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PALMERSTON  
NORTH  
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# **PALMERSTON NORTH CITY COUNCIL**

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AGENDA

## **HEARING BY COMMISSIONER**

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9AM, TUESDAY 19 OCTOBER 2021  
THE GALLERY, CONFERENCE AND FUNCTION CENTRE,  
354 MAIN STREET, PALMERSTON NORTH

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# MEMBERS

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**Independent Commissioner Mark St.Clair**

AGENDA ITEMS, IF NOT ATTACHED, CAN BE VIEWED AT

[pncc.govt.nz](http://pncc.govt.nz) | Civic Administration Building, 32 The Square  
City Library | Ashhurst Community Library | Linton Library

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**Heather Shotter**

**Chief Executive | PALMERSTON NORTH CITY COUNCIL**

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Te Marae o Hine | 32 The Square  
Private Bag 11034 | Palmerston North 4442 | New Zealand  
[pncc.govt.nz](http://pncc.govt.nz)

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# **PALMERSTON NORTH CITY COUNCIL**

## **HEARING BY COMMISSIONER**

Tuesday 19 October 2021, 9.00am

### **ORDER OF BUSINESS**

Note: All pre-circulated evidence is also available for viewing on the Palmerston North City Council website – [Weblink Soul Friend Pet Cremations Hearing](#).

**1. Hearing of a Resource Consent Application lodged by Soul Friend Pet Cremations (the Applicant) for a proposed pet cremation business and associated activities at 94 Mulgrave Street, Ashhurst, Palmerston North (Land Use 5959)**

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| Hearing Procedure Sheet             | Page [6]  |
| Notice of hearing – Change of Venue | Page [10] |

To consider the following:

|   |            |
|---|------------|
| <b>(i) Soul Friend Pet Cremations (Applicant)</b>             |            |
| a) Resource Consent Application                               | Page [11]  |
| b) Updated Appendix A (filed on 23/09/2021)                   | Page [265] |
| c) Updated Appendix C (filed on 23/09/2021)                   | Page [271] |
| d) Updated Appendix E (filed on 23/09/2021)                   | Page [282] |
| e) Updated Appendix F (filed on 23/09/2021)                   | Page [341] |
| f) Applicant's expert evidence                                |            |
| Statement of Evidence of Tabitha Manderson (Planning)         | Page [366] |
| Attachment 1 – Draft Conditions as Recommended by T Manderson | Page [379] |

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| Attachment 1A – Map Property Boundaries where Conditions of Consent apply        | Page [386] |
| Attachment 2 – Memorandum regarding flooding                                     | Page [387] |
| Attachment 2A – Map Site Flooding Information                                    | Page [390] |
| Attachment 3 – Memorandum regarding crematorium in relation to residential zones | Page [391] |
| Attachment 4 – Expert evidence George van Hout (Noise)                           | Page [397] |
| Attachment 5 – Expert evidence Stefan Steyn (Landscape Architect)                | Page [406] |
| Attachment 6 – Updated landscape plan  | Page [412] |

**(ii) Submissions**

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| Submitter SO-01 - Budda Developments  | Page [414] |
| Submitter SO-02 - Katrina Anne Wallace  | Page [416] |
| Submitter SO-03 - Hanno Pieterse  | Page [418] |
| Submitter SO-04* - Isobel E Currie & Bevan P Currie   | Page [422] |
| Submitter SO-05* - Dave Denton  | Page [425] |
| Submitter SO-06 - Catherine Shannon   | Page [428] |
| (Note: Those identified with an asterisk, indicated their wish to be heard at the hearing.) |            |

**(iii) Palmerston North City Council**

|  |            |
|--|------------|
| Section 42a Report of Phillip John Hindrup (Planning)    | Page [431] |
| Appendix 2 – Hudson Associates Landscape Assessment      | Page [472] |
| Appendix 3 – Nigel Lloyd Acoustic Assessment             | Page [492] |
| Appendix 4 – Chris Lai Traffic Assessment                | Page [504] |
| Appendix 5 – Information From Hroziions Regional Council |            |
| Appendix 5 – Cover Email                                 | Page [507] |
| Appendix 5 – Map   | Page [511] |
| Appendix 6 – Proposed Future Ashhurst Rezoning           | Page [512] |
| Statement of Evidence By Chelsea Lee Kershaw (Landscape) | Page [514] |

**(iv) Right of Reply of Applicant**

**2. Exclusion of Public**

The Commissioner will reserve the right to make the decision with the public excluded.

## Information Concerning Procedure for a Hearing

This information is for the assistance of persons participating in a hearing.

### **1. Engagement of Counsel**

You can present your own case, but if you wish you can engage legal counsel or any other person to appear on your behalf.

### **2. Public Hearings**

All hearings are public and the media and members of the public are entitled to be present. This also means that any evidence provided during the process, the Minutes of the hearing and the Decision of the Committee will be published on the Council website and remain publicly available.

However, the Committee may hold any part of the hearing in private and has the power to make an order to protect sensitive information. (*See paragraph 14 below*).

### **3. Hearings Committee or Commissioner Conducting the Hearing**

The Council has delegated the conduct of the Hearing and the power to make a final decision to the Hearings Committee or a Commissioner. A Commissioner will conduct the Hearing if the Council has an interest in the application or the appointment of a Commissioner has been requested by the Applicant pursuant to section 100A of the Resource Management Act 1991.

### **4. Agenda**

An agenda for the Hearing will be sent to you before the Hearing. The agenda lists generally the order of the day although there may be some variation to this. The agenda will also include pre-circulated evidence. (*See paragraph 6 below*).

### **5. Attendance of Parties**

Unless you have previously sought and been granted an adjournment of the hearing, if you do not or are unable to attend the Hearing, the Hearings Committee or Commissioner may proceed and make decisions in your absence.

### **6. Preparation of Evidence**

You have the choice of either having your evidence pre-circulated before the hearing, or presenting your evidence (written or oral) for the first time at the hearing. If you decide to have your evidence pre-circulated, you will need to give it to the Council at least five working days before the Hearing.

For all reports and evidence that are pre-circulated before the hearing, the Hearings Committee or Commissioner may decide that the evidence be taken as read or that you may elaborate on principal points. In this case, there would be no need for this evidence read in full. You will not be obliged to elaborate any further unless asked to.

However, if your evidence is written but is tabled for the first time at the hearing, your evidence must be read in full by yourself or by your representative. You should also have 5 copies of your evidence available for distribution by the Democracy & Governance Administrator, to the Hearings Committee or Commissioner, other parties, the Planning Officers and the media.

It would assist the Hearings Committee or Commissioner if you prepare a written copy of your evidence. It is not necessary to produce copies of the original submission itself as the Hearings Committee or Commissioner will have been previously supplied with this.

The Planning Officers' evidence for the Council will be circulated to the parties with the agenda prior to the Hearing. Other evidence given to the Council before the hearing will be circulated to the parties when it becomes available.

## **7. Content of Evidence**

Parties may elaborate on points they have already raised in their original or further submission.

Where it is considered that there is likely to be excessive repetition, the Chairperson of the Hearings Committee or Commissioner may limit the circumstances in which parties having the same interest may speak or present evidence.

## **8. Venue for the Hearing**

The Hearing will be held at the Council Chamber which is situated on the first floor of the Civic Administration Building, Te Marae o Hine, 32 The Square, Palmerston North (unless otherwise stated). Please note that access is via the automatic doors on Te Marae o Hine - The Square side of the roadway where our Customer Service Centre is situated. There are stairs and a lift to the first floor on the right as you enter the building.

## **9. Evidence**

The Hearings Committee or Commissioner may require evidence given at the Hearing to be on Oath or Affirmation. Any pre-circulated evidence may also be required to be sworn whether it is read or taken as read.

If a witness is unable to attend the hearing, the Hearings Committee or Commissioner has the discretion to accept evidence in the form of an affidavit. An affidavit must be in writing, sworn before a solicitor, Justice of the Peace or other authorised officer, and should also set out the reasons why the witness is unable to attend the hearing in person.

## **10. Cross Examination**

There is no right of cross-examination. This means that the parties do not have the right to address questions to other parties, or to the Hearings Committee or Commissioner. The Hearings Committee or Commissioner may, however, question any party concerning their submission or evidence.

## **11. Conduct of the Hearing**

At the start of the Hearing the Chairperson of the Hearings Committee or the Commissioner will introduce the Panel or Commissioner, if appropriate, and staff members present and will briefly outline the hearing procedure.

The following order of appearance will usually apply:

- The Applicant and witnesses;
- Submitters;
- The Planning Officers for Palmerston North City Council;
- The applicant, who has a right of reply.

## **12. Tikanga Maori**

Tikanga Maori is recognised where appropriate and the Hearings Committee or Commissioner will receive evidence written or spoken in Maori. Directions of the Commissioner on this are set out in Minute # 2 of Commissioner distributed on 13 September 2021.

## **13. Visual Aids**

If you wish to use a data projector, video, whiteboard, pin-up board or a similar aid, please contact the Democracy & Governance Administrator no later than two days before the Hearing so that arrangements can be made.

## **14. Sensitive Information**

The Hearings Committee or Commissioner may make an order to protect sensitive information. The reasons for which such an order can be made, and the consequences, are detailed in Section 42 of the Resource Management Act 1991.

## **15. Adjournment of the Hearing**

The Hearings Committee or Commissioner has the power to adjourn the Hearing.

## **16. Decision of the Hearing**

After the Hearings Committee or Commissioner has heard the evidence and submissions, it will usually declare the Hearing closed and will leave the Council Chamber to consider its decision. All parties will be advised in writing of the decision on the objection and the reasons for those decision.

## **17. Additional Information**

After the Hearings Committee or Commissioner has reserved the decision, further details of information from any party involved in the proceedings may be requested. If this happens, all parties will be circulated with copies of the additional information obtained and will be given the opportunity to comment before the Hearings Committee or Commissioner makes a final decision.

## **18. Appeals against Council Decision**

Any person who has made an application, objection or submission has a right of appeal to the Environment Court. Such appeal may be against the whole or any part of the decision. The time within which the right of appeal to the Environment Court must be exercised is within 15 working days of notice of the decision being received in accordance with the Resource Management Act 1991.

Because the appeal procedure is more involved than the initial Hearing, it is suggested that parties consult a solicitor if they wish to appeal.

## **19. Variation of Procedure**

The Hearings Committee or Commissioner may, at their sole discretion, vary the procedures set out above if the circumstances indicate that some other procedure would be more appropriate.

## **20. General**

You should not endeavour to contact members of the Hearings Committee or Commissioner. Any correspondence to the Hearings Committee or Commissioner should be directed through the Democracy & Governance Administrator.

## **21. Covid-19 – Rules for hearings under alert level 2**

We will be following the government advice for gatherings.

- Please sign in with the QR code or manual record upon entering the Civic Administration Building.
- Please ensure you sit 2m from other attendees.
- Face masks are to be worn when inside the Civic Administration Building and Council Chamber, including when you are speaking at the microphone.

12 October 2021

Oasis #: 15498220

Dear Submitter,

**NOTICE OF HEARING – VENUE CHANGE  
HEARING OF RESOURCE CONSENT APPLICATION FOR  
94 MULGRAVE STREET, ASHHURST, PALMERSTON NORTH**

Further to our hearing notice dated 28 September 2021, and due to anticipated numbers of participants and current Covid-19 Level 2 restrictions, please be advised that the venue for the hearing has been changed.

The new location is the **'The Gallery' room, first floor, Conference and Function Centre, 354 Main Street, Palmerston North<sup>1</sup>**. The time and date have not changed (**9.00am on Tuesday 19 October 2021**).

In the meantime, if you have any queries, please do not hesitate to contact me on telephone (06) 356 8199 extension 7152 or email [susana.figlioli@pncc.govt.nz](mailto:susana.figlioli@pncc.govt.nz).

Yours faithfully



Susana Figlioli  
**DEMOCRACY AND GOVERNANCE ADMINISTRATOR**

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<sup>1</sup> **Covid-19 – Rules for hearings under alert level 2**

We will be following the government advice for gatherings.

- Please sign in with the QR code or manual record upon entering the Conference and Function Centre.
- Please ensure you sit 2m from other attendees.
- Face masks are to be worn when inside the Conference and Function Centre and The Gallery room, including when you are speaking at the microphone.



5 March 2021

Kelly Standish  
Planning Services  
Palmerston North City Council  
Private Bag 11034  
Manawatu Mail Centre  
Palmerston North

**Soul Friend Pet Cremations – Resource Consent Application**

5-PI403.00

Dear Kelly,

Please find attached an updated resource consent application seeking land use consent for Soul Friend Pet Cremations (Soul Friends) to operate a pet cremations business, animal memorial garden open to the public to visit, woodworking workshop, and spray booth for urn finishes at 94 Mulgrave Street, Ashhurst. A change in land use and land disturbance, pursuant to the NES<sub>soil</sub> is also proposed on a piece of land without a Detailed Site Investigation, a Preliminary Site Investigation has been completed. This application includes the matters referenced in your letter dated 18 January 2021 when the previous application was returned as incomplete.

The Soul Friends business along with the noise emissions, which at times would not comply with permitted performance standards at the boundaries of 83 Winchester Street, 102 Mulgrave Street, 114 Mulgrave Street and 167 Wyndham Street, are Non-Complying Activities pursuant to Rule R9.9.1 of the District Plan. In addition, the vehicle movements per day will exceed the permitted performance standards by 54 movements per day; a Restricted Discretionary Activity pursuant to Rule R20.5.1 of the District Plan.

A change in land use and land disturbance (in excess of permitted volumes) on a piece of land where an activity listed in the Hazardous Activities and Industries List has previously occurred are also proposed without a Detailed Site Investigation. This is a Discretionary Activity pursuant to regulation 11(1).

To discharge contaminants to air, a discretionary activity resource consent is also required from Horizons Regional Council. This will be lodged in shortly upon completion of an Air Quality Report.

A \$2,500 deposit for a 'non-notified land use (other than minor) consent' has been paid to Palmerston North City Council's bank account with the reference 'RC 94 Mulgrave Street' in December 2021.

Soul Friends are under some time pressure to obtain consent and commence operations at this site given their lease expires at their current site early 2022. Thus, we look forward to working with you in assisting in any way we can to expedite the process. We would also appreciate to review conditions Council deems necessary before a consent is issued.

If you require any further information please do not hesitate to contact me on 027 207 5914 or [Samantha.Dowse@wsp.com](mailto:Samantha.Dowse@wsp.com).

Regards



Samantha Dowse  
Intermediate Planner

# Application for Resource Consent

Pursuant to Section 88 of the Resource Management Act 1991 | Form 9 SPL-004(f)



## Send or deliver your application to:

Planning Services Section  
Palmerston North City Council  
Private Bag 11034  
PALMERSTON NORTH  
4442

## For enquiries:

Phone: (06) 356 8199  
Fax: (06) 351 4515

## For Office Use Only

Date Received: \_\_\_\_\_

Fee Received: \_\_\_\_\_

Receipt No: \_\_\_\_\_

## COMPLETING THIS FORM:

This form provides us with your contact details, and details about your proposed activity and its actual and potential effects on the environment. Note that all the information provided in your application is available to the public.

We recommend that you talk your proposal through with Council staff both before you fill in this form and when you lodge your application. You should also contact us if you are unsure what forms you should be using, or if you need help with filling in any of the forms. We can be contacted on: (06) 356 8199.

**It is important that you answer all questions fully.**

**Included in this application form is a checklist for applicants. This checklist needs to be completed before submitting your application. Any application submitted without all relevant information required on the checklist, will be returned to the applicant.**

## Site Details

The site to which this application relates is described as:

No:  Street:

Legal Description:

## Owner of the site that is the subject of this application

State the name(s) and address of the owner(s) of the site described above. If these are the same as for the applicant, tick this box ☐ and go to **Description of Activity**.

Name (please write all names in full):

Postal address of owner(s):

Phone (day):  Fax:

Cellphone:  Email:

## Contact Details *Applicant(s) name(s) and address*

Name *(please write all names in full)*: **Soul Friend Pet Cremations**

Postal address: **80 Tennent Drive, Module 4, Batchelar Agricultural Centre, Palmerston North**

Phone *(day)*: **06 354 4086**

Fax:

Cellphone:

Email: **admin@soulfriends.nz**

Address for service *(if different from above)*: **Samantha Dowse, WSP, Email: Samantha.Dowse@wsp.com**

**Level 4 Square Centre, 478 Main Street, Palmerston North 4410**

Billing address *(if different from above)*:

## Description of the Activity or Works Proposed and Reason Resource Consent required

*(e.g. construction of a dwelling with a height encroachment)*

Operation of a pet cremations business, memorial garden open to the public to visit, wood-working workshop, and spray booth for urn finishes on land zoned Rural. Noise emissions in excess of the permitted performance standards, which are both Non-Complying Activities pursuant to Rule R9.9.1 of the District Plan. Vehicle movements per day will also exceed permitted standards by 34 movements a day; a Restricted Discretionary Activity pursuant to Rule R20.5.1.

A change in land use and land disturbance in excess of permitted volumes will also result on a piece of land without a Detailed Site Investigation; a Discretionary Activity pursuant to regulation 11(1) of the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011

*(Continue on a separate sheet if necessary)*

## Additional Resource Consents


Are additional resource consent(s) required for this Proposal? ☒ Yes ☐ No

If yes, show any other resource consent(s) required as part of this proposal by ticking the relevant boxes below.

| APPLIED FOR                                    | Resource Consent Required           | Resource Consent                    |
|--|-------------------------------------|-------------------------------------|
| Land Use Consent                               | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| Subdivision Consent                            | <input type="checkbox"/>            | <input type="checkbox"/>            |
| Consent from Regional Council<br>(Horizons.mw) | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |

## Signature

I hereby certify that, to the best of my knowledge and belief, the information given in this application is true and correct. I undertake to pay all actual and reasonable application costs incurred by the Palmerston North City Council.

Signature of Applicant:  pp.

Date: **4/03/2021**

## Checklist for Applicants

The following information must be submitted with this application:

- ☒ **A Site Plan (drawn to a metric scale on either A3 or A4 paper) including:**  
*(Note: Where relevant, site plans should include dimensions such as the distance from buildings to boundaries)*
  - ☒ North point
  - ☒ Legal Description
  - ☒ Certificate of title boundaries
  - ☒ Road frontages and Existing Buildings
  - ☒ For a non-residential site, the gross floor area of all buildings on the site *(for assessing car-parking requirements)*
  - ☒ Layout and location of proposed building and activity
  - ☒ Vehicle parking, service, circulation and manoeuvring, and number and width of vehicle crossings
  - ☒ Landscaping
  - ☒ Site coverage calculation (being that portion of the net site area, expressed as a percentage, which is covered by all buildings and storage space)
  - ☒ Details of any signage (including design, dimensions and location)
- ☒ **Elevations for each proposed building including**
  - ☒ The natural ground level
  - ☒ Maximum building height and relevant height recession planes  
*(Note: If the building comes within 1 metre vertically of the height recession plane, or does not comply with the height recession plane, you will also need to provide a finished floor level and ground levels at the boundary.)*
- ☒ **Floor plan for each proposed building including**
  - ☒ The use of all parts of the building, including basements, parking, lifts, storage and service areas
- ☒ **Assessment of Environmental Effects (AEE)**  
*(See following page for information on compiling an AEE)*
- ☒ **Lodgement Fee** *(see schedule of fees)*

**For Office Use Only**  
**Information Provided**

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Received by:

## Assessment of Environmental Effects

All Resource Consent applications require an Assessment of Environmental Effects (AEE). An AEE is a report that outlines the effects that your proposed activity might have on the environment. The AEE is the primary tool that Planning staff will use to assess the merits of your proposal, therefore if not enough information is provided in the AEE your application will be considered incomplete and will not be accepted by Council.

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In preparing your AEE you must highlight all the effects of your proposal including both the negative and positive effects. Examples of possible effects include:

- Loss of privacy
- Physical closeness to adjoining property
- Intrusion on living space of adjoining property
- Building bulk
- Noise
- Hours of operation
- Generation of additional traffic
- Visual amenity
- Dust
- Light
- Deficiency in parking, manoeuvring, loading and access
- Assessing whether activity is in character with and complementary to the surrounding neighbourhood
- Assessing whether the design and appearance of the activity will have adverse effects on the ambience and amenity of the surrounding neighbourhood
- Other environmental disturbances
- Traffic and pedestrian safety

In addition to identifying any effects associated with your proposal you must show how you propose to avoid, remedy or mitigate these effects.

If any consultation has been undertaken please provide details of the results.

If you have trouble compiling the information, or need some advice on aspects of your application, consult a Council Planning Officer. There are also a range of professionals who can give you expert advice including Planners, Acoustic Consultants, Traffic Engineers, Architects, Landscape Architects, and Surveyors.

NOTES:

Please see attached for Assessment of Environmental Effects.

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Project Number: 5-P1403.00

# Soul Friend Pet Cremation Relocation

5 March 2021



Resource Consent Application to  
Palmerston North City Council



## Contact Details

### *Samantha Dowse*

WSP  
Level 4 The Square Centre  
478 Main Street  
PO Box 1472  
Palmerston North 4410  
+64 6 350 2500  
+64 27 207 5914  
samantha.dowse@wsp.com

### *Document Details:*

Date: 5/03/2021  
Reference: 5-P1403.00  
Status: Final



*Prepared by*  
Samantha Dowse



*Reviewed by*  
Tabitha Manderson

*Approved for release by*  
Simone Morrison



### Document History and Status

| Revision | Date       | Author         | Reviewed by       | Approved by     | Status |
|----------|------------|----------------|-------------------|-----------------|--------|
| V1       | 17/12/2020 | Samantha Dowse | Tabitha Manderson | Simone Morrison | Final  |
| V2       | 4/03/2021  | Samantha Dowse | Tabitha Manderson | Simone Morrison | Final  |
|          |            |                |                   |                 |        |

### Revision Details

| Revision | Details   |
|----------|---|
| V1       | Resource consent application  |
| V2       | Updated based on return of application as incomplete by Palmerston North City Council dated 18 <sup>th</sup> January 2021 |
|          |   |





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## APPLICATION FORM

### APPLICATION FOR RESOURCE CONSENT UNDER SECTION 88 OF THE RESOURCE MANAGEMENT ACT 1991

To Planning Services Section  
Palmerston North City Council  
Private Bag 11034  
Palmerston North  
New Zealand  
Delivered via email: info@pncc.govt.nz

FROM: Soul Friends Pet Cremations  
80 Tennent Drive  
Fitzherbert  
Palmerston North  
(Note: Different address for service)

**1. Soul Friends Pet Cremations applies for the following type of resource consents:**

Land use consent for Non-Complying Activities pursuant to rule R9.9.1 and a Restricted Discretionary Activity pursuant rule R20.5.1 to of the Palmerston North District Plan.

Consent for a Discretionary Activity pursuant to regulation 11(1) of the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011.

**2. A detailed description of the activities to which the application relates is:**

Operation of a pet cremation business, memorial garden open to the public to visit, woodworking workshop, and spray booth for urn finishes on land zoned Rural under the Palmerston North District Plan;

Land disturbance and a change in use of a piece of land described in the Hazardous Activities and Industries List without a Detailed Site Investigation.

**3. The site, names and addresses of the owners of the land to which the application relates are as follows:**

94 Mulgrave Street, Ashhurst. Legally described as Lot 2 DP 35100 and held in Record of Title WN12A/55.

**4. Additional resource consents required in relation to the proposal:**

A discharge consent from Horizons Regional Council to discharge contaminants to air; a Discretionary Activity pursuant to Rule 15-17 of the One Plan.

**5. An assessment of the potential and/or actual effects the proposed activity may have on the environment, in accordance with Section 88 and Schedule 4 of the Resource Management Act 1991, is attached.**

**6. An assessment of the proposed activity against the matters set out in Part 2 and against any relevant provisions of a document referred to in Section 104(1)(b) of the Resource Management Act 1991 is attached.**

7. No other information is required to be included in the application by the district plan, the Resource Management Act 1991 or any regulations made under the Act.



---

Signed on behalf of Soul Friends Pet Cremations

Date: 4 March 2021.

**Address for service:**

Soul Friends Pet Cremations  
C/- WSP  
49 Victoria Avenue  
Palmerston North 4410  
Attn: Samantha Dowse

Email: Samantha.Dowse@wsp.com

Phone: 027 207 5914

**Annexures:** A description and assessment of environmental effects in accordance with section 88 of, and the Fourth Schedule to, the Resource Management Act 1991.

# 1 Introduction

This application has been prepared in accordance with those matters set out in Section 88 and the Fourth Schedule of the Resource Management Act 1991 (RMA). This assessment of environmental effects (AEE) accompanies and forms part of the resource consent application.

The purpose of this application is to obtain resource consent to allow for the relocation of an existing business to a rural zoned site.

Soul Friend Pet Cremations (Soul Friends) are a local business who undertake cremations of pets. They service the Manawatu, Horowhenua, Wairarapa, Kapiti, and Wellington regions. They currently operate their crematorium at Module 4, 120 Tennent Drive, Palmerston North. At present deceased pets are primarily picked up from vet clinics and taken to be cremated, however in the future Soul Friends wish to also offer a more personalised service to their clients, one that recognises pets are an integral part to any family. To do this, they wish to move to a more welcoming, natural and homely site than that they currently operate out of. Soul Friends are therefore proposing to relocate their crematorium to 94 Mulgrave Street, Ashhurst and establish a memorial garden open to the public along with woodworking workshop and urn finishing spray booth onsite.

Resource consent is required for a Non-Complying Activity pursuant to rule 9.9.1 of the District Plan as the business (operating a crematorium) is provided for by any rule in Section 9 of the District Plan. Consent is also required for a Discretionary Activity pursuant to regulation 11(1) of the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 as land disturbance in excess of permitted volumes and a change in land use is proposed on a piece of land without a Detailed Site Investigation, a Preliminary Site Investigation has been completed.

## 1.1 Background

94 Mulgrave Street is already the home of the Tolly Farm Boarding Cattery and Kennels, which has been operating onsite for a number of years. This business operates from 7am to 7pm seven days a week and services 20 to 26 pets a day for day-care along with some long-term clients. Most of the pets are dropped off for day-care between 8.00am to 9.00am and are picked up at different times throughout the day. There is one full time and two part-time staff members working at the kennel.

The Tolly Farm Boarding Cattery and Kennels would continue to operate onsite. The business, which was founded in the 1970s, was purchased by the applicant in 2004. As part of the pre-application process the applicant contacted the Council to determine whether they hold any documentation in relation to the site and business. Council have advised that they do not.

Due to the fact it was operating before the District Plan (which was made operative in 2002) and that the character, intensity and scale of the business has remained same or similar it is considered existing use rights apply pursuant to Section 10 of the RMA. The operation has not been discontinued for a period of more than 12 months and no alterations or extensions to building that increase the degree to which buildings would result in a non-compliance with any District Plan rule has been undertaken.

It is accepted that the existing use rights that apply does not prevail over other statutory duties, such as s16 (excessive noise). The applicant maintains a complaints register. The applicant is aware that noise complaints have, at times, been registered with the District Council – there have been no formal abatement notices or enforcement action taken in respect of noise. As part of the overall management plan for the site the applicant has implemented various procedures for dealing with excessive barking, this includes a personality assessment for dogs and not all dogs may be accepted at the kennels if deemed to be a risk of excessive barking. Statutory Approvals Sought and Statutory Framework

This section sets out the resource consents sought and briefly outlines the statutory framework for consideration of the Proposal.

A full assessment of the Proposal against the statutory and policy framework is included in Section 7 of this report.

## 1.2 Resource Consents Required

### 1.2.1 Palmerston North City Council District Plan

The applicable rules of the Palmerston North City Council's District Plan along with an assessment of the proposal's compliance with them is provided in the table below.

| Activity  | Rule  | Activity Class | Scope of Application  |
|---|---|----------------|---|
| <b>Section 6: General Rules</b>                             |   |                |   |
| Signs   | R6.1.5.2 Permitted Activities for Advertising Signs | Permitted      | <b>Can comply</b><br>One sign will be designed and constructed to meet permitted performance standards. The Tolly Farm Cattery and Kennels signage will be incorporated into this sign.   |
| Earthworks  | R6.3.6.1 Permitted Activities for Earthworks        | Permitted      | <b>Complies</b><br>Total estimated area of earthworks associated with construction of building, parking and access way is 1,666m <sup>2</sup> with a volume of 459m <sup>3</sup> to be disturbed. Earthworks will not result in the disturbance of more than 1000m <sup>3</sup> of land in any 12-month period, alter the existing ground level by more than 1.5 metres or be located closer than 3m from the boundary. |
| <b>Section 9: Rural Zone Rules</b>                          |   |                |   |
| Noise   | R9.11.1   | Permitted      | <b>Does not comply.</b><br>Noise modeling report confirms that when the woodworking workshop and cremators are operating concurrently noise limits set out in the District Plan will be exceeded at 83 Winchester Street, 102 Mulgrave Street and 114 Mulgrave Street. This defaults the activity to a non-complying activity pursuant to rule R9.9.1.  |
| Operation of the crematorium business and emission of noise | R9.9.1  | Non-complying  | <b>Consent required.</b><br>There is no rule providing for the business in the plan thus they are non-complying activities and  |

|  |           |                          |  |
|--|-----------|--------------------------|--|
|  |           |                          | require resource consent from PNCC.  |
| <b>Section 20: Land Transport Rules</b>  |           |                          |  |
| Onsite loading, vehicle parking spaces and vehicle crossings for property access | R20.4.2   | Permitted                | <p><b>Does not currently comply.</b></p> <p>The vehicle movements per day will at times be 154 (cumulative numbers with kennel operation, assessed this way due to traffic numbers referring to site); exceeding the permitted standard by 54 movements. <b>The existing vehicle crossing will be upgraded to meet permitted performance standards.</b></p>  |
| Vehicle movements to and from the site   | R20.5.1   | Restricted Discretionary | <p><b>Applies.</b></p> <p>As stated above, the vehicle movements per day will exceed the permitted standard.</p> <p>Council has restricted its discretion to:</p> <ul style="list-style-type: none"> <li>a) Avoiding, remedying or mitigating adverse effects on the safety and efficiency of the land transport network;</li> <li>b) Avoiding, remedying or mitigating any other effects deriving from non-compliance with the particular standard(s) that is not met;</li> <li>c) Whether the approval of the Road Controlling Authority, NZTA, or Kiwi Rail has been obtained</li> </ul> <p>Rule R20.5.1 states applications need not be publicly notified.</p> |
| <b>Section 22: Natural Hazards Rules</b>   |           |                          |  |
| Buildings within the Flood Prone Areas   | R22.6.1.1 | Permitted                | <p><b>Complies</b></p> <p>Non-habitable structures are permitted within Flood Prone Areas provided they are located 20m from existing habitable structures and no wider than 15m in width.</p> <p>The proposed shed meets these standards.</p>   |

Pursuant to **Rule 9.9.1** the proposal is a **Non-Complying Activity for the operation of the business** as there is no rule providing for the business and the noise emissions do not meet permitted performance standards and pursuant to **Rule 20.5.1** traffic movements from the site are a **Restricted-Discretionary Activity**.

*1.2.2 Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011*

The applicable regulations of the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 along with an assessment of the proposal's compliance with them is provided in the table below.

| Activity                               | Regulation | Activity Class | Scope of Application  |
|--|------------|----------------|---|
| Disturbing Soil                        | 8(3)       | Permitted      | <b>Does not comply</b><br><br>The volume of disturbance will be more than 25m <sup>3</sup> per 500m <sup>2</sup> thus does not comply with permitted standards.   |
| Change in Land Use                     | 8(4)       | Permitted      | <b>Does not comply.</b><br><br>Whilst a PSI has been prepared, it identifies agrichemical application, potential fuel storage in the 1960's and potential asbestos contamination from renovations to historic buildings as potential sources of contamination. Thus, there will be a risk to human health if the activity is done to the piece of land. |
| Disturbing soil and change in land use | 11(1)      | Discretionary  | <b>Applies.</b><br><br>No Detailed Site Investigation has been prepared as the Preliminary Site Investigation (attached as Appendix C) recommended specific testing be undertaken, which would be undertaken prior to earthworks commencing and   |



|  |  |  |   |
|--|--|--|---|
|  |  |  | could be imposed as a condition of consent. |
|--|--|--|---|

Pursuant to **regulation 11(1)** of the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011, the land disturbance and change in land use is a **Discretionary Activity**.

### 1.3 Statutory Framework

Section 104 (1) of the RMA states that in considering applications the consent authority must, subject to Part 2, have regard to:

- any actual and potential effects on the environment of allowing the activity;
- any measure proposed or agreed to by the applicant for the purpose of ensuring positive effects on the environment to offset or compensate for any adverse effects on the environment that will or may result from allowing the activity; and
- any relevant provisions of—
  - a national environmental standard:
  - other regulations:
  - a national policy statement:
  - a New Zealand coastal policy statement:
  - a regional policy statement or proposed regional policy statement:
  - a plan or proposed plan; and
  - any other matter the consent authority considers relevant and reasonably necessary to determine the application.

The relevant RMA plans and policy statements are:

- Manawatu-Wanganui Regional Council's ('Horizons') One Plan Operative Regional Policy Statement 2014; and
- The Operative Palmerston North District Plan December 2000;

## 2 Description of the Environment

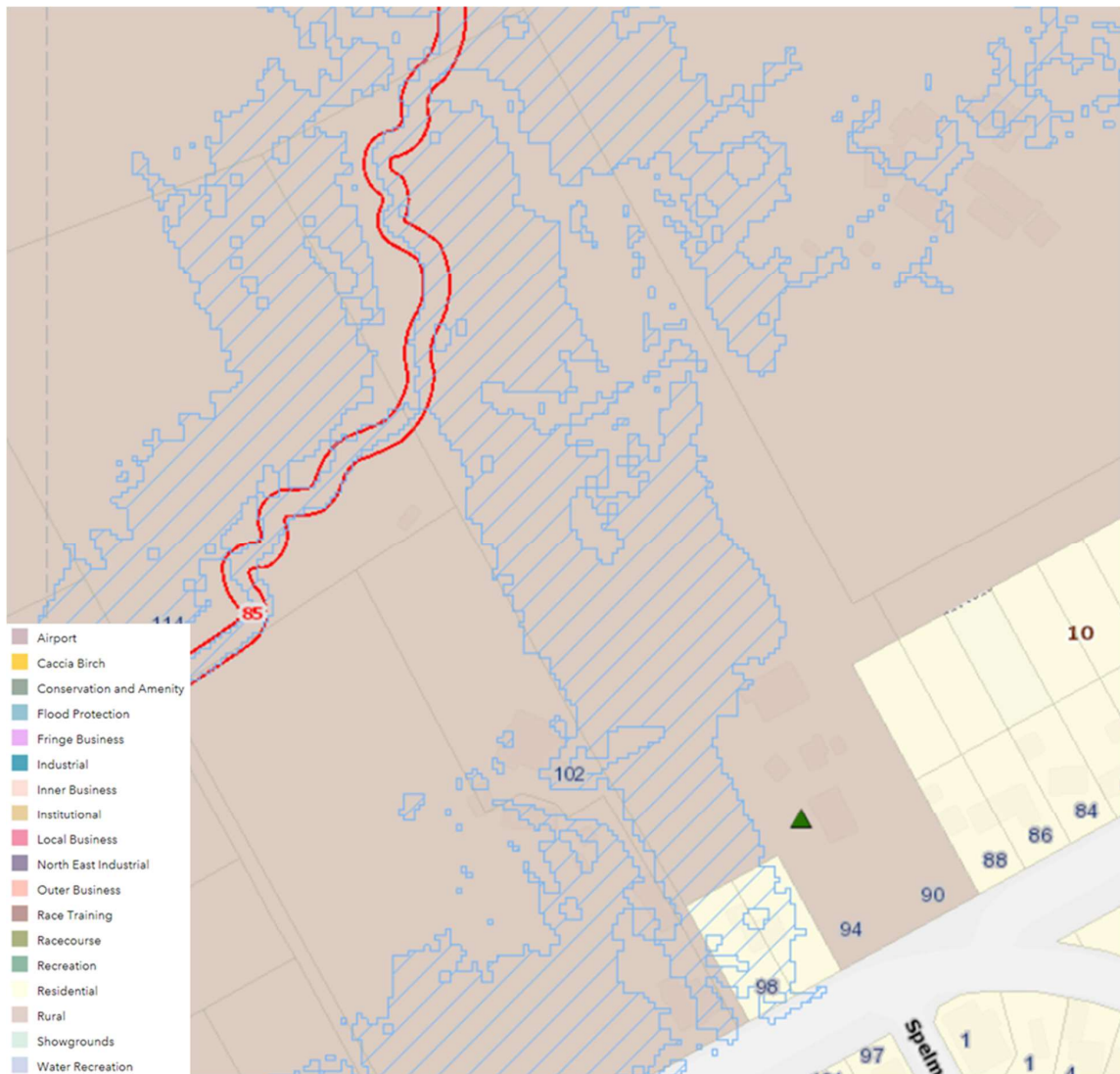
### 2.1 Site Description

The 4-hectare site is located at 94 Mulgrave Street, Ashhurst. An aerial image of the site is shown in figure 1 below. It is relatively flat in nature and contains a dwelling, the Tolly Farm Boarding Cattery and Kennels buildings, pastoral farmland, some shelter belt trees around the boundaries, and a small stream with a stop bank near the northeast property boundary. A notable tree is present onsite but will not be affected by the proposal.



**Figure 1** An aerial image of the property where Soul Friends wish to relocate.

The site is within the Rural Zone and contains Flood Prone Areas, as delineated on District Plan Maps. The stream is an unnamed tributary of the Manawatū River and is identified in Schedule B of the One Plan as having 'Flood Control Drainage' value. The unnamed stream is designated (85) by Manawatu Wanganui Regional Council for 'flood control purposes including ongoing stopbank system maintenance and repair'. The zoning of the site and extent of the Flood Prone Areas and designation are shown in Figure 2 below.



**Figure 2** Zoning of subject site.

Surrounding land uses include residential properties, a plant nursery, abattoir, rural properties and industrial activities such as the Ashhurst Transfer Station. The surrounding land uses can be observed in Figure 1 above. The diversity of land uses reflects that the property adjoins residential and rural zones and is near the industrial zone.

## 2.2 Soils/Land Use Classification

WSP undertook an assessment of the soils on site and a Land Use Classification (LUC) classification. This assessment is attached as Appendix B. From the assessment the site of the proposed buildings has been deemed to be a class 3. Key reasonings behind this classification assessment were:

- The presence of clay within the texture. A clay textured soil is unfavourable soil characteristic for class 1 and 2 land but can appear in class 3 land;
- Wetness of the soil and the fact that it was not a slight wetness after drainage limitation but rather a waterlogged soil. Indication of the soil being waterlogged are the presences of mottles throughout the soil profile;
- The fact that the soil remains waterlogged, limits the versatility of the land. Therefore, leading to a moderate limitation to arable land uses. Thus, restricting the choice of crops and the intensity of cultivations.



Some of the wider site is assessed as being Class 2, with the total effective area of Class 2 being approximately 2.2 hectares.

## 2.3 Rooding Network

A Traffic Impact Statement (TIS) has been undertaken, this is attached as Appendix C. The Rooding Network in the immediately surrounding area has been assessed. Mulgrave Street is classified as a Minor Arterial in the PNCC District Plan.

In the vicinity of the site, Mulgrave Street provides two lanes, one in each direction with two-way annual average daily traffic (AADT) of between 750 to 975 vehicles per day. Mulgrave Street is one of two arterial roads providing access to Ashhurst from Palmerston North and Feilding/Bunnythorpe, the other being Cambridge Avenue. The posted speed limit on Mulgrave Street is 50km/h.

There are two intersections within 80 meters of the access to the site. The intersection between Mulgrave Street, and Spelman Crescent, which is situated opposite the access and serves approximately 17 residences in a cul-de-sac arrangement. Hillary Crescent connects Mulgrave Street to Cambridge Avenue forming a give-way control on the eastern approach of Mulgrave Street. The east-south movement currently has priority.

Following recent consultation with the Ashhurst community, Waka Kotahi are currently implementing local road improvements throughout the Ashhurst network including the intersection of Mulgrave Street and Hillary Crescent. This intersection will be realigned to give priority to traffic travelling east-west on Mulgrave Street as this is the main traffic movement. Re-aligning the intersection to create a 90-degree side road approach seeks to improve user safety and increases sight distances to oncoming vehicles.

Currently, vehicles exiting the kennel facility give-way to vehicles on Hillary Crescent from the east. The change in alignment means that vehicles exiting the proposed development will give-way to vehicles travelling on Mulgrave Street from the east while vehicles on Hillary Crescent must give way to traffic on Mulgrave Street as well.

## 2.4 Landscape

A Landscape and Visual Assessment (LVA) has been undertaken, this is attached as Appendix D. From that report the existing site is described as follows.

The Site is split in two, a large rectangular piece of paddock that occupies most of the eastern extent of the Site and a smaller residential block with a residential dwelling along with the Tolly Farm Boarding Cattery and Kennels at the southern extent of the Site. The dwelling is an old residential building with a footprint of approximately 230.9 m<sup>2</sup>. The cattery and kennels are both contemporary and cover approximately 242.1 m<sup>2</sup> and 110 m<sup>2</sup> respectively. The residential block fronts Mulgrave Street and can be accessed from the road. In terms of vegetation patterns, the majority of the Site is screened from the surrounding landscape by mature shelterbelts and hedges along the property boundaries. The only exception are the two small gaps in the shelterbelt that are located along the eastern boundary.

The Site exhibits pastoral character and is enclosed for the most part by shelterbelts. There are two gaps in the shelterbelts that offer visibility into the Site- one in the middle of the western boundary; and one on the north-eastern boundary. The properties bordering the Site to the east and south will be screened by intervening vegetation except where they have partial views through gaps in the shelterbelts on property boundaries. Similarly, medium to long distance views to the Site from the wider landscape to the north and west are restricted due to the escarpment, mature shelterbelts, hedges and woodlots on site. The vegetation and landform patterns within the surrounding landscape create a mosaic landscape that is enclosed breaking the landscape up into intimate smaller settings. The visual catchment is largely defined by the following:

- Shelterbelts located along the property boundaries

- Shelterbelts and stands of trees scattered throughout the pastoral landscape immediately to the north and east
- Two nurseries to the north and east of the Site
- Residential properties along Winchester Street
- Rural lifestyle properties along Wyndham Street
- Vegetated escarpment to the west of the Site
- Residential and commercial properties along Mulgrave Street

## 2.5 Historical Land Uses

WSP completed a Preliminary Site Investigation (PSI) on 94 Mulgrave Street. The applicant advised that the site had historically been used for horticulture. A review of the historical information found that the development area on the site has not been used for horticulture. However, potential sources of contamination include agrichemical application, potential fuel storage in the 1960's and potential asbestos contamination from renovations to historic buildings.

## 3 Description of the Proposal

Soul Friends will relocate their pet cremation business and associated facilities to 94 Mulgrave Street. Development and operation of the site would involve:

- Constructing the necessary building (one approximately 500m<sup>2</sup> Totalspan Shed) to house a maximum of four cremators and cremator stacks;
- Undertaking cremation of domestic animals (around 700 pets per month) and incinerating documents, biological, pathological and medical wastes;
- Autoclaving sharps for disposal at landfill;
- Undertaking aquamation using alkaline solution;
- Establishing a woodwork workshop onsite (to be housed in the Totalspan shed);
- Establishing a spray booth for urn finishes onsite (to be housed in the Totalspan shed); and
- Establishing a memorial garden for the public to visit from 7am to 7pm Monday to Friday.

The cremation business would be open to the public from 9am to 5pm Monday to Friday and by appointment on weekends, 6-7 staff may be onsite during these hours of operation. The crematorium business will employ three full time staff and three part-time staff (see organisation chart in Management Plan attached as Appendix E).

No more than two cremators would operate concurrently at any time.

The existing access from Mulgrave Street would be used, but an upgrade is proposed (see TIS). Signage indicating the business is onsite would be established and designed to meet permitted performance standards.

A site plan, showing the layout of the site, is attached as Appendix A.

## 4 Alternative Sites Considered

Soul Friends wishes to be seen as a welcoming, peaceful and warm place and a place of remembrance. This reflects their belief that pets are an integral part of the family. In portraying itself in this manner, it is hoped that people whose pets die at home or those who wish to accompany their pet to the crematoria will feel comfortable when they bring their pet to the site. This change

reflects a movement in the wider pet cremation industry away from being a hidden service to a more visible industry that is a part of the grieving process. The current site is industrial in nature and is not welcoming and warm.

While no formal multi-criteria assessment was undertaken for specific sites, the table below provides a general overview of the decision-making process

| Zone/Site                   | Risk Assessment   |
|-----------------------------|---|
| PNCC Industrial Zoned Sites | <p>Advantages</p> <ul style="list-style-type: none"> <li>• Likely to be permitted under PNCC plan subject to meeting performance standards</li> <li>• Likely easy access to suitable gas supply</li> </ul> <p>Disadvantages</p> <ul style="list-style-type: none"> <li>• Size and shape of available sites, challenging to find appropriate combination</li> <li>• Cost of land purchase</li> <li>• Cost passed onto pet owners makes accessing this service prohibitive</li> <li>• Retrofitting buildings, considerable challenges</li> <li>• Feel within industrial zone generally not welcoming</li> </ul> |
| MDC Rural Zoned site        | <p>Advantages</p> <ul style="list-style-type: none"> <li>• Potential to find site with right 'feel'</li> <li>• Crematoria permitted under MDC plan</li> </ul> <p>Disadvantages</p> <ul style="list-style-type: none"> <li>• Access to gas mains not always available</li> <li>• Availability of site of suitable size</li> <li>• Cost of land purchase</li> <li>• Cost passed onto pet owner makes accessing this service prohibitive</li> </ul> <p>Neutral</p> <ul style="list-style-type: none"> <li>• Access to main transport routes a consideration</li> </ul>   |
| PNCC Rural Zoned site       | <p>Advantages</p> <ul style="list-style-type: none"> <li>• Potential to find site with right 'feel' (if right site can be found)</li> </ul> <p>Disadvantages</p> <ul style="list-style-type: none"> <li>• Consent required under PNCC Plan</li> <li>• Access to gas mains not always available</li> </ul>   |

|                 |  |
|-----------------|--|
|                 | <ul style="list-style-type: none"> <li>• Availability of site of suitable size</li> <li>• Cost to purchase suitable land</li> <li>• Cost passed onto pet owner makes accessing this service prohibitive</li> </ul> <p>Neutral</p> <ul style="list-style-type: none"> <li>• Access to main transport routes a consideration</li> </ul>  |
| Tolly Farm Site | <p>Advantages</p> <ul style="list-style-type: none"> <li>• Ability to consolidate business</li> <li>• Able to create right 'feel'</li> <li>• Utilise site for economic use</li> <li>• Gas available on Mulgrave Street</li> <li>• Proximity to main arterial routes</li> <li>• No additional land purchase required</li> <li>• Overall cost structure keeps the service achievable for pet owners to access</li> </ul> <p>Disadvantages</p> <ul style="list-style-type: none"> <li>• Consent required</li> <li>• Upgrades required to existing infrastructure</li> </ul> |

Prior to deciding to pursue relocation to this site, the business owner contacted various real estate agents to investigate the feasibility of relocating to an industrially zoned site. The feasibility took into account the price of purchasing and developing industrial zoned land and the 'feel' of the site and its consistency with the image described above. Industrial land in Cloverlea, Kelvin Grove and Longburn were visited. Although some properties in these locations were listed, the properties were not suitable as plots in new industrial areas are bare ground and constructing a building and undertaking the necessary landscaping would be financially prohibitive. In terms of sites with existing buildings, these buildings were not suitable for the business' equipment; buildings were often double storied, which would not be suitable given the heat the cremators emit and the physical labour involved given staff need to transport pets from the van to the cremator units. All sites, again, lacked the feel described above and were surrounded by other land use activities and landscapes that are inconsistent with the image Soul Friends wish to portray.

Ultimately, it was decided by the business that consolidation of Soul Friend Pet Cremations at 94 Mulgrave Street was the preferred option given Tolly Farm is already animal orientated, has space and a certain stillness, animal distraction, and is a natural and homely site. These ideas would be hard to portray at an industrial site.

## 5 Assessment of Environmental Effects

This section outlines the potential environmental effects associated with the proposal and an assessment of their degree.

## 5.1 Transport Effects

The transportation effects of the proposal have been assessed in the TIS, prepared by WSP and attached as Appendix C. The statement outlines the existing road network and assesses the trip generation, site access, parking onsite, and compliance with the relevant transportation rules in the District Plan.

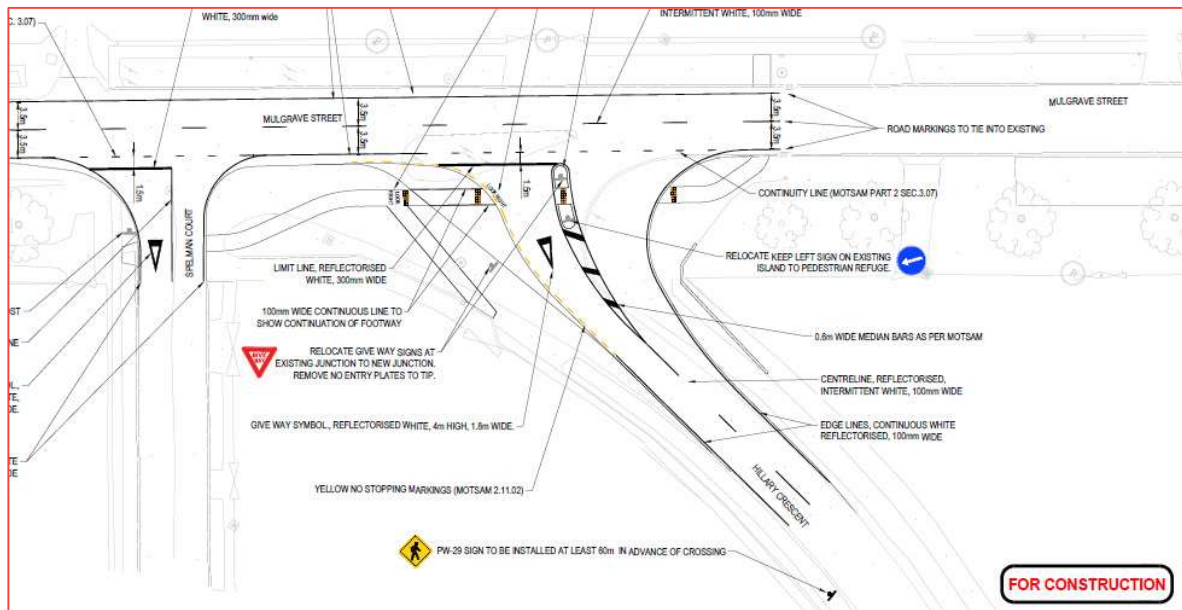
As described in section 3.3 above, Mulgrave Street provides two lanes, one in each direction with two-way AADT of between 750 to 975 vehicles per day. It is one of the two arterial roads providing access to Ashhurst from Palmerston, Feilding and Bunnythorpe. There are two intersections within 80 metres of the access; the intersection between Mulgrave Street and Spelman Crescent, and Hillary Crescent, connecting Mulgrave Street to Cambridge Avenue, with a give-way control on the eastern approach of Mulgrave Street. The existing road network is shown in figure 3 below.



**Figure 3** Existing road network.

The TIS outlines the Mulgrave Street and Hillary realignment, which is occurring as a result of Waka Kotahi implementing local road improvements. The realignment, shown in figure 4 below, will result in priority being given to traffic travelling east-west on Mulgrave Street and construction is expected to be complete by the end of October 2020.





**Figure 4** Road layout after road safety improvements are complete.

Regarding what this change in alignment means for the proposal, the TIS concludes the following:

*The proposed change will not have an adverse effect on the operation of the site access as the required sight distance of 115m as per the PNCC District Plan is achieved at the access in both directions.*

In terms of trip generation, the TIS states the following:

- The existing cattery and kennel house 20 to 26 pets per day for day-care with the occasional long-term clients. Maximum capacity is 45 dogs and 45 cats, but this is only ever achieved for a 2-week period between Christmas and New Year. The applicant has confirmed that the majority of the pets are dropped off for day care between 7:00AM and 9:00AM and are picked up again between 3.30PM and 7.00PM. There are 3 staff members (one full time who lives onsite and two part-time) working at the kennel. Assuming one pet per vehicle and including staff members, the peak hour trips at the access (two-way) is 57 vehicles per hour (vph).
- The proposal generates 10 additional vehicle trips in the morning peak hour which equates to 20 car equivalent movements per day.
- Given the above, the 9 additional trips per hour that will be generated by the proposal is less than minor and is not expected to have an adverse effect on the operation of the access.

Regarding equivalent car movements, the District Plan requires that in the Rural Zone, vehicle crossing movements must not exceed 100 car-equivalent vehicle movements per day and that the number of Car-equivalent Vehicle Movements will be deemed to be less than 100 if they exceed 100 on no more than two days per week, provided that they do not exceed 200 on any given day. Vehicle movements could, based mostly on the use of the kennel facility, regularly exceed 100 per day but based on the assessment undertaken are unlikely to ever exceed 200 per day.

A Management Plan, which is attached as Appendix E, sets out how effects from the business will be managed. To mitigate traffic effects, a speed limit on the accessway will be enforced and hours of operation will generally be restricted from 7am to 7pm. In the future the kennels will also offer a pick-up service for day care animals with a van that can accommodate 10 dogs or cats. If fully

utilised, this will reduce the number of trips at the access in the morning peak hour by 18 trips per hour (two-way), therefore potentially reducing the total number of vehicle movements at the access.

Regarding the site access, it is proposed the existing access will be utilised. This currently services the Tolly Farm Boarding Cattery and Kennels and is 3m wide. The TSI states sight distance at the access is acceptable for the 50km/h speed environment at 115m in each direction. However, the access will serve two or more activities on a Rural Zone site. Thus, pursuant to performance standards in R20.4.2 of the District Plan the access will need to be widened to a minimum of 5.5m. This would be done prior to Soul Friends operations commencing.

With respect to parking, the TSI outlines the existing demand along with anticipated parking demand. Soul Friends would provide parking for staff and clients as shown on the Site Plan, attached as Appendix A.

Based on the above, I consider the transport effects will be **less than minor**.

## 5.2 Noise Effects

The proposal will result in noise being generated from the crematorium and woodworking facility. This has been quantified and assessed in an Assessment of Environmental Noise Effects Report, prepared by WSP and attached as Appendix F. The report considers acoustic criteria for guidance on a reasonable level of noise and details the existing noise on site and the increase in noise level from the kennels and cattery operating only to the proposed scenario (kennels, cattery, crematorium and workshop operating concurrently along with traffic travelling to and from the site) has been predicted.

The assessment was based on both the workshop operating in isolation, and the workshop and crematorium operating concurrently in a 'worst-case scenario'. Noise from vehicles was assessed individually as staff arrive and depart outside of when the crematorium and workshop operate.

The following noise sensitive receptors were identified in the report:

- 102/106 Mulgrave Street (abattoir) and 83 Winchester Street (nursery)
- 88, 97, and 98 Mulgrave Street (residential zoned with dwellings on the land)
- 114 Mulgrave Street and 167 Wyndham Street (rural zoned land)
- 73 Winchester Street (residential zoned land with no dwelling currently on the land)

Project noise limits were proposed in the report; section 16 of the RMA requires occupiers of land to ensure any noise generated is of a reasonable level, and noise limits in Rural zones are general and not specific to the particular land use and surrounding sites that may be more or less noise sensitive. The Palmerston North City Council District Plan, New Zealand Standard NZS 6802:2008, and World Health Organisation Guidelines for Community Noise provided guidance as to a reasonable level of noise and to set the proposed project noise limits, which are as follows:

| ZONE   | TIME              | NOISE LIMIT AT ADJACENT SITES    |
|--|-------------------|----------------------------------|
| Residential Zone<br><br>(noise limit applies at the boundary of the site being assessed) | 0700 - 2200 hours | 45 dB L <sub>Aeq</sub> (15 min)  |
| Rural Zone   | 0700 - 1900 hours | 50 dB L <sub>Aeq</sub> (15 min)* |

|   |                   |                                 |
|---|-------------------|---------------------------------|
| (noise limit applies at the notional boundary of dwellings within this zone) *  | 1900 – 2200 hours | 45 dBL <sub>Aeq</sub> (15 min)* |
| Rural Zone<br><br>(noise limit assessed at site boundary for commercial activities on rural zoned land, abattoir and nursery) | At all times      | 60 dB L <sub>Aeq</sub>          |

\* The noise at the site boundary was assessed for completeness.

The above proposed project limits are different from the District Plan requirements in that noise levels at the boundaries of rural zoned sites where commercial activities are occurring (the nursery at 83 Winchester Street and abattoir at 102 Mulgrave Street) are higher. This is since these receptors are not as noise sensitive as residential activities. In terms of subjective noise level differences, the report states a change in level of 3 dB or less at the site boundary (for the residential zone) or notional boundary (for the rural zone) would be an acceptable change in noise level, as the subjective noise level difference would be barely perceptible.

The workshop creates hand-made small wooden urns for housing the ashes of pets for owners to keep. The machinery used includes a belt sander with extract fan; bench router; bench side drill; bench planer; table plane/square edge; table saw; reverberant level with belt sander, extract fan and bench router; reverberant level with table plane/square edge and belt sander; and reverberant level with table saw and belt sander operating. Handheld tools such as hammers, sandpaper and hand saws are also used. The measured noise levels of workshop equipment are provided in table 4.1 in section 4.1.1 of the report.

Regarding the workshop noise, based on the existing site noise measurements, the calculated reverberant internal noise level would be 85 dB L<sub>Aeq</sub> within the workshop area if a significant level of equipment was operating concurrently. It was assumed that this level would be approximately constant over a 15-minute period. However, this may not occur as in reality equipment is turned on and off regularly to inspect progress, and hand tools (hand sanding, light drilling, hammering pins) are used which have a significantly lower noise level. Therefore, this assessment is expected to be conservative. Nonetheless, an acoustic fence will be installed at the northern and eastern boundaries of 98 Mulgrave Street. The predicted operational noise levels from the workshop only are shown in the table below;

| Property Address    | Distance to assessment location, m | Predicted noise Level (dB L <sub>Aeq</sub> ) | Property type | Noise limit (dB L <sub>Aeq</sub> ) | Compliant with proposed project noise limits? |
|---------------------|------------------------------------|--|---------------|------------------------------------|---|
| 106 Mulgrave Street | 176                                | 43   | Rural         | 50                                 | Yes   |
| 88 Mulgrave Street  | 200                                | 43   | Residential   | 45                                 | Yes   |
| 97 Mulgrave Street  | 266                                | 36   | Residential   | 45                                 | Yes   |
| 98 Mulgrave Street  | 180                                | 43   | Residential   | 45                                 | Yes   |

|                      |     |      |                  |    |     |
|----------------------|-----|------|------------------|----|-----|
| 167 Wyndham Street   | 268 | < 30 | Rural            | 50 | Yes |
| 73 Winchester Street | 160 | 44   | Residential      | 45 | Yes |
| 83 Winchester Street | 75  | 52   | Rural Commercial | 60 | Yes |
| 102 Mulgrave Street  | 45  | 52   | Rural Commercial | 60 | Yes |

As can be seen in the table above, the noise levels are predicted to achieve the noise limits at the site boundary of all residential zones, the notional boundary of all dwellings in the rural zone, and the site boundary of rural zoned sites which are commercial in nature. Predictions show that the noise level at the site boundary to 102 Mulgrave Street and 83 Winchester Street are 2 dB higher than the District Plan Rural Zone noise limit. Regarding this, the author states: a 2dB increase is a subjectively and imperceptible increase in loudness; these two properties are commercial in nature and so are less noise sensitive than residential rural type properties; and the effects associated with the slight exceedances of the District Plan noise limits will therefore be negligible.

Regarding the expected noise from the crematorium and workshop operating concurrently, the analysis is based on the noise measurements undertaken at the existing Soul Friends site and the assumption that the workshop operation is the same as that outlined above. Only two cremation chambers will operate concurrently. The predicted noise emissions from the workshop and crematoriums operating concurrently are shown in the table below;

| Property Address     | Distance to assessment location, m | Predicted Noise Level (dB LAeq) | Property type    | Noise Limit (dB LAeq) | Compliant with the proposed project limits? |
|----------------------|------------------------------------|---------------------------------|------------------|-----------------------|---|
| 106 Mulgrave Street  | 176                                | 45                              | Rural            | 45*                   | Yes   |
| 88 Mulgrave Street   | 200                                | 44                              | Residential      | 45                    | Yes   |
| 97 Mulgrave Street   | 266                                | 42                              | Residential      | 45                    | Yes   |
| 98 Mulgrave Street   | 180                                | 45                              | Residential      | 45                    | Yes   |
| 167 Wyndham Street   | 268                                | 40                              | Rural            | 45*                   | Yes   |
| 73 Winchester Street | 160                                | 45                              | Residential      | 45                    | Yes   |
| 83 Winchester Street | 75                                 | 54                              | Rural Commercial | 60                    | Yes   |

|                     |    |    |                  |    |     |
|---------------------|----|----|------------------|----|-----|
| 102 Mulgrave Street | 45 | 52 | Rural Commercial | 60 | Yes |
|---------------------|----|----|------------------|----|-----|

*\*Lower noise limit as the cremators will operate until 2200 hours, where the workshop will only operate until 1700 hours*

The table above demonstrates that noise emissions are predicted to achieve the proposed noise limits at the site boundary of all residential zones and the notional boundary of all dwellings in the rural zone, and the site boundary of rural zoned sites which are commercial in nature, except for 114 Mulgrave Street. There is no dwelling on 114 Mulgrave Street therefore there is no assessment location. The predicted noise levels exceed the District Plan noise limits at the boundary of 83 Winchester, 102 Mulgrave Street, 114 Mulgrave Street and 167 Wyndham Street. Regarding this, the author has stated they do not expect the exceedances to be significant for the following reasons:

- 83 Winchester Street and 102 Mulgrave Street are currently commercial in nature, as they are a nursery and abattoir. These sites therefore are significantly less noise sensitive than residential activities and would generate their own noise. Therefore, the Rural Zoned noise limits are not a good indication of effects at these properties;
- The area which experiences elevated levels of noise above the Rural Zone noise limits at 167 Wyndham Street, 102 Mulgrave Street, and 114 Mulgrave Street are not near any residential dwellings. The land is currently used as pasture for stock, and in places has a stream running through (which would require a set-back if a residential dwelling is constructed).

On this basis, the report concludes any effects from the noise exceedances are negligible.

Noise from vehicles entering and exiting the site as staff and visitors arrive and depart and deliveries are made has also been assessed. Cars will park to the north and south of the proposed building, with the sole entry and exit onto Mulgrave Street being utilised. Up to 10 staff are to work in the building and will arrive at 9.00am and generally depart at 5.00pm, Monday to Friday. In some instances, crematorium staff may depart later (prior to 10.00pm) if additional usage is required when a crematorium chamber is down for maintenance or the workload requires it. The occasional visitor or light delivery vehicle will occur during the day. All vehicle activities occur within the "daytime" period outlined in the PNCC District Plan. It was assumed that all staff would arrive or depart in a worst case 15-minute period (10 vehicle movements). Calculations of light vehicles moving through the site based on a sound level of a vehicle drive-by having an SEL of 71 dB  $L_{AE}$  at 10 metres were undertaken. The acoustic fence along the boundary of the accessway and 98 Mulgrave Street was incorporated into this modelling. The predicted noise is provided in the table below;

| Property Address    | Distance to Boundary, m | Predicted Noise Level (dB $L_{Aeq}$ ) | Noise Limit (dB $L_{Aeq}$ ) | Compliant? |
|---------------------|-------------------------|---------------------------------------|-----------------------------|------------|
| 106 Mulgrave Street | 42                      | 34                                    | 50                          | Yes        |
| 88 Mulgrave Street  | 55                      | 33                                    | 45                          | Yes        |
| 97 Mulgrave Street  | 26                      | 36                                    | 45                          | Yes        |
| 98 Mulgrave Street  | 4                       | 39                                    | 45                          | Yes        |
| 167 Wyndham Street  | 120                     | 30                                    | 50                          | Yes        |

|                      |    |    |    |     |
|----------------------|----|----|----|-----|
| 73 Winchester Street | 55 | 33 | 45 | Yes |
| 83 Winchester Street | 72 | 32 | 50 | Yes |
| 102 Mulgrave Street  | 42 | 34 | 50 | Yes |
| 114 Mulgrave Street  | 42 | 34 | 50 | Yes |

The table above demonstrates that the noise from traffic is predicted to be within noise limits at the site boundary of adjacent residential zones and at the notional boundary of any dwellings within the rural zone.

The total noise emissions from the proposed building, when activities in the workshop occur concurrently with the operation of the crematorium along with the kennels, against the existing noise generated by the existing kennels and cattery on site has also been assessed. Noise levels of the kennels and cattery onsite are outlined in table 4.3 of the report. the cumulative increase in noise levels at adjacent sites due to the inclusion of the proposed crematorium and workshop are provided in the table below

| Property Address     | Predicted Increase in Noise Level (dB L <sub>Aeq</sub> ) at notional boundary | Predicted Increase in Noise Level (dB L <sub>Aeq</sub> ) at site boundary | Property type    |
|----------------------|---|---|------------------|
| 106 Mulgrave Street  | 0   | 0   | Rural            |
| 167 Wyndham Street   | 0   | 0   | Rural            |
| 114 Mulgrave Street  | No notional boundary  | 2   | Rural            |
| 88 Mulgrave Street   | -   | 0   | Residential      |
| 97 Mulgrave Street   | -   | 0   | Residential      |
| 98 Mulgrave Street   | -   | 0   | Residential      |
| 73 Winchester Street | -   | 0   | Residential      |
| 83 Winchester Street | 10  | <1  | Rural Commercial |
| 102 Mulgrave Street  | 0   | 0   | Rural Commercial |

It is proposed that the acoustic fence described in Section 4.2.1 of the report will be installed along the boundary of the site.

Overall, the key findings of the assessment were as follows:

- Noise from the workshop operating only, achieves the recommended noise limits at the boundary of any residential zone and notional boundary of any dwelling in the rural zone at all properties.
- Noise from the workshop operating concurrently with the crematorium achieves the recommended noise limits at the boundary of any residential zone and notional boundary of any dwelling in the rural zone at all properties.



- Regarding compliance with the noise limits in the Palmerston North City Council District Plan. The areas of land where noise limits are exceeded are used for pasture/grazing of animals and a stream runs through a portion of this land. Thus, no residential dwellings are currently in this area. In addition, 83 Winchester Street is used for a nursery and 102 Mulgrave Street is used for an abattoir, which are commercial activities, and so not noise sensitive.
- In addition, the change in the overall noise generated by the site is predicted to be imperceptible at all sites, apart from a small area of the nursery (located at 83 Winchester Street), and the adjacent unoccupied site (114 Mulgrave Street). The areas which experience a perceptible change in noise level at both properties are largely screened from the existing noise from the kennels by the existing buildings on site but will be subject to some direct noise impact from the proposals. However, the predicted level of noise resulting from the existing site activities and proposal is low enough that even with this change in noise level, the magnitude of noise is predicted to be acceptable and is within the proposed project noise limits;
- On the basis of the assessments presented within this report, noise as a result of the crematorium and workshop on the site is not considered to be a material constraint to the reasonable operation of the facility.

Noise will be mitigated by constructing an acoustic fence along the boundary of the site and 98 Mulgrave Street. The acoustic fence shall comply with the following minimum specifications:

- Height: 1.8 metres (min.)
- Surface mass: 10 kg/m<sup>2</sup> (min.)
- The fence shall be constructed and maintained such that there are no gaps or cracks in the fence. Where timber is used, the paling shall be overlapped by a minimum of 25 mm or a board and batten system implemented. A sleeper rail will be required sealing the bottom of the fence to the ground.
- If timber is used, this would be constructed of 25 mm pine (or equivalent) to resist warping.

Based on the above mitigation and the assessment contained in the report, I consider the noise effects will be **less than minor**.

### 5.3 Landscape and Visual Amenity Effects

The proposal will result in the introduction of one 500m<sup>2</sup> Totalspan building with four cremator stacks at 10m high, a 20-foot shipping container, and hardstand areas by way of a driveway to the building and a carparking and loading area. A Landscape and Visual Amenity Assessment, prepared by WSP and attached as Appendix D, assessed the landscape and visual impact of the proposal. It outlines the existing environment, the proposed development and the impact of physical landscape and the visual amenity.

The existing landscape and visual character and visual catchment are described above in section 3.4. Landscape effects arise from physical changes to the site and changes in overall landscape character / identified landscape values brought about by development. Physical changes may change a site's character and its appearance. This may in turn affect the perceived value ascribed to the landscape. The magnitude of landscape change is described below:

- In terms of landform effects, the proposal will require earthworks limited to building platforms, timber noise fences, accessway and carparking/loading areas. Due to the flat landform, this area does not require significant landform modifications to construct the building and accessway. It is therefore considered that the landscape character of the Site is not vulnerable to change from earthworks. The proposed changes will not result in significant cut and fill batters, and within the immediate and wider rural landscape the effects on landform will be Low.

- With respect to landcover, vegetation on the Site is of low value due to the degree of historic modification/land clearance practices. The Site is now predominantly grass with exotic trees and shelterbelts dispersed throughout the Site. Given that there is no vegetation removal apart from the grass onsite, the proposal is considered to have a Very Low effect on the Site.
- Regarding effects on land use character, surrounding land use activities to the north and west largely relate to rural lifestyle activities. Contrasting with the rural land use pattern are the urban residential and commercial activities to the east and south of the Site. These include commercial buildings, storage facilities, carparks/laydown areas and sheds. Within this setting, structures such as farm sheds and barns are generally accepted as components of the rural environment. The design of the proposed buildings and timber noise fence will be compatible with other buildings commonly found in the rural landscape. The scale and massing of the buildings, particularly the roof shape and pitch, is designed to avoid forms which would be out of character with the landscape. The compact footprint of the proposal will ensure a sense of rural spaciousness and rural character is retained which will provide the proposal with an appropriate and acceptable level of integration into the rural landscape. The development proposes to introduce a commercial land use activity. Given the proximity to commercial/industrial activities such as the plant nurseries and the Ashhurst Transfer Station, the ability of the landscape to accommodate similar landscape elements and features of a more urban character is high. The proposal and its position on the transition between an urban and rural landscape is therefore consistent with the land use patterns of both the urban and rural landscapes. Overall, the degree of change is small enough to be in keeping with the surrounding landscape character and the proposal will have on balance a Moderate - Low effect on the assorted landscape character.
- In terms of effects on views and visual amenity four viewpoint locations (shown in figure 6-1 of the report) were identified as the most representative viewpoints were chosen according to:
  - Location and context of a specific viewpoint (how the proposed changes will conflict or contrast with their context).
  - Number of potential viewers (for example, the rural landscape will have a small number of sensitive viewpoints spread throughout a large area).
  - Degree of visibility (whether there are screening effects or not).
  - Distance from the Site (for viewpoints over 1 km from the Site the perceived visual changes will diminish rapidly).
  - Where most change is anticipated as well as the sensitivity of the viewpoint.
- The visual effect on viewpoint 1 was deemed to be very low given the distance to the site intervening vegetation and orientation. The visual effect on viewpoint 2 was moderate – low as the development will be noticeable but screen planting and the use of low reflective recessive colours will mitigate this. The visual effect on viewpoint 3 was low as there will be a noticeable change in traffic. The visual effect on viewpoint 4 was very low given their views are elevated and screened by shelterbelts, buildings, and amenity plants and hedges.

Mitigation by way of screen planting and the use of appropriate low reflective, dark green or black colour finishes (such as Resene FlaxPod or Resene Karaka or similar) for the structures will reduce the visual effects of the proposed buildings, reduce the scale of the stacks from views along Winchester Street, help blend the buildings into the background of the surrounding landscape, ensure the contrast between vegetation patterns and structures are reduced, and the reduce the visual dominance of the structures. The proposed screen planting is shown in the Landscaping Plan attached as Appendix A.

The key conclusion of the report is; while the proposed buildings will have a Moderate – Low effect on a small number of viewers in proximate to the Site, the overall effect of the proposal is not considered to have any significant adverse visual effects on the viewing audience within the surrounding landscape and will not substantially alter the existing visual amenity or landscape



character of the rural landscape. Overall, the landscape and visual effects of the proposal, with the proposed mitigation are assessed as Very Low.

Based on the above, I consider the landscape and visual effects will be **less than minor**.

#### 5.4 Construction Effects

As with all construction projects, there are short term construction effects that occur. These construction effects are a temporary increase in movements to and from the site to deliver construction materials and a short-term increase in construction related noise and dust effects. These effects are temporary in nature and can be avoided or mitigated through routine site management measures. For example, construction noise will be managed to not exceed the limits recommended in NZS 6803:1999 Acoustics – Construction Noise. Construction hours will be kept to between 7am and 5pm Monday to Saturday with no construction work to take place on Sundays or public holidays. Dust will be managed with water sprinklers should this become necessary due to dry conditions.

Based on the above, the extent of construction effects will be **less than minor**.

#### 5.5 Rural Land Resource Effects

The proposal will occur on a Rural Zone site, which could result in the loss of a rural soil resource. The impact of this has been outlined in a memorandum by a WSP Rural Consultant and attached as Appendix B.

A site visit was undertaken on 15<sup>th</sup> October 2020 approximate 36 hours after rainfall. A soil profile was exposed by digging a hole with a spade. Based off the site observations and the soil assessment a LUC classification of the proposed site was deemed to be a class 3. Key reasonings behind this classification assessment are highlighted below.

- The presences of clay within the texture. A clay textured soil is unfavourable soil characteristic for class 1 and 2 land but can appear in class 3 land.
- Wetness of the soil and the fact that it was not a slight wetness after drainage limitation but rather a waterlogged soil. Indication of the soil being waterlogged are the presences of mottles throughout the soil profile.
- The fact that the soil remains waterlogged, limits the versatility of the land. Therefore, leading to a moderate limitation to arable land uses. Thus, restricting the choice of crops and the intensity of cultivations.

Given that the area to be impacted by the proposed building does not contain highly versatile land I consider the effects on the soil resource to be **less than minor**.

#### 5.6 Natural Hazard Effects

The proposal will result in the construction of a non-habitable building in a 'Flood Prone Area' and near the unnamed stream on site, which is designated for 'flood control purposes including ongoing stopbank system maintenance and repair' and has a Schedule B Value of 'Flood Control Drainage'.

Regarding the buildings proposed, these meet permitted performance standards in rule R22.6.1.1 of the District Plan as they are no wider than 15m in width and are located more than 20m from the existing habitable structure onsite. This ensures that the flood risk associated with constructing non-habitable buildings in a Flood Prone Area is reduced.

In terms of the designation and Schedule B Value, the building, hardstand area and all earthworks will be setback 8m from the landward toe of the stopbank. This is in line with permitted performance standards set out in rule 17-15 of the One Plan, which controls activities affecting the Schedule B Value of 'Flood Control and Drainage'.

Based on the above, it is considered the natural hazard effects of the proposal are **less than minor** as the buildings meet permitted standards for rules in both the District and Regional Plan which control use and development in areas where flood risk is present.

## 5.7 Amenity Effects

The subject site is adjacent to rural and residentially zoned sites where a certain level of amenity is expected. Amenity values means those natural or physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes. As noted by the Courts *it is important to appreciate that factors such as pleasantness, aesthetic coherence, and cultural and recreational attributes are not absolute values that members of the public appreciate to a greater or lesser extent. Rather, the definition of amenity embraces a wide range of elements and experiences, and appreciation of amenity values may change depending on the audience: Phantom Outdoor Advertising Ltd v Christchurch CC EnvC C090/01; Prema Trust Ltd v Auckland RC EnvC A140/04*. It is submitted and acknowledged that some people are likely to have strong perceptions in relation to crematoria. Some guidance in relation to concerns was gained through the consultation undertaken, see section 9 of this report for more detail

Various aspects that contribute to amenity are discussed below.

As noted, a resource consent for discharge to air is to be sought from the Regional Council. This application will assess and determine effects in relation to air quality standards. The relevant air quality standards protect both human and health and the wider environment. An assessment of the current and future crematoria has been commissioned and will support that application. There may be a potential visual impact is understood to be a 'heat shimmer' from the top of the stack in some circumstances, however proposed screening will assist in mitigating visibility.. Air quality is not a district matter, nonetheless it is considered this is relevant given people's pre-existing perceptions of crematoria, their release of contaminants, odour and smoke, and the associated effect this may have on people's perception of amenity.

Transport impacts, noise emissions and impacts on landscape and visual amenity are recognised as having the potential to impact rural and residential amenity. The transport, noise, and landscape and visual amenity effects and each matters' impact on rural and residential amenity is discussed below:

- Regarding transport, the TIS reports that due to the kennels, the vehicle crossing movements will exceed the permitted 100 car-equivalent vehicle movements per day but will not exceed 200. In addition, given the site will serve two activities, the vehicle crossing and accessway do not currently meet width requirements in the District Plan. To mitigate traffic effects, the vehicle crossing and accessway will be upgraded to be 5.5m wide, a speed limit on the accessway will also be enforced along with restricting hours of operation to 7am to 7pm. Further, the kennels will start to offer a pick-up service, which if fully utilised would reduce the total number of vehicle movements at the access (by 18 trips per hours two-way in the morning peak hour). Based on the above, it is considered traffic will not detract from surrounding properties' rural and residential amenity as traffic impacts will be largely mitigated and only experienced during certain hours of operation and days of the week where typically residents are away or preparing to leave their homes;
- In terms of noise, WSP's Acoustic Engineer proposed noise limits for a reasonable level of noise based on the Palmerston North City Council District Plan, New Zealand Standard NZS 6802:2008, and World Health Organisation Guidelines for Community Noise. These proposed limits reflect that limits set out in the District Plan are general, not specific to the particular land use and do not reflect that surrounding sites' noise sensitivity varies. It was found that with the workshop and crematorium operating concurrently noise emissions are predicted to achieve the proposed noise limits at the site boundary of all residential zones

(with the exception of 114 Mulgrave Street) and the notional boundary of all dwellings in the rural zone, and the site boundary of rural zoned sites which are commercial in nature. Regarding 114 Mulgrave Street, there is no dwelling on this site so there is no assessment location. The predicted noise levels at 83 Winchester Street, 102 Mulgrave Street and 167 Wyndham Street however these exceedances are not expected to be significant given the commercial nature and lesser noise sensitivity of 83 Winchester Street and 102 Mulgrave Street. Where elevated noise levels are experienced at 167 Wyndham Street, 102 Mulgrave Street, and 114 Mulgrave Street there are no residential dwellings and the land is used as pasture for stock and in places has a stream running through it. The change in overall noise generated by the site is predicted to be imperceptible at all sites apart from a small area of the nursery (at 83 Winchester Street) and the adjacent unoccupied site (at 114 Mulgrave Street). The predicted level of noise resulting from the existing site activities and proposal is low enough that even with this change in noise level, the magnitude of noise is predicted to be acceptable and is within the proposed project limits. Based on this, it is considered noise emissions will not detract from surrounding properties' rural and residential amenity as noise will be a reasonable level of noise.

- Regarding landscape and visual amenity effects, the LVA reported that while the proposed buildings will have a moderate to low effect on a small number of viewers in proximate to the site, the overall effect of the proposal is not considered to have any significant adverse visual effects on the viewing audience within the surrounding landscape and will not substantially alter the existing visual amenity or landscape character of the rural landscape. This is due to the building proposed being constructed to match that of a rural shed and painted in a low reflective dark colour (such as Resene FlaxPod or Resene Karaka or similar) to blend in with the surrounding landscape. It is also due to the existing and proposed planting on site that will largely screen the building from all viewpoints. Based on the above, it is considered the landscape and visual amenity will not affect surrounding properties' rural and residential amenity as the proposed buildings will largely blend in with the surrounding environment and be largely screened.

All reports contained recommended mitigation measures to address potential effects, which the applicant has adopted. Mitigation proposed is upgrading the vehicle crossing and access, enforcing hours of operation and a speed limit on the accessway, constructing an acoustic fence at the boundary shared by 98 Mulgrave Street, screen planting of the shed housing the cremator units and stacks, constructing the shed to match the appearance of a rural shed, and painting it in a low reflective dark green or black colour (such as Resene FlaxPod or Resene Karaka or similar). These mitigation measures will ensure transport, noise and landscape and visual amenity effects are all less than minor and by extension there will be no adverse impact on surrounding properties' rural and residential amenity.

While no specific cultural values assessment has been undertaken, correspondence from Rangitane o Manawatu (attached as Appendix H) indicated that the response was around general support for the proposal and supporting the approach of having a garden type space for whanau.

On balance, considering the pre-existing perception some people have of crematoria and the level of effects associated with traffic, noise, and landscape and visual amenity which can affect surrounding properties' amenity, I consider the effects on rural and residential amenity will be no more than minor.

## 5.8 Contaminated Land Effects

The PSI undertaken identified some potential sources of contamination, based on review of historical information. Recommendations include sampling prior to disturbance of the area to quantify potential contaminants. Following sampling, depending on the findings, suitable management can be put in place, this may be in the form of suitable PPE protection or other protocols during earthworks or removal of material from the site.

With suitable controls in place, based on the sampling, it is submitted that potential effects from the earthworks and change in land use will be less than minor.

## 5.9 Assessment of Environmental Effects – Summary

A range of potential effects have been identified including transport, noise, landscape and visual amenity, construction, rural soil resource, natural hazard, amenity and contaminated land.

Transport effects have been assessed, taking into account the proposed upgrade of the existing access to comply with District Plan Standards along with mitigation including enforced speed limits and hours of operation, the transport effects are considered to be less than minor.

A noise assessment has been undertaken; a conservative approach has been taken in terms of the assessment but recognises that some breaches of the District Plan standards at the boundary could potentially occur. Taking into account the existing environment, the report considered that for surrounding properties the change in potential noise generation is expected to be barely perceptible. Various mitigation is recommended, this will be achieved in part through the implementation of the management plan to ensure the crematoria are kept in good working order and the erection of an acoustic fence. Noise effects are considered to be less than minor.

Landscape and visual effects are assessed as being less than minor, taking into account the proposed mitigation of colour choice (Resene FlaxPod or Resene Karaka or similar has been recommended) for the proposed buildings and screen planting.

Construction effects will be temporary in nature and managed so the effects will be less than minor.

A soil survey confirmed that the area where the cremators and associated building will be located are not considered to be highly versatile and impacts on the loss of soil resource are less than minor.

Wider amenity effects have been discussed, noting that for a number of these standards are in place in the District Plan and assessment against these is given. Noise, transport and landscape effects in relation to amenity have been discussed. An Air Quality Report is currently being prepared, which will make an assessment against the relevant air quality standards. It is understood the only potential visual impact could be a 'heat shimmer' from the top of the stack in certain circumstances. It is acknowledged however, that amenity values to an extent depend of the viewer and there are some who have perceptions in relation to crematoria. The applicant has put forward a range of mitigation measures that relate to amenity. On balance it is considered that potential effects on amenity are no more than minor.

Natural hazard effects have been assessed as less than minor given the buildings proposed meet permitted standards for rules in both the District and Regional Plan which control use and development in areas where flood risk is present.

A PSI has been undertaken, based on an examination of historical records potential sources of contamination were identified. Recommendations for testing prior to earthworks are accepted, results of testing would be used to determine what, if any, suitable protocols would need to be in place during earthworks. Potential effects can be managed so as to be less than minor.

## 6 Proposed Mitigation

The following mitigation is proposed:

- Prior to operation of the crematorium business the existing access shall be upgraded to comply with R20.4.2(a)(vi) of the District Plan.

- A Management Plan (attached as Appendix E) shall be implemented, which will enforce a speed limit on the driveway, standard hours of operation for activities on site, and other methods of mitigating effects.
- An acoustic fence will be installed along the boundaries with 98 Mulgrave Street.
- Screen planting will be undertaken and appropriate low reflective, dark green or black colour finishes will be used for the buildings. See plan attached as Appendix A for details.
- Construction noise will be managed and construction hours limited to between 7am and 5pm Monday to Saturday. The site will also be watered to avoid dust if conditions are dry.
- Prior to earthworks being undertaken at the site, soil samples will be taken and tested in accordance with the PSI submitted with consent application. Results will be provided to PNCC along with recommendations for suitable protocols to be undertaken. The recommendations will be prepared by a suitably qualified person.

## 7 Statutory Considerations

### 7.1 Overview

This section outlines the statutory and planning provisions that are relevant to the proposal. The assessment against the relevant documents generally follows the hierarchy of those documents as shown below.

As set out above in section 2.2 of this AEE, Section 104 of the RMA applies to the consideration of resource consent applications. Section 104 is:

#### ***104 Consideration of applications***

- (1) *When considering an application for a resource consent and any submissions received, the consent authority must, subject to Part 2, have regard to -*
  - (a) *any actual or potential effects on the environment of allowing the activity;*
  - (ab) *any measure proposed or agreed to by the applicant for the purpose of ensuring positive effects on the environment to offset or compensate for any adverse effects on the environment that will or may result from allowing the activity; and*
  - (b) *any relevant provisions of -*
    - (i) *a national environmental standard;*
    - (ii) *other regulations;*
    - (iii) *a national policy statement;*
    - (iv) *a New Zealand coastal policy statement;*
    - (v) *a regional policy statement or proposed regional policy statement;*
    - (vi) *a plan or proposed plan; and*
  - (c) *any other matter the consent authority considers relevant and reasonably necessary to determine the application.*
- (2) *When forming an opinion for the purposes of subsection (1)(a), a consent authority may disregard an adverse effect of the activity on the environment if a national environmental standard or the plan permits an activity with that effect.*



(2A) ...

An assessment of the actual or potential effects on the environment has been undertaken in Section 5. The extent to which the proposed resource consents can satisfy Section 104(1)(b) and (c) and Part 2 of the RMA is considered below.

## 7.2 National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NESC)

The site has previously been used as a market garden, which is listed on the Hazardous Activities and Industries List, but the site is not on the registered HAIL list. The proposal will result in disturbance of the soil (to form appropriate footprints for the building and hardstand areas) and a change in land use thus the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NESC) applies.

The land disturbance is required to form appropriate footprints for the building and hardstand areas. The volume will exceed 25m<sup>3</sup> per 500m<sup>2</sup>, a total of approximately 1,666m<sup>2</sup> area to a depth of approximately 275mm would be undertaken. Disturbance activities will occur for no longer than 2 months and the soil will be reinstated to an erosion-resistant state within 1 month after completion.

A PSI has been commissioned by the applicant and is attached as Appendix G. Based on review of geological and environmental maps, historical aerial photographs and Palmerston North City Council Property Files it was found that the development area on the site has not been used for horticulture. However, potential sources of contamination include agrichemical application, potential fuel storage in the 1960's and potential asbestos contamination from renovations to historic buildings. The PSI recommends that some sampling be completed to quantify the contamination (if any) from these potential sources:

- Five OCP and metals analysis of near surface soils within the proposed footprint of the development and car park area.
- One hand auger to 1m depth downstream of the old above ground storage tank.
- A surface soil sample for % w/w asbestos in the car park footprint near to the chemical storage shed that was renovated in 2010.

Given land disturbance in excess of permitted volumes and a change in land use is proposed without a Detailed Site Investigation, a consent is required for a discretionary activity pursuant to regulation 11(1) of the NESC. It is proposed the testing recommended in the PSI is undertaken before earthworks commence and if unsafe levels of contaminants are found to be present then specific site management methods would be proposed and implemented. It is expected this would be added as a condition of consent.

## 7.3 National Policy Statement on Urban Development

The National Policy Statement on Urban Development 2020 (NPS UD) came into effect on the 20<sup>th</sup> of August 2020. It requires District Councils to remove rules requiring a minimum number of carparks from their District Plans. It does not prevent the District Plans from including rules requiring a minimum number of accessible carparks and parking dimensions or manoeuvring standards.

There will be parking associated with the new total span building, given the size of the area it is considered there will be sufficient room for maneuvering and an accessible carpark can be allocated if required.

## 7.4 Proposed National Policy Statement for Highly Productive Land

The Proposed National Policy Statement for Highly Productive Land is likely to take effect in the first half of 2021. The purpose of the policy statement is to:

- recognise the full range of values and benefits associated with its use for primary production
- maintain its availability for primary production for future generations

- protect it from inappropriate subdivision, use and development.

The site is within the rural zone and part of the site contains highly versatile land (Class 2). The proposal will limit the use of these into the future. The site has been selected by the applicant as it reflects the characteristics they wish to project to clients (natural, family owned, etc.), the area where the buildings will be sited are on the least productive soils on the site.

In relation to the potential use of the remaining site the soils/land assessment noted the following – The potential limitations of the property for other land use purposes such as market garden were also discussed in the memorandum as follows:

- Although the Ashhurst area has historically been known for market gardens, this property currently has horses grazing. The site for the pet crematorium is also not suitable for vegetable growing due the soil wetness limitation.
- If this property was to potentially look at land use change to market gardens in the future, only 2.2 ha of land is suitable. This would create difficulties in creating a viable business.
- If market gardening was to occur on this site in the future, there are several limitations which have the potential to effect neighbouring properties. These limitations are highlighted below:
  - Chemical spray drift from herbicides and insecticides,
  - Machinery noise throughout the year,
  - Sediment loss as a result of bare soil may lead to large amount of dust being produced,
  - Soil on roads from machinery,
  - The introduction of odour throughout the year from different organic and or synthetic fertilisers.

Based on the location of the proposed buildings there is no inconsistency with the proposed NPS for highly productive land.

## 7.5 Horizons One Plan – Regional Policy Statement

The Regional Policy Statement (RPS) is a policy document which considers all the regionally significant resource management issues and provides objectives, policies and methods to address those issues. It sets out how natural and physical resources are to be managed in an integrated way to promote sustainable management.

### 7.5.1 Chapter 2 – Te Ao Maori

The objectives and policies in Chapter 2 relate resource management and fostering hapu and iwi involvement in resource management. These policies are primarily aimed at the Regional Council but are relevant when preparing consent applications as consultation with iwi will allow for greater understanding of issues of concern.

As discussed elsewhere in this report, the applicant has reached out to representatives of Rangitane o Manawatu and Ngati Raukawa. At the time of preparing this application no comment had yet been received from Ngati Raukawa.

Correspondence from Rangitane o Manawatu (attached as Appendix H) indicated that the response was around general support for the proposal and supporting the approach of having a garden type space for whanau.

Based on comments received to date there is not considered to be inconsistency with the intent of Chapter 2. Further comment from Ngati Raukawa when received may assist further with this assessment.

### 7.5.2 Chapter 7 – Air

Objective 7-1 of the One Plan requires that a standard of ambient air quality is maintained that is not detrimental to amenity values, human health, property or life-supporting capacity of air and meets the national ambient air quality standards.

The supporting policy 7-1 requires that National Environmental Standards be adopted for ambient air quality standards.

Objective 7-2: relates to Fine particle (PM10) levels, the subject site is not within a defined airshed and therefore Objective 7-2(b) is relevant and requires ongoing compliance with the national ambient air quality standard for PM10.

In accordance with Policy 7-2, in addition to the NES air quality standards, relevant matters from Table 7.3 in relation to this activity would include odour, dust, smoke and water vapour, gases and other airborne contaminants. For each of these essentially it is required that effects are not adverse beyond the property boundary.

Policy 7-3 relates to the regulation of discharges to air and Policy 7-4 requires consideration of incompatible land uses.

As noted, a resource consent for Discharge to air (as a defined industrial or trade premise) pursuant to Rule 15-17 is to be sought from the Regional Council. This application will assess and determine effects in relation to air quality standards. Emission testing and assessment of the current and future crematoria has been commissioned and will support that application.

In relation to incompatible land uses, it is acknowledged that crematoria are a permitted activity within Industrial Zoned land within the Palmerston North District. The LVA notes the general land use pattern in the surrounding area, and this includes Ashhurst transfer station, the nursery and other industrial properties – a number of these sites adjoin both residential and rural zoned land.

It is also acknowledged there can be strong perceptions in relation to potential effects associated with crematorium. In general terms it is understood that crematoria that are correctly maintained and operated are considered to be ‘clean burning’ and in this case less likely to emit contaminants that could be considered to be more persistent (e.g. mercury) compared to crematoria that provide services for people. With a sufficient buffer surrounding the building, as is provided here, it is submitted that that activity, as a matter of course, is incompatible with existing surrounding land use. The application to the Regional Council will address matters in relation to potential contaminants and effects beyond the property boundary.

### 7.5.3 Chapter 9 – Natural Hazards

Objective 9-1 is the adverse effects of natural hazard events on people, property, infrastructure and the wellbeing of communities are avoided or mitigated.

Supporting Policy 9-2 which outlines how development in areas prone to flooding is to be managed. As identified above the District Council Plan maps identifies that the land on which some of the buildings are to be located is ‘flood prone’ land. The area is not within a Floodway as mapped in Schedule J of the One Plan. Accordingly, the following paragraph of Policy 9-2 is considered applicable –

*b. Outside of a floodway mapped in Schedule J the Regional Council and Territorial Authorities must not allow the establishment of any new structure or activity, or an increase in the scale of any existing structure or activity, within an area which would be inundated in a 0.5% AEP (1 in 200 year) flood event unless:*



*i. flood hazard avoidance is achieved or the 0.5% AEP (1 in 200 year) flood hazard is mitigated, or*

*ii. the non-habitable structure or activity is on production land, or*

*iii. there is a functional necessity to locate the structure or activity within such an area,*

*in any of which cases the structure or activity may be allowed.*

In this case the structures associated with the crematorium are non-habitable and the activity is on production land. Both the Regional Plan and District Plan have rules relevant to giving effect to this policy. The building to house the Soul Friends business operation will be situated in a mapped Flood Prone Area. Permitted performance standards in the District Plan for non-habitable buildings in Flood Prone Areas can be met. Further, the building is setback in accordance with the permitted performance standards in the One Plan for activities affecting Schedule B Value of 'Flood Control Drainage'. The activity is considered consistent with the objective and relevant supporting policy

#### 7.5.4 Palmerston North City Council District Plan

Below are the relevant objectives and policies from the PNCC District Plan and an assessment of the proposed activities consistency with them.

| City View Objectives   |  |
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| Objective  | Assessment   |
| <b>12. A wide range of business and economic activities are provided for</b> | <p>This objective is considered to be an enabling objective. The Council does want to provide for businesses. However, the counter to this is that currently crematoria are allowed for as a permitted activity in the Industrial Zone.</p> <p>Basing the site in the proposed location takes into consideration a number of factors. In the first instance the site is already owned by the applicant, therefore the capital cost of purchasing another site (potentially industrial site) is avoided.</p> <p>There are limited opportunities for other business activities, given the size of the property. This is discussed in the land use assessment and memorandum prepared by Simon Barnes (attached as Appendix I).</p> <p>It is acknowledged that crematoria are allowed for as permitted activities on Industrial zoned sites. The applicant investigated industrial sites as an option, but these did not easily create the type of feel that is part of the intention of the move. There would also be further capital cost associated with purchasing an industrial site.</p> <p>Based on the above, it is considered the business should be provided for.</p> |

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| <p><i>15. Active engagement from tangata whenua within resource management decisions.</i></p>   | <p>The applicant has contacted both Rangitāne o Manawatū and Ngāti Raukawa ki te Tonga to outline the proposal.</p> <p>At the time of preparing this application a response from Rangitane o Manawatu had been received, no objection to the application was noted (as attached). It was noted there was general support for the memorial garden.</p> <p>Based on the above, it is considered the application is consistent with objective 15.</p>   |  |
| <p><i>17. The natural and cultural heritage features of the City are preserved and enhanced, including the margins of the Manawatu River and sites of significance to tangata whenua.</i></p>                             | <p>The notable tree identified on the property will not be affected by this proposal.</p> <p>The waterbody running through the property is a tributary of the Manawatu River. The Manawatu River and its tributaries are a part of the Rangitāne o Manawatu Statutory Acknowledgment. Consultation with Rangitāne identified no objection and they stated they were in support of the memorial garden.</p> <p>Based on the above, it is considered the proposal is consistent with achieving this objective.</p> |  |
| <p><i>19. The effects of natural hazards are avoided or mitigated taking into account the effects of climate change and the significant social disruption caused by natural hazard events.</i></p>                        | <p>The building to be constructed to house Soul Friends meets the permitted performance standards for non-habitable buildings in Flood Prone Areas. It also meets the permitted performance standards for activities occurring near waterbodies identified as having Schedule B Value of 'Flood Control Drainage'.</p> <p>Based on this, it is considered the proposal is consistent with this objective.</p>  |  |
| <p><i>23. Infrastructure operates in a safe and efficient manner, and the effects of activities which could impact on the safe and efficient operation of this infrastructure are avoided, remedied or mitigated.</i></p> | <p>The TIS, attached as Appendix C, found that effects on the roading network would be less than minor.</p>  |  |
| Rural Zone  |  |  |
| Objective   | Policy   | Assessment   |
| <p><b>Objective 2</b></p> <p><i>To encourage the effective and efficient use and development of the natural and physical resources of the rural area.</i></p>   | <p><i>2.1 To avoid, remedy or mitigate the adverse effects of activities on land of high productive capability and versatile soils.</i></p> <p><i>2.2 To ensure that the adverse effects of activities in the rural area are avoided,</i></p>  | <p>The soil/land assessment confirms there is some highly versatile soil on the property but the areas to be impacted by the proposed buildings are not considered to be highly versatile. There are constraints to the potential use of</p> |

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|                    | <p><i>remedied or mitigated such that the amenities of the area and nearby urban areas are maintained.</i></p> <p><i>2.3 To control the actual or potential environmentally adverse effects of activities in the rural area, including the adverse effects of:</i></p> <ul style="list-style-type: none"> <li>• <i>Odour;</i></li> <li>• <i>Noise</i></li> <li>• <i>Traffic;</i></li> <li>• <i>Visual impact.</i></li> </ul> | <p>the versatile soils on the property in part due to the size of the site.</p> <p>The LVA undertaken recommended planting be undertaken to reduce potential effects on nearby areas, given the location within the site views are likely to be limited and can be mitigated by the proposed planting and colour choice for the building.</p> <p>An air quality report, currently being prepared to support the Regional Council application, will confirm the visual effects from the cremator stacks and compliance with applicable air quality standards also ensures public health.</p> <p>Odour is unlikely to be generated from operation of correctly maintained equipment. The management plan outlines details of maintenance for the cremators.</p> <p>Noise has been assessed, while there will be some breaches of the District Plan noise standards at the property boundaries effects on sensitive receivers are assessed as being less than minor.</p> <p>Traffic effects are deemed to be less than minor, taking into account the proposed upgrade to the existing crossing and enforcement of a speed limit on the driveway.</p> <p>As above visual impacts are considered to be very low taking into account the proposed mitigation.</p> <p>It is considered that the proposal is consistent with Objective 2 and supporting policies.</p> |
| <b>Objective 3</b> | <p><i>3.1 To provide for the health and safety of rural dwellers</i></p>   | <p>As above, some potential breaches to the noise standards at the boundary will occur when two</p>  |

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| <p><b><i>To maintain or enhance the quality and natural character of the rural environment.</i></b></p>   | <p><i>by establishing specific noise limits for the rural area.</i></p> <p><i>3.3 To control the adverse visual effects on the rural environment (including effects on rural dwellers) of activities that disturb the land surface, introduce buildings, remove and/or process natural material.</i></p> | <p>cremators and the woodworking facility are operating. However, effects at the notional boundary are considered to be less than minor.</p> <p>Mitigation is proposed, in the form of the management plan and acoustic fencing.</p> <p>The proposed activity will introduce a new building to the site; however, this building complies with the relevant permitted activity standards. The type of building proposed, as well as recommendation in terms of colour have been assessed as being in keeping with the rural character of the site.</p> <p>The proposal is considered to be consistent with Objective 3 and supporting policies.</p> |
| <p><b>Objective 4</b></p> <p><b><i>To recognise and enhance the diversity of the rural community</i></b></p>  | <p><i>4.1 To permit a variety of land-based activities subject to control of their adverse environmental effects.</i></p> <p><i>4.3 To allow a range of other activities where their adverse effects can be avoided or mitigated.</i></p>  | <p>In a similar vein to the City view objectives, this policy is considered to be enabling – allowing a range of land uses provided the adverse effects can be controlled.</p> <p>Potential environmental effects are discussed in the various technical reports that support this application, and the proposed mitigation measures will help to ensure potential adverse effects are avoided or mitigated.</p> <p>It is submitted that allowing for the proposal is consistent with this Objective and policy 4-3.</p>   |
| <p><b>Land Transport</b></p>  |  |  |
| <p><b>Objective 1</b></p> <p><b><i>The City's land transport networks are maintained and developed to ensure that people and goods move safely and efficiently through and within the City.</i></b></p> | <p><i>1.1 Identify and apply the roading hierarchy to ensure the function of each road in the City is recognized and protected in the management of land use, development and the subdivision of land.</i></p>   | <p>Vehicle movements to and from the site will at times exceed the permitted standard of 100 car equivalent movements per day. However, the effects on the roading network have been assessed as being less than minor in particular taking into account</p>   |

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|   | <p><i>1.2 All roads in the City have function and design characteristics consistent with their place in the roading hierarchy.</i></p> <p><i>1.8 Convenient, safe and accessible car parking, loading and manoeuvring facilities are available for residents, staff, visitors and customers for all activities without creating congestion or conflicts with moving vehicles, pedestrians or cyclists on adjacent roads.</i></p>   | <p>the proposed upgrade to the existing access.</p> <p>Carparking, loading and manoeuvring for staff, visitors and customers will be achieved.</p> <p>No specific car park number assessment has been undertaken in light of the NPS UD.</p> <p>The proposal is considered to be consistent with objective 1 and supporting policies.</p>   |
| <p><b>Objective 2</b></p> <p><i>The land transport network is safe, convenient and efficient while avoiding, remedying or mitigating adverse effects in a way that maintains the health and safety of people and communities, and the amenity values and character of the City's environment.</i></p> | <p><i>2.1 To restrict the through movement of traffic where the movement has adverse visual, noise and safety effects on adjoining areas by using the roading hierarchy to direct higher volume and heavy traffic movements on identified arterial routes and discouraging this traffic from other areas, such as residential areas.</i></p> <p><i>2.2 To avoid, remedy or mitigate the impact of roads and parking areas on visual amenity values of the community by requiring the provision of landscaping.</i></p> | <p>Impacts on the roading network have been assessed as being less than minor.</p> <p>Further, the parking areas impact on visual amenity values will be mitigated through the use screen planting around the site is general. Given this, the proposal is considered consistent with objective 2 and the relevant policies.</p>  |
| <p><b>Objective 3</b></p> <p><i>The safety and efficiency of the land transport network is protected from the adverse effects of land use, development and subdivision activities.</i></p>  | <p><i>3.1 Avoid, remedy or mitigate the adverse effects of increased traffic or changes in traffic type, which would compromise the safe and efficient operation of any road or level crossing, or the safe and convenient movement of pedestrians and cyclists on roads or at level crossings.</i></p> <p><i>3.2 Require vehicle crossing places and vehicle entrances from public roads to be located, constructed, and maintained to standards</i></p>  | <p>In terms of policy 3.1 and 3.2, the existing vehicle crossing has been assessed in the TIS and it is recommended this be upgraded to meet standards set out in the District Plan. This will be undertaken as part of the proposal. A speed limit will be enforced on the driveway and hours of operation will generally be restricted to 7am to 7pm.</p> <p>As for policy 3.3, the activities to occur onsite will not compromise the land transport network safety as set out in the TIS.</p> |

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|   | <p><i>appropriate to the expected traffic volume, pedestrian movement and speed environment of each road.</i></p> <p><i>3.3 Ensure that buildings and activities do not compromise land transport network safety, including maintaining the necessary clear sight lines for road vehicles at level crossings and road intersections.</i></p> <p><i>3.4 Ensure adequate on-site parking and manoeuvring space is provided for each type of activity in a safe and visually attractive manner.</i></p> <p><i>3.5 Ensure that buildings and activities make provision for adequate and safe on-site loading.</i></p> <p><i>3.6 Control the location, design and extent of advertising signs to ensure that they do not interfere with the safe and efficient use of land transport networks.</i></p> | <p>Parking and loading onsite will be provided for in accordance with the permitted performance standards in the District Plan.</p> <p>One sign will be designed to indicate the businesses on site and will be designed in accordance with the permitted performance standards.</p>  |
| <b>Natural Hazards</b>  |   |   |
| <p><b>Objective 2</b></p> <p><b><i>To control development on land which is or might be adversely affected by natural hazards.</i></b></p> | <p><i>2.1 To exclude development on hazard-prone land where the effects of the hazard cannot be effectively avoided, remedied or mitigated.</i></p> <p><i>2.3 To control subdivision and development within the Flood Protection Zone and within Flood Prone Areas to avoid or mitigate adverse effects of flooding hazards on people, property, infrastructure and the environment.</i></p>  | <p>As stated previously, the building will be positioned in a Flood Prone Area and near the unnamed stream, which is designated for 'flood protection purposes including the on-going maintenance of the stopbanks' and has Schedule B Value of 'Flood Control Drainage'.</p> <p>The building meets permitted performance standards relating to activities affecting Schedule B Value of 'Flood Control Drainage', in the One Plan.</p> <p>Regarding the building's position in a 'Flood Prone Area', it is a non-habitable building and is setback</p> |



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|  |  | <p>approximately 150m from adjacent and downstream habitable buildings.</p> <p>Based on the above, it is considered the proposal is consistent with the objective and policies.</p> |
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#### 7.5.5 Section 104(1)(b) – Relevant Provisions – Summary

This section has outlined the relevant provisions of, and application's consistency with, the National Environmental Standards for Air Quality, NESCS, NPS UD, Proposed National Policy Statement for Highly Productive Land, the Horizon's Regional Council One Plan and Palmerston North District Plan.

In terms of the NESCS, Horizons have advised they do not hold any record of the site being a piece of land where activities described in the HAIL are occurring or have or are likely to have occurred. The applicant has advised that the site was previously used as a market garden and the activity involves a change in land use. A PSI has been prepared, which recommended certain testing be undertaken prior to earthworks commencing. We expect this to be a condition of consent. Given earthworks are proposed in excess of permitted volumes and a change of land use is proposed without a Detailed Site Investigation existing a Discretionary consent is required pursuant to regulation 11(1) of the NESCS.

The NPS UD is relevant in that requirements relating to the number of carparks for developments and activities are to be removed from District Plans. Soul Friends will provide for carparking and loading to meet their business requirements. These spaces and manoeuvring areas will be provided in accordance with District Plan standards.

Regarding the Proposed National Policy Statement for Highly Productive Land, the proposal involves a change of land use for a Rural Zone site. Given the site's size and current use it is considered the land's potential for productive use is already diminished. The area to be impacted by the proposed building contains soils that are not as highly versatile.

The relevant One Plan objectives and policies relate to air quality and natural hazards. A resource consent application to Horizons is required and being sought. Regarding natural hazards, the building will be setback in accordance with permitted performance standards for activities affecting the Schedule B Value of 'Flood Control Drainage'.

In terms of the District Plan; objectives and policies contained in the City View, Rural Zone, Land Transport and Natural Hazards sections of the District Plan are relevant to the proposal. The assessment has found that the proposal is consistent with them and in all instances mitigation measures such as screen planting can be implemented such that the proposal is consistent with them.

#### 7.6 Section 104(1)(c) – Other Matters

Section 104(1)(c) is to have regard to any other matter the consent authority considers relevant and reasonably necessary to determine the application. Council are in the process of commissioning technical reports and exploring a plan change to rezone the neighbouring rural allotment from rural to residential. The applicant has attended a meeting with Council where policy planners have stated they would like to include 94 Mulgrave Street in this plan change.

Whilst the applicant is interested in having their property included in the plan change, consultation with the Ashhurst community is not expected to take place until December 2020 and notification of the proposed plan change will not be until March 2021 at the earliest. Thus, the applicant wishes to go ahead with consenting the proposal as described.



Given that the proposed plan change is in its early stages of conception, more weight should be given to the existing planning framework.

## 7.7 Section 104D assessment

As a non-complying activity under the District Plan, consideration of s104D is required. Under s104D a consent authority may grant a resource consent for a non-complying activity only if it is satisfied that either effects will be minor, or the application will not be contrary to the objectives and policies of relevant plan or proposed plans. These are generally referred to as the gateway tests, and only one limb needs to be passed in order for consent to be granted.

In considering effects, it is important to note that this does not mean no effect, rather Council must be satisfied that minor or comparatively small effects are permissible under this limb of the gateway tests. Based on the technical reports supporting this application and taking into account the proposed mitigation it is submitted that effects will be less than minor to no more than minor. This assessment is guided by comparison with the relevant standards for permitted activities within the plan as applicable (in relation to traffic and building location etc).

The second limb of the gateway tests the activity must not be contrary to objectives and policies. Contrary is understood to mean something more than just non-complying. In general terms the Courts have applied the definition of “contrary” as being “repugnant to” or “opposed to”, not simply that the proposal does not find support from them (See [35], *Monowai Properties Ltd v Rodney DC* A215/03.). The policy assessment undertaken as part of this application indicates there is a lot of consistency with the relevant identified objectives and policies, there is an enabling intent to the policies and desire to see a range of land uses allowed for – provided adverse effects can be avoided or mitigated. Taking into account the effects assessment it therefore follows that the activity is not found to be contrary to relevant objectives and policies.

Based on the above, it is submitted that the proposal is able to pass both limbs of the 104D gateway tests.

## 7.8 RMA Part 2 Assessment

### 7.8.1 Overview

Section 104(1)(b) of the RMA sets out the matters that decision-makers are required to have regard to when considering an application for resource consent and any submissions received.

Any such consideration however is subject to Part 2 of the RMA which sets out the purpose and principles of the RMA. The purpose of the RMA as stated in section 5 is to promote the sustainable management of natural and physical resources.

Part 2 of the RMA provides further direction on the matters of national importance (section 6), other matters (section 7), and the principles of the Treaty of Waitangi (section 8) which need to be considered and responded to.

Taking guidance from the recent Supreme Court Decision *R J Davidson Family Trust v Marlborough District Council* [2018] NZCA 316, decisions on resource consents must have regard to the provisions of Part 2 of the RMA where it is appropriate to do so. In this instance the Palmerston North City Council District Plan has been prepared with regard to Part 2 of the RMA and reflects Sections 5-8. Therefore, only general recourse to Sections 5-8 is given below.

### 7.8.2 Section 6 – Matters of national importance

Section 6 sets out matters of national importance that shall be recognised and provided for by those exercising functions and powers under the Act in relation to managing the use, development, and protection of natural and physical resources.

The matters considered relevant to this application include:

- (a) *the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:*
- (h) *the management of significant risks from natural hazards.*

The shed to house Soul Friends' business activities will be situated in a Flood Prone Area and near the stream designated for 'flood protection purposes including the on-going maintenance of the stopbanks'. The shed meets permitted performance standards for non-habitable buildings in Flood Prone Areas. Further, it is setback in accordance with Horizons Regional Council's rule (Rule 17-15) for activities affecting Schedule B Value of 'Flood Control Drainage'.

Based on the above, it is considered these matters are recognised and provided for by the proposal; the permitted activity standards can be met it therefore follows that the activity cannot be considered inappropriate and will not result in significant risks from natural hazards.

### 7.8.3 Section 7 – Other matters

Section 7 sets out other matters that shall be given particular regard to by those exercising functions and powers under the Act in relation to managing the use, development, and protection of natural and physical resources.

The matters considered relevant to this application include:

- (b) *the efficient use and development of natural and physical resources*
- (c) *the maintenance and enhancement of amenity values*
- (f) *maintenance and enhancement of the quality of the environment*
- (g) *any finite characteristics of natural and physical resources*

In regard to matters (b) and (g), the site is preferred given its characteristics being consistent with the image Soul Friends wish to project and the cost associated with developing it given the applicant already owns the property. It is considered given its size, its productive use for rural purposes is diminished. The land can be developed efficiently and will occur on what has been assessed as the area having the least versatility in terms of the soil resource.

Regarding matters (c) and (f), the introduction of a crematorium and business into the rural zone will be mitigated using screen planting, constructing the building to match a rural type shed and strict hours of operation. Colour choice of the building will be in accordance with the recommendations of the LVA to be in-keeping with the existing rural character of the site (Resene FlaxPod or Resene Karaka or similar have been identified as appropriate colours). This will ensure the visual and rural character amenity values and quality of the environment are maintained. As noted previously, it is understood discharges from the stacks will only be visible as a 'heat shimmer'. Noise effects have been assessed, and while some noise exceedances of the District Plan noise standards may occur, given the management proposed by the application the noise exceedances are predicted to be of short duration.

In *Hood v Dunedin City Council* [2017] NZEnvC 190 the Court, following *Schofield*, noted that as people can have competing amenity values, the district plan provides an important objective lens. The assessment requires information of the competing personal values of the parties and needs to be guided by the plan's related objectives and policies and what they indicate as the plan's intended outcomes. The Court also noted that mere assertions of concerns not backed up by a proper evidential foundation are ascribed less weight. A full assessment against the District Plan provisions is provided, and it is submitted that the proposal is not contrary to objectives and policies in the plan. Mitigation is proposed specifically in respect of amenity values.

Based on the above, it is considered the matters above have been given particular regard to and the proposal is consistent with these matters.

#### 7.8.4 Section 8 – Treaty of Waitangi

Section 8 of the Act provides for the principles of the Treaty of Waitangi to be taken into account. The subject site is within the area of interest of Rangitāne o Manawatū and rohe of Ngāti Raukawa ki te Tonga. Both iwi have been contacted regarding the proposal. Comments have been received from Rangitane o Manawatu, and comments when received from Ngati Raukawa will be passed on.

Based on the above, it is considered the principles of the Treaty of Waitangi have been taken into account.

#### 7.8.5 Section 5 – Purpose

The purpose of the Act as stated in section 5 is “to promote the sustainable management of natural and physical resources”. The term “sustainable management” is defined in section 5(2) as:

*managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while—*

- (a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
- (b) safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
- (c) avoiding, remedying, or mitigating any adverse effects of activities on the environment.*

As noted in the soils assessment there will be a limited impact on the natural soils resource on the property, the buildings that are proposed to house the crematorium are on the least versatile that the site contains.

Other potential effects, including landscape and visual amenity, impacts on the roading network, and noise have been assessed as being less than minor or no more than minor taking into account the proposed mitigation.

It is considered that the proposal is consistent with all relevant part 2 matters.

## 8 Consultation

Soul Friends have undertaken consultation with surrounding properties and both Rangitāne o Manawatū and Ngāti Raukawa ki te Tonga.

A letter was dropped at all surrounding properties outlining the proposal and inviting them to an information evening at the property. The information evening, held on 3 November 2020 at the Village Valley Centre in Ashhurst, was attended by around 25 people. At the meeting a video detailing the proposal was shown and attendees were invited to ask any questions they may have. The following questions and concerns were raised:

- Hours of operation would be excessive;
- Dogs barking at Tolly Farm Boarding Cattery and Kennels would increase as a result of further activity onsite;
- Smoke and odour from the crematoria would result and affect their properties;
- That the presence of a crematorium so close to residential properties would not be acceptable;
- That their property values would decrease;
- Traffic would increase and cause a safety and amenity issue;

- Safety of surrounding property in regard to contaminants
- Flood risk and contaminants entering water and water tables if the stream was to inundate the buildings
- That the wider community should have been notified

A record of those who signed in along with a summary of concerns raised is attached as Appendix J.

As a general response to concerns raised. Hours of operation will be controlled by the management plan, the noise assessment undertaken takes into account the existing environment. Air Quality reporting is currently being prepared and compliance with all applicable air quality standards, which are in place to protect human health, would be required. This can give assurance that potential health effects would be less than minor. Traffic effects have been assessed; the existing access will be upgraded to assist with mitigating potential effects. Property values are not an RMA matter, but it is acknowledged are an extension of amenity values. Notification of an application is a matter that sits with Council.

An email was sent to Tanenuiarangi Manawatū Incorporated which detailed the proposal and invited them to raise any cultural concerns they may have. They responded that they had no cultural concerns and that the memorial garden would be a good place for whanau to gather for remembrance. The correspondence between Rangitāne o Manawatū is attached as Appendix H.

Ngāti Raukawa ki te Tonga were contacted about the proposal and invited to attend a site visit as well. At the time of finalising this document no formal comment has yet been received, any comments once received will be passed on.

## 9 Conclusion

Resource consent is required to permit Soul Friends' business to relocate to 94 Mulgrave Street in Ashhurst and emit noise in exceedance of the permitted noise limits, which are Non-Complying Activities pursuant to Rule 9.9.1 of the District Plan. Consent is also required for a Restricted Discretionary Activity as the permitted vehicle movements per day are exceeded.

94 Mulgrave Street is a Rural Zoned 4-hectare site containing Flood Prone Areas, an unnamed stream that is a tributary of the Manawatū River and designated by Manawatu Wanganui Regional Council for 'flood control purposes including ongoing stopbank system maintenance and repair'.

The proposal has the potential to result in noise, transport, landscape and visual amenity, construction, rural land resource, natural hazards and contaminated land effects.

The proposal is considered to be consistent with the relevant provisions of the NPS UD, Proposed National Policy Statement for Highly Productive Land, Regional Policy statement, and Palmerston North District Plan. Regarding the NESCS, consent for a discretionary activity pursuant to regulation 11(1) as a change in land use and earthworks in excess of the permitted standards on a piece of land is proposed without a Detailed Site Investigation. It is proposed that the sampling recommended in the PSI is undertaken prior to earthworks commencing and this is expected as a condition of consent.

Mitigation measures, in the form of upgrading the existing access, construction of acoustic fence, landscape planting, painting the buildings specific tones, and managing site activities with a management plan are all relevant in terms of avoiding and mitigating effects.

A section 104D assessment concluded that the proposal can pass both limbs of the gateway tests.

Based on the above it is considered that the proposal can be granted subject to conditions Council deems necessary. Soul Friends would appreciate to review any conditions before a consent is issued.

.

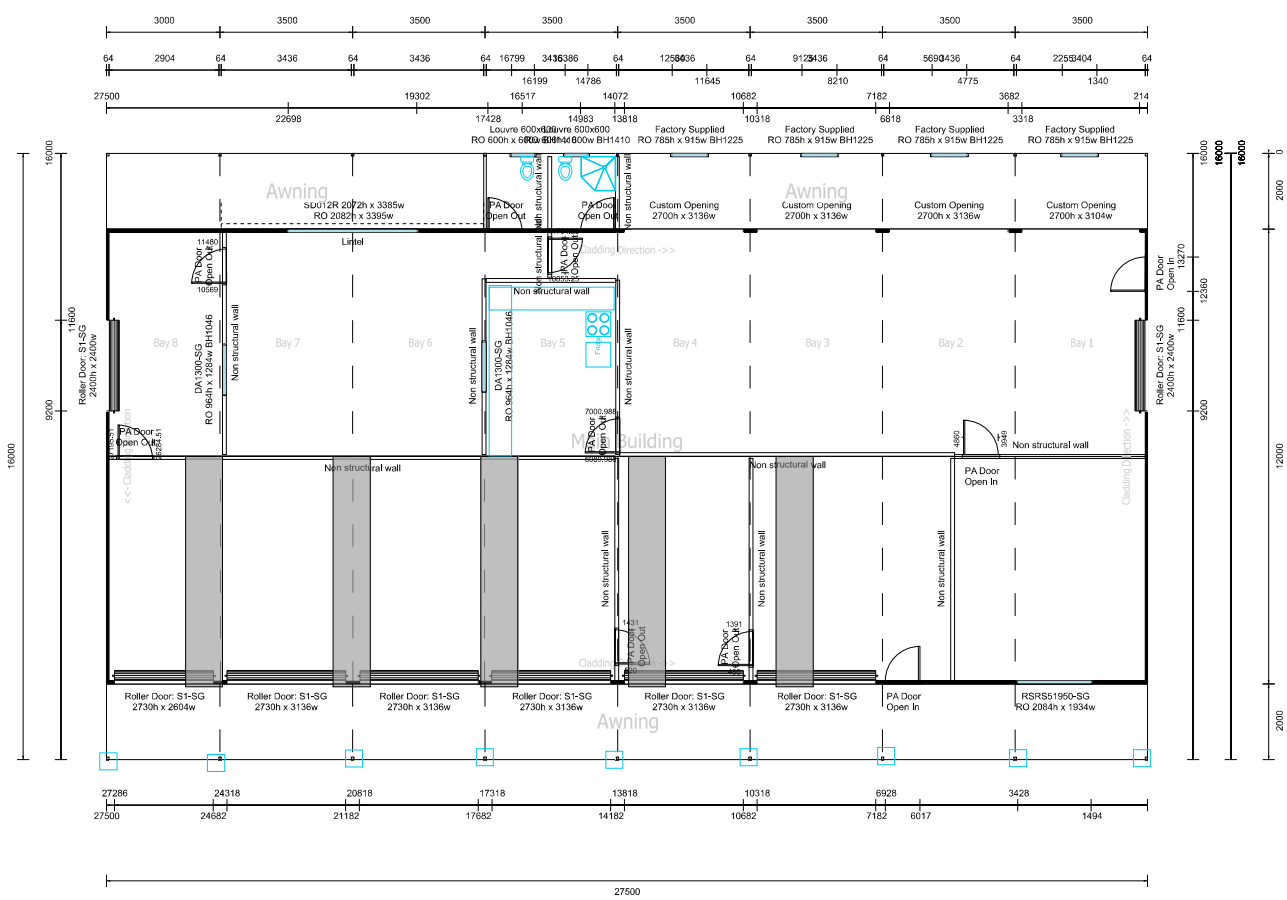
## Appendix A – Site Plan, Landscaping Plan and Architectural Details











QKDRAW

Left Side Right Gable Front Side

Project No.: 1871985

Totalspan Manawatu

PO Box 5302

Terrace End

4441

06 355 5119

manawatu@totalspan.co.nz

For: Tolly Farm & Soul Friend, Attn: Simone Morrison

94 Mulgrave Street

ASHURST

Palmerston North

4810

Scale: 1:100

**ARCHITECTURAL DETAILS**

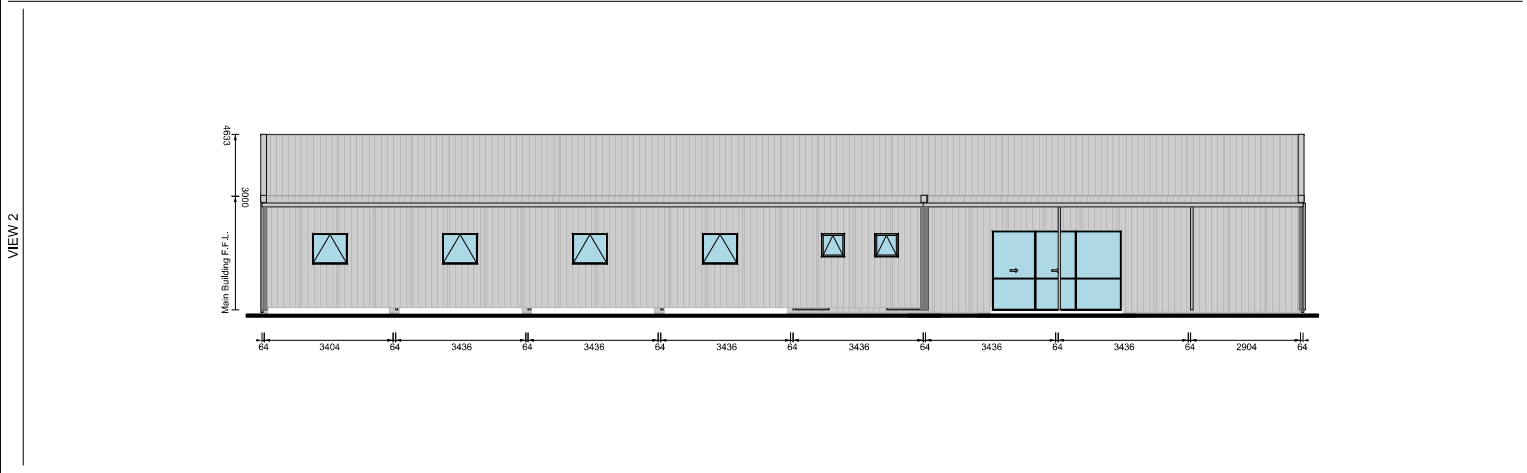
**FLOOR PLAN**

Page 1 of 3

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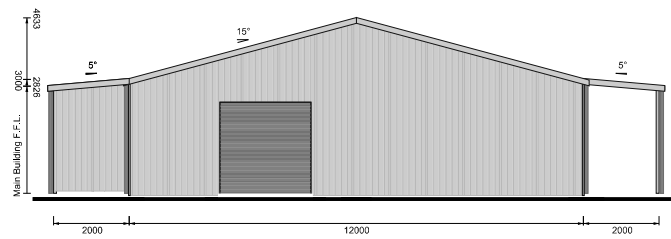
[VIEW 1](#)



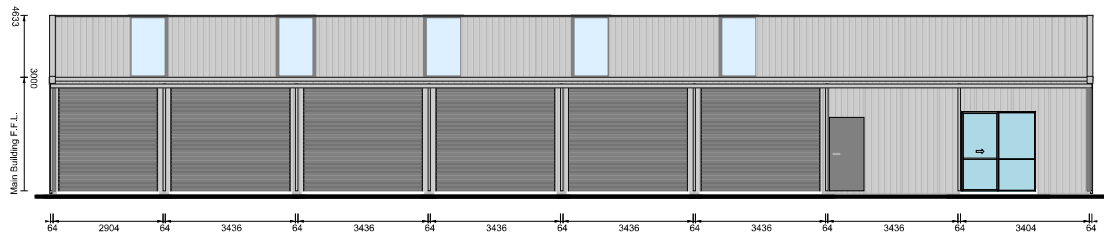
VIEW 2

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VIEW 3



VIEW 4



Project No.: 1871985



Totalspan Manawatu  
PO Box 5302  
Terrace End  
4441  
06 355 5119  
manawatu@totalspan.co.nz

For: Tolly Farm & Soul Friend, Attn: Simone Morrison  
94 Mulgrave Street  
ASHhurst  
Palmerston North  
4810

Scale: 1:100

# ARCHITECTURAL DETAILS ELEVATIONS

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Page 3 of 3

## Appendix B – Soils Assessment

## Memorandum

|          |   |
|----------|---|
| To       | Tabitha Manderson                               |
| Copy     |   |
| From     | Anne-Maree Jolly                                |
| Office   | Palmerston North                                |
| Date     | 18 December 2020                                |
| File/Ref | 5-PI403.00                                      |
| Subject  | Soul Friends Pet Crematorium - Soils Assessment |

### Introduction

Soul Friends Pet Cremations are exploring the possibility of moving their pet cremation business and associated facilities to 94 Mulgrave Street in Ashhurst. Development of the site would involve constructing the necessary buildings therefore removing a parcel of land which potentially results in the removal of 'high-class' land. The entire land parcel is 4 ha while the effected land parcel is only approximately 0.25 ha.

The 1:50,000 scale LUC classification identified on the LRIS portal<sup>1</sup> has defined this land parcel as 'town' as it falls within the town polygon. Therefore, there is no LUC classification associated with this land parcel. Surrounding land LUC polygons include both class 2s and 3e land.



Figure 1 Photo of the location of proposed pet crematorium alongside site outline.

<sup>1</sup> <https://lris.scinfo.org.nz/layer/48136-fsl-north-island-all-attributes/>

## Methodology

A site visit was undertaken on 15<sup>th</sup> October 2020 approximate 36 hours after rainfall.

A soil profile was exposed by digging a hole with a spade. The representative profile was described in general accordance with Milne et al 1995 and photographed.

A LUC class was determined based off the soil description and a comparison with the Land Use Capability Survey Handbook<sup>2</sup>.

## Findings

### General observations

Several initial observations were made on the arrival to site:

- Apart from the stop bank along side the stream the land was flat,
- The paddock in which the pet crematorium is proposed was wetter under foot than the properties remaining paddocks to the point gumboot were required,
- The area of land required from the proposed pet crematorium is small at 0.25 ha.

### Soil profile Description

|          |  |  |
|----------|--|--|
| 0-40 cm  | <p>Silty clay loam – dark greyish brown in colour</p> <p>Very sticky</p> <p>Some mottles 25% - yellow reddish in colour</p> <p>No odour</p> <p>Poorly drained – many pores filled of water. Soil still saturated approximately 36 hours after rainfall.</p> <p>One stone was observed – may have come from gravel at paddock entry</p> |   |
| 40-45 cm | <p>Silty clay loam</p> <p>A darker layer than the 0-40 cm layer</p> <p>No stones</p> <p>Very sticky</p> <p>Some mottles 30%</p> <p>No odour</p> <p>Poorly drained – many pores filled of water. Soil still saturated approximately 36 hours after rainfall.</p>  |  |

<sup>2</sup> Lynn IH, Manderson AK, Page MJ, Harmsworth GR, Eyles GO, Douglas GB, Mackay AD, Newsome PJF 2009. Land Use Capability Survey Handbook – a New Zealand handbook for the classification of land 3<sup>rd</sup> ed. Hamilton, AgResearch; Lincoln, Landcare Research; Lower Hutt, GNS Science




|         |  |  |
|---------|--|--|
| 45 + cm | <p>Light grey with reddish yellow mottles – 65% mottles</p> <p>Surface water present in the water table</p> <p>Perched water table</p> |  |
|---------|--|--|



Figure 2      *Photos of the soil profile at the proposed locations*

#### LUC classification

Based off the site observations and the soil assessment a LUC classification of the proposed site has been deemed to be a class 3. Key reasonings behind this classification assessment are highlighted below.

- The presences of clay within the texture. A clay textured soil is unfavourable soil characteristic for class 1 and 2 land but can appear in class 3 land.
- Wetness of the soil and the fact that it was not a slight wetness after drainage limitation but rather a waterlogged soil. Indication of the soil being waterlogged are the presences of mottles throughout the soil profile.
- The fact that the soil remains waterlogged, limits the versatility of the land. Therefore, leading to a moderate limitation to arable land uses. Thus, restricting the choice of cops and the intensity of cultivations.

#### Potential limitations of the site

The entire property is 4 ha and the affected area has been determined to be approximately 0.25 ha. Although the effected area has been determined to be LUC 3 with a wetness limitation the remaining pastoral area (2.2 ha) is LUC 2, increasing its versatility.

- Although the Ashhurst area has historically been known for market gardens, this property currently has horses grazing. The site for the pet crematorium is also not suitable for vegetable growing due to the soil wetness limitation.
- If this property was to potentially look at land use change to market gardens in the future, only 2.2 ha of land is suitable. This would create difficulties in creating a viable business.
- If market gardening was to occur on this site in the future, there are several limitations which have the potential to effect neighbouring properties. These limitations are highlighted below:
  - Chemical spray drift from herbicides and insecticides,
  - Machinery noise throughout the year,
  - Sediment loss as a result of bare soil may lead to large amounts of dust being produced,
  - Soil on roads from machinery,
  - The introduction of odour throughout the year from different organic and or synthetic fertilisers.

### Conclusion

Based on site observations and soil profile the location of the proposed pet crematorium has been deemed class 3 land therefore does not fit the description of 'high-class' land.

Land use change to primary production will be challenging even on the class 2 land due to the size of the block.

## Appendix C – Traffic Impact Statement



## Memorandum

|          |   |
|----------|---|
| To       | Tabitha Manderson                       |
| Copy     | Samantha Dowse                          |
| From     | Mercia Prinsloo                         |
| Office   | Palmerston North                        |
| Date     | 17 December 2020                        |
| File/Ref | 5-PI403.00 Soul Friends Pet Crematorium |
| Subject  | Traffic Impact Statement                |

## 1 Purpose

This memo provides an outline of the predicted transportation effects of the proposed development of a pet crematorium and existing boarding kennels operation at 94 Mulgrave Street in Ashhurst. This memo provides an outline of the proposed site operations, anticipated trip generation and parking demands associated with the facility. The proposed development has been assessed against the transportation related rules and standards within relevant sections of the Palmerston North City Council District Plan.

## 2 Introduction

### 2.1 Site Location

The site of the proposed activities is situated at 94 Mulgrave Street in Ashhurst, approximately 50m west of the intersection of Mulgrave Street and Hillary Crescent as shown in **Figure 1** below. Mulgrave Street is an extension of Ashhurst Road connecting Ashhurst with Bunnythorpe and one of two major western access routes into Ashhurst. The surrounding land-use is predominantly Rural and Residential with some Industrial zoned land to the west.



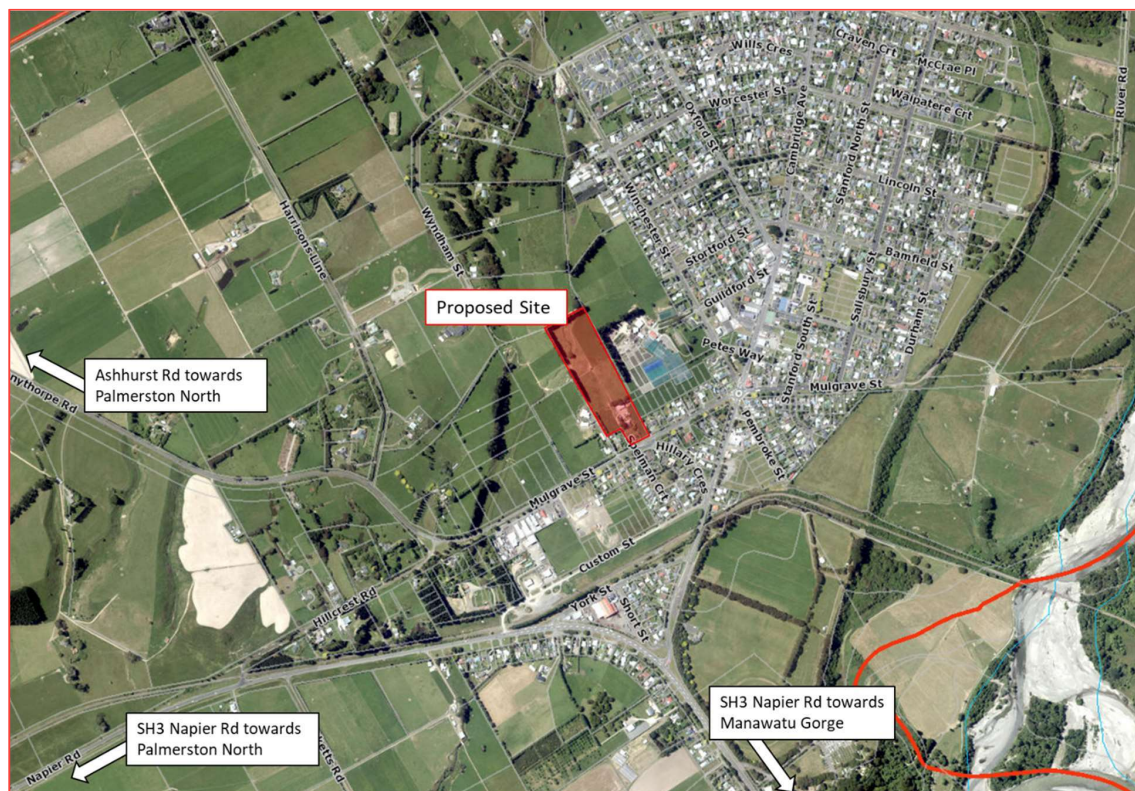


Figure 1: Site location in Ashhurst

## 2.2 Existing Road Network

Mulgrave Street is classified as a Minor Arterial in the PNCC District Plan.

In the vicinity of the site, Mulgrave Street provides two lanes, one in each direction with two-way AADT of between 750 to 975 vehicles per day. Mulgrave Street is one of two arterial roads providing access to Ashhurst from Palmerston North and Feilding/Bunnythorpe, the other being Cambridge Avenue. The posted speed limit on Mulgrave Street is 50km/h.

There are two intersections within 80 meters of the access to the site. The intersection between Mulgrave Street and Spelman Crescent is situated opposite the access and serves approximately 17 residences in a cul-de-sac arrangement. Hillary Crescent connects Mulgrave Street to Cambridge Avenue forming a give-way control on the eastern approach of Mulgrave Street. The east-south movement currently has priority as shown in Figure 2 to Figure 4.

Following recent consultation with the Ashhurst community, Waka Kotahi are currently implementing local road improvements throughout the Ashhurst network including the intersection of Mulgrave Street and Hillary Crescent. Construction has started on the realignment of the intersection as discussed in **Section 2.3**.





Figure 2: Current intersection arrangement on Mulgrave Street



Figure 3: Spelman Crescent approach onto Mulgrave Street





*Figure 4: Mulgrave Street eastern approach onto Hillary Crescent (Currently under construction)*

### **2.3 Mulgrave Street / Hillary Crescent realignment**

This intersection will be realigned to give priority to traffic travelling east-west on Mulgrave Street as this is the main traffic movement. Re-aligning the intersection to create a 90-degree side road approach seeks to improve user safety and increases sight distances to oncoming vehicles. An overlay of the new alignment is shown on an aerial in Figure 5 below.



The main user of the crematorium will be cremation of domestic animals (around 700 per month). The business services vet clinics in the Manawatu, Horowhenua, Kapiti, Wairarapa and Wellington Districts. A van is used to collect animals from vet clinics four times a week.

The business would also be open to the public from 9am to 5pm Monday to Friday and by appointment on weekends, 6 staff members would be onsite during these hours of operation. The crematorium business will employ three full time staff and three part-time staff.

It is only expected that 1 to 2 cremations a day will be for the general public.

Business operations would therefore involve cremation of maximum 700 pets per month and the activities stated above. The access from Mulgrave Street would be used. Signage indicating the business is onsite would be established and designed to meet permitted performance standards. A 500m2 Totalspan shed will be constructed onsite to house a maximum of four cremators and cremator stack. The location of the building is shown in Figure 6 below.



Figure 6 Proposed location of new buildings onsite.

In addition to the above, the Tolly Farm Boarding Cattery and Kennels would continue to operate onsite. Existing use rights apply to this portion of the site activity. This business operates from 7am to 7pm seven days a week.

## 3 Assessment of effects

### 3.1 Trip Generation

#### 3.1.1 Existing traffic

The existing cattery and kennel house 20 to 26 pets per day for day-care with the occasional long-term clients. The applicant has confirmed that the majority of the pets are dropped off for day care between 7:00AM and 9:00AM and are picked up again at different times throughout the day. There are 5 staff members working at the kennel.

Assuming one pet per vehicle and including staff members, the peak hour trips at the access (two-way) is 57 vehicles per hour (vph).

#### 3.1.2 Additional Trips resulting from the proposal

Use of the crematorium will mainly be for veterinarian clinics but will also be available to the public should someone choose to cremate their pet. The crematorium is expected to



send a medium rigid truck to the vet clinics four times a week. It is also highly unlikely that more than 1 person from the public will make use of the crematorium or remembrance garden per day.

The proposed wood urn making workshop on site will be a subservient service to the crematorium and remembrance garden and is not considered to generate any additional trips apart from two staff members. In total, six additional staff members will work at the proposed facility (three full time and three part-time).

Assuming one medium rigid truck and one public visitor will access the site during the peak hour, weekdays 08:00 to 09:00, the total additional traffic volumes generated by the facility during the peak hour will be 10 vph (two-way) including the additional staff members. This brings the total number of vehicles movements at the access to 66vph in the morning peak.

Given the above, the 10 additional trips per hour that will be generated by the proposal is less than minor and is not expected to have an adverse effect on the operation of the access.

### **3.1.3 Equivalent car movements**

The District Plan requires that vehicle crossing movements in a rural zone do not exceed 100 car-equivalent vehicle movements per day more than two days a week and do not exceed 200 car-equivalent vehicle movements per day on any given day of the week.

The existing trips in the morning peak hour are 57vph. With the addition of trips resulting from the land-use change and 26 pet owners picking up their pets and staff members leaving the facility in the afternoon, the total daily two-way trips at the access are 134vpd which exceeds 100 car equivalent movements per day. However, this does not exceed 200 equivalent car movements on any given day.

The proposal generates 10 additional vehicle trips in the morning peak hour which equates to 20 car equivalent movements per day. This is not a significant increase in daily traffic and given the proposed access widening to allow for two-way traffic, WSP deems this acceptable. The proposed activity is appropriate for the low speed, low risk environment.

Further to the above, the kennels will offer a pick-up service for daycare animals with a van that can accommodate 10 dogs or cats. If fully utilised, this will reduce the number of trips at the access in the morning peak hour by 18 trips per hour (two-way), therefore potentially reducing the total number of vehicle movements at the access.

## **3.2 Site Access**

The proposed pet crematorium is proposed to utilise the existing vehicle crossing that services the kennel, which is 3 meters wide. It is proposed that visitors to the existing kennel and cattery will continue to use this access with the addition of visitors resulting from this proposal, the crematorium and remembrance garden. A view from the existing vehicle crossing onto Mulgrave Street is shown in Figure 7.

Sight distance at the access is acceptable for the 50km/h environment at 115m in each direction.



*Figure 7: Existing site access*

As per the performance standards for permitted activities under R20.4.2 in the District Plan, this access, which will serve two or more activities in a rural zone, is required to have a formed access width of 5.5m to 6.5 metres to allow for two-way traffic.

This means the existing access will need to be widened to a minimum of 5.5 meters in order to comply with the District Plan. There is sufficient space on-site to accommodate widening and the access design will have to adhere to the 1 in 20 gradient requirements as set out in the District Plan. This would require modifications to the existing fenceline / gateway to support adequate vehicle crossing widths, and modification to the vehicle crossing onto Mulgrave Street.

### **3.3 Parking**

#### *3.3.1 Existing Parking demand*

The existing access is 85m long with a 10m radius turning facility at the end of the driveway which is used for deliveries and for people to drop-off their pets in the morning. Staff members currently park informally near reception.

#### *3.3.2 Anticipated parking demand impacts*

With the addition of a remembrance garden, crematorium and 5 additional staff members, formal parking will need to be provided on site in accordance with the District Plan as discussed below.

- 1.1 1.1 Parks per 100m<sup>2</sup> gfa (gross floor area) for Animal Boarding Establishments such as the existing kennels. The total size of the kennel building is approximately 250m<sup>2</sup>. This means 3 parking spaces are required.
- 1.2 There are no defined user categories for parking requirements for a crematorium, an urn making workshop or a remembrance garden, thus parking requirements are proposed based on a "first principles" approach. It is assumed that sufficient parking



needs to be provided for one staff member for each facility as well as one 2 additional parking spaces for the remembrance garden. This is equal to 5 parking spaces.

Given the above information, 8 parking spaces are required on site. The applicant has proposed to provide these parking bays on the western side of the kennel building as shown in the figure below.



Figure 8: Proposed parking layout

As per the requirements of the district plan, one mobility impaired parking space is required for every 10 or less parking spaces. Therefore, one mobility impaired parking bay will be required as part of the proposed development.

Additional to the eight parking bays, the applicant has confirmed that there will be additional parking available for staff members at the respective facilities, i.e. at the urn making workshop and at the crematorium building.

These proposed formal parking bays as well as the existing drop-off facility on-site are deemed sufficient to accommodate the demand and should be designed according to the standards of Palmerston North City Council, as outlined within the District Plan.

### 3.3.3 Loading Requirements

It is not expected that any large heavy vehicles will have a need to access the property. Deliveries such as wood for the urn making facility as well as the deceased pets will be transported to the property in medium rigid trucks. These vehicles can easily access the site and use the turnaround facility at the end of the driveway. No more than 2 medium rigid trucks per week are expected.

## 3.4 District Plan requirements

The proposed Soul Friend Pet Crematorium development has been assessed in accordance with the transportation related rules outlined within relevant sections of the Palmerston North City Council District Plan (see **Appendix B**).

The assessment indicates that although the proposed development does not comply with the daily vehicle movement limit of 100vpd, the impacts are considered minor and can be accommodated in the current traffic environment.



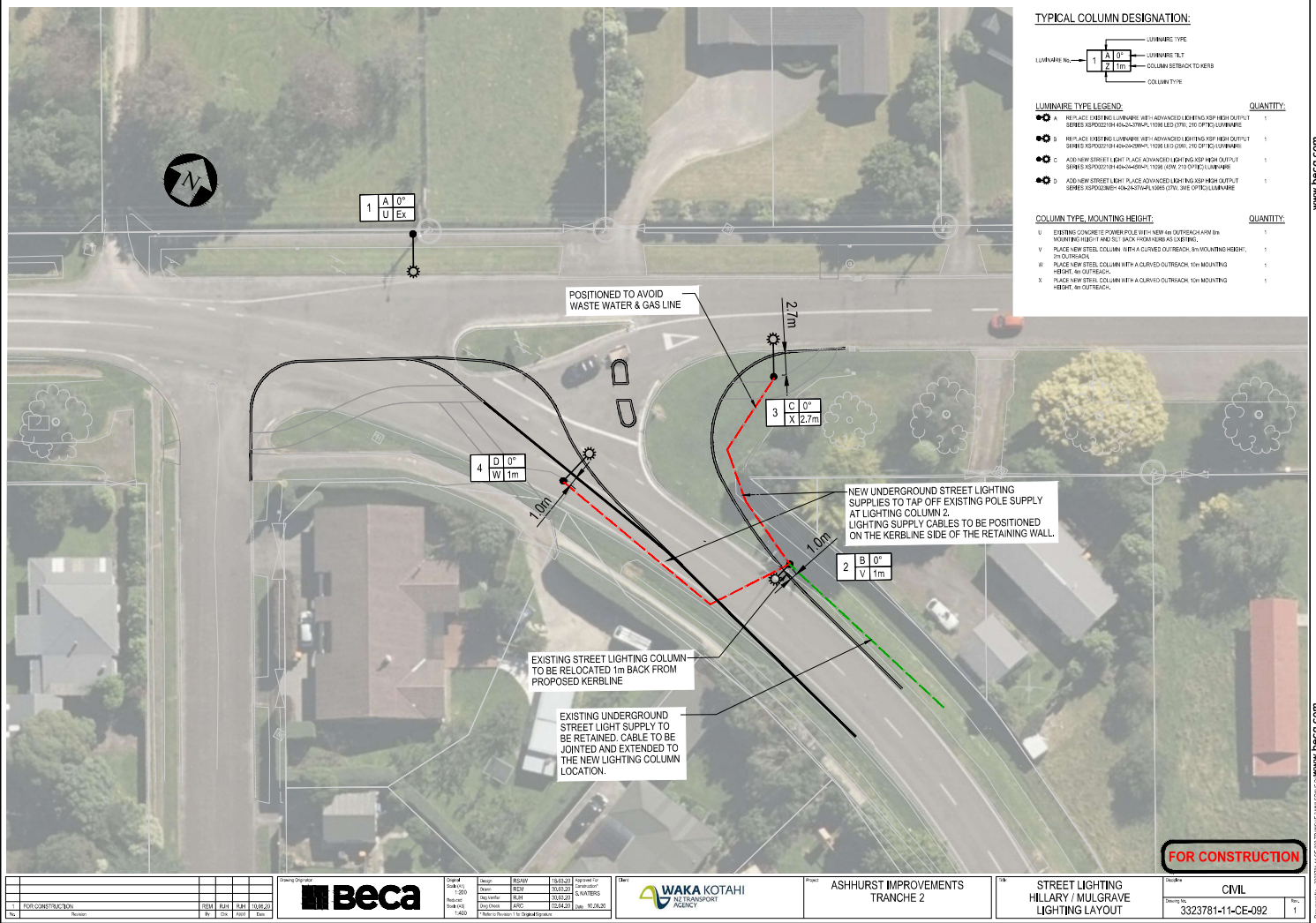
## 4 Summary and Conclusion

It is concluded that the proposed development, taking into account the traffic generating potential of the development and existing parking provisions will result in transport effects on the surrounding network that are minor. It is considered that there is no transportation reason to preclude the implementation of the development as intended.






However, it is required that the access to the facility be widened to a minimum of 5.5 meters and that a minimum of eight formal parking spaces be provided in accordance with the requirements in the District Plan.

# Appendix A

Mulgrave Street/Hillary Crescent intersection drawings

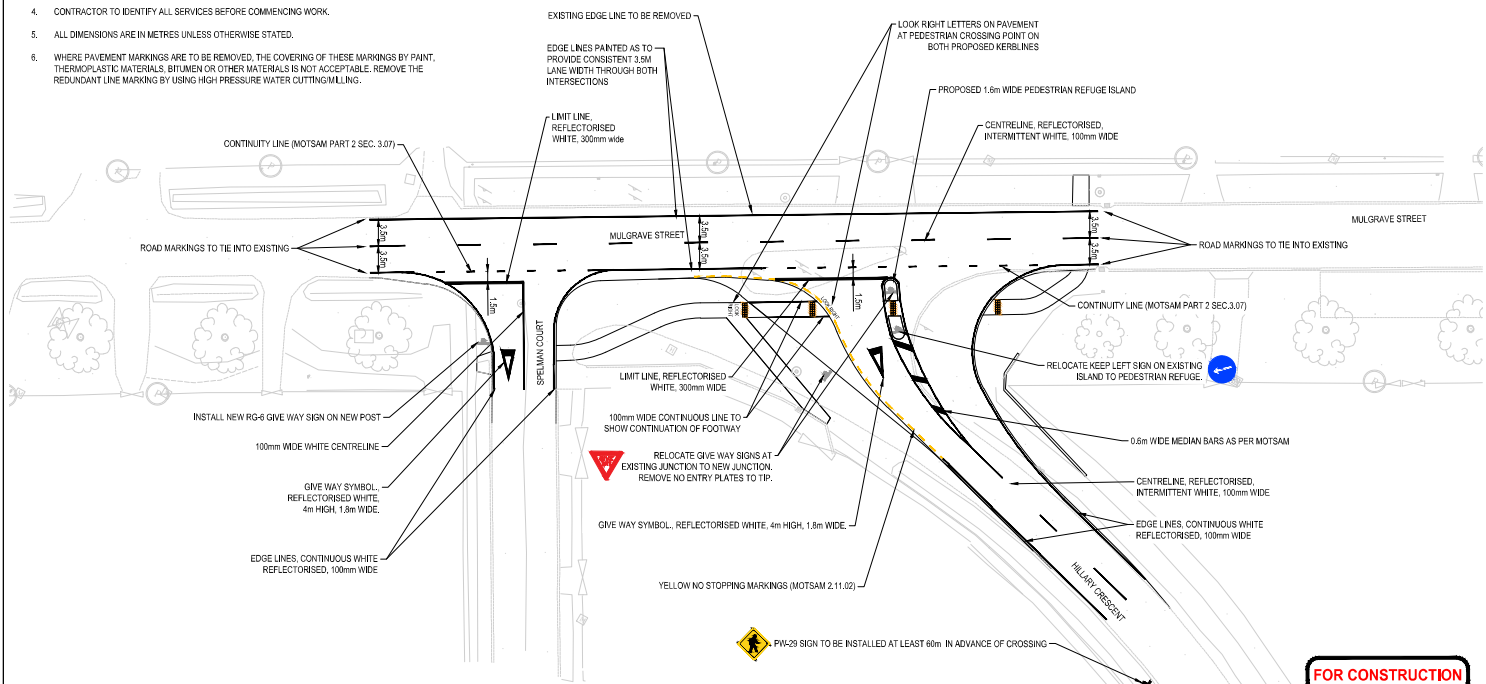


## LEGEND

-  PROPOSED GIVE WAY SYMBOL (MOTSAM PART 2 (3.08.06))
-  PROPOSED ROAD MARKING (REFER TO DRAWING LEADERS FOR MOTSAM REFERENCE)
-  PROPOSED TRAFFIC SIGN (REFER TO DRAWING LEADERS FOR MOTSAM SIGN REFERENCE)
-  EXISTING TRAFFIC SIGN TO BE RELOCATED
-  PROPOSED TACTILE PAVING (TACTILE PAVING IN VEHICLE OVERRUN AREA TO BE SUITABLE TO WITHSTAND VEHICLE MOVEMENTS AND INSTALLED INTO CONCRETE AND PAVEMENT SUBSTRATES)

## NOTES

1. CO-ORDINATES ARE IN TERMS OF WANGANUI 2000.
2. HEIGHTS IN TERMS OF NEW ZEALAND VERTICAL DATUM 2016.
3. ALL WORKS TO BE IN ACCORDANCE WITH PNCC STANDARD DETAILS AND MOTSAM.
4. CONTRACTOR TO IDENTIFY ALL SERVICES BEFORE COMMENCING WORK.
5. ALL DIMENSIONS ARE IN METRES UNLESS OTHERWISE STATED.
6. WHERE PAVEMENT MARKINGS ARE TO BE REMOVED, THE COVERING OF THESE MARKINGS BY PAINT, THERMOPLASTIC MATERIALS, BITUMEN OR OTHER MATERIALS IS NOT ACCEPTABLE. REMOVE THE REDUNDANT LINE MARKING BY USING HIGH PRESSURE WATER CUTTING/MILLING.



|             |           |         |       |  |          |          |       |                                     |    |            |        |   |        |            |        |                            |        |            |        |
|-------------|-----------|---------|-------|--|----------|----------|-------|-------------------------------------|----|------------|--------|---|--------|------------|--------|----------------------------|--------|------------|--------|
| <b>Beca</b> |           |         |       | <b>WAKA KOTAHU</b><br>Kaitiaki Takekōwhiri<br>Kaitiaki Takekōwhiri |          |          |       | ASH-HURST IMPROVEMENTS<br>TRANCHE 2 |    |            |        | TRAFFIC SIGNS & ROAD MARKINGS<br>HILLARY / MULGRAVE |        |            |        | CIVIL<br>3323781-11-CE-081 |        |            |        |
| Client      | Project   | Phase   | Drawn | Checked  | Reviewed | Approved | Scale | Sheet                               | Of | Discipline | Author | Discipline  | Author | Discipline | Author | Discipline                 | Author | Discipline | Author |
| Waka Kotahi | Ash-Hurst | Phase 2 | 1:200 | 1:200  | 1:200    | 1:200    | 1:200 | 1                                   | 1  | 1          | 1      | 1   | 1      | 1          | 1      | 1                          | 1      | 1          | 1      |



# Appendix B

## Assessment of PNCC Transportation Rules



|         | District Plan Rules   | Assessment   |
|---------|---|--|
| Parking | <p><b>R 20.3.7.1: Parking Spaces for People with Disabilities</b></p> <p>Where on-site parking is provided, or is to be provided for all buildings and activities except dwellings, parking spaces for the disabled will be provided as follows:</p> <p>(a) Number</p> <p>(i) One where 10 or less spaces are provided.</p> <p>(ii) Two where between 10 and 50 spaces are provided. plus</p> <p>(iii) One for every additional 50 spaces (or part thereof) where more than 50 spaces are provided.</p> <p>(b) Location Accessible car parking spaces shall connect to an accessible route and the closest building entrance or lift.</p> <p>(c) Identification Accessible parking spaces shall have clear ground marking in accordance with the international symbol of access.</p>  | <p>A total of one mobility impaired parking space is required.</p> <p>Proposed mobility space will be located within reasonable distance of the proposed development.</p>        |
|         | <p><b>R 20.3.7.2: Parking Provision Standards for All Zones</b></p> <p><i>Parking Provision Standards for All Zones Except the Inner and Outer Business Zones</i></p> <p>Where a building is constructed, reconstructed, altered or added to, or an activity is established on a site or in a building or other structure, parking provision must be made on-site in accordance with the following standards:</p> <p>1.1 parks per 100m<sup>2</sup> of gross floor area for Animal Boarding Facilities.</p>   | <p>3 formal parking spaces are proposed for the kennel as well as 5 additional parking bays for staff members and other activities on-site to a minimum of 8 parking spaces.</p> |
|         | <p><b>R 20.3.7.5: Car Park Landscape Design</b></p> <p>Any car parking area shall include the following landscape features:</p> <p>(a) Any part of a car parking area (excluding access points), fronting to a road shall feature one specimen tree capable of growing to 5 m within 10 years along every 10 m of car parking frontage.</p> <p>(d) Trees planted to meet the requirements of (i) above shall be so planted as to separate car parking area activities from pedestrian activities on the street.</p> <p>(c) Any tree planted on a frontage shall be planted in an area with a minimum width of 2 m and with a total area per tree of not less than 4 m<sup>2</sup>.</p> <p>(d) Within the Inner and Outer Business Zones, an average of 1 specimen tree per 10 parks must be provided for internal car park areas. This ratio of trees to parks is as follows:</p> <p><i>50-59 car parks – 6 trees</i></p> <p>e) Within the Inner and Outer Business Zones, any tree located within a car park must have a protection area containing low planting with a minimum dimension or diameter of 1.5 metres. The specimen trees, ongoing growing conditions and low planting must be maintained to a high standard at all times.</p> | <p>Not applicable (No parking will be provided in the public road network).</p>  |
|         | <p><b>R 20.3.7.6 - Formation of Parking Spaces</b></p> <p>Where a building is constructed, reconstructed, altered or added to or any activity is established on a site or in a building or other structure, any car parking spaces except those within a building shall be formed in accordance with the following standards:</p> <p>(a) Vehicle circulation routes within a car parking area must have:</p> <p>(i) a width no less than 3.5 m for one way circulation routes and 6.5 m for two way circulation routes. Where these routes are also to accommodate pedestrians, these widths shall be increased by 800 mm except where a separate footpath is provided.</p> <p>(ii) turning circles must comply with Figure 20.1.</p> <p>(b) Any queuing space shall be sufficient to permit a free flow of traffic from the road into the car parking area.</p> <p>(c) All car parking spaces shall comply with the dimensions and construction requirements detailed in Figure 20.2.</p>  | <p>Noted. The proposed parking spaces on site will be designed to comply with the requirements of PNCC District Plan</p>   |

|        | District Plan Rules  | Assessment  |
|--------|--|---|
|        | <p>(d) All car parking areas are to be formed in a permanent, dust-free (not metal) surface with kerbing, drainage and marking out of each parking space.</p> <p>(e) An additional one metre clearance is to be added at the end of blind aisles which are 15 metres or more in length, to provide suitable manoeuvring to allow vehicles to exit the aisle without reversing. The additional one metre clearance can be added onto the end car park space and blind aisle, or alternatively, to the blind aisle only.</p>   |   |
|        | <p><b>R20.3.8.1- Loading Space Standards</b></p> <p>(a) Any business or industrial activity must provide a loading space constructed to the following standards.</p> <p>(b) No loading arrangement shall be permitted where vehicles project onto the road reserve while loading or are required to reverse onto or off a major arterial or minor arterial road.</p> <p>(c) For the construction, alteration of, or addition to a building 50m<sup>2</sup> or 20% of the existing gross floor area, whichever is the lesser, within the Local Business Zone no loading requirements shall apply.</p> <p>(d) For any other activity in the Local Business Zone that is 300m<sup>2</sup> or less, and involves no form of construction, no loading requirements shall apply.</p>   | <p>All deliveries can be accommodated on-site. No large heavy vehicles are expected to access the site.</p>   |
| Access | <p><b>R 20.3.9.1 Access Standards</b></p> <p><i>Position and Construction</i></p> <p>All vehicle crossings and intersections shall be positioned and constructed in accordance with the instructions and specifications of and to the satisfaction of the road controlling authority.</p> <p>Any access to a site or an activity on a Major Arterial Road, Minor Arterial Road or Collector Road (as defined in Appendix 20A or any roads or proposed roads meeting the criteria as set out in Appendix 20B) must be provided in accordance with the following standards:</p> <p>(i) Vehicles cannot reverse onto or off that road from any access to a loading or parking area, except where access is to a residential dwelling and the posted speed limit is less than 100 km/h;</p> <p>(ii) Site access shall be formed to a maximum of 6 metres in width. This rule does not apply to Collector Roads in the Residential and Industrial Zones;</p> <p>(iii) The minimum sight distances at intersections and accesses shall be as recorded in Table 20.3 (illustrated and measured in accordance with Figure 20.6);</p> <p>The minimum spacing between successive site accesses and intersections and the minimum distance between any access crossing and any intersection shall be as recorded in Table 20.3 and measured in accordance with Figure 20.4.</p> | <p>The existing access shall be upgraded to 5.5m width to allow for two-way traffic movement. Turning facility is provided on site to avoid the need for reversing onto Mulgrave Street.</p> <p>The access meets the minimum sight distance requirements for a 50km/h road.</p> |

## Appendix D – Landscape and Visual Assessment

Project Number: 5-P1403.00

# Soul Friends Pet Crematorium

## Landscape and Visual Assessment

18 December 2020

CONFIDENTIAL



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# 1 Introduction

WSP has been engaged to undertake a Landscape and Visual Assessment (LVA) to determine the potential effects of a proposed crematorium (proposal) as part of a resource consent application.

This LVA evaluates the degree of change resulting from the construction of the proposal in relation to:

- Landform, landcover and landuse; and
- Visual amenity

This is to ensure the proposal is consistent with the relevant provisions of Part 2 of the Resource Management Act 1991 that cover visual amenity matters. The LVA also recommends mitigation measures to minimise visual effects arising from the proposal and that it fits well with its surrounding.

## 2 Assessment Methodology

### 2.1 General

A site visit was conducted in October 2020 by Stefan Steyn, Registered Landscape Architect from WSP. Digital photographs were taken during this site visit using a DSLR camera. The photographs taken during these site visits were used to complete this LVA.

### 2.2 Landscape and Visual Assessment

The below seven-point scale is used to describe effects. Further details on the LVA's methodology are included as **Appendix A** of this report.

- **Very High:** Total loss to the key attributes of the receiving environment and/or visual context amounting to a complete change of landscape character
- **High:** Major change to the characteristics or key attributes of the receiving environment and/or visual context within which it is seen; and/or a major effect on the perceived amenity derived from it.
- **Moderate-High:** A moderate to high level of effect on the character or key attributes of the receiving environment and/or the visual context within which it is seen; and/or have a moderate-high level of effect on the perceived amenity derived from it.
- **Moderate:** A moderate level of effect on the character or key attributes of the receiving environment and/or the visual context within which it is seen; and/or have a moderate level of effect on the perceived amenity derived from it. (Oxford English Dictionary Definition: Moderate: adjective-average in amount, intensity or degree).
- **Moderate-Low:** A moderate to low level of effect on the character or key attributes of the receiving environment and/or the visual context within which it is seen; and/or have a moderate to low level of effect on the perceived amenity derived from it.
- **Low:** A low level of effect on the character or key attributes of the receiving environment and/or the visual context within which it is seen; and/or have a low level of effect on the perceived amenity derived from it. (Oxford English Dictionary Definition: Low: adjective-below average in amount, extent, or intensity).
- **Very Low:** Very low or no modification to key elements/features/characteristics of the baseline or available views, i.e. approximating a 'no-change' situation. It is generally understood that 'Very Low' and 'Low' are equivalent to the 'Less than minor' threshold.

Preparation for this LVA has also included the collection of baseline information through desktop studies and collation of planning information (refer to **Section 4: Relevant Statutory and Non-Statutory Provisions**).

### 3 Context

Soul Friends Pet Crematorium (SFPC) are exploring the possibility of moving their pet cremation business and associated facilities to 94 Mulgrave Street in Ashhurst. Development of the site would involve constructing the necessary buildings and once operational discharging to air contaminants from cremating domestic animals and incinerating documents, biological, pathological and medical wastes.

In addition to the above, SFPC would like to:

- Autoclave sharps for disposal at landfill;
- Undertake aquamation using alkaline solution;
- Establish a woodwork workshop onsite;
- Establish a spray booth for urn finishes onsite; and
- Establish a memorial garden for the public to visit from 7am to 7pm Monday to Friday.

The business would also be open to the public from 9am to 5pm Monday to Friday and by appointment on weekends, 6-7 staff would be onsite during these hours of operation. Depending on the volume of work, cremation activity could continue until 10pm.

Business operations would involve cremation of around 700 pets per month and the activities stated above. The existing access from Mulgrave Street would be used. Signage indicating the business would be established and designed to meet permitted performance standards.

The proposed Crematorium will comprise the following visible elements. The location of these buildings is shown in figure 1 below:

- One 500 m<sup>2</sup> Totalspan shed (containing four cremators, an aquamator, an autoclave, a woodwork workshop, and chapel). A floor plan has been included in Section 5.
- Chimney Stack (Stack) will be 10.5 m above the ground. There will be two cremators operating in the morning; two in the afternoon; and in some instances, two during the evenings. Each course will last approximately 3 hours.
- One 20-foot shipping container (containing the spray booth for urn finishes) will be constructed. The shipping container is generally double door with a dimension of approximately 2.6 m high x 6.1 m long.
- Timber noise fence stretching the length of approximately 73 m and is approximately 1.8 m high.
- Access Track and Parking. Existing access will be upgraded and widened.



**Figure 1** Proposed location of new buildings onsite

In addition to the above, the Tolly Farm Boarding Cattery and Kennels would continue to operate onsite as existing use rights. The business hours remain the same and operates seven days a week. There are 5 staff members working at the kennel. The business houses 20 to 26 pets per day for day-care and the occasional long-term clients. Most of the pets are dropped off for day-care between 8.00am to 9.00pm and are picked up at different times throughout the day.

If Tolly did decide to proceed with the relocation, the buildings and facilities would need to be operational by March 2021.

### 3.1 Landscape Character and Description of the Site

The potential site is located at 94 Mulgrave Street, Ashhurst. An aerial image of the site is shown below.





*Figure 2 An aerial site of the property where SFPC wish to relocate*

The 4-hectare site is within the rural zone (PNCC) and approximately 670 m southwest of Ashhurst's Post Office Corner Reserve. The Site is rectangular in shape trending north-west to south-east. It is relatively flat in nature and located between 6 m to 9 m below the escarpment<sup>1</sup>. A small stream with a stop bank near the north-east property boundary extends in a north-south direction which roughly follows the toe of the escarpment. The stream is an unnamed tributary of the Manawatu River. A notable tree is present onsite but it will not be affected by the proposal.

The Site is split in two, a large rectangular piece of paddock that occupies most of the eastern extent of the Site and a smaller residential block with a residential dwelling along with the Tolly Farm Boarding Cattery and Kennels at the southern extent of the Site. The dwelling is an old residential building with a footprint of approximately 230.9 m<sup>2</sup>. The cattery and kennels are both contemporary and cover approximately 242.1 m<sup>2</sup> and 110 m<sup>2</sup> respectively. The residential block fronts Mulgrave Street and can be accessed from the road. In terms of vegetation patterns, the majority of the Site is screened from the surrounding landscape by mature shelterbelts and hedges along the property boundaries. The only exception are the two small gaps in the shelterbelt that are located along the eastern boundary.

Surrounding land uses include residential activities, a plant nursery, rural and commercial and industrial activities such as the Ashhurst Transfer Station. To the east and south of the Site, and use patterns of Ashhurst are residential and structured in layout, comprised of typical residential

<sup>1</sup>Google Earth Pro: Elevation Profile function.

densities. The residential area includes a range of housing sizes and styles, and gardens contributing pleasant levels of residential amenity (**Figure 2**). The diversity of land uses described above reflects that the Site adjoins a mix of residential, rural and an industrial zone. **Figure 3** shows the street view of the property.

### 3.1.1 Visual Character and Visual Catchment

The Site exhibits pastoral character and is enclosed for the most part by shelterbelts. There are two gaps in the shelterbelts that offer visibility into the Site- one in the middle of the western boundary; and one on the north-eastern boundary. The properties bordering the Site to the east and south will be screened by intervening vegetation except where they have partial views through gaps in the shelterbelts on property boundaries. Similarly, medium to long distance views to the Site from the wider landscape to the north and west are restricted due to the escarpment, mature shelterbelts, hedges and woodlots on site. The vegetation and landform patterns within the surrounding landscape create a mosaic landscape that is enclosed breaking the landscape up into intimate smaller settings. The visual catchment is largely defined by the following:

- Shelterbelts located along the property boundaries
- Shelterbelts and stands of trees scattered throughout the pastoral landscape immediately to the north and east
- Two nurseries to the north and east of the Site
- Residential properties along Winchester Street
- Rural lifestyle properties along Wyndham Street
- Vegetated escarpment to the west of the Site
- Residential and commercial properties along Mulgrave Street



*Figure 3 Street view of subject site*

## 4 Legislation and Planning Context

### 4.1 Resource Management Act

This LVA responds to the Resource Management Act (RMA), which provides a framework for managing the effects of activities on the environment, and therefore is a critical component to any development. This LVA has considered effects on:

- Physical landscapes, Section 7(c) the maintenance and enhancement of amenity values and (f) maintenance and enhancement of the quality of the environment and are referred to as 'landscape effects' within the report, which take into account:
  - Landform (earthworks including cut and fill)
  - Loss of vegetation and existing structures; and the
  - Effects on land use



- Landscape amenity, Section 7(c) the maintenance and enhancement of amenity values and (f) maintenance and enhancement of the quality of the environment matters and are referred to as 'visual effects' within the report, which take into account:
  - *The 'fit' within existing landscape character and patterns*
  - *The visual amenity in relation to the appearance of structures such as buildings; and*
  - *Visual effects from dwellings and private property*

## 4.2 Policy Documents

Other policy documents that are relevant to the context of the proposed site and have been considered are:

- The Palmerston North City District Plan (2012); and
- Palmerston North Landscape Inventory (2011).

These policy documents have provided a baseline for the issues, objectives, policies and outcomes sought for Palmerston North City's landscape. They are also helpful to provide guidance on the appropriateness of development within this environment, where it may occur. In particular, the preservation of the landscape, natural character and visual amenity values of the landscape is of importance.

### 4.2.1 Palmerston North District Plan

Section 2.5 of the Palmerston North District Plan (PNDP) lists the City View Objectives that reflect the resource management issues for the City and represent the broad outcomes the Plan seeks to achieve. The objective relevant to the proposal is:

*17. The natural and cultural heritage features of the City are preserved and enhanced, including the margins of the Manawatu River and sites of significance to tangata whenua.*

Section 9.3 lists the objectives and policies that emphasise the interrelationship between land use and rural character and amenity. The objectives and policies relevant to this particular development include:

|  |   |
|--|---|
| <p><i>Objective 3</i></p> <p><i>To maintain or enhance the quality and natural character of the rural environment.</i></p> | <p><i>3.1 To provide for the health and safety of rural dwellers by establishing specific noise limits for the rural area.</i></p> <p><i>3.3 To control the adverse visual effects on the rural environment (including effects on rural dwellers) of activities that disturb the land surface, introduce buildings, remove and/or process natural material.</i></p> |
|--|---|

Note that parts of the Tararua Ranges (identified as Outstanding Natural Features and Landscapes) are located within the vicinity of the proposal. However, as the site has not been identified as an Outstanding Natural Landscape in the District Plan, the provisions specific to the Outstanding Natural Features and Landscapes in the District Plan do not apply to the Site. Nevertheless, the evaluation criteria of the LVA have been provided in the Palmerston North Landscape Inventory (as detailed in section 4.2.2).

#### 4.2.2 Palmerston North Landscape Inventory

The Palmerston North Landscape Inventory<sup>2</sup> ("Landscape Inventory"), divides the district into nine separately identifiable landscape types, which are further broken down into nineteen landscape units based on landform, land cover and land use patterns.

The Landscape Inventory addresses the following resource management issues in the Rural Zone through:

- The management of natural landscape features;
- the effective management of risks associated with soil instability;
- wind-farm development;
- managing reverse sensitivity effects in the Rural Zone;
- managing the potential effects resulting from the use of on-site wastewater treatment systems;
- the appropriate use and/or protection of high-class soils;
- the likely influences of the proposal including strategic infrastructure;
- the extent and location of the existing rural-residential subdivision overlay;
- the role of rural-residential subdivision in meeting the City's urban growth requirements;
- long-term strategic planning considerations;
- considering alternative options for rural-residential development;
- managing the effects of development in the Rural Zone on the rural roading network; and
- promoting sustainable transport options.

The Site for the proposal falls within the 'Te Matai Flats (Lower Flat) Unit 6' landscape unit. This Landscape Unit is broadly described in the Landscape Inventory as: *"The rich fertile land has a long history of settlement and intensive horticultural use, despite being relatively low lying and subject to flooding. The flats provide a rural gateway to the city for travellers from Napier and the Wairarapa and a distinctive rural buffer between Ashhurst and Palmerston North."*

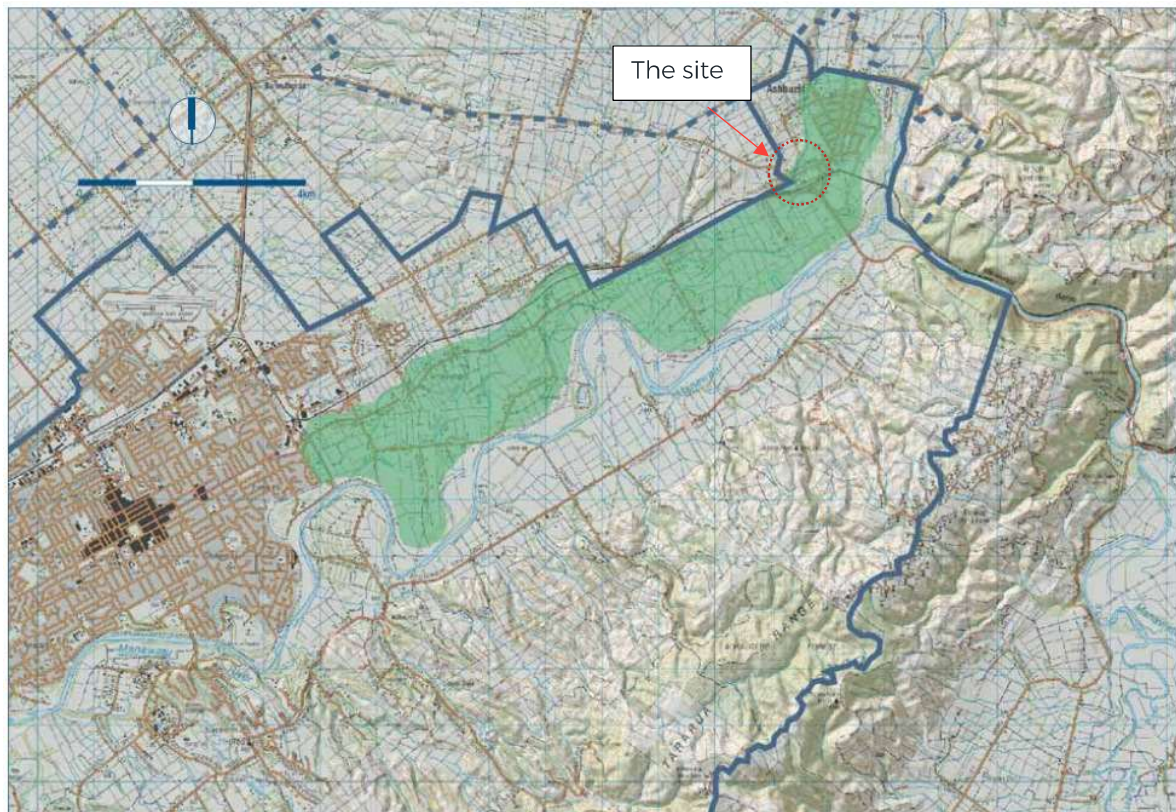
*The river terrace to the immediate north of State Highway 3 and the Railway (Palmerston North-Gisborne Line) provides a sense of containment so that views for travellers are directed across the river flats and out to the Tararua Ranges through 'windows' in shelterbelts. The landscape is very coherent at the broad scale with great diversity and interest locally. The intensive horticultural production in particular is associated with activity and a sense of vibrancy."*

The Landscape Inventory indicates the sensitivity to change (modification) as being:

- High for topography.
- Moderate-low for vegetation cover.
- Moderate-low for modification.
- Moderate-low for visibility within the wider context.

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<sup>2</sup> Palmerston North Landscape Inventory, prepared for PNCC by Opus International Consultants Ltd, October 2011



*Figure 4 Te Matai Flats Unit Boundary, Palmerston North Landscape Inventory (2011)*

### 4.3 Analysis of Legislation and Planning Information

It is clear from the Landscape Inventory that visual amenity and the perception of the city's image and experience for travellers on key routes into the city are of importance to maintain. Defining characteristics within this locality is the elevated terraces and the productive rural river flats. Poorly designed development can have adverse effects on visual amenity values. In order to avoid this, the proposal includes:

- Utilising available land within the Site for planting and screening, thereby contributing to the amenity of the area and reducing the visual effect of the proposal on adjoining properties;
- Grouping the buildings to resemble clusters of farm buildings, which are seen throughout the rural environment; and to
- The use of low reflective and recessive exterior finishes on the building exteriors to provide the structures with high levels of compatibility with the surrounding landscape.

## 5 The Proposal

The Conceptual Floorplan and Elevations provided by the Applicant (**Appendix A**) illustrates the layout of the proposal. Two buildings are proposed – a 500m<sup>2</sup> TotalSpan shed and a 20-foot shipping container.

As noted in Section 3, the TotalSpan shed is rectangular in shape and comprises four cremators, an aquamator, an autoclave, a woodwork workshop and a chapel. The highest point of this building is approximately 4.6m above current ground level (**Figure 5 and 6**). The shipping container contains one spray booth for urn finishes. The highest point of this building is approximately 2.6m above current ground level. Both buildings are generally smaller than the existing buildings on Site.

The proposed buildings will be grouped near the back of the Site, approximately 260 m from the site boundary with Mulgrave Street. The utilitarian character and layout of the buildings will blend in with the established pattern of rural farm sheds and rural infrastructure in the vicinity of the Site and the wider area.

The retained shelter belts and timber noise fence will further provide screening when viewed from Mulgrave Road and the neighbouring properties located to the east, north and west. The long-term access into the site will be via the upgraded vehicle crossing, which will be widened to accommodate the new buildings. Further details are outlined in Section 6.

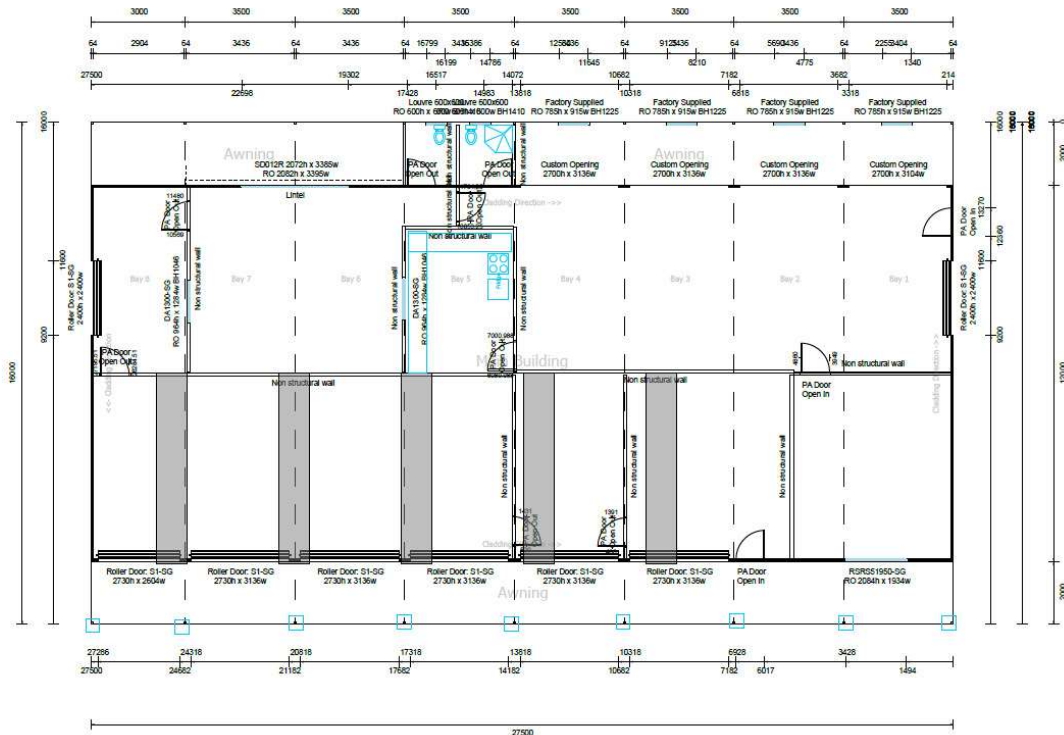


Figure 5 Floorplan for TotalSpan Shed

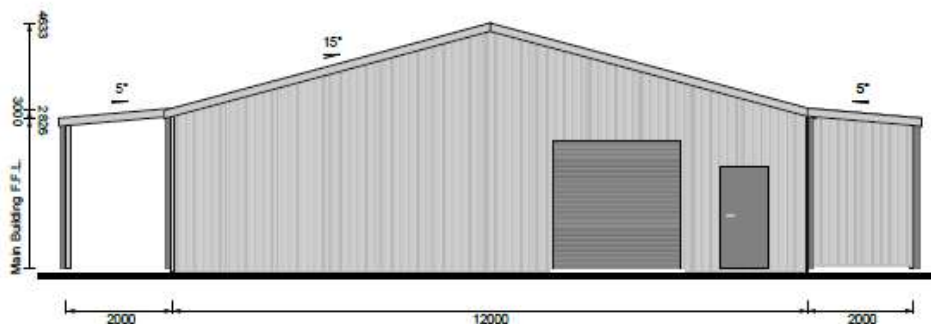


Figure 6 Overall Structure of TotalSpan Shed



## 6 Assessment of Effects

### 6.1 Landscape Effects

Landscape effects arise from physical changes to the site and changes in overall landscape character / identified landscape values brought about by development. Physical changes may change a site's character and its appearance. This may in turn affect the perceived value ascribed to the landscape. The magnitude of landscape change is described below. Changes may be positive.

#### 6.1.1 Landform

The proposal will require earthworks limited to building platforms, timber noise fences, accessway and carparking/loading areas. The volume of earthworks will not exceed 25m<sup>3</sup> per 500m<sup>2</sup>. Any disturbed soil will be reinstated to an erosion-resistant state within 1 month after completion. All earthworks will be set back approximately 8m from the stop bank. Due to the flat landform, this area does not require significant landform modifications to construct the building and accessway. It is therefore considered that the landscape character of the Site is not vulnerable to change from earthworks. The proposed changes will not result in significant cut and fill batters, and within the immediate and wider rural landscape the effects on landform will be **Low**.

#### 6.1.2 Landcover

In terms of landcover, vegetation on the Site is of low value due to the degree of historic modification / land clearance practices. The Site is now predominantly grass with exotic trees and shelterbelts dispersed throughout the Site. All existing shelterbelts and trees will be retained which means that the landcover of the Site is not vulnerable to change. Given that there is no vegetation removal apart from the grass onsite, the proposal is considered to have a **Very Low** effect on the Site.

#### 6.1.1 Landuse

Land use activities to the north and west largely relate to rural lifestyle activities. Buildings typically include isolated rural-residential and farm dwellings of various ages and sizes dispersed throughout the area including along local roads such as Wyndham Street. Contrasting with the rural land use pattern are the urban residential and commercial activities that create a noticeable and prominent urban edge to the east and south of the Site. These include commercial buildings, storage facilities, carparks/laydown areas and sheds.

Within this productive setting, structures such as farm sheds and barns are generally accepted as utilitarian components of the rural environment. The design of the proposed buildings and timber noise fence will be compatible with other buildings commonly found in the rural landscape, which have been anticipated by the PNDP. The scale and massing of the buildings, particularly the roof shape and pitch, is designed to avoid overly complex forms which would be out of character with the landscape. The compact footprint of the proposal will ensure a sense of rural spaciousness and rural character is retained which will provide the proposal with an appropriate and acceptable level of integration into the rural landscape.

Similarly, the development proposes to introduce a landuse and activity that is considered to be commercial in character. Given the proximity to commercial / industrial activities such as the plant nurseries and Ashhurst Transfer Station, the ability of the landscape to accommodate similar landscape elements and features of a more urban character is high. The proposal and its position on the transition between an urban and rural landscape is therefore consistent with the landuse patterns of both the urban and rural landscapes.

Overall the degree of change is small enough to be in keeping with the surrounding landscape character and the proposal will have on balance a **Moderate - Low** effect on the assorted landscape character.

## 6.2 Effects and Views and Visual Amenity

Four typical viewpoint locations have been identified as being the most representative within the surrounding landscape. Photographs were taken from locations accessible by the public. The representative viewpoints were chosen according to the following:

- Location and context of a specific viewpoint (how the proposed changes will conflict or contrast with their context).
- Number of potential viewers (for example, the rural landscape will have a small number of sensitive viewpoints spread throughout a large area).
- Degree of visibility (whether there are screening effects or not).
- Distance from the Site (for viewpoints over 1 km from the Site the perceived visual changes will diminish rapidly).
- Where most change is anticipated as well as the sensitivity of the viewpoint.

These representative viewpoints were chosen where the Site is assessed to be most prominent in the landscape when viewed by the public from roads and recreation spaces or residential areas. These viewpoints have been used as the basis for assessing the extent of any potential visual effects of the proposal.

It is noted that within the wider landscape there are very few sensitive viewpoints - limited primarily to only close-proximity viewpoints such as residential properties and road users along the periphery and/or in close proximity to the Site. This is largely due to the screening effect of intervening buildings, vegetation and landform (escarpment). Therefore, views where the proposal was determined to not be visible or where the effects were assessed to be very low or negligible at the time of the site visit were not assessed further.

### 6.2.1 *Visible elements of the Proposal*

The locations of the representative viewpoints are illustrated in **Figure 6-1**.





Figure 6.1 Photo viewpoint locations

In terms of the analysis of visual effects and the assessment of the change to the views arising from the proposal, this section of the LVA provides the following:

- A description of the visual audience and existing view;
- an assessment of the sensitivity of each viewpoint;
- a description of the changes that will occur to each view (should this be visible); and
- an assessment of the level of effect (magnitude of change) on each of the representative viewpoints.

### 6.3 The Viewing Audience

The potential viewing audience has been identified through desktop analysis and field work and includes:

- *Users of local roads* - views of the proposal from local roads immediately adjacent to the Site are likely to be via glimpses due to the speed and sequence of movement and obstructions provided by intervening buildings and vegetation. Roads further afield were not assessed further due to the screening effect of intervening buildings, vegetation, escarpment landform and distance from the Site
- *Occupiers of residential properties on the northern boundary of the Site* - these viewers will likely be screened from the Site by intervening buildings, shelterbelts and boundary planting, distance, and orientation.

- *Occupiers of residential properties on the eastern boundary of the Site* –viewers with low fences will most likely have clear open views of the Site, whilst a small number of properties will potentially be screened from the Site by boundary fences and shelterbelts
- *Occupiers of residential properties on the southern boundary of the Site* - their views towards the Site are likely to be partially or fully screened by intervening vegetation and buildings. However, some properties may have glimpsed views of the proposed buildings
- *Occupiers of residential properties on the western boundary of the Site* - these viewers will mostly likely be screened from the Site by intervening buildings, shelterbelts and boundary planting, distance, and orientation
- Likely occupiers' views from rural residential properties and workers within the wider rural landscape were not assessed, however – any visibility of the proposal will be likely to be partially or fully screened by intervening landform, vegetation or distance from the Site. As such, representative viewpoints near the Site were selected.

### 6.3.1 *Viewpoint 1 – Rural landscape and lifestyle properties to the north of the site*



**Figure 6.2** *Representative view 1 looking south east from Wyndham Street towards the site in the mid-distance*

From this general location the viewing audience comprises road users on Wyndham Road and a small number of occupants of residential properties and rural lifestyle properties dispersed throughout the lower and upper terraces. These distant viewpoints are located approximately 500 m to 700 m north of the Site where these views are generally orientated away from the Site to the east.

From this location, north of the site the foreground and mid-distance views include rural lifestyle properties and dwellings, paddocks, shelterbelts, the local roading network and the urban edge including two plant nurseries. Long distance views comprise glimpsed views of Ashhurst township, the Tararua ranges, Ruahine ranges and Te Apiti in the background. The Site and the proposed buildings are screened from these views from this area by intervening shelterbelts, buildings. Distance from the Site also lessens the visibility of the proposal.

From northern viewpoints, the potential visual changes include construction of the buildings, accessway, carpark, memorial garden, timber noise fence and mitigation screen planting.



The visual sensitivity from these viewpoints is considered to be low because of distance, intervening vegetation and orientation. As such, the proposal is deemed to have a **Very Low** visual effect.

**6.3.2**      *Viewpoint 2 – Residential and commercial properties along Winchester Street to the east of the site*



**Figure 6.3** *Representative view 2 (panorama) looking west from Stortford Street towards the site in the mid-distance*

The viewing audience near the Site comprises the residential properties along Winchester Street and two plant nurseries.

These views are situated at a similar level relative to the Site and are dominated by open paddocks, plant nurseries and shelterbelts in the foreground and the vegetated escarpment in the mid-distance. A grass paddock, approximately 200 m wide separates the residential properties from the Site. A 60 m long gap in the hedge on the north-eastern boundary allows an oblique view into the Site. The rest of the Site is screened from view by intervening shelterbelts and hedges.

The potential visual changes include construction of the buildings, accessway, carpark, memorial garden, timber noise fence and mitigation screen planting.

Although the residential properties adjoin the intervening paddock, some of the properties have solid boundary fences and hedges which currently adds another screening layer to these viewpoints. A small number of properties are also screened by the two plant nurseries. For these properties their outlooks will not be affected by the proposal as the Site is already screened from view.

Where properties have partial views of the proposed buildings (due to the oblique viewing angle through the gap in the shelterbelt) viewer sensitivity will be low. The buildings will not introduce a noticeable visual change to the view and the proposal is deemed to generate a **Low** overall visual effect from here.

Other components of the proposed buildings with the potential to affect visual amenity values include the four stacks and smoke plumes. Even though the top of the stacks will be visible above the enclosing shelterbelts their visual effect is considered to be less significant than the bulkier structures located on the ground as the stacks are slender. Similarly, the short duration and relatively infrequent use of the smoke plume is not considered significant in terms of visual effects.

Several properties have lowered their fences and therefore, views from their outdoor living areas are possible across the paddock to the escarpment. From this small number of viewpoints, limited glimpses may be available of the extreme northern end of the Site including the proposed buildings. These viewpoints will be sensitive to development of the Site. The visual change will be noticeable due to the building's proximity and the unobstructed views towards the Site. While the development will introduce new built forms that contrast with the existing rural outlook, the new buildings will represent a small change to the overall view. The scale of the escarpment and vegetated backdrop will help to visually absorb the new buildings and soften their visual effect. The buildings will be in keeping with the clustered pattern of lifestyle structures evident throughout the wider rural landscape.

The proposed screen planting will lessen any potential dominance of building development on the local rural environment. In time, this planting will also reduce the visibility of the stacks and thereby, reducing their visual effect. Other proposed mitigation measures include the use of appropriate low reflective, recessive colours (i.e. Resene Karaka or Resene Flaxpod) and finishes for the structures. Nonetheless it is considered that the degree of change in the outlook and visual amenity for these viewers will be **Moderate - Low**.

### 6.3.3 *Viewpoint 3 – Residential and commercial properties along Mulgrave Street to the south of the site*



**Figure 6.4** Representative view 3 (panorama) looking north east from Mulgrave Street towards the site in the mid-distance

This viewing audience comprises users of Mulgrave Street, residential properties located at the eastern end of Mulgrave Street and commercial properties immediately below the escarpment (**Figure 6.4**).

The potential visual changes include construction of the buildings, accessway, carpark, increases in traffic volumes, memorial garden, timber noise fence and mitigation screen planting.

The existing shelterbelts, hedges and building structures between these low-lying residential dwellings and commercial properties will partially or fully obscure most of the views of the proposal. Views from some properties may include the tops of the stacks and plumes, which are visible above the shelterbelts against the sky backdrop. The plumes will be an ephemeral feature within these views. Because these viewers will only be able to observe small parts of the overall structure beyond other intervening elements, any visual effects will be **Low**.

*Where small parts of the proposal are visible between gaps in the shelterbelt the potential visual change will be small* As such, viewer sensitivity from these locations will be low and the proposal is deemed to have a **Low** visual effect.

In terms of traffic volumes, this has been assessed and it is noted that the proposal is predicted to have a small net increase in traffic movements per day. For residential viewpoints within proximity to the Site, entranceway the visual change will be noticeable due to the likely increase in vehicles entering and departing the Site compared to now. However, given that the increase is likely to be

small this is unlikely to have a marked effect on the overall quality of the view. The effects on the visual amenity is therefore assessed as **Low**.

Overall, visual effects from the proposal on all viewpoints to the east will be **Low**, with potential effects reduced by the proposed mitigation measures over time to Very Low.

#### 6.3.4 Viewpoint 4 – Rural landscape and lifestyle properties to the west of the site



**Figure 6.5** Representative view 4 (panorama) looking south east from Harrisons Road towards the site in the mid-distance

Viewpoint 4 is representative of a range of rural lifestyle properties that are located along the edge of the escarpment and dispersed throughout the upper terrace further to the west of the Site. Apart from the lifestyle properties, other viewers include users of Harrisons Road. Occupants look south-east across the Site from their dwellings towards Ashhurst township in the mid-distance and the ranges including Te Apiti in the background (**Figure 6.5**). Eastwards views are generally rural in outlook and include the Site, shelter belts, small stands of trees, paddocks, lifestyle dwellings and occasional farm buildings and sheds. However, some residents will not currently have clear views of the Site from their dwellings due to the orientation of the dwellings.

From these viewpoints the potential visual changes include construction of the buildings, accessway, carpark, memorial garden, timber noise fence and mitigation screen planting.

For most of the residents to the west, their current view of the Site is screened by the shelterbelts on the northern and southern boundaries of the Site, intervening amenity plants and hedges and buildings in the intervening landscape or their elevated views, which will enable broad distant views where the proposal will form a small part of. As such, these properties will therefore not be affected by the proposal other than to a Very Low degree. The stacks will remain below the ridge and skyline with views of the ranges and Te Apiti remaining intact.

### 6.4 Mitigation Measures

This section recommends measures to reduce any potential adverse visual effects that the proposal of the Site may have on existing visual amenity values. The below measures will also adequately integrate the proposal into the wider environment. These measures include:

- Screen planting to reduce the visual effects of the proposed buildings and to reduce the scale of the stacks from views along Winchester Street.
- Finishing the proposed buildings, stacks and ancillary structures in a low reflective, dark green or black colour. The use of a low reflective colour will reduce the visible effects and help to blend the buildings into the background of the surrounding landscape. This will ensure that the contrast between the structures and the vegetation patterns are reduced and the visual



dominance of the structures are minimised from the outset. The combination of colour and screen planting will provide an effective, practical way to mitigate the visual effects in the short and long term.

## 7 Conclusion

The intention of the proposal including its building design, layout and landscape planting is to provide for a development that is visually and physically cohesive with the existing rural and nearby urban land use patterns whilst ensuring a harmonious integration with the surrounding landscape character and the levels of visual amenity currently derived from it. The positioning of the proposed buildings with the proposed mitigation measures will ensure that the future development of the SFPC will reduce landscape and visual changes to an acceptable level.

The relatively small building footprints will ensure a sense of rural spaciousness is retained and give the proposal stronger visual integration into the rural landscape while being as unobtrusive as possible. The layout pattern and built massing is also consistent with the visual amenity of both the adjacent rural and urban landscape.

While the proposed buildings will have a **Moderate - Low** effect on a small number of viewers in proximate to the Site, the overall effect of the proposal is not considered to have any significant adverse visual effects on the viewing audience within the surrounding landscape and will not substantially alter the existing visual amenity or landscape character of the rural landscape.

In summary, the proposed facility is not considered to have any significant adverse landscape or visual effects on the rural characteristics within the Site and will not substantially alter the existing visual amenity or quality of the Site nor modify the varying characteristics in surrounding areas. Overall the landscape and visual effects of the proposal, with the proposed mitigation are assessed as **Very Low**.

# Appendix A

## Methodology

The methodology for this LVA is modelled on the NZILA Best Practice Guide 10.1. The seven-point scale of effects was defined and agreed at the NZILA assessment methodology workshop (Christchurch), Dec 4, 2017 (part of a national roadshow facilitated by retired Environment Court Judge Gordon Whiting). Results are currently being compiled. The below seven-point scale is used to describe effects.

- **Very High:** Total loss to the key attributes of the receiving environment and/or visual context amounting to a complete change of landscape character
- **High:** Major change to the characteristics or key attributes of the receiving environment and/or visual context within which it is seen; and/or a major effect on the perceived amenity derived from it.
- **Moderate-High:** A moderate to high level of effect on the character or key attributes of the receiving environment and/or the visual context within which it is seen; and/or have a moderate-high level of effect on the perceived amenity derived from it.
- **Moderate:** A moderate level of effect on the character or key attributes of the receiving environment and/or the visual context within which it is seen; and/or have a moderate level of effect on the perceived amenity derived from it. (Oxford English Dictionary Definition: Moderate: adjective-average in amount, intensity or degree).
- **Moderate-Low:** A moderate to low level of effect on the character or key attributes of the receiving environment and/or the visual context within which it is seen; and/or have a moderate to low level of effect on the perceived amenity derived from it.
- **Low:** A low level of effect on the character or key attributes of the receiving environment and/or the visual context within which it is seen; and/or have a low level of effect on the perceived amenity derived from it. (Oxford English Dictionary Definition: Low: adjective-below average in amount, extent, or intensity).
- **Very Low:** Very low or no modification to key elements/features/characteristics of the baseline or available views, i.e. approximating a 'no-change' situation.

#### 1.1.1 Sensitivity

The sensitivity of the visual amenity is based upon a sliding scale of importance, ranging from "Very High/International" to "Low/Local". The sensitivity of these depends upon the level of modification (pristine natural versus modified engineered) and how sensitive the environment is to change. The factors that contribute to the sensitivity of the viewing audience are:

- *Level of modification (pristine or highly modified);*
- *Quality and condition (coherence/variability);*
- *Number of viewers and frequency; and*
- *Distance from the Project.*

| Viewing audience | Definition  |
|------------------|---|
| High             | Viewed within internationally and nationally designated landscape, the setting of historic buildings and their setting.<br>Viewed using:<br>Public walkways/tracks, reserve walkways, national parks and botanical gardens. Viewed within residential settings. |
| Moderate         | Viewed within:  |

|            |  |
|------------|--|
|            | Locally important landscapes, outdoor sports and recreation, passengers travelling on trains, people within cars on local roads. |
| Low        | People using motorways and major roads, workers within business premises.  |
| Negligible | Viewed within non-designated landscapes, workers within industrial premises.   |

### 1.1.2 Distance

The distance from the Project influences the visual sensitivity of the viewing audience:

| Viewing audience                             | Distance   |
|--|--|
| Foreground views (High)                      | Views within 500 metres of the viewer (high level of detail will be visible).                                |
| Mid-distance views (Moderate)                | Views between 500 metres and 800 metres of the viewer (medium level of detail will be visible).              |
| Background views (long distance views - Low) | Views 800 metres and further (viewers will see the object but will find it difficult to distinguish detail). |

### 1.1.3 Mitigation

The mitigation component is described in relation to the measures outlined in the report. The effect of the specific change to the environment will be quantified by predicting the magnitude of positive or negative change in relation to the character of the area. The rating was utilised to determine the extent of landscape mitigation measures.

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## Appendix E – Management Plan



Soul Friends Pet Cremations and Tolly Farm Boarding Cattery and Kennels

## MANAGEMENT PLAN

17 DECEMBER 2020





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