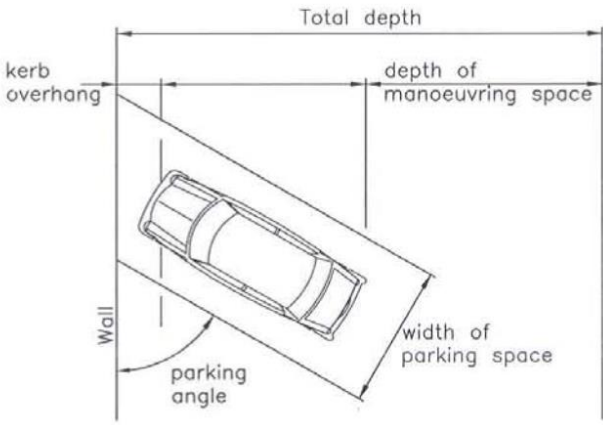


SOUTH WAIKATO OPERATIVE DISTRICT PLAN ASSESSMENT

RULE	DESCRIPTION	STATUS ASSESSMENT
PART B DISTRICT WIDE RULES		
Chapter 9: Definitions		
Building	Means a temporary or permanent movable or immovable physical construction that is (a) Partially or fully roofed; and (b) Fixed or located on or in land.	
Drive Through Restaurant	Means any land and/or building with service where food and beverages are served and sold to the public in their vehicles, for consumption on or off the premises, and may include a café and/or playground area.	
Loading Space	Means the area of a site that is set aside for the exclusive use of transferring goods from a vehicle to an activity or vice versa and has access to a road or service lane.	
Retail Activities	Means premises and ancillary activities where goods and services are sold or offered for sale, including large format premises such as supermarkets, takeaway food premises, garden centers, and hardware stores, but excluding premises for the sale of boats, caravans and motor vehicles, service stations and motor vehicle repair garages, offices, restaurants, bars and cafes, service industry and commercial services.	
Sign	Means any device attracting or intended to attract notice for the purpose of directing, identifying, informing, or advertising a good or service, positioned on a site and visible from any public space, and includes those affixed to, or incorporated within the design of a building whether painted, written, printed, carved, inscribed, endorsed, or projected onto any building, wall, pole, road, structure, or erection of any kind whatsoever.	
Chapter 11: Parking, Loading and Access		
<p>State Highway 1 runs through the Tirau town centre. Layout and intensity of land use alongside the state highway, and the interface between the state highway and commercial properties is of importance.</p> <p>This rule chapter does not include a roading hierarchy, although a distinction is made within some of the performance standards between state highway and local road. The state highway network provides critical transport links both within the district and linking the district to the wider region. Therefore, maintaining the safety and efficiency of the state highway network is important.</p>		

Site Use	Zone and Applicable Parking Requirements	Comment
Restaurants, bars, and cafes	<p>All zones (including Residential), except for town centre zones.</p> <p>1 space per 15m² of customer area</p> <p>'Customer area' includes any part of the site and public road used as part of the premises and that is open to patrons, e.g., outdoor seating areas.</p>	<p>Complies –</p> <p>Burger King = 200m²/15 = 13.3 – 13 spaces required</p> <p>Starbucks = 207m²/15 = 13.8 – 14 spaces required (see fractional discussion in (g) for rounding).</p> <p>Total car parks required = 27</p> <p>Car parks provided = 28</p>
11.3.1 Provision of Vehicle Parking	<p>a) Where a change of use occurs requiring a greater provision of car parking, or where the floor area of a building is increased, additional on-site car parking will be required in accordance with standards in Table 1.</p> <p>b) All parking spaces shall be formed and sealed or otherwise maintained to the satisfaction of Council so as to avoid creating a dust nuisance or permit vehicles to carry material such as mud, stone, chip or gravel onto the public road or footpath</p> <p>Figure 1 – Parking Dimensions</p> 	<p>Does not comply –</p> <p>N/A – a site redevelopment is proposed, not a change of use.</p> <p>Complies – all parks will be fully-formed and sealed.</p>

c) The dimensions and layout of parking spaces shall be in accordance with Figure 1 (above), and the spaces shall be marked to delineate the parking space.

Parking angle	Width of parking space	Kerb overhang	Depth of parking space from kerb	Depth of manoeuvring space	Total depth
90°	2.4m 2.6m 2.7m	0.61m	4.3m	8.2m 7.3m 6.4m	13.1m 12.2m 11.3m
75°	2.4m 2.6m 2.7m	0.61m	4.6m	5.5m 4.8m 4.3m	10.6m 10.1m 9.4m
60°	2.4m 2.6m 2.7m	0.61m	4.6m	3.9m 3.7m 3.7m	10.7m 8.8m 8.8m
45°	2.4m 2.6m 2.7m	0.61m	4.4m	3.7m	8.5m
30°	2.4m 2.6m 2.7m	0.30m	3.7m	3.7m	7.6m
0°	2.4m 2.6m 2.7m	0.30m	2.1m	3.7m	6.1m

- d) Every parking space shall be provided with the necessary manoeuvring space and access from and to the road, without requiring another vehicle to be moved.
- e) All required parking and manoeuvring space shall be kept clear to ensure it is able to be used for its intended purpose.
- f) Parking spaces shall have a gradient of no more than 1 in 8 in any one direction
- g) Where the assessment of the number of parking spaces results in a fractional space being required, any fraction less than half shall be disregarded. Fractions of one half or greater shall be considered as a requirement for one more parking space

Does not comply – as detailed in the Integrated Transportation Assessment, the central carparking spaces will infringe the minimum manoeuvring space requirement of 7.3m by 0.3m (as 7m of manoeuvring space is to be provided). The carparking spaces adjoining the vehicle crossing will have a width of 2.5m which is not provided for in Figure 1. This is a technical infringement.

Complies – all parking spaces will have adequate manoeuvring space and access from the road.

Will comply

Will comply.

N/A

	<p>h) Where activity on the site involves more than one category of land use, and those uses are unlikely to occur at the same time, parking will be calculated in relation to the activity having the greatest requirement. For a multi-purpose site where more than one facility may be used at the same time, the total parking requirements for each facility will have to be provided</p> <p>i) All on-site parking spaces and manoeuvring areas shall be located on the site containing the activity.</p>	<p>N/A</p> <p>Complies.</p>
<p>11.3.2 Provision of Loading Spaces</p>	<p>a) Where a change of use occurs that would increase the amount of goods handling by an activity, or where the floor area of a building is increased, an off-street loading space shall be provided.</p> <p>b) Loading spaces shall have at least a minimum width of 4 metres and a minimum depth of 8.5 metres</p> <p>c) All loading spaces shall be accessible at all times and not used for other purposes</p> <p>d) Loading spaces are not required in rural areas, however all stock loading races, and other loading/unloading facilities shall be located to avoid any vehicles undertaking loading or unloading on a public road.</p>	<p>Complies – N/A, No change in use</p> <p>Loading spaces are provided on-site</p> <p>Likely that the loading occurs through one of the drive-through lanes, adjacent to loading area.</p> <p>N/A</p>
<p>11.3.3 Vehicle Manoeuvring</p>	<p>On-site vehicle manoeuvring (such that reversing onto a road is avoided) is required to be provided for every parking and loading space provided on-site, in the following circumstances:</p> <p>a) Where a site bounds a state highway</p> <p>b) Where a site bounds a road with a posted speed limit of 70km per hour or greater</p> <p>c) Where any vehicle entrance serves more than 3 required parking and/or loading spaces; or</p> <p>d) Where a site is a rear site with vehicle access provided by an accessway in excess of 30 metres in length.</p>	<p>Complies – The site is on a State Highway and on-site manoeuvring is provided from every car parking space.</p> <p>N/A</p> <p>Complies (as above at 'a').</p> <p>N/A</p>

<p>11.3.4 Access</p>	<p>a) A formed vehicle crossing shall be provided to each site in accordance with Table 2, including on sites where there is an existing crossing but where the character, intensity, or scale of the land use activity increases</p> <p>b) Accessway gradients shall not exceed 1 in 6</p> <p>c) Vehicle crossings onto state highways shall comply with Table 3 or comply with NZTA requirements.</p>	<p>Complies –</p> <p>A complying vehicle crossing will be provided</p> <p>Gradients will comply.</p> <p>The proposed vehicle crossing will be onto a state highway and is expected to comply with Table 3 and/or any NZTA requirements.</p>
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<p>Table 2: Vehicle Crossing Width</p>	<table border="1"> <thead> <tr> <th data-bbox="625 521 1003 643">Type of Vehicle Crossing</th> <th data-bbox="1010 521 1430 643">Minimum Crossing Width</th> <th data-bbox="1436 521 1866 643">Maximum Crossing Width</th> </tr> </thead> <tbody> <tr> <td data-bbox="625 647 1003 764">Residential</td> <td data-bbox="1010 647 1430 764">3.5 metres</td> <td data-bbox="1436 647 1866 764">5 metres</td> </tr> <tr> <td data-bbox="625 769 1003 886">Rural</td> <td data-bbox="1010 769 1430 886">4.5 metres</td> <td data-bbox="1436 769 1866 886">8 metres</td> </tr> <tr> <td data-bbox="625 891 1003 980">Commercial and Industrial</td> <td data-bbox="1010 891 1430 980">4.5 metres</td> <td data-bbox="1436 891 1866 980">12 metres</td> </tr> </tbody> </table>			Type of Vehicle Crossing	Minimum Crossing Width	Maximum Crossing Width	Residential	3.5 metres	5 metres	Rural	4.5 metres	8 metres	Commercial and Industrial	4.5 metres	12 metres
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Table 3: State Highway Crossing Places	Posted speed limit (km/h)	85th percentile operating speed (or if not known, posted speed limit plus 10km/h)	Minimum sight distance (m)	Minimum distance between accessway and nearest intersection (m)	Minimum distance between local road accessway and intersection (m)
	Not applicable	50	89	30	20
	50	60	113	30	20
	60	70	140	30	20
	70	80	170	100	45

Chapter 15: Noise and Lighting		
15.2 Anticipated Environmental Results	Safeguarding the amenity levels of Residential, Rural Residential and Rural zones from intrusive noise and glare, particularly at night	The Site sits just within the Tirau Noise Boundary, whilst the site is zoned residential, the use is commercial and therefore the safeguarding is not applicable.
15.3.1 Zone-Based Noise Limits Daytime – 7am-10pm Night-time – 10pm-7am	<u>Residential Zone (Tirau)</u> Daytime: 50dB LAeq Night-time: 40dB LAeq, 70dB Lamax	Daytime – complies Night-time – 1-2dB infringement Night-time infringements are only predicted for two neighbouring sites (Primary School and Community Church), and to exceed limits it would require the combination of a peak 15-minute period of drive-through activity to coincide with a delivery vehicle visiting the site.

	<p><u>Town Centre Zone (Tirau)</u></p> <p>Octave based noise levels should not exceed: 75dB Leg (1 minute) at 63Hz, 65dB Leg (1 minute) at 125Hz.</p> <p>Daytime: 60dB LAeq</p> <p>Night-time: 55dB LAeq, 70dB Lamax</p>	<p>Complies –</p> <p>Daytime – complies (as above)</p> <p>Night-time – complies (maximum 42dB)</p>
<p>15.4 Measurement and Assessment - Noise</p>	<p>a) Noise shall be measured and assessed using these standards:</p> <p>NZS6801:2008 Acoustics: Measurement of Sound</p> <p>NZS 6803:1999 Acoustics – Construction Noise</p> <p>NZS 6806: 2010 Acoustics – Road traffic Noise</p> <p>b) Noise levels shall be measured and assessed in accordance with the relevant Standard(s).</p> <p>c) Where a scenario arises where the standards above are not best suited in assessing the noise source or receiver of interest, Council may through the resource consent process agree to the use of alternative standards.</p>	<p>Will comply –</p> <p>See Acoustic Assessment attached to this application as Appendix G.</p>
<p>15.7 Lighting and Glare</p>	<p>Effects of lighting are calculated using the procedure in NZS 6701:1983 Sections 6 and 7. For any light received at a residential property a comparison of the light generated at the source and the component having an effect on the receiver with a threshold increment of 20% or greater is deemed to be glare.</p> <p>The effect from the source shall not exceed an absolute increment on the ambient level of light specified in the following clauses:</p> <p>a) At no time between the hours of 7.00am and 10.00pm shall any outdoor lighting be used in a manner that causes an added illuminance in excess of 125 lux, measured horizontally or vertically at the boundary of any Residential, Rural Residential or Rural zoned site adjoining.</p>	<p>Complies –</p> <p>The exterior lighting will comply with these provisions by way of:</p> <p>Light spill and glare will be managed on-site by directional lighting (downward) and is expected to comply.</p>

	<p>b) At no time between the hours of 10.00pm and 7.00am shall any lighting be used in a manner that causes:</p> <ul style="list-style-type: none"> i. An added illuminance in excess of 10 lux measured either horizontally or vertically at the glazing of a habitable room of an adjoining dwelling within a Residential, Rural Residential or Rural Zone; ii. An added illuminance in excess of 20 lux measured either horizontally or vertically at any point along the boundary of a property zoned residential, rural residential or rural. <p>d) All lighting on any site adjoining a Residential zoned site shall be selected, located, aimed, adjusted, and screened to ensure that glare resulting from the lighting does not exceed a TI of 20%</p> <p>e) Lighting of traffic access and parking areas shall be selected, located, aimed, adjusted, and screened to ensure that stray light effects resulting from vehicles are mitigated.</p> <p>g) Development on all properties adjacent to State Highways should be undertaken in such a way that the emission of light from these properties does not adversely affect the safety of drivers on State Highways in accordance with NZTA police.</p> <p>h) Signage shall be constructed to comply with the following levels of luminance:</p> <ul style="list-style-type: none"> i. Daytime – 25 lux ii. Night-time – 10 lux <p>Luminance levels shall be measured vertically or horizontally anywhere along the affected site boundary in accordance with professional illumination engineering practice or any relevant NZ Standard.</p>	<p>Night-time lighting.</p> <p>Complies – as above at a).</p> <p>Will comply.</p> <p>Consultation with NZTA is ongoing and the proposal will continue its endeavours to comply.</p> <p>Will comply.</p>
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	i) No light source used for illuminating a sign, except for neon and side-emitting fibre optics, shall be visible to motorists on any road or road reserve.	Will comply – sign lighting will mirror that of its kind across the country and is therefore suitable for being adjacent to the road.
PART C TOWN ZONES		
Chapter 25: Tirau Residential Zone		
The Tirau Residential Zone covers the majority of the township of Tirau, with the remainder being zoned Tirau Town Centre or Industrial. The zone intends to encourage some limited intensification and re-development of existing residential properties, but in a manner that retains the ‘country village’ atmosphere and the generally low-density.		
25.3.3 Discretionary Activities	<p>Activities not permitted, controlled, RES-D or NC are discretionary.</p> <p>Rule 25.3.3 confirms that:</p> <ul style="list-style-type: none"> f) Retail Activities, and g) Restaurants, bars, and cafes <p>are to be assessed as Discretionary activities.</p> <p>Assessment criteria contained in Rule 8.4 is used when considering applications for a discretionary activity.</p> <p>See the Performance Standards in Rule 25.4 below which are used as a guide for Council assessment purposes.</p>	
25.4 Activity Performance Standards (Permitted, Controlled and Restricted Discretionary Activities (if granted))		
25.4.1 Scale of Activity and Access	<ul style="list-style-type: none"> a) No new direct vehicle accesses onto the state highway shall be created. b) Activities accessing a state highway shall not result in an increase in traffic that exceeds 100 vehicle movements in any peak hour. 	<p>Does not comply –</p> <ul style="list-style-type: none"> a) A new vehicle crossing is proposed onto the state highway. b) The peak vehicle movements will exceed 100 vehicle movements per hour. Refer to Integrated Transportation Assessment for further detail.
25.4.3 Building Height	<ul style="list-style-type: none"> a) Maximum Building Height - 8 metres a) Maximum Height in Relation to Boundary - No part of any building shall protrude through a plane rising at an angle of 45 degrees commencing at an elevation of 3 metres measured at the boundary. 	<p>Complies –</p> <p>Burger King max. 5m. Starbucks max. 6.77m.</p> <p>There are 10m light posts and a proposed prime sign 9m. Neither are ‘buildings’ under the OPD.</p>

<p>25.4.4 Building Setback</p>	<p>a) Building setback from the front boundary by min. 3 metres</p> <p>b) Building setback from side and rear boundaries min 1.5m.</p> <p>Subject to the written consent of adjoining owners any building setback (apart from front) may be reduced to whatever level is acceptable to the parties.</p>	<p>Does not comply –</p> <p>a) Complies form the main Starbucks building, noting that the Prime sign is located no more than 1m from the front boundary, noting that this is not considered a building.</p> <p>b) Does not comply. The Starbucks canopy over drive-through window 1 will be setback less than 1.5m from the northern side boundary.</p> <p>Note: all other buildings comply with the 1.5m side and rear yard setback.</p>
<p>25.4.5 Site Coverage</p>	<p>The maximum extent that buildings can cover a site is 40%.</p>	<p>Complies –</p> <p>The total building coverage is 511m² or 18.7%</p> <p>The overall site area is 2726m² and the 'building' coverage (according to GMC plans) is 511m². The landscaping is 240m².</p> <p>40% of total site area = 1090.4m²</p>
<p>25.4.7 Parking, Loading and Access</p>	<p>On-site car parking, loading spaces and vehicular access shall be in accordance with Chapter 11.</p>	<p>Complies –</p> <p>Refer to above assessment.</p>
<p>25.4.8 Noise, Vibration and Glare</p>	<p>Noise, vibration, and glare from any activity in the zone shall comply with the rules in Chapter 15.</p>	<p>Does not comply –</p> <p>Complies in part, see Chapter 15 Rules Analysis above.</p>
<p>25.4.9 Dust and Silt Control</p>	<p>There shall be no dust nuisance beyond the boundary of the site from which the dust is sourced.</p>	<p>Largely related to construction period, where sediment and dust will be management closely.</p>

<p>25.4.10 Signs</p>	<p>a) No sign shall exceed 0.75m² in area or exceed 3m in height. Only one sign per property is permitted.</p> <p>b) The sign must advertise the name of a business located on the property or otherwise relate to activities located on the property.</p> <p>c) Signs shall not detrimentally affect traffic safety by creating a visual obstruction or by causing confusion to motorists.</p> <p style="padding-left: 40px;">i. A sign must not mimic the design, wording, graphics, shape, or colour of an official traffic sign</p> <p style="padding-left: 40px;">ii. A sign may not prevent the driver of a vehicle from having a clear and unobstructed view of official traffic signs or signals, approaching, or merging traffic, corner, intersection, or vehicle crossing.</p> <p>d) In a speed environment of 70km/h and over, a sign must not incorporate reflective materials, flashing illumination, aerial display, animated display, moving display or any other non-static two- or three-dimensional mechanism designed to catch attention.</p> <p>e) The owner of a sign shall be responsible for ensuring that it is well maintained.</p>	<p>Does not comply – more than one sign is proposed, and signs exceed size thresholds.</p> <p>Complies - signage will relate to the two businesses located on the site.</p> <p>Complies – signage will not have a detrimental effect on traffic safety.</p> <p>Complies</p> <p>Complies</p> <p>N/A – the site is within a 50 km/hr speed environment.</p> <p>Complies</p>
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