

## Section 12: Industrial Zone

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## 12. INDUSTRIAL ZONE

### 12.1 Introduction

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Palmerston North City accommodates a wide range of industries. These have largely established within the Palmerston North urban area around the North Island Main Trunk Railway line (NIMTR) and also in a number of small pockets adjacent to the central business area and along the river, e.g. Joseph and Church Streets, Roxburgh Crescent.

Established industry outside the Palmerston North urban area has largely developed in Ashhurst, e.g. Mulgrave and Custom Streets, or, in a small number of cases within the rural area. These industries have generally evolved in response to local demands, for example service station/workshops servicing local communities, or are the product of larger urban industrial areas being unsuited to the accommodation of such industries, in particular those industries with an odour component.

A majority of those activities accommodated within the city's industrial areas are manufacturing based, or are essential 'support' industries such as transportation, storage and light service industries. Also accommodated are a range of non-industrial activities which, for various reasons, have been traditionally accepted as industrial area activities. These include a range of semi-industrial hardware and building supply retailers, space extensive retail businesses, community and leisure facilities, and convenience and support services for industrial area workers (e.g., lunch bars, creches etc.). A small number of residential activities are also located within this area.

Industry has a vital role in stimulating and driving economic growth and development within communities and also in providing for and securing the social and economic well-being of those communities. Within Palmerston North this is evidenced by the employment opportunities created by industries, with in excess of 20% of the City's workforce (1995) being employed in industry or industry related activities. Industry also contributes to the City's economy and the community's ability to realise its economic and social aspirations.

Unfortunately industry is only likely to develop and remain within the city where a favourable economic climate prevails, and, to a lesser extent, where adequate resourcing exists for the establishment and development of that industry, in terms of land, infrastructure and an operational environment. Both established and developing industrial areas and their supporting infrastructure therefore represent a significant community resource in terms of the investment in industrial land, buildings and infrastructure, and the actual and potential economic and social benefits that could result from this investment.

In response to this, the primary function of the Industrial Zone is to recognise established and developing industrial areas within the city and to enable these areas to be utilised for a wide range of industrial activities. Additionally the city's Industrial Zone also has a subsidiary function in providing for the accommodation of supplementary activities essential to the operation of industry (i.e. industrial services, convenience shops for workers etc.) and other non-industrial activities, such as community and leisure facilities and semi-industrial retailers (i.e. Building suppliers, home renovation firms etc.) which can not be as readily accommodated, for economic and operational reasons, within other zones.

Given the proximity of a large portion of the industrial area to residential areas, and an extensive interface between these areas, it will be necessary to control the effects of industrial development to ensure that an appropriate level of amenity protection is afforded to adjacent residential areas.

The Napier Road Industrial Precinct (as shown on Structure Plan 12.1) was specifically developed to meet the demand for small to medium sized industrial sites in the City (also refer to the Subdivision Section). Development within the Napier Road Industrial Precinct is to be managed by reference to Structure Plan 12.1 to achieve the desired environmental results.

**NOTE TO PLAN USERS:**

This part of the Plan should be read in conjunction with Section 14 Hazardous Substances.

## 12.2 Resource Management Issues

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The following resource management issues have been identified in the Industrial Zone:

- 1 The effects of industrial activities and/or associated buildings on adjoining residential, rural and recreation areas.
- 2 The lack of community awareness of the potential adverse effects associated with industrial activities.
- 3 The effects of industrial zone retail and office development on the established physical resources in industrial areas and the wider city.
- 4 The potential for inefficient use and development of the physical resources and associated infrastructure of the industrial area by non-industrial activities.
- 5 The generally poor visual amenity experienced within industrial areas.
- 6 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 operation of the airport can continue.

**Explanation**

*The development and expansion of activities within the City's 'Industrial Zone' raises several issues which require attention within this plan.*

*In particular the City's industrial areas are in close proximity to established and developing residential areas. These areas are particularly sensitive to a range of effects commonly associated with industrial activity such as noise, light, visual, etc. Hence it is necessary that activity effects are addressed when: providing for these activities within the City's industrial areas; and, in assessing those activities which require a consent by the Plan.*

*Nuisance effects such as dust and odour can be an issue in the Industrial Zone. These effects can be caused by discharges from industries in the zone or by wind-blown dirt from unsealed yards. Every discharge to air from an industrial or trade premise requires a discharge permit from the Manawatu-Wanganui Regional Council unless the discharge is expressly provided for by a rule in the Regional Air Plan. Compliance with the conditions of rules of this District Plan does not exempt any person from compliance with requirements in the Regional Air Plan.*

*Community awareness is an issue given the general proximity of industrial areas to established and developing residential areas and the presence of an extensive residential/industrial interface within the city. Unfortunately, unrealistic expectations, in terms of quality of living environment, can arise amongst potential property owners wishing to site in close proximity to established industrial areas. The Council endeavours to afford these property owners a degree of protection from nearby industry through District Plan rules and, where necessary, abatement and enforcement action. However, these potential property owners must also accept that existing and established industrial areas have been developed with the view to accommodating industry and, in some cases, these activities can have minor effects on nearby areas (e.g. additional heavy traffic on roads, marginally higher background noise etc.). Hence there is a need for these people to be made more aware of the potential environment that they are looking to live within.*

*The effects of retail and office development not associated with industrial activities have been identified as an issue for a number of reasons. If no controls are put in place, the lower cost of industrial land and its visibility from a number of high volume roads, is likely to encourage the unplanned dispersal of retailing and office activities into the industrial area.*

*This would raise two concerns. Firstly, it would quickly lead to the inefficient use and further development of the physical resources, particularly buildings and infrastructure which have already been developed within the business areas to meet the needs of business activities. Secondly, it would displace industrial activities which would then have to try to establish in areas, such as the rural area, where their potential adverse environmental effects would be much harder to control. Equally, retail and office dispersal into the industrial area is likely to bring with it demands for higher amenity standards, particularly with regard to provision for pedestrians and parking. This would lead to an inefficient allocation of resources into these areas, as these facilities already exist within the business areas and would once again assist in displacing industries where their activities created adverse effects on the new “higher quality” amenities.*

*Other non-industrial activities, i.e. residential activities, also have the potential to affect the operation and viability of the City’s industrial areas by using industrial land and due to the potential reverse sensitivity effects. This is therefore raised as an issue.*

*Lastly, poor visual amenity within the city’s industrial areas is seen as an issue, given that it affects the quality of environment for workers, within these areas, and neighbours and the appearance of these areas for those who pass through them.*

*The Napier Road Industrial Precinct is located in close proximity to existing rural and residential dwellings and land identified as a future urban growth zone within Council’s Urban Growth Strategy. The Napier Road Industrial Precinct also directly faces Napier Road, one of the four main entrances into the City. Specific planning provisions have therefore been developed to manage the potential interface effects of industrial development in the Napier Road Industrial Precinct.*

## **12.3 Objectives and Policies**

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Within the broad objectives of the City View objectives in Section 2, the following specific objectives and policies have been identified.

### **Objective 1**

**To promote the efficient use and development of land and associated infrastructure within the City’s industrial areas.**

### **Policies**

- 1.1 To enable the continued growth, development and redevelopment of industry within the Industrial Zone.
- 1.2 To enable activities which are compatible with, and complementary and ancillary to, industrial activities to establish within the Industrial Zone.
- 1.3 To require development within the Napier Road Industrial Precinct to comply with Structure Plan 12.1 to ensure an integrated and sustainable pattern of development.
- 1.4 To prevent the construction of buildings or structures in the Napier Road Industrial Precinct before a complete subdivision is approved by the Palmerston North City Council in circumstances where such buildings or structures will result in piece-meal development before comprehensive works have been carried out sufficient for the entire Precinct including the provision of adequate access, stormwater and flood management systems.

## **Explanation**

*Palmerston North City contains several established industrial areas. Collectively they represent a substantial community investment in land, buildings and infrastructure for industrial purposes. Provided that this investment is adequately managed it should continue to assist in providing for, and securing, economic and social well-being within the city through facilitating the ongoing development of industry*

*By identifying existing industrial areas and ensuring the Plan enables industry to develop and expand within these areas it is anticipated that this will promote the more effective and efficient use of existing industrial land and infrastructure.*

*As well as promoting the continued use of existing and established industrial resources, defining where industry can establish within the city provides certainty to existing and prospective residential home owners and commercial operators, concerned with the location of industry within the city. The identification of industrial areas also enables industrial operators to plan the development, redevelopment or expansion of industry with confidence and certainty.*

*Part of providing for the effective use of land and associated infrastructure within industrial areas, is to enable a range of non-industrial activities, which have a functional role in supporting and servicing industry, to establish within these areas. This ensures that industrial areas are adequately supported and serviced by activities which assist in attracting industry to these areas and which provide for the general convenience of workers.*

*Industrial areas also contain a range of buildings and sites ideally suited, in terms of size and cost, to the establishment of a range of non-industrial activities, such as recreational leisure and community facilities, car sales yards building improvement centres, etc. These activities are generally accepted by the Council and community as appropriate activities within the city's Industrial Zone and are generally compatible with industrial activities, given that they depend on the presence of industry to create the sites and buildings which service their needs.*

*Development within the Napier Road Industrial Precinct is to be managed by reference to Structure Plan 12.1 which includes an identified local roading network and Planted Buffer Areas. Identifying these future infrastructure corridors and Planted Buffer Areas on Structure Plan 12.1 will help to ensure that they are protected from future development and that their primary function is not compromised.*

*The Napier Road Industrial Precinct is located in an area likely to be inundated by a 0.2% annual exceedence probability flood event (1 in 500 year flood). It is therefore imperative that, before any subdivision or development in the Napier Road Industrial Precinct, the area be provided with adequate mitigation measures to guard against inundation during such an event. It is also important that a stormwater system is designed and installed prior to development in the Napier Road Industrial Precinct that is sufficient to manage stormwater generated by the Precinct and total catchment area that drains to the west and northwest corner of the Napier Road Industrial Precinct.*

## **Objective 2**

**To ensure that the development and growth of industry within the Industrial Zone is not unduly impeded or compromised by the effects of incompatible land uses.**

### **Policies**

- 2.1 To avoid the use of industrial zoned land for residential purposes.
- 2.2 To restrict retail and office development within the Industrial Zone, to ensure efficient use and development of the physical resources of the Industrial Zone.
- 2.3 To restrict the size and scale of ancillary retail and office activities.

## **Explanation**

*Residential and retail and office activities have a role to play within the industrial area, however it must be appreciated that:*

*The City's industrial areas have been specifically provided for and developed to accommodate industry, and represent a significant community investment in land and infrastructure for industrial purposes;*

*The City's industrial areas do not provide or maintain the level of residential amenity found within the city's residential areas;*

*Existing industrial areas do not provide the level of pedestrian, retail and office amenity (i.e. covered walkways) commensurate with established business areas. Given the city's focus on reinforcing the vitality of its existing business areas through streetscape improvement projects, and the cost attached to such projects, it is unlikely that similar works would be considered within industrial areas;*

*The City has established business areas where substantial investment has occurred to accommodate office and retail activities and generally satisfy the amenity and functional requirements of these activities (i.e. pedestrian access and covered walkways, streetscaping, large public and private car parks etc.). Unrestricted retail and office development within industrial areas would undermine established business areas, and community investment within these areas;*

*Retail and office development within industrial areas could have a detrimental effect on the efficient and effective functioning of industrial area and city-wide roading networks. Roding networks within and around industrial areas have not been designed with retail and office related traffic activity in mind. Hence the effects of traffic from these activities may detrimentally affect industrial site access and the effective functioning of some industrial operations.*

*In light of this, Council considers it important to restrict retail, office or residential related activities from establishing within the city's Industrial Zone. This will ensure that existing and potential industries are not impeded, or compromised, by future retail, office or residential activity related demands, expectations or effects, and that the city's pool of available industrial land is not diluted.*

*Restricting office and retail development within the city's Industrial Zone will also reinforce the role of the city's business area. This approach is consistent with City View objectives and the objectives of the city's business areas, as it contributes to the efficient and effective use of the city's existing business area resource.*

## **Objective 3**

**To maintain or enhance the amenity value of those areas at the interface with the Industrial Zone.**

### **Policies**

- 3.1 To avoid, remedy or mitigate the adverse environmental effects of Industrial Zone activities on those areas at the interface with the Industrial Zone.
- 3.2 To avoid, remedy or mitigate the adverse effects of building development or redevelopment on those areas at the interface with the Industrial Zone.

**Explanation**

*The City's industrial areas have, for various reasons, developed in close proximity to established and developing residential areas and in places also border recreation areas. In some situations residential and industrial activities directly abut each other or are only separated by a road, right-of-way, access strip or shared access strip.*

*The environments envisaged within the City's residential, rural and recreational areas differ markedly from that which is provided for within the Industrial Zone. By comparison these areas are very sensitive to the effects of industrial noise and buildings and it is therefore essential to ensure that adequate safeguards are put in place to manage the effects of industrial activities and avoid, remedy or mitigate any adverse effects that these may have on residential and recreational amenity values.*

*The Napier Road Industrial Precinct is located in close proximity to existing rural and residential dwellings and land identified as a future urban growth zone within Council's Urban Growth Strategy. To assist Plan Users development in the Napier Road Industrial Precinct is to be managed by reference to Structure Plan 12.1. The provisions relating to the development of the Napier Road Industrial Precinct seek to maintain the amenity values of existing dwellings located in close proximity to the Napier Road Industrial Precinct whilst also enhancing the visual appearance and the landscape character of Napier Road as a key entrance into the City.*

**Objective 4**

**To enhance visual amenity within the Industrial Zone.**

**Policy**

- 4.1 To require any activity involving the construction, addition to or external alteration of buildings within the Industrial Zone to contribute to the visual enhancement and amenity of the industrial area.

**Explanation**

*The historical pattern of industrial development within the city has resulted in a significant number of industries locating adjacent to either an arterial or principal roadway. These roads are also used by a large volume of residential, rural and recreational users. Given the community's desire to enhance the amenity value of urban areas it is important that industry makes a positive contribution to visual amenity within industrial areas, particularly where these areas abut a major roadway.*

*Provision for the visual enhancement of industrial areas will improve the work environments of these areas and enable industry to make a small but significant contribution to the attractiveness of the city as a whole.*

**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 airport operations.**

## Policies

- 5.1 To mitigate the adverse effects of aircraft noise on any building to be used for regular accommodation in the Inner and Outer Control Zones.
- 5.2 To require every application for a resource consent 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 operation of a modern airport gives rise to a range of sound emissions relating mainly to aircraft operations. These sound emissions may adversely affect surrounding noise sensitive activities such as ancillary residential dwellings ancillary to industrial use or accommodation motels.*

*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 amenity, Council has introduced controls to mitigate the adverse effects of operational noise on noise sensitive activities in the Industrial Zone. The 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 industrial 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 Sound Emissions in the Airport Zone.*

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## 12.4 Methods

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- District Plan Rules
- Public Education (e.g. Environmental Enhancement and Awareness Programmes)
- Annual Plan Programmes
- Structure Plans

Achievement of the objectives and policies will partly come from the rules contained in this and other sections of the Plan. Such a regulatory approach is an effective and relatively economical means of limiting the adverse effects of such activities and achieving better interface amenity standards.

However, public education programmes and annual plan programmes will also be used as a means of encouraging better remedying and mitigation of adverse effects by the industries themselves. They will also be used to educate the public as to likely interface issues. Annual Plan programmes can also bring about amenity improvements in industrial areas through streetscape works.

In addition to the methods identified to assist the City Council in controlling the effects of the use and development of land within the Industrial Zone, it should also be noted that the Manawatu-Wanganui Regional Council, in discharging its duties under the Resource Management Act 1991, will also contribute to the avoidance, remedying or mitigation of effects which are commonly associated with Industrial areas. Of particular relevance is the Regional Council's function, under Section 30(1)(f) of the Resource Management Act 1991, relating to the "control of discharge of contaminants into or onto land, air or water ...".

## 12.5 Environmental Results Anticipated

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

1. Industrial areas which retain established industries and which continue to provide development and growth opportunities for industry and associated ancillary activities within the city.
2. The efficient use of physical resources within the Industrial Zone through their use for industrial purposes.
3. The maintenance of the amenity values of those areas surrounding the Industrial Zone.
4. Realistic community expectations of the nature of industrial areas and what may be associated with living in close proximity to these areas.
5. Enhanced visual amenity of industrial sites.
6. Avoidance, mitigation or remediation of the adverse effects of aircraft noise on noise sensitive activities in the industrial area.
7. Avoidance, mitigation or remediation of the adverse effects of noise sensitive activities in the Industrial Zone on the efficient operation of Palmerston North Airport.

## 12.6 Rules : Permitted Activities



### R 12.6.1 Permitted Activities

**Any Activity which Meets the Following Performance Conditions shall be a Permitted Activity:**

**NOTE TO PLAN USERS:**

Permitted Activities shall also comply with the requirements of Rule 12.12.1 Noise and Rule 12.7.1 Servicing and Loading Hours.

### Performance Conditions

#### (i) Lighting

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

#### ***Explanation***

*The illumination of industrial sites, particularly at the residential interface, can affect residential amenity where excessive light spill occurs. The performance standard for lighting will ensure that any effects associated with site illumination from that activity are controlled by minimising permitted off site illumination.*

**(ii) Parking, Loading 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.

**(iii) Outdoor Storage**

- (a) Any outdoor storage area, excluding motor vehicle sales yards, situated on a site which adjoins or directly faces across a road, right-of-way, access strip or service lane, any part of a residentially zoned site or public area and which is visible from that residentially zoned site or public area, shall be screened from view by either a fence or wall of not less than 1.8 metres in height or dense planting of vegetation capable of growing to 1.8 metres in height.
- (b) The outdoor storage of free-standing products, goods or materials, excluding motor vehicles within motor vehicle sales yards, shall comply with Rule 12.6.2(i) and (ii).
- (c) Nothing in (a) shall limit the provision of a gate or entry point to a site.

**Explanation**

*The outdoor storage of products, goods or materials on industrial sites adjoining or facing residential areas can have an adverse visual effect on the amenity of residential areas. Controls on the outdoor storage of products, goods and materials will help maintain the visual amenity of residential areas by ensuring that adequate screening is provided and that the product, good or material is not visually dominant.*

**(iv) Signs**

Compliance with Rule 6.1.5.1

**(v) Hazardous Facilities**

Compliance with the provisions of Part 14 Hazardous Substances.

**(vi) Retail and Office Activity**

- (a) Retail Activity

No more than 500 m<sup>2</sup> or 35%, whichever is the smaller, of the gross floor area of a building or part of a building used by any activity shall be used for retailing purposes.

- (b) Office Activity

- (i) No more than 35% of the gross floor area of a building or part of a building used by any activity shall be used for office purposes.

Except where -

- (ii) The sole use of a building is for ancillary office purposes, the gross floor area shall not exceed 10% site coverage.

- (c) Combined Retail and Office Activity

No more than 50% of the gross floor area of a building or part of a building used by any activity shall be used for retailing and office purposes, provided any individual retail and office components shall not exceed the standards in (a) and (b) above.

- (d) Performance Conditions (a) - (c) do not apply in the case of:

- Hire Centres;
- Prepared Food and Beverage Outlets and Dairies of less than 100 m<sup>2</sup> total gross floor area;

- Automotive & Marine Suppliers;
- Service Stations;
- Licensed Premises;
- Floor Covering Showrooms;
- Building Suppliers;
- Auction Rooms;
- Farming & Agricultural Supplier;
- Garden & Patio Suppliers;
- Office Product Supplier;

**(vii) Hours of Operation for Activities Involving the Sale of Alcohol**

Compliance with Rule 11.6.1.1(iv).

**(viii) Dwellings**

No more than one dwelling shall be permitted on an industrial site, provided:

- (a) It shall not constitute the sole use of an industrial site; and
- (b) It shall be ancillary to a business or industrial activity on that site; and
- (c)
  - (i) Where the dwelling is incorporated within a building used by another activity, a living court of not less than 30 m<sup>2</sup> with a minimum dimension of 3 metres shall be provided. This living court shall be situated immediately adjacent to the dwelling's main living area and may incorporate a deck, patio, or terrace and be provided in two or more separate areas; or
  - (ii) Where the dwelling is not incorporated within a building used by another activity, the dwelling shall comply with Rule 10.7.1.1(e).

**(ix) Midhurst Street Industrial Area**

The following additional performance conditions apply in the Midhurst Street Industrial Area and replace other performance conditions where they directly conflict.

- (a) **Maximum Lot Area**  
The maximum site area of each lot shall be 7500m<sup>2</sup> except for access, utilities, reserves, or a balance lot.
- (b) **Access**  
All access other than for temporary construction activities shall be from Kelvin Grove Road.
- (c) **Lighting**  
Any artificial lighting shall be shielded from the approach and take off paths to and from Palmerston North Airport.
- (d) **Outdoor Storage**  
There shall be no outdoor storage of organic products or organic waste.  
(For the purpose of this rule, "organic products or organic waste" means any uncovered perishable material that is likely to attract birdlife)

**NOTE TO PLAN USERS:**

Lighting shall not be installed which may cause confusion with lights for navigation purposes associated with the safe operation of aircraft utilising Palmerston North Airport. Upward facing lighting must be carefully placed and designed, particularly in relation to those sites located within the Airport Take-Off and Approach Surfaces identified in Figures 20.7 and 20.8.

Also refer to Section 6 regarding Earthworks Rules for the Midhurst Industrial Area.

**(x) 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 12.9.2

***Explanation***

*The above provisions recognise the role of retail, office and dwelling activities as integral ancillary activities in the operation of some industries (i.e. factory shops) and those retail activities which have a legitimate place, either by community expectation or function (i.e. Building Improvement Centres), within the Industrial Zone. It also remains consistent with the Plan's objectives of: efficiently utilising existing industrial resources for industrial purposes; containing retail and office activity within identified business areas; and, efficiently using and developing existing business resources, by restricting the size of retail and office activity which can establish within the Industrial Zone, and the number of dwellings permitted as ancillary activities.*

**NOTE TO PLAN USERS:**

Also refer to:

Rule 23.7.1 – Radiofrequency Field Exposure

Rule 20.3.10.2 – Discretionary Activities (Restricted) – Drive Through Facilities

**(xi) Napier Road Industrial Precinct:**

The following additional performance conditions apply in the Napier Road Industrial Precinct and replace other performance conditions where they directly conflict:

**(a) Lighting**

Any artificial lighting system must not result in an added illuminance in excess of 8 lux over the measured ambient level at any point beyond the boundary of any site zoned Residential or Rural. Measurements shall be made at 1.5m above ground, horizontally and vertically.

**(b) Outdoor Storage**

Any outdoor storage area, excluding motor vehicle sales yards, situated on a site which adjoins or directly faces across a road, right-of-way, access strip or service lane, any part of a residential or rural zoned site or public area and which is visible from that residential or rural zoned site or public area, shall be screened from view by either a fence or wall not less than 1.8 metres in height or dense planting of vegetation capable of growing to and being maintained at not less than 1.8 metres in height.



## **R 12.6.2 Construction, Alteration of, and Addition to Buildings and Structures**

**The construction, alteration of, and addition to buildings and structures is a Permitted Activity provided that the following Performance Conditions are complied with:**

### **(i) Maximum Building Height**

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

#### ***Explanation***

*This performance condition sets a maximum height for any buildings or structures within the Industrial Zone to prevent penetration of the Airport Protection Surfaces as set out in R 20.4.10.1*

### **(ii) Height of any building on a site which fronts to or adjoins a residentially zoned site.**

Compliance with Rule 11.6.1.2(ii).

#### ***Explanation***

*The building design controls described in R 11.6.1.2(ii) are also intended to deal with the effects of industrial areas on residential areas at street interfaces.*

### **(iii) Road Setback**

- (a) On sites fronting onto any arterial or principal road, any building or structure, excluding signs, shall be set back no less than 8 metres from the road frontage.
- (b) On all other sites any building or structure, excluding signs, shall be set back no less than 3 metres from any road frontage.

#### ***Explanation***

*The road setback standard ensures that more uniform site presentation occurs along roadways where the industrial/residential interface is broken by sporadic industrial development.*

*Within established or developing industrial areas the road set back standard will also maintain consistency in existing building development patterns and provide an area for visual amenity planting.*

### **(iv) Landscape Amenity**

Compliance with Rule 11.6.1.2(v).

### **(v) Servicing**

Compliance with Rule 20.3.8.1, Loading Space Standards.

### **(vi) Access**

Compliance with Rule 20.3.9.1, Access Standards.

**(vii) Parking**

Compliance with Rules:

- 20.3.7.1 Parking Spaces for People with Disabilities;
- 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.

**(viii) 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 12.9.2

**Explanation**

*The industrial area attracts a wide range of vehicles, including large articulated lorries which require large areas in which to turn and to manoeuvre. It is important that sufficient area is provided on site to meet access, loading and parking requirements to avoid adverse effects being experienced in the zone itself, or in adjacent residential areas.*

*As the operational noise emitted by aircraft at the Palmerston North Airport can be intrusive, any new building, or addition to an existing building, which is located in the vicinity of the airport and intended for regular accommodation will be required to provide an appropriate level of noise insulation. In order to ensure that responsibility for mitigation of this operational noise does not rest solely with industrial property owners, specific noise mitigation requirements have also imposed on operations within the Airport Zone (See Rule 20.4.9.1).*

**(ix) Midhurst Street Industrial Area**

The following additional performance conditions apply in the Midhurst Street Industrial Area and replace other performance conditions where they directly conflict:

- (a) **Structure Plan**  
The provision of services shall be in accordance with the Midhurst Street Industrial Area Structure Plan or shall be located in a public road vested in the Council.
- (b) **Maximum Lot Area**  
The maximum site area of the lot on which a building is to be constructed shall be 7500m<sup>2</sup>.
- (c) **Access**  
Access to the lot (other than for temporary construction activities) must be by formed public road connecting directly on to Kelvin Grove Road. The access road must be existing and formed in accordance with a subdivision consent granted by the Palmerston North City Council. Midhurst Street shall not be used for any form of access other than temporary construction activities.
- (d) **Airport Protection**  
The application does not involve a site or sites that incorporate in whole or in part land within the 65Ldn contour unless the activity, building or structure, other than fencing, is expressly authorised by a resource consent under Rule 12.9.1.

- (e) Glare  
The roofs of buildings within the 60 Ldn contour shown on the Plan Maps shall have a painted matt finish and shall not have roof glazing.
- (f) Landscape Amenity  
Rule 11.6.1.2(v) and Rule 20.3.7.6 do not apply within the Midhurst Street Industrial Area. Any street frontage planting shall provide at least one tree per every 7 metres of site frontage. Landscaping works shall not include species capable of growing in excess of 5 metres in height. Any tree planting on the frontage shall be planted in an area with a minimum width of 2 metres and with a total area of not less than 4m<sup>2</sup>.

**NOTE TO PLAN USERS:**

Please check with the Regional Council for any additional requirements contained in their regional Plans in particular as they relate to discharges to air and effects on the Palmerston North Airport.

Also refer to Section 6 regarding Earthworks Rules for the Midhurst Industrial Area.

**(x) Napier Road Industrial Precinct:**

The following additional performance conditions apply in the Napier Road Industrial Precinct and replace other performance conditions where they directly conflict:

**(a) Maximum Building Height**

The maximum height of any building in the Napier Road Industrial Precinct shall be 9 metres.

***Explanation***

*The Napier Road Industrial Precinct directly faces land identified as a future urban growth zone within Council's Urban Growth Strategy and Napier Road, one of the four main entrances into the City. Given the sensitive location of the site and the proposal to raise the level of the land in order to provide protection from flooding, a maximum building height of 9 metres has been established to mitigate the visual effects of industrial development in this location.*

**(b) Flood Protection**

- (i) No buildings or structures are to be constructed without first completing flood mitigation measures that will prevent inundation from a 0.2% annual exceedence probability flood event (1 in 500 year flood).
- (ii) Flood mitigation measures shall include a minimum floor level of 37.56m on the industrial lots and a minimum ground level at the road boundary of 37.26m in terms of MSL Moturiki Datum 1953 such that the Napier Road Industrial Precinct is capable of achieving a gravity flow stormwater system towards the proposed stormwater Detention Pond shown on Structure Plan 12.1.
- (iii) Flood mitigation measures shall include perimeter stop-banking or engineered floodwalls to RL 38.1 in terms of MSL Moturiki Datum 1953
- (iv) Should engineered floodwalls be constructed as an alternative to perimeter stop-banking they must provide a minimum factor of safety of 1.5 against any structural failure mode (including sliding, overturning or foundation failure). The engineered floodwall shall be designed and constructed in accordance with the relevant New Zealand Standards and to the satisfaction of the Palmerston North City Council.

***Explanation***

*The Napier Road Industrial Precinct is located in an area likely to be inundated by a 0.2% annual exceedence probability flood event occurs (1 in 500 year flood). It is therefore imperative that,*

*before any subdivision or development in the Napier Road Industrial Precinct, the area be provided with adequate mitigation measures to guard against inundation during such an event.*



### **R 12.6.3 Roads**

**Roads are a Permitted Activity.**

## **12.7 Rules: Servicing and Loading**



### **R 12.7.1 Servicing and Loading Hours**

**Any Permitted Activity situated on a site which adjoins any part of a residentially zoned site or directly faces any part of a residentially zoned site, across a road, right-of-way, access strip, service lane or drain shall only undertake the delivery of goods, product or material and/or the distribution of goods, products or materials between 6:00 am and 10:00 pm.**

**Except that this rule shall not apply where:**

- (i) on-site road access and manoeuvring areas for vehicles involved in the delivery and/or distribution of goods, products or materials are located at least 80 metres from the nearest residentially zoned property boundary; and**
- (ii) loading and unloading areas for vehicles involved in the delivery and/or distribution of goods, products or materials are located at least 80 metres from the nearest residentially zoned property boundary.**

**This rule does not apply to the Toyota New Zealand National Customer Service Centre located at Roberts Line, being Lot 1 DP 42126.**

**Nothing in this rule shall exempt any activity from the requirements of Rule 12.6.1(i) and Rule 12.12.1**

#### ***Explanation***

*Where residentially zoned properties come into close contact with industrial areas these properties can be adversely affected by night-time delivery, distribution and loading activities, for example, from idling vehicles or the opening and closing of doors, etc.*

*By controlling operating hours at the direct residential interface, it should be possible to reduce the disturbance to close residential neighbours.*

## 12.8 Rules: Controlled Activities



### R 12.8.1 Napier Road Industrial Precinct – Activities Fronting Napier Road or Adjoining a Specific Site Boundary

Any activity within the Napier Road Industrial Precinct (as shown on Structure Plan 12.1) on a site that fronts or adjoins Napier Road, Lot 5 DP 74205 or Lot 4 DP 74205 which complies with the following Performance Conditions is a Controlled Activity in respect of the matters specified below.

#### Matters of Control

- The planting and maintenance of a site boundary planted buffer area between Napier Road, Lot 5 DP 74205 and the section of road fronting Lot 4 DP 74205 and the site of the activity (as shown on Structure Plan 12.1)
- The design of stop-banks or engineered floodwalls constructed as part of the required flood protection measures

#### Performance Conditions

(a) **Activities under this rule shall comply with all relevant Permitted Activity Performance conditions prescribed in R 12.6.1, R 12.6.2 and R 12.7.1**

#### (b) **Planted Buffer Area**

- (i) Buildings and structures, including the stormwater detention pond, shall be set back 8 metres from the boundary of Napier Road and 5 metres from the boundary of Lot 5 DP 74205 and the section of road fronting Lot 4 DP 74205 (as shown on Structure Plan 12.1). A Planted Buffer Area shall be provided in the setback area from the boundary of the site with Napier Road, Lot 5 DP 74205 and the section of road fronting Lot 4 DP 74205 to the setback distance specified.
- (ii) Planted Buffer Areas shall be designed in accordance with the following standards:

#### Planted Buffer Area Standards:

**Height:** Trees to reach a minimum height at maturity of 9 metres; shrubs to reach a minimum height at maturity of 4 metres

**Width:** Napier Road: minimum width of 6 metres; Lot 5 DP 74205 and the section of road fronting Lot 4 DP 74205: minimum width of 4 metres.

**Gradient:** Where the planted buffer area is incorporated as part of the required stop-banks or engineered floodwalls, the planted buffer area shall be constructed at a gradient of 1 to 4 to minimise the visual effect of the stop-banks or engineered floodwalls.

#### **NOTES TO PLAN USERS:**

1. Species selection is to comprise both fast growing species for initial screening, and suitable longer lasting species.
2. A landscaping plan prepared by a qualified landscaping expert shall be provided in accordance with section 5.4 (n)
3. For the purposes of this rule any activity includes buildings and structures

#### Assessment Criteria

In determining whether to grant consent (and the conditions if any that should be imposed) Council reserves its discretion to an assessment of the extent to which the application meets the objectives and policies of the Industrial Zone and the following:

### **Planted Buffer Area**

- (a) The extent to which the Planted Buffer Areas, in terms of species composition, gradient and planting width, length and height, would provide:
  - Effective visual screening to the occupiers of Lots 4 and 5 DP 74205; and
  - Visual enhancement of the landscape character and amenity values of Napier Road as a key entrance into the City and the land identified as a future urban growth zone within Council's Urban Growth Strategy.
- (b) The effectiveness of the initial establishment and maintenance of the Planted Buffer Areas.
- (c) The extent to which the planting is consistent with performance condition 12.8.1 (b) Planted Buffer Area (i) and (ii) and assessment criteria (a) and (b) above.

### **Stop-Banks and Engineered Floodwalls**

- (a) The extent to which the design of the stop-banks or engineered floodwalls will minimise the visual effects of the stop-banks or engineered floodwalls on Napier Road and surrounding land.
- (b) The extent to which the design of the stop-banks or engineered floodwalls will ensure the successful establishment of the Planted Buffer Areas.
- (c) The extent to which the design of the stop-banks or engineered floodwalls will ensure they retain their primary water retentive function.

### ***Explanation***

*The Napier Road Industrial Precinct specifically provides for small to medium sized industrial activities. The purpose of the above performance conditions and assessment criteria is to manage the visual effect of industrial activities on the surrounding environment and to ensure the activities undertaken on the site contribute towards enhancing the visual appearance of the landscape character of Napier Road as a key entrance into the City.*

*The land directly opposite the Napier Road Industrial Precinct has been identified as a future urban growth zone within Council's Urban Growth Strategy. The above performance conditions will ensure that the development of the Napier Road Industrial Precinct does not adversely affect the residential amenity values of the future urban growth zone or existing dwellings located in close proximity to the Napier Road Industrial Precinct.*

*Applicants will be expected to provide detailed proposals with the assistance of appropriately qualified experts. The requirements of the planted buffer area performance condition are reflected in Structure Plan 12.1.*

*The design of the stop-banks or engineered floodwalls and planted buffer areas needs to be done in a way that ensures the successful establishment of appropriate planting and to minimise the visual impact of the stop-banks or engineered floodwalls, while also ensuring they retain their primary water retentive function. The stop-banks or engineered floodwalls will be vested with Council meaning the planted buffer areas are also likely to become Council's responsibility overtime. Applicants will still be expected to maintain the planted buffer areas for a period of time to ensure their successful establishment.*

## **12.9 Rules : Discretionary Activities (Restricted)**

**R**

### **R 12.9.1 Activities which do not Comply with the Performance Conditions for Permitted or Controlled Activities**

**Activities which do not Comply with the Performance Conditions for Permitted or Controlled Activities in Relation to:**

- (i) Loading and Access (other than in the Midhurst Street Industrial Area);**
- (ii) Vehicle Parking;**
- (iii) Screening and Outdoor Storage (other than in the Midhurst Street Industrial Area);**
- (iv) Retail Activity - where retail activity does not exceed 50% or 500 m<sup>2</sup>, whichever is the lesser, of the total gross floor area of a building/s, or that part of the building occupied;**
- (v) Office Activity - where office activity does not exceed 50% of the total gross floor area of a building/s, or that part of the building occupied.**

**are Discretionary Activities (Restricted) with regard to:**

- Design and appearance**
- The safe and efficient operation of the roading network**
- Retail and office containment**
- Effects on adjoining residential areas**
- The provision of car parking**

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 Industrial Zone objectives and policies, assess any application in terms of the following further policies:

#### **Loading and Access**

- (a) To avoid, remedy or mitigate the effects of the deficiency in loading and access facilities on the safe and efficient operation of the roading network.**
- (b) To ensure that other safe and effective facilities are available to meet the predicted loading and access requirements.**
- (c) To avoid, remedy or mitigate the effects of the deficiency in loading and access facilities on the ambience and amenity values of affected areas, in particular residential areas.**

#### **Vehicle Parking**

- (a) To avoid, remedy or mitigate the effects of the deficiency in parking spaces on the safe and efficient operation of the roading network.**
- (b) To ensure that other safe and effective facilities are available to meet the predicted parking requirements.**

- (c) To avoid, remedy or mitigate the effects of the deficiency in parking spaces on the ambience and amenity values of affected areas, in particular residential areas.
- (d) The financial contribution policy and car parking waiver policy set out in Rule 20.3.7.3 of the Transportation Section.

**Explanation**

*Various activities catered for within the zone are likely to have different operational requirements where servicing and loading activities and car parking is concerned. Provisions within the Plan have reasonably considered the range of uses likely to utilise industrial zoned sites, but in some cases it may not be possible to provide for parking and loading or access in the manner prescribed. In this case it must be demonstrated that any adverse effects which might arise will be addressed.*

**Screening and Outdoor Storage**

- (a) To take into account the existence of any topographic or other physical feature which makes compliance impracticable.
- (b) To avoid, remedy or mitigate any adverse effects on the visual amenity or general amenity values of any adjoining residentially zoned sites.
- (c) To avoid, remedy or mitigate any adverse effects of outdoor storage within the Napier Road Industrial Precinct on the visual or general amenity values of Napier Road, the land identified as a future urban growth zone within Council's Urban Growth Strategy and any adjoining sites zoned Rural or Residential.

**Explanation**

*Screening and outdoor storage standards have been developed to protect the visual amenity of adjacent rural, recreational, and residential areas. However, particular site characteristics could reduce the practicality of or need for these requirements. Council is prepared to consider such cases where it is satisfied that neighbours will not be adversely effected and where it considers that the site presentation will not reduce the visual quality of roadside amenity.*

**Retail and Office Activities**

- (a) To avoid, remedy or mitigate the adverse effects of the proposed activity on the operation of the Industrial Zone and the amenity values of any residentially zoned land.
- (b) To ensure that any additional retail or office area is essential to the operation of the activity.
- (c) To ensure that the establishment of the additional office or retail activity will not undermine the integrity of the Inner and Outer Business Zones or lead to a dispersal of retail and office activity.

**Explanation**

*The Plan primarily provides for the development and growth of industrial activities in the Industrial Zone, but recognises that retail and office activity have an important ancillary function in the operation of some industries. Council is prepared to consider industrial site retail and office activity requirements which exceed the stated standards where it is satisfied that it is necessary and will not adversely effect the integrity and effective operation of the city's industrial and business areas, neighbours, nearby residential areas and the roading network.*



### **Rule 12.9.2 Activities which do not comply with the Service and Loading Provisions of R12.7.1**

**Activities which do not comply with the Servicing and Loading Hours Provisions of Rule 12.7.1**

**are Discretionary Activities (Restricted) with regard to:**

- **Design and appearance**
- **The safe and efficient operation of the roading network**
- **Effects on adjoining residential areas**

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 Industrial Zone objectives and policies, assess any application in terms of the following further policies:

- (i) To avoid, remedy or mitigate the adverse effects of noise and general disturbance created by the activity, on any adjoining or adjacent residentially zoned land.
- (ii) To avoid, remedy or mitigate the disturbance to residentially zoned properties from the movement of vehicles to and from the site and within the site itself.
- (iii) To limit operating hours to ensure that any disturbance to residentially zoned properties is avoided, remedied or mitigated.

#### ***Explanation***

*Movements on industrial sites which occur outside the specified hours have the potential to cause considerable disturbance to adjoining residential areas. Where the operational requirements of an activity require late night or early morning services, a careful assessment must be made to ensure any adverse effects can be mitigated.*



### **R 12.9.3 The Construction, Alteration or Addition to a Building which does not Comply with Permitted or Controlled Activity Performance Conditions**

**The Construction, Alteration or Addition to a Building which does not Comply with the Permitted or Controlled Activity Performance Conditions in Relation to:**

- (i) **Height of any building which fronts to or adjoins a residentially zoned site**
- (ii) **Road setback**
- (iii) **Landscape amenity (other than in the Midhurst Street Industrial Area)**
- (iv) **Servicing**

- (v) **Access (other than in the Midhurst Street Industrial Area)**
- (vi) **Parking**
- (vii) **Maximum Building Height in the Napier Road Industrial Precinct – those activities that do not comply with R 12.6.2 (x) (a)**

are Discretionary Activities (Restricted) with regard to:

- **Design and appearance**
- **Effects on adjoining residential areas**
- **The safe and efficient operation of the roading network**
- **Visual amenity**
- **Effects on the land identified as a future urban growth zone within Council's Urban Growth Strategy (Te-Matai area), existing dwellings located in close proximity to the Napier Road Industrial Precinct and Napier Road as a key entrance into the City**

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 Industrial Zone objectives and policies, assess any application in terms of the following further policies:

#### **Building Height, Road Setback**

- (a) To take into account the existence of any topographic, or other physical feature which makes compliance impracticable or inappropriate.
- (b) To ensure the design and appearance of any building or structure is in character with and complementary to the character of the area and the ambience and amenity values of any adjoining residentially zoned land.
- (c) To avoid, remedy or mitigate an adverse effect on residentially zoned properties from the loss of sunlight, daylight or privacy, or through overshadowing.
- (d) To avoid adverse visual impacts on the existing amenity of the streetscape.
- (e) To ensure the design and appearance of any building or structure in the Napier Road Industrial Precinct that adjoins Napier Road or the lots specified in R 12.8.1 is complementary to the visual appearance of the landscape character of Napier Road and the amenity values of the land identified as a future urban growth zone within Council's Urban Growth Strategy and existing dwellings located in close proximity to the Napier Road Industrial Precinct.

#### **Explanation**

*Building height and siting standards reasonably provide for the intensive use of most industrial sites. However, Council recognises that there are instances where these standards may not adequately provide for some activities and is therefore prepared to consider such circumstances where it is satisfied that neighbours and nearby residential, rural and recreational areas and roadside amenity will not be adversely affected.*

### **Parking, Loading and Access**

- (a) To avoid, remedy or mitigate the effects of parking and loading not accommodated on the site, on the safe and efficient operation of the roading network.
- (b) To ensure that appropriate provision is made for any parking or loading not accommodated on the site.
- (c) To ensure that appropriate provision is made for access to a site.
- (d) To avoid, remedy or mitigate any adverse effects of parking or loading not accommodated on the site on any residentially zoned properties.

#### **Explanation**

*Various activities catered for within the zone are likely to have different operational effects where servicing and loading activities are concerned. Provisions within the Plan have considered the range of uses likely to utilise industrial zoned sites, however, the Council is prepared to consider requirements outside of what is provided for, where it can be demonstrated that adjoining properties will not be adversely affected.*

### **Landscape Amenity**

- (a) To take into account the existence of any topographic or other physical feature which makes compliance impracticable.
- (b) To avoid, remedy or mitigate any adverse visual effects on adjoining residential properties which may arise from the lack of provision of landscaping.
- (c) To remedy or mitigate the deficiency in landscape provision through alternative provision of on-site amenity and landscaping.

#### **Explanation**

*Landscaping provisions within the Plan are intended to protect residential and recreational area amenity and enhance roadside amenity within industrial areas. Council recognises that there may be other means of achieving similar amenity results and situations where the prescribed standards may be inappropriate. Alternatives will be considered where it can be demonstrated that the neighbours are not adversely effected and where roadside amenity is maintained or enhanced.*



## **R 12.9.4 Crematoria**

### **Crematoria are a Discretionary (Restricted) Activity with regard to:**

- Effects on the cultural and social wellbeing of the proximate community
- Effects of noise, hours of operation and other environmental disturbance on amenity for the surrounding community
- Design and appearance of any buildings or structures in relation to the amenity for the surrounding community
- The effects of traffic on the safe and efficient operation of the roading network and the provision of efficient and effective parking and access.

#### **Explanation**

*Crematoria have the potential to adversely affect the amenity values of both adjoining and adjacent properties. Council recognises that there are appropriate locations for the siting of crematoria but these need to be in such a location that does not adversely affect the amenity values of the surrounding community.*

**12.10 Rules: Discretionary Activities (Unrestricted)****R 12.10.1 The Construction of a Building or Structure in the Napier Road Industrial Precinct in the absence of Subdivision**

**The Construction of a Building or Structure in the Napier Road Industrial Precinct prior to the s224 Resource Management Act 1991 approval of a complete subdivision designed in accordance with Structure Plan 12.1 is a Discretionary Activity (Unrestricted)**

For the purposes of this rule 'complete subdivision' means:

In respect of any building or structure on Lot 1 DP 74205, Lot 2 DP 74205 and Lot 3 DP 74205 a comprehensive subdivision approved by the Palmerston North City Council involving all land within the lots collectively and in such a way that the allotments (whether existing or new) collectively assessed would meet the performance conditions in rule 7.9.2.5(b) relating to lot size and arrangement.

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 Industrial Zone objectives and policies, assess any application in terms of the following:

- (a) The extent to which the design and appearance of any building or structure is complementary to the visual appearance of the landscape character of Napier Road, the amenity values of the land identified as a future urban growth zone within Council's Urban Growth Strategy, and existing dwellings located in close proximity to the Napier Road Industrial Precinct.
- (b) The extent to which the Napier Road Industrial Precinct develops in accordance with Structure Plan 12.1, in particular through the provision of Planted Buffer Areas and the identified local roading network.
- (c) The extent to which the Planted Buffer Areas provide effective visual screening to the occupiers of Lots 4 and 5 DP 74205 and visual enhancement of the landscape character and amenity values of Napier Road and the land identified as a future urban growth zone within Council's Urban Growth Strategy.
- (d) Whether the effects of development on the safe and efficient operation of the roading network, including Napier Road, would be effectively avoided, remedied or mitigated.
- (e) The degree to which the efficient and effective provision of infrastructure and essential services are adversely affected through the absence of subdivision.
- (f) The extent to which the Napier Road Industrial Precinct develops as an integrated industrial precinct that specifically provides for small to medium sized industrial activities.
- (g) Whether the establishment of office or retail activity would undermine the integrity of the Business Zones or to lead to a dispersal of retail and office activity.
- (h) The extent to which the effects of the generation of additional traffic would be avoided, remedied or mitigated through efficient and effective parking, access and loading provisions.
- (i) The extent to which the design of the stop-banks or engineered floodwalls and planted buffer areas will ensure the successful establishment of appropriate planting and minimise the visual impact of the stop-banks or engineered floodwalls, while also ensuring the stop-banks or engineered floodwalls retain their primary water retentive function.

- (j) Whether buildings or structures are provided with flood mitigation measures that will prevent inundation from a 0.2% annual exceedence probability flood event (1 in 500 year flood).
- (k) Whether a stormwater system is designed and installed sufficient to manage stormwater generated by the future industrial development of the entire Napier Road Industrial Precinct and total catchment area that drains to the west and northwest corner of the Napier Road Industrial Precinct.
- (l) Whether the stormwater detention pond to be constructed as part of the development of the Napier Road Industrial Precinct whose general location is indicated on Napier Road Industrial Precinct Structure Plan 12.1 has street frontage and is provided with practical access for maintenance purposes.

### **Explanation**

*The District Plan provisions developed for the Napier Road Industrial Precinct rely on a combination of both land-use and subdivision rules. Development within the Napier Road Industrial Precinct prior to the s224 Resource Management Act 1991 approval of a complete subdivision designed in accordance with Structure Plan 12.1 has the potential to compromise the potential for the Industrial Precinct to develop as an integrated industrial area that specifically provides for small to medium sized industrial activities. The above rule is intended to capture the construction of new buildings in the Napier Road Industrial Precinct where subdivision has not occurred in advance of development within the Napier Road Industrial Precinct.*

## **12.11 Rules : Non-Complying Activities**



### **R 12.11.1 Non-Complying Activities**

The following are non-complying activities:

- (i) **Any activity not provided for as a Permitted Activity, Controlled Activity, Discretionary Activity (Restricted) or Discretionary Activity (Unrestricted) within the Industrial Zone shall be a Non-Complying Activity.**
- (ii) **The planting or growing of any vegetation in excess of 5 metres high in the Midhurst Street Industrial Area.**
- (iii) **In the Midhurst Street Industrial Area any activity, building or structure, whether permanent or temporary, other than the construction of a fence within the 65Ldn noise contour.**

In determining whether to grant consent and what conditions, if any, to impose, the Council will, in addition to City View Objectives in section 2 and the objective and policies for the Midhurst Street Industrial Area in section 7, assess any application in terms of the following further policy:

- To demonstrate that any activity is able to adequately avoid, remedy or mitigate any adverse effects on the safety of people, aircraft, property and the operational capability of the Palmerston North Airport.

#### Non-Notification

- (i) No such application shall be notified.
- (ii) Written consent will only be required from the Palmerston North Airport Limited.



**R 12.11.2 Any activity in the Midhurst Street Industrial Area that does not comply with Rule 12.6.1(ix)(a) to (d) and Rule 12.6.2(ix)(a) to (f) is a Non-Complying Activity**

In determining whether to grant consent and what conditions, if any, to impose, the Council will, in addition to City View Objectives in section 2 and the objective and policies for the Midhurst Street Industrial Area in section 7, assess any application in terms of the following:

- (a) The extent to which the development conforms with the Midhurst Street Industrial Area Structure Plan.
- (b) The extent to which the development provides services within public service corridors or can be conveniently accessed by the Palmerston North City Council.
- (c) To determine whether the development provides for a coherent and integrated internal roading network and roading services sufficient to ensure the entire Midhurst Street Industrial Area is appropriately serviced, including provision for connectivity to other land.
- (d) The extent to which the development provides for appropriate means of collection and disposal of stormwater likely to be generated following development of the entire Midhurst Street Industrial Area.
- (e) The extent to which the potential adverse effects on the operation of the Palmerston North Airport are avoided, remedied or mitigated.
- (f) The extent to which the development provides for the retention of the ephemeral stream as an open swale and the extent to that it is designed and planted to improve biological processes and local amenity.
- (g) The extent to which the development adequately maintains and enhances local amenity, provides for pedestrian access, street tree planting, amenity planting at the entrance from Kelvin Grove Road and provides amenity planting adjacent to the Linklater Block as shown in the Midhurst Street Industrial Area Structure Plan.
- (h) The extent to which the development provides for works and services to provide an intersection at the access point with Kelvin Grove Road as well as improvements to Kelvin Grove Road necessary to ensure traffic safety and efficiency is not adversely affected as a result of development of the entire Midhurst Street Industrial Area. Access arrangements must take into account the requirements of Rule 20.3.9.1 and Rule 12.6.2(ix)(c).

**Explanation**

*The District Plan provisions for the Midhurst Street Industrial Area rely on a combination of both land-use and subdivision provisions. Land use in the absence of subdivision has the potential to compromise the potential for the Midhurst Street Industrial Area to develop in an integrated manner that specifically provides for small to medium sized industrial activities. The above rule is intended to capture the construction of buildings where subdivision has not occurred in advance of development within the Midhurst Street Industrial Area.*



**R 12.11.3 All activities in the Inner and Outer Control Zone that do not comply with Rule 10.7.1.1(h).**

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 Industrial 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.]



**R 12.11.4 The following activities are Non-Complying Activities within the Napier Road Industrial Precinct:**

**(i) Any activities that do not comply with Rule 12.8.1 (b) - Planted Buffer Areas**

With respect to R 12.11.4 (i), in determining whether to grant consent and what conditions, if any, to impose, the Council will, in addition to the City View Objectives in section 2 and the Industrial Zone objectives and policies, assess any application in terms of the following:

- (a) The extent to which the Planted Buffer Areas provide effective visual screening to the occupiers of Lots 4 and 5 DP 74205 and Visual enhancement of the landscape character and amenity values of Napier Road and the land identified as a future urban growth zone within Council's Urban Growth Strategy.
- (b) The extent to which the design of the stop-banks or engineered floodwalls and planted buffer areas ensure the successful establishment of appropriate planting and minimises the visual impact of the stop-banks or engineered floodwalls, while also ensuring the stop-banks or engineered floodwalls retain their primary water retentive function.
- (ii) Any activities that encroach into the Planted Buffer Areas and Setbacks prescribed in Rule 12.8.1 (b), excluding the required stop-banks or engineered floodwalls which may be incorporated as part of the Planted Buffer Areas.**
- (iii) Any activities that do not comply with Rule 12.6.2 (x) (b) – Flood Protection.**
- (iv) Any activities that encroach into the stop-banks or engineered floodwalls established as part of the flood protection measures required under Rule 12.6.2 (x) (b) – Flood Protection, excluding the required Planted Buffer Areas which may be incorporated as part of the stop-banks or engineered floodwalls.**

***Explanation***

*Development within the Napier Road Industrial Precinct is managed by reference to Structure Plan 12.1 which includes an identified local roading network and the planted buffer areas required under R 12.8.1(b).*

*The planted buffer areas and associated setbacks have been prescribed in the District Plan for the purposes of providing a visual amenity buffer between the Napier Road Industrial Precinct, the land identified as a future urban growth zone within Council's Urban Growth Strategy and existing dwellings located in close proximity to the Napier Road Industrial Precinct. The planted buffer area will also ensure that development within the Napier Road Industrial Precinct contributes towards the visual enhancement of the landscape character of Napier Road as a key entrance into the City.*

*The Napier Road Industrial Precinct is located in an area likely to be inundated if a 0.2% annual exceedence probability flood event occurs (1 in 500 year flood). It is therefore imperative that, before any subdivision or development in the Napier Road Industrial Precinct, the area be provided with adequate mitigation measures to guard against the inundation during such an event.*



