

## **Section 15: Recreation**

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## 15. RECREATION

### 15.1 Introduction

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Recreation is important for many residents living in Palmerston North. It is a significant contributor to the quality of life and level of physical, social and cultural well-being that people within the City experience.

Currently, recreation reserves within the City offer a wide range of recreation opportunities (e.g., walking and organised sports) and encompass a variety of environments, extending from multi-purpose recreational facilities such as the Showgrounds, through to neighbourhood parks and playing fields to the extensive walkways system. These reserves give life to the City by adding to its diversity and interest, while the recreational and cultural facilities located on them are valuable in attracting residents and visitors alike. Areas such as the Victoria Esplanade, Ashhurst Domain and Bledisloe Park, also have important local amenity and/or conservation values which in turn contribute to the quality and variety of recreation experience that can be enjoyed in the City.

The Council recognises that in addition to its responsibilities under the Resource Management Act 1991, many of the City's recreation reserves are controlled through the Reserves Act 1977 and that there is a need for a consistent and integrated management approach to be adopted.

For example, the classification, management and control of reserves is undertaken under Part IIA of the Reserves Act 1977. This Act requires that reserves be classified according to their principal purpose and that management plans be developed. Such reserves must be administered and maintained in accordance with the purpose for which they are classified. To foster better integration with this requirement, Council has developed a zoning strategy to complement the preparation of reserve management plans. In the absence of Reserve Management plans however, the Council will prepare a generic reserve management plan for all of Councils recreation reserves. This will provide policy direction for all reserves and work towards work towards consistent and integrated management This will be done in order to determine the specific purpose of each reserve and to establish corresponding priorities for their development.

Reserve contributions obtained when land is subdivided will be used for both land purchase and reserve development. Further information on this is contained within Section 7 of this Plan.

The effects of activities occurring within recreation reserves have the potential to degrade the features and qualities of those reserves, and to adversely affect adjacent properties. The Council has an important role through this Plan's provisions, to ensure the development of these resources is consistent with the values of the land and is compatible with adjoining activities.

To achieve this, recreation reserves are classified into five distinct zones in order to facilitate the management and development of these areas, while ensuring any adverse effects are appropriately managed.

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## 15.2 The Recreation Zones

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### 15.2.1 Recreation Zone

The Recreation Zone provides for a wide range of recreation activities and covers the majority of recreation space within the City. It includes areas for informal recreation such as playgrounds, e.g. Milverton Park, areas for organised sports, e.g. Ongley Park, and large scale multi-purpose areas such as the Lido and Victoria Esplanade.

The Recreation Zone is characterised by medium to large scale recreational open spaces, e.g. Ashhurst Domain and Colquhoun Park on which are located a variety of buildings. This zone also contains a number of social and community facilities such as playcentres and community centres which are leased by Council to a variety of community groups.

Although the primary function of the Zone is to provide for active sport and recreation and community activities, some open spaces also display important conservation and visual amenity values. Examples here include the Ashhurst Domain and the Victoria Esplanade.

The Zone also includes local reserves which are of limited size and therefore cater for fewer recreational needs than do the large reserves such as Memorial Park which also draw users from a much wider city catchment. Reserves in the latter category usually include buildings.

The important distinction between reserves which serve a local neighbourhood and those which serve a 'city wide' catchment forms the basis for Council's collection of a financial contribution provided for in Section 8.

### 15.2.2 The Conservation and Amenity Zone

The Conservation and Amenity Zone covers those natural areas which have been identified as having high environmental or amenity values and which are generally in Council ownership. It includes areas of significant indigenous flora and fauna and important scenic areas. Examples of parks and reserves in the Zone are Bledisloe Park, McCrae's Bush in Ashhurst and Keeble's Bush near Linton.

Through the institution of this Zone, Council seeks to recognise and protect the values of these areas by restricting the range of activities and associated development permitted within the zone. The protection of the features and qualities of such high value environments provide significant benefits to the City as they constitute an integral component which contributes to the diversity of the City's recreation environment as well as contributing to its visual and amenity character.

The Conservation and Amenity Zone also includes the City's Walkways system which performs a unique function through providing open, undeveloped areas for walking and by acting as a link to other open space areas. Walking is a popular recreational pastime that has minimal potential to affect the environment.

### 15.2.3 Water Recreation Zone

Section 31(e) of the Resource Management Act 1991 requires territorial authorities to control the actual or potential effects of activities in relation to the surface of water in rivers and lakes. To fulfil this requirement the Water Recreation Zone has been developed.

The Water Recreation Zone covers the fresh water surface areas of the Manawatu and Pohangina Rivers, the Hokowhitu Lagoon, the Turitea, Kahuterawa and Mangaone Streams located within the Palmerston North City boundary. This Zone is characterised by the natural

character of these waterbodies although man-made structures such as groynes and dams modify this character in some areas.

The Water Recreation Zone provides for a limited range of water-related recreation activities on the surface of these waterbodies. Although the Council seeks to recognise this area as a recreation resource, the only effects which have been identified from that use are noise effects.

#### **15.2.4 Racecourse Zone**

The Racecourse Zone covers the existing Awapuni Racecourse property at Awapuni and the Manawatu Harness Racing Club site on Pioneer Highway.

The Awapuni Racecourse, on Racecourse and Totara Roads, and the Manawatu Harness Racing Club on Pioneer Highway are the focal points for the racing industry in the Manawatu. The Awapuni Racecourse was developed in 1903 and today represents a multi-purpose facility that caters for the specific needs of the racing industry. The Manawatu Harness Racing Club has existed on its present site since 1962. Both the Racecourse and Harness Racing Club lie adjacent to residential areas which have grown up around these courses.

Both racing clubs and their respective industry functions make a valuable contribution to the social, cultural and economic well-being of the City and region. The Racecourse site is used for race meetings and race training and is the administrative headquarters for the Manawatu Racing Club. The course's open areas and buildings represent a significant investment in, and contribution to the racing industry in the Manawatu. It also acts as an important recreation, entertainment and leisure facility for the region.

The Manawatu Harness Racing Club has its administrative headquarters on Pioneer Highway. This site is actively used for trotting, greyhound racing and race training. Facilities on the site include the race track, grandstand, race training facilities, and a functions venue. The site covers an area of 20 hectares and is increasingly popular as a venue for large outdoor gatherings e.g., swap meets and rallies.

The primary function of the Racecourse Zone is to recognise the two sites' multiple functions as racecourse, race training facilities and as sites for a variety of recreational, entertainment and leisure activities. It also recognises a number of activities which have historically established on both sites.

#### **15.2.5 Showgrounds Zone**

The Showgrounds Complex is a unique, centrally located recreation and leisure facility accommodating a wide range of activities ranging from national and international sporting fixtures, through to the A & P Show and a range of other shows, trade exhibitions and conventions. The Showgrounds Complex operates under its own statute, the Palmerston North Showgrounds Act 1974 and lies adjacent to long-established residential and business areas.

The site contains large array of facilities including stadiums, pavilions, the Grandstand and Oval, community halls, playing fields, a speedway track, administration offices and parking areas. Collectively these facilities comprise over 20 venues and are frequently used for local and regional activities. The Showgrounds Complex thus represents a significant recreation and leisure asset to the City and the region, and makes a major contribution towards the social, cultural and economic well-being of the community.

In the past, the Showgrounds Complex has had its own special purpose Zone which ensured and secured the use of the Complex for a wide and diverse range of activities. The Council considers that this is still an appropriate approach.

### 15.3 Resource Management Issues

The following resource management issues have been identified as arising from activities associated with the use of Recreation, Conservation and Amenity, Racecourse, Water Recreation, and Showgrounds Zones:

1. The sustainable management and maintenance of the City's recreation reserves to effectively meet the needs of all residents.
2. Accommodation of a wide and diverse range of recreation activities and recreational environments.
3. Provision of adequate open space to satisfy the recreation and amenity needs of residents.
4. The potential adverse effects of recreation, community and leisure activities and/or development on recreational amenity values and/or neighbouring residential areas.
5. Protection of areas of high amenity and conservation value from inappropriate development.
6. Public access to the City's rivers, lakes and streams and water related recreation opportunities.
7. Control of the adverse effects of activities on the surface of water.
8. Controls of any adverse effects arising from the further development of the Showgrounds or racecourses.
9. 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 City's network of recreation reserves and open space make an important contribution to the City's social and economic welfare. Significant public and private investment exists in the form of buildings, structures and amenity facilities located on recreational open space. Council recognises that it has an important responsibility as steward of these resources to ensure the efficient management, use and development of existing recreation resources, including land, buildings and infrastructure.*

*The District Plan identifies a system of recreation zones which classifies recreation areas by their predominant function. By adopting these distinctions, Council considers that it will be able to respond to changing recreational trends and community needs and the development of an appropriate mix of recreation activities, recreational environments and supporting facilities. The recreation reserves and areas within the City are predominantly located in or adjacent to established residential areas. The interface between these two areas is particularly sensitive as the effects associated with recreation activities and ancillary activities can adversely impact on the use and enjoyment of residential properties and the amenity values of residential neighbourhoods.*

*The Council recognises the ongoing need for open space and recreation resources to meet increased demands on existing open space and recreation resources. This is dealt with in Sections 7 and 8 of this Plan. Any such contributions may be used to extend the recreational facilities available or to enhance existing recreational assets.*

*The Council seeks to recognise and protect specific areas having intrinsic natural, scientific or conservation values which are in public and private ownership. The protection of the features and qualities of such high value environments, which is required under Section 6(a) and (b) of the Act, provides significant benefits to the City as they constitute an integral yet diverse component of the City's recreational environment as well as contributing to its visual and amenity character.*

*The protection of the natural character of wetlands, waterbodies and their margins and the maintenance and enhancement of public access to such areas are recognised as matters of national importance under Sections 6(a) and 6(d) of the Resource Management Act 1991. With regard to the waterbodies themselves, the Council's responsibility is confined to controlling activities on the surface of the water and this focuses its concerns on recreational activities. In turn this focuses on the effects of the use of the surface of the water, particularly noise.*

*The Regional Policy Statement also recognises the need to manage the water quality of these water bodies and to recognise their ecological significance. The Act gives the primary responsibility for management of this matter to the Manawatu-Wanganui Regional Council.*

*Multi purpose recreation and leisure facilities such as the Showgrounds, the Racecourse and the Harness Racing Club provide for a wide range of recreation and leisure opportunities within large scale integrated complexes. These complexes are highly valued by the community and add to the social, cultural and economic well being of residents. Equally, the Council recognises the need to reconcile the unique role of these complexes, their operational requirements and/or the future development expectations of the respective administering bodies together with the need to protect, particularly, the amenity of adjoining residential properties.*

## 15.4 Recreation Zone

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### 15.4.1 Objectives and Policies

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

#### **Objective 1**

**To enable the effective and efficient use and development of the open space resource within the Recreation Zone.**

#### **Policies**

- 1.1 To recognise and provide for a wide range of recreational and associated ancillary activities.
- 1.2 To provide for the flood control and maintenance works, of the Manawatu-Wanganui Regional Council or the Palmerston North City Council.
- 1.3 To provide for temporary military training activities.
- 1.4 To ensure that areas within the Zone are developed to cater for both local and city wide recreation and leisure needs.

#### **Explanation**

*Recreation Zones are located throughout the City to meet the recreation, amenity and open space needs of residents. Significant public and private investment exists in the form of buildings, infrastructure and amenity facilities located on developed recreation land. The Council seeks to ensure that these recreational resources are developed appropriately to meet local and community recreation needs.*

## **Objective 2**

**To protect the amenity values of adjacent residential areas and within the recreation zone.**

### **Policies**

- 2.1 To manage the impact of building development and/or redevelopment, structures and signs which either front onto, or are adjacent to, a Residential Zone.
- 2.2 To avoid, remedy or mitigate the adverse effects of recreation activities and ancillary activities on neighbouring residential areas.
- 2.3 To avoid, remedy or mitigate the adverse effects of recreation activities and ancillary activities on the amenity values within the recreation zone.

### ***Explanation***

*Recreation activities and buildings have the potential to generate impacts beyond the Zone boundary due to their size, intensity and scale. The Council seeks to ensure that sufficient safeguards are in place to minimise the effects of recreation activities on the amenities of neighbouring residential areas and within the Recreation Zone itself. The range of effects identified include the impact of new development on the amenity of adjacent residential areas through noise, signs, storage, and parking provision.*

## **Objective 3**

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

## **Objective 4**

**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**

- 3.1 To mitigate the adverse effects of aircraft noise on any building to be used for communal activities in the Inner and Outer Control Zones.
- 3.2 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 community halls and other such venues where communal activities are undertaken.*

*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 Recreation 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 property owners, Council has also introduced specific noise mitigation measures to control operational activities within the Airport Zone. Please refer to Rule 20.4.9.1 Sound Emissions in the Airport Zone.*

### 15.4.2 Methods

- District Plan Rules (Palmerston North City Council)
- Reserve Management Plans
- Council's powers as Land Owner and Lessor
- Annual Plan Projects
- Use of Financial Contributions

The objectives and policies for this zone will be achieved through the use of a variety of methods described above. The methods identified give Council the opportunity through rules to control the scale, nature and effects of activities while achieving enhanced amenity values and appropriate types and styles of development through its land owning role, capital and maintenance programmes and through reserve management plans.

This combination of methods provides an effective and often low cost (to the community) method of achieving the environmental outcomes encapsulated in the objectives and policies.

### 15.4.3 Environmental Results Anticipated

It is anticipated that the Objectives, Policies and Methods of this section will achieve the following results:

- The sustainable management of Recreation Zones to efficiently and effectively meet the recreation, community and leisure needs of all residents.
- That adverse effects of recreation activities, buildings or structures on people and the environment are avoided, remedied or mitigated.
- The protection of amenity values of residential areas which abut the City's Recreation Zones.
- Maintaining a high standard of amenity within the Recreation Zones.
- Avoidance, mitigation or remediation of the adverse effects of aircraft noise on noise sensitive activities in the Recreation Zone.
- Avoidance, mitigation or remediation of the adverse effects of noise sensitive activities in the Recreation Zone on the efficient operation of Palmerston North Airport.

### 15.4.4 Rules : Permitted Activities



#### R 15.4.4.1 Recreation, Community and Leisure Activities and Associated Ancillary Activities

**Recreation, community and leisure activities and associated ancillary activities are Permitted Activities provided the following performance conditions are complied with:**

#### Performance Conditions

##### (a) Lighting

- (i) Any artificial lighting system shall insure 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 lighting rules are designed to avoid the spill of light and glare from recreation reserves onto residentially zoned properties and to ensure that the amenities of residents in adjoining areas are reasonably protected.*

**(b) Signs**

Compliance with Rule 6.1.5.1

**(c) Size of associated retail activity**

- (i) The maximum gross floor area per reserve, inclusive of any work room or storage area, is 50 m<sup>2</sup>.

**Explanation**

*Council recognises that the limited provision of retail facilities catering for the refreshment needs and convenience of park users can add to the amenity value of recreation reserves. However, Council does not wish to encourage the establishment of large retailing facilities which could affect the character, use and development of recreation reserves and potentially undermine retailing activities within the City's identified business areas.*

**(d) Hazardous Substances**

Compliance with the provisions of Section 14 - Hazardous Substances.

**(e) Hours of Operation**

Any activity shall not operate outside the following hours of operation:

- (i) Between 7:00 am and 10:30 pm  
(Monday to Thursday inclusive and Sundays).
- (ii) Between 7:00 am and 12:00 midnight  
(Friday and Saturday).

**Explanation**

*Controls on the operating hours of recreation and ancillary activities ensures that the use of these activities is in keeping with neighbouring environments and does not adversely affect the character and amenity values of neighbouring residential environments.*

**Ⓡ R 15.4.4.2 Recreation, Community, and Leisure Facilities**

**Recreation, community, and leisure facilities are Permitted Activities provided that they comply with the following performance conditions:**

## **Performance Conditions**

### **(a) Height**

Compliance with Rule 10.7.1.1(a).

#### ***Explanation***

*The height of a building or structure may affect the overall amenity of a reserve and surrounding properties located within reasonable proximity to that building. The height performance standard provides a means to address effects attributable to the height of a building including overshadowing, privacy, loss of daylight etc. The Council considers the residential height performance standard to be the appropriate standard due to the predominantly residential location of recreation reserves.*

### **(b) Building Size**

- (i) No buildings will be permitted on Recreation Reserves having a net reserve site area of less than 2500 m<sup>2</sup>.
- (ii) On Lot 1 DP 78518 (being the Railway Land East site) only one building having a maximum floor area no greater than 50 m<sup>2</sup> will be permitted in addition to any buildings constructed prior to 31<sup>st</sup> March 2006.
- (iii) On all other land within the Recreation Zone:

<b>Area of Reserve</b>	<b>Number of Principal Buildings Allowed</b>	<b>Maximum Gross Floor Area of Principal Building(s)</b>	<b>Maximum Gross Floor Area of Accessory Building</b>
2500 m <sup>2</sup> to 2 ha	1	250 m <sup>2</sup>	50 m <sup>2</sup>
2.01 ha to 4.99 ha	1	325 m <sup>2</sup>	50 m <sup>2</sup>
5 ha and over	2	750 m <sup>2</sup> (aggregate gross floor area)	100 m <sup>2</sup> (aggregate gross floor area)

#### ***Explanation***

*An important aspect of the Recreation Zone is the open space character and the visual and recreation amenity that it provides. Provision is made for development directly associated with recreation activities to support the use and enjoyment of recreation areas for formal and informal recreation e.g., clubrooms, changing sheds and toilets, and storage sheds. The building size condition limits the number, size and types of buildings that can be constructed on these areas to ensure that the physical bulk of development is compatible with the area's primary purpose and its size. It is also intended to minimise detrimental effects on the amenity of recreational areas and that of adjoining properties.*

### **(c) Separation Distances**

- (i)

<b>Gross Floor Area of Principal Building</b>	<b>Minimum Separation Distance from Road Boundaries</b>	<b>Minimum Separation Distance from All Other Boundaries</b>
Up to 250 m <sup>2</sup>	3 m	6 m
251 m <sup>2</sup> – 500 m <sup>2</sup>	3 m	8 m
501 m <sup>2</sup> – 750 m <sup>2</sup>	3 m	10 m

- (ii) Ancillary buildings shall be located a minimum of 3 m from any road boundary and a minimum of 6 m from all other boundaries.

**Explanation**

*Buildings and structures in the Recreation Zone have the potential to affect open space amenity and the use and enjoyment of adjoining properties if they are inappropriately located. Effects may include the loss of privacy, overshadowing, and/or noise generated by a building's use. Separation distances are used to ensure that buildings and structures are suitably located to avoid adverse effects. A greater setback is required for example, for principal buildings than for ancillary buildings because of their size and scale, and nature of activities that occur within them.*

**(d) Parking and Access**

Compliance with Rules:

- 20.3.7.1 Parking Spaces for People With Disabilities;
- 20.3.7.2 Parking Standards for All Zones, except the Inner Business Zone;
- 20.3.7.6 Car Park Landscape Design;
- 20.3.7.7 Formation of Parking Spaces;
- 20.3.9.1 Access Standards.

**Explanation**

*Careful consideration should be given to the volume of traffic which may be generated by activities taking place within a particular building. Recreation, community and leisure activities frequently give rise to short and intense demand for parking which it is unrealistic to provide on the site if the recreational and open space character of the Zone is to be preserved. This has been balanced against the need to ensure that adjoining residential neighbours do not suffer undue inconvenience from overspill parking.*

**(e) Outdoor Storage**

Any area used for the outdoor storage of goods, products, equipment, materials or waste which can be viewed from adjacent residential areas or roadways shall be screened either by a fence, wall of not less than 1.8 m in height, or planting of trees and vegetation capable of growing to 1.8 m in height. This shall not exclude the provision of gates or other access points.

**Explanation**

*Outdoor storage areas, and particularly those used for the storage of waste, can detract from the visual amenity and pleasantness of neighbouring residential properties and road users. Screening of such areas should ensure that the standard of amenity experienced in this zone and in neighbouring residential areas is not detrimentally affected.*

**(f) Hazardous Substances**

Compliance with the provisions of Section 14: Hazardous Substances.

**(g) 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 15.4.8

***Explanation***

*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 communal activities 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 property owners, specific noise mitigation requirements have also imposed on operations within the Airport Zone (See Rule 20.4.9).*



**R 15.4.4.3 Maintenance of the Flood Protection Works of the Manawatu-Wanganui Regional Council**

**Maintenance of the Flood Protection Works of the Manawatu-Wanganui Regional Council is a Permitted Activity**

***Explanation***

*Small parts of the Recreation Zone, particularly in the vicinity of Ongley Park and the Esplanade, also accommodate stopbanks and works associated with the flood control works of the Lower Manawatu Scheme. It is important that these works are maintained, and given the lack of effects of their maintenance, they can be treated as Permitted Activities.*



**R 15.4.4.4 Minor Temporary Military Training Activities**

**Minor Temporary Military Training Activities are Permitted Activities provided the following performance conditions are complied with.**

**Performance Conditions**

**(a) Buildings and Structures**

- (i) Any buildings and/or structures erected must be in compliance with performance conditions (a), (c), and (e) of Rule 15.4.4.2.
- (ii) Any buildings erected in association with the Temporary Military Training Activity must be removed at the conclusion of the activity unless they are in compliance with Rule 15.4.4.2.

**(b) Excavations and Alterations to Landform**

Where the activity involves any excavations or alterations to landform, the ground shall be reinstated to a condition as close as practicable to its state prior to the disturbance.

**(c) Hazardous Substances**

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

**(d) Duration and Frequency of Activities**

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

**Explanation**

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

**15.4.5 Rules : Discretionary Activities (Restricted)****R 15.4.5.1 Recreation, Community and Leisure Activities and Facilities not Complying with Performance Conditions**

**Recreation, Community and Leisure Activities and Facilities not complying with Performance Conditions in relation to:**

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

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

- **Design and Appearance;**
- **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 Recreation Zone objectives and policies, assess any applications in terms of the following further policies:

**(a) Lighting**

- (i) To avoid, remedy or mitigate the effect of the overspill of light onto adjacent residential properties.
- (ii) To avoid, remedy or mitigate the effects of the overspill of light through the use of planting, screening or orientation of light sources.
- (iii) To take into account the influence of topography and other site features in mitigating the effects of light overspill.

**(b) Separation Distances**

- (i) To avoid, remedy or mitigate the effects of noise and other environmental disturbance to surrounding residential areas.
- (ii) To ensure the location of the building is in character with and complementary to the existing ambience and amenity values of the area.

**Explanation**

*At times it is not possible for community and recreational activities and the facilities which they occupy to meet the performance standards set down in the Plan. The Restricted Discretionary Activity category gives the opportunity for applications to be assessed in terms of the objectives and policies of the zone and the specific policies which are intended to aid in that assessment.*



### **R 15.4.5.2 Recreation, Community and Leisure Facilities not Complying with the Performance Conditions**

**Recreation, Community and Leisure Facilities not complying with the Performance Conditions in relation to:**

**(a) Parking**

**is a Discretionary Activity (Restricted) with regard to:**

- **The safe and efficient operation of the roading network;**
- **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 Recreation Zone objectives and policies, assess any application in terms of the following further policies:

- (a) To avoid, remedy or mitigate the effects of parking not accommodated on the site, on the safe and efficient operation of the roading network.
- (b) To ensure other off-site parking is available to meet the need generated for parking.
- (c) To recognise the possible low frequency of the need for the total parking requirement.
- (d) To avoid, remedy or mitigate the effects of off-site parking on the ambience and amenity values of affected residential neighbourhoods.
- (e) The further policies within Rule 20.3.7.3.

**Explanation**

*The Recreation Zone parking standards have been developed to ensure that the parking demands associated with a building's use can be adequately satisfied on site. Council recognises though, that the nature of the demand generated by some forms of development may justify a variation from these standards, provided that the possible impact on such areas as safety, convenience and amenity are properly addressed.*



### **R 15.4.5.3 Construction, Development or Redevelopment of Flood Protection Works by the Manawatu-Wanganui Regional Council**

**The construction, development or redevelopment of Flood Protection Works or Structures by the Manawatu-Wanganui Regional Council shall be a Discretionary Activity (Restricted) with regard to:**

- **Height;**
- **Location;**
- **Effects on Adjoining 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 Recreation Zone objectives and policies, assess any application in terms of the following policies:

- (a) To avoid, remedy or mitigate the visual effects of flood protection works on adjoining residential neighbourhoods.
- (b) To avoid, remedy or mitigate any adverse effects associated with the development and construction of flood protection works on adjoining residential neighbourhoods.
- (c) To recognise the positive effects of flood protection works.

#### **15.4.6 Rules : Discretionary Activities (Unrestricted)**



##### **R 15.4.6.1 Discretionary Activities (Unrestricted)**

**Any Recreation, Community and Leisure Facility or Activity which does not comply with the Performance Conditions for Permitted Activities, and is not provided for by Rules 15.4.5.1, 15.4.5.2 or 15.4.5.3; or**

**Any activity which is not a Permitted Activity, Discretionary Activity (Restricted) or Non-Complying Activity shall be a Discretionary Activity (Unrestricted).**

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

- (a) To avoid, remedy or mitigate the effects of noise, hours of operation and other environmental disturbance on surrounding residential neighbourhoods.
- (b) To avoid, remedy or mitigate the effects of the generation of additional traffic through efficient and effective parking and access provisions.
- (c) To avoid, remedy or mitigate the effects of additional traffic generated on the efficiency and effectiveness of the roading network.
- (d) To ensure the design and appearance of any structure is in character with and complementary to the ambience and amenity values of the adjoining residential neighbourhood.
- (e) To avoid any compromising of the recreational potential or open space character of the site.

##### ***Explanation***

*This category of activity is intended to deal with activities and facilities which do not fall within the other categories provided in this Zone. As such they are essentially "one off" developments which need careful assessment to ensure their effects can be avoided, remedied or mitigated, that they fit into the existing environment and that they do not undermine the essential character of the Zone.*

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

### 15.4.7 Rules : Noise



#### R 15.4.7.1 Noise

- (i) Sound emissions from public address systems or mechanically powered machines or vehicles when operated on any park or reserve shall not exceed the following limits when measured at or within the boundary of any land zoned for residential purposes or at or within the boundary of any rural land in the Rural Zone:

7:00 am to 10:00 pm 50 dBA L<sub>10</sub>

10:00 pm to 7:00 am 40 dBA L<sub>10</sub> and 70 dBA L<sub>max</sub>

- (ii) Crowd noise from people in a Park or Reserve is considered a reasonable and acceptable effect of the use of recreation reserves and as such shall not be controlled using rules in this Plan.

#### *Explanation*

*The rules for noise are designed to protect neighbouring residential amenity and other users of these areas from the specific noise effects generated by public address systems, mechanically powered machines or vehicles. Crowd noise associated with activities undertaken in this zone is not addressed by rules in this Plan.*

### 15.4.8 Non-Complying Activities



#### R 15.4.8.1 All activities in the Inner and Outer Control Zone that do not comply with Rule 10.7.1.1(h) shall be a non-complying activity.

In considering whether to grant the application and what conditions, if any, to impose, Council shall take into account the objectives and policies of the Recreational 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 15.4.8.2 Crematoria

#### **Crematoria are Non-Complying Activities**

#### *Explanation*

*Crematoria have a range of potential effects that could adversely affect the amenity qualities of the Zone including adverse effects on social and cultural matters. The application of Non-Complying Activity status to these activities will ensure that any Crematoria has to demonstrate that it can satisfy the requirements of Section 104 and 104D of the Resource Management Act 1991 prior to any approval being granted.*

**Ⓡ R 15.4.8.3 Any building on Lot 1 DP 78518 (the Railway Land East site) which fails to comply with Rule 15.4.4.2 (b) shall be a non-complying activity.**

**In considering whether to grant the application and what conditions, if any, to impose Council shall take into account the objectives and policies of the Recreation Zone and the policies listed in Rule 15.4.6.1 (a) to (e).**

***Explanation***

*Any additional building larger than the 50m<sup>2</sup> gross floor area permitted activity maximum on the Railway Land East site will be considered as a non-complying activity. This will ensure that consideration is given to whether the building can be accommodated without adversely affecting the open space character and amenity values of the site or the amenity values of adjoining areas.*

## **15.5 Conservation and Amenity Zone**

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### **15.5.1 Objective and Policies**

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

#### **Objective 1**

**To recognise and protect the City's conservation and amenity reserves.**

#### **Policies**

- 1.1 To conserve and protect those areas which have high scenic, scientific, conservation and amenity values.
- 1.2 To restrict activities and/or development in the Conservation and Amenity Zone to that which is consistent with the natural or undeveloped open space character of the Zone.
- 1.3 To enable the use of those areas with high scenic, scientific, conservation and amenity values for low impact informal recreation activities.
- 1.4 To provide for works within the Napier Road Residential Area associated with the restoration of the oxbow wetland and escarpment, including the provision for roading, walkways and stormwater infrastructure in general accordance with the Napier Road Residential Area Structure Plan

***Explanation***

*The Conservation and Amenity Zone covers specific open space areas largely in public ownership, which have local amenity or high scenic or conservation values. Some of the areas are located within rural areas e.g. MacCraes Bush and Keebles Bush, others adjoin residential areas such the Clearview, Jickell Street and Awatea Reserves. Most of the areas covered by this zoning are under the control of the Palmerston North City Council or the Department of Conservation, but some are privately owned and/or do not have public access, like for example Keebles Bush. Those areas under the control of the Department of Conservation are also managed by relevant Conservation Management Strategies (refer Section 1.3 of the General Introduction — 'The Statutory Framework').*

*These site specific Zones offer the potential to provide a unique recreation experience in a natural environment and where they adjoin residential areas, visual amenity is also provided. It is Council's intention that these conservation amenity areas be maintained to protect and conserve the character and features of value.*

*The Palmerston North City Council seeks to enable the establishment and operation of a restricted range of activities and/or development consistent with the Zone's emphasis on conservation and protection. Activities are limited to those which will result in a minimal disturbance to the natural character of landforms, vegetation and open space areas e.g., informal recreation and scenic walks (Walkway guides are available from the Council). Buildings are also limited in size and scale, and to service functions, to conserve the natural character of these areas. This will enable the on-going use and enjoyment of these unique recreation resources whilst minimising impacts on environmental conservation values.*

*Works are required within the Conservation and Amenity Zone in the Napier Road Residential Area to enable the successful restoration and recreational development of the wetland and oxbow, including installation of stormwater infrastructure, as well as works to manage the interface of the zone with the residential zone to the south and to provide access to James Line.*

### 15.5.2 Methods

- District Plan Rules
- Reserve Management Plans
- Annual Plan programmes

The emphasis of the objectives and policies for this Zone is to conserve the natural character and value of these areas. District Plan rules are an efficient and publicly available means of restricting activities and developments, while Reserve Management Plans, can ensure that the objectives and policies are achieved on a day-to-day basis. Annual Plan programmes for fencing or track development will also provide a cost efficient means of limiting development and protecting the intrinsic character of these areas.

### 15.5.3 Environmental Results Anticipated

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

- The conservation and preservation of open spaces with significant scenic, scientific, conservation and amenity values.
- The protection of the amenity values of residential areas adjoining the Zone.

### 15.5.4 Rules : Permitted Activities



#### R 15.5.4.1 Permitted Activities

- (i) Informal Recreation;
- (ii) Works associated with the maintenance of Conservation and Amenity Reserves.
- (iii) Works associated with the development of the oxbow reserve located within the Napier Road Residential Area
- (iv) Roads required as part of the development of the Napier Road Residential Area

are Permitted Activities, provided they comply with the following Performance Conditions.

#### NOTE TO PLAN USER

Any form of obstruction by culvert or road crossing of the main channel in the oxbow restricting water flow is likely to have an effect on upstream land. Structures within the oxbow need to be

engineered to avoid adverse effects on adjoining properties. Refer to Policy 7.3 in Subdivision Section for the Napier Road Residential Area and Rule 7.7.2.4 Matters for Discretion.

## **Performance Conditions**

### **(a) Signs**

Compliance with Rule 6.1.5.1.



## **R 15.5.4.2 Public Toilets, Maintenance Sheds, Information Kiosks, and Interpretive Structures associated with Informal Recreation Activities**

**Public Toilets, Maintenance Sheds, Information Kiosks, and Interpretive Structures associated with Informal Recreation Activities are Permitted Activities, provided that they comply with the following Performance Conditions:**

## **Performance Conditions**

### **(a) Building Size**

- (i) The aggregate gross floor area of buildings shall not exceed 50 m<sup>2</sup>.

#### ***Explanation***

*This rule provides for a small amount of development such as the provision of small buildings which do not compromise the natural qualities of conservation and amenity reserves and enhance their use. The size and scale of development is controlled to conserve and protect the natural character and features of value and to minimise adverse effects to the amenity of these areas and adjoining residential areas.*

### **(b) Height**

No building shall exceed a maximum height of 4 m and in all other respects shall comply with Rule 10.7.1.1(a).

#### ***Explanation***

*The height of ancillary buildings is limited to ensure the building does not visually dominate or detrimentally impact the natural character of conservation and amenity areas. The height performance standard reflects that which is considered appropriate having regard to the special character of conservation and amenity areas.*

### **(c) Separation Distances**

Any building shall be located a minimum of 6 m from any boundary with a Residential Zone and a minimum of 3 m from any road boundary.

#### ***Explanation***

*The separation distance control is designed to avoid, remedy or mitigate any perceived adverse effects of building/structure on any adjoining residential land. Such effects may include visual intrusion of a building or structure etc.*



### **R 15.5.4.3 Minor Temporary Military Training Activities**

**Minor Temporary Military Training Activities are Permitted Activities provided the following performance conditions are complied with.**

#### **Performance Conditions**

##### **(a) Buildings and Structures**

- (i) Any buildings and/or structures erected must be in compliance with performance conditions (b) and (c) of Rule 15.5.4.2.
- (ii) Any buildings erected in association with the Temporary Military Training Activity must be removed at the conclusion of the activity unless they are in compliance with Rule 15.5.4.2.

##### **(b) Excavations and Alterations to landform**

Where the activity involves any excavations or alterations to landform, the ground shall be reinstated to a condition as close as practicable to its state prior to the disturbance.

##### **(c) Hazardous Substances**

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

##### **(d) Duration and Frequency of Activities**

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

##### **(e) That there are no significant adverse effects on flora and fauna within the Zone**

##### **(f) Vehicle Access**

The use of any vehicles in the Conservation and Amenity Zone shall be restricted to any formed and sealed car parking areas.

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

#### ***Explanation***

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

#### **R 15.5.4.4 Walking Tracks**

Walking Tracks are Permitted Activities provided the following performance conditions are complied with.

##### **Performance Conditions**

- (i) Walking tracks must be sited and constructed in such a manner that they do not compromise the scientific, scenic, conservation or amenity values of the area.
- (ii) Notwithstanding Rules 15.5.4.1 and 15.5.4.2, permitted associated structures are restricted to those necessary to the formation of the track, such as bridges, stairways and earth retention structures.
- (iii) Signs shall comply with Rule 6.1.5.1.

### **15.5.5 Rules : Controlled Activities**

#### **R 15.5.5.1 Structural Maintenance of Flood Protection Works by the Manawatu-Wanganui Regional Council**

Structural Maintenance of Flood Protection works or structures by the Manawatu-Wanganui Regional Council are Controlled Activities with regard to:

- Effects on Adjoining Residential Areas;
- Effects on Conservation, Heritage, Scientific, and/or Amenity Values;
- Effects of Disturbance on Land Form;
- Disturbance of Flora and Fauna.

In determining what conditions to impose, if any, Council will, in addition to the City View Objectives in Section 2 and the Conservation and Amenity Zone objectives and policies, assess any application in terms of the following policies:

- (a) To avoid, remedy or mitigate any adverse effects associated with maintenance work on the environment.
- (b) To ensure that any excavation of land is minimised and any adverse effects are remedied or mitigated upon the completion of the works.
- (c) To ensure that any adverse effects associated with the use of land for the storage and/or disposal of materials associated with the maintenance of flood protection works are remedied or mitigated upon the completion of the work.
- (d) To assess the appropriateness and necessity for the removal or destruction of any tree associated with any maintenance work.
- (e) To ensure that the removal or destruction of vegetation is remedied or mitigated, through the restoration of the affected area and the re-vegetation of the site.
- (f) To recognise the positive effects of flood protection works.

### 15.5.6 Rules : Discretionary Activities (Restricted)



#### R 15.5.6.1 Parking

**Parking is a Discretionary Activity (Restricted) with regard to:**

- **The safe and efficient operation of the roading network;**
- **Design and appearance;**
- **The provision of car parking.**

In determining the conditions to be imposed, if any, Council will, in addition to the City View Objectives in section 2 and the Conservation and Amenity Zone objectives and policies, assess any application in terms of the following further policies:

- (a) To avoid, remedy or mitigate the effects of parking not accommodated on the site, on the safe and efficient operation of the roading network.
- (b) To ensure that the means of parking provision remain in character with the conservation and amenity character of the Zone.
- (c) To avoid, remedy or mitigate the effects of off-site parking on the ambience and amenity values of adjoining residential neighbourhoods.
- (d) The further policies within Rule 20.3.7.3.

***Explanation***

*A number of conservation and amenity reserves may attract more vehicles than can be accommodated on or close to a reserve. The overflow of vehicles into surrounding areas detracts from the amenities of these areas and may affect public safety. The Council aims to ensure that parking is provided only where it is essential to meet a demonstrated demand and will not compromise any of the special qualities of these reserves.*

### 15.5.7 Rules : Discretionary Activities (Unrestricted)



#### R 15.5.7.1 Minor Temporary Military Training Activities which do not comply with the Performance Conditions

**Minor Temporary Military Training Activities which do not comply with the Performance Conditions of Rule 15.5.4.3 shall be Discretionary Activities (Unrestricted).**

In determining whether to grant consent and what conditions to impose, if any, Council will, in addition to the City View Objectives in section 2 and the Objectives and Policies for the

Conservation and Amenity Zone, assess any application in terms of the following further policies:

- (a) To avoid remedy or mitigate any adverse effects on the visual amenity and/or character of the surrounding area.
- (b) To avoid, remedy or mitigate the effects of additional traffic generated on safe and efficient operation of the roading network.
- (c) To avoid, remedy or mitigate any adverse effects on flora and fauna within the zone.

- (d) To avoid, remedy or mitigate the effects of the proposal on any area of natural and/or cultural heritage value, or of particular significance to Tangata Whenua.

**Explanation**

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



**R 15.5.7.2 Construction, Development or Redevelopment of Flood Protection Works by the Manawatu-Wanganui Regional Council**

**The construction, development or redevelopment of Flood Protection Works or Structures by the Manawatu-Wanganui Regional Council shall be a Discretionary Activity (Unrestricted).**

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

- (a) To avoid, remedy or mitigate the visual effects of flood protection works on the amenity values of the Conservation and Amenity Zone and adjoining residential areas.
- (b) To avoid, remedy or mitigate any adverse effects associated with the development and construction of flood protection works on the scenic, scientific, heritage, and conservation and amenity values of the Conservation and Amenity Zone.
- (c) To avoid, remedy or mitigate any adverse effects of providing for the efficient and effective functioning of flood protection works on the scenic, scientific, heritage, and conservation and amenity values of the Conservation and Amenity Zone.
- (d) To avoid, remedy or mitigate any adverse effects of the development and construction of flood protection works on the amenity values of adjoining residential areas.
- (e) To avoid, remedy or mitigate any adverse effects of flood protection works on public access to the Manawatu River and any other waterbody.
- (f) To recognise the positive effects of flood protection works.

**15.5.8 Rules: Non-Complying Activities**



**R 15.5.8.1 Non-Complying Activities**

**Any activity, building or structure that does not comply with the Performance Conditions for Permitted Activities, or is not a Permitted, Controlled, Discretionary Activity (Restricted) or Discretionary Activity (Unrestricted) shall be a Non-Complying Activity.**

**Explanation**

*The Conservation and Amenity Zone's purpose is to identify and protect areas of scenic, scientific, heritage, and conservation and amenity significance to the City. The restriction on the size, type and effects generated by activities aims to ensure that appropriate activities are able to operate within the Zone while avoiding, remedying or mitigating any adverse effects on the integrity of the zone as an area of scenic, scientific, heritage, and conservation and amenity significance.*

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

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## 15.6 Water Recreation Zone

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### 15.6.1 Objective and Policies

Within the broad framework of the City View objectives the following specific objectives and policies have been identified for the Water Recreation Zone:

#### Objective 1

**To manage the effects of activities on the surface of significant rivers, lakes and streams located within Palmerston North.**

#### Policies

- 1.1 To enable a diverse range of recreation activities, and temporary military training activities on the surface of the Manawatu and the Pohangina Rivers, the Hokowhitu Lagoon, the Turitea, Kahuterawa and Mangaone Streams.
- 1.2 To avoid, remedy or mitigate the adverse effects of noise generated by recreational activities occurring within the Water Recreation Zone.

#### *Explanation*

*Section 31(e) of the Resource Management Act 1991 requires territorial authorities to control the actual or potential effects of activities in relation to the surface of water in rivers and lakes. To fulfil this requirement the Water Recreation Zone has been developed.*

*The Water Recreation Zone encompasses the freshwater surface of the Manawatu and the Pohangina Rivers, the Hokowhitu Lagoon, and the Turitea, Kahuterawa and Mangaone Streams. This Zone provides for the use of these water surfaces for water-related recreational activities. The primary function of this Zone is to control the effects of noise associated with the use of the surface water by recreational activities, which is the principal effect of activities in this Zone. Provisions controlling signs are also included in this zone.*

*Activities occurring on the riverbeds, or within the waterbody, are the responsibility of the Manawatu-Wanganui Regional Council and are not addressed in this District Plan. Activities which may disturb riverbeds in any way require a consent from the Manawatu-Wanganui Regional Council.*

### 15.6.2 Methods

- District Plan Rules (Palmerston North City Council)

The limited objective and policies for this Zone mean that the most effective and cost efficient means of achievement is through the provision of rules.

### 15.6.3 Environmental Results Anticipated

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

- That adverse noise effects generated by activities on the surface of the water be either avoided, remedied or mitigated.

### 15.6.4 Rules : Permitted Activities

#### Ⓡ R 15.6.4.1 Water related Recreation Activities and Associated Ancillary Activities

Water related recreation activities and associated ancillary activities are Permitted Activities, provided that the following performance condition is complied with;

(a) Signs

Compliance with Rule 6.1.5.1.

#### Ⓡ R 15.6.4.2 Minor Temporary Military Training Activities

Minor Temporary Military Training Activities are Permitted Activities provided the following performance conditions are complied with.

##### Performance Conditions

(a) Hazardous Substances

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

(b) Duration and Frequency of Activities

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

##### *Explanation*

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

### 15.6.5 Rules : Noise

#### Ⓡ R 15.6.5.1 Noise

- (a) With the exception of Specially Organised Events on the Hokowhitu Lagoon, which shall occur on no more than 10 days per calendar year, sound emissions from public address systems and mechanically powered machines or craft when operated on the surface of the water shall not exceed the following limits when measured at or within the boundary of any land zoned for residential purposes or at or within the boundary of any rural land in the Rural Zone.

7:00 am to 10:00 pm 50 dBA L<sub>10</sub>

10:00 pm to 7:00 am 40 dBA L<sub>10</sub> and 70 dBA L<sub>max</sub>

- (b) The prescribed noise limits may be exceeded by Specially Organised Events by the Manawatu Model Boat Racing Club on not more than ten (10) occasions per calendar year provided that no less than 14 days prior to the event and not more than 28 days prior to the event, public notice in a newspaper circulating the City is given of such an event.

1. **The notice shall inform the general public of:**
  - (i) **The nature of the event**
  - (ii) **The proposed dates and start and finish times of the event**
  - (iii) **That the prescribed noise limits may be exceeded.**

**The event will be deemed to have taken place upon the act of notification even if the event is cancelled.**
2. **Mechanical sounds from any event shall be designed, tested and operated to not exceed 75 dBA L<sub>10</sub> when measured over any two minute period at any point along the boundary of the water and the land edge of the Hokowhitu Lagoon.**
3. **Events that have been publicly notified shall not take place outside the hours of 8:00 am to 6:00 pm.**
4. **Without limiting this rule the term “mechanically powered machines and vehicles’ may include:**
  - (a) **Mechanical services equipment;**
  - (b) **Vehicles and any devices used for racing, performance and for exhibition.**

***Explanation***

*Noise emissions from recreation water related activities can impact on the amenity value of adjacent land uses. Accordingly, these activities need to be managed to avoid or mitigate any adverse effects. Council will impose noise limits to ensure that the emission of noise from activities using the water surface does not exceed levels determined as appropriate to preserve the amenity of neighbouring residential areas.*

*Council recognises that the Hokowhitu Lagoon provides a useful recreational facility to the Manawatu Model Boat Racing Club and that the Club has used the lagoon for a number of years. It is appropriate that this use continues if the adverse effects of noise can be controlled by limiting the number of days on which events will take place. This then allows control of the adverse effects of casual noisy use of the lagoon.*

## **15.6.6 Rules : Discretionary Activities (Unrestricted)**



### **R 15.6.6.1 Discretionary Activities (Unrestricted)**

**Any activity failing to meet the requirement of Rule 15.6.4.1 or 15.6.4.2 shall be a Discretionary Activity (Unrestricted)**

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

- (a) To avoid, remedy or mitigate the adverse effects of noise or other environmental disturbance on the adjoining residential neighbourhood.

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## 15.7 Racecourse Zone

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### 15.7.1 Objectives and Policies

Within the broad framework 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 continued viability of existing physical resources within the Racecourse Zone.**

#### Policy

1.1 To recognise and provide for racing industry and associated ancillary activities.

#### *Explanation*

*Both the Awapuni Racecourse and the Manawatu Harness Racing Club's course, comprise a substantial investment of land, buildings and infrastructure by the Palmerston North and Central District's racing industry. By identifying and providing for their continued operations, Objective 1 and Policy 1.1 provide certainty for industry stakeholders. Complementary activities have been provided for in recognition of the multiple use of facilities by other groups. These activities are generally accepted by the community as appropriate activities being compatible with the primary functions.*

#### Objective 2

**To protect the amenity values of adjacent residential areas.**

#### Policies

2.1 To avoid, remedy or mitigate the adverse impact of buildings, structures, development, and signs on adjoining residential areas.

2.2 To avoid, remedy or mitigate the adverse effects of the racing industry and ancillary activities on neighbouring residential areas.

#### *Explanation*

*Both the Awapuni Racecourse and the Manawatu Harness Racing Facilities abut either existing or developing residential areas. Given the variable nature of activities that are included in this zone, the Council seeks to ensure that safeguards are put in place to minimise adverse effects that may be generated by these activities or associated development on the amenities of neighbouring residential areas. The range of effects may include, for example, the impact of new development, noise, parking and the keeping of animals on-site on the amenity of adjacent residential areas.*

### 15.7.2 Methods

- District Plan Rules

The objectives and policies detailed above will primarily be achieved through the rules contained in this District Plan. The Council considers the use of targeted regulatory intervention, for example, the control of the height of buildings which abut a residentially zoned site to be the most effective and cost efficient method to achieve the environment outcomes sought.

### 15.7.3 Environmental Results Anticipated

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

- Provision for the ongoing use of the physical resources of the Racecourses.
- Adverse effects of activities and associated development located within the Racecourse Zones are avoid, remedied or mitigated.

### 15.7.4 Rules : Permitted Activities



#### R 15.7.4.1 Permitted Activities

The following activities are Permitted Activities, provided they comply with the following performance conditions:

- (i) Where these are associated with horse racing:
  - (a) race meetings;
  - (b) shows;
  - (c) rallies;
  - (d) auctions and sales.
- (ii) Race horse training, stabling and associated ancillary activities including veterinary clinics and horse cartage depots.
- (iii) Greyhound racing activities.
- (iv) Offices and facilities ancillary to equestrian and racing industry activities.
- (v) Use of land and buildings for conferences, social and civic functions, shows, exhibitions or demonstrations.
- (vi) New Zealand Wool Board shearing school.
- (vii) Use of land and buildings for catering activities, training and educational activities on site as at 31 May 1995.
- (vii) Parking.
- (ix) Organised sport and recreation activities (excluding motorsports) and associated grounds and playing fields.

#### Performance Conditions

##### (a) Parking

Compliance with Rules:

- 20.3.7.1 Parking Spaces for People with Disabilities;
- 20.3.7.2 Parking Provisions for All Zones except the Inner Business Zone;
- 20.3.7.6 Car Park Landscape Design;
- 20.3.7.7 Formation of Parking Spaces.

**(b) Lighting**

Compliance with Rule 15.4.4.1(a).

***Explanation***

*The lighting rules are designed to contain exterior lighting with the Racecourse Zone and to avoid the intrusion or overspill of light and glare from floodlights, lighting towers, signboards and the like onto neighbouring residential properties.*

**(c) Hazardous Substances**

Compliance with the provisions of Section 14 - Hazardous Substances.

**(d) Hours of Operation**

Any activity with the exception of racehorse training shall not operate outside the following hours of operation:

- (i) Between 7:00 am and 11:30 pm Sunday to Thursday.
- (ii) Between 7:00 am and 1:30 am the following morning (Friday and Saturday).

***Explanation***

*Controls on the operating hours of all but race horse training and associated activities which occur in the early hours of the morning are required to ensure that there are no adverse effects on any adjoining residential areas. Both racecourses' functions buildings are well-removed from residential neighbours, allowing some flexibility in operating hours.*

**(e) Waste Disposal**

No animal, stable waste or general horse waste shall be stored within 100 m of a residentially zoned site.

***Explanation***

*This rule will ensure that stable waste and general horse waste is stored at some distance away from neighbouring residential properties thereby mitigating adverse effects on visual, and general residential amenity values.*

**(f) Outdoor Storage**

Any area used for the outdoor storage of goods, products, equipment, materials or waste which can be viewed from residential areas and roadways shall be screened either by a fence or wall of not less than 1.8 m in height, or by dense planting of vegetation capable of growing to 1.8 m in height. This shall not exclude the provision of gates or other access points.

***Explanation***

*Outdoor storage areas, and particularly those used for the storage of waste, can detract from the visual amenity and pleasantness of the Racecourse Zones and neighbouring residential properties. The screening of such areas will help maintain visual amenity standards on-site for those adjoining residential areas.*

**(g) Signs**

Compliance with Rule 6.1.5.1.

**R 15.7.4.2 The Construction of, Reconstruction of, or Addition to, Buildings and Structures**

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

**(a) Height**

- (i) Where any building directly adjoins a residentially zoned site, compliance with Rule 10.7.1.1(a) except that there shall be no maximum height.
- (ii) Notwithstanding (i) above, all buildings and structures shall comply with the requirements of R 20.4.10.1.

**(b) Separation Distances**

- (i) Building Not Housing Animals:

Gross Floor Area of Building	Minimum Separation Distance from all Residential Zone Boundaries	Minimum Separation Distance from Road and All Other Boundaries
Up to 250 m <sup>2</sup>	6 m	3 m
251 m <sup>2</sup> -500 m <sup>2</sup>	8 m	3 m
501 m <sup>2</sup> -750 m <sup>2</sup>	10 m	4 m

- (ii) Permanent or Temporary Buildings and Structures (Including Yards) Housing Animals.

All buildings and structures must be located a minimum of 100 m from any boundary with a Residential Zone and a minimum of 6 m from all other boundaries.

**(c) Size of Building**

Any single building shall not exceed a gross floor area of 750 m<sup>2</sup>.

**Explanation**

*Buildings and structures in the Racecourse Zone have the potential to affect the amenity of adjoining residential properties. Examples here include effects of noise, bulk of buildings, odour and vermin on the health and well-being of people residing in surrounding residential areas. The rule will ensure that buildings and structures particularly those housing animals, are located at a suitable distance so as not to affect neighbouring residential properties and that the health and sense of well being for residents will be maintained.*

**(d) Parking, Access and Loading**

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;
- 20.3.8.1 Loading Space Standards;
- 20.3.9.1 Access Standards.

**(e) Landscape Amenity**

Where a building or structure adjoins land zoned Residential or Rural, or a formed road, a planted amenity strip shall be provided which:

- (i) Has a minimum width of 2 m.
- (ii) Extends the full length of the new building or addition.
- (iii) Includes planting of specimen trees able to attain a height of 6 m or more which are planted at a minimum frequency of 1 every 5 m along the length of the amenity strip.

***Explanation***

*Landscaping is an important contributor to the provision and maintenance of amenity within the Racecourse Zones and at the boundary with neighbouring residential areas. In addition to its amenity contribution, landscaping provides a useful technique to mitigate adverse effects through, for example visually screening or blending buildings/structures with the surrounding environment and softening the impact of service and equestrian related recreational buildings. This rule will ensure that amenity values are maintained and protected.*



**R 15.7.4.3 Minor Temporary Military Training Activities**

**Minor Temporary Military Training Activities are Permitted Activities provided the following performance conditions are complied with.**

**Performance Conditions**

**(a) Buildings and Structures**

- (i) Any buildings and/or structures erected must be in compliance with performance conditions (a) and (b) of Rule 15.7.4.2.
- (ii) Any buildings erected in association with the Temporary Military Training Activity must be removed at the conclusion of the activity unless they are in compliance with Rule 15.7.4.2.

**(b) Excavations and Alterations to Landform**

Where the activity involves any excavations or alterations to landform, the ground shall be reinstated to a condition as close as practicable to its state prior to the disturbance.

**(c) Hazardous Substances**

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

**(d) Duration and Frequency of Activities**

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

**Explanation**

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

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

## **15.7.5 Rules : Controlled Activities**



### **R 15.7.5.1 Minor Temporary Military Training Activities which do not comply with the Performance Conditions or Extended Temporary Military Training Activities**

**Minor Temporary Military Training Activities which do not comply with the Performance Conditions of Rule 15.7.4.3, and Extended Temporary Military Training Activities shall be Controlled Activities in respect of:**

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

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

- (a) To avoid remedy or mitigate any adverse effects on the amenity of surrounding properties zoned Residential or Race Training.
- (b) To avoid, remedy or mitigate the effects of additional traffic generated on safe and efficient operation of the roading network.

**Explanation**

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

## 15.7.6 Rules : Discretionary Activities (Restricted)



### R 15.7.6.1 Buildings and Structures not Complying with Performance Conditions

**Buildings and Structures not Complying with Performance Conditions in Relation to:**

- (a) Separation Distances
- (b) Building Size
- (c) Parking
- (d) Height

**is a Discretionary Activity (Restricted) with regard to:**

- The Safe and Efficient Operation of the Roothing Network
- Design and Appearance
- Effect on Adjoining Residential Areas
- The provision of car parking

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

#### (a) Separation Distances, Building Size and Height

- (i) To ensure the design and appearance of any structure is in character with and complementary to the ambience and amenity values of the adjoining residential neighbourhood.
- (ii) To avoid, remedy or mitigate any environmental disturbance to adjoining residential neighbourhoods.

#### (b) Parking

- (i) To avoid, remedy or mitigate the effects of parking not accommodated on the site, on the safe and efficient operation of the roading network.
- (ii) To avoid, remedy or mitigate the effects of off-site parking on the ambience and amenity values of affected residential neighbourhoods.
- (iii) To recognise the possible low frequency of the need for the total parking requirement.
- (iv) The further policies within Rule 20.3.7.3.

#### **Explanation**

*The separation distances rule has been developed to ensure that adjoining properties are reasonably protected from effects of development located in proximity to a boundary. For example the effects of noise associated with a building's use, loss of daylight and erosion of privacy.*

*The Council acknowledges though that there may be instances where these standards may be varied if the effects are appropriately assessed and remedied or mitigated.*

### 15.7.7 Rules : Discretionary Activities (Unrestricted)



#### R 15.7.7.1 Discretionary Activities (Unrestricted)

**Any activity or the Construction, Alteration of or Addition to Buildings and Structures which does not comply with the Performance Conditions for Permitted Activities, or is not a Permitted, Controlled Discretionary Activity (Restricted) or Non Complying Activity shall be a Discretionary Activity (Unrestricted).**

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

- (a) To avoid, remedy or mitigate the effects of noise, hours of operation and other environmental disturbance on surrounding residential neighbourhoods.
- (b) To avoid, remedy or mitigate the effects of the generation of additional traffic through efficient and effective parking and access provisions.
- (c) To avoid, remedy or mitigate the effects of additional traffic generated on the efficiency and effectiveness of the roading network.
- (d) To ensure the design and appearance of any structure is in character with and complementary to the ambience and amenity values of the adjoining residential neighbourhood.
- (e) To avoid any compromising of the recreational potential or open space character of the site.

#### **Explanation**

*This category of activity is intended to deal with activities and facilities which do not fall within the other categories provided in this Zone. As such they are essentially "one off" developments which need careful assessment to ensure their effects can be avoided, remedied or mitigated, that they fit into the existing environment and that they do not undermine the essential character of the Zone.*

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

### 15.7.8 Rules : Non-Complying Activities



#### R 15.7.8.1 Crematoria

#### **Crematoria are Non-Complying Activities**

#### **Explanation**

*Crematoria have a range of potential effects that could adversely affect the amenity qualities of the Zone including adverse effects on social and cultural matters. The application of Non-Complying Activity status to these activities will ensure that any Crematoria has to demonstrate that it can satisfy the requirements of Section 104 and 104D of the Resource Management Act 1991 prior to any approval being granted.*

## 15.7.9 Noise



### 15.7.9.1 Noise

- (i) Sound emissions from public address systems or mechanically powered machines or vehicles when operated on any park or reserve shall not exceed the following limits when measured at or within the boundary of any land zoned for residential purposes or at or within the boundary of any rural land in the Rural Zone:

7:00 am to 10:00 pm 50 dBA  $L_{10}$

10:00 pm to 7:00 am 40 dBA  $L_{10}$  and 70 dBA  $L_{max}$

- (ii) Crowd noise from people in a Park or Reserve is considered a reasonable and acceptable effect of the use of recreation reserves and as such shall not be controlled using rules in this Plan.

#### *Explanation*

*The rules for noise are designed to protect neighbouring residential amenity and other users of these areas from the specific noise effects generated by public address systems, mechanically powered machines or vehicles in the Racecourse Zone. Crowd noise associated with activities undertaken in this zone is not addressed by rules in this Plan.*

## 15.8 Showgrounds Zone

### 15.8.1 Objectives and Policies

Within the broad framework of the City View objectives the following specific objectives and policies have been identified for the Showgrounds Zone:

#### **Objective 1**

**To promote the efficient use of physical resources within the Showgrounds Zone.**

#### **Policies**

- 1.1 To recognise the multi-purpose nature of recreation activities located within this Zone.
- 1.2 To manage the future growth and development of recreation activity and facilities in the Showgrounds Zone.

#### *Explanation*

*The Showgrounds is a regional facility which hosts a diverse range of recreation community and leisure activities and serves a substantial regional catchment of people. Through adopting a flexible approach to the development of multi-purpose recreation and leisure activities, the Council considers that it will enable the Showgrounds Board of Control to manage the planned development of the Showgrounds Complex.*

#### **Objective 2**

**To protect the amenity values of neighbouring residential areas.**

## **Policies**

- 2.1 To avoid, remedy or mitigate the adverse effects of activities located within the Showgrounds Zone.
- 2.2 To avoid, remedy or mitigate the adverse impact of buildings, structures, development and signs on adjoining residential areas.
- 2.3 To avoid, remedy or mitigate the adverse environmental effects of recreation, community and leisure activities on neighbouring residential areas.

### ***Explanation***

*The Council wishes to provide the Showgrounds Board of Control with a reasonable degree of flexibility in controlling their own development. It is also recognised that the Showgrounds Board of Control takes seriously its relationship with the community and continues to work to maintain that relationship.*

*However, given the variable nature of Showgrounds activities, the Council seeks to ensure that adequate safeguards are in place to minimise the adverse effects of, for example, noise, glare, and parking overspill generated by activities, on the amenities of neighbouring residential areas.*

## **15.8.2 Methods**

- District Plan Rules
- Showgrounds Master Plan

The objectives and policies detailed above will be primarily achieved through the rules provided for in this Plan. Such rules provide a clear, effective and cost efficient means, particularly at the residential interface, of achieving the outcomes sought.

The draft Showgrounds Master Plan may also achieve some of the objectives and policies through the Showgrounds Board of Control's self regulation with regard to the type of activities and buildings which are developed on the site. This method provides an effective control at no direct cost to the public.

## **15.8.3 Environmental Results Anticipated**

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

- Provision for the ongoing use of the physical resources of the Showgrounds.
- Reduction in the adverse effects of activities in the Showgrounds zone on surrounding residential and business areas.

## 15.8.4 Rules : Permitted Activities



### R 15.8.4.1 Permitted Activities

The activities identified below are Permitted Activities, provided that they comply with the following Performance Conditions:

- (a) Organised sport and recreation activities and associated grounds and playing fields.
- (b) Parking.
- (c) Buildings, structures and land used for recreation, sporting and community activities; entertainment; agricultural, horticultural and pastoral activities; shows, conventions, exhibitions, trade fairs, demonstrations; auctions and sales.
- (d) Catering activities associated with permitted activities.
- (e) Rugby Museum.
- (f) Motor sports activities.
- (g) Retail activities ancillary to and directly associated with any permitted activity.
- (h) Buildings and activities associated with the maintenance of the Showgrounds Complex.
- (i) Buildings associated with ancillary administration offices.
- (j) Dwelling for staff associated with the complex.

### Performance Conditions

#### (a) Lighting

- (i) Any activity within the Palmerston North Showgrounds which requires artificial illumination shall ensure that between the hours of dusk and 10:30 pm its use does not result in an added illuminance, over and above the measured ambient level, in excess of 10 lux measured in the vertical plane at the windows of residential buildings in any residential area.
- (ii) After 10:30 pm the maximum additional illuminance, over and above the measured ambient level, measured in the vertical plane at the windows of residential buildings in any residential area shall be 8 lux.

#### ***Explanation***

*The lighting rules are designed to contain exterior lighting within the Showgrounds Zone and to avoid the overspill of light and glare from floodlights, lighting towers, signboards and the like onto neighbouring residential properties. The design and placement of floodlighting is managed to prevent the intrusion of light onto neighbouring residential properties.*

#### (b) Hours of Operation

- (i) Any outdoor activity or event shall commence not earlier than 8:00 am and shall cease by 10:30 pm.
- (ii) Any other activity shall not commence before 7:00 am and shall cease by 1:00 am

- (iii) These provisions shall not apply to activities associated with the setting up or organising of any permitted activity.

**(c) Signs**

Compliance with Rule 6.1.5.1.

**(d) Waste Disposal**

No animal, stable waste or general horse waste shall be stored within 100 m of residentially zoned site.

***Explanation***

*The storage of animal waste in the Showgrounds Zone for any length of time has the potential to affect the amenity of adjoining residential properties. The rule will ensure that any wastes are stored or located at a suitable distance so as not to affect neighbouring residential properties and the health and well-being of adjoining residents is maintained.*



**R 15.8.4.2 Buildings and Structures Associated with Permitted Activities**

**Buildings and structures associated with Permitted Activities are a Permitted Activity, provided that they comply with the following Performance Conditions:**

**Performance Conditions**

**(a) Building Size**

- (i) Any single building shall not exceed a gross floor area of 1000 m<sup>2</sup>.

***Explanation***

*The building size control limits the size of buildings that can be constructed in the Showgrounds Zone to ensure that the nature and type of development can be suitably accommodated on site and that recreation, visual and neighbouring residential amenity values are not detrimentally effected.*

**(b) Height**

- (i) Where any building or structure directly adjoins a residentially zoned site, compliance with Rule 10.7.1.1(a) except that there shall be no maximum height.
- (ii) Notwithstanding (i) above, all buildings and structures shall comply with the requirements of R 20.4.10.1.

***Explanation***

*The height of a building and/or structure may compromise the amenity of adjoining properties. This rule is applied to protect the amenities of adjoining properties from effects such as the visual dominance of buildings, overshadowing and loss of privacy and daylight.*

**(c) Separation Distances**

Gross Floor Area of Building	Minimum Separation Distance from Residentially Zoned Boundaries
Up to 250 m <sup>2</sup>	6 m
251 m <sup>2</sup> - 500 m <sup>2</sup>	8 m
501 m <sup>2</sup> - 750 m <sup>2</sup>	10 m
over 750 m <sup>2</sup>	12 m

**Explanation**

*This rule prevents adverse impacts occurring from inappropriate building bulk being located in close proximity to residential properties. Effects may include the loss of privacy, overshadowing and/or the noise generated by a building's use. The separation distances required are varied to reflect the size and scale of buildings.*

**(d) Outdoor Storage**

Any area used for the outdoor storage of goods, products, equipment, materials or waste which can be viewed from adjacent residential areas or roads shall be screened from those residential properties and roads, by a fence or wall of not less than 1.8 m in height. This shall not exclude the provision of gates or other access points.

**Explanation**

*Outdoor storage areas, particularly those used for the storage of waste, can detract from the visual amenity and pleasantness of adjacent residential environments and road users. Screening of such areas will ensure the maintenance of a high standard of neighbourhood environmental amenity.*

**(e) Hazardous Substances**

Compliance with the provisions of Section 14 - Hazardous Substances.

**(f) 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 for 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.

**Explanation**

*The Council recognises the regional role of the Showgrounds Complex and that at times there is insufficient parking to cope with the demand generated by the types of activities and functions which occur within the Zone. The parking standard has attempted to balance the nature and role of the Showgrounds Complex as a major regional recreation and leisure facility with the need to protect the amenities of surrounding areas.*

**R 15.8.4.3 Minor Temporary Military Training Activities**

**Minor Temporary Military Training Activities are Permitted Activities provided the following performance conditions are complied with.**

## **Performance Conditions**

### **(a) Buildings and Structures**

- (i) Any buildings and/or structures erected must be in compliance with performance conditions (b) and (c) of Rule 15.8.4.2.
- (ii) Any buildings erected in association with the Temporary Military Training Activity must be removed at the conclusion of the activity unless they are in compliance with Rule 15.8.4.2.

### **(b) Excavations and Alterations to landform**

Where the activity involves any excavations or alterations to landform, the ground shall be reinstated to a condition as close as practicable to its state prior to the disturbance.

### **(c) Hazardous Substances**

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

### **(d) Duration and Frequency of Activities**

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

#### ***Explanation***

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

## **15.8.5 Rules : Controlled Activities**



### **R 15.8.5.1 Minor Temporary Military Training Activities which do not comply with the Performance Conditions or Extended Temporary Military Training Activities**

**Minor Temporary Military Training Activities which do not comply with the Performance Conditions of Rule 15.8.4.3, and Extended Temporary Military Training Activities shall be Controlled Activities in respect of:**

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

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

- (a) To avoid remedy or mitigate any adverse effects on the visual amenity and/or character of the surrounding area.

- (b) To avoid, remedy or mitigate the effects of additional traffic generated on safe and efficient operation of the roading network.

**Explanation**

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

## 15.8.6 Rules : Discretionary Activities (Restricted)



### R 15.8.6.1 Buildings and Structures which do not comply with the Performance Conditions

**Buildings and Structures which do not comply with the Performance Conditions in relation to:**

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

**is a Discretionary Activity (Restricted) with regard to:**

- **The Safe and Efficient Operation of the Roding Network;**
- **The Provision of Car Parking;**
- **Design and Appearance;**
- **Effects on Adjoining Residential Areas.**

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

**(a) Parking**

- (i) To avoid, remedy, or mitigate the effects of parking not accommodated on the site, on the safe, effective and efficient operation of the roading network and on residential amenity values.
- (ii) To ensure other appropriate off-site parking is available to meet the need generated for parking.
- (iii) To recognise the possible low frequency of the need for the total parking requirement.
- (iv) The further policies within Rule 20.3.7.3.

**(b) Separation Distances**

- (i) To avoid, remedy or mitigate the effects on noise and other environmental disturbance to surrounding residential areas.
- (ii) To ensure the location of the building is in character with and complementary to the existing ambience and amenity values of the area.

**Explanation**

*In certain circumstances it will not be possible for either the parking requirements or the separation distances to be achieved. The additional policies are intended to assist in assessing, in conjunction with the matters covered by Section 104 of the Act, the appropriateness of granting consent and the need for conditions.*

**15.8.7 Rules : Discretionary Activities (Unrestricted)****R 15.8.7.1 Discretionary Activities (Unrestricted)**

**Any Building or Activity not Provided for as a Permitted, Discretionary (Restricted) Activity or Non-Complying Activity shall be a Discretionary Activity (Unrestricted).**

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

- (a) To avoid, remedy or mitigate the effects of noise, hours of operation and other environmental disturbance on surrounding residential neighbourhoods.
- (b) To avoid, remedy or mitigate the effects of the generation of additional traffic through efficient and effective parking and access provisions.
- (c) To avoid, remedy or mitigate the effects of additional traffic generated on the efficiency and effectiveness of the roading network.
- (d) To ensure the design and appearance of any structure is in character with and complementary to the ambience and amenity values of adjoining residential neighbourhoods.

**Explanation**

*This category of activity is intended to deal with activities and facilities which do not fall within the other categories provided for in this Zone. As such they are essentially "one-off" developments which need careful assessment to ensure that effects can be avoided, remedied or mitigated, that they fit into the existing environment and do not undermine the essential character of the Zone.*

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

**15.8.8 Rules : Non-Complying Activities****R 15.8.8.1 Crematoria**

**Crematoria are Non-Complying Activities**

**Explanation**

*Crematoria have a range of potential effects that could adversely affect the amenity qualities of the Zone including adverse effects on social and cultural matters. The application of Non-Complying Activity status to these activities will ensure that any Crematoria has to demonstrate that it can satisfy the requirements of Section 104 and 104D of the Resource Management Act 1991 prior to any approval being granted.*

## 15.8.9 Rules : Noise



### R 15.8.9.1 Noise

- (a) Subject to clause (b), noise emissions from public address systems or mechanically powered machines or vehicles when operated within the Showgrounds zone shall not exceed the following limits when measured at or within the boundary of any land used for residential purposes in a residential zone. This standard shall not apply to crowd noise.

7:00 am to 10:30 pm 55 dBA  $L_{10}$

10:30 pm to 7:00 am 45 dBA  $L_{10}$  and 75 dBA  $L_{max}$

This shall be described as the Prescribed Noise Limits.

- (b) The Prescribed Noise Limits may be exceeded by Special Entertainment Events on not more than thirty (30) occasions per calendar year provided that no less than fourteen (14) days prior to the event and not more than twenty-eight (28) days prior to the event, public notice in a newspaper circulating in the City is given of such an event.

- (i) The notice shall inform the general public of:

- (a) The nature of the event.
- (b) The proposed dates and start and finish times of any sound testing, the event and any possible postponement dates.
- (c) That the Prescribed Noise Limits may be exceeded.

The event shall be deemed to have taken place upon the act of notification even though Prescribed Noise Limits may be exceeded or should the event be cancelled.

- (ii) Where a sporting event is controlled by a governing body, such as the Speedway Board of Control, then organisers shall clearly demonstrate that all competing machines have been individually tested and that they currently comply with the present noise rules of that body.
- (iii) Music, performance or mechanical sounds from any event shall be designed, tested and operated to not exceed 75 dBA  $L_{10}$  when measured over any two minute period at a position within 1 metre of the physical roadside edge outside of No's 24 and 74 Pascal Street, No. 7 Oakley Street and No's 53 and 79 Waldegrave Street. Fireworks displays are exempt from this noise limit but should be otherwise notified in accordance with (i) above.
- (iv) Construction work associated with any event shall only occur between the hours of 8:00 am and 10:30 pm.
- (v) Events that have been publicly notified shall not take place between the hours of 10:30 pm and 8:00 am.
- (vi) Sound testing and tuning of equipment, or practice, shall not commence before 8:00 am on the day of the concert or event, shall not last longer than 3 hours, and shall cease at least 2 hours before the scheduled concert or event start time.
- (vii) Pulling down of fixtures and fittings shall only occur between the hours of 8:00 am and 10:30 pm.

- (c) Without limiting this rule the term “mechanically powered machines and vehicles” may include:**
- (i) Mechanical services equipment
  - (ii) Vehicles and any devices used for racing, performance and/or exhibition.
- (d) With the exception of those Special Entertainment Events for which provision is made, noise emission levels generated by all public address systems operated within the Showgrounds Zone must be designed, tested and operated such that, in isolation, they comply with the Prescribed Noise Limits. Exempt from this rule are public address systems that are dedicated to safety broadcasts. The microphone and level controls of public address systems that are dedicated to safety shall be kept obviously separate from any other public address system, and shall be used only in circumstances where safety is an issue.**

***Explanation***

*The diverse activities which occur within the Showgrounds Zone combined with its proximity to several residential areas means that there is considerable potential for general disturbance from noise effects. Equally many of the activities have been long established on the site or are activities for which there is no alternative venue.*

*Council, in dealing with these complex issues, has determined that the most appropriate course is to get a prescribed noise standard, and then to make specific provisions for that standard to be exceeded on a certain number of occasions, under specific limitations. The public notification of such Special Entertainment Events provides an early warning for nearby residents and allows them the opportunity to prepare for the potentially noisier event.*