9.2.6 OUTDOOR SERVICE COURT

9.2.6.1 Discussion, Purpose and Reasons

As the density of residential living is increased, it is important that a minimum area of useable, accessible space is available for household service activities, such as clotheslines, garden/storage sheds and refuse containers.

It is important that the amenity provided by other open space eg outdoor living court is not compromised or removed by that space having to be used for other "non-amenity" purposes.

9.2.6.2 Environmental Result

To provide a separate area suitable for general storage, clothes drying and rubbish tin storage, in order that areas for outdoor living, parking or access do not get used for this purpose, thereby detracting from the residential amenity of the dwelling itself or the residential area.

9.2.6.3 Standards

Every household unit shall be provided with an outdoor service court to the size, shape and location as specified below:

Zone	Standard	
Residential, Rural/Residential and Township	Minimum Area	20m².
	Minimum Dimension	3 metres.
Town Centre, Industrial (Light), and Reserve (Active)	Minimum Area	10m².
	Minimum Dimension	2.5 metres.
Industrial (Heavy), Reserve (Passive), Flood Ponding, Conservation (Wetland) and Conservation (Indigenous Forest), Rural and Marae Development	N/A	

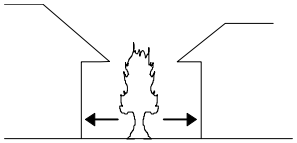
Each outdoor service court shall:

- Be accessible from the service areas of the unit and be located within the associated net lot area.
- Be free of driveway, vehicle manoeuvring areas and parking spaces.
- Be screened from the site areas of adjoining units.

9.2.6.4 Assessment Criteria

1. Whether there are communal service facilities provided which are readily accessible to and useable by the household unit.
2. The extent to which the functions of the service court can be adequately provided within the unit site area by other means (eg Is storage area provided within a garage or carport to be built with the house).

9.2.7 PRIVACY AND SEPARATION



9.2.7.1 Discussion, Purpose and Reasons

As the density of residential living is increased, and the separation from adjoining neighbours is decreased, the demand for privacy and separation from adjoining neighbours is increased in order to protect the amenities of the residential environment.

Privacy is required both within houses and in those outside areas where residents relax, particularly the outdoor living court.

The standards below, establish minimum privacy levels. These can be increased by individual households by other methods such as landscaping (trees, trellis) and opaque windows.

9.2.7.2 Environmental Result

To protect existing and future residential amenities, particularly when higher density living has the potential to detrimentally affect environmental qualities such as privacy, quietness and space.

9.2.7.3 Standards

Every household unit shall provide for separation and privacy as specified below:

Zone	Standard
Residential and Township	i) Separation For two or more household units on the same allotment:

- No part of either building or of any associated accessory building shall protrude through a plane rising at an angle of 45^0 commencing at an elevation of 2m at a line midway between the two buildings.
- No building shall be designed and sited so as to contravene the requirements of (ii) below relating to privacy.
- No wall of a building shall be sited closer than 1.8m to the wall of another building.

ii) Privacy

All household units on the same allotment shall be arranged so that:

- A sight line drawn from any point on the main glazing of the living room in one household unit does not penetrate the main glazing of the living room in any other household unit unless:
  - such glazing is at least 6.0 metres apart or,
  - screening is provided in accordance (Rule iii) below or,
  - the angle between the two planes of that glazing is more than 120°.
- No window of any habitable room in one household unit shall face towards the windows of any habitable room in any other household unit unless the distance between the windows is at least 6m or screening is provided in accordance with Rule iii) below.
- No window of any habitable room in one household unit shall face into an outdoor living court serving any other household unit unless the distance between the window and the court is at least 6.0m or screening is provided in accordance with Rule iii) below.

iii) Screening

Screening in the form of fences, planting or buildings of sufficient height and length to constitute an effective visual barrier shall be provided where screening is chosen as the option to meet the separation and privacy standards above.

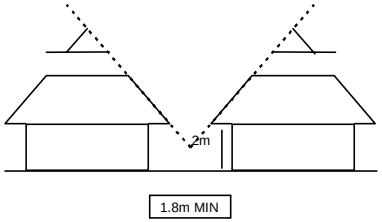
All other zones N/A

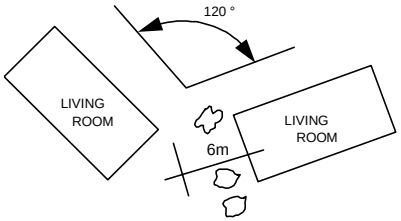
9.2.7.4 Assessment Criteria

1. Whether the purpose of the separation, privacy and screening standards can be met to the same or similar level by some other method.

2. Whether there are existing developments on the same or adjoining allotments such that it would make compliance with the standards impracticable.

3. Where the existing situation fails to meet these standards, whether the proposed development will increase the degree to which the residential amenities are already detrimentally affected.





9.2.8 VERANDAHS (WAIHI AND PAEROA)

9.2.8.1 Discussion, Purpose and Reasons

Some parts of the commercial areas of Waihi and Paeroa contain shopping, business and administrative activities that people move between by walking rather than shifting their car. One factor which can make these pedestrian orientated commercial areas more attractive for pedestrians is to provide verandahs to shelter them from the weather. Other methods to improve the pedestrian environment are to reduce noise, fumes and dust levels to an acceptable level by controlling the amount, type and speed of vehicular traffic, and by providing seating and landscaping.

As well as being practicable, verandahs are also a unique component of New Zealand's architectural heritage. The style of verandah has changed over time, but their principal purpose of creating an attractive pedestrian environment remains.

The area where verandahs are required is specified on the Planning Maps for Waihi and Paeroa with the notation "Defined Pedestrian Area".

9.2.8.2 Environmental Result

To assist in creating an attractive pedestrian shopping environment by providing verandahs to shelter pedestrians from the adverse effects of climate. In addition, window displays are protected from excessive exposure to sunlight, and verandahs if designed well, can contribute to maintaining a traditional commercial architectural feature.

9.2.8.3 Standards

Every new building or building which is substantially reconstructed, altered or added to, or which undergoes a substantial change in the character, intensity or scale of use, shall include a verandah to the dimensions and location as specified below, except the standard shall not apply to poles supporting electric lines.

Zone	Standards
Town Centre (Defined Pedestrian Frontage in Waihi and Paeroa only)	Verandahs shall be along the entire length of the property frontage, regardless of how far the building is set back from the street boundary. The verandahs shall have a minimum depth of 3 metres except they shall not overhang a carriageway. Where the distance from face of kerb to the face of the building is less than 3.5 metres the verandah shall terminate 0.5 metres behind face of kerb. When any commercial building is set back further than adjoining commercial buildings a verandah having a depth in excess of 3 metres shall be provided to maintain the continuity of cover over the public footpath. The underside of verandahs shall be no less than 2.7m nor more than 3.6m above the average finished level of the footway and so related to its neighbour to provide continuity of height and cover. Verandah posts are permitted provided that: ➢ They shall not be used for structural support of the verandah where the verandah posts are located on any part of a street; and ➢ No verandah post is to be located within 0.5 metres of the kerb face.

All other zones	N/A.

9.2.8.4 Assessment Criteria

1. Whether the pedestrian amenity of shelter can be provided in another way to the same or similar level that the standards seek to achieve.

2. Whether there are there factors such as the nature of the activity, the location of the site and the nature of surrounding activities, which mean that the volume of pedestrian traffic is so low that verandahs are not required.

3. Whether the facade of the existing building has architectural features worthy of protection which will be covered or destroyed by the addition of the verandah, and there is no other practical way to provide the pedestrian shelter.

4. Are there no verandahs on adjoining buildings or sites and it is unlikely that any verandahs will be built on these sites.

5. Whether non-compliance with the standards, would enable a verandah to be constructed which would achieve a better harmony in design and character with an existing building which has architectural merit or historical significance.

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

9.2.9.1 Discussion, Purpose and Reasons

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. In addition, the floodways of the main river systems must be protected from inappropriate developments.

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. For situations where these forms of protection are not in place, the setback of structures from drains and watercourses achieves the same result.

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.

9.2.9.2 Environmental Results

To ensure that drains, waterways and floodways that serve to protect the agricultural resource of the Plains and the urban resource of Paeroa are available for that purpose.

Protection of the margins of lakes, rivers and streams in those situations where no protection is afforded by Esplanade reserves or other mechanisms.

9.2.9.3 Standards

Zone	Standards
In all zones	No structure is permitted within 15.0 metres of any open drain that is under the control of the Hauraki District Council or the Waikato Regional Council. No structure is permitted within 20.0 metres of the margin of a lake, river, stream or watercourse. No structure is permitted within a floodway. Notes: (1) Lakes, rivers and streams are defined in the Resource Management Act 1991. (2) The standards above do not apply where the consent of the controlling authority (Hauraki District or Waikato Regional Councils) has been obtained (ie no resource consent is required).

9.2.9.4 Assessment Criteria

1. The extent to which the function of the drain, watercourse etc can be continued without significant impediment to its function(s), including cleaning and other maintenance works.

2. Whether the characteristics of the drain, watercourse etc are such that it is unlikely to be required for an Esplanade Reserve, Esplanade Strip or Access Strip.

3. Whether there are other agreements able to be entered into, which will allow the structure to be established, while still allowing the functions of the drain, watercourse etc to be carried out.

9.2.10 FLOOR LEVELS

9.2.10.1 Discussion, Purpose and Reasons

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.

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 buildings only, as Council considers its primary responsibility is to protect the residents of the District from the detrimental effects of natural hazards. It is the individuals responsibility to protect their business and other activities from the detrimental effects of natural hazards.

The floor levels set out in this standard are designed to protect buildings used for 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. The level does not take into account factors such as the hypothesised sea level rise or failure of a stopbank. Such events are considered to be of such magnitude that the floor level of a residential building is either irrelevant or methods other than floor levels will need to be implemented.

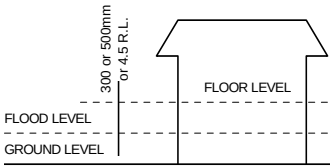
To illustrate this point, it is useful to consider the situation of sea level rise. If the sea level rose to an extent that it entered a residential building built to the "acceptable" level, then the Hauraki Plains themselves would either be under water or subject to the effects of salt water. In this situation, there would be no farming or other activities being carried out, as roads would be impassable and services would be inoperable. Unless major works such as stopbanking, drainage and pumping facilities were to be installed, the viability of the area as a living and working environment would be lost.

9.2.10.2 Environmental Result

To ensure that residential buildings and hence the residents are protected from the effects of reasonably expected flooding and ponding.

9.2.10.3 Standards

Zone	Standards
In that part of the Residential zone of Waihi Town shown on the accompanying map	Any new 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 300mm above the design flood level.
In the Residential, Town Centre, Rural Residential, Industrial (Light), Industrial (Heavy), Flood Ponding, Reserve (Passive), and Reserve (Active) zones of Paeroa Town	Any new 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.
In all other zones	Any new building which is to be used for residential activities or communal non-residential purposes and is located in an **unprotected** area identified as liable to flooding, shall be constructed so that the floor level of the building shall be 500mm above the design flood levels.



Any new building which is to be used for residential activities and is located in an area identified as **protected** from flooding, shall be constructed so that the floor level of the building shall be 300mm above the design flood levels

The areas subject to flooding and the design flood levels are shown on the maps included in this standard. Where there is any debate as to the design flood level, then professional advice on the appropriate level will be required.

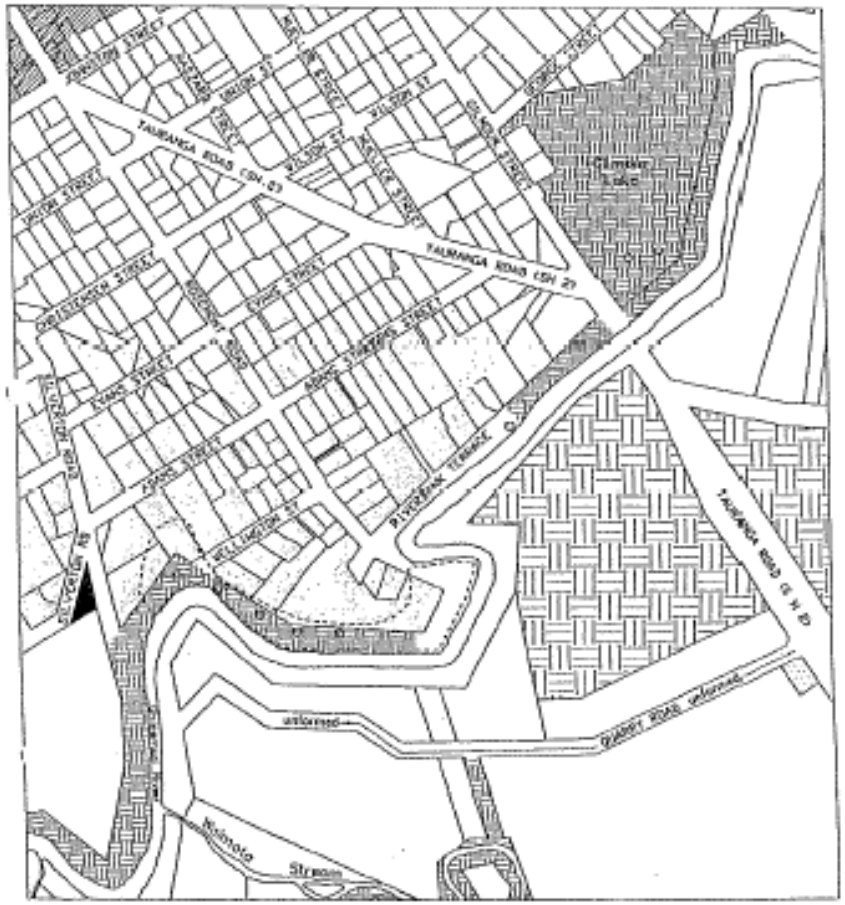
Any new building which is to be used for residential activities and is located in an area identified as protected and is within the Plan Change 8 area, as identified on Planning Map C, shall be constructed so that the floor level of the building shall be at a minimum of RL 1.55 metres.

Note: This standard only applies where the provisions of the Building Act 1991 do not apply.

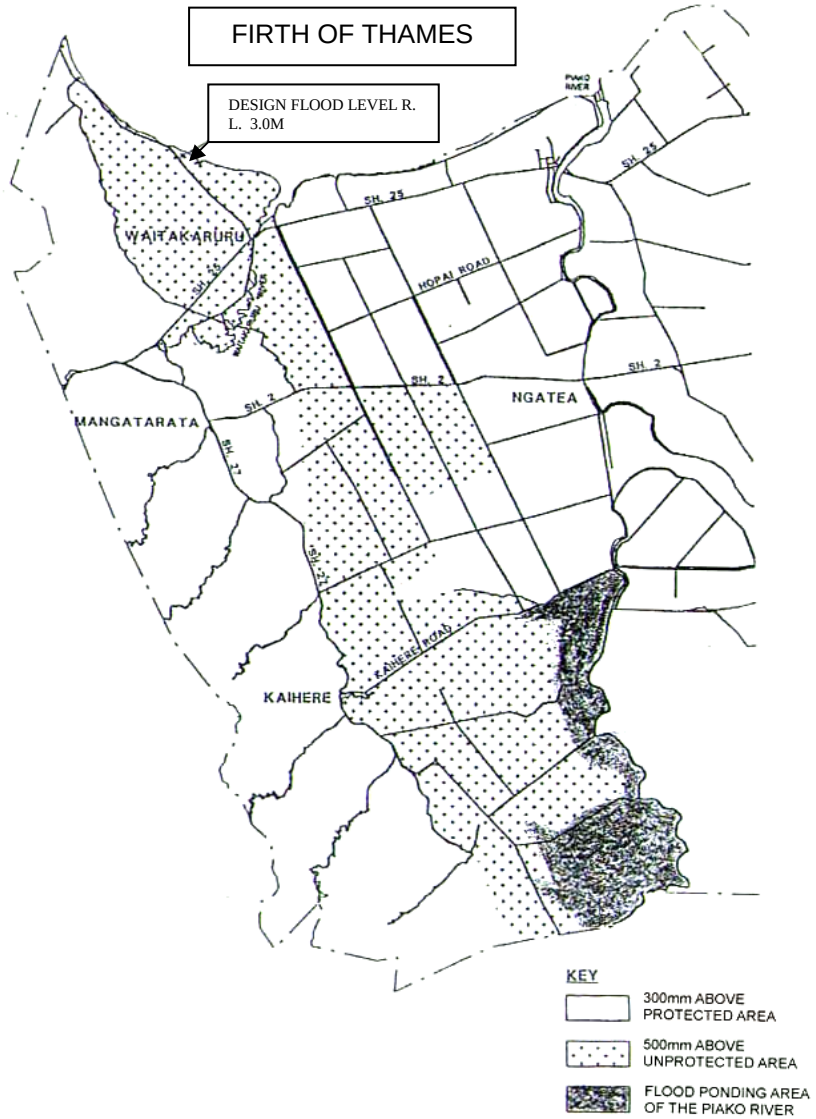
9.2.10.4 Assessment Criteria

1. The degree to which other works have or will be undertaken to avoid the effects of flooding, which make the standard unnecessary.

2. Whether the purposes for which the part of the residential building that will be below the flood level, are such that the standard is unnecessary.



---------- FLOOR LEVEL TO BE 300mm ABOVE DESIGN FLOOD LEVEL



AREAS SUBJECT OR SUSCEPTIBLE TO FLOODING

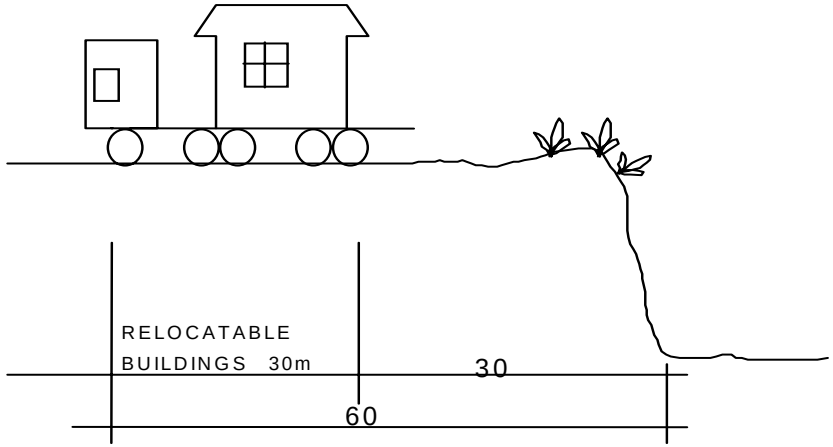
LEVEL DATUM, TARARU DATUM; MEAN SEA LEVEL RL. 0.0M

9.2.11 EROSION HAZARD PROTECTION LINES (WHIRITOA BEACH)

9.2.11.1 Discussion, Purpose and Reasons

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.

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 District and Regional Councils, which were completed in 1992. Those authorities are carrying out Ongoing monitoring of the beach.



The protection line is 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. Council is requesting property owners to voluntarily place covenants on their properties to limit the number of dwellings. This serves to reduce the amount of capital investment and hence the management problems in the event of a severe erosion occurrence.

9.2.11.2 Environmental Results

To safeguard, maintain and expand the coastal dune ecosystem.

To provide for the community's wellbeing, by encouraging development that is free of identified natural hazard to a level demanded by the community.

9.2.11.3 Standards

Zone	Standards
In the Residential, Township, Reserve (Active) and Reserve (Passive) zones at Whiritoa	No building will be permitted within 30.0 metres of the seaward toe of the fore dune or the seaward limit of vegetation, whichever is the further inland.

Any building between 30.0 and 60.0 metres of the seaward toe of the dune or the seaward limit of vegetation (whichever is the further inland), will only be permitted where the building is designed to be relocatable and Council may issue the building consent subject to S.36 of the Building Act (which provides for Council to issue the building consent subject to a condition that the DLR 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).

Note: The Erosion Hazard Protection Line will be determined as part of the information requirements at the time of building consent application.

9.2.11.4 Assessment Criteria

1. Whether any accretion in the particular area that the building is to be located in is such that erosion is unlikely to occur.

2. 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 also.

9.2.12 SEWAGE POND BUFFER AREAS

9.2.12.1 Discussion, Purpose and Reasons

The 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).

A buffer area is a straight forward and cost effective mechanism that can be implemented.

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.

9.2.12.2 Environmental Result

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.

9.2.12.3 Standards

Zones	Standard
In all zones	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.

9.2.12.4 Assessment Criteria

1. The degree to which the activity to be carried out is detrimentally affected by the sewage ponds.

2. Whether the activity is such that the odours it produces mean that any odour from the sewage facility is indiscernible.

9.2.13 BUILDING LINE RESTRICTION (ROAD WIDENING) (WAIHI)

9.2.13.1 Discussion, Purpose and Reasons

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.

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.

In Waihi, the State Highway Nos 2 and 25 route 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.

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 Street to Rosemont Road. Road widening is therefore proposed along this section, as well as along Rosemont Road.

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.

Negotiation for compensation for the loss of the land can be undertaken in the normal manner.

9.2.13.2 Environmental Result

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

9.2.13.3 Standards

Zone	Standard
Town Centre and Industrial (Light) zone in Waihi only	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 South side	= =	12.5m 12.5m
	Silverton Road to Rosemont Road	20.117m	North side	=	13m
Rosemont Road	Seddon Street to Kenny Street	20.117m	East side	=	12m
	Kenny Street to Johnson Street	20.117m	East side West side	= =	12m 12m

9.2.13.4 Assessment Criteria

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.