

Section Contents

Transportation, Access, Parking & Loading	2
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	19
4B.7 Information Requirements	20
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.

~~(b) Activities that require new crossings, or activities other than Permitted Activities that increase the use of existing crossings, onto Strategic Roads subject to performance standard 4B.4.2.~~

4B.3.2 Restricted Discretionary Activities

~~(a) Non-compliance with Rule 4B.4.3 Access to Rural Roads other than Strategic Roads.~~

- (a) Non-compliance with rules contained in Section 4B.4, Activity Performance Standards, shall be Restricted Discretionary, unless otherwise stated.
- (b) 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.
- (c) 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.~~

- (a) 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 (c).

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

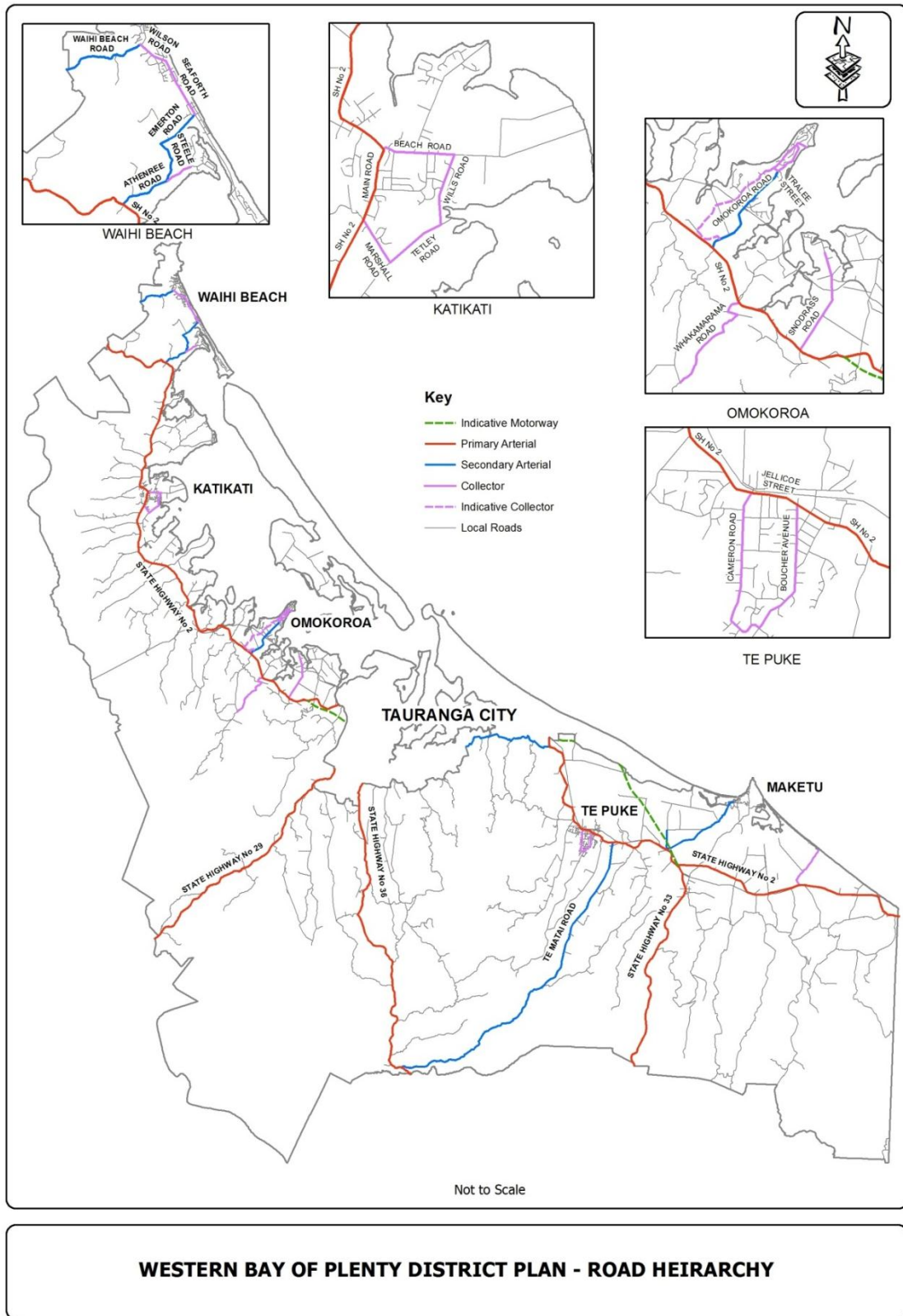
(a) Strategic Roads

- | | | |
|-------|--------------------|--|
| (i) | Motorways | Tauranga Eastern Motorway
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 | |

Refer to Roding Hierarchy Map below.



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 or Council (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 Roding Powers Act ~~1939~~ 1989.

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:

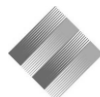
Dwellings in the Residential Zone with direct access off a *District Road* are not required to provide for onsite manoeuvring.

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
Residential Activities	
<i>Dwellings</i> (being one household unit).	Two car parking spaces for each <i>dwelling</i> . 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> . One car parking space per two <i>retirement village independent apartments</i> . One car parking space per six <i>rest home</i> bedrooms. One extra car parking space per five of the above combined units for visitors. One car parking space per two full time staff.
Accommodation Facilities	
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.
Places of Assembly	
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.
Education Facilities	
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.
Business Activities	
<i>Retailing</i> shops (including drive-in retail facilities and banks).	One car parking space to every 20m ² 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 ² 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 ² of <i>gross floor area</i> .
Motor Vehicle and Agricultural Implement sales yards.	One car parking space per 150m ² of display area.
Medical Centres and Veterinary Clinics.	Five car parking spaces per professional person plus one car parking space per two staff.

Activity	Car Parking Spaces Required
Business Activities (continued)	
Service Stations and Premises for Assembly, or Repair of Motor Vehicles.	Two car parking spaces per three staff One car parking space per 40m ² <i>gross floor area</i> of shop. Four car parking spaces per workshop bay. Three queuing spaces for a carwash. One car parking space per air hose or vacuum.
Warehouses, <i>Depots</i> , <i>Building and Construction Wholesalers</i> (with no retail component) and Storage Facilities (indoor and outdoor), Auction Rooms.	One car parking space to each 100m ² 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 ² 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 ² of <i>gross floor area</i> .
Industrial Uses.	One car parking space to each 50m ² of <i>gross floor area</i> .
Packhouses, Coolstores.	One car parking space to each 25m ² of <i>gross floor area</i> . 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>Notes: 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.~~

Council's discretion is restricted to the actual or potential adverse effects arising from the particular non-compliance, having regard to the extent and nature of the 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) The ability to relocate the entrance ~~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;~~

- (d) The recommendations and findings of any *Integrated Transportation Assessment* (where relevant);
- (e) 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.~~ Council's discretion is restricted to the actual or potential adverse effects arising from the particular non-compliance, having regard to the extent and nature of the 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(b))

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 car parks 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 car parks.~~
- ~~(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.