

BEFORE PALMERSTON NORTH CITY COUNCIL

UNDER THE

Resource Management Act 1991

IN THE MATTER OF

of application RC LU5959 by Soul Friend Pet Cremations (Applicant) to the Palmerston North City Council for resource consents to establish and operate a pet cremation business, public memorial garden, woodworking workshop and spray booth for urn finishes and to undertake 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 at 94 Mulgrave Street, Ashhurst

**STATEMENT OF EVIDENCE OF GEORGE VAN HOUT ON BEHALF OF
Soul Friends Pet Cremations**

Noise

05 October 2021

1 INTRODUCTION

- 1.1 My full name is George Thomas van Hout.
- 1.2 I am a Senior Acoustic Engineer at WSP New Zealand Limited (*WSP*).
- 1.3 I hold the qualifications of a Bachelor of Building Science from Victoria University of Wellington, New Zealand and a Masters Degree in Engineering (Acoustics) from Canterbury University in New Zealand. I have practiced as an acoustic engineer for seven years.
- 1.4 I have been a member of the Acoustical Society of New Zealand since 2018 and a member of the Institute of Acoustics since 2020. I have previously held the title of Vice President of the Acoustic Society of New Zealand.
- 1.5 I have experience in a wide variety of environmental noise assessment projects throughout New Zealand. These include Notice of Requirement applications, Plan Changes, Resource Consent Applications, and assisted various Councils as a Peer Reviewer for Resource Consents. I have presented affidavit to Environment Court.
- 1.6 I have been involved with Soul Friends Pet Cremations (Soul Friends) for the resource consent to develop and operate a pet cremation service, a woodwork workshop, and spray booth for wood urns since September 2020.

Code of Conduct

- 1.7 I have read and am familiar with the Environment Court's Code of Conduct for Expert Witnesses, contained in the Environment Court Practice Note 2014, and agree to comply with it. My qualifications as an expert are set out above. Other than where I state that I am relying on the advice of another person, I confirm that the issues addressed in this statement of evidence are within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.

2 SCOPE OF EVIDENCE

- 2.1 My evidence is presented on behalf of Soul Friends and relates to noise matters associated with the Proposal.

2.2 My evidence should be read in conjunction with the Updated Assessment of Environmental Noise Effects Report – LU5959, dated 22 September 2021, prepared by WSP, and is structured as follows:

- (a) summary of Noise Assessment;
- (b) comments on matters raised by submitters;
- (c) comments on Council section 42A report and specialist reporting;
- (d) proposed consent conditions; and
- (e) concluding comments.

3 SUMMARY OF NOISE ASSESSMENT

3.1 The Proposal is to construct a single building on 94 Mulgrave Street which will house four cremators, a woodwork workshop, and a spray booth. A new road will be constructed to the Building. The site is within the Rural Zone under the Palmerston North City Council's (PNCC) District Plan. Details of the buildings, location, and activities are found in the application and evidence of others.

3.2 I have been involved with the Proposal since September 2020.

3.3 In September 2020, WSP was engaged to undertake an assessment of the operational noise effects associated with the Proposal. My acoustic assessment report was provided in February 2021 which included a cumulative noise assessment of the crematorium, workshop, and boarding kennels operating on site.

3.4 Since the issue of my report, the kennels and cattery which operated on site have now closed and not reopening. My report was revised to reflect the closure of the kennels and cattery in September 2021

3.5 The key noise sources associated with the general operation of the proposal are noise associated with the four cremators, the woodwork workshop and associated spray-booth, and vehicles on site.

3.6 Based on national and international guidance, noise criteria specific for this site has been developed. Differences between the PNCC noise standards and the proposed noise limits are:

- (a) Rural zone noise limits apply at the notional boundary (20 metres from the façade of habitable dwellings) under the

proposed noise limits, rather than the property boundary as outlined in the PNCC noise standards. This is in line with New Zealand Standard NZS 6801 and NZS 6802 for measuring and assessing noise in rural areas.

- (b) More appropriate noise limits have been developed for the plant nursery (84 Winchester Street), and Abattoir (102 Mulgrave Street), as these are commercial in nature. The PNCC noise standards were developed for residential dwellings in rural zones.

3.7 On 8 October 2020 I visited the existing workshop and crematorium to undertake noise measurements of the existing workshop equipment and existing crematorium chambers and stacks that is to be relocated to the proposed building. These measurements were used in the noise modelling and analysis.

3.8 I have assessed noise from three scenarios:

- (a) Workshop including spray booth operating only;
- (b) Workshop including spray booth and cremators operating concurrently;
- (c) Traffic entering and exiting site.

(a) Workshop including spray booth operating only

3.9 The workshop including spray booth operating solely complies with the proposed noise limits.

3.10 There is a marginal 2 dB exceedance of the PNCC District Plan daytime noise standards at 102 Mulgrave Street and 83 Winchester Street (52 dB L_{Aeq}) when assessed at the boundary of the site. This is deemed acceptable due to these sites being commercial in nature.

(b) Workshop including spray booth and cremators operating concurrently

3.11 When the workshop including spray booth operates concurrently with cremators operating, the proposed noise limits are achieved.

3.12 There are technical non-compliances with the PNCC noise standards at 83 Winchester Street (4 dB), 102 Mulgrave Street (2 dB), and 114 Mulgrave Street (7 dB) during the daytime. In addition to these properties, here is also a technical non-compliance at 106 Mulgrave

street (1 dB) during the evening period (1900 to 2200 hours). All of these properties are zoned rural.

3.13 83 Winchester Street and 102 Mulgrave Street properties are commercial in nature and are therefore considered less sensitive to noise than the PNCC noise standards which were developed for residential dwellings.

3.14 There is currently no house on the 114 Mulgrave Street property. Therefore, there is no notional boundary to assess noise against.

3.15 Nevertheless, for 114 Mulgrave Street, as outlined in the evidence of others, the location which a dwelling could be constructed as of right on this property would be constrained to the northwest or southeast portion due to the stream and flood prone area. I understand after speaking with Ms Manderson that constructing a dwelling in the south-eastern portion of the site, which is closest to the proposed crematorium would be difficult due to setback distances from the boundary, stream and flood-prone land. It would also require a consent to construct two accessways across the stream. This is further described in the evidence of Ms Manderson.

(c) Traffic entering and exiting site

3.16 Noise from vehicles entering and exiting site have been assessed separately as the peak period when staff arrive or depart will occur when the cremators and workshop do not operate. Noise from vehicles is predicted to achieve the proposed noise limits and PNCC noise standards.

4 MATTERS RAISED BY SUBMITTERS

4.1 Six submissions were received regarding the proposal. Four of the six submitters raised noise as a concern. Concerns of the submitters can be summarised as:

- (a) Noise from seven-day operation.
- (b) Noise from the workshop.
- (c) Noise from vehicles on public roads (Mulgrave Street).
- (d) Cumulative noise associated with the proposal and the existing (now closed) kennels and cattery.
- (e) Noise mitigation controls.

(f) Noise from any change in land-use.

(a) Noise from seven-day operation

- 4.2 Typical hours of operation for cremations and noisy activity in the workshop will occur during the weekdays (Monday to Friday). This was assessed in my acoustic report.
- 4.3 From discussions with the Applicant, some routine cremations may occur on Saturdays and a single cremator may be used from time to time due in response to unplanned client contact for a deceased pet. This sporadic and unplanned work is to only occur between 1100 and 1500 hours Saturday and Sunday. Due to the unplanned nature, it is unlikely that this will occur every Saturday and Sunday. There may also be occurrences where a customer may request a service on a Saturday or Sunday. This activity is less than the worst-case activity predicted in my acoustic report.
- 4.4 Workshop activities may operate between 1100 and 1500 hours on a Saturday at times as demand requires.
- 4.5 Noise from this weekend work can be managed via a Noise Management Plan (NMP) which is proposed as a condition of consent. As part of the NMP, a contact number will be provided to the adjacent residents and a complaints register to be kept. Where necessary, the Applicant can work with the adjacent neighbours who may have special events occurring during the weekends (birthday party, open homes, etc.) so cremators do not run during this period as far as practicable. Workshop and cremators should be managed so that they do not occur concurrently on the weekend.

(b) Noise from the workshop

- 4.6 Noise measurements were undertaken at the existing woodwork workshop of the equipment that is to be relocated to the proposed workshop. Noise measurements of the existing woodwork equipment and cremators were used to predict noise from the proposed activity. This gives a high level of confidence that the predicted noise emissions will be no greater when the workshop is operating.

(c) Noise from traffic on public roads

- 4.7 Noise from vehicles on the roading network is not part of the applicant's site and is therefore exempt from achieving the noise standards. Therefore, traffic on roads have not been assessed.

(d) Cumulative noise impact from crematorium and kennels

- 4.8 The kennels and cattery that were operating on site have now closed. Therefore, there will be no cumulative noise impacts. I have provided an updated report to reflect this in September 2021.

(e) Noise mitigation concerns

- 4.9 One submitter raised concerns around the acoustic mitigation controls that have been considered. Part of the building location study was to locate the proposed building far away from residential receivers. This will provide as much distance as possible to reduce noise emissions.
- 4.10 An acoustic fence is proposed along the boundary to 98 Mulgrave Street to minimise noise emissions to this property. The acoustic fence is proposed to reduce noise by at least 10 dB at 98 Mulgrave Street from traffic on the access road.

(f) Rezoning of rural zoned land to residential

- 4.11 Multiple submitters have raised the re-zoning of 83 Winchester Street from Rural to Residential. I have discussed this with Ms Manderson (Applicants Planner). I understand that while a plan change for this site has been discussed with the community, there has been no formal plan change application submitted to PNCC. Therefore, 83 Mulgrave Street site is considered a rural zoned site as this consent predates the notification of any plan change.

5 COUNCIL SECTION 42A REPORT

- 5.1 I have reviewed the section 42A report, together with the specialist noise report, dated 28 September 2021 prepared by Mr. Nigel Lloyd referenced in the section 42A report, which has been used by Mr. Phillip Hindrup to assess the noise effects of the Proposal.
- 5.2 Prior to the release of the section 42A report, I discussed in high level and without prejudice our report with Mr. Lloyd and any concerns that

he had. Mr. Lloyd is supportive of the methodology and assumptions adopted in preparing the Noise Assessment and considers that the effects of the Proposal can be managed with appropriate conditions. Mr. Lloyd has reached the conclusions that he believes that the District Plan noise standards are predicted to be met, , and where they are not, the effects are less than minor.

- 5.3 Mr. Hindrup agrees with the conclusions of Mr. Lloyd within his Section 42A report.
- 5.4 I agree with the conclusions outlined within the evidence of Mr. Lloyd and the section 42A report relating to noise.

6 PROPOSED CONSENT CONDITIONS

- 6.1 Mr. Lloyd has outlined recommended conditions of consent specific to noise. Mr. Hindrup has adopted these as draft conditions of consent, outlined in Appendix 1 of the Section 42A report.
- 6.2 I generally agree with all of the draft conditions of consent. I recommend that the wording of draft condition 4 of Appendix 1 of the Section 42a report is reworded to clarify:

The pet crematorium and workshop (including onsite vehicles) activities must not exceed the following at or within any existing residentially zoned sites (at the time of this consent): ...

- 6.3 Alternatively, a map to clarify each of the assessment sites such as one appended to my evidence could be provided.

7 CONCLUDING COMMENTS

- 7.1 In summary:
 - (a) It is predicted that noise associated with the proposed crematorium, woodwork workshop, spray booth, and vehicles on site comply with the proposed noise limits.
 - (b) The kennels and cattery are now closed and will not reopen. Therefore, there is no cumulative impacts of noise from the proposal and kennels.
 - (c) Consent conditions relating to noise have been developed to ensure that the noise effects are in line with the outcomes of the

noise assessment. I have recommended a slight change to condition 4 (in Appendix 1 of the Section 42a report).

7.2 I therefore consider that the noise effects of the Proposal will be acceptable.

A handwritten signature in black ink, appearing to read 'G. van Hout', is written over a light blue grid background.

George van Hout
Senior Acoustic Engineer, WSP
05 October 2021

BEFORE PALMERSTON NORTH CITY COUNCIL

UNDER THE

Resource Management Act 1991

IN THE MATTER OF

of application RC LU5959 by Soul Friend Pet Cremations (Applicant) to the Palmerston North City Council for resource consents to establish and operate a pet cremation business, public memorial garden, woodworking workshop and spray booth for urn finishes and to undertake 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 at 94 Mulgrave Street, Ashhurst

**STATEMENT OF EVIDENCE OF STEFAN STEYN ON BEHALF OF Soul
Friends Pet Cremations**

Landscape Architect

05 October 2021

1 INTRODUCTION

Qualifications and experience

- 1.1 My name is Stefan Steyn. I am a Senior Landscape Architect at WSP.
- 1.2 I have the following qualifications relevant to the evidence I shall give:
 - (a) I have a Bachelors degree in Landscape Architecture; and
 - (b) I am a registered member of the New Zealand Institute of Landscape Architects
- 1.3 I have practiced as a Landscape Architect for 18 years. I have 14 and a half years' experience in New Zealand as a Landscape Architect. Prior to that I have had three and a half years' experience in the United Kingdom and one year in the Republic of South Africa.
- 1.4 I have a broad skills base with experience spanning across landscape planning, assessment, management and design for a diverse range of projects in both urban and rural contexts.
- 1.5 In New Zealand I have practised as a Landscape Architect in Hamilton and Napier, undertaking work for clients from Local and Regional Councils, Central Government agencies such as the Department of Internal Affairs, the Department of Conservation and the New Zealand Transport Agency, energy and infrastructure companies, educational institutions and private developers.

Involvement in project

- 1.6 I was engaged by Soul Friends Pet Crematorium to provide expert evidence regarding the landscape and visual effects of the proposed pet crematorium. Prior to this I prepared the Landscape and Visual Effects report submitted with the consent application (18th December 2020, Appendix D of the consent application).
- 1.7 As part of the preparation of the Landscape and Visual effects report I undertook a site visit in October 2020. Digital photographs were taken during this site visit using a DSLR camera, and the photographs were used in the landscape and visual effects report.

Expert Witness Code of Conduct

- 1.8 I have been provided with a copy of the Code of Conduct for Expert Witnesses contained in the Environment Court's Practice Note dated 1 December 2014. I have read and agree to comply with that Code. This evidence is within my area of expertise, except where I state that I am relying upon the specified evidence of another person. I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.

Purpose and Scope of evidence

- (a) Summarise the conclusions reached from my Landscape and Visual Effects report which forms part of the application;
- (b) Respond to matters raised in the Section 42A Report relevant to my areas of expertise. This includes a careful review of the Hudson Associates' peer review of the Landscape and Visual Effects report; and
- (c) Address matters raised in submissions which are relevant to my areas of expertise.

2 MATTERS RAISED IN SECTION 42A REPORT

- 2.1 I concur with the requirement to produce a landscape planting plan as a condition of consent. I note that the landscape plan provided with the application goes some way towards meeting this condition already and concur that a plan to facilitate how this would be implemented is appropriate. Below I make some comments regarding proposed amendments to the landscape plan.

Landscape and Visual Assessment Report and Mulgrave Landscape Evidence (Hudson and Associates Landscape Architects)

- 2.2 I have carefully considered the points made in the Landscape Assessment report, prepared by Hudson Associates, September 2021 (Peer Review Report) which is Attachment 2 to the Section 42A Report and the Mulgrave Landscape Evidence (Evidence) which is attached to the Section 42A Report. I concur with the comments in Sections 13 – 22 of the Evidence which concludes "*As a result of these measures, effects are assessed as no more than minor after implementation of the mitigation measures proposed.*"

- 2.3 I have noted that on Page 4 of my report and Section 9 of the Peer Review Report it was stated that the tops of the chimneys will be 10.5 m above the ground. However, the updated Soul Friends Management Plan states cremator stacks are 10.5 – 13m high. Consequently, I suggest in Section 13 below that the proposed tree species in the plant schedule be substituted with tree species that will grow to a height of 13 metres to mitigate the visual effects on the nearby viewpoints.
- 2.4 I have noted that on Page 16 to 17 of my report I have stated that “the short duration and relatively infrequent use of the smoke plume is not considered significant in terms of visual effects”. However, I have subsequently been provided with a copy of the Air Quality Report, prepared by Pattle Delamore Partners Ltd, May 2021. In Section 4.2 the report has highlighted that *“The cremators proposed to be installed at the site are fitted with high temperature secondary chambers, which are designed to ensure complete combustion of all material. Well operated and maintained secondary chambers eliminate visible smoke and any potential odorous compounds from the discharges.”* Section 4.4 also addresses aesthetic impact – *“Under nearly all operating conditions, the discharges from the cremator stacks are very similar in appearance and odour to that from commercial natural gas-fired boilers and hot water heaters with no visible smoke. A ‘heat shimmer’ from the top of the stack under some light wind conditions may be observed.”* Based on this report, my understanding is that smoke will not generally be visible. In addition, the low visibility and infrequent appearance of the heat shimmer from the top of the chimney will not have any adverse visual effects on surrounding viewpoints.

3 MATTERS RAISED BY SUBMITTERS

- 3.1 The Submission from Ms Catherine Shannon states that the proposed screen planting will not be able to ‘hide’ the four chimneys. To respond to Ms Shannon’s concern, the proposed screen planting will grow to a height of approximately 6 metres to 8 metres at maturity. In time, the screen planting will reduce the visibility of the chimneys and thereby reduce their visual effect. At maturity, the top 2 metres of the chimneys will likely still be visible above the screen planting, however the visible parts of the chimneys will be of such a small scale that they will have only a Very Low adverse visual effect from Ms Shannons’ dwelling. The proposed tree species identified in the plant schedule could be substituted with trees that will grow to a height of 12 metres to 13 metres. These may include *Podocarpus species*, *Corynocarpus*

laevigatus (Karakā), *Knightia excelsa* (Rewarēwa), and *Sophora microphylla* (Kowhai). It is anticipated that any adverse visual effects will diminish over time as the planting will take 3 to 5 years to establish and form a degree of screening with growth beyond year 5 to 8 mitigating any adverse visual effects of the Proposal to an acceptable level. In doing so, the chimneys would in effect be fully screened from surrounding viewpoints and there will be a positive benefit from a visual perspective due to the additional planting.

- 3.2 The Submission from Mr Hanno Pieterse states that the “*changes to the rural landscape have not been properly addressed.*” In my opinion the potential effect has been adequately assessed and appropriate mitigation measures are proposed. The crematorium will be screened from neighbouring properties by the proposed screen planting. The current surrounding rural character is strongly influenced by the vegetation patterns in the area. Proposed mitigation screen planting is also intended to create a physical and visual connection with these existing patterns and the existing rural character. The resultant vegetative framework will not only absorb the visual change but also be consistent with the wider characteristics and identity of the rural landscape. The relatively small loss of open paddock will in my opinion have no significant effect on the openness or amenity values of the wider rural landscape. Owners of the nearby properties will be aware of the presence of a new building and activity on the subject site but will not experience the actual building as a dominant feature due to the proposed mitigation planting. In addition, the proposed building would be no greater than that of a permitted structure such as a large farm shed. Where views of the new building are possible, in my view its appearance will closely mimic the sheds and other types of structures already present and anticipated in the surrounding area. The building, where visible, will be seen in the context of the existing rural and urban landscape and will in my opinion be visually consistent with that landscape.

4 CONCLUSION AND RECOMMENDATIONS

- 4.1 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 crematorium will reduce any adverse landscape and visual effects to an acceptable level.

- 4.2 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.
- 4.3 While the proposed buildings will have a **Moderate – Low** effect on a small number of viewers proximate to the Site, 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.
- 4.4 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**.



Stefan Steyn
Senior Landscape Architect, WSP
05 October 2021



PROPOSED SCREEN PLANTING
SCALE: 1:250 @A1

KEY:

- PROPOSED PET CREMATORIUM
- PROPOSED ACCESSWAY, PARKING AND TURNING FACILITY
- EXISTING STOPBANK
- 8m SEPERATION DISTANCE FROM STOPBANK
- EXISTING AREA TO BE AVOIDED AT CLIENT REQUEST
- EXISTING FENCES
- EXISTING SITE BOUNDARY
- PROPOSED SCREEN PLANTING
- PROPOSED SPECIMEN TREES
- PROPOSED ACOUSTIC FENCE

- NOTES:**
- THIS PLAN IS TO BE READ IN CONJUNCTION WITH SOUL FRIENDS CREMATORIUM LANDSCAPE AND VISUAL ASSESSMENT REPORT (APPENDIX D)
 - ALL PLANTS TO BE SOURCED FROM THE MANAWATU/PALMERSTON NORTH ECOLOGICAL REGION
 - NATIVE TREES UNDERPLANTED WITH NATIVE SHRUBS TO BE USED FOR SCREEN PLANTING
 - PLANTING LAYOUT TO BE CONFIRMED ON SITE PRIOR TO PLANTING
 - PLANTS TO BE STAGGERED AND NOT PLANTED IN ROWS
 - ALL PROPOSED BUILDINGS, STACKS AND ANCILLARY STRUCTURES TO BE FINISHED IN A LOW REFLECTIVE, DARK GREEN OR BLACK COLOUR

Soul Friends Crematorium							
Schedule of Species							
Code	Botanical Name	Common Name	Unit/ Grade	Max. Growth Size (H x W)	Percentage Mix	Spacing (Centres)	Quantity
TREE PLANTING							
AE	Alectryon excelsus	Titoki	45ltr	6.0 x 4.0m	N/A	Specimen	2
CL	Corynocarpus laevigatus	Karak	45ltr	12 x 8.0m	N/A	Specimen	6
KE	Knightia excelsa	Rewarewa	45ltr	20 x 5.0m	N/A	Specimen	6
PT	Podocarpus totara	Totara	45ltr	15 x 8.0m	N/A	Specimen	5
SM	Sophora microphylla	Kowhai	45ltr	8.0 x 4.0m	N/A	Specimen	2
SCREEN PLANTING							
As Shown	Carex virgata	Swamp Sedge	PB3	0.8 x 0.8m	10%	0.9	75
As Shown	Chionochloa flavicans	Minature toetoe	PB3	0.75 x 1.0m	5%	0.9	37
As Shown	Coprosma 'Black Cloud'	Minature toetoe	PB3	0.75 x 1.0m	5%	0.9	37
As Shown	Hebe 'Wiri Mist'	Hebe	PB3	0.75 x 1.0m	10%	0.9	75
As Shown	Leptospermum scoparium	Manuka	PB3	4.0 x 1.5m	30%	0.8	306
As Shown	Phormium cookianum	Mountain Flax	PB3	1.0 x 1.0m	10%	0.9	75
As Shown	Phormium tenax	Harakeke	PB3	2.0 x 2.0m	20%	1.5	61
As Shown	Pittosporum tenifolium 'Golf Ball'		PB3	1.5 x 1.5m	10%	1	68
Total							734



PROPOSED ACOUSTIC FENCE
SCALE: 1:500 @A1

REVISION	AMENDMENT	APPROVED	DATE

wsp
Palmerston North Office
+64 6 350 2500

PO Box 1472
Palmerston North 4440
New Zealand

CIVIL
412

SCALES			ORIGINAL SIZE
AS SHOWN			A1
DRAWN	DESIGNED	APPROVED	
GR	SS	TM	
DRAWING VERIFIED	DESIGN VERIFIED	APPROVED DATE	
RMCD	TM	2021-10-05	

FOR CONSENT

PROJECT SOUL FRIEND PET CREMATION 94 MULGRAVE STREET, ASHHURST SOUL FRIENDS PET CREMATORIUM		
TITLE LANDSCAPING PLAN		
WSP PROJECT NO. (SUB-PROJECT) 5-P1403.00	SHEET NO. C02	REVISION C

Submission Number	Submitter
1	Budda Developments – Peter Colville
2	Katrina Anne Wallace
3	Hanno Pieterse
4	Isobel E Currie & Bevan P Currie
5	Dave Denton
6	Catherine Shannon



Form 13

Submission on a Limited Notified resource consent application made under the Resource Management Act 1991.

To: Democracy Manager/General Counsel
Strategy & Planning
Palmerston North City Council
Private Bag 11-034
Palmerston North

Phone Number: (06) 356 8199

Email: submission@pncc.govt.nz

Name of Submitter: Buddha Developments - PETER Colville

Contact details of Submitter:
(Full postal address, phone/fax number(s), email address of Submitter)

Address: 86 Mulgrave St
Ashhurst

Phone Number: 021 474 557

Email Address: Peter.Colville@LJHooker.co.nz

Please ensure all areas of this submission form are completed.

This is a submission on an application from:

Soul Friend Pet Cremations

for a Resource Consent to operate a pet cremations business, animal memorial garden, woodworking workshop, and spray booth for urn finishes at 94 Mulgrave Street, Ashhurst.

My submission is: (Choose from the following)

- ☐ I support the application
- ☐ I am neutral to the application
- ☒ I oppose the application
- ☐ My submission relates to the entire application, or
- ☐ My submission relates to the following specific parts of the application: _____

I wish/do not wish (delete one) to be heard (speak) at any subsequent hearing

I wish to have the following parts amended: _____

1-2

The reasons for my views are: (if necessary please attach additional page(s) to this submission)

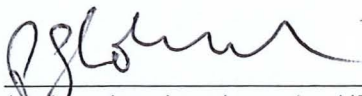
I believe that a crematorium/workshop in the neighbouring property will detract from property values in the immediate area.

I seek the following decision from the Palmerston North City Council: (Give details including the nature of any conditions sought)

I propose that PNCC should Rezone the area to Residential. This would allow the owner to develop or sell the land at a higher Market Value and provide options for them to relocate the business. As it is already proposed the neighbouring property to be residential in the near future.

If others, make a similar submission I will consider presenting a joint case with them at the hearing (Delete if you would not consider presenting a joint case)

Signature of Submitter: (or person authorised to sign on behalf of Submitter)



Date: 13-07-20

(A signature is not required if you make your submission by electronic means)

Please return, post, fax or email this submission by 4pm on Tuesday 27 July 2021 to the Council address given at the top of this form.

You must also serve a copy of your submission on the applicant as soon as is reasonably practicable after you have served your submission on Council.

The address for service is:

Soul Friend Pet Cremations
C/- Samantha Dowse
WSP Ltd
PO Box 1472
Palmerston North



Form 13

Submission on a Limited Notified resource consent application made under the Resource Management Act 1991.

To: Democracy Manager/General Counsel Strategy & Planning Palmerston North City Council Private Bag 11-034 Palmerston North	
Phone Number: (06) 356 8199 Email: submission@pncc.govt.nz	
Name of Submitter: Katrina Anne Wallace	
Contact details of Submitter: (Full postal address, phone/fax number(s), email address of Submitter)	Address: 98 Mulgrave street Ashurst Phone Number: 0212616407 Email Address: wallace.k@artlook.co.nz

Please ensure all areas of this submission form are completed.

This is a submission on an application from:

Soul Friend Pet Cremations

for a Resource Consent to operate a pet cremations business, animal memorial garden, woodworking workshop, and spray booth for urn finishes at 94 Mulgrave Street, Ashhurst.

My submission is: (Choose from the following)

- ☐ I support the application
- ☐ I am neutral to the application
- ☒ I oppose the application
- ☐ My submission relates to the entire application, or
- ☐ My submission relates to the following specific parts of the application: _____

~~I wish~~/do not wish (delete one) to be heard (speak) at any subsequent hearing

I wish to have the following parts amended: _____

2-2

The reasons for my views are: (if necessary please attach additional page(s) to this submission)

The extra traffic right next door.

The noise level

The decrease in property value

I don't know enough to comment on the chemicals or psychological welfare of neighbouring animals.

I seek the following decision from the Palmerston North City Council: (Give details including the nature of any conditions sought)

States Rural area, however being right next door at 98 Mulgrave street, I feel this is not true. This affects all neighbouring areas.

If others, make a similar submission I will consider presenting a joint case with them at the hearing (Delete if you would not consider presenting a joint case)

Signature of Submitter: (or person authorised to sign on behalf of Submitter)



Date: 13/07/2021

(A signature is not required if you make your submission by electronic means)

Please return, post, fax or email this submission by 4pm on Tuesday 27 July 2021 to the Council address given at the top of this form.

You must also serve a copy of your submission on the applicant as soon as is reasonably practicable after you have served your submission on Council.

The address for service is:

Soul Friend Pet Cremations
C/- Samantha Dowse
WSP Ltd
PO Box 1472
Palmerston North

3-1



PAPAIOEA
PALMERSTON
NORTH
CITY

Form 13

Submission on a Limited Notified resource consent application made under the Resource Management Act 1991.

To: Democracy Manager/General Counsel Strategy & Planning Palmerston North City Council Private Bag 11-034 Palmerston North	
Phone Number: (06) 356 8199 Email: submission@pncc.govt.nz	
Name of Submitter: <u>Hanno Pieterse</u>	
Contact details of Submitter: (Full postal address, phone/fax number(s), email address of Submitter)	Address: <u>84 Mulgrave Street</u> <u>Ashhurst</u> <u>4810</u> Phone Number: <u>027 259 8296</u> Email Address: <u>hanno.pieterse@gmail.com</u>

Please ensure all areas of this submission form are completed.

This is a submission on an application from:

Soul Friend Pet Cremations

for a Resource Consent to operate a pet cremations business, animal memorial garden, woodworking workshop, and spray booth for urn finishes at 94 Mulgrave Street, Ashhurst.

My submission is: (Choose from the following)

- ☐ I support the application
☐ I am neutral to the application
☒ I oppose the application
☐ My submission relates to the entire application, or

☒ My submission relates to the following specific parts of the application: Noise,
changing rural landscape, effect on further development (residential)
traffic implication, hours of operation (working 7 days a week)
 I ~~wish~~ do not wish (delete one) to be heard (speak) at any subsequent hearing

I wish to have the following parts amended: _____

3-2

The reasons for my views are: (if necessary please attach additional page(s) to this submission)

Noise Impact: I have a two-storey building and have no solid fence at the back. The parking at Tolly Farm is already loud and adding the noise of a workshop and crematorium will make this worse. I do not feel that the impact of the noise and change to the rural landscape have been properly addressed. The application also refers to various working hours and I believe the workshop and crematorium should not be operating over weekends or after 5:30 pm. We moved to a rural landscape to enjoy peace and quiet over weekends and after hours. (See back page)

I seek the following decision from the Palmerston North City Council: (Give details including the nature of any conditions sought)

- Better noise mitigation controls around new building and mitigation to reduce the risk of increasing the parking of the dogs (dish-b th dogs)
 - Investigate impact of this application on future residential developments
 - Workshop / Crematorium restricted to working on weekdays only
 - Page 12/13 of the resource consent application → What about the advantages and disadvantages of the current residents? Why should the residents / residential properties be disadvantaged so that Soul Friend Pet Cremations can get the option with the most advantages?
- If others, make a similar submission I will consider presenting a joint case with them at the hearing (Delete if you would not consider presenting a joint case)

Signature of Submitter: (or person authorised to sign on behalf of Submitter)



Date: 19/07/2021

(A signature is not required if you make your submission by electronic means)

Please return, post, fax or email this submission by 4pm on Tuesday 27 July 2021 to the Council address given at the top of this form.

You must also serve a copy of your submission on the applicant as soon as is reasonably practicable after you have served your submission on Council.

The address for service is:

Soul Friend Pet Cremations
C/- Samantha Dowse
WSP Ltd
PO Box 1472
Palmerston North

There is currently no advantage for residential properties by adding this business to the rural landscape.

Reason for my views:

- ① How will this change effect the barking of the dogs?
this cannot be assessed until the workshop / crematorium is operational with additional traffic. All the assessments are theoretical on ground level with the present conditions. I have no problem with the odd barking of the dogs but believe extra traffic and people visiting and the additional noise of the crematorium and workshop may increase the current barking. My home have no sound barrier to the back. I enjoy the rural outlook and don't want this to change.
- ② Traffic: Traffic is already a concern with people rushing past. No-one adhere to the speed limit and adding more traffic is not going to make this any better. Was any traffic calming considered?
- ③ ~~PNRC~~ is planning residential development at the back of mudgrave. Does the current noise study include the impact on this development between mudgrave and Winchester street
- ④ Property value reducing is a concern. I believe stricter mitigation measures and rules need to be put in place to ensure the negative effects do not reduce property values.
- ⑤ Page 8-10 of the management plan state working 7 days a week. Crematorium / workshop should only work 5 days. we want to enjoy peace and quiet over weekends.
- ⑥ No predicted noise levels modelling was done on workshop, crematorium AND DOGS concurrently → If this is done. If this is done it will be louder than 45dB and not compliant
- ⑦ Smoke or odour → How is **420** this currently assessed?

3-4

Merle Lavin

From: PIETERSE, Hanno <Hanno.Pieterse@teahuaturanga.co.nz>
Sent: Tuesday, 20 July 2021 7:46 am
To: Submission
Cc: samantha.dowse@wsp.com
Subject: Soul Friends Resource Consent Application
Attachments: scan_pieterseha_2021-07-20-07-06-15.pdf

Importance: High

Good day

Please find attached my form 13 for Soul Friends Resource Consent Application

My Main Concerns:

1. Noise – Modelling does not include a scenario that combine the dogs barking, workshop and crematorium operating simultaneously and the possibility of the addition of the crematorium and workshop can increase the barking at the Tolly Farm due to more traffic and noise. This may irritate/distract the dogs and increase the barking
2. The modelling does not include future residential development planned by PNCC in the area between Mulgrave and Winchester street. Meeting with Ashhurst held in June 2021 with PNCC – how does this consent effect future development and property values. On page 12.13 it list the advantages and disadvantages for Soul Friends but it does not take the disadvantages to the current rural landscape and residential properties into account. Why should the residents in the area receive disadvantages with almost no advantage while Soul Friends approves the option that encourages the most advantages to them as a business
3. Hours of operation – Management plan states 7 days a week on page 8-10. I do not believe it would be the right decision to approve the fact that the crematorium and workshop should be working on weekends. This is the time we want to enjoy the landscape, peace and quietness.
4. Smoke and odour – is this evaluated and addressed and what are the mitigation measures for this?

I believe that Council should review the mitigation measures stated in the resource consent application. Stricter noise control measures should be included as well as mitigation to reduce the effect on the rural landscape. Review modelling that include dogs barking and possible increase in barking due to the new development. Review consent against future residential properties/development that may be closer to the workshop/crematorium. Stronger measures against the working hours that will be finally approved in the resource consent. 7 days a week on noise generating operations (Workshop/Crematorium) should be limited to five days and normal business hours.

Regards

Hanno Pieterse | Quantity Surveyor
Te Ahu a Turanga Alliance

M +64 27 259 8296
E hanno.pieterse@teahuaturanga.co.nz
W www.nzta.govt.nz/TeAhuATuranga

Palmerston North Project office | 1630 Napier Road, Ashhurst
Palmerston North, 4470



Te Ahu a Turanga
Manawatu Tararua Highway

4-1

15340337



Form 13

Submission on a Limited Notified resource consent application made under the Resource Management Act 1991.

To: Democracy Manager/General Counsel Strategy & Planning Palmerston North City Council Private Bag 11-034 Palmerston North Phone Number: (06) 356 8199 Email: submission@pncc.govt.nz	
Name of Submitter: <u>Isobel Esther Currie / Bevan Philip Currie (son)</u>	
Contact details of Submitter: (Full postal address, phone/fax number(s), email address of Submitter) <u>Isobel 021 246 2840</u> <u>Bevan 021 228 2627</u>	Address: <u>Kilmarnock Nurseries</u> <u>83 Winchester St P.OBox 33.</u> <u>Ashhurst.</u> Phone Number: <u>021 228 2627</u> Email Address: <u>bevan@kilmarnocknurseries.co.nz.</u>

Please ensure all areas of this submission form are completed.

This is a submission on an application from:

Soul Friend Pet Cremations

for a Resource Consent to operate a pet cremations business, animal memorial garden, woodworking workshop, and spray booth for urn finishes at 94 Mulgrave Street, Ashhurst.

My submission is: (Choose from the following)

- ☐ I support the application
☐ I am neutral to the application
☒ I oppose the application
☐ My submission relates to the entire application, or
☐ My submission relates to the following specific parts of the application: _____

I wish/~~do not wish~~ (delete one) to be heard (speak) at any subsequent hearing

I wish to have the following parts amended: Opposing all.

4-2

The reasons for my views are: (if necessary please attach additional page(s) to this submission)

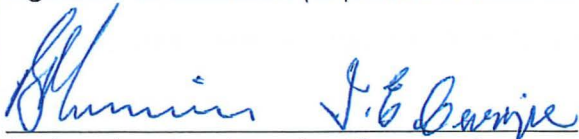
We oppose this Consent on the basis that our land 83 Winchester St is currently being re-zoned residential and will be most undesirable to have a pet crematorium located at a short distance from residential homes. Aspects of visual, air & noise pollution are of serious concern.

I seek the following decision from the Palmerston North City Council: (Give details including the nature of any conditions sought)

That the P.N.C.C decline this application. totally.

If others, make a similar submission I will consider presenting a joint case with them at the hearing (Delete if you would not consider presenting a joint case)

Signature of Submitter: (or person authorised to sign on behalf of Submitter)

 J. E. Gange

Date: 8-7-2021

(A signature is not required if you make your submission by electronic means)

Please return, post, fax or email this submission by 4pm on Tuesday 27 July 2021 to the Council address given at the top of this form.

You must also serve a copy of your submission on the applicant as soon as is reasonably practicable after you have served your submission on Council.

The address for service is:

Soul Friend Pet Cremations
C/- Samantha Dowse
WSP Ltd
PO Box 1472
Palmerston North

4-3

Merle Lavin

From: Bevan Currie | Kilmarnock Nurseries <bevan@kilmarnocknurseries.co.nz>
Sent: Saturday, 24 July 2021 12:36 pm
To: Submission
Cc: Bevan Currie | Kilmarnock Nurseries; 'P & I Currie'
Subject: : Opposition to proposed pet crematorium by Isobel Currie
Attachments: Isobel Currie. Opposition to proposed pet crematorium.pdf

Good morning

Please find attached submission Form 13 regarding Soul Friend Pet Cremations.
Just to make it clear for you I am acting with/ on behalf of my aged mother.

Kind regards

Bevan Currie
Manager



P. 06 326 8500 F. 06 326 8550 Mob. 021 228 2627

E. bevan@kilmarnocknurseries.co.nz

THIS COMMUNICATION IS FOR USE BY THE INTENDED RECIPIENT AND CONTAINS INFORMATION THAT MAY BE PRIVILEGED, CONFIDENTIAL OR COPYRIGHTED UNDER APPLICABLE LAW. IF YOU ARE NOT THE INTENDED RECIPIENT OF THIS MESSAGE, YOU ARE HEREBY NOTIFIED THAT ANY USE, DISSEMINATION, DISTRIBUTION OR REPRODUCTION OF THIS MESSAGE IS PROHIBITED. PLEASE NOTIFY THE SENDER BY RETURN E-MAIL, AND DELETE THIS E-MAIL FROM YOUR SYSTEM. WE DO NOT ACCEPT LIABILITY IN CONNECTION WITH COMPUTER VIRUSES, DATA CORRUPTION, DELAY, INTERRUPTION, UNAUTHORISED ACCESS OR UN AUTHORISED AMENDMENT. ANY VIEWS EXPRESSED IN THIS MESSAGE ARE THOSE OF THE INDIVIDUAL SENDER AND MAY NOT NECESSARILY REFLECT THE VIEWS OF KILMARNOCK NURSERIES.

5-1



PIRIECONSULTANTS

SURVEYING RESOURCE MANAGEMENT LAND DEVELOPMENT

15337018

Our Ref: Denton.doc

26 July 2021

Planning Services
Palmerston North City Council

Landuse Consent LU5959 Soul Friends Resource Consent

We act for Mr D. Denton.

Please find attached a submission opposing the application.

Yours faithfully,

Consulting Surveyor

ORIGINAL TO FOR ACTION AND REPLY		
REC'D	27 JUL 2021	PNCC
COPY TO		
1. _____		
2. _____		

5-2

Form 13

**Submission on a Publicly Notified or Limited Notified Resource Consent Application
Under the Resource Management Act 1991**

Submitters Details

Name of submitter Dave Denton
Address 106 Mulgrave Street, Ashhurst
Postcode 4180

Address for service As above

Phone 326 9123
Email

Application Details

Applicant Soul Friend Pet Cremations
Application site address 94 Mulgrave Street, Ashhurst
Description of proposed activity Establishment of a pet crematorium

Submission Details

I ☐ Support all or part of the application
☒ Oppose all or part of the application
☐ Are neutral towards all or part of the application

The specific parts of the application that my/our submission relates to are:

1. The establishment of the industrial activity being a crematorium within the Rural Zone.
2. All ancillary matters for the establishment of the activity.

The reasons for my/our submission are:

The reasons for seeking the consent to be declined as follows:

- The establishment of the activity is inappropriate in the proposed location.
- The proposal is contrary to the Objectives and Policies of the District Plan.
- The effects of the development are significantly more than minor.
- The proposed activity is inappropriate in the location which is destined to be zoned Residential in the future.
- The location of the proposal is within land identified as subject to inundation.

Clarification of the above are detailed as follows:

- The proposal is on land that is of a rural residential nature and will be not in accordance with the existing environment. The proposal is an industrial use not one of a rural or rural residential use. There is sufficient industrial land within the City and Manawatu District without the need for the activity to be sited in the Rural zone. The proposal is not required to be sited within the Rural zone and does not provide any service to the rural industry.
- The application has not made an assessment in accordance with s104D Resource Management Act 1991. This statutory requirement is that either
 - (a) The effects will be minor or
 - (b) The proposal will not be contrary to the objectives and policies of the District Plan

5-3

It is considered that there is not any doubt that the establishment of a building of 500m² with 4 chimneys 10m high; the construction of an acoustic fence to mitigate the noise generated from the activity; the provision of landscaping to reduce the effects of the building; the employment of additional staff at the property with a consequential increase in the number of vehicles accessing the site and the provision of parking areas, confirms that the effects will be significantly more than minor.

There are not any objectives or policies that permit or encourage the proposal but rather all of the potentially relevant objectives and policies do not provide for the proposed activity.

Consequently, as there is not compliance with s104D(a) and (b) then consent is unable to be issued for the proposal. In other words, a consent application can't be granted as s104D(a) and (b) aren't complied with.

- While the site is currently zoned Rural the property is in a prime location for being zoned Residential. The owners of the adjoining nursery have been seeking a change in zoning to Residential for at least the last 35 years and the surrounding land is deemed appropriate for residential development in the future. The establishment of an industrial activity in the midst of a future residential zone is considered to be inappropriate and unnecessary.
- The proposal is within land that is subject to inundation and although the building is a non-habitable building and Rule 22.5.1.1(v)(d) permits its establishment, it is considered to highly inappropriate for an industrial building housing several staff to be sited on flood prone land.

The decision I/we would like the Council to make is:

Refusal of all consents for the establishment of the activity.

Submission at the Hearing

☒

I/we wish to speak in support of my/our submission

☐

I/we do not wish to speak in support of my/our submission

☐

If others make a similar submission I/we will consider presenting a joint case with them at the hearing.

Signature

Signed



Signed

Agent

Date

26/7/21

Date



PAPAIOEA
PALMERSTON
NORTH
CITY

Form 13

Submission on a Limited
application made
under the Resource
Management Act 1991.

ORIGINAL TO FOR ACTION AND REPLY		
REC'D	27 JUL 2021	PNCC
COPY TO		
1. Notified resource consent		
2. under the Resource		

15338325

To: Democracy Manager/General Counsel Strategy & Planning Palmerston North City Council Private Bag 11-034 Palmerston North	
Phone Number: (06) 356 8199 Email: submission@pncc.govt.nz	
Name of Submitter: Catherine Shannon	
Contact details of Submitter: (Full postal address, phone/fax number(s), email address of Submitter)	Address: 82 Mulgrave St Ashhurst Phone Number: 06 326 7019 Email Address: cath.shannon@slingshot.co.nz

Please ensure all areas of this submission form are completed.

This is a submission on an application from:

Soul Friend Pet Cremations

for a Resource Consent to operate a pet cremations business, animal memorial garden, woodworking workshop, and spray booth for urn finishes at 94 Mulgrave Street, Ashhurst.

My submission is: (Choose from the following)

- ☐ I support the application
- ☐ I am neutral to the application
- ☒ I oppose the application
- ☐ My submission relates to the entire application, or
- ☐ My submission relates to the following specific parts of the application: oppose
all parts of the application.

I wish/do not wish (delete one) to be heard (speak) at any subsequent hearing

I wish to have the following parts amended: _____

6-2

The reasons for my views are: (if necessary please attach additional page(s) to this submission)

I oppose the relocation of Soul friends Pet Cremations to 94 Mulgrave St. Ashhurst. My concerns are mainly the noise from the woodwork area, the odour and pollutants released, also the amount of increased traffic that would bring to the street, as this is a residential area and not industrial area.

I seek the following decision from the Palmerston North City Council: (Give details including the nature of any conditions sought)

would like to be informed if this submission is likely to go ahead.

Thank you.

If others, make a similar submission I will consider presenting a joint case with them at the hearing (~~Delete if you would not consider presenting a joint case~~)

Signature of Submitter: (or person authorised to sign on behalf of Submitter)



Date: 26/7/2021

(A signature is not required if you make your submission by electronic means)

Please return, post, fax or email this submission by 4pm on Tuesday 27 July 2021 to the Council address given at the top of this form.

You must also serve a copy of your submission on the applicant as soon as is reasonably practicable after you have served your submission on Council.

The address for service is:

Soul Friend Pet Cremations
C/- Samantha Dowse
WSP Ltd
PO Box 1472
Palmerston North

6-5

Also on a personal, selling note,
I don't want to be looking out
my kitchen window and seeing
four 10metre high chimneys, no
amount of hedging or trees will
hide this.

Also for the total lack of regard and
respect for neighbours, with notifying-
only 12 letters being sent out,
which clearly shows that there are
more, who will be impacted with
the relocation of the crematorium.

Catherine Shannon

~~C~~ Shannon

82 Mulgrave St
Ashhurst.

BEFORE THE HEARING PANEL

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of application RC LU5959 by Soul Friend Pet Cremations (Applicant) to the Palmerston North City Council for resource consents to establish and operate a pet cremation business, public memorial garden, woodworking workshop and spray booth for urn finishes and to undertake 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 at 94 Mulgrave Street, Ashhurst.

REPORT TO THE COMMISSIONER

MARK ST CLAIR

SECTION 42A REPORT OF PHILLIP JOHN HINDRUP - PLANNING

28 SEPTEMBER 2021

TABLE OF CONTENTS

1. OUTLINE OF REPORT	3
2. QUALIFICATIONS/EXPERIENCE	3
3. INTRODUCTION	4
4. PROPOSED ACTIVITY	5
5. SITE AND SURROUNDING AREA	7
6. REQUIRED RESOURCE CONSENTS	7
7. FURTHER INFORMATION AND INFORMATION GAPS	8
8. NOTIFICATION AND SUBMISSIONS	9
9. ASSESSMENT OF ENVIRONMENTAL EFFECTS	11
10. STATUTORY PROVISIONS	20
11. SECTION 104(C) OTHER MATTERS	26
12. SECTION 104D ASSESSMENT	26
13. PART 2 ASSESSMENT	27
14. CONCLUSION AND RECOMMENDATIONS	29
APPENDIX 1 – DRAFT CONDITIONS	
APPENDIX 2 – HUDSON ASSOCIATES LANDSCAPE ASSESSMENT	
APPENDIX 3 – NIGEL LLOYD ACOUSTIC ASSESSMENT	
APPENDIX 4 – CHRIS LAI TRAFFIC ASSESSMENT	
APPENDIX 5 – INFORMATION FROM HROZIONS REGIONAL COUNCIL	
APPENDIX 6 – PROPOSED FUTURE ASHHURST REZONING	

1. OUTLINE OF REPORT

- 1.1 This report, required by Palmerston North City Council (PNCC), pursuant to Section 42A of the Resource Management Act 1991 (the "Act"), assesses the environmental effects and statutory obligations that are set out in Section 104 of the Act, to the extent that they are relevant to the resource consent application lodged by Soul Friends Pet Cremations with PNCC.
- 1.2 The resource consent applied for by Soul Friends Pet Cremations (hereafter the 'Applicant') is required for land use consent to establish and operate a pet cremation business, public memorial garden, woodworking workshop and spray booth for urn finishes and to undertake 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 at 94 Mulgrave Street, Ashhurst. being a non-rural activity located in the Rural Zone.
- 1.3 This report has been prepared in accordance with Section 42A of the Act, which outlines the matters that the report must cover. I have been commissioned by PNCC as an independent planning consultant for the purpose of preparing this report. In preparing this report, I have minimised repetition of information included in the application under Section 88 by adopting parts of the application that which I agree.
- 1.4 The report includes:
 - An introduction;
 - A description of the applications sought;
 - Site description;
 - The notification process;
 - Assessment against the relevant Section 104 matters;
 - Assessment against Part 2 of the Act; and
 - Recommended conditions.

2. QUALIFICATIONS/EXPERIENCE

- 2.1 My full name is Phillip John Hindrup.
- 2.2 I am a Principal Planner and Director of Strategy Planning (MWT) Limited, a planning consultancy firm based in Palmerston North.
- 2.3 I graduated from Massey University with a bachelor's degree in Resource and Environmental Planning in 2001 and have 20 years professional planning experience.

- 2.4 I have participated in numerous consent hearings as an expert planning witness and submitter. I am also an accredited Recourse Management Commissioner and have sat as an Independent Commissioner to hear and make decisions on resource consents.
- 2.5 I have read and agree to comply with Code of Conduct for Expert Witnesses contained in the Environment Court's Practice Note (2014). My qualifications are set out above. I confirm that this evidence is within my area of expertise, except where I state that I am relying upon the specified evidence of another person. I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.
- 2.6 Statements expressed in this report are made within my area of expertise. However, some aspects of my report rely on the following expert reports:
- Hudson Associates Landscape Architects – Landscape Effects Assessment (Appendix 2);
 - Nigel Lloyd – Noise Effects Assessment (Appendix 3);
 - Chris Lai – Traffic Assessment (Appendix 4);
- 2.7 I confirm that I have visited the proposed site on 15th April 2021, and I am familiar with the location and characteristics of the current environment in relation to the proposed activity.

3. INTRODUCTION

- 3.1 The Applicant lodged a resource consent application with PNCC on 5 March 2021 for land use consent to establish and operate a pet cremation business, public memorial garden, woodworking workshop and spray booth for urn finishes and to undertake 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 at 94 Mulgrave Street, Ashhurst,
- 3.2 The assessment and recommendations contained within this report are intended to inform the Commissioner as part of the hearing process. My assessment and recommendations are based on the information provided by the Applicant, my review of the submissions and my reliance on the expert reports that have been commissioned by PNCC. For the benefit of the submitters, I record that my assessment and recommendations are not binding to the Commissioner.
- 3.3 In preparing this report I have considered:
- a. The Assessment of Environmental Effects (AEE) which accompanied the application;
 - b. The further information provided 12 May 2021 in response to PNCC's Section 92 request;
 - c. All submissions received on the application;

d. The amended application received 23 September 2021.

- 3.4 The recommendations made and conclusions reached in this report may be revised following on from the presentation of further evidence later in the hearing process.
- 3.5 I wish to highlight the amended application that was received on 23 September 2021. This has detailed that the existing cattery and dog kennel operation at the site, which is operating under existing use rights, has been closed due to the impacts of the Covid-19 pandemic. While PNCC reporting officers have not had long to fully consider the implications of these changes, I do confirm that the section 42A reports have assessed the amended proposal.
- 3.6 I also note that a fresh application has been lodged with PNCC (LU6450) which is for the same activity, but which did not include the cattery and dog kennels. Tshi was received on 27 September 2021 to explore whether that application could be advanced without notification based on the revised assessment of effects. Due to the timing of the hearing that has been set down, no determination on that application has been made as PNCC officers has to commit to their s42A reports.

4. PROPOSED ACTIVITY

- 4.1 The Applicant has provided a detailed description of the proposed activity in section 3 of the application dated 5 March 2021. I adopt description and provide the following summary.
- 4.2 The proposal seeks to relocate a pet cremation business and associated facilities to 94 Mulgrave Street, Ashhurst. The Applicant proposes to construct a 500m² Totalspan Shed to house a maximum of four cremators and cremator stacks, along with the relocated workshop, a reception, staff areas, and chapel. The proposed cremation activity will involve the following:
- 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.
- 4.3 The Applicant has included a Landscape and Visual Assessment in Appendix D of the application. The proposed building will comprise of the following elements:
- One 500m² Totalspan shed (containing four cremators, an aquamator, an autoclave, a woodwork workshop, and chapel).

- Four Chimney Stacks will be 10.5m 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 2.6m high x 6.1m long.
- A timber acoustic fence stretching the length of approximately 73 metres and is approximately 1.8m high.
- Access Track and Parking. The existing access will be upgraded and widened.

4.4 The Applicant proposes to establish the woodwork workshop within the proposed Totalspan shed to make urns, a spray booth for urn finishes onsite and a memorial garden for the public to visit between 7am to 7pm Monday to Friday. The proposed hours of operation for the cremation business are 9am to 5pm Monday to Friday and by appointment on weekends. The Applicant proposes a total of three full time staff and three part-time staff.

4.5 There does remain some confusion with the PNCC reporting team regarding the hours of operation for the crematorium and workshop. This is due to observed inconsistencies in the hours recorded in the Applicant's noise impact assessment and Management Plan. PNCC reporting officers have relied on the hours described in the Applicant's most recent noise assessment provided for the purpose of their assessments. However, it would be of assistance if the Applicant could confirm the hours of operation in their written briefs.

4.6 With the closure of the cattery and dog kennels, the proposed vehicle movements per day will be 30, in lieu of the permitted 100 vehicle movements in the Rural Zone as required under Rule R20.4.3 a) xi) in the District Plan. The application states the existing vehicle crossing will be upgraded as part of this proposal. It would again be of assistance for the Applicant to confirm whether the accessway/driveway will still be widened and upgraded now that the cattery and kennels have closed.

4.7 I note that an application has been lodged with the Horizons Regional Council for the discharge of contaminants to air from the crematorium. At the time of writing this report, that application continues to be processed. I further note that the issue of smoke and odour effects have been raised by some submitters and I discuss these matters later in this report.

5. SITE AND SURROUNDING AREA

- 5.1 The Applicant has provided a detailed description of the immediate and surrounding environment within the application, which I adopt. A summary of the description of the site is outlined below.
- 5.2 The site is 4 hectares in area and is located at 94 Mulgrave Street, Ashhurst. The site is zoned Rural. There are no other zoning overlays across the site. The legal description of the property is Lot 2 DP 35100 and held in record of title WN12A/55.
- 5.3 The 4-hectare subject site is within the rural zone and contains flood prone areas as has been shown by information obtained from Horizons Regional Council (**Appendix 5**). The site is flat and is covered in pastoral grass with existing shelter belts located along the property boundaries. A small stream known as the Ashhurst Stream is located near the north-western boundary extending in a north-south direction. A notable tree is present onsite but will not be affected by the proposal.
- 5.4 The original application states that the site is currently operated as Tolly Farm Boarding Cattery and Kennels who presently employ one full time and two part time staff. On 23 September officers were advised by the Applicant that the cattery and kennels have closed and will no longer form part of the existing environment.
- 5.5 The area surrounding the proposed site is generally rural in nature to the north, east and west. A nursery is located to the east, and an abattoir is located to the west of the proposed site. Rural dwellings are located further north. To the south is undeveloped residential land, and low-density typically single-story residential dwellings.
- 5.6 Access to the site is provided via an existing vehicle crossing off Mulgrave Street at the western end of the road frontage extending to a driveway that leads to the existing dwelling and recently closed cattery and kennels.
- 5.7 Surrounding land uses include residential properties at 80 Mulgrave Street, 82 Mulgrave Street, 84 Mulgrave Street, 86 Mulgrave Street, 88 Mulgrave Street and 98 Mulgrave Street.

6. REQUIRED RESOURCE CONSENTS

- 6.1 The Operative Palmerston North City District Plan (hereafter the ODP) is the relevant statutory planning document. The land involved with the development is zoned Rural.

Land Use

- 6.2 Pursuant to Rule R9.9.1 the proposal is assessed as a Non-Complying Activity as the ODP does not provide for Crematoria as a permitted, controlled, restricted discretionary or discretionary activity in the Rural Zone.

Noise

- 6.3 With respect to noise generated from the activity, pursuant to Rule R9.9.1 the proposal is assessed as a Non-Complying Activity as the proposal would exceed the permitted noise levels under rule R9.11.1.

Land Transport

- 6.4 The original application applied for a land use consent as a Restricted Discretionary Activity under Rule 20.5.1 (Land Transport) as the original proposal did not comply with the maximum vehicle movement requirements of 100 vehicles per day (due to the existing cattery and kennels). With the application being amended, the number of daily vehicle movements will be lowered to 30 which is within the permitted allowance under the ODP.

NESCS

- 6.5 The proposed volume of soil disturbance will exceed 25m³ per 500m², a total of approximately 1,666m² area to a depth of approximately 275mm and as such would not comply with the permitted standards under regulation 8(3) of the NESCS. The proposal would also result in soil disturbance to form the building footprint and hardstand areas and a change in land use is required under regulation 8(4) of the NESCS.
- 6.6 The Applicant has not provided a detailed site investigation as required under the NESCS. Therefore, the application is considered a Discretionary Activity pursuant to regulation 11(1) of the NESCS.

Overall Activity Status

- 6.7 Utilising the bundling technique whereby all three applications are assessed together, on the basis of the most stringent activity classification, the proposal is assessed as a Non-Complying Activity under the ODP. Due to their interrelatedness this is considered appropriate.
- 6.8 In summary, the proposal has been assessed as a **Non-Complying Activity**.

7. FURTHER INFORMATION

- 7.1 Further information was requested under Section 92 of the Act on 18 April 2021 in respect to noise, building elevations of the total span building and potential precedent issues. A response to the further information request was received on 12 May 2021. There is no outstanding further information at the time of writing this report.

8. NOTIFICATION AND SUBMISSIONS

8.1 A decision was made under delegated authority pursuant to Section 95 of the Act to process the application on a limited-notified basis. The application was limited notified to the following parties on 28 June 2021 with the submission period closing on 27 July 2021:

Residentially Zoned

- 80 Mulgrave Street
- 82 Mulgrave Street
- 84 Mulgrave Street
- 86 Mulgrave Street
- 88 Mulgrave Street
- 98 Mulgrave Street

Rurally Zoned

- 73 Winchester Street (no dwelling)
- 114 Mulgrave Street (no dwelling)

8.2 Six submissions were received from the following property owners:

Sub #	Name	Address	Support/oppose	Status (Heard/not Heard)
1	Buddha Developments- Peter Colville	86 Mulgrave Street, Ashhurst	Oppose	Not heard
2	Katrina Anne Wallace	98 Mulgrave Street, Ashhurst	Oppose	Not heard
3	Hanno Pieterse	84 Mulgrave Street, Ashhurst	Oppose	Not heard
4	Isobel Esther Currie and Bevan Philip Currie	83 Mulgrave Street, Ashhurst	Oppose	Heard
5	Dave Denton	106 Mulgrave Street, Ashhurst	Oppose	Heard
6	Catherine Shannon	82 Mulgrave Street, Ashhurst	Oppose	Not heard

8.3 From the submissions received, the following points are considered key matters:

Sub #1

- The crematorium/workshop will detract from property values in the immediate area.
- This area should be rezoned to residential which would allow the owner to develop or sell the land at a higher market value and provide options to relocate the business.

Sub #2

- Additional traffic movements generated;
- The increased noise level;

- The decrease in property value;
- Chemicals or psychological welfare of neighbouring animals.

Sub #3

- Noise - Modelling does not include a scenario that combine the dogs barking, workshop and crematorium operating simultaneously.
- The noise modelling does not include future residential development planned by PNCC in the area between Mulgrave and Winchester Street.
- Meeting with Ashhurst held in June 2021 with PNCC - how does this consent effect future development and property values. On page 12.13 lists the advantages and disadvantages for Soul Friends but it does not take the disadvantages to the current rural landscape and residential properties into account.
- Smoke and odour - is this evaluated and addressed and what is the mitigation measures for this?
- Council should review the mitigation measures stated in the resource consent application. Stricter noise control measures should be included as well as mitigation to reduce the effect on the rural landscape.
- Review modelling that includes dogs barking and possible increase in barking due to the new development.
- Review consent against future residential properties/development that may be closer to the workshop/crematorium.
- Stronger measures against the working hours that will be finally approved in the resource consent. 7 days a week on noise generating operations (Workshop/Crematorium) should be limited to five days and normal business hours.

Sub #4

- 83 Winchester Street is currently being re-zoned residential, and it will be undesirable to have a pet crematorium located in close proximity to residential properties.
- Aspects of visual, air and noise pollution are all serious concern.

Sub #5

- The location of the proposal is within land identified as subject to inundation.
- The proposal is on land that is of a rural residential nature and is not in accordance with the existing environment. The proposal is an industrial use not one of a rural or rural residential use.
- There is sufficient industrial land within the City and Manawatu District without the need for the activity to be sited in the Rural zone. The proposal is not required to be sited within the Rural zone and does not provide any service to the rural industry.

Sub #6

- Noise from the woodwork area, the odour and pollutants released are a concern.
- The increase in traffic along Mulgrave Street and what impact that has on the residential properties in this area.
- No amount of screening will hide the four 10 metre high chimneys.
- Total lack of regard and respect for neighbouring properties as only 12 notification letters were sent out which clearly shows more parties will be impacted by the proposal.

8.4 The matters raised in submissions, along with other matters pertaining to this application have been considered in the assessment of effects section below.

9. ASSESSMENT OF ENVIRONMENTAL EFFECTS

Landscape character and rural amenity

9.1 Hudson Associates Landscape Architects have been engaged by PNCC to provide a landscape assessment, in particular to review and evaluate the revised Landscaping Plan submitted by the Applicant on 23 September 2021.

9.2 My assessment of the adverse effects of the proposal on rural amenity and character is based on both of these assessments, with the report by Hudson Associates attached as **Appendix 2**.

9.3 The report by Hudson Associates notes¹ that the OPD explains that:

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

9.4 The report also notes² that:

"The application site is not within a Significant Amenity Landscape ("SAL's") and has no Significant Natural Areas ("SNA's")"

9.5 This is an important distinction as it confirms there are no specific objectives or policies from either the ODP or Regional Policy Statement that regard significant natural features that relate to the site or its immediate surrounds.

9.6 Regarding the localised area, the Hudson Associates make the following assessment³:

¹ Report by Hudson Associates Paragraph 15, Page 7.

² Report by Hudson Associates Paragraph 18, Page 7.

"The characteristics of the broader context carry through into the localised area. It is apparent that the application site is at an interface between rural, residential, and industrial landuse. Tall shelterbelts line the property boundaries of the application site, and larger lots to the north and west. Plant nurseries are located to the north and east of the site, with rural lifestyle properties along Wyndham Street and to the north-west. Lifestyle dwellings are typically accompanied by stands of amenity plantings, surrounded by pastoral fields. To the east, closer to Manawatū Scenic Route/ Cambridge Avenue, smaller residential lots are linearly located along Winchester Street and Mulgrave Street. Just north of the railway line and SH3 is a small industrial zone, opposite the application site (Figure 4). This creates a diversity of landuse within a relatively small area, which is typical of small rural townships in New Zealand."

- 9.7 I concur with this assessment which confirms that the site is at an interface between rural, residential and industrial land use creating a diversity of land use within a relatively small area. I also draw attention to the comment that tall shelterbelts line the property boundaries of the site which I consider provide a reasonable level of screening from adjacent properties to the north, east and west. This in my view is reinforced by the following comment in the Hudson Associates report⁴:

"Visibility of the application site is generally quite limited due to the screening undulating landform, and intervening vegetation and buildings (Figure 8 - Figure 11). These existing landscape elements contribute to the sense of containment"

- 9.8 Overall I consider the site to be reasonably well contained from external views from neighbouring properties.

- 9.9 Regarding the compatibility of the activity with surrounding land use, the Hudson Associates report makes the following statement⁵:

"Given the proximity to commercial/industrial activities of a similar nature (e.g., Abattoir, Kennels and Cattery, Plant Nurseries, and the Ashhurst Transfer Station), the activity is not uncharacteristic of the surrounding landscape."

- 9.10 Given this observation the report concludes that the activity will result in an indiscernible change in landuse which is considered to have a **very-low** effect.

³ Report by Hudson Associates Paragraph 26, Page 13

⁴ Report by Hudson Associates Paragraph 28, Page 13

⁵ Report by Hudson Associates Paragraph 35, Page 16

9.11 The report notes that the with the open space on-site, the existing shelter belt trees being retained, which will provide a buffer between potential conflicting activities, and the mitigation planting being established will reduce visual effects during construction.

9.12 Commenting on the mitigation proposed, the Hudson Associates report notes the following⁶:

"Mitigation measures have been included in the proposal, i.e., planting and colour palettes, to blend structures into the surrounding landscape and minimise the prominence of the built forms. We are in agreeance with the Landscape Assessment, that the stacks will remain below the ridge and skyline and views of the ranges and Te Āpiti will remain intact. Effects of any visible stacks will be mitigated by the recessive colour of the stacks which will blend with the escarpment vegetation surrounding the Manawatū Gorge (Te Āpiti). We therefore consider these effects to the very low".

9.13 The report makes the following concluding statement with regards to effects⁷:

"To conclude, the proposal would cause very low adverse effects to the landforms, vegetation, landuse, built forms, and general visual appreciations which are characteristic of the broader context and localised area. These adverse effects translate to less than minor in RMA terminology."

9.14 Based on this assessment and the design elements incorporated into the crematorium building, I consider the building will have no more than minor effects on the surrounding environment.

9.15 I note that no additional mitigation measures have been proposed by the Hudson Associates report. However, I do consider it appropriate to require a landscape planting plan as a condition of consent to ensure that the proposed mitigation planting is established prior to operation of the crematorium and workshop. This has been included in the condition schedule attached at **Appendix 1**.

Conclusion – Landscape Character and Rural Amenity

9.16 Having had regard to the technical assessments provided with the application, and the Hudson Associates Landscape Assessment, overall I consider the proposal to have less than minor effects on the surrounding landscape character and rural amenity.

⁶ Report by Hudson Associates Paragraph 39, Page 17

⁷ Report by Hudson Associates Paragraph 40, Page 17

Noise Effects

9.17 Mr Nigel Lloyd has been engaged by PNCC to provide a technical assessment of the environmental effects of the proposal in respect to noise impacts, including on adjacent properties. Mr Lloyd's report is attached as **Appendix 3** to my report and has been relied on when considering potential noise impacts and the concerns raised in submissions.

9.18 Mr Lloyd has assessed the proposed non-rural activity in respect to noise related with the cremators, workshop and vehicle movements and the updated noise report prepared by Mr George van Hout of WSP. As described in his report, Mr Lloyd's assessment does not include the recently closed cattery and kennels⁸.

9.19 With respect to the noise modelling undertaking by the Applicant, Mr Lloyd makes the following comment⁹:

"The noise modelling is based on noise monitoring undertaken at the existing workshop and crematorium and this appears to be reasonable."

9.20 Mr Lloyd further comments in paragraph 22 of his report that in his view the correct noise modelling standard has been used in modelling the proposed activity.

9.21 Regarding 114 Mulgrave Street which currently does not contain a dwelling, Mr Lloyd has made the following comment¹⁰:

"The noise levels at the closest boundary with 114 Mulgrave Street are not predicted in Table 4.4 but it can be deduced as 57 dB LAeq from the commentary in 4.2.4 of the Report and Table 4.5.

I questioned the likelihood of a dwelling being constructed at 114 Mulgrave Street and the applicant has identified issues with flood prone areas throughout the lot and I understand that a submission has not been received from the owner."

9.22 With respect to the reference in the preceding paragraph, I point to the Applicant's assessment on that matter:

"Based on the District Plan permitted activity standards for the Rural Zone and Flood Prone Areas, a dwelling could only be built in the north-western and southeast corners of the property. This is due to the presence of flood prone areas throughout the lot. We note that

⁸ Section 42A report By Nigel Lloyd Paragraphs 8-9, Page 3

⁹ Section 42A report By Nigel Lloyd Paragraph 21, Page 5

¹⁰ Section 42A report By Nigel Lloyd Paragraphs 27-28, Page 6

any dwelling in the southeast corner (which is the closest site where a dwelling could be built near the boundary of the Soul Friends site) would likely be expensive as the vehicle access leg to the area would need to cross the unnamed stream twice and require discretionary consent pursuant to Rule 17-14 of the One Plan to do so given the stream's status of a Schedule B waterbody with Flood Control and Drainage Value. Similarly, any access to the northwest corner would also require consent from Horizons Regional Council due to the access leg having to cross the stream. "

9.23 I understand that this property is owned by the owner of 106 Mulgrave Street who has made a submission on the proposal and who will be speaking at the hearing. It will be beneficial to this assessment to understand the future plans for this property and to hear their view on the assessment of whether a dwelling is planned and on the practicality of a dwelling being constructed in the southeastern corner of their property near the proposed crematorium.

9.24 I note that submitters have raised the issue of traffic from vehicles. Mr Lloyd has confirmed that onsite traffic noise will be less of an issue with the elimination of visits to the kennels¹¹.

9.25 Overall Mr Lloyd has made the following conclusion¹²:

"I consider that the Report represents a comprehensive assessment of the noise impacts of the pet crematorium and workshop. The predictions are that noise will comply with District Plan noise limits at Residentially Zoned properties but, because of the short distance to the nearest (Rurally Zoned) side boundaries, the District Plan noise limits will be exceeded."

9.26 In summary, the two noise assessments have confirmed the following:

- Noise levels at surrounding residential properties will comply with the ODP noise limits when two cremators and the workshop are operating concurrently within the hours of restriction proposed.
- Noise levels at 83 Winchester Street (Nursery) will comply with Mr Lloyd's recommended noise level of 55 dB LAEQ noise level afforded to the that property being a commercial use.
- Noise levels at the southeastern corner of 114 Mulgrave Street has been predicted at 57 dB LAEQ however it is the Applicant's view that due to physical and consenting constricts related to the Ashhurst Stream, a dwelling will unlikely be constructed in

¹¹ Section 42A report By Nigel Lloyd Paragraphs 37, Page 8

¹² Section 42A report By Nigel Lloyd Paragraphs 47, Page 12

that position. However it will be beneficial to this process and evaluation to hear from the landowner on this matter. Mr Lloyd and myself will speak to this matter on hearing further from the Applicant and from the submitter.

Conclusion – Noise

- 9.27 Having considered Mr Lloyd's assessment, and the conditions he has recommended to mitigate potential effects, I am satisfied that the imposition of those conditions would ensure that adverse effects on neighbouring properties would be less than minor. These conditions have been included in the schedule of conditions in **Appendix 1** of this report.

Traffic Effects

- 9.28 Mr Chris Lai, PNCC's Senior Transportation Engineer has provided an assessment of the proposal with regard to traffic effects in his letter dated 23 September 2021 (attached as **Appendix 4**) Ms Mercia Prinsloo of WSP has provided a traffic impact statement on behalf of the Applicant which is contained within Appendix C of the application and has since been updated (22 September 2022) with the removal of the existing cattery and dog kennels from the site. Mr Lai has revised this updated assessment and has concluded based on the reduced number of vehicle movements per day that overall, the transport effects caused by the development are considered to be less than minor.

- 9.29 Other points of note include:

- There appears to be agreement between the two traffic experts on key matters relating to the proposal including traffic counts, road status, sight distances and revised trip generation.
- The number of car equivalent vehicle movements per day will comply with the district plan permitted activity limit of 100.
- The Applicant has proposed to upgrade the existing vehicle crossing and should consent be granted this is recommended as a condition of consent. Tshi has been acknowledged by Mr Lai.
- It is not expected that any heavy vehicles will need to access the property.
- No other conditions have been recommended in Mr Lai's assessment.

Conclusion – Traffic Effects

- 9.30 Having considered the Applicant's TIA and relied on Mr Lai's evidence, I consider that any adverse traffic effects of the proposal will be less more than minor.

Natural Hazards

- 9.31 Information obtained from Horizons Regional Council has shown that the site is susceptible to areas of inundation during a 0.5% Annual Exceedance Probability (AEP) modelled flood event based on the PNCC Combined Flood Model. Horizons District Advice Liaison Team have provided the following comments with respect to flooding on the site¹³:

"The modelled information for this area is held by Palmerston North City Council (PNCC). PNCC have a PN City Rapid 1 in 200 year (0.5% Annual Exceedance Probability) modelled information for flood and stormwater inundation. Please find attached PNCC's Rapid modelled flood depths for a 0.5% AEP flood event. The key gives an indication of water depths. Please note that depths less than 50mm are not shown. Rapid modelling is where rainfall is "dropped" onto each cell (5m Grid) of the model with basic accumulation and does not go into more complex interaction with in-stream flows and complex flow accumulation and culverts and bridges are not detailed in the model. The modelling was undertaken to provide a guide as to what areas would warrant further investigation/detailed modelling. The modelled depths are indicative and the model should not be used to set floor levels, however, areas that show as dry will most likely be dry. As the flood modelling for this property is PNCC's information and not that of Horizons models, we cannot comment on its accuracy with respect to the flood risk to this property. Horizons recommends that further flooding assessment may be required at this property for any future land development proposals.

The intent of the One Plan and main purpose of Chapter 9 is to avoid increasing the risk to people and property from natural hazards, by limiting development in areas where natural hazards, especially floods, are likely to occur. Reasonable freeboard for a commercial and industrial building is a minimum height of 0.3 m as per New Zealand Standard 4404:2010 – Land Development and Subdivision Infrastructure. This freeboard requirement is to account for factors which cannot be included in the model, such as waves and debris effects. As well as ensuring that safe egress/access is easily achieved (access between occupied structures and a safe area where an emergency evacuation may be carried out). PNCC will need to be comfortable that safe access and egress can be easily achieved during a 0.5% AEP flood event. They also need to be satisfied that the proposal mitigates the flood risk and that the proposal is not increasing risk to people and property."

¹³ Email correspondence received from HRC, 27 September 2021

- 9.32 The Applicant has acknowledged that the proposal will result in a non-habitable building in a flood prone area near the unnamed stream on the site. They further note that the a more typical rural non-habitable building could be constructed that would meet the permitted performance standards in the ODP for non-habitable buildings in flood prone areas. I concur with that assessment.
- 9.33 I also concur with the Applicant's assessment that in terms of the Horizons One Plan and Schedule B Value of 'Flood Control and Drainage' by keeping earthworks and hardstand areas 8 metres from the landward toe of the stop bank that a resource consent from the Regional Council will not be required.
- 9.34 Regarding a minimum floor level for a non-habitable building, I am awaiting advice from the PNCC Building Consents team and will provide an update at or before the hearing. I also consider it appropriate for the Applicant to provide their comments on this matter, in particular their view on the risk of inundation, how that would affect their operation, their willingness to accept this risk, and any proposed mitigation such as a minimum floor level for the proposed buildings.

Conclusion – Natural Hazards

- 9.56 I consider that it is likely that adverse effects from Natural Hazards will be no more than minor, given that the proposal is for non-habitable buildings. However I do wish to reserve my position on this matter until I have received advice from the PNCC Building Team.

Servicing

- 9.57 The Applicant provided further information on the 12 May 2021 stating a new septic system would be installed to service the Totalspan building and would capture the toilet and wash facilities (i.e. domestic wastewater only). A sump would be installed to capture water from wash downs inside the Totalspan building, and this would be disposed of offsite as required. Consent may be required from Horizons Regional Council, and I consider it appropriate to allow that process, if required, to run its course separate to this application.
- 9.58 In my experience, onsite water supply can be sourced from tank supply and stormwater will be able to be discharged to land in a controlled manner with an acceptably designed solution.
- 9.59 I am therefore of the opinion that the site can be adequately serviced and that any effects relating to the proposed services would be no more than minor on the wider environment.

Effects on the Productive Capacity of Elite and Versatile Soils

- 9.60 The Applicant has confirmed the site is within the rural zone and part of the site contains both Class 2 and Class 3 land¹⁴. It is further noted that the buildings will be sited on the area with Class 3 soils so as to retain the land with higher productive capability.
- 9.61 The potential limitations of the property for other land use purposes such as market gardens were also discussed in the memorandum as follows¹⁵:
- *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.*
- 9.62 I accept the findings of that assessment which confirms the site has limited productive capability and I therefore consider any associated effects will be less than minor.

Contaminated Soils

- 9.63 The Applicant has commissioned a Preliminary Site Investigation (PSI) which has identified potential sources of contamination, based on review of historical information, specifically agrichemical application, potential fuel storage in the 1960's and potential asbestos contamination from renovations to historic buildings. The PSI has included a number of recommendations, including sampling prior to disturbance of the area to quantify potential contaminants. The recommended sampling has been included in the schedule of consent conditions attached as **Appendix 1** to this report.
- 9.64 I have recommended further conditions that requires any sampling and earthworks to be supervised by a suitably qualified person and a Post-Earthworks Land Contamination Planning and Management report be prepared to confirm the risk of any contamination and required mitigation. With the imposition of these conditions, and based on the findings of the Applicant's report, it is my view that the risk of adverse effects on human health will be less than minor.

¹⁴ Resource Consent Application to Palmerston North City Council - Section 2.2, Page 9

¹⁵ Resource Consent Application to Palmerston North City Council – Appendix B, Pages 3-4

Property Values

- 9.65 Submitters have raised concerns that the proposal will negatively impact property values. No expert opinion has been provided on this matter however it is my view that property values are not and effect under the Act that can be considered when assessing an application for resource consent. I therefore consider this matter to be out of scope and need no further consideration.

Future Rezoning

- 9.66 A number of submitters have raised that land adjacent to the site is to be rezoned residential by PNCC. I can confirm that PNCC has previously sought community feedback on this matter having identified four areas that may be potentially rezoned residential. These areas are shown in the information provided in **Appendix 6** of this report.
- 9.67 It is my understanding that while community feedback on possible future rezoning has been sought as far back as late 2020, no formal rezoning process has commenced under the First Schedule of the Act. As such it is my view that no weighting can be placed at this time on whether that land will be rezoned residential into the future, and that the proposal should be evaluated against the existing environment, being the current zoning and existing land uses as they currently stand.

Effects Conclusion

- 9.68 Having considered all actual and potential effects associated with the proposed activity, including those effects raised by submitters, and having relied on the technical assessments provided in the application and from PNCC reporting officers, I consider that overall the effects of the proposal on the surrounding environment and neighbouring properties to be no more than minor. This conclusion is based on the imposition of the imposition of the suggested draft conditions provided in **Appendix 1** of this report.

10. STATUTORY PROVISIONS

- 10.1 The provisions of Section 104 of RMA must be investigated by the decision maker in making a determination on the resource consent application. The matters contained within Section 104 that I consider to be of relevance to application include:
- 10.1 104(1)(a) – Actual and potential environmental effects. I have considered the findings of the Applicant's assessment of effects and technical reports in considering my overall assessment in Section 9 above.
- 10.2 104(1)(b) – any relevant provisions of –

- 104(b)(i) – National Environmental Standards. The NES for Assessing and Managing Contaminants in Soil to Protect Human Health Regulations is relevant to this application. There are no other National Environmental Standards relevant to this proposal.
- 104(b)(ii) – Other regulations. There are no other regulations of relevance to the application.
- 104(b)(iii) – Relevant National Policy Statements (NPS). I consider the Proposed National Policy Statement for Highly Productive Land to be relevant to this application.
- 104(iv) – New Zealand Coastal Policy Statement (NZCPS). The NZCPS is not relevant to this application.
- 104(b)(v) – Regional Policy Statement. I concur with the application that the 'One Plan' is relevant to the consideration of the application. I have had regard to the objectives and policies of the 'One Plan' in the discussion below.
- 104(b)(vi) – Palmerston North City District Plan.
- 104(1)(c) – Other Matters. I consider the only other matter related to this proposal to be the issue of precedent which have been discussed below.
- Sections 104(2A), 104(2B) and 104(2C) of the Act do not apply to this application.
- 104(3) – Regard has not been given to trade competition and no such matters have been raised in submissions. has been given to the persons who have given their written approval to the application. Granting of the consents sought would not be contrary to any the provisions listed in 104(3)(c).

National Environmental Standards for Managing Contaminated Soils

- 10.3 The Applicant has applied for the necessary consents under the NES and the effects of undertaking those activities on the environment have been assessed earlier in this report. No further consideration of this matter is required.

Proposed National Policy Statement for Highly Productive Land

- 10.4 The Proposed National Policy Statement for Highly Productive Land is likely to take effect in the second 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.

- 10.5 The Applicant has confirmed 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.
- 10.6 The potential limitations of the property for other land use purposes such as market garden were also discussed in section 9 of my report above.
- 10.7 I concur with the Applicant's assessment that based on the location of the proposed buildings and advice received that there is limited productive capability that there is no inconsistency with the proposed NPS for highly productive land.

Regional Policy Statement for the Manawatu-Wanganui Region

- 10.8 The One Plan is a combined Regional Policy Statement (RPS), Regional Plan and Coastal Plan. The One Plan defines how the natural and physical resources of the region will be cared for and managed by the Regional Council in partnership with Territorial Authorities and the community. Part 1 of the One Plan is the RPS which sets out regionally significant resource management issues, and outlines objectives, policies and methods that will address them.
- 10.9 The Applicant has addressed the RPS within the application. I agree with their assessment but would also add the following assessment in respect to the protection of elite soils. Objective 3-4 and Policy 3-5 of the RPS seeks to ensure that territorial authorities consider and pay particular attention to the benefits of retaining Class I and II versatile soils for production land when providing for urban growth and rural-residential subdivision. I consider that the proposal still will retain reasonable areas of Class II soils, largely due to avoidance of these areas by the proposed new buildings, but also note that the assessment provided with the application has concluded that there is little productive capability with this site.
- 10.10 With respect to Natural Hazards, Objective 9-1 sets out that the adverse effects of natural hazard events on people, property, infrastructure and the wellbeing of communities are avoided or mitigated. As outlined in section 9 above, I will reserve my position on this matter until I receive advice from the PNCC Building Team and the Applicant.

Operative Palmerston North City District Plan

10.11 The ODP was made operative in December 2000. Since 2012, the PNCC has undertaken a review of parts of the ODP through the Palmerston North City Council Sectional District Plan Review (referred to as the 'Shaping Our City' project).

10.12 An assessment of the objectives and policies is outlined below.

City View Objectives

10.13 I consider the relevant City View objectives within Section 2.5 of the ODP to include objectives 6, 12, 15, 19, 22, and 23.

10.14 Objective 6 seeks to ensure that development is directed away from Class 1 and 2 soils. I consider the proposal to have achieved this.

10.15 I agree with the Applicant's assessment in respect of Objective 12 which provides for a wide range of business and economic activities.

10.16 The Applicant has actively engaged with tangata whenua thereby achieving the outcome intended by Objective 15.

10.17 With respect to Objective 19 and the avoidance of natural hazards, information has been provided to which does show inundation occurs on the site. Earlier in my report I have raised the question of what mitigation the Applicant is proposing to potentially address this matter, noting that it is a non-habitable structure.

10.18 Regarding Objective 22, consent conditions have been recommended imposing appropriate noise standards should consent be granted.

10.19 It has been determined that the proposal will have less than minor effects on the roading network thereby achieving the intent of Objective 23.

10.20 Overall I consider the proposal to be consistent and achieve the relevant City View objects contained within the ODP.

Objectives and Policies - Section 9 (Rural Zone)

10.21 In respect to Objective 1 and associated policies within Section 9 of the ODP, I consider that the proposal is consistent with these provisions for the following reasons:

- In my view this objective and the supporting policies relate more to the protection of land from residential urban growth than they do to the establishment of a rural industry.
- There are sufficient areas of land around the proposed activities for other/ancillary rural based activities.

- The site has not been identified as an area of future urban growth (as depicted in Map 9.2 of the District Plan).

10.22 Objective 2 within Section 9 of the District Plan states:

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

10.23 In regard to Policy 2.1 I agree with the Applicant's assessment that the proposal largely avoids additional adverse effects on the versatile soils of the site and that the overall site's land area is a constraint to productive use. This has been confirmed by the soil/land assessment included with the application.

10.24 In respect to Policy 2.2 and 2.3, Mr Hudson's assessment confirms that adverse effects will be minor on the landscape character and rural amenity. Based on the advice of Mr Lloyd, I am satisfied that actual or potential adverse noise associated with the activity can be mitigated via consent conditions (Policy 2.3).

10.25 The proposed buildings are located within areas subject to inundation (Policy 2.5) and I am awaiting advice from the PNCC Building Team on this matter and also respectfully request the Applicant to further address this matter.

10.26 Objective 3 within Section 9 of the ODP states

"To maintain or enhance the quality and natural character of the rural environment".

In respect to Policy 3.1 which seeks to provide for the health and safety of rural dwellers by establishing specific noise limits. Having considered the evidence of Mr Lloyd, I consider that the proposal is consistent with this policy.

10.27 Objective 4 states that:

"To recognise and enhance the diversity of the rural community"

10.28 I agree with and adopt the assessment against this objective and supporting policies provided in the application. I specifically note that Policies 4.1 and 4.3 allow for a variety and wide range of land based activities subject to the control of the environmental effects. In this case, and as confirmed by the technical experts, the adverse effects of the proposal will be avoided, remedied or mitigated.

10.29 Overall I consider the proposal to meet this the relevant objectives and policies of the Rural Zone.

Objectives and Policies - Section 20 (Land Transport)

10.30 Objective 1 within Section 20 of the ODP states:

"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".

- 10.31 I consider that associated policy 1.5 in Section 20 is most relevant to the consideration of this application as it deals specifically with the quality and standard of vehicle access to a site. Mr Lai has assessed the effects of the proposal in respect to the number of movements and direction of movements, standard and location of the existing crossing, sight distances and the provision for onsite manoeuvring. I note that the Applicant is proposing to upgrade the existing vehicle crossing to Council standard. Mr Lai has confirmed that in his view:

"the access to the site is an existing condition and the safety effects are mitigated as the site enables on-site turning, which allows vehicles to exit the site in a forwards direction."

- 10.32 I therefore consider the proposal meets this objective.

- 10.33 Objective 2 states that:

"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."

- 10.34 I consider the proposal is consistent with Policy 2.2 in that the proposed car park areas will be sufficiently screened from the road due to the site configuration, the setback distance from the road and existing vegetation. Therefore, adverse effects on amenity values to the wider community will be less than minor.

- 10.35 Objective 3 states that:

"the safety and efficiency of the land transport network is protected from the adverse effects on land use, development and subdivision activities".

- 10.36 In respect to Policy 3.1, Mr Lai has assessed the effects of the proposal on the safe and efficient functioning of Mulgrave Street and considers that due to the overall reduction in vehicle movements generated from the site with the disestablishment of the existing cattery and kennels, potential issues associated with traffic generation and road safety have been assessed and do not pose any concerns.

- 10.37 In respect to Policy 3.4 and 3.5 the Applicant has shown adequate car parking provision within the site. Mr Lai has considered this matter to be acceptable and that there is adequate space within the site to provide adequate circulation and safe sightlines for vehicles existing the site.

- 10.38 I therefore consider the proposal to meet this objective and its supporting policies.

Objectives and Policies Assessment - Conclusion

- 10.39 I conclude that the proposal is not contrary to the relevant objectives and policies of the ODP on the whole.

11. SECTION 104(C) OTHER MATTERS

- 11.1 Section 104(1) requires consideration and regard of any other matters relevant when determining an application. The other matters I consider relevant are discussed below.

Precedent

- 11.2 I note that one of the submissions raises concerns that granting resource consent to this proposal would have a precedent effect. It is important to clarify that the matter of 'precedent' is not an adverse effect on the environment. Precedent reflects a concern that the granting of consent may have planning significance beyond the immediate vicinity of the land concerned¹⁶. In my view, if the Applicant is able to clarify outstanding matters and the Panel consider that the effects on the environment will be no more than minor and the proposal is not contrary to the objectives and policies in the District Plan then precedent is not a concern that should be taken into consideration for this application.
- 11.3 Furthermore I do consider the proposed activity to be unique in the sense that pet crematoriums are a specialized activity with a target market. I also consider the site to be somewhat unique in the sense that it is a rural landholding located on the periphery of a small township, with mixed use surrounding its boundaries. It would be unlikely in my view that a similar scenario would its present itself potentially creating the issue of precedence. Any future non-complying activity in the district will need to be considered on its merits and will likely have different characteristics and a receiving environment that feature with this activity. I therefore consider that little, if any weight, should be afforded to precedence in this instance.

12. SECTION 104D ASSESSMENT

- 12.1 Any non-complying application must be assessed in accordance with Section 104D of the RMA which requires the application to pass one of the non-complying threshold tests before it can be further considered and determined under Section 104. The first threshold test is whether the effects of the activity on the environment are minor, and the second threshold test is whether the activity is contrary to the objectives and policies of the

¹⁶ *Stirling v Christchurch City Council* (2011) 16 ELRNZ 798 (HC) at [90]

relevant plan. An application only has to pass one of the threshold tests to meet the requirements of Section 104D.

- 12.2 It has been demonstrated through the technical evidence provided, both by the Applicant and PNCC reporting officers, that the potential adverse effects generated by the proposal will be no more than minor. Furthermore, it is my view that the proposal will not overall be contrary to the relevant objectives and policies of the district plan. Therefore, I do anticipate that both limbs of the gateway test under Section 104D could be met. Accordingly, I consider the proposal can meet both of the 'gateway tests' and is deserving of consent.

13. PART 2 ASSESSMENT: SECTIONS 5 - 8 RMA

- 13.1 In respect to assessment of Part 2 of the Act, I draw to the Hearing Panel's attention that the Davidson appeal to the Court of Appeal has been heard and decided¹⁷. It is my understanding based on this case, that if a District Plan has not been developed with regard to Part 2, then it may be appropriate to refer to Part 2 when assessing an application. In my opinion, the Operative Palmerston North District Plan (ODP) has been through a Sectional District Plan Change review and it has been prepared having regard to Part 2 of the Act. The ODP contains a coherent set of policies designed to achieve clear environmental outcomes. However, I have provided an assessment of Part 2 to assist the Panel for avoidance of doubt.

Section 6 - Matters of National Importance

- 13.2 Section 6 of the Act identifies seven matters of national importance that all persons exercising functions and powers under the Act, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide. The following matters of national importance are considered relevant to the proposal and consideration of these matters is provided below:

- (e) the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:*
- (h) the management of significant risks from natural hazards.*

- 13.3 The Applicant has consulted TMI pre-lodgement which has enabled TMI to be involved in resource management decisions in order to maintain their relationship with their ancestral lands, water, sites, waahi tapu and other taonga. TMI has provided comment confirming they have no concerns with the proposal. Based on that response, I consider the proposal

¹⁷ RJ Davidson Family Trust v Marlborough District Council [2018] NZCA 316

will not adversely affect Maori's relationship with their ancestral lands, water, sites, waahi tapu, and other taonga.

- 13.4 Although the information received from Horizons Regional Council shows the site to be susceptible to inundation, based on my experience with flooding matters, I do not consider the risk of flooding and any consequential effects to be significant. However I am seeking the advice for the PNCC Building Team and will provide an update at prior to or at the hearing.
- 13.5 Overall I consider the proposal to have adequately recognized and provided for the relevant matters of national importance.

Section 7 – Other Matters

- 13.6 Section 7 of the Act identifies 11 other matters which all persons exercising functions and powers under the Act, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to. Particular regard has been given to the following matters:
- (a) kaitiakianga:*
 - (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:*
- 13.7 Having consulted with TMI it is my view that the principle of kaitiakianga has been sufficiently provided for.
- 13.8 The Applicant has designed a proposal that in my view will provide for the sufficient use and development of a physical resource being rural zoned landed. As discussed previously in this report, it has been demonstrated that adverse effects can be appropriately avoided, remedied or mitigated.
- 13.9 The Applicant has, as far as possible, attempted to maintain amenity values for adjoining property owners by managing effects within the subject site. The technical assessments provided by the Applicant and by the PNCC's reporting team have confirmed in my opinion that any adverse on the wider environment and adjacent properties will be no more than minor, subject to the imposition of appropriate conditions. It follows that the quality of the environment within the site will be reasonably maintained despite the land use consent proposal.
- 13.10 In my view the quality of the environment will be maintained through the design principles incorporated into the development.

- 13.11 Although rural land in the Palmerston North District is finite, in my view the Applicant has demonstrated that the proposal is for a specialist activity that does have limited locations where it can be established. The site is unique being a rural property located adjacent to a mixture of residential and rural properties. I have seen no evidence to suggest that this proposal is overall detrimental to the City's wider rural land stocks.

Section 8 – Treaty of Waitangi

- 13.12 Section 8 of the Act requires that all persons exercising functions and powers under the Act shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).
- 13.13 TMI have been consulted by the Applicant prior to lodgement of this resource consent and by PNCC as part of the statutory acknowledgement process under the Act. TMI have confirmed in email correspondence with both the Applicant and PNCC that they have no concerns with the proposal.

Section 5 – Purpose of the Act

- 13.14 The purpose of the RMA is to promote the 'sustainable management of natural and physical resources'. That is, 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 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.*
- 13.15 The proposal will still ensure that the potential of natural and physical resources, including the Class 2 soils at the site will be sustained to meet the reasonably foreseeable needs of future generations. The life-supporting capacity of air, water, soil and ecosystems will still be safeguarded. All other effects of the proposal can be adequately mitigated.

14. CONCLUSION AND RECOMMENDATIONS

- 14.1 The proposed resource consent application for all necessary land use consents required to establish and operate a pet cremation business, public memorial garden, woodworking workshop and spray booth for urn finishes that would exceed the permitted noise standards and number of vehicle movements, associated earthworks and a change in use of a piece of land described in the hazardous activities and industries list without a

detailed site investigation has been assessed in terms of the relevant matters detailed in Section 104 and Section 104D of the RMA.

- 14.2 All evidence suggests that the that the effects of the proposal are no more than minor and that the City View Objectives and objectives and policies of the Rural Zone will be provided for. I therefore consider that the proposal can meet both gateway tests under Section 104D of the Act and that the land use consent is deserving of consent, subject to appropriate conditions.

Recommendation

- 14.3 The proposal to operate a pet cremation business, public memorial garden, woodworking workshop and spray booth for urn finishes that would exceed the permitted noise standards and number of vehicle movements, associated earthworks and a change in use of a piece of land described in the hazardous activities and industries list without a detailed site investigation, is **Granted** consent with the recommended conditions attached as **Appendix 1** to this report.



Phillip Hindrup
Consultant Planner
For Palmerston North City Council

28 September 2021

APPENDIX 1 – DRAFT CONDITIONS FROM S.42A REPORT

CONDITIONS LU5959

GENERAL ACCORDANCE

1. The Consent Holder must ensure that the activity operates in general accordance with the information provided with the application dated 5 March 2021, further information dated 12 May, and the amended application received 23 September 2021, except as required by the following conditions, and specifically including the following:
 - a. Soul Friend Pet Crematorium Resource Consent Application to Palmerston North City Council dated 5 March 2021, Project Number 5-P1403.00;
 - b. Section 92 response address to Palmerston North City Council dated 12 March 2021;
 - c. The updated set of plans (Site Plan, Landscaping Plan, Architectural Details) including Sheets C01 and C02 Revision C dated 15 September 2021.
 - d. The updated Soul Friends Pet Crematorium Management Plan dated 17 September 2021;
 - e. Soul Friends Pet Crematorium and Workshop, Ashurst: Updated Assessment of Environmental Noise Effects Report - LU5959, prepared by WSP and dated September 2021.
 - f. The updated Traffic Impact Statement prepared by Merica Prinsloo dated 22 September 2022, File reference 5-P1403.00 Soul Friends Pet Crematorium;

EXISTING USE RIGHTS

2. That Tolley Farms Cattery and Dog Kennels must be discontinued prior to the commissioning of the Pet Crematorium and Workshop and that any future establishment or reestablishment of these activities must obtain the necessary resource consent approvals.

NOISE

3. The pet crematorium and workshop (including onsite vehicles) activities must not exceed the following at or within the boundary of the site:

Site	Time	Noise Limit
83 Winchester Street	7.00am to 10.00pm	55 dB LAeq(15min)
114 Mulgrave Street & 102 Mulgrave Street	7.00am to 10.00pm	60 dB LAeq(15min)
Other Rural Zoned Sites	7.00am to 7.00pm 7.00pm to 10.00pm	50 dB LAeq(15min) 45 dB LAeq(15min)
All Rural Zoned Sites	10.00pm to 7.00am	40 dB LAeq(15min) 70 dB L _{Amax}

4. The pet crematorium and workshop (including onsite vehicles) activities must not exceed the following at or within any residentially zoned site:

7.00am to 7.00pm	50 dB LAeq(15min)
7.00pm to 10.00pm	45 dB LAeq(15min)
10.00pm to 7.00am	40 dB LAeq(15min)
10.00pm to 7.00am	70 dBA L _{max}

5. Sound levels must be measured in accordance with New Zealand Standard NZS 6801:2008 *Acoustics – Measurement of environmental sound* and assessed in accordance with NZS 6802:2008 *Acoustics – Environmental noise*.
6. The hours of operation of the workshop must be limited to 7.00am to 7.00pm Monday to Friday and the pet crematorium shall be limited to 7.00am to 10.00pm Monday to Friday. The pet crematorium and workshop must not operate on public holidays. This would not prevent access for administrative reasons or cleaning and maintenance nor for visits by the public to the memorial garden between the hours of 9am and 5pm Monday to Sunday provided Conditions 3 and 4 are met.
7. An acoustic fence shall be installed on the boundary of 98 Mulgrave Street in accordance with the recommendations of the WSP *Soul Friends Pet Crematorium and Workshop, Ashhurst, Assessment of Environmental Noise Effects Report - LU5959 Revision 3 dated 22 September 2021*.
8. A Noise Management Plan ("**NMP**") shall be prepared by a suitably qualified and experienced acoustic consultant, in association with the consent holder, prior to the start of the pet crematorium and/or workshop operating. The NMP shall be submitted to the Palmerston North City Council for review 20 working days prior to the commencement of the activity. The NMP shall include but be not limited to:

- i. The relevant noise limits,

- ii. noise mitigation and maintenance requirements for plant and machinery in order to adopt the best practicable option to control noise,
 - iii. general operating procedures,
 - iv. training of staff,
 - v. complaints handling and recording, and
 - vi. noise monitoring.
- 9. The Noise Management Plan must be certified that it meets the requirements of Conditions 3 and 4 and the consent holder shall operate the pet crematorium and workshop in compliance with the Noise Management Plan at all times.
- 10. Noise monitoring must be undertaken within 6 weeks of the commencement of the pet crematorium and/or workshop to demonstrate compliance with Conditions 3 and 4. A copy of the results of each period of monitoring must be provided to Council within 20 working days of undertaking the monitoring.
- 11. The Council may under section 128 RMA initiate a review of the conditions of the consent 12 months after granting the consent in relation to noise and hours of operation to:
 - i. Assess the adequacy of (and, if necessary, change) the conditions controlling activities on the sites
 - ii. Deal with any significant adverse effects on the environment that may arise from the exercise of the consent.

LANDSCAPING PLAN

- 12. Prior to the commissioning of the crematorium and workshop, the consent holder must submit a final Landscaping Plan to Council's Monitoring and Enforcement Officer for technical certification for the site. This plan must include, but is not limited to, the following:

Planting

 - a. The location of all plant species to be installed, including a full schedule of quantities indicating all botanical names, common names, PB size and quantities;
 - b. A planting specification that shall cover all method of site soil preparation, type and quality of all plant materials e.g. plants, soils, mulch, stakes, ties, method of physical planting installation, defects and maintenance period of 24 months;
 - c. Details of the proposed specimen trees.

13. Prior to commissioning of the crematorium and workshop, the consent holder must ensure that the landscaping plan certified pursuant to conditions 12 above is fully planted and completed in accordance with the approved plan. Where this is not seasonally practicable, the planting must be completed within the first planting season after the commissioning of the crematorium and workshop.
14. The consent holder must contact Council's Monitoring and Enforcement Officer within 2 weeks of the completion of planting so that the initial monitoring visit can occur.

Notes:

- *The plantings will be monitored by Council's Monitoring and Enforcement Officer on 2 occasions as follows:*
 - *At the completion of the physical installation of the planting and associated works.*
 - *24 months after the planting is first installed and completed.*
 - *Any plants that fail must be immediately replaced at the expense of the consent holder.*
 - *All plantings must continue to be maintained by the consent holder thereafter.*
15. At any time should the landscape planting required under condition 12 not achieved its required mitigation purpose, the landscaping or part thereof must be established within 6 months at the cost of the consent holder.

CONTAMINATED SOILS

16. The consent holder shall undertake the following testing prior to the construction of any building authorised by this resource consent:
 - a. Five OCP7 and metals analysis of near surface soils within the proposed footprint of the development and car park area.
 - b. One hand auger to 1m depth downstream of the old above ground storage tank with analysis for TPH.
 - c. A surface soil sample for % w/w asbestos in the car park footprint near to the chemical storage shed that was renovated in 2010.
17. The Consent Holder/contractor shall have all contaminated land earthworks and validation supervised by a suitably qualified and experienced professional (SQEP) land contamination specialist. Reporting shall be prepared by the SQEP.

18. An adequate Post-earthworks Land Contamination Planning and Management report to verify the site's immediate and ongoing safety shall be prepared in accordance with Contaminated Land Management Guidelines No's 1 and 5 (2016 edition) by a SQEP land contamination specialist, and include the following:
- a) Evidence (for example photographs and weigh bridge receipts) that any further contaminated soil required to be removed and disposed offsite at a landfill facility consented to receive such material;
 - b) The statement that "it is highly unlikely that there will be a risk to human health" to all future occupants, users and neighbouring occupants;
 - c) An updated 'SLUR' site plan with polygons for each SLUR classification of soil and a specific legend describing each element on the plan;
 - d) Soil Validation reporting requirements including field sampling, lab and general analysis (Contaminated Land Management Guidelines No 1, page. 14);
 - e) Site Management and Monitoring reporting requirements including an assessment of what monitoring procedures are required to maintain the safety of the site regardless of its usage (Contaminated Land Management Guidelines No 1, page. 15).

UPGRADE EXISTING VEHICLE CROSSING

19. Prior to the arborist base activity commencing at the site the consent holder must upgrade the existing vehicle crossing servicing 94 Mulgrave Street to meet PNCC District Plan Appendix 20H/NZTA's Diagram C standard, or as approved by the Council Roading / Infrastructure Manager.

Note: A vehicle crossing consent will be required.

REVIEW CONDITION

20. Palmerston North City Council may serve notice of its intentions to review the conditions of consent in accordance with Sections 128 and 129 of the Resource Management Act 1991, if there is documented evidence that adverse effects relating to noise, hours of operation and traffic effects that are beyond the limits contemplated by the granting of this consent have been generated by activities associated with the use of the site.

MONITORING FEES

21. The Consent Holder shall pay a monitoring fee of \$348 (GST incl.) at the time the resource consent is granted for the monitoring associated with the development. Upon completion

of the works required by these conditions, the consent holder shall give written notice to the Head of Planning that the conditions have been complied with. On receipt of this notice, the Head of Planning or nominee shall carry out an inspection to ensure all conditions have been complied with.

The fees will be payable by the consent holder for any subsequent monitoring of the conditions of this consent. This fee is set in accordance with Section 36(1) (c) of the Resource Management Act 1991.

Note: The current fee for monitoring is set at \$174 per hour. This amount may alter in the future if fees are reviewed. The monitoring fee charged will be the fee applicable at the time of monitoring and will be charged on each additional inspection or hour of work undertaken until full compliance with consent conditions is achieved.

22. A fee will be payable by the consent holder if any non-compliance with the conditions of this consent are discovered as a result of monitoring. This fee is set in accordance with Section 36(1)(c) of the Resource Management Act 1991 and Section 690A of the Local Government Act 1974.

APPENDIX 2 – HUDSON ASSOCIATES LANDSCAPE ARCHITECTS - LANDSCAPE ASSESSMENT

APPENDIX 3 – NIGEL LLOYD - ACOUSTIC ASSESSMENT

APPENDIX 4 – CHRIS LAI - TRAFFIC ASSESSMENT

APPENDIX 5 – INFORMATION FROM HROZIONS REGIONAL COUNCIL

APPENDIX 6 – PROPOSED FUTURE ASHHURST REZONING

Hawkes Bay Office:

PO Box 8823

Havelock North

Hawke's Bay 4157



HUDSON ASSOCIATES
LANDSCAPE ARCHITECTS

A division of Hudson Group Ltd

Ph 06 877-9808

M 021 324-409

john@hudsonassociates.co.nz

www.hudsonassociates.co.nz

LANDSCAPE ASSESSMENT

SOUL FRIENDS PET CREMATORIUM 94 MULGRAVE STREET

September 2021

Prepared by

**Hudson Associates
Landscape Architects**

TABLE OF CONTENTS	
INTRODUCTION	3
METHODOLOGY	4
PROPOSAL	5
RELEVANT STATUTORY PROVISIONS	7
EXISTING ENVIRONMENT	9
POTENTIAL ISSUES	15
ASSESSMENT OF EFFECTS	16
MITIGATION	18
CONCLUSION	18
ATTACHMENT 1	19

INTRODUCTION

1. The following assessment of landscape character and visual effects was commissioned by Palmerston North City Council to review the Landscape and Visual Assessment which accompanied an application for resource consent for a proposed crematorium. The Landscape and Visual Assessment, dated 18 December 2020, was prepared by WSP hereinafter referred to as the “**Landscape Assessment**” (*Figure 1*).
2. The proposal is located at 94 Mulgrave Street, Ashhurst. The 4-hectare site is legally named Lot 2 DP 35100 and held in Record of Title WN12A/55.

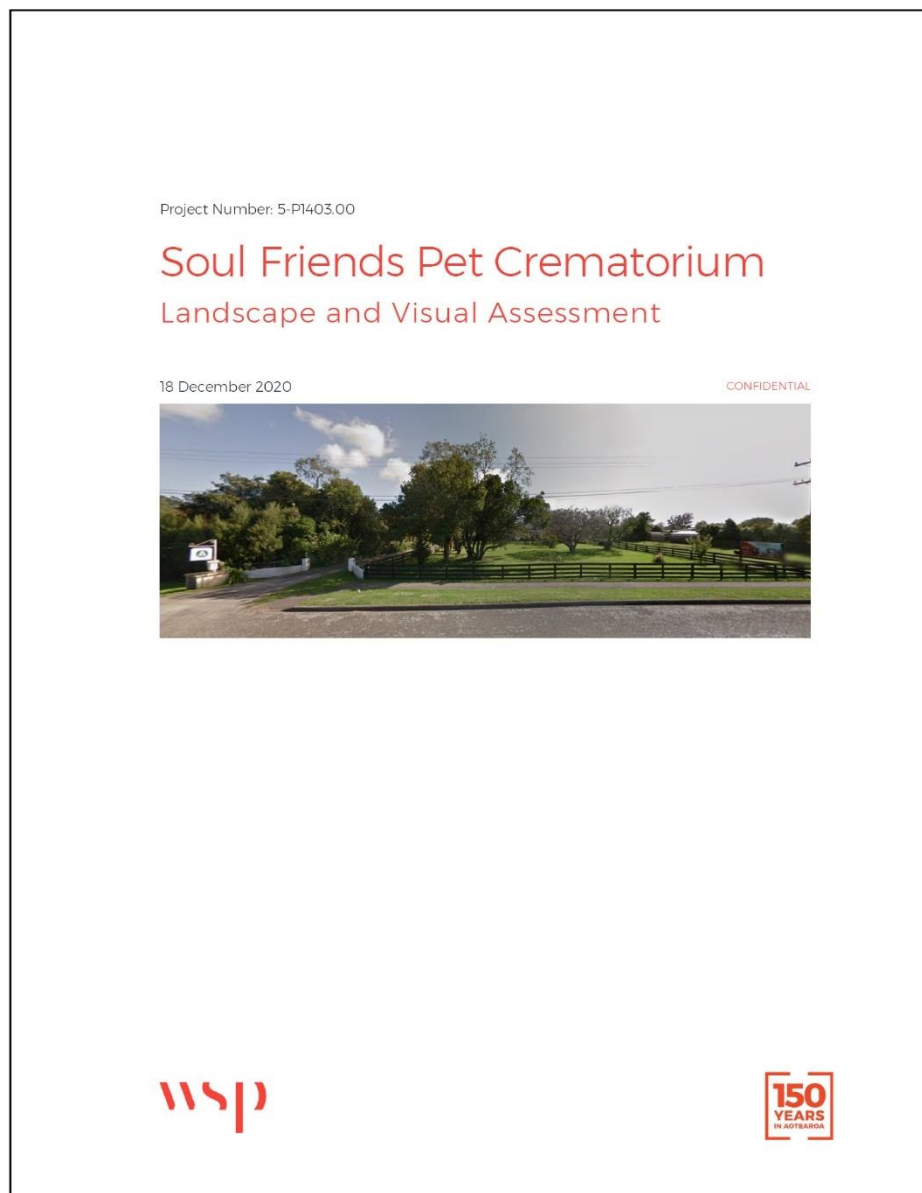


Figure 1: Title page of the Landscape and Visual Assessment, dated 18 December 2020, prepared by WSP.

METHODOLOGY

3. The landscape methodology used for this assessment follows the concepts and principles outlined in the New Zealand Institute of Landscape Architects (“**NZILA**”) Guidelines.¹
4. Due to COVID-19 restrictions a site visit was unable to be undertaken at the time of assessment, although the authors are familiar with the area. A digital site visit was completed using Google Earth, including appraisal of Google Street View to gain an appreciation of the broader context and localised area of the site.
5. Statutory documents which have been reviewed as part of this assessment include: Resource Management Act 1991 (“**RMA**”), Manawatu-Wanganui Regional Council's (Horizon's) One Plan Operative Regional Policy Statement (“**RPS**”), and the Operative Palmerston North District Plan (“**PNDP**”).
6. Key matters assessed in this report include effects of the proposed crematorium on landscape character (including visual effects). As part of this assessment, consideration is given to potential effects of the proposal on the protection of outstanding natural features and landscapes (“**ONLF**”), maintenance and enhancement of amenity values, and maintenance and enhancement of the quality of the environment.
7. Consideration has been given to measures to avoid, remedy, and mitigate potential adverse effects, and these are discussed throughout the assessment and are considered when assessing effects. The assessment uses a seven-point scale² to rate effects ([Table 1](#)). See [Table 2](#) for conversion to RMA terminology.³

Table 1: Effects rating table.

Very Low	Low	Low-Moderate	Moderate	Moderate-High	High	Very High
----------	-----	--------------	----------	---------------	------	-----------

Table 2: Rating of effects and RMA terminology.

	Effects rating scale	RMA terminology
	Very low	Less than minor effects
	Low	Minor effects
	Low-moderate	Minor effects
	Moderate	More than minor effects
	Moderate-high	More than minor effects
	High	Significant effects
	Very high	Significant effects

¹ Te Tangi a Te Manu: Aotearoa New Zealand Landscape Assessment Guidelines (April 2021).

² Ibid.

³ Ibid.

PROPOSAL

8. Soul Friends Pet Cremation (“**Applicant**”) is seeking resource consent to operate a pet cremation business with workshop facilities and memorial gardens on Rural zoned land. Refer to the project description in the AEE and the S42A report for further details.
9. Key aspects of the proposal pertinent to landscape include:
 - 500m² Totalspan shed ([Figure 2](#)).
 - Four 10.5m high cremator stacks ([Figure 2](#)).
 - 2.6m high by 6.1m long shipping container.
 - Impermeable 1.8m high acoustic fencing along the boundaries with 98 Mulgrave Street, approximately 73m in length ([Figure 3](#)).
 - Hardstand areas for access and parking ([Figure 3](#)).
10. Measures intended to avoid potential adverse landscape and visual effects include:
 - The form of structures (roof shape and pitch designed to avoid forms which would be out of character with the landscape), see [Figure 2](#).
 - The scale of structures (compact footprint of the proposal to allow some open space to be retained), see [Figure 3](#).
 - Planting (intended to blend the structures into the surrounding landscape), see [Figure 3](#).
 - Materiality (use of low reflective, dark green or black colour finishes intended to minimise the prominence of built forms).

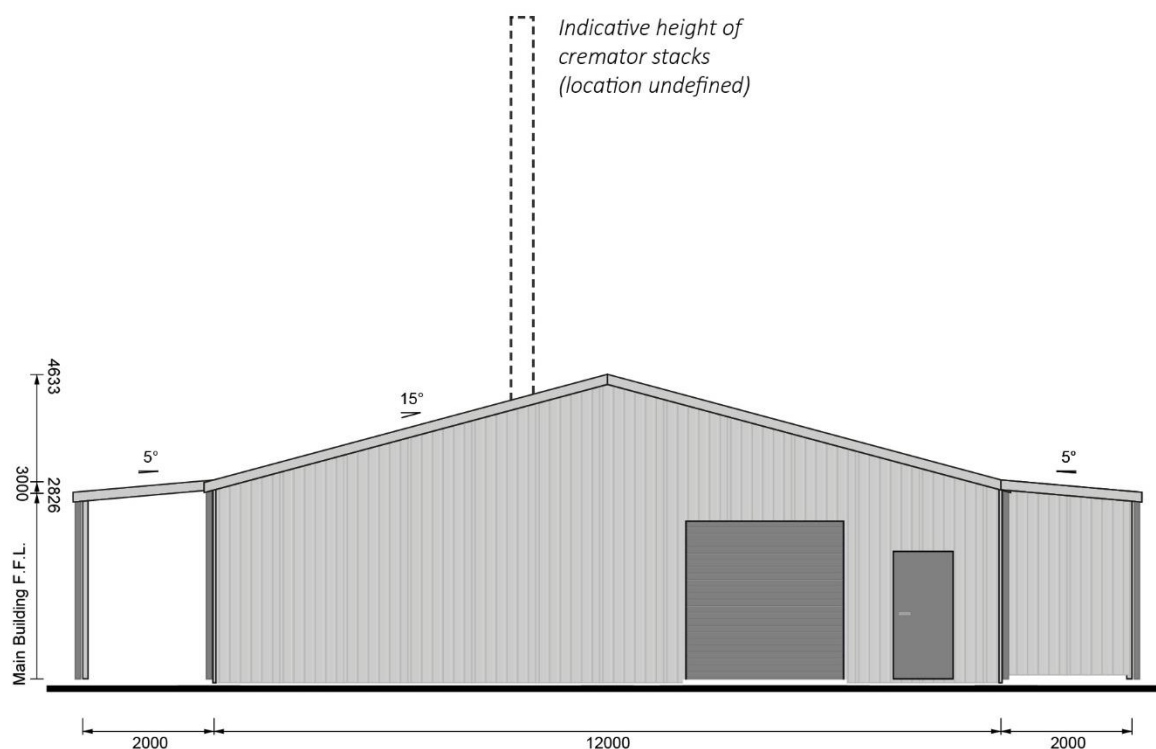


Figure 2: Elevation view of TotalSpan shed. Sourced from the Landscape Assessment. Note: the 10.5m high cremator stacks were excluded from this drawing so the height of these have been indicatively annotated.



KEY

- Application Site
- Proposed Pet Crematorium
- Proposed Access/Parking
- Proposed Screen Planting
- + Proposed Speciman Trees

- Proposed Acoustic Fence
- Existing Stop Bank

20m 40m

1:2,000 @ A4
Do not scale from dwg



Figure 3: Site Plan.

RELEVANT STATUTORY PROVISIONS

11. The statutory planning context for the proposal is provided by the RMA, RPS, and the PNDP.
12. The purpose of reviewing the provisions is to help frame the landscape assessment. It is not to undertake a comprehensive appraisal of the provisions or a planning assessment of the proposal against the provisions.

Resource Management Act

13. Part 2, Section 6 of the RMA sets out “matters of national importance”, while Section 7 sets out “other matters”. Considered in relation to this application Section 6(b) which requires the protection of outstanding natural features and landscapes, Section 7(c) which requires that regard is given to the maintenance and enhancement of amenity values, and Section 7(f) which requires that regard is given to the maintenance and enhancement of quality of the environment.

Horizon’s Operative ‘One Plan’ Regional Policy Statement

14. Policy 6-6 addresses regionally outstanding natural features and landscapes listed in Schedule G Table G.1. This includes the Manawatū Gorge (Te Āpiti), from Ballance Bridge to the confluence of the Pohangina and Manawatū Rivers, including the adjacent scenic reserve

Operative Palmerston North District Plan

15. The application site is in the rural zone ([Figure 4](#)); however, crematoria are not a listed activity. Crematoria are referred to in Section 13 (Airport zone) in which Crematoria are a Restricted Discretionary Activity with regard to “*design and appearance of any buildings or structures in relation to the amenity for the surrounding Community*”. It explains that:

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

16. Objectives and policies relevant to the landscape matters and the proposal are provided in Section 9 (rural zone). Objective 3 directs the maintenance and enhancement of the quality and natural character of the rural environment.

Policy 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.

17. Objective 7 is designed to “recognise parts of the Tararua Ranges and the Manawatū Gorge as regionally Outstanding Natural Features and Landscapes and protect them from inappropriate use and development”.

The Tararua Landscape Protection Area is identified in Map 9.1, and characteristics and values are defined in Schedule 9.1. The Manawatū Gorge (Te Āpiti) is nearest the application area, more than 2km south of the site.

18. The application site is not within a Significant Amenity Landscape (“SAL’s”) and has no Significant Natural Areas (“SNA’s”).

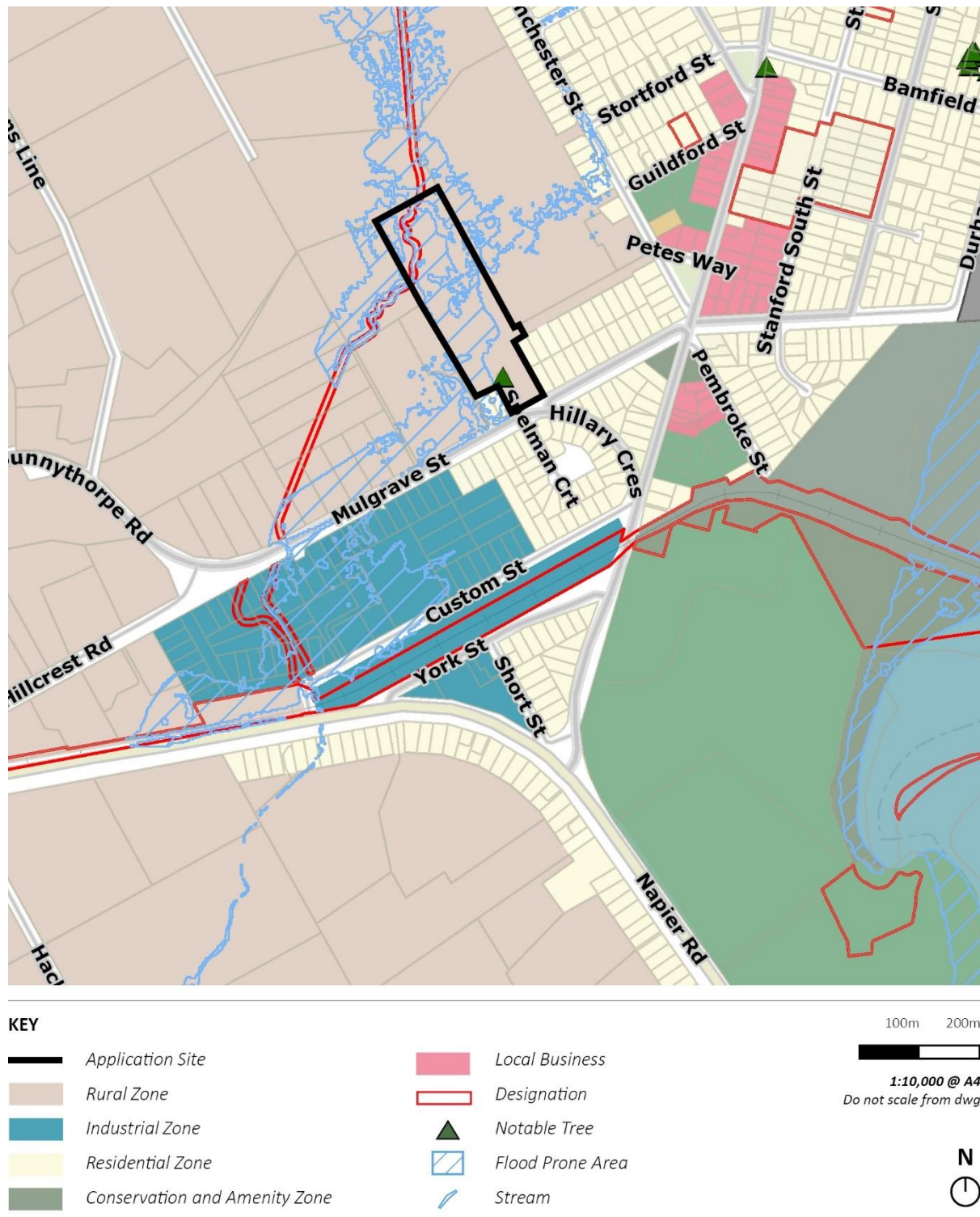


Figure 4: District Plan Map annotated with application site.

EXISTING ENVIRONMENT

19. For the purposes of the landscape character assessment, the existing environment has been characterised at two scales: the 'broader context' ([Figure 5](#)), and the 'localised area' ([Figure 6](#)), as described in the text and shown in the figures below.

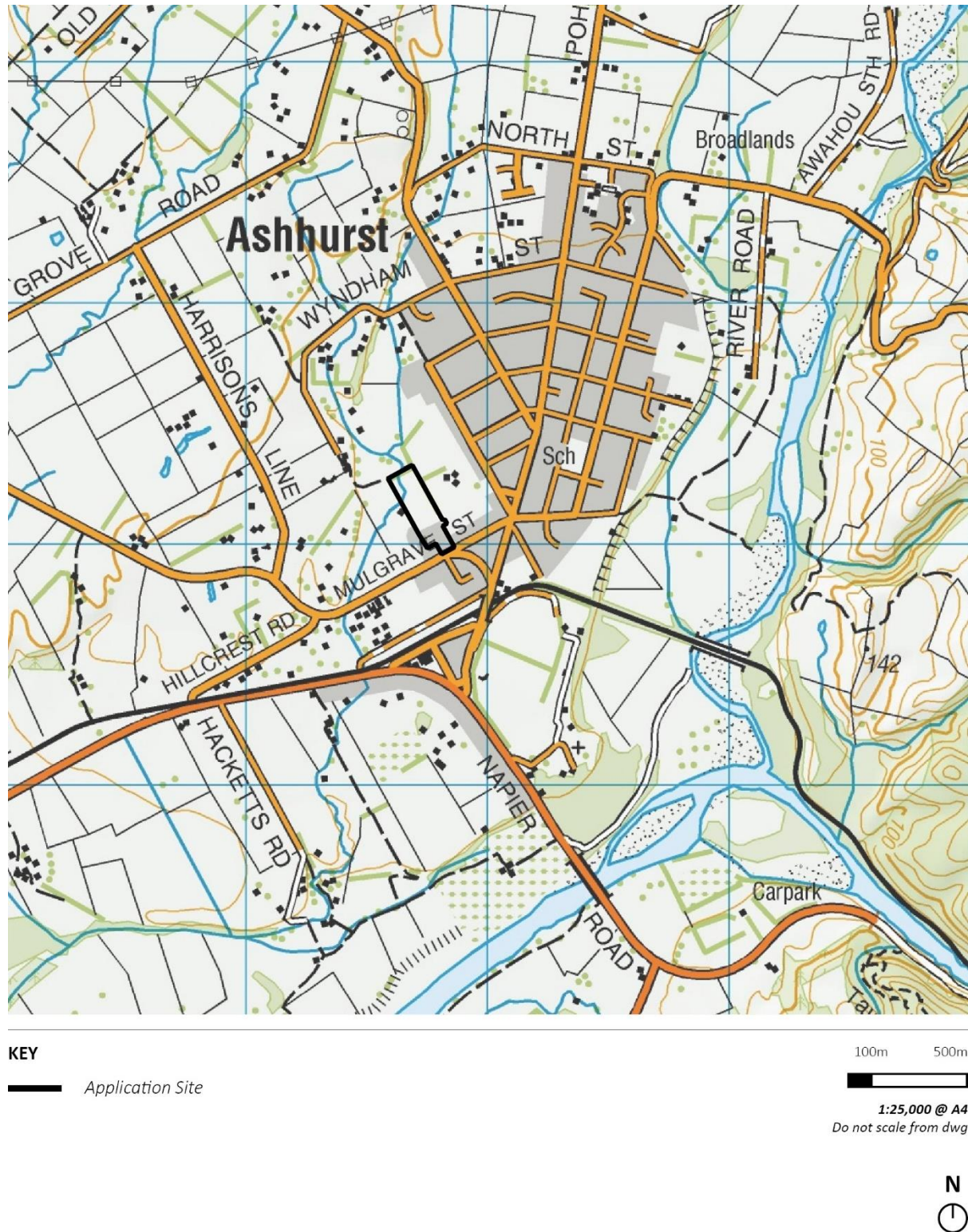


Figure 5: Existing Environment Plan: Broader context.



KEY

- Application Site
- Localised Area

100m 200m

1:10,000 @ A4
Do not scale from dwg



Figure 6: Existing Environment Plan: Localised area.

Broader context

20. The broader context ([Figure 5](#)) is loosely defined the Manawatū River (south), Pohangina River (east), Ashhurst's town centre, and the surrounding rural areas.

River Terraces and Mountain Ranges

21. As described in the application's Landscape Assessment, the broader context is characteristically open flat river terraces, elevated above the true right bank of the Manawatū River and Pohangina River. The site's broader context is part of, and nicely characterised by, the Te Matai Flats landscape unit defined in the Palmerston North Landscape Inventory⁴:

"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..."

22. In the broader area, vistas feature the Tararua and Ruahine Ranges, Manawatū Gorge (Te Āpiti), and the wind farms on both sides of the gorge, which acts as a gateway to the Pohangina Valley.

Small Rural Township

23. Ashhurst is considered both a township (with a population of ~3,500 people) and an outlying suburb of Palmerston North, in the Manawatū-Whanganui region. The area is principally rural in character with abundant shelterbelts, hedges and established tree plantings around dwellings and farm related structures. The farmland has been closely subdivided into residential allotments, concentrated around Manawatū Scenic Route/ Cambridge Avenue west of Pohangina River, forming a small rural town centre.

Summary

24. In summary, the landscape expresses characteristics of rural production and rural lifestyle landuse (i.e., open, flat, pasture covered terraces setback from the river), which transitions to rural residential characteristics, north-east of the small industrial area ([Figure 7](#)). The sense of containment created from the landforms and land uses accentuates the visual appreciation of the elevated terrain (i.e., Tararua and Ruahine Ranges) which are regionally recognised as outstanding natural features and landscapes.

⁴ Palmerston North District Council (2011). *Palmerston North Landscape Inventory*.



Figure 7: Rural production Existing Environment Plan: Localised area.

Localised Area

25. The localised area is predominantly considered the neighbouring properties between Wyndham Street, Winchester Street, Harrison Road, Custom Street and Ashhurst Road (*Figure 6*).

Rural-Residential-Industrial Interface

26. The characteristics of the broader context carry through into the localised area. It is apparent that the application site is at an interface between rural, residential, and industrial landuse. Tall shelterbelts line the property boundaries of the application site, and larger lots to the north and west. Plant nurseries are located to the north and east of the site, with rural lifestyle properties along Wyndham Street and to the north-west. Lifestyle dwellings are typically accompanied by stands of amenity plantings, surrounded by pastoral fields. To the east, closer to Manawātū Scenic Route/ Cambridge Avenue, smaller residential lots are linearly located along Winchester Street and Mulgrave Street. Just north of the railway line and SH3 is a small industrial zone, opposite the application site (*Figure 4*). This creates a diversity of landuse within a relatively small area, which is typical of small rural townships in New Zealand.

Sense of Containment

27. The characteristics of the broader context, such as the sense of containment, carry through into the localised area. Subtle terrain undulation which extends from the broader terrace escarpments, provide a relatively intimate local context. Rural production and rural residential properties emphasise the feeling of enclosure with masses of surrounding planting. These, among other vertical landscape elements are dominant in the localised area. To the east and south-east are viewshafts of the Tararua and Ruahine Ranges respectively, each scattered with tall wind turbine structures. The local rural roads are lined with tall powerlines and lighting poles which emulate these skyline protrusions. Further to the east, ribbon development of residential dwellings further reduces the scale of the local landscape.
28. Based on appraisal of Google Street view imagery (captured in January 2021), the representative views provided in the Landscape Assessment accurately depict the visibility of the site from public viewpoints. Visibility of the application site is generally quite limited due to the screening undulating landform, and intervening vegetation and buildings (*Figure 8 - Figure 11*). These existing landscape elements contribute to the sense of containment.



Figure 8: Representative view looking south-east from **Wyndham Street** towards the site in the midground. Sourced from the Landscape Assessment.



Figure 9: Representative view looking west from Stortford Street (**Winchester Street**) towards the site in the midground. Sourced from the Landscape Assessment.



Figure 10: Representative view looking north-east from **Mulgrave Street** towards the site in the midground. Sourced from the Landscape Assessment.



Figure 11: Representative looking south-east from **Harrisons Road** towards the site in the midground. Sourced from the Landscape Assessment.

POTENTIAL ISSUES

29. As identified in the District Plan (Airport Zone), crematoria have the potential to adversely affect the amenity values of both adjoining and adjacent properties.



Figure 12: Example of Pet Crematorium in Lincoln, New Zealand (Fond Farewells), with two cremator stacks. Sourced from Stacy Squires/Stuff.⁵

30. Consideration must be given to the effects of the proposal on the area's landscape characteristics (i.e., ruralness and visual appreciation). This includes:
- The landscape effects of landform modification.
 - Compatibility of the activity with surrounding landuse.
 - The extent to which the built form integrates with the landscape character, and the suitability of the proposed planting.
 - Ability to appreciate vistas of the Tararua and Ruahine Ranges, and The Manawatū Gorge (Te Āpiti).
31. Noise effects are not considered in this assessment as, from a landscape perspective, the existing environment is not considered to be characterised as peaceful. As stated by a submitter, Sanjana Ellwood, *"already, dogs are barking at all hours of the day"*. We defer acoustic amenity effects to the relevant expert.

⁵ <https://www.stuff.co.nz/national/96359152/canterbury-pet-crematorium-too-much-for-neighbours>

ASSESSMENT OF EFFECTS

32. The following section focuses on the potential adverse effects of the proposal, on the landscape values identified in the broader context and the localised area.

Landform Modification

33. According to the AEE, the application proposes earthworks exceeding 25m³ per 500m² over an area of 1,666mm² to a depth of approximately 275mm. This is required to form appropriate footprints for the building and hardstand areas.
34. The landform is already characteristically flat, separated from the nearby waterway by a stopbank. Additional flattening of the river terrace will be indiscernible, such that the terrain be inconsequently changed. This is considered a **very-low** effect.

Compatibility of Activity

35. The proposal is a commercial land use activity being introduced in a rural zone, at the interface with both the industrial and residential zone. Given the proximity to commercial/industrial activities of a similar nature (e.g., Abattoir, Kennels and Cattery, Plant Nurseries, and the Ashhurst Transfer Station), the activity is not uncharacteristic of the surrounding landscape. The surrounding open space, because of rural zoning to the east, north, and west, ensures the landscape generally has the capacity to accommodate the proposal activity. Given these considerations, the activity will result in an indiscernible change in landuse. This is considered a **very-low** effect.
36. Due to the potential for negative connotations with crematorium, friction arises between the proposed activity and residential landuse near the site. To avoid adverse effects of the crematorium on residential sensibilities, the crematorium building is located at the rear of the site, setback at least 190m from residential properties to the south. Open space is proposed on-site, and the existing shelter belt and trees are to be retained, which will provide a buffer between these potentially conflicting activities. This will reduce the visual effects of the proposal during construction, and while the mitigation planting is being established. Given these considerations, while the activity will be unobtrusive due to mitigation measured (see [Integration of Built Form](#)), **low** effects arise due to the heightened sensitivity of residents. In extreme instances, effects may be **low-moderate** at most.

Integration of Built Form

37. The scale and form of the proposed building is in-keeping with the rural context. Surrounding the site, the landscape predominantly displays a rural aesthetic. Structures are typically utilitarian, such as farms sheds, fencing, and powerlines amongst pervasive vegetation. The proposal building is a TotalSpan shed which is a built form anticipated in the rural zone. The proposed screening planting around the building will further integrate the built form into the broader and local rural

environment. Overtime the mitigation planting will visually blend with the bulk of the built form and enhance the sense of enclosure which is characteristic of this area. Additional mitigation measures reduce the dominance of the structure by using recessive colours with low reflectivity.

38. The visual dominance of four cremator stacks will be less effectively mitigated, compared with the rest of the structures. While dark colours (i.e., Resene Karaka or Resene Flaxpod) generally minimise the bulk of the structure, this will have the opposite effect for the 10.1m vertical elements which will, in some instances, extend above the vegetation into the skyline. This visual change will be most noticeable to neighbouring residents with low fences and limited planting. In saying that, tall and thin vertical elements are not uncharacteristic within the broad and localised context. As a result, this modification is immaterial in terms of the landscape character. This is considered a **low** effect. The adverse effect associated with the visibility of these stacks are primarily attributed to the negative connotation's locals may ascribe to crematoriums.

Landscape Appreciation

39. The application site is located so that from certain eastward facing viewpoints (i.e., [Figure 11](#)), the Tararua and Ruahine Ranges and Te Āpiti are seen as a backdrop to the site. Mitigation measures have been included in the proposal, i.e., planting and colour palettes, to blend structures into the surrounding landscape and minimise the prominence of the built forms. We are in agreeance with the Landscape Assessment, that the stacks will remain below the ridge and skyline and views of the ranges and Te Āpiti will remain intact. Effects of any visible stacks will be mitigated by the recessive colour of the stacks which will blend with the escarpment vegetation surrounding the Manawatū Gorge (Te Āpiti). We therefore consider these effects to the **very low**.

Effects Summary

40. To conclude, the proposal would cause **very low** adverse effects to the landforms, vegetation, landuse, built forms, and general visual appreciations which are characteristic of the broader context and localised area. These adverse effects translate to less than minor in RMA terminology.
41. The greatest adverse landscape effects arise from sensitive viewers, who may have negative associates with crematoriums, even when viewed at a distance or with partial screening. These effects are limited due to the contained nature of the landscape causing limited visibility of the proposal, the mitigation measures which enhance the sense of containment and further limit visibility, the distance setback from roads and residential properties, and the open space buffers. These **low to low-moderate** effects translate to minor in RMA terminology.

MITIGATION

42. The design measures provided in the proposal adequately avoid or mitigate the adverse landscape and visual effects. These included:
- The form of structures (roof shape and pitch designed to avoid forms which would be out of character with the landscape).
 - The scale of structures (compact footprint of the proposal to allow some open space to be retained).
 - Screen planting (intended to blend the structures into the surrounding landscape).
 - Materiality (use of low reflective, dark green or black colour finishes intended to minimise the prominence of built forms).
43. To further reduce effects on surrounding residents we considered the option of using lighter colours with low reflectivity for the cremator stacks. This would help to blend the vertical elements into the sky (similarly to wind turbines on the ridges) from certain angles. However, an unintended consequence for this would be that these vertical elements would become more prominent from viewpoints where the Tararua and Ruahine Ranges act as a backdrop. Given that appreciation of ONFL's is fundamental to the landscape character, we do not recommend the use of lighter colours for the cremator stacks.
44. As a result, no additional mitigation measures are proposed. Although, it is our recommendation that the mitigation measures provided in the AEE are required as a condition of granting resource consent for the new building, which I support.

CONCLUSION

45. Overall levels of landscape effects are assessed as no more than minor, by virtue of the location, scale, design, colour and form of the new structures, and the proposed planting. In my opinion that the proposal meets the objective of maintaining the quality and character of the rural environment and the policy of controlling the adverse visual effects on the rural environment.
46. This opinion is expressed solely in terms of landscape matters and does not consider the planning history or other matters related to this application.

John Hudson and Chelsea Kershaw

September 2021

ATTACHMENT 1

Key terms

Several key terms have been used in this report. The following descriptions provide the definitions for these terms as used in this report.

Amenity – is 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.⁶ From a landscape perspective, amenity encapsulates some perceptual and associative attributes but is confined to interpreting these attributes in terms of pleasantness, aesthetic coherence, and cultural and recreational qualities.

Associative attributes⁷ – are the relationship between people and place. These include spiritual, cultural and social associations, such as tangata whenua, historic, and shared and recognised associations (e.g. the area may be highly valued for its contribution to local identity and recognised as a special place).

Broader context – loosely defined the Manawatū River (south), Pohangina River (east), Ashhurst’s town centre, and the surrounding rural lifestyle areas ([Figure 5](#)).

Environment – includes ecosystems and their constituent parts, including people and communities, all natural and physical resources, amenity values, and the social, economic, aesthetic and cultural conditions which affect those matters aforementioned.⁸

Landscape – embodies the relationships between people and place. It is an area’s collective physical attributes, how they are perceived, and what they mean for people.⁹

Landscape attributes – tangible and intangible characteristics and qualities that contribute collectively to landscape character.¹⁰

Landscape character – each landscape’s distinctive combination of physical, associative and perceptual attributes.¹¹

Landscape values – the reasons a landscape is values. Values are embodied in certain attributes.¹²

⁶ RMA definition for “amenity values”.

⁷ The term attributes, qualities and characteristics are used interchangeably throughout this report.

⁸ RMA definition for “environment”.

⁹ Definition in the Final Draft NZILA Assessment Guidelines 2021

¹⁰ Ibid

¹¹ Ibid

¹² Ibid

Localised area – defined by the neighbouring properties between Wyndham Street, Winchester Street, Harrison Road, Custom Street and Ashhurst Road (*Figure 6*).

Natural – those elements that are of natural origin (landform, vegetation, waterbodies), rather than human origin (buildings, infrastructure).¹³

Naturalness – the extent to which natural elements, patterns and processes occur. The extent to which an area is unmodified.¹⁴

Natural character – is the distinct combination of an area’s natural characteristics and qualities, including degree of naturalness. Natural character is the outcome of physical environment and perception.¹⁵ Defined in the RMA (Section 6(a)) natural character only relates to the coastal environment and to waterbodies and their margins, rather than the landscape in its entirety.

Natural elements – includes water, landform and vegetation cover.

Natural patterns – the distribution of natural elements over an area.

Natural processes – includes the action of rivers, waves, tides, wind and rain, the movement of animals, and the natural succession of plant species.

Perceptual attributes – are derived from the sensory experience of the five senses (what you see, hear, smell, touch and taste). These include, but are not limited to, the perceptual qualities of a landscape, such as legibility (e.g. clearly shows the formative natural processes), wayfinding and mental maps (e.g. legibility or visual clarity of landmarks), memorability (e.g. visually striking or iconic), coherence (e.g. patterns of landcover), aesthetic qualities, naturalness, and views.

Physical attributes – these include abiotic and biotic qualities of landscape (such as landform, marine and terrestrial ecology, hydrology and natural processes), as well as humanmade developments (such as roads, powerlines and buildings).

Quality of the environment – considers natural and physical qualities of an area, as well as the area’s amenity values, and social, aesthetic and cultural conditions.

Visual effects – are relevant to physical, associative and perceptual attributes, as such they are one means for assessing the effects on landscape character and natural character. Schedule 4 7(1)(b) of the RMA requires visual effects to be addressed by an assessment of environmental effects.

¹³ Definition in the Final Draft NZILA Assessment Guidelines 2021

¹⁴ Ibid

¹⁵ Ibid

BEFORE THE PALMERSTON NORTH CITY COUNCIL

UNDER

The Resource Management Act 1991
(RMA)

AND

IN THE MATTER

of application RC LU5959 by Soul
Friend Pet Cremations (Applicant) to
the Palmerston North City Council
for resource consents to establish
and operate a pet cremation
business, public memorial garden,
woodworking workshop and spray
booth for urn finishes and to
undertake 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 at 94 Mulgrave
Street, Ashhurst.

SECTION 42A EVIDENCE OF NIGEL ROBERT LLOYD

Dated: 28 September 2021

Introduction

- [1] My name is Nigel Robert Lloyd. I have been an acoustic consultant with Acousafe Consulting & Engineering Ltd since 1985. I hold a degree in Mechanical Engineering from the University of Wales, University College Cardiff received in 1976.
- [2] My previous work experience includes five years as the noise control engineer with the New Zealand Department of Labour and three years with the Industrial Acoustics Company in the United Kingdom. Including my time spent with Acousafe as an acoustical consultant this is a total of over forty years direct involvement with noise control and acoustical related work.
- [3] I am a Member of the Acoustical Society of New Zealand and the Association of Australasian Acoustical Consultants. I have completed 'Making Good Decisions' courses.
- [4] I have advised Council on a range of noise matters since the early-1990s and I gave advice at that time on noise issues for the Operative District Plan.
- [5] I have advised Council on noise matters pertaining to their latest round of Sectional District Plan reviews.
- [6] I confirm that I have read and am familiar with the Code of Conduct for expert witnesses in the Environment Court Consolidated Practice Note (2014). I agree to comply with this Code. The evidence I give is within my area of expertise and I am not aware of any material facts that would alter or detract from my opinions.

Scope of evidence

- [7] My evidence refers to the latest report from WSP Soul Friends Pet Crematorium and Workshop, Ashhurst, Assessment of Environmental

Noise Effects Report - LU5959 Revision 3 dated 22 September 2021 ("The Report").

- [8] I have prepared a notification report dated 31 May 2021 which considered the noise of the proposed Pet Crematorium and workshop in combination with the dog kennels that was operating on the site. The dog kennels had previously caused neighbours to complain about the noise.
- [9] The dog kennel activity has now closed.
- [10] My evidence considers the noise issues raised in the Report and I recommend noise conditions should consent be granted to the Pet Crematorium and workshop.
- [11] I have read the Soul Friend Pet Cremations Management Plan dated 17 September 2021 and I note that the hours of operation for the crematorium varies between in the Management Plan (7 days a week in Table 2) the those implied in the Report (Monday to Friday).
- [12] I have read the submissions which I discuss below.

The Activity

- [13] The application is for the proposed relocation and extension of an existing pet crematorium and woodworking workshop to 94 Mulgrave Street, in Ashhurst.
- [14] The hours of operation vary between the workshop and the Pet Crematorium but no staff will be onsite between 10pm and 7am (which are the District Plan noise rule night-time hours).

The District Plan

- [15] Section 3 of the Report considers the noise limits in the Rural Zone of the District Plan and sets out rule R9.11.1 which states:

R9.11.1 NOISE

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

7.00 am – 7.00 pm	50 dB L_{Aeq} (15mins)
7.00 pm to 10.00pm	45dB L_{Aeq} (15 mins)
10.00 pm – 7.00 am	40dB L_{Aeq} (15 mins)
Night-time L_{max}	10.00pm – 7.00 am 70dBA L_{max}

Explanation

Rural areas are in essence working environment within which there are pockets of residential activity. The rules are intended to provide for normal agricultural activities while controlling noise from a range of other activities which also exist in the rural area, e.g. home occupations. This control does not apply to specific rural activities in rural areas which should be managed by applying the Section 16 requirements of the RMA in the circumstances that they arise. Reference should be made to Section 6, Noise, for those rural activities that are excluded from the above controls and for further general information on noise.

- [16] The critical noise limits are therefore the 50 dB $L_{Aeq}(15mins)$ (7am to 7pm), and 45 dB $L_{Aeq}(15mins)$ (7pm to 10pm) which apply at any point within any other land in the Rural and Residential Zones because the activity will only operate 7am to 10pm Monday to Friday.
- [17] At 3.4 and Table 3.1 the Report proposed "*Project Noise Limits*" which I comment on as follows

Zone	Comment on Project Noise Limit Recommendations in the Report
Residential	The same as the District Plan
Rural (notional boundary)	The same numerical limits as the District Plan but applied at the notional boundary of dwellings rather than at or beyond the site boundary
Rural (commercial – abattoir and nursery)	A site boundary limit of 60 dB L_{Aeq} rather than the District Plan noise limits.

- [18] With respect to the proposal in the Report of applying the noise limits at the notional boundary¹, there are currently no dwellings in the Rural Zone that are close enough to benefit from this change and this Proposed Project Noise Limit simply negates the District Plan limits from applying at the site boundary.
- [19] The effect of the relaxation to 60 dB L_{Aeq} at the site boundary for "commercial activities on rural zoned land, abattoir and nursery" with this limit applying "at all times" allows high levels of noise to be received at the plant nursery, which I discuss further below.

Assessment of Effects

- [20] Section 4 of the Report undertakes an assessment of noise effects. This assessment includes modelling of the workshop noise alone and noise from the crematorium and workshop operating at the same time.

Predicted Noise Levels

- [21] The noise modelling is based on noise monitoring undertaken at the existing workshop and crematorium and this appears to be reasonable.
- [22] Section 4.2 of the Report describes the noise modelling that has been undertaken using ISO 9613-2 methods. I consider this to be the correct Standard to use. The modelling incorporates attenuation due to distance and air/ground absorption and includes meteorological conditions that provide for slightly positive propagation conditions.
- [23] The assessment is that noise will generate special audible characteristics and a 5dB penalty has been applied across the board.

¹ The notional boundary is defined (in NZS 6802) as "a line 20 metres from any side of a dwelling, or the legal boundary where this is closer to the dwelling".

Special audible characteristics could be impulsive noises (such as hammering) or tonal sounds (such as hums or squeaks).

- [24] The crematorium and workshop will typically operate between the hours of 9am to 5pm Monday to Friday with the crematorium occasionally operating later for maintenance but no later than 9pm with staff departing by 10pm (according to the Report).
- [25] Section 4.3 predicts that crematorium/ workshop noise combined will comply with the daytime District Plan (50 dB $L_{Aeq(15mins)}$) noise limit at all residential zoned sites with a reasonable margin of safety. The crematorium noise alone will comply with the evening District Plan noise limit (45 dB $L_{Aeq(15min)}$ between 7pm and 10pm) at residential zoned sites. The crematorium is the only activity that will operate between 7pm and 10pm.
- [26] The workshop noise is predicted to be 52 dB L_{Aeq} at the site boundary of 83 Winchester Street and the crematorium/ workshop noise combined is 54 dB L_{Aeq} .
- [27] The noise levels at the closest boundary with 114 Mulgrave Street are not predicted in Table 4.4 but it can be deduced as 57 dB L_{Aeq} from the commentary in 4.2.4 of the Report and Table 4.5.
- [28] I questioned the likelihood of a dwelling being constructed at 114 Mulgrave Street and the applicant has identified issues with flood prone areas throughout the lot and I understand that a submission has not been received from the owner.
- [29] There is an abattoir at 102 Mulgrave Street to the south of the crematorium location which is unlikely to be impacted by noise.
- [30] For all other rural sites, Table 4.4 predicts that District Plan daytime and evening noise limits will be complied with.

- [31] On this basis I consider that the noise predictions either demonstrate that District Plan noise limits can be met or that noise impacts will be less than minor at neighbouring rural land and I have reflected these in noise limits in recommended draft conditions below.

Noise Mitigation

- [32] An acoustic fence is recommended in 4.2.1 of the report and it is recommended that the design and location of this fence be retained by way of condition.
- [33] There will also be the potential to control noise from the pet crematorium and from the workshop (as with dust extraction) and it is recommended that a condition be included that requires a noise management plan to provide for this.

Submissions

- [34] Noise issues are raised by a number of Mulgrave Street residents. These include:
- (a) Noise from 7-day operation of the crematorium,
 - (b) Noise from the workshop,
 - (c) Noise from road traffic,
 - (d) Noise from the proposal in combination with barking dogs at the kennels (which the crematorium could worsen by further exciting the dogs),
 - (e) A lack of current noise mitigation and the visual impacts that would have.
- [35] I have discussed the 7-day operation of the crematorium. The Report assumes a 5-day operation and it is reasonable to limit the operation to that time-frame. This would not prevent access for administrative

reasons or cleaning and maintenance nor for visits at weekends by the public to the memorial garden.

- [36] Several of the submitters will benefit from the removal of the dog kennels and there is now no requirement to undertake an assessment of cumulative noise levels of the proposed activity with the kennels.
- [37] Onsite traffic noise will also be less of an issue with the elimination of visits to the kennels.
- [38] The submission from Isobel Currie and Bevan Currie identifies that the land at 83 Winchester Street is currently being re-zoned residential and it will be most undesirable to have a pet crematorium located nearby, including noise pollution.
- [39] My initial assessment was based on 83 Winchester Street being a plant nursery. My recommended request for further information was based on providing a suitable environment for its current use, as a plant nursey. I did not know that Council was planning to rezone this land to residential. On the basis that the site was to remain a plant nursery, I recommended that the crematorium and workshop could comply with a noise limit of 55 dB $L_{Aeq(15mins)}$ at the nearest site boundary, and that the impacts on 83 Winchester Street would therefore be no more than minor.
- [40] The predicted noise level at the 83 Winchester Street boundary is 54 dB $L_{Aeq(15 mins)}$ which is 4 dB greater than the daytime (7am to 7pm) District Plan noise limit and 9 dB greater than the evening noise limit (7pm to 10pm). Neither the crematorium nor the workshop will operate at night.
- [41] These submitters identify that the land is to be rezoned residential. The District Plan noise limits for the Rural Zone are the same applied

beyond other site boundaries if those sites are either in a Rural or Residential Zone.

[42] My assessed (made in conjunction with the consultant planner, Mr Hindrup), has been based on the existing rural environment and assumes that the existence of the plant nurseery makes it unlikely that a new dwelling would be constructed nearer to the applicant's site without a Plan Change process taking place. The application for the pet crematorium predates the notification of a Plan Change.

[43] I have therefore made my assessment on the basis that the adjoining site at 83 Winchester Street is as currently exists (a plant nursery), rather than a Residential Zone.

[44] My draft recommended conditions reflect this.

Draft Recommended Consent Conditions

[45] I recommend the following draft conditions based on the predictions in the report and the need to provide appropriate protection to Rurally Zoned land:

A. The pet crematorium and workshop (including onsite vehicles) activities must not exceed the following at or within the boundary of the site:

Site	Time	Noise Limit
83 Winchester Street	7.00am to 10.00pm	55 dB L _{Aeq} (15min)
114 Mulgrave Street & 102 Mulgrave Street	7.00am to 10.00pm	60 dB L _{Aeq} (15min)
Other Rural Zoned Sites	7.00am to 7.00pm	50 dB L _{Aeq} (15min)
	7.00pm to 10.00pm	45 dB L _{Aeq} (15min)
All Rural Zoned Sites	10.00pm to 7.00am	40 dB L _{Aeq} (15min)
		70 dB L _{Amax}

B. The pet crematorium and workshop (including onsite vehicles) activities must not exceed the following at or within any residentially zoned site:

- | | |
|-------------------|------------------------|
| 7.00am to 7.00pm | 50 dB $L_{Aeq(15min)}$ |
| 7.00pm to 10.00pm | 45 dB $L_{Aeq(15min)}$ |
| 10.00pm to 7.00am | 40 dB $L_{Aeq(15min)}$ |
| 10.00pm to 7.00am | 70 dBA L_{max} |
- C. Sound levels must be measured in accordance with New Zealand Standard NZS 6801:2008 *Acoustics – Measurement of environmental sound* and assessed in accordance with NZS 6802:2008 *Acoustics – Environmental noise*.
- D. The hours of operation of the workshop must be limited to 7.00am to 7.00pm Monday to Friday and the pet crematorium shall be limited to 7.00am to 10.00pm Monday to Friday. The pet crematorium and workshop must not operate on public holidays. This would not prevent access for administrative reasons or cleaning and maintenance nor for visits by the public to the memorial garden between the hours of 9am and 5pm Monday to Sunday provided Conditions A and B are met.
- E. An acoustic fence shall be installed on the boundary of 98 Mulgrave Street in accordance with the recommendations of the WSP *Soul Friends Pet Crematorium and Workshop, Ashhurst, Assessment of Environmental Noise Effects Report - LU5959 Revision 3 dated 22 September 2021*.
- E. A Noise Management Plan ("**NMP**") shall be prepared by a suitably qualified and experienced acoustic consultant, in association with the applicant, prior to the start of the pet crematorium and/or workshop operating. The NMP shall be submitted to the Palmerston North City Council for review 20 working days prior to the commencement of the activity. The NMP shall include but be not limited to:

- i. The relevant noise limits,
 - ii. noise mitigation and maintenance requirements for plant and machinery in order to adopt the best practicable option to control noise,
 - iii. general operating procedures,
 - iv. training of staff,
 - v. complaints handling and recording, and
 - vi. noise monitoring.
 - G. The NMP must be certified that it meets the requirements of Conditions A and B and the consent holder shall operate the pet crematorium and workshop in compliance with the NMP at all times.
 - H. Noise monitoring must be undertaken within 6 weeks of the commencement of the pet crematorium and/or workshop to demonstrate compliance with Conditions A and B. A copy of the results of each period of monitoring must be provided to Council within 20 working days of undertaking the monitoring.
 - I. The Council may under section 128 RMA initiate a review of the conditions of the consent 12 months after granting the consent in relation to noise and hours of operation to:
 - i. Assess the adequacy of (and, if necessary, change) the conditions controlling activities on the sites
 - ii. Deal with any significant adverse effects on the environment that may arise from the exercise of the consent.
- [46] The hours of operation reflect those implied by the Report which are also sought by submitters.

Conclusions

- [47] I consider that the Report represents a comprehensive assessment of the noise impacts of the pet crematorium and workshop. The predictions are that noise will comply with District Plan noise limits at Residentially Zoned properties but, because of the short distance to the nearest (Rurally Zoned) side boundaries, the District Plan noise limits will be exceeded.
- [48] I have recommended draft noise conditions to reflect the predictions in the Report that will appropriately protect residentially zoned properties and neighbouring rural land.

Date: 28 September 2021



Nigel Robert Lloyd



Palmerston North City Council
Kelly Standish
32 The Square,
Palmerston North 4410



pncc.govt.nz
info@pncc.govt.nz

Te Marae o Hine
The Square
Private Bag 11034
Palmerston North 4442
New Zealand

23 September 2021

Dear Kelly

Transport Assessment: 94 Mulgrave Street, Ashhurst – Resource Consent Application

Council's infrastructure officers have reviewed the proposed application for resource consent for 94 Mulgrave Street, Ashhurst for a Pet Crematorium and Wood Urn workshop.

Context

94 Mulgrave Street currently operates as a Kennel / Cattery and has a residential dwelling. The property fronts a minor arterial road which is the main connection between Ashhurst and Bunnythorpe. The northern side of Mulgrave Street, west of Hillary Crescent is rural, whilst the southern side of Mulgrave Street comprises of residential and industrial uses. Based on traffic data collected in July 2020. The road carries approximately 3,000 vehicles per day and has existing speed limit of 50 km/h.

Proposal

The application is looking to undertake the following

- Establish a crematorium for pets on site
- Establish a wood workshop onsite to make urns
- Establish a spray booth for urn finishes onsite
- Establish a memorial garden for the public
- Continue the existing use of a residential dwelling

Traffic Generation:

The existing traffic movements generated by site the is 124 vehicle movements per day. This is comprised of 114 movements generated by the Kennel / Cattery and 10 movements per day for the residential dwelling.

The proposed Crematorium and Wood Urn facility proposes to generate 30 movements per day with a peak hour of 11 movements. The movements have been assessed from the information provided by the traffic report provided by WSP and determined as follows:

- 6 movements related to 1 truck accessing the site (2 trips per day, each movement equivalent to 3 movements a day)
- 12 movements related to 6 staff members (2 trips each per day);
- 2 movements related to 1 visitor per day (assume peak hour trip)
- 10 movements related to the residential dwelling

Overall, the proposed development will reduce the daily traffic from 124 to 30 vehicle movements. The total movements per day is compliant to district plan requirements (20.4.2 a) xi)) which limit vehicle movements of rural properties to 100 movements per day. With the reduction in daily traffic volume, it is assumed that effect on peak hour traffic will be negligible. As such the effects caused by vehicle movements is considered less than minor.

Site Access:

The sites frontage is 60m long and is near Spelman Court and Hillary Crescent. The existing vehicle crossings are provided at the western and eastern edges of the property.

The proposed access is planned to be located at western edge of the property opposite Spelman Court. Under 20.4.2 a)vi)e) of the district plan, a vehicle crossing should not be within 30m of the intersection if it is fronting a minor arterial, near a local road intersection. The purpose of this rule is to minimise the conflict of traffic movements at the intersection and reduce the likelihood of a crash occurring.

The entire sites frontage is within 30m of two intersections. As such the site cannot comply with 20.4.2 a)vi) e). However it would be unreasonable to prevent vehicle access to the site, particularly given there are not no other roads fronting the property.

Given Spelman Court is a cul de sac which is likely to have a low traffic volume, the conflict between vehicles at the intersection is considered low. However to minimise the road safety risk, the recommendation is for the site to be design so that vehicles do not have to reverse on to Mulgrave Street. On review of the plans, this has been on-site turning has been provided for.

Safety

Between 2016 and 2020, there was 1 non-injury crash which was recorded at the intersection of Mulgrave Street and Hilary Crescent. This crash was caused by a vehicle failing to give way at the intersection.

In 2021, the intersection of Mulgrave / Hillary was changed, where the priority movement has been altered. Previously, traffic on the east approach of Mulgrave Street had to give way to traffic on the other approaches. This has now been changed such that traffic on Hillary Crescent must now give way to traffic on both Mulgrave Street approaches instead.

The change to the intersection reduces the conflict between vehicles from 94 Mulgrave Street and Hilary Crescent. Sight distance is less of a factor due to the

change in priority and that vehicles from Hilary Crescent are slowed due to having to give way.

Sight distance for the property for both directions of Mulgrave Street is generally unimpeded by obstructions. As such the 115m sight distance requirement in section 20.4.2 a)vi)f) is achieved.

Conclusion:

The proposed development at 94 Mulgrave Street does not comply with one part of the district plan. This is

- Access too close to an intersection

Despite this non-compliance, the access to the site is an existing condition and the safety effects are mitigated as the site enables on-site turning, which allows vehicles to exit the site in a forwards direction.

Potential issues associated with traffic generation and road safety have been assessed and do not pose any concerns.

Overall, the transport effects caused by this development is considered to be less than minor.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Chris Lai', with a stylized, sweeping flourish.

Chris Lai
SENIOR TRANSPORTATION ENGINEER
PALMERSTON NORTH CITY COUNCIL

From: District Advice <District.Advice@horizons.govt.nz>
Sent: Monday, 27 September 2021 2:49 pm
To: Phillip Hindrup
Cc: district.advice@horizons.govt.nz; Cliff.Thomas@horizons.govt.nz
Subject: Re: [Request ID :##34032##] 94 MULGRAVE STREET, ASHHURST PALMERSTON NORTH CITY | Phillip Hindrup | CASED 17669 | 1446003301 | Building consent/Land use consent
Attachments: 0.5% AEP (1 in 200 year) Modelled Flood Depths for 94 Mulgrave Street_Ashhurst.jpg

Hi Phillip,

Thank you for your enquiry regarding the building of a non-habitable pet crematorium at 94 Mulgrave Street, Ashhurst.

Waterways and Flood Information

There is a stream that passes through the north western corner of the property. This stream is known as the Ashhurst Stream.

The modelled information for this area is held by Palmerston North City Council (PNCC). PNCC have a **PN City Rapid** 1 in 200 year (0.5% Annual Exceedance Probability) modelled information for flood and stormwater inundation. Please find attached PNCC's Rapid modelled flood depths for a 0.5% AEP flood event. The key gives an indication of water depths. Please note that depths less than 50mm are not shown. Rapid modelling is where rainfall is "dropped" onto each cell (5m Grid) of the model with basic accumulation and does not go into more complex interaction with in-stream flows and complex flow accumulation and culverts and bridges are not detailed in the model. The modelling was undertaken to provide a guide as to what areas would warrant further investigation/detailed modelling. The modelled depths are indicative and the model should not be used to set floor levels, however, areas that show as dry will most likely be dry. As the flood modelling for this property is PNCC's information and not that of Horizons models, we cannot comment on its accuracy with respect to the flood risk to this property. Horizons recommends that further flooding assessment may be required at this property for any future land development proposals.

The intent of the [One Plan](#) and main purpose of Chapter 9 is to avoid increasing the risk to people and property from natural hazards, by limiting development in areas where natural hazards, especially floods, are likely to occur. Reasonable freeboard for a commercial and industrial building is a minimum height of 0.3 m as per New Zealand Standard 4404:2010 – Land Development and Subdivision Infrastructure. This freeboard requirement is to account for factors which cannot be included in the model, such as waves and debris effects. As well as ensuring that safe egress/access is easily achieved (access between occupied structures and a safe area where an emergency evacuation may be carried out). PNCC will need to be comfortable that safe access and egress can be easily achieved during a 0.5% AEP flood event. They also need to be satisfied that the proposal mitigates the flood risk and that the proposal is not increasing risk to people and property.

Horizons can provide information on the level of inundation and recommended freeboard based on NZS 4404:2010 and Policy 9-2, however it is PNCC as the Building Consent Authority that makes the decision on appropriate freeboard and finished floor levels.

While Horizons holds no recent observed flood information or flood records for this property. The northern and central areas of the property have been affected by Horizons indicative flooding information. This indicative flooding information is based on observations from historic flood events drawn at a topographic scale of 1:50,000 and is therefore not relied on for making land development decisions on a site specific scale.

Schedule B Values

The Ashhurst Stream through the property is a Horizons scheme drain (drainage channel), which is managed by Horizons as part of Horizons Ashhurst Stream Drainage Scheme. The stream has values of Flood Control and Drainage under Schedule B of the [One Plan](#), and as a result, resource consent is required from Horizons for certain

activities within 10 metres of the bed of the waterway that could adversely affect the function of the flood control scheme. Activities that may require resource consent include: the planting of trees and shrubs, new buildings and structures (including access-ways), some new fencing, depositing cleanfill and any land disturbance that impedes access for maintenance purposes. Please refer to the attached relevant [One Plan](#) Rule 17-14 and 17-15 for your information. Should anyone wish to carry out any activities (including any new access-ways) within 10 metres of the waterway, they will need to first contact Central Area Scheme Engineer, Cliff Thomas, on Freephone 0508 800 800 to confirm any resource consent requirements or conditions of work.

The stream also has a stopbank as indicated by the red line in the attached map. Horizons [One Plan](#) Rule 17-15 requires that resource consent be obtained from Horizons for a range of activities occurring within 8 metres of the landward toe of the stopbank, or between the stopbank and the Ashhurst Stream. The types of activities requiring consent include: the planting of trees and shrubs; new buildings and structures; some fencing; land disturbance and depositing of cleanfill; and the upgrade, reconstruction, alteration, extension, removal or demolition of any structure that is maintained by the Regional Council for the purposes of flood control.

The application's plan shows that the proposed activity will be 8 metres or more away from the toe of the stopbank, therefore no resource consent should be required. If further clarification is required please contact Central Area Scheme Engineer, Cliff Thomas, on Freephone 0508 800 800.

On-site Wastewater Disposal

The application notes that a new on-site wastewater system would be installed for the new crematorium building. There is an existing dwelling on the property, however it is not clear from the application if the dwelling has an on-site wastewater disposal system or is connected to the town's reticulated system.

Any new or upgraded on-site wastewater disposal system needs to be designed in accordance with the Manual for On-site Wastewater Systems Design and Management (Horizons Regional Council, 2010) and comply with the relevant conditions of [One Plan](#) Rules 14-13 and 14-14. The Manual specifies separation distances, including a requirement that the wastewater land application area be located at least 20 metres from any waterway, including ephemeral waterways, drains and lakes and at least 20 metres from bores that are used for drinking water supply. Bore information can be found on [Horizons Maps | Public viewer](#) – select the District Advice map. The Manual for On-site Wastewater Systems can be found on Horizons website or click on this link:

<https://www.horizons.govt.nz/HRC/media/Media/One%20Plan%20Documents/Manual-for-On-site-Wastewater-Design-and-Management-2010.pdf>

Please note that because of the extensive flood modelling on the property a suitable on-site wastewater disposal system will be required. Wastewater discharges to land application areas should avoid modelled flood inundation. For information refer to Auckland Region's Guideline document: On-site Wastewater Management which explains this in more detail than Horizons' guidelines: <http://content.aucklanddesignmanual.co.nz/regulations/technical-guidance/Documents/GD06%20-%20On-Site%20Wastewater%20Management.pdf>

If you need to talk to Horizons Environmental Scientist Harold Barnett about wastewater you can email him directly harold.barnett@horizons.govt.nz or phone him on DDI: 06 952 2831 ext: 5831.

For information on discharge consents please contact our Consents team on consents.enquiries@horizons.govt.nz or ask for the Horizons Duty Planner on 0508 800 800. Alternatively visit our website: <http://www.horizons.govt.nz/managing-natural-resources/apply-for-consents>

Stormwater

Horizons [One Plan](#) Rule 14-18 permits the discharge of stormwater to surface water and land, subject to compliance with conditions. The conditions include ensuring that the discharge does not cause or exacerbate the flooding of any other property and there is no erosion beyond the point of discharge unless this is not practicably avoidable, in which case any erosion that occurs as a result of discharge must be remedied as soon as possible. Care will need to be taken if stormwater is to be discharged across sloping land due to the potential for this to cause erosion. Any on-site stormwater discharges should be directed away from wastewater land application areas as this can reduce the efficiency of the wastewater system to treat wastewater. For more information about the discharge of stormwater and the [One Plan](#) rules visit our website: <http://www.horizons.govt.nz/publications-feedback/one-plan/part-2-regional-plan/chapter-14/14-6-rules-stormwater>

The application notes that water from washdowns will be disposed off-site.

Land Disturbance on slopes less than 20 degrees (Includes Earthworks)

The application proposes earthworks of 1,666m² with a volume of 459m³ to be disturbed.

Horizons [One Plan](#) Rule 13-1 permits up to 2,500m² of land disturbance per property per 12 month period, subject to compliance with conditions. These conditions include ensuring that erosion and sediment control methods are

installed prior to and maintained during the land disturbance activity and ensuring that the works do not occur on land within 5 metres of the bed of a river that is permanently flowing, an ephemeral waterway with an active bed width greater than 1 metre, or a lake.

For land disturbance greater than 2,500m² please see [One Plan](#) Rule 13-2. Please email our Consents team on consents.enquiries@horizons.govt.nz or call our Horizons Duty Planner on Freephone 0508 800 800. Alternatively visit our website: <http://www.horizons.govt.nz/managing-natural-resources/apply-for-consents>

Surface Water Use (water take from above the ground e.g. waterways/springs, ponds or lakes etc.)

Horizons [One Plan](#) Rule 16-1 permits the take and use of surface water, subject to compliance with conditions. These conditions include a maximum rate of take of 400l/ha per day for animal farming up to a maximum of 30 m³/day per property; or 15 m³ where the water is for any other use. The rates of take cannot be added, that is, the maximum allowable rate of take under this rule is 30m³/day per property. Water takes in excess of permitted activity limits require a water permit from Horizons Regional Council. The rate of take must not exceed 2.0 litres per second. For more information please see the [One Plan](#) Rule 16-1.

SAHS (Sites associated with hazardous substances)

The application lists potential contamination of the property.

Please note that this property is not listed on Horizons database of potentially contaminated sites, however Horizons doesn't hold all of the contaminated and potentially contaminated land information and there may be sites of potential contamination that we are not aware of. Horizons recommends the local council's database (PNCC) is checked. If you have any further questions about this information please contact our Compliance team on 0508 800 800 or email hail.enquiries@horizons.govt.nz

Soil Drainage

Regional scale information from Landcare Research suggests the property has imperfectly and poorly drained soil. Poorly drained soils either have a water table close to the surface or a compact subsurface layer that limits the rate that water can drain through the soil. Therefore any future building platforms should be located above or away from any areas prone to surface ponding. These drainage limitations will need to be considered when designing suitable on-site wastewater disposal systems. Soil information can be found on [Horizons Maps | Public viewer](#) – select the 'District Advice - Property Enquiry' map.

Other Considerations

Horizons Consents team has received an application for a discharge permit for Pet Cremations Air Discharge Works. The application number is APP-2021203430.00. Please contact Lauren Edwards at consents.enquiries@horizons.govt.nz or Freephone 0508 800 800 if you require further information about this consent.

GNS Science's regional scale information on known active faults can be accessed on their website or clicking on this link: <http://data.gns.cri.nz/af/>

GNS Science has completed regional scale liquefaction susceptibility mapping and this property has no susceptibility class. PNCC hold the best liquefaction information for the city. To access this information, click on this link:

<https://www.pncc.govt.nz/rates-building-property/property-housing/palmerston-north-and-liquefaction/>

There are no known cultural sites and no rare/threatened or at-risk habitats in the vicinity.

Please view [Horizons Maps | Public Viewer](#) for more information on what Horizons holds. Select the '**District Advice – Property Enquiry**' map at <https://maps.horizons.govt.nz/Gallery/> for LINZ property records, soil information, groundwater bores and Land Use Capability (LUC) as shown in the NZ Land Resource Inventory (NZLRI). For Horizons resource consent information please select the '**Regulatory Activity**' map. To view 1 in 200 year modelled wet extents see our flood plain mapping at <https://www.horizons.govt.nz/flood-emergency-management/flood-plain-mapping>.

Ngā mihi | Kind regards

Marianne Boekman
On behalf of District Advice

To log any new District Advice requests please use our online enquiry form <http://www.horizons.govt.nz/managing-natural-resources/district-advice/enquiry-form> Search the property details by slowly typing the residential street address e.g. 11 Victoria (exclude the town/city) or search by valuation number e.g. 12345 678 00. We aim to get back to you within ten working days.

Exclusion of Liability Arising from Supply of Information

Horizons Regional Council endeavours to provide useful and accurate information. Horizons Regional Council shall not, however be liable whether in contract, tort, equity or otherwise, for any loss or damage of any type (including consequential losses) arising directly or indirectly from the inadequacy, inaccuracy or any other deficiency in information supplied irrespective of the cause. Use of information supplied is entirely at the risk of the recipient and shall be deemed to be acceptance of this liability exclusion.

Requester: phillip@stradegy.co.nz

Created: 21-Sep-2021 13:54

Subject: 94 MULGRAVE STREET PALMERSTON NORTH CITY | Phillip Hindrup | CASSED 17669 | 1446003301 |

Building consent/Land use consent

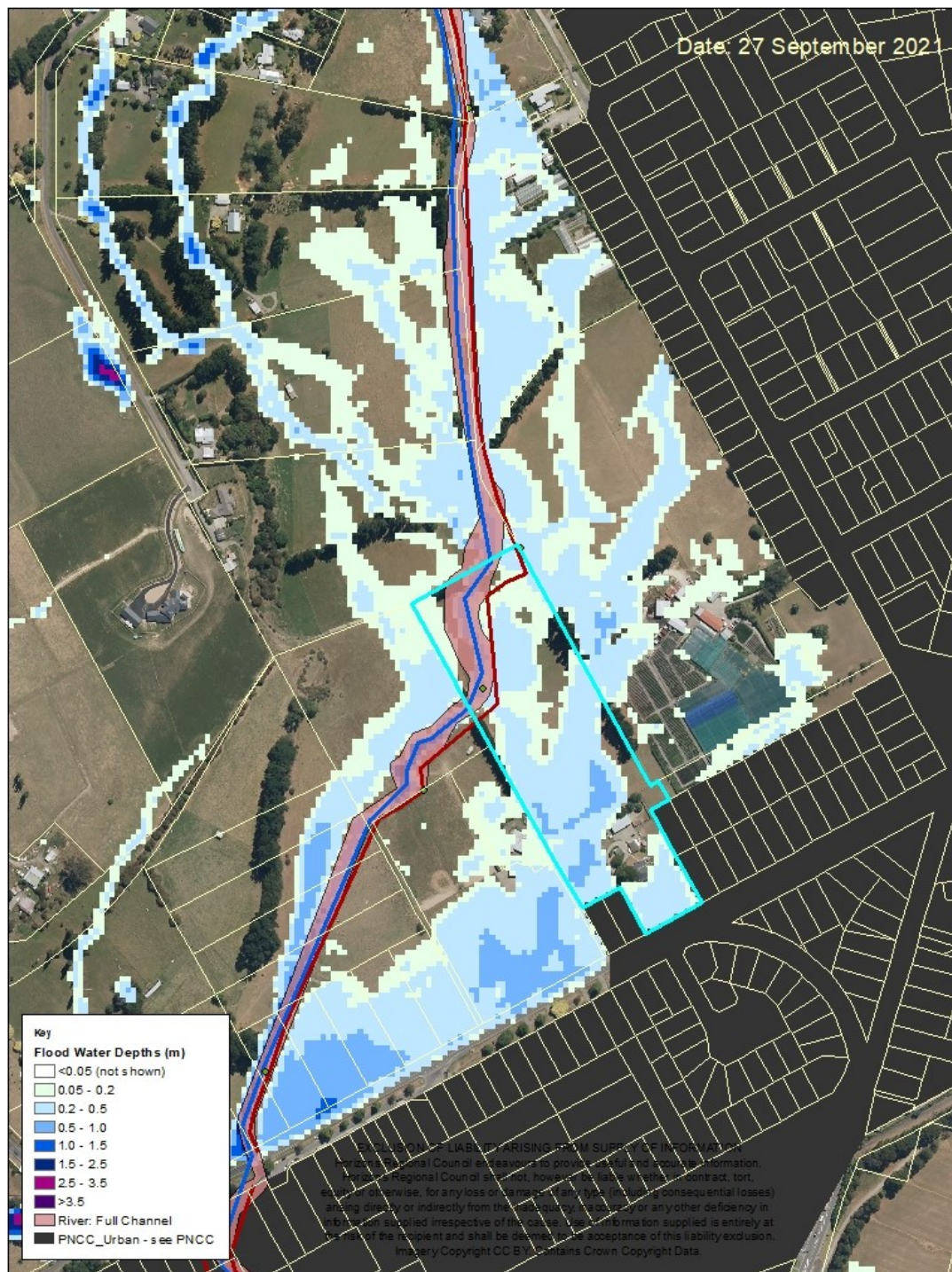
DATA	VALUE
ORGANISATION	Palmerston North City Council
APPLICANT	Phillip Hindrup
EMAIL ADDRESS	Phillip@stradegy.co.nz
PHONE	06 356 8199
QUERY TYPE	Building consent/Land use consent
ADDITIONAL INFORMATION	You have been asked for comment in relation to the attached Land Use Consent for 94 Mulgrave St, reference LU 6450. Please respond within 5 working days.

The attachments associated with this enquiry are too large to send via Email.



This email is covered by the disclaimers which can be found by clicking [here](#).

Date: 27 September 2021



Proposed Plan Change F: Ashhurst Growth Areas

What is this all about?

Ashhurst is identified in the Palmerston North City Development Strategy (2017) as a preferred residential growth area. Proposed Plan Change F aims to rezone four areas in Ashhurst to from Rural to Residential Zone.

Some new provisions are recommended to address the site-specific design requirements for subdivision and development in this area, recognising the natural hazard and stormwater constraints.



The Winchester Area - Ashhurst

Proposed Changes:

- The rezoning of four sites of Rural Zone land to Residential Zone:
 - Winchester Street Area (Currently Kilmarnock Nurseries)
 - North Street Area
 - The Pit Area (Former Gravel Extraction Pit)
 - Mulgrave Street Area
- Amendments to sections of the District Plan to realign them with the Structure Plan, including
 - Section 4 - Definitions
 - Section 7 - Subdivision
 - Insert Structure Plans for each area
 - Section 10 - Residential
 - Lot sizes

History:

Council previously attempted to rezone land in Ashhurst in 2018 (PC20A - Winchester Area) however, the plan change was dismissed due to insufficient flooding information.

Proposed Growth Areas



What do you think?

- Do you support the areas we are looking to allow new urban development
- Should we align the minimum lot size of Ashhurst with Palmerston North to enable infill development?
- Should we enable medium density development in Ashhurst, and if so, where?

Let us know what you think about the changes proposed in Plan Change F by contacting Victoria Edmonds (Planner) on 06 356 8199 or email [victoria.edmonds @pncc.govt.nz](mailto:victoria.edmonds@pncc.govt.nz) before 4pm 29 January 2021

BEFORE THE HEARINGS PANEL

Under: the Resource Management Act 1991

In the Matter of: the application by Soul Friends Pet
Cremations (Applicant) to the Palmerston
North City Council for resource consents

STATEMENT OF EVIDENCE BY

Chelsea Lee Kershaw

28 September 2021

INTRODUCTION

1. My full name is Chelsea Lee Kershaw. I hold the qualifications of Bachelor of Architectural Studies, Master of Landscape Architecture (with distinction) and Post Graduate Diploma of Environmental Studies, each from Te Herenga Waka (Victoria University of Wellington).
2. I am employed as a landscape architect at Hudson Associates. The practice consults on projects throughout New Zealand, with a particular focus on landscape assessment, subdivision, large scale design, and infrastructure. I am in the process of becoming a registered member of Tuia Pito Ora, the New Zealand Institute of Landscape Architects (“NZILA”).
3. I confirm that I have read the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2014 and that I agree to comply with it. I confirm that I have considered all the material facts that I am aware of that might alter or detract from the opinions that I express, and that except where I state I am relying on information provided by another party, the content of this evidence is within my area of expertise.
4. I have been engaged by Palmerston North City Council to provide expert evidence regarding the landscape and visual effects of the proposed pet crematorium, as assessed in my landscape report attached to the s 42A report. I have reviewed the Application for Resource Consent and the material relating to the landscape and visual effects, including the AEE and the Landscape and Visual Assessment¹ (“LVA”).

SUMMARY OF CONCLUSION

5. Council recognises that *“crematoria have the potential to adversely affect the amenity values of both adjoining and adjacent properties.”*² I conclude that landscape and visual effects are no more than minor, by virtue of the location, scale, design, colour and form of the new structures, and the proposed planting. In my opinion the proposal meets the objective of maintaining the quality and character of the rural environment and the policy of controlling the adverse visual effects on the rural environment.³

¹ prepared by WSP, dated 18 December 2020.

² PNDP Section 13 (Airport zone).

³ PNDP Section 9 (Rural Zone): Objective 3 and Policy 3.3.

METHODOLOGY

6. The landscape methodology used for the assessment follows the concepts and principles outlined in the NZILA Guidelines.⁴
7. Due to COVID-19 restrictions a site visit was unable to be undertaken at the time of assessment. However, co-author of the landscape assessment John Hudson, and myself, are familiar with the area. A digital site visit was completed using Google Earth, including appraisal of Google Street View to gain an appreciation of the broader context and localised area of the site.
8. Statutory documents were reviewed to help frame the landscape assessment.⁵ Under the PNDP Section 9 (Rural Zone), Objective 3 directs the maintenance and enhancement of the quality and natural character of the rural environment, supported by Policy 3.3. Under the RMA, consideration must be given to potential effects of the proposal on Section 6(b) outstanding natural features and landscapes (“ONLF”), Section 7(c) maintenance and enhancement of amenity values, and Section 7(f) maintenance and enhancement of the quality of the environment.
9. Consideration was also given to measures to avoid, remedy, and mitigate potential adverse effects, and these are included in the assessment ratings. The assessment used a seven-point scale to rate effects, which can be converted to RMA terminology as per NZILA guidelines⁶, see
10. [Table 1](#).

Table 1: Effects Rating.

very low	low	low-mod	moderate	mod-high	high	very high
less than minor	minor	more than minor	significant			

11. Noise effects were not considered in the landscape assessment. I defer to Mr Lloyd for the assessment of acoustic amenity effects.

⁴ Te Tangi a Te Manu: Aotearoa New Zealand Landscape Assessment Guidelines (April 2021).

⁵ Resource Management Act 1991 (“RMA”), Manawatu-Wanganui Regional Council’s (Horizon’s) One Plan Operative Regional Policy Statement (“RPS”), and the Operative Palmerston North District Plan (“PNDP”).

⁶ Te Tangi a Te Manu: Aotearoa New Zealand Landscape Assessment Guidelines (April 2021).

ASSESSMENT OF EFFECTS

12. The assessment of the planning provisions and the existing environment⁷, outlined in my Landscape Assessment⁸, identified that consideration must be given to the effects of the proposal on the area's landscape characteristics (i.e., ruralness and visual appreciation)⁹.

This includes:

- The landscape effects of landform modification.
- Compatibility of the activity with surrounding landuse.
- Extent to which the built form integrates with the landscape character, and the suitability of the proposed planting.
- Ability to appreciate vistas of the Tararua and Ruahine Ranges, and the Manawatū Gorge (Te Āpiti) which is a recognised ONFL¹⁰.

Landform Modification

13. The landform is already characteristically flat, separated from the nearby waterway by a stopbank. Additional flattening of the river terrace will be indiscernible, such that the terrain will be inconsequently changed. I consider this to be a **very-low** effect.

Compatibility of Activity

14. The proposal is a commercial land use activity being introduced in a rural zone, at the interface with both the industrial and residential zone. Given the proximity to commercial/industrial activities of a similar nature (e.g., Abattoir, Plant Nurseries, and the Ashhurst Transfer Station), the activity is not uncharacteristic of the surrounding landscape. The surrounding open space, because of rural zoning to the east, north, and west, ensures the landscape generally has the capacity to accommodate the proposed activity. Given these considerations, the activity will result in an indiscernible change in landuse. This is considered a **very-low** effect.

15. Due to the potential for negative connotations with a crematorium,¹¹ friction may arise between the proposed activity and residential landuse near the site. To avoid adverse effects of the crematorium on residential sensibilities, the crematorium building is located at the rear of the site, setback at least 190m from residential properties to the south.

⁷ characterised at two scales: the 'broader context' and the 'localised area'.

⁸ Hudson Associates (2021) *Landscape Assessment: Soul Friends Pet Crematorium*

⁹ PNDP Section 9 (Rural Zone): Objective 3 and Policy 3.3, and Objective 7.

¹⁰ PNDP Section 9 (Rural Zone): Objective 7.

¹¹ See submissions i.e., Ms Shannon.

Open space is proposed on-site, and the existing shelter belt trees are retained, providing a buffer between these potentially conflicting activities. This will reduce the visual amenity effects of the proposal during construction, and while the mitigation planting is being established. Given these considerations, the proposed commercial activity will be unobtrusive on residential landuse, but with stacks still remaining visible. I consider this to have an overall **low** effect. I allow that visual effects may be up to **low-moderate** in instances of heightened sensitivity.

Integration of Built Form

16. The scale and form of the proposed building is generally in-keeping with the rural context. Surrounding the site, the landscape displays a rural aesthetic. Structures are typically utilitarian, such as farms sheds, fencing, and powerlines amongst pervasive vegetation. The proposal building is a TotalSpan shed which is a built form anticipated in the rural zone. The proposed screening planting around the building will further integrate the built form into the broader and local rural environment. Over time the mitigation planting will visually blend with the bulk of the built form and enhance the sense of enclosure which is characteristic of this area. Additional mitigation measures reduce the dominance of the structure by using recessive colours with low reflectivity.
17. The visual dominance of four cremator stacks¹² will be less effectively mitigated, compared with the rest of the structures. An adverse visual effect arises due to the protrusion of the cremator stacks and smoke plumes above the mitigation planting, as perceived by some nearby residents. I am in support of the use of dark colours (i.e., Resene Karaka or Resene Flaxpod), with low reflectivity, which will generally minimise the bulk of the structures. Where the cremator stacks are backed by vegetation or terrain, these will blend into the landscape. In addition, tall and thin vertical elements are not uncharacteristic within the broad and localised context. As a result, this modification is limited to a **low** effect.

Landscape Appreciation

18. The application site is located so that from certain eastward facing viewpoints, the Tararua and Ruahine Ranges and Te Āpiti are seen as a backdrop to the site. Mitigation

¹² Soul Friends Management Plan states cremator stacks are 10.5 – 13m high. This is up to 4m higher than the 9m height often permitted in the rural zone. See R9.5.5 in the PNDP.

measures have been included in the proposal, i.e., planting and colour palettes, to blend structures into the surrounding landscape and minimise the prominence of the built forms. I agree with the applicant's Landscape Assessment, that the stacks will be seen below the ridgeline of the ranges and views of Te Āpiti will remain intact. Effects of any visible stacks will be mitigated by the dark and recessive colouring which will blend with the hillsides. I therefore consider the effect on appreciation of the ranges to be **very-low**.

EFFECTS SUMMARY

19. The proposal would cause very-low adverse effects to the landforms, vegetation, landuse, built forms, and general visual appreciations which are characteristic of the broader context. These adverse effects translate to less than minor in RMA terminology.
20. The greatest adverse landscape effects arise from the protrusion of the cremator stacks and smoke plumes above the mitigation planting, perceived by local viewers. These effects are limited due to the contained nature of the landscape causing limited visibility of the proposal, the mitigation measures which enhance the sense of containment and further limit visibility, the distance setback from roads and residential properties, and the open space buffers. These low to low-moderate effects translate to minor in RMA terminology.

CONCLUSION

21. The design measures provided in the proposal adequately control adverse landscape and visual effects. These measures include:
- The form of structures (roof shape and pitch which has been designed to be in character with the rural landscape).
 - The scale of structures (compact footprint to allow retention of open space).
 - Screen planting (intended to blend the structures into the landscape).
 - Materiality (use of low reflective, dark green or black colour finishes intended to minimise the prominence of built forms).
22. As a result of these measures, effects are assessed as no more than minor after implementation of the mitigation measures proposed.

Chelsea Kershaw

28 September 2021