convenience shops* not exceeding a *gross floor area* of 100m<sup>2</sup>; and
  - (b) *restaurants* not exceeding a *gross floor area* of 200m<sup>2</sup>;
  - (c) no more than two adjoining *retail activities* in any one location; and
  - (d) the total amount of *gross floor area* for *retail activities* does not exceed 2,000m<sup>2</sup> in the entire Precinct;
- (ii) An indicative layout of *proposed sites*;
- (iii) Provision to be made for carparking, and, where relevant, loading or service bays for all proposed activities;
- (iv) The location of bus stops;
- (v) Design Guidelines including standards and conditions which are developed to achieve the matters outlined in Policy 11.35;
- (vi) The manner by which development of the precinct is to be staged and the means of managing any vacant land during the staging process;
- (vii) Provision made for the integration with Hobsonville Village Centre;
- (viii) The proposed method by which no less than 152 household units will be provided for within this precinct or if fewer than that number can be provided, how the balance will be accommodated in another precinct or precincts (in addition to the number of units otherwise specified for that precinct in Rule 21.3).

Assessment of *Limited Discretionary Activity* applications will be limited to matters of *design, construction*, location, provision to be made for transport systems and the integration of those systems with land use, health and safety and matters within Assessment Criteria 21(a) - 21(bc) and relevant assessment criteria in the specified *City Wide Rules*.

#### 21.4 Discretionary Activities

The following are *Discretionary Activities*:-

- (a) Subsequent to any consent for a Comprehensive Development Plan pursuant to Rule 21.3(a), any new Comprehensive Development Plan for the relevant Precinct, or any changes to that consented Comprehensive Development Plan.
- (b) Additions and alterations to any *building* identified as a Notable Building or a Special Feature on the *Hobsonville Peninsula Urban Concept Plan - Features*.
- (c) Activities which do not satisfy the Precinct Standards in Rule 21.3(a), including (but not limited to) Comprehensive Development Plan applications that do not align with the Precinct boundaries on the Hobsonville Peninsula Urban Concept Plan.
- (d) Activities which do not meet the relevant specified standards in *City Wide Urban Design Rules*.
- (e) Activities which exceed the standards of Rule 21.3(g)(xvii).

*Discretionary Activity* applications will be assessed having regard to Assessment Criteria 21(a) - 21(bc), the relevant assessment criteria in the specified *City Wide Rules* and any other relevant matter under section 104 of the *Act*.

#### 21.5 Other Rules Applying

- (a) The following rules of the *Plan* shall apply to *Any Activity* for which a non complying resource consent is sought when there is no approved Comprehensive Development Plan, or to any *Activity*:-
  - (i) All relevant *City Wide Rules*;
  - (ii) All relevant *Natural Area Rules*.
- (b) In all areas except those detailed in Comprehensive Development Plans as neighbourhood centres:-
  - (i) *Living Environment* Rule 14 Air Discharges, Odour, Dust, Glare and Vibration;
  - (ii) *Living Environment* Rule 16 Relocated Buildings;
  - (iii) In respect of existing (as at 1 January 2009) single *dwellings* in Precincts A, D, E, G and H other than *apartment, mixed use or medium density housing development*) Rules 2 - 6, 8, 12 and 14 - 16 of the *Living Environment Rules*;

- (iv) In respect of *medium density housing* the Medium Density Housing Criteria appearing in the *City Wide Urban Design Rules*
- (c) In areas detailed in Comprehensive Development Plans as neighbourhood centres:-
  - (i) Community Environment Rules 2-4, 8-13, and 15

#### 21.6 Non-Complying Activities

*Any Activity* which is not a *Permitted Activity* a *Controlled 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*.

#### 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

### 22.0 General

#### 22.1 Permitted Activities

The following are *Permitted Activities*:-

- (i) Any land to be vested as a reserve pursuant to the *Reserves Act 1977* or any park
- (ii) *Filming Activities* not requiring the erection of permanent *buildings*
- (iii) *Any Activity* which is a *Permitted Activity* in the *Countryside Environment*

#### 22.2 Non-Complying Activities

*Any Activity* which is not a *Permitted Activity* or any *subdivision* shall be deemed to contravene a rule in this *Plan* and shall be a *Non-Complying Activity*.

#### 22.3 Other Rules Applying

The following rules of the *Plan* shall apply to *Any Activity*:-

- (i) All relevant *City-wide* Rules
- (ii) All relevant *Natural Area* Rules
- (iii) *Countryside Environment* Rules 1 - 6 and 8 - 12

#### 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

### 23.0 General

- (a) The following rules shall apply to *Any Activity* on land situated in the *Hobsonville Landing Special Area*.
- (b) Where there is any conflict between the following rules and other rules in the *Plan*, the following rules shall prevail.
- (c) All of the following rules shall apply, where relevant to *Any Activity*.

### 23.1 Discretionary Activities

The following are *Discretionary Activities*:-

- (a) Facilities directly related to the retrieval and launching of boats where required in association with the *Hobsonville Marine Industry Precinct*
- (b) Facilities directly related to *ferry services*
- (c) The construction of an access roadway between the existing hardstand *located within the Hobsonville Landing Special Area* and the *Hobsonville Marine Industry Special Area*.

*Discretionary Activity* applications will be assessed having regard to Assessment Criteria 23(a) - 23(r) and any other relevant matter under section 104 of the *Act*.

### 23.2 Other Rules Applying

The following rules of the *Plan* shall apply to *Any Activity*:-

- All relevant *City-Wide Rules*
- All relevant *Natural Area Rules*
- Working Environment Rule 3 - Building and Development Location
- Working Environment Rule 6 - Air Discharges
- Working Environment Rule 8 - Noise
- Working Environment Rule 9 - Parking, Loading and Driveway Access
- Working Environment Rule 10 - Odour; Glare and Vibration
- Working Environment Rule 11 - Signs
- Working Environment Rule 12 - Infrastructure

### 23.3 Non-Complying Activities

*Any Activity* which is not a *Permitted Activity* or a *Limited Discretionary Activity* or a *Discretionary Activity* under the above rules shall be deemed to

## ASSESSMENT CRITERIA

- 23(a) The extent to which facilities for the retrieval or launching of boats or ferry facilities are of a size, location, scale and *design* which complements the character of existing *buildings* and *development* within the *Hobsonville Landing Special Area* and adjoining areas.
- 23(b) The extent to which *development* provides a good standard of aural and visual amenity between *buildings* and between activities and adjoining land.
- 23(c) The extent to which construction of an access roadway over the hardstand meets a minimum standard for the transport of boats up to 60 - 75 metres in length, while creating no more than minor effects on the natural qualities of the marine/land interface and the landscape qualities of the adjoining land.
- 23(d) The extent to which the amenity values of the coastal environment and natural landscape of the area are maintained.
- 23(e) The extent to which adverse *effects* arising from the activity on the adjoining coastal marine environment and water quality are avoided, or where avoidance is not possible, appropriately remedied or mitigated.
- 23(f) The extent to which the location and scale of *buildings* and *activities* avoids, remedies or mitigates adverse *effects* on the *amenity* values of the adjoining coastal environment, including views of the site from the harbour and over the site to the harbour.
- 23(g) The extent to which *landscape treatment* and *development* complements the natural landscape character, including the natural character of the coast.
- 23(h) The extent to which *drivenways*, *car parking* and *road* access provides for safe and efficient provision for motor vehicles and access for retrieval and launching of boats.
- 23(i) The extent to which *drivenways*, *car parking* and *road* access provides for safe and efficient provision for motor vehicles in association with ferry facilities.
- 23(j) The extent to which traffic generation creates adverse *effects* on:
  - (i) The capacity of *roads* giving access to the *site*;

## RULE 23

## HOBSONVILLE LANDING SPECIAL AREA

contravene a rule in the *Plan* and shall be a *Non-Complying Activity*

- (ii) The safety of *road* users including cyclists and pedestrians; and
- (iii) neighbourhood character.

- 23(k) The extent to which *development* promotes a safe environment for pedestrians, including adequate lighting and appropriate location and *design* of entrances, windows and *driveways*.
- 23(l) The extent to which *signs* are visually appropriate to the character of the *Hobsonville Landing Special Area*.
- 23(m) The extent to which all relevant assessment criteria under the “Other Rules Applying” of the *Working Environment* rules are addressed in any *resource consent*.
- 23(n) The extent to which infrastructure meets the assessment criteria 12(a) - 12(t) of Rule 12, in the *Working Environment* rules.
- 23(o) The extent to which any *development* adversely affects the historical, cultural or spiritual significance of any site or area, or any waahi tapu of significance to iwi.
- 23(p) 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*.
- 23(q) The extent to which there has been consultation with the Auckland Regional Council regarding the co-ordination of consent requirements, in order to ensure comprehensive planning of all required development is achieved.
- 23(r) The extent to which provision for storm water management and land use meets requirements of the Integrated Catchment Management Plan - Hobsonville Peninsula. Development shall not cause a non-compliance with the conditions of consent for network discharge consent for Auckland Regional Council Permit 27016.

Note: See also Policies: 1.1, 1.5, 1.7, 1.8, 1.9, 1.10, 1.11, 1.12, 1.13, 1.14, 2.1, 2.12, 2.13, 2.15, 3.3, 3.4, 6.2.15, 7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 7.7, 8.1, 8.2, 8.3, 8.4, 8.5, 8.7, 8.9, 10.1, 10.2, 10.3, 10.4, 10.5, 10.6, 10.7, 10.8, 10.9, 10.10, 10.11, 10.12, 10.13, 10.14, 10.16, 10.17, 10.18, 10.19, 10.20, 10.22, 10.23, 10.27, 11.1, 11.2, 11.3, 11.5, 11.6, 11.7, 11.8, 11.10, 11.11, 11.12, 11.13, 11.14, 11.18, 11.23, 11.27, 11.28, 11.32, 11.34, 11.37B, 12.1, 12.2, 12.3, 12.4, 12.5, 12.6, 12.7, 12.8 and the explanation in Policy Section 6.2.15.

### 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. See the *Hobsonville Urban Concept Plan - Features* for further information.
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*, 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*.

(Policy Section of the Waitakere District Plan)

### RESOURCE CONSENT CONDITIONS

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

- Requiring alterations to *design* and/or location
- Requiring the provision of a *landscape treatment* plan and implementation of that plan within a given time
- Limiting the scale of *activities* and other *development*
- The imposition of a *bond* to ensure satisfaction of conditions of consent
- Requiring *financial contributions* in accordance with the *Plan*
- Requiring *onsite* or *offsite* works and services to avoid, remedy, mitigate or offset *adverse effects*
- In the case of a subdivision consent, other matters provided for in section 220 of the *Act*.
- Such other matters provided for in section 108 of the *Act*.

## RULE 24

## HOBSONVILLE MARINE INDUSTRY SPECIAL AREA

## RULES

**24.0 General**

- (a) The following rules shall apply to *Any Activity* on land and any *subdivision* of land situated in the *Hobsonville Marine Industry Special Area*.
- (b) Where there is any conflict between the following rules and other rules in the *Plan*, the following rules shall prevail.
- (c) The City Wide Rule 2 Site Analysis shall not apply to the assessment of the Comprehensive Development Plan.
- (d) Where there is any conflict between the Auckland Regional Council Permit 27016 and the Natural Area Rules, the Auckland Regional Council Permit shall prevail.

**24.1 Permitted Activities**

The following are *Permitted Activities*:-

- (a) *Filming Activities* in existing *buildings* erected prior to 01 January 2000, provided that there is no structural change affecting the external appearance of those existing *buildings*, and no need for new *infrastructure* to service the activity.
- (b) *Signs*, up to 1.0m<sup>2</sup> in *sign area*.
- (c) Grazing.

**24.2 Controlled Activities**

The following are *Controlled Activities*:-

- (a) *Filming activities* where there is an approved Comprehensive Development Plan.

Assessment of *Controlled Activity* applications will be limited to matters of *design*, layout and operation (including hours of operation and duration) of *Filming Activities* and will be considered in accordance with assessment criteria 24(b) - 24(ao).

**24.3 Limited Discretionary Activities**

The following are *Limited Discretionary Activities*:-

- (a) A Comprehensive Development Plan which includes, for at least the whole of the *Hobsonville Marine Industry Special Area*:-
  - (i) Confirmation of compliance with the *Hobsonville Peninsula Urban Concept Plans*;
  - (ii) The exact boundaries of Areas aa, bb, cc and dd as shown on the *Hobsonville Peninsula Urban Concept Plan: Features*,

## ASSESSMENT CRITERIA

**General Criteria**

- 24(a) The extent to which any proposed Comprehensive Development Plan is consistent with the *Hobsonville Peninsula Urban Concept Plan* and *Hobsonville Peninsula Urban Concept Plan - Features*.
- 24(b) The extent to which any proposed *subdivision*, *development* and/or *buildings* are consistent with an approved Comprehensive Development Plan.
- 24(c) The extent to which the *site* is of adequate size to accommodate the proposed *Hobsonville Marine Industry Activity* together with associated carparking, *landscape treatment* and any other facilities.
- 24(d) The extent to which proposed *development* makes the most efficient use of the land resource with the use of shared facilities between similar activities both on adjoining *sites* and in the vicinity.
- 24(e) The extent to which *activities*, *buildings*, *driveways*, *car parking* and other *development* are of a size, location, scale and *design* that is consistent with *Hobsonville Marine Industry Activities*.
- 24(f) The extent to which *non-residential activities* which are not *Hobsonville Marine Industry Activities* are necessary to co-locate in order to support and complement *Hobsonville Marine Industry Activities*.
- 24(g) The extent to which *non-residential activities* which are not *Hobsonville Marine Industry Activities*, may result in significant adverse effects, including cumulative effects, on the amenity values of the area and the facilities of the *Hobsonville Marine Industry Special Area* as a whole.
- 24(h) The extent to which *non-residential activities* which are not *Hobsonville Marine Industry Activities* will integrate (where appropriate) with existing activities in the same area, including *site* and *building design* integration, integration with notable features identified on the *Hobsonville Peninsula Urban Concept Plan: Features*, and pedestrian and road linkages.
- 24(i) The extent to which:
  - (i) any *development* adversely affects the historical, cultural or spiritual significance of

- (iii) The exact location and *design* of proposed *roads*
- (iv) The exact location and design of proposed areas of *open space*, open space and ecological linkages, natural features to be retained and/or enhanced, and areas to be developed for storm water treatment and detention purposes consistent with the relevant network discharge consent
- (v) Low impact design and source control of contaminants in accordance with the integrated catchment management plan
- (vi) An indicative layout of *proposed sites*,
- (vii) *Design* standards for each area aa, bb, cc and dd, which shall include:
  - (a) the method by which the development of each area will be managed; and
  - (b) how these areas will relate to each other and surrounding *Special Areas*, with particular regard being given to:
    - (i) potential adverse effects on visual amenity as viewed from outside the *Hobsonville Marine Industry Special Area* including, but not limited to, from the Waitemata Harbour and North Shore City Hilders Park (Beach Haven Wharf), Aeroview Drive Esplanade Reserve and Amelia Place Esplanade Reserve; and
    - (ii) and the potential for reverse sensitivity effects between *Hobsonville Marine Industry Activities* and *residential activities*
- (c) a differentiated appearance in terms of building scale, form and massing;
- (d) individual building detailing;
- (e) new vegetation;
- (f) existing vegetation being retained where possible;
- (viii) In respect of the combined Areas aa, bb and cc, an Air Discharge Management Plan that:

any site or area, or any waahi tapu of significance to iwi; and

- (ii) Through an appropriate Heritage Management Plan, provision for the maintenance and enhancement of identified notable buildings and their surrounds.

#### Design Criteria

- 24(j) The extent to which building design will achieve a character and appearance that will ensure a high standard of amenity values and avoid adverse effects from activities *located* in the *Hobsonville Marine Industry Special Area* on Precincts in the Hobsonville Base Village Special Area and on land identified as Open Space Environment
- 24(k) The extent to which the design and layout of the *Hobsonville Marine Industry Special Area*, as established through design and layout guidelines and/or conditions of an approved Comprehensive Development Plan,
  - (i) makes the most efficient use of the land resource and is well integrated,
  - (ii) identifies areas to be shared,
  - (iii) identifies the relationship of sites and development with *roads* and large boat yards,
  - (iv) recognises the likely presence of large *buildings* within Area aa and the need to mitigate any adverse visual amenity effects, for instance by sleeving those large *buildings* with *buildings* of a lower scale, smaller bulk, and with *design* of a higher visual quality,
  - (v) manages the relationship, *design* and relative scale of *buildings*;
    - (a) between Areas “aa”, “bb”, “cc” and “dd”,
    - (b) between all *sites* and *development* within the *Hobsonville Marine Industry Special Area* and adjoining land in other *special areas*;
    - (c) and as viewed from public vantage points outside the *Hobsonville Marine Industry Special Area* including, but not limited to, the Waitemata Harbour and North Shore City Hilders Park (Beach Haven wharf), Aeroview

## RULE 24

## HOBSONVILLE MARINE INDUSTRY SPECIAL AREA

- (a) Establishes a formal management structure for the entire three areas to manage air discharges; and
  - (b) Confirms the means by which the areas will be managed to ensure all air discharges meet the permitted activity standards of the Auckland Regional Council Air, Land and Water Plan, or that resource consents under that Plan have been granted; and
  - (c) Confirms, in the opinion of a recognised air quality expert, that the area will be managed to reasonably avoid or mitigate nuisance odours in respect of any residential activity outside Areas aa, bb, and cc, either existing or provided for as a permitted, controlled, limited discretionary or discretionary activity by other *plan* rules;
  - (d) Confirms that there will be no discharges to air from any *marine industry activity* within 20 metres of any boundary with Area dd, any boundary with the *Hobsonville Base Village Special Area* or any boundary with the *Hobsonville Future Development Special Area*.
- (ix) certainty that the primary activity in Area aa is the manufacture, finishing or refitting of boats that, when all work is completed, are of a type and/or dimension that will require launching from the *Hobsonville Landing Special Area*
- (x) The manner by which *development* of the *Hobsonville Marine Industry Special Area* is to be staged and the means of managing any vacant land during the staging process,
  - (xi) Design Guidelines prepared in accordance with Assessment Criteria 24(j) - 24(s),
  - (xii) A transport management plan which addresses the matters set out in assessment criteria 24(t)-(ad)
  - (xiii) An infrastructure management plan in accordance with assessment criteria 24(ac)-(ao)
- Drive Esplanade Reserve and Amelia Place Esplanade Reserve.
- (vi) Buildings within Area dd will be designed to present an attractive appearance as viewed from public vantage points such as the Waitemata Harbour and North Shore City Hilders Park (Beach Haven wharf), Aeroview Drive Esplanade Reserve and Amelia Place Esplanade Reserve, and will be of sufficient height to mitigate the visual effect of existing or possible industrial buildings within Area "aa".
- 24(l) The extent to which landscaping will ensure that potential adverse effects of *development* are avoided, remedied or mitigated and that a high standard of amenity values is achieved.
- 24(m) The extent to which the natural landscape qualities of the environment adjacent to the coastal esplanade reserve are protected.
- 24(n) The extent to which areas of open space, planting and landscape treatment are used to offset the visual impact of *buildings and development*.
- 24(o) The extent to which *landscape treatment and development* complements and enhances the **natural landscape character** of adjoining land, the coastal margin and views into the land from the Waitemata Harbour.
- 24(p) The extent to which lighting will assist increasing and enhancing a consistent and safe character throughout the *Hobsonville Marine Industry Special Area*.
- 24(q) The extent to which:
- (i) *mixed use activity building(s)* and residential buildings in Area "dd" south of Hudson Bay Road are suitably designed and orientated to avoid more than minor adverse effects from noise, odour and visual amenity in respect of activities located within the *Hobsonville Marine Special Area*;
  - (ii) the mitigation of adverse effects arising from odour, dust, hours of operation, and vehicle movements, through such means as codes of practice and air filtration devices and/or other techniques are described in the Air Discharge Management Plan.

(xiv) A *heritage* management plan, including, but not limited to, a heritage inventory, how the heritage values will be protected and enhanced, and a heritage design statement

(xv) The exact location and design of the coastal walkway

(b) The *subdivision* of land into any *site* which:-

(i) complies with the Comprehensive Development Plan standards and conditions prepared and approved pursuant to Special Area Rule 24.3(a) or Special Area Rule 24.4; or

(ii) comprises the *site* specified in a land use consent

(iii) is intended solely to define the boundary of a *Special Area*.

provided that subdivision Rule 5 - Working and Community Environment also applies where relevant;

(c) Any *Hobsonville Marine Industry Activity*, including any *building* or addition to a *building*, provided that:

(a) The *boat launching facility* is in place, or is proposed to be put in place to the satisfaction of *Council*; and

(b) *Connections* are available to *infrastructure* approved in accordance with Rule 24.3(a)(xiii), and

(c) The activity, *building* or *subdivision* is generally in accordance with the *Hobsonville Peninsula Urban Concept Plan*, and *Hobsonville Peninsula Urban Concept Plan - Features*; and

(d) The activity, *building* or *subdivision* complies with all standards and conditions of a Comprehensive Development Plan prepared and approved pursuant to Rule 24.3(a), and

(e) Activities within Area aa as shown on the *Hobsonville Peninsula Urban Concept Plan - Features* (including any associated *building* or *subdivision*) shall meet the following standards:

(i) Activities are to be confined to *Hobsonville Marine Industry Activities*

(ii) When all work is completed, boats are of a type and/or dimension which will

24(r) The extent to which *activities*, *buildings*, *driveways*, *carparking* and other *development* are of a size, location scale and *design* which complements the character of *buildings* and *development* of adjoining land, having regard to the existing and potential use of that adjoining land.

24(s) The extent to which *signs* are:-

(i) visually appropriate to the **neighbourhood character**;

(ii) of a height which avoids the *sign* dominating the neighbourhood and nearby structures; and

(iii) do not create a situation hazardous to the safe movement of traffic.

#### Transportation Criteria

24(t) The extent to which development has been designed to integrate land uses with transport systems, through the use of an integrated transport assessment methodology for major trip generating activities, including provision for public transport within the Special Area and, between the Special Area and other *Special Areas*. (Note, it is expected that in the development of comprehensive development plans, there will be consultation with the Auckland Regional Council, the Auckland Regional Land Transport Authority and New Zealand Transport Agency).

24(u) The extent to which the *design* and *construction* of *roads* is capable of providing access to the harbour for large boats.

24(v) The extent to which *driveways*, *car parking* and *roads* provide for safe and efficient provision for motor vehicles and access for boats, particularly large boats.

24(w) The extent to which the *design* for streets and public lanes will ensure:-

(i) well-connected, attractive and safe transport routes;

(ii) a high design standard for vehicle, cycle and pedestrian movements, carparking, infrastructure services, street-tree planting, and landscape treatment,

(iii) High standards of safety through appropriate location, design and lighting

## RULE 24

## HOBSONVILLE MARINE INDUSTRY SPECIAL AREA

require launching from the *Hobsonville Landing Special Area*

- (iii) Activities are to be designed and/or managed to meet the terms of the approved Air Discharge Management Plan
- (f) Activities within Areas bb and cc as shown on the *Hobsonville Peninsula Urban Concept Plan - Features* (including any associated *building* or *subdivision*) shall be confined to *Hobsonville Marine Industry Activities*, and are to be designed and/or managed to meet the terms of the approved Air Discharge Management Plan.
- (g) Activities within Area dd as shown on the *Hobsonville Peninsula Urban Concept Plan - Features* (including any associated *building* or *subdivision*) shall meet the following standards:
  - (i) Activities may include *residential activities*, *non-residential activities* and/or *mixed use activities* (excluding *retail activities*) but shall exclude any activity that is not a Permitted Activity in Chapter 4 Air Quality of the Auckland Regional Plan Air, Land and Water; and
  - (ii) Buildings shall be designed so that they present an attractive, articulated facade facing northwards and eastwards;
  - (iii) Any residential or mixed use activity buildings are designed and orientated to act as a buffer to visual, aural and odour effects arising from Area aa.
- (d) Any alteration to a building located in Area cc as shown on the *Hobsonville Peninsula Urban Concept Plan - Features*.
- (e) Any *sign* exceeding 1.0m<sup>2</sup> in *sign area*.
- (f) The establishment and upgrading of *infrastructure*.
- (g) Subsequent to a resource consent for a Comprehensive Development Plan pursuant to Rule 24.3(a), any amendment to that consent where that amendment relates to *Hobsonville Marine Industry Activities*.

- 24(x) The extent to which provision has been made for public transport facilities, including bus stops.
- 24(y) The extent to which traffic generation from proposed activities creates adverse *effects* on:
  - (i) The capacity of *roads* giving access to the *site*;
  - (ii) The safety of *road* users including cyclists and pedestrians; and
  - (iii) **neighbourhood character**.
- 24(z) The extent to which *car parking* accommodates the expected demands of an activity, having regard to the relative locations of the activity and the *car parking* serving that activity, the possible joint use of *car parking*, public transport alternatives and relevant parking guidelines (see the Waitakere City Parking and Driveway Guideline).
- 24(aa) The extent to which *car parking* is provided for within a 5 minutes walking distance of land use activities, rather than necessarily adjoining those activities.
- 24(ab) The extent to which *carparking* is designed having regard to:-
  - (i) the capacity of *roads* giving access to the *site*;
  - (ii) the safety of *road* users including cyclists and pedestrians; and
  - (iii) the provision of *carparking* areas which are secure, well lit and conveniently accessible for residents/workers and visitors.
- 24(ac) The extent to which activities provide for on site loading facilities for boat haulage, service vehicles, delivery vehicles and rubbish/waste collection vehicles.
- 24(ad) The extent to which adequate provision is made for access to *carparking* and vehicle manoeuvring.

#### Infrastructure Criteria

(Note: all of the following assessment criteria are to be addressed in an Infrastructure Management Plan prepared to satisfy the standards in Rule 24.3(a) (xiii))

- 24(ae) The extent to which the *infrastructure* provided to serve any new *development* complies with the Waitakere City Code of

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

- (i) *road* location, *design* and *construction*, including the ability to accommodate the haulage of large boats and access the harbour edge
- (ii) *infrastructure* location, capacity and *design*,
- (iii) *building bulk*,
- (iv) size, scale, *design* and location of *sites*, *buildings*, *car parking* and *driveways*,
- (v) *screening* and *landscape treatment*,
- (vi) aural and visual *amenity* between the *Hobsonville Marine Industry Special Area* and adjoining land
- (vii) protection and enhancement of natural landscape qualities
- (viii) the co-location and sharing of facilities,
- (ix) the location, *design* and safety of *signs*

and matters within Assessment Criteria 24(a) - 24(aq).

#### 24.4 Discretionary Activities

The following are *Discretionary Activities*:-

- (a) Any *Non Residential Activity* that is not a *Hobsonville Marine Industry Activity* in Areas bb and cc as shown on the *Hobsonville Peninsula Urban Concept Plan*, and is not otherwise provided for in Rule 24.1.
- (b) Any *sign* exceeding 4.0m<sup>2</sup> in *sign* area;
- (c) Subsequent to a consent for a Comprehensive Development Plan pursuant to Rule 24.3(a), any amendment to that Comprehensive Development Plan, where that amendment relates to *Activities* other than *Hobsonville Marine Industry Activities*;
- (d) Subsequent to a consent for a Comprehensive Development Plan pursuant to Rule 24.3(a), any new Comprehensive Development Plan for the Marine Industry Special Area.

*Discretionary Activity* applications will be assessed having regard to Assessment Criteria 24(a) - 24(ar) and any other relevant matter under section 104 of the *Act*.

#### 24.5 Other Rules Applying

Practice or an equivalent recognised public standard.

- 24(af) The extent to which *roads* create high quality public spaces, and incorporate quality amenity features such as tree planting and footpath paving.
- 24(ag) The extent to which storm water management features such as rain gardens, swales and permeable paving are incorporated into *road design*.
- 24(ah) The extent to which the *design* and *construction* of *roads* is capable of providing access to the wider movement network.
- 24(ai) The extent to which *infrastructure* for stormwater, wastewater and water supply are designed to ensure techniques are used to minimise water use and generation.
- 24(aj) The extent to which the *infrastructure* provided to serve any new *development* models a range of different methods to achieve sustainability, with a particular emphasis on the efficient use and natural treatment of water systems.
- 24(ak) The extent to which provision for storm water management and land use meets the requirements of the Integrated Catchment Management Plan - Hobsonville Peninsula. Development shall not cause a non-compliance with the conditions of consent for network discharge consent for Auckland Regional Council Permit 27016.
- 24(al) The extent to which an integrated approach to storm water management is adopted for storm water mitigation, with the emphasis being in the first instance on the reduction of stormwater generated from sites through reuse of storm water and increase permeable areas, including de-compaction of soils following earthworks. (Note: Catchment wide stormwater management facilities such as wetlands and treatment ponds shall only be used as a final form of treatment, not the primary form).
- 24(am) The extent to which areas of public open space are developed to protect and enhance natural features.
- 24(an) The extent to which *earthworks* and other site works are undertaken in such a way as to avoid adverse effects on watercourse, areas of ecological values and neighbouring properties arising from changes in landform and the generation of sediments.

## RULE 24

## HOBSONVILLE MARINE INDUSTRY SPECIAL AREA

The following rules of the *Plan* shall apply to *Any Activity* for which a non-complying resource consent is sought when there is no approved Comprehensive Development Plan, or to any *Activity*.

- (i) All relevant *City-wide* Rules
- (ii) All relevant *Natural Area* Rules
- (iii) Working Environment Rule 6 - Air Discharges
- (iv) Working Environment Rule 8 - Noise
- (v) Working Environment Rule 9 - Parking, Loading and Driveway Access
- (vi) Working Environment Rule 10 - Odour, Glare and Vibration

#### 24.6 Non-Complying Activities

*Any Activity* 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

#### Other Criteria

- 24(ao) The extent to which there has been consultation with the Auckland Regional Council regarding the co-ordination of consent requirements, in order to ensure comprehensive planning of all required development is achieved.
- 24(ap) The extent to which all relevant assessment criteria under the “Other Rules Applying” are addressed in any *resource consent*.
- 24(aq) 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: 1.1, 1.5, 1.7, 1.8, 1.9, 1.10, 1.11, 1.12, 1.13, 1.14, 2.1, 2.12, 2.13, 2.15, 3.3, 3.4, 7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 7.7, 8.1, 8.2, 8.3, 8.4, 8.5, 8.7, 8.9, 10.1, 10.2, 10.3, 10.4, 10.5, 10.6, 10.7, 10.8, 10.9, 10.10, 10.11, 10.12, 10.13, 10.14, 10.16, 10.17, 10.18, 10.19, 10.20, 10.22, 10.23, 10.27, 11.1, 11.2, 11.3, 11.5, 11.6, 11.7, 11.8, 11.10, 11.11, 11.12, 11.13, 11.14, 11.18, 11.23, 11.34, 11.35, 12.1, 12.2, 12.3, 12.4, 12.5, 12.6, 12.7, 12.8 and Explanation of Policy Section 6.2.15.

(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 (including a guideline on industrial design) to help interpret this rule - check at the Council Offices.
6. For *resource consents* see the Information Requirements in the *City-Wide Rules*.

## RESOURCE CONSENT CONDITIONS

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

- Requiring that no *development* proceed until provision is made, to the satisfaction of Council, for the construction of *roads* and *boat launching facility*
- Requiring alterations to *design* and/or location, including the establishment of design guidelines for all *development*
- Requiring minimum site sizes and site locations
- Requiring provision to be made for the sharing of land to be used for the manoeuvring of boats
- Requiring the provision of a *landscape treatment* plan and implementation of that plan within a given time
- Limiting the bulk, scale, form and massing of *activities* and other *development*
- The imposition of a *bond* to ensure satisfaction of conditions of consent
- Requiring *financial contributions* in accordance with the *Plan*
- Requiring *onsite* or *offsite* works and services to avoid, remedy, mitigate or offset *adverse effects*
- Allowing a 10 year consent period for a Comprehensive Development Plan;
- In the case of a subdivision consent, other matters provided for in section 220 of the *Act*;
- Such other matters provided for in section 108 of the *Act*.

## RULE 25

## HOBSONVILLE VILLAGE CENTRE SPECIAL AREA

## RULES

**25.0 General**

- (a) The following rules shall apply to *Any Activity* on land situated in the *Hobsonville Village Centre Special Area*, and shall include the erection or alteration of *buildings* or *development* or subdivision of the site.
- (b) Where there is any conflict between the following rules and other rules in the *Plan*, the following rules shall prevail.

**25.1 Permitted Activities**

The following are *Permitted Activities*:-

- (a) *Filming Activities* not involving the erection of new *buildings* or the external alteration of existing *buildings* or requiring the *development* of new *infrastructure* to service the activity.
- (b) Any *Activity* not requiring the *construction* or alteration of *buildings*.
- (c) Grazing.
- (d) Horticulture.
- (e) Any *Temporary Activity*.
- (f) In respect of Precinct C as shown on the *Hobsonville Village Urban Concept Plan* any school activities in accordance with the Ministry of Education designation ME20.
- (g) In Precinct D, any *Activity* that is a *Permitted Activity* in the *Open Space Environment*.

**25.2 Limited Discretionary Activities**

The following are *Limited Discretionary Activities*:-

**1. Precinct A and A2**

In respect of Precinct A as shown on the *Hobsonville Village Urban Concept Plan*:-

- (a) *Any Activity* including the erection or alteration of *buildings* or *development* of the *site*, and any *subdivision* which is a *Permitted Activity* or a *Limited Discretionary Activity* in the *Working Environment*, except Rule 5 Retailing and Rule 7 Residential Activities.
- (b) Any *Retail Activity* involving:-
  - (i) *retail sales* of goods manufactured on the same *site*, provided that *retail floor space* may occupy no more than 15% of the gross floor area of that part of the *building* which

## ASSESSMENT CRITERIA

**General Design Criteria**

- 25(a) The extent to which *building design* includes principles of passive solar design and walkable neighbourhoods.
- 25(b) The extent to which the development is designed, having regard to the:
  - (i) Hobsonville Village Urban Concept Plan.
  - (ii) Hobsonville Village Centre Street Typology Concept Plan.
  - (iii) Hobsonville Village Urban Concept Transport Plan.
- 25(c) The extent to which any proposed *subdivision* and/or *development* and *buildings* in Precinct A and A2:-
  - (i) are consistent with the *Hobsonville Village Urban Concept Plan*.
  - (ii) that adjoin to, or are visible from Hobsonville Road or the Hobsonville Primary School, achieve a high standard of visual amenity through such methods as design articulation of building facades, limiting building height and bulk, building setbacks, the design of the landscape interface area, landscape treatment of front yards, fencing of the Hobsonville Primary School boundary, and screening of storage areas.
  - (iii) that are in the vicinity of Hobsonville Road or the Hobsonville Primary School, are designed and/or managed to avoid or mitigate any potential for effects arising from noise, discharges to air or odour.
  - (iv) that adjoin to, or are visible from the northern and western boundary of the Hobsonville Primary School, achieves the mitigation of noise and visual effects on the school through the implementation of a landscape interface plan.

Note: Frontage Control 25-A may be required to be adhered to where buildings are of a design or function that does not require an active interface with the street, and where a setback is required to maintain a satisfactory standard of visual

is occupied by the activity, or 100m<sup>2</sup> whichever is the lesser; or

- (ii) *Convenience shops* not exceeding 100m<sup>2</sup> in *retail floor space* provided there are no other *convenience shops* within a 500m radius of the centre of the *site* subject to any proposal; or

- (iii) *Service stations*.

Provided that, in respect of (a) and (b) above, the following performance standards shall apply:

- (1) Any *subdivision* and/or *development* of a *site* in Precinct A adjoining the Hobsonville Primary School (Designation ME20) where identified on the Hobsonville Village Urban Concept Plan as being subject to a Landscape Interface Control (refer to note 9 and 10), shall
  - (i) include a landscape interface plan
  - (ii) incorporate continuous impermeable fencing of at least 1.8 metres in height,
  - (iii) require buildings to be located at least 6.0 metres from the boundaries of Precinct C,
  - (iv) along Landscape Interface Area A require a minimum 3 metre wide and 1 metre high landscape bund, and along Landscape Interface Area B require a minimum 3 metre wide landscape area; and
  - (v) require buildings to be contained within a recession plane of no more than 35 degrees as measured from any relevant point 2.5 m vertically above ground level on any site boundary in Landscape Interface Area A and within a recession plane of no more than 45 degrees as measured from any relevant point 2.5m vertically above ground level on any site boundary in Landscape Interface Area B.
- (2) Any *subdivision* or *development* of a *site* that contains an Indicative Future Road shall make provision for the development of that road in general accordance with the position shown on the *Hobsonville Village Urban Concept Plan*.-Note: the central spine road shall be designed as a Collector Road

amenity for any outlook from residential development directly opposite the site on Hobsonville Road.

- 25(d) The extent to which any proposed Comprehensive Development Plan for Precinct B has resulted from a process involving consultation with all landowners within that Precinct and adjoining *sites*.
- 25(e) The extent to which any proposed *development* and *buildings* is consistent with the policies for that particular precinct and relates to adjoining precincts in the *Hobsonville Village Urban Concept Plan*.
- 25(f) The extent to which the *site* is of adequate size to accommodate the proposed activity together with associated *carparking*, *landscape treatment* and any other facilities.
- 25(g) The extent to which redevelopment of, or additions and alterations to, existing buildings complement existing *development* having regard to:
  - (i) The architectural elements of the *building* which contribute to its character, such as cladding and fenestration;
  - (ii) The **visual appearance** of the development from the road;
  - (iii) **amenity values** and **neighbourhood character**.
- 25(h) The extent to which *activities*, *buildings*, *driveways*, *carparking* and other *development* are of a size, location, scale and *design* that complements the character of *buildings* and *development* of adjoining land, having regard to the existing and potential use(s) of that adjoining land.
- 25(i) The extent to which activities and structures in Precinct A and A2 maintain and enhance the modern industrial park character and *amenity* of the *Hobsonville Village Centre Special Area*.
- 25(j) The extent to which any *development* provides a good standard of aural and visual amenity, particularly between *residential activities* and *non-residential activities* and between *residential activities* and roads.
- 25(k) The extent to which landscaping is used to off-set the visual *effect* of new *buildings*.
- 25(l) The extent to which *activities*, *buildings*, *driveways*, *carparking* and other *development* are of a *size*, location, scale and *design* which

(see the Auckland Transport Code of Practice).

- (3) *Buildings* on *sites* with frontage to Hobsonville Road (excluding rear sites) shall have a minimum *height* of two storeys over the full width of the *building* and for a depth back from the elevation facing Hobsonville Road of no less than 20 metres.
- (4) Prior to any development as provided for in (1) - (4) above of the land shown on the Hobsonville Village Urban Concept Plan Precinct A2, the following shall be completed and the relevant approvals obtained:
  - (i) An integrated catchment management plan and relevant network discharge consents for the whole of the land identified as Precinct A2;
  - (ii) An integrated transport assessment in accordance with the relevant guidelines.

## 2. Precinct A3

In respect of Precinct A3, as shown on the Hobsonville Village Urban Concept Plan:-

Activities established within the land identified as Business as shown on the Hobsonville Village Urban Concept Plan, will be confined to the following activities:-

- (i) Offices;
- (ii) *Service stations*;
- (iii) *Retail sales* of automotive and marine products, parts and accessories;
- (iv) Sales of beverages;
- (v) *Restaurants*;
- (vi) Sales of *takeaway food*; and
- (vii) *Residential activities* involving *apartments* above ground floor level only, and complying with the standards in relation to the *City-Wide Urban Design Rules* Rule 1.

## 3. Precinct B

In respect of Precinct B as shown on the *Hobsonville Village Urban Concept Plan*:-

- (a) A Comprehensive Development Plan for the whole Precinct, provided that the following Performance Standards and any relevant

complements the character of *buildings and development* of adjoining Special Areas and other *Human Environments*.

- 25(m) The extent to which *development* meets the following design criteria:

- (i) New development has appropriate detail to enhance the character of the street frontage;
- (ii) Any large building facades which are highly visible from the road and motorway should be adequately detailed for visual interest;
- (iii) Buildings within the Village Centre (Retail) face onto rather than back onto any street frontage, and provide a safe, high amenity, pedestrian-oriented street environment; and
- (iv) Buildings within the Business Area within Precinct B are located and designed to encourage pedestrian movement and the support of public transport integration along the Hobsonville Road corridor;
- (v) A pedestrian network is provided throughout the site, and pedestrian linkage areas, or pedestrian connections are identified within and to adjoining sites, within the precinct in which the development is proposed;
- (vi) The development of the site is to be staged and the means of managing any consented but not yet developed land during the staging process.

- 25(n) The extent to which permeable fencing is used except where *Residential Activities* need clear separation from Non-Residential Activities.

- 25(o) The extent to which all *development* is highly connected via a public roading system which allows for public transport, vehicle and pedestrian connections.

- 25(p) The extent to which *buildings and activities* avoid adverse effects on neighbourhood character and *amenity* values.

- 25(q) The extent to which areas of open space, planting and landscape treatment are used to mitigate the visual effects of *buildings and development*.

- 25(r) The extent to which a landscape treatment will ensure that potential adverse effects of *development* are avoided, remedied or

standards in the *City-Wide Urban Design Rules* are satisfied.

- (b) Any *consent* under this Rule shall be limited to the first Comprehensive Development Plan only (Note: any further Comprehensive Development Plan or any amendment to a Comprehensive Development Plan shall be a Discretionary Activity pursuant to Rule 25.3).

Performance Standards for Comprehensive Development Plans:-

The level of detail supplied should reflect ownership patterns. Therefore specific detailed information is required for land that the applicant owns or has an interest in.

For that part of the Precinct that the applicant does not own or have an interest in, the extent of detailed information to be provided is to depend on whether there are any specific development proposals at the time of the Comprehensive Development Plan application. The applicant is to provide as much relevant detail as possible, after undertaking reasonable enquiries, concerning any such developments. If there are no such development proposals, a general outline only may be provided reflecting the type of development envisaged by the Hobsonville Village Urban Concept Plan.

The Comprehensive Development Plan shall include:-

- (i) Compliance with the Hobsonville Village Transport Concept Plan;
- (ii) The exact location and *design* of proposed *roads*;
- (iii) The application of the relevant street frontage typology from the *City Wide Rule 3 Building Design and Street Frontage*;
- (iv) The location of bus stops;
- (v) The provision of a pedestrian network to be provided throughout the Precinct, and linked to adjoining Precincts;
- (vi) An indicative layout of *proposed sites*;
- (vii) An indicative layout of the proposed location of *retail activities, mixed use activities and residential activities*, provided that:-
  - (1) the location of supermarkets (each with a maximum individual gross floor area of 4,000m<sup>2</sup>) shall be on a site in the

mitigated and that a high standard of amenity is achieved.

- 25(s) The extent to which any *development* provides a good standard of aural and visual amenity, particularly between *residential activities* and *non-residential activities*.
- 25(t) The extent to which areas of open space, planting and streetscape treatment are used to avoid or mitigate the visual effects and impacts of *buildings* and *development*.
- 25(u) The extent to which *landscape treatment* and *development* complements and enhances the **natural landscape character** of adjoining land.
- 25(v) The extent to which lighting will assist in creating and enhancing a consistent and safe character throughout the relevant precinct and the *Hobsonville Village Special Area* as a whole.
- 25(w) The extent to which:
  1. *buildings* are located to allow the efficient use of sites; and
  2. the supermarkets contribute to the creation of a cohesive Village Centre (Retail) area in Precinct B.
- 25(x) The extent to which the selection of planting types are related to living spaces and outdoor space, relationship to the road and ongoing maintenance requirements.
- 25(y) The extent to which proposed *development* makes use of shared facilities between similar activities both on adjoining *sites* and in the vicinity.
- 25(z) The extent to which *signs* are visually appropriate to the neighbourhood character.
- 25(aa) The extent to which *signs* are of a height which avoids the *sign* dominating the neighbourhood and nearby structures.
- 25(ab) The extent to which *signs* do not create a situation hazardous to the safe movement of traffic.
- 25(ac) The extent to which retail activities proposed within Precinct B serve the intended catchment, consistent with the policies for the Village Centre.

#### Transportation Criteria

(Note: all of the following assessment criteria are to be addressed in an Integrated Transport Assessment prepared in consultation with Auckland Transport and the New Zealand Transport Agency to satisfy the standards in Rule 25.2.3(b)(xiii) and 25.3(d)(ii) and (iii).

## RULE 25

## HOBSONVILLE VILLAGE CENTRE SPECIAL AREA

Village Centre (Retail) of Precinct B. The boundary of Village Centre (Retail), Precinct B, is that which is shown on the *Hobsonville Village Centre Urban Concept Plan*.

- (2) The indicative layout shall include a concept design of the development of that site including the position of buildings, carparking and access.
- (3) Within the remainder of the Village Centre (Retail) area of Precinct B, as shown on the *Hobsonville Village Urban Concept Plan*, not including the supermarkets, individual retail premises will have a maximum gross floor area of 500m<sup>2</sup> and a maximum average *gross floor area* not exceeding 300m<sup>2</sup>.
- (viii) confirmation that activities established within the "Business" area as shown on the *Hobsonville Village Urban Concept Plan*, will be confined to the following activities:-
  - (1) Offices;
  - (2) Service stations;
  - (3) *Retail sales* of automotive and marine products, parts and accessories;
  - (4) Sales of beverages;
  - (5) Restaurants;
  - (6) Sales of *takeaway food*; and
  - (7) *Residential activities* involving *apartments* above ground floor level only, and complying with the standards in relation to the *City-Wide Urban Design Rules* Rule 1.
- (ix) Confirmation that activities established in the Mixed Use area as shown on the *Hobsonville Village Urban Concept Plan* will be confined to:-
  - (1) *residential activities*, being *medium density housing* or *apartment* development complying with the standards in relation to the *City-Wide Rule 1 - Apartment Design*;
  - (2) *retail activities* on the ground floor only, being a *convenience shop* or a *restaurant*,

25(ad) The extent to which the design of roads and the development of *adjoining sites* will ensure well-connected, attractive and safe transport routes, with appropriate provision for vehicle, cycle and pedestrian movements, car parking, infrastructure services, street-tree planting, and landscape treatment.

Note: Council may require compliance with Diagram 25-A as a condition of Comprehensive Development Plan approval in respect of Precinct B.

25(ac) The extent to which *roads* provide a highly inter-connected public roading system so as to reduce trip distances and to improve local accessibility to community facilities, reserves, public transport facilities and the Hobsonville Village Centre Special Area Precinct B.

(Note: It is expected that the preparation of comprehensive development plans will include consultation with the Auckland Council and Auckland Transport).

25(af) The extent to which any *development* having access to Hobsonville Road or Brigham Creek Road is designed to minimise the need for vehicle crossings to Hobsonville Road and achieve safe access, without compromising the ability of those roads and the Brigham Creek interchange to efficiently function as a Strategic Network.

(Note: it is expected that the applicant will consult with New Zealand Transport Agency and Auckland Transport in respect of this criterion).

25(ag) The extent to which roads and intersection design create high quality public spaces, and incorporate quality amenity features such as tree planting and footpath paving.

25(ah) The extent to which stormwater management features such as rain gardens, swales and permeable paving are incorporated into roading design.

25(ai) The extent to which a pedestrian and cycle network is provided which safely and directly links schools, reserves, commercial areas and passenger transport routes with living areas.

25(aj) The extent to which the design and construction of on-site roading is capable of providing access to the wider movement network.

and not exceeding 200m<sup>2</sup> in *gross floor area*.

- (x) Provision to be made for *car parking*, and, where relevant, *loading spaces* for all proposed activities;
  - (xi) Proposals for *landscape treatment*;
  - (xii) A site development/building *design* guide for the entire Precinct;
  - (xiii) An Integrated Transport Management Assessment in accordance with assessment criteria 25(ad) - 25(aw); including traffic modelling;
  - (xiv) The manner by which *development* of the Precinct is to be staged and the means of managing any vacant land during the staging process.
- (c) Any new *building*, provided that the activity complies with any Comprehensive Development Plan approved pursuant to Rule 25.2(b) or Rule 25.3;
- (d) Any new activity that complies with any Comprehensive Development Plan approved pursuant to Rule 25.2(b) or Rule 25.3;
- (e) The subdivision of any *site* which complies with a Comprehensive Development Plan approved pursuant to Rule 25.2(h) or Rule 25.3, provided that subdivision Rule 5 - Working and Community Environment also applies.
- (f) In respect of Precinct B, residential development as identified on the Hobsonville Village Centre Concept Plan Appendix XIX, that is within 400m of the intersection of Hobsonville and Clark/Wisely Roads.
- (g) Low impact design and source control of contaminants in Precincts A and B in accordance with the integrated catchment management plan and relevant network discharge consent(s).

#### 4. Precinct C

In respect of Precinct C as shown on the *Hobsonville Village Urban Concept Plan* -

- (a) Schools

#### 5. Precinct D

In respect of Precinct D as shown on the *Hobsonville Village Urban Concept Plan* -

- (a) *Any Activity* which is a *Limited Discretionary Activity* in the *Open Space Environment*.

25(ak) The extent to which traffic generation creates adverse *effects* on:

- (i) The capacity of *roads* giving access to the *site*;
- (ii) The safety of *road* users including cyclists and pedestrians;
- (iii) **neighbourhood character**;
- (iv) the sustainability of the primary road network and the Frequent Network.

(Note: New Zealand Transport Agency and Auckland Transport interpret sustainability of the primary roading network as preserving the transport function of the State Highway network, and regional arterial roads to maintain the optimum level of speed and capacity for both private vehicles and public transport.)

25(al) The extent to which good walking & cycle connections are provided between parks/reserves, town centres and schools.

25(am) The extent to which the design of roads and slip lanes utilises land efficiently and encourages walkability by using minimal dimensions for carriageways, creating safe entry and exit points on the slip lanes and integrating service lines beneath footpaths or parking bays.

25(an) The extent to which provision has been made for public transport facilities, including a public transport interchange, taxi stops and bus stops.

25(ao) The extent to which development has been designed to integrate land uses with transport systems, through the use of an integrated transport assessment methodology for major trip generating activities. The Integrated Transport Assessment should include consideration of public transport within each precinct, and between precincts.

25(ap) The extent to which *car parking* accommodates expected peak demand of an activity, having regard to:-

- (i) the existing provision of parking areas in the vicinity of the site;
- (ii) the capacity of *roads* giving access to the *site*;
- (iii) the safety of *road* users including cyclists and pedestrians, including where appropriate for this

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### 6. In All Precincts

- (a) *Any Activity* requiring the *construction* or alteration of *buildings*.
- (b) The establishment of *infrastructure*.

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

- (a) road location, pedestrian linkages, in the vicinity of those generally indicated on the *Hobsonville Village Urban Concept Plan*;
- (b) road design, transport management and construction;
- (c) *infrastructure* location, capacity and *design*;
- (d) provision for public open space, and retaining and enhancement of natural features, having regard to the *Hobsonville Village Urban Concept Plan*;
- (e) integration of any *subdivision* or *development* with adjoining land and *road*;
- (f) bulk, scale, design and location of *sites*, *buildings*, *carparking* and driveways;
- (g) screening, fencing and *landscape treatment*;
- (h) aural and visual amenity between the *Hobsonville Village Urban Concept Plan* Area and existing *development* on adjoining land;
- (i) protection and enhancement of natural landscape qualities;
- (j) the proposed *landscaping* and *street design*;
- (k) provision for *public transport* including bus stops within the precincts;
- (l) provision for *aural amenity* between activities within the precincts;
- (m) provision for *aural and visual amenity* between activities located in adjacent precincts including subdivision and/or development of a site in Precinct A adjoining the Hobsonville Primary School;
- (n) provision to be made for transport systems and the integration of those systems with land use; and
- (o) matters within Assessment Criteria 25(a)-25(bj).

### 25.3 Discretionary Activities

Activities meeting the following Performance Standard are Discretionary Activities:

purpose, avoiding car parking for an activity being separated by a road;

- (iv) **neighbourhood character**;

- (v) the complementarity of parking demand for different activities at different times of the day.

25(aq) The extent to which *car parking* is designed according to a perimeter block layout where *car parking* is provided behind *buildings*, except for kerbside parking, and with the main “activity frontage” for buildings oriented towards public streets rather than parking areas.

25(ar) The extent to which *car parking* is provided that:-

- (i) Provides sufficient car parks for residents in Precinct B and visitors in all Precincts;
- (ii) Provides car parking areas which are secure, well lit and conveniently accessible for residents in Precinct B;
- (iii) Ensures car parks are located behind buildings or landscaping (not visible from the street) or in semi or full basements;
- (iv) Provides for on-site loading facilities for service vehicles, delivery vehicles, including furniture removal and delivery, rubbish collection vehicles and their compliance with rules for vehicle manoeuvring.

25(as) The extent to which worker or student parking for *non-residential activities* is provided for within a 5 minute walking distance of land uses, rather than necessarily adjoining each *non-residential activity*.

25(at) The extent to which *development* promotes a safe environment for pedestrians and cyclists, including adequate lighting and appropriate location and *design* of entrances, windows and *driveways*.

25(au) The extent to which *driveways*, *car parking* and *roads* provide for safe and efficient provision for motor vehicles.

25(av) The extent to which traffic generation creates adverse *effects* on:

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## HOBSONVILLE VILLAGE CENTRE SPECIAL AREA

- (a) In respect of Precinct A, any *Activity* or *building* which is a *Discretionary Activity* in the *Working Environment*, except Rule 5 *Retailing* and Rule 7 *Residential Activities*.
  - (b) In respect of Precinct B, any *Activity* that is not a *Permitted Activity* or a *Limited Discretionary Activity* shall be deemed to be a *Discretionary Activity*.
  - (c) In respect of the Village Centre (Retail) in Precinct B, any supermarket activity, that does not meet the requirements of approved Comprehensive Development Plan(s) for Precinct B, or any supermarket where no Comprehensive Development Plan(s) are approved, the following performance standards shall apply:
    - (i) Any supermarket shall have a maximum individual gross floor area of 4,000m<sup>2</sup>;
    - (ii) Provide the location and design of proposed roads through the site;
    - (iii) Provide the location and design of all proposed roads, slip lanes, vehicle crossing and footpaths on all boundaries of the site;
  - (d) In respect of the Village Centre (Retail) in Precinct B, any supermarket activity, that does not meet the requirements of approved Comprehensive Development Plan(s) for Precinct B, or any supermarket where no Comprehensive Development Plan(s) are approved, shall provide the following information:
    - (i) A landscape treatment plan;
    - (ii) Plans showing the manner in which outdoor storage and loading areas are screened;
    - (iii) An Integrated Transport Assessment in accordance with relevant guidelines issued by Auckland Transport and/ or New Zealand Transport Agency;
    - (iv) Assessment of any Integrated Transport Assessment will consider the matters set out under Transportation Criteria, in particular criteria 25(ad) to 25(aw) in assessment criteria.
  - (e) In respect of Precinct C any *Activity* that is not a *Permitted Activity* or a *Limited Discretionary Activity* shall be deemed to be a *Discretionary Activity*.
    - (i) The capacity of *roads* giving access to the *site*;
    - (ii) The safety of *road* users including cyclists and pedestrians; and
    - (iii) **neighbourhood character**.
- 25(aw) The extent to which the development achieves:
- (i) an overall level of service (LOS) of 'E' (or higher) for interchanges and intersections within and immediately adjacent to Precincts B and A3;
  - (ii) an overall LOS of 'E' (or higher) or a degree of saturation less than or equal to 0.95 for an individual movement along Hobsonville Road and at Brigham Creek Interchange;
  - (iii) safe and efficient stacking capacity within the intersections and interchanges shown on the Hobsonville Village Urban Concept Transport Plan; and
  - (iv) the mitigation of an adverse transport effects on the roading network, where practicable.
- Infrastructure Criteria**
- 25(ax) The extent to which *infrastructure* for stormwater, wastewater and water supply are designed to ensure techniques are used to minimise water use and generation.
- 25(ay) The extent to which the *infrastructure* provided incorporates sustainable principles, with a particular emphasis on the efficient use and natural treatment of water systems.
- 25(az) The extent to which the *infrastructure* provided to serve any new *development* is of a recognised public standard (such as compliance with the Waitakere City Code of Practice).
- 25(ba) The extent to which provision for storm water management and land use meets requirements of the Integrated Catchment Management Plan - Waiarohia. Development shall not cause a non-compliance with the conditions of consent for network discharge consent for Auckland Regional Council Permit 25692.
- 25(bb) The extent to which *development* retains and enhances riparian margins and provides

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- (f) In respect of Precinct D any *Activity* that is a *Discretionary Activity* in the *Open Space Environment*.
- (g) In respect of Precinct B any building that does not satisfy the standards in Rule 25.2(b).
- (h) In respect of Precinct A, any buildings that does not meet the standards under Rule 25.2.1(1)

*Discretionary Activity* applications will be assessed having regard to Assessment Criteria 25(a) - (b) and any other relevant matter under section 104 of the *Act*.

#### 25.4 Other Rules Applying

1. The following rules of the *Plan* shall apply to *Any Activity* (unless otherwise specified in these Rules):-
  - (a) City Wide Building Design Street Frontage Rule;
  - (b) City Wide Site Analysis Rule;
  - (c) All other relevant *City-Wide* Rules;
  - (d) All relevant *Natural Area* Rules.
2. The following rules shall apply to Precinct A and A2:
  - (a) Working Environment Rule 2 - Height In Relation To Boundaries;
  - (b) Working Environment Rule 3 - Building and Development Location. This cross reference is limited to only the performance standards that apply to air conditioning equipment or air discharges devices;
  - (c) Working Environment Rule 6 - Air Discharges;
  - (d) Working Environment Rule 8 - Noise;
  - (e) Working Environment Rule 9 - Parking; Loading and Driveway Access;
  - (f) Working Environment Rule 10 - Odour, Glare and Vibration;
  - (g) Working Environment Rule 11 - Signs;
  - (h) Subdivision Rule 5 - Working Environment and Community Environment;
  - (i) Working Environment - Rule 12 - Establishment of Infrastructure.

protection through a range of building setbacks and replanting measures.

- 25(bc) The extent to which *development* incorporates on-site storm water mitigation techniques that limit storm water runoff in the Hobsonville Village Concept Plan Area to pre-development levels (in terms of quality and quantity), including storm water from buildings, driveways, roads and other facilities.
- 25(bd) The extent to which an integrated approach to storm water management is adopted for storm water mitigation, with the emphasis being in the first instance on the reduction of storm water generated from sites through reuse of storm water and increase permeable areas, including de-compaction of soils following earthworks. (Note: Catchment wide storm water management facilities such as wetlands and treatment ponds shall only be used as a final form of treatment, not the primary form).
- 25(be) The extent to which the lots to be created are of a size and dimension that can meet (at later *building* and *development* stage), provision for stormwater mitigation on-site.
- 25(bf) The extent to which the design of development defines the 100 year flood plain, and limits development within that floodplain to *infrastructure*, including *roads*, water supply, wastewater, storm water facilities and reserves.
- 25(bg) The extent to which stormwater retention and treatment facilities are to be designed to retain in stream ecological values and added additional habitat (e.g. wetlands) where possible.
- 25(bh) The extent to which *earthworks* and other site works are undertaken in such a way as to avoid adverse effects on watercourse areas of ecological values and neighbouring properties arising from changes in landform and the generation of sediments.

#### Other Criteria

- 25(bi) The extent to which all relevant assessment criteria under the "Other Rules Applying" are addressed in any *resource consent*.
- 25(bj) 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

3. The following rules shall apply to Precinct B and A3:
  - (a) Community Environment Rule 3 - Building and Development Location;
  - (b) Community Environment Rule 10 - Air Discharges;
  - (c) Community Environment Rule 12 - Signs;
  - (d) Community Environment Rule 13 - Noise;
  - (e) Community Environment Rule 14 - Parking; Loading and Driveway Access;
  - (f) Community Environment Rule 15 - Odour, Glare and Vibration;
  - (g) Subdivision Rule 5 - Working Environment and Community Environment;
  - (h) Community Environment - Rule 16 - Infrastructure.
4. The following rule shall apply to Precinct C:
  - (a) Living Environment Rule 13 Noise.
5. The following rule shall apply to Precinct D:
  - (a) Open Space Environment Rules.

#### 25.5 Non-Complying Activities

*Any Activity* which is not a *Permitted Activity* or a *Limited Discretionary Activity* or a *Discretionary Activity*, except *residential activities* in Precinct A and/or Precinct A2, under the above rules shall be deemed to contravene a rule in the *Plan* and shall be a *Non-Complying Activity*.

Note: This includes any *non-residential activity* in Precinct A2 if the requirements of Rule 25.2(f) have not been fulfilled.

#### 25.6 Prohibited Activities

Any activity that is a *residential activity* in Precinct A and/or Precinct A2

through payment or provision of a *financial contribution*, including an *upgrading contribution*.

Note: See also Policies: 1.1, 1.5, 1.7, 1.8, 1.9, 1.10, 1.11, 1.12, 1.13, 1.14, 2.1, 2.12, 2.13, 2.15, 3.3, 3.4, 7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 7.7, 8.1, 8.2, 8.3, 8.4, 8.5, 8.7, 8.9, 10.1, 10.2, 10.3, 10.4, 10.5, 10.6, 10.7, 10.8, 10.9, 10.10, 10.11, 10.12, 10.13, 10.14, 10.16, 10.17, 10.18, 10.19, 10.20, 10.22, 10.23, 10.27, 11.1, 11.2, 11.3, 11.5, 11.6, 11.7, 11.8, 11.10, 11.11, 11.12, 11.13, 11.14, 11.17(a), 11.17(b), 11.18, 11.23, 11.27, 11.28, 11.32, 11.39, 11.40, 11.41, 11.42, 11.43, 11.47, 12.1, 12.2, 12.3, 12.4, 12.5, 12.6, 12.7, 12.8.

(Policy Section of the Waitakere District Plan)

### RESOURCE CONSENT CONDITIONS

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

- Requiring alterations to *design* and/or location;
- Requiring the use of consistent materials for the construction of footpaths and street furniture;
- Requiring the provision of Frontage Controls;
- Requiring provision for impermeable fencing that provided acoustics mitigation along the boundaries of Hobsonville Primary School (Designation ME20);
- Implementation of a Landscape Interface Plan along the boundaries of Hobsonville Primary School (Designation ME20);
- Requiring the provision of a landscape *treatment* plan and implementation of that plan within a specified time;
- Limiting the bulk and scale of *activities* and other *development*;
- The imposition of a *bond* to ensure satisfaction of conditions of consent;
- Requiring *financial contributions* in accordance with the *Plan*;
- Requiring *onsite* and *offsite* works and services to avoid, remedy mitigate or offset *adverse effects*;
- Such other matters provided for in section 108 of the *Act*.
- Where a subdivision is sought, such other matters provided for in s220 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 *Special Area* 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. Reference to the "Northern Strategic Growth Area Water Environment Plan" should be made for matters relating to water.
8. Once an integrated catchment management plan is completed and associated network discharge consents are granted, and an Integrated Transport Assessment is completed for Precinct A2, all relevant policies and rules that apply to Hobsonville Village Centre Special Area Precinct A will apply to Precinct A2.
9. The standards given under Rule 25.2.1(1)(ii) - (v) are minimum standards. The actual landscaping interface area may be required to meet greater standards in order to satisfactorily address the matters set out in Assessment Criteria 25(c).
10. The Landscape Interface Plan shall detail:
  - a) fence design;
  - b) the uses of the 6 metres set back area;
  - c) plant selection so as to provide visual amenity and to filter and soften views to the adjoining development from the Hobsonville Primary School, including consideration of:
    - a mix of species;
    - sunlight infiltration;
    - providing a level of screening while not being overly dominant; and
    - on going maintenance requirements;
  - d) design of Landscape Interface Area to define the area s a landscape buffer, and to ensure the area is not used for purposes other than that identified in the Landscape Interface Plan.
  - e) timing of the creation of Landscape Interface Area;
  - f) the ongoing and integrated management of that area, even if in multiple ownership;
  - g) the extent to which the applicant has consulted the Hobsonville School Board of Trustees and the Ministry of Education on the design of the Landscape Interface Area and the matters raised during any consultation.

## RULES

### 26.0 General

- (a) The following rules shall apply to *Any Activity* on *land* situated in the *Massey North Town Centre Special Area*.
- (b) Where there is any conflict between the following rules and other rules in the *Plan*, the following rules shall prevail.
- (c) All of the following rules shall apply, where relevant, to *Any Activity*.
- (d) The “Concept Plan” referred to in these rules is the *Massey North Urban Concept Plan* for the *Massey North Town Centre Special Area*, dated 17 May 2011.

### 26.1 Permitted Activities

The following are *Permitted Activities*:-

- (a) *Filming Activities* not involving the erection of new *buildings* or the external alteration of existing *buildings* or requiring the *development* of new *infrastructure* to service the activity.
- (b) Any *residential activity* in a *building* erected for residential purposes pursuant to Rules 26.2(a) and (d).
- (c) *Home occupations* meeting the following performance standards:
  - (i) no more than 5 persons are engaged in the *home occupation*, at least one of whom resides on the *site*;
  - (ii) the *home occupation* is carried out within an existing *building*;
  - (iii) the *home occupation* does not involve traffic generation involving a *heavy traffic vehicle* exceeding two *vehicle movements* per week;
  - (iv) 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 goods produced *on-site*;
  - (v) the *home occupation*, apart from the parking of one vehicle, is screened from the *adjoining sites* and the *road*.
- (d) Any *sign* not exceeding 0.1m<sup>2</sup> in area within the Town Centre, Mixed Use Periphery/Commercial, Large Format Retail and Community Facility areas, prior to the approval of a comprehensive development plan *resource*

## ASSESSMENT CRITERIA

**Interpretation of the assessment criteria is to be consistent with Policy 11.44.**

### General Criteria

- 26(a) The extent to which any proposed comprehensive development plan is consistent with the *Massey North Urban Concept Plan*.
- 26(b) The extent to which any proposed *development* and *buildings* are consistent with the *Massey North Urban Concept Plan* and the approved comprehensive development plan, to which the degree of consistency shall usually be given greater weight than non-compliance with other relevant assessment criteria.
- 26(c) The extent to which *building design* within the *Massey North Town Centre Special Area* will achieve:-
  - (i) a community that models sustainability, particularly the principles of passive solar design and walkable neighbourhoods;
  - (ii) a character and appearance that will ensure a high standard of *amenity* values and avoid conflicts between activities within the relevant precinct and between that precinct and other precincts;
  - (iii) a consistent and attractive streetscape character;
  - (iv) variations in *building* footprints, form and style rather than rows of *buildings* of the same footprint, form and style;
  - (v) the articulation of any *building* facades which are visible from *roads*;
  - (vi) the use of permeable fencing except where *Residential Activities* need clear separation from *Non-Residential Activities*;
  - (vii) the incorporation of existing views and *natural features* around the *Massey North Town Centre Special Area*, including the natural landscape qualities of the environment adjacent to the riparian areas.
- 26(d) The extent to which *activities*, *buildings*, *driveways*, *car parking* and other *development* are of a *size*, location, scale and *design* that will accommodate the proposed activity and complement the character of *buildings* and *development* of adjoining *land*, having regard

## RULE 26

## MASSEY NORTH TOWN CENTRE SPECIAL AREA

*consent* for the precinct in which the *sign* is to be located.

- (e) Grazing.
- (f) Horticulture.
- (g) The following alterations to *buildings*:
  - (i) any internal alteration,
  - (ii) any alteration to the roof, rear walls and side walls, provided that the *height*, depth or width of the *building* does not increase by more than 1 metre.
- (h) Subject to rules 26.2(d) and 26.6(a); any *Massey North Town Centre Precinct A Activity*, *Massey North Town Centre Precinct B Activity*, *Massey North Town Centre Precinct C Activity*, *Massey North Town Centre Precinct D Activity*, *Massey North Town Centre Precinct E Activity*, as defined in Rule 1.2 Special Area Definitions.

### 26.2 Limited Discretionary Activities

The following are *Limited Discretionary Activities*:-

#### Buildings

- (a) The erection or alteration of any *building* for a *Massey North Town Centre Precinct A Activity*, *Massey North Town Centre Precinct B Activity*, *Massey North Town Centre Precinct C Activity*, *Massey North Town Centre Precinct D Activity*, *Massey North Town Centre Precinct E Activity*, as defined in Rule 1.2 Special Area Definitions, provided that:
  - (i) the *building* is either for *retail sales* or *retail services* within the threshold standards in Special Area Rule 1.2 for Precinct E, or is expressly provided for in, or contained within the *building* envelope as established by, a comprehensive development plan that has been prepared and approved pursuant to Rule 26.2(d); and
  - (ii) any *buildings* or *development* on a *site* which fronts a street typology shown on the Massey North Urban Concept Plan - Road Network and Street Typologies Appendix XXVI in respect of Precinct E, or otherwise any relevant nominated *street typology* on an approved comprehensive development plan comply with the performance standards for the relevant typology and any other standard included in the comprehensive development plan; and

to the existing and potential use(s) (as identified within an approved comprehensive development plan) for adjoining *land* in the *Massey North Town Centre Special Area*.

- 26(e) The extent to which *outdoor storage areas* are located, *designed* or *screened* to avoid creating adverse visual and odour *effects* on pedestrian *amenity*, *roads* and *adjoining sites*.
- 26(f) The extent to which *building*, parking entranceways and footpaths are *designed* for ease of access for the disabled, elderly and children.
- 26(g) The extent to which *building height*, which is greater than 12 metres, will create adverse wind conditions around the *building* or in the immediate locality, including *effects* on the pedestrian environment at *street* level.
- 26(h) The extent to which, for any *development* not meeting the minimum number of *floor levels*, there are adverse *effects* on the vitality and intensification of the *Massey North Town Centre Special Area*.
- 26(i) The extent to which redevelopment of, or additions and alterations to, existing *buildings* complement the existing and proposed character of *Massey North Town Centre Special Area* having regard to:
  - (i) the architectural elements of the *building* which contribute to its character, such as cladding and fenestration;
  - (ii) the visual appearance of the *development* from the *road* reserves;
  - (iii) *amenity* values and neighbourhood character.
- 26(j) The extent to which any *development* provides a good standard of aural *amenity*, particularly between *residential activities* and *non-residential activities*.
- 26(k) The extent to which comprehensive development plans that do not achieve the standard set in Rule 26.2(d)(iii)(18), or *buildings* that do not achieve the FAR standards set in those comprehensive development plans; demonstrate that they will not compromise the ability of the town centre to:
  - achieve employment or residential density targets set in the Auckland Regional Policy Statement or;
  - support an efficient public transport system.

- (iii) *Connections* are available to *infrastructure*; and
- (iv) any *apartment* shall also be subject to Citywide Rule 1 - Apartment Design; and
- (v) *residential activity* complies with Rule 1.10 of the City-Wide Rules - General Noise Standards.

**Supermarket car parking**

- (b) Supermarket *car parking* where there is no more than one *car park* for every 20m<sup>2</sup> of *gross floor area* and no less than one *car park* for every 25m<sup>2</sup> of *gross floor area* (refer to rule 26.3(d) for *car parking* in excess of one *car park* for every 20m<sup>2</sup> of *gross floor area*).

**Subdivision**

- (c) The *subdivision* of any *site* provided that:-
  - (i) a comprehensive development plan has been prepared and approved pursuant to Rule 26.2(d); or
  - (ii) the *site* is specified in a land use consent.

Subdivision Rule 5 - Working and Community Environment also applies, except that in areas nominated for apartment residential on the *Massey North Urban Concept Plan* Subdivision Rule 3 and Rule 4 - Living Environment applies.

**Comprehensive Development Plans**

- (d) A comprehensive development plan for any one or more of the precincts shown on the *Massey North Urban Concept Plan* shall be a *limited discretionary activity* where:
  - (i) The following components are provided for in the position shown on the Massey North Urban Concept Plan and Conceptual Road Network:
    - (1) town centre
    - (2) town centre mainstreet
    - (3) mixed Use Periphery/Commercial
    - (4) large Format Retail/Commercial
    - (5) *apartment* Residential
    - (6) *strategic Roads (Alignments)* (unless the location of a *Strategic Road (Alignments)* has been altered by an approved comprehensive development plan)
    - (7) *strategic Road Frontage to Open Space Network* (unless the location of the *Strategic Road Frontage to Open Space* in an adjoining precinct has been altered by an approved comprehensive

26(l) The extent to which *landscape treatment* and *development* complements and enhances the natural landscape character of the riparian margins.

26(m) The extent to which *landscape treatment* ensures that potential adverse *effects* of *development* are avoided, remedied or mitigated and that a high standard of *amenity* is achieved.

26(n) The extent to which in the selection of *planting* types, consideration has been given to the physical and environmental characteristics of living spaces and *outdoor spaces*, relationship to the *road* and ongoing maintenance requirements.

26(o) The extent to which areas of *open space*, *planting* and streetscape treatment are used to offset the visual impact of *buildings* and *development*.

26(p) The extent to which the *site* is of adequate size to accommodate the proposed activity and any proposed Massey North Town Centre Activities together with associated *carparking*, *landscape treatment* and any other facilities.

26(q) The extent to which proposed *development* makes the most efficient use of the *land* resource with the use of shared facilities between similar activities both on *adjoining sites* and in the vicinity.

26(r) The extent to which *apartments* are designed to provide for a variety of lifestyle choices and a mixed community environment.

26(s) The extent to which the bulk and scale of individual *retail activities* adversely affects retail diversity and activity, and urban *amenity* within the precinct. The *gross floor area* maximum for individual *retail activity* units set in the rules for each precinct will be considered as the maximum that can be undertaken without potentially causing adverse *effects*. Any applications to exceed this will require a peer reviewed analysis of the *effects* on retail diversity and activity, and urban *amenity* within that precinct.

- development plan)
- (8) *strategic Access Points – Signals*
- (9) ecological and Urban Open Space
- (10) *street typologies* must be identified for all roads.

Note: any deviation from the positions or areas shown on the Massey North Urban Concept Plan and Conceptual Road Network shall result in the comprehensive development plan being assessed as a discretionary activity.

- (ii) The following components are provided for, but may be in different locations or area than shown on the Massey North Urban Concept Plan and Conceptual Road Network:

- (1) Park and ride – must be accessible for public transport users and deliver a safe and secure environment for users. The location of the park and ride can change as the town develops further, including the option to deliver such use within a parking structure.
- (2) Transport interchange – must be located within 200 metres of the main street, offer visual prominence and be safe and easily accessible for pedestrians and public transport users.
- (3) Community facilities – should be located in the positions shown on the *Massey North Urban Concept Plan* or a location nearby that offers visual prominence and is easily accessible for pedestrians and public transport users.
- (4) Left in left out vehicle access locations on Fred Taylor Drive.
- (5) Pedestrian linkages.
- (6) *Strategic Roads (Linkages)*.
- (7) Vehicle access lanes.

- (iii) An application for a comprehensive development plan must be accompanied by the following information:

- 1. The exact boundaries between the precinct and adjoining precincts.
- 2. The location and design of proposed areas of *open space*, or ecological linkages, natural features to be retained, and areas to be *developed* for stormwater treatment and detention

### Transportation Criteria

All of the following assessment criteria are to be addressed in a transport management plan prepared to satisfy the standards in Rule 26.2 (d)(iii)(14).

- 26(t) The extent to which provision has been made for upgrading *roads* and transport systems to and around the Massey North Town Centre Special Area, sufficient to enable efficient and safe transport movements consistent with the *Massey North Urban Concept Plan*. This includes any temporary measures or staging as *development* progresses. Regard is to be had to traffic generation within the Special Area as a whole.
- 26(u) The extent to which the layout and *design* of *streets* and public lanes ensures well-connected, attractive, efficient and safe transport routes, with appropriate provision for vehicle, cycle and pedestrian movements, *carparking*, *infrastructure* services, street-tree planting, and *landscape treatment*.
- 26(v) The extent to which the roading network provides a highly inter-connected roading system so as to reduce trip distances and to improve local accessibility to community facilities, *reserves*, public transport facilities and the town centre core.
- 26(w) The extent to which provision has been made for public transport facilities, including a public transport interchange, taxi stops and bus stops. This includes facilities identified in the *Massey North Urban Concept Plan*.
- 26(x) The extent to which the *development* has been designed and sequenced to integrate the land uses with transport systems including provision for public transport; within the precincts, between precincts and within the wider regional transport catchment, to the extent appropriate having regard to the particular characteristics of the proposal and its surrounding environment. An integrated transport assessment methodology must be used for major trip generating activities. *Development* must be generally consistent with key transport infrastructure elements identified in the *Massey North Urban Concept Plan* (Note, it is expected that in the development of comprehensive development plans, there will be consultation with the Auckland Council, Auckland Transport and

- purposes consistent with the Integrated Catchment Management Plan - Totara Creek.
3. Low impact design and source control of contaminants in accordance with the Integrated Catchment Management Plan - Totara Creek.
  4. The location and design of all proposed *roads*. and the identification of the *street typology* for each *road* frontage and also for Main Street in Precinct E in accordance with Citywide Rule 3 as either: B. *Town Centre & Mainstreet Typology 2*, D. *Town Centre Transitional Commercial Typology 4*, E. *Town Centre - Periphery Typology 6* or F. *Town Centre - Residential Typology 7*.
  5. The method by which the precinct will be integrated visually, and by vehicular, public transport, pedestrian, bicycle and *open space* networks, with adjoining *land* and precincts and, where relevant, both the existing and re-aligned SH16/ Fred Taylor Drive; generally in accordance with the *Massey North Urban Concept Plan*.
  6. The method by which public *open space* areas as shown on the *Massey North Urban Concept Plan* are to be developed including, where relevant, enhancement of *natural features* such as native vegetation and riparian margins, and the *development* of public amenities and facilities.
  7. Design guidelines including standards and conditions which are *developed* to achieve the matters outlined in Policy 11.44; (Note: site layouts and *buildings* are to be designed in accordance with the relevant *street typology*).
  8. The proposed landscaping and street design for the precinct.
  9. All proposed bus stops within the precinct.
  10. Provision to be made for community facilities; as identified and specified by Waitakere City Council, provided further that in the event that no commitment is received from the appropriate agency to construct or lease such facilities on appropriate commercial terms within two months
- New Zealand Transport Agency in relation to transport systems).
- 26(y) The extent to which traffic generation from proposed activities creates adverse *effects* on:-
    - (i) The capacity of *roads* giving access to the *site*;
    - (ii) The safety of *road* users including cyclists and pedestrians;
    - (iii) Neighbourhood character.
  - 26(z) The extent to which a high standard of pedestrian *amenity* and safety is provided for including
    - (i) delineation of main pedestrian routes providing circulation around precincts, between precincts
    - (ii) providing connections between living areas, work areas, bus stops, public transport facilities, parks, schools, and other community services.
    - (iii) Pedestrian connections across Fred Taylor Drive.
  - 26(aa) The extent to which provision of *carparking*, except for those activities where both a minimum and maximum *carparking* performance standard applies and the activity is within that range, achieves a sustainable balance between facilitating car use and encouraging public transport use, having regard to all of the following:
    - (i) The expected demands of an activity.
    - (ii) The relative locations of the activity and the *carparking* serving that activity.
    - (iii) Possible joint use of *carparking*.
    - (iv) Public transport, cycle and pedestrian alternatives.
    - (v) Possible use of *off-site* parking within a 5 minute walking distance of *land* use activities, rather than necessarily adjoining those activities or in the same precinct, except in the case of retail activities and other *non-residential activities* which require *on-site* or close-by *carparking*.
    - (vi) Special or unusual characteristics to the activity, such as most parking being associated with pick up or drop off.
    - (vii) Any adverse *effects* on the achievement of the employment and residential targets set in the Plan.
    - (viii) No parking is to be required for Residential Activities located above

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of the lodging of the comprehensive development plan, that such provision shall not be required.

11. Provision for aural *amenity* for noise sensitive activities such as, but not limited to, residential activities, or educational activities.
12. An indicative layout of proposed sites including the design of a street grid block layout.
13. The method by which development of the precinct is to be staged and the means of managing any vacant land during the staging of *development*.
14. A transport management plan prepared in accordance with Assessment Criteria 26(t) - 26(ac); including traffic modelling and any staging of *development* necessary to coordinate with delivery of transport networks, such as but not limited to, the realignment of SH16.
15. An infrastructure management plan prepared in accordance with Assessment Criteria 26(ad) and 26(al).
16. Details of how the precinct will comply with the performance standards of Rule 26.3.
17. The environmental compensation proposed for *development* of any *Riparian Margins / Coastal Edges Natural Area*.
18. The means by which a minimum average floor area ratio (FAR) of 1:1 for the precinct will be achieved by 2031 for non-residential activities. The comprehensive development plan (CDP) must specify the FAR that will be applied to development to achieve this target. The CDP may specify that the FAR is to increase in stages set out in the comprehensive development plan, which may also subzone areas within the precinct where different FAR apply; both provided that an average FAR of 1:1 is achieved by 2031. Where subzones are used, the land area of the subzone shall be used for calculating the FAR.

Calculation of FAR is to exclude *land* area used for publicly owned *road*, public reserve, public community

ground floor within the Town Centre Area.

26(ab) The extent to which *carparking* is designed having regard to:-

- (i) The capacity of *roads* giving access to the *site*.
- (ii) The safety of *road* users including cyclists and pedestrians.
- (iii) The safe movement of pedestrians to and from carparking.
- (iv) A perimeter block layout where *carparking* is provided behind *buildings* or in basements or on roofs, except for kerbside parking, so that the main “activity frontage” for *buildings* is oriented towards *roads* rather than parking areas (refer also to City Wide Rule 3).
- (v) Provision of *carparking* areas which are secure, well lit and conveniently accessible for residents/workers.
- (vi) Provision for vehicle manoeuvring including *driveway* access, parking space dimensions and provision for *on-site* turning of vehicles where reversing would disrupt the safety and efficiency of roads.
- (vii) Safe and efficient driveway access from the road, including safe sight lines.
- (viii) Use of low maintenance materials, adequate drainage and adequate marking.

26(ac) The extent to which activities provide for on-site loading facilities for service vehicles, delivery vehicles, rubbish collection vehicles.

#### Infrastructure Criteria

(note: all of the following assessment criteria are to be addressed in an Infrastructure Management Plan prepared to satisfy the standards in Rule 26(d)(iii)(15))

26(ad) The extent to which the *infrastructure* provided to serve any new *development* is of a recognised public standard (such as compliance with the Waitakere City Code of Practice).

26(ae) The extent to which the *design* and location of street lighting will assist in creating and enhancing a consistent and safe character throughout the relevant precinct and the *Massey North Town Centre Special Area* as a whole.

facilities, public *infrastructure*, and any private *land* area expressly used for the above provided that the public have unrestricted access to that *land* area.

*Land* and floor area that is used for at grade *carparking* is to be included in the calculation of FAR. Floor area that is expressly used for *carparking* is to be excluded from the calculation of FAR, unless that parking is available to the public without any restriction other than price, in which case it is to be included within the calculation of floor area.

This standard does not apply in precinct B or to Apartment Residential Areas in any precinct.

19. Integration of development with safe, convenient and attractive pedestrian access across Fred Taylor Drive, taking into account any staging of development.

Note: Failure to provide any of the above information will result in the application being assessed as a *discretionary activity*.

Note: The establishment of *any activity* listed in Rule 1.2 Special Area Definitions, or establishment of a *building* that is not a *permitted activity* under Rule 26.1 (a) to (g) will be a *discretionary activity* unless a comprehensive development plan for the applicable precincts as shown on the *Massey North Urban Concept Plan* is approved.

Note: The City Wide Rule 2 Site Analysis shall not apply to the assessment of the comprehensive development plan.

- (iv) Precinct Specific Requirements for a Comprehensive Development Plan:

In addition to the requirements set out above, an application for a comprehensive development plan must be accompanied with the following information (applying to specific precincts):

#### Town Centre Precinct Area A

The comprehensive development plan for the Town Centre Precinct Area A is to provide details of:-

- 26(af) The extent to which the *design* of *streets* and public lanes conserves *land* and encourages walkability by using minimal dimensions for carriageways and integrating service lines beneath footpaths or parking bays.

- 26(ag) The extent to which *infrastructure* for stormwater, wastewater and water supply are designed to ensure techniques are used to minimise water use, stormwater runoff and wastewater generation.

- 26(ah) The extent to which the *infrastructure* provided to serve any new *development* models a range of different methods to achieve sustainability, with a particular emphasis on the efficient use and natural treatment of water systems.

- 26(ai) The extent to which compliance has been achieved with the NOSGA Local Water Agenda Plan when designing *infrastructure*

- 26(aj) The extent to which provision for stormwater management and land use meets the requirements of the Integrated Catchment Management Plan - Totara Creek. *Development* shall not cause a non-compliance with the conditions of consent for network discharge consent for Auckland Regional Council permit 26185.

- 26(ak) The extent to which stormwater retention and treatment facilities are designed to retain in stream ecological values and added additional habitat (e.g. wetlands) where possible.

- 26(al) The extent to which *development* retains and enhances riparian margins and provides protection. Any reduction in the *Riparian Margins / Coastal Edges Natural Area* or Ecological and Urban Open Space Area should not compromise the Totara Integrated Catchment Management Plan.

- 26(am) The extent to which the precinct *development* addresses the following matters associated with existing high voltage transmission lines or cables.

- (i) Adverse visual *effects* of the existing high voltage transmission lines, through *building* orientation and the location of *development*.
- (ii) Continued access to lines and cables for maintenance, inspections and *upgrading*.
- (iii) Minimising the risk of injury and/or property damage from lines and cables.
- (iv) The nature and location of proposed *vegetation*.

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- (1) The exact boundaries of areas to be *developed* as Town Centre Area, Apartment Residential Area, Bus Interchange, Park and Ride, and Urban Open Space Area.
- (2) The location, dimension and indicative design of the proposed town square.
- (3) Provision to be made for Mainstreet vehicular and pedestrian connections to the existing Westgate Shopping Centre (Precinct E).
- (4) The proposed location of large format retail and how each large format retail activity will be designed to relate visually to adjoining activities, the *street* (having regard to the nominated *street frontage*) and the identified Main Street area.
- (5) Provision to be made for *carparking*, and, where relevant, loading or service bays for all proposed activities.
- (6) The location of bus stops.
- (7) The location and indicative *design* of a public transport interchange and park and ride.
- (8) The method by which the precinct *development* design mitigates the *effects* of, and the *effects* on, existing overhead high voltage transmission lines, including, if practicable, by relocating or undergrounding existing high voltage transmission lines.
- (9) Provision to be made for *residential activities* within the Apartment Residential Area adjacent to Open Space Areas as shown on the *Massey North Concept Plan* (ground floor may be used for *non-residential activities*);
- (10) The method by which no less than 60 *apartments* per hectare net will be provided for within the *Apartment* Residential Area of this precinct.

**Town Centre Precinct B**

The comprehensive development plan for the Town Centre Precinct Area B is to provide details of:-

- (1) The exact boundaries of areas to be developed as Large Format Retail/ Commercial Area, Apartment Residential

- (v) The proposed location of other *infrastructure*.

**Other Criteria**

26(an) The extent to which areas of public *open space* are provided and developed so that they are:-

- (i) readily visible and accessible, such as with a generous street frontage or bordering the front yards of *sites* or front faces of *buildings*;
- (ii) located to provide visual relief, particularly in intensively developed areas;
- (iii) integrated with surrounding *development*;
- (iv) sized according to community and neighbourhood needs;
- (v) developed so that they are usable;
- (vi) easily maintained.

26(ao) 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 on or off *site* and/or through payment or provision of a *financial contribution*.

26(ap) The extent to which development defines the corner of the Rua Road and Hobsonville Road intersection including:

- (i) building mass emphasising the corner,
- (ii) the building is articulated to provide visual interest,
- (iii) the corner is designed with an active edge that appropriately contributes to pedestrian safety and amenity.

26(aq) The extent to which development fronting Hobsonville Road within Precinct C responds appropriately including articulation and/or active edge to the Hobsonville Road amenity, access, and traffic function.

**Precinct E Specific Assessment Criteria**

26(ar) The extent to which any *building* as part of a *development* which may be used for the purposes of *retail sales* or *retail services* is designed to relate to visually to adjoining activities and the *street(s)* and will support any street typology identified on the *Massey North Urban Concept Plan Appendix XXV* or the *Massey North Urban Concept Plan - Road Network and Street Typologies Appendix XXVI*.

Area, Ecological and Urban Open Space Area.

- (2) The indicative location of *buildings* and how each *building* will be designed to relate visually to adjoining activities, the *street* (having regard to the nominated *street typology*) and the Main Street core area.
- (3) Provision to be made for *carparking*, and, where relevant, loading or service bays for all proposed activities.
- (4) The location of bus stops.
- (5) The method by which the precinct *development* design mitigates the *effects* of, and the *effects* on, existing overhead high voltage transmission lines, including, if practicable, by relocating or undergrounding existing high voltage transmission lines.
- (6) Provision to be made for *residential activities* within the Apartment Residential Area adjacent to Ecological and Urban Open Space Areas as shown on the *Massey North Urban Concept Plan* (ground floor may be used for *non-residential activities*).
- (7) The method by which no less than 60 *apartments* per hectare net will be provided for within the Apartment Residential Area of this precinct.

26(as) The extent to which any *retail sales* or *retail services* beyond the retail thresholds identified in Special Area Rule 1.2 or a *mall*, proposed as part of any comprehensive development plan, will reinforce a compact pedestrian orientated retail core in Precinct A, including its Main Street.

26(at) The extent to which *retail sales* or *retail services* beyond the retail thresholds identified in Special Area Rule 1.2 or a *mall*, proposed as part of any comprehensive development plan, will contribute to the creation of a Precinct E Main Street and the pedestrian amenity of that Main Street.

Note: See also Policies: 1.1, 1.5, 1.7, 1.8, 1.9, 1.10, 1.11, 1.12, 1.13, 1.14, 2.1, 2.12, 2.13, 2.15, 3.3, 3.4, 7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 7.7, 8.1, 8.2, 8.3, 8.4, 8.5, 8.7, 8.9, 10.1, 10.2, 10.3, 10.4, 10.5, 10.6, 10.7, 10.8, 10.9, 10.10, 10.11, 10.12, 10.13, 10.14, 10.16, 10.17, 10.18, 10.19, 10.20, 10.22, 10.23, 10.27, 11.1, 11.2, 11.3, 11.5, 11.6, 11.7, 11.8, 11.10, 11.11, 11.12, 11.13, 11.14, 11.18, 11.23, 11.27, 11.28, 11.32, 11.33, 11.44, 11.45, 12.1, 12.2, 12.3, 12.4, 12.5, 12.6, 12.7, 12.8.

(Policy Section of the Waitakere District Plan)

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**Town Centre Precinct Area C**

The comprehensive development plan for the Town Centre Precinct Area C is to provide details of:-

- (1) The exact boundaries of areas to be *developed* as Mixed Use Periphery/Commercial, Town Centre, Apartment Residential, Ecological and Urban Open Space use.
- (2) The indicative location of *buildings* and how each *building* will be designed to relate visually to adjoining activities and the *street* (having regard to the nominated *street typology*).
- (3) Provision to be made for *carparking*, and, where relevant, loading or service bays for all proposed activities.
- (4) The location of bus stops.
- (5) Provision to be made for *residential activities* within the Apartment Residential Area as indicated on the *Massey North Urban Concept Plan* (ground floor may be used for *non-residential activities*).
- (6) The method by which no less than 60 *apartments* per hectare net will be provided for within the Apartment Residential Area of this precinct.
- (7) The method by which a minimum of 72 *apartments* will be provided within the Mixed Use Periphery/Commercial Area.

**Town Centre Precinct Area D**

The comprehensive development plan for the Town Centre Precinct Area D is to provide details of:-

- (1) The exact boundaries of areas to be *developed* as Mixed Use Periphery/Commercial, Apartment Residential, Community Facility Ecological and Urban Open Space use.
- (2) The indicative location of *buildings* and how each *building* will be designed to relate visually to adjoining activities and the *street* (having regard to the nominated *street typology*).

**RESOURCE CONSENT CONDITIONS**

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

- addressing matters referred to in Rule 26 and associated assessment criteria,
- requiring alterations to *design* and/or location, including adherence to *design* guidelines established for all *development*,
- requiring the provision of a *landscape treatment* plan and implementation of that plan within a given time,
- limiting the scale of *activities* and other *development*,
- the imposition of a *bond* to ensure satisfaction of conditions of consent,
- requiring *financial contributions* in accordance with the *Plan*,
- requiring *onsite* or *offsite* works and services to avoid, remedy, mitigate or offset *adverse effects*,
- such other matters provided for in section 108 of the *Act*,
- where a *subdivision* is sought, such other matters provided for in section of the *Act*,
- where a 10 year *subdivision* is sought, such other matters provided for in s220 of the *Act*,
- allowing a consent period in respect of comprehensive development plan.

- (3) Provision to be made for *carparking*, and, where relevant, loading or service bays for all proposed activities.
- (4) The location of bus stops.
- (5) Provision to be made for *residential activities* within the Apartment Residential Area as indicated on the *Massey North Urban Concept Plan* (ground floor may be used for *non-residential activities*).
- (6) The method by which no less than 60 *apartments* per hectare net will be provided for within the Apartment Residential Area of this precinct.

#### **Town Centre Precinct Area E**

The comprehensive development plan for the Town Centre Precinct Area E is to provide details of:-

- (1) The indicative location of *buildings* and how each *building* will be designed to relate visually to adjoining activities and the *street* (having regard to the nominated *street frontage*).
- (2) The proposed location of large format *retail activity* or any *mall* and how each large format *retail activity* or any *mall* will be designed to relate visually to adjoining *activities*, the *street(s)* and implement any street typology identified on the *Massey North Urban Concept Plan Appendix XXV* or the *Massey North Urban Concept Plan - Road Network and Street Typologies Appendix XXVI*.
- (3) Provision to be made for *carparking*, and, where relevant, loading or service bays for all proposed activities.
- (4) The location of bus stops.
- (e) **Comprehensive development plans where the application does not own or have an interest in all the land within a precinct.**

Where the applicant does not own or have an interest in all the land within a precinct, then the comprehensive development plan is only required to comply with (d) above for the land within the precinct that the applicant owns or has an interest in.

For that part of the precinct that the applicant does not own or have an interest in, a general outline will be acceptable, provided that such an outline:

- (i) includes information about any *development* proposals, including any other comprehensive development plans granted for the precinct to which the application relates;
- (ii) addresses all relevant matters at 26.2(d)(i), (ii), (iii) and (iv), with as much information as can reasonably be obtained having made reasonable enquiries;
- (iii) to determine that adequate transport connections are made across the entire precinct, including connections to the surrounding road network, the applicant must show the location and design of roads and pedestrian networks as:
  - (1) proposed under the District Plan within the *Massey North Urban Concept Plan*, and
  - (2) proposed by any comprehensive development plans that have been granted consent (where those *roads* and pedestrian networks relate to the precinct to which the applicants proposed comprehensive development plan relates to), and
  - (3) any additional *roads* and/or pedestrian networks proposed by the applicant in its application for a comprehensive development plan, or any amendments to be made to the roading and pedestrian network proposed in the District Plan.

- (f) An application for any subsequent new comprehensive development plan, shall be assessed as a *limited discretionary activity* subject to the same standards as for new comprehensive development plans set out in Rule 26.2(d) and (e).

#### Buildings and Activities in Precinct E

- (g) *Retail sales* and *retail services* and any associated *building* not meeting the threshold standards in Special Area Rule 1.2 will require assessment as a comprehensive development plan for the whole of Precinct E and shall be assessed as a limited discretionary activity. In addition to the

standards that apply in Rule 26.2(d) the comprehensive development plan is to provide details of:-

- (i) How any proposed *retail sales* and *retail services* beyond the retail thresholds in Special Area Rule 1.2 or a *mall*, will reinforce a compact pedestrian orientated retail core in Precinct A.
- (ii) How many proposed *retail sales* and *retail services* beyond the retail thresholds in Special Area Rule 1.2 or a *mall*, will contribute to the creation of a Precinct E Main Street and the pedestrian amenity of that Main Street.

Rule 26.2(g) shall cease to have effect at such time as *buildings* totalling no less than 44,200m<sup>2</sup> *gross floor area* are established and are operating in Precinct A. *Gross floor area* does not include any park and ride facility, town square, structured parking area or any public open space in Precinct A.

Assessment of *limited discretionary activity* applications will be limited to:

- (i) the matters referred to in Rule 26.2,
- (ii) matters of provision to be made for transport systems and the integration of those systems with *land* use,
- (iii) health and safety *design*,
- (iv) *design* of *building*,
- (v) location,
- (vi) consistency with Policy 11.44, and
- (vii) relevant assessment criteria in the Specified City-Wide Rules (refer to Rule 26.5).

In addition to the above, matters of discretion will be limited to:

- assessment criteria 26(a), 26(c) - 26(h), 26(j) - 26(aq) for the purposes of Rule 26.2(d, e, f and g);
- assessment criteria 26(b) - 26(s), 26(x) - 26(af), 26(ai) - 26(aq) for the purposes of Rule 26.2(a);
- assessment criteria 26(d), 26(f), 26(p), 26(q), 26(aa) - 26(ab) for the purposes of Rule 26.2(b);
- assessment criteria 26(b), 26(d), 26(k), 26(q), 26(u) - 26(x), 26(z), 26(ad) - (al) and 26(an) - (ao) for the purposes of Rule 26.2(c).

- in addition to all the relevant assessment criteria specified above, assessment criterion 26(ar) for the purpose of Rule 26.2(a) (buildings in Precinct E that contain activities that are within the threshold standards in Special Area Rule 1.2).
- in addition to all the relevant assessment criteria specified above, assessment criteria 26(as) and (26at) for the purposes of Rule 26.2(g).

### 26.3 Performance standards relating to Permitted Activities, Controlled Activities and Limited Discretionary Activities

(a) Maximum *Building Height*:

- (i) 30 metres.

(b) Minimum Floor Levels:

- (i) Town Centre Precinct Area A - Two *Storeys* along both sides of the Mainstreet, as shown on *Massey North Urban Concept Plan*, except that this shall not apply to atriums and arcade entrances. Four *Storeys* for areas identified as Apartment Residential on the *Massey North Urban Concept Plan*.
- (ii) Town Centre Precinct Area B - Four *Storeys* for areas identified as Apartment Residential on the *Massey North Urban Concept Plan*.
- (iii) Town Centre Precinct Area C - Four *Storeys* for areas identified as Apartment Residential on the *Massey North Urban Concept Plan*.
- (iv) Town Centre Precinct Area D - Four *Storeys* for areas identified as Apartment Residential on the *Massey North Urban Concept Plan*.

(c) Activity Thresholds:

- (i) Town Centre Precinct Area A - retail and entertainment activities shall be limited to a maximum 40,000m<sup>2</sup> *gross floor area*, until a minimum 4,000m<sup>2</sup> *gross floor area* of other *Massey North Town Centre Precinct A Activities* (excluding retail and entertainment activities) have been established and, thereafter, for every additional 10,000m<sup>2</sup>

*gross floor area* of retail and entertainment activities 4,000m<sup>2</sup> of other *Massey North Town Centre Precinct A Activities* shall be provided. Retail which is a component of mixed use is to be included within the total retail area for the precinct.

- (ii) Town Centre Area within precincts A and E - a maximum of 30% *gross floor area* of *residential activities* on the ground floor.
  - (iii) Mixed Use Periphery / Commercial Area within precincts C and D - a maximum of 30% *gross floor area* of *residential activities* on the ground floor.
  - (iv) Apartment Residential Area - *non-residential activity* is to be limited to the ground floor only and individual *non-residential activity* tenancies are not to exceed 500m<sup>2</sup> *gross floor area*.
- (d) Maximum Parking:  
Parking is not to exceed the following performance standards:
- Non-residential activities* except supermarkets:
- (i) one *car park* for every 25m<sup>2</sup> of *gross floor area* at ground or mezzanine level;
  - (ii) one *car park* for every 35m<sup>2</sup> of *gross floor area* for floor space not covered in (i) above.
- Supermarkets
- (i) one carpark for every 20m<sup>2</sup> of *gross floor area*.
- Residential activities
- (i) one *car park* for *dwellings* with one bedroom, or two *car parks* for *dwellings* with two or more bedrooms.
- (e) Disabled *Carparking*:  
Disabled *car parks* are to be provided in accordance with NZS 4121 (1985) 'Design for Access and Use of Buildings and Facilities by Disabled Persons'. (Note: these *car parks* shall comprise part of the parking numbers requirement),

- (f) Loading and *Driveway* Access:  
The following shall be the minimum number of *loading spaces* to be provided in respect of:  
General goods handling (retail, wholesale, manufacturing, etc.):

0-5,000m <sup>2</sup>	1 space required
5,001 - 10,000m <sup>2</sup>	2 spaces
Greater than 10,000m <sup>2</sup>	3 spaces plus 1 space per 7,500m <sup>2</sup> above 10,000m <sup>2</sup>

Non goods handling (offices etc):

0-20,000m <sup>2</sup>	1 space required
20,001 - 50,000m <sup>2</sup>	2 spaces
Greater than 50,000m <sup>2</sup>	3 spaces plus 1 space per 40,000m <sup>2</sup> above 50,000m <sup>2</sup>

Provided that within the Town Centre Precinct Area A, no more than two *driveway* accesses shall be located along the mainstreet as shown on the *Massey North Urban Concept Plan*.

#### 26.4 Discretionary Activities

The following are *Discretionary Activities*:-

- The establishment of activities in special Area Rule 1.2 Definitions prior to the approval of a Comprehensive Development Plan, except as provided for under Rule 26.2(a) in Precinct E.
- Comprehensive development plan applications that do not comply with Rule 26.2 (d)(i), (ii), (iii), (iv) or Rule 26.2(e).
- Development* on any *site*, or a comprehensive development plan that does not comply with the Performance Standards of Rule 26.3.
- Activities which do not comply with the specified standards in *City-Wide Rules* - City-Wide Urban Design Rules.
- Supermarkets within Precinct C with a *gross floor area* of between 5500m<sup>2</sup> and 6000m<sup>2</sup>.
- Any vehicle access to Fred Taylor Drive and State Highway 16, other than through the

*Strategic Access Points (Signals)* identified in the Massey North Urban Concept Plan – Conceptual Road Network, or Left In Left Out access points on Fred Taylor Drive.

- (g) *Buildings* in any precinct prior to a comprehensive development plan being approved for the relevant precinct under Rule 26.2(d), except for *buildings* provided for under Rule 26.1(a), (d), (f) and (g) and Rule 26.2(a).

- (h) *Yard-based activities* in Precinct C.

*Discretionary Activities* will be assessed having regard to the provision to be made for transport systems and the integration of those systems with land use, health and safety, matters within Assessment Criteria 26(a) - (26aq), relevant assessment criteria in the Specified City-Wide Rules, and any other matter under section 104 of the *Act*.

### 26.5 Other Rules Applying

The following rules of the *Plan* shall also apply to *any activity* within the *Massey North Town Centre Special Area*, except where an approved comprehensive development plan sets more specific standards of conditions -

- (a) All relevant *City-Wide Rules* including City-Wide Rules - City-Wide Urban Design Rules.
- (b) All relevant *Natural Area* rules.
- (c) Community Environment Rule 10 - Air Discharges.
- (d) Subject to Rule 26.1(d), Community Environment Rule 12 - Signs applies to:
  - (i) Mixed Use Periphery/Commercial areas;
  - (ii) Large Format Retail/Commercial areas;
  - (iii) Town Centre areas;
  - (iv) Community Facility areas;
  - (v) *signs* attached to the ground floor of an *apartment building* in an Apartment Residential Area, where that *sign* is for a *non-residential activity* within the ground floor of that *apartment building*;
- (e) Subject to Rule 26.1(d), Living Environment Rule 15 - Signs applies to Apartment Residential areas, except where Rule 26.5(d) applies.

- (f) Subject to Rule 26.1(d), Open Space Environment Rule 2 applies to Ecological and Urban Open Space areas.
- (g) Subject to Rule 26.1(d), Transport Environment Rule 4 - Signs applies to *road*.
- (h) Community Environment Rule 13 - Noise
- (i) Community Environment Rule 15 - Odour, Glare and Vibration.
- (j) Community Environment Rule 16 - Infrastructure.
- (k) Subdivision Rule 5 - Working Environment and Community Environment, except that in areas nominated for Apartment Residential on the *Massey North Urban Concept Plan Subdivision* Rule 3 and Rule 4 - Living Environment Applies.

#### 26.6 Non-Complying Activities

- (a) Any *building* or *any activity* that is inconsistent with an approved comprehensive development plan *resource consent*
- (b) Establishment in Precinct A or *any activity* not included within Rule 1.2 Special Area Definition: *Massey North Town Centre Precinct A Activities*.
- (c) Establishment in Precinct B of *any activity* not included within Rule 1.2 Special Area Definition: *Massey North Town Centre Precinct B Activities*.
- (d) Establishment in Precinct C of *any activity* not included within Rule 1.2 Special Area Definition: *Massey North Town Centre Precinct C Activities*, except for supermarkets and *yard-based activities* provided for as a discretionary activity under Rule 26.4 (e) and (h)
- (e) Supermarkets in Precinct C with a *gross floor area* greater than 6000m<sup>2</sup>
- (f) Supermarkets in Precinct C located in any block other than the southern-eastern block adjoining Fred Taylor Drive.
- (g) *Malls* within Precinct C.
- (h) Establishment in Precinct D of *any activity* not included within Rule 1.2 Special Area Definition: *Massey North Town Centre Precinct D Activities*.
- (i) Establishment in Precinct E of *Any Activity* not included within Rule 1.2 Special Area

## RULE 26

## MASSEY NORTH TOWN CENTRE SPECIAL AREA

Definition: Massey North Town Centre  
Predict E Activities.

- (j) Subdivision that does not comply with Rule 26.2(c).

### 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* and any relevant regional plan or be the subject of a *resource consent*. Check all other rules, 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 27

## MASSEY NORTH EMPLOYMENT SPECIAL AREA

## RULES

**27.0 General**

- (a) The following rules shall apply to *Any Activity* on *land* situated in the *Massey North Employment Special Area*.
- (b) Where there is any conflict between the following rules and other rules in the *Plan*, the following rules shall prevail.
- (c) All of the following rules shall apply, where relevant, to *Any Activity*.
- (d) The “Concept Plan” referred to in these rules is the Concept Plan for the *Massey North Employment Special Area*, dated 17 May 2011.

**27.1 Permitted Activities**

The following are *Permitted Activities*:-

- (a) *Filming Activities* not involving the erection of new *buildings* or the external alteration of existing *buildings* or requiring the development of new *infrastructure* to service the activity.
- (b) Grazing.
- (c) Horticulture.

**27.2 Limited Discretionary Activities**

The following are *Limited Discretionary Activities*:-

- (a) *Any Activity* which is a *Permitted Activity*, or a *Controlled Activity*, or a *Limited Discretionary Activity* in the *Working Environment*, except Rule 5 Retailing and Rule 7 Residential Activities.
- (b) Any *Retail Activity* meeting the following standards:
  - (i) *convenience shops* with an aggregated retail floorspace not exceeding 100m<sup>2</sup> in *retail floorspace* provided there are no other *convenience shops* within a 500m radius of the centre of the *site* subject to any proposal;
  - (ii) *retail sales subsidiary* to a manufacturing activity on the same *site* occupying not more than 15% of the *gross floor area* of that part of the *building* which is occupied by the activity, or 100m<sup>2</sup> *retail floorspace* whichever is the lesser;
  - (iii) *retail sales* involving:
    - *yard based activities* and/or
    - *service stations* and/or
    - automotive and marine products, parts and accessories provided that in

## ASSESSMENT CRITERIA

(Note: these assessment criteria are additional to the relevant assessment criteria in the Working Environment Rules and Subdivision Rule 5 Working and Community Environment.)

**General Criteria****27(a)**

The extent to which any proposed *development* and *building* are consistent with the *Massey North Urban Concept Plan*.

**27(b)**

The extent to which the *site* is of adequate size to accommodate the proposed activity together with associated *carparking*, *landscape treatment*, road frontage and any other adjacent facilities.

**27(c)**

The extent to which the *development* has regard to and incorporates *natural features*.

**27(d)**

The extent to which *development* meets the following design criteria:

- (i) new *development* has appropriate detail to enhance the character of the streetscape.
- (ii) any large *building* facades which are highly visible from the *road* and motorway should be adequately detailed for visual interest.

**27(e)**

The extent to which *landscape treatment* will ensure that potential adverse *effects* of *development* are avoided, remedied or mitigated and that a high standard of *amenity* is achieved.

**27(f)**

The extent to which the selection of *planting* types are related to *outdoor space*, relationship to the *road* and ongoing maintenance requirements.

**27(g)**

The extent to which lighting design will assist in creating and enhancing a consistent and safe character.

**27(h)**

The extent to which the natural landscape qualities of the *land* adjacent to the *riparian margins* are protected.

terms of (iii) *retail activities* shall be limited to the area identified on the *Massey North Urban Concept Plan* as Industry/Yard Based Retail.

- (c) Any *subdivision* which is a *Controlled Activity* or *Limited Discretionary Activity* under Rule 5 Subdivision, provided that any *subdivision* and *development* makes provision for any *Strategic Road*, *Strategic Access Point* or *Strategic Road Frontage to Open Space* identified in the *Massey North Urban Concept Plan*.
- (d) Offices *subsidiary* to a *Limited Discretionary Activity*.
- (e) Any class or group listed as an exception in Rule 27.5(b).

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

- *road* location, as generally indicated on the *Massey North Urban Concept Plan*;
- *road design* and *construction*, including access to proposed Northside Drive;
- *infrastructure* location, capacity and *design*;
- provision for public *open space*, and retaining and enhancement of *natural features*, having regard to the *Massey North Urban Concept Plan*;
- integration of any *subdivision* or *development* with adjoining *land*, *development* and roads;
- bulk, scale, *design* and location of *sites*, *buildings*, *carparking* and *driveways*;
- *screening* and *landscape treatment*;
- aural and visual amenity between the *Massey North Employment Special Area* and adjoining land;
- protection and enhancement of natural landscape qualities;
- the co-location and sharing of facilities;
- the location, *design* and safety of *signs*;
- land use;
- the provision to be made for transport systems and the integration of those systems with land use, health and safety,
- consistency with Policy 11.45, and
- matters within Assessment Criteria 27(a) - 27(ah).

### 27.3 Performance standards relating to Permitted Activities, Controlled Activities and Limited Discretionary Activities.

- (a) Maximum *Building Height*:  
15-metres
- (b) Yards:

#### 27(i)

The extent to which activities, *buildings*, *driveways*, *carparking* and other *development* are of a size, location, scale and *design* that complements the character of *buildings* and *development* on adjoining *land* as intended by the relevant *Human Environment* or *Massey North Urban Concept Plan*.

#### 27(j)

The extent to which *development* provides for adequate landscaping and planting of the 10 metre yards specified in Rule 27.3.

#### 27(k)

The extent to which areas of *open space*, planting and *landscape treatment* are used to mitigate the visual *effects* of *buildings* and *development*.

#### 27(l)

The extent to which *landscape treatment* and *development* complements and enhances the natural landscape character of adjoining *land*.

#### Subdivision Criteria

(Note - see also the assessment criteria in Subdivision Rule 5 - Working and Community Environment).

#### 27(m)

Whether the *design* and layout of any *subdivision* protects *land* alongside *open space* areas from inappropriate *development*.

#### 27(n)

The extent to which *site* sizes will enable activities with high employment density and discourage activities with low employment density.

#### Transportation Criteria

#### 27(o)

The extent to which *carparking* accommodates expected peak demand of an activity, having regard to the existing provision of:

- (i) parking areas in the vicinity of the *site*;
- (ii) the capacity of *roads* giving access to the *site*;
- (iii) public transport, cycle and pedestrian alternatives;
- (iv) the safety of *road* users including cyclists and pedestrians;
- (v) neighbourhood character;

## RULE 27

## MASSEY NORTH EMPLOYMENT SPECIAL AREA

- (i) 10 metre *building, outdoor storage area* and parking area *setback* along State Highway 16.
- (ii) 10 metre *building, outdoor storage area* and parking area, *setback* along the entire northern boundary of the *Massey North Employment Special Area*.

## (c) Activity Thresholds

Activities listed in Division 1 - Transport and Storage in Australian and New Zealand Standard Industrial Classification (New Zealand Use Version), 1996, Version 4.1; shall not exceed:

- (i) 2 hectares of land area per business, and
- (ii) 20 hectares of land area in total.

**27.4 Discretionary Activities**

The following are *Discretionary Activities*:-

- (a) *Any Activity* which is a *Discretionary Activity* in the *Working Environment*, except Rule 5 Retailing Activities and Rule 7 Residential Activities.
- (b) *Development* on any *site* not meeting the standards of Rule 27.3.

*Discretionary Activity* applications will be assessed having regard to the provision to be made for transport systems and the integration of those systems with land use, health and safety and matters within Assessment Criteria 27(a) - 27(ah), consistency with Policy 11.45 and any other relevant matters under section 104 of the *Act*.

**27.5 Non-Complying Activities**

- (a) Any vehicle access to Fred Taylor Drive other than through the access points identified in the *Massey North Urban Concept Plan*.
- (b) The following activities as defined in the Australian and New Zealand Standard Industrial Classification (New Zealand Use Version), 1996, Version 4.1:
  - (i) Division G Retail Trade, except:
    - where provided for by rule 27.2(b),
    - Group G526 Household Equipment Repair Services,
    - Group 532 Motor vehicle Services.
  - (ii) Division H Accommodation, Cafes and Restaurants, except where provided for by rule 27.2(b).

- (vi) the complementarity of parking demand for different activities at different times of the day.

**27(p)**

The extent to which *carparking* is provided which:

- (i) provides sufficient *car parks* of possible uses of the site;
- (ii) provides *car parking* areas which are secure, well lit and conveniently accessible;
- (iii) provides for *on-site* loading facilities for service vehicles, delivery vehicles, rubbish collection vehicles and their compliance with rules for vehicle manoeuvring.

**27(q)**

The extent to which *development* promotes a safe environment for pedestrians, cyclists, including adequate lighting and appropriate location and *design* of entrances, windows and *driveways*.

**27(r)**

The extent to which traffic generation creates adverse *effects* on:-

- (i) the capacity of *roads* giving access to the *site*;
- (ii) the safety of *road* users including cyclists and pedestrians;
- (iii) neighbourhood character.

**27(s)**

The extent to which provision has been made for public transport facilities, including bus stops. This includes facilities identified in the *Massey North Urban Concept Plan*.

**27(t)**

The extent to which *development* has been designed and sequenced to integrate land uses with transport systems, including provision for public transport. An integrated transport assessment methodology must be used for major trip generating activities. *Development* must be consistent with key transport infrastructure elements identified in the *Massey North Urban Concept Plan*. (Note, consultation with the Auckland Council, Auckland Transport and The New Zealand Transport Agency is recommended in relation to transport systems.)

- (iii) Division K Finance and Insurance, except Automatic Teller Machines (ATM).
- (iv) Division L Property and Business Services, except:
  - where provided for by rule 27.2(b),
  - Group L774 Machinery Equipment Hiring and Leasing,
  - Group L781 Scientific Research,
  - Class L7832 Information Storage and Retrieval Services,
  - Class L7865 Pest Control Services,
  - Class L7866 Cleaning Services,
  - Class L7867 Contract Packing Services nec.
- (v) Division M Government Administration and Defence, except Group M820 Defense.
- (vi) Division O Health and Community Services, except:
  - Class O8631 Pathology Services,
  - Class O8633 Ambulance Services,
  - Group O871 Childcare Services.
- (vii) Division P Cultural and Recreational Services, except:
  - where provided for by rule 27.1(a),
  - Class P9111 Film and Video Production,
  - Class P9112 Film and Video Distribution,
  - Group P912 Radio and Television Services,
  - Group P923 Parks and Gardens, Class P9312 Sports Grounds and Facilities, and Class P9319 Sports and Services to Sports nec,
  - Group P924 Arts,
  - Group P925 Services to the Arts,
  - Group P933 Other Recreation Services.
- (viii) Division Q Personal and other Services, except:
  - Class Q9634 Waste Disposal Services,
  - Class Q9521 – Laundries and Dry Cleaners,

**27(u)**

The extent to which the *design* and *construction* of roading is capable of providing access and connectivity to the wider movement network.

**27(v)**

The extent to which the secondary roading network provides a highly inter-connected roading system, avoiding no exit streets.

**Infrastructure Criteria**

**27(w)**

The extent to which *infrastructure* for stormwater, wastewater and water supply are designed to ensure techniques are used to minimise water use and generation.

**27(x)**

The extent to which the *infrastructure* provided to serve any new *development* achieves sustainable outcomes with a particular emphasis on the efficient use and natural treatment of water systems.

**27(y)**

The extent to which the *infrastructure* provided to serve any new *development* is of a recognised public standard (such as compliance with the Waitakere City Code of Practice).

**27(z)**

The extent to which recognition has been given to the NOSGA Local Water Agenda Plan when designing *infrastructure*.

**27(aa)**

The extent to which provision for stormwater management and land use meets the requirements of the Integrated Catchment Management Plan - Totara Creek. Development shall not cause a non-compliance with the conditions of consent for network discharge consent for Auckland Regional Council permit 26185. This includes provision of low impact design methods for stormwater management.

**27(ab)**

The extent to which *development* retains and enhances riparian margins and provides protection through a range of *building setbacks* and replanting measures.

**27(ac)**

The extent to which *development* incorporates *on-site* stormwater mitigation techniques that limit stormwater runoff in the *Massey North Urban*

## RULE 27

## MASSEY NORTH EMPLOYMENT SPECIAL AREA

- Class Q9522 – Photographic Film Processing,
- Class Q9524 – Funeral Directors, Crematoria and Cemeteries,
- Class Q9525- Gardening Services,
- Group Q963 – Public Order and Safety Services.

(c) *Any Activity* 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*. (Note: this includes any *residential activity* or *retail activity* not provided for under Rule 27.2 or Rule 27.4.

#### 27.6 Prohibited Activities

*Any Residential Activity*

#### 27.7 Other Rules Applying

The following rules of the *Plan* shall also apply to *Any Activity* within the *Massey North Employment Special Area*:-

- all relevant *City-wide* Rules;
- all relevant *Natural Area* Rules;
- all relevant *Working Environment* Rules shall apply provided that:
  - within 100 metres of a *Countryside Living Environment* or adjoining *Special Area*, *Environment* Rule 6 - Air Discharges and Rule 8 - Noise the *Lincoln Working Environment* rules shall apply, and beyond 100 metres, Rule 6 - Air discharges and Rule 8 - Noise shall apply;
- Subdivision Rule 5 - Working Environment and Community Environment.

*Concept* Plan to pre-development levels (in terms of quality and quantity), including stormwater from *buildings, driveways, roads* and other facilities.

#### 27(ad)

The extent to which the lots to be created are of a size and dimension that can meet (at later *building* and *development* stage), provision for stormwater mitigation *on-site*.

#### 27(ae)

The extent to which the *design* of *development* defines the 100 year flood plain, and limits *development* within that floodplain to *infrastructure*, including *roads*, water supply, wastewater, storm water facilities and reserves.

#### 27(af)

The extent to which stormwater retention and treatment facilities are to be designed to retain in stream ecological values and added additional habitat (e.g. wetlands) where possible.

#### 27(ag)

The extent to which the precinct *development* addresses the following matters associated with existing high voltage transmission lines or cables:-

- adverse visual *effects* of the existing high voltage transmission lines, through *building* orientation and the location of *development*;
- continued access to lines and cables for maintenance, inspections and *upgrading*;
- minimising the risk of injury and/or property damage from lines and cables;
- the nature and location of proposed *vegetation*;
- the proposed location of other *infrastructure*.

#### Other Criteria

#### 27(ah)

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*, including an *upgrading* contribution.

Note: See also Policies: 1.1, 1.5, 1.7, 1.8, 1.9, 1.10, 1.11, 1.12, 1.13, 1.14, 2.1, 2.12, 2.13, 2.15, 3.3, 3.4, 7.1, 7.2, 7.3, 7.5, 7.6, 7.7, 8.1, 8.2, 8.3, 8.4, 8.5, 8.7, 8.9, 10.1, 10.2, 10.3, 10.4, 10.5, 10.6, 10.7, 10.8, 10.9, 10.10, 10.11, 10.12, 10.13, 10.14, 10.16, 10.17, 10.18, 10.19, 10.20, 10.22, 10.23, 10.27, 11.1, 11.2, 11.3, 11.5, 11.6, 11.7, 11.8, 11.10, 11.11, 11.12, 11.13, 11.14, 11.18, 11.23, 11.27, 11.28, 11.32, 11.33, 11.44, 11.45, 12.1, 12.2, 12.3, 12.4, 12.5, 12.6, 12.7, 12.8.

(Policy Section of the Waitakere District Plan)

## RESOURCE CONSENT CONDITIONS

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

- addressing matters referred to in Rule 27 and associated assessment criteria.
- requiring alterations to *design* and/or location, for all *development* including *roads*.
- requiring the provision of a *landscape treatment plan* and implementation of that plan within a given time.
- limiting the bulk and scale of activities and other *development*.
- the imposition of a *bond* to ensure satisfaction of conditions of consent.
- requiring *financial contributions* in accordance with the *Plan*.
- requiring *on-site* or *off-site* works and services to avoid, remedy, mitigate or offset adverse *effects*.
- such other matters provided for in section 108 of the *Act*.

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.

### 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 to *resource consent*. Check all other rules in this *Human Environment*, the *Working 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 28

## MONIER(CSR) SPECIAL AREA

## RULES

**28.0 General**

- (a) Rules 28.1, 28.2 and 28.3 shall apply to *Any Activity* on land situated in the *Monier (CSR) Special Area* until such time as the landowner advises the Council in writing that it has ceased undertaking activities associated with manufacturing, storage and retail of ceramics.
- (b) From the date that notice is given in accordance with Rule 28.0(a):
  - (i) the provisions in the District Plan relating to the *Living (L6) Environment* and the *Community Environment*, and the annotations identified on *Appendix XXVIII(A) CSR (Monier) Special Area* and *Appendix XXVIII(B) CSR (Monier) Special Area*, shall apply.
  - (ii) the “Buffer Area” shown adjacent to the *Monier (CSR) Special Area* on the *New Lynn Urban Concept Plan Appendix XXVI* shall cease to apply;
  - (iii) Rules 28.1, 28.2 and 28.3 and the *Monier (CSR) Special Area* annotation on the *Human Environment map F11* shall cease to apply to *Any Activity* on land situated in the *Monier (CSR) Special Area*.

**28.1 Permitted Activities**

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

- (a) Manufacturing, storage and retail of ceramics.

**28.2 Non-Complying Activities**

Activities meeting the following Performance Criteria are *Non-Complying Activities*:

- (a) *Retail activities* (excluding ceramics)
- (b) *Residential activities*.
- (c) *Non-residential activities* not directly associated with the manufacturing, storage and retail of ceramics.

**28.3 Other Rules**

The following rules of the *Plan* shall apply to *Any Activity*:

- (a) All relevant *city-wide rules*
- (b) Working Environment Rules 2.1(b), 3.1(c), 4, 6, 8, 9, 10, 11 and 12.

## ASSESSMENT CRITERIA

## 28(a)

All relevant assessment criteria contained within the *city-wide rules*.

## 28(b)

All relevant assessment criteria contained within *Working Environment Rules* 2.1(b), 3.1(c), 4, 5, 6, 8, 9, 10, 11 and 12.

Note: See also policies: 4.7, 10.1, 10.2, 10.3, 10.5, 10.6, 10.7, 10.8, 10.10, 10.11, 10.12, 10.14, 10.15, 10.16, 10.27, 11.1, 11.3, 11.5, 11.8, 11.10, 11.11, 11.12, 11.18, 11.23, 11.46, 11.48.

(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. Appendix XXVIII(A) CSR (Monier) Special Area, and Appendix XXVIII(B) CSR (Monier) Special Area shall not apply until notice is given under Rule 28.0(b).
8. Following the date that notice is given in accordance with Rule 28.0(a), without further formality the Council shall:
  - Update *Human Environment map F11* to reflect Appendix XXVIII(A) CSR (Monier) special Area;
  - Update *New Lynn Urban Concept Plan* Appendix XXVI to reflect Appendix XXVIII(B) CSR (Monier) Special Area; and
  - Delete the *Monier (CSR) special Area Rule 28*.

## RULE 29

## BABICH WINERY SPECIAL AREA

## RULES

**29.0 General**

The following *rules* shall apply to *Any Activity* on land situated in the *Babich Winery Special Area*.

**29.1 Limited Discretionary Activities**

The following are *Limited Discretionary Activities*:

- *Babich Winery Activities*
- *Any activity* which is a *Permitted Activity* or a *Controlled Activity* or a *Limited Discretionary Activity* in the *Human Environment Rules - Living Environment* (refer *Living Environment Rules 1-17*) provided that the *site* forms part of a *Comprehensive Development Plan* approved pursuant to Rule 29.2(a)

Assessment of *Limited Discretionary Activity* applications will be limited to matters of *location, design, landscape treatment* and *construction* and will be assessed having regard to the *Assessment Criteria* in each of the relevant *Living Environment Rules* and *Assessment Criteria*(a) to (l) accompanying these rules.

**29.2 Discretionary Activities**

The following are *Discretionary Activities*:-

- (a) A *Comprehensive Development Plan* prepared in accordance with the following standards:-
  - (i) The *Comprehensive Development Plan* shall be prepared for the whole of the *Babich Winery Special Area*;
  - (ii) The *Comprehensive Development Plan* shall include details of:-
    - how the land is to be integrated with adjoining land within the *Babich Concept Plan area*, including *road, cycle, pedestrian* and *open space linkages*;
    - the provision to be made for *stormwater* disposal;
    - the provision to be made for the protection and enhancement of *natural resources*, including *streams*;
    - the identification of any *areas* of *land* instability;
    - the identification of any *areas* of contaminated soils;
    - any provision to be made for the staging of *development*
- (b) *Any activity* which is a *Discretionary Activity* in the *Human Environment Rules - Living*

## ASSESSMENT CRITERIA

- (a) The extent to which the scale of *buildings* creates *adverse effects* on *neighbourhood character, landscape character* and *amenity* values.
- (b) The extent to which the *scale, design, location* and (where relevant) *height* of *buildings, carparking loading spaces* and *driveways* dominates or intrudes into the privacy of adjoining *sites*.
- (c) The extent to which outdoor storage detracts from the visual amenity enjoyed by residents of adjoining *sites*.
- (d) The extent to which *areas* of *open space* and planting are used to offset the visual impact of additional *building* coverage
- (e) The extent to which the establishment of any *residential activity* meets performance standards (including *Permitted Activity* standards) in the relevant *Living Environment rules* and an approved *Comprehensive Development Plan*.
- (f) The extent to which any *residential activity* is compatible with *existing Babich Winery Activities*, having particular regard to matters of health and safety.
- (g) The extent to which any *subdivision* for *residential* purposes provides for adequate *open space, pedestrian* and *road* connections to adjoining *land*, in a comprehensive manner consistent with the *Babich Concept Plan* and an approved *Comprehensive Development Plan*.
- (h) The extent to which adequate provision is made for the disposal and *treatment* of *stormwater*, having regard to any *resource consent* issued by the Auckland Regional Council.
- (i) The extent to which *water, wastewater, telephone* and *power services* are available to service the *proposed development*.
- (j) The extent to which the *proposed development* is able to be served adequately by the *existing* or *proposed roading systems*.
- (k) The extent to which any *application* for a *Comprehensive Development Plan*:
  - Provides for the integration of the *Babich Winery Special Area* with the balance of the *Babich Urban Concept Plan Area*, including *road, cycle, pedestrian* and *open space* linkages (in particular the continuation of a 50m esplanade *reserve* along the Paremuka Stream);

*Environment* (refer *Living Environment Rules* 1 - 17), provided that the site *forms part of a Comprehensive Development Plan* approved pursuant to Rule 29.2

- (c) *Restaurants* and wine bars which are associated with a functioning winery on the same *site*
- (d) *Subdivision* which is a *Permitted Activity* or a *Controlled Activity* or a *Limited Discretionary Activity* or a *Discretionary Activity* in Subdivision Rules 3 and 4, provided that the *site* forms part of a *Comprehensive Development Plan* approved pursuant to Rule 29.2 (a)

*Discretionary Activity* applications will be assessed having regard to the *Assessment Criteria* in each of the relevant *Living Environment Rules*, and *Assessment Criteria* (a) to (l) accompanying these rules and any other relevant matter under section 104 of the *Act*.

### 29.3 Other Rules Applying

The following rules of the *Plan* shall apply to *Any Activity*.

- All relevant *City-Wide Rules*
- Subdivisions Rule 1 and 2 General
- Subdivisions Rules 3 and 4 (in association with any *resource consent* application made pursuant to Rule 29.2(d) only)

### 29.4 Non-Complying Activities

*Any Activity* which is not a *Permitted Activity* or a *Controlled 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*.

- Provides for the protection and enhancement of *natural resources*, including streams;
- Recognises and provides for the management of any areas of land instability;
- Recognises and provides for the management of any areas of contaminated soils;
- Provides for the staging of *development*, including management of the interface between any *proposed residential development* and any remaining winery or grape growing activities.

- (l) The extent to which more than *minor adverse effects* can be adequately *avoided*, *remedied*, *mitigated* or *offset* through provision of works and services on or off the *site* and/or through payment or provision of a *financial contribution*.

## RESOURCE CONSENT CONDITIONS

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

- requiring alterations to *design* and/or *location*;
- requiring the provision of a *landscape treatment plan* and implementation of that *plan* within a given time;
- limiting the scale of *development*, the imposition of a *bond* to ensure satisfaction of conditions of consent;
- requiring *financial contributions* in accordance with the *Plan*;
- requiring *onsite* or *offsite* works and services to *avoid*, *remedy*, *mitigate* or *offset* adverse effects;
- such other matters provided for in section 108 of the *Act*.

## RULE 30

## AUCKLAND OUTDOOR NATURIST CLUB SPECIAL AREA

## RULES

**30.0 General**

The following rules apply to *Any Activity* and *subdivision* on *land* in the *Auckland Outdoor Naturist Club Special Area*.

**30.1 Permitted Activities**

*Any Activity* which is a *Permitted Activity* in the *Footbills Environment*.

**30.2 Controlled Activities**

*Any Activity* and any *subdivision* which is a *Controlled Activity* in the *Footbills Environment*.

**30.3 Limited Discretionary Activities**

*Any Activity* and any *subdivision* which is a *Limited Discretionary Activity* in the *Footbills Environment*.

**30.4 Discretionary Activity**

*Any Activity* and any *subdivision* which is a *Discretionary Activity* in the *Footbills Environment*.

**30.5 Other Rules Applying**

The following rules of the *Plan* shall apply to *Any Activity*.

- All relevant *City-Wide Rules*
- *Subdivision* Rule 1 and 2 General

**30.6 Non-complying Activity**

*Any Activity* and any *subdivision* which is a *Non-complying Activity* in the *Footbills Environment*.

## ASSESSMENT CRITERIA

**31(a)**

The extent to which roads, *driveways*, *car parking buildings* and other *development* are of a *size*, location, scale and *design* to be compatible with the **landscape character**.

**31(b)**

The extent to which any *development* provides a good standard of aural and **visual amenity**.

**31(c)**

The extent to which the **landscape character** of the *Open Space Environment* adjacent to the *Marae Special Area (Te Atatu)* is maintained.

**31(d)**

The extent to which any *activities* and the *design*, location and scale of *buildings*, *fencing* and *activities* avoids or mitigates adverse *effects* on **natural landscape character** and *amenity* values.

**31(e)**

The extent to which *buildings* and/or any *activities* are compatible with *marae activities*.

**31(f)**

The extent to which areas of *open space* and planting are used to offset the visual effects of *buildings*.

**31(g)**

The extent to which *landscape treatment* and *development* complements and enhances the **landscape character**.

**31(h)**

The extent to which *driveways*, *car parking* and *road* access provides for safe and efficient provision for motor vehicles, cyclists and pedestrian traffic.

**31(i)**

The extent to which traffic generation creates adverse *effects* on:

- The capacity of *roads* giving access to the *site*; and
- The safety of *road* users including cyclists and pedestrians.

**31(j)**

The extent to which *development* promotes a safe environment for pedestrians, including adequate lighting and appropriate location and design of entrance, windows and *driveways*.

## RULE 31

## MARAE SPECIAL AREA (TE ATATU)

### RULES

#### 31.0 General

- (a) The following rules shall apply to *Marae Activities* on land situated in the *Marae Special Area (Te Atatu)*.
- (b) Where there is any conflict between the following rules and other rules in the *Plan*, the following rules shall prevail.
- (c) All of the following rules shall apply, where relevant, to *Any Activity*.
- (d) For the purposes of these rules the “Comprehensive Development Plan” is any Comprehensive Development Plan prepared and consented to pursuant to Rule 31.2 of these rules.

#### 31.1 Permitted Activities

The following are *Permitted Activities*:-

- (a) *Marae Activities* with a cultural connection to the *Marae* not involving the *erection* of new *buildings*
- (b) *Filming Activities* not involving the *erection* of new *buildings* or the external alteration of existing *buildings*, or requiring the *development* of new *infrastructure* to service the activity
- (c) Parks, playgrounds and walkways

#### 31.2 Limited Discretionary Activities

The following are *Limited Discretionary Activities*:-

- (a) *Marae Activities* with a cultural connection to the *Marae* involving the *erection* of new *buildings* and/or other *development*
- (b) *Buildings* having a maximum *height* not exceeding 8.0 metres, provided that no account shall be taken of decorative features that have a maximum height not exceeding 9.0 metres and do not extend more than 1.0 metre in any horizontal direction
- (c) The establishment of *infrastructure* provided for as a *permitted activity* in Rule 17 of the *Living Environment*
- (d) Any *sign* or *temporary sign* which does not protrude above or beyond the outline of a *building* or which is located below the verandah (*canopy*); and which are not flashing, moving, freestanding or illuminated.

#### 31(k)

The extent to which *development* and *buildings* achieves the requirements of the Comprehensive Development Plan as set out in Policy 11.32.

#### 31(l)

The extent to which more than minor adverse *effects* can be adequately avoided, remedied, mitigated or offset through payment or provision of a *financial contribution*.

#### 31(m)

The extent to which *signs* are visually appropriate to the **landscape character**.

#### 31(n)

The extent to which *signs* should not create a situation hazardous to the safe movement of traffic.

#### 31(o)

The extent to which *buildings* affect the outlook from View 44, Appendix K.

#### 31(p)

The extent to which residential or *non-residential activities* that are not *Marae Activities* adversely affect the **landscape character**.

#### 31(q)

The extent to which amenity values for residents west of Te Atatu Road from the North-Western Motorway to Gloria Avenue will be affected by *development*.

#### 31(r)

The extent to which *development* and the *design*, location and scale of *buildings*, planting and fencing avoids or mitigates adverse *effects* on the ecological values of the adjacent *Open Space Environment* and *Coastal Natural Area*.

Note: See also Policies: 1.5, 1.7, 1.9, 1.10, 1.12, 1.13, 1.14, 1.15, 2.4, 2.5, 2.6, 2.7, 2.11, 2.12, 3.2, 3.3, 3.4, 3.5, 4.3, 4.5, 5.3, 5.6, 5.7, 6.2, 7.2, 7.3, 7.4, 7.5, 7.6, 7.7, 8.1, 8.2, 8.4, 8.5, 8.7, 8.8, 8.9, 9.3, 9.4, 9.10, 9.11, 9.13, 10.1, 10.2, 10.3, 10.7, 10.9, 10.10, 10.11, 10.12, 10.13, 10.14, 10.16, 10.19, 10.27, 11.6, 11.7, 11.8, 11.9, 11.10, 11.11, 11.12, 11.23, 11.31, 11.52, 12.1, 12.2, 12.3, 12.4, 12.5, 12.6, 12.8.

(Policy section of the Waitakere District Plan.)

## RULE 31

## MARAЕ SPECIAL AREA (TE ATATU)

Provided that in respect of (a), (b), (c) and (d) above, that any *proposed building* and/or area that will be used for *Marae Activities* is to be shown on a Comprehensive Development Plan approved as a *Limited Discretionary Activity* under this Rule, and which indicates, for the whole of the *Marae Special Area (Te Atatu)*:

- The location of the warehū, the wharekai and the kauta;
- The staging of development;
- The location and *design* of proposed *roads, access and infrastructure*;
- The way in which *earthworks* and any existing *vegetation* are to be managed;
- Provision for aural and visual *amenity* between the *Marae Special Area (Te Atatu)* and any land identified as *Open Space Environment* adjoining that *Special Area* and the residential development to the west of Te Atatu Road from the North-Western Motorway to Gloria Avenue;
- Provision for avoiding and/or mitigating any intrusion into the View 44 as identified in Appendix K of the *Plan*;
- Provision for avoiding or mitigating any effects of development on archaeological remains and/or heritage items;
- Design guidelines incorporating the location, *design* and scale of *buildings*;
- Provision for *car parking* and driveways;
- A traffic management plan;
- Provision for *storm water treatment and disposal system*;
- Provision for *waste water treatment and disposal system*; and
- Provision for the protection and **enhancement** of the **natural character** of the area.

Assessment of *Limited Discretionary Activity* applications will be limited to matters of *road location and design, bulk* and location of *buildings, car parking and driveways, screening and landscape treatment, aural and visual amenity, ecological values*, protection and enhancement of **natural character**, and will be assessed having regard to the Assessment Criteria 31(a) to 31(r).

### 31.3 Discretionary Activities

The following are *Discretionary Activities*:-

- (a) Any *Non Residential* or *Residential Activity* not otherwise provided for in the Comprehensive Development Plan.

## RESOURCE CONSENT CONDITIONS

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

- Requiring alterations to *design* and/or location.
- Requiring alterations to the staging of activities consented to under a Comprehensive Development Plan.
- Requiring the provision of a *landscape treatment plan* and implementation of that *landscape treatment plan* within a given time.
- Requiring the provision and implementation of a management plan to address any ecological effects arising from *development* within the Maraе Special Area on the adjacent *Open Space Environment* and *Coastal Natural Area*.
- Requiring alteration to the *car park(s)*, access design and/or location.
- Limiting the bulk and scale of *activities* and other *development*.
- The imposition of a *bond* to ensure satisfaction of conditions of consent.
- Requiring *financial contributions* in accordance with the *Plan*.
- Requiring *onsite* or *offsite* works and services to avoid, remedy, mitigate or offset *adverse effects*.
- Such other matters provided for in section 108 of the *Act*.

- (b) *Buildings* having a maximum *height* exceeding 8.0 metres

*Discretionary Activity* applications will be assessed having regard to Assessment Criteria 31(a) - 31(r) and any other relevant matter under section 104 of the *Act*.

#### 31.4 Other Rules Applying

the following rules of the *Plan* shall apply to *Any Activity*.

- All relevant *City-wide* Rules
- All relevant *Natural Area* Rules
- Living Environment Rule 5 - Height in Relation to Boundaries/Separation of buildings
- Living Environment Rule 13 - Noise
- Living Environment Rule 14 - Air Discharges, Odour, Glare and Vibration
- Working Environment Rule 9 - Parking, Loading and Driveway Access
- Open Space Environment Rule 10 - Signs

#### 31.5 Non-Complying Activities

*Any Activity* 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*.

#### 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 *Natural Area Rules* and *City-Wide 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. Criteria relating to engineering matters can be met by satisfying standards in the Waitakere City Code of Practice - check with Council.