

Section 12A North East Industrial Zone

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12A. NORTH EAST INDUSTRIAL ZONE

12A.1 Introduction

Although Palmerston North City has a significant amount of industrial land, recent studies¹ have indicated that the industrial land bank will be insufficient to meet the needs of the community within the expected ten-year life of this District Plan. In addition, some specific market requirements, particularly for large industrial sites of 5ha and above, and sites which can be accessed on a 24 hour basis, are not able to be met. With projected growth, particularly in the distribution and communication industries in the City, building on Palmerston North's strategic geographic location in the centre of the southern North Island, land is required to accommodate these activities, as well as growth in other types of industrial activity.

The North East Industrial Zone area was identified as the most suitable area in the City for industrial zoning following a detailed analysis of options. Its location and topography are well-suited to industrial development, services can be provided which will meet the needs of most industrial users, and it is unsuitable for alternative urban uses such as residential largely due to the proximity to the Palmerston North Airport. It can readily be accessed by road and rail, and proximity to the City's airport means that synergies with that mode of transport are also possible. At approximately 95 hectares, and allowing for internal roading and landscaping space, it is large enough to provide for the City's industrial expansion needs for about a decade.

As a new industrial expansion area in a rural context, there is the opportunity to ensure high-quality and efficient layout and design of the area as a whole. Given the rural context, perimeter screening by appropriate planting will be essential. There are some residential activities within and adjacent to the Zone, and the effects of industrial activities on their amenity values will need to be taken into account in both the shorter and longer term. However, the Zone's separation from established Residential Zone areas means that the scale of potential adverse effects on City residents is much reduced due to this location.

The area of this Zone can be regarded as a "scarce resource" in city-wide terms because of its accessibility and relative distance from residential areas. For this reason the Zone's focus is on providing for industrial activities with non-industrial activities generally considered on a case by case basis through the resource consent process.

The surrounding land is in some instances suitable to accommodate an extension to the industrial land available within the City where its demonstrated the land can be accessed and receive network services (other than stormwater) effectively if not directly, from public services through public corridors. There are servicing issues that are required to be addressed to ensure that any development of this surrounding land is undertaken in an efficient and effective manner, and for this reason specific rules for sites called Scheduled North East Industrial Zone Sites have been created. These seek to ensure that while development is enabled, such development occurs in a manner that ensures the servicing and hazard mitigation issues are addressed for the entire site. Council requires assurance that this is efficient and effective. Therefore these sites require a resource consent to be obtained addressing these issues.

NOTE TO PLAN USERS:

This part of the Plan should be read in conjunction with other relevant parts including Section 6 General, Section 7 Subdivision, Section 14 Hazardous Substances and Section 20 Transportation.

¹ MWH "Industrial Land Use Study" June 2001.

12A.2 Resource Management Issues

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

1. The demand for larger industrial greenfield lots, for a range of activities, which are not available elsewhere in the City.
2. The opportunity to develop an attractive, efficient industrial area with high internal amenity values, and the ability to connect to road, rail and air transport services.
3. The effects of industrial activities and/or associated buildings on adjoining rural areas.
4. The need to allow for the continuation of residential and agricultural uses which are established in the area on a transitional basis, while mitigating effects on those activities.
5. The effects of industrial zone retail and office development on the established physical resources in industrial areas and the wider city.
6. The potential for inefficient use and development of the physical resources and associated infrastructure of the industrial area by non-industrial activities.
7. The need to address visual and other effects often associated with industrial areas.
8. The need to provide for the ongoing efficient operation of the airport by recognising height limits included in the Plan and protecting noise sensitive activities within the vicinity of the Palmerston North International Airport.
9. The need to manage wastewater and stormwater in the area in a sustainable manner.

Explanation

The City's existing land bank of industrial land is insufficient to meet medium or long term demands. It is short of opportunities to accommodate industrial activities needing lots of over 5 hectares in size, and includes little land which can be accessed on a 24-hour basis. Rezoning the North East Industrial Zone area from rural to industrial provides opportunities to develop an attractive and modern industrial area suitable for a wide range of activities, including large-footprint industrial activities. Provision of land to meet these needs is a major issue for the City.

The expansion of the City's urban fabric through industrial use of the area included in this Zone raises several additional issues which require attention within this Plan.

The Zone will result in new uses near to existing activities established on the rural land to the north, east and west. There are some established residential activities in these areas and adverse effects on them must be avoided, remedied or mitigated. These include noise, visual and traffic effects.

Nuisance effects such as dust and odour can be an issue in industrial areas. 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.

As the area of the zoning is expected to provide sufficient land for approximately ten years growth (and there is several years supply of undeveloped industrial land elsewhere in the City), some existing land uses may continue for several years from the date of rezoning. While industrial activities are generally compatible with rural and recreational activities, where there are existing dwellings in the area these need a level of protection from the adverse effects of industrial uses nearby.

The effects of commercial development not associated with industrial activities have been identified as an issue throughout the City's industrial areas for a number of reasons. If no controls are put in place, industrial land is likely to attract retailing, office and other commercial activities. This raises two concerns in general terms. 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 find other areas in which to establish.

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. Controlling the expansion of such activities in the "scarce resource" area of the North East Industrial Zone is also an issue in terms of the City's efficient development, and its ability to provide for industrial growth.

People have an expectation that future industrial areas will be developed on the same basis as those of the past. This expectation results in a negative expectation for the development of the area.

The area has constraints to development relating to airport noise requirements and height limits relating to the airport. These must be taken into account when planning the industrial use of the area. There are also constraints relating to the capability to manage wastewater from the area, and the need to sustainably manage stormwater within the Zone and downstream.

12A.3 Objectives and Policies

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

Objective 1

To meet the City's needs for land for industrial growth.

Policies

- 1.1 To provide an area of land zoned primarily for industrial purposes in the location shown as the North East Industrial Zone.
- 1.2 To enable the establishment of industries requiring large lots within the Zone.
- 1.3 To provide for transitional uses, including existing uses, of the land within the Zone.

Explanation

Studies undertaken in 2001 and 2002 have shown that the City has insufficient land zoned as industrial for more than the next five to seven years at recent rates of uptake. A substantial proportion of present supply is located at Ashhurst, which means it is of interest to a narrow range of future activities. Further limitations are found in the available range of site sizes, with very few large sites, and there are limitations on 24-hour servicing in many areas. This short term and limited supply of industrial land will not only limit the City's overall economic growth, but will also mean that some types of industries which would otherwise find Palmerston North an attractive location, may not be able to locate in the City.

The Zone area is approximately 95 hectares, of which a substantial proportion will be needed for roading, and open space including drainage areas and landscaping. The rate of uptake by industries will determine how long the area will meet growth needs.

The area of land zoned North East Industrial is suitable for industrial purposes due to its accessibility to the roading network and potentially to the rail network. The land is unsuitable for other activities, particularly for future residential development, due to proximity to the airport.

Land in the North East Industrial Zone can be regarded as a "scarce resource" within the City area. The Zone provisions have been developed which will enable certain types of activities, including "large footprint" activities which need large land areas, while limiting opportunities for other types of activities frequently found in industrial zones, including activities which have a commercial rather than an industrial flavour.

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, and it also enables the Council to plan for infrastructure provision and renewal with certainty.

As the land is estimated to provide for approximately a decade of City growth, not all of the land will be developed immediately. Therefore provision is made for appropriate transitional activities including rural and recreational activities. There are a number of existing dwellings within the Zone. These can be expected to remain at least on a transitional basis, and their amenity requires a level of protection. Other activities, which may be incompatible with the long-term industrial use of the land, will be assessed on a case by case basis through the resource consent process.

Objective 2

To enable industrial use and development of the Zone taking into account topography, any existing site features, natural hazards, the servicing needs of future industry and the ability for people and vehicles to move safely and efficiently through the area.

Policies

- 2.1 To ensure that the design, layout and servicing of the Zone is, as far as reasonably practicable, in accordance with key design principles outlined in the Design Guide.
- 2.2 To ensure that subdivision, use and development in the Zone generally follows the layout shown on the Structure Plan (see Section 7, Map 7.2), particularly in regard to the stormwater detention area and road access points.
- 2.3 To identify and retain significant trees, shelter belts and watercourses as design features at the time of subdivision and/or development.
- 2.4 To provide opportunities for pedestrians, cyclists and vehicles, while ensuring that conflict with industrial traffic is minimised.
- 2.5 To ensure that additional traffic does not put pressure on the safe and efficient operation of the roading network.
- 2.6 To provide open space within the industrial area on a planned basis for amenity purposes where possible.
- 2.7 To provide for the efficient movement of vehicles and in particular the access requirements of emergency service vehicles.

Explanation

This objective and its associated policies provide for the development and use of the area. As a large "greenfields" industrial site, there is both a need to provide adequate access, servicing and internal layout through the subdivision and initial development stage, and also opportunity to "design with nature" to develop an attractive and efficiently-functioning area, which will provide high levels of amenity for future industries, people who work in and visit the area, and nearby residents.

To ensure this, the Council will retain a higher level of control in the North East Industrial Zone over subdivision and building development than normal in other industrial zones. To assist developers and the community in understanding the design and development principles which should be applied for the North East Industrial Zone, a design guide and structure plan has been prepared. This will also be used to assist assessing activities that require consents.

Objective 3

To promote the efficient development and use of land and associated infrastructure within the Zoned area.

Policies

- 3.1 To enable the establishment and development of industry within the North East Industrial Zone.
- 3.2 To enable a limited range of non-industrial activities which are compatible with and ancillary to industrial activities.
- 3.3 To ensure the availability of lots for the purposes of developing large lot industries, for both current and future generations is not compromised through inappropriate landuse activities and/or subdivision.
- 3.4 To ensure that the quantity of wastewater discharge(s) from industrial activities can be accommodated within the City's wastewater and collection system.
- 3.5 To manage adverse effects on the environment from inundation or the discharge of stormwater.
- 3.6 To provide for development of Scheduled North East Industrial Zone Sites in an integrated manner with the existing North East Industrial Zone without compromising other goals of the Plan for surrounding land.
- 3.7 To ensure on a Scheduled North East Industrial Zone Site design of the servicing required for the entire site, including roading and hazard management, is provided at the earliest stage including identifying that if servicing from adjoining land not within a public corridor is used this is managed through a robust legal framework.

Explanation

The provisions pertaining to the North East Industrial Zone have been developed to recognise the shortage of large lots within the developed and existing greenfields industrially zoned land throughout Palmerston North. One of the principal purposes of the Zone is to provide for activities which require "large footprint" buildings and substantial associated areas of land. It has been therefore identified that provisions are required to ensure that the availability of large lots within this Zone are protected for the use of future generations as well as providing for current developments.

Once land within the North East Industrial Zone is developed, it will continue to be used for a range of activities over time in a way similar to other industrial zones. The Zone allows for a range of industrial activities as well as those activities that are compatible with and ancillary to industry. Due to some limitations on the ability for the North East Industrial area to discharge wastewater to the City's infrastructure, Plan provisions retain control over potential "wet" industries.

The North East Industrial area forms part of a large catchment area which feeds into the Mangaone Stream. It is therefore necessary to carefully manage the discharge of stormwater to avoid adverse effects on downstream properties. A stormwater detention area has been identified for this purpose in the structure plan.

The extension of the North East Industrial Zone to some adjoining sites is appropriate however Council servicing is not currently provided directly to these areas and if and when this will occur is yet to be determined. Should development of a Scheduled North East Industrial Zone Site occur before direct servicing is extended, this needs careful management and consideration at the time of use or development application, to ensure that servicing is provided in a manner that guarantees both continued supply and at an appropriate level of service to reflect the demands generated by the use of the site.

Objective 4

To ensure that the establishment and operation of industry within the North East Industrial Zone is not unduly impeded or compromised by the effects of incompatible or inappropriate land uses.

Policies

- 4.1 To avoid the use of North East Industrial zoned land for residential purposes, other than for existing residential activities on a transitional basis.
- 4.2 To manage the scale of “commercial” development within the North East Industrial Zone to a narrower range of activities than in other industrial zones, to ensure efficient use and development of the natural and physical resources of the Zone.
- 4.3 To restrict the size and scale of ancillary retail and office activities.

Explanation

Residential and commercial activities have a role to play within industrial areas. However for the North East Industrial Zone it must be appreciated that:

The area has been specifically provided to accommodate industry, and once developed will represent a significant community investment in land and infrastructure for industrial purposes;

Provision is made to accommodate existing residential activities within the Zone on a transitional basis, but not fully provide or maintain the level of residential amenity found within the City’s residential areas, or the existing rural character;

The City has established business areas where substantial investment has occurred to accommodate commercial 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 commercial development within the North East Industrial Zone would undermine established business areas, and community investment within these areas. As the Zone is a scarce resource, specifically intended for industrial growth, it is reasonable that a narrower range of commercial activities should be provided for here.

In light of this, Council considers it important to restrict residential and commercial activities from establishing within the North East Industrial Zone. This will ensure that industries are not impeded, or compromised, by future residential or commercial activity related demands, expectations or effects.

Restricting commercial development within the North East 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 5

To avoid, remedy or mitigate adverse environmental effects on the amenity of the North East Industrial Zone and areas at the interface with the Zone.

Policies

- 5.1 To avoid, remedy or mitigate the adverse effects of large buildings, including effects on areas at the interface with the North East Industrial Zone.
- 5.2 To ensure that adverse effects on the rural amenity values of the area are avoided or mitigated.
- 5.3 To ensure that planting and landscaping plans for streets and lots are approved at the time of subdivision (or where subdivision is not involved, prior to commencement of industrial use).

- 5.4 To ensure that road access to the North East Industrial sites is provided from Railway Road or Roberts Line and is in general accordance with the Structure Plan (Section 7, Map 7.2).
- 5.5 To ensure that planting and landscaping for buffer setback areas is undertaken as a condition of subdivision consent, or where subdivision is not involved, prior to commencement of industrial use.

Explanation

The North East Industrial Zone is surrounded on three sides by rural land within and outside the City boundary. It is separated from these areas by roads, which provide some extent of buffering. It is important to ensure that industrial activities within the Zone do not have significant adverse effects on the quality and amenity of the nearby rural area and residents within the rural area, including visual or noise effects. As far as practicable, industrial traffic should be directed away from rural roads that are classified as local roads (see Section 20), and onto principal and arterial roads.

Objective 6

To maintain or enhance visual amenity within the North East Industrial Zone.

Policies

- 6.1 To require any activity involving the construction, addition to or external alteration of buildings within the North East Industrial Zone to contribute to the visual enhancement and amenity of the Industrial area, particularly ensuring consistency with the Design Guide.

Explanation

Provision for landscaping, planting and 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.

The North East Industrial Zone area is adjacent to rural land, and is the City's "gateway" from the air, as well as important approaches from Milson Line, Railway Road and the North Island Main Trunk Line. Therefore, while the visual character of the area will change overtime from rural to industrial, particular attention is needed to ensure that the visual amenity of the area is maintained or enhanced.

Objective 7.1

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

Objective 7.2

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

Policies

- 7.1 To mitigate the adverse effects of aircraft noise on any building to be used for education or accommodation in the Inner and Outer Control Zones.
- 7.2 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 the Council that this method will achieve the requisite insulation rating.

7.3 To ensure that any development complies with the Airport Protection Surface Rule in Section 20.4.

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 noise sensitive activities such as accommodation or education in nearby areas.

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, controls are used to mitigate the adverse effects of airport operational noise on noise sensitive activities in the North East 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, the Plan also includes 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.

As the Airport Protection Surface affects part of the North East Industrial Zone, it is important that developments within this Zone comply with Rule 20.4.10.1 Airport Protection Surface.

12A.4 Methods

- District Plan Rules, including controlled activities and developments in general accordance with the Design Guide and Structure Plan for the Zone
- Public Information (e.g. Land Information Memorandums)
- Annual Plan Programmes

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.

Control is retained through rules, over design, appearance and site layout in this Zone, as its "greenfields" nature and particular location justifies care in initial layout and development. A Design Guide for the North East Industrial Zone will sit inside the Plan, to assist applicants in preparing applications, and the Council in evaluating applications. It will also help to convey to the wider public the long-term intentions for the Zone. A Structure Plan, which outlines the preferred layout for the area, is included in the subdivision section of the Plan. Annual Plan programmes will be important in providing adequate services to this Zone.

In addition to the methods identified to assist the City Council in controlling the effects of the use and development of land within the North East 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 ...".

12A.5 Environmental Results Anticipated

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

1. An attractive and well-designed modern industrial area which will provide development and growth opportunities for industry and associated ancillary activities within the City.
2. The efficient use of physical resources within the Zone through their use for industrial purposes.
3. The maintenance of the amenity values of those areas surrounding the Zone.
4. An appropriate level of amenity for those living in dwellings already established within the Zone, during the period prior to the land being used for industrial purposes.
5. Realistic community expectations of the nature of industrial areas and what may be associated with living in close proximity to these areas.
6. Maintained or enhanced visual amenity at zone boundaries and within the Zone.
7. Avoidance, mitigation or remediation of adverse effects on the roading network.
8. Avoidance, mitigation or remediation of the adverse effects of aircraft noise on noise sensitive activities in the industrial area.
9. Avoidance, mitigation or remediation of the adverse effects of noise sensitive activities in the North East Industrial Zone on the efficient operation of Palmerston North Airport.

12A.6 Rules: Permitted Activities



R 12A.6.1 Permitted Activities

Unless otherwise specified as a controlled activity, the following are permitted activities provided that they comply with the relevant performance conditions and provided the land is not a Scheduled North East Industrial Zone Site:

- (a) Industrial Activities
- (b) Warehousing, storage and depots
- (c) Roads, walkways, railway access, and cycle ways
- (d) Ancillary Office and Retail Activities
- (e) Ancillary parking areas and buildings
- (f) Prepared Food & Beverage Outlets
- (g) Service Stations
- (h) Flood protection and soil conservation activities
- (i) Staff recreation facilities ancillary to a permitted use
- (j) Establishment and maintenance of planting areas

NOTE TO PLAN USERS:

- For the purposes of this rule any activity includes buildings and structures.

- Refer to Rule 12A.8.3 for any activities that seek to alter the volume of the stormwater detention area (as shown on Map 12A.8.3).
- Please check with the Regional Council for any additional requirements contained in their Regional Plans.
- Refer to Section 6 regarding Earthworks Rules.

Performance Conditions

(i) Maximum Height

All buildings and structures shall comply with Rule 20.4.10.1 (Airport Protection Surface) or 9 metres whichever is the lower.

(ii) Maximum Building Size

- All buildings located on-site with a total gross floor area of up to 500m² are permitted.
- Any side of a building up to 50m in length is permitted (regardless of insets or setbacks within the overall building form).

Explanation

The North East Industrial Zone performance conditions set a maximum height for any buildings or structures within the Zone to prevent penetration of the Airport Protection Surfaces as set out in Rule 20.4.10.1, and also establishes the size and height at which a building may have adverse visual effects which, in accordance with the design objectives and policies for the Zone, should be assessed as a controlled activity.

(iii) Road Setback

- Any activity (including signs, fences and buildings) shall comply with the performance conditions in Rule 12A.7.1 (which relates to the boundaries of those sites fronting external roads).
- On the boundaries of sites which front internal roads (i.e. those roads which exclude Railway Road, Roberts Line, and Richardsons Line), any building or structure, excluding signs, shall be set back a minimum distance of 3 metres from any road frontage.

Explanation

The road setback standard ensures that a uniform site presentation occurs along roadways. The road setback standard will maintain consistency in building development patterns and provide an area for visual amenity planting.

(iv) Landscape Amenity

Compliance with Rule 11.6.1.2(v) – Landscape Amenity.

NOTE TO PLAN USERS:

This clause applies to the boundaries of those sites that do not front onto Railway Road, Setters Line (North), Roberts Line and Richardsons Line.

(v) 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 (note that a specific provision applies to access to some roads adjacent to the Zone) |

NOTE TO PLAN USERS:

Rule 12A.10.2 restricts access onto Richardsons Line and onto, but not at one central point across, Setters Line (North) and activities which do not comply with that provision are specifically determined to be a non-complying activity.

(vi) Lighting

- (a) 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 (including rural zoned land in Manawatu District), and any occupied residential building existing on 24 July 2003 within the North East Industrial Zone. Measurements shall be made at 1.5m above ground, horizontally and vertically.

NOTE TO PLAN USERS:

Lighting shall not be installed which may cause confusion with lights for the 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 & 20.8.

Developers of sites should also be conscientious of the need to ensure that outdoor lighting is directed in such a manner that will not adversely affect the safe and efficient operation of the road traffic. Adverse glare may potentially startle or cause confusion for users of roads adjacent to or located within the North East Industrial Zone.

Explanation

The illumination of industrial sites, particularly at the residential interface, can affect residential amenity where excessive light spill occurs. By minimising permitted off site illumination, the performance standard for lighting will ensure that any adverse off-site effects associated with site illumination from that activity are controlled. The application of this rule will protect the amenity of those living in existing established dwellings within the Zone on a transitional basis.

(vii) Signs

Compliance with Rule 6.1.5.1.

NOTE TO PLAN USERS:

Those signs that do not comply with Rule 6.1.5.1 shall be assessed as a Discretionary Activity (Restricted) as per Rule 6.1.7.1.

(viii) Outdoor Storage

- (a) Any outdoor storage area, situated on a site which adjoins or directly faces across a road, any part of a site zoned Rural or public area (including sites and areas in the Rural Zone in Manawatu District) and which is visible from that rural 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, shall comply with Rule 12A.6.1(i).

Explanation

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

(ix) Hazardous Facilities

Compliance with the provisions of Section 14; Hazardous Substances.

(x) Licensed Premises, Retail and Office Activities**(a) Retail Activity of goods manufactured on site**

Retail activity may only establish where it involves the sale of goods manufactured or repaired on site and does not exceed 200m² per site or 15% of total gross floor area per site, whichever is the lesser, except for fast food outlets that are less than 100m² in area, which are permitted.

(b) Office Activity

No more than 10% of the gross floor area of a building or part of a building used by any activity shall be used for office purposes.

(c) Prepared Food & Beverage Outlets

The maximum gross floor area shall be 100 m².

(d) Licensed Premises

A licensed premise shall be ancillary to and on the same site as a permitted, controlled or discretionary (restricted) activity, and shall occupy no more than 300 m² or 50%, whichever is the smaller, of the gross floor area of a building or part of a building used by the permitted, controlled, or discretionary (restricted) activity.

Note to Plan Users:

Also refer to:

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

(xi) Air Noise Control

Compliance with R 10.7.1.1(h).

NOTE TO PLAN USERS:

1. Proposals that do not:

- i. Provide the required degree of noise reduction stated in the definitions of Schedules P, Q and R; or
- ii. 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 Rule 12A.10.3.

2. This rule does not apply to those dwellings located in the North East Industrial Zone that are entitled to Existing Use Rights pursuant to Section 10 of the Resource Management Act 1991.

(xii) Noise & Noise Mitigation

Compliance with Rule 12A.12.1 Noise.

(xiii) Roads

The construction and operation of roads is a permitted activity.

NOTE TO PLAN USERS:

No road access from sites located within the North East Industrial Zone is permitted onto Richardsons Line or Setters Line (North). Please note that the establishment of roads through the buffer areas fronting Railway Road and Roberts Line will be assessed on an individual basis as part of the subdivision consent process.

(xiv) Essential Services

- (i) All essential services must be available for connection within 30 metres of the nearest point of the land being developed.
- (ii) All new sewer, stormwater and water supply services must be connected to essential Services and located through a public service corridor.

Note: *This performance condition applies to land, which is the subject of "Development" as defined in section 4. For the purposes of this rule, land being developed means the immediate area of land upon which the development work is being carried out.*

12A.7 Rules: Controlled Activities



R 12A.7.1 Industrial Activities Fronting External Roads

Any activity on a site with frontage to Richardsons Line, Roberts Line, Railway Road, or Setters Line (North End, as outlined in Section 7, Map 7.2) which complies with the following Performance Conditions are Controlled Activities in respect of:

- **Planting and maintenance of a road frontage buffer area**
- **Fencing**

provided the land is not a Scheduled North East Industrial Zone Site.

Performance Conditions

- (a) Buildings shall be setback the prescribed distance from the following roads. A buffer area shall be provided from the boundary of the site with the road to the specified distance from the road. The distance specified for each road is:
 - Richardsons Line: 12 metres
 - Roberts Line: 8 metres (except for access areas meeting Rule 20.3.9)
 - Railway Road: 8 metres (except for access areas meeting Rule 20.3.9)
 - Setters Line (North) for 50 metres south of Richardsons Line: 8 metres
- (b) Activities under this rule shall comply with all relevant Permitted Activity Performance Conditions prescribed in R12.A.6.1.

NOTES TO PLAN USERS:

- If the activity does not comply with the above performance conditions then Rule 12A.7.3 and/or 12A.8.1 applies;
- A landscaping plan prepared by a qualified landscaping expert shall be provided in accordance with section 5.4(K);
- For the purposes of this rule any activity includes buildings and structures.

Matters of Control

In determining what conditions, if any, to impose, Council will, in addition to the City View Objectives in section 2 and the North East Industrial Zone Objectives and Policies, assess any application in terms of the following:

- (a) To ensure that all buffer areas are planted to adequate depth and height, and in a way that will provide visual screening to residents in the Rural Zone (including those affected residents located in the Manawatu District), and to road users, including ongoing maintenance of the buffer area, consistency of appearance along the road frontage, and consistency with the Design Guide for the North East Industrial Zone.
- (b) To ensure that the visual appearance of fencing located within the buffer area is consistent with the relevant provisions of the Design Guide.

Explanation

This provision is intended to provide a visual and amenity buffer between the industrial areas and nearby residents in the vicinity of the North East Industrial Zone. The widest buffer is provided along Richardsons Line where there are a number of rural residential properties directly across the road.

Along Roberts Line and Railway Road the buffer is the minimum width required to establish an adequate visual buffer. While there are no directly affected neighbours along the opposite side of the Railway Road frontage, this road provides an entranceway to the City and a planted buffer area will provide a transition from rural to urban character. That part of Roberts Line which lies adjacent to the North East Industrial Zone, also does not contain any directly affected neighbours but also forms part of the entranceway to the City when travelling south along Railway Road. Applicants will be expected to develop and provide detailed proposals with the assistance of appropriately qualified experts. Owners the sites will be expected to maintain the buffer areas to a high standard once they have been established.



R12A.7.2 Industrial Activities Adjoining Specified Site Boundaries

Any Activity on a site adjoining any of the following lots: Lot 2 DP 65428, Lots 1 and 2 DP 73053, Lots 1, 2 and 11 DP 203, and Lot 2 DP 313207, and Lot 1 DP 15059 which complies with the Performance Conditions listed below is a Controlled Activity in respect of the matter specified below. This rule shall only apply in relation to sites adjoining any of the aforementioned lots which are used for residential purposes and the land is not a Scheduled North East Industrial Zone Site:

- **Planting and maintenance of a site boundary buffer area between the above stated sites used for residential purposes and the site of the industrial activity;**
- **Where the activity proposed involves the construction, alteration or addition to a building a report prepared by an acoustical consultant setting out how the District Plan noise emission limits will be complied with and how the “best practicable option” has been adopted in terms of controlling noise received off-site from the following sources shall be provided at the time of application for resource consent;**
- **On-site traffic circulation routes;**
- **Design and orientation of any goods loading bays associated with any building on the site; and**
- **Outdoor areas used for materials and/or goods handling.**

Performance Conditions

- (a) A 5 metre wide planted buffer area shall be provided for the full length of the boundary(ies) adjoining the residentially used sites.
- (b) Activities under this rule shall comply with all relevant Permitted Activity Performance Conditions prescribed in R12.A.6.1.
- (c) A report from an appropriately qualified acoustical consultant shall be provided to the Council stating the “best practicable option” has been adopted in the design, orientation and lay out of new buildings to minimise noise emission from industrial sites as received on any of the following adjoining sites: Lot 2 DP 65428, Lots 1 and 2 DP 73053, Lots 1, 2

and 11 DP 203, and Lot 2 DP 313207, and Lot 1 DP 15059, with specific attention to noise from:

- On-site traffic circulation routes;
- Design and orientation of any goods loading bays associated with any building on the site; and
- Outdoor areas used for materials and/or goods handling

NOTES TO PLAN USERS:

- This rule shall apply only in relation to sites adjoining any lot which is used for residential purposes on the basis of existing use rights. Should existing use rights for a single residential dwelling on the above lots lapse, or other activities establish on the lot, this rule will no longer apply with respect to that lot.
- The buffer area is to be provided within the lot containing the proposed industrial activity.
- A landscaping plan prepared by a qualified landscaping expert shall be provided in accordance with section 5.4(K);
- For the purposes of this rule any activity includes buildings and structures.
- Refer to Rule 12A.8.3 for any activities that seek to alter the volume of the stormwater detention area (as shown on Map 12A.8.3).

Matters of Control

In determining what conditions, if any, to impose, Council will, in addition to the City View Objectives in section 2 and the North East Industrial Zone Objectives and Policies, assess any application in terms of the following:

- (a) To ensure that a planted visual screen is provided between existing dwellings on the specified lots and adjoining industrial activities and in a manner that will assist in maintaining residential amenity values for the period of time for which the dwellings are in existence.
- (b) To ensure that the visual appearance of fencing located within the buffer area is consistent with the relevant provisions of the Design Guide.
- (c) To achieve consistency with the Design Guide for the North East Industrial Zone in terms of noise mitigation and visual amenity, particularly in relation to sections on building layout and building design.

Explanation

At the time of rezoning the land in the Zone from Rural to North East Industrial Zone, a number of dwellings exist within the Zone. These provisions are designed to ensure a level of visual screening and acoustic protection between existing dwellings and industrial activities. The required acoustic report is intended to ensure the design and layout of buildings has specific regard to considering mitigation options for vehicle and equipment noise, in terms of noise received at existing established residential sites within the Zone.



R 12A.7.3 Buildings which are not Permitted Activities

The construction of a building or additions to buildings which, together with the original building, do not meet Performance Conditions (i) (max. building height) and/or (ii) (maximum building size) of Rule 12A.6.1, but which comply with the following Performance Conditions are Controlled Activities in respect of:

- **On-site location and external design and appearance**

provided the site is not a Scheduled North East Industrial Zone Site.

Performance Conditions

- (a) The building or the building addition, together with the original building, shall comply with R20.4.10.1 (Airport Protection Surface).

- (b) Buildings under this rule shall comply with all relevant Permitted Activity Performance Conditions prescribed in R12.A.6 except for Rule 12A.6.1(i) and/or (ii).

NOTE TO PLAN USERS:

- If the proposed activity does not comply with the above stated performance conditions then Rule 12A.8.1 applies.
- Refer to Rule 12A.8.3 for any activities that seek to alter the volume of the stormwater detention area (as shown on Map 12A.8.3).

Matters of Control

In determining what conditions, if any, to impose, Council will, in addition to the City View Objectives in section 2 and the North East Industrial Zone Objectives and Policies, assess any application in terms of the following:

- (a) To achieve a high standard of visual amenity within and beyond the Zone;
- (b) To achieve consistency with the Design Guide for the North East Industrial Zone in terms of visual amenity, particularly in relation to sections on building layout and building design.

Explanation

Large buildings within the North East Industrial Zone may have a particular visual impact in relation to nearby areas. Controlled use status for large activities provides the opportunity for such effects and opportunities to be evaluated.



R12A.7.4 Non-notification of Controlled Activities

Notice of applications for controlled activities (rules 12A.7.1, 12A.7.2 and 12A.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)). Rule 12A.7.4 provides that notice of applications for controlled activities need not be served on any affected parties (limited notification).

12A.8 Rules: Discretionary Activities (Restricted)



R 12A.8.1 Any activities which do not comply with the Performance Conditions for Permitted or Controlled Activities and are not otherwise specified as a Discretionary or Non Complying Activity are a Discretionary Activity (Restricted) in regard to the following:

- (i) **Height – for those activities that do not comply with the Airport Protection Surface as prescribed in Rule 20.4.10.1.**
- (ii) **Road setbacks from roads for those sites other than those boundaries which front Richardsons Line, Roberts Line, Setters Line (North) and Railway Road.**

NOTE TO PLAN USERS:

Those activities that encroach into the buffer areas as prescribed in Rule 12A.7.1 shall be assessed as a Non Complying activity as per Rule 12.10.5.

- (iii) **Landscape Amenity**
- (iv) **Parking, Loading and Access**

NOTE TO PLAN USERS:

Rule 12A.10.2 restricts access onto Richardsons Line and onto, but not at one central point across, Setters Line (North) and activities which do not comply with that provision are specifically determined to be a non-complying activity.

(v) Lighting**(vi) Outdoor Storage**

(vii) Retail Activity of goods manufactured or repaired on site – Retail Activity may only establish as a restricted discretionary activity where it involves the sale of goods manufactured or repaired on site and does not exceed 400 m² per site or 25% of total gross floor area per site, whichever is the lesser.

(viii) Office Activity - where office activity is ancillary to a permitted or controlled activity and does not exceed 35% of the total gross floor area of a building/s, or that part of the building occupied.

(ix) On-site location and external design and appearance.

(x) Essential Services (ii) (Public Service Corridors)

Non-Notification

(i) Any resource consent required solely because of non-compliance with Rule 12A.6.1(xiv) Essential Services need not be:

- (a) publicly notified under Section 93(1) of the Resource Management Act 1991; and
- (b) served on any person who in the Council's opinion may not be adversely affected under s94(1) of the Resource Management Act 1991.

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 North East Industrial Zone Objectives and Policies, assess any application in terms of the following:

Height

(a) The effects on the safe and efficient operation of aircraft utilising Palmerston North Airport.

Setbacks from road boundaries other than those boundaries which front Richardsons Line, Roberts Line, Setters Line (North) and Railway Road.

- (a) To take into account the existence of any topographic or other physical feature which makes compliance impracticable or inappropriate.
- (b) To avoid adverse visual impacts on the character of the North East Industrial Zone as outlined in the Design Guide.

Explanation

Standards for the siting of buildings provide for intensive use of most sites. Proposals that do not meet these standards will be assessed on their merits to ensure that neighbours and nearby roadside amenity 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 or nearby 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 enhance roadside amenity within the North East Industrial area. However, 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 affected and where roadside amenity is maintained or enhanced.

Parking, Loading and Access

- (a) To avoid, remedy or mitigate the effects of the deficiency in parking spaces, access and/or loading 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 parking, loading and/or access requirements.
- (c) To avoid, remedy or mitigate the effects of the deficiency in parking, loading and/or access facilities on the ambience and amenity values of potentially affected sites.
- (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. A range of uses are likely to utilise the industrial zoned sites, but in some cases it may not be possible to provide for parking, loading and/or access in the manner prescribed. In any such case, the application will be considered on its merits and applicants must demonstrate that any adverse effects are avoided, remedied or mitigated.

Lighting

To remedy or mitigate the effects of lighting on the amenity of affected residential properties identified in Rule 12A.6.1(vi).

Explanation

Lighting standards have been developed to protect the amenity of surrounding residential activities. Proposals which do not comply with these standards shall be assessed on a case by case basis to determine the extent of the potential adverse effects and whether there are means by which any adverse effects upon residents can be remedied or mitigated.

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 adjoining or nearby rural and/or rural residential sites, including effects on residents and road users.
- (c) To ensure that in implementing the above policies the efficiency and functional requirements of the development and activities are taken into account.

Explanation

Screening and outdoor storage standards have been developed to protect the visual amenity of adjacent rural and recreational areas. However, particular site characteristics could reduce the practicality of, or need for, these requirements. In such cases, the application will be assessed on its merits and the applicant will need to demonstrate that the any adverse effects on the visual quality of roadside amenity will be avoided, remedied or mitigated.

Retail and Office Activities

- (a) To avoid, remedy or mitigate the adverse effects of the proposed activity on the integrity and operation of the North East Industrial Zone as an industrial area.
- (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 as the retailing and administrative heart of the City.

Explanation

The Plan primarily provides for the development and growth of industrial activities in the North East Industrial Zone, but recognises that retail and office activity have an important ancillary function in the operation of some industries. Proposals which exceed the stated standards will be considered on an individual basis to ensure that any adverse effects on the integrity and effective operation of the North East Industrial zone and the city's business areas, neighbours, and the roading network are addressed appropriately.

On-site Location and External Design and Appearance

- (a) To avoid, remedy or mitigate any adverse effects of buildings and structures on the visual amenity within and beyond the Zone.
- (b) To achieve consistency with the North East Industrial Design Guide, particularly in relation to the sections on building layout and building design.

Explanation

Large buildings within the North East Industrial Zone may have a particular visual impact within and/or beyond the Zone. The North East Industrial Design Guide provides guidance on how any adverse effects from large buildings within or beyond the Zone can be avoided, remedied or mitigated, particularly in relation to the layout and design of buildings."

Essential Services (ii) (Public service corridors)

- (a) the ability for Council to maintain and access the pipe in the future.
- (b) the cumulative effect of additional connections into the main trunk services.
- (c) the integration of the services into the existing City network and its effect on efficient and orderly development within urban areas.
- (d) those matters described in Sections 108 of the Resource Management Act 1991.

Explanation

The intent of the Essential Services performance condition (ii) is to ensure that in extending new sewer, stormwater and water supply services to a new development they must connect to essential services and must be located through a public service corridor, which will be vested in Council. Please refer to Diagram 7.3A and 7.3B in the Subdivision Section for examples of how this will be applied.

Where a new essential service is not located in a public service corridor, Council is concerned about its ability in the future to maintain that service. At some stage the service (pipe) will need to be fixed or replaced. If the pipe, which is covered by an easement, runs through a number of private properties, access to the easement may be difficult and quite often a private landowner will have sealed large areas of land over the easement thus impeding replacement of the pipe. In assessing applications of this nature, Council will determine each case on its merits.

Additionally, where services are to be connected into the City Council reticulated systems it is necessary to ensure these connections are efficient and sustainable. This is influenced by how services are connected. The location of services is vital to the long term efficiency of the City infrastructure networks. The provision and location of essential services through a public corridor will ensure a well managed network and will ensure logical and orderly development outcomes in urban areas avoiding premature development before the necessary infrastructure is in place to service it.



R 12A.8.2 Wet Industries

Any activity which seeks to discharge wastewater at a rate exceeding 200 m³/ha/day (or per area equivalent) is a Discretionary Activity (Restricted) with regard to:

- **Effects on the City's wastewater system including pipe and treatment capacity**

Non-notification

- (i) Such applications (Rule 12A.8.2) need not be publicly notified.
- (ii) Notice of applications for restricted discretionary activities (Rule 12A.8.2) need not be served on any persons who, in the Council's opinion may be adversely affected by the activity.

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 North East Industrial Zone Objectives and Policies, assess any application in terms of the following:

- (a) To avoid or mitigate effects on the City's wastewater collection and treatment system.
- (b) To evaluate alternative methods of reducing effects on the City's infrastructure proposed by applicants on the basis of likely practicability, effectiveness and any potential risks to the environment.

Explanation

Due to some limitations on the ability for the North East Industrial area to discharge wastewater to the City's infrastructure, Plan provisions retain control over potential "wet" industries. Applicants may be able to demonstrate that their proposal can be handled by managing wastewater on-site so that the potential adverse effects of the discharge on infrastructure are avoided or adequately mitigated.

NOTE TO PLAN USERS:

- Approval for such activities is also required under the Council's Trade Wastes Bylaws.
- Refer to Rule 12A.8.3 for any activities that seek to alter the volume of the stormwater detention area (as shown on Map 12A.8.3).



R 12A.8.3 Stormwater Detention Area

The construction of any building, structure, or the filling and raising of the level of the land within the shaded area shown on Map 12A.8.3 (North East Industrial Stormwater Detention Area) is a Discretionary Activity (Restricted) with regard to:

- **Effects on the storage capacity of the stormwater detention area**

This rule does not apply to flood protection and soil conservation activities of any local authority, the cultivation and use of the land for gardens or planting of trees, or erection of fences which are less than 2 metres in height outside of the watercourse.

Non-notification

- (i) Such applications (Rule 12A.8.3) need not be publicly notified.
- (ii) Notice of applications for restricted discretionary activities (Rule 12A.8.3) need not be served on any persons who, in the Council's opinion, may be adversely affected by the activity.

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 North East Industrial Zone Objectives and Policies, assess any application in terms of the following:

- (a) Avoiding, remedying or mitigating adverse effects on the surrounding environment of a change in the net volume of the stormwater detention storage area.

Explanation

The stormwater detention area, as specified in Map 12A.8.3, plays an important role in managing the discharge of stormwater from activities within the North East Industrial Zone. Where proposals seek to modify the volume of the storage area, the Council will need to assess the effects on the surrounding environment of a change in volume of the storage area to ensure that the integrity of the stormwater detention area is not compromised.

NOTE TO PLAN USERS:

The erection, addition to, alteration or reconstruction of any building, as defined under the Building Act 1991, which occurs within the shaded areas identified on Map 12A.8.3 is subject to the provisions of Section 36 of the Building Act 1991. Section 36 of the Building Act 1991 specifies limitations and restrictions that shall apply to the issue of building consents for buildings on land subject to inundation.

It shall also be noted that the erection, alteration or reconstruction of any fence or wall within the North East Industrial stormwater detention channels shall be regulated by Section 511 of the Local Government Act 1974. Under Section 511 of the Local Government Act 1974, the Council can require the removal of any obstruction to the free flow of water within a watercourse.

Also refer to Section 6 of this Plan regarding Earthworks provisions.



R 12A.8.4 Scheduled North East Industrial Zone Sites

Any activities located on a Scheduled North East Industrial Zone Site which are activities specified in Rule 12A.6.1 and are not otherwise specified as a Discretionary or Non Complying Activity but which comply with the following Performance Conditions are a Discretionary Activity (Restricted) in regard to the following:

- (i) Those matters of control listed in Rule 12A.8.1(i)- (ix)
- (ii) Provision, design and security of essential services
- (iii) On-site Location and External Design and Appearance
- (iv) Access, transportation efficiency and safety and controls to protect Richardsons Line
- (v) Natural Hazard mitigation
- (vi) Management of the interface with adjoining land not zoned industrial
- (vii) The extent to which the application addresses the development needs of the entire site with a comprehensive development plan.

Performance Conditions

- (a) Natural Hazard mitigation to the greater of either the 0.5% Annual Exceedence Probability (AEP) event or the 1% AEP event plus global warming to 2090 shall be provided.
- (b) Development under this rule shall comply with all relevant Controlled Activity Performance Conditions prescribed in R12.A.7.1.a

Non Notification

- (i) Any resource consent required under Rule 12A.8.4 need not be:
 - (a) publicly notified under Section 93(1) of the Resource Management Act 1991;

and

- (b) served on any person who in the Council's opinion may not be adversely Affected under s94(1) of the Resource Management Act 1991.

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 North East Industrial Zone Objectives and Policies assess any application against the assessment criteria in Rule 12A.8.1 and the extent to which the proposal departs from the performance conditions for permitted or controlled activities specified for the North East Industrial Zone.

Explanation:

On Scheduled North East Industrial Sites where essential services are to be provided through connection to private services, Council has concerns about the certainty of the level of service and quality of supply. To ensure that such services are provided and able to be maintained in an appropriate manner, resource consent applications for use and development within the Scheduled North East Industrial Zone Sites are required to show careful and robust provision and management of essential services.

Development of Scheduled North East Industrial Sites has the potential if not managed properly to result in ad hoc development. To ensure that this does not arise, where development is proposed on a specific site or area of a site, the servicing and hazard mitigation detail required is to relate to the entire site and developments thereon to ensure that integration with existing development and appropriate servicing and hazard mitigation is achieved for the site, rather than simply the development.

12A.9 Rules: Discretionary Activities (Unrestricted)



R 12A.9.1 Discretionary Activities

Any activity that does not comply with performance condition 12A.6.1(xiv)(i) and any activity listed below is a discretionary activity (unrestricted) within the North East Industrial Zone.

- **Offensive Activities**
- **Building Supplier**
- **Early Childhood Facilities**
- **Health Centres and Health Facilities**
- **Hire Centres**
- **Training Facilities**
- **Community & Leisure Facilities**
- **Places of Worship**

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

To avoid the establishment of activities which, on their own, or together on a cumulative basis, may form an area of commercial attraction which would detract from the objectives and policies in the Plan supporting commercial containment in other parts of the City.

To ensure that the North East Industrial area develops and retains a predominantly industrial character and land uses.

To evaluate effects on infrastructure, including the safety and efficiency of the roading network.

To avoid, remedy or mitigate adverse effects on amenity values within or outside of the Zone.

Explanation

The North East Industrial Zone is a scarce land resource. Particular types of activities are controlled under this rule, the first being space extensive, non-industrial activities which require evaluation against objectives and policies prior to establishment, and secondly, offensive industries which need careful

environmental assessment to ensure that the environmental and amenity objectives of the Zone are not compromised.

If essential services are not available for connection to Council's reticulated systems, Council requires its full discretion to determine the appropriateness of the development.

12A.10 Rules: Non-Complying Activities

R

R 12A.10.1 Non-Complying Activities

Any activity not provided for, or not complying with the standards of, a Permitted Activity, a Controlled Activity, a Discretionary Activity (Restricted), a Discretionary Activity (Unrestricted), or a Prohibited Activity within the North East Industrial Zone shall be a Non-Complying Activity.

Explanation

The purpose of the North East Industrial Zone is to provide for space extensive industrial and warehousing activities. The Council has identified that providing for certain activities that are complementary to the purpose of the North East Industrial Zone is appropriate to support the space extensive activities. It has been determined however that other activities which are not essential to supporting the intended purposes of the North East Industrial Zone should be assessed to determine the effects on the availability of large lots for both present and future generations as well the effects on other zones within Palmerston North City.

R

R 12A.10.2 Activities with Access from Richardsons Line and Setters Line (North End)

Any Activity (including roads) requiring access from Richardsons Line other than an activity permitted under Rule 9.6.1 (a) Farming, excluding intensive farming, and (b) Horticulture, and a single dwelling on Lots 2 DP65428, Lots 1 and 2 DP73053, and Lot 2 DP203, and any activity other than an activity permitted under Rule 9.6.1 (a) and (b), requiring access from, but not across, Setters Line (North End) is a Non-Complying Activity.

Explanation

Richardsons Line and Setters Line (North End) have rural character values and serve rural users. They are not suitable for heavy industrial traffic that may be generated by the Zone. In addition, there are potential safety issues at intersections with these roads unless extensive upgrading is provided. Site access can also adversely affect the rural amenity values of the area.

With the development of the Scheduled North East Industrial Zone Site at Lot 1 DP81319 access can be obtained from the adjoining North East Industrial Zone land, and this will require access across Setters Line (North). The provisions above seek to enable roading access across Setters Line (North) from the roading network within the developed North East Industrial Zone land. This does not enable allotments with frontage to Setters Line (North) to gain direct access from this road, as that would not achieve the rule standard of access across Setters Line (North).

R

R 12A.10.3 Any activity in the Inner and Outer Air Noise Control Zone that does not comply with Rule 10.7.1.1(h) (Air Noise Control) is a Non-Complying Activity

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 objectives and policies of the North East Industrial Zone, assess any application in terms of 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.



R12A.10.4 Any activity which does not comply with Rule 12A.12.1 is a Non-Complying Activity

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

- (a) To consider the extent to which health and amenity values will be adversely affected within the area where the noise standards are not being met.
- (b) To determine whether the applicant has adopted the best practicable option in avoiding or mitigating adverse effects.



R12A.10.5 The following activities are Non-Complying Activities within the North East Industrial Zone:

- Any activities that encroach into the buffer areas prescribed in Rules 12A.7.1 and 12A.7.2;
- Any activities that do not provide the screening as specified in the Design Guide prescribed in Rules 12A.7.1 and 12A.7.2;
- Any activities where a report has not been provided from an appropriately qualified acoustical consultant prescribed in Rule 12A.7.2 (c).

Explanation

The buffer areas have been prescribed in the District Plan for the purposes of providing a visual and amenity buffer between the industrial areas and nearby residents in the vicinity of the North East Industrial Zone. In terms of the frontage areas along Railway Road and Roberts Line, the buffer area is intended to provide a transition from rural to urban character.

Activities that are proposed to encroach into the buffer areas and/or not provide the required screening will be required to display that the adverse effects on road users and nearby residents are no more than minor.

The requirement for an acoustical report is intended to ensure the design and layout of buildings has specific regard to considering mitigation options for vehicle and equipment noise, in terms of noise received at existing established residentially used sites (listed in Rule 12A.7.2) within the Zone. Activities that do not provide an acoustical report will be required to display that the adverse effects on existing established residentially used sites within the Zone are no more than minor.

12A.11 Rules: Prohibited Activities**R****R 12A.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 in 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.

12A.12 Rules: Noise**R****R 12A.12.1 Noise**

- (a) Sound emissions from any activity when measured at or within the boundary of any land in the Rural or Residential Zone (including the Rural area within Manawatu District) shall not exceed the following:

7:00 am to 10:00 pm	55dBA L ₁₀
10:00 pm to 7:00 am	45dBA L ₁₀ and 75 dBA L _{max}

- (b) Sound emissions from any activity other than an activity on the site of the dwelling, when measured at or within the notional boundary of any occupied dwelling existing within the Zone on 24 July 2003, shall not exceed the following noise limits:

7:00 am to 10:00 pm	55dBA L ₁₀
10:00 pm to 7:00 am	45dBA L ₁₀ and 75dBA L _{max}

NOTE TO PLAN USERS:

The notional boundary is defined as a line 20 metres from the facade of the dwelling closest to the noise source, or the legal boundary where this is closer to the dwelling.

For further information refer to Section 6 Noise.

Explanation

Industrial activities can adversely affect other adjacent activities through the emission of sound from machinery, engineering processes and site servicing and loading activities. The North East Industrial Zone is intended to accommodate these 'noisier' activities with little restriction on sound emission within the Zone itself. However, the amenity of people living nearby could be adversely affected in the absence of appropriate sound emission controls.

This performance standard is intended to protect people living in nearby, rural areas. The limits are equal to those envisaged by the guidelines in New Zealand NZ6802:1991 as being the "desirable upper

limit of sound exposure". Noise effects tend to reduce rapidly with an increased distance from the direct interface.

This performance condition will afford a degree of protection to both industrial operators and rural and property owners by:

- (i) establishing a tolerated noise environment within the rural area which industries will have to comply with; and*
- (ii) providing certainty for industrial operators by establishing a noise environment outside of the industrial areas that accommodates the intended range of activities.*

The North East Industrial Zone is located close to the boundary of the City with Manawatu District. For this area, it is important to provide adequate protection by a cross-boundary rule.

In the transitional period, while there are still existing residences within the Zone, special provisions apply to maintain a reasonable level of amenity. These apply to the "notional boundary" as a performance measurement point for the affected properties.

Activities which do not meet the standard in this rule are non-complying activities and must obtain consent.

STORMWATER DETENTION AREA

