

14 RESOURCE CONSENT- ASSESSMENT MATTERS

Note: The following Assessment Matters apply to both the ZONE RULES (Parts 4-7), and the DISTRICT-WIDE RULES (Parts 3.6, 3.7, 8-13). These assessment matters relate to the performance standards and activities listed controlled or discretionary activities.

Check to see if resource consents are also required from the Hawke's Bay Regional Council.

14.1 GENERAL

- 1 The following Assessment Matters are methods or matters included in the District Plan, in order to enable the Council to implement the Plan's policies and fulfil its functions and duties under the Act.
- 2 In addition to the applicable provisions of the Act, the Council shall also apply the relevant *Assessment Matters* set out in 14.2 below.
- 3 In the case of *Discretionary Activities*, where the exercise of the Council's discretion is restricted to the matter(s) specified in a particular standard(s), the assessment matters taken into account shall only be those relevant to that/those standard(s).

14.2 ZONE PERFORMANCE STANDARDS IN RELATION TO:

1. **Building and Residential Density - Residential and Township Zones**
Building Coverage - Township, Business, and Rural Zones
Building Height and Recession Lines - Residential, Rural and Township Zones
Building Height - Business Zones
Setback from Streets and Neighbours – All Zones
 - a) The degree to which the proposed buildings:
 - will be compatible with the character of the area, including the scale of other buildings in the surrounding area;
 - will overshadow adjoining sites and result in reduced sunlight and daylight;
 - will cause a loss of privacy through being over-looked from neighbouring buildings;
 - will block views from properties in the vicinity, or from roads or public open space in the surrounding area;
 - will diminish the openness and attractiveness of the street scene;
 - will detract from the amenity of adjoining sites, in terms of such matters as noise, odour, dust, glare or vibration occurring as a result of the building.
 - b) The ability of the applicant to:
 - provide adequate opportunity for garden and tree planting around buildings;
 - provide adequate vehicle parking and manoeuvring space on site;
 - provide adequate outdoor space on the site for all outdoor activities associated with residential and other activities permitted on the site;

- mitigate any adverse effects of increased height or exceedence of the recession planes, such as through increased separation distances between the building and adjoining sites or the provision of screening;
 - mitigate any adverse effects on people affected by the proposal.
- c) Where sewerage reticulation is not available to the site, the ability of the applicant to adequately dispose of effluent, which avoids:
- any potential contamination of groundwater;
 - any potential slope instability problems;
 - any potential odour, noise and vibration nuisance to neighbours;
 - any potential seepage of effluent at ground surface.
- d) The degree to which the non-compliance with the standard allows more efficient, practical and/or pleasant use of the remainder of the site.
- e) The degree to which alternative practical locations are available for the building.

Please refer to Assessment Matter 14.2.9 in relation to setback from roads in the Commercial frontage Area of the Business 1 Zone.

2. Electrical Safety Distances - All Zones

- a) The degree to which the proposed building or structure, or earthworks, may pose a safety risk to those concerned in the construction or subsequent occupation or use of any building or structure.
- b) The degree to which the proposed earthworks may pose a safety risk to those concerned carrying out the earthworks or the increased risk caused by the completed earthworks.
- c) The degree to which the non-compliance with the standard allows more efficient, practical and/or pleasant use of the remainder of the site.
- d) The degree to which alternative practical locations are available for the building.

3. Outdoor Living and Service Space - Residential and Township Zones

- a) The degree to which the reduction in outdoor living or service space and/or its location will adversely affect the ability of the site to provide for the outdoor living or service needs of likely future residents of the site.
- b) Any alternative provision on, or in close proximity to, the site for outdoor living or service space to meet the needs of likely future residents of the site.
- c) The degree to which access to alternative outdoor living or service space (e.g. balconies or communal open space) is provided.

4. Access - Residential and Township Zones

- a) The degree to which alternative formed access can be assured to the residential unit in the long-term; or,
- b) the degree to which the level and nature of the use of the residential unit will make it unlikely that access by way of a formed road will ever be necessary.
- c) The level of financial contribution required to be made to the Council towards the formation of a road to a standard suitable for residential access, taking into

account the levels of traffic likely to be generated by the use of the residential unit in relation to the existing use of the road.

5. Noise - All Zones

Noise from Aircraft Engines, Waipukurau Aerodrome

- a) The degree to which excessive noise generation will affect the enjoyment of any public place or residential area in the vicinity.
- b) The degree to which the noise contrasts with the characteristics of the existing noise environment in terms of level, duration and timing, and the impact of any cumulative increase.
- c) The nature of measures to mitigate excessive noise levels and the degree to which they would be successful.

6. Hours of Operation - Residential and Township Zones

- a) The degree to which additional visitors, employees, customers or suppliers to the site will result in traffic generation and pedestrian activity that is incompatible with the character of the surrounding area
- b) Any adverse effects of the extended hours in terms of noise, vibration, glare, loss of privacy, traffic and/or parking congestion.

7. Heavy Vehicle Storage - Residential Zone

- a) The degree to which the vehicles being stored can be viewed from adjoining sections, the road and public places and the degree to which screening (either by fences, buildings or landscaping) may mitigate any adverse visual impact.
- b) The degree of noise that may be generated from the starting, manoeuvring and mechanical repair of vehicles on site and the degree to which this will contrast with the existing noise environment.
- c) Where a heavy vehicle to be stored has been used for the cartage of animals the procedures to be adopted for the washing down of the vehicles and the disposal of the waste and wash water.
- d) Where a building is to be erected for the purpose of storing heavy vehicles refer to the assessment matters in **14.2.1** above.

8. Noxious or Unpleasant Activities - Residential and Township Zones

- a) The hours of operation or frequency with which the activity is proposed to be undertaken and the degree to which this will affect the amenity of the area in terms of noise generation, glare, lighting, vibration, odour, waste, effect on traffic safety and efficiency, privacy and community identity and character.
- b) The level, duration and frequency of noise to be generated and the degree to which this will contrast with the existing noise environment and impact on any cumulative increase.
- c) The degree to which the visual characteristics of the activity to be established are compatible with the amenity of the surrounding area and the degree to which screening or landscaping are able to mitigate any adverse impact.

- d) The volume and type of traffic which may be generated to the site and the ability of the site to accommodate parking, loading, manoeuvring and access requirements including the frequency and timing of vehicle movements and the degree to which these may have an effect on the surrounding environment in terms of noise, generation of fumes and the safety and efficiency of the road network.
- e) Where a building is to be erected for the purpose of noxious industries refer to the assessment matters in **14.2.1** above.

9. Windows, Verandahs and Setback in the Commercial Frontage Area- Business Zone 1

- a) Where a windows or verandahs are not to be provided, the degree of the effect this will have on the visual continuity of building frontage as viewed from the street and on the form and character of buildings in areas of intensive business activity.
- b) The volume of pedestrians using the street and the potential impact that a blank wall may or lack of verandah would have on the amenity interest and attractiveness of the street.
- c) The volume of pedestrians using the street and the degree to which they will be exposed to adverse climatic conditions.
- d) Whether a new verandah or window would detract from the heritage values of a building.
- e) The design and appearance of the building and its compatibility with other adjoining buildings in terms of design, height, setback and scale.
- f) The degree to which setback from the road boundary will affect the visual continuity of the building frontage along the street and the character of the area.
- g) The means to mitigate the loss of continuity and character through landscaping.

10. Amenity of Residential Areas Adjoining the Business Zones - Business Zones

- a) Setback and Recession Planes.
Refer to assessment matters specified in **14.2.1** above.
- b) Screening
The degree of the visual impact of buildings and outdoor storage areas on sites with a reduced area of planting.
- c) The degree to which the site is visible from adjoining sites, particularly from residential areas.
- d) The degree to which other factors may compensate for a reduced landscaped area, such as:
 - i) a higher quality of planting over a smaller area;
 - ii) a high standard of architectural design that is not visually obtrusive;
 - iii) the type of building materials used;
 - iv) the location of different activities on site and their relationship to the boundaries of the site and their visibility from the general area.

11. Outdoor Storage - Township and Business Zone

- a) The degree to which materials or equipment associated with the activity need to be stored outside the building, taking account of:
 - i) the nature, coverage area and height of materials or equipment;
 - ii) the intended duration of materials or equipment to be outside a building.
- b) The degree to which provisions would be needed for:
 - i) security;
 - ii) control of litter and vermin;
 - iii) prevention or containment of fire hazard.
- c) Where goods are not stored to the rear of a building or not screened from public view, the degree to which the outdoor storage will be compatible with the appearance, layout and functioning of other sites in the adjoining area, and the degree to which it will detract from the attractiveness of the site, as viewed from adjoining roads and sites.

12. Domestic Waste Water Disposal - Rural Zone

- a) Where sewerage reticulation is not available to the site, the ability of the applicant to adequately treat and dispose of effluent, which avoids:
 - i) any potential contamination of groundwater and surface water;
 - ii) any potential slope instability problems;
 - iii) any potential odour, noise and vibration nuisance to neighbours;
 - iv) any potential seepage of effluent at ground surface.
- b) Whether there is an existing treatment and disposal problem in the area, and the degree to which the proposal may exacerbate the problem.

13. Effluent Disposal from Factory Farming - Rural Zone

- a) The degree to which the effluent disposal operation is likely to lead to odour or health nuisances beyond the boundary of the site, and in particular, the technology and management systems proposed to mitigate the odour, including:
 - i) the volume and strength of effluent to be disposed;
 - ii) the design of the waste management systems;
 - iii) waste treatment measures employed.
- b) The degree to which there are odour sensitive activities in the vicinity of the proposal.
- c) The degree to which the proposed factory farming operation complies with relevant codes of practices promulgated by industry organisations.

14. Coastal Margin Area - Rural Zone

- a) Degree to which the exotic tree planting or buildings will adversely effect the natural character of the coastline, including:
 - i) the loss of key views or viewpoints; and the loss of accessibility to key views or viewpoints;
 - ii) any obscuring of landforms or natural features;
 - iii) the loss or modification of the natural landscape pattern; including the loss of underlying landform pattern;
 - iv) the loss or obscuring of present vegetation patterns;
 - v) the loss of openness and spaciousness of the coastline, and the apparent naturalness of the coastline.

- b) The need for tree planting for soil conservation purposes.

15. Tree Planting - Rural Zone

- a) Setback from properties
The degree to which planting within the setback area can adversely affect the health of vegetation or stock, or cause a significant increase in the risk of fire.
- b) Setback from roads
The degree to which planting will cause icing of the roads in winter, or root damage to the road.
- c) Setback from Neighbouring Residential Units
The degree to which the planting will overshadow adjoining sites and result in reduced sunlight and daylight.
- d) Interference with structures
The degree to which trees may potentially damage structures due to wind fall or root growth.

16. Setback From Faultlines

- a) The likelihood of the proposed activity, including the addition or establishment of any building, being at risk from the rupture and movement of a fault.
- b) The potential safety risk to people or the potential loss of assets.
- c) The ability of the building to be relocated and the costs of relocation.

17 Buildings by Waipukurau Aerodrome – Business 2 and Rural Zone

- a) The degree to which any building may compromise the safety of aircraft arriving or departing from Waipukurau Aerodrome.

18 Sites of Significant Conservation value - Rural Zone

- a) The degree of significance of a species or community of indigenous flora or fauna at the specific locality of the proposed activity. In particular:
 - i) The status of a particular plant, bird or other fauna in the district, region, or nationally.
 - ii) The general rate of decline of a particular plant, bird or other fauna in the district, region or nationally.
 - iii) The range or diversity of species in a particular plant community, and the importance of an area providing habitat for birds or other indigenous fauna.
- b) The extent to which the proposed activity threatens the indigenous plants, bird or other fauna identified at the site, and the availability of alternative sites which could accommodate the activity.
- c) The extent to which the existing health of flora or fauna at the site has already been compromised.

- d) The extent to which the environment in and adjoining the site is sensitive to modification.

14.3 CONTROLLED ACTIVITIES IN RELATION TO:

1. Community Activities and Recreation Activities (greater 100m² gross floor area), Commercial Activities - Residential Zone

- a) Conditions on building setback, landscaping and screening may be imposed so that the proposed buildings and signs:
 - i) are compatible with the character of the area, including the nature and scale of other buildings in the surrounding area;
 - ii) limit the loss of privacy to neighbours through being over-looked by buildings;
 - iii) limit the loss of openness and attractiveness of the street scene;
 - iv) allow sufficient sunlight and daylight admission to adjoining sites.
- b) Conditions on carparking may be imposed so that the adverse effects caused by the volume and type of traffic which may be generated to the site is avoided or mitigated by appropriate parking, vehicle queuing, loading, manoeuvring and access design, as well as any necessary landscaping.

2. Residential Activities, Resthomes, Visitor Accommodation, Hospitals and Educational Facilities - Business Zone

- a) Conditions on building design to incorporate noise attenuation measures so as not to compromise the ability of nearby businesses or Waipukurau Aerodrome to continue to operate.

3. Industrial Activities - Rural Zone

- a) Conditions on building setback, landscaping and screening may be imposed so that the proposed buildings, yards and other structures:
 - i) are compatible with the character of the rural area;
 - ii) limit the loss of privacy to neighbours through being over-looked by buildings;
 - iii) limit the loss of openness and attractiveness of the street scene;
 - iv) allow sufficient sunlight and daylight admission to adjoining sites.
- b) Conditions on noise, dust, glare, odour, waste and vibration may be imposed, taking into account the existing ambient environment, the proximity of neighbours (including residential dwellings) and the frequency and/or intensity/level of the dust, glare, odour or vibration being produced.

4 Keeping of Goats, Chinchilla and Mustelids - Rural Zone

- a) Conditions may be imposed on the type and height of cages, fences and gates to ensure containment of animals.
- b) Conditions may be imposed on the building to ensure containment of animals.
- c) Conditions may be imposed on the management practices that would avoid escape of animals into the environment.

5. Outstanding Landscape Views - Rural Zone

- a) Conditions may be imposed on the siting and layout of buildings and/or trees to retain the maximum potential for view of the landscape in question.

14.4 DISCRETIONARY ACTIVITIES IN RELATION TO:

1. Pigs, Poultry, Roosters and Bees - Residential and Township Zones

- a) The nature of and reason for the number of pigs, poultry, roosters, and bees to be kept and the methods of effluent disposal and the degree to which this activity will detract from the amenity of the residential environment in relation to odour, noise and outlook.
- b) The degree to which the animals will be housed within buildings and the proximity of those buildings to adjoining properties. Where animals are free ranging the means of separating them from boundary fences and other property in separate ownership.
- c) The volume and type of traffic which may be generated to the site in relation to the keeping of animals, bees, poultry and/or pigs and the ability of the site to accommodate parking, loading, manoeuvring and access requirements.
- d) Where a building is to be erected for the purpose of animal keeping refer to the assessment matters in **14.2.1** above.

2. Home Occupations - Residential Zone

- a) The degree to which the character of the site will remain dominated by open space or tree and garden plantings rather than by buildings and areas of hard surfacing.
- b) The degree to which the activities on the site remain dominated by residential activities, rather than by activities which are not associated with or incidental to residential activities on the site.
- c) The degree to which additional employment is an integral and necessary part of other activities being undertaken on the site and assists in providing alternative home-based employment and income-generating opportunities for residents or occupiers of the site.
- d) The degree to which the activity provides a local function by meeting the needs of residents principally within the surrounding environment.
- e) Any adverse effects of the home occupation in terms of noise, vibration, glare, odour, dust, loss of privacy, traffic and/or parking congestion.
- f) For matters concerned with outdoor storage, manufacturing, altering, repairing, dismantling or processing of any goods or articles associated with a home occupation outside a building refer to assessment matter **14.2.11** - outdoor storage in addition to the above.
- g) Where a building is to be erected for the purpose of a home occupation refer to the assessment matters in **14.2.1** above.

3. Visitor Accommodation - Residential and Township Zones

- a) Any adverse effects of the likely traffic and pedestrian generation from the proposed visitor accommodation in terms of:
 - i) Noise, vibration and glare from vehicles entering and leaving the site or adjoining road, which is incompatible with the levels acceptable in a medium-density residential environment;
 - ii) Loss of privacy;
 - iii) Levels of traffic congestion, reduction in levels of traffic safety, or reduction in availability of on-street parking, which are inconsistent with the classification of the adjoining road;
 - iv) Any cumulative effect of traffic generation from the activity in conjunction with traffic generation from other activities in the vicinity.
- b) The ability to mitigate any adverse effects of the additional traffic generation such as through the location and design of vehicle crossings, parking and loading areas or through the provision of screening (Other factors may reduce the effect of the additional traffic generation, such as infrequency of the activity, or limited total time over which the traffic movements occur).
- c) In addition, regard should be given to assessment matters specified in **14.2.1** above.

4. Factory Farming - Rural Zone

- a) The degree to which the factory farming operation will be compatible with the character of the surrounding rural area, including the density of and proximity to residential units in the area.
- b) The degree to which the proposed factory farming operation is likely to lead to odour, dust, noise or health nuisances beyond the boundary of the site, and in particular, the technology and management systems proposed to mitigate noise or odour nuisance, including:
 - i) the size of the proposed factory farming operation and its associated site;
 - ii) the design of the buildings, facilities, and waste and noise management systems;
 - iii) the management and operation of the waste and noise management systems;
 - iv) waste treatment measures employed;
 - v) odour and noise abatement measures employed.
- c) The degree to which existing or proposed landscaping, including plantings, will shelter and screen the proposed site.
- d) The degree to which the proposed buildings, will be compatible with the appearance, layout and scale of other buildings and sites in the surrounding area.
- e) The degree to which the proposed factory farming operation complies with relevant codes of practices promulgated by industry organisations.
- f) Where a building is to be erected for the purpose of a factory farming operation refer to the assessment matters in **14.2.1** and refer to assessment matters in **14.2.13** for effluent disposal associated with a factory farming operation.

5. Mining Activities and Commercial Gravel Extraction- Rural Zone

- a) The degree to which the activities of vegetation clearance and the excavation and removal of material associated with mining impact on amenity values, landscapes values and nature conservation values (including the degree of significance of a species or community of indigenous plants and animals at the specific locality of the proposed mining activity).
- b) The ability of the proposal to rehabilitate the site after mining so that:
 - i) long term stability of the site is ensured;
 - ii) landforms or vegetation on finished areas are visually integrated into the landscape;
 - iii) land is returned to its original productive capacity, where appropriate;
 - iv) water and soil values are protected.
- c) The ability of operation to avoid or mitigate dust, noise, lighting and vibration so that amenity value is not at risk.
- d) The ability of the company to provide a contingency plan for early mine closure, including an evaluation of the risk to the neighbouring community and environment and the ability of the company to provide a bond to the Council for the purpose of rehabilitating operation areas in the event of a premature closure.
- e) Where a building is to be erected as part of a mining operations refer to the assessment matters in **14.2.1-14.2.5** above.

6. Motorised Craft on the Lakes and Rivers - Rural Zone

- a) The degree to which the water-based activity will adversely affect the range of recreational opportunities available on Tukituki River and tributaries, or the quality of experience of the people partaking of those opportunities, i.e. will reduce the enjoyment and opportunity for fishing and swimming.
- b) The degree to which motorised craft are compatible with, and will not adversely affect the spawning of trout, or trout habitat generally.
- c) The degree to which motorised craft will compromise levels of public safety.
- d) Any adverse effects of the proposed motorised craft in terms of:
 - i) Noise and vibration that is incompatible with the levels acceptable in a particular lake or river;
 - ii) Accumulation of litter and waste, and access to toilet facilities;
 - iii) Any cumulative effect from the activity in conjunction with other activities in the vicinity.

7. Offensive Processes - Business Zone 2

- a) The nature of the offensiveness of the activity and the degree to which this may adversely affect the amenity and character of the surrounding environment and, in particular, sites in any residential area.
- b) The duration and frequency with which the offensiveness will occur; any possible methods to contain or mitigate the offensive element; and the degree to which this is likely to be effective.

8. Retailing (less than 400m² gross floor area) - Business Zone 2

The effects of the retailing of additional goods and/or additional retail activities, in respect to the following:

- a) The likelihood that the compactness, convenience, vitality and pleasantness of the Commercial Frontage Area of Business Zone 1 for shoppers, visitors and workers is compromised.
- b) The degree to which retailing of a wider range of goods will adversely affect the consolidation of the Commercial Frontage Area of Business Zone 1 and the effect this may have on the use of existing infrastructure, such as car-parking, street works or street lighting, and on the amenity of those zones.
- c) The extent to which there would be any adverse effects on traffic movement, safety and efficiency, parking and access within the vicinity of the site.
- d) The degree to which the activity would result in adverse effects on the amenity of sites in adjoining zones.
- e) The potential for the establishment of retailing activities to create a nucleus for the aggregation of further retail activity in the vicinity.
- f) The effect of a smaller floor area or multi-purpose retail outlet being established in the Business Zone 2 on the consolidation of business areas where there is no limitation on retail activity.

9. Catteries and Kennels – Business and Rural Zones

- a) The degree to which the cattery or kennel will be compatible with the character of the surrounding rural area, including the density of and proximity to residential units in the area.
- b) The degree to which the proposed cattery or kennel is likely to lead to odour, noise or health nuisances beyond the boundary of the site, and in particular, the building design and management systems proposed to mitigate noise or odour nuisance.
- c) The degree to which the proposed buildings, will be compatible with the appearance, layout and scale of other buildings and sites in the surrounding area.
- d) Where a building is to be erected for the purpose of a cattery or kennel refer to the assessment matters in **14.2.1**.

10. Licensed Premises – Business and Rural Zones

- a) Any adverse effects of the extended hours in terms of noise, vibration, glare, loss of privacy, traffic and/or parking congestion.
- b) The degree to which late night noise and traffic are incompatible with the character of the surrounding area.
- c) The nature of measures to mitigate excessive noise levels and traffic disturbance.
- d) Where a building is to be erected for the purpose of a licensed premises refer to the assessment matters in **14.2.1**.

14.5 TRANSPORT ASSESSMENT MATTERS

1. Parking and Loading

- a) Whether it is physically practicable to provide the required parking or loading spaces on the site in terms of the existing location of buildings, access to the road, topography and utility location.
- b) Whether there is an adequate alternative supply of parking or loading spaces in the vicinity. In general on-street parking is not considered an alternative.
- c) Whether there is another site in the immediate vicinity that has available parking or loading spaces that are not required at the same time as the proposed activity. In such a situation the Council may require the associated parking or loading spaces to be secured by way of written agreement and adequate signage to inform customers of its availability.
- d) Whether the car parking or loading will be unusually low as a result of business practice.
- e) Whether a significant adverse effect on the character and amenity of the surrounding area will occur as a result of not providing the required parking or loading space.
- f) The degree to which the safety and efficiency of the surrounding roading network would be adversely affected by parked and manoeuvring vehicles on the roads.
- g) Any cumulative effect of the lack of on-site parking and loading spaces in conjunction with other activities in the vicinity, not providing the required number of parking or loading spaces.
- h) The degree to which any reduction in the design characteristics will result in the parking and loading area and/or access and manoeuvring areas being impractical, inconvenient or unsafe to be used by vehicles or pedestrians.

2. Access

- a) Whether adequate sightlines are available from alternative access points.
- b) The degree to which the safety and efficiency of the adjoining road would be compromised by an access point located closer to an intersection, or with a lesser unobstructed sight distance, than is permitted by the Plan.
- c) The degree to which on-street parking will be lost and cause adverse effect on neighbours.
- d) The ability for vehicles to queue and park or be serviced on site without affecting the safe movement of vehicles or pedestrians along the adjoining road or footpath or the movement of vehicles and pedestrians using the on-site facilities.
- e) Whether the hours of operation of activities on the site coincide with the peak flows and vehicle queues on the road.
- f) Whether the speed and volume of vehicles on the road will increase the adverse effects of the access on the safety of road users and whether safety and efficiency could be enhanced by the provision of acceleration and deceleration lanes.

3. Access onto a State Highway

- a) The degree to which the safety and efficiency of the State Highway would be compromised by an additional access point, taking into account the geometry of the highway at that location and the visibility for traffic.
- b) Whether the speed and volume of vehicles at that location will increase the adverse effects of the access on the safety of road users and whether safety and efficiency could be enhanced by the provision of acceleration and deceleration lanes or other design solutions.
- c) The degree to which alternative practical locations are available for the accessway.

4. Vehicle Oriented Commercial Facilities

- a) The degree to which the location of the site, in combination with the position of any proposed and existing access points and the actual or potential vehicle operation, will affect the safe and efficient movement of traffic onto and off the site and along the adjoining roadway, taking into account the following matters:
 - i) the numbers and types of manoeuvres anticipated to be undertaken at adjacent intersections;
 - ii) the forms of control at adjacent intersections;
 - iii) the functions of the frontage road and any intersecting roads;
 - iv) the speed and volumes of through traffic;
 - v) the physical features of the roadway, i.e. number of lanes, visibility;
 - vi) whether the driveway will be on an upstream or downstream side of the intersection.
- b) The degree to which tankers and other heavy vehicles may enter and exit the site without excessive manoeuvring or disruption to vehicles on the site or the safe movement of vehicles along the adjoining road.
- c) Relevant assessment matters from Access above.

14.6 SUBDIVISION ASSESSMENT MATTERS

1. Lot Size and Dimensions

Note: *There are no specified minimum lot sizes in the Business or Township Zones, or for access, utilities, reserves and roads lots in the Residential Zone. A minimum lot dimension is required for all zones but again does not apply to access, utilities, reserves and roads lots in any zone.*

Subdivision in the Business and Township Zones is a Controlled Activity in respect of lot size and dimension. Minimum lot size in the Residential Zone is 350m² and in the Rural Zone is 4,000m². The following assessment matters apply below.

- a) Whether the lot is of sufficient area and dimensions to effectively fulfil the intended purpose or land use, having regard to the rules for the relevant zone.
- b) Whether the proposed lot sizes and dimensions are sufficient for operational and maintenance requirements and in particular the disposal of effluent on the site, where necessary.

- c) The relationship of the proposed lots and their compatibility with the pattern of the adjoining subdivision and land use activities, and access arrangements.
- d) The effects of the subdivision on the amenity of the area, in particular the cumulative increase in the density of residential dwellings, the loss of rural outlook and the increase of traffic.

2. Subdivision Design

- a) The relationship and size of the lots in terms of their solar advantage including the alignment and layout of the lot, the location of building platform, relationship to adjoining lots.
- b) The provision for and practicality of walkways and cycleways, and the relationship of these to reserves (existing or proposed), access to the waterways, etc.
- c) The provision for and practicality of using natural stormwater channels and wetland areas.

3. Property Access

- a) Whether the frontage road is of sufficient width to cater for the expected traffic generated by the possible land uses that will be established on the lots being created, and whether there is any need to widen and/or upgrade the frontage road.
- b) Where any proposed subdivision in any zone has frontage to any existing road(s) that is/are not constructed to the standards set out in Rule 9.10 (h) and/or where road widening is required; whether the land uses that will be established on the proposed lots will increase the use of that road(s) to the degree that forming or upgrading the existing road(s) is required and, therefore, whether there is any need for the applicant to pay to the Council a financial contribution towards the forming or upgrading of the road(s). Such financial contribution shall not exceed the degree to which the road(s) serves or is intended to serve the subdivision and, where the road(s) is/are adjacent to the subdivision, shall not exceed half the cost of the formation or upgrading works.
- c) The costs of providing carriageway formation and widening, berm formation, footpaths, kerb and channel, as the case may be, shall be negotiated by the developer and the Council. An estimation of the contribution may be obtained from Council staff.
- d) Any impact of roading and access on waterways, ecosystems, drainage patterns or the amenities of adjoining properties; and the need for tree planting in the open space of the road to enhance the character and identity of the neighbourhood.
- e) The effect of any new intersections or accesses created by the subdivision on traffic safety and efficiency, including the availability of adequate, unobstructed sight distances from intersections and adequate spacing between intersections.
- f) The provisions of the Code of Practice for Urban Land (NZS 4404 1981).
- g) The application of the requirements of Section 321, Local Government Act, 1974, to any subdivided lot.
- h) The need for and practicality of providing vehicular access to all lots, and the practicality of providing access elsewhere for vehicles.

- i) The account taken of pedestrian movement.
- j) The degree to which proposed new roads make adequate provision for vehicle movements, car-parking, property access and cyclists.
- k) The need to provide alternative access for car-parking and vehicle loading in Business Zones by way of vested service lanes at the rear of properties having regard to alternative means of access and performance standards for activities within such zones.
- l) Where in the course of a subdivision a new road is to be constructed and vested that will, or could, provide frontage to other land, the need for the Council to enter into an agreement with the subdivider that permits the creation of a point strip that separates that other land from the new road, and ensures that the benefiting owner pays a fair share towards the costs of providing the frontage road. The point strip would be vested as legal road when the adjoining benefiting owner pays the required amount. The point strip agreement would set the amount to be paid, which will vary depending on the costs involved in each individual circumstance. The agreements would be held by the Council and be available on request for inspection. The benefiting owner would be informed of the cost at the time of the point strip creation. They can be identified by the point strip separating the subsequent property from frontage to the road. The contribution values of the benefiting owners will be adjusted annually on 30 June each financial year, in accordance with the Construction Price Index, beginning on 30 June 1997.
- m) Any need to require provision be made in a subdivision for the vesting of road reserves for the purpose of facilitating connections to future roading extensions to serve surrounding land, or planned road links that may need to pass through the subdivision and the practicality of creating such easements at the time of subdivision application in order to facilitate later development.
- n) Any need to require subdividers to enter into agreements that will enable the Council to require the future owners to form and vest roads when other land becomes available.
- o) The need for construction standards and on-going maintenance for private vehicular access, including access to individual lots, whilst ensuring that access is practical, convenient and safe.
- p) The need to provide for appropriate standards of street lighting or private vehicular access lighting.
- q) The need to provide distinctive names for private vehicular accesses. The name to be agreed to by the Council.
- r) The need for and degree of any financial contribution to achieve the above matters.

4. Natural Hazards

- a) Any information held on the Council's Natural Hazard registers.
- b) Information obtained by suitably qualified experts, whose investigations are supplied for subdivision applications.

- c) The applicant's or their Consultant's report, detailing the measures that have been or will be taken to avoid, remedy, or mitigate any hazard that may occur on the property.
- d) Potential adverse effects on other land that may be caused by the subdivision or anticipated land use activities.
- e) In relation to inundation from any source, the:
 - i) effects of any proposed filling being undertaken to avoid inundation and the consequential effects on the natural drainage pattern and adjoining land;
 - ii) erection of stopbanks and their environmental effects;
 - iii) need for boundary drainage to protect surrounding properties;
 - iv) adequacy of existing outfalls and any need for upgrading;
 - v) need for retention basins to regulate the rate and volume of surface run-off.
- f) In relation to erosion, falling debris or slippage, the need for ongoing conditions aimed at avoiding, remedying or mitigating future potential adverse effects, and any need for registration of consent notices on the lot's Certificate of Title.
- g) In relation to subsidence, the provision of suitability certificates, such as NZS 4431, or if not appropriate, the setting of ongoing conditions, with consent notices registered on the Certificates of Title.
- h) In relation to contaminated site, any soil tests, establishing suitability, and methods to avoid mitigate or remedy the effects, including removal to approved disposal points.
- i) In relation to land filling and excavation operations, the following factors:
 - i) effects on surrounding properties;
 - ii) natural pattern of surface drainage;
 - iii) type of and placement of fill material;
 - iv) mitigation, or avoidance, of adverse effects caused by dust or siltation affecting neighbouring properties;
 - v) remedies necessary during emergencies.
- j) The likelihood of the proposed subdivision, including the establishment of potential assets such as residential units, being threatened by inundation or coastal erosion.
- k) The ability of any buildings on the land being subdivided to be relocated, the estimated cost of the relocation, and the possible destination of a relocated building.

5. Water Supply

- a) The suitability of the proposed water supply for fire fighting purposes; (*The Council may obtain a report from the Chief Fire Officer*).
- b) The provisions of the Code of Practice in respect to installation of all necessary water supply pipe lines, and ancillary equipment necessary for the subdivision, including extensions to existing supply systems, and including mains, sub-mains, service mains and fire hydrants and water storage tanks.

- c) The need to install isolating valves generally with back flow prevention at the street boundary or at the net site boundary where this is not the street boundary.
- d) Whether the existing water supply systems, to which the connection will be made, have sufficient capacity to service the subdivision, and if not whether the subdivider should contribute towards the upgrading of the system based on the cost of supplying the incremental increase in demand by the additional lots, in addition to installing the extensions of the supply within the subdivision.
- e) Whether it may be necessary to provide new reservoirs, pumping stations and rising mains, or increasing pipe sizes leading to the subdivision in existing streets, or providing new headworks and new pumping units.
- f) Where it is necessary to upgrade the reticulated water supply system in order to cater for the subdivision, any costs to be borne by the subdivider, calculated on the cost of supplying the increase in demand as a result of the additional lots.
- g) Whether, because of increased demand that the potential land users may impose upon the system, an upgrading contribution should be made towards a programmed plan for installation of new headworks and pumping units.
- h) The need for a local purpose reserve to be set aside and vested in the Council as a site for a public utility.
- i) The need for and degree of any financial contribution to achieve the above matters.

6. Stormwater Disposal

- a) The provisions of the Code of Practice for Urban Land (NZS 4404: 1981).
- b) The adequacy of any proposed means of disposing of collected stormwater from the roofs of all buildings and impermeable surfaces.
- c) The adequacy of any proposed means for screening out litter, the capture of chemical spillages, the containment of contamination from roads and paved areas and of siltation.
- d) The ability to retain open natural waterway systems for stormwater disposal in preference to piped or canal systems and any adverse impacts on existing waterways.
- e) The availability of an approved outfall where stormwater can be directed, whether such an outfall is capable of absorbing increased run-off and the need for and desirability of requiring a connection to such an outfall.
- f) Whether the existing stormwater disposal systems, to which any connection will be made, have sufficient capacity to service the subdivision, and if not whether the subdivider should contribute towards the upgrading of the system based on the cost of supplying the incremental increase in demand by the subdivision, in addition to installing the extensions of the supply within the subdivision.
- g) Where an existing outfall is not capable of accepting increased run-off, the adequacy of proposals and solutions for disposing of run-off.
- h) Any necessity to provide on-site retention basin to contain surface run-off where the capacity of the outfall is incapable of accepting flows, and where the outfall

has limited capacity, any need to restrict the rate of discharge from the subdivision to the same rate of discharge that existed on the land before subdivision takes place.

- i) Any adverse effects of the proposed subdivision on drainage on, or from, adjoining properties and mitigation measures proposed to control any adverse affects.
- j) For stormwater pipes and open waterway systems, the provision of appropriate easements in favour of either the registered user or in the case of the Council, easements in gross, to be shown on the survey plan for the subdivision, including private connections passing over other land protected by easements in favour of the user.
- k) Where it is not possible to dispose of stormwater by way of gravity pipelines, due to topography, the adequacy of alternative pumping systems.
- l) Where stormwater disposal cannot be obtained by gravity outfall, the necessity for land to be filled against the fall of the country, solely to obtain such an outfall, and whether it is practical to provide easements through adjoining owners' land to other frontage outfall systems.
- m) The need for a local purpose reserve to be set aside and vested in the Council as a site for a public utility for stormwater disposal purposes.
- n) The need for and degree of any financial contribution to achieve the above matters.

7. Sanitary Sewage Disposal

- a) The capacity, availability, and accessibility of the reticulated system to serve the proposed subdivision.
- b) Whether the existing sanitary sewage disposal systems, to which the outfall will be connected, have sufficient capacity to service the subdivision, and if not whether the subdivider should contribute towards the upgrading of the system based on the cost of supplying the incremental increase in demand by the additional lots, in addition to installing the extensions of the supply within the subdivision.
- c) Where it is not possible to provide a reticulated system with a gravity outfall, the feasibility of individual pump connections with their private rising mains, or new pumping stations, complete pressure, or vacuum systems.
- d) The relevance of any existing cost sharing scheme and whether the proposed reticulation will benefit other property owners.
- e) Where a reticulated system is not available, or a connection is impractical, provision of on-site effluent disposal systems in accordance with either District Plan Rules or by a discharge permit issued by the Hawke's Bay Regional Council.
- f) Where a reticulated system is not immediately available but is likely to be in the near future, the appropriateness of temporary systems.
- g) Provision made by the applicant for monitoring mechanisms to ensure contaminants are not discharged into the environment from on-site effluent disposal systems, together with any consent notices to ensure compliance.

- h) The need for a local purpose reserve to be set aside and vested in the Council as a site for a public utility for sanitary sewage disposal purposes.
- i) The need for and degree of any financial contribution to achieve the above matters.

8. Trade Waste Disposal

- a) Whether any proposal to create lots for any business activity or other activity generating trade wastes will have the potential to discharge to outfall trade wastes.
- b) Whether the volume or type of trade waste generates a need for appropriate outfalls to be provided.
- c) Where a reticulated system is not available, any consents that may be required for discharge of permits from the Hawke's Bay Regional Council in conjunction with the subdivision consent.
- d) The need for and degree of any financial contribution to achieve the above matters.

9. Vegetation Protection

- a) Whether any significant landscape or natural features, indigenous vegetation, or habitat on the site have been identified in the Plan as having conservation value or amenity value that they should be retained.
- b) Whether any means of protecting significant natural features, indigenous vegetation, or habitat in perpetuity such as a QEII National Trust covenant or other similar instruments are proposed.
- c) Whether a local purpose reserve should be set aside and vested in the Council to preserve any natural feature, vegetation or conservation value on the site.

10. Easements

- a) Whether there is a need for easements:
 - i) where a service or access is required by the Council;
 - ii) for stormwater passing through esplanade reserves where drainage will be to the river;
 - iii) to meet network operator requirements;
 - iv) in respect of other parties in favour of nominated lots or adjoining Certificates of Title;
 - v) for private ways;
 - vi) for stormwater, sanitary sewer, water supply, electric power, gas reticulation, telecommunications;
 - vii) party walls and floors/ceilings;
 - viii) for servicing with sufficient width to permit maintenance, repair or replacement.

11. Building Location

- a) The local ground conditions or the situation applying to the lot and the suitability of the site of the building.

- b) Whether or not a lot should be restricted from development on parts of the site.
- c) The minimum floor height for buildings in situations where inundation is likely and damage to structures could occur, but the land may not necessarily be filled.

14.7 UTILITIES ASSESSMENT MATTERS

1. Setback

- a) The degree of any adverse effect created through a reduced setback from boundaries on the surrounding environment including the potential to affect the privacy and outlook of residents.
- b) The degree to which any adverse effect created by a reduced setback may be mitigated through different options for site layout.

2. Environmental Effects

- a) The degree to which the proposed choice of site or route for the utility will affect the environment and the reasons for that choice of site or route.
- b) The degree to which the proposed utility may affect the health or safety of the community including positive effects from the operation of the utility.
- c) The degree to which the proposed utility may affect values held by the Tangata Whenua.

3. Siting

- a) The degree to which alternative sites or routes have been considered and where relevant the impact of those alternatives on the environment.
- b) The potential for co-siting telecommunication and radiocommunication facilities and the degree to which the provider of the utility has investigated this potential.

4. Costs

- a) The degree of any additional costs imposed by requiring compliance with any performance standard listed including the cost of placing lines underground or requiring design modifications to a utility.

5. Less than 110KV and 100MVA lines and support structures in an area of outstanding landscape view

- a) Refer to Assessment Matter 14.3.5

6. Other Utilities in the coastal margin area and areas of outstanding landscape view

- a) Refer to Assessment Matter 14.2.14 and 14.3.5

14.8 SIGNS ASSESSMENT MATTERS

1. Visual and Traffic

- a) The degree to which the sign will have any adverse effects on traffic safety and the visual amenities of the locality.

- b) In relation to general traffic safety:
 - i) the degree to which the signs may cause an obstruction to driving sight distances, traffic signs or signals, or unnecessarily intrude into a drivers field of view;
 - ii) the potential adverse effects of the proposed sign on a driver's concentration under all possible weather conditions.
- c) The visual impact of the sign and its potential effects on the amenities of the locality.
- d) The potential of the sign to adversely affect public health and safety, or to reduce public convenience.
- e) Any likely cumulative effects of allowing the sign to be erected.
- f) The need to impose conditions relating to the location, design and appearance of the sign and the period for which it may be erected, or operated.

14.9 RELOCATED AND TEMPORARY BUILDINGS AND ACTIVITIES ASSESSMENT MATTERS

- a) Whether the appearance of the building will be compatible with buildings on adjoining properties and in the vicinity.
- b) Whether the likely appearance of the building upon restoration or alteration, will be such as to ensure compatibility with buildings on adjoining properties and in the vicinity.
- c) Whether the appearance of the exterior materials used are of an acceptable standard.
- d) The likelihood that restoration work will be undertaken within a specified period.
- e) Any requirement to impose a bond or other condition to ensure completion of restoration work, both structural and appearance, to an acceptable standard.
- f) The degree to which a temporary activity will adversely effect the surrounding environment, including where relevant visual impacts, noise, odour, traffic generation, parking, and loss of privacy.

14.10 HAZARDOUS SUBSTANCES ASSESSMENT MATTERS

- (a) Whether the proposal is consistent with the objectives, policies and controls for the relevant zone.
- (b) Risk Assessment.

A qualitative or quantitative risk assessment may be required, depending on the scale or potential effects of the proposed development. As well as addressing more analytically the issues addressed in the HSSP (refer to Appendix G), this assessment should place particular emphasis on those issues not addressed in detail by the HSSP. This includes the following matter below.

- Identification of potential hazards, failure modes and exposure pathways.
- The separation distance to neighbouring activities, with emphasis on people sensitive activities such as childcare facilities, schools, rest homes, hospitals, shopping centres and residential areas.
- The location of the facility in relation to the nearest aquifer, waterway, coast or other sensitive environments.
- The nature of the sub-soil and the site geology.
- The distance to environmentally sensitive areas such as wildlife habitats or water catchments.
- Assessment of the probability and potential consequences of an accident leading to a release of a hazardous substance or loss of control.
- Identification of cumulative and/or synergistic effects.
- Fire safety and fire water management.
- Adherence to health and safety and/or environmental management systems.
- Spill contingency and emergency planning, monitoring and maintenance schedules.
- Site drainage and off-site infrastructure, e.g. stormwater drainage system, sewer type and capacity.
- The transport of hazardous substances.
- The disposal of waste containing hazardous substances.
- Methods of storage, e.g. above ground containers and underground tanks.

(c) Risk Mitigation and Management

Consideration will be given to the adoption of specific spill contingency plans, emergency procedures, stormwater management and treatment and disposal procedures for wastes containing hazardous substances, fire safety, monitoring and maintenance procedures, and appropriate management systems.

(d) Alternatives

Where it is likely that an activity may result in significant adverse effects on the environment, a description of alternative locations or methods for undertaking the activity shall be submitted.

(e) Traffic Safety

It should be demonstrated that the proposal will generate no significant adverse effects on the safety of the operation of the adjoining road network and that vehicles transporting hazardous substances will not utilise local roads in residential areas as a regular means of transport. Conditions may be imposed that require access along specified routes.

(f) Any other matters that may need conditions to ensure that particular measures are undertaken so that any risk posed by the proposal is avoided or satisfactorily mitigated.