8.4.9 INTERNAL ACCESS

8.4.9.1 DISCUSSION, PURPOSE AND REASONS

(1) In a number of situations, the most practical way of obtaining access to a lot or dwelling can be over other land, especially to overcome physical problems of getting to a site. In other situations, a combined access arrangement allows a subdivision or development pattern that makes the most efficient use of the land (ie large areas of land are not taken up with unneeded roads) and also at a lower cost.

(2) Internal access arrangements are the responsibility of the landowner or developer, and are not a roading cost to the general ratepayer. In most cases, the reduced volume of traffic on the internal access means that the costs of formation and the amount of resources used are reduced, as the standards are less than those needed for a road.

(3) The reduced standards (eg width, formation) for internal access must not be at the expense of or detriment to the amenities of an area, particularly residential areas. For this reason, the number of lots and/or dwellings that can be served by an internal access needs to be controlled to ensure the volume of traffic is not such that it creates a detriment to the amenities of the area or traffic conflicts where the access meets the road in an "uncontrolled" manner. In addition, poor maintenance of internal access in the vicinity of its intersection with the road can compromise the safe and efficient use of the adjacent road, by the transmission of metal and dirt onto the footpath and roadway.

(4) The rules set out below restrict the number of lots and/or dwellings that can be served by the internal access and the length of the internal access, as the traffic volumes and traffic behaviour (especially speed) become similar to that of a public road. Private control is unlikely to be able to deal with the potential detrimental effects from such traffic.

(5) From an urban design perspective, controlling the number of lots and/or dwellings that can be served by the internal access, and the length of the internal access, assist in managing residential infill in existing residential areas to a level that does not detract from the street/neighbourhood character and minimises parking, vehicle and pedestrian conflict and privacy issues.

8.4.9.2 ENVIRONMENTAL RESULTS

(1) That internal access to lots and/or dwellings provided in a manner that enables physical or legal access to be achieved but in a manner that does not detrimentally affect the environment and amenities of the area, or create a traffic hazard within the internal access itself or at its intersection with the road.

(2) To enhance the residential amenities of multi-unit developments by providing accessways that allow easy vehicle movements and do not create traffic noise as a result of vehicles carrying out unnecessary movements and speed up and down an accessway.

8.4.9.3 STANDARDS

(1) The maximum number of allotments or dwellings served by an internal access shall not exceed the limits specified in the following table:

Zone	Maximum Use of *Internal Access*
(a) Residential	Up to 3 Allotments or 3 Dwellings
(b) Low Density Residential	Up to 4 Allotments
(c) Industrial, Town Centre, Township	Up to 2 Allotments
(d) Rural and Coastal	Up to 5 Allotments or 5 dwellings

(2) The legal width, maximum length, carriageway width and formation standards of the internal access shall be in accordance Tables 3.1 of the HDC Engineering Manual 2009, Version 1 (refer to copy of Tables 3.1 in Appendix 8.6.1).

(3) The legal boundary of the *internal access* shall accommodate any required passing bays.

(4) Where the *internal access* standards as specified in .a to .c above are not met the *internal access*, shall be provided to full road standard in accordance with the standards in Rule 8.4.8 and shall vest in the Hauraki District Council as "Road". For an existing *internal access* this rule shall only apply when additional lots are to be created which require access from it.

(5) No two or more *access strips* within a subdivision or development may lie adjoining or adjacent to one another unless easements are granted over each *access strip* in a manner which enables their combined use with a single point of access to a public road.

(6) Where the *internal* access in the Industrial and Town Centre Zone is located adjacent to the zone boundary with a *sensitive zone*, the nearest boundary of the *internal access* shall be located two metres from the zone boundary to allow a landscaped *buffer strip* to be provided (refer to Rule 8.4.5) unless the boundary is effectively screened for the length of the internal access by a solid fence not less than 1.8 metres in height. The required minimum width of an *internal access* shall be measured from the edge of the two metre landscape *buffer strip* or fenceline.

(7) **Note:** There are no standards for internal access in the Flood Ponding, Conservation (Indigenous Forest & Wetland), Reserve (Active & Passive), Karangahake Gorge or Marae Development zones.

8.4.9.4 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 8.4.9.2 for which compliance is not met and the following relevant assessment criteria:

(a) Whether the internal access will still allow for access by larger vehicles such as furniture trucks and for emergency vehicles.

(b) Other techniques proposed, such as passing bays, that would allow for reduced access widths and/or increased access length.

(c) The safety and convenience of the internal access.

(d) Whether underground services can be installed and maintained without disrupting and/or damaging the formation of the accessway itself.

(e) Whether the distance to the lots is such that the standard access width is not necessary.

(f) Traffic speed control by techniques such as speed humps or corners that would allow increased access length and/or reduced access widths.

(g) Inappropriate modification of the environment, including the removal of trees or vegetation that would result from providing the *internal access* to the required dimensions.

(h) The physical nature of the site would make providing the *internal access* to the required dimensions and formation inappropriate or impractical.

(i) The relevant restricted discretionary assessment criteria in Section 8.4.8.4.

8.5 INFRASTRUCTURE AND SERVICES

8.5.1 DOMESTIC EFFLUENT DISPOSAL

8.5.1.1 DISCUSSION, PURPOSE AND REASONS

(1) ON SITE DISPOSAL

Where there is no public reticulated sewerage system available all existing and future development must be capable of satisfactorily treating and disposing of sewage on-site, or through small scale community based schemes, in accordance with the requirements of the Waikato Regional Council.

(2) RETICULATED SYSTEMS

Reticulated sewerage systems are available in most of the urban areas in the District. Subdivision is an appropriate time for the sewerage connections to be made to the lot(s). Alternatively, where there is no subdivision the connections need to be made at the time of development.

8.5.1.2 ENVIRONMENTAL RESULTS

(1) To allow residential and other development in those areas which are not serviced by a public sewerage system, but only in a manner that protects the water and land from contamination and does not create a risk to health or a detraction to the amenity of the area through smell.

(2) To ensure that where a reticulated sewerage system is available to lots where domestic sewage needs to be disposed of, the system is provided in a manner which is safe, efficient, economic, environmentally acceptable, meets consumer demand and improves public health.

8.5.1.3 STANDARDS

(1) In all zones, where a reticulated sewer system is not available an on site effluent disposal system shall be provided for the discharge of domestic effluent.

Note: Applications for subdivision consents may be required to show the details and layout of the proposed sewage treatment system (eg. for steep sites with slip potential) including evidence that the system either complies with the permitted activity standards of the Waikato Regional Plan or a regional consent has been obtained.

(2) In all zones, where a reticulated sewerage system is available any subdivision which results in additional allotments to be used for urban purposes or where any new or additional development is proposed, provision shall be made for domestic effluent to be disposed of as follows:

(a) The installation or upgrading of a sewer main and/or pump station(s) extending from the Trunk Wastewater System to serve all the proposed allotments in the subdivision or the subject land; and

(b) The installation of a connection from the common public drain to each proposed allotment or to each individual dwelling/development to accommodate any increase in domestic effluent likely to arise from the subdivision or development of the land in accordance with the specifications in the HDC Engineering Manual 2009, Version 1.

8.5.1.4 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 8.5.1.2 for which compliance is not met and the following relevant assessment criteria:

(a) Whether the proposed design meets the maximum potential demand arising from likely development of the land as permitted in accordance with this District Plan.

(b) Whether the sewerage connections are designed, located and constructed to allow relatively easy operation, cleaning, inspection and maintenance, as well as:

(i) Minimising any risk to the environment or to public health through contamination of water or the ground.

(ii) Minimising any loss of enjoyment and /or development of lots as a result of the connection location.

(iii) Enabling the individual connections to be readily made to the existing reticulated system.

(c) Whether the proposed sewer system is constructed to have a design life that will not require substantial maintenance in the future. As a guide, sewer systems should be designed to have a minimum life of 100 years.

(d) The extent to which the capacity, efficiency and sustainability of upstream and downstream infrastructure will be compromised.

8.5.2 NON-DOMESTIC EFFLUENT DISPOSAL

8.5.2.1 DISCUSSION, PURPOSE AND REASONS

(1) Care in the siting of treatment plants, ponds and effluent disposal systems for non-human wastes (including stock truck effluent disposal systems) and/or for effluent disposal of a scale greater than "domestic", is important to avoid unreasonable smell nuisance or any health risk for the occupants of neighbouring properties and dwellings.

(2) In some cases the amenities of neighbouring properties will not be affected by a closer distance due to variable factors, such as prevailing and seasonal weather conditions, topography, method of treatment and type and quantity of effluent. For this reason the buffer distance can be reduced between an isolated rural dwelling and the effluent disposal area, with the written consent of the affected owners and occupiers by a restricted discretionary activity consent.

(3) The responsibilities of the Waikato Regional Council with respect to the design, location, treatment and disposal methods are requirements to protect the water, land and/or air from the detrimental effects of discharging contaminants into the environment.

(4) The purpose of this performance standard in the District Plan is to protect the amenity values of neighbouring properties.

8.5.2.2 ENVIRONMENTAL RESULTS

(1) To allow for the disposal of non-domestic effluents from activities in a location that avoids or reduces to an acceptable level, any detrimental effects of the effluent disposal process.

8.5.2.3 STANDARDS

(1) In any zone, all plants, ponds or effluent disposal systems (including disposal onto the land by way of spray or trickle irrigation) used for the disposal of non-human wastes and/or wastes of a scale greater than "domestic" shall comply with the following:

(a) The plant or ponds including the area onto which the effluent is being discharged or disposed of shall meet the buffer distances set out in the tables below.

For the purpose of compliance with the buffer distances specified in the tables, distances shall be measured from the nearest perimeter of the area used for handling or disposal of effluent.

Buffer Distance for Non-Domestic Effluent Treatment Systems & Disposal Areas (Excluding Pig Effluent Disposal)	
	Distance
Any boundary of the holding	50 metres
Boundary of any other Zone	150 metres
Any dwelling	150 metres
Community facility located with the same zone as the non-domestic effluent treatment system & disposal area	100 metres

Buffer Distance for Non-Domestic Effluent Treatment Systems & Disposal Areas for Pig Effluent Disposal			
	Minimum Distance in Metres		
	Land Spreading		**Subsoil injection Aerobic Lagoon**
	Anaerobic Lagoon (refer to (i) below)	**Anaerobic Lagoon (refer to (ii) below)**	
(i) Boundary of Residential and Low Density Residential Zones	1500	2000m	500m
(ii) Boundary of Marae Development, Town Centre, Industrial , Township, Reserve (Passive) and Reserve (Active) zones	500	1000	200m
(iii) Any dwelling or Community facility outside the zones referred to in .i and .ii above	250	500	150

(b) Effluent for surface spreading that has been stored anaerobically without treatment for less than 48 hours.

(c) Effluent for surface spreading that has been stored anaerobically without treatment for more than 48 hours.

(i) For the purpose of this standard the following definitions shall apply:

(1) **Any Dwelling**

Means any habitable dwelling or any form of visitor accommodation which has been lawfully established (not including dwellings or visitor accommodation on the holding on which non-human waste and/or wastes of a scale greater that "domestic" are being discharged or disposed of).

(2) **Community Facility**

Refer to definition in Section 4.0.

(2) Where any effluent or manure (liquids, solids or slurry) is taken across a property boundary or along public roads, it shall be in enclosed containers or pipes so as to avoid a nuisance.

(3) **Note:** Any required resource consent for the non-domestic effluent discharge will also need to be obtained from the Waikato Regional Council.

8.5.2.4 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 8.5.2.2 for which compliance is not met and the following relevant assessment criteria:

(a) Whether the method (including type and quantity) of effluent treatment and disposal is such that effects such as smell are not created.

(b) The extent to which there are prevailing and seasonal weather conditions (particularly wind direction and intensity, number of calm days) around the site that ensure the detrimental effects of the effluent disposal method are dealt with to a degree which would allow reduced buffer distances.

(c) Whether the topography between the area used for handling or disposal of effluent and the land or building to which the buffer distance applies creates a barrier which ensures the detrimental effects are prevented or contained.

(d) Whether the nature of existing and likely development between the area used for handling or disposal of effluent and the land or building to which the buffer distance applies, is such that the effects of the disposal system will not be noticeable or objectionable.

(e) Whether the disposal of effluent from the pig farm is being carried out in accordance with the New Zealand Pork Industry Board – Environmental Management Systems.

8.5.3 WATER SUPPLY

8.5.3.1 DISCUSSION, PURPOSE AND REASONS

(1) The provision of an adequate and potable water supply is required for public health, commercial and industrial consumption, and for the safety of the community (eg fire fighting purposes).

(2) In some parts of the District there is no urban or rural water supply that a subdivision or development can connect into. Also, where rural water supplies are available, there is no requirement that connection has to be made to the supply. For all those situations, adequate water supply can be obtained from rainwater storage, bores or a combination of both. This is not a District Plan matter, but rather can be addressed at the time of building consent. As part of a building consent, evidence of the system to provide an adequate water supply will have to be included with the consent application.

(3) Where an urban water supply is provided, connection to that system is required to enable the community to meet its social, economic and health needs. Due to the manner in which the rural water supply systems were set up and financed, connection to the supply cannot be required.

(4) In parts of Paeroa, Waihi and on the Hauraki Plains, Council is unable to guarantee the water supply continuity and/or pressure due to the height of the land in relation to the reservoir and the draw off of water for dairy farming purposes. This limitation is noted on the Property Information Database and will be drawn to the attention of prospective purchasers and developers at the time of purchasing the property or undertaking building on the property through Land Information Memoranda (LIM) or Project Information Memoranda (PIM).

8.5.3.2 ENVIRONMENTAL RESULTS

(1) To allow residential development in a manner that does not create a risk to health and wellbeing.

8.5.3.3 STANDARDS

(1) In any zone in an urban area, where a potable water reticulation system is provided, every allotment shall be connected at the boundary of the lot or site at the time of subdivision or development, to that system in accordance with the HDC Engineering Manual 2009, Version 1.

(2) In those urban and rural areas where a potable water supply is not available and/or the developer chooses not to connect to a rural area water supply scheme, then evidence of a satisfactory water supply system shall be provided as part of the building consent application.

8.5.3.4 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 8.5.3.2 for which compliance is not met and the following relevant assessment criteria:

(a) Whether the proposed design meets the maximum potential demand arising from likely development of the land as permitted in accordance with this District Plan

(b) Whether the water supply reticulation is designed, located and constructed to allow relatively easy operation and maintenance, as well as:

(i) Minimising any loss of enjoyment and/or development of lots as a result of the reticulation location.

(ii) Enabling the individual connections to be readily connected to the existing reticulation system.

(c) Whether the water system is constructed to have a design life that will not require substantial maintenance in the future. As a guide, water systems should be designed to have a minimum life of 100 years.

(d) The extent to which the capacity, efficiency and sustainability of upstream and downstream infrastructure will be compromised.

8.5.4 STORMWATER DRAINAGE

8.5.4.1 DISCUSSION, PURPOSE AND REASONS

(1) Control and disposal of stormwater is important in the Hauraki District for different reasons in different areas of the District. Reasons include the low-lying nature of some land, areas of high rainfall (eg Waihi) and the increase in impermeable surfaces as a result of higher density urban development in the towns.

(2) The control and disposal of stormwater enables land use activities to establish and operate, and also ensures that people and communities are protected from the social and economic disruption that flooding due to inadequate stormwater disposal can produce.

(3) Stormwater needs to be disposed of before it can become contaminated by other effluent (eg septic tank), chemicals, oils or pesticides, and in a manner which causes minimal, if any, detriment to the environment (ie both the quality and quantity of stormwater needs to be addressed).

(4) There are a number of means available to control and dispose of stormwater including on-site soakage, roadside channels, soakage into reserves or open areas, piping to existing streams or other water bodies and connecting to established stormwater systems. The technique to use for stormwater drainage will need to be assessed for each individual situation. However, the disposal needs to avoid flooding downstream, erosion or instability to the land.

8.5.4.2 ENVIRONMENTAL RESULTS

(1) To dispose of stormwater in a manner that is compatible with the natural environment, as well as ensuring that the risks to the community as a result of flooding and/or contamination of stormwater are avoided.

8.5.4.3 STANDARDS

(1) In an *urban area*, all stormwater from hardstand and impervious surfaces shall be provided with stormwater treatment in accordance with the HDC Engineering Manual 2009, Version 1.

(2) In an *urban area*, where there is a reticulated stormwater system available (either piped or open) is available, a connection to the reticulated system shall be provided when land is subdivided to the boundary of each new allotment in accordance with the HDC Engineering Manual 2009, Version 1.

(3) All public drains required to be created at the time of subdivision or development shall be covered by an easement in gross or shall vest as "Local Purpose Reserve (Drainage)" in the Hauraki District Council on the survey plan of subdivision.

(4) All easements and reserves shall be of sufficient width to include the drain and to enable access for maintenance and replacement work. (For open drains refer to Diagram HDC400, in the HDC Engineering Manual 2009, Version 1).

(5) All easements and reserves shall be unencumbered by any physical structures.

(6) All secondary stormwater flow paths created at the time of subdivision or development, shall be covered by an easement in gross.

(7) All stormwater infrastructure that is to become a public asset is to be designed so as to accommodate for Global Warming. This figure is to be 20% (factor of 1.2).

8.5.4.4 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 8.5.4.2 for which compliance is not met and the following relevant assessment criteria:

(a) Whether the design capacity of the system is sufficient to cope with the stormwater surface flows. The design standards required are set out in the Diagram HDC400 in the HDC Engineering Manual 2009, Version 1.

(b) The degree to which the facilities are designed, located and constructed to allow relatively easy operation, cleaning, inspection and maintenance. In particular:

(i) Pipelines, access chambers and pumping station inverts should be designed to be self cleansing under normal operations.

(ii) All materials, fittings and other equipment should be compatible or readily adaptable to the existing reticulation system to enable future connections to that system to be achieved.

(iii) Inspection and access points should be readily accessible, especially in the event of emergencies.

(c) Whether the stormwater disposal system is designed to minimise any detriment to the environment, particularly with respect to the contamination of natural water, erosion of land or subsequent instability of that land and downstream flooding.

(d) The extent to which the stormwater design has been developed with the outcome of coping with additional stormwater flows which may be added to the system in the future. As a guide, stormwater facilities should be able to cope with stormwater disposal requirements anticipated in the next 100 years.

(e) The extent to which the capacity, efficiency and sustainability of upstream and downstream infrastructure will be compromised.

(f) Whether the stormwater disposal system is constructed to have a design life that will not require substantial maintenance in the future. As a guide, stormwater systems should be designed to have a minimum life of 100 years.

8.5.5 DRAINS

8.5.5.1 DISCUSSION, PURPOSE AND REASONS

(1) As part of development and/or subdivision in the rural areas, it may be necessary to ensure for the continued ability for water to drain from one allotment to another to provide access to a Council drain. Although there is "common law" relating to the responsibilities of disposing and accepting water, the opportunity should be taken to legalise the situation by creating an easement over the drain.

(2) In addition, for some developments, drainage is an integral part of ensuring that the activity can establish and continue to operate. Hauraki District Council's Bylaw on Land Drainage provides for the setback of buildings and other structures from the edge of drains to ensure they do not inhibit the ability of public drains to be accessed and maintained (refer to Rule 8.2.1).

(3) Where drainage easements are required to be set aside and drains formed, as part of a subdivision or development, they need to be of sufficient dimensions to ensure that they function correctly, and can be serviced and maintained.

(4) Where land is within a Council land drainage district, it is a requirement for each new lot to be provided with an outlet to the Council drain.

8.5.5.2 ENVIRONMENTAL RESULTS

(1) That the resource investment in rural developments is protected from the effects of anticipated floods, water ponding and high water tables.

8.5.5.3 STANDARDS

(1) For land within the *rural area* covered by a Council Drainage District, every new allotment created by subdivision shall be provided with a land drainage outlet to a Council drain at the boundary of the allotment.

(2) In the *rural area*, all required drains shall be designed and constructed in accordance with the requirements of the "Drain design" diagram set out in the HDC Engineering Manual 2009, Version 1.

(3) Easements shall be created which cover the drain and shall be of a minimum width of 8 metres from the top edge of the open drain along one side to allow for access of maintenance equipment and deposition of spoil removed from the drain.

8.5.5.4 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 8.5.5.2 for which compliance is not met and the following relevant assessment criteria:

(a) Whether the scale or other characteristics of the activity or subdivision are such that the drain type can be lesser than that which would normally be required, or no drain is required at all.

(b) Whether there are other works in the area that when carried out will remove or reduce the need for a drain to be provided.

(c) Whether there are physical, legal or other impediments that would make compliance with the drain type standard unreasonable or impracticable to provide, and whether an alternative to the standard still substantially achieves a similar level of operation to that of a complying drain type.

8.5.6 TELECOMMUNICATIONS AND POWER

8.5.6.1 DISCUSSION, PURPOSE AND REASONS

(1) In a similar way to water supply, the provision of telephone and power services enables a community to meet its social, economic and cultural needs in a manner that has little detriment to the environment.

(2) The physical process of providing the services can have a detrimental effect on the environment. These effects can be minimised by installing all services to the allotment(s) at the time of subdivision construction. Providing services in an ad hoc manner after the subdivision is completed is also wasteful of resources. Where necessary easements will be required to ensure continued access by the various utility operators to reticulated services and equipment.

8.5.6.2 ENVIRONMENTAL RESULTS

(1) To provide telephone and power supply to the community in a coordinated way and in sufficient quality, quantity and reliability to meet the community demands, while ensuring any detriment to the environment is minimised to an acceptable level.

8.5.6.3 STANDARDS

(1) In any zone, telecommunications and power shall be provided to the boundary of each additional allotment at the time of subdivision in accordance with:

(a) The requirements of the relevant supply authority, including any necessary easements, except that where only one additional lot is being created installation is not required at the time of subdivision where the supply authority has confirmed in writing that connection is available at the standard fee; and

(b) The requirements of the HDC Engineering Manual 2009, Version XXX.

8.5.6.4 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 8.5.6.2 for which compliance is not met and the following relevant assessment criteria:

(a) Whether the proposed design meets the maximum potential demand arising from likely development of the land as permitted under this District Plan.

(b) Whether the services are located and installed in a manner that minimises any potential hazard or risk.

(c) The degree to which the facilities are designed, located and installed to allow relatively easy maintenance, access (particularly in emergency situations) and connection to individual lots.

(d) Whether the systems are constructed to have a design life that will not require substantial maintenance in the future. As a guide, telecommunication and power supplies should be designed to have a minimum life of 100 years.