1 October 2021

Ministry for Environment P.O Box 10362 WELLINGTON 6143

Attention: Stephanie Frame Manager COVID-19 Fast-track Consenting

Dear Stephanie,

RE: 1092 Coatesville-Riverhead Highway – Matvin Group – The Botanic Riverhead

Thank you for your letter dated 24th September 2021 requesting further information pertaining to the above-mentioned Referral for Fast-track consenting.

Your letter seeks further detail on the following matters:

- 1. The Project includes the proposed vesting of land as legal road, and the construction of a new road, at the northern end of the development coming off Cambridge Road. The new road is required to provide access to a number of proposed residential units included in the Project. The new road will be partially located on Lot 1 DP 499822 and Lot 2 DP 109763, however neither of these lots are included in the legal descriptions of land for the Project. Please therefore provide comment on the following:
 - a. clarification of all land parce's that form the Project site, including details of current ownership, any restrictions on development, and any agreements in place to facilitate de elopment of land not owned by the applicant; and
 - b. the proposed approach to address the required vesting of the balance portions of the new road that are within Lot 1 DP 49982 and Lot 2 DP 109763.
- 2. Whilst not specifically referred to in the application form, the proposed order in council wording (contained in section 6 of the planning statement), details that "removal of a consent notice from the title for Lot 1 DP 164590 relating to limiting access to Coatesville- Riverhead Highway and specifying access location onto Riverhead Road" forms part of the application. The FTCA does not provide for a panel to consider an application to vary or cancel a condition specified in a consent notice (pursuant to section 221(3) of the Resource Management Act 1991).

Response:

1. Please find attached a revised scheme plan - **Attachment A** showing that the proposed northern boundary road to vest will not affect Lot 2 DP 109763. Th legal connection i.e. vesting for land for road will extend to the boundary of this site but will not extend onto that land holding.



It is proposed to construct and vest the road as part of the retirement village project, and it is expected this will be reflected in consent conditions. An updated Public Private areas Plan, prepared by GEL Architects is **Attachment B**.

I have amended the draft order in Council - **Attachment C** to include the additional legal description for Lot 1 DP499822 (30 Cambridge Road, Riverhead) and the pdf application for referral.

Written approval from the landowner of 30 Cambridge Road, Riverhead was submitted with the proposal. This landowner understands that Matvin Group will construct the road and vest it to Auckland Council as part of the retirement village construction.

2. An application pursuant to s221 of the Resource Management Act to remove the consent notice on the Certificate of Title for Lot 1 DP 164590 (NA 99A/910) has been lodged with Auckland Council today. It is anticipated that this will be processed swiftly as we have had prior discussion and meetings with Auckland Transport that have ddressed the proposed access and roading configuration for this project. An access onto the Coatesville-Riverhead Highway has been proposed, and shown, in all previous meetings and communications with Auckland transport and therefore, we do not an icipate any issues that would prevent or hinder cancellation of the consent notice. A copy of the application lodged with Auckland Council today is Attachment D.

I trust the contents of this letter and the attached revised scheme plan, revised draft order in Council and amended pdf application address these matters. If you require anything further, please do not hesitate to ask.

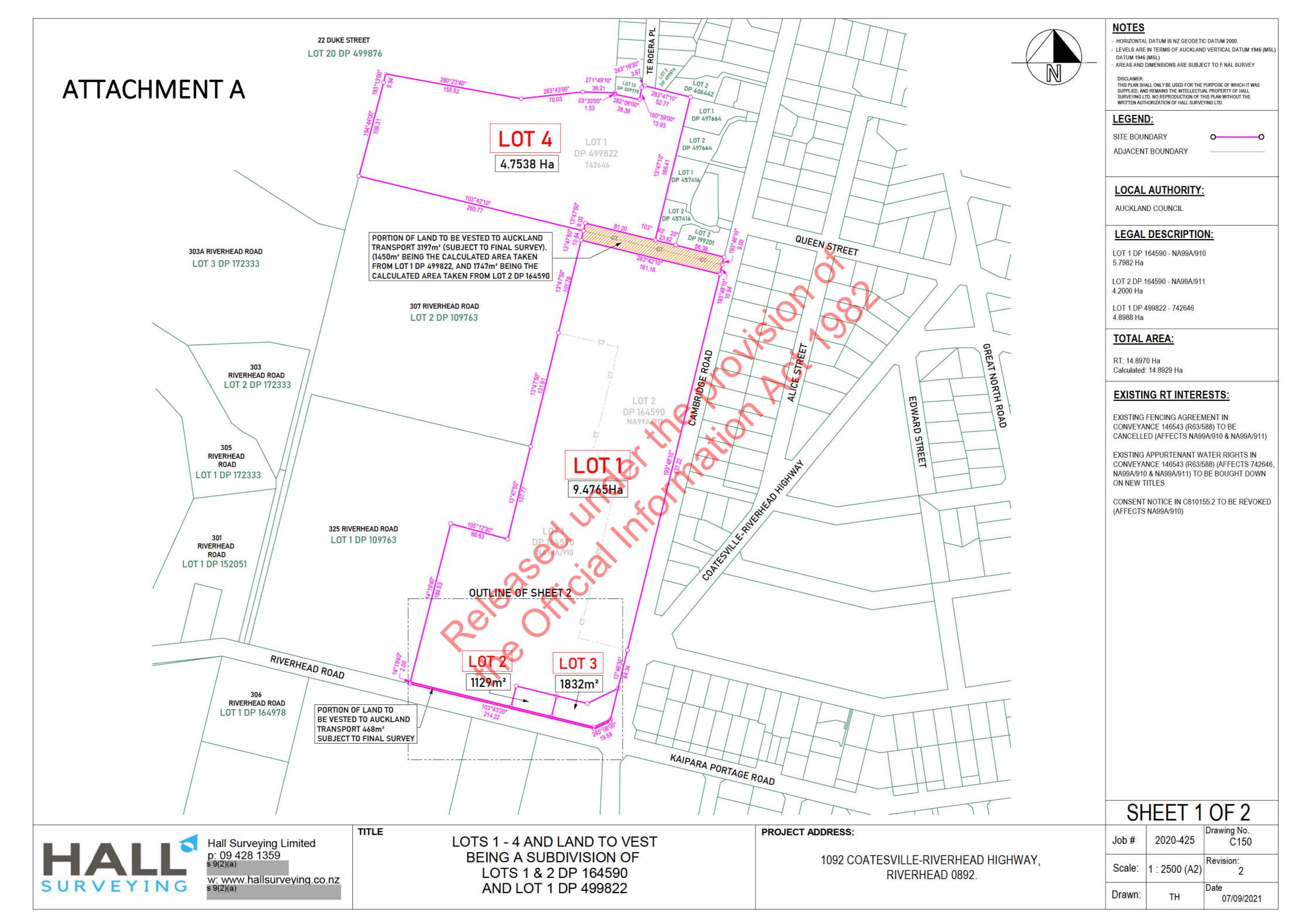
Yours sincerely

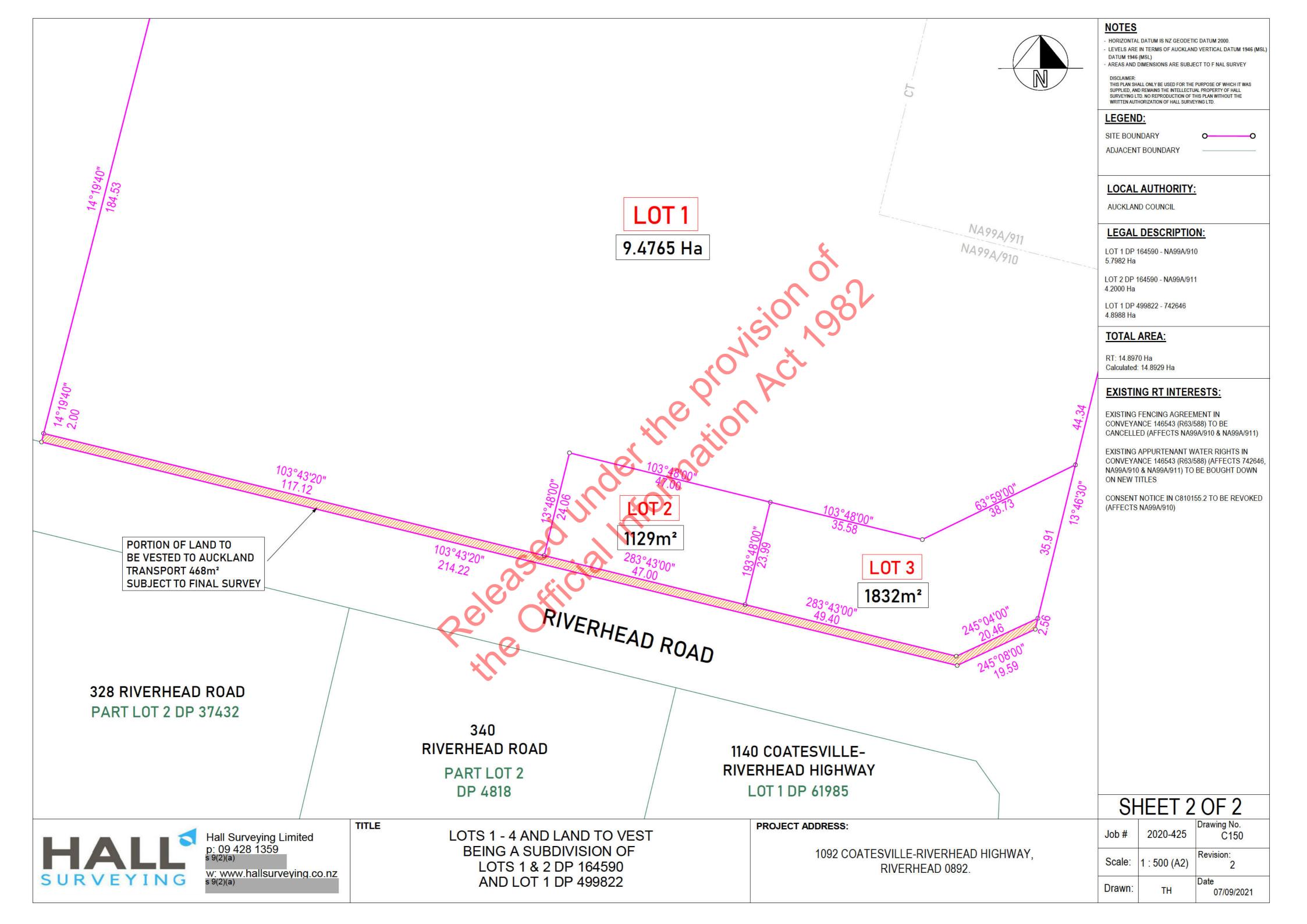
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Directo /Planner

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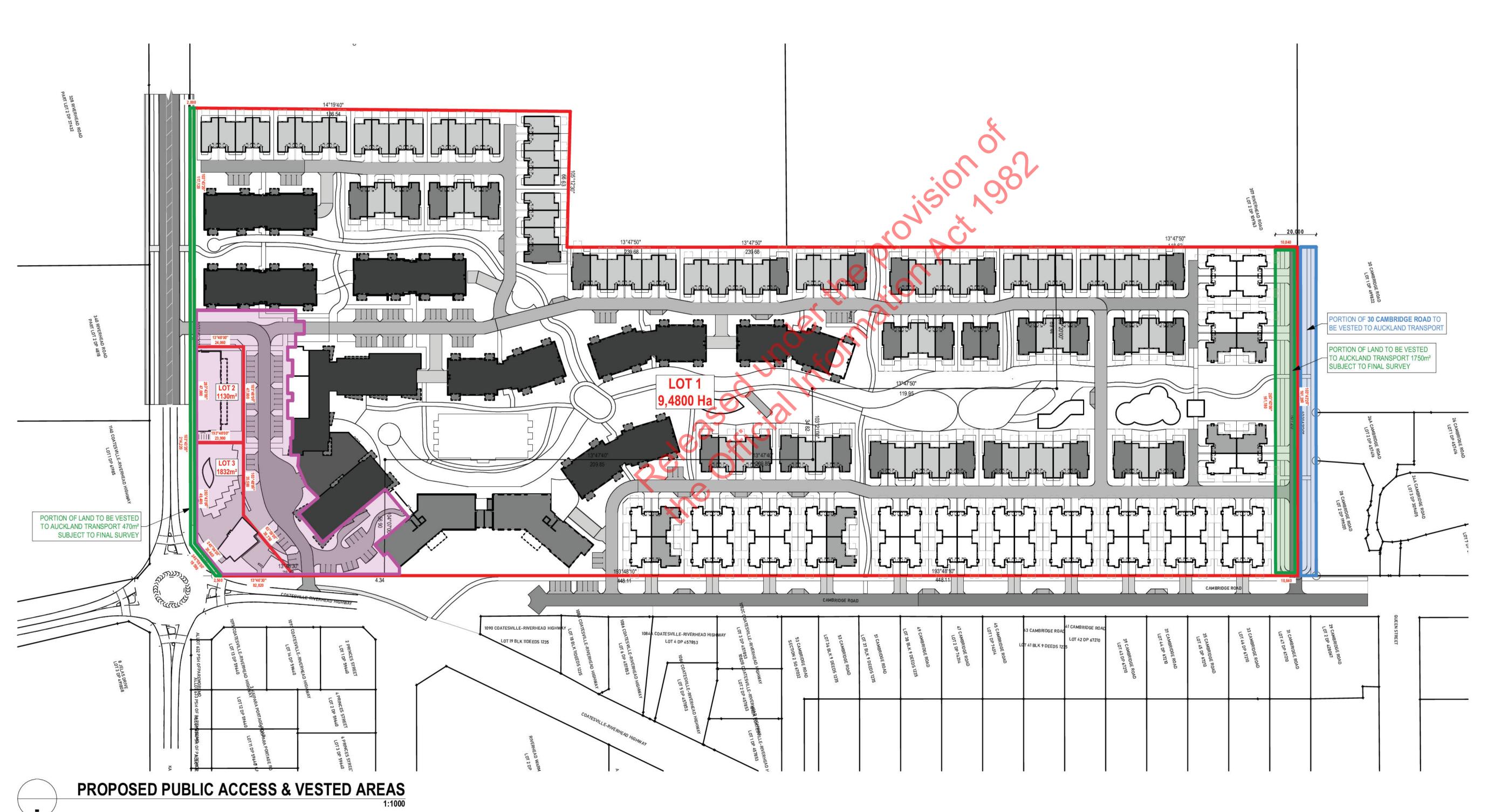
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ATTACHMENT B

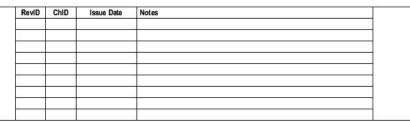






Do not scale drawings. Verify all dimensions on site before preparing Shop Drawings or commensing work. Any doubt, ambiguity or omission on any part of the drawings or specifications should be referred to the Architect for clarification prior to commencement of work.

This drawing is COPYRIGHT and remains the property of Gel Architects Ltd.





Project: THE BOTANIC RIVERHEAD
1092 COATESVILLE RIVERHEAD HIGHWAY
For: MATVIN GROUP LTD.

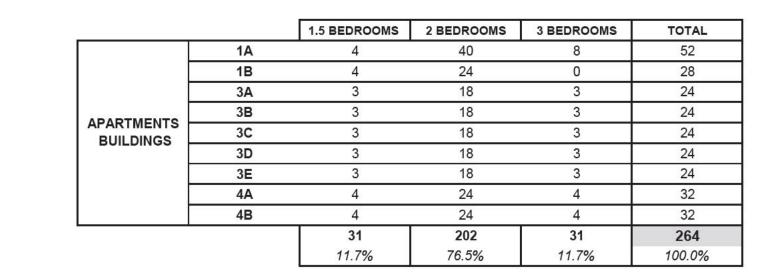
Project No: **20043**

PROPOSED PUBLIC ACCESS & VESTED AREAS

PRELIMINARY RC

SCALE @ A1: 1:1000 DRAWING NO.:

SCALE @ A3: 1:2000
DATE: 27/09/2021
REVISION: 10-03



		MEMORY CARE	CARE	TOTAL
CARE HOME	2A	14	30	44
	2B	14	30	44
		28	60	88

			2 BEDROOMS	3 BEDROOMS	TOTAL
	Α	Star block	48		48
VILLAS	В	Terrace	73		73
	С	Terrace		29	29
	D	Star block		8	8
			121	37	158
			76.6%	23 4%	100.0%

UNITS TYPOLOGY & NUMBER SUMMARY

DESCRIPTION	AREA (m²
BUILDING COVERAGE - MAIN BUILDINGS	
APARTMENTS BUILDING	811
APARTMENTS BUILDING (ANGLED)	7,737
BLOKES SHED	142
CAFE	450
CARE HOME	1,908
CHILDCARE	570
GLASSHOUSE	172
HUB 1	124
HUB 2	67
MAIN APARTMENTS BUILDING	1,469
MAIN ENTRANCE	564
MEDICAL CENTRE	210
PUBLIC STRUCTURE	48
RETAIL	128
TAL ITAL	14,400 m²
UILDING COVERAGE VILLAS	
VILLAS TYPE A	6,048
VILLAS TYPE B	1,136
VILLAS TYPE C	4,202
VILLAS TYPE D	9,050
VICENCITIES	20,436 m²
IPERMEABLE AREA	
1	700
BUILDINGS RAMP DRIVEWAYS	722
CYCLE LANES	261
NEW ROAD	640
PATHS	4,909
PETANQUE	60
PLAZA	835
PUBLIC CARPARKS	2,127
RAISED GARDENS	1,170
SHARED ROAD	8,582
VILLA COURTYARDS	2,857
VILLA DRIVEWAYS	3,628
	25,791 m²
PERMEABLE AREA	
3x BOWLING GREEN	1,008
CARE HOME ENCLOSED GARDENS	1,445
CHILDCARE PLAYGROUND	299
DETENTION BASIN 1	167
DETENTION BASIN 2	200
DETENTION BASIN 3	1,001
FOUNTAIN	95
GOLF PUTTING GREEN	406
LAWN	15,891
PUBLIC PLAYGROUND	506
VILLAS GARDENS	14,380
	100 (1000)
WETLAND 1 (MAIN SWALE)	3,162
WETLAND 1 (SECONDARY SWALE)	756
	20 240 2
TOTAL SITE	39,316 m ²



gel architects

Do not scale drawings. Verify all dimensions on site before preparing Shop Drawings or commensing work. Any doubt, ambiguity or omission on any part of the drawings or specifications should be referred to the Architect for clarification prior to commencement of work.

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RevID ChID Issue Date Notes



Project: THE BOTANIC RIVERHEAD
1092 COATESVILLE RIVERHEAD HIGHWAY
For: MATVIN GROUP LTD.

Project No: **20043**

OVERALL SITE MASTERPLAN

PRELIMINARY RC

ALE @ A1: 1:1000 DRAWING NO.:

SITE AREAS SCHEDULE

SCALE @ A1: 1:1000 DRAWING NO.: SCALE @ A3: 1:500 DATE: 27/09/2021 REVISION: 10-02

6. Proposed Order in Council (UPDATED 1 10 26)

1 Name of Project

The name of the project is The Botanic Retirement Village – Riverhead (the project)

2 Authorised Person

The authorised person for the project is Matvin Group Limited The Botanic Riverhead Limited Partnership (Still to be formed)

3 Description of project

- (1) The scope of the project is:
 - (a) to construct and operate a retirement village and associated facilities including
 - (i) Approximately 158 independent 2 and 3-bedroom villas and associated car parking,
 - (ii) Approximately 264 apartment units in eight buildings comprising
 - a. 31 1.5-bedroom apartments and associated car parking
 - b. 202 2 bedroom apartmen's and associated car parking
 - c. 313 bedroom apartments and associated car parking.
 - (iii) A Care Home building that accommodates approximately 28 memory care beds and 60 care beds (more may be provided if space permits in the future detailed design), staff sp ces, offices, adjacent contained outdoor space and park area and associated car parking.
 - (v) A Main building that includes a reception lobby, bar, pool, gymnasium, outdoor area and adjacent outdoor recreation spaces, a medical centre, retail premise, food and beverage facilities and associated car parking.
 - (v) A separate building for a childcare centre
 - (vi) A separate building for a café; and
 - (b) und rtake site works to enable construction of buildings, including diversion of groundwater, for the construction of basement carparks, tree removal and earthworks
 - c) to provide the required infrastructure to service the development, including areas of land to vest for road widening and future road, road upgrading, reticulated water supply and wastewater network extension and construction of a stormwater management system.
 - (d) Subdivision of land to create separate sites for the café, childcare, and retirement village.

4 Description of activities involved in project

(a) subdivision to create 3 lots and areas of road to vest:

- (b) earthworks, including bulk earthworks, ground water diversion and discharges associated with earthworks:
- (c) construction works to build retirement village, café, childcare centre, and associated facilities, including temporary facilities:
- (d) works to remediate contaminated land:
- (e) works to discharge stormwater and contaminants:
- (f) works to construct internal roads, pedestrian links, and parking:
- (g) landscaping and construction of outdoor spaces, outdoor recreation areas and park areas:
- (h) tree removal works:
- (i) works to construct and extend water and wastewater infrastructure:
- (i) works to construct a stormwater management system:
- (k) diverting the entry and exit point of an overland flow path:
- (I) road upgrade works on Cambridge Road, Riverhead Road and potentially Coatesville-Riverhead Highway / Riverhead Road intersection:
- (m) construction and placement of signage:
- (n) any other works that are
 - a. associated with the works described above and
 - b. within the scope of the project as described.

5 Approximate geographical location

The project is location at 1092 Coatesville-Riverhead Highway R ver ead, Auckland and part of 30 Cambridge Road, Riverhead, Auckland and includes Lot 1 DP 164590 held in Record of Title NA99A – 910 and Lot 2 DP 164590 held in NA99A-911 and part of Lot 1 DP499822 as shown on the scheme plan of subdivision.

6 Further information to be submitted

Contact Details

The Planning Collective Ltd P O Box 591, Warkworth 0941 New Zealand

s 9(2)(a)

s 9(2)(a)

ATTACHMENT D

30 September 2021

Auckland Council Private Bag 92300 Victoria Street West AUCKLAND 1142

Attention: Resource Consents Team

To whom it may concern,

RE: Matvin Group - 1092 Coatesville - Riverhead Highway, Riverhead - s221 Application to Cancel Consent Notice C810155.2 for Lot 1 DP 164590 (held in Record of Title Identifier NA99A/910 - 1092 Coatesville

This letter serves as an application pur uant to s221(3) of the Resource Management Act 1991 to cancel Consent Notice C810155.2 for Lot 1 DP 164590 (held in Record of Title Identifier NA99A/910) which outlines:

"ii) (Access Restrictions) As Coatesville Highway is a Limited Access Road no crossings shall be authorised or are to be installed from that road to Lot 1 and no crossings shall be installed on the Riverhead Highway, being a defined road boundary under Rule 13.7(c) of the District Plan"

A copy of the site's Record of Title and Consent Notice is provided in **Attachment 1**.

Background

Consent No ice C810155.2 was imposed as part of a condition of subdivision consent R18640 which authorised the subdivision of Lot 2 DP 65503 (parent lot) into two lots, being Lot 1 DP 164590 (the subject site) and Lot 2 DP 164590. The subdivision consent was approved on the 17th May 1994, subject to the following condition (relevant condition underlined for emphasis):

- (Conditions to be carried out by owner) Before the Council will issue a certificate pursuant to section 224(c) of the Act, the owner shall:
 - i. Council consent to subdivision of limited access road) Provide evident that the Council has issued a notice pursuant to section 346G of the Local Government Act 1974 to signify



EPLANN

that Coatesville - Riverhead Highway, being a Limited Access Road, is deemed to be a road for the purpose of consenting this subdivision.

The following conditions will be prerequisite to such a notice: Lot 2 shall retain the existing license crossing point no.31 for access.

Note: Formal notices authorizing each crossing place will be issued when the new certificates of title have been issued.

ii. (Access restrictions) As Coatesville - Riverhead Highway is a Limited Acc ss Road no crossings shall be authorised or are to be installed from the road o Lot 1 and no crossings shall be installed on the Riverhead Road frontage to Lot 1 within 90 metres of Coatesville - Riverhead Highway, being a defined road boundary under Rule 13 7(c) of the District Plan.

Note: The condition shall be satisfied by the registration of a consent not ce pursuant to section 221 of the Act.

A copy of the subdivision decision is provided in Attachment 2.

The subdivision consent was assessed against the Rodney District Plan (Review No 2, 1993) (RDP) which was subsequently superseded by the Rodney District Plan (2011) and then the now operative in part Auckland Unitary Plan (AUP).

Under Section 13 of the RDP, Coates ille—Riverhead Highway was identified as an arterial road and Riverhead Road as an arterial road. Section 13.7 of the RDP restricted the establishment of access points within a 'defined road boundary' which for any arterial or principal road boundary extends 90 metres from the intersection with any other arterial or principal road as shown in Figure 1 below. A copy of Section 13.7 of the RDP is provided in **Attachment 3**. The defined road boundary is reflected in the wording of Consent Notice C810155.2.

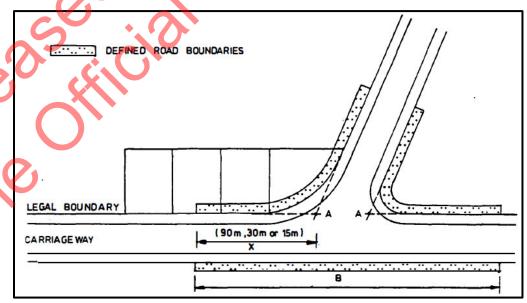


Figure 1 - Diagram from Rodney District Plan (Review No. 2, 1993)

Coatesville - Riverhead Highway was formerly part of State Highway 18 and was gazetted as a Limited Access Road on the 27th January 1978 (NZ Gazette 15.12.1977, page 32679). To our knowledge, Coatesville - Riverhead Highway is no longer state highway and has been divested to Auckland Council (AT) as an arterial road. It is understood that the Limited Access Road status of the road has remained and is administered by Auckland Transport as the road controlling authority.

Proposal

Matvin Group have made an application seeking referral to the Environmental Protection Authority pursuant to s20 of the Covid-19 Recovery (Fast-track Consenting) Act 2020, to obtain resource consent for the development of the subject site and 1092 Coatesville - Riverhead Highway which adjoins to the site to the north-east. Please see Figure 2 for an aerial image of the subject site.



Figure 2 - Aerial image of properties subject to future development

The application seeks to establish and operate a retirement village consisting of approximately 158 independent villas, approximately 264 apartments; a care home building with approximately 88 care beds, a main reception building with a pool, gym, bar, food and beverage and outdoor areas; a childcare centre, medical centre, café, and retail premises. Subdivision to create separate lots for the childcare centre and café are proposed, as is land to vest as road for widening of Riverhead Road and a new through road off Cambridge Road. A site plan of the proposed development is provided in Figure 3 overleaf.

The layout of the proposed development requires new access points to Coatesville - Riverhead Highway and Riverhead Road. Therefore, the application seeks to cancel Consent Notice C810155.2 to enable the proposed access arrangement. Any new access points onto Coatesville Riverhead Highway will be controlled and authorised by Auckland Transport given the Limited Access Road status. Similarly,

Auckland Transport manages Riverhead Road and has an approval process for establishing new access points from this road.

Given the above, the provisions of the Consent Notice are redundant as Auckland Transport, being the road controlling authority, determines whether to authorise crossing points to these roads taking into consideration the present and future transport environment.



Figure 3 - S te Plan of proposed development

Statutory Assessment

S221(3) of the Resource Management Act 1991 (RMA) allows an owner to apply to a territorial authority to vary or cancel any condition specified in a consent notice, at any time after the deposit of the survey plan.

221 Territorial authority to issue a consent notice

- (1) Where a subdivision consent is granted subject to a condition to be complied with on a continuing basis by the subdividing owner and subsequent owners after the deposit of a survey plan (not being a condition in respect of which a bond is required to be entered into by the subdividing owner, or a completion certificate is capable of being or has been issued), the territorial authority shall, for the purposes of section 224, issue a consent notice specifying any such condition.
- (2) Every consent notice must be signed by a person authorised by the territorial authority to sign consent notice
- (3) At any time after the deposit of the survey plan,-
 - (a) the owner may apply to a territorial authority to vary or cancel any condition specified in a consent notice:
 - (b) the territorial authority may review any condition specified in a consent notice and vary or cancel the condition.
- (3A) Sections 88 to 121 and 127(4) to 132 apply, with all necessary modifications, in relation to an application made or review conducted under subsection (3).
- (4) Every consent notice shall be deemed-
 - to be an instrument creating an interest in the land within the meaning of section \$1 of the Land Transfer Act 2017, and may be registered accordingly; and
 - (b) to be a covenant running with the land when registered under the Land Transfer Act 2017, and shall, notwithstanding anything to the contrary in section 103 of the Land Transfer Act 2017, bind all subsequent owners of the land.
- (5) Where a consent notice has been registered under the Land Transfer Act 2017 and any condition in that notice has been varied or cancelled after an application or review under subsection (3) or has expired, the Registrar-General of Land shall, if he or she is satisfied that any condition in that notice has been so varied or cancelled or has expired, make an entry in the register and on any relevant instrument of title noting that the consent notice has been varied or cancelled or has expired, and the condition in the consent notice shall take effect as so varied or cease to have any effect, as the case may be.

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Section 221(2): replaced, on 1 October 2009, by section 123 of the Resource Management (Simplifying and Streamlining) Amendment Act 2009 (2009 No 31).

Section 221(3): replaced, on 10 August 2005, by section 92(4) of the Resource Management Amendment Act 2005 (2005 No 87).

Section 221(3A): inserted, on 10 August 2005, by section 92(1) of the Resource Management Amendment Act 2005 (2005 No 87).

Section 221(4)(a): amended, on 12 November 2018, by section 250 of the Land Transfer Act 2017 (2017 No 30).

Section 221(5): amended, on 12 November 2018, by section 250 of the Land Transfer Act 2017 (2017 No 30).

Section 221(5): amended, on 12 November 2018, by section 250 of the Land Transfer Act 2017 (2017 No 30).

Section 221(5): amended, on 1 October 2009, by section 130 of the Resource Management (Simplifying and Streamlining) Amendment Act 2009 (2009 No 31).

Section 221(5): amended, on 10 August 2005, by section 92(2) of the Resource Management Amendment Act 2005 (2005 No 87).
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There are no provisions in s221 of the RMA that specify the activity status of an application to vary or cancel a consent notice and therefore the application considered to be an innominate activity under s87B(1)(a) of the RMA.

S8 B of the RMA requires an application for a resource consent for an activity to be treated as an application for a Discretionary Activity if:

1) Part 3 requires a resource consent to be obtained for the activity and there is no plan or proposed plan, or no relevant rule in a plan or proposed plan; or

Therefore, the application is to be treated as a Discretionary Activity pursuant to s87B of the RMA.

In assessing a Discretionary Activity, the matters that require consideration in assessing this application are set out in s104 and s104B of the RMA. These matters include an assessment of the effects of the proposed cancellation of the consent notice on the environment, the relevant objectives and policies of the planning documents that existed at the time of the subdivision approval, an assessment of persons who may be affected by the proposed cancellation of the consent notice, and any other matters that is

relevant and necessary to determine the application. The provisions of s104 and 104B of the RMA are subject to the matters set out in Part II of the RMA.

Effects of the actual and potential effects

The actual and potential effects of the application relate to the effects of cancelling Consent Notice 810155.2. As detailed above, the consent notice was imposed to prevent access to the subject site via Coatesville - Riverhead Highway, and to restrict access along the Riverhead Highway frontage 90m of the intersection. This Consent Notice was imposed to promote safe and efficient access to the subject site by encouraging access points from Riverhead Road which is reflective of the provisions of the RDP at the time the subdivision consent was approved.

The surrounding traffic environment has changed considerably since the consent notice was imposed, with the expansion of the Riverhead residential area, particularly to the south-east of the subject site. The demand for residential expansion is reflective in the Future Urban zoning of the subject site and surround properties which have been earmarked for future residential or other use and is likely to change to transport environment.

In my opinion, the cancellation of the consent notice will not give rise to any adverse effects on the environment as the AUP provisions control the design and location for access points to roads, including setback requirements from intersections. The AUP provisions replace the restrictions outlined in the consent notice and are informed by current best-practice evidence. Ad itionally, any new access points to Coatesville - Riverhead Highway or Riverhead Road would require approval from Auckland Transport as the road controlling authority, who can determine whether to grant approval to the new access points.

In terms of positive effects, the cancellation of the cons nt notice will provide for a cohesive access layout to accommodate for the proposed site development and in enabling development of the land thereby resulting in upgrading of the adjacent road frontages to an urban standard.

Therefore, any adverse effects resulting from the cancellation of Consent Notice C810155.2 are negligible and definitely less than minor.

Assessment against Objectives and Policies

The objectives and policies pertaining to Section 13 of the RDP have been considered and are set out be ow:

Sections 13A(2 and (3) of the RDP set out the following general objectives and policies for vehicle parking, loading and access:

- 2) General objectives:
 - a. To retain the existing roading network for the safe, efficient and convenient transport of goods and people.
 - b. To ensure that the costs of extensions to this network required for the development of land are shared equitably between the developer and the Council.
- 3) General policies:
 - a. To permit subdivision of land only where the site has legal and practical access to a formed road.

- b. To permit the erection of household units only where the site has legal and practical access to a formed road.
- c. To approve discretionary activities (subject to other appropriate criteria being met) only where the site has legal and practical access to a formed road.
- d. To prevent or control the establishment of commercial, industrial or intensive rural activities such as produce and craft sales, where the site requires access directly o to any State Highway, East Coast Road, the Coatesville-Riverhead Highway or former State Highway 16.

Section 13B(1) and (6) of the RDP set out the objectives and policies specific to vehicular access to sites:

- 1) Objective vehicle parking, loading and access: To ensure that adequate and accessible parking and loading provision is made for motor vehicles used in conjunction with all land uses.
- *6) Policies vehicle access to sites:*
 - a. To restrict the number, width and location of vehicle crossings to minimise vehicle interaction with pedestrian traffic on footpaths, to reduce the opportunities for conflict between passing traffic and those vehicles wishing to enter or leave properties, and to retain on-street parking where practicable.
 - b. To make provision in rural areas for heary vehicles in the design and location of access points to properties.
 - c. To control the location of vehicle crossings and access points where sites are in close proximity to major intersections.

Section 13C(1) and (2) of the RDP sets out the objectives and policies for the roading network:

1) Objectives

- a. To make provi ion for the safe and efficient movement of vehicles throughout the district.
- b. To provide a functional classification of roads as the basis for determining land use, vehicle access and traffic management controls, road upgrading and intersection improvements.

2) Policies

- a. To classify all roads within the district by function consistent with the hierarchical roading classification contained in the Operational Plan for the Auckland Urban Transport Area.
- b. To recognise that the function, type of vehicles using the roads, and traffic volumes on the District's roads, in particular the rural roading network, is different from that generally envisaged by the Operational Plan for the Auckland Urban Transport Area.
- c. To use the following hierarchy when classifying roads.
 - <u>Arterial Roads:</u> Arterial roads form the principal avenues of communication within the district. They predominantly carry traffic passing through the district, and traffic from all parts of the district to and from the Auckland Urban Area.
 - <u>Principal Roads:</u> Principal roads connect the arterial roads to the residential zones in urban areas, and to townships and settlements in rural areas. In rural areas principal roads generally carry lower numbers of vehicles but at greater speeds.

The cancellation of the consent notice will not give rise to inconsistencies with the above objectives and policies of the RDP as the new access points to the site will be assessed and authorised by Auckland Transport as the road controlling authority. The approval process will assess new access points to ensure that the safety and efficiency of the transport networks are retained, including access points near the Coatesville - Riverhead Highway / Riverhead Road intersection.

Coatesville - Riverhead Highway and Riverhead Road are identified as primary arterial and collector roads in the AUP respectively. The AUP contains provisions which restrict and manage access points to arterial roads and within proximity to intersections. Coatesville - Riverhead Highway has a Limited Access Road status of the road in which direct access onto this road is controlled and a thorised by Auckland Transport. Therefore, these AUP provisions and Limited Access Road approval process will continue to control and manage access the site in a manner that is consistent with the outcomes sought in the above objectives and policies, as well as the existing objectives and policies set out in the Auckland Unitary Plan.

Public notification assessment

Section 95A of the RMA sets out the steps the Council is to foll w to determine whether an application is to be publicly notified. The application does not meet any of the tests for public notification, in that the effects of the cancellation of the consent notice are negligible and certainly less than minor as outlined in the actual and potential effects assessment above and the e are no special circumstances that warrant public notification of the application.

Assessment of who may be adversely affected by the cancellation of Consent Notice

Approval from Auckland Transport is being sought in relation to this application as the road controlling authority of Coatesville - Riverhead Highway and Rive head Road. A copy of the written approval will be provided to Auckland Council in due course.

No other persons or parties are affected by the cancellation of Consent Notice sought. The cancellation of the Consent Notice will not give rise to effects on the surrounding properties as the suitability of access points to the site will be assessed through the consenting process should any infringements to the AUP provisions be identified, and new access points will be authorised by Auckland Transport as the road controlling authority.

Conclusion

O erall, it is concluded that the effects on the environment resulting from the proposed cancellation of Consent Notice C810115.2 will be negligible and certainly less than minor.

The proposed cancellation is not in any way contrary to the objectives and policies of the Rodney District Plan (Review No, 2, 1993) being the applicable planning document during the time of subdivision; or the current provisions of the Auckland Unitary Plan.

The applicant has forwarded a copy of this application to Auckland Transport so that they may respond directly and swiftly to the Council planner. Auckland Transport staff are aware of this application and also the development proposed for the land. No other persons that are affected by the application to an extent which is minor or more than minor.

The application is consistent with Part II of the Resource Management Act 1991. It is therefore considered that the s221 cancellation of consent notice application may be processed on a non-notified basis and be granted.

I trust this information is sufficient to process and approve the application. Should you require any further information, please do not hesitate to contact me.

Yours sincerely

Jessica Andrews

Jandrews

Planner

The Planning Collective 2021 Limited

s 9(2)(a)

s 9(2)(a)

Attachments:

- 1 Record of Title and Interests
- 2 Subdivision Consent Decision
- 3 Chapter 13 of Rodney District Plan (Revision No. 2, 1993)

Attachment 1:

Released under the provision Act 1982

the Official Information Act 1982

the Official Information Act 1982





RECORD OF TITLE UNDER LAND TRANSFER ACT 2017 FREEHOLD







Identifier NA99A/910

Land Registration District North Auckland

Date Issued 13 February 1995

Prior References NA26C/1238

Estate Fee Simple

Area 5.7982 hectares more or less
Legal Description Lot 1 Deposited Plan 164590

Registered Owners

Liu Shun-Mei Huang and Chun-Ching Huang

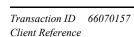
Interests

Appurtenant hereto are water rights created by Conveyance 146543 (R63/588)

Fencing Agreement in Conveyance 146543 (R63/588)

376177.1 Gazette Notice (N.Z Gazette 15.12.1977 pg 3269) declaring p rt adjoining State Highway 18 (Brighams Creek to Albany) from its junction with State Highway 16 to the Rangitopuni River Bridge to be a limited access road - 1.2.1978 at 2.13 pm

C810155.2 Consent Notice pursuant to Section 221(1) Resource Management Act 1991 - 13.2.1995 at 9.19 am 12123523.1 CAVEAT BY MATVIN GROUP LIMITED - 17.5.2021 at 10:14 am





C810155.2 cono.

IN THE MATTER of a Plan lodged for Deposit under Number Lt 164590

Pursuant to Section 221 of the Resource Management Act 1991 <u>THE RODNEY DISTRICT COUNCIL HEREBY GIVES NOTICE</u> that its subdivision consent given in respect of Land Transfer Plan L164590 is conditional inter alia upon the compliance on a continuing basis by the Subdivider and the subsequent owners of the land in the Second Schedule hereto with the conditions set forth in the First Schedule hereto.

FIRST SCHEDULE

(ii) (access restrictions) AS CCATESVILLE-RIVERHEAD HIGHWAY IS A LIMITED ACCESS ROAD NO CROSSINGS SHALL BE AUTHORISED OR ARE TO BE INSTALLED FROM THAT ROAD TO LOT 1 AND NO CROSSINGS SHALL BE INSTALLED ON THE RIVERHEAD ROAD FRONTAGE OF LOT 1 WITHIN 90 MCETRES OF COATESVILLE-RIVERHEAD HIGHWAY, BEING A DEFINED ROAD BOUNDARY UNDER RULE 13.7(c) OF THE DISTRICT PLAN.

SECOND SCHEDULE

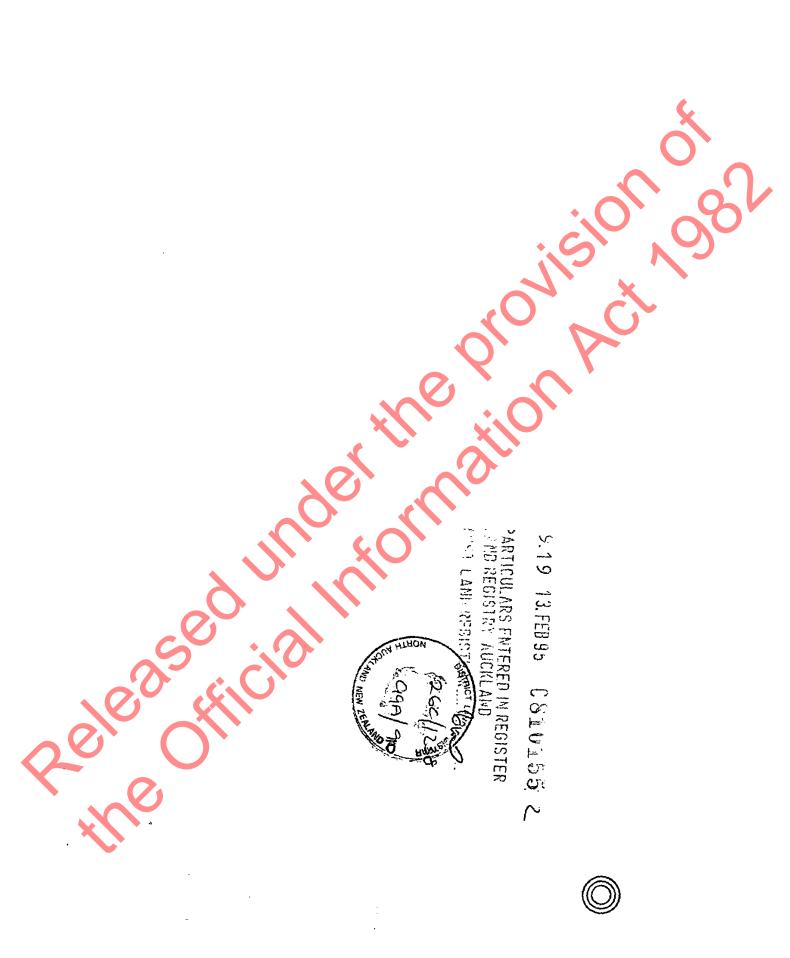
An estate in fee simple in 9.9982 ha more or less being Lot 2 DP 65503 comprised in Certificate of Title Volume 26C/1238 North Auckland Land Registry.

DATED this 3rd day of February 1995

SIGNED for an on behalf of the RODNEY DISTRICT COUNCIL)

Authorising Officer

SCHEME PLAN: R18640



Attachment 2:

Released under the provision Act 1982
The Official Information Act 1982
The Official Information Act 1982



RODNEY DISTRICT COUNCIL

APPLICATION FOR SUBDIVISION CONSENT: SCHEME PLAN R18640

OWNERS: I & L ALAI

The District Planner - Resource Management, acting on delegated authority has resolved on 17 May 1994:

"THAT THE APPLICATION BE CONSENTED TO AND THAT THE FULL TEXT OF THE RESOLUTION BE ENDORSED ON ALL NECESSARY DOCUMENTS:

THAT BECAUSE IT COMPLIES WITH THE SUBDIVISIONAL ORDINANCES CONTAINED IN THE DISTRICT PLAN, SCHEME PLAN R18640 BEING AN APPLICATION FOR CONSENT TO SUBDIVIDE LOT 2 DP 65503 COMPRISED IN CERTIFICATE OF TITLE 26C/1238 TOTALLING IN AREA 9.9981 HECTARES OWNED BY J & L ALAI, BE CONSENTED TO PURSUANT TO SECTION 105(1)(a) OF THE RESOURCE MANAGEMENT ACT 1991, SUBJECT TO THE FOLLOWING CONDITIONS:

- (a) (conditions to be carried out by owner) BEFORE THE COUNCIL WILL ISSUE A CERTIFICATE PURSUANT TO SECTION 224(c) OF THE ACT, THE OWNER SHALL:
 - (i) (Council consent to subdivision on limited access road) PROVIDE EVIDENCE THAT THE COUNCIL HAS ISSUED A NOTICE PURSUANT TO SECTION 346G OF THE LOCAL GOVERNMENT ACT 1974 TO SIGNIFY THAT COATESVILLE RIVERHEAD HIGHWAY, BEING A LIMITED ACCESS ROAD, IS DEEMED TO BE A ROAD FOR THE PURPOSE OF CONSENTING TO THIS SUBDIVISION.

THE FOLLOWING CONDITIONS WILL BE PREREQUISITE TO SUCH A NOTICE:

LOT 2 SHALL RETAIN THE EXISTING LICENSED CROSSING POINT NO.31 FOR ACCESS

NOTE: FORMAL NOTICES AUTHORISING EACH CROSSING PLACE WILL BE ISSUED WHEN THE NEW CERTIFICATES OF TITLE HAVE BEEN ISSUED.

(access restrictions) AS COATESVILLE - RIVERHEAD HIGHWAY IS A LIMITED ACCESS ROAD NO CROSSINGS SHALL BE AUTHORISED OR ARE TO BE INSTALLED FROM THAT ROAD TO LOT 1 AND NO CROSSINGS SHALL BE INSTALLED ON THE RIVERHEAD ROAD FRONTAGE OF LOT 1 WITHIN 90 METRES OF COATESVILLE - RIVERHEAD HIGHWAY, BEING A DEFINED ROAD BOUNDARY UNDER RULE 13.7(c) OF THE DISTRICT PLAN.

NOTE: THIS CONDITION SHALL BE SATISFIED BY THE REGISTRATION OF A CONSENT NOTICE PURSUANT TO SECTION 221 OF THE ACT.

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		SECTION 221	O
	SIGNED by EDWARD	DAVID WREN)
		irce Management of the)
		-	(
	RODNEY DISTRICT CO	-)
of the said Council under Section 252 of the			
	Local Government Act	1974)

District Planner - Resource Management

LET1/S038

Attachment 3:

Chapter 13 of Rodney District Plan (Revision No. 2, 1993)





SECTION 13 - VEHICLE PARKING, LOADING AND ACCESS

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13A STRATEGY

1. General Statement

Roads constitute the major transport network in the District, however approximately only one third of the roads within the district are sealed. The difficult terrain and unstable and variable ground conditions, as well as expensive metal make the costs of road construction and maintenance relatively high. The Council has a long term programme for the upgrading and reconstruction of roads. With limited financial resources new demands for roading improvements or extensions to the roading network are not readily accommodated. For these reasons where uses or subdivisions would place additional demands on the roading network requiring upgrading or extensions, then those uses or subdivisions will usually be required to contribute to the costs of these improvements.

Certain roads in the district have a prime function of moving traffic freely from place to place, notably State Highways 1 and 16, East Coast Road, the Coatesville-Riverhead Highway and former State Highway 16. Activities which could be heavy or frequent traffic generators would interfere with the free flow of traffic, and are therefore strictly controlled or prohibited.

2. General Objectives and Policies

Objectives

- (a) To retain the existing roading network for the safe, efficient and convenient transport of goods and people.
- (b) To ensure that the costs of extensions to this network required for the development of land are shared equitably between the developer and the Council.

3. Policies

- (a) To permit subdivision of land only where the site has legal and practical access to a formed road.
- (b) To permit the erection of household units only where the site has legal and practical access to a formed road.
- (c) To approve discretionary activities (subject to other appropriate criteria being met) only where the site has legal and practical access to a formed road.
- (d) To prevent or control the establishment of commercial, industrial or intensive rural activities such as produce and craft sales, where the site requires access directly onto any State Highway, East Coast Road, the Coatesville-Riverhead Highway or former State Highway 16.

13B VEHICLE PARKING, LOADING AND ACCESS

1. Objective - Vehicle Parking, Loading and Access

To ensure that adequate and accessible parking and loading provision is made for motor vehicles used in conjunction with all land uses.

2. Policies - General

- (a) To set down requirements which apply to all permitted and controlled activities and to use these requirements as a guideline for discretionary activity applications.
- (b) To enforce the provisions of Section 25 of the Disabled Persons Community Welfare Act 1975 and the requirements of NZS 4121 (1985) when considering proposals for new developments.
- (c) To provide in the construction, reconstruction and widening of roads and footpaths that reasonable and adequate provision be made so as to permit safe and easy passage from kerb to kerb of any mechanical conveyance normally and lawfully used by a disabled person, in accordance with Section 331 of the Local Government Act 1974.
- (d) To ensure all parking and loading spaces, access and manoeuvring areas are available for use at all times.
- (e) To clearly identify and mark out parking spaces for ease of use.
- (f) To screen parking spaces from adjoining residentially zoned properties.
- (g) To ensure parking spaces are conveniently located in relation to the use of the site.
- (h) Not to permit required parking, loading, or manoeuvring areas on land set aside for future road widening.
- (i) To require access, parking and manoeuvring areas to be permanently sealed to provide all weather access and reduce detrimental effects to neighbours, but not to require sealing in relation to single household units on a site, rural land or yard industries, unless required by a specific land use consent or condition of scheme plan approval.

3. Policy - Number of Parking Spaces Required

(a) To set down minimum standards for the number of parking spaces to be provided on site, which are related to each land use activity. These are minimum standards and it is the Council's intention that motor vehicles generated by the use of a site should be accommodated on that site.

Policy - Number of Loading Spaces Required

(a) To set down minimum standards for the number of loading spaces to be provided on site which are related to the nature of the use of the site.

5. Policies - Size of and Access to Parking and Loading Spaces

(a) To ensure parking and loading spaces are of usable shape and size, and provided with adequate manoeuvring areas.

- To prevent reverse manoeuvring onto or off a site where such manoeuvres would (b) adversely affect traffic flows on roads or disrupt vehicle circulation within a site.
- To make provision for the loading and unloading of vehicles in rural areas provided (c) traffic flows on rural roads are not interrupted.

6. Policies - Vehicular Access to Sites

- To restrict the number, width and location of vehicle crossings to minimise vehicle (a) interaction with pedestrian traffic on footpaths, to reduce the opportunities for conflict between passing traffic and those vehicles wishing to enter or leave properties, and to retain on-street parking where practicable.
- To make provision in rural areas for heavy vehicles in the design and location of (b) access points to properties.
- To control the location of vehicle crossings and access points where sites are in close (c) proximity to major intersections.

7. Policy - Vehicular Access to Parking and Loading Spaces

To require access from an existing formed road to parking and loading spaces (a) appropriate to the activities allowed on the site.

Policy - Cash Payment in lieu of Carparking spaces 8.

- In all commercial and industrial zones, to accept payment of a sum of money in lieu of (a) requiring the provision of on site parking as required by rule 13.1, where an application to do so is made under the relevant zone rule, and where:
 - Physical constraints on the site (or sites) mean it is not reasonable or practical (i) to require full compliance; and/or
 - Better development of the site (or sites) or general locality will result without full compliance, where alternative public parking is available or can be made available by the Council within reasonable walking distance of the site.
- To determine the per carpark space value of any cash payment on the basis of a formula calculating the average value of the site (or sites) and like properties in the vicinity of the site (or sites) and the current cost of construction of a carpark on the site (or sites) in question.
- 610 Cash payments will only be used by the Council for any part of the following purposes:
 - To acquire additional land for carparking purposes. (i)
 - To develop land for carparking purposes. (ii)
 - To develop carparking spaces on legal roads. (iii)
 - In all cases the additional carparking spaces will be available for general public usage (d) and will not be leased to individual property owners. The additional carparking spaces will be provided in the general vicinity of the site which the contribution related to, but not necessarily immediately adjacent to that site. The actual siting of spaces will depend on the following matters:

- (i) The number of carparking spaces for which a cash contribution has been made.
- (ii) The ability to provide additional on street parking.
- (iii) The availability of land for acquisition for carparking purposes.
- (iv) The extent of other cash contributions in lieu of parking in the immediate vicinity.
- (v) The current general provision of carparking spaces in the general vicinity
- (vi) Any proposals for additional carparking facilities in the general vicinity.
- (e) The Council shall establish a Carpark Register for each commercial centre which will be updated annually. The register will contain the following information:
 - (i) The total number of on-street carparks in each commercial centre.
 - (ii) The total number of off-street carparks in each centre, including both public and private carparks.
 - (iii) The total number of carparks paid for in lieu but not as yet formed in each centre.
 - (iv) The number of carparks formed by the Council in each centre for which contributions in lieu of parking have not been received.

13C ROADING NETWORK

1. Objectives

- (a) To make provision for the safe and efficient movement of vehicles throughout the district.
- (b) To provide a functional classification of roads as the basis for determining land use, vehicle access and traffic management controls, road upgrading and intersection improvements.

2. Policies

- (a) To classify all roads within the district by function consistent with the hierarchical roading classification contained in the Operational Plan for the Auckland Urban Transport Area.
- (b) To recognise that the function, type of vehicles using the roads, and traffic volumes on the District's roads, in particular the rural roading network, is different from that generally envisaged by the Operational Plan for the Auckland Urban Transport Area.
- (c) To use the following hierarchy when classifying roads

Arterial Roads

Arterial roads form the principal avenues of communication within the district. They predominantly carry traffic passing through the district, and traffic from all parts of the district to and from the Auckland Urban Area.

Principal Roads

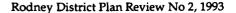
Principal roads connect the arterial roads to the residential zones in urban areas, and to townships and settlements in rural areas. In rural areas principal roads generally carry lower numbers of vehicles but at greater speeds.

Collector Roads

Collector roads distribute traffic between the principal roads and the local road system, and provide connections between principal roads. In rural areas collector roads perform the same functions, but generally carry lower numbers of vehicles at greater speeds.

Local Roads

Local roads are all the other roads within the District. Their main function is to provide access to individual properties, which are predominantly residential in the urban areas. In rural areas, even though actual traffic volumes are relatively low, the movement of vehicles is of equal concern given the open road speed limit on most roads.



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13.1 OBLIGATION OF OWNERS AND OCCUPIERS

Every owner or occupier who either:

- (a) establishes an activity on a site; or
- (b) changes the activity on or in any land or building on any site; or
- (c) constructs, substantially reconstructs, alters or adds to a building on any site,

shall make provision, in accordance with the requirements of Rule 13 and the relevant district rule, for vehicles used in conjunction with the site (whether by occupiers, their employees, or invitees, or other persons) to stand on, or in the opinion of the Council, sufficiently close to that site, but not on a street, while being loaded or unloaded or awaiting use.

Notwithstanding the above, any activity not listed under Rule 13.3 shall provide parking at the rate of one space for every three persons the activity is designed to accommodate, in accordance with all the other relevant requirements of Rule 13.

13.2 **GENERAL PROVISIONS**

13.2.1 REQUIREMENTS FOR DISCRETIONARY ACTIVITIES

For discretionary activities the provisions of Rule 13 will be used as a guide only. Specific requirements may differ from those applying to permitted and controlled activities depending on the circumstances relating to the particular activity and the particular site.

13.2.2 PARKING AND ACCESS FOR THE DISABLED

- (a) Carparking spaces for the exclusive use of vehicles driven by disabled persons or any person accompanying any disabled person(s) shall be provided where:
 - (i) it is proposed to establish the use of any land; or
 - (ii) construct any building; or
 - (iii) undertake the major reconstruction of any building,

and that activity or building is subject to Section 25 of the Disabled Persons Community Welfare Act 1975.

- (b) Such spaces and access to and from the building shall be designed and marked out in accordance with the requirements of NZS 4121 (1985).
- (c) The number of spaces designed for disabled persons shall be in accordance with the following table.

Total Number of Carparking
Spaces Provided

Number of Spaces Designed for Disabled Persons

1 - 10 Not less than 1 11 - 99 Not less than 2 For every additional 50 or part thereof Not less than 1

(d) Such space or spaces shall be provided as part of the normal carparking spaces required by Rule 13.3.

13.2.3 **AVAILABILITY FOR USE**

All parking and loading spaces, access and manoeuvring areas must be kept clear at all times for the use of motor vehicles. Such areas shall not be used for the storage of any goods or materials, or for any other purpose which would prevent the parking, loading, or manoeuvring of motor vehicles.

13.2.4 IDENTIFICATION OF PARKING SPACES

All parking spaces shall be clearly marked out and identified in a permanent manner, except that this rule shall not apply in relation to sites used for residential or farming purposes, where less than four parking spaces are required for each household unit, or other activity allowed.

13.2.5 SCREENING OF PARKING SPACES

Where four or more parking spaces are provided on a site, the area comprising such spaces shall be screened from any adjoining properties zoned-Residential. Such screening shall

consist of a close boarded fence or wall 1.8 m in height, or by the planting of trees and shrubs to provide equivalent privacy.

13.2.6 LOCATION OF PARKING SPACES

(a) Residential Uses

- (i) Any garage, carport, parking space or similar area intended to house a motor vehicle, shall be sited adjacent to the household unit it is intended to serve, to ensure maximum convenience to its users and minimum disturbance to adjoining household units on the same or neighbouring sites.
- (ii) At least one parking space for each household unit shall be provided in a garage or carport, or sited so that a complying garage or carport could be erected on it.

(b) All Other Uses

At least 75% of the required number of parking spaces for an activity or building shall be located so as to be directly accessible to a customer entrance to the building, provided that this rule shall not apply where parking spaces are provided primarily for staff rather than the general public.

13.2.7 ROAD WIDENING DESIGNATIONS

No required parking or loading space or manoeuvring area or part thereof, shall be located on land shown on the Planning Maps for road widening purposes.

13.2.8 FORMATION OF PARKING AND LOADING SPACES, ACCESS AND MANOEUVRING AREAS

(a) The whole of the parking and loading spaces, access and manoeuvring areas shall before the commencement of the activity to which those parking and loading spaces relate, be formed, paved to a permanent dust free (not metal) surface, drained and marked out. Once established such areas shall be maintained to that standard at all times.

Exceptions

Unless otherwise required by the Council by way of a specific land use consent, or a condition of scheme plan approval, or where the grade of the access is 1 in 10 or steeper rising from the road, such areas are not required to be sealed in the case of:

- (i) A single household unit on a site, including sites with a minor household unit.
- (ii) Land within a rural zone.
- (iii) Yard industries. However this does not include parking, loading and access associated with buildings on the site which shall be formed and sealed in accordance with (a) above.

(b) Kerbs

Where a parking or manoeuvring area adjoins a road, a kerb or similar non-mountable barrier, not less than 150 mm high and at least 1 m from the road boundary, shall be provided on those parts of the frontage not used for vehicular access.

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13.3 NUMBER OF PARKING SPACES REQUIRED

The number of parking spaces required for permitted and controlled activities shall be as indicated below (g.f.a. = gross floor area).

	Building or Activity	Spaces Required
	Amusement Centre	1 for every 36 m ² of g.f.a.
	Auction Rooms	1 for every 36 m ³ of g.f.a.
	Banks	In the Commercial 2 and 3 Zones, 1 for every 36 m ² of g.f.a. In other zones 1 for every
		25 m ² of g.f.a.
,	Boardinghouses	1 for every 3 persons the building is designed to accommodate, and
	•	1 for every non-resident employee.
(Childcare Facilities	1 for every staff member on duty, <u>and</u> 1 for the setting down and picking up of children.
•	Commercial Services	1 for every 36 m ² of g.f.a.
1	Daycare Facilities for the Elderly	1 for every staff member on duty, <u>and</u> 1 for the setting down and picking up of the elderly.
j	Dairies	In the Commercial 2 and 3 Zones 1 for every 36 m^2 g.f.a. In other zones 1 for every 18 m^2 g.f.a.
	Depots	1 for every 90 m ² of both g.f.a. and site area used for such purposes, or
		1 for every 3 persons to be employed, whichever is the greater.
	Educational Establishments (excluding schools)	1 for every 3 persons the activity is designed to accommodate.
00.	Funeral Parlours	1 for every 4 persons the building is designed to accommodate.
	Garden Centres (excluding shops selling plants, etc)	1 for every 90 m ² of both g.f.a. and site area used for such purpose; or where there is no outdoor display,
•		1 for every 3 persons to be employed, whichever is the greater.

Building or Activity Spaces Required

Health and Welfare Services See Medical Offices.

Hire Premises See Depots.

Home Occupations 1 for every non-resident employee.

Homes for the Aged 1 for every 3 persons the premises are

designed to accommodate, and

1 for every 2 staff members on duty.

Hospitals See Homes for the Aged.

Hostels See Boardinghouses

Hotel 1 for every guest bedroom, and 1 for every 4 m² of g.f.a. of bar space (outdoor drinking

areas shall be assessed at 1 for every 15 m²).

Household Units

2 for every household unit, at least 1 of which must be sited to that a complying private garage of 3.0 m x 6.0 m can be erected.

Industries not otherwise provided for 1 for every 46 m² of both g.f.a. and site area used for such purpose, or

1 for every 3 persons to be employed, whichever is the greater.

Marinas 0.7 for every berth.

Minor Household Units 1 for every minor household unit

Medical Offices

5 for the rooms for one health consultant and
3 for the rooms for each subsequent health

consultant

Offices 1 for every 36 m² of g.f.a.

Outdoor Display Premises See Garden Centres.

Outdoor Recreation and Entertainment 1 for every 3 persons the activity is designed

Premises to accommodate.

Places of Assembly 1 for every 3 persons the activity is designed

to accommodate.

Private Hotel See Boardinghouses.

DISTRICT RULES - VEHICLE PARKING, LOADING AND ACCESS - NUMBER OF PARKING SPACES REQUIRED

Building or Activity

Retail Warehouses

Service Stations

Restaurants

Spaces Required

In the Commercial 2 and 3 Zones, 1 for every 4 persons the activity is designed to accommodate. In other zones 1 for every 3 persons the activity is designed to accommodate and 1 for every 2 staff members, or

1 for every 10 m² of g.f.a., and 1 for every 15 m² of outdoor eating area, and 1 for every 2 staff members, whichever is the greater.

1 for every 18m² of gross shopping floor area, plus 1 for every 36 m² of other activities.

4 for each repair bay, lubrication bay, work bay or carwash facility, plus 1 for every 50 m² of remaining g.f.a. (Required parking spaces may not be located in a repair bay, lubrication bay, work bay or car wash facility.)

Schools

Primary and Intermediate

Secondary

Shops (excluding supermarkets)

Show-home sites

Showrooms

Supermarkets

Takeaway Foodbars

Taverns

1 for every staff member; <u>and</u> 1 per 15 students to be available for the setting down and picking up of students.

1 for every staff member; <u>and</u> 1 for every 50 students, <u>and</u> 1 per 50 students to be available for the setting down and picking up of students.

In the Commercial 2 and 3 Zones, 1 for every 36 m² of g.f.a. In other zones 1 for every 25 m² of g.f.a.

3 spaces for 1 or 2 show-homes, <u>plus</u> 1 additional space for each additional showhome.

1 for every 90 m² of g.f.a.

1 for every 18 m² of gross shopping floor area, plus 1 for every 36 m² of other activities.

In the Commercial 2 and 3 Zones, 1 for every 36 m^2 of g.f.a. In other zones 1 for every 25 m^2 of g.f.a.

- (a) Up to 150 persons maximum occupancy:
 - minimum parking: 1 for every 10 persons.
 - maximum parking: 1 for every 5 persons.

Rodney District Plan Review No 2, 1993 as amended by Change No. 23

Building or Activity

Spaces Required

- (b) 151 200 persons maximum occupancy:
 - minimum parking: 1 for every 8 persons.
 - maximum parking: 1 for every 5 persons.
- (c) 201 250 persons maximum occupancy
 - minimum parking: 1 for every 6 persons.
 - maximum parking: 1 for every 4 persons.
- (d) 251 300 persons maximum occupancy:
 - minimum parking: 1 for every 5 persons.
 - maximum parking: 1 for every 3 persons.
- (e) 301 persons and over:
 - minimum parking: 1 for every
 - 3 persons the building is designed to accommodate.
 - no maximum parking.

In assessing the number of persons to be accommodated the following ratios shall apply:

Public Bars - 0.93 m² per person Lounge and Private Bars -1.11 m² per person Restaurants - 1.4 m² per person Games Rooms - 1.86 m² per person

1 for every 2 people likely to be on the site at any one time.

1 for every accommodation unit, and 1 for every 2 persons to be employed.

2 <u>plus</u> 1 for every 200 m² of showroom and outdoor display areas.

1 for every 90 m² of g.f.a.

1 for every 18 m² of gross shopping floor area, <u>plus</u> 1 for every 46 m² of gross storage floor area, <u>plus</u> 1 for every 36 m² of other activities.

Telephone Exchanges

Travellers Accommodation

Vehicle Sales Premises

Warehouses

Wholesale Liquor Outlet

Building or Activity

Spaces Required

Yard Industries

1 for every 200 m² of site area used for yard purposes, and 1 for every 36 m² of g.f.a. used for offices, and 1 for every 25 m² gross shopping floor area.

13.4 NUMBER OF LOADING SPACES REQUIRED

The number of loading spaces to be provided in respect of any particular site or activity shall be as follows.

(a) Retail. Wholesale

Gross Floor Area of Activity (m²)

0 - 2,500
2,501 - 5,000
Over 5,000

1
2 plus 1 per additional 5,000 m²

(b) Manufacturing and Other Goods Handling Activities

Loading spaces shall be required in accordance with the above table for each separately occupied, leased, or tenanted area in cases where there is more than one occupier, lessee or tenant on any site.

(c) Offices and Other Non-Goods Handling Activities

O - 2,500
Over 10,000

Over 10,000

Over 10,000

Over 10,000

Number of Loading Spaces Required

O - 2,500

1
2 plus 1 per additional 10,000 m²

A loading space may count as one parking space and occupy space in front of the main access doors.

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13.5 ASSESSMENT OF PARKING AND LOADING SPACES

(a) Fractional Spaces

Where an assessment of the required parking or loading standards in relation to any activity or building 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 parking or loading space, as appropriate.

(b) Multiple Uses

Where more than one permitted or controlled activity is proposed within a development the parking and loading standards shall be assessed for each activity individually, except that ancillary uses occupying less than 10% of the gross floor area of any building shall be assessed in terms of the dominant use of the building or site.

(c) Parking Inside Buildings

- (i) The area of any parking and loading spaces, and associated access within a building shall be excluded from the gross floor area of that building for the purposes of assessing the total number of spaces required.
- (ii) Such spaces shall be clearly defined, marked out, be visible from the road or adequate signposting provided, kept available for use at all times when the building is in use and shall not be used for any other purpose.

(d) Reduction of Number of Spaces Required when Service Lanes Provided

Where land designated for a proposed service lane is formed and vested in the Council by a landowner at their expense, the number of carparking spaces required may be reduced by one space for each 25 m² of service lane so formed provided that no extra site coverage has been granted on the basis of service lanes provided.

2016:030 (c)

DISTRICT RULES - VEHICLE PARKING, LOADING AND ACCESS - SIZE OF AND ACCESS TO PARKING AND LOADING SPACES

13.6 SIZE OF AND ACCESS TO PARKING AND LOADING SPACES

13.6.1 PARKING SPACES

(a) Size of Parking Spaces

All carparking spaces shall have dimensions in accordance with the standards contained in Appendix 13A, except that where parking spaces for household units are to be provided within a building or accessory building the minimum dimensions shall be 3 m by 6 m.

(b) Access and Manoeuvring Areas

Each parking space shall be provided with such access and manoeuvring areas necessary to allow for ingress and egress of motor vehicles from and to the road, and for the manoeuvring of motor vehicles within the site. Such areas shall be designed in accordance with the standards contained in Appendix 13A, and be designed to accommodate a 90 percentile car as described in Appendix 13B.

(c) Reverse Manoeuvring

Sufficient space shall be provided on the site so that no reverse manoeuvring onto or off a road is necessary for:

- (i) all rear sites,
- (ii) sites where four or more parking spaces are served by one carriageway,
- (iii) sites having access to roads classified as arterial or principal roads. (Refer to Appendix 13H Classification of Roads pages 499 501.)

13.6.2 LOADING SPACES

(a) Size of Loading Spaces

Every loading space shall be of a usable shape and shall be of the following dimensions:

- (i) _ _ not less than 9 m in depth.
- (ii) where articulated vehicles are used or are intended to be used in connection with any site, sufficient loading spaces not less than 12 m in depth shall be provided for the purpose.
- (iii) no loading space shall be less than 3.5 m in width, or such greater width as is required for the adequate manoeuvring of vehicles using the loading space.
- (iv) no loading space nor access to it shall be less than 3.8 m in height.

(b) Access and Manoeuvring Areas

Every loading space shall be provided with such access and manoeuvring areas necessary to allow for ingress and egress of motor vehicles from and to the road and for the manoeuvring of motor vehicles within the site. Such areas shall be designed to accommodate a 90 percentile truck as described in Appendix 13C, and in the case of

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DISTRICT RULES - VEHICLE PARKING, LOADING AND ACCESS - SIZE OF AND ACCESS TO PARKING AND LOADING SPACES

an articulated vehicle be designed to accommodate an articulated truck as described in Appendix 13D.

(c) Reverse Manoeuvring

Sufficient space shall be provided on the site so that no reverse manoeuvring onto or off a road is necessary from any loading space, except where manoeuvring is onto a service lane.

(d) Special Loading Requirements in Rural Zones

- (i) Structures for the loading and unloading of stock, produce, fertiliser and other materials shall be located on the site and not less than 10.0 m from the road boundary. The only exception is portable bobby calf pens.
- (ii) In all cases loading and unloading shall take place completely clear of the carriageway.

13.7 **VEHICULAR ACCESS TO SITES**

- (a) Vehicle crossings over footpaths which provide access to any parking and/or loading spaces shall comply with the following:
 - (i) No more than two crossings will be allowed in respect of any site which has a total road frontage of 60 m or less.
 - (ii) No more than three crossings will be allowed in respect of any site which has a total road frontage greater than 60 m.
 - (iii) The maximum width of any crossing at the road frontage boundary shall be 6 m.
 - (iv) Notwithstanding anything to the contrary in the foregoing clauses, the total crossing width for any front or corner site shall not exceed 50% of the frontage to any road in which it is placed.
 - (v) In the case of any property having road frontage or access within any "Defined Road Boundary" as specified in Rule 13.7(c) below, crossings shall be located to the satisfaction of the Council's Engineering Manager.
 - (vi) Any access shall be so graded as to abut the road boundary at the relative level of the existing footpath and berm, except in the case of a road without footpath and kerb, or either, in which case the crossing profile shall allow for their future construction to the satisfaction of the Council's Engineering Manager.
 - (vii) Where suitable and adequate access to a site from a road is possible by means of the use of a service lane, or right-of-way, such means of access shall be used in preference to any new vehicular crossings over footpaths.
 - (viii) Where entrance locations are altered, crossings no longer required shall be reinstated as verge and/or footpath and kerbs replaced. The cost of such work shall be borne by the owner of the property formerly served by the crossing.

(b) Requirements for Rural Zones

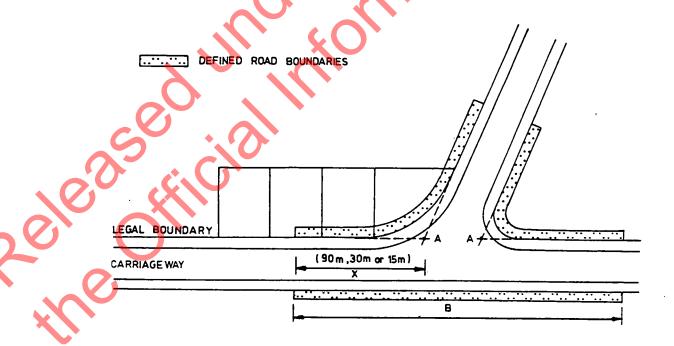
- (i) In all rural zones new access points to properties shall be laid out and constructed in accordance with the standards contained in Appendix 13E (Rural Access Point for Heavy Vehicles) or Appendix 13F (Entrances to Sales Areas on Rural Roads) as is appropriate, except for those access points to be used solely for residential purposes.
- (ii) Access points shall be not less than 60 m from any adjacent intersection.
- (iii) At all access points there shall be not less than 100 m sight distance in each direction.

(c) Defined Road Boundary

For the purpose of clause (a)(v) above, the following shall be deemed to be a defined road boundary:

10,

- (i) Any arterial, principal, or collector road boundary which is within 90 m of its intersection with any other arterial, principal, or collector road boundary. (Refer to Appendix 13H for classification of roads.)
- (ii) Any arterial, principal or collector road boundary which is within 30 m of its intersection with any local road and any local road boundary which is within 30 m of its intersection with any arterial, principal or collector road boundary.
- (iii) Any local road boundary which is within 15 m of its intersection with any other local road boundary.
- (iv) All the above distances to be measured as follows (refer to diagram below also):
 - Project the boundary of the road fronting the relevant property to its point of intersection with the projection of the nearest straight boundary of the nearest confluent or intersecting road (labelled A in diagram).
 - Measure the distance 'X' as specified below, along the frontage road boundary.
 - This represents the extent of the defined road boundary.
 - In the case of a T-intersection, the defined road boundary shall also include the length of boundary immediately opposite the defined road boundary as determined above (labelled B in diagram).



DISTRICT RULES - VEHICLE PARKING, LOADING AND ACCESS - VEHICLE ACCESS TO PARKING AND LOADING SPACES

13.8 <u>VEHICULAR ACCESS TO PARKING AND LOADING SPACES</u>

Every parking and loading space shall have access from an existing formed road in accordance with the following standards.

(a) Carriageway Widths (Residential Activities)

For residential activities an unobstructed carriageway not less than 5 m wide, or separate ingress and egress carriageways, each not less than 2.7 m wide,

except that where an access:

- (i) serves less than 13 parking spaces as determined by Rule 13.3; and
- (ii) does not serve a loading space; and
- (iii) passing bays can be provided to the satisfaction of the Council's Engineering Manager, in those positions deemed necessary by the Council's Engineering Manager;

then the carriageway may be reduced to 2.7 m in width

(b) <u>Carriageway Widths (All Other Activities)</u>

For all other activities an unobstructed carriageway not less than 6 m wide, or ingress and egress carriageways, each not less than 3 m wide.

(c) Grade of Access

The grade of access shall not be steeper than 1 in 5 for carriageways serving residential activities, and 1 in 8 for carriageways serving other activities.

(d) Alignment of Access

For all horizontal and vertical curves a minimum sight distance of 30 m shall be maintained within the boundaries of the access.

13.9 CASH PAYMENT IN LIEU OF CARPARKING SPACES

13.9.1 APPLICATIONS MAY BE CONSIDERED

In any commercial or industrial zone, where an application is made under the relevant zone rule to dispense with or grant a waiver from the requirements of Rule 13.1 (OBLIGATION OF OWNERS AND OCCUPIERS), the Council may accept payment of a sum of money in lieu of requiring the provision of on site parking as set out in Rule 13.1.

3.9.2 <u>CIRCUMSTANCES UNDER WHICH APPLICATIONS MAY BE CONSIDERED</u>

The circumstances under which the Council may consent to a cash payment in lieu of requiring the provision of on site parking as set out in Rule 13.1 are:

DISTRICT RULES - VEHICLE PARKING, LOADING AND ACCESS - VEHICLE ACCESS TO PARKING AND LOADING SPACES

- (a) Where it is not reasonable or practical to require full compliance with the provisions because of the characteristics of the site (or sites) in particular size, shape, or other physical constrains; and/or
- (b) Where it will result in the better development of the subject site (or sites) or the general locality and adequate and accessible public parking is available or can be made available by the Council within reasonable walking distance of the site.

13.9.3 **VALUE OF CASH PAYMENT**

(a) The per carpark space value of any cash payment will be determined by the following formula:

The average value of 1 m² of land of the subject site (or sites) and at least 4 immediately adjoining or adjacent sites of like physical circumstances within the same zoning, at least one of which has frontage to the same street as the subject site (or sites).

Multiplied by 25 (nominal area for carpark plus manoeuvring area)

Plus

The current cost of construction of 25 m² of carpark to a permanent dustfree (not metal) surface including earthworks, pavement, kerbing, drainage and marking.

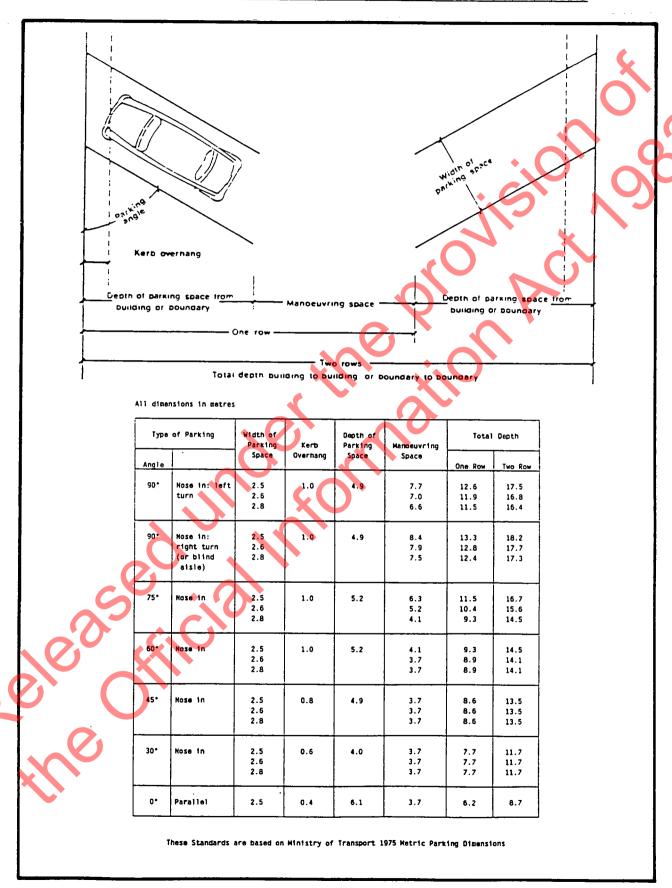
<u>Provided that</u> where the Council provides the carparking on land of lower value than the development site prior to the commencement of the use, then the average value of the Council carpark land will be taken as the per square metre value to be paid.

- (b) The value of the cash payment shall be calculated by a registered valuer and submitted to the Council as part of the application to dispense with or grant a waiver from the requirements of Rule 13.1 at the applicant's expense.
- 13.9.4 The number of carparks for which cash payment shall be calculated shall be determined in accordance with the requirements of Rule 13.3.

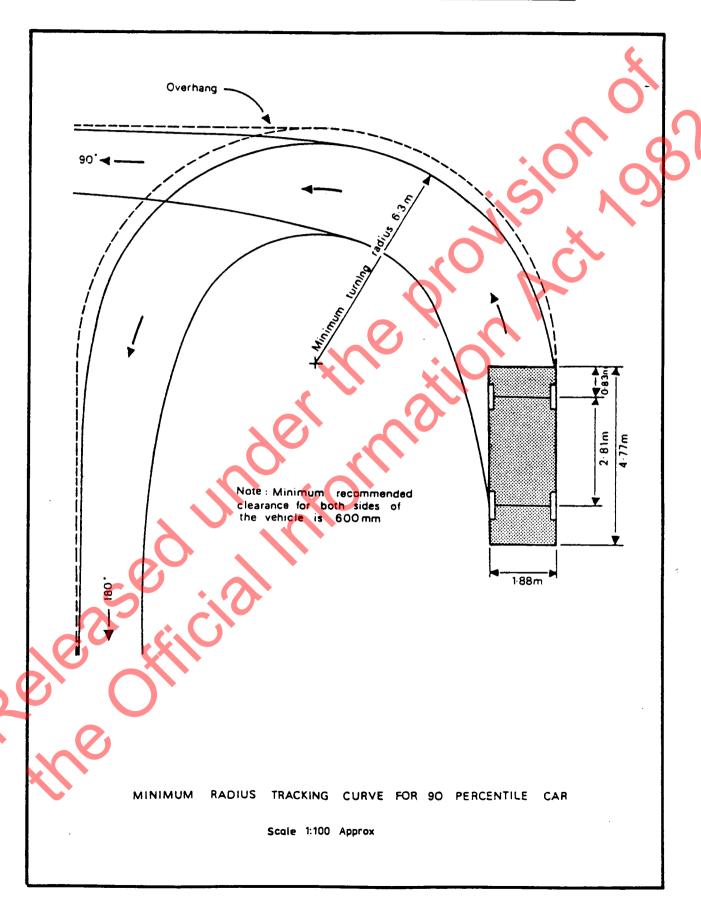


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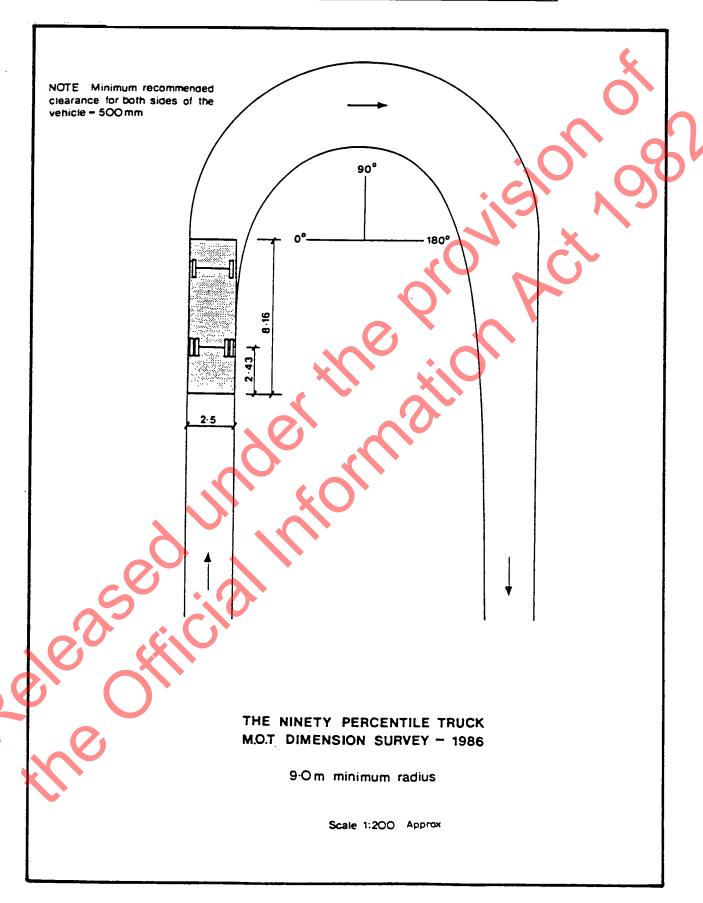
APPENDIX 13A: MANOEUVRING AND PARKING SPACE DIMENSIONS



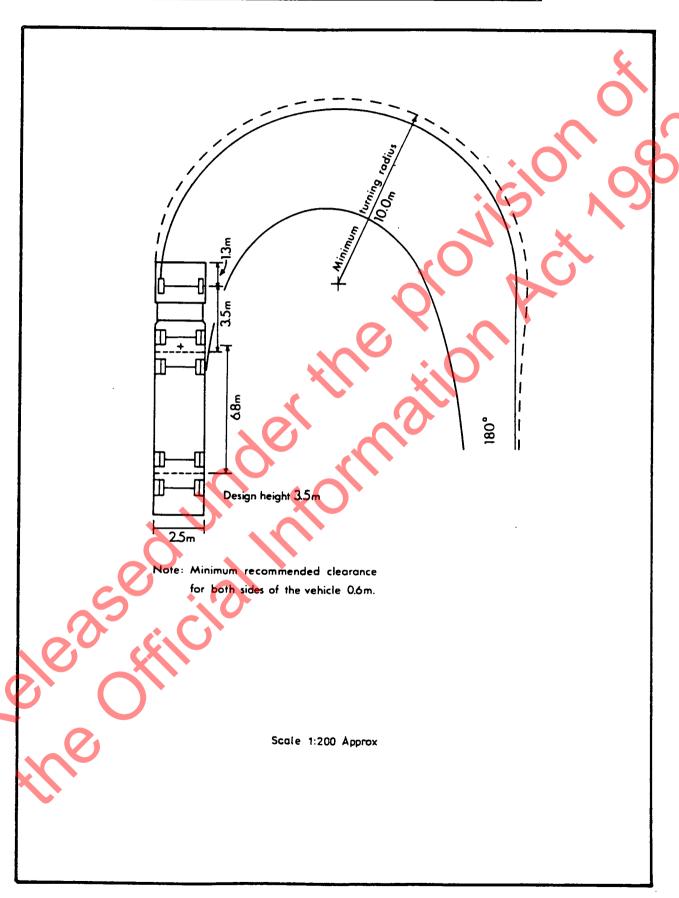
APPENDIX 13B: 90 PERCENTILE MOTORCAR TRACKING CURVE



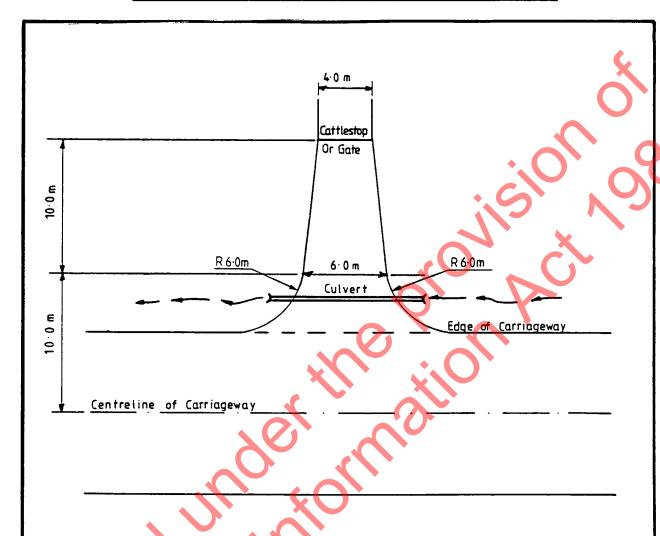
APPENDIX 13C: 90 PERCENTILE TRUCK TRACKING CURVE



APPENDIX 13D: ARTICULATED TRUCK TRACKING CURVE



APPENDIX 13E: RURAL ACCESS POINT FOR HEAVY VEHICLES

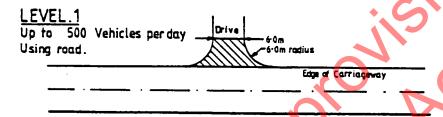


Notes: 1. Dimensions are the minimum acceptable paved surface.

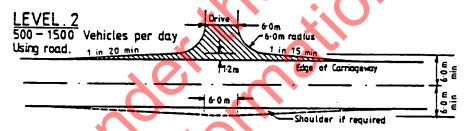
- 2. Fences must be set back at least 1 m from the edge of the paved surface.
- 3. Culverting of the road waterchannel and other drains to be subject to the approval of the County Engineer.
- Entrances to be frequently used by truck and trailer combinations should be wider by 2 m.

APPENDIX 13F: ENTRANCES TO SALES AREAS ON RURAL ROADS

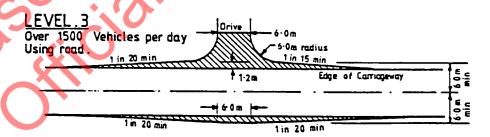
- Notes: 1. The scale of entrance treatment can generally be matched to the NRB S/2 cross-section thresholds, although engineering judgement will vary detailed requirements in specific intances.
 - 2. Where sealed tapers are developed, adequate shoulder support must also be provided to protect the seal edge.



A sealed, bell-mouthed entrance with no treatment required on the far side of the carriageway.

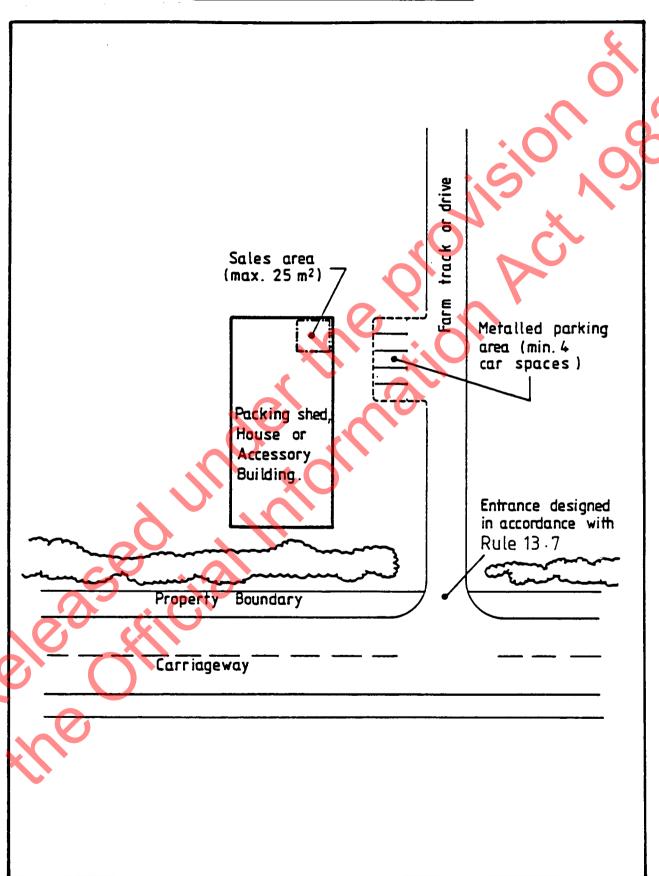


A bell-mouth as for 1 , plus a sealed approach taper widening out to a 1.2 m shoulder, and a sealed departure taper. Generally little of no treatment will be required on the opposite side of the road, but if speeds are high even with relatively low volumes, widening may be required opposite the entrance, with tapers no sharper than 1 in 20. A traffickable width of 6 m minimum from centreline out is required.



As for '2' on the entrance side. There should be a 6 m minimum traffickable width either side of centreline in the vicinity of the entrance. The far side of the carriageway requires 1 in 20 tapers to safely accommodate a vehicle at normal operating speed deviating around a right-turner waiting at the centreline.

APPENDIX 13G: MODEL LAYOUT FOR AREA FOR SALES OF PRIMARY PRODUCE OR PRODUCTS OF HOME OCCUPATIONS



APPENDIX 13H: CLASSIFICATION OF ROADS

(See Rule 13.7(c))

ARTERIAL ROADS

State Highway 1, incorporating the following:

- (a) Rodney Street, Wellsford
- (b) Auckland Street, Warkworth
- (c) Brown Road, Warkworth
- (d) Great North Road, Warkworth.
- (e) Main Road, Orewa

State Highway 16, including Main Road, Kumeu.

Former State Highway 16, including Port Albert Road, Wellsford

Coatesville-Riverhead Highway.

East Coast Road

PRINCIPAL ROADS

Kahikatea Flat Road

Leigh Road

Mahurangi East Road (Sandspit Road to Snells Beach)

Mangawhai Road (State Highway 1 to Black Swamp Road)

Matakana Road

Red Beach Road

Riverhead Road

Sandspit Road (State Highway 1 to Mahurangi East Road)

Taupaki Road (Waitakere Road to State Highway 16)

Whangaparaoa Road (State Highway 1 to Gulf Harbour)

COLLECTOR ROADS

Access Road (Station Road to State Highway 16 (Main Road))

Bay Street

Beach Road

Brightside Road

Centreway Road (State Highway 1 to West Hoe Road)

Duck Creek Road (Spur Road to Stillwater Crescent)

Elizabeth Street (Warkworth)

Factory Road (State Highway 16 to Waimauku Station Road)

Florence Avenue (State Highway 1 to Centreway Road)

Forge Road

Foster Road (State Highway 16 to Trigg Road)

Foundry Road

Gulf Harbour Drive

Hardley Avenue

Hill Street (State Highway 1 to Victoria Street)

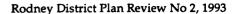
Kaipara Flats Road (railway crossing to State Highway 1)

Ladies Mile

Langton Road (Vipond Road to Brightside Road)

Lawrence Street

Mahurangi East Road (Sandspit Road to Martins Bay Road)



APPENDIX 13H: CLASSIFICATION OF ROADS

(See Rule 13.7(c))

Mahurangi West Road (State Highway 1 to Pukapuka Road)

Makarau Road (former State Highway 16 to Tahekeroa Road)

Marellen Drive

Matakana Valley Road (Smith Road to Leigh Road)

Matheson Road (Rodney Street to Rustybrook Road)

Matua Road (State Highway 16 to Pinotage Place)

Mill Lane

Moana Avenue

Moenui Avenue

Muriwai Road (Motutara Road to State Highway 16)

Neville Street

Omaha Flats Road (Takatu Road to Point Wells Road)

Pakiri Road (Leigh Fisheries to Goat Island Road)

Parkhurst Road (South Head Road to State Highway 16)

Peak Road (former State Highway 16 to Shanks Road)

Port Albert Road (Wharfe Road to former State Highway 16)

Puhoi Road (State Highway 1 to Tunnel Road)

Oueen Street

Rishworth Avenue

Riverside Road (State Highway 1 to Centreway Road)

Run Road (Burma Road to Wharehine Road)

School Road (Tomarata Valley Road to Radcliffe Road)

Shakespeare Road (Whangaparaoa Road to Gulf Harbour Avenue)

Silverdale Street

South Head Road (Monk Road to Parkhurst Road)

Spur Road (East Coast Road to Duck Creek Road)

Stanmore Bay Road (Whangaparaoa Road to Brightside Road)

Station Road (Rodney Street to Matheson Road)

Takatu Road (Leigh Road to Whitmore Road)

Tamariki Avenue

Tauhoa Road (former State Highway 16 to Poynter Road)

Tavern Road (State Highway 1 to Foundry Road)

Tawa Road (Puke Road to Station Road)

Taylor Road

Tindalls Bay Road

Tomarata Valley Road (Whangaripo Valley Road to School Road)

Vipond Road

Wade River Road

Waikoukou Valley Road (railway crossing to Taylor Road)

Waimauku Station Road (State Highway 16 to railway crossing)

Wainui Road

Waitakere Road (Access Road to Wairere Road)

Waitoki Road

Waiwera Road

Weranui Road (Upper Waiwera Road to Waiwera Road)

West Coast Road

West Hoe Road (State Highway 1 to Centreway Road)

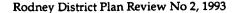
Whangaparaoa Road (Gulf Harbour Road to Auckland Regional Authority Reserve)

Whangaripo Valley Road (Rustybrook Road to Matakana Valley Road)

Wharehine Road (Run Road to Wharf Road)

Whittaker Street

Worker Road (Rodney Street to Hood Street)



APPENDIX 13H: CLASSIFICATION OF ROADS

(See Rule 13.7(c))

Woodcocks Road (West Coast Road to State Highway 1)

LOCAL ROADS

All other roads.

End of Report

Released under the provision Act 1982
the Official Information Act 1982
the Official Information Act 1982

