

Section 9: Rural Zone

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9. RURAL ZONE

9.1 Introduction

The land in the Rural Zone is quite varied, ranging from flat areas on both sides of the Manawatu River, through to the rolling land of the foothills of the Tararuas, to the actual Tararua Ranges themselves. The dominance of the Tararua Ranges in particular and the very settled rural land at its edges, provides an attractive visual backdrop for the urban area of Palmerston North.

The visual amenity that rural land offers to the urban part of the City, while beneficial, should not obscure the importance of the land as the basis of a diverse range of economic activity. This working part of the rural community includes agriculture which ranges from horticulture through dairying, sheep, cattle raising to arable farming. Generally horticulture is confined to quite limited areas, mainly in the Staces Road and Te Matai Road areas, where orcharding, market gardening and plant production predominate. Elsewhere there are other soils which are capable of sustaining various types of horticulture, and while some are being used for this purpose, others merely provide a high quality part of another land use. Generally within the City, except for market gardening and nursery plant production, there are not enough growers to ensure the necessary infrastructure such as packing houses etc, to encourage horticulture, on a large scale. The climate itself also provides another limitation. For anyone choosing to set up a horticultural activity, there are probably better sites in adjoining areas both in the Manawatu District Council and Horowhenua District Council areas.

Much of the rural land in the City consists of productive farms, which can generally be expected to continue to operate in the foreseeable future. It is important that the District Plan recognises this and the particular resource management issues which face farmers. Forestry is a relatively small scale rural land use, with only two substantial areas of commercial scale production forestry on Forest Hill Road and Scotts Road. However forestry is often undertaken in concert with agriculture and there is significant on-going interest in smaller farm wood-lots.

There has also always been a significant number of people who choose to live in the country, some in small settlements such as Linton and others on small rural blocks, some of whom undertake at least some part-time rural activity. Rural-residential dwellers are often attracted to rural areas by the perceived quality of the rural environment, particularly its amenity values. Others choose to live in the country as this is where their work is located, or because they were previously employed in the rural area.

In addition the rural area also accommodates a small range of industrial activities being either service industries such as C-Dax which manufactures agricultural equipment or industries based on a natural resource such as gravel. Massey University and a range of Crown Research Institutes (CRIs) are also located within the rural area, as is the NZ Army.

Overall the rural area represents a patchwork of activities, some of which are not always compatible with each other, or which produce environmental effects which must, as far as possible, be mitigated.

9.2 Resource Management Issues

The following resource management issues were identified within the Rural Zone.

1. The effects of urban growth and the possible intrusion of urban development into rural areas, resulting in the loss of productive land and disruption to rural communities.
2. The maintenance and encouragement of sustainable agricultural enterprises, which make efficient use of the productive land resource.

3. The provision for rural-residential development, which avoids remedies or mitigates any adverse effects on the efficient use of resources and on rural environmental and amenity values.
4. The potential adverse effects of forestry development and forest harvesting.
5. The amenity values contained within the area, particularly in terms of landscape values and areas of high natural qualities.
6. The need to provide for a range of non-agricultural uses within the rural area to provide for the social and economic well-being of rural dwellers.
7. The potential for, or existence of, incompatibility between different rural activities, due to the impact of adverse environmental effects.
8. Recognition of the need to provide for community and leisure activities in rural areas, in a way that avoids adverse environmental effects.
9. The need to provide for a range of new activities which make use of rural resources and which are compatible with the amenity values of the rural area and avoid the creation of adverse effects.
10. Recognition of the potential for rural activities to adversely affect urban activities, particularly residential activities, at the rural/urban interface.
11. The need to protect noise sensitive activities within the vicinity of the Palmerston North Airport so as to avoid, remedy or mitigate adverse effects associated with airport noise and to sustain the potential capacity of the Airport to meet reasonably foreseeable air transport needs, and to ensure that the efficient operations of the Airport can continue.

Explanation

Until 1989, Palmerston North was basically an urban centre with very little rural land. Following local body reform in 1989, the new Palmerston North City Council was formed which included a relatively large area of rural land much of which is in productive agricultural use. A number of identified resource management issues relate to concerns that much of the productive rural land resource will rapidly be converted to urban land resulting in the disruption to rural communities, and to the ability of land owners to carry out their farming operations, and the loss of productive land. The City's growth path has been determined for the next 15 years, and lies within land formally controlled by the City. This growth path is shown on Map 9.1.

Thus in at least the medium term the City's rural land will continue to be farmed and there are a range of issues which are related to how that rural land resource might be used productively and sustainably. Equally there was also the identification of a number of effects which can arise from agricultural and other rural land uses which have the potential to create adverse impacts. The issue is then to provide for a range of activities in the rural area while controlling the effects of those activities and ensuring they remain compatible with each other.

9.3 Objectives and Policies

Within the broad framework of the City View objectives in section 2, the following specific objectives and policies have been identified for the Rural Zone:

Objective 1

To protect rural land from the adverse effects of unnecessary and unplanned urban expansion.

Policies

- 1.1 To protect the urban growth path for the City identified in Map 9.1.
- 1.2 To ensure, as far as possible, that existing urban land is fully utilised before the rural land contained within the identified urban growth path is released for urban purposes.
- 1.3 To ensure that the urban conversion of the land contained within the identified urban growth path proceeds in an orderly manner.
- 1.4 To avoid, where possible, the fragmentation of land contained within the identified urban growth path into small blocks.

Explanation

It is important that future urban expansion within the City is carefully managed in order to ensure that the indiscriminate conversion of productive agricultural land for urban purposes is avoided.

By identifying on Map 9.1 an urban growth path for the City, the Council is signalling how it will address, in part, the City's anticipated growth requirements over the next 10 to 15 year time horizon, and its desire to see the balance of the high quality rural land within the City retained for productive purposes.

To facilitate the efficient urban conversion of land situated within the growth path, the Council considers that further fragmentation of these land holdings into smaller rural-residential blocks should be avoided. Additionally, the Council will also endeavour to ensure that existing land identified for urban purposes in the Kelvin Grove and Aokautere areas is utilised to its fullest extent prior to any land situated in the growth path being released for urban purposes.

Objective 2

To encourage the effective and efficient use and development of the natural and physical resources of the rural area.

Policies

- 2.1 To avoid, remedy or mitigate the adverse effects of activities on land of high productive capability.
- 2.2 To ensure that the adverse effects of activities in the rural area are avoided, remedied or mitigated such that the amenities of the area and nearby urban areas are maintained.
- 2.3 To control the actual or potential environmentally adverse effects of activities in the rural area, including the adverse effects of:
 - odour;
 - noise;
 - traffic;
 - visual impact.
- 2.4 To encourage the maintenance of sustainable land-uses in the rural area.
- 2.5 To identify areas subject to natural hazards, and to ensure the adverse effects of the natural hazard are avoided, remedied or mitigated and, where appropriate, prohibit use and development of hazard prone areas.

Explanation

It is important that rural land continues to be used in a way which ensures that the productive potential of the land is maintained in a sustainable manner. However, the wide range of activities which occur in the rural area can produce a range of adverse effects which must be addressed if there are not to be negative effects on the rural environment.

In the case of natural hazards, the hazard must be identified and appropriate action taken to avoid or control its effects. In some cases this could mean prohibiting the activity altogether, or limiting its scope by imposing conditions. Other sections of the District Plan deal more directly with natural hazards. These include Section 22 - Natural Hazards, which includes matters relating to seismic, flood, and land stability hazards. In addition, the District Plan identifies a Flood Protection Zone, ponding areas where minimum floor levels apply and a Cliff Protection Area where building is prohibited.

Objective 3

To enhance the quality and natural character of the rural environment.

Policies

- 3.1 To provide for the health and safety of rural dwellers by establishing specific noise limits for the rural area.
- 3.2 To encourage the adoption of sustainable land use practices.
- 3.3 To control the adverse visual effects on the rural environment (including effects on rural dwellers) of activities that disturb the land surface, introduce buildings, remove and/or process natural material.
- 3.4 To encourage the protection of the in-stream values of spawning rivers and streams.

Explanation

The rural environment has a range of unique qualities which are valued by rural dwellers and those who view or travel through those areas. It is important that the amenity values and general ambience of the rural environment is protected from any adverse effects on them.

The Kahuterawa and Turitea Streams are classified Class F Water (being water for fishery purposes) in the Proposed Manawatu Catchment Water Quality Plan. This is because of their importance as brown trout spawning and rearing streams. Any activity within the floodplain of these streams that may affect these values may require a resource consent from either the Manawatu-Wanganui Regional Council or the Palmerston North City Council.

Objective 4

To recognise and enhance the diversity of the rural community.

Policies

- 4.1 To permit a variety of land-based activities subject to control of their adverse environmental effects.
- 4.2 To provide for community and leisure facilities to serve rural and urban communities.
- 4.3 To allow a range of other activities where their adverse effects can be avoided or mitigated.

Explanation

While much of the rural area is devoted to large scale rural land uses such as farming and forestry, there are a wide variety of other activities which contribute to the maintenance of land and the diversity of the rural community. These other activities include small engineering works, schools, community halls, recreational activities, home occupations, veterinary clinics, animal boarding establishments, roadside stalls, and garden centres.

While these activities are valuable parts of the rural community, and which often also serve urban communities, it is important that there are controls over any adverse environmental effects which they may produce. However, the existence of these activities also helps to make the rural community a

sustainable community, in that it avoids extended energy inefficient journeys to use the business, recreational and leisure facilities which are provided in the urban area.

Objective 5

To avoid, remedy or mitigate the adverse effects of aircraft noise on noise sensitive activities in the vicinity of the Palmerston North Airport.

Objective 6

To avoid, remedy or mitigate the potential adverse effects of noise sensitive activities in the vicinity of Palmerston North Airport on efficient aircraft operations.

Policies

- 5.1 To prohibit any new dwelling, school, hospital or other building to be used for regular living accommodation in the Air Noise Zone.
- 5.2 To mitigate the adverse effects of aircraft noise on any new dwelling, school, hospital or other building to be used for regular living accommodation in the Inner and Outer Control Zones.
- 5.3 To require every application for a resource consent lodged within the Inner and Outer Control Zones to be accompanied by details of the method of construction for the purpose of noise attenuation, and sufficient information to satisfy Council that this method will achieve the requisite insulation rating.

Explanation

The operations of a modern airport give rise to a range of sound emissions relating mainly to aircraft operations. These sound emissions may have an adverse effect on surrounding noise sensitive activities such as the inhabitants of dwellings.

In order to protect potential occupiers of land situated within the vicinity of the Airport from levels of noise that may be incompatible with normal standards of rural amenity, Council has introduced controls to mitigate the adverse effects of operational aircraft noise on noise sensitive activities in the Rural Zone. These controls also have the effect of protecting the operation of the airport from noise sensitive activities to allow it to function efficiently, effectively, and safely.

To ensure that responsibility for mitigation of operational aircraft noise is not borne solely by affected rural property owners, Council has also introduced specific noise mitigation measures to control operational activities within the Airport Zone. Please refer to Rule 20.4.9.1 Sound Emissions in the Airport Zone.

9.4 Methods

- District Plan Rules (Palmerston North City Council)
- Provision of information
- Public Education
- Designation

A number of the objectives and policies stated in this section will be achieved in an effective and relatively inexpensive manner through the rules in this and other sections of the Plan.

Equally in many cases, public education on how to avoid adverse effects, through explanatory brochures and the like, can achieve the objectives and policies in a cost-efficient and effective manner.

Also the provision of information through statutory and non-statutory documents can assist resource users. This is particularly important in regard to the relative roles of Manawatu-Wanganui Regional Council and the Palmerston North City Council in achieving integrated management of land, water and soil resources in the rural area. The District Plan does not control activities in the beds of rivers and lakes or discharges of contaminants into the environment (land, air or water). The control of these activities is the responsibility of Manawatu-Wanganui Regional Council. Activities in the rural area that involve the beds of rivers and lakes, discharges of contaminants into the environment, soil disturbance and vegetation clearance on land vulnerable to erosion may need the consent of Manawatu-Wanganui Regional Council.

In respect of any land severely affected by airport noise, one of the options available is for the Requiring Authority to designate land for airport purposes (and subsequently purchase it) or to simply purchase land without designation. Palmerston North Airport Limited was granted requiring authority status in July 1995 however, to date the Company has not exercised its designating power.

9.5 Environmental Outcomes Anticipated

It is anticipated that the objectives, policies and methods of this section will achieve the following results:

- Creation of an effective and environmentally sensitive system of rural land use management.
- Encouragement of diversity in the use of the natural and physical resources of the rural area.
- Managed urban expansion which avoids the adverse effects of inappropriate or premature use of productive rural land.
- The avoiding, remedying or mitigating of the adverse effects of activities on the rural environment.
- Establishment of activities which contribute to the diversity and enhancement of the amenity values of the rural environment.
- Opportunities for people to pursue a diversity of rural lifestyles and to use and develop the natural and physical resources of the rural area.
- Avoidance, mitigation or remediation of the adverse effects of aircraft noise on noise sensitive activities in the Rural Zone.
- Avoidance, mitigation or remediation of the adverse effects of noise sensitive activities in the Rural Zone on the efficient operation of the Palmerston North Airport.

9.6 Rules : Permitted Activities



R 9.6.1 Permitted Activities

The following activities are Permitted Activities provided they comply with the specified Performance Conditions:

- (a) Farming, excluding intensive farming;
- (b) Horticulture;
- (c) Soil conservation and rivers control works carried out or supervised by the Manawatu-Wanganui Regional Council or the Palmerston North City Council;

- (d) **The farm-based teaching and research activities of Massey University, and other individuals and/or organisations associated with the University;**
- (e) **Roads.**

Performance Conditions

(a) Separation Distances

- (i) Buildings housing poultry or pigs; also silage pits and piles must be located at a minimum of:
 - 50 metres from any residentially zoned property.
 - 50 metres from any residentially used building on any adjoining property.
 - 20 metres from any public road, river or property boundary other than a boundary with any residentially zoned property.

(b) Access and Loading

Compliance with Rules:

20.3.8.1 Loading Space Standards;
20.3.9.1 Access Standards.

(c) Cultural and Natural Heritage

Compliance with the provisions of Section 17 - Cultural and Natural Heritage.

(d) Hazardous Substances

Compliance with the provisions of Section 14 - Hazardous Substances.

(e) Signs

Compliance with Rule 6.1.5.1

(f) Height

Any buildings or structures shall comply, in terms of height, with R 20.4.10.1.

Explanation

This group of activities includes activities which are either the predominant rural activities, eg farming, or those which have minor effects, eg soil conservation works. As such, the effects of these activities are well identified and the performance conditions attempt to mitigate effects which are likely to be unacceptable to the rural community or which will have an adverse effect on the environment - for instance the smell and general aversion to the effects of the concentration of even small numbers of pigs or poultry. The separation distances are intended to ensure that buildings housing animals are kept away from dwellings to reduce such impacts. Further separation distances are provided for in respect of on-site effluent disposal under Rule 9.6.4.

Note to Plan Users: Also refer to Rule 23.7.1 – Radiofrequency Field Exposure

R 9.6.2 Production Forestry

Production Forestry is a Permitted Activity provided it complies with the following Performance Conditions.

Performance Conditions**(a) Planting Notice**

Prior to planting commencing, information shall be supplied to the Council on the following:

- (i) The number of hectares to be planted.
- (ii) The species to be planted.
- (iii) The sequence of planting.
- (iv) The legal description and location of the site or sites to be planted.
- (v) The sources and location of water supplies for fire fighting purposes.
- (vi) The intended crossing places and local road to be used in the management of the forest.

(b) Separation Distances

Production Forest plantings must not come within:

- 5 metres of an adjoining property boundary under a separate Certificate of Title; or
- 20 metres from the Turitea Stream, Kahuterawa River, or the unnamed tributary of the Turitea Stream (confluence at NZMS 260 T24 357827); or
- Any area which could result in shading of a road between 10:00 am and 2:00 pm on the shortest day of the year.

(c) Proposed Harvesting Notice

At least one month prior to harvesting commencing, information shall be supplied to the Council on the following:

- (i) The sequence of felling and the routes to be used to remove timber.
- (ii) The methods of extraction to be used.
- (iii) The access points and roads to be used by logging vehicles.

(d) Access and Loading

Compliance with Rules:

- 20.3.8.1 Loading Space Standards;
- 20.3.9.1 Access Standards.

(e) Duration of Occupation

Any portable sawmill used on a site must not operate for longer than six consecutive months, within any calendar year.

(f) Cultural and Natural Heritage

Compliance with the provisions of Section 17 - Cultural and Natural Heritage.

(g) Signs

Compliance with Rule 6.1.5.1

Explanation

Production forestry naturally involves the planting of trees and many years later the harvesting of those trees. In terms of the planting of the trees the main effects stem from the potential to cause icing of roads, overshadowing of adjacent properties as trees mature or to create a fire risk if care is not exercised in the way the forest is planted. The sheer bulk of trees planted at productive forestry stocking rates can lead to a feeling of oppression by adjoining landowners particularly if the forest is adjacent to a house site. Hence the provision for a range of separation distances. Information collected through the Planting Notice also provides a useful information base to assess the effects of the on-going development of forestry within the City, and to ensure there is early identification of any actual or potential adverse effects.

At the time of harvest there is potentially the greatest chance of the emergence of adverse environmental effects. These, however, mainly relate to soil and water effects which are the appropriate concern of the Manawatu-Wanganui Regional Council. Activities in the beds of rivers are restricted under Section 13 of the Act and will require a resource consent, unless permitted in a Regional Plan. Vegetation clearance (which includes forest harvesting) or soil disturbance will require a land use consent from the Regional Council on land vulnerable to erosion. In terms of the Palmerston North City Council, the primary concern arises from traffic-related effects, hence the requirement for information on the way harvesting is to be undertaken and the access requirements. Provision has been made to allow for limited milling operations to occur on the site, provided that this does not give rise to a permanent sawmilling operation on the site.

**R 9.6.3 Home Occupations (without retailing from the site)**

*For provisions relating Home Occupations **with** retailing from the site, refer to Rule 9.7.1.*

Home Occupations (without retailing from the site) are a Permitted Activity provided they comply with the following Performance Conditions.

Performance Conditions**(a) Number of Employees**

In addition to any person or persons living on the site, no more than two external full time employees shall work on the site.

(b) Floor Area

The gross floor area of the principal or accessory building used by a Home Occupation shall not exceed 100 m².

(c) Dust

Any activity involved as a home occupation shall not generate or discharge levels of dust (or other particulate matter) that is deemed to be offensive and/or objectionable and causes potential adverse effects on the surrounding environment. A potential adverse effect, arising from the discharge of particulate matter, will occur if:

- (i) there is visible evidence of particulate matter suspended in the air across a site boundary; and/or
- (ii) there is visible evidence of particulate matter, traceable from the activity, settling on the ground or structure on a neighbouring site, or water.

(d) Hours of Operation

Home Occupations may operate only between 7:00 am and 10:00 pm.

(e) Signs

Compliance with Rule 6.1.5.1.

(f) Lighting

Any artificial lighting system shall ensure that its use does not result in added illuminance over and above the measured ambient level, in excess of 8 lux measured in the vertical plane at the windows of any building used for residential purposes on another site.

(g) Access and Loading

Compliance with Rules:

20.3.8.1 Loading Space Standard;
20.3.9.1 Access Standard.

(h) Parking

- (i) Compliance with Rules:
 - 20.3.7.2 Parking Provision For All Zones Except for the Inner Business Zone;
 - 20.3.7.7 Formation of Parking Spaces.
- (ii) Any parking associated with the Home Occupation must be located on the site.

(i) Hazardous Substances

Compliance with the provisions of Section 14 - Hazardous Substances

(j) Cultural and Natural Heritage

Compliance with the provisions of Section 17 - Cultural and Natural Heritage.

(k) Noise

Compliance with Rule 9.12.1.

Explanation

Home Occupations provide the opportunity for rural people to develop employment opportunities based at their home. The major concern is to ensure that the activity does not create unacceptable or unexpected effects on the rural environment. This is partly achieved by limiting the number of people who live off the site who may work in the business, to ensure that the activity and its effects remain small and compatible with the character of the rural area. The other performance standards address specific effects such as parking.

**R 9.6.4 Effluent Ponds for On-Farm Waste Disposal**

Effluent Ponds for On-Farm Waste Disposal are a Permitted Activity provided that the following Performance Conditions are complied with.

Performance Conditions**(a) Separation Distances****Non Piggery Effluent**

From any boundary:	60 metres
From any residentially-used building on an adjoining site:	150 metres
From any Residential Zone:	1600 metres
From any marae, public building, church, school or recreation area:	200 metres

Piggery Effluent — as per Table 9.1

Table 9.1 PIGGERY EFFLUENT Buffer zone distance from Land Spreading and Treatment Ponds			
Description	Minimum Distance in metres		
<i>type of system</i>	<i>Land Spreading [i] (anaerobic lagoon)</i>	<i>Land Spreading [ii]</i>	<i>Subsoil Injection - Aerobic Lagoon</i>
From a Residential Zone	1500	2000	500
From a Rural-Residential Area, Marae, Public Hall, Church, School, Recreation Area	500	1000	200
From an isolated rural residence	250	500	150
[i]	Effluent for surface spreading, stored anaerobically for less than 48 hours		
[ii]	Effluent for surface spreading, stored anaerobically without treatment for more than 48 hours		

(b) Screening

All ponds must be fenced, and screened from any residentially used building on an adjacent site to which the ponds are visible, by screen planting of vegetation capable of growing to 1.8 m in height, or a solid board fence of not less than 1.8 m in height.

(c) Cultural and Natural Heritage

Compliance with the rules of Section 17 - Cultural and Natural Heritage.

Explanation

Effluent ponds are an essential element of rural land use, and when well constructed and located, offer an environmentally acceptable means of on-site disposal of farm waste. However, there are a number of potential negative effects, which are controlled by the performance conditions. Any discharge of effluent from an effluent pond to water or land requires a resource consent from the Manawatu-Wanganui Regional Council in accordance with the Manawatu Catchment Water Quality Regional Plan. However, the Manawatu Catchment Water Quality Regional Plan does not require a consent for the effluent pond itself.

**R 9.6.5 Dwellings and Accessory Buildings (excluding those prohibited by R 9.11.1)**

Dwellings and Accessory Buildings are Permitted Activities provided the following Performance Conditions are complied with.

Performance Conditions**(a) Site Size**

The net site must consist of a contiguous area of not less than:

- (i) 3500 m² of land in the Aokautere Rural-Residential area.
- (ii) 1 ha in all other areas.

(b) Separation Distances

- (i) Any residential building shall be located not less than:
 - (a) 10 metres from a front boundary;
 - (b) 5 metres from any other boundary.
- (ii) Accessory buildings housing or intended to house animals shall be located not less than 10 metres from a boundary.
- (iii) Accessory buildings not intended to house animals shall be located not less than 3 metres from a boundary.

(c) Height

- (i) Dwellings and Accessory Buildings - maximum height of 9 metres; and
- (ii) Any buildings or structures shall comply, in terms of height, with R 20.4.10.1

(d) Access

Compliance with Rule 20.3.9.1 Access Standards

(e) Numbers**(i) On sites of 20 ha or less:**

One dwelling plus one dependent dwelling unit for which a resource consent must be obtained.

(ii) On sites over 20 ha:

A maximum of two dwelling units plus one dependent dwelling unit, for which a resource consent must be obtained.

(f) Air Noise Control

Compliance with R 10.7.1.1(h).

[NOTE TO PLAN USERS:

Proposals that do not:

1. Provide the required degree of noise reduction stated in the definitions of Schedules P, Q and R; or
 2. Obtain certification from an acoustical consultant to provide alternative means of construction to achieve the degree of noise reduction set out in the definitions of Schedules P, Q and R;
- are provided for as a Non-Complying Activity under R 9.10.2].

(g) Cultural and Natural Heritage

Compliance with the rules of Section 17 - Cultural and Natural Heritage.

Explanation

Dwellings and accessory buildings are clearly an essential feature of the rural area, housing farmers, others who work in the rural area and rural-residential dwellers. However it is important that new dwellings be established in a way which ensures that they have the most minimal effects on the environment and in a way which protects the character of the rural area. It is for this reason that one of the performance conditions is a minimum lot size as this ensures that the "paper town" with its small urban-sized sections in the Linton area, does not emerge as an unplanned and unserviced settlement. There are also requirements for buildings to be separated from roads and buildings on adjoining sites to ensure that the open nature of the rural area is maintained. Restrictions on the number of dwellings have been included to ensure that they are used to build dwellings for those working on the farm rather than as a way of evading the rural-residential provisions. The issue of on-site effluent disposal is dealt with as part of the building consent process.

As the operational noise emitted by aircraft at Palmerston North Airport can be intrusive and disturb night-time sleep, any new dwelling, and addition or alteration to an existing dwelling, located in the vicinity of the Airport will be required to provide an appropriate level of noise insulation. In order to ensure that responsibility for mitigation of this aircraft operational noise does not rest solely with rural property owners, specific noise mitigation requirements have also been imposed on operational activities within the Airport Zone (refer to Rule 20.4.9.1).

NOTE TO PLAN USERS:

The provision of Section 36 of the Building Act 1991 will be used in the consideration of any stability issues when any application is made for a building consent.

Also refer to Rule 23.7.1 – Radiofrequency Field Exposure

R 9.6.6 Existing Industries

The following existing industries are Permitted Activities provided the following performance conditions are complied with.

Being:

- (i) The pharmaceutical manufacturer known as:
NZ Pharmaceuticals Ltd on Lot 1 DP 54984, Lot 1 DP 33976, Eyre Road, Linton.
- (ii) The contractors depot known as:
W J and R B Ware Limited on Lot 2 DP 62000, Shirriffs Road, Longburn.
- (iii) The agricultural equipment designer and manufacturer known as: C-Dax
Systems Ltd on Lot 1 DP 65373, Harts Road.
- (iv) The civil engineering and contracting business known as: G Blackley Ltd on
Lot 1 DP 15400 and Lot 1 DP 26943, Stoney Creek Road.
- (v) The sawmilling and timber sales yard known as: Tiritea Sawmilling Co Ltd on
Lot 2 DP 23159 and Sec 218 Town of Fitzherbert, Tennant Drive, Linton.
- (vi) The sawmilling and timber sales yards known as: Ashhurst Timber Co Ltd, on
Lot 1 DP 64198, Orrs Road, Aokautere

Performance Conditions

(a) Nature of the Activity

Any activity undertaken on the site must have been undertaken as at 31 May 1995.

(b) Hours of Operation

In the case of W J and R B Ware Limited, the hours of operation shall be between 7:00 am and 7:00 pm Monday to Saturday, with no activity on Sunday.

In the case of New Zealand Pharmaceuticals Limited, the hours of operation shall be 24 hours a day, seven days a week.

All other industries in this grouping may commence no earlier than 6:00 am and must cease activity by 10:00 pm (Monday - Saturday) and commence no earlier than 7:00 am and cease by 4:00 pm on Sundays.

(c) Parking, Access and Loading

Compliance with Rules:

20.3.7.2 Parking Provision For All Zones Except Inner Business;
20.3.7.7 Formation of Parking Spaces;
20.3.8.1 Loading Space Standards;
20.3.9.1 Access Standards.

(d) Cultural and Natural Heritage

Compliance with the rules of Section 17 - Cultural and Natural Heritage.

(e) Hazardous Substances

Compliance with the rules of Section 14 - Hazardous Substances.

(f) Noise

Compliance with Rule 9.12.1

(g) Signs

Compliance with Rule 6.1.5.1

Explanation

Within the rural area there are a number of long-established industries, the effects of which are largely compatible with surrounding uses. It is important that these industries continue to exist and provide services and employment within the rural community, with effective environmental and amenity controls.

**R 9.6.7 Tielcey Park Equestrian Complex**

The Equestrian Complex known as Tielcey Park located on Section 243, Pt Section 245 and Lot 2 DP 3524 Blk XII Kairanga SD, Fitzherbert Road East is a Permitted Activity, provided the following Performance Conditions are complied with.

Performance Conditions**(a) Activities**

Any development on the site shall not create an area of more than:

- (i) 100 m² gross floor area of retailing of equestrian equipment;
- (ii) 150 m² gross floor area of facilities for eating.

(b) Access, Parking and Loading

Compliance with Rules:

20.3.7.2 Parking Provision Standards For All Zones Except Inner Business;
20.3.7.7 Formation of Parking Spaces;
20.3.8.1 Loading Space Standards;
20.3.9.1 Access Standards.

(c) Cultural and Natural Heritage

Compliance with the rules of Section 17 - Cultural and Natural Heritage.

(d) Signs

Compliance with Rule 6.1.5.1

(e) Height

- (i) All Buildings — maximum height of 9 metres; and

- (ii) Any buildings or structures shall comply, in terms of height, with R 20.4.10.1

(f) Separation Distances

- (i) Any building other than a residential building shall be located at least 10 metres from any boundary.
- (ii) Any residential building shall comply with Rule 9.6.5(b).



R 9.6.8 Minor and Extended Temporary Military Training Activities

Minor and Extended Temporary Military Training Activities are a Permitted Activity, provided the following Performance Conditions are complied with.

Performance Conditions

(a) Buildings and Structures

- (i) Any buildings and/or structures erected must be in compliance with performance conditions (b) and (c) of Rule 9.6.5; and
- (ii) Any buildings erected in associated with the Temporary Military Training Activity must be removed at the conclusion of the activity unless they are in compliance with Rule 9.6.5.

(b) Hazardous Substances

Compliance with the requirements of Section 14 - Hazardous Substances of this District Plan.

(c) Duration and Frequency of Activities

The activity is limited to a period not exceeding 31 days.

Note to Plan Users: Also refer to Rule 23.7.1 – Radiofrequency Field Exposure

Explanation

The New Zealand Defence Force (NZDF) carries out temporary military training activities in areas not designated for defence purposes. Such temporary training involves military activities by regular and territorial force units in zones throughout Palmerston North City. The Defence Act 1990 provides for the raising and maintenance of armed forces. Military training activities are essential in enabling the NZDF to maintain operational capability. The above conditions have been designed to enable the NZDF to carry out temporary military training activities while ensuring that any adverse effects of training activities on the environment are mitigated.

9.7 Rules : Controlled Activities



R 9.7.1 Controlled Activities

Garden Centres, Home Occupations with retailing from the site, Nurseries and Roadside Stalls where access is not from a State Highway, a Limited Access Road, Old West Road or the Pahiatua Track and complies with the following Performance Conditions are Controlled Activities in respect of:

- **The Safe and Efficient Operation of the Rooding Network**

Performance Conditions

(i) Separation

- (a) Any vending point must be located at least 30 m from the front boundary of the property.
- (b) Any building must be located at least 20 m from any residentially used property.

(ii) Signs

Compliance with Rule 6.1.5.1

(iii) Parking and Access

Compliance with Rules:

20.3.7.2 Parking Provision for All Zones Except Inner Business Zone;
20.3.7.6 Car Park Landscape Design;
20.3.7.7 Formation of Parking Spaces;
20.3.8.1 Loading Space Standards;
20.3.9.1 Access Standards.

(iv) Height

- (i) All buildings — maximum height of 9 metres; and
- (ii) Any buildings or structures shall comply, in terms of height, with R 20.4.10.1

(v) Home Occupations Only

Compliance with the performance standards of Rule 9.6.3.

(vi) Cultural and Natural Heritage

Compliance with the rules of Section 17 - Cultural and Natural Heritage.

(vii) Hazardous Substances

Compliance with the rules of Section 14 - Hazardous Substances.

In determining what conditions if any to impose, Council will, in addition to the City View objectives in section 2 and the Rural Zone objectives and policies, assess any application in terms of the following further policies:

- (i) To avoid, remedy or mitigate the effects of vehicle movements to and from the site on the safe and efficient operation of the roading network.
- (ii) To ensure that adequate on-site parking and manoeuvring areas are provided and that there is no overspill of parking onto adjoining roads.



R 9.7.2 Education and Early Childhood Facilities (excluding those prohibited by R 9.11.1) where Access is not from a State Highway, Limited Access Road, Old West Road or the Pahiatua Track

Education and Early Childhood Facilities where access is not from a State Highway, Limited Access Road, Old West Road or the Pahiatua Track, and which comply with the following Performance Conditions, are Controlled Activities in Respect of:

- The Safe and Efficient Operation of the Roding Network.

Performance Conditions

(i) Height

- (a) All Buildings — maximum height of 9 metres; and
- (b) Any buildings or structures shall comply, in terms of height, with R 20.4.10.1

(ii) Separation

No building shall come within 6 m of a boundary with a residentially used site.

(iii) Screening

A solid fence of not less than 1.8 m in height or screen planting capable of growing to 1.8 m in height shall be erected or planted on any boundary with a residentially used property.

(iv) Parking and Access

Compliance with Rules:

- 20.3.7.1 Parking Spaces for People with Disabilities;
- 20.3.7.2 Parking Provision for All Zones Except the Inner Business Zone;
- 20.3.7.6 Car Park Landscape Design;
- 20.3.7.7 Formation of Parking Spaces;
- 20.3.8.1 Loading Space Standards;
- 20.3.9.1 Access Standards.

(v) Cultural and Natural Heritage

Compliance with the rules of Section 17 - Cultural and Natural Heritage.

(vi) Signs

Compliance with Rule 6.1.5.1

(vii) Air Noise Control

Compliance with R 10.7.1.1(h).

[NOTE TO PLAN USERS:

Proposals that do not:

1. Provide the required degree of noise reduction stated in the definitions of Schedules P, Q and R; or

2. Obtain certification from an acoustical consultant to provide alternative means of construction to achieve the degree of noise reduction set out in the definitions of Schedules P, Q and R;
- are provided for as a Non-Complying Activity under R 9.10.2].

In determining what conditions if any to impose, Council will, in addition to the City View objectives in section 2 and the Rural Zone objectives and policies, assess any application in terms of the following further policies:

- (i) To avoid, remedy or mitigate the effects on the safe and efficient operation of the roading network from the traffic movements generated by activities.
- (ii) To ensure the provision of adequate on-site parking, loading, access, and manoeuvring space to avoid this taking place on roads.
- (iii) To take into account the particular safety requirements with regard to the use of parking areas by young children.



R 9.7.3 Relocated Dwellings (excluding those prohibited by R 9.11.1);

Relocated Dwellings, which comply with the following Performance Conditions, are a Controlled Activity in Respect of:

- **External Appearance**

Performance Conditions

- (i) **Compliance with the Performance Standards of Rule 9.6.5(a)-(g).**

- (ii) **Cultural and Natural Heritage**

Compliance with the rules of Section 17 - Cultural and Natural Heritage.

- (iii) **Air Noise Control**

Compliance with R 10.7.1.1(h)

[NOTE TO PLAN USERS:

Proposals that do not:

1. Provide the required degree of noise reduction stated in the definitions of Schedules P, Q and R; or
2. Obtain certification from an acoustical consultant to provide alternative means of construction to achieve the degree of noise reduction set out in the definitions of Schedules P, Q and R;
- are provided for as a Non-Complying Activity under R 9.10.2].

In determining what conditions, if any to impose, Council will, in addition to the City View objectives in section 2 and the Rural Zone objectives and policies, assess any application in terms of the following further policy:

- (i) To ensure that the external appearance and structural soundness of the building will not have adverse environmental effects on the existing amenity values and ambience of the surrounding area.

Non-Notification

Notice of applications for controlled activities (Rule 9.7.3) need not be served on any persons who, in the Council's opinion may be adversely affected by the activity.

NOTE TO PLAN USERS:

Pursuant to section 93(1) of the Resource Management Act 1991, applications for controlled activities need not be publicly notified unless the applicant so requests (section 94C(1)) or unless the Council considers that special circumstances exist and determines, in its discretion, to notify the application (section 94C(2)). The non-notification provision relating to Rule 9.7.3 provides that notice of applications for controlled activities need not be served on any affected parties (limited notification).



R 9.7.4 Dependent Dwelling Units (excluding those prohibited by R 9.11.1);

Dependent Dwelling Units, which comply with the following Performance Conditions, are a Controlled Activity in respect of:

- **External Appearance**

Performance Conditions

(i) Number

There shall be only one dependent dwelling unit associated with any dwelling.

(ii) Floor Area

The floor area of the dependent dwelling unit shall not exceed 100 m².

(iii) Duration

A dependent dwelling unit must be removed or integrated into the main building within six months of occupation by the dependent person ceasing.

(iv) Other

Compliance with the performance conditions in Rule 9.6.5 (c), (d), (e), and (g).

(v) Air Noise Control

Compliance with R 10.7.1.1(h).

[NOTE TO PLAN USERS:

Proposals that do not:

1. Provide the required degree of noise reduction stated in the definitions of Schedules P, Q and R; or
2. Obtain certification from an acoustical consultant to provide alternative means of construction to achieve the degree of noise reduction set out in the definitions of Schedules P, Q and R;

- are provided for as a Non-Complying Activity under R 9.10.2].

In determining what conditions if any to impose, Council will, in addition to the City View objectives in section 2 and the Rural Zone objectives and policies, assess any application in terms of the following further policy:

- (i) To ensure the location and appearance of the dependent dwelling unit is compatible with the existing dwelling and surrounding area.



R 9.7.5 Expansion of Existing Industries

Expansion of Existing Industries, listed in Rule 9.6.6 which comply with the following Performance Conditions, is a Controlled Activity in respect of:

- **Site layout**
- **The safe and efficient operation of the roading network.**

Performance Conditions

- (i) **Compliance with the Performance Conditions of Rule 9.6.6 (a) to (g).**

- (ii) **Screening**

Any new building must be screened from any other property by a close boarded fence of not less than 1.8 m in height or dense planting of trees capable of growing to 5 m in height. Any such planting to be undertaken in the first growing season after the expansion has occurred.

- (iii) **Hazardous Substances**

Compliance with the provisions of Section 14 — Hazardous Substances

- (iv) **Extent of Expansion**

Expansion of buildings and yard areas shall be restricted to those sites as defined in Rule 9.6.6, and shall not exceed the following:

- (a) **NZ Pharmaceuticals** - all buildings shall be a minimum of 5 metres from an external site boundary and must not exceed a height of 5 metres plus the shortest horizontal distance to the nearest boundary, up to a maximum height of 20 metres
- (b) **C-Dax Industries** - site coverage should not exceed 5% of the gross site area and no new building shall be located more than 20 m from an existing building.
- (c) **G Blackley Ltd, Tiritea Sawmill, and Ashhurst Timber Co Ltd** - expansion shall be not more than double the building area or area of sealed yard which existed on 31 May 1995.
- (d) Any buildings and structures shall comply, in terms of height, with R 20.4.10.1.

In determining what conditions if any to impose, Council will, in addition to the City View objectives in section 2 and the Rural Zone objectives and policies, assess any application in terms of the following further policies.

- (i) To avoid, remedy or mitigate the effects of additional traffic generated on the efficiency of the roading network.

- (ii) To ensure adequate provision is made for parking, access and manoeuvring areas.
- (iii) To avoid, remedy or mitigate the effects of the proposed expansion on the amenity values and ambience of the surrounding rural environment.

Explanation

The industries detailed above have existed for many years and it is appropriate to allow them to undertake some expansion of their present activities where the effects on adjoining activities can be controlled. This should allow these businesses to continue to develop with a degree of certainty as to their ability to expand, while ensuring that adverse environmental effects are mitigated or avoided.



R 9.7.6 Minor and Extended Temporary Military Training Activities which do not comply with Performance Conditions

Minor and Extended Temporary Military Training Activities which do not comply with the Performance Conditions of R 9.6.8 shall be Controlled Activities with regard to:

- **External appearance and amenity and/or character of the surrounding area**
- **The safe and efficient operation of the roading network**

In determining whether to grant consent and what conditions to impose, if any, the Council will in addition to the City View objectives in section 2 and the Rural Zone objectives and policies, assess any application in terms of the following further policies:

- (a) To avoid, remedy or mitigate the effects of noise, hours of operation and other environmental disturbance on surrounding rural and urban environments, particularly residentially used properties.
- (b) To avoid, remedy or mitigate the visual impact of any activities, and to preserve the character and amenity of the rural environment.
- (c) To avoid, remedy or mitigate the effects of the proposal on any area of natural and/or cultural heritage value, or of particular significance to Tangata Whenua.

Explanation

The New Zealand Defence Force (NZDF) may need to carry out temporary military training activities which do not meet the performance conditions for permitted activities. In this case, it is important to ensure that any adverse effects of training activities on the environment are avoided, remedied or mitigated.

9.8 Rules : Discretionary Activities (Restricted)



R 9.8.1 Dwellings and Accessory Buildings not complying with Permitted Activity Performance Conditions (excluding those prohibited by R 9.11.1);

Dwellings and Accessory Buildings not complying with Permitted Activity Performance Conditions in relation to:

- (a) **Height**
- (b) **Separation Distances**

are Discretionary Activities (Restricted) with regard to:

- **Design and Appearance**

- **Site Layout**
- **Effects on Adjoining Neighbours**

In determining whether to grant consent and what conditions if any to impose, Council will, in addition to the City View objectives in section 2 and the Rural Zone objectives and policies, assess any application in terms of the following further policies.

- (a) To take into account the existence of any particular topographical or physical feature on the site which makes compliance impracticable.
- (b) To avoid, remedy or mitigate the adverse effects on the visual amenity and ambience of the surrounding environment.
- (c) To avoid, remedy or mitigate the loss of sunlight, daylight or privacy to an adjoining site.



R 9.8.2 Home Occupations not complying with Permitted Activity Performance Conditions.

Home Occupations not complying with Permitted Activity Performance Conditions are a Discretionary Activity (Restricted) with regard to:

- **Effect on Adjoining Rural Environments**
- **The Safe and Efficient Operation of the Roding Network**

In determining whether to grant consent and what conditions if any to impose, Council will, in addition to the City View objectives in section 2 and the Rural Zone objectives and policies, assess any application in terms of the following further policies.

- (a) To avoid, remedy or mitigate the effects of noise or other environmental disturbance on the adjoining rural environment.
- (b) To ensure the design appearance and nature of the activity does not adversely affect the ambience and amenity values of the adjoining rural area.
- (c) To avoid, remedy or mitigate the effects on the safe and efficient operation of the roading network from the traffic movements generated by activities.
- (d) To ensure the provision of adequate on-site parking, loading, manoeuvring and access space to avoid this taking place on roads, and to avoid, remedy or mitigate adverse effects on the surrounding rural environment.



R 9.8.3 Roadside Stalls, Garden Centres and Nurseries, Education Facilities and Early Childhood Facilities with access to a State Highway, Limited Access Road, Old West Road or the Pahiatua Track.

Roadside Stalls, Garden Centres and Nurseries, Education Facilities and Early Childhood Facilities with access to a State Highway with a maximum speed limit of up to 70 km/h, Limited Access Road, Old West Road or the Pahiatua Track, which comply with the following Performance Conditions, are a Discretionary Activity (Restricted) with regard to:

- **The Safe and Efficient Operation of the Roding Network**

Performance Conditions

(i) Roadside Stalls, Garden Centres and Nurseries

Compliance with the Performance Conditions of Rule 9.7.1.

(ii) Education Facilities and Early Childhood Facilities

Compliance with the Performance Conditions of Rule 9.7.2.

In determining whether to grant consent and what conditions if any to impose, Council will, in addition to the City View objectives in section 2 and the Rural Zone objectives and policies, assess any application in terms of the following further policies:

- (a) To avoid, remedy or mitigate the effects on the safe and efficient operation of the roading network from the traffic movements generated by activities.
- (b) To ensure the provision of adequate on-site parking, loading, manoeuvring and access space to avoid this taking place on roads.

9.9 Rules : Discretionary Activities (Unrestricted)



R 9.9.1 Intensive Farming, Veterinary Clinics and Animal Boarding Establishments

Intensive Farming, Veterinary Clinics and Animal Boarding Establishments are Discretionary Activities (Unrestricted).

In determining whether to grant consent and what conditions if any to impose, Council will, in addition to the City View objectives in section 2 and the Rural Zone objectives and policies, assess any application in terms of the following further policies:

- (a) To ensure the activity and any building and structures are of a scale and intensity which is in keeping with the character, amenity and ambience values of the existing rural environment.
- (b) To avoid, remedy or mitigate any adverse effects caused by noise, hours of operation or other environmental disturbance on the surrounding area, particularly residentially used sites.
- (c) When assessing an application for the intensive farming of pigs as a Discretionary Activity (Unrestricted), Council shall have regard for the Code of Practice — Pig Farming, 2nd Edition August 1993 (and subsequent updates).
- (d) To avoid, remedy or mitigate the adverse effects on the safe and efficient operation of the roading network from the traffic movements generated by activities.
- (e) To ensure the provision of adequate on-site parking, loading, manoeuvring and access space to avoid this taking place on roads.

Explanation

These categories of activities have the potential to produce a range of adverse effects and it is therefore necessary to carefully examine the details of such proposals to ensure these effects can be avoided, remedied or mitigated.

In respect of these activities, it should be noted that the Manawatu-Wanganui Regional Council may have separate consent requirements.



R 9.9.2 Sawmills, Rural Industries and Wind Farms

Sawmills, Rural Industries and Wind Farms are Discretionary Activities (Unrestricted).

In determining whether to grant consent and what conditions if any to impose, Council will in addition to the City View objectives in section 2 and the Rural Zone objectives and policies, assess any application in terms of the following further policies:

- (a) To avoid, remedy or mitigate adverse visual impacts of any proposed building, structure or storage areas for products and waste, on the surrounding rural environment, and on the landscape values of adjoining areas.
- (b) To avoid, remedy or mitigate the effects of noise and other environmental disturbance, on the amenity of the surrounding area.
- (c) To avoid, remedy or mitigate the risk of contamination posed by hazardous substances.
- (d) To avoid, remedy or mitigate the adverse effects on the safe and efficient operation of the roading network from the traffic movements generated by activities.
- (e) To ensure the provision of adequate on-site parking, loading, manoeuvring and access space to avoid this taking place on roads.

Explanation

All industrial activities in the rural area, because of the lack of services, have the potential to create adverse effects on the rural environment. Their usually, "one-off" location also increases their visual impact as does outdoor storage of goods and waste. A Discretionary Activity consent process gives Council the opportunity to assess any adverse effects and to ensure that those effects are avoided, remedied or mitigated. In the case of wind farms, the largely unknown effects of the activity mean that it is essential that it be examined on a case by case basis.

In respect of these activities, it should be noted that horizons.mw may have separate consent requirements.



R 9.9.3 Quarrying, Including the removal of sand, shingle, soil or other material

Quarrying, including the removal of sand, shingle, soil or other material is a Discretionary Activity (Unrestricted).

In determining whether to grant consent and what conditions if any to impose, Council will, in addition to the City View objectives in section 2 and the Rural Zone objectives and policies, assess any application in terms of the following further policies:

- (a) To avoid, remedy or mitigate the adverse effects on the safe and efficient operation of the roading network from the traffic movements generated by activities.
- (b) To ensure the provision of adequate on-site parking, loading, manoeuvring and access space to avoid this taking place on roads.
- (c) To avoid, remedy or mitigate the effects of noise, dust and other environmental disturbances on the amenity values of the area, particularly on adjacent residential uses.
- (d) To require any proposed reinstatement works to return the land to its previous, or a better state.
- (e) To avoid, remedy or mitigate the effects of the proposal on any area of environmental or

cultural significance, or of particular significance to Tangata Whenua.

- (f) To ensure that the extraction of gravel has no adverse effects on the management of the potential of the river and/or stream to flooding.
- (g) To avoid, remedy or mitigate the effects on soil stability.
- (h) To avoid, remedy or mitigate any potential effects on water quality and river or stream habitats if quarrying is undertaken near rivers or streams.

Explanation

Quarrying within the City frequently takes place at the interface of the land and a river. As such, this area represents a delicate environmental area on which there is the potential for significant adverse effects. Care needs to be exercised to ensure these and other effects such as noise can be mitigated and that land is restored to a reasonable state at the end of operations.

In respect of these activities, it should be noted that the Manawatu-Wanganui Regional Council may have separate consent requirements.



R 9.9.4 Community and Leisure Facilities and Tourist Facilities (excluding those prohibited by R 9.11.1).

Community and Leisure Facilities and Tourist Facilities are Discretionary Activities (Unrestricted).

In determining whether to grant consent and what conditions to impose, if any, Council will in addition to the City View objectives in section 2 and the Rural Zone objectives and policies, assess any application in terms of the following further policies:

- (a) To avoid, remedy or mitigate the effects of noise, hours of operation and other environmental disturbance on surrounding rural environments, particularly residentially used properties.
- (b) To avoid, remedy or mitigate the adverse effects on the safe and efficient operation of the roading network from the traffic movements generated by activities.
- (c) To ensure the provision of adequate on-site parking, loading, manoeuvring and access space to avoid this taking place on roads.
- (d) To avoid, remedy or mitigate the visual impact of any proposed buildings or structures on the rural environment.
- (e) To ensure the design and appearance of any structure is in character with or complementary to the ambience and amenity values of the rural environment.
- (f) To ensure that building construction is fitted with appropriate acoustic insulation to achieve a satisfactory internal noise environment.

NOTE TO PLAN USERS:

Refer to Section 5.4 (j) - Information Requirements for Land Use Consents for additional information to be provided when lodging an application for a resource consent in respect of noise attenuation.

Explanation

Both these activities have the potential to cater for the recreation and leisure needs of the rural and wider community, including visitors to the City. However their potentially diverse nature means they must be carefully assessed to ensure that all adverse effects are avoided, remedied or mitigated.

**R 9.9.5 Alterations and Additions to Existing Buildings in the Air Noise Zone Identified on Map 10.7.6.3**

Alterations and additions to any of the following buildings or activities on sites within the Air Noise Zone identified on Map 10.7.6.3, provided that the building or activity was lawfully established prior to 2 September 1998, are Discretionary Activities (Unrestricted):

- Dwellings;
- Dependent Dwelling Units;
- Education and Early Childhood Facilities;
- Community Homes;
- Accommodation Motels;
- Motel Conference Centres;
- Training Facilities;
- Hospitals;
- Retirement Villages;
- Residential Centres;
- Tourist Facilities; and
- Any Other Existing Buildings used for Regular Accommodation and Communal Activities

In determining whether to grant consent and what conditions to impose, if any, Council will in addition to the City View objectives in section 2 and the objectives and policies of this Zone, assess any application in terms of the following:

- (i) the objectives and policies relating to noise sensitive activities in the vicinity of Palmerston North Airport set out in Section 9.3.
- (ii) Alterations and additions to existing dwellings or other noise sensitive activities shall only be permitted if fitted with appropriate acoustic insulation to achieve a satisfactory internal noise environment.

NOTE TO PLAN USERS:

refer to section 5.4 (j) – Special Requirements Relating to Applications for Building Construction Where Noise Attenuation Standards Apply for additional information to be provided when lodging an application for a resource consent in respect of noise attenuation.

9.10 Rules : Non-Complying Activities**R 9.10.1 Other Activities**

Any activity, structure or building not provided for as a Permitted, Controlled or Discretionary Activity (Restricted or Unrestricted) or identified as a Prohibited Activity shall be a Non-Complying Activity.

**R 9.10.2 Non-Complying Activities in the Inner and Outer Control Zone**

All activities in the Inner and Outer Control Zone that do not provide the required degree of noise reduction or do not obtain certification by an acoustical consultant shall be a non-complying activity.

In considering whether to grant the application and what conditions, if any, to impose, Council shall take into account the objectives and policies of the Rural Zone, and the following further policies:

- (a) To take into account any circumstances that would make compliance with the noise reduction standards in R10.7.1.1(h) inappropriate or unreasonable; and
- (b) To demonstrate that the level of noise reduction by the proposed development can be less than the level required by R10.7.1.1(h) without compromising the overall health and amenity of the occupants within the respective building.

NOTE TO PLAN USERS:

refer to section 5.4 (j) – Special Requirements Relating to Applications for Building Construction Where Noise Attenuation Standards Apply for additional information to be provided when lodging an application for a resource consent in respect of noise attenuation.

9.11 Rules : Prohibited Activities



R 9.11.1 Prohibited Activities in the Air Noise Zone identified on Map 10.7.6.3

The following activities are Prohibited Activities in the Air Noise Zone identified on Map 10.7.6.3:

All new dwellings, new dependent dwelling units, new relocated houses, new education and early childhood facilities, new community homes, new accommodation motels, new motel conference centres, new training facilities, new hospitals, new retirement villages, new residential centres, new tourist facilities and any other new buildings used for regular accommodation and communal activities.

These activities are expressly prohibited and no resource consent shall be granted.

Explanation

The above-mentioned activities have been identified as being highly sensitive to the effects of excessive noise exposure associated with aircraft operations.

The impact of aircraft noise has been assessed by New Zealand Standard 6805:1992 - Airport Noise Management and Land Use Planning, which recommends as one of the criteria for land use planning within any defined air noise boundary that noise sensitive activities, such as dwellings and schools, be prohibited. The purpose of this rule is to give effect to this recommended standard".

9.12 Rules : Noise



R 9.12.1 Noise

Sound emissions from any activity in the Rural Zone when measured at or within the boundary of any land zoned for residential purposes or at or within the boundary of any land in the Rural Zone (other than land from which the noise is emitted or a road) shall not exceed the following:

7:00 am to 10:00 pm	50 dBA L ₁₀
10:00 pm to 7:00 am	40 dBA L ₁₀ and 70 dBA L _{max}

Explanation

Rural areas are in essence working environment within which there are pockets of residential activity. The rules are intended to provide for normal agricultural activities while controlling noise from a range of other activities which also exist in the rural area, eg home occupations. This control does not control rural activities in rural areas. Reference should be made to Section 6, Noise, for those rural activities that are excluded from the above controls and for further general information on noise.

URBAN GROWTH PATH - KELVIN GROVE

