

## **PART 33    RULE 33 - MOTORWAY SERVICE ZONE**

For the avoidance of doubt, and notwithstanding the rules which follow, all activities (or applications for consent for such activities) must also comply with such other provisions as may affect the activity or site and which are specified in Parts 7, 8 10, 11, 12, 15, 22, 26, 50, 51, 52 and 53 of this Plan. Where the activity involves the use of a SIGN erected on private property, the SIGN shall be consistent with matters set out in Rule 15.4.

### **33.1    PERMITTED ACTIVITIES**

The activities listed below are *Permitted* in the *Motorway Service Zone*, and do not require a resource consent, if they comply in all respects with Rule 33.5 (PERFORMANCE STANDARDS).

(NOTE: Within the following list, the words in CAPITALS are defined in Rule 50)

- FARMING.

### **33.2    CONTROLLED ACTIVITIES**

- i. *Controlled* activities require a resource consent, but the consent *shall* be granted. An application must be submitted in the prescribed format (available from the Council).
- ii. Applications will be assessed primarily in terms of the matters set out in Rule 33.6, and any conditions of consent will only relate to those matters.
- iii. The information submitted with the application must be in terms of Rule 52 but only to the extent needed to enable a thorough assessment in terms of Rule 33.6. The application must also clearly demonstrate compliance with the stated performance standards applicable to the activity.
- iv. An application for a *Controlled* activity may be considered without public notification where Council so determines in terms of Section 94 of the Act. (This is a *non-notified* application in terms of the Act).
- v. The activities listed below are *Controlled* activities in the *Motorway Service Zone* if they are in accordance with an approved Comprehensive Development Plan for the whole of the Zoned area and with the performance standards in Rule 33.5.

(NOTE: Within the list, the words in CAPITALS are defined in Rule 50)

- Car wash facilities;
- Storage area for tow trucks;
- Mail box, coin laundry and fax machine facilities;
- Automatic teller machine banking facilities;
- A maximum of two permanent premises and a produce market type area for the sale of agricultural produce grown predominantly in the district of the zoned area.;
- Sale of prepackaged food, groceries, stationery and toilet requisites in a floor area not exceeding 70 square metres;
- Premises for emergency and transport related regulatory services including a weighbridge and Police Department depot;
- Helistop, for emergency services only;

- RESIDENTIAL BUILDINGS for business operators in the Zone provided that the accommodation is incidental to and forms part of the business premises;
- Overnight truck stop accommodation;
- ACCESSORY BUILDINGS for the foregoing uses;
- The following activities provided that they are established in conjunction with each other:
  - One SERVICE STATION and one truck stop and trucker's lounge;
  - Food and refreshment facilities;
  - Premises for the provision of information for travellers and tourists;
  - Rest, picnic and sealed vehicle parking areas;
  - Public toilets, telephones and showers;
  - Lotto and TAB facilities ancillary to established retail activities and within buildings existing as at 31 May 1994.

### **33.3 RESTRICTED DISCRETIONARY ACTIVITIES**

- i. *Restricted Discretionary* activities require a resource consent, and the consent may be granted or refused. An application must be submitted in the prescribed format (available from the Council).
- ii. Applications will be assessed primarily in terms of the matters set out in Rule 33.7, and any conditions of consent will only relate to those matters.
- iii. The information submitted with the application must be in terms of Rule 52 but only to the extent needed to enable a thorough assessment in terms of Rule 33.7. The application must also clearly demonstrate compliance with the stated performance standards applicable to the activity.
- iv. An application for a *Restricted Discretionary* activity may be considered without public notification where Council so determines in terms of Section 94 of the Act. (This is a *non-notified* application in terms of the Act.)
- v. The activities listed below are *Restricted Discretionary* activities in the *Motorway Service Zone*.

(NOTE: Within the list, the words in CAPITALS are defined in Rule 50)

- Any *Controlled* activity which is in accordance with an approved Comprehensive Development Plan for the whole of the Zoned area but which does not comply with any one or more of the performance standards of Rule 33.5;
- Any *Controlled* activity which is not in accordance with an approved Comprehensive Development Plan for the whole of the Zoned area but which is shown on a revised Comprehensive Development Plan which is submitted at the same time as the particular *Controlled* activity (or activities).

### **33.4 NON-COMPLYING ACTIVITIES**

- i. *Non-complying* activities require a resource consent, and the consent may be granted or refused. An application must be submitted in the prescribed format (available from the Council).
- ii. Applications will be assessed in terms of the matters set out in Rule 53, and where consent is granted, conditions of consent may be imposed.
- iii. The information submitted with the application must be in terms of Rule 52.

iv. The activities listed below are *Non-complying* activities in the *Motorway Service Zone*.

- Any activity which is not provided for under Rules 33.1, 33.2, or 33.3.

### **33.5 PERFORMANCE STANDARDS**

#### **33.5.1 MAXIMUM BUILDING HEIGHT**

7.5 metres provided that one building in the Zone may exceed that height by a maximum of 2.5 metres for up to 30 per cent of its roof area.

#### **33.5.2 YARDS**

6 metres from all Zone boundaries.

#### **33.5.3 PERMISSIBLE NOISE LEVELS**

The following sound levels as measured at or within any boundary of an adjoining site (not zoned *Motorway Service Zone*), for the hours specified, shall not be exceeded:

Time/hours	L <sub>10</sub>	L <sub>max</sub>
0700 to 2200	55 dBA	75 dBA
At all other times	45 dBA	75 dBA

[Note: NZS 6802 provides for the reduction of these performance standards by 5 dBA where the measured noise has a special audible characteristic].

#### **33.5.4 SIGNS**

Where the activity involves the use of a SIGN erected on private property, the SIGN shall be consistent with matters set out in Rule 15.4.

#### **33.5.5 SALE OF LIQUOR**

- The sale of liquor to the public from the *Motorway Service Zone* shall only occur in conjunction with the *Controlled* activity of Rule 33.2 listed as "food and refreshment facilities";
- The hours of trading for the sale of liquor shall be restricted to between 7.30 am and 10.30 pm.

### **33.6 ASSESSMENT OF CONTROLLED ACTIVITIES**

Any application for a *Controlled* activity shall be accompanied by a copy of the approved Comprehensive Development Plan and shall include such other plans, or a model or models, with descriptive text, as is necessary to enable a complete assessment of the proposal in terms of all the following matters over which the Council has reserved control:

1. The extent to which the proposal is in compliance with all the details of the Comprehensive Development Plan for the site.
2. The extent to which the proposal would be consistent with the Objectives of the Plan, and give effect to any Objectives and Policies which are specific to the *Motorway Service Zone* or the locality (see in particular Objective 21.4).
3. The suitability and quality of:
  - the design and external appearance of buildings;
  - landscape design and site layout;
  - the location and design of vehicular access to and from the site;

- the placement and effects of on-site lighting;
- the scale, placement and design of signs relating to the activities in the Zone
- parking design and location.

### **33.7 ASSESSMENT OF RESTRICTED DISCRETIONARY ACTIVITIES**

In assessing an application for a *Restricted Discretionary* activity the Council will in particular assess the activity in terms of the following matters over which it has restricted the exercise of its discretion, and conditions of consent will only relate to these matters (or such other matters as the Act provides):

#### **33.7.1 GENERAL MATTERS**

- The matters specified in Clauses 2, 3, and 4, of Rule 33.6;
- Whether the proposal will be attractive and convenient having regard to the integration of buildings, facilities available to the public, provision of special public amenity areas and the general level of on site amenity, the safety, convenience and practicability of pedestrian and vehicles areas, traffic safety, location and design of sealed vehicles parks, access for service vehicles, and landscaping;
- Whether the scale and design of buildings and additions to buildings is of a high architectural standard and is related to the character of the site and locality. In the case of additions, whether they are related to the design of the existing building;
- Whether harmony is achieved in architectural styles, use of materials and detailing to achieve the coherence of the "service centre" as a whole;
- Whether the type, scale and extent of landscaping complements and/or enhances the proposed development and minimises the visual impact of the use;
- The extent to which uses and associated parking will be screened from adjacent sites and the amenities of adjacent sites will be protected.

#### **33.7.2 SITE SERVICING**

The provision of water, sewage and stormwater treatment services for the Motorway Service Area will be the responsibility of the developer and will be provided to the satisfaction of Council. The Council will require a high level of sewage and contaminated stormwater treatment to ensure that environmental standards are maintained. The operation of the Motorway Service Area will generate contaminated stormwater which is likely to include automotive products in solution or emulsified suspension. The applicant will therefore be required to contain and treat all contaminated stormwater prior to its discharge to the satisfaction of the Chief Executive or officer(s) acting under delegated authority. No development is to proceed in the Zone until necessary discharge consent/s are held.

#### **33.7.3 PARKING REQUIREMENTS**

The amount of carparking to be provided on the site shall be determined by the Council when it approves a new or revised Comprehensive Development Plan. The Council will be guided in its assessment of carparking to be provided by the level required for individual uses as set out in Rule 51 of the Plan, but further provision may be necessary having regard to the nature of the Zone. All vehicle parking and manoeuvring areas shall be sealed and marked to appropriate "urban" standards.

### **33.8 SUBDIVISION**

Subdivision in accordance with the provisions of an approved Comprehensive Development Plan will be a *Discretionary* activity and will be assessed in terms of all applicable provisions of this Plan.