

Section 8:

PERFORMANCE STANDARDS FOR DEVELOPMENT AND SUBDIVISION

8.1 BACKGROUND

8.1.1 DESCRIPTION

- (1) Both subdivisions and developments require standards to guide their establishment and ongoing operation.
- (2) The performance standards, environmental results and assessment criteria set out in this Section have been developed to promote the objectives and policies of this District Plan and the purpose of the Resource Management Act 1991, namely the avoidance, remedy or mitigation of adverse effects of activities on the environment, natural and physical resources and amenity values.
- (3) The performance standards are based on and developed from standards that were prepared, administered, monitored under the previous district plan. Many of the standards have “survived the test of time”, as useful and effective planning tools. However, they have been reviewed, altered, deleted and/or updated in order to reflect the intent of Part 2 Resource Management Act 1991, and to reflect the higher environmental and amenity qualities expected by the community. The purpose of the performance standards is to avoid completely, where possible, or at least minimise the effects of activities on the environment.
- (4) To ensure the efficient, coordinated and adequate provision of infrastructural services and roading, the Council has an Engineering Manual which provides acceptable minimum standards that all development is required to comply with to ensure health and safety requirements are met and that there is a consistency in design of infrastructural services and roading provided by developers to a standard that will last the test of time and anticipated use. The Manual also provides for variances within some of the standards for certain townships (ie. Waikino, Mackaytown and Karangahake), in recognition of their distinct urban character.
- (5) Rigorous adherence to the manual has the potential to result in development that may be bland in character and design. Council wishes to promote innovation and flexibility in the design and servicing of subdivision and development acknowledging that this can lead to subdivisions and developments that are more responsive to the local environment and achieve quality urban design outcomes. Provision is made for developers to depart from the Engineering Manual requirements where it can be demonstrated that required standards of performance will still be met and that the desired environmental outcomes will result.

8.1.2 ACTIVITY STATUS

- (1) In this District Plan, activities have permitted or controlled activity status depending on two factors:
 - (a) Meeting the definition requirements; and
 - (b) Compliance with the performance standards as specified for an activity in each zone and as set out in Sections 7.0 and 8.0.
- (2) Where a permitted or controlled activity cannot comply with any one of the following performance standards (listed in Sections 8.2 – 8.5), then a resource consent as a Restricted

Discretionary Activity, (unless an alternative activity status is specified in the standard), needs to be sought and consent granted before the activity may be commenced. The assessment criteria set out within each performance standard will be used for assessment of the application.

8.1.3 TYPES OF PERFORMANCE STANDARDS

- (1) The performance standards are a combination of building design and location, amenity, vehicle parking, loading access and roading and infrastructure requirements which apply to all developments and subdivisions and will normally be imposed as consent conditions when determining any subdivision or land use consent.

8.1.4 OBJECTIVES AND POLICIES

The Objectives and Policies for the zone in which the activity is being carried out, are in addition to and complementary to the objectives and policies set out for the performance standards. Accordingly, both sets of objectives and policies need to be considered when assessing an application to exceed a standard.

(1) OBJECTIVE 1

To avoid, remedy or mitigate the adverse effects of activities (development and subdivision) on the environment, natural and physical resources and the amenity values of the Hauraki District.

(a) Policies

Objective 1 will be achieved by implementation of the following policies:

- (i) Ensure activities operate within limits that do not have an adverse effect on the environment.
- (ii) Recognise that the performance standards in this District Plan are one of a range of methods available to achieve the anticipated environmental results identified and provide flexibility to assess those situations.

(b) Reasons for all objectives and policies

- (i) For each standard in the following Sections, a discussion is included which identifies what the standard is and the purpose of that standard.
- (ii) Each standard includes an outline of the principal reasons for the inclusion of the standard. This is not intended as a comprehensive list of all the purposes and reasons. However, the principal purpose and reason for any of the standards is to avoid, remedy or mitigate any adverse effects of activities (including buildings and structures) on the environment, natural and physical resources and amenity values. These purposes are summarised in the environmental result listed for each standard, as well as the objectives, policies, resource management issues

and anticipated environmental results, listed for the zone to which the standard relates.

8.2 DESIGN AND LOCATION OF BUILDINGS

8.2.1 SETBACK FROM PUBLIC DRAINS, LAKES, RIVERS, FLOODWAYS AND STREAMS

8.2.1.1 DISCUSSION, PURPOSE AND REASONS

- (1) Drainage of land in the Hauraki Plains area is imperative to ensure that the agricultural investment can continue to operate. As part of protecting this agricultural resource, access to the main drainage infrastructure has to be maintained for cleaning and flood control purposes. The placing of structures within the area required to be available for drain maintenance will act as an impediment to the functions of the drains and is managed by the Hauraki District Council Consolidated Bylaw Part 7 (Land Drainage). In addition, the floodways of the main river systems must be protected from inappropriate developments.
- (2) Flood protection works, under the control of the Waikato Regional Council and the Hauraki District Council, are also imperative to the future usability of the Hauraki Plains area. Aspects of this system – floodways and spillways and their immediate environment, must be protected from inappropriate developments.
- (3) For the towns, the function of the drains is to protect the urban environment from the effects of flooding. Some of the drains are set aside as reserves (especially in Ngatea), or are protected by easements in favour of the District or Regional Councils and the Crown. For situations where these forms of protection are not in place, the setback of structures from drains and watercourses achieves the same result.
- (4) The margins of lakes, rivers and streams are such that structures should not be constructed within them. This is due to the need to protect the water environment itself and to ensure that those margins be kept in a state that is suitable for Esplanade purposes, and are able to vest "unencumbered" as an Esplanade Reserve in the event of subdivision or development. The Waikato Regional Plan includes rules relating to the building of structures along these water bodies for water environment protection. For those rivers and streams which have been identified for the setting aside of esplanade reserves and strips controls on the erection of structures is included in this District Plan.

8.2.1.2 ENVIRONMENTAL RESULTS

- (1) To ensure that drains, waterways and floodways that serve to protect the agricultural resource of the Plains and the urban resource of all the towns are available, and readily able to be maintained, for that purpose.
- (2) Protection of the margins of those rivers and streams which have been identified as requiring esplanade reserves and strips.
- (3) Protection of floodways and spillways that are part of the flood protection schemes.

8.2.1.3 STANDARDS

Zone	Standard
(a) Rural and Reserve (Passive)	(i) No structure is permitted within a floodway. Non compliance with this standard is a Non Complying Activity. (ii) No structure is permitted within 100 metres of a spillway. Non compliance with this standard is a Non Complying Activity.
(b) All Zones	(i) No structure is permitted within 20 metres of the margin of a river or stream identified for a future esplanade reserve or strip.

(c) Notes:

- (i) The setback for structures, planting of vegetation, earthworks, erection of fencing and other activities that could impede the operation and maintenance of public drains managed by the Hauraki District Council is controlled by the Hauraki District Consolidated Bylaw – Part 7 (Land Drainage).
- (ii) The setback for structures from rivers, streams, lakes and drains is also controlled by the Waikato Regional Plan.

8.2.1.4 RESTRICTED DISCRETIONARY ACTIVITY ASSESSMENT CRITERIA

- (1) The *Council* will restrict the exercise of its discretion to the ability of the activity or development to achieve the particular environmental result of the Standard in Rule 8.2.1.3(b) for which compliance is not met and the following relevant assessment criteria:
- (a) Whether the characteristics of the watercourse etc are such that it is unlikely to be required for an Esplanade Reserve, Esplanade Strip or Access Strip.
 - (b) Whether or not the structure will impact on public access along the margin of the watercourse or is incompatible with the conservation values of the proposed Esplanade Reserve, Esplanade Strip or Access Strip.

8.2.2 FLOOR LEVELS

8.2.2.1 DISCUSSION, PURPOSE AND REASONS

- (1) In some parts of the District localised flooding and ponding of water during periods of heavy and/or prolonged rain is experienced. The effects of this may range from minor nuisance for a short time, through to significant loss of property.
- (2) The setting of minimum floor levels is one way in which the detrimental effects of flooding and ponding can be avoided. The standard applies to residential and communal non-residential buildings only, as Council considers its primary responsibility is to protect the people of the District from the detrimental effects of natural hazards. It is the individual's responsibility to protect their business and other activities (other than communal non-residential activities) from the detrimental effects of natural hazards.
- (3) The floor levels set out in this standard are designed to protect buildings used for residential and communal non-residential purposes from the level of flooding that the community considers is "acceptable". The "acceptable" level is determined as being up to the 100 year flood event (1% AEP being the Annual Exceedence Probability). The level does not take into account failure of a stopbank. With respect to sea level rise Council has adopted the "mid-range value", and incorporated this value within the standard of the District Plan.

8.2.2.2 ENVIRONMENTAL RESULTS

- (1) To ensure that residential and communal non-residential buildings and hence people are protected from the effects of reasonably expected flooding and ponding.

8.2.2.3 STANDARDS

Zone/Area	Standard
(a) Paeroa – Areas identified on the planning maps as being 'Subject to Flooding'	Any new building or additions to existing buildings in the area shown on the planning maps as being 'subject to flooding' which is to be used for residential or communal non-residential purposes shall be constructed so that the floor level of the building shall be at or above the adjoining ponding area level shown on the planning map.
Paeroa – All other areas in all urban zones excluding the Flood Ponding Zone	Any new building or addition to an existing building which is to be used for residential or communal non-residential purposes shall be constructed so that the floor level of the building shall be at or above RL 4.5 metres.

Zone/Area	Standard
(b) Hauraki Plains - In that part of the Hauraki Plains area shown on the planning maps as being subject to Rule 8.2.2.3(b). (see also Figure 1 – Area A in Section 8.2.2.5)	Any new building or addition to an existing building which is to be used for residential or communal non-residential purposes shall be constructed so that the floor level of the building shall be at or above RL 1.55 metres.
(c) Piako Flood Pond Area - In that part of the Hauraki Plains area shown on the planning maps as being subject to Rule 8.2.2.3(c). (see also Figure 1 – Area B in Section 8.2.2.5)	Any new building or addition to an existing building which is to be used for residential or communal non-residential purposes shall be constructed so that the floor level of the building shall be at or above 500mm above the 100 year flood level (1% AEP).
(d) In all other zones (excluding Flood Ponding Zone) /areas	The provisions of the Building Act 1991 apply.

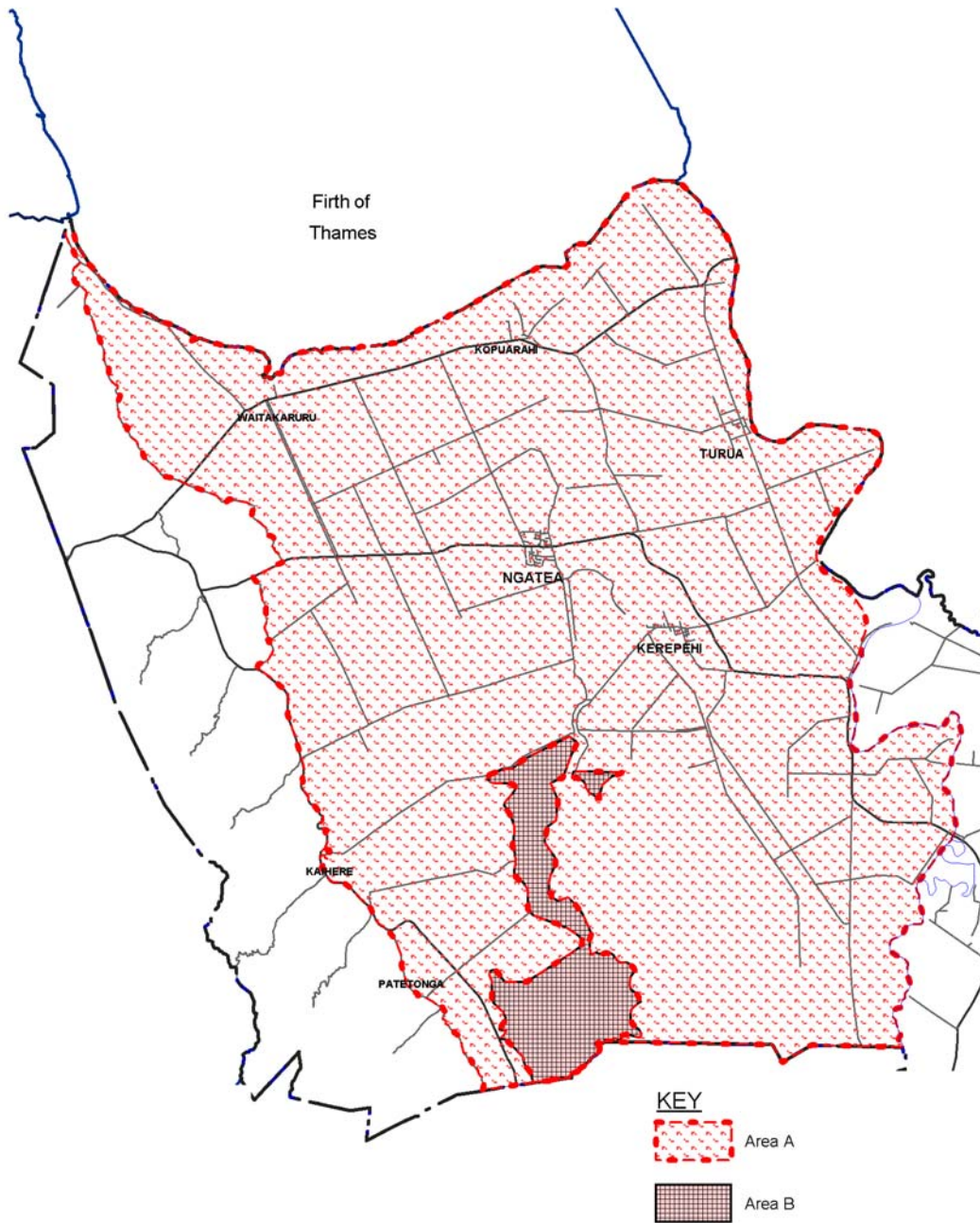
(e) Notes: In relation to (a) to (c) above

In some cases the Building Act 1991 may require a higher floor level and this shall apply over the District Plan standard.

8.2.2.4 RESTRICTED DISCRETIONARY ACTIVITY ASSESSMENT CRITERIA

- (1)** The *Council* will restrict the exercise of its discretion to the ability of the activity or development to achieve the particular environmental result of the Standards in Rule 8.2.2.2 for which compliance is not met and the following relevant assessment criteria:
- (a)** The degree to which other works have or will be undertaken to avoid the effects of flooding, which make the standard unnecessary.
 - (b)** Whether the purposes for which the part of the residential or communal non residential building that will be below the flood level, are such that the standard is unnecessary.

8.2.2.5 FIGURE 1: Plains Area subject to Rule 8.2.2.3(b) and (c)



8.2.3 EROSION HAZARD PROTECTION LINES (WHIRITOA BEACH)

8.2.3.1 DISCUSSION, PURPOSE AND REASONS

- (1) Whiritoa Beach is the only part of the District's coast that is susceptible to erosion of the sand dunes where there is residential development existing or likely. A significant physical, social and economic resource has developed that requires protection, as do the residents of the settlement. The coastal processes of erosion and deposition vary from season to season and cannot be predicted to any level of certainty in terms of severity or time.
- (2) Council wishes to recognise that coastal erosion is a possibility that needs to be accommodated when allowing development. The standards contained in this section have been developed after investigations of the beach by the Hauraki District and Waikato Regional Councils, which were completed in the early 1990's and have been reviewed by the Waikato Regional Council in 2002. This information has been used to revise the setbacks that have been in place under the previous district plan.
- (3) The revised development setbacks are measured from a fixed baseline, which is the toe of the frontal dune, mapped from 1995/96 photographs. The position from which the setbacks are measured does not change even though the shoreline may at different times erode and build up. The first of the setback lines (Primary Development Setback) delineates land at risk from fluctuations in natural beach erosion under existing conditions. The second setback (Secondary Development Setback) delineates additional land at risk from the effects of sea level rise and climate change over the next 100 years.
- (4) The protection setback lines are one of a number of actions being undertaken to remedy and mitigate the dune erosion. Other actions include the establishment of the Whiritoa Beach Care Group, closure of a long established sand mining operation and education of the public on the conservation of the dune system.

8.2.3.2 ENVIRONMENTAL RESULTS

- (1) To safeguard, maintain and expand the coastal dune ecosystem.
- (2) To provide for the community's wellbeing, by encouraging development that is free of identified natural hazard to a level demanded by the community.

8.2.3.3 STANDARDS

Zone	Standard
(a) In the Residential, Township, Reserve (Active) and Reserve (Passive) zones at Whiritoa	(i) No new <u>buildings</u> are permitted seaward of the Primary Development Setback delineated on the planning map for Whiritoa. Non compliance with this standard is a <i>Non Complying Activity</i> . (ii) No additions to existing buildings are permitted seaward of the Primary Development Setback delineated on the planning map for Whiritoa.

Zone	Standard
	<p>(iii) No new <u>dwelling</u>s are permitted between the Primary and Secondary Development Setbacks delineated on the planning map for Whiritoa.</p> <p>Non compliance with this standard is a <i>Non Complying Activity</i></p> <p>(iv) Additions to existing dwellings and accessory buildings located between the Primary and Secondary Development Setbacks delineated on the planning map for Whiritoa, shall be designed to be <i>relocatable</i>.</p> <p>Note:</p> <p>Council may issue the building consent subject to S.73 of the Building Act 2004 (which provides for Council to issue the building consent subject to a condition that the Register – General of Land make an entry on the title that a building consent has been issued in respect of land, which is subject to or likely to be subject to erosion).</p>

8.2.3.4 RESTRICTED DISCRETIONARY ACTIVITY ASSESSMENT CRITERIA

- (1) The *Council* will restrict the exercise of its discretion to the ability of the activity or development to achieve the particular environmental result of the Standards in Rule 8.2.3.2 for which compliance is not met and the following relevant assessment criteria:
- (a) Whether any accretion in the particular area that the building is to be located in is such that erosion is unlikely to occur.
 - (b) Whether there are existing buildings on the site that are not *relocatable*, making it impracticable or unreasonable to require any new building or addition to an existing building to be *relocatable*.
 - (c) Alternatives design measures to *relocatable* are proposed that will adequately protect the building from the adverse effects of coastal erosion and predicted sea level rise.

8.2.4 SEWAGE POND BUFFER AREAS

8.2.4.1 DISCUSSION, PURPOSE AND REASONS

- (1) The town's and township's sewage ponds for treatment of human waste can generate effects which are detrimental or obnoxious to residents in the area. The proper management and operation of the ponds can in most circumstances avoid smell becoming a nuisance. If residential development establishes in close proximity to the ponds, the potential for conflict between the amenity of the residential area and the operation of the sewage treatment facility is increased. This potential conflict should be avoided, as the ability of the system to operate is essential to the wellbeing of the residents and the protection of the environment (especially waterways).
- (2) A buffer area is a straight forward and cost effective mechanism that can be implemented.
- (3) All existing and future public sewage treatment facilities are or will be designated in the District Plan. This is an upfront and honest manner in which to provide for these facilities. However, the amount of land included in these designations may not be sufficient to contain all the detrimental effects of the facility. Accordingly, a buffer area around these facilities provides an additional protection.

8.2.4.2 ENVIRONMENTAL RESULTS

- (1) The protection of the environment and the wellbeing of the community can be achieved through providing for the operation of public community sewage facilities in a manner that does not create nuisance from odour or other effects.

8.2.4.3 STANDARDS

Zone	Standard
(a) In all zones	(i) No buildings or activities for residential, commercial, reserve and/or industrial purposes shall be sited or carried out within 150.0 metres from the edge of a sewage pond and sewage plant forming part of a public community sewage facility.

8.2.4.4 RESTRICTED DISCRETIONARY ACTIVITY ASSESSMENT CRITERIA

- (1) The *Council* will restrict the exercise of its discretion to the ability of the activity or development to achieve the Environmental Result of the standard for which compliance is not met and the following relevant assessment criteria:
- (a) The degree to which the activity to be carried out is detrimentally affected by the sewage ponds.
 - (b) Whether the activity is such that the odours it produces mean that any odour from the sewage facility is indiscernible.

8.2.5 BUILDING LINE RESTRICTION (ROAD WIDENING) (WAIHI)

8.2.5.1 DISCUSSION, PURPOSE AND REASONS

- (1) A number of streets in Waihi Town carry significant volumes of traffic due to a combination of internally generated traffic and traffic from the State Highway Network.
- (2) The importance of the roading resource has been recognised in a number of ways in this District Plan, including designations, control of access to and activities alongside the main traffic routes and controlling signs for traffic safety reasons.
- (3) In Waihi, the State Highway Nos 2 and 25 routes are through residential and industrial areas and the business centre of the Town. Provision of access lanes and parking areas to the rear of the buildings in the Town Centre zone has been provided to assist in protecting the State Highways for their traffic function.
- (4) Traffic volumes along Rosemont Road and Kenny Street are expected to increase. Kenny Street accommodates some heavy traffic bypassing part of the Town Centre from Seddon Avenue to Rosemont Road. Road widening is therefore proposed along this section, as well as along Rosemont Road.
- (5) To assist in creating the required road widening, new buildings need to be constructed a sufficient distance back to allow for the new road construction. This can be achieved by setting a building line restriction.
- (6) Negotiation for compensation for the loss of the land can be undertaken in the normal manner.

8.2.5.2 ENVIRONMENTAL RESULTS

- (1) To reduce the detrimental effects of traffic movement through Waihi Town by providing the necessary roading pattern to efficiently and effectively move traffic.

8.2.5.3 STANDARDS

Zone		Standard		
(a) Town Centre and Industrial Zones in Waihi only.		(i) No new building or substantial alteration/reconstruction of a building shall be undertaken within the following building line restrictions.		
Street	Section	Existing Width	Building Line Restriction Expressed in Metres from the Street Centreline	
Kenny Street	Baber Street to Silverton Road	20.117m	North side	12.5m
			South side	12.5m
	Silverton Road to Rosemont Road	20.117m	North side	13m
Rosemont Road	Seddon Street to Kenny Street	20.117m	East side	12m

Zone		Standard		
	Kenny Street to Johnson Street	20.117m	East side West side	12m 12m

8.2.5.4 RESTRICTED DISCRETIONARY ACTIVITY ASSESSMENT CRITERIA

- (1) The *Council* will restrict the exercise of its discretion to the ability of the activity or development to achieve the particular environmental result of the Standards in Rule 8.2.5.2 for which compliance is not met and the following relevant assessment criteria:
- (a) Whether the building is of a temporary or relocatable construction and an agreement has been entered into between the landowner/building owner and Council, which allows the building to remain "at Council's pleasure" until such time as the land is required for road widening purposes.

8.2.6 GLARE AND LIGHTING

8.2.6.1 DISCUSSION, PURPOSE AND REASONS

- (1) Some building materials, particularly glass and unpainted corrugated iron create glare, which in some circumstances has the potential to be a detraction in adjoining areas and in some cases can be a hazard to motorists.
- (2) Lighting has a similar potential to glare, in creating a hazard and/or a detraction from amenities. In addition, because it is in operation during night-time, lighting can be a cause of disturbance to residential amenities in a similar manner to noise. Lighting can be associated with security, advertising signs, sports fields or to allow outside work to occur at night-time.
- (3) Glare from buildings can be avoided or minimised by using screening or landscaping, painting and orientation of walls to reflect glare away from adjoining areas.
- (4) Lighting can be orientated or shaded in order that the spill of lighting remains within the site.

8.2.6.2 ENVIRONMENTAL RESULTS

- (1) Glare and lighting from buildings or activities should be managed in a way that allows the building or activity to be established and continue to operate in a manner that does not detract from the amenities of adjoining properties or zones, and does not create a hazard to traffic.

8.2.6.3 STANDARDS

(1) Glare

In all zones, buildings are to be constructed and finished to ensure reflection (glare) from the building surfaces does not reflect into adjoining properties, or into the vision of motorists on a street or road.

(2) Lighting

In all zones, artificial lighting shall be installed, designed, shaded and arranged in order that the level of lighting measured horizontally or vertically at any point on or directly above the boundary of any adjacent site or road is no greater than 8.0 lux.

(For the limitations related to lighting associated with advertising and signs, refer to Section 7.5).

8.2.6.4 RESTRICTED DISCRETIONARY ACITIVTY ASSESSMENT CRITERIA

- (1) The *Council* will restrict the exercise of its discretion to the ability of the activity or development to achieve the particular environmental result of the Standards in Rule 8.2.6.2 for which compliance is not met and the following relevant assessment criteria:
- (a) Whether the level of "brightness" from the surface or lighting is such that it will create a traffic hazard or interfere with the operation of activities on properties outside the site.
 - (b) Whether the nature of the activities on adjoining sites or zones is such that any glare or lighting spill would not be noticeable and would not have a detrimental effect.

8.3 AMENITY MATTERS

8.3.1 NOISE

8.3.1.1 DISCUSSION, PURPOSE AND REASONS

- (1) *Noise* pollution now forms a major source of intrusion into the environment. As the demand for urban development continues and we have less space to call our own, it is likely that *noise* pollution will continue to cause annoyance.
- (2) The Resource Management Act 1991 has recognised the important role that the control of *noise* has in terms of giving effect to the purpose of the Act, particularly as it relates to protecting *amenity values*. Section 31(1)(d) gives *Council* the function of controlling the emission of *noise* and the mitigation of the effects of *noise*. This function is supported by other provisions in the Act relating to the general duty to avoid unreasonable *noise*, enforcement penalties and other actions available to *Council*.
- (3) Reaction to *noise* varies considerably, not only between individuals but also between communities. The standards set out in this section reflect the need for some flexibility while providing a standard which developers can design to and which the community can be confident will provide a recognised element of protection. The basis for these controls comes from social and acoustical research undertaken locally, nationally and internationally.
- (4) In the Industrial Zone, it is recognised that *noise* levels are likely to be higher as a result of the type of activities permitted in the zone. There is other legislation that protects workers within the zone.
- (5) The *noise* requirements in this standard do not over-ride the "excessive *noise*" provisions in Sections 326 - 328 Resource Management Act 1991.

8.3.1.2 ENVIRONMENTAL RESULTS

- (1) To protect the character and *amenity values* of areas, particularly residential and reserve, and public health, from the *effects* of excessive environmental noise.
- (2) To allow some *noise* sources generated as an ancillary part of normal permitted activities in a zone (eg lawn mowing, wood cutting (for domestic use on site) in a residential area) to be exempt from these performance standards.
- (3) To recognise the community expectation that maximum *noise* levels will continue to decline as developments in the design of machinery, buildings and acoustic materials enable the *effects* of *noise* to be reduced.

8.3.1.3 STANDARDS

(1) LEVELS

Noise shall not exceed the levels set out below when measured in accordance with the provisions of NZS 6801:2008 Acoustics – Measurement of Environmental Sound and assessed in accordance with the provisions of NZS 6802:2008 Acoustics – Environmental Noise:

(a) Between Sites Within Zones

Zone	Standard	L _{Aeq} (15 min)	L _{AFmax}
<ul style="list-style-type: none"> ▪ Residential ▪ Low Density Residential ▪ Rural ▪ Reserve (Passive) ▪ Conservation (Wetland) ▪ Flood Ponding ▪ Coastal ▪ Karangahake Gorge 	Monday – Saturday 7.00am - 10.00pm	50dB	NA
	Sunday and Public Holidays 7.00am - 10.00pm	45dB	NA
	On all nights 10.00pm – 7.00am	40dB	65dB
	All activities in these zones shall be conducted to ensure that the above noise levels shall not be exceeded within any other site contained within any of these zones.		
<ul style="list-style-type: none"> ▪ Town Centre ▪ Township ▪ Marae Development 	On all days 7.00am - 10.00pm	55dB	NA
	On all nights 10.00pm - 7.00am	40dB	65dB
	All activities in these zones shall be conducted to ensure that the above noise levels shall not be exceeded within any other site contained within any of these zones.		
<ul style="list-style-type: none"> ▪ Industrial & Reserve (Active) 	On all days, at all times.	No restrictions	

(b) Between Zones

Zone	Standard	L _{Aeq} (15 mins)	L _{AFmax}
<ul style="list-style-type: none"> ▪ Town Centre ▪ Township ▪ Marae Development ▪ Industrial ▪ Reserve (Passive) 	All activities on any site within these zones shall be conducted to ensure that noise from the site as measured within the zone boundary of Residential, Low Density Residential, Rural, Coastal, Karangahake Gorge, or Flood Ponding zone, shall not exceed the following noise levels:		
	Monday - Saturday 7.00am - 10.00pm	50dB	NA
	Sunday and Public Holidays 7.00am - 10.00pm	45dB	NA
	On all nights 10.00pm - 7.00am	40dB	65dB

Zone	Standard	L _{Aeq} (15 mins)	L _{AFmax}
<ul style="list-style-type: none"> ▪ Reserve (Active) 	All activities on any individual reserve shall be conducted to ensure that <i>noise</i> from the reserve as measured within the zone boundary of Residential, Low Density Residential, Rural, Coastal, Karangahake Gorge, Conservation (Indigenous Forest), Conservation (Wetland) or Flood Ponding zone, shall not exceed the following <i>noise</i> levels:		
	Sunday to Thursday: 7.00am - 10.30pm	45dB	NA
	Friday & Saturday: 7.00am - 12.00pm (midnight)	45dB	NA
	At all other times	40dB	65dB
<ul style="list-style-type: none"> ▪ Industrial 	All activities on any site within these zones shall be conducted to ensure that <i>noise</i> from the site as measured within the zone boundary of a Reserve (Active), Reserve (Passive), Town Centre, Township or Marae Development zone, shall not exceed the following <i>noise</i> levels:		
	On all days. 7.00am - 10.00pm	55dB	NA
	On all nights 10.00pm - 7.00am	40dB	65dB
Conservation (Indigenous Forest)	All activities within this zone shall be conducted to ensure that <i>noise</i> from the site shall not exceed the following <i>noise</i> levels at the boundary of the following features or activities: Walking and cycle tracks; Picnic, barbeque, camping or other facilities used by the public; The most exposed face of any building used for residential activities (eg dwellings, huts, lodges); and The boundary of the conservation (Indigenous Forest) Zone with any other zone.		
	On all days 7.00am - 10.00pm	50dB	NA
	On all nights 10.00pm - 7.00am	40dB	65dB
	Or shall not exceed the <i>noise</i> level of 60 dB L _{Aeq} (15 mins) within 100 metres from the site of the activity generating the <i>noise</i> ; whichever is the stricter.		

(c) Temporary Military Training Activities

Zone	Standard	L _{Aeq} (15 mins)	L _{A95}	L _{AFmax}
<ul style="list-style-type: none"> ▪ In all zones 	Noise, measured from the notional boundary of any residential property shall not exceed the following limits:			
	Any Day			
	12.00 (midnight) - 6.30 am	40dB	**	**
	6.30am - 7.30 am	60dB	45dB	70dB
	7.30am - 6.00 pm	75dB	60dB	90dB
	6.00 pm – 10.00 pm	70dB	55dB	85dB
	10.00 pm – 12.00 (midnight)	40dB	**	**
	Noise, measured from the notional boundary of any residential property, resulting from the use of explosives shall not exceed 122 dBC during daylight hours. The use of explosives is not provided for during high-time hours.			

(d) Exemptions

- (i) In all Zones, Rules 8.3.1.3(a)(i) – (ii) shall not apply with respect to normal domestic activities and accessory activities thereto (eg lawn mowing, chainsawing undertaken at reasonable times and in domestic circumstances).
- (ii) In Rural, Coastal and Karangahake Gorge Zones, Rules 8.3.1.3(a)(i) – (ii) shall not apply to normal rural activities that follow accepted rural management practices (eg orchard spraying, cowshed operations, haymaking, crop harvesting, land cultivation, aerial topdressing).
- (iii) In Reserve (Active), Coastal, Karangahake Gorge and Rural Zones Rules 8.3.1.3(a)(i) – (ii) shall not apply to:
 - (1) permitted outdoor recreational activities; or
 - (2) temporary events that do not involve motor sports, firearms or amplified sound systems.

(e) Location of Noise Requirements

- (i) Noise levels are to be measure as specified in the above standards
- (ii) For the purpose of this standard the following definition shall apply:
 - (1) Residential Site; and
 - (2) Notional Boundary

(2) VIBRATION

Refer to Performance Standard 8.3.2 - Vibration in the Ground.

(3) CONSTRUCTION NOISE

(a) Construction *noise* emanating from a site where construction is of limited duration and is not part of the overall sound emission from an ongoing land use activity shall meet the maximum noise standards set out in the tables below for the various zones, and shall be managed, measured and assessed in accordance with New Zealand Standard NZS 6803:1999 Acoustics – Construction Noise.

(b) Maximum *Noise Standards* for Construction *Noise* Received in the:

- (i) Rural Zone;
- (ii) Residential Zone;
- (iii) Low Density Residential Zone;
- (iv) Coastal Zone;
- (v) Karangahake Gorge Zone;
- (vi) Conservation (Indigenous Forest), Conservation (Wetland), Reserve (Passive), Reserve (Active)

Time of Week	Time Period	Typical Duration (dB)		Short Term Duration (dB)		Long Term Duration (dB)	
		L _{Aeq}	L _{Amax}	L _{Aeq}	L _{Amax}	L _{Aeq}	L _{Amax}
Weekdays	0630 - 0730	60	75	65	80	55	75
	0730 - 1800	75	90	80	95	70	85
	1800 - 2000	70	85	75	90	65	80
	2000 - 0630	45	75	45	75	45	75
Saturdays	0630 - 0730	45	75	45	75	45	75
	0730 - 1800	75	90	80	95	70	85
	1800 - 2000	45	75	45	75	45	75
	2000 - 0630	45	75	45	75	45	75
Sundays and Public Holidays	0630 – 0730	45	75	45	75	45	75
	0730 – 1800	55	80	55	85	55	85
	1800 – 2000	45	75	45	75	45	75
	2000 – 0630	45	75	45	75	45	75

(vii) **Note:** NZS6803:1999 defines “Typical Duration” as meaning construction work at any one location for more than 14 calendar days but less than 20 weeks. Short-term and Long-term durations are less than and greater than this period respectively.

(c) Maximum *Noise Standards* for Construction *Noise* Received in the:

- (i) Town Centre Zone;
- (ii) Township Zone;
- (iii) Flood Ponding Zone;
- (iv) Marae Development; and
- (v) Industrial Zone.

Time Period	Duration of Work		
	Typical Duration	Short Term Duration	Long Term Duration
	L _{Aeq} (dB)	L _{Aeq} (dB)	L _{Aeq} (dB)
0730 – 1800	75	80	70
1800 – 0730	80	85	75

(vi) **Note:** NZS6803:1999 defines “Typical Duration” as meaning construction work at any one location for more than 14 calendar days but less than 20 weeks. Short-term and Long-term durations are less than and greater than this period respectively.

(4) HELIPADS AND HELICOPTER LANDING AREAS

Where helipads and helicopter landing areas are provided for as a discretionary activity, NZS 6807:1994 Noise Management and Land Use Planning for Helicopter Landing Areas, shall be used in the management, control and assessment of noise effects.

(5) WIND FARMS

Where wind farms are provided for as a discretionary activity, NZS 6808:1998 Acoustics – The Assessment and Measurement of Sound from Wind Turbine Generators, shall be used in the management, control and assessment of noise effects.

(6) OTHER CONTROL OF NOISE NUISANCE

Notwithstanding compliance with the above standards any activity must also comply with the provisions of the Resource Management Act 1991 and the Health Act 1956.

8.3.1.4 RESTRICTED DISCRETIONARY ASSESSMENT CRITERIA

- (1) The *Council* will restrict the exercise of its discretion to the ability of the activity or development to achieve the particular environmental result of the Standards in Rule 8.3.1.2 for which compliance is not met and the following relevant assessment criteria:
 - (a) Whether the noise is intermittent, seasonal or of a short term or temporary nature.
 - (b) The times of day of the activity and the possibility of night time activities.

- (c) Whether the activity has an effect on the existing background level.
- (d) Whether the noise adversely affects the health of the community or amenity values of the area.
- (e) Whether the best practicable option has been adopted to control the noise.
- (f) **Note:** The "Excessive noise" provisions of the Resource Management Act 1991 (Sections 326-328) apply in addition to the Performance Standard above.

8.3.2 VIBRATION IN THE GROUND

8.3.2.1 DISCUSSION, PURPOSE AND REASONS

- (1) Ground vibration from land use activities can range in effect from structural damage to *buildings* (relatively extreme level of vibration) to disturbance of sleep and reduction of *amenity* resulting from people being able to perceive vibration. It is considered that ground vibration standards should be set in terms of human perception rather than in relation to the structural implications for *buildings*, thus ensuring that the *amenity values* of any area are not unreasonably compromised.
- (2) Ground vibration may be continuous or transient or intermittent.
- (3) Continuous vibration is vibration that remains uninterrupted over a given time period. Transient and intermittent vibration involves the rapid build up of vibration then decay (sometimes in cycles) or strings of vibration incidents. Acceptable levels for continuous vibration are considerably less than those for transient vibration.
- (4) Isolated, high magnitude vibration events, such as blasting which occur intermittently or transiently and only a few times a day present special concerns to residents and accordingly must also be addressed and managed. This will be done by setting an appropriate standard for impulsive vibration from blasting, to ensure that *amenity values* are maintained at a reasonable level. Any impulsive vibration from blasting in excess of the standards set may be considered through the *resource consent* process and the standards set out in this rule will be used as a guideline in setting *conditions*.
- (5) In considering transient vibration from the perspective of human perception the following levels have been adopted:

Transient Vibration Level	
less than 0.5mm/s	imperceptible (threshold of perception)
0.5mm/s – 2.0mm/s	slightly perceptible (barely noticeable)
greater than 2.0mm/s	distinctly perceptible (noticeable)

- (6) Transient vibration levels in excess of 5mm/s have the potential to compromise *amenity values*.
- (7) In setting standards for ground vibration, it is accepted that a certain amount of continuous background vibration occurs as a result of existing activities (eg industry, traffic). Accordingly, continuous vibration levels are set in relation to background or ambient levels ($V_{\text{background}}$). The ground vibration levels from a particular activity will have to exceed the background level by a generally perceptible amount (deemed to be 0.5mm/s) not to meet this standard. It will be up to persons who wish to undertake any particular activity to demonstrate to *Council's* satisfaction that the *standard* is being met. This will include providing the *Council* with information regarding background vibration levels.
- (8) Continuous ground vibration levels are set in terms of the 99 percentile value. This means that for one percent of any nominal 60 minute period, $V_{\text{background}}$ plus 0.5mm/s may be

exceeded. This approach allows for the occasional more vigorous vibration events. However, this method does not provide control over the significant occasional or one-off vibration events which may be particularly annoying to people. Accordingly a maximum ground vibration level (V_{\max}) has been set as an absolute value that cannot be exceeded without resource consent.

(9) Ground vibration levels relating to complying activities are set in terms of $V_{\text{background}}$. Hence it is not necessary to:

- (a) provide different standards for day and night occurrences; and/or
- (b) provide different standards for different zones.

(10) Measurement of vibration is taken in the ground rather than in affected *buildings*, as *buildings* respond differently and thus the vibration response in the *building* may amplify ground vibration. It is beyond the scope of this standard to define that response.

(11) V_{\max} is unlikely to be exceeded by $V_{\text{background}}$ levels in any part of the District. It is appropriate to establish a more restrictive standard for night time activities for V_{\max} .

(12) Where vibration generated by a land use activity exceeds the standards specified, then the activity will require *discretionary activity resource consent*.

(13) VIBRATION FROM HEAVY VEHICLES

(a) Ground vibration generated by heavy traffic on *roads* is a difficult matter to manage. Where a *road* surface is not in sufficiently smooth condition, vibration from heavy trucks measured at the *road* boundary may well exceed the V_{\max} level set. To enforce compliance may require *road* closure, which is not a practical option. Immediate upgrading of the *road* surface is also not a solution.

(b) As ground vibration normally dissipates relatively quickly with distance it is proposed that V_{\max} levels arising from vehicle induced vibration, be measured within the property boundary at the *front yard* boundary within any lot. Thus in Residential zones, a V_{\max} will still apply and this is appropriate as it will discourage heavy vehicles from using residential streets.

(c) However, in Town Centre and Industrial zones no *front yards* are required and *buildings* may be erected on the *road* boundary. As the State Highway is routed through the town centres of Paeroa, Waihi and Ngatea (and several townships as well), it is considered impractical to set a V_{\max} in these areas. Accordingly, the V_{\max} will not apply to vibration generated by vehicles on public *roads* where the land adjoining is zoned Town Centre or Industrial.

(d) The standard relating to the 99 percentile ground vibration levels applies in all zones and includes all vibration sources (including traffic).

(14) VIBRATION FROM BLASTING

(a) Vibrations from blasting are usually intermittent, of short duration and superimposed on background vibration levels, as with measurement of ground vibration levels, measurement of vibrations from blasting in *buildings* is inappropriate because of the different response of each building to the ground vibration, and accordingly measurement of vibration will be taken in the ground.

- (b) Human response to impulsive vibration from blasting can be wide ranging, with the same event being imperceptible to some persons, while causing nuisance to others.
- (c) The standards set to control impulsive vibration from blasting are based on international standards developed to protect and preserve *amenity values*.
- (d) As the vibrations are of relatively short duration where V_{max} is controlled to avoid nuisance the statistical analysis to obtain 99 percentile vibrations levels is of little meaning, as the results depends on the length of record between blasts. Accordingly, when monitoring vibrations from blasting the control will be in terms of V_{max} .
- (e) Blasting events should be designed in such a way as to comply with the standards set. However, the *Council* recognises that the prediction of the maximum ground vibration experienced from any particular blast event is dependant upon distance from source, ground conditions, and design of the blasting pattern. A complex relationship exists between these factors and therefore occasional exceedences of V_{max} may occur. Accordingly in considering adherence to the standard, *Council* will have regard to the following factors:
 - (i) The total number of blast events occurring as a result of the activity.
 - (ii) The time at which blasting occurs.
 - (iii) The time between blast events.
 - (iv) The amount by which the standard has been exceeded.
 - (v) The actions taken to prevent recurrence of breach of the standard.

8.3.2.2 ENVIRONMENTAL RESULTS

- (1) To ensure that vibration levels generated by land use activities do not adversely affect the amenity values enjoyed by other land users.

8.3.2.3 STANDARDS

(1) CONTINUOUS VIBRATION

- (a) The 99 percentile ground vibration levels resulting from any land use activity ($V_{activity}$) shall not exceed the background vibration level ($V_{background}$) by more than 0.5mm/second; and
- (b) The maximum ground vibration level resulting from any land use activity (V_{max}) is:

Parameter Days and Hours	Standard
Monday – Saturday 0700 – 2100	5.0mm/sec (vector sum velocity)
All other times and on Public Holidays	1.00mm/sec (vector sum velocity)

Except that the maximum ground vibration (V_{max}) levels shall not apply where the source of vibration is generated by traffic movement on public roads and the land adjoining the road is zoned either Town Centre or Industrial.

(2) IMPULSIVE VIBRATION EXPOSURE FROM BLASTING

- (a) The maximum level for ground vibration exposure resulting from activities using explosives or similarly impulsive and energetic materials (V_{max}) is:

Parameter	Standard
(1) Blast Duration as defined by the delay timing	1 second
(2) Number of Events	1 per day
(3) Overpressure	Less than 115 dBL
(4) Peak Amplitude	0.5 mm/sec
(5) Time of Day	0700 – 1800
(6) Days	Monday to Saturday (ex Sunday, public holidays and all other times)

8.3.2.4 EXPLANATION OF STANDARDS

- (1) Ground vibration levels referred to in this Standard for $V_{Activity}$ and $V_{Background}$ are 99 percentile values of instantaneous Peak Particle Velocities calculated from the vector sum of the three orthogonal components of vibration occurring within the frequency range of 2Hz - 200Hz.
- (2) The velocities must refer to a specific time, ie:
- $$V_{(t)} \text{ TOTAL} = (V_{(t)} \text{ Radial}^2 + V_{(t)} \text{ Transverse}^2 + V_{(t)} \text{ Vertical}^2)^{1/2}$$
- The 99 percentile of a set of vibration events is the vibration value which is exceeded by 1 percent of the events recorded over the period of time measured.
- (3) The V_{max} level referred to in this Standard is the maximum value of instantaneous peak Particle Velocities calculated from the vector sum of the three orthogonal components of vibration occurring within the frequency range of 2Hz - 80Hz ($V_{max} = V_{activity} + V_{background}$).
- (4) Measurement periods to establish background ground vibration levels ($V_{background}$) shall, as a minimum, consist of a continuous interval which is of at least 60 minutes duration during a typical day. It is not feasible to measure $V_{activity}$ directly. It is determined by comparing $V_{background}$ with $V_{background}$ plus $V_{activity}$. Consequently, where $V_{activity}$ is being considered, the measurement period selected to determine combined ground vibration levels ($V_{background} + V_{activity}$) will relate directly to the period during which the activity is occurring. Where the activity

generating ground vibration is a short duration event (eg a blast event) the measurement shall accordingly be short (a few seconds). Where the activity generating ground vibration is intermittent or continuous, the measurement period may be up to 60 minutes in order to determine the values of interest.

- (5) The discrete sampling interval employed during each measuring period shall be selected to avoid distortion or bias to recorded vibration values due to activities not directly associated with the activity under consideration. (Normally the discrete sampling interval will be 1 second). The resulting combined vibration levels ($V_{\text{background}} + V_{\text{activity}}$) shall then be statistically analysed and compared with $V_{\text{background}}$ to determine compliance with the standard.
- (6) All ground vibration measurements shall be taken at or within the boundary of any allotment not owned by the agency responsible for creating the vibration. For the Rural, Coastal and Karangahake Gorge Zones only, measurements shall be taken within the *notional boundary*. Except that where the source of vibration is generated by traffic movement on public *roads* the vibration will be measured at the appropriate *front yard* boundary of any allotment with frontage to that *road*.
- (7) Measurements are to be taken in the ground not within *buildings*.
- (8) The vibration frequency band width which is to be monitored is nominally 2Hz-80Hz but this may be varied by *Council* (particularly at the low frequency end of the range) on a case by case basis to reflect the capability of commercially available vibration monitoring systems.

8.3.2.5 RESTRICTED DISCRETIONARY ASSESSMENT CRITERIA

- (1) The *Council* will restrict the exercise of its discretion to the ability of the activity or development to achieve the particular environmental result of the Standards in Rule 8.3.2.2 for which compliance is not met and the following relevant assessment criteria:
 - (a) Whether the vibration is intermittent or of a temporary nature.
 - (b) Whether the vibration specific to the activity has an effect above the existing background level.
 - (c) Whether the vibration adversely affects the amenity values of the area, especially residential amenity values.
 - (d) Whether the best practical option has been adopted to control vibration.
 - (e) **Note:** The “Excessive Noise” provisions of the RMA (Sections 326 – 328) apply in addition to the Standards above.

8.4 VEHICLE PARKING, LOADING AND ACCESS

8.4.1 NUMBER AND LOCATION OF PARKING SPACES

8.4.1.1 DISCUSSION, PURPOSE AND REASONS

- (1) Vehicular traffic is a major user of resources (particularly energy and space).
- (2) Traffic management (including parking) can assist in reducing the use of resources, thereby sustaining those resources for future generations.
- (3) The efficient and safe movement of vehicles on the street system is aided by having adequate vehicle parking provided. This is particularly relevant in rural areas where high traffic speeds and the carriageway formation makes parking on the road inappropriate.
- (4) Different activities have the potential to attract and/or generate varying demands for parking. In general, the majority of such parking needs to be provided on or as close as possible to the site that the activity is located on.
- (5) In some circumstances, concentrating or sharing parking can improve efficiency of land use and reduce adverse effects.
- (6) The parking standards set out below are a reasonable provision that will adequately protect the community from possible adverse effects of parking generated by the operation of the activity.

8.4.1.2 ENVIRONMENTAL RESULTS

- (1) Ensure the general efficiency and safety of the roading system is maintained by accommodating vehicles on site, rather than on the road.
- (2) Avoid detracting from the amenities of some neighbourhoods, particularly in residential areas.
- (3) Provide the necessary parking in a convenient manner and thereby contribute to the success of the activity on the site.
- (4) Protect the safe and convenient movement of pedestrians, particularly in the commercial areas.
- (5) Maintain an open streetscape, thereby contributing to visual environmental amenity.
- (6) Support appropriate development by achieving a balance between accommodating peak parking demand and resulting off site effects.

8.4.1.3 STANDARDS

- (1) Where any new activity establishes, the use of any land or building changes or a building is constructed or substantially reconstructed, altered or added to, parking facilities shall be provided on that site in accordance with the minimum standards set out in the table below.

- (2) Generally, the standard for parking is set out by activity (regardless of the zone it is located in), as the activity generates/attracts parking to similar levels regardless of the zoning. However, specific zone situations are identified.

Zone/Activity	Minimum Parking Standard
<i>Dwellings</i>	2 spaces for each dwelling
<i>Visitor accommodation</i> , and Housing for the elderly	1 space for each dwelling unit or visitor accommodation unit, plus 1 space for every 4 units, plus 1 space for each non resident staff member
Hospitals	2 spaces for every 3 patients the facility is designed to accommodate
<i>Community Housing</i>	1 space for every 4 occupants the facility is designed to accommodate
Place of worship or assembly, Marae	1 for every 15m ² gfa of the public meeting area.
Cafes, Restaurants, tearooms and Licensed premises not otherwise specified (excluding the Town Centre Zone where the premises adjoins a Pedestrian Frontage)	1 space per 10m ² gfa
<i>Health Care Services</i>	2 spaces per consultant and 1 space per staff member
Facilities for Education and Training	1 space per staff member (Full Time Equivalent), plus 1 space for every 10 students the facility is designed to accommodate, except the parking standard for students does not apply to childcare facilities and school students in Years 1 to 10
Produce Stalls	4 per stall.
Boarding, Breeding and Training of Animal Facilities	1 per non-resident employee plus 2 for the activity.
Supermarkets	1 per 20m ² gfa.
Hotels and Taverns	1 per 6m ² public floor area (includes bars, restaurants and reception areas) and 1 per bedroom unit.
Premises/Yards for sale of vehicles, machinery and plants etc	1 space per every 200m ² site area, with a minimum of 4 spaces.
Service Stations	2 spaces per 3 staff, or part thereof, on the premises, 2 spaces for a convenience shop, 4 spaces per workshop bay, 3 queuing spaces for a car wash, 1 space for an air hose or vacuum facility.
Any retail (except where otherwise specified) or office activity in the Town Centre Zone where the premise does not adjoin a Pedestrian Frontage, and any ancillary retail activity in the Reserve (Active) or Industrial zones	1 for every 30m ² gfa or site area, whichever is applicable.
Any Industrial or warehouse Activity (except where otherwise specified and excluding self storage facilities)	1 space for every 100m ² gfa.
Outdoor Recreation (not otherwise specified)	1 per 4 persons the activity is designed to cater for plus 1 space per 25m ² gfa for associated buildings.
Sports Grounds	6 for every field or court plus 1 space per 25m ² gfa for associated buildings.
Indoor sports facilities	6 spaces per court or 1 space for every 25m ² gfa whichever is the greater.

- (3) For dwellings in the Residential and Township zones one of the two carparking spaces is to be shown on the building consent application in a position that a garage or carport can be built on the site in compliance with the provisions of the District Plan.
- (4) In the Conservation (Wetland) and (Indigenous Forest) zones parking shall be provided within the zone and clear of any public road. No parking area providing spaces for more than five vehicles shall be located within 50 metres of any dwelling located outside the zone. Where the dwelling is separated from the zone by a road, this separation standard shall not apply.
- (5) In all zones, a Transportation Impact Assessment shall be prepared for an activity which:
- (a) Will provide 50 or more carparking spaces on site either to meet the requirements of this District Plan or to meet the demand generated by the activity; or
 - (b) Will have an average daily traffic generation /through put of 250 vehicle movements or more (ingress and egress is 2 movements) whichever is the lesser; and
 - (c) The activity where it is either Permitted or Controlled shall be assessed as a Restricted Discretionary Activity, with discretion restricted to the assessment criteria in Rule 8.4.1.4.
 - (d) The Transportation Impact Assessment shall be at a level of detail appropriate to the scale of the activity, consider all relevant modes, and consider the network affected by the proposal at least to the intersections upstream and downstream. The assessment shall address:
 - (i) Description of Site, including existing activities.
 - (ii) Surrounding Road Network – traffic volumes, traffic conditions, safety.
 - (iii) Description of Proposal – trip and traffic generation, transport modes, assignment to network.
 - (iv) Transportation Considerations – Safety, efficiency, parking, servicing, ingress/egress, queuing, layout and design standards, ability of local network to safely and efficiently accommodate traffic, personal security.
- Note:** Where a lesser number of carparks are proposed than required by the Standard in Rule 8.4.1.3, an assessment in terms of the criteria in Rule 8.4.1.4 should be provided.
- (v) Evaluation of Transportation Impacts – transportation effects, baseline conditions, options for mitigation.
 - (vi) Conclusions - transportation impact, mitigation proposed.
 - (vii) **Note:** In some zones, where they adjoin a residential or reserve zone, specific standards and criteria to consider the location of parking spaces are provided in that zone.

8.4.1.4 RESTRICTED DISCRETIONARY ACTIVITY ASSESSMENT CRITERIA

(1) The *Council* will restrict the exercise of its discretion to the ability of the activity or development to achieve the particular environmental result of the Standards in Rule 8.4.1.2 for which compliance is not met and the following relevant assessment criteria:

(a) Number

In assessing a lesser number of parking spaces than required for a particular use or development or where no suitable standard is provided, regard shall be had to the following:

- (i) The hours of operation relative to other activities on the site or on adjoining sites and opportunities for sharing parking spaces.
- (ii) The status of the road in the roading hierarchy.
- (iii) The ability of the road to accommodate parking in a safe manner.
- (iv) The total parking demand generated by the proposed development. Where it can be demonstrated that this is less than the number of spaces required by the standard and that the development is such that the premises cannot be used for any other purpose, a lesser number of parking spaces may be accepted by Council as being adequate.
- (v) The availability of payment in lieu of parking where any reduction from the required parking cannot be granted.
- (vi) The availability of appropriate off road public parking in the locality, particularly where the developer has financially supported such provision.
- (vii) The amount of public space, which is incorporated within the building and the intensity of use of such facilities.
- (viii) Any inappropriate modification to the natural environment that would result from providing the parking spaces.
- (ix) Options for providing additional parking if required.

(b) Location of Parking Spaces

The required parking for a particular activity or development may be provided on other sites, in a manner which has regard to the following:

- (i) Off site parking is in close proximity with clear, safe and convenient access.
- (ii) Whether joint parking provision is acceptable particularly where hours of operation are different.
- (iii) The desirability of avoiding vehicular access to the site on traffic safety or pedestrian amenity grounds.
- (iv) The convenience and safety of those using the parking spaces especially the general public.
- (v) Any arrangement for alternative parking provision is adequately secured to Council's satisfaction.

- (vi) In the Conservation (Indigenous Forest) and (Wetland) zones, whether there would be no significant detracting from the amenities enjoyed by the occupants of the dwelling.
- (vii) In relation to the addition to or alteration of a scheduled feature, whether this would assist with the protection of the feature.
- (viii) In relation to the addition to or alteration of a scheduled feature, the extent to which the safe and efficient functioning of the street or road is affected.

(c) Transportation Impact Assessment

The following criteria will be used to assess a Restricted Discretionary Activity, where a Transportation Impact Assessment is required:

- (i) Whether the carparking area is designed to ensure it is readily accessible from the road and convenient for the user.
- (ii) Whether the access is designed and located to allow safe and efficient movement to and from the adjacent road network.
- (iii) Whether the internal access and vehicular layout is designed in order to minimise conflicts between pedestrians, vehicles and service access.
- (iv) Whether improvements are required to the adjacent road system to enable the safe movement for vehicles entering and leaving the site and can they be accommodated without adversely impacting on the activities of adjacent sites and the efficient functioning of the road.
- (v) The recommendations of the Transportation Impact Assessment and any proposed conditions.

8.4.2 NUMBER AND LOCATION OF LOADING/DROP OFF SPACES

8.4.2.1 DISCUSSION, PURPOSE AND REASONS

- (1) As with parking, loading spaces are required not only to service the activity, but also to ensure that the safety and efficiency of the roading resource is not compromised.
- (2) Different activities have different loading requirements. In addition, the nature of providing a loading service has changed over time. For instance, most commercial and business activities are served daily by courier services, using smaller vans. Accordingly, smaller loading spaces are required, but these are required to be available at all times. Vacant parking spaces can be used by courier vans. Activities such as supermarkets and other large format retail outlets are serviced by large vehicles, as well as courier vans. Accordingly, larger specified loading spaces are required for this type of loading requirement.

8.4.2.2 ENVIRONMENTAL RESULTS

- (1) Minimise conflict with the efficient and effective movement of traffic on streets and minimise detraction from neighbourhood amenities as a result of loading and unloading on the street, footpath or verge.

8.4.2.3 STANDARDS

- (1) Where any new activity establishes, the use of any land or building changes, or a building is constructed or substantially reconstructed, altered or added to, loading facilities shall be provided on that site in accordance with the following standards:

Zone/Activity	Number	Standard
(a) Childcare Facilities	1 drop-off car space per 10 children the facility is designed to accommodate.	
(b) Primary, Intermediate and Secondary Schools and Facilities for Education and Training (not otherwise specified)	1 drop-off car space per 40 students the facility is designed to accommodate and 1 bus space per 200 students.	
(c) All Non-Residential Activities in the Residential and Township zones; all Activities in the Town Centre and Industrial zones	1 loading space per activity.	
(d) Town Centre Zone (Waihi and Ngatea only)		Where an existing or proposed service lane is shown on the Planning Maps, then the loading space shall be so designed and located that access to it can or will be obtained from that service lane.
(e) All other zones		Loading spaces shall be provided on the site that the activity is located on.

- (2) **Note:** In some zones, where they adjoin a residential or reserve zone, specific standards and criteria to consider the location of loading spaces, are provided in that zone.

8.4.2.4 RESTRICTED DISCRETIONARY ACTIVITY ASSESSMENT CRITERIA

- (1) The *Council* will restrict the exercise of its discretion to the ability of the activity or development to achieve the particular environmental result of the Standards in Rule 8.4.2.2 for which compliance is not met and the following relevant assessment criteria:

(a) Number

Any land use activity, other than for residential purposes should be provided with adequate facilities on the site for the access of goods and service vehicles, and for their loading and unloading in a manner that:

- (i) Will accommodate those vehicles which normally visit the site and is adequate for the volume of goods involved.
- (ii) Avoids major conflict with traffic on adjoining streets or significantly detracts from pedestrian amenities.
- (iii) Does not give rise to situations that would create a significant traffic hazard.
- (iv) Avoids significant detracting from the amenities of the neighbourhood and is not substantially detrimental to the operation of any adjoining business.
- (v) Has regard to any proposals for shared access and loading.

(b) Location

- (i) Loading facilities on an adjoining site from the development site, may be accepted where the above criteria can be satisfied and where on site provision would be impractical, would not be warranted in the particular circumstances, or would be in conflict with other objectives of the District Plan.

- (c) **Note:** Any arrangement for alternative loading provision will need to be secured to Council's satisfaction.

8.4.3 VEHICLE ACCESS AND CROSSINGS

8.4.3.1 DISCUSSIONS, PURPOSE AND REASONS

- (1) Access points must be located to ensure safe entry or egress. The main factors affecting safety are the availability of satisfactory visibility of approaching traffic, and sufficient separation between existing intersections and major access points to avoid conflicts with vehicle turning movements. In the Town Centre zone, vehicle access can conflict with the objective of creating a safe and pleasant environment for pedestrians. The matter of access through "Defined Pedestrian Frontages" is provided for in the Town Centre zone.
- (2) The type, design and location of access points needs to be flexible to not only meet the vehicle access needs of the activity, but also the traffic function of the road itself.
- (3) It is recognised that roading represents a substantial use of resources in both its establishment and maintenance. Resources used include land, space, physical elements (gravel, concrete, bitumen, paint) and energy. Any "side friction" caused by access to and from the road has the potential to reduce the efficiency of the road and therefore increase the consumption of resources to keep the traffic moving.
- (4) A number of matters need to be controlled in order to achieve the objective of producing a safe vehicle crossing that does not detract from the efficiency of the road function. These matters include sight distances, intersection separation, separation between access, number of access points, dimensions (design), construction and gradient.
- (5) **Site Distance**
 - (a) The sight distance standard is based on the minimum safe stopping distance for a vehicle travelling at the speed environment for the road. For example, where the average speeds on a road are low, and roads are lightly trafficked, a lesser sight distance can still provide an adequate level of safety.
- (6) **Intersection Separation**
 - (a) The intersection separation standard takes into account the safe stopping distance for vehicles, stacking and double conflict circumstances. In some cases circumstances may prevail where a lesser distance can provide an adequate level of safety. In these circumstances an application for a reduced intersection separation may be made and considered in terms of safety criteria.
- (7) **Access Separation and Dimension**
 - (a) For most activities, two access points to a property would be considered adequate to meet its access needs. Any more access points would be an unusual situation and accordingly require assessment of the effects. In the urban areas, a minimum separation between access points also allows for on-street parking to be accommodated.
 - (b) Dimensions of access points are important to ensure that the crossing is wide enough to meet the needs of the vehicles entering, but not so wide that the crossing becomes a hazard to pedestrians, or allows entry and exit to the road at high speed.

(8) Access Construction

- (a) Access points need to be constructed to a standard which matches the standard of the road and avoids the tracking of material (mud, stones etc) from the site onto the road. Mud and stones have the potential to create a hazard for cyclists, reduce braking efficiency and can cause broken windscreens. The construction standards also ensure that no dust nuisance is created for adjoining properties and to prevent any problems of erosion and stormwater runoff.

(9) Access Gradient

- (a) The physical nature of some sites means that vehicle access can be difficult and lead to problems of instability and loss of amenity. In order to avoid the adverse effects of steep vehicle access the Council has set a maximum gradient for vehicle accessways. In situations where it is not possible to provide vehicle access to a site without exceeding this limit it may be preferable for alternative access and vehicle parking to be provided.

(10) Access for Heavy Vehicles

- (a) In situations where the site is likely to be required to be serviced with heavy vehicles, then access standards have been designed to also protect the road resource itself. The development and maintenance of the roading resource represents a significant investment of physical and financial resources. Destruction of this resource can be avoided and minimised, by providing accesses to properties that do not require hard braking and acceleration or sharp turning.

(11) Subdivision

- (a) Adequate access and crossing places need to be demonstrated at the time of seeking subdivision approval.
- (b) Where there is more than one position on a lot frontage to provide a safe vehicle crossing, it is more appropriate that its construction take place at the time of development or immediately prior to the commencement of an activity on the lot. This provides flexibility for the developer to decide which of the safe vehicle crossing options is appropriate to the intended use of the lot.
- (c) In the situation where there is only one safe vehicle crossing point, or the position is legally determined by a access leg, right-of-way or access lot, it is appropriate for construction of the crossing to occur at the time of subdivision. Where there is only one safe vehicle crossing, a prospective developer is then aware of the situation before making a commitment on a particular development or activity. In the case of joint access, difficulties can arise in sharing the cost of construction when lots are not all developed at the same time.
- (d) A condition of subdivision consent may be imposed that will limit the position on the frontage where an access point may be formed.

8.4.3.2 ENVIRONMENTAL RESULTS

- (1) To protect the function of the street for the safe free flow of traffic by providing easy access between the road and the property boundary, in a manner that does not detract from the

safety and amenity of pedestrians, protects the amenities of adjoining properties and does not significantly interfere with the provision of on-street parking.

- (2) To sustain the energy resource used in transportation, by making the roading system as safe, efficient and effective as possible, and thereby reducing energy wastage.

8.4.3.3 STANDARDS

- (1) Vehicle access for an activity shall be provided from the formed carriageway of a public road in accordance with the following standards:

- (a) **Sight Distances**

- The minimum sight distances from an access in all zones shall be in accordance with Diagram HDC304 and Table 3.4 of the HDC Engineering Manual 2009, Version 1.

- (b) **Separation**

- The minimum separation between any access and an intersection in all zones shall be in accordance with Diagram HDC305 where the regulatory speed limit is greater than 50km/hr or in accordance with Diagram HDC306 where the regulatory speed limit is 50km/h or less, in the HDC Engineering Manual 2009, Version 1.

- (c) **Number of Access Points**

- The maximum number of access points in all zones, except for the Rural zone shall be as below:

- (i) Site less than 20m frontage: One crossing
 - (ii) Site greater than 20m frontage: Two crossings

- (d) **Location of Access Point**

- (i) Except for in the rural area, for any corner site, only one vehicle access per frontage shall be permitted.
 - (ii) In the rural area where a corner site has a frontage to a Strategic Highway or District Arterial as well as to a collector or local road, then the vehicle access shall be limited to the frontage located on the collector or local road.
 - (iii) For Lot 6 DP 399569 (12 Magnolia Lane, Waihi) no vehicle access point connection to Cornwall Street/Lawrence Road shall be permitted.
 - (iv) For the land to the east of Smith Street and north of Wenlock Street, Waihi (legally described as part of Lot 7 DPS 33511) no access point connection to Whangamata Road-SH 25 shall be permitted.

- (e) **Dimensions, Formation and Construction of Access Points**

- (i) The minimum dimensions for vehicle crossings shall be in accordance with the following standard crossings:

Class	Standard
A	Standard Rural Heavy Commercial Vehicle Entrance for milk tankers and logging trucks in the <i>Rural Area</i> .
B	Standard Rural Commercial Vehicle Entrance for all activities that do not require a Class A entrance nor are residential activities, in the <i>Rural Area</i> .

C	Standard Vehicle Entrance for residential activities, in the Rural, Low Density Residential, Reserve (Active), and Conservation (Indigenous Forest) zones.
D	Standard Commercial/Industrial Vehicle Entrance for non-residential activities, in all <i>urban areas</i> .
E	Standard Residential Vehicle Entrance for residential activities, in all <i>urban areas</i> .

(ii) Notes

- (1) Where access within a site is required to be provided to a "two-way access" standard, the width of the crossing from the street shall be the same or greater than the width of the "two-way access."
- (2) Refer to the HDC Engineering Manual 2009, Version 1 for the dimensions and formation standards for the above classes of vehicle crossings.
- (3) The New Zealand Transport Agency is the controlling authority for State Highways. Section 51 of the Government Roading Powers Act 1989 lists many things which it is an offence to do, cause or permit on a State Highway, without the written permission of the New Zealand Transport Agency. This includes undertaking any work on a State Highway, and reference to the Section referred to is advised before undertaking work on a State Highway accordingly. The activity status of any proposed use of land in terms of the District Plan is not affected by the Section of the Act referred to.

(f) Gradient

- (i) In all zones, the grade change from the formed road edge, the vehicle access itself and the internal access within the property (where the entrance has to be partly formed within the property as it cannot all be formed in the road reserve), shall not exceed the access drive, breakover angle and departure angles as indicated in Section 3.11 of the HDC Engineering Manual 2009, Version 1.
- (ii) The maximum centre-line gradient for vehicle access ways (ie. right of way or internal driveway to a required identified building platform) shall be in accordance with Tables 3.1 and 3.2 (refer to Sections 8.6.1 and 8.6.2) of the HDC Engineering Manual 2009, Version 1.

(g) Additional Standards Applicable to Subdivision

In all zones, access shall be provided as follows:

- (i) Every lot shall be provided with legal access in terms of Section 106 of the Resource Management Act 1991; and
- (ii) Every lot shall be capable of being provided with vehicle access in accordance with the above performance standards in 8.4.3.3 above (other than allotments created through road closure or severance, access denial strips, public utilities and allotments created for the protection of a significant heritage or environmental feature where vehicle access is not required); and
- (iii) For those lots which can only provide one safe vehicle crossing point, or access via an internal access, then the formation of the vehicle crossing shall require construction to the minimum standards stated in 8.4.3.3 above.

(iv) Note:

- (1) Access Denial Strips will be required as a condition of subdivision consent where circumstances require access to be prohibited in terms of maintaining road safety.
- (2) Where an access leg crosses difficult terrain, the accessway shall be required to be constructed at time of subdivision to allow access into the body of the lot or to a defined building platform (where this is required to be shown) as a condition of the subdivision approval.

8.4.3.4 RESTRICTED DISCRETIONARY ACTIVITY ASSESSMENT CRITERIA

- (1) The *Council* will restrict the exercise of its discretion to the ability of the activity or development to achieve the particular environmental result of the Standards in Rule 8.4.3.2 for which compliance is not met and the following relevant assessment criteria:
 - (a) In determining the location, number, configuration and gradient of crossings and vehicular accesses onto any road or street, regard shall be had to whether they:
 - (i) Unnecessarily disrupt the provision of on-street parking.
 - (ii) Detract from the amenities of the locality, particularly residential properties.
 - (iii) Give rise to traffic hazards through factors such as inadequate visibility and unsafe stopping distances.
 - (iv) Conflict significantly with the normal flow of traffic.
 - (v) Unreasonably obstruct access to services.
 - (vi) Unreasonably inhibit the utilisation of the site having regard to the scale of the activity and its operational needs.
 - (vii) Restrict ready access to the site particularly where large vehicles and/or significant volumes of traffic are involved such as at service stations having regard to the relevant Ministry of Transport Guidelines.
 - (viii) Readily enable vehicles (that are likely to use the access) to cope with the gradient and other design matters.
 - (ix) Are impractical to provide due to the physical restrictions on the ground.
 - (x) Keep the number of access points to a minimum having regard to the availability of alternative access, the opportunities for shared access, the volume and nature of the traffic generated and the operational requirements of the activity
 - (xi) Are sited and designed in such a way that the operation of any intersection is not compromised to a level which significantly diminishes the traffic capacity or safety and that traffic conflicts and hazardous traffic situations are minimised
 - (xii) Are preferable in traffic management terms to be sited on a "greater" street rather than a lesser street in the case of corner sites.
 - (xiii) In respect of Lot 6 DP 399569 (12 Magnolia Lane, Waihi), whether or not a vehicle access connection to Cornwell Street /Lawrence Road can be provided in a manner that does not unduly compromise the safe and efficient operation of the intersection (Cornwell Street/Lawrence Road/Goldfields Railway Line).

8.4.4 DESIGN OF PARKING, DROP OFF AND LOADING SPACES, ACCESS AND TURNING AREAS

8.4.4.1 DISCUSSION, PURPOSE AND REASONS

- (1) The design, shape and location of access, turning, parking, drop off and loading spaces on a site needs to be such that those areas can be readily used by the type and number of vehicles involved.
- (2) It is important that parking, drop off, access and turning areas are attractive to use. Otherwise, motorists will not use them and the detrimental effects of vehicles parking on grass verges or on-street will result (eg traffic hazard, and loss of street amenity).
- (3) The standards set out below are designed to meet the space requirements of a 90 percentile vehicle.

8.4.4.2 ENVIRONMENTAL RESULTS

- (1) Parking, drop off and loading spaces and access to them represent a significant resource use in terms of space and physical and financial resources to provide and maintain them. This resource use can be compromised if the access, parking, drop off and loading design does not allow easy and convenient use. In addition, if these carparking, drop off and loading functions are not carried out on site, they have the potential to detrimentally affect the safety and efficiency of the roading network and the amenity of other activities (particularly residential).

8.4.4.3 STANDARDS

- (1) The standards set out below apply to those specified activities in every zone:
 - (a) **Carparking and Drop Off Spaces**
 - (i) Any carparking area and/or drop off spaces shall be laid out in accordance with the car turning and parking dimensions shown in Diagram HDC307 in the HDC Engineering Manual 2009, Version 1 and the 90 percentile car tracking curve.
 - (ii) On site turning areas to avoid the reversing of vehicles from:
 - (1) any carparking or drop off area containing more than three parking spaces; or
 - (2) any access onto a Strategic Highway or District Arterial road; or
 - (3) any carpark or drop off space located a minimum of 20 metres from the street boundary.
 - (b) **Loading**
 - (i) Any loading space(s) shall have minimum dimensions as follows:
 - (1) Length 8.0 metres
 - (2) Width 4.0 metres

- (3) Height 4.4 metres with sufficient turning areas to accommodate a 90 percentile single axle truck, which would avoid the need to reverse vehicles from the loading space(s) to the road and vice versa.
- (4) Any vehicle occupying any parking or loading space must have ready access to a street at all times, without the necessity of moving any vehicle occupying any other parking or loading space, with the exception of a single household unit, where only one parking space need be accessible at all times.
- (5) Where the internal access width is required to be provided for the two-way operation of vehicles onto and off the site, then the access width shall be at least 6m wide for a distance of 10m within the site from the road boundary.

8.4.4.4 RESTRICTED DISCRETIONARY ACTIVITY ASSESSMENT CRITERIA

- (1) The *Council* will restrict the exercise of its discretion to the ability of the activity or development to achieve the particular environmental result of the Standards in Rule 8.4.4.2 for which compliance is not met and the following relevant assessment criteria:
 - (a) Whether the carparking or drop off area is used regularly by the same people, making "tighter" carparking dimensions acceptable to those users.
 - (b) Whether there are physical impediments, vegetation worthy of protection or other characteristics of the site that would make it impracticable to provide the turning areas on site.
 - (c) Whether passing bays or other physical methods can be used that would compensate for the length of access to the parking or loading facility.
 - (d) Whether the nature, scale, character or intensity of development or activity carried out on the site is such, that the loading and unloading of goods involves vehicles other than those requiring a 90 percentile single axle truck standard.
 - (e) Although the receiving road may have status in the roading hierarchy, whether there are factors relating to the road (such as volume, type or speed of traffic) which would allow reversing of vehicles onto the road, without significant detriment to the safety and efficiency of that road.

8.4.5 FORMATION, SCREENING AND LANDSCAPING OF PARKING AND LOADING & MANOEUVRING AREAS

8.4.5.1 DISCUSSION, PURPOSE AND REASONS

- (1) In some situations, either due to the nature or scale of the activity itself or its location in relation to other activities, parking, loading and manoeuvring areas need to be developed to a standard that ensures any detrimental affects are avoided or reduced to an acceptable level.
- (2) The detrimental effects that need to be considered include:
 - (a) Transfer of mud, stones and other material across footpaths and onto the street. This is not only an amenity issue, but also a safety issue, particularly for pedestrians and cyclists.
 - (b) Dust.
 - (c) Noise.
 - (d) Glare from headlights.
 - (e) Loss of privacy.
- (3) Methods to reduce or avoid these detrimental effects relate to forming the surface, landscaping, screening and delineating the parking and loading areas.

8.4.5.2 ENVIRONMENTAL RESULTS

- (1) Parking, loading and manoeuvring areas should be developed to a standard that ensures that any detrimental effects of activities carried out in those areas is avoided or mitigated to a level that is compatible with the amenities of the area.

8.4.5.3 STANDARDS

- (1) Where parking, loading and manoeuvring areas are provided on a site, the following standards shall be met:
 - (a) Where three or more parking and/or a loading space(s) are required to be provided, such parking and loading spaces shall be clearly marked out and identified.
 - (b) Where a group of three or more parking spaces are required to be provided (excluding those required for a single household unit or located within a building) in the Residential, Town Centre, Industrial, Reserve (Active) and Township zones which adjoin a sensitive zone, the parking spaces shall be effectively screened on any side by a solid fence not less than 1.8m in height.
 - (c) In the Town Centre, Industrial, or Township zones, kerbing or a similar barrier not less than 0.100m high, shall be provided on those parts of the site frontage not used for vehicular access, where parking spaces and/or a loading space or manoeuvring

area(s) adjoins a road to separate parking, loading and manoeuvring areas from the road.

- (d) Where any group of five or more parking spaces, or any loading or vehicle manoeuvring area are to be provided and are visible from any Strategic Highway or District Arterial road or are visible from an adjacent *sensitive zone*, a *landscape planting strip* shall be provided and maintained along the applicable boundary of that area (except for required vehicular access) to a minimum depth of 2 metres.
- (e) Except in the Industrial Zone, where any group of twenty or more parking spaces and associated manoeuvring area are to be provided, and are visible from any street or road (not otherwise covered in .d above), a *landscape planting strip* shall be provided and maintained along the frontage of that area (except for required vehicular access) to a minimum depth of 2 metres.
- (f) In the Town Centre and Industrial Zone, where in accordance with Rule 8.4.9 a *landscape buffer strip* is required to be provided between an internal access and the boundary of a *sensitive zone*, it shall be planted and thereafter maintained to a minimum depth of 2 metres.
- (g) In the urban areas (except for the parking area and associated access for a single dwelling and home occupation), the whole of the required parking and/or loading spaces, and manoeuvring areas and the associated access thereto from the road frontage shall be formed and drained and thereafter maintained with an all weather, dust-free surface, such as bitumen, concrete or cobblestones, except that in the Industrial and Township zones a compacted aggregate low in fines may be used.
- (h) **Note:** Any activity or development required to provide a *landscape planting strip* or *landscape buffer strip* shall provide a landscape plan for approval prior to implementation which shows:
 - (i) Existing landscape features, landforms and development.
 - (ii) Proposed landscape features, landforms and development.
 - (iii) Specification of materials to be used, including precise identification of plant types.
 - (iv) Indicative maintenance programme.

8.4.5.4 RESTRICTED DISCRETIONARY ASSESSMENT CRITERIA

- (1) The *Council* will restrict the exercise of its discretion to the ability of the activity or development to achieve the particular environmental result of the Standards in Rule 8.4.5.2 for which compliance is not met and the following relevant assessment criteria:
 - (a) Whether the nature or volume of vehicular traffic and/or topography of the site in relation to the road or adjacent sites is such that detrimental affects will not be created or are at a level which is compatible with the amenities of the area.
 - (b) Whether other methods of screening, landscaping and/or topography create a visual screen, psychological buffer or physical barrier to a level that any headlights are screened, or visual impacts and nuisances such as noise, fumes and dust are reduced

to a level which is compatible with the amenities of the streetscape and adjoining or adjacent sites.

- (c) The extent to which the standard and method of formation achieves a result similar to that of a formed permanent hard surface.

8.4.6 PROTECTION OF TRAFFIC SIGHT LINES

8.4.6.1 DISCUSSION, PURPOSE AND REASONS

- (1) Visibility at all intersections (road and rail) is an important aspect of maintaining traffic safety throughout the District. While there is no substitute for careful, defensive driving, factors such as visibility at intersections can decrease the risk of traffic accidents and consequent injury.
- (2) It would be impracticable for Council to negotiate the purchase of pieces of land on every corner in the District, survey them off and thereafter maintain them free of any impediment to drivers' visibility.
- (3) All new roads are created with corner splays at the time they are subdivided. Also, when subdivision of land on a corner occurs, the opportunity is taken to require the appropriate corner splay to vest in Council as road. Accordingly, the standards for sight lines below, are accommodated within the standards for corner splays under Performance Standard 8.4.7 - Corner Splays.

8.4.6.2 ENVIRONMENTAL RESULTS

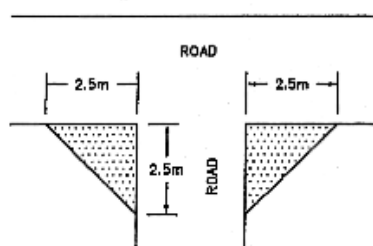
- (1) To manage the roading resource in a manner that contributes to peoples' health and safety.

8.4.6.3 STANDARDS

- (1) No construction of buildings, fences or other structures, placing of obstructions or the growth of vegetation shall be permitted in the immediate vicinity of road and railway intersections as follows:

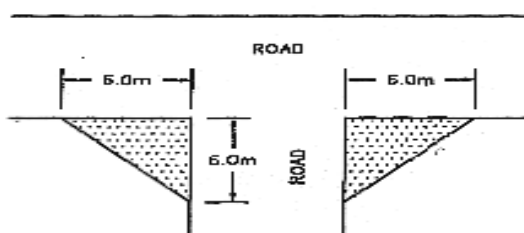
(a) Town Centre, Industrial and Township Zones

Road Intersections - 1 metre in height within the area shown in the diagram, except above first floor level.



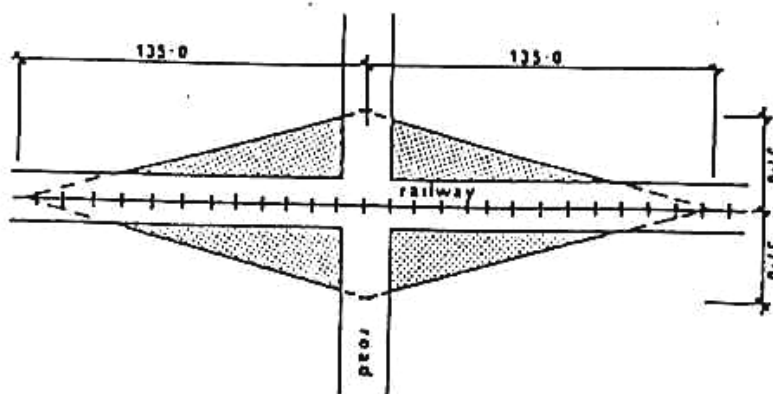
(b) All other zones

Road Intersections - 1 metre in height within the area shown in the diagram.



(c) All zones - Railway Intersections

- (i) 1 metre in height within the area shown in the diagram. Where there are two or more rail tracks the 37m sight line applies from the centreline of the nearest track.



- (d) **Note:** The standards in (a) and (b) above do not apply where a corner splay has already been vested and cleared in accordance with Performance Standard 8.4.7 - Corner Splays.

8.4.6.4 RESTRICTED DISCRETIONARY ACTIVITY ASSESSMENT CRITERIA

- (1) The *Council* will restrict the exercise of its discretion to the ability of the activity or development to achieve the particular environmental result of the Standards in Rule 8.4.6.2 for which compliance is not met and the following relevant assessment criteria:
 - (a) Whether the existence of traffic management methods (stop signs, railway signals) provide a level of traffic safety that cancel out the need for sight lines.
 - (b) Whether factors such as traffic speed are such that traffic safety is maintained without the need for sight lines.
 - (c) Whether train movements (time of day, speed of train) are such that traffic safety is maintained without the need for sight lines.
 - (d) The assessment criteria for Performance Standard 8.4.7 - Corner Splays.
 - (e) **Note:** The consent of the controlling authority for the railway facility will be required before Council will consider granting an application for reduced sight lines.

8.4.7 CORNER SPLAYS

8.4.7.1 DISCUSSION, REASONS AND PURPOSE

- (1) Subdivision is an appropriate time at which to obtain corner splays where these have not already been provided. The "Protection of Traffic Sight Lines" (Performance Standard 8.4.6), provides an interim mechanism to enhance traffic safety at intersections until such time as Council can obtain the corner splay. The corner splay not only provides for traffic sight lines, but also provides the area of land to provide for the turning of traffic. As such, the dimensions of the corner splay may be greater than for sight lines.

8.4.7.2 ENVIRONMENTAL RESULTS

- (1) To manage the roading resource in a manner that contributes to peoples' health and safety.

8.4.7.3 STANDARDS

- (1) Where land at an intersection is subject to subdivision, or where a new subdivision involves creating an intersection, corner splays to the dimensions set out in the table below shall be shown on the subdivision plan and shall be shown as "Road" to vest in the Council on the survey plan.

Zone	Standard
Residential, Low Density Residential and Industrial	6.0 metre splay
Township, Town Centre	2.5 metre splay.
Rural, Marae Development, Coastal, Karangahake Gorge	40 metres on <i>Strategic Highways, District Arterial Roads</i> . 15 metres on Collector and Local Roads.
Reserve (Active and Passive), Conservation and Flooding Ponding	N/A.

- (2) **Note:** The corner splays shall be defined by a diagonal line joining points, the standard distance back from where two straight lines (one line along each street/road boundary) meet.

8.4.7.4 RESTRICTED DISCRETIONARY ACTIVITY ASSESSMENT CRITERIA

- (1) The *Council* will restrict the exercise of its discretion to the ability of the activity or development to achieve the particular environmental result of the Standards in Rule 8.4.7.2 for which compliance is not met and the following relevant assessment criteria:
- (a) Whether the taking of a corner splay will not significantly improve visibility for motorists due to there being existing buildings, land or vegetation between the corner and the necessary sight line, or there is a difference in road levels.
 - (b) Whether a lesser standard will give a similar and adequate level of visibility and turning areas, because of factors such as reduced traffic speeds in the area, low volumes of traffic or the nature of the traffic.
 - (c) The full corner splay cannot be provided due to existing physical features which cannot be reasonably removed.

- (d) The assessment criteria in Performance Standard 8.4.6 - Protection of Traffic Sight Lines.

8.4.8 STREET AND ROAD DESIGN

8.4.8.1 DISCUSSION, PURPOSE AND REASONS

- (1) The way in which the street or road is laid out can have a significant impact on:
 - (a) The volume and type of traffic that is attracted to use that street or road.
 - (b) The speed of traffic.
 - (c) Impact on the amenities of adjoining land use activities.
 - (d) The amount of energy used by vehicles. For example, the design of residential streets can increase their attractiveness to become a "short-cut" between main traffic routes. Roads or streets that need to carry large volumes of traffic can be designed to achieve that purpose by reducing the number of intersections, providing turning bays that avoid disruption to traffic flows and providing linkages to other main roads.
- (2) A range of factors are involved which combine to provide a design that matches the purpose of the street or road. These factors include; widths, gradients, pavement surfaces, kerbing and channelling. These design factors also recognise that streets and roads have a number of purposes other than conveying vehicles, cycles and pedestrian traffic. Other purposes include contributing to stormwater control, providing security through street lighting and enhancing the appearance of an area through the planting of trees.
- (3) The standards set out below seek to provide a street or road design that meets these purposes and is compatible with the amenities of the area.
- (4) In addition, the resources required to form or upgrade a road or street are substantial. In order that resources are not wasted and therefore are available for use by future generations, roading needs to be to a standard that can cope with the anticipated traffic for a certain length of time. Proper initial road construction can significantly reduce maintenance costs and use of resources at a later date.

8.4.8.2 ENVIRONMENTAL RESULTS

- (1) To create a road network that provides for the safe and efficient movement of traffic (vehicular and pedestrian) in a manner that promotes the sustainable management of resources used in its development and maintenance and is of a design that does not detract from the amenities of the locality.

8.4.8.3 STANDARDS

- (1) Where a subdivision or development results in a need to upgrade an existing road or form a new road, that road development shall comply with:
 - (a) The relevant standards in Tables 3.1 of the HDC Engineering Manual 2009, Version 1 (refer to copy of Tables 3.1 in Appendix 8.6.1).
 - (b) The roading hierarchy shown on the Roothing Hierarchy Map with the District Planning Maps.

- (c) Any indicative road layout shown on the Structure Plans (where relevant) in Section 8.6 Appendices 3 to 8.
- (d) For the land to the east of Smith Street and north of Wenlock Street, Waihi (legally described as part of Lot 7 DPS 33511) no new road connection to Whangamata Road-SH 25 shall be permitted.

8.4.8.4 RESTRICTED DISCRETIONARY ACTIVITY ASSESSMENT CRITERIA

- (1) The *Council* will restrict the exercise of its discretion to the ability of the activity or development to achieve the particular environmental result of the Standards in Rule 8.4.8.2 for which compliance is not met and the following relevant assessment criteria:
 - (a) Whether the width, alignment, strength and surfacing of any carriageway is sufficient to accommodate in a safe and efficient manner the volume and type of traffic likely to use it, including service and emergency vehicles in local residential streets and heavy trucks in industrial streets.
 - (b) The adequacy of provision for the movement of pedestrians, cyclists and the disabled.
 - (c) The adequacy of provision within the street reserve for car parking spaces relative to the existing and potential developments on adjoining land.
 - (d) Whether the carriageway, kerb, channel, footpath and associated works such as street lighting will be constructed so as to have a design life that will not require premature maintenance or replacement. As a guide, construction and materials should have a minimum design life of 25 years.
 - (e) The degree to which the extension to an existing, a new or an upgraded street or road "matches" the rest of the existing street or roading network (eg levels, design, construction).
 - (f) The degree to which the design of the road has been developed to allow for ease of cleaning and maintenance, for example the clearing of stormwater channels and drains.
 - (g) Whether the design of the street or road allows for easy installation and maintenance of network utility services and amenity street tree planting.
 - (h) Whether the design of the street or road provides a level of amenity for adjoining activities demanded by the community, particularly residential amenity.