

# Decision Report

## Plan Change 3 – Parking – Cash in Lieu

---

### Important Note

The Proposed District Plan May 2011 Annotated Version was the current version of the District Plan when Plan Changes 1-27 were notified in November 2011 and this version was therefore used as the base document for preparing the Plan Changes and the Section 32 and Planning Reports.

Since then the District Plan has been made operative (16 June 2012). The Operative District Plan 2012 is now the current version of the District Plan and therefore Plan Changes 1-27 are proposed to change this version only.

For the purpose of understanding how decisions on this Plan Change relate to the Section 32 and Planning Report and to both versions of the District Plan discussed above, this Decision Report is divided into three parts.

Part A contains the decisions made on the topics in the Planning Report and uses the Proposed District Plan May 2011 Annotated Version as the base document.

Part B shows how the full notified Plan Change and subsequent decisions on topics would change the Proposed District Plan May 2011 Annotated Version Base Document.

Part C shows how the full notified Plan Change and subsequent decisions on topics are proposed to change the Operative District Plan 2012.

### Advice to Submitters:

Submitters will be familiar with the rule and map numbers from the Proposed District Plan May 2011 Annotated Version and so should refer to Parts A and B of this report to understand the decisions on their submission points.

However any submitter wishing to make an appeal will need to refer to the rule and map numbers of the Operative District Plan 2012 in Part C and reference these in their appeal.

## Part A: Decisions on Topics in the Planning Report

Any changes to rules are shown as follows; existing District Plan text in black, proposed changes as included in the Section 32 Report in **red**, and any changes resulting from decisions on the topics in the Planning Reports in [blue](#).

### Topic 1: Changes to 4B.2.2 Policies

#### Decision

That the wording of Policy 4B.2.2.11 be amended as follows:

“Activities should be established and operate in a manner which ensures safe and effective ~~on-site~~ [on-site and off-site](#) vehicle parking, manoeuvring and access and pedestrian access.”

The following submissions are therefore:

## Rejected

| Submission | Point Number | Name                  |
|------------|--------------|-----------------------|
| 37         | 15           | NZ Transport Agency   |
| FS72       | 3            | Ministry of Education |

## Reason for the Decision

Policy 11 deals with the provision of safe and effective parking, irrespective whether it is on- or off-site. By retaining the words "on-site" in the District Plan, the District Plan will have no policy that deals with the provision of safe and effective off-site parking.

As the emphasis of the policy is on safe and effective parking, it is not necessary to have two separate policies where the first policy deals with on-site parking for the District in general and the second one deals with on and off-site parking specifically for Waihi Beach and Katikati.

## Topic 2: Activity Performance Standards

### Decision

That the wording of Rule 4B.4.2(a) be amended by adding the word 'or', to read as follows:

No crossing place shall be permitted to serve any proposed new activity that requires resource consent and/or increases the traffic movements to the site unless:

That the following be included under Rule 4B.3.2 Restricted Discretionary Activity:

On-site parking in the Waihi Beach and Katikati town centres, as identified on the District Plan Maps, for the following activities:

- Business Activities including retailing shops;
- Administrative, Commercial and Professional Offices not in a residential building.

Delete proposed Rules 4B.7.2 (e), (f) and (g), which read as follows:

~~(e) The impact on pedestrian safety from vehicles crossing the footpath to access on-site carparks.~~

~~(f) The impact on a continuous shop front.~~

~~(g) With regard to on-site parking in Waihi Beach and Katikati town centres, the availability of adequate land on-site to accommodate safe and convenient parking and vehicle movements.~~

Amend proposed Rules 4B.6.2 (e) and (f), and include an additional matter of discretion (g) to read as follow:

~~(e) The potential adverse effects on pedestrian safety, such as vehicles crossing the footpath to access on-site carparks.~~

~~(f) The effects on the amenity values of the town centre, such as the impact on a continuous shop front.~~

~~(g) With regard to on-site parking in Waihi Beach and Katikati town centres, the availability of adequate land on-site to accommodate safe and convenient parking and vehicle movements.~~

That the additional wording be included in 4B.4.8(b) to read as follows:

Cash received in lieu of parking for development in any one town centre shall be used solely for parking in that town centre. An account shall be kept at Council's Offices of the number of spaces funded by developments in the vicinity of the carpark.

That the following be added under Rule 4B.4.8 to accommodate on-site parking as a Restricted Discretionary Activity in the Waihi Beach and Katikati town centres:

or

**(e) On-site parking within the Katikati and Waihi Beach town centres**

As a Restricted Discretionary Activity, the Council may allow on-site parking within the Katikati and Waihi Beach town centres for the following activities:

- Business Activities including retailing shops;
- Administrative, Commercial and Professional Offices not in a residential building.

The following submissions are therefore:

**Accepted**

| Submission | Point Number | Name                            |
|------------|--------------|---------------------------------|
| 37         | 23           | NZ Transport Agency             |
| FS 72      | 2            | Ministry of Education           |
| 67         | 3, 4         | Progressive Enterprises Limited |

**Accepted in part**

| Submission | Point Number | Name                        |
|------------|--------------|-----------------------------|
| 49         | 1            | Ministry of Education       |
| 27         | 1            | Waihi Beach Community Board |

**Reason for Decision**

It is important to align Rule 4B.4.2(a) with a recent Environment Court consent order, as indicated by Submitter 27. By including the word 'or' will ensure that activities with 'drop-off' or 'drive-through' facilities provide space for safe manoeuvring on site.

The additional wording will ensure that cash received in lieu of parking is only used for the development and improvement of public parking areas in the vicinity of the subject site.

The proposed addition to Rules 4B.3 and 4B.4 will allow more flexibility within the Katikati and Waihi Beach town centres by allowing on-site parking as a Restricted Discretionary Activity.

It is important to note that cash received in lieu of parking in Waihi Beach and Katikati town centres only applies to business and office activities. Parking related to educational facilities will still be permitted on-site.

### Topic 3: The Formula to Calculate the Cost Per Parking Space

#### Decision

That the formula included in Plan Change 3, as notified, be retained.

The following submission is therefore:

#### Accepted in part

| Submission | Point Number | Name                  |
|------------|--------------|-----------------------|
| 49         | 2            | Ministry of Education |

#### Reason for Decision

The formula acknowledges that manoeuvring areas will overlap and to encourage cash in lieu of parking, only 12.5m<sup>2</sup> (50% x 25m<sup>2</sup>) is included in the calculations.

### Topic 4: Move Rules 4B.7.2(e) and (f) to 4B.5

#### Decision

That Rules 4B.7.2 and 4B.5 be retained as notified.

The following submission is therefore:

#### Rejected

| Submission | Point Number | Name                         |
|------------|--------------|------------------------------|
| 37         | 16           | New Zealand Transport Agency |

#### Reason for Decision

The reasons for including these rules in 4B.7.2 and not 4B.5 are:

- (a) In the Katikati and Waihi Beach town centres, the provision of parking on-site for Business Activities and Administrative, Commercial and Professional Offices (as per the Car Parking Spaces Requirement Table) is a Discretionary Activity and these two rules mainly relates to this activity.
- (b) Cash in lieu of parking is only a Controlled Activity in Waihi Beach and Katikati town centres for certain activities. As the parking provisions for these activities will be off-site, no vehicle crossings are required over the footpath to access the parking area and it will not impact on a continuous shop front. Therefore, these rules are not applicable the 4B.5.

## Part B: Changes to the Proposed District Plan May 2011 Annotated Version Base Document

Any changes to rules are shown as follows; existing District Plan text in black and changes (being the culmination of the notified Plan Change and subsequent decisions) are shown in red.

**Amend Section 4B – Transportation, access, parking and loading as per the attached;**

**District Plan Maps U04 and U21 be amended to show the town centre boundary as per the attached.**

# Transportation, Access, Parking and Loading

## 4B. Transportation, Access, Parking and Loading

### Explanatory statement

The roading network of the District is used by a range of transportation modes such as walking, cycling and vehicles, and it is important that the network is safe and is able to accommodate and encourage the integrated and comprehensive planning of a full range of transportation modes.

State Highways are a national asset and an essential part of New Zealand's transportation network, linking our communities, facilitating economic development, moving freight and contributing to the well-being of all New Zealanders. The efficiency of the State Highway network can affect the efficiency of transporting goods and services (and thus the national economy) to and from distribution centres such as for example the Port of Tauranga.

Because of the higher volumes of traffic and high number of heavy vehicles, the State Highway network requires safety measures that reflect that highway role. In addition, the higher traffic volumes and heavy vehicles may affect adjoining residents and activities. The State Highway network also provides critical local and District level transportation links. This role needs to be recognised alongside its national function.

The New Zealand Transport Agency (NZTA) protects the safety and efficiency of the State Highway network by authorising the location and design standards of side road intersections and works in the road reserve including crossing places.

There is a need to integrate transport infrastructure and land use patterns to achieve an affordable, integrated, safe, responsive and sustainable land transport system. Subdivision, use and development of land can have adverse impacts, including cumulative impacts, on the transportation network. Development that increases traffic can impact levels of service, safety and congestion, and reduce the contribution that the transportation network makes to the economic prosperity of both the District and the wider region by making the network less effective.

A roading hierarchy (see 4B.4.1) indicates those roads that may require special treatment and management. The hierarchy starts with motorways and moves through to local roads and service lanes.

Notwithstanding transport planning needs to recognise and provide for economic growth so that economic and social wellbeing is not constrained by the transportation network.

The use and development of the transport network in the future will be affected by the availability of multi-modal transport forms that may be

developed or implemented to improve energy efficiency, reduce carbon emissions and enable more sustainable management of the transport network. The prime mechanism for managing on-site parking and manoeuvring areas is the Building Code. The District Plan complements the Building Code for activities that do not involve buildings and where loading is required. Parking and loading is necessary to preserve the adjacent road's level of service, thereby reducing congestion and maintaining the character and in some cases the pleasantness of the street environment.

Council will continue its traditional role of establishing service lanes and public carparks to relieve on-street congestion.

## **4B.1 Significant issues**

1. Vehicle access points from property to roads (including State Highways) have the potential to conflict with the safe and efficient operation of the transportation network.
2. Similarly, the changing needs and requirements of activities on land adjacent to roads also have the potential to conflict with the safety and efficiency of the transportation network.
3. An integrated approach to land use and infrastructure planning is needed in order to achieve an affordable, integrated, safe, responsible and sustainable land transportation network.
4. Poorly located growth and development can affect the function and efficient operation of the transportation network and may result in the potential for reverse sensitivity effects.
5. On-street traffic congestion in the main commercial centres of Te Puke, Katikati and Waihi Beach could result if Council does not continue its policy of ensuring adequate provision of effective service lanes and public carparking in such areas.
6. Walking, cycling and other non-vehicular forms of transport that help to relieve vehicle congestion on the transportation network are important elements of an integrated, comprehensive transportation network.

## **4B.2 Objectives and policies**

### **4B.2.1 Objectives**

1. To provide an integrated, efficient, safe and sustainable transportation network that supports the social and economic wellbeing, and land use pattern of the sub-region as defined in this District Plan and that maintains or enhances the regional strategic linkages.
2. To provide for more efficient land use, development and subdivision of existing areas in a way that recognises and integrates with the functions of different road types, transport modes and the defined transportation network.

3. To encourage the use and development of alternative modes of transport including, but not limited to, public transport, cycling, walking and other non-vehicular forms of transport that provide for an integrated, efficient, safe and sustainable transport network.

4. To provide safe and efficient public carparks in town centres.

## 4B.2.2 Policies

1. To recognise and provide for the existing and future transport network including the linkages to other districts and regions.
2. To avoid, remedy or mitigate the adverse effects of land use, development and subdivision on the safety, efficiency, sustainability and capacity of the transportation network.
3. To manage the land use, development and subdivision of areas to achieve compatibility with the roads they front and the wider transportation network, with particular regard to the potential effects on that network, including, but not limited to, the safe and efficient provision of site access at the local level and intersections within the wider network and the effects of reverse sensitivity experienced between the operation and use of the transportation network and the establishment of adjacent land uses.
4. To ensure the integrated management of road, rail, sea and air transport networks to facilitate the long-term efficient and sustainable management of the wider transportation network.
5. To recognise and provide for network wide effects of land use change on transport networks by assessing the effects of land use change across the networks affected.
6. To recognise and provide for the function of each road as described in the road hierarchy, and provide for the efficient use of that road type, by managing the intensity and form of land use, development and subdivision that impact on these roads.
7. To encourage the efficient use of land particularly in identified land use zones to reduce the potential impacts on the transportation network.
8. To ensure land use, development and subdivision planning provides for the implementation of multi-modal transport activities including public transport, walking and cycling facilities that address the identified need for new facilities/networks or enhance existing facilities/networks.
9. To maintain or enhance the sustainable and efficient use of arterial and collector roads through the use of transport optimisation methods and techniques (for example traffic demand management) that encourage adjacent land uses to provide access in keeping with the function of the road in the roading hierarchy and support alternative modes of transport.

10. The access, parking and loading effects of activities on the transportation network shall be avoided, remedied or mitigated with particular regard given to the level of service the road provides within the District's roading hierarchy.
11. Activities should be established and operate in a manner which ensures safe and effective on-site on- and off-site vehicle parking, manoeuvring and access and pedestrian access.
12. Provide safe, usable and attractive networks and associated linkages for pedestrians, cyclists and motor vehicles.
13. To ensure that the amenity value and public safety in town centres are not affected by vehicle movements across footpaths to and from on-site parking areas.
14. That Council be the preferred provider of parking facilities in the town centre

## 4B.3 Activity lists

### 4B.3.1 Controlled Activities

- (a) Cash in lieu for parking and loading provisions within the Katikati and Waihi Beach town centres, as identified on the District Plan Maps, for the following activities:
- Business Activities including retailing shops;
  - Administrative, Commercial and Professional Offices not in a residential building.

### 4B.3.2 Restricted Discretionary Activities

- (a) Non-compliance with Rule 4B.4.3 - Access to Rural Roads other than Strategic Roads.
- (b) Non-compliance with rules contained in Section 4B.4, Activity Performance Standards, shall be Restricted Discretionary, unless otherwise stated.
- (c) Any subdivision of land to create a maximum of one additional lot, where access to a legal road is obtained by crossing a railway line.
- (d) On-site parking in the Waihi Beach and Katikati town centres, as identified on the District Plan Maps, for the following activities:
  - Business Activities including retailing shops;
  - Administrative, Commercial and Professional Offices not in a residential building.

### 4B.3.3 Discretionary Activities

- (a) Activities that require new crossings, or increase the use of existing crossings, onto Strategic Roads as per Rule 4B.4.2.

- (b) Alternative means of provision of parking and loading as per Rule 4B.4.8, other than as provided for in Rule 4B.3.1 (a) and 4B.3.2 (d).

### 4B.3.4 Non Complying Activities

- (a) Activities that require new crossings, or increase the use of existing crossings, onto Strategic Roads where:
- (i) For State Highways – the written approval of the NZTA is not provided, or
  - (ii) For other Strategic Roads – the written approval of the Western Bay of Plenty District Council is not provided.
- (b) Any subdivision of land to create more than one additional lot, where access to a legal road is obtained by crossing a railway line.

## 4B.4 Activity Performance Standards

The following performance standards shall be met by all Permitted and Controlled Activities as listed in each zone and shall be used as a guide for all other activities.

### 4B.4.1 Roading hierarchy

- (a) **Strategic Roads**
- (i) Motorways                      Tauranga Eastern Motorway  
Northern Arterial
  - (ii) Expressways
  - (iii) Primary Arterial              State Highway 2  
State Highway 29  
State Highway 33  
State Highway 36
  - (iv) Secondary Arterial            Waihi Beach Road  
Athenree/Steele/Emerton Roads  
Omokoroa Road (SH2 to Tralee Street)  
Welcome Bay Road  
Te Matai Road  
Maketu Road  
Tara Road
- (b) **District Roads**
- (i) Collector Roads                  Wilson Road/Seaforth Road  
Athenree Road (Steele to Koutunui Road)  
Beach Road (SH2 to Wills Road)  
Wills Road  
Tetley Road (Marshall to Wills Road)  
Marshall Road

Omokoroa Road (Tralee to The Esplanade)  
Tralee Street  
Hamurana Road  
Francis Road (Omokoroa to Hamurana Road)  
Barrett Road  
Old Highway (Barrett to Whakamarama Road)  
Whakamarama Road (Old Highway to Youngson Road)  
Snodgrass Road (SH2 to Newnham Road)  
Cameron Road  
Boucher Ave (SH2 to Cameron Road)  
Pukehina Beach Road

- (ii) Local Roads
- (iii) Service Lanes

#### 4B.4.2 Access to Strategic Roads

- (a) No crossing place shall be permitted to serve any proposed new activity that requires resource consent and increases the traffic movements to the site unless:
  - (i) it is impractical for the activity to have alternative legal access to some other road, and
  - (ii) an assessment of the effects of such access on the road including written consent from the NZTA (where relevant) is submitted with the application. The assessment shall address traffic safety, the traffic efficiency of the road, the impracticality of achieving alternative access, the potential for adverse effects on adjacent land owners and adverse effects on the transportation network.

**Note**

Where any new crossing is proposed onto a State Highway, approval for that crossing needs to be obtained from the NZTA pursuant to the Government Roding Powers Act 1939.

NZTA retains control over the design and construction standards of crossing places and road intersections with State highways.

- (b) All properties with legal access to a strategic road shall provide all parking and manoeuvring on site.

#### 4B.4.3 Access to rural roads (Rural, Lifestyle and Future Urban Zones) other than strategic roads.

- (a) No vehicle entrance shall be constructed within:
- (i) 30m of a rural road intersection,
  - (ii) 45m of a State Highway intersection where the posted speed limit on the rural road is 70km/hr or less,
  - (iii) 60m of a State Highway intersection where the posted speed limit on the rural road is greater than 70 km/hr

as measured from the intersection of the legal road boundaries, or the edge of the road formation, whichever is closer to the entrance.

- (b) Each entrance shall be located in such a position as to provide complying visibility for motorists entering and leaving the property in accordance with Council's minimum standards.
- (c) All new rural entrances and entrances which are in a 'fixed location' at subdivision consent stage on District roads shall be designed and constructed so that heavy vehicles can enter and leave the property in a safe and convenient manner without damaging the edge of seal.

**Note:** For the purpose of this rule, 'fixed location' shall be defined as an entrance serving a right of way, access leg or a property limited to complying and practical road frontage for entrance construction of 30m or less.

- (d) Where a building consent is issued for a building on any site that does not already have a complying entrance the owner will be required to construct an entrance to Council's current minimum standard.
- (e) Activities, including any Controlled, Restricted Discretionary, Discretionary or Non-Complying activities, that require new access, or increase the use of existing accesses, to rural roads shall ensure that the access and the existing road is formed and constructed to the current standard necessary to accommodate the increased use of the road (see Section 11.3).
- (f) In any subdivision (including boundary adjustments), all lots available for independent use shall be demonstrated as capable of being provided with an entrance that complies with Council access standards.

Except that this rule shall not apply to:

- (a) Existing entrances used intermittently only and which do not provide access to an existing or proposed dwelling. For the purpose of this rule "intermittent use" includes farm accesses used occasionally, but excludes dairy tanker accesses and the main working entrance of properties.

- (b) Existing entrances to properties being subdivided by way of boundary adjustment where no additional lots are created and the ability to create a complying entranceway for each lot in the future is not compromised.

**Note:** Non-compliance with this rule shall be a Restricted Discretionary Activity in respect of the particular non-compliance.

#### **4B.4.4 Access to urban roads (Residential, Rural-Residential, Commercial, and Industrial Zones) other than strategic roads.**

- (a) Subdividers shall normally be required to provide only those crossings where the location is fixed at the time of subdivision, such as privateways. In all other cases, the crossings shall be constructed at the time of building.
- (b) Distance from Road Intersections - No vehicular access shall be located nearer than 8m in a Residential, Rural-Residential or nearer than 25m in a Commercial, or Industrial Zone from the road intersection, measured from the intersection of the legal road boundaries or any part of a road on which the Council has resolved that no vehicle may stop in accordance with the provisions of the Transport Act and any Regulations pursuant to that Act.

#### **4B.4.5 Loading path and space dimensions**

Activities requiring loading facilities or servicing from heavy vehicles shall comply with the 90 percentile design two axled truck swept path and minimum loading space dimensions or a greater dimension of design where articulated vehicles or trucks and trailers are anticipated.

#### **4B.4.6 On-site manoeuvring**

All activities shall provide manoeuvring space on-site so that all vehicles can enter and exit without reversing on to or off the road. Such manoeuvring shall be able to be executed in no more than a three-point turn.

Except that:

Dwellings in the Residential Zone with direct access off a District Road are not required to provide for on-site manoeuvring.

#### **4B.4.7 On-site Parking and loading requirements**

Every person who proposes to erect, re-erect, construct or substantially reconstruct, alter or add to a building on any site or who changes the use of any land or building, shall ensure that there is provision for provide suitable areas for the parking of vehicles and loading as required below.

Within the Waihi Beach and Katikati town centres, as identified on the District Plan Maps, parking and loading provisions for Business Activities, Administrative, Commercial and Professional Offices (as listed in the table below), shall be provided for in an existing or designated public car park, regardless of whether space is available on site.

For all other activities, parking and loading provisions have to be provided for on-site (regardless whether the activity is in or outside the Waihi Beach and Katikati Town Centres).

| Activity                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Car Parking Spaces Required                                                                                                                                                                                                                                                                                                                                                                                                     |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>Accommodation facilities</b> including:</p> <p>Dwellings (being one household unit)</p> <p>Boarding houses, Hostels, Hotel Accommodation</p> <p>Motels, Lodges, Camping Grounds, Caravan Parks</p> <p>Seasonal Accommodation facilities (except where provided as part of a Post Harvest facility)</p>                                                                                                                                                                                          | <p>Two car parking spaces for each dwelling. Note: One may be "stacked" where it does not interfere with shared access.</p> <p>One car parking space to every three persons designed to be accommodated plus one car parking space per two staff members.</p> <p>One car parking space for each unit place plus one per two staff members.</p> <p>One car parking space for every five persons designed to be accommodated.</p> |
| <p><b>Places of Assembly</b> including:</p> <p>Clubrooms, Restaurants, Brasserie, Cafe, Hotels, Taverns exclusive of accommodation.</p> <p>Recreational and Community Activities with no buildings</p> <p>Places of Worship Churches and Mortuary Chapels, Funeral Directors Halls, Theatres, Libraries, Gymnasiums, Marae and other places of assembly</p> <p>Pre-schools, Kindergartens, Childcare Centres, Primary and Intermediate Schools, Educational Institutions with less than 50 pupils</p> | <p>One car parking space for every five persons the facility is designed to cater for.</p> <p>Two spaces to every five persons the facility is designed to accommodate.</p> <p>Participants and spectators are to be catered for both motor vehicle use and bicycles assessed in relation to the specific activity.</p> <p>One car parking space for every staff member plus two spaces for visitors.</p>                       |
| <p>Restaurants and other eating places</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <p>One space for every five persons the facility is designed to cater for.</p>                                                                                                                                                                                                                                                                                                                                                  |
| <p>Secondary Schools, and Educational Institutions with 50 or more pupils</p>                                                                                                                                                                                                                                                                                                                                                                                                                         | <p>One car parking space for every staff member plus two spaces for visitors plus provision for pupil's vehicles assessed by a discretionary use application.</p>                                                                                                                                                                                                                                                               |
| <p><b>Business Activities</b> including:<br/>Retailing shops (including drive-in retail facilities and banks)</p>                                                                                                                                                                                                                                                                                                                                                                                     | <p>One car parking space to every 20m<sup>2</sup> of gross floor area.</p>                                                                                                                                                                                                                                                                                                                                                      |
| <p>Home Enterprises in the Residential Rural, Rural Residential and Future Urban Zones</p>                                                                                                                                                                                                                                                                                                                                                                                                            | <p>One on-site car parking space per 120m<sup>2</sup> of site area dedicated to the use of the Home Enterprise.</p>                                                                                                                                                                                                                                                                                                             |



| Activity                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Car Parking Spaces Required                                                                                                                                                                                                                     |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Administrative, Commercial and Professional Offices not in a residential building                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | One car parking space to each 40m <sup>2</sup> of gross floor area.                                                                                                                                                                             |
| Motor Vehicle and Agricultural Implement sales yards                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | One car parking space per 150m <sup>2</sup> of display area.                                                                                                                                                                                    |
| Medical Centres and Veterinary Clinics                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Five car parking spaces per professional person plus one car parking space per two staff.                                                                                                                                                       |
| Service Stations and Premises for Assembly, or Repair of Motor Vehicles                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Two car parking spaces per three staff<br>One car parking space per 40m <sup>2</sup> gross floor area of shop<br>Four car parking spaces per workshop bay<br>Three queuing spaces for a carwash<br>One car parking space per air hose or vacuum |
| Warehouses, Depots, Building and Construction Wholesalers (with no retail component) and Storage Facilities (indoor and outdoor), Auction Rooms                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | One car parking space to each 100m <sup>2</sup> of gross floor area so used.                                                                                                                                                                    |
| Building and Construction Retailers or Retailers and Wholesalers combined                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | One car parking space to each 50m <sup>2</sup> of gross floor area so used.                                                                                                                                                                     |
| Commercial Services, Hire Centres, Dry Cleaning Depots, Repair Services, Tradesman's Workshops                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | One car parking space per 40m <sup>2</sup> of gross floor area.                                                                                                                                                                                 |
| Industrial Uses                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | One car parking space to each 50m <sup>2</sup> of gross floor area.                                                                                                                                                                             |
| Packhouses, Coolstores                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | One car parking space to each 25m <sup>2</sup> of gross floor area.<br>Minimum of 20 car parking spaces.                                                                                                                                        |
| Works and Network Utilities                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | One car parking space per permanent employee                                                                                                                                                                                                    |
| <p><b>Notes:</b></p> <p>All parking and loading spaces and manoeuvring areas shall be provided on-site exclusive of land required for service land or road.</p> <p>All car parking spaces shall be suitable for a 90 percentile car</p> <p>Loading Requirements: All permitted uses, exclusive of dwellings and network utilities where facilities are not normally required to be staffed, shall be provided with at least one loading space in a location appropriate to the use. All discretionary use loading requirements shall be assessed on their merits.</p> <p>Fractional Spaces: Where the assessment of the number of parking spaces results in a fractional space being involved any fraction under one-half shall be disregarded and fractions of one-half or more shall be counted as one space.</p> <p>Bicycle Parking: All activities must have at least one parking space for a bicycle and depending on the activity; more parking spaces can be required.</p> |                                                                                                                                                                                                                                                 |

#### 4B.4.8 Alternative means of provision of parking and loading

Council shall consider as a Discretionary Activity, or as a Restricted Discretionary Activity in the case of on-site parking in Waihi Beach and Katikati town centres, the following alternative means of parking and loading.

(a) **Joint provisions of parking and loading for several activities**

Where several activities are established on any one site, or on several sites in any area, the Council may permit the developers of such activities to provide joint off-street parking and loading areas for their common use. The number of parking spaces required shall be the sum of the requirements for each activity.

Where it can be shown that the parking or loading demand of one or more of the activities occurs at a different time from that of the remaining activities, the Council may allow a dispensation in respect of the parking or loading requirement for one or more of the activities.

The Council may allow a developer to enter into an agreement to use an existing parking or loading area as a joint area where the demand for parking or loading of vehicles occurs at a different time from that of the existing activities, or where the Council considers that there is sufficient capacity to accommodate the additional vehicles.

In every case Council shall require written documentation of the agreement or arrangement entered into.

The Council reserves the right to re-impose the individual requirements should circumstances change with respect to the right of any developer, owner or occupier to use the joint parking or loading area,

or

(b) **Cash in lieu**

Council may accept cash-in-lieu of parking and the monies received shall equate to the cost of the land nearby and formation of a carpark for the spaces not provided on-site. A financial contribution for parking shall only be received where Council owns or has designated land in the vicinity of the subject site identified on the Planning Maps for the purposes of public carparking.

The following formula will be used to calculate the cost per parking space:

**(50% x 25m<sup>2</sup>/parking bay) x (land value / m<sup>2</sup>) + construction costs / parking bay**

Cash received in lieu of parking for development in any one town centre shall be used solely for parking in that town centre. An account shall be kept at Council's Offices of the number of spaces funded by developments in the vicinity of the carpark.

This information must be referred to prior to Council accepting a financial contribution. See also Section 11.

**Explanatory Note:**

Cash in lieu for parking is the preferred means of parking provision in the Katikati and Waihi Beach town centres for:

- Business Activities including retailing shops
- Administrative, Commercial and Professional Offices not in a residential building.

Cash in lieu for parking is only an alternative means of parking provision within the Waihi Beach and Katikati town centres for activities other than the ones mentioned above.

Parking bays are not dedicated at a specific location for a specific activity.

or

(c) **On-street parking**

Where on-site parking is required but Council considers that it is not reasonable or practical now or in the future to make that provision on-site, Council may approve on-street parking facilities as close to the site as is reasonable and practicable.

The Council may require a set back of the footpath to accommodate on-street parking and may require the full cost to be borne by the applicant.

or

(d) **Additional land areas**

The Council may approve parking provided on suitably zoned land sufficiently close to that site (but not on any road or service lane) to ensure the ready use of such parking areas by visitors and employees of the activity. Council shall require legal evidence of the parking site being tied to the activity.

or

(e) **On-site parking within the Katikati and Waihi Beach town centres**

As a Restricted Discretionary Activity, the Council may allow on-site parking within the Katikati and Waihi Beach town centres for the following activities:

- Business Activities including retailing shops:
- Administrative, Commercial and Professional Offices not in a residential building.

#### **4B.4.9 Location of parking and loading areas**

The provision for parking and loading in respect of any site shall not be on:

- (a) part of any manoeuvring area or access lane, or road.
- (b) any screening required by this Plan.
- (c) any solid waste storage area required by this Plan.

Provided that:

In Commercial and Industrial Zones manoeuvring may be on service lanes where land for service lane is given by the applicant.

Parking spaces shall not occupy loading spaces nor loading spaces occupy parking spaces.

Parking and loading spaces are to be either visible from the public road or clearly signposted at the road frontage.

#### **4B.4.10 Formation of parking and loading areas**

Parking and loading areas shall be sealed in Residential, Commercial and Industrial zones and metalled as a minimum in Rural-Residential, Future Urban, Rural and Lifestyle Zones so as not to create a dust nuisance to adjoining properties, except in respect of the 3m of any carpark immediately adjoining Strategic Roads that shall be paved in all zones.

#### **4B.4.11 Stack parking**

Council shall accept stacked parking only in the case of dwellings provided that the stacking area is exclusive of all those matters listed in 4B.4.9 above.

#### **4B.4.12 Service lanes**

All new activities shall provide Council with the land for a service lane at the rear or at the side of the site as required in accordance with the Planning Maps. The service lane widths and dimensions required from each site shall be in accordance with dimensions set down on the Planning Maps.

#### **4B.4.13 Signs** - See Section 4D

### **4B.5 Matters of Control – Controlled Activities**

Council shall exercise control over the following:

- (a) The number and nature of the required parking and loading provisions within the Waihi Beach and Katikati town centres.
- (a) The location of available Council owned or designated public parking and loading areas.

## **4B.56 Matters of discretion for restricted discretionary activities**

### **4B.6.1 Non compliance with Rule 4B.4.3 – access to rural roads other than strategic roads.**

Council's discretion is restricted to the actual or potential adverse effects relating to the extent and nature of the particular non-compliance.

Conditions on any consent granted may include (but not necessarily be limited to) those relating to:

- (a) Works to improve sight distances and other safety enhancements;
- (b) Closure of an existing entrance;
- (c) Relocation of an existing entrance to a complying or less non-complying location;
- (d) Erection of roadside signage;
- (e) Establishment of public transport stops;
- (f) Establishment of cycle stands;
- (h) The recommendations and findings of any Integrated Transportation Assessment (where relevant);
- (i) The upgrade of existing roads and accesses necessary to serve the activity (see Section 11.3).

### **4B.6.2 Non compliance with Rules 4B.4.4 – 4B.4.7 and Rules 4B.4.9 – 12 (inclusive)**

Council's discretion is restricted to the actual or potential adverse effects relating to the extent and nature of the particular non-compliance. Conditions on any consent granted may include (but not necessarily be limited to) those relating to:

- (a) The degree of non-compliance with the specific rule
- (b) The mitigation of actual or potential adverse effects of the non-compliance on, or beyond the boundary of, the site.
- (c) The recommendations and findings of any Integrated Transportation Assessment (where relevant)
- (d) The outcomes of the respective town centre plans for Katikati and Waihi Beach.
- (e) The potential adverse effects on pedestrian safety, such as vehicles crossing the footpath to access on-site carparks.
- (f) The effects on the amenity values of the town centre, such as the impact on a continuous shop front.

(g) With regard to on-site parking in Waihi Beach and Katikati town centres, the availability of adequate land on-site to accommodate safe and convenient parking and vehicle movements.

### **4B.6.3 Subdivision accessed over a railway line (see Rule 4B.3.1 (c)).**

Council will restrict its discretion to the following matters:

- (a) The ability to establish an alternative legal access that does not cross a railway line and can be formed at a later date if required
- (b) Whether the alternative access can be practicably formed.
- (c) The written approval of New Zealand Railway Corporation has been obtained

## **4B.7 Matters of assessment for discretionary activities**

### **4B.7.1 All Discretionary Activities including (but not limited to) new crossings, or an increase in the use of existing crossings, onto Strategic Roads**

Assessment Criteria include, but are not limited to:

- (a) Impacts on the road hierarchy
- (b) Infrastructure provision, including works to maintain the safety and function of the transportation network
- (c) The recommendations and findings of any Integrated Transportation Assessment
- (d) Establishment of cycleways, walkways and public transport stops
- (e) Timing and staging of development

### **4B.7.2 Alternative means of parking and loading**

In addition to assessment criteria identified in Rule 4B.7.1 assessment criteria to be considered for alternative means of parking and loading include, but are not limited to:

- (a) Existing demand on parking in the immediate locality
- (b) Availability of land on which public carparks may be built
- (c) Traffic environment in the locality of the subject site
- (d) The recommendations and findings of any Integrated Transportation Assessment.

- ~~(e) The impact on pedestrian safety from vehicles crossing the footpath to access on-site carparks.~~
- ~~(f) The impact on a continuous shop front.~~
- ~~(g) With regard to on-site parking in Waihi Beach and Katikati town centres, the availability of adequate land on-site to accommodate safe and convenient parking and vehicle movements.~~

## **4B.8 Information requirements**

### **4B.8.1 Information requirements for activities subject to Rule 4B.3.2**

An assessment of any activity's non-compliance shall be undertaken by a suitably qualified person recognised by the Western Bay of Plenty District Council including a registered professional surveyor, licensed cadastral surveyor, chartered professional civil engineer or, where an Integrated Transportation Assessment (or other traffic assessment) is required, a suitably qualified and experienced traffic engineer, and shall include:

- (a) a description of the existing situation including:
  - (i) specific quantification of the nature and extent of non-compliance;
  - (ii) standard of existing formation.
- (b) possible mitigation measures (such as works to improve sight lines or relocation of the entrance),
- (c) predicted changes (if any) to the volume of traffic using the entrance following subdivision.

### **4B.8.2 Information requirements for activities subject to Rule 4B.3.3**

In addition to any other requirement of this Plan each application shall include, as appropriate, the following:

- (a) An Integrated Transportation Assessment for the development. Integrated Transportation Assessments should reference appropriate best practice technical guides and consultation (where undertaken) with the NZTA and should consider as a minimum the following matters:
  - (i) Planning and policy frameworks
  - (ii) Measures to influence multi-modal travel, including encouraging passenger transport, walking and cycling
  - (iii) Travel characteristics
  - (iv) Land use characteristics

- (v) Assessment of adverse effects
- (vi) Mitigation of adverse effects
- (b) A travel management plan for the proposed activity
- (c) An assessment of equivalent light vehicle movements per peak hour and per day. Daily movements shall be averaged over a seven day period.
- (d) An assessment of pedestrian and cycle movements to and from the proposed activity.
- (e) An assessment of the integration of the proposed activity with public transport.
- (f) Assessment of a Discretionary Activity land use consent application may include consideration of the Permitted Activity Standards and Restricted Discretionary Assessment Criteria and possible conditions as well as any other relevant criteria in this Plan as guidelines to the determination of the application.
- (g) The NZTA shall be considered an affected party in any application for subdivision or development of land that significantly impacts on the strategic road network.

## **4B.9 Other methods**

### **4B.9.1 Building Code**

- (a) Vehicle manoeuvring distances, parking dimensions, queuing spaces and circulation rates, and pedestrian access are controlled by the Building Code.

**Note:** The 1993 Building Code Acceptable Solution or its successor must be complied with at the building stage.

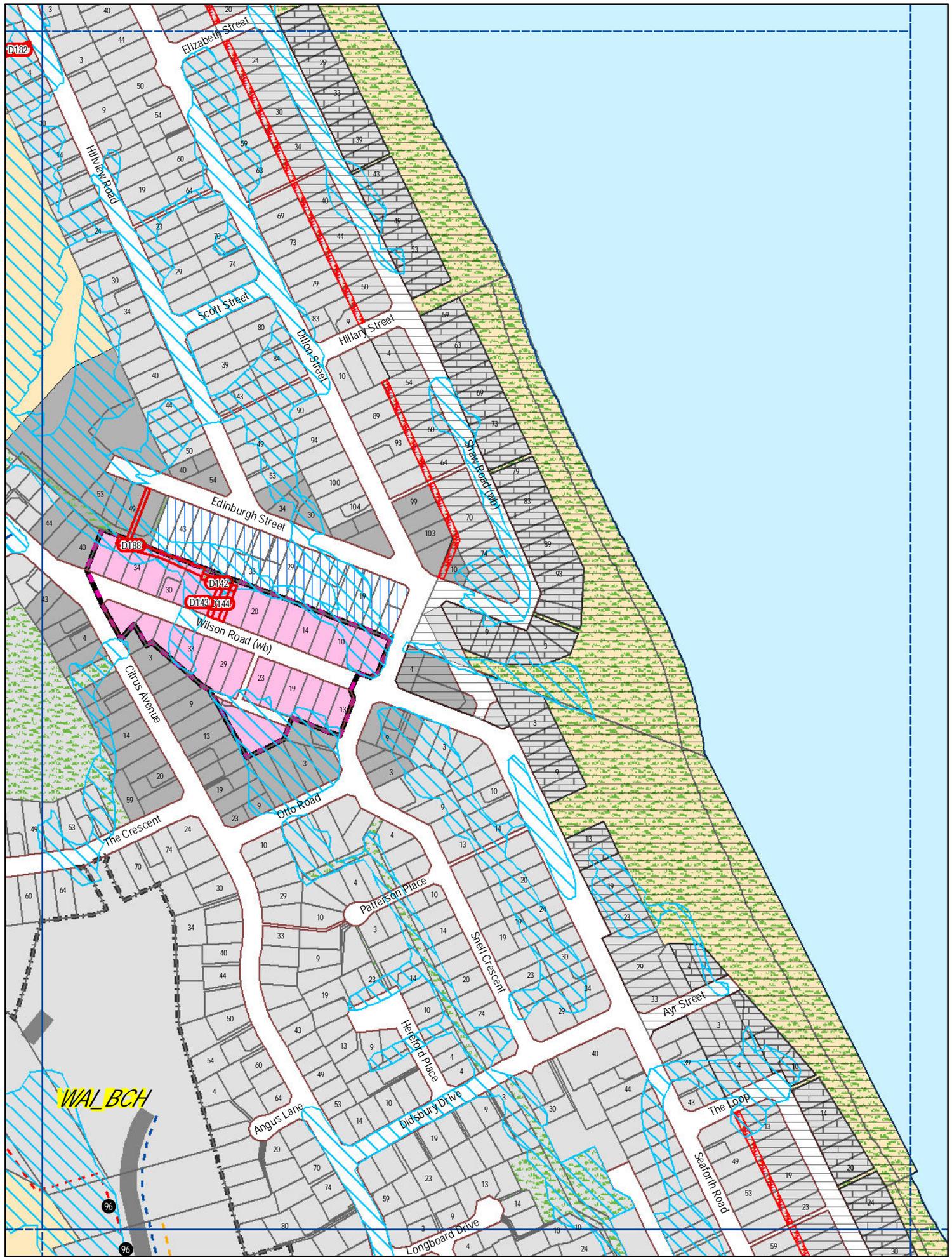
- (b) Parking and Access for Disabled Persons are to be provided in accordance with the Building Code.

### **4B.9.2 New Zealand Transport Agency**

- (a) The NZTA is the controlling authority for State Highways. Section 51 of the Government Roading Powers Act, 1989, lists things which are an offence to do, cause or permit on a State Highway, without the written permission of the NZTA. This includes undertaking any work on a State Highway.

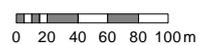
### **4B.9.3 Department of Conservation**

- (a) Council will liaise with the Department of Conservation in the identification of road ends and accessways that link with land managed by the Department.

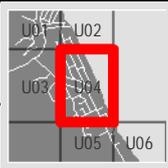


U04

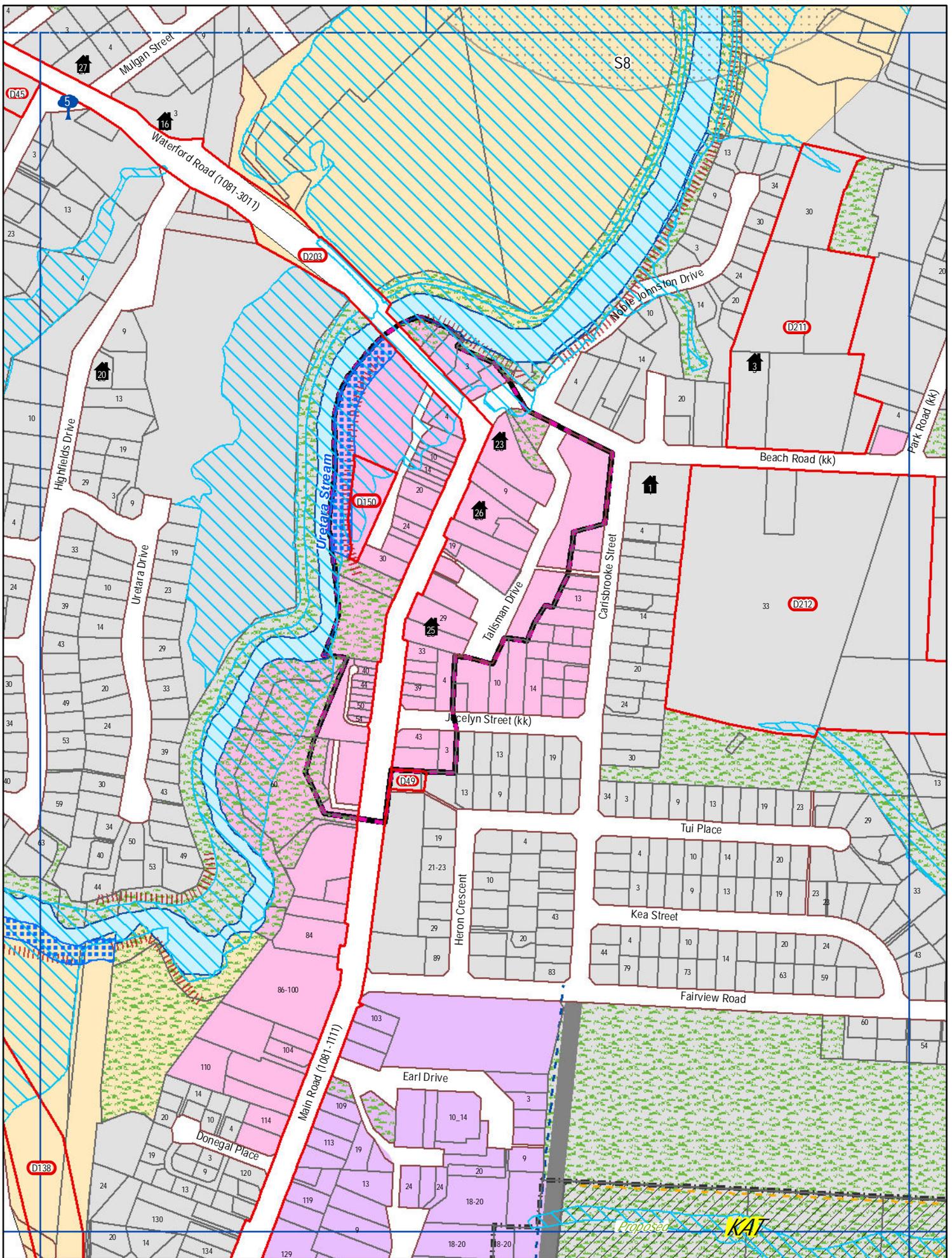
# Waihi Beach



Scale 1:5000 (A4)

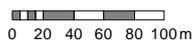


Revision Date: 16 January 2010



U21

Katikati



Scale 1:5000 (A4)

Revision Date: 16 January 2010

|                      |                                                                                     |                                      |
|----------------------|-------------------------------------------------------------------------------------|--------------------------------------|
| Infrastructure       |      | Airport approach surface             |
|                      |    | Designation                          |
|                      |    | Formed Roads                         |
|                      |    | Limited access                       |
|                      |    | Stop bank                            |
| Reserves             |    | Esplanade strip                      |
|                      |    | Proposed esplanade strip / reserve   |
|                      |    | Kaimai - Mamaku Forest Park boundary |
|                      |    | Reserve                              |
|                      |    | Reserve, Department of Conservation  |
| Significant features |    | View shaft                           |
|                      |    | Ecological area                      |
|                      |    | Landscape feature 50m                |
|                      |    | Landscape feature                    |
|                      |  | Heritage area                        |
|                      |  | Built heritage                       |
|                      |  | Cultural heritage                    |
|                      |  | Notable Trees                        |
| Structure plan       |  | Structure plan boundary              |
|                      |  | Structure plan reserve area          |
|                      |  | Structure plan road                  |
|                      |  | Structure plan stormwater pond       |
|                      |  | Structure plan stormwater            |
|                      |  | Structure plan wastewater            |
|                      |  | Structure plan water                 |
|                      |  | Structure plan walk/cycle            |

|               |                                                                                      |                                       |
|---------------|--------------------------------------------------------------------------------------|---------------------------------------|
| Land hazards  |      | Coastal protection - primary risk     |
|               |    | Coastal protection - secondary risk   |
|               |    | Coastal protection area - access yard |
|               |    | Flood hazard                          |
|               |    | Minden stability Zone A               |
|               |    | Minden stability Zone B1              |
|               |    | Minden stability Zone B2              |
|               |    | Minden stability Zone C               |
|               |    | Possibly subject to instability       |
|               |    | Vulnerable to long term landslip      |
| Zones         |    | All Terrain Park (ATP)                |
|               |    | Commercial                            |
|               |    | Commercial Transition                 |
|               |   | Horticultural Post Harvest            |
|               |  | Industrial                            |
|               |  | Residential                           |
|               |  | Medium Density Residential            |
|               |  | Rural Residential                     |
|               |  | Rural                                 |
|               |  | Lifestyle                             |
| Zone overlays |  | Future Urban                          |
|               |  | Identified Area (1)                   |
|               |  | Firing Range Exclusion Zone           |
|               |  | Town Centre Boundary                  |

Bay of Plenty Regional Council should be consulted before undertaking any activity in the vicinity of Mean High Water Springs to establish the actual line of Mean High Water Springs.

Formed roads are indicated as white shading on the road land parcels. Unformed roads have the underlying zone indicated.

(1) The identified areas include; the community service area at Rangioru, the central hub site within the All Terrain Park and buffer zones in Stage 2 Omokoroa and Binnie Road.

Landscape Feature 20m - Wairoa River, Landscape Feature 40m - Tauranga Harbour.

|               |  |                                                                                       |
|---------------|--|---------------------------------------------------------------------------------------|
| <b>Legend</b> |  |  |
|               |  | Revision Date: 16 January 2010                                                        |

## **Part C: Changes to the Operative District Plan 2012**

Any changes to rules are shown as follows; existing District Plan text in black and changes (being the culmination of the notified Plan Change and subsequent decisions) are shown in red.

**Amend Section 4B – Transportation, access, parking and loading as per the attached;**

**District Plan Maps U04 and U44 be amended to show the town centre boundary as per the attached.**

# Section Contents

|                                                                          |          |
|--------------------------------------------------------------------------|----------|
| <b>Transportation, Access, Parking &amp; Loading.....</b>                | <b>2</b> |
| 4B. Transportation, Access, Parking & Loading.....                       | 2        |
| Explanatory Statement .....                                              | 2        |
| 4B.1 Significant Issues .....                                            | 3        |
| 4B.2 Objectives and Policies .....                                       | 4        |
| 4B.3 Activity Lists.....                                                 | 5        |
| 4B.4 Activity Performance Standards.....                                 | 7        |
| 4B.5 Matters of Discretion for Restricted Discretionary Activities ..... | 17       |
| 4B.6 Matters of Assessment for Discretionary Activities .....            | 18       |
| 4B.7 Information Requirements .....                                      | 19       |
| 4B.8 Other Methods .....                                                 | 21       |

# Transportation, Access, Parking & Loading

## 4B. Transportation, Access, Parking & Loading

### Explanatory Statement

The roading network of the *District* is used by a range of transportation modes such as walking, cycling and vehicles, and it is important that the network is safe and is able to accommodate and encourage the integrated and comprehensive planning of a full range of transportation modes.

State Highways are a national asset and an essential part of New Zealand's *transportation network*, linking our communities, facilitating economic development, moving freight and contributing to the well-being of all New Zealanders. The efficiency of the State Highway network can affect the efficiency of transporting goods and services (and thus the national economy) to and from distribution centres such as the Port of Tauranga.

Because of the higher volumes of traffic and high number of heavy vehicles, the State Highway network requires safety measures that reflect that highway role. In addition, the higher traffic volumes and heavy vehicles may affect adjoining residents and activities. The State Highway network also provides critical local and *District* level transportation links. This role needs to be recognised alongside its national function.

The New Zealand Transport Agency (NZTA) protects the safety and efficiency of the State Highway network by authorising the location and design standards of side road intersections and works in the *Road Reserve* including crossing places.

There is a need to integrate transport *infrastructure* and land use patterns to achieve an affordable, integrated, safe, responsive and sustainable land transport system. Subdivision, use and *development* of land can have adverse impacts, including cumulative impacts, on the *transportation network*. *Development* that increases traffic can impact levels of service, safety and congestion, and reduce the contribution that the *transportation network* makes to the economic prosperity of both the *District* and the wider region by making the network less effective.

A *roading hierarchy* (see 4B.4.1) indicates those roads that may require special treatment and management. The hierarchy starts with *motorways* and moves through to *local roads* and *service lanes*.

Conversely, it is important to recognise the need for future transport planning and transport *infrastructure* to consider existing and future land use activities and patterns and economic growth opportunities and to ensure economic and social wellbeing is not constrained.

The use and *development* of the *transport network* in the future will be affected by the availability of multi-modal transport forms that may be developed or implemented to improve energy efficiency, reduce carbon emissions and enable more sustainable management of the *transport network*.

The prime mechanism for managing on-site parking and manoeuvring areas is the Building Code. The District Plan complements the Building Code for activities that do not involve *buildings* and where loading is required. Parking and loading is necessary to preserve the adjacent road's level of service, thereby reducing congestion and maintaining the character and in some cases the pleasantness of the street environment.

*Council* will continue its traditional role of establishing *service lanes* and public carparks to relieve on-street congestion.

## 4B.1 Significant Issues

1. Vehicle access points from property to roads (including State Highways) have the potential to conflict with the safe and efficient operation of the *transportation network*.
2. Similarly, the changing needs and requirements of activities on land adjacent to roads also have the potential to conflict with the safety and efficiency of the *transportation network*.
3. An integrated approach to land use and infrastructure planning is needed in order to achieve an affordable, integrated, safe, responsible and *sustainable land transportation network*.
4. Poorly located growth and *development* can affect the function and efficient operation of the *transportation network* and may result in the potential for *reverse sensitivity* effects.
5. On-street traffic congestion in the main commercial centres of Te Puke, Katikati and Waihi Beach could result if *Council* does not continue its policy of ensuring adequate provision of effective service lanes and public carparking in such areas.
6. Walking, cycling and other non-vehicular forms of transport that help to relieve vehicle congestion on the *transportation network* are important elements of an integrated, comprehensive *transportation network*.

## 4B.2 Objectives and Policies

### 4B.2.1 Objectives

1. To provide an integrated, efficient, safe and *sustainable transportation network* that supports the social and economic wellbeing, and land use pattern of the *sub-region* as defined in this District Plan and that maintains or enhances the regional strategic linkages.
2. To provide for more efficient land use, *development* and subdivision of existing areas in a way that recognises and integrates with the functions of different road types, transport modes and the defined *transportation network*.
3. To encourage the use and *development* of alternative modes of transport including, but not limited to, public transport, cycling, walking and other non-vehicular forms of transport that provide for an integrated, efficient, safe and *sustainable transport network*.
4. To provide safe and efficient public carparks in town centres.

### 4B.2.2 Policies

1. To recognise and provide for the existing and future *transport network* including the linkages to other districts and regions.
2. To avoid, remedy or mitigate the adverse effects of land use, *development* and subdivision on the safety, efficiency, sustainability and capacity of the *transportation network*.
3. To manage the land use, *development* and subdivision of areas to achieve compatibility with the roads they front and the wider *transportation network*, with particular regard to the potential effects on that network, including, but not limited to, the safe and efficient provision of site access at the local level and intersections within the wider network and the effects of *reverse sensitivity* experienced between the operation and use of the *transportation network* and the establishment of adjacent land uses.
4. To ensure the integrated management of road, rail, sea and air *transport networks* to facilitate the long-term efficient and sustainable management of the wider *transportation network*.
5. To recognise and provide for network wide effects of land use change on *transport networks* by assessing the effects of land use change across the networks affected.

6. To recognise and provide for the function of each road as described in the *road hierarchy*, and provide for the efficient use of that road type, by managing the intensity and form of land use, *development* and subdivision that impact on these roads.
7. To encourage the efficient use of land particularly in identified land use zones to reduce the potential impacts on the *transportation network*.
8. To ensure land use, *development* and subdivision planning provides for the implementation of multi-modal transport activities including public transport, walking and cycling facilities that address the identified need for new facilities/networks or enhance existing facilities/networks.
9. To maintain or enhance the sustainable and efficient use of arterial and collector roads through the use of transport optimisation methods and techniques (for example traffic demand management) that encourage adjacent land uses to provide access in keeping with the function of the road in the *roading hierarchy* and support alternative modes of transport.
10. The access, parking and loading effects of activities on the *transportation network* shall be avoided, remedied or mitigated with particular regard given to the level of service the road provides within the *District's roading hierarchy*.
11. Activities should be established and operate in a manner which ensures safe and effective onsite on- and off-site vehicle parking, manoeuvring and access and pedestrian access.
12. Provide safe, usable and attractive networks and associated linkages for pedestrians, cyclists and motor vehicles.
13. To ensure that the amenity value and public safety in town centres are not affected by vehicle movements across footpaths to and from on-site parking areas.
14. That Council be the preferred provider of parking facilities in the town centre

## 4B.3 Activity Lists

### 4B.3.1 Controlled Activities

- (a) Cash in lieu for parking and loading provisions within the Katikati and Waihi Beach town centres, as identified on the District Plan Maps, for the following activities:
  - Business Activities including *retailing shops*;

- Administrative, Commercial and Professional Offices not in a residential building.

#### 4B.3.2 Restricted Discretionary Activities

- (a) Non-compliance with Rule 4B.4.3 - Access to Rural Roads other than Strategic Roads.
- (b) Non-compliance with rules contained in Section 4B.4, Activity Performance Standards, shall be Restricted Discretionary, unless otherwise stated.
- (c) Any subdivision of land to create a maximum of one additional *lot*, where access to a legal road is obtained by crossing a railway line.
- (d) On-site parking in the Waihi Beach and Katikati town centres, as identified on the District Plan Maps, for the following activities:
  - Business Activities including *retailing* shops;
  - Administrative, Commercial and Professional Offices not in a residential building.

#### 4B.3.3 Discretionary Activities

- (a) Activities that require new crossings, or increase the use of existing crossings, onto Strategic Roads as per Rule 4B.4.2.
- (b) Alternative means of provision of parking and loading as per Rule 4B.4.8, other than as provided for in Rule 4B.3.1 (a) and 4B.3.2 (d).

#### 4B.3.4 Non Complying Activities

- (a) Activities that require new crossings, or increase the use of existing crossings, onto Strategic Roads where:
  - (i) For State Highways – the written approval of the New Zealand Transport Agency is not provided; or
  - (ii) For other Strategic Roads – the written approval of the Western Bay of Plenty District Council is not provided.
- (b) Any subdivision of land to create more than one additional *lot*, where access to a legal road is obtained by crossing a railway line.

## 4B.4 Activity Performance Standards

The following performance standards shall be met by all Permitted and Controlled Activities as listed in each zone and shall be used as a guide for all other activities.

### 4B.4.1 Roading Hierarchy

#### (a) Strategic Roads

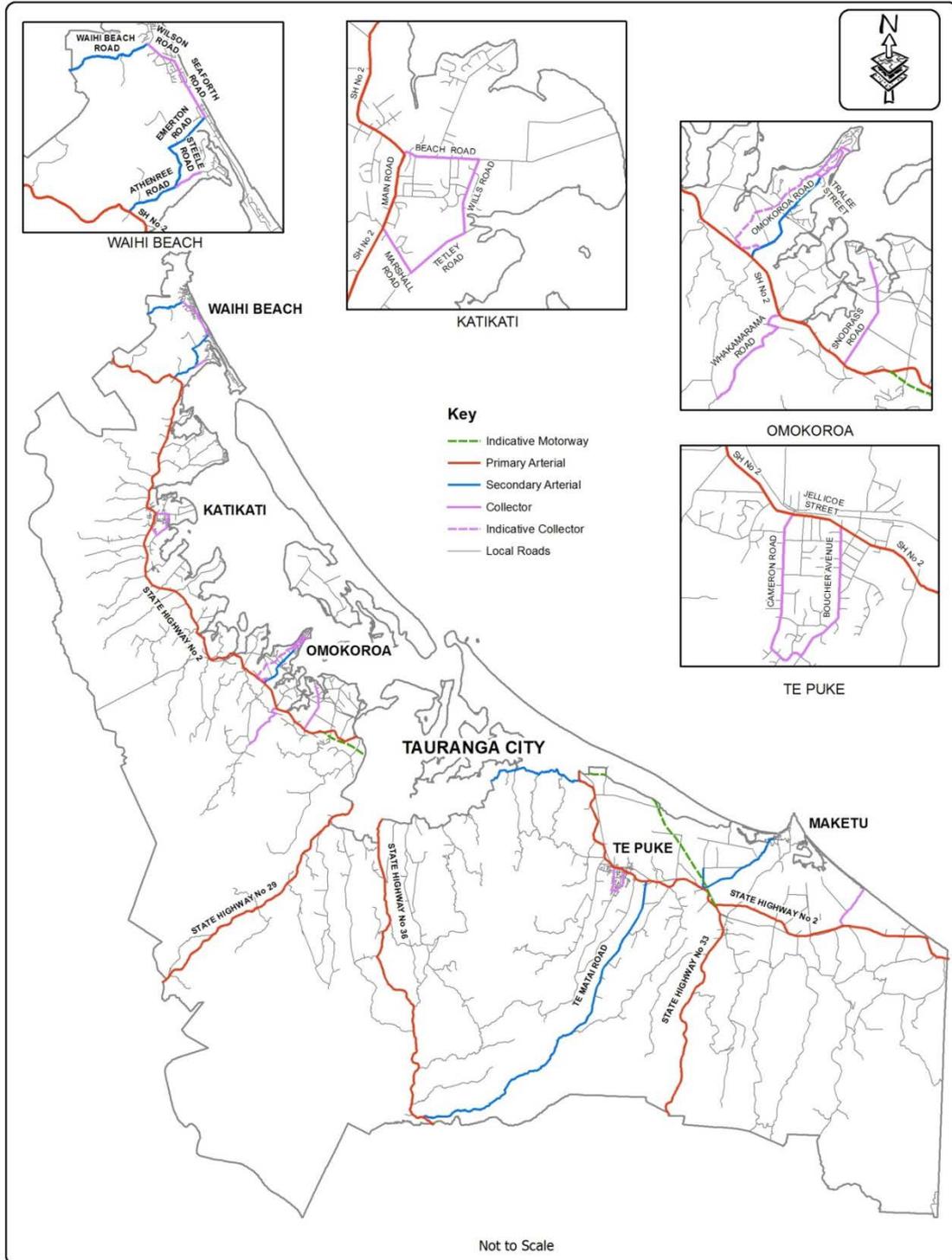
- |       |                    |                                                                                                                                                            |
|-------|--------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (i)   | Motorways          | Tauranga Eastern Motorway<br>Northern Arterial                                                                                                             |
| (ii)  | Expressways        |                                                                                                                                                            |
| (iii) | Primary Arterial   | State Highway 2<br>State Highway 29<br>State Highway 33<br>State Highway 36                                                                                |
| (iv)  | Secondary Arterial | Waihi Beach Road<br>Athenree/Steele/Emerton Roads<br>Omokoroa Road (SH2 to Tralee Street)<br>Welcome Bay Road<br>Te Matai Road<br>Maketu Road<br>Tara Road |

#### (b) District Roads

- |     |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|-----|-----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (i) | Collector Roads | Wilson Road/Seaforth Road<br>Athenree Road (Steele to Koutunui Road)<br>Beach Road (SH2 to Wills Road)<br>Wills Road<br>Tetley Road (Marshall to Wills Road)<br>Marshall Road<br>Omokoroa Road (Tralee to The Esplanade)<br>Tralee Street<br>Hamurana Road<br>Francis Road (Omokoroa to Hamurana Road)<br>Barrett Road<br>Old Highway (Barrett to Whakamarama Road)<br>Whakamarama Road (Old Highway to Youngson Road)<br>Snodgrass Road (SH2 to Newnham Road)<br>Cameron Road<br>Boucher Ave (SH2 to Cameron Road)<br>Pukehina Beach Road |
|-----|-----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

- (ii) Local Roads
- (iii) Service Lanes

Refer to Roding Hierarchy Map below.



**WESTERN BAY OF PLENTY DISTRICT PLAN - ROAD HEIRACHY**

#### 4B.4.2 Access to Strategic Roads

- (a) No crossing place shall be permitted to serve any proposed new activity that requires resource consent and/or increases the traffic movements to the site unless:
- (i) It is impractical for the activity to have alternative legal access to some other road; and
  - (ii) An assessment of the effects of such access on the road including written consent from the New Zealand Transport Agency (where relevant) is submitted with the application. The assessment shall address traffic safety, the traffic efficiency of the road, the impracticality of achieving alternative access, the potential for adverse effects on adjacent land owners and adverse effects on the *transportation network*.

**Explanatory Note:**

Where any new crossing is proposed onto a State Highway, approval for that crossing needs to be obtained from the New Zealand Transport Agency pursuant to the Government Roading Powers Act 1939.

New Zealand Transport Agency retains control over the design and construction standards of crossing places and road intersections with State Highways.

- (b) All properties with legal access to a strategic road shall provide all parking and manoeuvring on site.

#### 4B.4.3 Access to Rural Roads (Rural, Lifestyle and Future Urban Zones) other than Strategic Roads

- (a) No vehicle entrance shall be constructed within:
- (i) 30m of a rural road intersection;
  - (ii) 45m of a State Highway intersection where the posted speed limit on the rural road is 70km/hr or less;
  - (iii) 60m of a State Highway intersection where the posted speed limit on the rural road is greater than 70 km/hr;
  - (iv) (i), (ii) and (iii) above shall be measured from the intersection of the legal road boundaries, or the edge of the road formation, whichever is closer to the entrance.

- (b) Each entrance shall be located in such a position as to provide complying visibility for motorists entering and leaving the property in accordance with *Council's* Development Code 2009.
- (c) All new rural entrances and entrances which are in a 'fixed location' at subdivision consent stage on *District* roads shall be designed and constructed so that heavy vehicles can enter and leave the property in a safe and convenient manner without damaging the edge of seal.

**Explanatory note:**

For the purpose of this rule, 'fixed location' shall be defined as an entrance serving a *privateway*, access leg or a property limited to complying and practical road frontage for entrance construction of 30m or less.

- (d) Where a building consent is issued for a *building* on any site that does not already have a complying entrance the owner will be required to construct an entrance to *Council's* current minimum standard.
- (e) Activities, including any Controlled, Restricted Discretionary, Discretionary or Non-Complying activities, that require new access, or increase the use of existing accesses, to rural roads shall ensure that the access and the existing road is formed and constructed to the current standards in *Council's* Development Code 2009, necessary to accommodate the increased use of the road (see Section 12.4).
- (f) In any subdivision (including boundary adjustments), all *lots* available for independent use shall be demonstrated as capable of being provided with an entrance that complies with *Council* access standards.

Except that this rule shall not apply to:

- Existing entrances used intermittently only and which do not provide access to an existing or proposed *dwelling*. For the purpose of this rule 'intermittent use' includes farm accesses used occasionally, but excludes dairy tanker accesses and the main working entrance of properties.
- Existing entrances to properties being subdivided by way of boundary adjustment where no additional *lots* are created and the ability to create a complying entranceway for each *lot* in the future is not compromised.

**Explanatory note:**

Non-compliance with this rule shall be a Restricted Discretionary Activity in respect of the particular non-compliance.

**4B.4.4 Access to Urban Roads (Residential, Rural-Residential, Commercial, and Industrial Zones) other than Strategic Roads**

- (a) Subdividers shall normally be required to provide only those crossings where the location is fixed at the time of subdivision, such as *Privateways*. In all other cases, the crossings shall be constructed at the time of *building*.
- (b) Distance from Road Intersections - No vehicular access shall be located nearer than 8m in a Residential, Rural-Residential or nearer than 25m in a Commercial, or Industrial Zone from the road intersection, measured from the intersection of the legal road boundaries or any part of a road on which the *Council* has resolved that no vehicle may stop in accordance with the provisions of the Transport Act and any regulations pursuant to that Act.

**4B.4.5 Loading Path and Space Dimensions**

Activities requiring loading facilities or servicing from heavy vehicles shall comply with the 90 percentile design two axled truck swept path and minimum loading space dimensions or a greater dimension of design where articulated vehicles or trucks and trailers are anticipated.

**4B.4.6 On-site Manoeuvring**

All activities shall provide manoeuvring space onsite so that all vehicles can enter and exit without reversing on to or off the road. Such manoeuvring shall be able to be executed in no more than a three-point turn.

Except that:

*Dwellings* in the Residential Zone with direct access off a *District Road* are not required to provide for onsite manoeuvring.

**4B.4.7 ~~On-site~~ Parking and Loading requirements**

Every person who proposes to erect, re-erect, construct or substantially reconstruct, alter or add to a *building* on any site or who changes the use of any land or *building*, shall ensure that there is provision for ~~provide suitable areas for~~ the parking of vehicles and loading as required in the table below. ~~follows:~~

Within the Waihi Beach and Katikati town centres, as identified on the District Plan Maps, parking and loading provisions for Business Activities, Administrative, Commercial and Professional Offices (as listed in the table below), shall be provided for in an existing or designated public car park, regardless of whether space is available on site.

For all other activities, parking and loading provisions have to be provided for on-site (regardless whether the activity is in or outside the Waihi Beach and Katikati Town Centres).

| Activity                                                                                                                                               | Car Parking Spaces Required                                                                                                                                                                                                                                                                                                                                             |
|--------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Residential Activities</b>                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                         |
| <i>Dwellings</i> (being one household unit).                                                                                                           | Two car parking spaces for each <i>dwelling</i> .<br>Note: One may be 'stacked' where it does not interfere with shared access.                                                                                                                                                                                                                                         |
| <i>Retirement Villages/Rest Homes</i> .                                                                                                                | One car parking space for each <i>retirement village dwelling</i> .<br><br>One car parking space per two <i>retirement village independent apartments</i> .<br><br>One car parking space per six <i>rest home</i> bedrooms.<br><br>One extra car parking space per five of the above combined units for visitors.<br><br>One car parking space per two full time staff. |
| <b>Accommodation Facilities</b>                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                         |
| Boarding houses, Hostels, Hotel Accommodation.                                                                                                         | One car parking space to every three persons designed to be accommodated plus one car parking space per two staff members.                                                                                                                                                                                                                                              |
| Motels, Lodges, Camping Grounds, Caravan Parks.                                                                                                        | One car parking space for each unit place plus one per two staff members.                                                                                                                                                                                                                                                                                               |
| <b>Places of Assembly</b>                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                         |
| Clubrooms, <i>Restaurants</i> , Brasserie, Cafe, Hotels, Taverns exclusive of accommodation.                                                           | One car parking space for every five persons the facility is designed to cater for.                                                                                                                                                                                                                                                                                     |
| Recreational and Community Activities with no <i>buildings</i> .                                                                                       | Two spaces to every five persons the facility is designed to accommodate.                                                                                                                                                                                                                                                                                               |
| Places of Worship Churches and Mortuary Chapels, Funeral Directors Halls, Theatres, Libraries, Gymnasiums, Marae and other <i>places of assembly</i> . | Participants and spectators are to be catered for both motor vehicle use and bicycles assessed in relation to the specific activity.                                                                                                                                                                                                                                    |
| <b>Education Facilities</b>                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                         |
| Pre-schools, Kindergartens, Childcare Centres, Primary and Intermediate Schools, Educational Institutions with less than 50 pupils.                    | One car parking space for every staff member plus two spaces for visitors.                                                                                                                                                                                                                                                                                              |
| Secondary Schools, and Educational Institutions with 50 or more pupils.                                                                                | One car parking space for every staff member plus two spaces for visitors plus provision for pupil's vehicles assessed by a discretionary use application.                                                                                                                                                                                                              |
| <b>Business Activities</b>                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                         |
| <i>Retailing</i> shops (including drive-in retail facilities and banks).                                                                               | One car parking space to every 20m <sup>2</sup> of <i>gross floor area</i> .                                                                                                                                                                                                                                                                                            |
| <i>Home Enterprises</i> in the Residential, Rural, Rural Residential and Future Urban Zones.                                                           | One onsite car parking space per 120m <sup>2</sup> of site area dedicated to the use of the <i>Home Enterprise</i> .                                                                                                                                                                                                                                                    |
| Administrative, Commercial and Professional <i>Offices</i> not in a residential <i>building</i> .                                                      | One car parking space to each 40m <sup>2</sup> of <i>gross floor area</i> .                                                                                                                                                                                                                                                                                             |

| Activity                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Car Parking Spaces Required                                                                                                                                                                                                                                            |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Motor Vehicle and Agricultural Implement sales yards.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | One car parking space per 150m <sup>2</sup> of display area.                                                                                                                                                                                                           |
| Medical Centres and Veterinary Clinics.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Five car parking spaces per professional person plus one car parking space per two staff.                                                                                                                                                                              |
| <b>Business Activities (continued)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                        |
| Service Stations and Premises for Assembly, or Repair of Motor Vehicles.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Two car parking spaces per three staff<br>One car parking space per 40m <sup>2</sup> <i>gross floor area</i> of shop.<br><br>Four car parking spaces per workshop bay.<br><br>Three queuing spaces for a carwash.<br><br>One car parking space per air hose or vacuum. |
| Warehouses, <i>Depots, Building and Construction Wholesalers</i> (with no retail component) and Storage Facilities (indoor and outdoor), Auction Rooms.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | One car parking space to each 100m <sup>2</sup> of <i>gross floor area</i> so used.                                                                                                                                                                                    |
| <i>Building and Construction Retailers</i> or Retailers and Wholesalers combined                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | One car parking space to each 50m <sup>2</sup> of <i>gross floor area</i> so used.                                                                                                                                                                                     |
| <i>Commercial Services</i> , Hire Centres, Dry Cleaning <i>Depots</i> , Repair Services, Tradesman's Workshops.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | One car parking space per 40m <sup>2</sup> of <i>gross floor area</i> .                                                                                                                                                                                                |
| Industrial Uses.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | One car parking space to each 50m <sup>2</sup> of <i>gross floor area</i> .                                                                                                                                                                                            |
| Packhouses, Coolstores.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | One car parking space to each 25m <sup>2</sup> of <i>gross floor area</i> .<br><br>Minimum of 20 car parking spaces.                                                                                                                                                   |
| <i>Post Harvest Facilities</i> and associated seasonal worker accommodation for a maximum of 75 persons and other on site ancillary activities within the Post Harvest                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | All carparking to be onsite.                                                                                                                                                                                                                                           |
| Works and <i>Network Utilities</i> .                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | One car parking space per permanent employee.                                                                                                                                                                                                                          |
| <p><b>Notes:</b></p> <p>All parking and loading spaces and manoeuvring areas shall be provided onsite exclusive of land required for service land or road.</p> <p>All car parking spaces shall be suitable for a 90 percentile car</p> <p>Loading Requirements: All permitted uses, exclusive of <i>dwelling</i>s and <i>network utilities</i> where facilities are not normally required to be staffed, shall be provided with at least one loading space in a location appropriate to the use. All Discretionary Activity use loading requirements shall be assessed on their merits.</p> <p>Fractional Spaces: Where the assessment of the number of parking spaces results in a fractional space being involved any fraction under one-half shall be disregarded and fractions of one-half or more shall be counted as one space.</p> <p>Bicycle Parking: All activities must have at least one parking space for a bicycle, and depending on the activity; more parking spaces can be required.</p> |                                                                                                                                                                                                                                                                        |

#### 4B.4.8 Alternative means of Provision of Parking and Loading

*Council* shall consider as a Discretionary Activity, or as a Restricted Discretionary Activity in the case of on-site parking in Waihi Beach and Katikati town centres, the following alternative means of parking and loading:

**(a) Joint provisions of parking and loading for several activities**

- (i) Where several activities are established on any one site, or on several sites in any area, the *Council* may permit the developers of such activities to provide joint off-street parking and loading areas for their common use. The number of parking spaces required shall be the sum of the requirements for each activity;
- (ii) Where it can be shown that the parking or loading demand of one or more of the activities occurs at a different time from that of the remaining activities, the *Council* may allow a dispensation in respect of the parking or loading requirement for one or more of the activities;
- (iii) The *Council* may allow a developer to enter into an agreement to use an existing parking or loading area as a joint area where the demand for parking or loading of vehicles occurs at a different time from that of the existing activities, or where the *Council* considers that there is sufficient capacity to accommodate the additional vehicles;

In every case *Council* shall require written documentation of the agreement or arrangement entered into.

- (iv) The *Council* reserves the right to re-impose the individual requirements should circumstances change with respect to the right of any developer, owner or occupier to use the joint parking or loading area.

Or

**(b) Cash in lieu**

- (i) *Council* may accept cash-in-lieu of parking and the monies received shall equate to the cost of the land nearby and formation of a carpark for the spaces not provided onsite. A financial contribution for parking shall only be received where *Council* owns or has designated land in the vicinity of the subject site identified on the Planning Maps for the purposes of public carparking.

The following formula will be used to calculate the cost per parking space:

$$\frac{(50\% \times 25\text{m}^2/\text{parking bay}) \times (\text{land value} / \text{m}^2) + \text{construction costs} / \text{parking bay}}$$

- (ii) Cash received in lieu of parking for development in any one town centre shall be used solely for parking in that town centre. An account shall be kept at *Council's* Offices of the number of spaces funded by developments in the vicinity of the carpark. This information must be referred to prior to *Council* accepting a financial contribution. See also Section 11.

**Explanatory Note:**

Cash in lieu for parking is the preferred means of parking provision in the Katikati and Waihi Beach town centres for:

- Business Activities including *retailing* shops
- Administrative, Commercial and Professional Offices not in a residential building.

Cash in lieu for parking is only an alternative means of parking provision within the Waihi Beach and Katikati town centres for activities other than the ones mentioned above.

Parking bays are not dedicated at a specific location for a specific activity.

Or

**(c) On-street parking**

- (i) Where onsite parking is required but *Council* considers that it is not reasonable or practical now or in the future to make that provision onsite, *Council* may approve on-street parking facilities as close to the site as is reasonable and practicable;
- (ii) The *Council* may require a set back of the footpath to accommodate on-street parking and may require the full cost to be borne by the applicant.

Or

**(d) Additional land areas**

- (i) The *Council* may approve parking provided on suitably zoned land sufficiently close to that site (but not on any road or service lane) to ensure the ready use of such parking areas by visitors and employees of the activity. *Council* shall require legal evidence of the parking site being tied to the activity.

Or

**(e) On-site parking within the Katikati and Waihi Beach town centres**

- (i) As a Restricted Discretionary Activity, the Council may allow on-site parking within the Katikati and Waihi Beach town centres for the following activities:
- Business Activities including retailing shops;
  - Administrative, Commercial and Professional Offices not in a residential building.

#### **4B.4.9 Location of Parking and Loading areas**

The provision for parking and loading in respect of any site shall not be on:

- (a) Part of any manoeuvring area or access lane, or road.
- (b) Any screening required by the District Plan.
- (c) Any solid waste storage area required by the District Plan.

Provided that:

In Commercial and Industrial Zones manoeuvring may be on service lanes where land for service lane is given by the applicant.

- (d) Parking spaces shall not occupy loading spaces nor loading spaces occupy parking spaces.
- (e) Parking and loading spaces are to be either visible from the public road or clearly signposted at the road frontage.

#### **4B.4.10 Formation of Parking and Loading areas**

Parking and loading areas shall be sealed in Residential, Commercial and Industrial zones and metalled as a minimum in Rural-Residential, Future Urban, Rural and Lifestyle Zones so as not to create a dust nuisance to adjoining properties, except in respect of the 3m of any carpark immediately adjoining Strategic Roads that shall be paved in all zones.

#### **4B.4.11 Stack Parking**

*Council* shall accept stacked parking only in the case of *dwelling*s provided that the stacking area is exclusive of all those matters listed in 4B.4.9 above.

#### **4B.4.12 Service Lanes**

All new activities shall provide *Council* with the land for a service lane at the rear or at the side of the site as required in accordance with the Planning Maps.

The service lane widths and dimensions required from each site shall be in accordance with dimensions as stated in the relevant designation.

#### **4B.4.13 Signs** - See Section 4D.

## **4B.5 Matters of Control – Controlled Activities**

*Council shall exercise control over the following:*

- (a) The number and nature of the required parking and loading provisions within the Waihi Beach and Katikati town centres.
- (a) The location of available Council owned or designated public parking and loading areas.

## **4B.6 Matters of Discretion for Restricted Discretionary Activities**

### **4B.6.1 Non Compliance with Rule 4B.4.3 – Access to Rural Roads other than Strategic Roads**

*Council's* discretion is restricted to the actual or potential adverse effects relating to the extent and nature of the particular non-compliance.

Conditions on any consent granted may include (but not necessarily be limited to) those relating to:

- (a) Works to improve sight distances and other safety enhancements.
- (b) Closure of an existing entrance.
- (c) Relocation of an existing entrance to a complying or less non-complying location.
- (d) Erection of roadside signage.
- (e) Establishment of public transport stops.
- (f) Establishment of cycle stands.
- (g) The recommendations and findings of any *Integrated Transportation Assessment* (where relevant).
- (h) The upgrade of existing roads and accesses necessary to serve the activity (see Section 12.4.4).

#### 4B.6.2 Non Compliance with Rules 4B.4.4 – 4B.4.7 and Rules 4B.4.9 – 4B.4.12 (inclusive)

*Council's* discretion is restricted to the actual or potential adverse effects relating to the extent and nature of the particular non-compliance. Conditions on any consent granted may include (but not necessarily be limited to) those relating to:

- (a) The degree of non-compliance with the specific rule.
- (b) The mitigation of actual or potential adverse effects of the non-compliance on, or beyond the boundary of, the site.
- (c) The recommendations and findings of any *Integrated Transportation Assessment* (where relevant).
- (d) The outcomes of the respective town centre plans for Katikati and Waihi Beach.
- (e) The potential adverse effects on pedestrian safety, such as vehicles crossing the footpath to access on-site carparks.
- (f) The effects on the amenity values of the town centre, such as the impact on a continuous shop front.
- (g) With regard to on-site parking in Waihi Beach and Katikati town centres, the availability of adequate land on-site to accommodate safe and convenient parking and vehicle movements.

#### 4B.6.3 Subdivision Accessed over a Railway Line (see Rule 4B.3.2 (c))

*Council* will restrict its discretion to the following matters:

- (a) The ability to establish an alternative legal access that does not cross a railway line and can be formed at a later date if required.
- (b) Whether the alternative access can be practicably formed.
- (c) Whether the written approval of the railway line network owner or operator has been obtained.

### 4B.7 Matters of Assessment for Discretionary Activities

#### 4B.7.1 All Discretionary Activities including (but not limited to) New Crossings, or an Increase in the Use of Existing Crossings, onto Strategic Roads

Assessment Criteria include, but are not limited to:

- (a) Impacts on the *road hierarchy*.
- (b) Infrastructure provision, including works to maintain the safety and function of the *transportation network*.
- (c) The recommendations and findings of any *Integrated Transportation Assessment*.
- (d) Establishment of cycleways, walkways and public transport stops.
- (e) Timing and staging of *development*.

#### 4B.7.2 Alternative means of Parking and Loading

In addition to assessment criteria identified in Rule 4B.7.1 assessment criteria to be considered for alternative means of parking and loading include, but are not limited to:

- (a) Existing demand on parking in the immediate locality.
- (b) Availability of land on which public carparks may be built.
- (c) Traffic environment in the locality of the subject site.
- (d) The recommendations and findings of any *Integrated Transportation Assessment*.
- ~~(e) The impact on pedestrian safety from vehicles crossing the footpath to access on-site carparks.~~
- ~~(f) The impact on a continuous shop front.~~
- ~~(g) With regard to on-site parking in Waihi Beach and Katikati town centres, the availability of adequate land on-site to accommodate safe and convenient parking and vehicle movements.~~

## 4B.8 Information Requirements

### 4B.8.1 Information Requirements for Activities Subject to Rule 4B.3.2

An assessment of any activity's non-compliance shall be undertaken by a suitably qualified person recognised by the *Council* including a registered professional surveyor, licensed cadastral surveyor, chartered professional civil engineer or, where an *Integrated Transportation Assessment* (or other traffic assessment) is required, a suitably qualified and experienced traffic engineer, and shall include:

- (a) A description of the existing situation including:
  - (i) Specific quantification of the nature and extent of non-compliance;

- (ii) Standard of existing formation.
- (b) Possible mitigation measures (such as works to improve sight lines or relocation of the entrance).
- (c) Predicted changes (if any) to the volume of traffic using the entrance following subdivision.

#### **4B.8.2 Information Requirements for Activities Subject to Rule 4B.3.3**

In addition to any other requirement of the District Plan each application shall include, as appropriate, the following:

- (a) An *Integrated Transportation Assessment* for the *development*. *Integrated Transportation Assessments* should reference appropriate best practice technical guides and consultation (where undertaken) with the New Zealand Transport Agency and should consider as a minimum the following matters:
  - (i) Planning and policy frameworks;
  - (ii) Measures to influence multi-modal travel, including encouraging passenger transport, walking and cycling;
  - (iii) Travel characteristics;
  - (iv) Land use characteristics;
  - (v) Assessment of adverse effects;
  - (vi) Mitigation of adverse effects.
- (b) A *Travel Management Plan* for the proposed activity.
- (c) An assessment of Equivalent Light *Vehicle Movements* per peak hour and per day. Daily movements shall be averaged over a seven day period.
- (d) An assessment of pedestrian and cycle movements to and from the proposed activity.
- (e) An assessment of the integration of the proposed activity with public transport.

- (f) Assessment of a Discretionary Activity land use consent application may include consideration of the Permitted Activity Standards and Restricted Discretionary Assessment Criteria and possible conditions as well as any other relevant criteria in the District Plan as guidelines to the determination of the application.
- (g) The New Zealand Transport Agency shall be considered an affected party in any application for subdivision or *development* of land that significantly impacts on the *Strategic Road Network*.

## 4B.9 Other Methods

### 4B.9.1 Building Code

- (a) Vehicle manoeuvring distances, parking dimensions, queuing spaces and circulation rates, and pedestrian access are controlled by the Building Code.

**Explanatory note:**

The '1993 Building Code Acceptable Solution' or its successor must be complied with at the building stage.

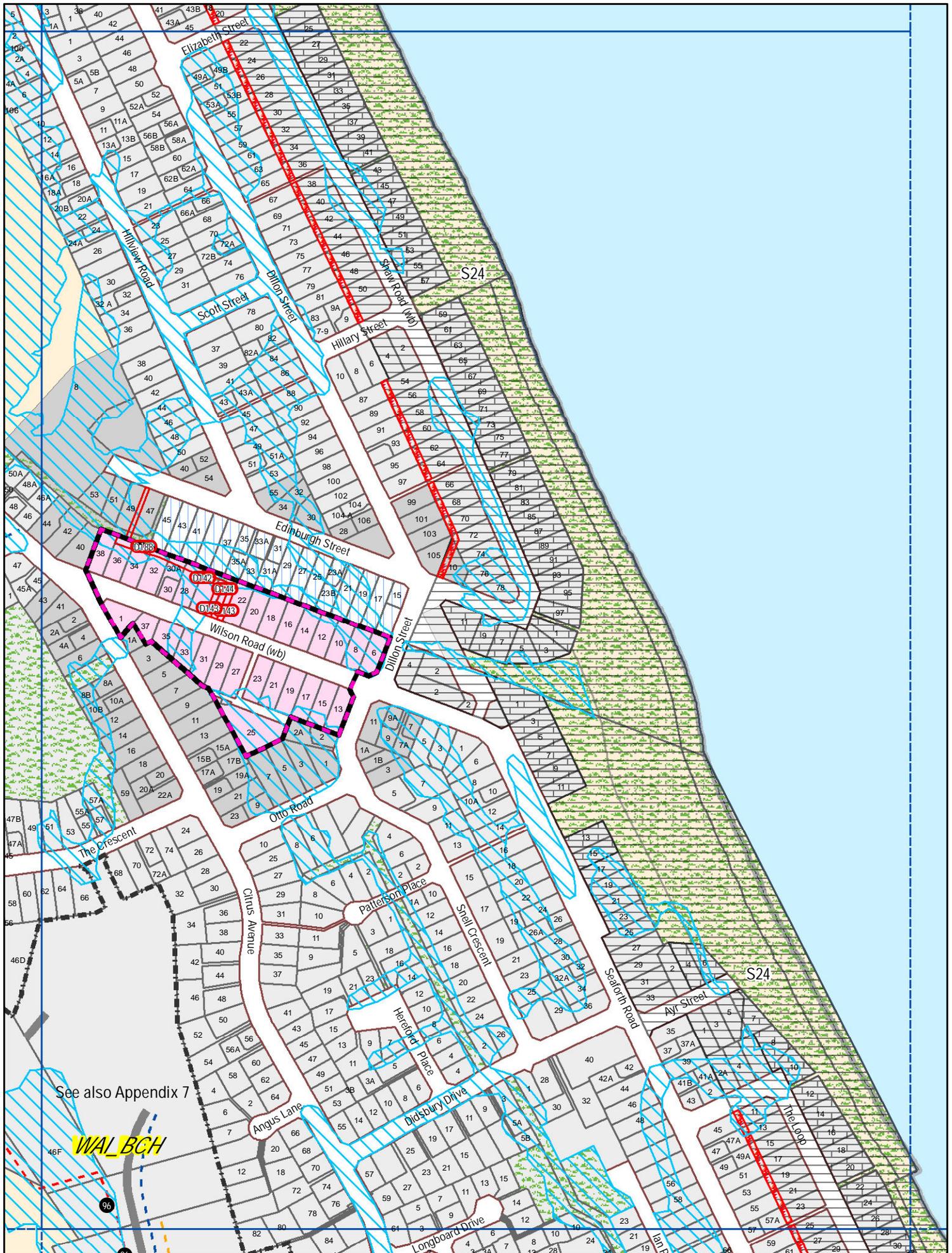
- (b) Parking and access for disabled persons are to be provided in accordance with the Building Code.

### 4B.9.2 New Zealand Transport Agency

- (a) The New Zealand Transport Agency is the controlling authority for State Highways. Section 51 of the Government Roading Powers Act, 1989, lists things which are 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.

### 4B.9.3 Department of Conservation

- (a) *Council* will liaise with the Department of Conservation in the identification of road ends and accessways that link with land managed by the Department.



See also Appendix 7

**WAL BCH**

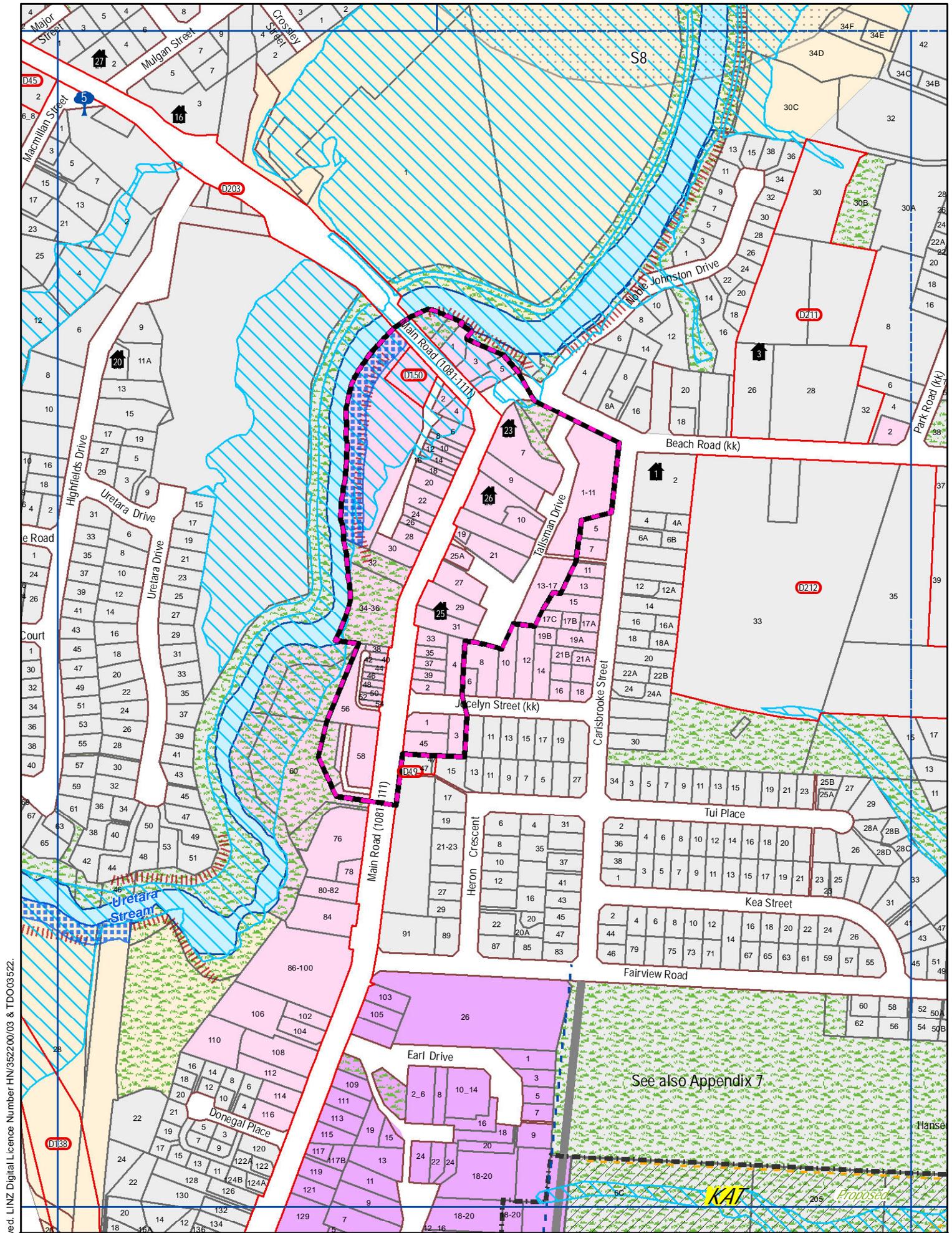
U04

# Waihi Beach



Scale 1:5000 (A4)

Revision Date: 11 August 2012



Crown Copyright Reserved. LINZ Digital Licence Number HN/352200/03 & TDO03622.

U44

Katikati



Scale 1:5000 (A4)



Revision Date: 11 August 2012

|                      |                |                                                             |                         |
|----------------------|----------------|-------------------------------------------------------------|-------------------------|
| Infrastructure       |                | Airport Approach Surface                                    |                         |
|                      |                | Designation                                                 |                         |
|                      |                | Formed Roads                                                |                         |
|                      |                | Limited Access                                              |                         |
|                      |                | Stop Bank                                                   |                         |
| Reserves             |                | Esplanade Strip                                             |                         |
|                      |                | Proposed Esplanade Strip / Reserve                          |                         |
|                      |                | Kaimai - Mamaku Forest Park Boundary                        |                         |
|                      |                | Reserve                                                     |                         |
|                      |                | Reserve, Department of Conservation                         |                         |
| Significant Features |                | Viewshaft                                                   |                         |
|                      |                | Significant Ecological Feature / RAP                        |                         |
|                      |                | Outstanding Landscape Feature - 50m (S7a & S8a) - 40m (S9a) |                         |
|                      |                | Outstanding Landscape Feature                               |                         |
|                      |                | Cultural Heritage Feature Boundary                          |                         |
|                      |                | Built Heritage Feature                                      |                         |
|                      |                | Cultural Heritage Feature                                   |                         |
|                      |                | Notable Trees                                               |                         |
|                      | Structure Plan |                                                             | Structure Plan Boundary |
|                      |                |                                                             | Greenlane               |
|                      |                | Road                                                        |                         |
|                      |                | Stormwater                                                  |                         |
|                      |                | Wastewater                                                  |                         |
|                      |                | Water Supply                                                |                         |
|                      |                | Walk/Cycleway                                               |                         |
|                      |                | Reserve area                                                |                         |
|                      |                | Stormwater Pond                                             |                         |
|                      |                | Minden Lifestyle Structure Plan Area Overland               |                         |

**Flowpaths and Local Ecological Features**

Bay of Plenty Regional Council should be consulted before undertaking any activity in the vicinity of Mean High Water Springs to establish the actual line of Mean High Water Springs. Formed roads are indicated as white shading on the road land parcels. Unformed roads have the underlying zone indicated.

(1) Compliance with NZECP 34:2001 is required in this area for *buildings/structures* and *earthworks*.

(2) The identified areas include: the community service area at Rangioru, the central hub site within the All Terrain Park and buffer zones in Stage 2 Omokoroa and Binnie Road.

|               |              |                                              |                        |
|---------------|--------------|----------------------------------------------|------------------------|
| Land Hazards  |              | Coastal Protection - Primary Risk            |                        |
|               |              | Coastal Protection - Secondary Risk          |                        |
|               |              | Coastal Protection - Open Coastline          |                        |
|               |              | Coastal Protection - Access Yard             |                        |
|               |              | Flood Hazard                                 |                        |
|               |              | Stability Area - Minden A                    |                        |
|               |              | Stability Area - Minden B1                   |                        |
|               |              | Stability Area - Minden B2                   |                        |
|               |              | Stability Area - Minden C                    |                        |
|               |              | Stability Area - Minden U                    |                        |
|               |              | Stability Area - General                     |                        |
|               |              | Stability Area - Landslip                    |                        |
|               | Zones        |                                              | All Terrain Park (ATP) |
|               |              |                                              | Commercial             |
|               |              |                                              | Commercial Transition  |
|               |              | Horticultural Post Harvest                   |                        |
|               |              | Industrial                                   |                        |
|               |              | Residential                                  |                        |
|               |              | Medium Density Residential                   |                        |
|               |              | Rural Residential                            |                        |
|               |              | Rural                                        |                        |
|               |              | Lifestyle                                    |                        |
|               | Future Urban |                                              |                        |
| Zone Overlays |              | District Boundary                            |                        |
|               |              | Electricity Transmission Line                |                        |
|               |              | Electricity Transmission Line Buffer 16m (1) |                        |
|               |              | Electricity Transmission Line Buffer 32m (1) |                        |
|               |              | Identified Area (2)                          |                        |
|               |              | Firing Range Exclusion Zone                  |                        |
|               |              | Quarry Effects Management Area               |                        |
|               |              | TNL 100m Building Line Setback               |                        |
|               |              | Town Centre Boundary                         |                        |