

BEFORE THE HEARINGS PANEL

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of proposed Plan Change G: Aokautere Urban
Growth to the Palmerston North City Council
District Plan

**STATEMENT OF REPLY EVIDENCE OF ANITA RENIE COPPLESTONE ON BEHALF OF
PALMERSTON NORTH CITY COUNCIL**

PLANNING

Dated: 28 November 2023

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REPLY EVIDENCE OF ANITA RENIE COPPLESTONE

A. INTRODUCTION

- [1] My full name is Anita Renie Copplestone.
- [2] I prepared the s 42A report dated 15 September 2023 on Planning (**s 42A Report**) on behalf of the Palmerston North City Council (**Council**) for proposed Plan Change G: Aokautere Urban Growth to the Palmerston North District Plan (**PCG**).
- [3] My experience and qualifications are set out in my s42A Report.
- [4] In this reply I use the same defined terms as in my s 42A Report.
- [5] I repeat the confirmation given in my s 42A Report that I have read and will comply with the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023, and that my report has been prepared in compliance with that Code.
- [6] I attended all of the pre-hearing meetings which were held on 25, 26 and 27 October 2023, along with a number of informal follow up meetings with submitters following the pre-hearing meetings. I attended expert conferencing on 15 and 16 November 2023 with Mr Thomas, Ms Jenkin, Ms Pilkington, Mr Moefili and Ms Coats and we prepared a joint witness statement (the **JWS - Planning**) dated 16 November 2023. I confirm the contents of that document.

B. SCOPE

- [7] My reply evidence responds to points made in evidence by:
- (a) Ms Pilkington on behalf of Palmerston North Industrial and Residential Developments Ltd (**PNIRD**) (now Brian Green Residential Developments Ltd) regarding noise effects associated with the Manawatū Rifle, Rod and Gun Club, funding of upgrades to the transport network, the internal roading layout, vesting of gullies and re-zoning of land;
 - (b) Mr Moefili for Ngawai Farms Ltd regarding rezoning of land for reserves and the extent of the Rural-Residential Overlay;

- (c) Mr Thomas for CTS Investments Ltd, Woodgate Ltd, and Terra Civil Ltd regarding the quantum of land proposed for reserves, the landscape-led approach to the Structure Plan, housing delivery and the NPS-UD, Section 7A of the District Plan, delivery of supporting infrastructure and the Structure Plan approach;
- (d) Mr Fugle for CTS Investments Ltd, Woodgate Ltd, and Terra Civil Ltd regarding the need for and detail of the structure plan, approach to development in the gullies and the neighbourhood centre;
- (e) Ms Coats for Heritage Estates (2000) Ltd regarding the level of detail in the information provided in support of PCG and the PCG approach to medium density housing;
- (f) Mr Farquhar for Heritage Estates (2000) Ltd regarding the transport network upgrades and the prescriptive approach to development;
- (g) Ms Jenkin for Waka Kotahi regarding consideration of the relevant statutory framework, rural-residential development and amendments to the proposed transport related provisions;
- (h) Ms Gear on behalf of Rosemary and Anthony Gear regarding the use of permeable surface standards and a boundary reserve and walkway for Moonshine Valley; and
- (i) Mr Teo-Sherrell regarding commercial zoning, garage setbacks, noise limits and the speed limit on SH57.

[8] That this reply statement does not respond to every matter raised in the evidence of witnesses on planning matters should not be taken as acceptance of the matters raised. Rather, I rely on my s 42A Report, and the s 32 report to address these matters.

[9] My s 42A Report also addresses the following matters:

- (a) any changes to the recommendations set out in my s 42A Report, as a result of matters raised in evidence and the JWS - Planning, including recommended

changes to the provisions - which are set out at Annexure 1 for Transport, Annexure 2 for Stormwater, and Annexure 3 for the Zoning Plan;

- (b) a summary analysis of the recommended amendments to the provisions in accordance with s 32AA, as Annexure 4; and
- (c) points of clarification or correction to my s 42A Report.

C. RESPONSE TO CHRISTLE PILKINGTON ON BEHALF OF PALMERSTON NORTH INDUSTRIAL & RESIDENTIAL DEVELOPMENTS LTD [S45]

Noise effects associated with the Manawatū Rifle, Rod and Gun Club

- [10] Ms Pilkington's evidence states¹ that the Gun Club commissioned a reverse sensitivity assessment which was then provided as the Acoustic Report that accompanied the s 32 report. This is incorrect. The acoustic assessment was commissioned by the Council.²
- [11] As Ms Pilkington identifies, the notified s 32 report did not reference a 55 dB L_{Fmax} contour. This is because this contour was defined following subsequent noise monitoring and assessment by Mr Lloyd, as described in his s 42A report – Acoustics.
- [12] The acoustic effects are described in Mr Lloyd's s 42A report. The planning experts agreed that there is no contrary expert acoustic evidence on this matter.³
- [13] Ms Pilkington, Mr Moefili (on behalf of Ngawai Farms Ltd) and myself agreed during expert conferencing⁴ that the Rural-Residential Overlay could be reinstated to the area covered in the Operative Plan if the potential for acoustic effects of activities at the Gun Club on future rural-residential landowners is managed through a non-complying activity rule in Section 7: Subdivision of the District Plan, together with policies to guide decision making under that rule. This approach takes into account the potential for the Gun Club to install noise mitigation to reduce the level of noise emitted from the site.

¹ Statement of Evidence of Christle Pilkington dated 27 October 2023 at para 9.

² See the title page of the Acoustic Report.

³ See issue 7.1 of the JWS – Planning.

⁴ As set out in the JWS - Planning at issue 7.2.

- [14] A non-complying activity subdivision rule would enable rural-residential subdivision and associated development on land subject to noise from the Gun Club, provided an acoustic assessment as part of a future subdivision consent application could demonstrate that the noise levels received at the proposed new lots were below 55 dB L_{AFmax} and dwellings were designed and orientated so that indoor and outdoor living areas were orientated to the north. By being orientated to the north, the dwelling would provide an acoustic barrier to reduce noise levels to at or below 50 dB L_{AFmax} for the indoor and outdoor living areas. Mr Lloyd has advised that a noise level below 50 dB L_{AFmax} is considered a reasonable noise level for residential dwellings.⁵ I have considered the wording proposed by Ms Pilkington for a non-complying rule in her evidence.⁶ I recommend the following modifications, which I recommend form a new clause (6) to Rule R7.15.4.1:

6. Any subdivision in the Rural Zone or in the Rural Residential Overlay that will create lots within the 55 dB L_{AFmax} contour area identified on Map 7A.4B of the Aokautere Structure Plan, except subdivision for the purposes of accommodating any network utility, is a Non-Complying Activity.

Determination Clause

In considering whether to grant the consent and what conditions to impose, if any, Council shall take into account the City View objectives in Section 2, and the objectives and policies in Section 7 and the following assessment criteria:

Notification

The Manawatū Rifle Rod & Gun Club may be given limited notification of an application made under R7.15.4.1.6.

Assessment Criteria

- (a) The noise mitigation and its effectiveness in reducing the noise levels at the receiving property.
- (b) What the resultant effects will be on future noise sensitive activities.
- (c) The noise monitoring and modelling methodology used for determining noise levels
- (d) The extent to which reverse sensitivity effects on the operation of the Manawatu Rifle Rod and Gun Club are avoided.

⁵ See s 42A Technical Report of Nigel Lloyd dated 15 September 2023 at para 22.

⁶ Statement of Evidence of Christle Pilkington dated 27 October 2023 at para 71.

- [15] As set out in the JWS - Planning, I consider clear and directive policy is required to guide decision making on any future consent applications which would fall under this rule. Having reviewed the operative and proposed provisions in Section 7 of the District Plan, I note that there are several operative provisions⁷ which provide a framework for consideration of reverse sensitivity issues. However, in my opinion, these policies do not provide a sufficiently directive framework to guide decision making under this rule, especially given the statutory obligations under s104(D)(b).
- [16] I have revisited the wording of proposed new policy 3.8 that I recommended (in my s42A report) was needed to manage the acoustic effects on land that lies between the 50 and 55 dB L_{AFmax} contours.⁸ I consider this policy should be retained, subject to a minor amendment to insert a reference to 'relocated' dwellings, as follows:

Policy 3.8: Within the Gun Club Noise Mitigation Area identified on the Aokautere Structure Plan (Map 7A.4B) conditions shall be placed on subdivision consents (and recorded on titles via consent notices) that require:

(a) new or relocated dwellings to be designed and orientated so that indoor and outdoor living areas face north, to provide acoustic mitigation from noise associated with activities at the Manawatū Rifle Rod and Gun Club; and

(b) the presence of the Manawatū Rifle Rod and Gun Club to be recorded and advice that the lot may be exposed to occasional loud noise from gun club activities.

- [17] I further recommend an additional policy is inserted to guide assessment of subdivision proposals that lie within the 55 dB L_{AFmax} contour area and are subject to Rule R7.15.4.1.6:

Policy 3.9 Avoid subdivision and development of noise sensitive activities within the 55 dB L_{AFmax} contour area identified on the Aokautere Structure Plan Map 7A.4B, such that the noise level generated by activities at the Manawatū Rifle Rod and Gun Club within each proposed lot is no higher than 55 dB L_{AFmax} , in which case Policy 3.8 will apply.

⁷ Section 7 Objective 3, bullet points 9 and 10, Policy 3.1.j, Policy 3.2.a.iii., Policy 3.4.b and Policy 3.5.n.

⁸ See page 276, para 27 of the s42A – Planning. This policy was recommended in my S42A report but the tracked changes version of the provisions did not include this, which was an error. The Gun Club Noise Mitigation area is the area shown between the 50 and 55 dB L_{AFmax} contours.

- [18] Ms Pilkington also proposes⁹ a new land use rule is inserted in the Rural Zone section (R9.9.6) as follows:

Any dwelling proposed in the Aokautere Greenfield Residential Area situated within the 55dBALmax contour identified on Map 7A.4B are Non-Complying Activities.

- [19] An implication of imposing this rule would be that it would restrict the construction of dwellings on an existing lot (or a lot created through an already approved subdivision consent) which meets the minimum lot size specified in the District Plan as a permitted activity under Rule R9.5.5.¹⁰ This change was not identified in the notified provisions or submissions. I also note that the Rural-Residential Overlay does not lie within the Aokautere Greenfield Residential Area.
- [20] I do not consider this rule to be necessary to manage reverse sensitivity effects. It is unlikely that any more than a few houses might reasonably be constructed within the 55 dB L_{AFmax} noise contour area in reliance on the permitted activity rule. In my view, it is at the time of any new subdivision at which noise effects can best be considered, given the potential to increase the number of dwelling sites located within the noise contour.

Funding of upgrades to the transport network

- [21] Ms Pilkington's evidence¹¹ identifies concerns regarding the timing of infrastructure to enable development of housing in Aokautere, particularly roading upgrades; and that *"Council have provided no confidence for medium-term supply of housing through a lack of forecasting for the network upgrades required"*.
- [22] As set out in my s42A¹² report, it is my understanding that the Council has identified the likely costs and timing of delivery of the necessary infrastructure upgrades and has prepared draft infrastructure work programmes for consideration through the draft (2024-2034) Long Term Plan.

⁹ Statement of Evidence of Christle Pilkington dated 27 October 2023 at para 71.

¹⁰ 1ha of land. Numbers of dwellings that may be constructed are also specified in this rule. The maximum number of dwellings enabled by this rule is two dwelling units plus one dependent dwelling unit, for which a resource consent must be obtained, where a lot is 20ha or more.

¹¹ Statement of Evidence of Christle Pilkington dated 27 October 2023 at para 17.

¹² Section 42A Technical Report of Anita Copplestone dated 15 September 2023 at para 5 on page 63.

- [23] Ms Pilkington’s evidence indicates¹³ that developers have no ability to deliver the transport network upgrades as they involve existing roading networks under Council and Waka Kotahi control, and that it is *“inappropriate to now stifle any development due to external agencies failure to upgrade roading infrastructure in a timely manner”*. While Ms Pilkington acknowledges there are existing “network inefficiencies” which need to be addressed,¹⁴ her evidence does not acknowledge that there will be significant effects on the safety and capacity of the network that will be generated by development within PCG that will require mitigation in the form of intersection upgrades, as agreed by the traffic experts in the JWS – Transport.¹⁵
- [24] My understanding of the JWS – Transport¹⁶ is that the traffic experts consider the existing safety issues on SH 57 are likely to be resolved by a speed limit review and subsequent speed reduction on SH57, along with separated cycle lane facilities and pedestrian crossing refuges. The traffic experts consider that the required upgrades of the intersections will be triggered by a reduction in capacity due to traffic growth from development within the PCG area.
- [25] As is common place where development drives upgrade requirements to existing roading network, developers and the road controlling authorities will need to work together to address and agree timing, funding and construction responsibilities. Funding mechanisms are available, as discussed in the reply s 42A report of Mr Murphy, with funding also tagged as part of the LTP process (as covered in Mr Murphy’s s42A – Strategic Planning). This includes funding for the upgrade to the Summerhill Drive/Ruapehu Drive intersection, which is part of the local network.¹⁷
- [26] In the JWS - Transport, the traffic experts agreed that once the immediate safety concerns have been addressed, there is likely to be some remaining capacity in the network.¹⁸ The JWS identifies thresholds¹⁹ that signal when capacity has been fully taken up. As indicated in the JWS - Planning, I have worked with Ms Jenkin for Waka Kotahi to amend the proposed transport related provisions to reflect the outcomes of

¹³ Statement of Evidence of Christle Pilkington dated 27 October 2023 at para 19.

¹⁴ At para 27.

¹⁵ At issue 3.4 and 4.1 of JWS – Transport.

¹⁶ At items 3.4 and 5.1 of JWS – Transport.

¹⁷ See para 53-54 of the s 42A Technical Report of David Murphy dated 15 September 2023.

¹⁸ See issue 5.1 and 4.1 of the JWS – Transport.

¹⁹ At issue 5.2 of the JWS – Transport.

the JWS - Transport. Our agreed amended provisions are set at Annexure 1 to this reply. I recommend that these amended provisions are adopted in place of the provisions set out in the s 42A Report. The key recommended changes are:

- (a) Table 7A.1 has been amended to reflect the traffic capacity thresholds agreed in the JWS – Transport, as they relate to the state highway network. Table 7A.1 has been split into two tables, the first (Table 7A.1) applies to Summerhill Drive/Ruapehu Drive intersection and the state highway upgrades, and the second table (Table 7A.2) applies to the internal roading network within PCG;²⁰
- (b) The upgrades previously identified in Table 7A.1 for pedestrian crossings and cycle lanes along Aokautere Drive are recommended to be deleted, on the understanding that the planned early safety works proposed by Waka Kotahi²¹ will address the existing safety concerns for active users;
- (c) The provisions have been updated to be consistent with the amendments to Table 7A.1. The rules enable some development to occur up until the point at which the remaining capacity in the intersections (as they are currently configured) is taken up. (This addresses the ‘no-zone’ or deferred zoning point at para 37 of Ms Pilkington’s evidence). At the point at which the capacity thresholds in Table 7A.1 are exceeded, no further development should occur until the relevant intersection upgrades in Table 7A.1 are operational, and subdivision becomes a non-complying activity;
- (d) For the internal roading network, the exceedance of the capacity thresholds in Table 7A.2 does not trigger a non-complying activity. The activity status remains restricted discretionary, with an assessment criteria and specific matter of discretion to guide decision making. This approach is consistent with the management of development with respect to the local transport network capacity in other areas of the city (operative provisions);

²⁰ Ms Fraser has recommended a consistent approach to the capacity thresholds is taken to the internal local network, although a slightly higher threshold (Level of Service E for an individual turning movement) has been set for the local network.

²¹ See issue 3.4 of the JWS – Transport

- (e) If one or more of the capacity thresholds in Table 7A.1 are exceeded, the upgrades must be operational ‘before development commences’, as per the notified provisions. This replaces the recommended wording²² that specified ‘prior to occupation of dwellings’. (This change will enable some subdivision and residential development to occur in advance of the intersection upgrades, which responds in part to Ms Pilkington’s concern that preventing houses from being occupied would stifle development, as it would not provide sufficient certainty for developers as to the timing of intersections upgrades);²³
- (f) The provisions have been amended to be consistent across Sections 7A and 7 of the Plan and in relation to retirement villages under R10.7.4.6; and
- (g) A number of the proposed policies are recommended to be retained with some minor amendments, to provide a framework to support decision making under the revised approach.

[27] Ms Fraser relies on the recent advice of Mr Connelley and Waka Kotahi that the early safety works will be completed in the near future. Ms Fraser has identified the challenges in providing certainty regarding delivery of the early safety works; and how to address the safety effects on the network in the event these are delayed or do not occur.²⁴ I consider that the operative policy framework in the District Plan, as well as the policies I have recommended jointly with Ms Jenkin, provide a strong framework for assessment. There is a suite of strong and directive objectives and policies that address safety of all road users, including active mode users.²⁵

[28] As shown by my s 32AA assessment in Annexure 4, informed by the JWS – Transport, I am of the opinion that the revised approach is a more effective and efficient means of addressing this issue.

[29] I prefer the amended provisions set out in Annexure 1 to the proposal in Ms Pilkington’s evidence,²⁶ which relies on the existing operative rule R7A.5.2.1 and “the effects on the

²² Contained in s 42A Technical Report of Anita Copplestone dated 15 September 2023 at para 117, pg 145.

²³ At para 25 of Statement of Evidence of Christle Pilkington dated 27 October 2023.

²⁴ In her reply to Mr Connelley’s evidence on behalf of Waka Kotahi, at para 10.

²⁵ Including operative policies 1.6 and 2.1 and proposed policy 5.11 in Section 7A and objectives 1, 2, 3 and Policies 1.6 and 3.1 in Section 20: Land Transport.

²⁶ At para 29 of Statement of Evidence of Christle Pilkington dated 27 October 2023.

safe and efficient operation of the roading network” as a matter of discretion (see R7A.5.2.1(1)(m)).²⁷ I acknowledge that this matter of discretion potentially includes scope for a decision maker to request an assessment of the effects of a proposal on the “safe and efficient operation of the roading network”. However I do not consider this rule, together with the operative or the proposed policy framework in Section 7A, provides sufficient direction to a processing officer or applicant of the extent of assessment that would be needed to identify the safety or efficiency effects of development on these intersections. The capacity thresholds identified in Table 7A.1 and 7A.2 are central to the management of effects and an effective plan framework. The amended wording I recommend provides the necessary direction to ensure effective and consistent outcomes.

Internal roading layout

- [30] Ms Pilkington recommends²⁸ that the Structure Plan is amended to reflect the draft Stage 9 Valley Views Scheme Plan, on the basis that the evidence collated to date is supportive of the roading layout proposed on that draft scheme plan.²⁹ I do not support this recommendation.
- [31] Whilst Ms Pilkington has appended a transport assessment to her evidence, this documentation is not sufficient to assess the full range of potential effects (beyond transport effects) of the road proposal with regards to the outcomes intended to be achieved by the Structure Plan as detailed in the reporting of Mr Burns,³⁰ nor does the draft scheme plan demonstrate how the proposed road might tie into the residential area. Adopting this layout as an amendment to the core roading arrangement in the Structure Plan without detailed consideration of these matters (as has occurred through the master planning process undertaken by the Council experts) would potentially enable development that may have adverse transportation, landscape and urban design effects.

²⁷ Statement of Evidence of Christle Pilkington dated 27 October 2023, para 28-29.

²⁸ At para 47.

²⁹ See para 43.

³⁰ See para 33 of the s 42A Technical Report of Andrew Burns dated 15 September 2023, which explains the key design principles for the Structure Plan.

- [32] I prefer Ms Fraser’s recommendation³¹ (see Figure 1 below) to modify the Structure Plan Map 7A.4A Street Hierarchy so that the short section of the Urban Connector road in this location (to the point it meets the extension of Pacific Drive) is re-categorised as ‘Peri-urban Road’.



Figure 1: Section of road to be reclassified as Peri-Urban Road

- [33] This would see this section of the road categorised as a “flexible location”. It provides flexibility as to how the link road could tie into the Local Streets in this part of the Structure Plan and therefore provides flexibility for integration of a future planning application for Stage 9 Valley Views.

Vesting of gullies

- [34] Ms Pilkington’s evidence³² is that gullies should be vested where these are contiguous to an area of land proposed to be subdivided. She considers there is uncertainty regarding how Council will gain access to the gullies to install stormwater mitigation works where those gullies are not proximate or contiguous to areas sought to be developed. I agree that greater clarity could be provided regarding access to the gullies and whether it is necessary to require gullies to be vested ‘at the earliest possible stage of subdivision’ in all situations.

³¹ At page 15 of Statement of Reply Evidence of Harriet Fraser dated 28 November 2023.

³² Statement of Evidence of Christle Pilkington dated 27 October 2023 at para 51-55.

[35] Early vesting is important where the Council intends to deliver the stormwater mitigation works that are necessary to manage stormwater and mitigate environmental impacts of stormwater derived from development, as it takes time to design, consent and construct these works. Early vesting is also important where development is planned on land that will be contiguous with the gullies. There may be some flexibility around the timing of vesting in other circumstances. The timing of vesting is guided by proposed 7A. Policy 6.5. Ms Pilkington seeks amendments to this policy.³³ I have considered her proposed amendments and recommend the following:

To provide for the long-term protection of the gully features by requiring the vesting of the gullies identified on the Aokautere Structure Plan to be vested the gully network in Council for conservation and amenity and stormwater management purposes. at the earliest stage in the subdivision Vesting must occur at the earliest opportunity and, as a minimum, a gully must be vested when it:

- (a) Will receive stormwater from the development; or
- (b) Will be contiguous with the land to be developed; or
- (c) Is intended to accommodate stormwater infrastructure that is to be constructed and maintained by the Council. prior to the commencement of any physical works.

[36] Further, it is my understanding, as set out in the reply of Mr Murphy, that the Council is happy to consider developer agreements to facilitate the delivery of stormwater infrastructure.³⁴

Re-zoning of land to be within the Rural-Residential Overlay

[37] Ms Pilkington's evidence refers³⁵ to the original submission of PNIRD, which opposes the operative Rural zoning of land in the eastern and western-most parts of the Green Block. That submission requested that these Rural zoned areas be included within the Rural-Residential Overlay on the basis that the creation of undersized rural land parcels is a non-complying activity under the Operative District Plan, and that the information requirements for applications for undersized rural parcels involve invasive soil investigations and extensive reporting - which would not correspond with the scale of

³³ At para 57.

³⁴ Statement of Reply Evidence of David Murphy dated 28 November 2023 at para 42.

³⁵ Statement of Reply Evidence of Christle Pilkington dated 27 October 2023 at para 64.

effects in this location. The original submission did not include a figure identifying which portions of land were being referred to.

- [38] In my s 42A Report I identified that there had been some zoning errors in the notified PCG maps. However, these mapping errors do not appear to correlate to the parcels of land referred to in Ms Pilkington's evidence, at Figure 1 of her Appendix A. Having reviewed that figure, I now understand this submission to be referring to the following parcels of land which are shown as red hatching in Figure 2 below:

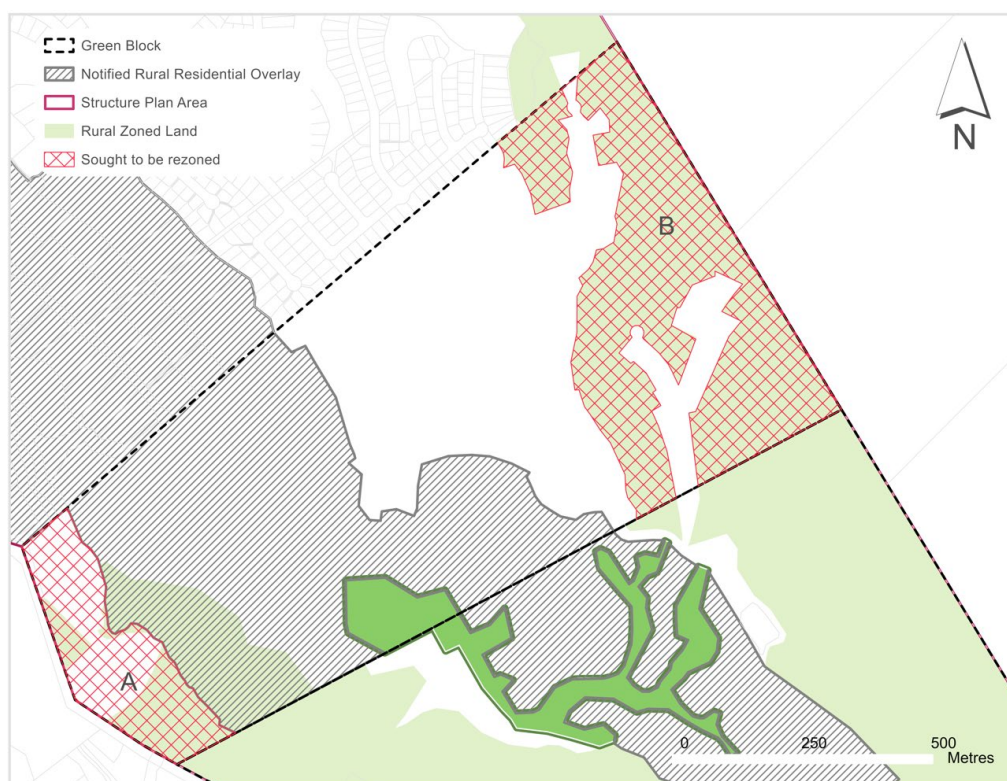


Figure 2: Land within the 'Green Block' sought to be rezoned to be within the Rural-Residential Overlay

- [39] The eastern most parcel of land (labelled 'B' in the Zoning Plan attached to the JWS – Planning) was not affected by the mapping errors in the notified PCG maps. No change to the Rural zoning status was proposed by PCG. The submitter has not provided a s32 analysis to support the request for re-zoning, nor have they provided any technical evidence to demonstrate that this land would be appropriate for rural residential development. Therefore, I do not have sufficient information to assess this rezoning request and do not support it.

- [40] The western most parcel is a low lying terrace adjacent to the Turitea Stream (labelled 'A' in the Figure attached to the JWS – Planning). Again PCG did not propose any change to the Rural zoning of this land. However, in error, this parcel of land was shown 'blank' on the proposed Zoning Map and Structure Plans, i.e. without any zoning.
- [41] In the Geotechnical report (Appendix 9 to the notified s 32 report) this land is identified as having 'potential geotechnical risk' and consisting of 'swampy/water logged land'. It is also noted that the 'Liquefaction category is undetermined'. Mr Bird has advised in his reply statement³⁶ that this land is not suitable for rural-residential subdivision, based on the available information. The submitter has not provided any technical evidence to demonstrate the land is suitable for development, nor provided a s 32 analysis to support rezoning. I do not recommend this land is included within the Rural-Residential Overlay.
- [42] Ms Pilkington identifies that this particular parcel comprises Class 3 soil and is thus subject to the NPS – HPL; and therefore future subdivision or development would also most certainly be prohibited if this land was to remain Rural.³⁷ This does not change my views on zoning.

D. RESPONSE TO PEPA MOEFILI FOR NGAWAI FARMS LTD (S61)

Rezoning of land from Rural to Conservation and Amenity – reserves

- [43] Mr Moefili identifies that "the areas to be rezoned Conservation and Amenity (Reserves G14-G18) are to be vested in Council when the land is further developed. However, it remains unclear whether there is any financial compensation when this land is vested to the Council or if compensation includes the use of these areas for reasons such as public walkways and open spaces".³⁸ My understanding is that the Council may not seek vesting of the areas of land zoned Conservation and Amenity Zone for open space or public walkway purposes, where this land is remote from residential areas (i.e within Rural or Rural-Residential areas). This is noted in the reply statement of Mr Phillips.³⁹

³⁶ Statement of Reply Evidence of Eric Bird dated 28 November 2023 at para 25-26.

³⁷ At para 68 of Statement of Evidence of Christle Pilkington dated 27 October 2023.

³⁸ Statement of Evidence of Pepa Moefili at para 3.3.1.

³⁹ Statement of Reply Evidence of Aaron Phillips dated 28 November 2023 at paras 14-19.

- [44] Mr Moefili also seeks further clarification as to what scale of development would trigger vesting of reserves and how access to such reserves might be provided, giving the example of a boundary adjustment as inappropriate to trigger vesting.⁴⁰ I refer to my response to Ms Pilkington at paras 34 - 36 above. The modifications I have proposed to proposed Policy 6.5 provide further direction about the timing and intent of vesting, and address these concerns.

Reinstatement of the Rural-Residential Overlay over the Rural zoned areas of the Ngawai Farms Ltd property

- [45] Mr Moefili proposes that all rurally zoned land owned by Mr Waters of Ngawai Farms Ltd remain within the Rural-Residential Overlay, on the basis that:

- (a) Any development proposal, subdivision or land use within the Gun Club 55 dB L_{AFMAX} noise contour could be assessed as a non-complying activity and supported by an acoustic assessment; and
- (b) Geotechnical considerations can be addressed via a supporting geotechnical report and statement of professional opinion from an accredited Chartered Professional Engineer, as required by Operative Rule 7A.5.2.2(a)(xix).

- [46] The Planning JWS - Planning at issue 8.1 sets out the agreed position on this matter. That is that the Rural-Residential Overlay could be amended to include the land within the Waters block, subject to the approach to managing the acoustic effects, and on the basis that geotechnical hazards would be addressed under the performance standard in R7.15.2.1(c) as a restricted discretionary activity. I note that this Overlay should not apply to the forest remnants that I proposed to be zoned Conservation and Amenity Zone in my s 42A Report.⁴¹ Mr Bird also addresses this matter at paras 22-24 of his reply.

- [47] I also support Mr Moefili's recommendation⁴² to remove the notified Residential zoning and reinstate the Rural zoning and Rural-Residential Overlay on the small portion of Mr Water's land which is currently shown as providing roading connections

⁴⁰ Statement of Evidence of Pepa Moefili dated 27 October 2023 at para 3.3.3 – 3.3.4.

⁴¹ See para 58, pg 251 of s 42A Technical Report of Anita Copplestone dated 15 September 2023.

⁴² At para 3.12.1-3.12.4.

to the PNIRD land. This is on the basis that the alternative roading alignment⁴³ is consistent with that requested by Ms Pilkington for PNIRD⁴⁴ and discussed at paras 31-33 above. This recommendation replaces my earlier recommendation in the s 42A Report⁴⁵ and the summary of my s 32AA assessment of these recommendations is set out at Annexure 4. A zoning map showing the proposed zoning amendments is attached at Annexure 3.

E. RESPONSE TO PAUL THOMAS FOR CTS INVESTMENTS LTD, WOODGATE LTD, TERRA CIVIL LTD (S58)

Quantum of land proposed for reserves

[48] Mr Thomas's evidence is that an impression is being given that PCG is releasing large areas of land for additional development, but that instead, within the area of land held by the Fugle interests, roughly 50% of the undeveloped land is zoned Residential and 50% is zoned Aokautere Rural Residential Area.⁴⁶ In Mr Thomas' view, PCG makes part of the rural-residential area available for residential development but takes large areas of both Residential and Rural-Residential land for reserves.

[49] The land proposed for reserves within the Fugle interests area is predominantly within the gullies (i.e. required to manage stormwater runoff) and predominantly Class E land, which is classified as 'Limited Developable land' by the District Plan (Class E land is generally unsuitable for residential development). Under the Operative District Plan, development of 'Limited Developable' land was a restricted-discretionary activity under R10.6.3.1.⁴⁷ PCG seeks to rezone the 'Limited Developable Land' in the gullies as Conservation and Amenity Zone but even if some of that land is not developable, the remaining rural-residential land is now developable at a residential density with a 400m² minimum lot size,⁴⁸ compared to a minimum lot size of 5000m² under the operative provisions.⁴⁹ In addition, the changes I have proposed enable development

⁴³ As shown at Appendix C to Mr Moefili's evidence.

⁴⁴ The same roading alignment is appended to Ms Pilkington's evidence.

⁴⁵ At paragraph 16 - 17, pg 311 of s 42A Technical Report of Anita Copplestone dated 15 September 2023.

⁴⁶ At para 29 of Statement of Evidence of Paul Thomas dated 27 October 2023.

⁴⁷ The only permitted activities on Limited Developable land were landscape works, public reserves and drainage and water supply works – refer to R10.7.1.6.

⁴⁸ R7A.5.2.2(d).

⁴⁹ R7.15.2.1.

of limited developable land as a permitted activity, subject to confirmation of developability through a geotechnical assessment.⁵⁰

- [50] In response to Mr Thomas' points, I remain of the view that the extent of the reserves proposed within PCG reflects the Council's intention to comprehensively manage adverse effects of stormwater on the sensitive receiving environments, to avoid further degradation of the gullies - given historical issues - and to protect and enhance these natural features, which are a unique characteristic of this environment.⁵¹ The approach to zoning and the appropriateness of development within the PCG area has evolved since the operative provisions were settled, informing the need for the plan change.

Landscape-led approach to the Structure Plan

- [51] While Mr Thomas acknowledges that he has no doubt that there are some gully features that do merit protection for ecological landscape values, he critiques the landscape led approach that is centred on preserving the gullies.⁵² Mr Burns responds to this point in his reply at paras 56-58. The planning approach has stemmed from a comprehensive multidisciplinary approach, and is not driven solely by landscape character drivers/concerns.
- [52] Mr Thomas refers to Policy 1 of the NPS-UD and considers that there is no form of reference to urban design matters in the definition of "well-functioning urban environments"⁵³.
- [53] My interpretation of Policy 1 is that 'well-functioning urban environments' inherently require such things (inter alia) as good accessibility / connectivity, housing variety, and a reduction in emissions – all of which are urban design matters. The role of urban design in delivering well-functioning urban environments is also recognised in the Horizons One Plan – Proposed Plan Change 3, which Mr Thomas refers to later in his evidence. For example Objective UDF-O1 and UDF-O3 reference a requirement for "quality and sustainable urban form" and an urban form that "relates well to its surrounding environment". Further, in the National Emissions Reduction Plan⁵⁴ at

⁵⁰ At para 11, pg 113 of my s 42A Report, para 27, pg 6 and para 61, pg 17.

⁵¹ See my s 42A Report at paras 12-17, pg 82 and the s 32 report at para 21 and 25, pg 10-11.

⁵² At para 36 of Statement of Evidence of Paul Thomas dated 27 October 2023.

⁵³ At para 42 of Statement of Evidence of Paul Thomas dated 27 October 2023.

⁵⁴ Pg 131 of National Emissions Reduction Plan.

Figure 7.1 – ‘the planning and infrastructure system has an important role to play in supporting climate outcomes’, under the heading ‘well-functioning urban environments’ the role of urban design is explicit in the statement that:

Urban areas are liveable, resilient, supported by high-quality urban design with good access to community amenities, and active and public transport (underlining is my emphasis).

- [54] In short, good urban design is the knowledge and practice required to achieve well-functioning urban environments. It does not need to be explicitly defined in the NPS.
- [55] Mr Thomas’ interpretation of Policy 6 of the NPS-UD is that “*it requires amenity led adverse effects on the environment to be disregarded*”.⁵⁵ In his opinion, this “*arguably prevents the Council from taking a landscape led approach involving blanket gully protection*”.⁵⁶
- [56] I do not agree with Mr Thomas’ interpretation of the policy. Policy 6 identifies that a change to the built form of an urban area may detract from the amenity values held by some, but that the physical change to the built form does not of itself constitute an adverse effect. I understand ‘a change does not equal an effect’, to be a longstanding planning principle. Policy 6 is an expression of this principle, while also acknowledging that, in order to achieve the objective of the NPS-UD, the changes required to urban environments may be seen by some to have an impact on their existing amenity values. The policy does not say (or imply) that amenity effects are to be disregarded. I consider that such an interpretation would be in conflict with s7(c) and (f) of the RMA which require decision-makers to have particular regard to “the maintenance and enhancement of amenity values” and “the maintenance and enhancement of the quality of the environment”.

Housing delivery and the NPS-UD

- [57] Mr Thomas considers the meaning of ‘feasible’ under the NPS-UD, and how that fits within a Plan Change, and that in his view, “*a Council promoting a Plan Change that is intended to contribute to meeting its NPS UD obligations must be satisfied that what is*

⁵⁵ At para 44 Statement of Evidence of Paul Thomas dated 27 October 2023.

⁵⁶ At para 45.

proposed is commercially feasible".⁵⁷ I understand that the Council must demonstrate feasible development capacity through a Housing and Business Capacity Assessment (HBCA).

- [58] On 15 November 2023, Council officers presented the Palmerston North and Business Capacity Assessment 2023 (2023 HBCA) to the PNCC Strategy and Finance Committee. The 2023 HBCA will be taken to full Council for adoption during the hearing on PCG (6th December) with a recommendation to insert the 2023 HBCA bottom lines into the District Plan.
- [59] The latest HBCA undertaken by the Council demonstrates that, based on 'commercially feasible' and 'expected to be realised' tests, the Council have determined that development in Aokautere in the short term, for 300 dwellings, and in the long term for 700 dwellings, is commercially feasible and expected to be realised.⁵⁸ PCG seeks to provide plan-enabled capacity to assist in meeting the anticipated demand for additional housing over the medium-long term. I discuss the findings of the latest HBCA further below, at para 69.
- [60] My understanding is that predicting feasibility of development over time is difficult, particularly over the medium to long-term time periods, which is the timeframe in which development is anticipated to occur within Aokautere. In that time frame the housing market, land values, borrowing costs and building costs are likely to fluctuate. For this reason, the s 42A Report – Feasibility tested the relevant development typologies at three points in time - to demonstrate past, present and future financial feasibility.⁵⁹ This recognises that there are factors which can impact on affordability and competitiveness that are outside the scope and control of the Council.
- [61] The Council's 2023 HBCA and the evidence of Ms Allen and Mr Nicoll demonstrate that development in Aokautere is feasible and reasonably expected to be realised over the medium to long term. While Mr Thomas raises concerns that PCG cannot deliver on the requirements of the NPS-UD if the development it enables is not commercially

⁵⁷ At para 49-50.

⁵⁸ At Section 5.4.5 of HBCA.

⁵⁹ Section 42A Technical Report of Ruth Allen and Gareth Nicholl dated 15 September 2023 at para 7.

feasible,⁶⁰ the submitter has not put forward any expert evidence to refute the Council's expert evidence of Mr Murphy, Ms Allen and Mr Nicoll on this matter.

- [62] Mr Thomas acknowledges that the NPS-UD requires the Council to enable a variety of types of housing but goes on to say it does not require all types to be provided in all locations.⁶¹ He notes that the Council is proposing a plan change to establish a medium density zone within existing urban environments that have reasonable access to facilities and services, and that this will significantly increase the area where medium density can be consented and provide an easier consenting path⁶². He therefore questions whether there will be any demand left for medium density in Aokautere.⁶³
- [63] The findings of a stormwater constraints analysis taken to inform the Medium Density plan change have identified that the areas of the city where medium density housing could be a permitted activity are likely to reduce by 50-60% from the initial anticipated zone extent (12,305 existing lots), due to the need for significant infrastructure upgrades or on-site stormwater management systems to manage capacity⁶⁴. This matter is also addressed by Mr Murphy at para 14-15 of his reply.
- [64] While the Medium Density plan change will provide additional medium density housing capacity in the city, I do not consider that there is no need or likely demand for medium density housing in Aokautere, which is a sizeable growth area (around 1000 lots).
- [65] It is my opinion that a city the size of Palmerston North⁶⁵ comprises of a number of urban environments, not a single 'urban environment'⁶⁶ and therefore a range of housing types is required to be provided in a range of locations in the city in order to contribute to well-functioning urban environments under the NPS-UD. Providing a choice of housing options allows people a level of freedom to choose where they live,

⁶⁰ At para 63 Statement of Evidence of Paul Thomas dated 27 October 2023.

⁶¹ At para 51.

⁶² At para 58.

⁶³ At para 58.

⁶⁴ Email communication from PNCC Senior Planner, Ms Dowse, dated 13/11/2023.

⁶⁵ The population of the Palmerston North City district is 90,400, of which 89.9% of the population live within the main urban area of the city.

⁶⁶ The NPS-UD defines an urban environment as 'any area of land (regardless of size, and irrespective of local authority or statistical boundaries) that: (a) is, or is intended to be, predominantly urban in character; and (b) is, or is intended to be, part of a housing and labour market of at least 10,000 people'.

rather than having that location dictated by the available housing options. This is highlighted in Rangitāne o Manawatū's submission on PCG:

Typically, developers have provided larger sections and houses to the market at premium prices. This has resulted in parts of the community, in particular our Māori community, being excluded from Aokautere due to affordability. Developers have not provided smaller homes, in particular one- or two-bedroom houses, suitable for young or small families, singles and the elderly.

[66] For this reason Rangitāne sought that *“PCG provides a range of housing choices and densities, and requires developers to provide a range of development outcomes that meet a broad range of community needs”* (underlining my emphasis).

[67] Other submissions have also been received that support medium density housing in Aokautere.⁶⁷

[68] Mr Thomas states that he prefers the application of the multi-unit housing overlay under the Operative District Plan as this enables medium density housing but does not prescribe it.⁶⁸ My opinion that there is a need to prescribe multi-unit housing in order to achieve a well-functioning urban environment in Aokautere. My s42A Planning Report at Topic 7⁶⁹ provides an overview of the planning policy context and evidence underpinning the directive approach to medium density housing in Aokautere. This included several findings from the Draft HBCA 2023.⁷⁰ While the full report has not been available to inform the preparation of submitters' evidence, the information contained within the latest HBCA is important because it provides the most up-to-date information on housing need and capacity in Palmerston North.

[69] In addition to the information referred to in my s42A report,⁷¹ the 2023 HBCA identifies that:

- (a) The Palmerston North population is growing, and the city's household sizes, and make-up are projected to change too. The city's existing housing stock,

⁶⁷ See S27.002, S22.006, S68.003, S97.009, S43.002.

⁶⁸ At para 141-143 Statement of Evidence of Paul Thomas dated 27 October 2023.

⁶⁹ Section 42A Technical Report of Anita Copplestone dated 15 September 2023 at pages 167-170.

⁷⁰ At page 169.

⁷¹ At pg 169 para 29.

construction trends and affordability are all likely to affect Māori and other groups in the community who have different housing needs to what is currently being delivered via existing housing stock and recent residential construction;

- (b) Households comprising couples without children are projected to increase by 23.8% (+2,425) over the next 30 years, indicating an ongoing demand and need for 1-2 bedroom homes;
- (c) There is a projected demand for attached housing of 12% in the short term, 14% in the medium term and 22% in the long term. However, the projected demand estimates for attached dwellings are conservative, particularly in the context of projected increases in households that need smaller homes, which attached housing will likely cater for; and
- (d) Over the past five years, multi-unit development typologies have averaged 16% of all new dwellings. An estimated 80% of multi-unit developments are attached or a part of a development consisting of several duplexes. Based on the multi-unit resource consent data, 12% of all new homes constructed were attached, while 88% were standalone housing. PNCC expect the number of attached homes being consented to increase as the development sector becomes more experienced in building attached housing, and the number of smaller households increases. PNCC's average growth rate for multi-unit housing has been 19% in the past five years.

[70] PCG requires approximately 16% of the overall yield in the plan change area to be medium density housing. This quantum corresponds with the level of demand anticipated for attached dwellings in the 2023 HBNA over the medium to long term and responds to the identified needs for attached housing in the city, that are predicted to increase over time.

[71] In my assessment, medium density housing in PCG supports the delivery of a well-functioning urban environment in Aokautere for the following reasons.

Requirement of a well-functioning urban environment	How PGC responds
Provides a variety of homes that meet the needs of different households	PCG seeks to provides for standard suburban dwellings, along with medium density housing typologies to respond to the needs of the community identified in the 2023 HBNA. PCG proposes a quantum of medium density housing reflective of anticipated demand for small dwellings and attached dwellings over the medium to long term.
Enables Maori to support cultural norms and traditions	<p>Rangitāne o Manawatū identified in their submission (S77) support for PCG, as the plan change provides for a range of housing choices and densities that:</p> <ul style="list-style-type: none"> - require developers to provide a range of outcomes that meet a broad range of community needs; - support higher density around the village and recreational area; and - ensures housing is more affordable in the Aokautere area for whanau and community. <p>The HBNA 2023 identifies a need to provide a variety of housing, in variety of locations to meet the needs of Māori. By providing housing to meet varying needs PCG is consistent with the policy direction of the One Plan PC3 proposed Policy UDF-P7 that reinforces the requirements of s8 of the RMA and Objective 5 and Policy 9 of the NPS-UD.</p>
Provides good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including public or active transport	PCG proposes medium density housing in close proximity to the planned neighbourhood centre, public transport and community facilities to facilitate a highly walkable catchment, and the subsequent social and economic benefits described in the reporting of Mr Cullen. ⁷² As PCG is greenfield development, these conditions do not currently exist. The Summerhill Shopping Centre is not within ready walking distance and is separated from the plan change area by SH57, making it's walkable context poor. ⁷³ For this reason, the Structure Plan is prescriptive in its nature to ensure that these conditions are achieved.
Supports, and limits as much as possible, adverse impacts on, the competitive operation of land and development markets	PCG provides development capacity for both standalone and attached dwellings (i.e. medium density) in order to support housing choice and competitiveness.
Supports reductions in greenhouse gas emissions	PGC proposes medium density housing in locations close to public transport routes that will support use of buses for travel and in close proximity to the local centre, along with safe walking and cycling routes, supporting use of active travel modes to access services and amenities and for recreation.

⁷² At paras 38-44 of the s 42A Technical Report of Michael Cullen dated 15 September 2023.

⁷³ See Appendix 12: Aokautere Centre Retail Report to the notified s32 report, pg 7 and 8.

	<p>Medium density housing is more energy efficient to heat and a more efficient use of land.</p> <p>The New Zealand Government's Aotearoa New Zealand First Emissions Reduction Plan 2022, identifies that 'urban environments with a variety of mixed -use, medium and high density development that is connected to urban centres, as well as active and public transport routes, will help to reduce greenhouse gas emissions'.⁷⁴ One Plan proposed RPS Policy UDF-P8 directs that urban environments are developed in a way that reduces green-house gas emissions.</p>
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[72] If PCG did not direct medium density housing to be delivered in Aokautere there is a risk that:

- (a) Housing that meets the identified needs of the community will not be delivered. The 2023 HBCA identifies that the existing housing stock, construction trends, and affordability will likely affect Māori and other groups in the Palmerston North community who have different housing needs than what is currently being delivered via existing housing stock and recent residential construction. Those groups should not have their choice of location restricted to inner city locations.
- (b) As identified in the s 42A report of Mr Cullen, the success of the local centre will be compromised without a sufficient catchment to support it.⁷⁵
- (c) If density is not achieved, development in Aokautere may result in inefficient use of land, requiring more greenfield land in other areas to deliver the housing capacity required in the city.

[73] I consider there to be clear statutory direction in the NPS-UD and One Plan on the outcomes that urban development needs to achieve. As these outcomes are not currently being delivered by market led development, PCG directs the housing density required to achieve the higher order direction. Specifically, the provisions:

- (a) Identify an area for medium density housing in the Structure Plan (Map 7A.4B) that will be subject to the multi-unit housing overlay.

⁷⁴ The New Zealand Government, Aotearoa New Zealand First Emissions Reduction Plan 2022 page 127.

⁷⁵ Section 42A Technical Report of Michael Cullen dated 15 September 2023, at para 26.

- (b) Require housing in this area to be provided at a minimum density of 25dph, for subdivision as a restricted discretionary activity (Rule 7A.5.2.2(d)(iii)).
- (c) Make subdivision that cannot meet the 25dph standard, a non-complying activity (Rule 7A.5.5.1).

[74] Overall, for the above reasons, I do not consider it necessary to recommend any changes in response to Mr Thomas' evidence on this matter.

[75] Mr Thomas identifies the relevance of Proposed Change 3 to the Horizons One Plan (PC3) to PCG, in particular in relation to implementing the NPS-UD.⁷⁶ PC3 has a narrow focus to give effect to the NPS-UD with regard to intensification, responsiveness, climate change and Te Tiriti o Waitangi.⁷⁷ As set out in the JWS - Planning at issue 1.1, there is agreement amongst the planning experts that these provisions are relevant, and for completeness I provide an assessment of the relevant provisions at Annexure 5 to this reply. I note these provisions have yet to be tested through the hearing process, which I understand is scheduled for early in 2024.

Section 7A of the District Plan

[76] Mr Thomas refers to the architecture of Section 7A of the District Plan⁷⁸ and identifies that this has some 'fundamental problems'. I do not consider there to be any scope within submissions to make changes to the architecture of section 7A with respect to the points raised in Mr Thomas's evidence.⁷⁹ As set out in my s42A report,⁸⁰ the scope of PCG is limited to guiding and shaping development in Aokautere only. It is not intended to apply more broadly to other greenfield areas or to be a wholesale review of Section 7A. Indeed, submissions were received objecting to some of the notified amendments on the basis these did not appear to be specifically on Aokautere.

⁷⁶ At para 74 of Statement of Evidence of Paul Thomas dated 27 October 2023.

⁷⁷ PC3 was notified in October 2022. Submissions and further submissions have been received on PC3, but a hearing is yet to be scheduled.

⁷⁸ At para 77-80 of Statement of Evidence of Paul Thomas dated 27 October 2023.

⁷⁹ At paras 77-83 Statement of Evidence of Paul Thomas dated 27 October 2023 regarding the assessment criteria, discretionary rule, or the Comprehensive Development Plan performance standard relating to the entire Residential Area.

⁸⁰ At paras 6-9, pg 55 of s 42A Technical Report of Anita Copplestone dated 15 September 2023.

Delivery of supporting infrastructure

- [77] I disagree with Mr Thomas's statement that the requirement for a Stormwater Management Plan as a performance standard is 'clearly inappropriate'⁸¹ on the basis that Council is taking responsibility for the in-gully construction and management of stormwater infrastructure. The Council only intends to take responsibility for delivery of the discrete works identified in Gully 1 and 3.⁸² The majority of the stormwater infrastructure will be delivered by developers. The requirement for a stormwater management plan as a performance standard should therefore be retained, as this will be needed to demonstrate how developer-led infrastructure will be delivered and how subsequent connections will be made to the Council's receiving infrastructure. Where Council does not yet own the land, the 'mechanism'⁸³ to enable delivery of Council-led infrastructure is via a developer agreement.
- [78] With respect to delivery of the urban connector roads,⁸⁴ I understand the Council intends to make provision for a notice of requirement/designation process to deliver these critical connections if required, but that the preferred option is developer-led delivery. The key point is that there are a range of planning mechanisms available.
- [79] Mr Thomas's evidence critiques the planning approach that requires infrastructure upgrades to the roading network to be executed before development occurs, and considers that there is no justification for any regulatory condition if funding will be put in place within a reasonable time frame.⁸⁵ He prefers reference to non-regulatory methods by way of funded upgrades.⁸⁶ I address the amended planning response to this matter at paras 21 to 29 above. On the basis of the JWS – Transport, and on the understanding that works are now being undertaken by Waka Kotahi to address the existing safety concerns, the revised approach provides for some development to occur, while there is available capacity in the specified intersections. Once that capacity has been 'used up', no development can occur until the upgrades are in place.

⁸¹ At para 85 Statement of Evidence of Paul Thomas dated 27 October 2023.

⁸² As illustrated in the updated Figure 01, Appendix B – Annotated – Likely Council-led infrastructure.

⁸³ See para 87 of Statement of Evidence of Paul Thomas dated 27 October 2023.

⁸⁴ See para 88

⁸⁵ See paras 129-137.

⁸⁶ Para 138.

[80] I do not agree that a non-regulatory method is sufficient to address the potential effects of development occurring in Aokautere in advance of these necessary intersection upgrades (once the capacity thresholds have been exceeded), especially in the event that the intersection upgrades are significantly delayed.

[81] I disagree with Mr Thomas that an approach that enables recontouring of land and then vesting any remaining land for reserves following development, is more efficient and effective. The previous low-level regulatory approach to earthworks and recontouring of land in Aokautere is one of the reasons for the Council promulgating PCG, as explained in the s 32 report.⁸⁷ The Council is seeking early vesting of gullies (at the time of subdivision) to provide for their protection and restoration in recognition that these are sensitive receiving environments. As stated above, provision of early access for the Council to install stormwater infrastructure can be by way of a developer agreement. The plan change provides flexibility for the exact location of the boundary between the Conservation and Amenity Zone and the Residential Zone to be confirmed on subdivision,⁸⁸ once the location of the perimeter swale has been confirmed, and a decision made whether the swale corridor will be vested in Council, or remain in private ownership.

Structure Plan Approach

[82] I do not agree with all of the list of matters Mr Thomas considers sufficient to comprise the Structure Plan.⁸⁹ While a number of those are already included in the Structure Plan, 'indicative zoning' that could be 'tided up' at a future date⁹⁰, would not provide adequate regulatory control,⁹¹ certainty, or to achieve the desired outcomes for the plan change.⁹²

⁸⁷ At paras 21 and 25, pg 10-11 of s 32 report.

⁸⁸ See the s32 report, para 10(e), pg 3.

⁸⁹ Statement of Evidence of Paul Thomas dated 27 October 2023 at para 157.

⁹⁰ At para 158.

⁹¹ See paras 21-25, pg 10-11 of the s32 Report.

⁹² At para 7 of the s32 report, pg 1.

F. RESPONSE TO LES FUGLE FOR CTS INVESTMENTS LTD, WOODGATE LTD, TERRA CIVIL LTD (S58)

The need for and detail of the Structure Plan

[83] Mr Fugle’s view is that no more than rezoning is necessary if land is to be available for urban growth.⁹³ I refer to my response to Mr Thomas on this matter, as to why a straight forward ‘re-zoning’ is not appropriate to manage the effects of development in Aokautere.

[84] With respect to Mr Fugle’s assertion that there is “no need or engineering justification for Council to seek to stipulate where any road must be built”, I refer to Structure Plan Map 7A.4A Street Hierarchy, as amended by the s42A reports. This map identifies which roads have a flexible location, and which are ‘fixed’, noting that roading alignments are required to be in ‘general accordance’ with the Structure Plan. The rationale for some roads having a ‘fixed’ location is set out in the s 42A – Urban Design.⁹⁴

[85] Mr Fugle considers the alignment of the Gully 1 crossing link road on the Structure Plan to be ill-conceived and best left to the developer.⁹⁵ I note that PCG enables consideration of an alternative location (like that proposed by the submitter) by classifying this road as a ‘flexible’ Urban Connector. In my view, this is a matter for further consideration through the resource consent process, rather than requiring ‘debate’ through PCG. It is important however, that the final alignment achieves the outcomes specified in PCG, that is, that it: provides connectivity, avoids areas of high or very high ecological constraint, is sensitive to landscape character and the desire for public engagement with existing landforms, and can accommodate a future bus route and safe travel by active mode users.

Approach to development in the gullies

[86] With respect to gully setbacks, a specified corridor width of 5m is required to enable a perimeter stormwater swale to be constructed where residential lots adjoin a gully edge, as set out in proposed policies 7A. 4.10 and 4.11. As set out in the provisions, the

⁹³ Brief of Evidence of Les Fugle dated 4 November 2023 at para 16.

⁹⁴ Section 42A Technical Report of Andrew Burns dated 15 September 2023 at para 49.

⁹⁵ See paras 32 – 33 of Brief of Evidence of Les Fugle dated 4 November 2023.

location of this swale is intended to be responsive to actual land topography and stability and geotechnical reporting. Ms Baugham indicates in her reply that the provisions could be clearer in this respect, and that the corridor width may be able to be reduced, depending on the final design and catchment of the perimeter swales.⁹⁶ I rely on Ms Baugham's recommendations, and have proposed minor amendments to the proposed provisions in Sections 7A and 10 to indicate this is the maximum width that will be required. Those amendments are set out in Annexure 2.

- [87] I disagree with Mr Fugle that recontouring of the gully network to produce additional sections or shore up the gully slope should be allowed to continue.⁹⁷ PCG seeks to prevent such activities from occurring because, in the past, this has resulted in significant degradation of these areas, as set out in the s 32 report.⁹⁸ As per my reply to Mr Thomas, the provisions in PCG seek to retain, protect and enhance the remaining gullies in Aokautere.
- [88] Mr Fugle considers the Stormwater Management Strategy is unnecessary because of the resource consent application presently before Council, which provides for a retention dam in Gully 1.⁹⁹ My understanding is that this proposal is not supported by Council's technical experts,¹⁰⁰ and that insufficient information has been provided to determine whether the objectives and policies in PCG would be satisfied, or whether the proposal meets the reporting and assessment requirements under PCG for a Stormwater Management Plan (R7A.5.2.2). A decision on this resource consent application had not been made by the Council at the time of writing this reply evidence.
- [89] Mr Fugle opposes the rezoning of the Johnstone Drive gully from Residential to Conservation and Amenity zone, stating that significant areas within this gully are consented to be earth filled by Horizons Regional Council and Council, and that works are underway.¹⁰¹ My understanding is that, while a consent has been lodged with PNCC to undertake earthworks to deposit 51,000m³ of fill in this gully, the Council has issued a notification decision that this application should be publicly notified (LUC 6299). To

⁹⁶ Statement of Reply Evidence of Allison Reiko Baugham dated 28 November 2023 at paragraphs 18-20.

⁹⁷ Brief of Evidence of Les Fugle dated 4 November 2023 at para 40.

⁹⁸ See paras 21 and 25, pg 10-11 of the S32 report.

⁹⁹ Brief of Evidence of Les Fugle dated 4 November 2023 at paras 43-44.

¹⁰⁰ Statement of Reply Evidence of Allison Reiko Baugham dated 28 November 2023 at paras 54-57.

¹⁰¹ Brief of Evidence of Les Fugle dated 4 November 2023 at para 45.

date the Council's public notification fees have not been paid by the applicant. Therefore these works are not consented by the Council to date.¹⁰²

The neighbourhood centre

- [90] I disagree with Mr Fugle that the 'business case for a commercial hub is flawed'.¹⁰³ A commercial zone is needed to support a well-functioning urban environment in Aokautere, for the reasons set out in my s 42A Report¹⁰⁴ and in the s 42A – Urban Economics¹⁰⁵. This zone has been deliberately positioned to be partially 'off-line' from Pacific Drive to facilitate a high quality public realm and encourage journeys to the centre by active modes, and to locate the neighbourhood centre so that it is surrounded as much as possible by medium density housing. These reasons remain valid, and continue to be supported by the reporting of Mr Burns and Mr Cullen.
- [91] With respect to the matters raised regarding traffic congestion and delays to development until the necessary network upgrades have been undertaken,¹⁰⁶ I refer to my discussion of these matters in response to Ms Pilkington's evidence.
- [92] Mr Fugle's view is that medium density housing is unlikely to work / be taken up in the Aokautere area. However, if the Plan leaves room for that possibility, and medium density demand increases in the future, he supports the inclusion of that option being drafted into the district plan.¹⁰⁷ I refer to my response to Mr Thomas on this matter.

G. RESPONSE TO AMANDA COATES FOR HERITAGE ESTATES 2000 LTD (S51)

Level of detail of information provided in support of PCG

- [93] Ms Coats' evidence states that "it is difficult to assess the actual effects of PCG due to fundamental missing information".¹⁰⁸ Some of this requested information is minor details such as road name labels, which are readily available by cross-reference to other maps or figures. Other elements on the list provided by Ms Coats can be addressed by

¹⁰² This is consistent with Mr Murphy's understanding in his Statement of Reply Evidence dated 28 November 2023 at para 21.

¹⁰³ See para 48 of Brief of Evidence of Les Fugle dated 4 November 2023.

¹⁰⁴ Section 42A Technical Report of Anita Copplestone dated 15 September 2023 at page 211-213.

¹⁰⁵ Section 42A Technical Report of Anita Copplestone dated 15 September 2023 at paras 52-55.

¹⁰⁶ At para 52-57 of Brief of Evidence of Les Fugle dated 4 November 2023.

¹⁰⁷ At para 58.

¹⁰⁸ At para 10 of Statement of Evidence of Amanda Coats dated 3 November 2023.

updating the Structure Plan Street Hierarchy Map (Map 7A.4A) so it is clearer as to which roads are unbuilt. Other details requested by Ms Coats are unnecessary detail to be included in a Structure Plan. For example, the labelling of stormwater detention ponds on the Structure Plan is unnecessary because the location of these ponds are indicative only, and may be subject to change as development progresses.

- [94] The timing and costs to establish the necessary infrastructure have been addressed in the s 42A Report- Strategic Planning.¹⁰⁹
- [95] The location of roading links in areas where the topography is challenging (for example the cross-gully link roads) are 'flexible', enabling these to be adjusted through future resource consent design processes (subject to the overarching considerations I have referred to above in response to Mr Fugle¹¹⁰ and which are set out in the proposed policy framework). Similarly, compliance with the Structure Plan roading cross-sections is at the 'general accordance' level, enabling flexibility to respond to on-site conditions, including as a result of any detailed geotechnical investigations.¹¹¹ I consider the level of detail of the Structure Plan in relation to topography and roading cross-sections (these not being 'at-scale cross-sectional cuts through the actual topography' as Ms Coates considers is necessary)¹¹² is appropriate at the plan change level.

PCG approach to medium density

- [96] Ms Coats considers the master plan and structure plan approach to be too prescriptive for residential typologies, particularly medium-density. She raises concerns that:
- (a) Homebuilders are experiencing difficulties selling medium density dwellings in parts of the central city;
 - (b) It is unlikely that medium density is attractive to buyers in most of the PCG area; and
 - (c) Yield is too uncertain, as roading costs may exceed returns for the developer.¹¹³

¹⁰⁹ Section 42A Technical Report of David Murphy dated 15 September 2023 at paras 51-54.

¹¹⁰ See para 83 above.

¹¹¹ See para 41 of Statement of Evidence of Amanda Coats dated 3 November 2023.

¹¹² At para 22.

¹¹³ At para 31.

- [97] Ms Coats acknowledges however ‘that the NPS-UD inherently requires some medium density housing’. I refer to my response to Mr Thomas in this regard. I also note that Ms Allen has addressed development costs in her reply evidence.¹¹⁴
- [98] Ms Coats considers that the Council should have undertaken a cost-benefit analysis of PCG against other sustainable growth areas in terms of relative ability to bring sections to market in the earliest possible timeframe.¹¹⁵ As set out in the s 32 report, Aokautere is identified as a growth area delivering development capacity in the city in the medium-long term. It is my understanding that the Council has never intended PCG to be about bringing ‘sections to market in the earliest timeframe’. With respect to availability of infrastructure to support growth, the s 32 report deals with this,¹¹⁶ and the updated position on timing and funding is addressed in the s 42A Report - Strategic Planning.¹¹⁷
- [99] With respect to Ms Coats concerns that the Structure Plan is unlikely to improve housing affordability by supporting competitive land and development markets,¹¹⁸ I refer to my response to Mr Thomas regarding ‘feasibility’ and to Mr Cullen’s reply s 42A, at paras 13 and 14, where he addresses housing choice.
- [100] With respect to Ms Coats concerns regarding my recommendations to limit subdivision until the transport network upgrades are undertaken, I refer to my response to Ms Pilkington on this matter at paras 21-29 . The recommended changes will enable some development to be brought forward while capacity still exists within the specified intersections.

H. RESPONSE TO JOHN FARQUHAR FOR HERITAGE ESTATES 2000 LTD (\$51)

Transport network upgrades

- [101] Mr Farquhar’s evidence records that his understanding is that *“the main consequence of PCG is that development on the land it covers is now effectively stopped to the extent that new residential development cannot be occupied”* and that *“this status will remain*

¹¹⁴ At paras 8-9 of Statement of Reply Evidence of Ruth Allen dated 28 November 2023.

¹¹⁵ See para 37 of Statement of Evidence of Amanda Coats dated 3 November 2023.

¹¹⁶ At para 26, pg 11 of s 32 report.

¹¹⁷ At para 51-55 of s 42A Technical Report of David Murphy dated 15 September 2023.

¹¹⁸ At para 40 of Statement of Evidence of Amanda Coats dated 3 November 2023.

until roading upgrades are completed". Further, that *"there is no certainty of funding or timing of funding"*.¹¹⁹ I refer to my response to Ms Pilkington on this matter at paras 21-29 above. The changes I have proposed to the transport provisions, in consultation with Ms Jenkin, will provide for some development in Aokautere to be advanced while there is remaining capacity in the network.

Prescriptive approach to development

- [102] Mr Farquhar's evidence is that *"PCG is attempting to impose strict, prescriptive master planning with unrealistic design criteria - and density, which is out of touch with market reality"*, and that *"dense living-small site design"* is a product that is *"not attractive to the average suburban buyer in Palmerston North"*.¹²⁰ He states that *"medium density has not succeeded in any scale in Palmerston North except centrally"*, and that *"the fulfilment of market needs should be determined by the owners and developers taking the financial risk"*.¹²¹ I refer to my response to Mr Thomas on feasibility and market demand. I also note that the promulgation of the NPS-UD and PCG have arisen, in part, to address the failure of the market-led approach to provide for housing need and efficient urban development.
- [103] Mr Farquhar indicates¹²² that *"to create a master plan and embed it so that any deviation would be effectively treated as a noncompliance, which I understand is the ultimate result if PCG proceeds as proposed, is poor planning"*. This demonstrates a misunderstanding of the plan change. The PCG provisions require 'general accordancy' with the Structure Plan, and this allows some flexibility for 'deviations', provided the stated outcomes set out in the objectives and policies can still be achieved.
- [104] Mr Farquhar's preference is the structure plan is *"done away with"*, or one that is *"reduced to be only indicative and non-statutory"*, or alternatively, *"a high-level non-prescriptive structure plan that enables easy adaption to changing circumstances and market conditions without complications and unnecessary costs"*.¹²³

¹¹⁹ Statement of Evidence of John Farquhar dated 3 November at para 9.

¹²⁰ At para 11.

¹²¹ At para 12.

¹²² At para 12.

¹²³ At para 12.

[105] I consider the level of detail in the Structure Plan (as amended by my recommendations in the s 42A Report) is an appropriate response to the matters set out in my S42A report¹²⁴ and in the s 32 report.¹²⁵ In particular, it is necessary to:

- (a) Ensure that poor urban outcomes in other areas of city where structure plans have been less prescriptive are not repeated - including ad hoc plan changes, an overly internal focus (i.e. lack of integrated stormwater management, poor connections/access to reserves, community infrastructure and services), failure to deliver housing that responds to need, and high emission development;
- (b) Provide connectivity between new and existing areas of development;
- (c) Address the unique constraints and characteristics in Aokautere - in particular the topography, sensitive receiving environments in the gullies and the natural hazard risks, and prevent further environmental degradation (gully in-filling);
- (d) Provide housing that meets identified needs (for smaller, attached housing) in locations that contribute to achieving well-functioning urban environments, because the market has not delivered these in Aokautere to date; and
- (e) Deliver the neighbourhood centre in the location identified and according to the Precinct Plan layout, as these factors are critical to the centre's viability, and its ability to act as a catalyst for higher density living.

[106] I note that in my 42A Report I recommended a number of amendments to the provisions and Structure Plan to provide some additional flexibility.¹²⁶ Having reviewed submitter evidence, I do not consider any further changes necessary.

¹²⁴ See the s 42A Technical Report of Anita Copplestone dated 15 September 2023 at para 27 pg 6, para 52 pg 13, para 37- 39 pg 60 and the s 32 Report.

¹²⁵ At 21]-[25].

¹²⁶ See s 42A Technical Report of Anita Copplestone dated 15 September 2023 at paras 40-43, pg 60-61.

I. RESPONSE TO SARAH JENKIN FOR WAKA KOTAHI (S63)

Consideration of the relevant statutory framework

- [107] Ms Jenkin is concerned that neither the s 32 report or the planning s 42A Report have given sufficient regard to clause 3.5 of the NPS-UD,¹²⁷ which requires that the Council must be satisfied that “the additional infrastructure to service the development capacity is likely to be available”;¹²⁸ and therefore PCG is inconsistent with Objective 6 and Policy 10 of the NPS-UD insofar as this relates to the state highway network.
- [108] My observation is that the Council has been very conscious that the level of certainty regarding delivery of the state highway upgrades is predicated on the timing and outcomes of funding processes outside the RMA. My understanding is that the Council has always had an expectation that the infrastructure upgrades are likely to require funding from a number of sources. This is documented in the s 42A reports of myself and Mr Murphy.¹²⁹
- [109] Ms Jenkin also states that no regard has been given to the NREP in relation to reducing Vehicle Kilometres Travelled (VKT).¹³⁰ The NERP was addressed in the Statutory Framework section of my s42A report.¹³¹ While not explicit regarding VKT, my assessment referred to the same spatial planning activities that the Council would be reasonably expected to undertake to assist to achieve Target 1 of the NERP.
- [110] In my view, PCG has had appropriate regard to Target 1 and assists to achieve it through delivering a more compact form, with safer, more connected, more accessible and more attractive public and active travel options, and through the delivery of mixed use, medium and high density close to/connected to urban centres.
- [111] With respect to Ms Jenkin’s concern that consent notices will not achieve the desired outcome,¹³² the revised provisions agreed by Ms Jenkin and myself, reinstate the

¹²⁷ See 7.6-7.6 of Statement of Evidence of Sarah Jenkin dated 27 October 2023.

¹²⁸ Additional infrastructure’ is defined in clause 1.4 of the NPS-UD.

¹²⁹ See para 76-78 of the s 42A Technical Report of David Murphy dated 15 September 2023, and pg 64, para 8, pg 72, para 16 and pg 143, paras 111-112 of the s 42A Technical Report of Anita Copplestone dated 15 September 2023.

¹³⁰ See paras 7.9-7.12 of Statement of Evidence of Sarah Jenkin dated 27 October 2023.

¹³¹ Pg 46-48 of s 42A Technical Report of Anita Copplestone dated 15 September 2023.

¹³² At paras 3.11-3.12 of Statement of Evidence of Sarah Jenkin dated 27 October 2023.

requirement (in the notified provisions) that no development can occur prior to the upgrades being completed unless there is remaining capacity in the specified intersections in Table 7A.1. As a result of these recommended amendments, reliance does not need to be placed on consent notices.

- [112] Ms Jenkin identifies a number of provisions in the Horizons One Plan and PNCC Operative District Plan as being relevant to PCG.¹³³ I agree that these provisions are relevant to the consideration of PCG. In the JWS - Planning¹³⁴ I agreed that the GPS on Transport is a relevant consideration under s74(s) of the RMA. I note that while not addressed in the s42A Report - Planning¹³⁵, this was addressed in the s 42A Report – Transport.¹³⁶

Rural-residential development

- [113] Ms Jenkin is concerned that the level of development occurring in the existing rural-residential areas is not traversed in detail in the s42A reports, in relation to existing or cumulative effects on the state highway network. Ms Jenkin has not provided any details of the quantum of development that is occurring in these areas to enable me to understand the particular concern or to determine the extent of any potential effects. I rely on Ms Fraser's reply on this matter, at page 10.

Amendments to the proposed transport related provisions

- [114] Ms Jenkin proposes a number of detailed amendments to the transport related provisions, which are set out in Appendix B to her evidence. Ms Jenkin and I have subsequently discussed these proposed amendments. Annexure 1 to this reply sets out our agreed revised drafting of these provisions along with an explanation of these changes. The changes have been informed by the traffic experts joint position in the JWS – Transport, and the subsequent agreements between the traffic experts following further discussions, which are documented in Annexure 1 to Ms Fraser's reply. The amendments also reflect the agreed amendments in the JWS – Planning.

¹³³ At para 7.2 of Statement of Evidence of Sarah Jenkin dated 27 October 2023.

¹³⁴ At item 1.1 of JWS – Planning.

¹³⁵ See para 7.13 of Statement of Evidence of Sarah Jenkin dated 27 October 2023.

¹³⁶ See pg 2, Section 2 and pg 44 of the s 42A Technical Report of Harriet Fraser dated 15 September 2023.

[115] Ms Jenkin identifies that a number of consequential amendments are required as a result of either changes to submissions, or due to the rules having immediate legal effect. I agree with Ms Jenkin that once integrated into the District Plan, all references in the provisions to clause R7A.5.2.2(h) should be amended to (i), as other plan changes have been made operative since notification, resulting in renumbering of the operative provisions.¹³⁷

[116] With respect to Rule R7A.5.46.1, I agree that this appears to be a copy and paste error, and my understanding is that the proposed amendments to this rule did not appear in the notified provisions. My understanding, based on discussions with the Council, is that the rule should read as follows. This wording has been agreed with Ms Jenkin. Scope to make these changes are provided by Waka Kotahi's submission and the submission of the Council seeking consequential changes to correct cross-references and minor errors. (S50.025)

7A.5.6 RULES: NOTIFICATION

R7A.5.46.1 Notification

~~(i) (iv) Public notification is precluded for applications under R7A.5.2.1.~~

~~(ii) (v) Subject to the exception in (iii), limited notification is precluded for applications under R7A.5.2.1.~~

~~(iii) (vi) (i)~~ Waka Kotahi New Zealand Transport Agency must be given limited notification of an application under R7A.5.52.1.

J. RESPONSE TO MS GEAR [S39]

Permeable surface standards

[117] Ms Gear is concerned that permeable surface performance standards are difficult to police; and rely on third parties to bring non-compliance to the Council's attention. As described in the s42A Report – Stormwater,¹³⁸ permeable surface standards form part of the refined suite of stormwater mitigation measures in the Stormwater Mitigation Strategy, which includes increased measures to manage stormwater on-site. Ms

¹³⁷ See para 8.26 of Ms Jenkin's evidence.

¹³⁸ Section 42A Technical Report of Allison Reiko Baugham and Tony Miller dated 15 September 2023 at paragraphs 53-55.

Baugham addresses this matter in her reply evidence at para [15] and I rely on her recommendation on this matter.

- [118] Mr Burns has tested the permeable surface standard for the proposed suburban and medium density lot sizes within Aokautere and the standard has been set at a level that allows for typical hardstanding areas for driveways and parking. I understand that it should be relatively straightforward to achieve compliance with this standard.

Boundary reserve and walkway for Moonshine Valley

- [119] Ms Gear identifies a potential solution of setting aside 10-15m of reserve land between the boundary of Moonshine Valley properties and any new lots created within PCG to mitigate stormwater and visual effects, and to provide an opportunity for a walking track to link with the proposed walking tracks in the gully system.

- [120] While I appreciate this has the potential to provide an attractive amenity and recreational asset, I do not consider it is necessary to require a setback of this size to be in public ownership. Ms Baugham has advised¹³⁹ that a 5m corridor is sufficient width to accommodate the perimeter stormwater swale, and that the buffer could be in either private ownership (with a covenant imposed) or alternatively vested in Council. In her reply, Ms Baugham notes that this width could be further reduced, subject to detailed design. The recommended 15m setback for buildings to manage visual impacts on Moonshine Valley can be accommodated within private lots and does not rely on Council ownership to achieve. I rely on the reply of Mr Phillips at paras 32-35 that the Council does not consider a walkway of this nature would be a useful addition to the walkway network, for the reasons he states.

K. RESPONSE TO MR TEO-SHERRELL [S43]

- [121] Mr Teo-Sherrell's notes that there have been no recommended changes to the zoning to provide for the greater dispersal of commercial activity. As set out in my s42A report,¹⁴⁰ I consider that the operative District Plan adequately provides for small scale commercial activities to be considered and consented in the Residential Zone, without

¹³⁹ At para 64 of the Section 42A Technical Report of Allison Reiko Baugham and Tony Miller dated 15 September 2023.

¹⁴⁰ At paras 6 – 7, pg 210 under Topic 8 of s 42A Technical Report of Anita Copplestone dated 15 September 2023.

having to zone land specifically for this purpose. Further, the policies in the Operative District Plan indicate a preference that such activities are located in the business zones.¹⁴¹ Mr Cullen also addresses this matter in his reply, and prefers consolidation over dispersal to enhance economic yield.¹⁴²

[122] Mr Teo-Sherrell's original submission requested a setback distance of garages for vehicles of at least 7m. His evidence modifies this request to 6.5m. I have addressed this setback distance in my s 42A Report¹⁴³ and remain of the view that 6m is sufficient.

[123] Mr Teo-Sherrell seeks that stricter noise limits are imposed for the medium density zone than for low-density areas.¹⁴⁴ No changes were proposed to the operative Residential Zone noise rules in the District Plan through PCG, therefore I consider this matter to be beyond the scope of the plan change, and Mr Teo-Sherrell's submission.

[124] Mr Teo-Sherrell seeks that occupation of dwellings in PCG is not permitted until the speed limit on Aokautere Drive is decreased to 50km/h.¹⁴⁵ I rely on the reply statement of Ms Fraser in relation to this matter.

L. CORRECTIONS OR POINTS OF CLARIFICATION TO THE PUBLISHED S42A REPORT - PLANNING

Submission from Les Fugle S58.005

[125] In my analysis of this submission point in my s42A Report¹⁴⁶ I refer to a stormwater detention pond behind Gully Crossing E, as labelled on Map 7A.4 (as notified). I now understand, based on conversations with the submitter, that the gully crossing referred to in the submission is the Gully 1 crossing, labelled C on Map 7A.4 (as notified). In the updated version of Map 7A.4 attached to my s42A Report (Appendix 1), a detention pond is indicatively shown in this location but the scale of this device is much more modest than the pond proposed in the resource consent application mentioned in the submission.

¹⁴¹ See for example Section 7A Policy 10.1 and 10.2.

¹⁴² Statement of Reply Evidence of Michael Cullen dated 28 November 2023 at paras 34-38.

¹⁴³ At para 151 – 155 on page 202 of s 42A Technical Report of Anita Copplestone dated 15 September 2023.

¹⁴⁴ At paragraph 23 of Statement of Chris Teo-Sherrell dated 4 November 2023.

¹⁴⁵ At para 133.

¹⁴⁶ At paragraph 77, page 101 of s 42A Technical Report of Anita Copplestone dated 15 September 2023.

'Average Exceedance Probability'

[126] In my s 42A Report,¹⁴⁷ I recommended that a definition of "Average Exceedance Probability" be inserted in Section 4: Definitions of the District Plan, and provided a potential definition for this term. This is an error and should have read "Annual Exceedance Probability". The same error was carried over into my recommendations section at page 324 and the marked up version of my recommended changes to the notified provisions at Appendix 1. I now consider that this definition is superfluous, as the operative District Plan already includes a definition of "1% or 2% Annual Exceedance Probability Rainfall Event".

Recommendation for amendments to Rule R10.6.1.5.

[127] On page 184 of my s 42A Report, I recommended amendments to this rule, which deals with dwellings, minor dwellings and accessory buildings in the Greenfield Residential Areas. Have reflected on the recommended wording, I consider that the wording I have proposed does not provide sufficient certainty as to whether a multi-unit residential development that complied with Rule R10.6.3.3 would be a restricted discretionary activity under that rule, or a permitted activity under this rule (i.e. R10.6.1.5). I therefore recommend that the wording of Rule R10.6.1.5 is further revised to read:

R10.6.1.5 Dwellings, Minor Dwellings & Accessory Buildings in the Greenfield Residential Areas

Any dwelling, **Minor Dwelling** and/or Accessory Building in any Greenfield Residential Area is a Permitted Activity provided it complies with the Performance Standards detailed in Clauses(a) – ~~(h)(j)~~, **except that:**

~~The exception are~~ **Dwellings, minor dwellings and accessory buildings in the Medium Density Village Areas identified on the Aokautere Structure Plan (Map 7A.4B) which are a restricted discretionary activity and must comply with the performance standards in R10.6.3.3 for multi-unit residential development; and**

¹⁴⁷ At paragraph 20, page 321.

[128] This would have the effect that a multi-unit development that did not comply with the standards in R10.6.3.3 would be a discretionary activity under Rule 10.6.4.3.

28 November 2023

Anita Renie Copplestone

M. ATTACHMENTS

Annexure 1

Reply to Evidence – Proposed Amendments to PCG Provisions on Transport (Sections 7, 7A and 10)

[Recommended amendments from Reply to Evidence \(as agreed between Anita Copplestone – s42A reporting officer and Sarah Jenkin for Waka Kotahi\)](#)

Key to amendments:

[new text](#) – ~~deleted text~~

PCG provision as notified	As amended in s42A report	Reply to Evidence – Agreed Recommended Amendments between Ms Jenkin & Ms Copplestone	Reasons for recommendation
<p>Chapter 7 – Rural Zone</p> <p>New policy 3.7 <u>3.7 To enable subdivision within the Rural-Residential Area identified on the Aokautere Structure Plan, where it is demonstrated that:</u> <u>a. It is in general accordance with the Aokautere Structure Plan;</u> <u>b. The roading network identified on the Aokautere Structure Plan is provided for;</u> <u>c. There is connectivity with existing and future developments;</u> <u>d. Subdivision and development will not occur in advance of the availability of operational transport infrastructure;</u> <u>e. It incorporates the following design principles:</u> <u>• lots are rectangular or simple shapes;</u> <u>• a continuously built-up skyline is avoided;</u> <u>• development positively fronts or connects to the gully network.</u> <u>f. It maintains, and where possible enhances, existing amenity values.</u> <u>g. It satisfies Objective 6 and related policies in Section 7A Greenfield Residential Areas and protects the gully system and significant natural areas and wetlands in Aokautere;</u> <u>h. It provides a safe and legible road hierarchy that achieves a highly connected street layout which integrates with the surrounding transport network and provides pedestrian access, cycleways and recreational trails which link to open space corridors;</u> <u>i. There is appropriate infrastructure available to service the development, including on-site wastewater and stormwater servicing, which ensures there is no increase in effects on surrounding areas;</u> <u>j. Earthworks avoid adverse effects on the gully network;</u> <u>k. The risk of liquefaction and lateral spread is adequately mitigated prior to subdivision through site specific geotechnical investigations with suitable foundation design and/or ground improvement options implemented before development;</u> <u>l. Subdivision and development is managed to avoid new or exacerbated natural hazards by:</u> <u>• an accredited Chartered Professional Engineer experienced in soil mechanics or geotechnical matters preparing a report before subdivision to confirm that the land is suitable for development and</u></p>	<p>New policy 3.7 <u>3.7 To enable subdivision within the Rural-Residential Area identified on the Aokautere Structure Plan, where it is demonstrated that:</u> <u>a. It is in general accordance with the Aokautere Structure Plan;</u> <u>b. The roading network street hierarchy, street types and street cross sections, and upgrades identified on the Aokautere Structure Plan is are provided for;</u> <u>c. There is connectivity with existing and future developments;</u> <u>d. The transport network upgrades, including those outside of the Aokautere Structure Plan area, that are necessary to provide for a safe and efficient transport network have been completed and are operational</u> <u>Subdivision and development will not occur in advance of the availability of operational transport infrastructure;</u> <u>e. It incorporates the following design principles:</u> <u>• lots are rectangular or simple shapes;</u> <u>• a continuously built-up skyline is avoided;</u> <u>• development positively fronts or connects to the gully network.</u> <u>f. It maintains, and where possible enhances, existing amenity values.</u> <u>g. It satisfies Objective 6 and related policies in Section 7A Greenfield Residential Areas and protects the gully system and significant natural areas and wetlands in Aokautere;</u> <u>h. It provides a safe and legible internal transport network road hierarchy that achieves a highly connected street layout which integrates with the surrounding transport network and provides pedestrian access, cycleways and recreational trails which link to open space corridors;</u> <u>i. There is appropriate infrastructure available to service the development, including on-site wastewater and stormwater servicing, which ensures there is no increase in effects on surrounding areas;</u> <u>j. Earthworks avoid adverse effects on the gully network;</u> <u>k. The risk of liquefaction and lateral spread is adequately mitigated prior to subdivision through site specific geotechnical investigations with suitable foundation design and/or ground improvement options implemented before development;</u></p>	<p>Amendments to new Policy 3.7</p> <p><u>3.7 To enable subdivision within the Rural-Residential Area identified on the Aokautere Structure Plan, where it is demonstrated that:</u></p> <p>...</p> <p><u>d. The transport network upgrades identified in Tables 7A.1 and 7A.2, including those outside of the Aokautere Structure Plan area, that are necessary to provide for a safe and efficient transport network are operational unless it can be demonstrated that there is sufficient existing capacity in the transport network to accommodate the predicted traffic volumes.</u></p> <p>...</p>	<p>To ensure the policy is consistent with the equivalent policy in Section 7A. See policies in Section 7A for detailed explanation.</p>

PCG provision as notified	As amended in s42A report	Reply to Evidence – Agreed Recommended Amendments between Ms Jenkin & Ms Copplestone	Reasons for recommendation
<p><u>that there are technically appropriate building platforms;</u></p> <ul style="list-style-type: none"> <u>• earthworks and recontouring of land being undertaken in accordance with a design plan by an accredited Chartered Professional Engineer experienced in soil mechanics or geotechnical matters, with the design providing for predicted improvements to soil slope and stability through the development and the impact on existing vegetation and landscape values;</u> <u>m. Consent notices are imposed on titles outlining the measures required to implement recommendations from any technical reports to achieve land stability (including earthworks and setbacks from areas of geotechnical risk) and/or address natural hazards in advance of development.</u> 	<p>I. Subdivision and development is managed so that development of resulting lots will to avoid new or exacerbated existing natural hazards, or an increase in expose to natural hazards by:</p> <ul style="list-style-type: none"> • investigating the risk of liquefaction, lateral spread, and slope instability through site specific geotechnical investigations prior to subdivision; • an accredited Chartered Professional Engineer experienced in soil mechanics or geotechnical matters preparing a report before subdivision to confirm that the land is suitable for development and that there are technically appropriate building platforms; • identifying and implementing ground improvement and slope stabilisation works that are required to avoid or mitigate the risk of liquefaction, lateral spread or slope instability; • undertaking earthworks and recontouring of land being undertaken in accordance with a design plan by an accredited Chartered Professional Engineer experienced in soil mechanics or geotechnical matters, with the design providing for predicted improvements to soil slope and stability through the development and the impact on existing vegetation and landscape values; • imposing consent notices on titles outlining the measures required to implement recommendations from any technical reports to address land instability, risk of liquefaction or lateral spread and/or to address any other natural hazards (including suitable foundation design requirements, earthworks and setbacks from areas of geotechnical risk). m. Consent notices are imposed on titles outlining the measures required to implement recommendations from any technical reports to achieve land stability (including earthworks and setbacks from areas of geotechnical risk) and/or address natural hazards in advance of development. 		
<p>7.15.2 RULES: RESTRICTED DISCRETIONARY ACTIVITIES</p> <p>R7.15.2.1 Any Subdivision within the Aokautere Rural Residential Area, the Moonshine Valley Rural Residential Area and the Rural Residential Overlay (as shown on the Planning Maps) that complies with the Performance Standards below, is a Restricted Discretionary Activity, with regard to the following matters:</p> <ul style="list-style-type: none"> • Those matters described in Sections 108 and 220 of the Resource Management Act 1991 • Subdivision design and layout; size, shape and arrangement of lots; the location and design of access; and connectivity • <u>The extent to which the subdivision is in accordance with any relevant Structure Plan</u> • Provision of on-site services, suitability of the lots for the on-site disposal of wastewater and water supply including for firefighting purposes 	<p>7.15.2 RULES: RESTRICTED DISCRETIONARY ACTIVITIES</p> <p>R7.15.2.1 Any Subdivision within the Aokautere Rural Residential Area, the Moonshine Valley Rural Residential Area and the Rural Residential Overlay (as shown on the Planning Maps) that complies with the Performance Standards below, is a Restricted Discretionary Activity, with regard to the following matters:</p> <ul style="list-style-type: none"> • Those matters described in Sections 108 and 220 of the Resource Management Act 1991 • Subdivision design and layout; size, shape and arrangement of lots; the location and design of access; and connectivity • <u>Within the Aokautere Structure Plan area the extent to which the subdivision is in accordance with any relevant Structure Plan</u> 	<p>Addition of a new matter of discretion</p> <p>7.15.2 RULES: RESTRICTED DISCRETIONARY ACTIVITIES</p> <p>R7.15.2.1 Any Subdivision within the Aokautere Rural Residential Area, the Moonshine Valley Rural Residential Area and the Rural Residential Overlay (as shown on the Planning Maps) that complies with the Performance Standards below, is a Restricted Discretionary Activity, with regard to the following matters:</p> <p>...</p> <ul style="list-style-type: none"> • Reverse sensitivity effects • Effects on Council's infrastructure network • Management of stormwater runoff • Availability of operational transport infrastructure <u>Available capacity in the intersections identified in Table 7A.1 and 7A.2</u> • Effects on the safe and efficient operation of the road network 	<p>To ensure consistency with the equivalent matters of discretion in Chapter 7A.</p> <p>To ensure a transport assessment is undertaken to determine whether there will be available capacity in the intersections specified in Tables 7A.1 and 7A.2 to accommodate the vehicle movements that will be generated by the proposed development.</p>

PCG provision as notified	As amended in s42A report	Reply to Evidence – Agreed Recommended Amendments between Ms Jenkin & Ms Copplestone	Reasons for recommendation
<ul style="list-style-type: none"> • Landscape, conservation and amenity values • Natural Hazards • Reverse sensitivity effects • Effects on Council's infrastructure network • Management of stormwater runoff • Availability of operational transport infrastructure • Effects on the safe and efficient operation of the road network • Effects on Strategic Infrastructure and physical resources of national, regional or district importance, including the National Grid • Earthworks • Effects on the gully network in Aokautere • Outcomes of any consultation with the Manawatu-Wanganui Regional Council • Cultural Values 	<ul style="list-style-type: none"> • Provision of on-site services, suitability of the lots for the on-site disposal of wastewater and water supply including for firefighting purposes • Landscape, conservation and amenity values • Natural Hazards • Reverse sensitivity effects • Effects on Council's infrastructure network • Management of stormwater runoff • Availability of operational transport infrastructure • Effects on the safe and efficient operation of the road network • Effects on Strategic Infrastructure and physical resources of national, regional or district importance, including the National Grid • Earthworks • Effects on the gully network within the Aokautere Structure Plan area • Outcomes of any consultation with the Manawatu-Wanganui Regional Council • Effects on cCultural Values within the Aokautere Structure Plan area 		
<p>7.15.2 RULES: RESTRICTED DISCRETIONARY ACTIVITIES</p> <p>Performance Standards</p> <p>...</p> <p><u>(f) Subdivision in the Rural-Residential Area identified on the Aokautere Structure Plan</u></p> <p><u>i. Subdivision must be in general accordance with the Aokautere Structure Plan.</u></p> <p><u>ii. The roading network identified on the Aokautere Structure Plan must be provided.</u></p> <p><u>iii. The design principles contained within Policy 3.7 must be implemented through the subdivision and development.</u></p> <p><u>iv Any subdivision must be accompanied by an earthworks plan identifying any restructuring of land, earthworks, or other works to create land with improved slope and soil stability necessary to enable the development of building platforms, services, and access ways. The plan must address:</u></p> <ul style="list-style-type: none"> • <u>the management of archaeological discoveries, including how tangata whenua involvement and cultural monitoring will be accommodated; and</u> • <u>any recommendations as to the location, design and construction of building sites, foundations and infrastructure arising out of technical reports prepared under Policy 3.7.</u> 	<p>7.15.2 RULES: RESTRICTED DISCRETIONARY ACTIVITIES</p> <p>Performance Standards</p> <p>...</p> <p><u>(f) Subdivision in the Aokautere Rural-Residential Area within the Aokautere Structure Plan identified on the Aokautere Structure Plan</u></p> <p><u>i. Subdivision must be in general accordance with the Aokautere Structure Plan.</u></p> <p><u>ii. The roading network street hierarchy, street types and street cross sections, and upgrades identified on the Aokautere Structure Plan are must be provided within the area to be subdivided.</u></p> <p><u>iii. The design principles contained within Policy 3.7 must be implemented through the subdivision and development.</u></p> <p><u>iv. The safety improvements at Turitea Road/Valley Views intersection scheduled under the 10-Year Plan 2021-2031 must be implemented before any rural-residential development occurs.</u></p> <p><u>v Any subdivision must be accompanied by an earthworks plan identifying any restructuring of land, earthworks, or other works to create land with improved slope and soil stability necessary to enable the development of building platforms, services, and access ways. The plan must address:</u></p> <ul style="list-style-type: none"> • <u>the management of archaeological discoveries, including how tangata whenua involvement and cultural monitoring will be accommodated; and</u> • <u>any recommendations as to the location, design and construction of building sites, foundations and infrastructure arising out of technical reports prepared under Policy 3.7 and performance standard c.</u> 	<p>Addition of new performance standard</p> <p>R7.15.2. Performance Standards for Restricted Discretionary Activity</p> <p>Performance Standards</p> <p>...</p> <p><u>(f) (iii) The transport network upgrades listed in Table 7A.1:</u></p> <ul style="list-style-type: none"> <u>(a) are operational before development commences within the Aokautere Structure Plan Area, or</u> <u>(b) are not operational, but a transport assessment has been prepared by a suitably qualified person experienced in traffic engineering and transport planning that:</u> <ul style="list-style-type: none"> <u>(i) Assesses the current level of service for the intersections identified in Table 7A.1; and</u> <u>(ii) Predicts whether the traffic generated by the proposed development will exceed the capacity thresholds at one or more of the intersections identified in Column 1 of Table 7A.1 and determines that none of the capacity thresholds in Column 2 of Table 7A.1 are exceeded; and</u> <u>(iii) Describes any consultation undertaken with the relevant road controlling authority regarding the proposal and the outcomes of this consultation.</u> <p><u>Explanatory note</u></p> <p><u>Where the transport assessment predicts that any or all of the capacity thresholds in Table 7A.1 will be exceeded, the activity will be a non-complying activity under Rule R7.15.4.1.</u></p>	<p>To ensure consistency with the equivalent rule in Chapter 7A.</p> <p>To reflect the agreed position of the experts in the JWS – Transport in Topics 3, 4 and 5.</p> <p>The explanatory note (and rule) reflect advice from Ms Fraser and Mr Connelly that non-compliance with the capacity thresholds in Table 7A.1 should trigger a high activity threshold given the potential effects associated with the additional vehicle movements from the development of the PCG area on the intersection capacity (delays and queuing), and safety for all road users along the SH57 corridor.</p>

PCG provision as notified	As amended in s42A report	Reply to Evidence – Agreed Recommended Amendments between Ms Jenkin & Ms Copplestone	Reasons for recommendation
<p>7.15.2 RULES: RESTRICTED DISCRETIONARY ACTIVITIES Assessment Criteria ... <u>(h) Rural-Residential Development within Aokautere Structure Plan</u> <u>i. How the subdivision is in general accordance with the Aokautere Structure Plan.</u> <u>ii. How the subdivision design and layout create allotments which are reflective of landscape and neighbourhood character and demonstrate connectivity with adjoining developments, including street and pedestrian access, cycleways and recreational trails which link to open space corridors.</u> <u>iii. How the proposal incorporates the design principles outlined in Policy 3.7.</u> <u>v. Whether all operational transport infrastructure necessary for the subdivision will be constructed prior to development.</u> <u>vi. How the proposed stormwater management system ensures there is no increase in stormwater effects on surrounding areas.</u> <u>vii. How the subdivision recognises and protects the gully network, wetlands, significant natural areas and habitats of local significance.</u> <u>viii. How the development manages adverse effects associated with geotechnical constraints and natural hazards within the surrounding area so that there are no new or exacerbated hazards.</u></p>	<p>7.15.2 RULES: RESTRICTED DISCRETIONARY ACTIVITIES Assessment Criteria ... (e) Urban growth Whether the subdivision is appropriate in terms of the location (the scale, form and character of development proposed) and whether a consent, if granted, would undermine the Council's Residential Growth Strategy, any relevant Structure Plan, and planned infrastructure investment, and where relevant the Aokautere Structure Plan having regard to cumulative or precedent effects on the efficient and orderly development of urban areas. ... <u>(h) Rural-Residential Development within Aokautere Structure Plan</u> <u>i. How the subdivision is in general accordance with the Aokautere Structure Plan.</u> <u>ii. How the subdivision design and layout create allotments which are reflective of landscape and neighbourhood character and demonstrate connectivity with adjoining developments, including street and pedestrian access, cycleways and recreational trails which link to open space corridors.</u> <u>iii. How the proposal incorporates provides for the design principles matters outlined in Policy 3.7.</u> <u>v. Whether all operational the transport network upgrades, including those outside of the Aokautere Structure Plan area, that are infrastructure necessary to provide for a safe and efficient transport network have been completed and for the subdivision will be constructed are operational prior to development.</u> <u>vi. How the proposed stormwater management system ensures there is no increase in stormwater effects on surrounding areas.</u> <u>vii. How the subdivision recognises and protects the gully network, wetlands, significant natural areas and habitats of local significance.</u> <u>viii. How the subdivision development manages adverse effects associated with geotechnical constraints and natural hazards within the surrounding area so that there are no new or exacerbated hazards or increased exposure to natural hazards.</u> <u>ix. Whether there is a need for physical measures to prevent vehicles using the peri-urban road labelled 'A' on the Aokautere Structure Plan Map 7A.4D Street Types until the transport network upgrades, including at the intersection of Turitea Road and Valley Views Road, have been completed.</u></p>	<p>Addition of new assessment criteria</p> <p>7.15.2 RULES: RESTRICTED DISCRETIONARY ACTIVITIES Assessment Criteria ... <u>(h) Rural-Residential Development within Aokautere Structure Plan</u> ... <u>v. Whether all operational the transport network upgrades, including those outside of the Aokautere Structure Plan area, that are infrastructure necessary to provide for a safe and efficient transport network have been completed and for the subdivision will be constructed are operational prior to development.</u> <u>vi. How the proposed stormwater management system ensures there is no increase in stormwater effects on surrounding areas.</u> <u>v. The extent to which the subdivision complies with the transport network requirements set out in R7A.5.2.2(i)</u> <u>vi. Whether the traffic generated by the proposed development will exceed the capacity thresholds in Column 2 of Table 7A.2 at the intersections identified in Column 1 of Table 7A.2</u> <u>vii. The extent to which significant adverse effects on the transport network have been avoided.</u></p>	<p>To ensure consistency with the equivalent assessment criteria in Chapter 7A.</p> <p>To reflect the agreed position of the experts in the JWS – Transport in Issues 3, 4 and 5.</p> <p>To require assessment as to whether the capacity thresholds for the internal local road intersections specified in Table 7A.2 will be exceeded.</p>
		<p>Addition of new non-complying rule</p> <p>7.15.4 RULES: NON-COMPLYING ACTIVITIES R7.15.4.1 Non-Complying Activities</p>	<p>To ensure consistency with the equivalent rule in Chapter 7A.</p>

PCG provision as notified	As amended in s42A report	Reply to Evidence – Agreed Recommended Amendments between Ms Jenkin & Ms Copplestone	Reasons for recommendation
		<p>...</p> <p>3. Any subdivision which does not comply with the Controlled Activity Performance Standards for Lot Area (R7.15.1.1(b)(i)) or Separation Distance from existing or consented wind turbines (R7.15.1.1(g)), is a Non-Complying Activity.</p> <p>4. Any subdivision which does not comply with the Restricted Discretionary Activity Performance Standard for Minimum Lot Area (R7.15.2.1(b)(i),(ii) and (iii)) and Subdivision in the Rural-Residential Area identified on the Aokautere Structure Plan where the transport assessment required by R7.15.2.1 Performance Standard (f)(iii)(b) predicts that the capacity in one of more of the intersections identified in Table 7A.1 will be exceeded, is a Non-Complying Activity.</p> <p>5. Any subdivision that contains a lot below 5000m2.</p>	<p>To reflect the agreed position of the experts in the JWS – Transport in Issues 3, 4 and 5.</p> <p>The rule reflects advice from Ms Fraser and Mr Connolly that non-compliance with the capacity thresholds in Table 7A.1 should trigger a high activity threshold given the potential effects associated with the additional vehicle movements from the development of PCG area on the intersection capacity (delays and queuing), and safety for all road users along the SH57 corridor.</p>
<p>New policy <u>5.7 To ensure the capacity, efficiency, performance, and sustainability of the wider infrastructure network is not compromised.</u></p>	<p>New policy <u>5.7 To ensure the capacity, efficiency, performance, and sustainability of the wider infrastructure network is not compromised.</u></p>	<p>Amendments to new Policy 5.7</p> <p><u>5.7 To ensure the capacity, efficiency and performance and sustainability of the wider infrastructure transport network is not compromised.</u></p>	<p>This policy should be retained as it relates to the wider transport network.</p> <p>Change from 'infrastructure' to 'transport' to reflect wording in remainder of plan.</p> <p>Delete 'and sustainability' as it's not clear what this would relate to from an implementation perspective</p>
<p>New policy <u>5.8 To ensure that the design and layout of any subdivision and development provides for roads identified on the Aokautere Structure Plan in a manner which:</u> <u>• Achieves an accessible and permeable grid like pattern of development as shown on the Aokautere Structure Plan</u> <u>• Delivers a safe, legible and effective movement network which conforms to the One Network Framework and reflects Aokautere's hierarchy of street types (Map 7A.4A) and cross-sections (Map 7A.4D)</u> <u>• Avoids or minimises adverse effects on the safe and efficient operation, maintenance and access to network utilities and the transport network</u> <u>• Produces a fine-grained network of streets that provide:</u> <u>• Permeable and connected neighbourhoods</u> <u>• A choice of pathways; and</u> <u>• Access from two directions for most households.</u> <u>• Complements the street network with a web of trails in the gully reserves</u> <u>• Provides circuits of varying length for walking, jogging and cycling • Encourages active travel modes</u></p>	<p><u>5.8 To ensure that the design and layout of any subdivision and development provides for the transport network roads identified on the Aokautere Structure Plan in a manner which:</u> <u>• Achieves an accessible and permeable grid like pattern of development as shown on the Aokautere Structure Plan;</u> <u>• Delivers a safe, legible and efficient effective movement network which conforms to the One Network Framework and reflects Aokautere's the street hierarchy, of street types (Map 7A.3A) and street cross-sections (Map 7A.3D) in the Aokautere Structure Plan.</u> <u>• Avoids or minimises adverse effects on the safe and efficient operation, maintenance and access to network utilities and the transport network.</u> <u>• Encourages active travel modes and provides for circuits of varying length for walking, jogging and cycling.</u> <u>• Provides Urban Connector roads with sufficient width and horizontal and vertical alignments to safely accommodate bus routes and facilitate convenient bus stops, including to facilitate access to the Aokautere Neighbourhood Centre.</u> <u>• Provides sufficient access, and enables efficient movement throughout the transport network, for emergency service vehicles.</u> <u>• Produces a fine-grained network of streets that provide:</u> <u>c. permeable and connected neighbourhoods;</u></p>	<p>Amendments to new Policy 5.8</p> <p><u>5.8 To ensure that the design and layout of any subdivision and development provides for the transport network roads identified on the Aokautere Structure Plan in a manner which:</u> <p>...</p> <p><u>• Avoids or minimises adverse effects on the safe and efficient operation, maintenance and access to network utilities and the transport network</u></p> </p>	<p>Retain bullet point as it provides guidance on how to manage effects on the internal roading network and in particular the intersections in Table 7A.2.</p>

PCG provision as notified	As amended in s42A report	Reply to Evidence – Agreed Recommended Amendments between Ms Jenkin & Ms Copplestone	Reasons for recommendation
	d. a choice of pathways; and e. access from two directions for most households. • Complements the street network with a web of trails in the gully reserve		
New policy <u>5.9 To avoid subdivision and development occurring in advance of the availability of operational transport infrastructure.</u>	New policy <u>5.9 To avoid subdivision and development occurring in advance of the availability of operational transport infrastructure the transport network upgrades, including those outside of the Aokautere Structure Plan area, that are necessary to provide for a safe and efficient transport network.</u>	Amendments to new Policy 5.9 <u>5.9 To avoid subdivision and development occurring in advance of the completion availability of operational transport infrastructure the transport network upgrades identified in Table 7A.1 and 7A.2, including those outside of the Aokautere Structure area, that are necessary to provide for a safe and efficient transport network, unless it can be demonstrated that there is sufficient existing capacity in the transport network to accommodate the predicted traffic volumes.</u>	Policy amendments are required for consistency with amendments to R7A.5.2.2(i)
<u>5.10 To require consent notices recording the restrictions on development set out in R7A.5.2.2(a)(i), (iii), (iv) and (v) to be imposed on titles at the time of subdivision.</u>	<u>5.10 To require, where appropriate, consent notices recording the restrictions on development set out in R7A.5.2.2(h), (iii)-(iv) and or (v) to be imposed on titles at the time of subdivision.</u>	Delete policy 5.10 <u>5.10 To require, where appropriate, consent notices recording the restrictions on development set out in R7A.5.2.2(h), (iii)-(iv) and or (v) to be imposed on titles at the time of subdivision.</u>	This policy is no longer required because of the recommended change to R7A.5.2.2(i) to avoid development if the intersection upgrades have not been completed and the capacity thresholds in Table 7A.1 have been exceeded.
<u>5.11 To avoid subdivision and development where significant adverse effects on the transport network are likely to occur.</u>	<u>5.11 To avoid subdivision and development where significant adverse effects on the transport network are likely to occur.</u>	Retain Policy 5.11 <u>5.11 To avoid subdivision and development where significant adverse effects on the transport network are likely to occur.</u>	This policy should be retained to manage any future significant adverse effects that may occur in the future, following the specified intersection upgrades.
7A.5.2 RULES: RESTRICTED DISCRETIONARY ACTIVITIES R7A.5.2.1 Restricted Discretionary Activities 1.Any subdivision in a Greenfield Residential Area which is not a Controlled Activity, and any cross lease, company lease or unit title subdivision creating allotments requiring vehicular or foot access to a road listed in 20.6.1.6 of the Land Transport Section as a State Highway or a Limited Access Road is a Restricted Discretionary Activity with regard to: a) The size, shape and arrangement of roads, public open spaces, lots, cross lease and company lease areas, units and access b) Those matters described in Sections 108 and 220 of the Resource Management Act 1991 c) <u>The extent to which the sSubdivision and development is design and layout, provision for local services and public open space</u> in general accordance with the relevant Structure Plan for the area d) Urban design e) Landscaping f) Noise attenuation and management	7A.5.2 RULES: RESTRICTED DISCRETIONARY ACTIVITIES R7A.5.2.1 Restricted Discretionary Activities 1.Any subdivision in a Greenfield Residential Area which is not a Controlled Activity, and any cross lease, company lease or unit title subdivision creating allotments requiring vehicular or foot access to a road listed in 20.6.1.6 of the Land Transport Section as a State Highway or a Limited Access Road is a Restricted Discretionary Activity with regard to: a) The size, shape and arrangement of roads, public open spaces, lots, cross lease and company lease areas, units and access b) Those matters described in Sections 108 and 220 of the Resource Management Act 1991 c) <u>The extent to which the sSubdivision and development is design and layout, provision for local services and public open space</u> in general accordance with the relevant Structure Plan for the area d) Urban design e) Landscaping f) Noise attenuation and management	Addition of new matter of discretion 7A.5.2 RULES: RESTRICTED DISCRETIONARY ACTIVITIES R7A.5.2.1 Restricted Discretionary Activities 1. Any subdivision in a Greenfield Residential Area which is not a Controlled Activity, and any cross lease, company lease or unit title subdivision creating allotments requiring vehicular or foot access to a road listed in 20.6.1.6 of the Land Transport Section as a State Highway or a Limited Access Road is a Restricted Discretionary Activity with regard to: m) Safe and efficient operation of the roading network <u>n) Available capacity in the intersections identified in Table 7A.1 and 7A.2</u> 	To ensure a traffic assessment is undertaken to determine whether there is capacity in the intersections outlined in Tables 7A.1 and 7A.2 to accommodate additional vehicle movements.

PCG provision as notified	As amended in s42A report	Reply to Evidence – Agreed Recommended Amendments between Ms Jenkin & Ms Copplestone	Reasons for recommendation
g) Enhancement and management of surface water flows and overland flow paths h) Integration of essential services i) Natural hazards j) Future development opportunities k) Visual amenity l) Effects on the capacity of Council infrastructure m) Safe and efficient operation of the roading network n) Connectivity o) Outdoor/on-site amenity p) Infrastructure and physical resources of regional or national importance q) Hydraulic Neutrality with regards to stormwater runoff r) <u>Earthworks</u> s) <u>Effects on gully network in Aokautere</u> t) <u>Cultural values</u>	g) Enhancement and management of surface water flows and overland flow paths h) Integration of essential services i) Natural hazards j) Future development opportunities k) Visual amenity l) Effects on the capacity of Council infrastructure m) Safe and efficient operation of the roading network n) Connectivity o) Outdoor/on-site amenity p) Infrastructure and physical resources of regional or national importance q) Hydraulic Neutrality with regards to stormwater runoff r) <u>Effects of Earthworks within the Aokautere Structure Plan area</u> s) <u>Effects on the gully network within the Aokautere Structure Plan area</u> t) <u>Effects on Cultural values within the Aokautere Structure Plan area</u> u) <u>Within the Aokautere Structure Plan area the extent to which the subdivision and development is in general accordance within the Aokautere Structure Plan</u>		
R7A.5.2.2 Performance Standards for Restricted Discretionary Activity (a) Comprehensive Development Plan All activities under R7A.5.2.1 must provide (as part of the resource consent application) a Comprehensive Development Plan that details how the design, layout and servicing of the Residential Area is in general accordance with the area's relevant Greenfield Structure Plan. The Comprehensive Development Plan must consider and address the following: ... <u>(ix) the availability of all operational transport infrastructure necessary for the development and how R7A.5.2.2(h) has been or will be satisfied</u> ...	R7A.5.2.2 Performance Standards for Restricted Discretionary Activity (a) Comprehensive Development Plan All activities under R7A.5.2.1 must provide (as part of the resource consent application) a Comprehensive Development Plan that details how the design, layout and servicing of the Residential Area is in general accordance with the area's relevant Greenfield Structure Plan. The Comprehensive Development Plan must consider and address the following: ... <u>(ix) Within the Aokautere Structure Plan area the availability of all operational transport network upgrades infrastructure necessary to provide for a safe and efficient transport network for the development and how R7A.5.2.2(h) has been or will be satisfied</u> ...	Delete performance standard (a)(ix) R7A.5.2.2 Performance Standards for Restricted Discretionary Activity (a) Comprehensive Development Plan All activities under R7A.5.2.1 must provide (as part of the resource consent application) a Comprehensive Development Plan that details how the design, layout and servicing of the Residential Area is in general accordance with the area's relevant Greenfield Structure Plan. The Comprehensive Development Plan must consider and address the following: ... <u>(ix) Within the Aokautere Structure Plan area the availability of all operational transport network upgrades infrastructure necessary to provide for a safe and efficient transport network for the development and how R7A.5.2.2(h) has been or will be satisfied</u> ...	Performance standard sub-clause (a)(ix) is recommended to be deleted because it duplicates performance standard R7A.5.2.2 (i).
R7A.5.2.2 Performance Standards for Restricted Discretionary Activity ... (h) Transport Network Requirements for Aokautere Structure Plan As part of any subdivision within the Aokautere Residential Area the following infrastructure	R7A.5.2.2 Performance Standards for Restricted Discretionary Activity ... (i) Transport Network Requirements for Aokautere Structure Plan	Delete performance standard (i) and replace with the revised performance standard (i) outlined in the following row R7A.5.2.2 Performance Standards for Restricted Discretionary Activity ...	See next row

PCG provision as notified	As amended in s42A report	Reply to Evidence – Agreed Recommended Amendments between Ms Jenkin & Ms Copplestone	Reasons for recommendation
<p><u>requirements must be completed and certified by Council before development, or in the case of (iii), (iv) and (v) below, completion and certification of the infrastructure requirements at the identified level of service thresholds must be provided for as part of the staging of the subdivision and development:</u></p> <p>(i) <u>Implementation of improvements at the following locations before any development:</u></p> <ul style="list-style-type: none"> • <u>Improvements to facilitate safe right turns at SH57 Old West Road/Aokautere Drive/Summerhill Drive.</u> • <u>Improvements to facilitate pedestrians and cyclists (signalisation) at SH57 Aokautere Drive/Pacific Drive.</u> • <u>Improvements to facilitate a left in/left out at Ruapehu Drive/Summerhill Drive, with the right turn continuing out of Mountain View Road, and an opportunity for u-turns to be created further to the south along Summerhill Drive.</u> • <u>An option for safely accommodating cyclists travelling between the northern end of Ruapehu Drive and the City.</u> <p>(ii) <u>Implementation of safety improvements at Turitea Road/Valley Views, as scheduled under the 10-Year Plan 2021-2031.</u></p> <p>(iii) <u>Improvements at the existing Abby Road and Johnstone Drive intersections with Pacific Drive when the Level of Service for side road traffic declines to a level of service of E at peak times, with either a change of control to roundabouts or traffic signals.</u></p> <p>(iv) <u>Two future intersections with the existing section of Pacific Drive, either constructed as roundabouts or signals once the level of service for side road traffic declines to a Level of Service of E at peak times when needed to support safe pedestrian access across Pacific Drive to the Aokautere Neighbourhood Centre.</u></p> <p>(v) <u>Safety improvements for active modes through a shared path along the southern side of SH57 Aokautere Drive to connect Johnstone Drive and Pacific Drive and to provide access to Adderstone Reserve from both directions, prior to the traffic associated with the northeast area of the Structure Plan being loaded onto the network.</u></p> <p>(vi) <u>The restrictions on development set out in (iii), (iv) and (v) must be secured through consent notices imposed on titles at the time of subdivision.</u></p>	<p><u>As part of any subdivision within the Aokautere Residential Area the following infrastructure requirements must be completed and certified by Council before development, or in the case of (iii), (iv) and (v) below, completion and certification of the infrastructure requirements at the identified level of service thresholds must be provided for as part of the staging of the subdivision and development:</u></p> <p>(i) <u>Implementation of improvements at the following locations before any development:</u></p> <ul style="list-style-type: none"> • <u>Improvements to facilitate safe right turns at SH57 Old West Road/Aokautere Drive/Summerhill Drive.</u> • <u>Improvements to facilitate pedestrians and cyclists (signalisation) at SH57 Aokautere Drive/Pacific Drive.</u> • <u>Improvements to facilitate a left in/left out at Ruapehu Drive/Summerhill Drive, with the right turn continuing out of Mountain View Road, and an opportunity for u-turns to be created further to the south along Summerhill Drive.</u> • <u>An option for safely accommodating cyclists travelling between the northern end of Ruapehu Drive and the City.</u> <p>(ii) <u>Implementation of safety improvements at Turitea Road/Valley Views, as scheduled under the 10-Year Plan 2021-2031.</u></p> <p>(iii) <u>Improvements at the existing Abby Road and Johnstone Drive intersections with Pacific Drive when the Level of Service for side road traffic declines to a level of service of E at peak times, with either a change of control to roundabouts or traffic signals.</u></p> <p>(iv) <u>Two future intersections with the existing section of Pacific Drive, either constructed as roundabouts or signals once the level of service for side road traffic declines to a Level of Service of E at peak times when needed to support safe pedestrian access across Pacific Drive to the Aokautere Neighbourhood Centre.</u></p> <p>(v) <u>Safety improvements for active modes through a shared path along the southern side of SH57 Aokautere Drive to connect Johnstone Drive and Pacific Drive and to provide access to Adderstone Reserve from both directions, prior to the traffic associated with the northeast area of the Structure Plan being loaded onto the network.</u></p> <p>(vi) <u>The restrictions on development set out in (iii), (iv) and (v) must be secured through consent notices imposed on titles at the time of subdivision.</u></p>	<p><u>(i) Transport Network Requirements for Aokautere Structure Plan</u></p> <p><u>(ii) (a). All of the following transport network upgrades listed in Table 7A.1 must be completed, and certified by the relevant road controlling authority and be operational before construction of dwellings commences any dwellings within the Aokautere Greenfield Residential Area, are occupied:</u></p> <ul style="list-style-type: none"> • <u>Upgrade of the intersection of Summerhill Drive/Ruapehu Drive/Mountain View Road to traffic signals;</u> • <u>Upgrade of the intersection of SH57 Old West Road/Aokautere Drive/Summerhill Drive to traffic signals or a roundabout;</u> • <u>Upgrade of the intersection of SH57 Aokautere Drive/Pacific Drive to traffic signals or a roundabout;</u> • <u>Upgrade of the intersection of SH57 Aokautere Drive/Ruapehu Drive to traffic signals or a roundabout.</u> <p><u>(iii) (b). Unless the If the required upgrades in Table 7A.1 have not been completed and made operational in accordance with a), a transport assessment must be prepared by a suitably qualified person experienced in traffic engineering and transport planning that:</u></p> <ol style="list-style-type: none"> 1. <u>Assesses the current level of service for the intersections identified in Table 7A.1 and</u> 2. <u>pPredicts whether the capacity traffic threshold at the applicable intersections/road corridor identified in Column 1 of Table 7A.1 will be exceeded as a result of arising from traffic generated by the proposed development; and will be exceeded;</u> 3. <u>Assesses the effect of this additional traffic on SH57 and/or the local road network as appropriate.</u> 4. <u>if the prediction in 1 identifies that the traffic threshold will be exceeded, the transport assessment must provide details of how the upgrades in column 3 of Table 7A.1 will be delivered, and certified by the relevant road controlling authority, before the development triggering the upgrade occurs</u> 5. <u>The transport assessment must describe any consultation undertaken with the NZ Transport Agency as road controlling authority for State Highway 57 and PNCC as the road controlling authority for the local road network, regarding the proposal and the outcomes of this consultation.</u> <p><u>(iii)(c) Any subdivision where the transport network upgrades have not been completed and made operational and the transport assessment predicts that the capacity thresholds in Table 7A.1 will be exceeded is a that does not comply with (ii) or (ii) is a non-complying activity.</u></p> <p>TABLE 7A.1– SEE BELOW THIS TABLE</p>	

PCG provision as notified	As amended in s42A report	Reply to Evidence – Agreed Recommended Amendments between Ms Jenkin & Ms Copplestone	Reasons for recommendation
<p>(vii) <u>Any subdivision that does not comply with this performance standard will be a non-complying activity.</u></p>	<p>Any subdivision that does not comply with this performance standard will be a non-complying activity.</p> <p>(i) <u>All of the following transport network upgrades must be completed, and certified by the relevant road controlling authority, before any dwellings within the Aokautere Greenfield Residential Area are occupied:</u></p> <ul style="list-style-type: none"> • <u>Upgrade of the intersection of Summerhill Drive/Ruapehu Drive/Mountain View Road to traffic signals;</u> • <u>Upgrade of the intersection of SH57 Old West Road/Aokautere Drive/Summerhill Drive to traffic signals or a roundabout;</u> • <u>Upgrade of the intersection of SH57 Aokautere Drive/Pacific Drive to traffic signals or a roundabout;</u> • <u>Upgrade of the intersection of SH57 Aokautere Drive/Ruapehu Drive to traffic signals or a roundabout.</u> <p><u>(ii) Unless the required upgrades in Table 7A.1 have been completed, a transport assessment must be prepared by a suitably qualified person experienced in traffic engineering and transport planning that:</u></p> <ol style="list-style-type: none"> <u>1. predicts whether the traffic threshold at the applicable intersections/road corridor identified in Column 1 of Table 7A.1, arising from traffic generated by the proposed development will be exceeded; and</u> <u>2. if the prediction in 1 identifies that the traffic threshold will be exceeded, the transport assessment must provide details of how the upgrades in column 3 of Table 7A.1 will be delivered, and certified by the relevant road controlling authority, before the development triggering the upgrade occurs.</u> <p>TABLE – SEE BELOW THIS TABLE</p>		
		<p>Replacement of performance standard (i)</p> <p>R7A.5.2.2 Performance Standards for Restricted Discretionary Activity</p> <p>...</p> <p>(i) <u>The transport network upgrades listed in Table 7A.1:</u></p> <ol style="list-style-type: none"> (a) <u>are operational before development commences within the Aokautere Structure Plan Area, or</u> (b) <u>are not operational, but a transport assessment has been prepared by a suitably qualified person experienced in traffic engineering and transport planning that:</u> <ol style="list-style-type: none"> (i) <u>Assesses the current level of service for the intersections identified in Table 7A.1; and</u> (ii) <u>Predicts whether the traffic generated by the proposed development will exceed the capacity thresholds at one or more of the intersections identified in Column 1 of Table 7A.1 and determines that none of the capacity thresholds in Column 2 of Table 7A.1 are exceeded.</u> 	<p>Revised performance standard to reflect the capacity thresholds and required mitigation works that relate to the state highway network as agreed by the exerts in the JWS – Transport - Issue 5.2.</p> <p>If any or all of the capacity thresholds are exceeded, a non-complying activity status applies and there will be a requirement to meet the s104D gateway tests.</p> <p>The explanatory note reflects advice from Ms Fraser and Mr Connolly that non-compliance with the capacity thresholds in Table 7A.1 should trigger a high activity threshold given the potential effects associated with the additional vehicle movements from the development of PCG area on the intersection capacity (delays and</p>

PCG provision as notified	As amended in s42A report	Reply to Evidence – Agreed Recommended Amendments between Ms Jenkin & Ms Copplestone	Reasons for recommendation
		<p>(iii) <u>Describes any consultation undertaken with the relevant road controlling authority regarding the proposal and the outcomes of this consultation.</u></p> <p><u>Explanatory note</u> <u>Where the transport assessment predicts that any or all of the capacity thresholds in Table 7A.1 will be exceeded, the activity will be a non-complying activity under Rule R7A.5.5.1</u></p> <p>SEE TABLE 7A.1 BELOW</p>	queuing), and safety for all road users along the SH57 corridor.
<p>R7A.5.2.3 Assessment Criteria for Restricted Discretionary Activity:</p> <p>...</p> <p>(d) Subdivision design and layout within the Aokautere Residential Area</p> <p>(v) How significant adverse effects on the transport network have been avoided.</p> <p>(vi) Whether the subdivision complies with the transport network requirements for the Aokautere Structure Plan set out in R7A 5.2.2(h).</p> <p>...</p>	<p>R7A.5.2.3 Assessment Criteria for Restricted Discretionary Activity:</p> <p>...</p> <p>(d) Subdivision design and layout within the Aokautere Residential Area ...</p> <p>(v) How significant adverse effects on the transport network have been avoided.</p> <p>vi) Whether How the subdivision complies with the transport network requirements for the Aokautere Structure Plan set out in R7A 5.2.2(h) and how any development or use of lots will be restricted until the necessary transport network upgrades have been completed, including through the use of consent notices</p> <p>...</p>	<p>Amendment and addition of new assessment criteria</p> <p>R7A.5.2.3 Assessment Criteria for Restricted Discretionary Activity:</p> <p>...</p> <p>(d) Subdivision design and layout within the Aokautere Residential Area ...</p> <p><u>v.The extent to which significant adverse effects on the transport network have been avoided</u></p> <p><u>vi. Whether How the subdivision The extent of compliancees with the transport network requirements for the Aokautere Structure Plan set out in R7A 5.2.2(h) and how any development or use of lots will be restricted until the necessary transport network upgrades have been completed, including through the use of consent notices</u></p> <p><u>vii. Whether the traffic generated by the proposed development will exceed the capacity thresholds in Column 2 of Table 7A.2 at the intersections identified in Column 1 of Table 7A.2</u></p>	<p>To reflect the agreed position of the experts in the JWS – Transport in Issues 3, 4 and 5.</p> <p>To require assessment as to whether the capacity thresholds for the internal local road intersections specified in Table 7A.2 will be exceeded.</p>
<p>7A.5.4 RULES: NOTIFICATION</p> <p>R7A.5.4.1 Notification</p> <p>(i) Public notification is precluded for applications under R7A.5.2.1.</p> <p>(ii) Subject to the exception in (iii), limited notification is precluded for applications under R7A.5.2.1.</p> <p>(iii) Waka Kotahi New Zealand Transport Agency must be given limited notification of an application under R7A.5.2.1.</p>		<p>Amendment to notification rule</p> <p>7A.5.4 RULES: NOTIFICATION</p> <p>R7A.5.4.1 Notification</p> <p>(i) Public notification is precluded for applications under R7A.5.2.1.</p> <p>(ii) Subject to the exception in (iii), limited notification is precluded for applications under R7A.5.2.1.</p> <p>(iii) Waka Kotahi New Zealand Transport Agency must be given limited notification of an application under R7A.5.2.1 unless <u>written approval has already been provided.</u></p>	Provides for circumstances where approval from Waka Kotahi may already have been obtained.
<p>7A.5.5 RULES: NON-COMPLYING ACTIVITIES</p> <p>R7A.5.5.1 Non-complying activities in Aokautere Residential Area</p> <p>The following activities are Non-Complying Activities in the Aokautere Residential Area:</p> <p>(i) <u>Any subdivision that does not comply with one or more of the relevant standards and</u></p>	<p>7A.5.5 RULES: NON-COMPLYING ACTIVITIES</p> <p>R7A.5.5.1 Non-complying activities in Aokautere Greenfield Residential Area</p> <p>The following activities are Non-Complying Activities in the Aokautere Greenfield Residential Area:</p> <p>(i) <u>Any subdivision that does not comply with one or more of the relevant standards and</u></p>	<p>New non-complying rule</p> <p>7A.5.5 RULES: NON-COMPLYING ACTIVITIES</p> <p>R7A.5.5.1 Non-complying activities in Aokautere Greenfield Residential Area</p>	The non-complying activity rule reflects advice from Ms Fraser and Mr Connolly that non-compliance with the capacity thresholds in Table 7A.1 should trigger a high activity threshold, given the potential effects associated with the additional vehicle movements from the development of the PCG area on the

PCG provision as notified	As amended in s42A report	Reply to Evidence – Agreed Recommended Amendments between Ms Jenkin & Ms Copplestone	Reasons for recommendation
... <u>terms in R7A.5.2.2(a), (b)(v), (d), (g), and (h).</u>	<u>terms in R7A.5.2.2(a), (b)(v), (d), (g), and (h).</u>	<u>The following activities are Non-Complying Activities in the Aokautere Greenfield Residential Area:</u> (i) <u>Any subdivision that does not comply with one or more of the relevant standards and terms in R7A.5.2.2(a), (b)(v), (d), (g), and (h).</u> (ii) <u>Any subdivision where the transport assessment required by R7A.5.2.2 (i)(b)(ii) predicts that one or more of the capacity thresholds in Table 7A.1 will be exceeded.</u>	intersection capacity (delays and queuing), and safety for all road users along the SH57 corridor.
7A.5.6 RULES: NOTIFICATION R7A.5.46.1 Notification (i) (iv) Public notification is precluded for applications under R7A.5.2.1. (ii) (v) Subject to the exception in (iii), limited notification is precluded for applications under R7A.5.2.1. (iii) (vi) Waka Kotahi New Zealand Transport Agency must be given limited notification of an application under R7A.5.2.1.		Amend notification rule 7A.5.6 RULES: NOTIFICATION R7A.5.46.1 Notification (i) (iv) Public notification is precluded for applications under R7A.5.2.1 R7A.5.5.1. (ii) (v) Subject to the exception in (iii), limited notification is precluded for applications under R7A.5.2.1 R7A.5.5.1. (iii) (vi) Waka Kotahi New Zealand Transport Agency must be given limited notification of an application under R7A.5.2.1 R7A.5.5.1 <u>unless written approval has already been provided.</u>	R7A.6.1 (i) and (ii) should be deleted because Council should have the ability to publicly notify or limited notify non-complying applications, beyond Waka Kotahi. In error, this rule was included in the notified provisions but without the intended amendments.
Chapter 10 – Residential zone			
New policy 15.11 Ensure residential development does not occur in advance of the availability of operational transport infrastructure necessary to service the development.	15.11 Ensure that new dwellings are not occupied before residential development does not occur in advance of the availability of operational transport infrastructure necessary to service the development the transport network upgrades, including those outside of the Aokautere Structure Plan area as set out in Table 7A.1, that are necessary to provide for a safe and efficient transport network for the development, have been completed and are operational.	Delete new policy 15.11 15.11 Ensure that new dwellings are not occupied before residential development does not occur in advance of the availability of operational transport infrastructure necessary to service the development the transport network upgrades, including those outside of the Aokautere Structure Plan area as set out in Table 7A.1, that are necessary to provide for a safe and efficient transport network for the development, have been completed and are operational.	Consequential amendment to delete the policy as it is no longer required, as the rule R10.6.5.6 is recommended to be deleted.
R10.6.2.2 Buildings and Structures within a Greenfield Residential Area that do not comply with the Performance Standards for Permitted or Controlled Activities R10.6.3.2 Buildings or Structures within a Greenfield Residential Area that do not comply with Performance Standards for Permitted or Controlled Activities. Any building or structure which does not comply with the Performance Standards for Permitted or Controlled Activities in relation to: i. Height including Maximum Height and Height Recession Planes ii. Separation Distances iii. Site Area and Coverage iv. Overlooking v. On-site Amenity vi. Fencing vii. Parking and Access viii. Acoustic Insulation and Setbacks ix. Flood Hazards	R10.6.2.2 Buildings and Structures within a Greenfield Residential Area that do not comply with the Performance Standards for Permitted or Controlled Activities R10.6.3.2 Buildings or Structures within a Greenfield Residential Area that do not comply with Performance Standards for Permitted or Controlled Activities. Any building or structure which does not comply with the Performance Standards for Permitted or Controlled Activities in relation to: i. Height including Maximum Height and Height Recession Planes ii. Separation Distances iii. Site Area and Coverage iv. Overlooking v. On-site Amenity vi. Fencing vii. Access and Parking and Access viii. Acoustic Insulation and Setbacks ix. Flood Hazards	Amend the matter of discretion R10.6.2.2 Buildings and Structures within a Greenfield Residential Area that do not comply with the Performance Standards for Permitted or Controlled Activities R10.6.3.2 Buildings or Structures within a Greenfield Residential Area that do not comply with Performance Standards for Permitted or Controlled Activities. Any building or structure which does not comply with the Performance Standards for Permitted or Controlled Activities in relation to: i. Height including Maximum Height and Height Recession Planes ii. Separation Distances iii. Site Area and Coverage iv. Overlooking v. On-site Amenity vi. Fencing vii. Access and Parking and Access viii. Acoustic Insulation and Setbacks ix. Flood Hazards	Consequential amendment to remove 'timing of roading infrastructure', 'connectivity of the street network' as these matters of discretion are beyond the scope of the performance standards contained within the permitted and controlled activity rules.

PCG provision as notified	As amended in s42A report	Reply to Evidence – Agreed Recommended Amendments between Ms Jenkin & Ms Copplestone	Reasons for recommendation
<p>x. Developable Land within Aokautere Residential Area (Map 10.1A)</p> <p>Are Restricted Discretionary Activities with regard to:</p> <p>...</p> <p>•The safe and efficient operation of the roading network including timing of roading infrastructure, connectivity of the street network and effects on vehicular, pedestrian and cycle movement and safety</p>	<p>x. Developable Land Natural Hazards within Aokautere Greenfield Residential Area (Map 10.1A)</p> <p>Are Restricted Discretionary Activities with regard to:</p> <p>...</p> <p>•The safe and efficient operation of the roading network including timing of roading infrastructure, connectivity of the street network and effects on vehicular, pedestrian and cycle movement and safety</p>	<p>x. Developable Land Natural Hazards within Aokautere Greenfield Residential Area (Map 10.1A)</p> <p>Are Restricted Discretionary Activities with regard to:</p> <p>...</p> <p>•The safe and efficient operation of the roading network including timing of roading infrastructure, connectivity of the street network and effects on vehicular, pedestrian and cycle movement and safety</p>	
<p>R10.6.5.6 Transport Infrastructure (Aokautere Residential Area)</p> <p>Notwithstanding the activity status set out in R10.6.1.5 and 10.6.3.2, all development that occurs before the completion and certification of the works identified in R7A.5.2.2(i), within the stipulated timeframes, shall be a Non-Complying Activity.</p>	<p>R10.6.5.6 Transport Infrastructure (Aokautere Residential Area)</p> <p>Notwithstanding the activity status set out in R10.6.1.5 and 10.6.3.2, all development that occurs before the completion and certification of the works identified in R7A.5.2.2(i), within the stipulated timeframes, shall be a Non-Complying Activity.</p>	<p>Delete Rule 10.6.5.6</p> <p><u>R10.6.5.6 Transport Infrastructure (Aokautere Residential Area)</u></p> <p><u>Notwithstanding the activity status set out in R10.6.1.5 and 10.6.3.2, all development that occurs before the completion, and certification and operation of the works identified in R7A.5.2.2(i), within the stipulated timeframes, shall be a Non-Complying Activity unless the transport assessment required by R7A.5.2.2(i)(b)(2) predicts that the capacity threshold(s) in Table 7A.1 will not be exceeded.</u></p>	<p>The rule can be deleted as the effects that the rule was seeking to manage will be managed through the subdivision consenting process.</p>
		<p>Amend assessment criteria</p> <p>10.7.4. RULES: DISCRETIONARY ACTIVITIES</p> <p>R10.7.4.6 Retirement Villages and Residential Centres</p> <p>Assessment criteria:</p> <p>The extent to which additional traffic generated impacts on the safe and efficient operation of the roading network and internal circulation and manoeuvring areas, taking into account the location of the activity.</p> <p>(k) In respect of R10.7.4.6, and where they are proposed in the Aokautere Greenfield Residential Area, how any activity:</p> <ul style="list-style-type: none"> • <u>Demonstrates that is supported by</u> the transport network upgrades <u>hat are</u> necessary to provide a safe and efficient transport network to service the activity, including the <u>relevant</u> upgrades in Tables <u>7A.1 and 7A.2, will be operational before the development occurs, unless a transport assessment prepared in accordance with R7A.5.2.2 (i)(b) demonstrates the capacity thresholds will not be exceeded.</u> 	<p>The assessment criteria should require a transport assessment to be undertaken in accordance with R7A.5.2.2(i)(b) to demonstrate there is capacity in the intersections to accommodate the additional vehicle movements generated by the proposed development, given the potentially significant scale of vehicle movements that may be generated by a retirement village.</p>

Key to amendments

Recommended amendments from Reply to Evidence agreed between Ms Copplestone and Ms Jenkin – new text – ~~deleted text~~

Agreed as per JWS - Planning – new text – ~~deleted text~~

Table 7A.1: Transport Network upgrades for the Aokautere Structure Plan Area - <u>Summerhill Drive/Ruapehu Drive and State Highway 57</u>			
Intersection/road corridor	Traffic Capacity threshold	Required upgrade once the capacity traffic threshold has been exceeded	Explanation for changes
Aokautere Drive			
<u>Intersection of Summerhill Drive/Ruapehu Drive/Mountain View Road</u>	The threshold for intersection upgrades in terms of capacity is whichever is first of: (a) <u>A forecast level of service D or worse for the overall intersection, or</u> (b) <u>A forecast level of service F for an individual turning movement.</u>	Traffic signals, or an appropriate alternative treatment as agreed to by Waka Kotahi NZ Transport Agency	Revised threshold advised by Ms Fraser. As per JWS –Planning, item 2.4 all planning experts agreed “or an appropriate treatment as agreed to by Waka Kotahi NZ Transport Agency” to be deleted as this intersection isn’t on SH57
<u>Intersection of SH57 Old West Road/Aokautere Drive/Summerhill Drive</u>	The threshold for intersection upgrades in terms of capacity is whichever is first of: (c) <u>A forecast level of service D or worse for the overall intersection, or</u> (d) <u>A forecast level of service F for an individual turning movement.</u>	Signals or roundabout with safe provision for active modes, or an appropriate alternative treatment as agreed to by Waka Kotahi NZ Transport Agency.	All experts agreed to revised threshold. All planning experts agreed to inclusion of “or an appropriate treatment as agreed to by Waka Kotahi NZ Transport Agency” Ms Jenkin and Ms Copplestone agreed to minor amendments to delete “in terms of capacity” and to insert “turning”.
<u>Intersection of SH57 Aokautere Drive/Pacific Drive</u>	The threshold for intersection upgrades in terms of capacity is whichever is first of: (a) <u>A forecast level of service D or worse for the overall intersection, or</u> (b) <u>A forecast level of service F for an individual turning movement.</u>	Signals or roundabout with safe provision for active modes, or an appropriate alternative treatment as agreed to by Waka Kotahi NZ Transport Agency.	All experts agreed to revised threshold. All agreed to inclusion of “or an appropriate treatment as agreed to by Waka Kotahi NZ Transport Agency” Ms Jenkin and Ms Copplestone agreed to minor amendments to delete “in terms of capacity” and to insert “turning”.
<u>Intersection of SH57 Aokautere Drive/Ruapehu Drive</u>	The threshold for intersection upgrades in terms of capacity is whichever is first of: (a) <u>A forecast level of service D or worse for the overall intersection, or</u> (b) <u>A forecast level of service F for an individual turning movement.</u>	Signals or roundabout with safe provision for active modes, or an appropriate alternative treatment as agreed to by Waka Kotahi NZ Transport Agency.	All experts agreed to revised threshold. All agreed to inclusion of “or an appropriate treatment as agreed to by Waka Kotahi NZ Transport Agency” Ms Jenkin and Ms Copplestone agreed to minor amendments to delete “in terms of capacity” and to insert “turning”.
<u>SH57 Aokautere Drive from the intersection with Johnstone Drive to the intersection with Pacific Drive</u>	Weekday evening peak hour two-way traffic flows on SH57 Aokautere Drive reach a total count of 1,000vph or greater, when measured at a location on SH57 between Johnstone Drive and Cashmere Drive. (See Note 1) The threshold for intersection upgrades in terms of capacity is whichever is first of: (a) <u>A forecast level of service D or worse for the overall intersection, or</u>	Safety improvements for active modes through provision of an active mode shared path between Johnstone Drive and Pacific Drive which provides access to Adderstone Reserve from both directions, or an appropriate alternative treatment as agreed to by Waka Kotahi NZ Transport Agency	Following expert conferencing, the traffic experts agreed this upgrade would be achieved by the works identified in item 3.4 of the JWS- Traffic and that this wording could be deleted. See PCG Further Transport Assessment attached to the Reply to Evidence of Ms Fraser.

Table 7A.1: Transport Network upgrades for the Aokautere Structure Plan Area - Summerhill Drive/Ruapehu Drive and State Highway 57			
	(b) A forecast level of service F for an individual movement.		
<u>Intersection of SH57 Aokautere Drive/Johnstone Drive</u>	<p>Weekday evening peak hour two-way traffic flows on SH57 Aokautere Drive reach a total count of 1,000vph or greater, when measured at a location on SH57 between Johnstone Drive and Cashmere Drive. (See Note 1)</p> <p>The threshold for intersection upgrades in terms of capacity is whichever is first of:</p> <p>(a) A forecast level of service D or worse for the overall intersection, or</p> <p>(b) A forecast level of service F for an individual turning movement.</p>	<u>Signals or roundabout with safe provision for active modes, or an appropriate alternative treatment as agreed to by Waka Kotahi NZ Transport Agency</u>	<p>All experts agreed to revised threshold.</p> <p>All agreed to inclusion of “or an appropriate treatment as agreed to by Waka Kotahi NZ Transport Agency”</p> <p>Ms Jenkin and Ms Copplestone agreed to minor amendments to delete “in terms of capacity” and to insert “turning”.</p>
<u>SH57 Aokautere Drive between the Adderstone Reserve entry and Silkwood Drive</u>	<p>Weekday evening peak hour two-way traffic flows on SH57 Aokautere Drive reach a total count of 1,000vph or greater, when measured at a location on SH57 between Johnstone Drive and Cashmere Drive. (See Note 1)</p> <p>The threshold for intersection upgrades in terms of capacity is whichever is first of:</p> <p>(a) A forecast level of service D or worse for the overall intersection, or</p> <p>(b) A forecast level of service F for an individual movement.</p> <p>The threshold for the state highway in this location is a forecast level of service D or worse.</p>	<u>Active mode crossing facility, including a pedestrian/ cyclist refuge, of SH57 between the Adderstone Reserve entry and Silkwood Drive, or an appropriate alternative treatment as agreed to by Waka Kotahi NZ Transport Agency</u>	<p>Following expert conferencing, the traffic experts agreed this upgrade would be achieved by the works identified in item 3.4 of the JWS- Traffic and that this wording could be deleted.</p> <p>See PCG Further Transport Assessment attached to the Reply to Evidence of Ms Fraser.</p>
	<p>Note 1: For the purposes of ascertaining the traffic threshold for each of the above, the traffic count should be undertaken on a weekday that does not fall within school holidays. For the avoidance of doubt, the ‘total count’ is the two-way traffic flows.</p> <p>The forecast level of service should be assessed for the weekday peak hour traffic periods.</p>		<p>Following expert conferencing, the traffic experts agreed this advice note should be replaced by the following wording.</p> <p>See PCG Further Transport Assessment attached to the Reply to Evidence of Ms Fraser.</p>

Table 7A.2: Transport Network upgrades for the Aokautere Structure Plan Area – Local roads			
Intersection/road corridor	Capacity threshold	Required upgrade once the capacity threshold has been exceeded	Explanation for changes
Pacific Drive			
Intersection of Pacific Drive/Abby Road	<p>Average traffic delays of more than 35 seconds per vehicle for vehicles turning either left or right from Abby Road during weekday peak times.</p> <p><u>The threshold for intersection upgrades is whichever is first of:</u></p> <ul style="list-style-type: none"> (a) <u>A forecast level of service D or worse for the overall intersection, or</u> (b) <u>A forecast level of service E for an individual turning movement.</u> 	Signals or roundabout with safe provision for active modes	Ms Fraser has recommended changes to this threshold in her Reply to Evidence.
Intersection of Pacific Drive/Johnstone Drive	<p>Average traffic delays of more than 35 seconds per vehicle for vehicles turning either left or right from Johnstone Drive during weekday peak times.</p> <p><u>The threshold for intersection upgrades is whichever is first of:</u></p> <ul style="list-style-type: none"> (a) <u>A forecast level of service D or worse for the overall intersection, or</u> (b) <u>A forecast level of service E for an individual turning movement.</u> 	Signals or roundabout with safe provision for active modes	Ms Fraser has recommended changes to this threshold in her Reply to Evidence.
Intersection of Pacific Drive /Activity Street A (Map 7A.4D)	<p>Average traffic delays of more than 35 seconds per vehicle for vehicles turning either left or right from Activity Street A during weekday peak times</p> <p><u>The threshold for intersection upgrades is whichever is first of:</u></p> <ul style="list-style-type: none"> (a) <u>A forecast level of service D or worse for the overall intersection, or</u> (b) <u>A forecast level of service E for an individual turning movement.</u> 	Signals or roundabout with safe provision for active modes	Ms Fraser has recommended changes to this threshold in her Reply to Evidence.
Intersection of Pacific Drive /Urban Connector F (Map 7A.4D)	<p>Average traffic delays of more than 35 seconds per vehicle on vehicles turning either left or right from Urban Connector F during peak times</p> <p><u>The threshold for intersection upgrades is whichever is first of:</u></p> <ul style="list-style-type: none"> (a) <u>A forecast level of service D or worse for the overall intersection, or</u> (b) <u>A forecast level of service E for an individual turning movement.</u> 	Signals or roundabout with safe provision for active modes	Ms Fraser has recommended changes to this threshold in her Reply to Evidence.

Key

Recommended amendments in response to evidence reflecting recommendations of Ms Baughham – new text – ~~deleted text~~

SECTION 7A:

GREENFIELD RESIDENTIAL AREAS

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7A. GREENFIELD RESIDENTIAL AREAS

7A.1 Introduction

Subdivision is a process to enable the separate ownership of land and the registration of interests in land. Subdivision of land is defined by the Resource Management Act 1991.

This section enables greenfield development within:

- The Whakarongo Residential Area (Map 7A1)
- The Kikiwhenua Residential Area (Map 7A.2)
- **The Aokautere Greenfield Residential Area (Map 7A.43 7A.4A, 7A.4B, 7A.4C, 7A.4D)**¹

These areas were identified for residential growth in the Palmerston North City Development Strategy 2017.

The provisions within this section require well designed, attractive and functional communities within the Greenfield Residential Areas. The Structure Plans for each Greenfield Residential Area will direct subdivision and provides for neighbourhood centres and public open spaces. A mix of activities and densities are provided for which will assist with achieving a variety of living choices and diverse communities.

7A.2 Resource Management Issues

The following resource management issues were identified with regard to subdivision within the Greenfield Residential Areas and apply in addition to the overarching issues identified in Section 7.2:

1. The need for subdivision to create a pleasant, attractive and safe residential neighbourhood.
2. The need to ensure that appropriate mitigation measures are put in place to support residential development in areas affected by natural hazards.
3. The risk of uncoordinated residential development.
4. The need for connectivity between staged development and adjacent urban neighbourhoods.
5. The need to cater for an aging population and changing housing demand through a variety of housing forms and densities.
6. The importance for well-located and accessible local services and community facilities within the neighbourhood centre.
7. The need for high-quality and coordinated streetscapes and public open space.
8. The effects of residential development on sites of significance to Rangitāne o Manawātū.
9. The effects of residential development on stormwater quantity and quality.

¹ \$50.025

10. The effects of residential development on the natural environment including gully networks and landform, landscapes, and biodiversity and ecological values.

7A.3 Objectives and Policies

Introduction

This section contains specific objectives and policies for the Greenfield Residential Areas that apply, in addition to the overarching objectives and policies in Section 7.3. These provisions recognise the importance of well-planned and coordinated greenfield residential growth in the City.

OBJECTIVE 1

Subdivision and development in the Greenfield Residential Areas occurs in a coordinated and integrated manner.

POLICIES

- 1.1 To ensure that subdivision and development proceeds in a manner that provides for a logical, planned and integrated extension of the urban boundary within the Greenfield Residential Areas that have been specifically identified as suitable for that purpose and that achieves high quality urban design outcomes.
- 1.2 To ensure that subdivision and development is undertaken in general accordance with the area's relevant Structure Plan including setting aside at the earliest stage of subdivision those areas identified in the Structure Plan as public open space or conservation and amenity areas².
- 1.3 To require a Comprehensive Development Plan at each stage of development to ensure that the subdivision design, layout and servicing is in general accordance with the Structure Plan has regard to the environmental constraints of the site³ and does not restrict future development opportunities.
- 1.4 Within the Aokautere Structure Plan area To⁴ ensure adequate provision of Essential Sservices to a level and within a timeframe that will enable development that is appropriate to its location and intended use. including water, wastewater and stormwater supply, telecommunications services and electricity services.⁵
- 1.5 (1.4) To ensure that all new lots have safe and adequate vehicle access from the roading network.
- 1.6 (1.5) To require a safe interconnected transport network that provides a variety of routes for walking, cycling, passenger transport and motor vehicles.
- 1.7 (1.6) To control the use of cul-de-sacs within the local roading network.
- 1.8 (1.7) To provide for the installation of pressure sewer systems in Pressure Sewer Areas.

Explanation

Subdivision and development within each Greenfield Residential Area is guided by a Structure Plan, which identifies where infrastructure, services, public open space and neighbourhood facilities should be located.

² S51.019, S51.007, S51.134

³ S51.020, S51.007, S51.134

⁴ S51.021, S51.007, S51.134

⁵ S50.025

OBJECTIVE 2

Subdivision and development in the Greenfield Residential Areas create a high-quality and diverse living environment.

POLICIES

- 2.1 To ensure subdivision and development meets the reasonable needs of future users whilst achieving the following design principles:
- Street design contributes to attractive and safe neighbourhoods
 - Housing diversity and variety is achieved
 - Visual dominance is avoided
 - Allotments are shaped and designed to enable dwellings with good solar access and sufficient outdoor amenity and sunny private outdoor space
 - Convenient and safe access for residents is provided to nearby public open spaces, neighbourhood centre and public transportation routes
 - Intended building scale and form contributes to a distinctive sense of place that complements other subdivisions or developments
 - Takes advantage of connections and significant views to the wider landscape
 - The natural characteristics and contours of the site are worked with
 - Safe walking and cycling is facilitated
 - A high degree of connectivity within the local roading network is provided, and
 - Crime Prevention Through Environmental Design (CPTED) ensures all streets and public spaces are overlooked or visible from adjacent activities.
- 2.2 To enhance and restore the natural features of the site, through sensitive integration of stormwater design.
- 2.3 To enhance the amenities of the natural and built environment following earthworks by requiring that road berms, new allotments, and public open spaces are formed, landscaped and planted to a level commensurate with the intended use and consistent with delivering a coordinated and coherent streetscape.
- 2.4 To ensure public open spaces meet the needs of the community by ensuring that these areas:
- are of a high quality
 - have sufficient road frontage so that users are visible to the general public for safety reasons
 - are located so that they are easily accessible to the general public, and
 - have a terrain and are of a type and size that is useable for a number of active and passive recreation activities.
- 2.5 To ensure neighbourhood centres meet the needs of the community by ensuring ~~if they:~~
- ~~has~~is sufficient road frontage so that users are visible to the public
 - ~~is~~are located to ensure ready access by all users, ~~and~~
 - ~~is~~are designed to create a high-quality environment and community focal point, ~~and~~

- **are of a type and scale compatible with any relevant Structure Plan.**

- 2.6 To control the development of land near roads and the railway line to ensure noise from transport infrastructure does not cause adverse effects on the amenity of noise sensitive activities, and that subdivision design prevents adverse impacts on the efficient use of roads and railway lines.
- 2.7 To ensure that subdivision in the Kikiwhenua Residential Area:
- Responds positively to and minimizes adverse effects on identified waahi tapu sites
 - Facilitates pedestrian and cycle connections to the Longburn Shared Pathway and Manawatu Bridle Track
 - Ensures any significant areas, such as Kikiwhenua, urupa, and current Rangitāne owned land are protected and safe public access to those areas are facilitated
 - Creates a high amenity interface between the Kikiwhenua Residential Area, Pioneer Highway, Mangaone Stream, and Te Wanaka Road
 - Public open space design is site specific, responding to vegetation and cultural significance.

OBJECTIVE 3

Subdivision and development in the Greenfield Residential Areas occurs in a manner that recognises the risk and effects of natural hazards.

POLICIES

- 3.1 To control the subdivision of land that is affected by natural hazards and to ensure that any necessary mitigation measures are in place prior to development.
- 3.2 To improve land utilization to safeguard people, property and the environment from the adverse effects of unstable land by ensuring that:
- Disturbance to the natural land form, existing vegetation and habitats, natural drainage and significant natural features is minimised.
 - Each lot is designed in a manner that ensures:
 - technically appropriate building platforms exist
 - foundations are designed and implemented to mitigate risk associated with subsurface conditions
 - sites are identified where roading and access is suitable for its intended use/activities.
 - Earthworks are to be designed and constructed to:
 - provide safe and adequate building platforms and foundation for roads and services
 - provide for the adequate control of stormwater
 - prevent erosion and instability
 - remain safe and stable for the duration of the intended land use
 - not necessarily rely on artificial or human-built structures for stability; and where such structures are employed these shall remain safe and stable for the duration of the intended land use

- (vi) avoid contamination of groundwater and surface water, ~~and~~
- (vii) avoid or mitigate the diversion of ground water flows.

- Earthworks and the re-contouring of land are to be the subject of specific design by a chartered professional engineer experienced in soil mechanics or geotechnical matters and shall take into account the predicted improvements to soil slope and stability which will be achieved and the impact on existing vegetation and landscape values.

3.3 **Earthworks and development⁶ in the Aokautere Greenfield Residential Area avoid adverse effects on the gully network.**

3.4 To restrict development or require additional geotechnical investigations prior to the future use of land where appropriate.

3.5 **To ensure that require subdivision in the areas identified within the Aokautere Greenfield Residential Area to be is carried out in a manner which ensures that:**

- **an assessment has been completed by an accredited Chartered Professional Engineer experienced in soil mechanics or geotechnical matters is completed before subdivision to confirming the land is suitable for development and there are technically appropriate building platforms;**
- **any measures required to implement recommendations from any technical reports to achieve land stability (including setbacks from areas of geotechnical risk), manage liquefaction or lateral spread and/or manage other natural hazards are imposed through registration of consent notices on the title and implemented prior to issuing s224 certificates in advance of development⁷; and**
- **there will be no new or exacerbated natural hazards due to the proposed subdivision or development.⁸**

OBJECTIVE 4

Stormwater management in the Greenfield Residential Areas is carried out in an integrated manner which does not result in adverse effects on the environment.

POLICIES

- 4.1 To have stormwater management measures in place in advance of residential development.
- 4.2 To demonstrate an integrated approach to the provision of stormwater management that recognises the capacity of existing systems and natural drainage patterns.
- 4.3 To **encourage require** the use of Water Sensitive Design wherever appropriate.
- 4.4 To ensure stormwater management contributes to the recreational and visual amenity of the development **and the surrounding area.**
- 4.5 To ensure the design of stormwater infrastructure and management of stormwater runoff from the Kikiwhenua Residential Area avoids or substantially mitigates adverse effects on people, property (including the development potential of surrounding land for future urban growth), infrastructure and the natural environment, and utilises where reasonably practicable the Mangaone Stream Catchment for discharge of runoff.

⁶ S77.001, S39.007, S49.004

⁷ S51.013, S51.014, S51.015, S51.017

⁸ S94.001, S83.005

- 4.6** To efficiently manage stormwater by utilising and integrating the road, open space and gully network for stormwater management within the Aokautere Residential Area including the provision of adequate space to safely accommodate detention ponds and infrastructure.⁹
- 4.7** To ensure the design of stormwater infrastructure and is designed to manage ment of stormwater run-off from the Aokautere Greenfield Residential Area demonstrates in compliance with the following requirements design criteria, as demonstrated through a Stormwater Management Plan provided as part of a Comprehensive Development Plan:
- Control of runoff peak flows to pre-development levels for the 50% 2-year, 20% 5 year, 10% 10-year, 5% 20-year, 2% 50-year and 1% 100-year AEP ARI¹⁰ events, to control flood risk, with capacity to accommodate climate change in accordance with the Palmerston North City Council Engineering Standards for Land Development;¹¹
 - Further control of post development peak flows as needed to match the pre-development erosion threshold exceedance cumulative effective work index in the Aokautere Church Stream, Moonshine Valley Reserve Stream, and Tutukiwi Reserve Stream
 - Treatment of the 90th percentile rainfall volume from impervious developed areas through a stormwater treatment device or multi-device system.
 - Controls post development peak flows such that:
 - i. they match the pre- development erosion threshold exceedance cumulative effective work index in the Aokautere Church Stream, Moonshine Valley Reserve Stream, and Tutukiwi Reserve Stream as shown on the Aokautere Structure Plan; and
 - ii. post development peak flows do not exceed pre- development levels for the 50% through to 1% AEP design storm events.¹²
 - Achieves treatment of the 90th percentile rainfall volume from impervious developed areas through a stormwater treatment device or multi-device system.
 - Provides a perimeter stormwater swale along the gully edges and the stormwater detention ponds in general accordance with the Aokautere Structure Plan (Map 7A.4).¹³
- 4.8** To require the design and management of stormwater to incorporate the stormwater management areas and stormwater ponds shown on the Aokautere Structure Plan.¹⁴
- 4.9** To ensure the design of subdivision and development to manage stormwater and water quality in the Aokautere Greenfield Residential Area, the design of subdivision and development:
- Effectively integrates water sensitive design for management of run-off quantity and quality
 - Provides stormwater detention facilities to mitigate flood and erosion risk while also utilising open space in a manner which creates a high level of amenity

⁹ S58.014, S51.028

¹⁰ S60.002

¹¹ S39.007

¹² S78.001, S60.005

¹³ S51.029, S77.010, S50.025

¹⁴ S50.025

- Achieves hydraulic neutrality, which for the purpose of the Aokautere Residential Area is defined as the control of post-development peak flows to pre-development levels for the 2-year through 100-year ARI design storm events¹⁵
- Avoids overland discharges down the gully slopes
- Minimises impervious surfaces to reduce stormwater run-off
- Retains pre-development hydrological conditions as far as practicable
- Avoids or substantially mitigates adverse effects on people, property, infrastructure and the natural environment.¹⁶

4.10 When land is subdivided or developed for residential use in the Aokautere Greenfield Residential Area a perimeter stormwater swale must be established in the locations shown on the Aokautere Structure Plan (Map 7A.4) where a residential property is adjacent to a gully edge. The swale must be designed, located and constructed:

- in general accordance with Figure 7A.1;
- to intercept, collect and convey overland flows from adjacent residential properties and any contributing flows from upstream catchments;
- taking into account any site-specific geotechnical advice;
- to convey stormwater flows to identified discharge points and to protect gully slopes from erosion;
- to accommodate the 1% AEP flows, with capacity to accommodate climate change in accordance with the Palmerston North City Council Engineering Standards for Land Development;
- to enable continuous access and maintenance;
- so that it minimises the trimming or removal of indigenous vegetation to avoid loss, damage, or disruption to the high scenic, amenity and indigenous biodiversity values associated with the gully network.¹⁷

4.11 The stormwater swale required by Policy 4.10 must either:

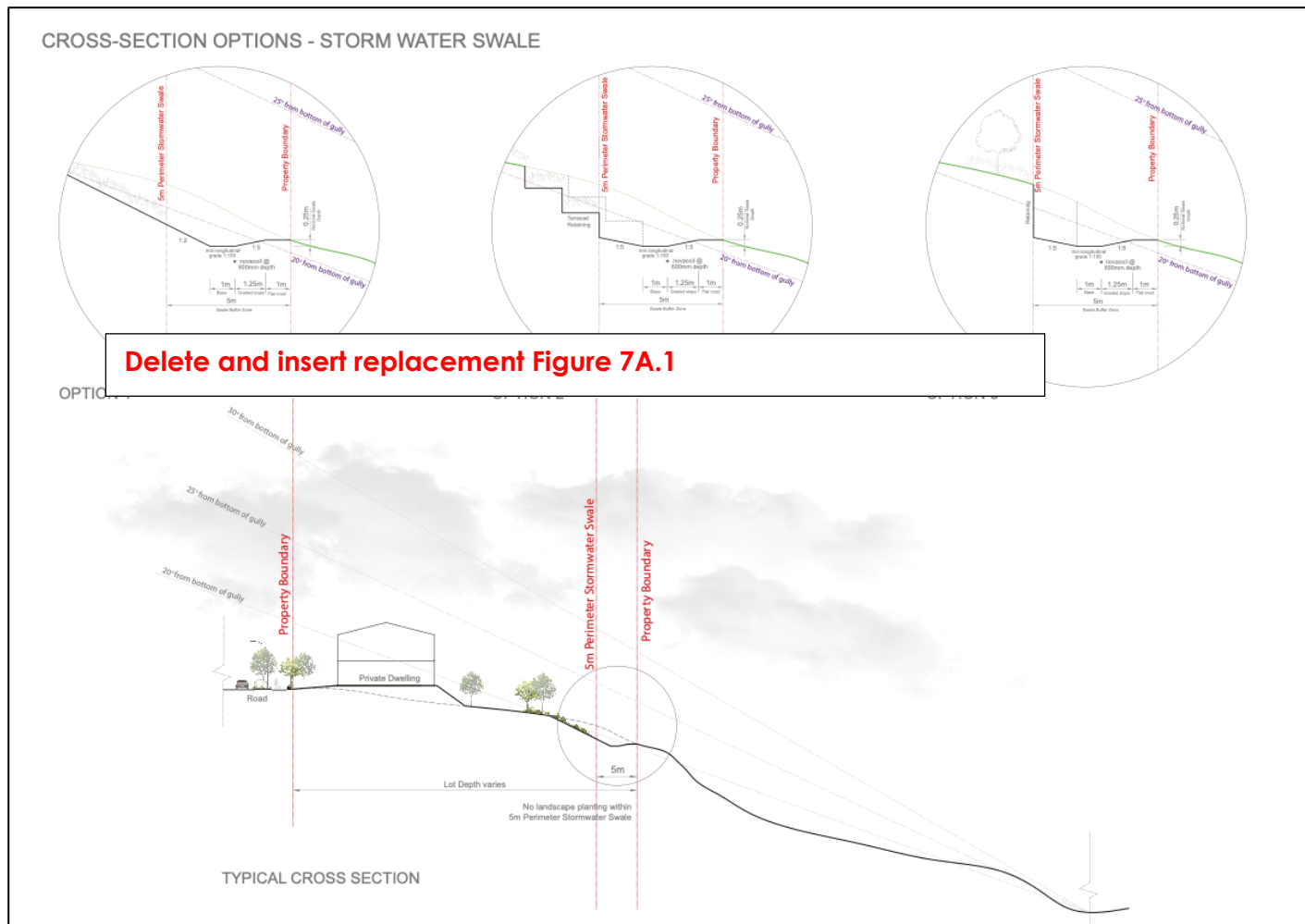
- be vested in Council; or
- be located within a residential lot, in which case:
 - a) it must be located within a 5-metre utility corridor that is up to 5 metres wide, as shown in Figure 7A.1; and
 - b) a consent notice recording the existence of the 5-metre utility corridor and the following requirements for use and management of the specified area must be imposed on the title at the time of subdivision to ensure the ongoing functionality of the swales:
 - (i) no structures, including fences, shall be constructed or placed;
 - (ii) no planting, landscaping or earthworks may be undertaken;
 - (iii) no other activities or actions that obstruct or impact on the operation or maintenance of the swale may be undertaken;

¹⁵ S50.025

¹⁶ S51.031

¹⁷ S51.093, S51.099, S51.102

(iv) the Council must be provided with unrestricted access to maintain and manage the swale¹⁸.



¹⁸ S51.093, S51.099, S51.102

CROSS-SECTION EXAMPLES - STORM WATER SWALE

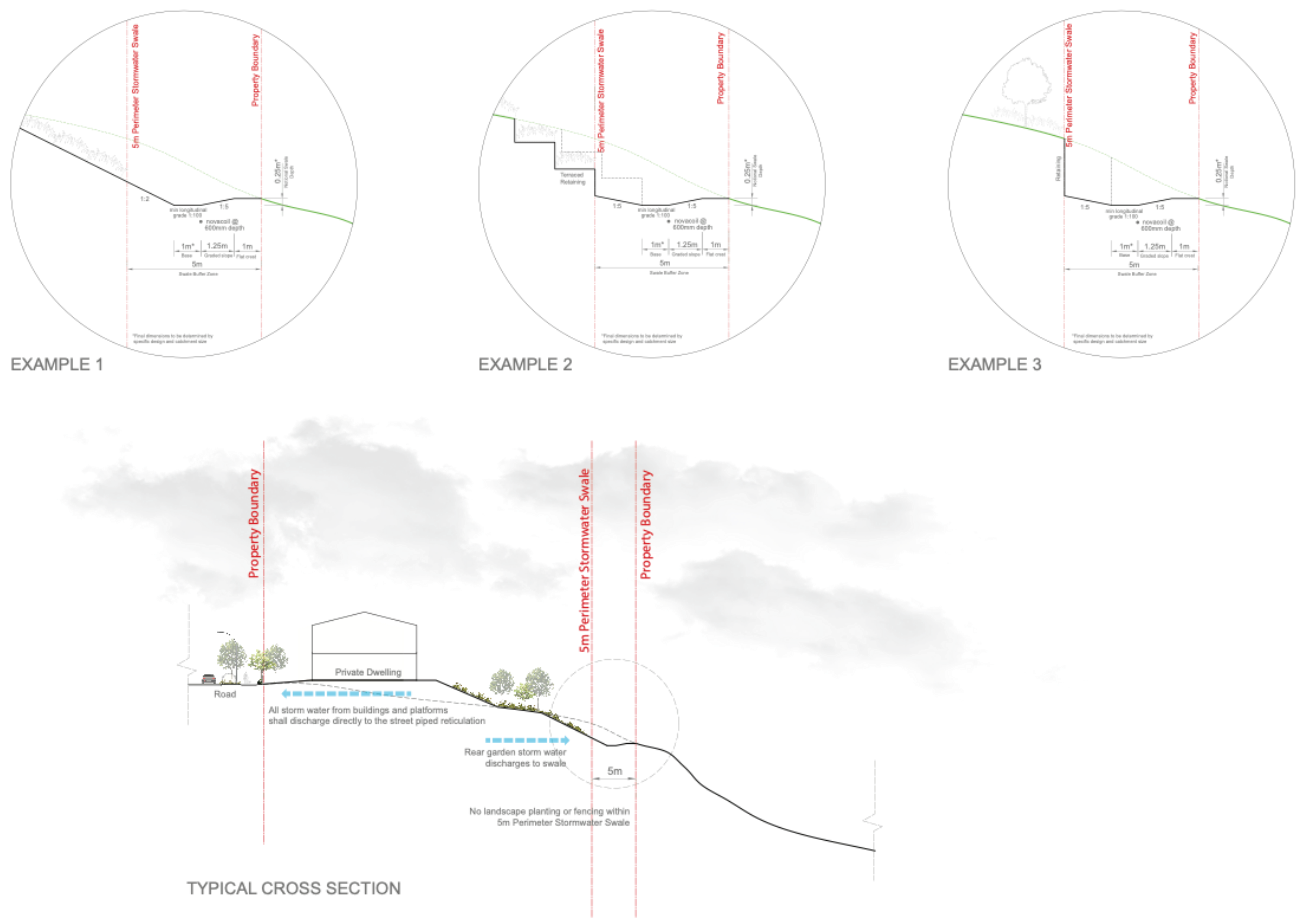


Figure 7A.1

OBJECTIVE 5

Subdivision in the Aokautere Greenfield Residential Area provides for comprehensively designed development incorporating a range of residential areas with high-quality and diverse living environments, which are integrated with surrounding communities, landscape and natural gully systems, and supported by a local centre capable of meeting the day to day needs of the immediate neighbourhood

POLICIES

- 5.1** To ensure subdivision layout and design is in general accordance with the Aokautere Structure Plan.
- 5.2** To ensure subdivision does not occur without an approved Comprehensive Development Plan.
- 5.3** To ensure subdivision layout and development in the Aokautere Greenfield Residential Area:
 - Provides neighbourhoods with regular lot patterns and with a sufficient range of lot sizes to encourage diversity in the types of houses to be built

- Lot size and housing density reflects intended neighbourhood character shown on the Aokautere Structure Plan (Map 7A.4B) ¹⁹
- Varies lot size and housing density to reflect the proximity of amenities including open spaces and any Local Business Zone
- Contributes to the achievement of any identified residential yield requirements over time.

5.4 To ensure that subdivision and development within the Aokautere Greenfield Residential Area achieves the following design principles:

- Connectivity with existing and future developments in a manner which is responsive to landform and the proximity of any local centre
- Makes Aokautere's elevated and incised terrain visible and accessible to the public, including through:
 - ☐ streets that provide views of the gullies and the wider landscape,
 - ☐ public access to a network of cycleways and recreational trails; and
 - ☐ linear access to the gully reserves with residential lots on one side only.²⁰
- Varies the arrangement of streets, lots and dwellings in response to gullies, plateaus and promontories; and retains key views along identified corridors
- Clustered development on elevated sites at the plateau ends, with neighbouring sites separated with areas of restored vegetation
- Minimises the number of rear lots;
- Ensures that medium-density residential areas have good access to amenity and associated public or communal areas with significant vegetation
- Ensures that development on the plateaus:
- Retains natural or near-natural contours;
- Includes single-loaded gully edge streets that provide:
 - views of the gullies and the wider landscape;
 - public access to a network of cycleways and recreational trails; and
 - linear access to the gully reserves with residential lots on one side only frontage on the edges of the reserves.
- Forms a well-connected, accessible and permeable urban block structure to maximise connectivity and provide road access from two directions for most households.
 - as shown on the Aokautere Structure Plan.
 - Ensures that development on the promontories:
 - Clusters lots and arranges buildings and roads to:
 - frame views of the gully reserves; and
 - create well-defined communal spaces at the plateau ends
 - Utilises central communal spaces to:
 - provide safe, attractive cul-de-sac terminations; and

¹⁹ S51.035

²⁰ S58.008

- ii. ~~indicate provide legible and integrated public access to recreational trails.~~²¹

~~5.5 To ensure a neighbourhood centre is located in the area identified on the Aokautere Structure Plan and developed in accordance with the Aokautere Neighbourhood Centre Precinct Plan (Map 7A.3C).~~

~~5.6 To provide an adequate level of infrastructure and services for the proposed development.~~²²

~~5.7 To ensure the capacity, efficiency, performance, and sustainability of the wider infrastructure network is not compromised.~~²³

~~5.8 To ensure that the design and layout of any subdivision and development provides for the transport network roads identified on the Aokautere Structure Plan in a manner which:~~

- ~~• Achieves an accessible and permeable grid like pattern of development as shown on the Aokautere Structure Plan;~~²⁴
- ~~Delivers a safe, legible and efficient effective movement network which conforms to the One Network Framework and reflects Aokautere's the street hierarchy, of street types (Map 7A.3A) and street cross-sections (Map 7A.3D) in the Aokautere Structure Plan.~~
- ~~• Avoids or minimises adverse effects on the safe and efficient operation, maintenance and access to network utilities and the transport network.~~
- ~~Encourages active travel modes and provides for circuits of varying length for walking, jogging and cycling.~~
- ~~Provides Urban Connector roads with sufficient width and horizontal and vertical alignments to safely accommodate bus routes and facilitate convenient bus stops, including to facilitate access to the Aokautere Neighbourhood Centre.~~²⁵
- ~~• Provides sufficient access, and enables efficient movement throughout the transport network, for emergency service vehicles.~~²⁶
- ~~• Produces a fine-grained network of streets that provide:~~
 - ~~c. permeable and connected neighbourhoods;~~
 - ~~d. a choice of pathways; and~~
 - ~~e. access from two directions for most households.~~
- ~~• Complements the street network with a web of trails in the gully reserves.~~
- ~~• Provides circuits of varying length for walking, jogging and cycling.~~
- ~~• Encourages active travel modes.~~²⁷

~~5.9 To avoid subdivision and development occurring in advance of the availability of operational transport infrastructure the transport network upgrades, including those outside of the Aokautere Structure Plan area, that are necessary to provide for a safe~~

²¹ S51.036, S58.020, 51.044

²² S50.025

²³ S50.025

²⁴ S51.040, S58.022

²⁵ S60.008

²⁶ S33.006

²⁷ S50.025

and efficient transport network.

5.10 To require, where appropriate, consent notices recording the restrictions on development set out in R7A.5.2.2(h), (iii)-(iv) and or (v) to be imposed on titles at the time of subdivision.

5.11 To avoid subdivision where significant adverse effects on the transport network are likely to occur.²⁸

5.12 To require a highly connected street layout which integrates with the surrounding transport network and includes pedestrian access, cycleways and recreational trails which link to open space corridors.²⁹

5.13 To provide a high-quality public realm with improved visual and physical connections to open space, waterways, existing biodiversity corridors and natural gully systems.³⁰

5.14 To ensure stormwater infrastructure is in place to service the entire development (inclusive of all stages) before residential development. In the Aokautere Greenfield Residential Area the primary stormwater elements required to service for any the residential development (inclusive of all stages and contributing flows from the upstream catchment, where relevant) in the Aokautere Residential Area must be installed and operational before any dwellings are constructed or placed on the site development. This requirement shall be secured by a consent notice registered on the titles of all relevant lots to ensure that development does not proceed before the necessary infrastructure is in place.

5.15 To ensure stormwater management contributes to the recreational and visual amenity of the development.³¹

²⁸ S50.025

²⁹ S50.025, 51.044

³⁰ S77.003, S51.045

³¹ S58.024, S50.025

OBJECTIVE 6

The natural values and ecological function of the gully system and natural features in the Aokautere Greenfield Residential Area are protected from inappropriate subdivision, use and development

POLICIES

~~6.1 To require the establishment of the 5 metre no-build setback identified on the Aokautere Structure Plan to convey stormwater runoff to identified discharge points and protect gully slopes from erosion when land is subdivided.~~

- ~~• Within the 5 metre no-build setback avoid structures, landscaping and earthworks, to ensure the functionality of the swales; while³²~~

~~To minimize the trimming or removal of indigenous vegetation to avoid loss, damage, or disruption to the high scenic, amenity and indigenous biodiversity values associated with the gully network.³³~~

6.2 To avoid adverse effects of subdivision and development on the gully network, significant natural areas, and wetlands in Aokautere.

6.3 To ensure that any measures used to manage the risks of natural hazards do not have significant adverse effects on the environment.

6.4 To ensure subdivision and development contribute to the protection, restoration, and enhancement of natural features and water quality through effective stormwater management systems.³⁴

6.5 To provide for the long-term protection of the gully features by requiring the vesting of the gully network in Council for conservation and amenity purposes at the earliest stage in the subdivision, prior to the commencement of any physical works.

6.6 To require subdivision to create conservation lots for the protection of significant natural areas and wetlands.

6.7 To require consent notices recording the existence of the 5 metre no-build setback identified on the Aokautere Structure Plan and/or any conservation lots, and any related restrictions on use of the specified area to be imposed on titles at the time of subdivision.

7A.4 Methods

General

The principle methods used to implement the policies are District Plan Rules and the following Greenfield Structure Plans:

- The Whakarongo Structure Plan (Map 7A.1)
- The Kikiwhenua Structure Plan (Map 7A.2)
- **The Aokautere Structure Plan (Map 7A.3-7A.3G)**

In some cases, reliance on the provisions of the statute itself will cause policies to be implemented. For instance, Section 106 of the RMA in respect of refusal of consent or the imposition of conditions in respect of natural hazards, and Section 220 in respect of the

³² \$50.025

³³ \$77.001

³⁴ \$77.001

imposition of certain subdivision conditions.

Council has prepared a document “Engineering Standards for Land Development” which illustrates good subdivision engineering practice and is useful in the control of subdivision. It provides sound technical standards which, where appropriate, can be incorporated by reference in conditions of consent.

To inform development in accordance with the Aokautere Structure Plan, Council has prepared the Aokautere Masterplan, which includes the Stormwater Management Strategy³⁵. While the Masterplan has no statutory weight it can, and will, be taken into account by Council and other decision-makers when considering proposals under the District Plan and should inform applications within the Aokautere Residential Area. The Stormwater Management Strategy is intended to provide context for the development of Stormwater Management Plans and assist with implementing the stormwater management approach for the Aokautere Residential Area set out in Policies 4.7 to 4.11.

7A.5 Residential Zone

Introduction

This section contains specific rules and assessment criteria for the Greenfield Residential Areas and governs subdivision in that area. These provisions recognise the importance of achieving a logical, planned and integrated urban form that achieves high quality urban design outcomes.

7A.5.1 RULES: CONTROLLED ACTIVITIES

R7A.5.1.1 Controlled Activities

1. Any subdivision in a Greenfield Residential Area for the purpose of accommodating any network utility is a Controlled Activity in respect of:
 - a. The size, shape and arrangement of the lot and access.
 - b. Those matters described in Sections 108 and 220 of the Resource Management Act 1991, provided the network utility concerned is a Permitted Activity or a resource consent has been granted.

R7A.5.1.2 Performance Standards for Controlled Activities

(a) Lot Size

The maximum area of an allotment for a network utility shall not exceed 200m².

(b) Balance lot size

The balance lot(s) must not result in any increase in non-conformity with any permitted activity standard for the Residential Zone.

(c) Access

Provision is made for the safe, efficient and convenient access for vehicles to access the roading network.

(d) Servicing

New essential services are located in public service corridors that are vested with Council.

7A.5.2 RULES: RESTRICTED DISCRETIONARY ACTIVITIES

³⁵ S77.001, S77.008.

R7A.5.2.1 Restricted Discretionary Activities

1. Any subdivision in a Greenfield Residential Area which is not a Controlled Activity, and any cross lease, company lease or unit title subdivision creating allotments requiring vehicular or foot access to a road listed in 20.6.1.6 of the Land Transport Section as a State Highway or a Limited Access Road is a Restricted Discretionary Activity with regard to:
 - a. The size, shape and arrangement of roads, public open spaces, lots, cross lease and company lease areas, units and access
 - b. Those matters described in Sections 108 and 220 of the Resource Management Act 1991
 - c. ~~The extent to which the subdivision and development is design and layout, provision for local services and public open space~~³⁶ in general accordance with the relevant Structure Plan for the area
 - d. Urban design
 - e. Landscaping
 - f. Noise attenuation and management
 - g. Enhancement and management of surface water flows and overland flow paths
 - h. Integration of essential services
 - i. Natural hazards
 - j. Future development opportunities
 - k. Visual amenity
 - l. Effects on the capacity of Council infrastructure
 - m. Safe and efficient operation of the roading network
 - n. Connectivity
 - o. Outdoor/on-site amenity
 - p. Infrastructure and physical resources of regional or national importance
 - q. Hydraulic Neutrality with regards to stormwater runoff
 - r. ~~Effects of Earthworks within the Aokautere Structure Plan area~~³⁷
 - s. ~~Effects on the gully network within the Aokautere Structure Plan area~~³⁸
 - t. ~~Effects on Cultural Values within the Aokautere Structure Plan area~~³⁹
 - u. ~~Within the Aokautere Structure Plan area the extent to which the subdivision and development is in general accordance with the Aokautere Structure Plan~~⁴⁰

NOTE TO PLAN USERS R7A.5.2.1.1(q)

For the purposes of the Kikiwhenua Residential Area hydraulic neutrality means limiting peak stormwater runoff rates to no greater than pre-development levels for a site

R7A.5.2.2 Performance Standards for Restricted Discretionary Activity

(a) Comprehensive Development Plan

³⁶ S51.058, S51.007, S51.134

³⁷ S51.058, S51.007, S51.134

³⁸ S51.058, S51.007, S51.134

³⁹ S51.058, S51.007, S51.134

⁴⁰ S51.058, S51.007, S51.134

All activities under R7A.5.2.1 must provide (as part of the resource consent application) a Comprehensive Development Plan that details how the design, layout and servicing of the Residential Area is in general accordance with the area's relevant Greenfield Structure Plan. The Comprehensive Development Plan must consider and address the following:

- (i) total area of the development
- (ii) total number of allotments to be developed
- (iii) programme and time frame from development, including the staging of development in the Residential Area
- (iv) the proposed mix of residential, commercial and recreational activities
- (v) **the need for any land use consents for development within the Aokautere Residential Area, and how those consents will be applied for concurrently with the subdivision activity or have been approved prior to lodgment of the Comprehensive Development Plan**
- (vi) ~~(v)~~ primary and secondary road layouts and pavement widths, including details of how these are in general accordance with the relevant Greenfield Structure Plan
- (vii) streetscape including the location and type of street trees and other proposed planting, **with preferential selection of locally sourced native species within the Aokautere Greenfield Residential Area.**⁴¹
- (viii) ~~connectivity of subdivision with adjoining sites and areas including the nature and staging of development, street and pedestrian access, cycleways and recreational trails which link to open space corridors~~
- (ix) ~~within the Aokautere Structure Plan area~~⁴² **the availability of all operational the transport network upgrades infrastructure necessary to provide for a safe and efficient transport network for the development and how R7A.5.2.2(h) has been or will be satisfied**
- (x) ~~(vi)~~ design, shape and location of public open space within the development, including how these are to be managed in the future, including any landscaping or planting corridors,
- (xi) ~~(vii)~~ location of natural watercourses, how these will be incorporated into the subdivision design and managed in the future, and their potential to be integrated into an innovative and/or low-impact stormwater design
- (xii) ~~(viii)~~ proposed walkways and cycleways
- (xiii) ~~(ix)~~ facilities for people with disabilities or special needs, such as shared walkways and disabled parking
- (xiv) infrastructural network servicing requirements, including how the proposed infrastructure will provide for future staged development of the Residential Area
- (xv) **within the Aokautere Structure Plan area**⁴³ **a Stormwater Management Plan for the entire development (inclusive of all stages and contributing flows from upstream catchments, where relevant) in accordance with R7A.5.2.2(e)(f) or and R7A.5.2.2(f)(g). The Stormwater Management Plan must demonstrate how Water Sensitive Design measures will ensure hydraulic neutrality is achieved through the development and also ensure that there is no increase in stormwater effects, including erosion, on surrounding areas**

⁴¹ S77.002, S77.030

⁴² S51.059, S51.062, S51.007, S51.134

⁴³ S51.059, S51.062, S51.007, S51.134

(xvi) within the Aokautere Structure Plan area the location of gullies, wetlands and significant natural features in Aokautere and how they will be protected from effects of subdivision and development⁴⁴

(xvii) within the Aokautere Structure Plan area (Map 7A.4)⁴⁵ how the subdivision proposal provides for the establishment and maintenance and protection of the perimeter stormwater swale, ~~and ⁴⁶including of the associated utility corridor 5 metre no-build setback identified on the Aokautere Structure Plan (Map 7A.3) required by Policy 4.10 and 4.11.~~

(xviii) the intended staging and timing for the vesting of any land and/or assets within the Aokautere Structure Plan area for infrastructure or conservation and amenity purposes

(xix) (xiv) a report from one or more accredited ~~e~~Chartered ~~p~~Professional ~~e~~Engineers, ~~or other suitably qualified persons~~, experienced in soil mechanics, geotechnical engineering or land contamination, as determined relevant by Council, identifying geo-physical features and characteristics of the land, including potential erosion, falling debris, subsidence, slippage, alluvium or likely presence of hazardous contaminants, and the likely risks that those features or characteristics present for the land, adjoining land, or any structure likely to be constructed on the land. This report must also contain or be accompanied by:

- any recommendations as to the design and construction of foundations that are appropriate to mitigate any characteristic or feature identified;
- an assessment on how fill should be placed onto the land based on sub-surface conditions;
- recommendations of the setback for buildings from areas of high natural hazard risk whether building platforms should be restricted and/or specific foundation designs required in certain areas⁴⁷
- any recommendations for development, of Limited Development Developable Land in the Aokautere Structure Plan area (Map 10.1A) having regard to:
 - a walk over inspection of the site and the surrounding land and assessment of local topography;
 - topographic survey (if not already available);
 - a description of the geology and geomorphology of the area;
 - inspection of aerial photographs taken at various times to provide insight into the local geomorphology and evidence of any previous instability or filling;
 - review of geological data (maps, bulletins)
 - enquiry after local information about observed instability or settlement of the ground;
 - investigation of existing data about the soil and rock profile (look for nearby exposures) or perform simple subsurface investigation;
 - examination of the soil profile to confirm if the soil is in-situ and not colluvium or fill;

⁴⁴ S51.059, S51.062, S51.007, S51.134

⁴⁵ S51.059, S51.062, S51.007, S51.134

⁴⁶ S77.001, S77.008

⁴⁷ S50.025

- examination of existing survey records for evidence of slippage or erosion;
- consideration of any other geotechnical constraints or hazards which could affect the site, including the effect of stream erosion in the gullies; and
- an opinion stated by a geotechnical specialist as to the stability and suitability of the land for development, including specifying setbacks if required.⁴⁸
- any recommendations for development of Limited Development Land in the Aokautere Structure Plan area (Map 10.1A) ~~that is identified as Class D or E~~ having regard to the matters identified above, and in addition:
 - topographic survey (if not already available);
 - a description of the geology and geomorphology of the area;⁴⁹
 - definition of the nature and continuity of the strata over the whole area of land which is proposed to be developed (buildings, access and services) ~~involved~~ and to a depth below which slipping is most unlikely, by means of test pit and/or drilling and/or augering (unless existing exposures are adequate);
 - assessment of the relative strength and the sensitivity of the soil in each stratum in which, or interface on which, sliding is possible; and
 - assessment of likely groundwater levels and piezometric pressures in the strata during extreme infiltration conditions.
- within the Aokautere Structure Plan area⁵⁰, an assessment of whether there are areas of uncontrolled fill on the site and if so, recommendations as to development of the land having regard to:
 - a description of the geology and geomorphology of the area.
 - Review of historic information such as aerial photos, anecdotal reports or other records;
 - definition of the nature and continuity of the strata over the whole area of land which is proposed to be developed (buildings, access and services). The depth, spatial extent, strength, variability, and material/s should all be identified and where possible, quantified. Fill materials should be assessed by means of test pit and/or drilling and/or augering;
 - assessment of the relative strength of the fill material and the underlying stratum by means of borehole standard penetration tests, cone penetration tests or scala penetrometers (for shallow soil profiles);
 - assessment of likely groundwater levels and the effects of fluctuating or changing groundwater;
 - an opinion stated by a geotechnical specialist as to the suitability of the land for development, along with recommendations on any mitigation work or foundations that are required; and
 - consideration of any other geotechnical constraints or hazards which could affect the site.

⁴⁸ S50.025

⁴⁹ S50.025

⁵⁰ S51.059, S51.062, S51.007, S51.134

- within the Aokautere Structure Plan area⁵¹, any recommendations as to whether specific design options, engineering methods and/or foundation designs are required in certain areas to mitigate against the risk of geotechnical constraints or hazards, and to locate and design the perimeter swale required by Policy 4.10 and 4.11;⁵²
 - any recommendations as to the necessary remediation of contaminated land;
 - a copy of any site investigations including bore logs; and
 - a certificate from the engineer or other qualified person confirming that the analysis undertaken is in accordance with professional standards, appropriate to the risks identified and of sufficient quality in order to be relied upon as a comprehensive hazard assessment.
- (xx) within the Aokautere Structure Plan area⁵³ an earthworks plan identifying any restructuring of land, earthworks, or other works to create land with improved slope and soil stability necessary to enable the development of house sites, essential services, and access ways in the Aokautere Structure Plan area. The earthworks plan must provide for management of archaeological discoveries including how tangata whenua involvement and cultural monitoring will be accommodated. The earthworks plan shall also have regard to how:
- adverse effects on the gully network will be avoided;
 - any other adverse effects arising from the proposed restructuring works will be avoided, remedied, or mitigated; and
 - the proposed restructuring works avoid, remedy, or mitigate any land stability natural hazard.⁵⁴
- (xxi) a report from a hydraulic engineer identifying the characteristics of the land including potential avulsion or inundation and the likely risks that those features or characteristics present for the land and its future use. This report must also contain any recommendation as to the location, design and construction of foundations that are appropriate to mitigate any characteristic or feature identified. A copy of any site investigations including bore logs must accompany the report. The report must also demonstrate how the proposed Water Sensitive Design measures will ensure hydraulic neutrality is achieved and ensure that there is no increase in stormwater effects on surrounding areas.
- (xxii) an urban design statement from a registered architect, landscape architect, or qualified urban designer to explain how the proposed subdivision design relates to the site, its surroundings, and how it creates a high amenity living environment, sense of place, and contributes positively to the local neighbourhood. The urban design statement shall include:
- a context analysis describing how the planning anticipates staged development and/or future growth, including how the development relates to neighbouring sites and areas;
 - in the Aokautere Greenfield Residential Area, how the proposed subdivision design creates lots, building platforms and provides screening through

⁵¹ S51.059, S51.062, S51.007, S51.134

⁵² S77.001, S77.008

⁵³ S51.059, S51.062, S51.007, S51.134

⁵⁴ S50.025

landscaping to address adverse effects from visual intrusion of buildings and structures on existing residential dwellings in the Moonshine Valley; ⁵⁵

- the rationale for site planning and design decisions; and
- how the planning and design of the proposed subdivision relates to the relevant objectives and policies of the District Plan.

(xxiii) how the proposed road layout and design ensures connectivity to property **including adjoining developments, and roads, and open spaces⁵⁶** that have been developed or have the potential to be developed in the future. Design matters must explain how the proposal provides for network connectivity to achieve:

- increased number and choice of travel routes for all types of users; and
- improved access to public transport, cycling and walking networks and access to existing roading networks.

(xxiv) Whether approval is required from external agencies, including the New Zealand Transport Agency, Horizons Regional Council, and the Department of Conservation, and what progress has been made in securing the approvals, where relevant.

Explanation

The above is not a prescriptive list of requirements, but an indication of the range of matters that may be relevant. Relevance will depend on site characteristics including the context of streets, connections and adjoining activity, and the scale and type of development to be covered by the Comprehensive Development Plan.

These issues will be considered to the extent that they are relevant in each situation. The degree of emphasis given to each will depend on specific context, with the intention of achieving a well-

planning, coordinated outcome that satisfies the Greenfield Residential Area Objectives.

The extent of documentation required will be that necessary to describe the planning and design intention and demonstrate that the relevant issues are addressed by the Comprehensive Development Plan. That will vary from subdivision to subdivision depending on the type of development, prominence of the site and the size of the area covered. It might include, but will not necessarily be limited to:

1. *Context plan, describing the development in the context of neighbouring sites and the residential area as a whole, showing the arrangement of lots, activities, public open spaces, and landscape planting*
2. *Site and context analysis which identifies important existing conditions*
3. *Indication of the intended activities and their location, and the location and type of visual and physical connections between residential lots and public open spaces including streets.*
4. *Design rationale, which provides the reasoning the intended approach and describes how the relevant issues identified have been responded to.*

There is no one optimal way of scoping or presenting the information for a Comprehensive Development Plan. The amount of information and type of approach will relate to the size and complexity of the project. Confirmation of relevant issues and precise information requirements should be discussed with the PNCC consents team early in the Comprehensive Development Plan formulation process.

⁵⁵ \$41.003, \$90.001, \$98.002, \$39.004

⁵⁶ \$51.059, \$51.062, \$51.007, \$51.134

(b) Essential services

- (i) All essential services must be available for connection within 30 metres of the nearest point of the land being subdivided.
- (ii) All new lots must have sewer, stormwater and water supply services that are connected to essential services, including innovative/low impact stormwater designs as provided under the requirements for a Comprehensive Development Plan in R7A.5.2.2 and subject to the assessment criteria in R7A.5.2.3(a)(xii).
- (iii) All new essential services proposed in a subdivision must be located in public service corridors and vested in Council where practical.
- (iv) Wastewater in Pressure Sewer Areas shall be reticulated with a Pressure Sewer System.
 - For the purposes of R7A.5.2.2(b)(iii), the boundary kit and the pressure sewer pipe network located in public service corridors must be installed at the time of subdivision and vested to Council.
- (v) **In the Aokautere Greenfield Residential Area All stormwater infrastructure (including the primary stormwater elements) required to service for any residential development (inclusive of all stages and contributing flows from the upstream catchment, where relevant) in the Aokautere Residential Area must shall be installed and operational before any dwellings are constructed or placed on the site development. This requirement shall be secured by a consent notice registered on the titles to ensure that development does not proceed before the necessary infrastructure is in place.**

Explanation

The Kikiwhenua Residential Area has been defined as a Pressure Sewer Area under the Palmerston North City Council Pressure Sewer System Policy. Pressure Sewer Systems are required in certain areas where there are geotechnical and technical constraints to wastewater servicing. The design, supply, and installation of the Pressure Sewer System must meet Council's Engineering Standards for Land Development

(d) Existing Buildings

Where any land proposed to be subdivided contains existing buildings there must be no increase in the degree of non-conformity with any Permitted Activity standard for the Residential Zone (or relevant underlying zone at the time of subdivision).

(e) Lot Size and Density

(i) Unless specified below, any subdivision within a Greenfield Residential Area must have an average lot size of 500m² - 550m².

(ii) **In the Aokautere Residential Area the average lot size of lots available for residential purposes must be at least 600m² and any lots over 1000m² shall be assumed to have an area of 600m² for the purposes of calculating the average lot area.**

(iii) No single lot shall be less than 350m², **except in the Aokautere Residential Area where (iv) (iii) applies to residential development in the areas identified on the Aokautere Structure Plan or in the case of multi-unit development in Area I H as shown on Map 10.6.3.3(h) where R10.6.3.3 applies.**

(iv) **In the Aokautere Residential Area, no single lot shall be:**

- **Less than 400m² of contiguous developable land within the Suburban Low Density Areas shown on the Aokautere Structure Plan (Map 7A.4B), with the average area of lots available for residential purposes being at least 600m². In calculating the average lot area, no lots over 1000m² shall be included.**

- **Less than 150m² within the Medium Density Village Areas shown on the Aokautere Structure Plan (Map 7A.4B) with the average minimum number of dwellings being 25 per hectare.**

(v) No single lot shall exceed 1000m² (excluding balance lots), **except in the Medium Density Village Area shown on the Aokautere Structure Plan (Map 7A.4B), where no maximum lot size applies.**

(vi) Any subdivision in the Mātangi Residential Area must have an average lot size of 400m² to 500m², other than subdivision in the identified multi-unit housing area (Map 7A.3) where the developed density shall be lots of no more than 400m², with the average lot size being no more than 300m².

(vii) In calculating the lot sizes in (i) to **(v)(iv)** above, the following exceptions apply:

- no balance lot, public open space lot, neighbourhood centre, or road parcel shall be included; and
- the lot sizes shall be exclusive of the acoustic setbacks required by the provisions of R10.6.1.5(e)(i) and (ii); and
- in the Mātangi Residential Area, the maximum size specified in (iv) does not apply to neighbourhood centre lots and lots to be developed for multi-unit housing development.

(viii) Within the Medium Density Village Area shown on the Aokautere Structure Plan (Map 7A.4B), the average minimum number of dwellings shall be 25 per hectare net.⁵⁷

Explanation

Council is seeking a variety of lot sizes in any subdivision. This will provide future residents with a greater choice to cater for their specific housing needs, rather than a uniform provision of lots in greenfield locations.

⁵⁷ S50.025

(f) Cul-de-sacs

- (i) Cul-de-sacs ~~shall be must serve a maximum of 20 dwellings with~~ a maximum **length** of 100m ~~in length~~ unless otherwise shown on the area's relevant Structure Plan **and in the Aokautere Structure Plan area, must serve a maximum of 20 dwellings.**⁵⁸
- (ii) Cul-de-sacs in the Kikiwhenua Residential Area **and Aokautere Greenfield Residential Area** shall include a minimum of a 10m wide straight public open space walking link connecting the cul-de-sac bulb with an adjacent road or reserve **unless otherwise shown on the area's relevant Structure Plan.**

Explanation

Council is seeking control over the length and use of cul-de-sacs in an ~~endeavor~~ **endeavour** to ensure street connectivity is achieved and disjointed communities are avoided with a range of transport modes available to residents.

(g) Water Sensitive Design in the Kikiwhenua Residential Area

- (i) A Stormwater Management Plan must be prepared by a suitably qualified stormwater design consultant with experience in Water Sensitive Design concepts and elements. The Stormwater Management Plan must address the following:
- a site-specific assessment of the likely changes in stormwater quantities created by the development for the 2-year, 5-year, 10-year, 20 year, and 50-year and 100 year ARI events with storm durations appropriate for the relevant receiving system using the HIRDS database, taking into account climate change effects;
 - assessment of all internal stormwater infrastructure and how it will interact with the existing drainage system;
 - how the development will hydraulically relate to its surrounding environs, including assessment of overland flow paths and potential flood impacts;
 - how the stormwater management system will ensure that any changes in runoff from the site will be addressed;
 - Reduction in peak flow discharges by flow attenuation;
 - Reduction in discharge volumes by infiltration, soakage or other means appropriate for the site (i.e., the first 5 or 10mm of daily rainfall runoff from impervious areas may need to be retained on site in certain circumstances);
 - The ability to use Water Sensitive Design to address stormwater runoff quality aspects; and
 - assessment on the impact of development (including new infrastructure) on the existing stopbanks and what mitigation may be required so as to not exacerbate the risk of piping failure

NOTE TO PLAN USERS R7A.5.2.1.1(q)

Plan users are advised to check the Engineering Standards for Land Development to ensure the current model for taking into account climate change effects is used when preparing a Stormwater Management Plan.

(h) Water Sensitive Design in the Aokautere ~~Greenfield~~⁵⁹ Residential Area

⁵⁸ S51.060, S51.061, S51.063, S51.064, S51.007, S51.134

⁵⁹ RMA Schedule 1 Clause 16 Minor amendment

(i) A Stormwater Management Plan for the entire development (inclusive of all stages and incorporating any contributing flows from the upstream catchment, where relevant) must be prepared by a suitably qualified stormwater design consultant with experience in Water Sensitive Design concepts and elements. The Stormwater Management Plan must address demonstrate:

- how the design, layout and management of stormwater is in general accordance with the Aokautere Structure Plan;
- the likely changes in hydrology in the catchment as a result of the development;
- the likely changes in stormwater quantities created by the development for the 50% 2 year, 20% 5 year, 10% 10 year, 5% 20 year, 2% 50 year and 1% 100 year AEP ARI events, with design storms as specified in the Palmerston North City Council Engineering Standards for Land Development, taking into account climate change effects and the provision of stormwater reticulation to accommodate stormwater flows;
- an assessment of the potential effects of stormwater (velocity, depth, flood extent, **erosion**⁶⁰) on the receiving environment;
- an assessment of potential effects of stormwater management measures on the stability of the Aokautere Church Stream and Moonshine Valley Reserve Stream, and any other existing, permanent or ephemeral watercourses located in the Aokautere Residential Area and proposed mitigation measures;
- an assessment of the potential effects of stormwater management measures on land stability and liquefaction hazard and any proposed mitigation;
- how overland discharge down the gully slopes will be avoided, with all run-off discharge into the gullies provided through controlled pipe outlets, with appropriate erosion control and energy mitigation measures;
- how the stormwater management system provides stormwater detention so as to achieve hydraulic neutrality and mitigate flood and erosion risk;
- how the design and management of stormwater addresses the matters in Policy 4.7;
- how the design and layout of stormwater infrastructure is in general accordance with the Aokautere Structure Plan and incorporates the perimeter stormwater swale referred to in Policy 4.10 and 4.11;
- how stormwater management solutions will be adopted to ensure an integrated approach to stormwater management, having regard to the mitigation of effects on the receiving gullies, with capacity to accommodate climate change flows in accordance with the Palmerston North City Council Engineering Standards for Land Development;
- how Water Sensitive Design and other initiatives will be used to manage water quality through low impact design principles, including roadside bioretention facilities (rain gardens) connecting to the stormwater reticulation network;
- how stormwater management measures comply with any resource consents held by the Council for stormwater at a regional or district level; and
- the intended staging and timing of the provision and vesting and/or upgrading and replacement of infrastructure assets so as to ensure an efficient, effective,

⁶⁰ \$77.001, \$77.008

functional and sustainable delivery of stormwater infrastructure.⁶¹

(i) Transport Network Requirements for Aokautere Structure Plan

As part of any subdivision within the Aokautere Residential Area the following infrastructure requirements must be completed and certified by Council before development, or in the case of (iii), (iv) and (v) below, completion and certification of the infrastructure requirements at the identified level of service thresholds must be provided for as part of the staging of the subdivision and development:

(j) Implementation of improvements at the following locations before any development:

- Improvements to facilitate safe right turns at SH57 Old West Road/Aokautere Drive/Summerhill Drive.
- Improvements to facilitate pedestrians and cyclists (signalization) at SH57 Aokautere Drive/Pacific Drive.
- Improvements to facilitate a left in/left out at Ruapehu Drive/Summerhill Drive, with the right turn continuing out of Mountain View Road, and an opportunity for u-turns to be created further to the south along Summerhill Drive.
- An option for safely accommodating cyclists travelling between the northern end of Ruapehu Drive and the City.

(ii) Implementation of safety improvements at Turitea Road/Valley Views, as scheduled under the 10-Year Plan 2021-2031.

(iii) Improvements at the existing Abby Road and Johnstone Drive intersections with Pacific Drive when the Level of Service for side road traffic declines to a level of service of E at peak times, with either a change of control to roundabouts or traffic signals.

(iv) Two future intersections with the existing section of Pacific Drive, either constructed as roundabouts or signals once the level of service for side road traffic declines to a Level of Service of E at peak times or when needed to support safe pedestrian access across Pacific Drive to the Aokautere Neighbourhood Centre.

(v) Safety improvements for active modes through a shared path along the southern side of SH57 Aokautere Drive to connect Johnstone Drive and Pacific Drive and to provide access to Adderstone Reserve from both directions, prior to the traffic associated with the northeast area of the Structure Plan being loaded onto the network.

(vi) The restrictions on development set out in (iii), (iv) and (v) must be secured through consent notices imposed on titles at the time of subdivision.

(vii) Any subdivision that does not comply with this performance standard will be a non-complying activity.

(i) All of the following transport network upgrades must be completed, and certified by the relevant road controlling authority, before any dwellings within the Aokautere Greenfield Residential Area are occupied:

⁶¹ S50.025

- Upgrade of the intersection of Summerhill Drive/Ruapehu Drive/Mountain View Road to traffic signals;
- Upgrade of the intersection of SH57 Old West Road/Aokautere Drive/Summerhill Drive to traffic signals or a roundabout;
- Upgrade of the intersection of SH57 Aokautere Drive/Pacific Drive to traffic signals or a roundabout;
- Upgrade of the intersection of SH57 Aokautere Drive/Ruapehu Drive to traffic signals or a roundabout.

(ii) Unless the required upgrades in Table 7A.1 have been completed, a transport assessment must be prepared by a suitably qualified person experienced in traffic engineering and transport planning that:

1. predicts whether the traffic threshold at the applicable intersections/road corridor identified in Column 1 of Table 7A.1, arising from traffic generated by the proposed development will be exceeded; and
2. if the prediction in 1 identifies that the traffic threshold will be exceeded, the transport assessment must provide details of how the upgrades in column 3 of Table 7A.1 will be delivered, and certified by the relevant road controlling authority, before the development triggering the upgrade occurs.⁶²

Table 7A.1: Transport Network upgrades for the Aokautere Structure Plan Area

<u>Intersection/road corridor</u>	<u>Traffic threshold</u>	<u>Required upgrade once the traffic threshold has been exceeded</u>
<u>Aokautere Drive</u>		
<u>SH57 Aokautere Drive from the intersection with Johnstone Drive to the intersection with Pacific Drive</u>	<u>Weekday evening peak hour two-way traffic flows on SH57 Aokautere Drive reach a total count of 1,000vph or greater, when measured at a location on SH57 between Johnstone Drive and Cashmere Drive. (See Note 1)</u>	<u>Safety improvements for active modes through provision of a active mode shared path between Johnstone Drive and Pacific Drive which provides access to Adderstone Reserve from both directions</u>
<u>Intersection of SH57 Aokautere Drive/Johnstone Drive</u>	<u>Weekday evening peak hour two-way traffic flows on SH57 Aokautere Drive reach a total count of 1,000vph or greater, when measured at a location on SH57 between Johnstone Drive and Cashmere Drive. (See Note 1)</u>	<u>Signals or roundabout with safe provision for active modes</u>
<u>SH57 Aokautere Drive between the Adderstone</u>	<u>Weekday evening peak hour two-way traffic flows on SH57</u>	<u>Active mode crossing facility, including a pedestrian/ cyclist</u>

⁶² \$32.003, \$89.001, \$91.001,

<u>Reserve entry and Silkwood Drive</u>	<u>Aokautere Drive reach a total count of 1,000vph or greater, when measured at a location on SH57 between Johnstone Drive and Cashmere Drive. (See Note 1)</u>	<u>refuge, of SH57 between the Adderstone Reserve entry and Silkwood Drive</u>
	<u>Note 1: For the purposes of ascertaining the traffic threshold for each of the above, the traffic count should be undertaken on a weekday that does not fall within school holidays. For the avoidance of doubt, the 'total count' is the two-way traffic flows.</u>	
<u>Pacific Drive</u>		
<u>Intersection of Pacific Drive/Abby Road</u>	<u>Average traffic delays of more than 35 seconds per vehicle for vehicles turning either left or right from Abby Road during weekday peak times.</u>	<u>Signals or roundabout with safe provision for active modes</u>
<u>Intersection of Pacific Drive/Johnstone Drive</u>	<u>Average traffic delays of more than 35 seconds per vehicle for vehicles turning either left or right from Johnstone Drive during weekday peak times.</u>	<u>Signals or roundabout with safe provision for active modes</u>
<u>Intersection of Pacific Drive /Activity Street A (Map 7A.4D)</u>	<u>Average traffic delays of more than 35 seconds per vehicle for vehicles turning either left or right from Activity Street A during weekday peak times</u>	<u>Signals or roundabout with safe provision for active modes</u>
<u>Intersection of Pacific Drive /Urban Connector F (Map 7A.4D)</u>	<u>Average traffic delays of more than 35 seconds per vehicle on vehicles turning either left or right from Urban Connector F during peak times.</u>	<u>Signals or roundabout with safe provision for active modes</u>

(iii) Any subdivision that does not comply with (i) or (ii) is a non-complying activity.

Explanation

The requirement in (i) can be met by the applicant offering a condition of consent secured by a consent notice on titles, that imposes restrictions on the occupancy of dwellings until the upgrades have been completed.

In determining whether to grant consent and what conditions to impose, if any, the Council

will, in addition to the City View objectives in Section 2, and the objectives and policies of Sections 7 and 7A, assess any application in terms of the following:

R7A.5.2.3 Assessment Criteria for Restricted Discretionary Activity:

(a) Subdivision design and layout within a Greenfield Residential Area

- (i) The extent to which the design and layout of the subdivision is in general accordance with the area's relevant Structure Plan, including how the proposal contributes to the overall design principles for the area.
- (ii) The extent to which a range of lot sizes has been provided that enable the provision of a diverse range (or variety) of housing development options.
- (iii) How the proposed subdivision relates to adjoining sites and areas and whether it enables future subdivision of adjoining lots by providing for the necessary street connections.
- (iv) The extent to which houses front toward major roads and entrances to the city.
- (v) The extent to which the proposed subdivision ensures that sufficient connection and connectivity is achieved that provides for a range of transport means and minimises the need for cul-de-sacs and rights of way.
- (vi) The extent to which the orientation of lots in the subdivision ensures sufficient solar access is available to the outdoor living area of future dwellings.
- (vii) How integrated public open space has been provided in the design of the subdivision.
- (viii) The continuity and coherence of street trees, public open space landscaping, and the extent to which they have been integrated into the design and layout of the subdivision and the wider neighbourhood environment.
- (ix) The extent to which street trees have been provided at an appropriate scale in relation to the size and significance of the related street and contributes to a distinctive sense of place within the streetscape.
- (x) The extent to which Water Sensitive Design is integrated where appropriate and geo-technically possible and is designed in a way that contributes to the recreational and visual amenity of the development.
- (xi) The extent to which proposed stormwater detention measures ensure hydraulic neutrality is achieved and that there is no increase in stormwater effects on surrounding areas.
- (xii) The degree to which the subdivision provides for the integration of essential services into the existing city network in a manner which is orderly and efficient and that facilitates future development and capacity requirements.
- (xiii) The extent to which Council has the ability to maintain and access infrastructure and services in the future.
- (xiv) The extent to which natural hazard risks are identified and the effects are avoided or mitigated.
- (xv) The extent to which subdivision considers and implements the findings of the geotechnical reports to address land stability issues and recommended mitigation measures.
- (xvi) The effect any earthworks will have on natural hazard risk and/or land stability, including effects on overland flow paths, and sedimentation.;
- (xvii) The extent to which landscape planting along road corridors shown on the area's

relevant Structure Plan is provided for in a way that delivers a coordinated and coherent streetscape.

- (xviii) The extent to which the design of the proposed subdivision facilitates the creation of high quality attractive public open spaces, including streetscapes.
- (xix) The extent to which earthworks will affect adjoining properties and result in adverse visual amenity and how these effects are managed.
- (xx) Whether any adverse effects of the subdivision on the safe and efficient operation of the roading network can be effectively managed.
- (xxi) The degree to which the location and design of access onto the State Highway network, Limited Access Road or Restricted Access Road adversely affects the safe and efficient operation of the roading network, taking into account the long term operation of the adjacent road.
- (xxii) To have particular regard to the safety of cyclists and pedestrians.

(b) Subdivision design and layout within the Whakarongo Residential Area

- (i) The extent to which the subdivision and proposed street layout integrates with Whakarongo School.
- (ii) The extent to which the proposal provides for the establishment and maintenance of landscape setbacks adjacent to Napier Road and Stoney Creek Road, as outlined on the Whakarongo Structure Plan (Map 7A.1).
- (iii) The degree to which landscape planting along road corridors shown on the Whakarongo Structure Plan (Map 7A.1) is provided for in a way that delivers a coordinated and coherent streetscape.
- (iv) The extent to which flood hazard avoidance or mitigation is provided to ensure the protection of residential development in a 0.2% Annual Exceedance Probability stormwater event and to ensure the hydraulic neutrality of the residential area.

(c) Subdivision design and layout within the Kikiwhenua Residential Area

- (i) Whether an archaeological assessment of the site has been undertaken by a suitably qualified archaeologist.
- (ii) Whether archaeological discovery protocol have been prepared and approved by a suitable authority representing Rangitāne o Manawatū.
- (iii) Whether a cultural monitoring plan has been prepared and approved by a suitable authority representing Rangitāne o Manawatū.
- (iv) The extent to which subdivision layout and design recognises and represents the connection that Rangitāne o Manawatū have with their rohe.
- (v) The extent to which physical and visual connections are created between the following sites:
 - The subdivision
 - Kikiwhenua
 - Urupa
 - Awapuni Lagoon
 - Mangaone Stream
 - Rangitāne-o Manawatū owned land in the area
- (vi) The extent to which Kikiwhenua, Awapuni Pa, and associated urupa are retained and recognised within the subdivision.

- (vii) The extent to which subdivision layout enable the retention of mature tree stock and shelterbelts as established street trees.
- (viii) The extent to which a clear hierarchy of primary, secondary, and tertiary roads provides legible way-finding throughout the site and encourages walking and cycling along key cultural connections.
- (ix) The extent to which the subdivision positively fronts onto Pioneer Highway, Te Wanaka Road and the Awapuni Lagoon area.
- (x) The extent to which the site connects to the Longburn Shared Pathway, Mangaone Stream Shared Pathway, and the Manawatu River Bridle Track.
- (xi) The extent to which road corridors are designed to provide areas for pervious pavements and swales to reduce total runoff and peak flows.
- (xii) Whether on site detention ponds are designed such that the outlet reduces the peak flow to pre-development flow rates for return events up to the 50 year ARI rainfall event, and the spillway passes the 100 year ARI rainfall event at pre-development flow rates.
- (xiii) Whether stormwater detention areas utilise gravity flow paths and avoid the need for pumping stations.
- (xiv) Whether properties fronting onto Pioneer Highway are serviced by a laneway.
- (xv) The extent to which noise setback areas identified in the Kikiwhenua Structure Plan (Map 7A.2) incorporate high quality landscaping and Water Sensitive Design.
- (xvi) The availability of a suitable consent notice for allotments within the Kikiwhenua Residential Area to identify the requirement and management of on-property equipment for the area's Pressure Sewer System.
- (xvii) The extent to which the development of a community facility and small park, and a play area for young children are provided for.
- (xviii) Whether safe and appropriate treatments are in place that have been certified by the relevant road controlling authorities at the intersection of Te Wanaka Road and State Highway 56 prior to any subdivision within the Kikiwhenua Residential Area.
- (xix) The extent to which a traffic impact assessment for the Kikiwhenua Residential Area has been undertaken by a suitably qualified traffic engineer as determined by the relevant road controlling authorities. Without limiting other matters, the traffic impact assessment shall include:
 - An assessment of whether and when a full upgrade of the intersection of Te Wanaka Road and State Highway 56 should be provided to meet the needs of current and further land use; and
 - An assessment of what construction traffic mitigations are required.
- (xx) Whether the proposed stormwater approach will achieve hydraulic neutrality up to the 1% Annual Exceedance Probability (AEP) rainfall event, in comparison to the predevelopment land use, in accordance with the methods and requirements of the Engineering Standards for Land Development.

-

Explanation

Subdivision within Greenfield Residential Areas is a Restricted Discretionary Activity to ensure that development achieves high environmental outcomes. When rezoning large areas of land for future residential use, it is important that the staged development over time contributes to a well thought out layout and interconnected suburb. The provisions of this rule will ensure that development is integrated with the wider residential area, that connection between stages is maintained and provided for, and the development is consistent with the provisions of the area's relevant Structure Plan.

NOTE TO PLAN USERS: R7A.5.2.2 and R7A.5.2.3

1. All subdivisions must supply a Comprehensive Development Plan as required by R7A.5.2.2 of the District Plan.
2. Any subdivision and development that is located on any object or site of Cultural Heritage Value, as listed in Section 17 of the District Plan, must also comply with R17.8.1.
3. Additional consents may be required from Horizons Regional Council for activities including land disturbance and vegetation clearance. Plan users are encouraged to contact Horizons directly for information about the Horizons One Plan requirements.
4. All subdivisions must comply with the National Environmental Standard for Assessing and Managing Contaminants in Soil.
5. Council requires, where appropriate, the approval of the relevant road controlling authority (New Zealand Transport Agency or Palmerston North City Council) before approving a subdivision consent application.
6. It is advised that the applicant contact the appropriate power, telecommunications and gas companies to determine the feasibility of connecting to their services.
7. Plan users are advised to check the Engineering Standards for Land Development to ensure the current model for taking into account climate change effects is used when preparing a Stormwater Management Plan.

(d) Subdivision design and layout within the Aokautere Residential Area

- (i) How the subdivision proposal incorporates responds to the matters design principles in Policies 5.3, 5.4, 5.5, and 5.8, 5.9, 5.13 and 5.14.⁶³
- (ii) How the subdivided allotments are of a size and shape which achieves the scale, density and type of development provided for in the Aokautere Structure Plan.
- (iii) How the subdivision and development will positively front or connect to the gully network.⁶⁴
- (iv) How a clear hierarchy of roads provides legible wayfinding throughout the site, with roading positively fronting the gully network and walking and cycling is provided along key connections.
- (v) How significant adverse effects on the transport network have been avoided.⁶⁵
- (vi) Whether How the subdivision complies with the transport network requirements for the Aokautere Structure Plan set out in R7A 5.2.2(h) and how any development or use of lots will be restricted until the necessary transport network upgrades have been completed, including through the use of consent notices.⁶⁶
- (vii) How the subdivision and proposed street layout integrates with the Aokautere Neighborhood Centre.
- (viii) How the proposed stormwater approach achieves hydraulic neutrality through detention facilities and Water Sensitive Design and mitigates flood and erosion risk.
- (ix) How unattenuated discharge of stormwater flows into the gullies has been avoided.
- (x) How direct discharge of overland stormwater flows onto gully slopes has been avoided.

⁶³ S58.028

⁶⁴ S58.028, S50.025

⁶⁵ S50.025

⁶⁶ S87.001

- (xi) The availability of a suitable consent notice to prevent residential development until all primary stormwater elements stormwater infrastructure is are in place to service all stages of the Development and/or to record any restrictions arising under R7A5.2.2(g)(i).
- (xii) How the subdivision proposal recognises and protects the gully network and existing 'green corridor' plantings, indigenous vegetation and bush remnants, neighbourhood and drainage reserves, and wetlands.
- (xiii) How the perimeter stormwater swale 5 metre no-build setback, required under Policy 4.10 and 4.11⁶⁷ as identified on the Aokautere Structure Plan (Map 7A.3) is provided for within the development and the availability of a suitable consent notice to identify and record the restrictions on use and development, where the swale is located within individual lot boundaries protect the no-build setback area.
- (xiv) How the subdivision development implements the findings of any technical reports to address land stability, uncontrolled fill and natural hazards including any recommended avoidance or mitigation measures.⁶⁸
- (xv) Whether the location and scale of earthworks adversely affects the gully network.
- (xvi) How the subdivision design creates lots, building platforms and provides screening through landscaping, to address adverse effects from visual intrusion of buildings on existing residential dwellings in the Moonshine Valley.⁶⁹

R7A.5.2.4 Kikiwhenua Residential Area

- (a) No subdivision of the Kikiwhenua Residential Area shall be classified as a restricted discretionary activity until and unless:
 - the land within the Race Training Zone to the west of the Kikiwhenua Residential area is subject to a variation to Plan Change C or to a plan change which, under either process, includes one or more proposals for the zoning of the land
 - a full upgrade of the intersection between Pioneer Highway and Te Wanaka Road is committed to by the relevant roading agencies, and speed limits on both roads where they front the Kikiwhenua Residential Area are reduced to no more than 60kmph and 50kmph respectively, so that both of these must occur before any development of the Area is completed. 'Full upgrade' means either a roundabout intersection, or one controlled by traffic lights.
- (b) This rule shall cease to have effect once both of the matters above are completed.

7A.5.3 RULES: DISCRETIONARY ACTIVITIES

R7A.5.3.1 Restricted Discretionary Activities

Any activity which does not comply with the Performance Standards for Controlled Activities and is not otherwise specified as a Restricted Discretionary Activity is a Discretionary Activity.

⁶⁷ S77.001, S77.008

⁶⁸ S50.025

⁶⁹ S41.003, S49.002, S30.002, S90.001, S39.004

7A.5.4 RULES: NOTIFICATION

R7A.5.4.1 Notification

- (i) Public notification is precluded for applications under R7A.5.2.1.
- (ii) Subject to the exception in (iii), limited notification is precluded for applications under R7A.5.2.1.
- (iii) Waka Kotahi New Zealand Transport Agency must be given limited notification of an application under R7A.5.2.1.

7A.5.5 RULES: NON-COMPLYING ACTIVITIES

R7A.5.5.1 Non-complying activities in Aokautere Greenfield Residential Area

The following activities are Non-Complying Activities in the Aokautere Greenfield Residential Area:

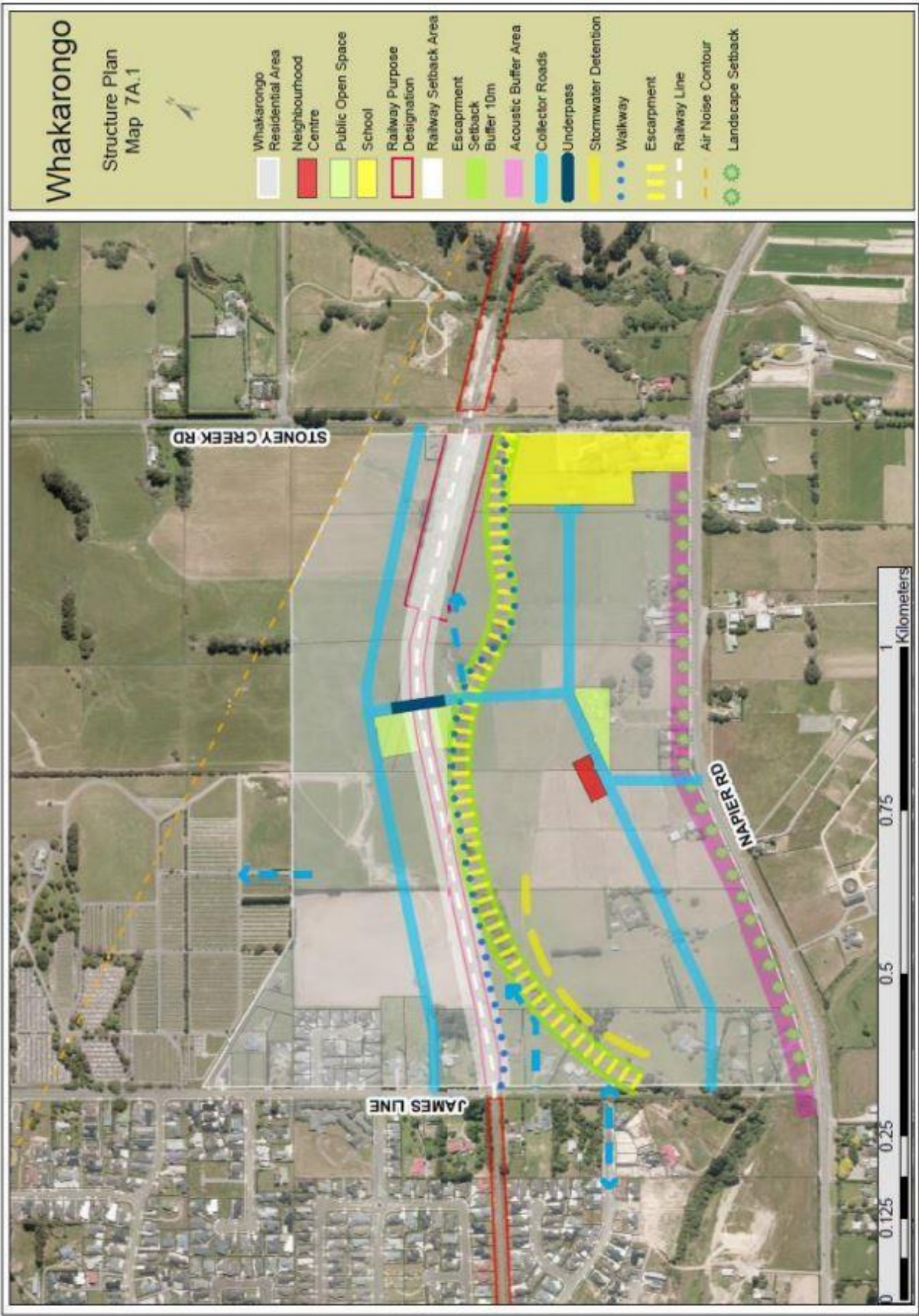
- (i) **Any subdivision that does not comply with one or more of the relevant standards and terms in R7A.5.2.2(a), (b)(v), (d), (g), and (h).**
- (ii) **Any subdivision that does not provide the 5-metre no-build setback perimeter stormwater swale in accordance with Policy 4.10 and Policy 4.11 to service development on the gully edge locations identified on the Aokautere Structure Plan (Map 7A.3).**
- (iii) **Any subdivision that does not provide for a local neighbourhood centre in accordance with the Aokautere Neighbourhood Precinct Plan (Map 7A.3C).**

7A.5.6 RULES: NOTIFICATION

R7A.5.46.1 Notification

- (i)** ~~(iv)~~ Public notification is precluded for applications under R7A.5.2.1.
- (ii)** ~~(v)~~ Subject to the exception in (iii), limited notification is precluded for applications under R7A.5.2.1.
- (iii)** ~~(vi)~~ Waka Kotahi New Zealand Transport Agency must be given limited notification of an application under R7A.5.2.1.

Map 7A.1 Whakarongo Structure Plan

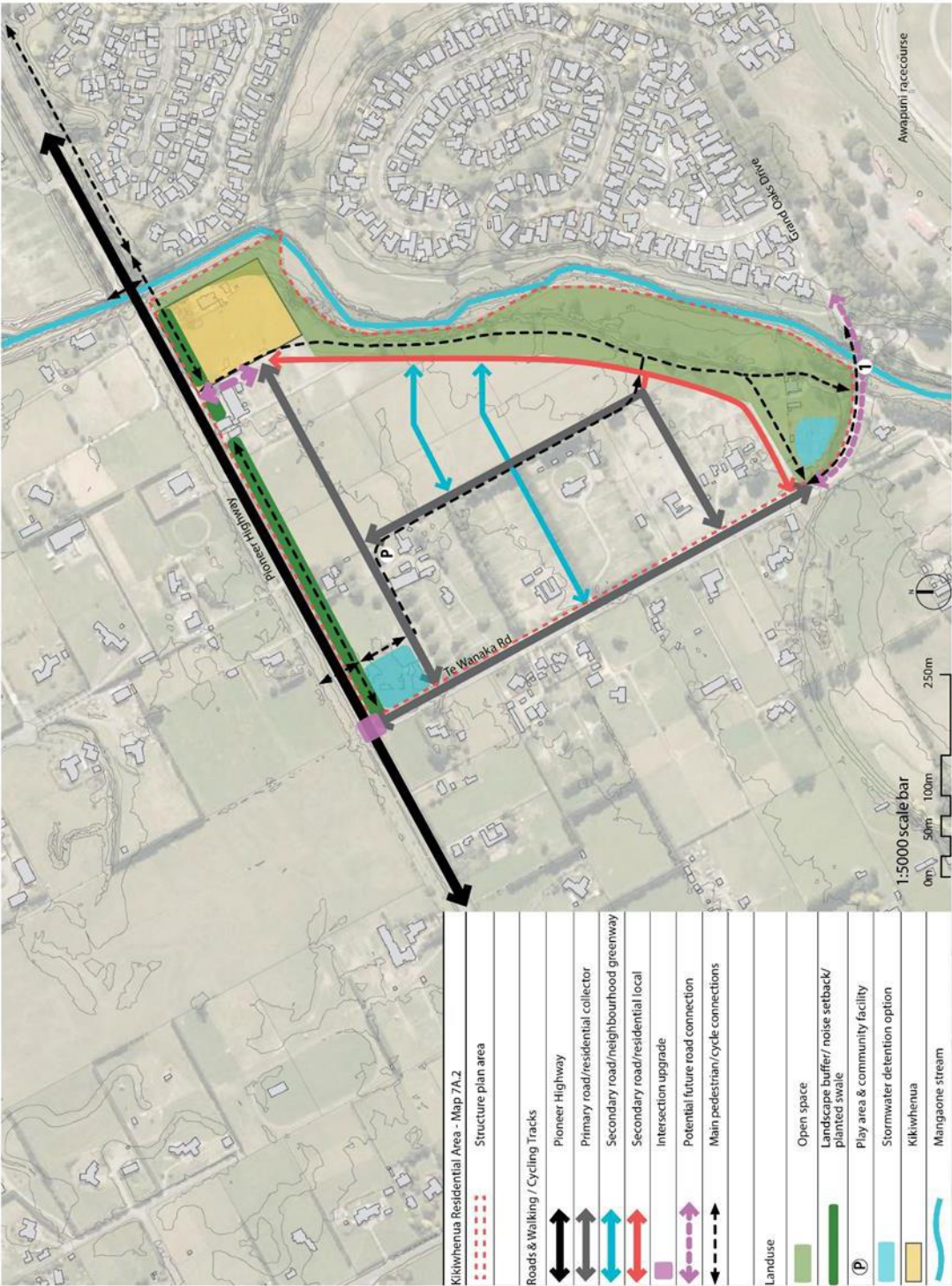


Map 7A.2 Kikiwhenua Residential Area Structure Plan

Kikiwhenua Residential Area

Structure Plan

Map 7A.2



1 Potential future road connection subject to assessment via a Designation or PNCC Resource Consent and Horizons Regional Council Resource Consent.

Map 7A.43 Aokautere Structure Plan

SECTION 10:

RESIDENTIAL ZONE

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10. RESIDENTIAL ZONE

10.1 Introduction

The primary function of the Residential Zone is to provide the City's residents with a place to live. In turn, it is this function which demands the highest standards of amenity. This includes both on-site amenity and the character of streets and neighbourhoods.

The issue of on-site amenity is important, given the amount of time that people spend in their homes. Achieving a pleasant environment within a site inevitably requires consideration of adjoining sites, particularly with regard to issues such as privacy, shadowing, etc. Thus, there are clear effects both within and between sites, arising from residential development which needs to be mitigated in some way to ensure overall residential amenity is maintained.

Impacts on public space of the street and the character of existing areas must be considered to maintain a healthy, safe and attractive residential environment. A substantial part of the residential area is already developed and reflects the amenity concerns and standards of other generations and previous District Plans.

Amenity and character varies across the residential environment, whether within the main urban area of Palmerston North, Aokautere, and the village communities of Ashhurst, Bunnythorpe and Longburn.

Previous planning policies have produced a compact city in the main urban area. If development of the City is to be managed in a sustainable manner it is important that this compactness is maintained and that excessive sprawl on the fringe of urban areas is avoided. For this reason, redevelopment and the intensification of residential areas is important as it makes good use of existing infrastructure.

Infill and multi-unit housing development often results in closer buildings and living, increased fencing and loss of visual connection, a reduction in permeable surfaces, and the removal of established vegetation. As such, the design of housing development needs to limit these adverse effects, to ensure it does not impact on the amenity standards or privacy of residents and fits within the character of existing neighbourhoods.

In the village areas of Ashhurst, Bunnythorpe, and Longburn it is important to ensure that residents can enjoy the same amenity standards as those living in the main urban area. It is also important that development standards do not diminish the specific local character of these areas. In the Aokautere area, care needs to be taken in developing land to ensure that residential development does not lead to any land instability, and that the nature of housing development makes use of the character of the landform. For this reason, the ULUC system will continue to be used to guide development in Aokautere to areas of greatest stability.

The Residential Zone in Palmerston North also contains a variety of non-residential activities. While the general approach is for these activities to locate within the commercial zones, residents also recognise that there are a number of other non-residential activities which could and should be allowed to establish in the zone because of the convenience that they offer. Activities which fall into this category range from doctors' surgeries to Kohanga Reo and childcare centres. There is, in addition, another group of activities which would logically seek to establish in the residential area, because the effects of the activities are not substantially different to the primary function of the Zone - being a place to live. Motels providing only accommodation and Retirement Villages, for example, fall into this category.

The most important issue is to ensure that where other activities establish in the Residential Zone, that any adverse effects are identified, so mitigation measures can be put in place to ensure that the community's expectation about residential amenity standards can still be met. Overall, the effects of non-residential activities must, as far as possible, be made compatible with those of residential activities.

Also, within the Residential Zone is the Savage Crescent Conservation Area. Savage Crescent was one of the first experimental housing estates initiated by the 1935 Labour Government to facilitate the planned provision of an "ideal social and physical environment", and the first comprehensively designed housing estate developed within Palmerston North.

As a result of careful analysis of both documentary and physical information relating to the area, Savage Crescent has been identified as being of national heritage significance. The importance of this area is exemplified by such attributes as:

- Its association with the first Labour Government and its development by them as a national model state housing project reflecting their ideals, philosophies and policies on state rental worker housing.
- Its association with nationally significant Labour Party politicians and with prominent New Zealand architects.
- Its comprehensive demonstration of both architectural and design ideals and philosophies for domestic housing which emerged during the late 1930's and early 1940's, and of innovative use of construction techniques and materials.
- The high level of intactness of the area relative to other areas in the country and its consequent rarity value.

In light of this, Council considers that the significant qualities or characteristics which contribute to the cultural heritage value associated with Savage Crescent should be appropriately conserved.

10.2 Resource Management Issues

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

1. Ensuring the diverse housing needs of people within the City are met.
2. Ensuring that development improves the health, safety and resilience of residential areas.
3. Housing intensification and how it can be best integrated into the character of existing residential neighbourhoods.
4. The integration of land use and infrastructure planning and the effects of unsustainable greenfield expansion.
5. The effects of activities and buildings on one site, on another, in amenity terms, particularly with regard to noise, overshadowing and privacy issues.
6. The design of housing and the need to secure good on-site amenity and effective private open space.
7. The value of vegetation in the residential areas and the contribution made by open space, permeable surfaces, trees and vegetation to residential amenity values.
8. The scale and character of non-residential buildings and activities operating in the residential area and the compatibility, in terms of the effects generated by such activities, with residential activities.
9. The conservation of precincts within the residential area of special historical character.

10. The need to recognise and maintain the unique character of village residential environments.
11. The need to protect noise sensitive activities within the vicinity of the Palmerston North Airport so as to avoid, remedy or mitigate adverse effects associated with airport noise and to sustain the potential capacity of the Airport to meet reasonably foreseeable air transport needs and to ensure the efficient operation of the Airport can continue.
12. The effects of residential development on the rural character and amenity of the Turitea Valley.

Explanation

The resource management issues identified above largely emerged from the process of public consultation, Council strategy, and historical development patterns within the City. The resource management issues relate to the overarching character and amenity within the Residential Zone, the effects of redevelopment, and location specific issues.

The issue of intensification and redevelopment, that is, the creation of new and generally smaller sites within established residential areas, has been a significant issue given that such sites and their subsequent development are often regarded as not always blending harmoniously with the existing character of established residential areas. Recent District Plans and District Schemes have focused on the design of detached housing and not provided direction on appropriate design standards for the alternative housing types.

Potential adverse effects, such as overshadowing or loss of privacy, are often associated with infill sites and smaller multi-unit developments. However, intensification makes very good use of existing urban services and infrastructure and is a development option that provides for housing choices and needs.

Equally, there are a number of issues, which arise out of the effects generated when a house is established on a site. There is considerable community concern that any such dwelling should be both pleasant to live in and should have minimal adverse effects on surrounding properties, and the wider neighbourhood.

Finally, there is also acceptance of the need to provide for a range of non-residential activities such as motels and medical facilities within residential areas, provided that the effects of these activities can be minimised and the activities and buildings blend in with the surrounding residential environment.

The Turitea Valley is valued for its rural character and the visual amenity that such character provides. The growing residential area of Pacific Drive adjoins and overlooks the Turitea Valley, and without careful management of the interface between the two areas, can adversely affect the amenity of the Valley below.

10.3 Objectives and Policies

Within the broad framework of the City View objectives in Section 2, the following specific objectives and policies apply to the Residential Zone:

OBJECTIVE 1

To enable the sustainable use and development of the Residential Zone to provide for the City's current and future housing needs.

POLICIES

- 1.1 To ensure that the diverse accommodation needs of the community are recognised and provided for by a variety of housing types and densities.
- 1.2 To enable multi-unit housing development where this is located in close proximity to the central city, and large neighbourhood centres.
- 1.3 To promote the efficient use of the urban infrastructure and other physical resources.

- 1.4 To ensure network infrastructure and services are available to support residential development and intensification.
- 1.5 ~~To ensure that residential development in the Pacific Drive Extension area does not proceed in the absence of a water supply with sufficient capacity and pressure to meet the need of all development in the Pacific Drive and Pacific Drive Extension areas.~~
- 1.65 To minimise the use of the residential environment for commercial activities

Explanation

The primary objective for the Residential Zone is to enable the sustainable use and development of residential land to provide for the housing needs of the community. Policies 1.1 to 1.6 reflect the role of the District Plan to achieve the objective.

While the predominant form of housing in the city is detached single storey houses, other housing options include multi-unit developments, sleep-outs, apartments, community housing, residential centres, hostels, and retirement villages. The District Plan establishes standards for a variety of housing types and densities, recognising that different housing choices and needs exist.

Much of the Residential Zone is already developed in housing, and it is therefore necessary to establish policies to guide development and intensification. In the case of multi-unit housing, it is important this is located in areas well served by public transport and within convenient walking and cycling distance of key destinations; for Palmerston North this means being in close proximity to the central city and large neighbourhood centres. Enabling multi-unit housing and recognising the efficient use of urban infrastructure reduces the strain on greenfield expansion and maintains a compact urban environment.

Finally, to ensure that residential land is available for housing it is necessary to limit the use of the Residential Zone for commercial activities. This approach also aligns with the centres-based approach to retail and ensures integration with other District Plan zones.

OBJECTIVE 2

To secure and enhance the amenity and character of the Residential Zone as a safe, attractive, social and healthy environment in which to live.

POLICIES

- 2.1 To ensure that the design of housing development is complementary to neighbourhood and street character by:
- Controlling the bulk and density of buildings;
 - Establishing minimum section sizes;
 - Encouraging buildings to be orientated to the street;
 - Establishing building setback standards;
 - Restricting the placement of accessory buildings and garages that dominate the streetscape.
- 2.2 To ensure that the design of housing development does not result in adverse effects on adjacent property by:
- Managing the intrusion of privacy on adjoining dwellings;
 - Managing the degree of overshadowing or obstruction of the daylight and sunlight penetration to any adjoining site or dwelling.
- 2.3 To ensure that the design of housing development results in a high quality of on-site amenity by:
- Adopting standards for private on-site open space,
 - Ensuring main living areas are orientated to the sun, and good daylight and sunlight access is provided to the dwelling.

- 2.4 To encourage the retention of significant vegetation and trees.
- 2.5 To protect the ambient acoustic standards of the residential environment.

Explanation

Achieving a pleasant living environment in the Residential Zone is dependent on the nature and style of the development of individual sites. The policies above establish a baseline standard on which the subsequent Performance Standards and rules are based. They also assist in providing direction when Council is required to exercise its discretion over a specific development. Additionally, they highlight the issues which the community has indicated are important in achieving a pleasant living environment with high overall amenity standards

OBJECTIVE 3

Housing development is energy efficient, resilient and environmentally sustainable.

POLICIES

- 3.1 To encourage the adoption of energy efficient design and water-sensitive design techniques in the design and construction of housing.
- 3.2 To recognise the impacts of impermeable surfaces in residential areas and mitigate their effects.
- 3.3 Residential development is confined to areas with no known natural hazards or where known natural hazards can be appropriately mitigated.

Explanation

While the New Zealand Building Code sets out a series of minimum standards for housing construction, opportunities exist to construct housing developments that are healthy and affordable and contribute to a resilient and sustainable community. This includes:

- *Increased insulation standards, passive solar design, and the use of renewable electricity generation, to reduce dependence on reticulated energy and uncertainty around future price fluctuations.*
- *The use of water-sensitive design principles, including rainwater conservation, low-flow water-efficient design, and grey-water recycling.*

Increasing the density of housing and development often leads to increases in impermeable surfaces. In turn this can lead to increasing run-off and localised ponding. The design of housing development needs to recognise these impacts and mitigate their effects.

Some locations are not appropriate for residential development or residential intensification due to the risks of natural hazards.

OBJECTIVE 4

The predominant character of the Residential Zone is not compromised by incompatible land use and development.

POLICIES

- 4.1 To recognise the range of activities which are complementary to and compatible with residential use and development.
- 4.2 To control the effects of the scale and character of non-residential activities and buildings within the Residential Zone.
- 4.3 To control the location of non-residential activities within the residential Zone.
- 4.4 To avoid the establishment of activities which create adverse effects on, the overall amenity and ambience of the residential environment.

Explanation

The primary function of the Residential Zone is a place for people to live. Much of the pleasantness and character of the Residential Zone stems from the dominance of dwellings. Nevertheless, there are a range of activities which are complementary to and compatible with that function. This compatibility is largely achieved through policies and associated rules intended to control the adverse effects of non-residential buildings and activities on people's living environment. While some non-residential activities offer residential dwellers convenient services which can be designed to be compatible with that residential environment, others cannot. Such non-compatible activities must be actively discouraged, particularly where establishment of more than one could lead to cumulative adverse effects on the residential environment.

OBJECTIVE 5

The significant cultural heritage values associated with the Savage Crescent Conservation Area are conserved.

POLICY

- 5.1 To avoid, remedy or mitigate the effects of activities which could impair or destroy the cultural heritage values associated with the Savage Crescent Conservation Area.

Explanation

The Savage Crescent Conservation Area has been identified as being of significant cultural heritage value both locally and nationally. In recognition of this, Council considers that this area should be protected from inappropriate activities such as the further subdivision of land, the demolition or removal of existing dwellings, and the construction of additional dwellings on sites located within the area.

OBJECTIVE 6

To avoid, remedy or mitigate the adverse effects of aircraft noise on noise sensitive activities in the vicinity of the Palmerston North Airport, while protecting the Palmerston North Airport from the potential adverse effects of noise sensitive activities on efficient airport operations.

POLICIES

- 6.1 To prohibit any new dwelling, school, or other building to be used for regular living accommodation in the Contour.
- 6.2 To mitigate the adverse effects of aircraft noise on any new dwelling, school, hospital or other building to be used for regular living accommodation or the regular assembly of people in the Inner and Outer Control Contours by specifying appropriate insulation standards.

Explanation

The operations of a modern airport give rise to a range of sound emissions relating mainly to aircraft operations. These sound emissions may adversely affect surrounding noise sensitive activities such the inhabitants of dwellings.

In order to protect potential occupiers of land situated within the vicinity of the airport from levels of noise that may be incompatible with normal standards of residential amenity, Council has introduced controls to avoid or mitigate the adverse effects of operational aircraft noise on noise sensitive residential activities. These controls also have the effect of protecting the operation of the Airport from noise sensitive activities to allow it to function efficiently, effectively and safely.

To ensure that responsibility for mitigation of operational aircraft noise is not borne solely by affected residential property owners, Council has also introduced specific noise mitigation measures to control operational activities within the Airport Zone. Please refer to R13.4.6 Sound Emissions in the Airport Zone.

OBJECTIVE 7

To avoid, remedy or mitigate the adverse visual effects of residential activities in the Aokautere residential area on the character and amenity of the Turitea Valley.

POLICIES

- 7.1 To require buildings and structures be set back from the edge of the escarpment above the Turitea Valley so as to reduce their visual intrusion into the valley.
- 7.2 To restrict the height of buildings adjacent to the escarpment edge of the Turitea Valley so as to limit the impact on the skyline, as seen from the floor of the Turitea Valley.

Explanation

The Aokautere residential area extends along a ridge overlooking the Turitea Valley. Housing on the edge of the escarpment of the ridge can be visually intrusive when seen from the floor of the Turitea Valley, particularly when silhouetted against the skyline.

The visual prominence and impact of housing and other structures on the Turitea Valley can be greatly reduced by setbacks from the escarpment edge, and height limits. Over time these controls can be complemented by non-regulatory measures, such as street tree planting, further reducing the impact of development.

OBJECTIVE 8

To ensure development within the Napier Road Residential Area and the Napier Road Residential Extension Area:

- **Protects and provides for sustainable and efficient land transport connectivity.**
- **Avoids, remedies or mitigates reverse sensitivity on SH 3, the railway line, and surrounding rural land.**
- **Provides for a visual connectivity between the Residential Zone and the adjoining conservation and amenity zone.**
- **Does not lead to buildings which are visually intrusive on the landscape.**
- **Does not lead to land use which adversely affects flood control measures.**
- **Protects development from natural hazards.**
- **Creates a high quality and diverse living environment**

POLICIES

- 8.1 For the Napier Road Residential Area, to prevent development until a road is constructed and vested with Council that links the Napier Road Residential Area to James Line.
- 8.2 To ensure that development is undertaken in accordance with the Napier Road Residential Area Structure Plan (Map 7.5) and the Napier Road Residential Extension Area (Map 7.9).
- 8.3 To control ground level heights and earthworks to ensure the integrity of the Noise Bund (within the Napier Road Residential Area) and avoid flooding risks.
- 8.4 To mitigate the effects of reverse sensitivity from residential development on SH 3, the railway line and adjoining farmland through the location and design of new buildings and noise sensitive activities.

- 8.5 For the Napier Road Residential Area, to control the height of buildings to minimise adverse visual effects on the surrounding rural environment and ensure the noise bund integrity as a noise mitigating measure.
- 8.6 To control the height and scale of fencing on properties directly adjoining the Conservation and Amenity Zone to ensure visual connectivity and social surveillance of the Zone.
- 8.7 To control the location of buildings in relation to the escarpment and oxbow to protect against the risk of natural hazard.
- 8.8 For the Napier Road Residential Extension Area.
 - a. To manage development by requiring additional geotechnical investigations prior to the future use and development of land.
 - b. To require development in general accordance with the Napier Road Residential Extension Area Structure Plan (Map 7.9)
 - c. To encourage active street frontages for new dwellings, garaging and fencing.
 - d. To manage the risk of stormwater flooding by encouraging low impact stormwater design, requiring minimum floor levels and by ensuring all lots have adequate pervious surfaces.

Explanation

The Napier Road Residential Area lies to the north of a high-speed rural state highway. Noise mitigation measures are important to protect the operation of SH 3 and the amenity of those living within the NRRRA. The development of the site is not considered appropriate until a key roading connection is established with James Line via Rosalie Terrace to ensure efficient and sustainable land transport connections. The Plan has controls in place to ensure that building development and earthworks do not compromise noise mitigation and flooding effects or increase visual effects to the surrounding environment. Fencing on properties directly adjoining the conservation and amenity zone will be managed so that there is good visual connectivity and social surveillance with the Conservation and Amenity Zone. Buildings have a special setback to protect against the risk of escarpment failure and a wave surge into buildings adjacent to the oxbow lake and escarpment.

OBJECTIVE 9

To encourage an environment within any Greenfield Residential Area that is an attractive, healthy and safe place in which to live with a diverse range of residential housing types and densities.

POLICIES

- 9.1 To control the height and scale of buildings to minimize adverse visual effects on adjoining residential properties and the scale and intensity of the surrounding residential environment.
- 9.2 To control the height and visual permeability of fencing on properties, particularly those directly adjoining streets and public open space, to ensure visual connectivity and social surveillance of the area.
- 9.3 To avoid garages that dominate the streetscape.
- 9.4 To encourage the design of building frontages that relate to the street and enhance perceptions of safety.
- 9.5 To encourage development that results in a distinctive, memorable and valued sense of place.
- 9.6 To encourage a mix of lot sizes, dwelling sizes, heights and types.

Explanation

Council is seeking to place a stronger emphasis on achieving good urban design outcomes within new residential areas in the City. Greater control is being introduced into the District Plan to guide development to ensure that these outcomes are achieved. The major intention is to create a high-quality living environment that has positive effects on residential amenity and enhances the safety and quality of the streetscape environment.

OBJECTIVE 10

To ensure non-residential development within any Greenfield Residential Area neighbourhood centre provides for the day-to-day shopping and service needs of the surrounding community and contributes to a high-quality living environment.

POLICIES

- 10.1 To encourage the development of commercial activities within the neighbourhood centre identified on any Greenfield Residential Area Structure Plan within Section 7A.
- 10.2 To ensure commercial activities within any Greenfield Residential Area are consistent with the policy framework of the Local Business Zone.

OBJECTIVE 11

To ensure potential natural hazards within any Greenfield Residential Area are appropriately investigated and residential development is confined to areas with no known natural hazards or where known natural hazards can be appropriately mitigated.

POLICIES

- 11.1 To control the location of buildings in relation to the escarpment and oxbow in the Whakarongo Residential Area to protect against the risk of natural hazard.
- 11.2 To ensure buildings and structures in any Greenfield Residential Area are located and designed to protect against the risk of natural hazards.
- ~~11.3 To ensure buildings, structures and landscaping are not located in the 5 metre no-build setback identified on the Aokautere Structure Plan (Map 7A.3) to protect against the risk of natural hazards.¹~~

OBJECTIVE 12

To recognise the suitability of existing resources of the Hokowhitu Campus for continued Institutional Activities and to provide for the continuation of that use as the site transitions into the Hokowhitu Lagoon Residential Area.

POLICIES

- 12.1 To enable the ongoing use of the Hokowhitu Campus for institutional activities that utilise existing physical resources.
- 12.2 To manage the actual and potential adverse effects of Institutional Activities on new residential activities.

¹ S50.025

OBJECTIVE 13

To recognize the suitability of existing physical resources of the Hokowhitu Campus for continued Institutional Activities and to provide for the continuation of that use as the site transitions into the Hokowhitu Lagoon Residential Area.

POLICIES

- 13.1 To enable the ongoing use of the Hokowhitu Campus for institutional activities that utilize existing physical resources.
- 13.2 To manage the actual and potential adverse effects of Institutional Activities on new residential activities.

OBJECTIVE 14

To enable a high quality, integrated, safe and mixed-use built form environment in the Hokowhitu Lagoon Residential Area that complements and is compatible with the surrounding environment

POLICIES

- 14.1 To provide for limited reuse of existing physical resources for office activities that are compatible with Institutional and Residential activities provided they do not undermine the City's Centres-based retail and office strategy.
- 14.2 To encourage active street frontages through design controls for new dwellings, garaging, fencing and non-residential activities.
- 14.3 To discourage carparking at the frontage that results in vehicles obstructing footpaths.
- 14.4 To manage the interface between Institutional and Residential Activities by ensuring that the scale and character of non-Residential Activities are compatible with residential development.
- 14.5 To encourage multi-unit development in the Hokowhitu Lagoon Residential Area that contributes to high quality-built form.
- 14.6 The risk to personal safety and property damage from stray golf balls are minimised by:
- Requiring compliance with toughened glass or specific building design along the property boundary interface with the Manawatu Golf Course; and
 - Ensuring the design and/or location of buildings and private outdoor amenity areas in the Golf Ball Hazard Area on Map 7.7.2.7 to minimize exposure to people from stray golf balls.
- 14.7 To ensure residential development along the Manawatu Golf Course property boundary interface incorporate noise insulation into the design and construction of buildings.

OBJECTIVE 15

To ensure a high quality, integrated, and safe built form environment in the Aokautere Greenfield Residential Area that reflects the scale, form and density of use and development within the Aokautere Structure Plan and is compatible with the surrounding environment.

POLICIES

- 15.1** Require Achieve a diversity of built form and density within areas identified on the Aokautere Structure Plan Area, including by in a manner providing for:
- Detached houses with front setbacks and side yards in identified Suburban Low Density areas.
 - Attached or semi-detached two and three-storey townhouses and apartments in identified the Medium Density Village areas.
 - Short runs of fully attached two and three-storey townhouses at the promontories in identified Medium Density Cluster areas.²
- 15.2** Avoid establishing non-residential activities that are of a nature and scale that would undermine the vibrancy and vitality of any neighbourhood centre in close proximity to the activity.
- 15.3** The size and scale of buildings and structures must be compatible with the locality including the proximity of amenities such as open space and any Local Business Zone.
- 15.4** Ensure development contributes to high quality built form.³
- 15.5** Ensure residential sites adjacent to public spaces achieve visual and physical connectivity to these areas.
- 15.6** Ensure engagement between public and private domains for dwellings fronting a street.
- 15.7** Require active street frontages through design controls for new dwellings, garaging and fencing.⁴
- 15.8** Ensure building platforms are located in a manner which responds to gullies, plateaus, and promontories.
- 15.9** Require a high-amenity interface between residential development and the existing natural edges of the gully network including through provision of a 5 metre no-build setback where lot boundaries adjoin gully edges.
- 15.10** Ensure that residential development in the Aokautere Residential Area does not proceed until in the absence of the primary stormwater elements infrastructure which are necessary to with the capacity to service the development is in place to in a manner which ensures there is no increase in effects on surrounding areas or the gully network.
- 15.11** Ensure that new dwellings are not occupied before residential development does not occur in advance of the availability of operational transport infrastructure necessary to service the development; the transport network upgrades, including those outside of the Aokautere Structure Plan area as set out in Table 7A.1, that are necessary to provide for a safe and efficient transport network for the development, have been completed and are operational.
- 15.12** Avoid adverse effects on the gully network.
- 15.13** To restrict the height of buildings and structures and require them to be set back from the edge of the escarpment above the Moonshine Valley, so as to minimise their visual intrusion on dwellings in the Moonshine valley.⁵
- 15.14** Ensure residential development, or earthworks or recontouring to enable residential

² S51.073, S58.031

³ S51.076

⁴ S51.081

⁵ S30.002, S41.003, S90.001, S39.004

development, does not proceed unless a geotechnical investigation has confirmed the appropriateness of the land for development and the recommendations of any technical reports to address land stability, uncontrolled fill and natural hazards including any recommended avoidance or mitigation measures, have been implemented in advance of development.

10.4 Methods

- District Plan Rules (Palmerston North City Council)
- Public Education
- Designation_z
- **Aokautere Master Plan**

The community's desire for a high level of amenity within the Residential Zone means that a regulatory approach through the rules in this and other sections will be the most cost efficient and effective means of achieving the objectives and policies.

However, public education in the form of landscape and building design guides may also assist in achieving some of the amenity and design concerns of the objectives and policies, thereby achieving effective compliance at little cost to the community. **Similarly, the Aokautere Master Plan is intended to inform application of the Aokautere Structure Plan by providing guidance on subdivision and land development within the Aokautere Greenfield Residential Area. While the Masterplan has no statutory weight it can be taken into account by Council and other decision-makers when considering proposals under the District Plan and should inform applications within the Aokautere Greenfield Residential Area.**

In respect of any land severely affected by airport noise, one of the options available is for the Requiring Authority to designate land for airport purposes (and subsequently purchase it) or to simply purchase land without designation. Palmerston North Airport Limited was granted requiring authority status in July 1995 however; to date the Company has not exercised its designating powers for this purpose.

10.5 Activities in the Residential Zone

Of all the Zones which make up the City, the Residential Zone is the only one where a single activity, dwellings, so totally dominates. Although there are a range of other activities in the Residential Zone, it is very much a place where people live and where they expect a certain standard of development, providing good amenity values which makes living in their home and their neighbourhood a pleasant experience.

Consequently, the performance standards and various categories of activities are divided into two parts. The first part deals solely with single dwellings and sets out the performance standards which these must meet. The second part deals with all of the other activities which occur in the Residential Zone.

10.6 Dwellings and Accessory Buildings

Introduction

It is important that the environment in which people live is as pleasant as possible and that a particular ambience is created. This ambience and amenity comes from the style of development which occurs on the site itself and the way in which each site's development impacts on adjoining sites and on the neighbourhood as a whole.

While ideally dwellings should be designed specifically for their site, this is not always possible

due to time and economic constraints. However, it is important to give designers the opportunity to develop unique design solutions which may enrich the quality of development in the Residential Zone.

For these reasons a series of performance policies have been developed which reflect the matters which are regarded as important in terms of on-site amenity and the relationship of building on one site, to those on adjoining sites. In turn a series of performance standards have been developed which achieve these performance policies. Where a dwelling complies with these performance standards then it is a Permitted Activity. However, where there is a desire to undertake a specific design which may not meet all the performance standards, there is the opportunity to do so through a Restricted Discretionary Activity consent application. Again, the main issue for consideration is that the design can demonstrate that it meets the stated assessment policies.

10.6.1 RULES: PERMITTED ACTIVITIES

R10.6.1.1 Dwellings and Accessory Buildings

Any dwelling or accessory building is a Permitted Activity provided it complies with the Performance Standards detailed in Clauses(a) to (j)

NOTE TO PLAN USERS

Also refer to the following rules:

- | | |
|-----------------------------|---|
| R10.6.1.3 | Amberley Avenue, Escort Grove, Rangitane Park and Awapuni Racecourse Minimum Floor Level Areas; |
| R10.6.3.4 | Awatea Stream and Jensen Street Ponding Areas; |
| R10.6.1.6 | Continuation of Institutional Activities at the Hokowhitu Lagoon Residential Area; |
| R6.3.6 | Earthworks; |
| R17.5.1-17.8.1 | Cultural and Natural Heritage; |
| R23.6.4, 23.8.2 and 23.10.2 | Utilities |

Non-regulatory Design Guidelines have been prepared for Elmira Avenue and Manapouri Crescent.

Although these Design Guidelines have no legal effect under the District Plan, they are intended to offer practical advice for developing and maintaining properties in a way that enhances the unique neighbourhood.

Performance Standards

(a) Height - including Maximum Height and Height Recession Planes.

Maximum Height

- i. No building may exceed a maximum height of 9m; and
- ii. Any buildings or structures must comply, in terms of maximum height, with R13.4.7.1.
- iii. No fence within the 10 or 15 metre offset boundary, as shown on Map 10.6.1. "Landscape Provisions – Pacific Drive Extension", shall exceed a maximum of 1 metre above the existing ground level, and any solid fence shall be of neutral or recessive colour.

NOTES

- a. The elevation shown on the coordinate schedule on Map 10.6.1. shall be used as a benchmark of existing ground level.
- b. Acceptable colours include those from the following colour range from British Standard 5252 (as at 1 January 2010):
 - 00 A (01, 03, 05, 07, 09, 11, 13)
 - 02 A (03, 07, 11), 02 C (39 & 40)
 - 04 B (15, 17, 19, 21, 23, 25, 27, 29), 04 C (39 & 40)
 - 06 A (03, 07, 11), 06 C (37, 39 & 40), 6D (44, 45)
 - 08 A 14, 06 B (15, 17, 19, 21, 23, 25, 27, 29), 8C (37, 39, 40), 08 D (44 & 45)
 - 10 A (01, 03, 05, 07, 09, 11), 10 B (15, 17, 19, 21, 23, 25, 27, 29), 10 C (37, 39), 10 D (44, 45)
 - 12 B (15, 19, 21, 23, 25, 27, 29), 12 C (37, 39 & 40), 12 D (44, 45)
 - 14 C (37, 39 & 40), 14 D (44, 45)
 - 16 A (03, 07, 11), 16 C (37, 39 & 40), 16 D (44, 45)
 - 18 A 14, 18 B (15, 17, 19, 21, 23, 25, 27, 29), 18 C (39 & 40)
 - 20 C 39, 40
 - 22 C 39, 40
 - 24 C 39, 40
- iv. No building or permanent structure (other than a fence which is covered by (iii)) within the 10 or 15 metre offset boundary as shown on Map 10.6.1. "Landscape Provisions – Pacific Drive Extension" shall exceed a maximum height of 0.6 metres above the existing ground level. Note: The elevation shown on the coordinate schedule on Map 10.6.1. shall be used as a benchmark of existing ground level.
- v. On any allotment containing all or part of the 10 or 15 metre offset boundary, no building on any part of the allotment beyond the 10 or 15 metre offset boundary, shall exceed a maximum height of 7 metres above the existing ground level shown on the coordinate schedule on Map 10.6.1 "Landscape Provisions – Pacific Drive Extension".

Height Recession Planes

- i. All buildings shall comply with the following recession planes:
 - a. All parts of a building shall be contained within a 45 ° plane commencing at 2.8 metres above ground level inclined inwards at right angles in plan. See Figure 10.1.
- ii. Where a boundary adjoins an access strip the measurement will apply at the furthestmost boundary of the access strip.
- iii. These height recession planes and absolute height control shall not apply to:
 - a. antennas, aerials, chimneys and architectural appurtenances (such as ornamental towers, turrets, finials, spires, flagpoles and gargoyles) provided these do not exceed the recession plane or absolute height control by more than 5 metres vertical distance.
 - b. solar photovoltaic panels, and solar water heaters provided these do not exceed the recession plane or absolute height control by more than 0.5 metre vertical distance.
 - c. any boundary common with a reserve or street.
- iv. Gable roof ends, including the sloping edge of mono-pitch roofs, may penetrate the height recession plane by no more than one third (1/3) of the gable end height.
- v. In applying the height recession plane to properties on Pacific Drive adjoining the offset boundaries, as shown on Map 10.6.1 "Landscape Provisions – Pacific Drive Extension", the plane shall commence from the 10 or 15 metre offset boundary (whichever applies).

(b) Overlooking

Any part of a building that is outside the building envelope formed by the height recession planes and the maximum height limit shall not contain a window. Skylights shall be excluded from this provision.

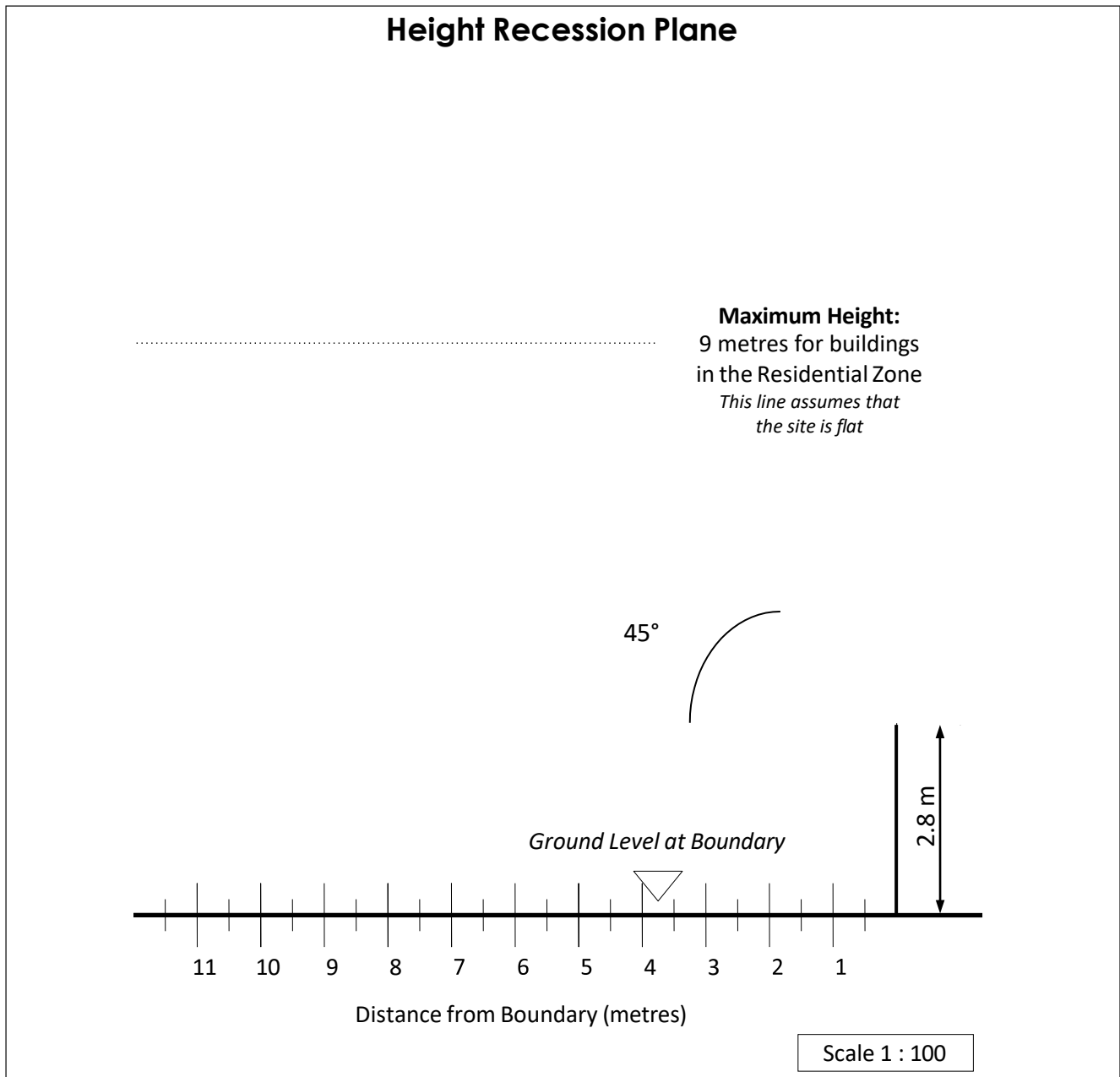
Explanation

In dealing with the issue of the height of buildings in the Residential Zone, it is clear that there are a number of associated effects. Most of these effects impact on adjacent sites and dwellings and it is therefore important that any control, as far as possible, attempts to control these effects without becoming unnecessarily complex or restrictive in terms of the design of any dwelling. The major effects which arise from the height of buildings are:

- i. *Effects on the penetration of sunlight and daylight to adjacent sites and buildings.*
- ii. *Effects associated with overlooking which may lead to actual or perceived loss of privacy for outdoor areas or dwellings on adjacent sites.*
- iii. *Effects arising from the physical bulk of the building which may lead to a feeling of loss of privacy due to the perception that the building on the adjacent site is oppressive.*

While some of these effects can be dealt with by a recession plane approach, it is also necessary to control the location of windows to address the privacy issues. Equally it is also important that any recession plane is related to the orientation of the building in relation to the sun. For instance, a building close to a southern boundary is likely to have the greatest effect on neighbouring properties. However, this is also an approach which needs to be modified if there is no adjacent residential neighbour or where for instance it is a boundary to a road, school or right of way.

Figure 10.1

**(c) Separation Distances**

- i. Any dwelling on a lot with frontage to a public road shall be located a minimum of:
 - a. 3 metres from the boundary with any road unless it contains a garage or carport facing the road and having direct access from the road, in which case the minimum separation distance for that part of the dwelling containing the garage or carport shall be 6 metres.
 - b. 1.5 metres from any other boundary.
- ii. Any dwelling without frontage to a public road shall be located a minimum of 1.5 metres from any boundary.
- iii. Where two dwellings (or one dwelling and one minor dwelling) are built on the same site;
 - a. Any part of the façade of a dwelling shall be located at least 3 metres from any other dwelling on the same site.

- b. Where two dwellings are joined by their respective garages, the separation distance provisions of (a) shall not apply.
- c. Any part of a dwelling shall be located at least 1.5 metres from the edge of any driveway or right-of-way serving another dwelling on the same site.
- iv. Accessory Buildings shall be located a minimum of:
 - a. 3 metres from the boundary with any road unless it is a garage or carport facing the road and having direct access from the road, in which case the minimum separation distance shall be 6 metres.
 - b. 1.0 metre from any other boundary.
- v. For corner sites the requirements of (i) (a) and (iv) (a) shall only apply to one road frontage. Where only one frontage is used as vehicular access that will be the frontage to which the separation distance applies.

Explanation

An important aspect of residential amenity is the physical distance between dwellings within the same site or adjoining sites. Where two dwellings are built on adjoining sites, such that each is only the minimum distance from the boundary, they often appear to intrude on each other's living space and privacy. Where residential buildings are in close proximity there may also be adverse effects in terms of daylight and sunlight penetration.

Likewise, the physical distance between dwellings and the street-front contribute to the character and amenity values of individual streets. The placement of buildings in close proximity to the street front boundary can result in effects on surrounding property and street character.

The approach establishes more specific requirements for the street frontage or property; however, this is balanced with less fixed regulation for the remainder of the site.

The overall effects of the separation distances should be to reduce the effects of one dwelling on another or on an adjacent site. Where a variation to these separation distances is considered appropriate as part of the overall design of the dwelling, this can be dealt with by way of a Restricted Discretionary Activity consent.

(d) Site Area, Site Coverage and Number of Buildings

- i. Site Area
 - a. A minimum net site area of 350m² for each dwelling unit unless subject to the standards of (b)-(d) below.
 - b. A minimum net site area of 1300m² of contiguous developable land in the Aokautere Parklands Area.
 - c. A minimum net site area of 400m² of contiguous developable land in the Aokautere Development Area (refer Map 10.1).
 - d. A minimum net site area of 500m² for each dwelling unit in the Napier Road Residential Extension Area, Ashhurst, Bunnythorpe and Longburn village residential areas.

Explanation

The site area control provides a standard for densities on sites to avoid the creation of developments which appear overcrowded and have negative effects on adjoining properties or create poor on-site amenity. The site area control ensures sites are of a sufficient size to accommodate necessary buildings and sufficient on-site private open space.

Variations in the minimum site area are a product of existing development constraints, but also recognising the unique character of both urban and village residential environments.

For example, given the particular topographic and geological characteristics of the Aokautere area, the intent of this rule, as it relates to the Aokautere Development and Parklands Areas, is to ensure that there is an alignment between minimum lot size and the minimum area of developable land necessary to accommodate a residential building platform.

Additionally, when subdivided for the purposes of residential development the Parklands Area is intended to act as a transition area between close urban development in the Aokautere Development Area and rural- residential development in, for example, the Moonshine Valley and Polson Hill areas. The provision of larger residential building platforms in this area therefore will provide a clear gradation of development in the Aokautere area.

Within the Aokautere Development Area (refer Map 10.1) it is essential that there is sufficient useable or restructured land to ensure that there is a stable building platform on which to safely establish a dwelling and associated facilities such as garaging and open space.

ii. Site Coverage

The maximum amount of site which may be covered by buildings shall be:

- a. 40% on sites of less than 500m²
- b. 200 m² on sites of 500m² to 572m²
- c. 35% on sites over 572m²
- d. 30% for sites within the Napier Road Residential Extension Area

Explanation

When a dwelling is placed on its site much of the effect of the building on the overall amenity of the neighbourhood arises from the perceived bulk of the building. This in turn relates to the height of the building and the proportion of the site which is covered by buildings. This can lead to a feeling that neighbouring properties are being overlooked or are physically "oppressed" by the building. This effect is magnified where the building is double storied and is at maximum site coverage.

The site coverage control is intended to deal with both the "bulk" effect and the physical coverage of the site while still allowing for adequate development potential particularly on small sites.

iii. Number of buildings used for residential living per site

The number of buildings per lot shall be no more than:

- a. Two dwelling units; or
- b. One dwelling and one minor dwelling unit; or
- c. One dwelling unit and one sleep-out.

Except for the Napier Road Residential Extension Area where only one dwelling per lot shall be permitted.

Explanation

In most cases each lot contains one dwelling, although this is not always the case. The above standard incorporates flexibility to construct minor dwellings and sleep-out accommodation in most areas. However, in order to provide certainty to adjacent properties and maintain residential amenity standards, it is necessary to limit the number of buildings and intensity of accommodation units.

(e) **On-site Amenity**

Every dwelling shall be provided with an outdoor amenity area which can meet the following requirements: Refer to Figure 10.5

- i. A minimum open area of 36m² free of driveways, parking spaces, buildings and manoeuvring area.
- ii. Is able to accommodate a circle of 4.5 metres in diameter.
- iii. The area has a gradient no greater than 1 in 20.
- iv. Has direct contact with a main living area for a length of not less than 2 metres.
- v. Is orientated to the east, west or north of the dwelling.

Explanation

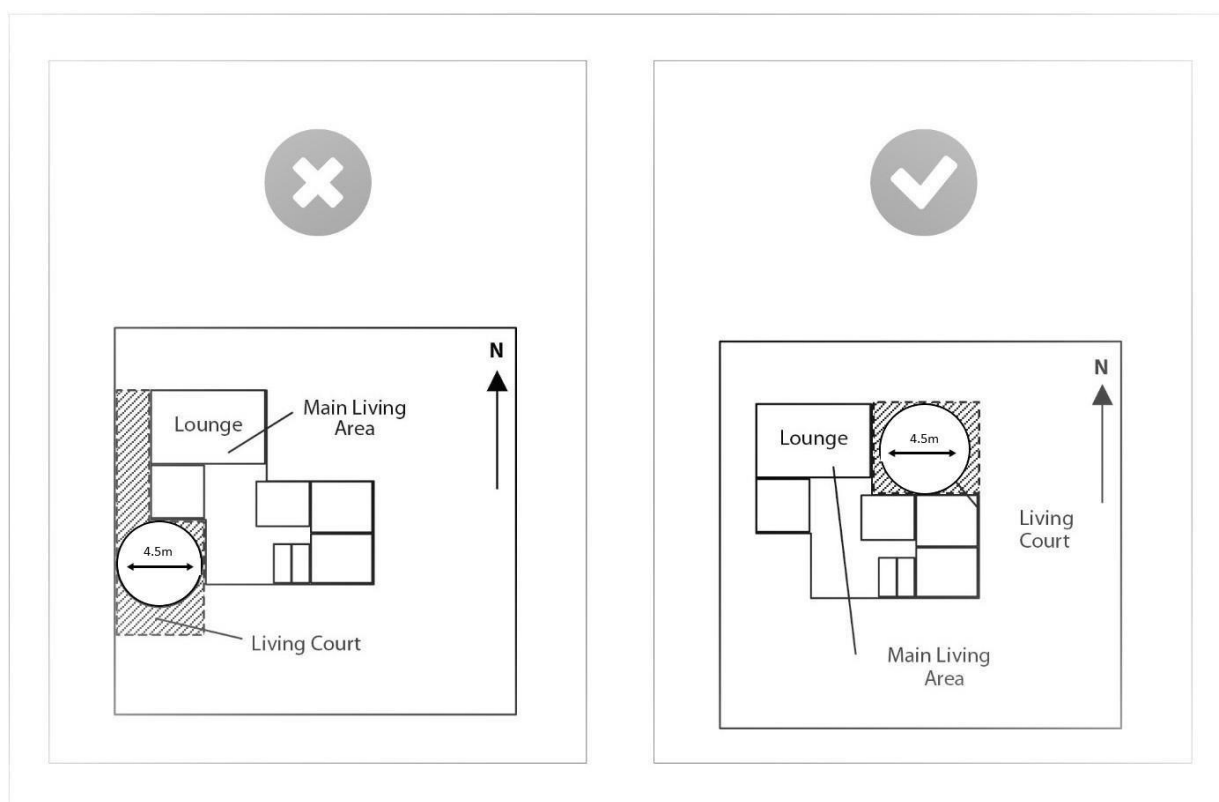
Much of the enjoyment of a site comes from the availability and useability of open space within the site. To be effective the open space must allow good daylight and sunlight penetration and be readily accessible from the main living areas of the dwelling.

The rules are intended to ensure that through good design that any site has effective open space available which adds positively to on-site amenity values.

NOTE TO PLAN USERS

Applications for the construction of a second dwelling or a minor dwelling unit will incur the payment of a Development Contribution. Refer to the Development Contributions Policy for further information.

Figure 10.5



Explanation

This diagram is to read in accordance with performance condition 10.6.1.1(e), as it provides a visual representation of what is required by the Performance Standards. The diagram complements the conditions which are intended to ensure that through appropriately designed sites, effective open space will be achieved, adding positively to on-site amenity values.

The diagram clearly shows that the preferred location (the tick) for amenity areas is to the east, west or north of the dwelling, with the 4.5 metre diameter within a length of no less than two metres from the main living area. The undesired location of the main amenity area is shown by the cross on the diagram, as the 4.5 metre diameter is not directly located off the living area.

(f) Aokautere Development Area

Within the Aokautere Development Area (Map 10.1) all dwellings and accessory buildings shall be located on developable land.

Explanation

Development within the Aokautere Development Area ~~and Aokautere Residential Area~~ is constrained by the terrain. Areas are identified as either Developable or Limited Development Land. The primary purpose of these divisions is to establish stability controls for housing development. The limitations have however also shaped the nature of housing development and the character of the Aokautere area.

(g) Access and Parking

Compliance with the following performance standards of R20.4.2:

20.4.2(a) Vehicle Access;

20.4.2(g)(i) Cycle Parking Provision and Design

Explanation

The performance standards attempt to mitigate the effects created by the movement of vehicles in residential areas.

(h) Air Noise Control

i. In the Outer Control Contour identified on Map 10.6.6.1, all buildings must be constructed in compliance with:

- Any bedroom in a building used by a noise sensitive activity must achieve the following minimum standard of external sound insulation:

$$DnT,w + Ctr > 25 \text{ dB.}$$

- Any habitable room, other than a bedroom, in a building used by a noise sensitive activity must achieve the following minimum standard of external sound insulation:

$$DnT,w + Ctr > 20 \text{ dB}$$

- Any used for communal activities must achieve the following minimum standard of external sound insulation:

$$DnT,w + Ctr > 20 \text{ dB}$$

ii. In the Inner Control Contour identified on Map 10.6.6.1, all buildings must be constructed so that:

- Any bedroom in a building used by a noise sensitive activity must achieve the following minimum standard of external sound insulation:

$$DnT,w + Ctr > 30 \text{ dB}$$

- Any habitable room, except for a bedroom, in a building used by a noise sensitive activity must achieve the following minimum standard of external sound insulation:

$$DnT,w + Ctr > 25 \text{ dB}$$

- Any room used for communal activities must achieve the following minimum standard of external sound insulation:

$$DnT,w + Ctr > 25 \text{ dB}$$

iii. All habitable rooms must be designed, constructed and maintained in accordance with a design report prepared by a suitably qualified and experienced member of the Acoustical Society of New Zealand stating that the proposed design will achieve compliance with the requirements of performance standards (h)(i) – (ii), including a 5dBA safety margin.

- iv. Ventilation - Where bedrooms with openable windows are proposed, a positive supplementary source of fresh air ducted from outside is required at the time of fit-out. For the purposes of this requirement, a bedroom is any room intended to be used for sleeping. The supplementary source of air is to achieve a minimum of 7.5 litres per second per person.

NOTE TO PLAN USERS

Proposed activities that do not meet the performance standards in (h) are Non-Complying Activities under R10.7.5.2.

The following deeming provisions apply in circumstances where a proposed dwelling/ building straddles the boundary of noise contours shown on Map 10.6.6.1:

1. Where a dwelling/building is proposed on the 55 Ldn noise contour line, the dwelling/ building is deemed to be outside of the Outer Control Contour.
2. Where a dwelling/building is proposed on the 60 Ldn noise contour line shown on Map 10.6.6.1, the dwelling/building is deemed to be within the Outer Control Contour.
3. Where a dwelling/ building is proposed on the 65 Ldn noise contour line, the dwelling/ building is deemed to be within the Air Noise Contour.

Explanation

As a consequence of air noise projection work and other investigative work undertaken by Palmerston North Airport Limited, and the Palmerston North City Council respectively, a large area of land surrounding the Palmerston North Airport has been identified as being subject to varying levels of noise exposure associated with aircraft operations.

The noise emission levels resulting from these operations have been predicted using methods recommended by New Zealand Standard 6805:1992 - Airport Noise Management and Land Use Planning. Noise emission levels are identified as equal loudness contours around the airport. Map 10.6.6.1 - Air Noise Control included in this Plan defines these contours and identifies those areas around the airport, expressed as discrete noise zones, within which specific noise attenuation measures apply.

For the purposes of this Plan, three distinct noise contours have been developed as follows:

- a. *Air Noise Contour - the Air Noise boundary is generally the 65 Ldn noise contour. Due to the high level of aircraft operational noise predicted within this contour the establishment of any new noise sensitive activities, such as dwellings, are prohibited.*
- b. *Inner Control Contour - the Inner Control Contour incorporates the land between the 60 Ldn and 65 Ldn predicted noise contours. The objective of this Contour is to provide for a level of sound insulation in the design of dwellings and other buildings used for regular accommodation which adequately reduces the level of noise exposure experienced.*
- c. *Outer Control Contour - the Outer Control Contour incorporates the land between the 55 Ldn and 60 Ldn predicted noise contours. The objective of this Contour is to provide for a level of sound insulation in the design of dwellings and other buildings used for regular accommodation which reflects the reduced level of aircraft noise exposure experienced within this area. As the maximum aircraft noise level in this Contour is five decibels less than in the Inner Control Contour, sound insulation requirements are also correspondingly reduced by five decibels.*

(i) Turitea/Aokautere Residential Zone Setback

No development, fencing, structures, buildings or earthworks except those within the maximum height permitted in R10.6.1.1(a) shall be located within the 10 or 15 metre setback line as shown on Map 10.6.1 "Landscape Provisions – Pacific Drive Extension".

Explanation

Structures on ridgelines tend to be prominent in the landscape when viewed from the floor of the adjoining valley. Height controls and development setbacks from the escarpment can greatly reduce visual impact of development.

The escarpment top which marks the boundary of the Turitea Valley with the Aokautere residential area of Pacific Drive is rounded in nature. The previous practice of building, developing, or carrying out earthworks over the rounded lip of the escarpment top, tended to create adverse effects on the visual amenity of the Turitea Valley below. A setback from the escarpment edge, applicable to almost all man-made modifications, can help maintain the rural character of the Turitea Valley and the escarpment by hiding modifications, when viewed from the valley floor.

(j) Pacific Drive Extension Area Water Supply Requirements

New dwellings within the Pacific Drive Extension Area (Map 10.6.1) shall be provided with connections to a water system which is able to supply a flow and pressure able to meet the required peak hourly flow for domestic consumption for the area served: and

- i. Be able to supply a flow not less than that required for firefighting in a residential area;
- and
- ii. Be capable of receiving and maintaining a supply that meets the needs of the Drinking Water Standard for New Zealand, Department of Health (2000).

R10.6.1.2 Minor Dwelling Units

Any Minor Dwelling Unit is a Permitted Activity provided it complies with the following Performance Standards:

NOTE TO PLAN USERS

Also refer to the following rules:

R10.6.1.3	Amberley Avenue, Escort Grove, Rangitane Park and Awapuni Racecourse Minimum Floor Level Areas;
R10.6.1.1	Air Noise Control;
R10.6.3.5	Awatea Stream and Jensen Street Ponding Areas;
R10.7.1.6	Limited Development land in Aokautere;
R17.5.1-17.8.1	Cultural and Natural Heritage Rules;
R23.6.2(i)	Radiofrequency Field Exposure.
R23.6.4, 23.8.2 and 23.10.2	Utilities

Performance Standards

(a) Building Size`

Each unit must have a gross floor area no greater than 80m².

(b) Height and Overlooking

Compliance with R10.6.1.1(a) and R10.6.1.1(b).

(c) Separation Distances

Compliance with R10.6.1.1(c).

(d) Site Coverage and Number of Buildings

Compliance with R10.6.1.1(d)(ii) and (iii).

(e) On-site Amenity

The minor dwelling unit shall be provided with a private outdoor amenity area which can meet the following requirements:

- i. A minimum open flat area of 30m² free of driveways, parking spaces, buildings and manoeuvring area.
- ii. Is able to accommodate a circle of 4 metres in diameter.
- iii. Has direct contact with a main living area.
- iv. Is orientated to the east, west or north of the unit.

(f) Air Noise Control

Compliance with R10.6.1.1 (h).

(g) Turitea/Aokautere Residential Zone Setback

Compliance with R10.6.1.1 (i).

(h) ~~Pacific Drive Extension Area Water Supply Requirements~~

~~Compliance with R10.6.1.1 (j).~~

(i)(h) Aokautere Development Area

In the Aokautere Development Area (Map 10.1), any minor dwelling unit shall be located on Developable Land.

NOTE TO PLAN USERS

Also refer to R23.6.2(i) – Radiofrequency Field Exposure.

R10.6.1.3 Amberley Avenue, Escort Grove, Rangitane Park, Awapuni Racecourse, Napier Road Residential Area and Napier Road Residential Extension Area Minimum Floor Level Areas

- i. Within the area shown as **Area A** on Map 10.6.1.3 The Amberley Avenue Minimum Floor Levels Area, any residential building erected must have a habitable floor level above 23.45m in terms of the Palmerston North City Council datum of levels.
- ii. Within the area shown as **Area B** on Map 10.6.1.3 The Amberley Avenue Minimum Floor Levels Area, any residential building erected must have a habitable floor level above 23.31m in terms of the Palmerston North City Council datum of levels.
- iii. Within the area shown as **Area C** on Map 10.6.1.3 The Rangitane Park Ponding Area, any residential building erected must have a habitable floor level above 22.63m in terms of the Palmerston North City Council datum of levels.
- iv. Within the area shown as **Area D** on Map 10.6.1.3 The Escort Grove Minimum Floor Levels Area, any residential building erected must have a habitable floor level above 23.20m in terms of the Palmerston North City Council datum of levels.
- v. Within the area shown as **Area E** on Map 10.6.1.3 The Awapuni Racecourse Minimum Floor Level Area, any residential building erected must have a ground floor level above 24 metres, with the ground level for residential allotments and any other building or accessory building above 23.80 metres, and all roads above 23.60 metres (measured at the invert of the channel level) being in terms of the Palmerston North City Council datum of levels.
- vi. Within the land zoned residential in the Napier Road Residential Area (Map 7.5), any residential building, any other building or accessory building erected must have a ground floor above the 0.2% AEP flood event plus 500mm freeboard. Access to occupied structures shall be above the 0.2% AEP flood event.

- vii. Within the land zoned residential in the Napier Road Residential Extension Area (Map 7.9), any residential building, any other building or accessory building erected must have a minimum floor height as follows:
- Within the stopbank area (Area A) floor levels designed for the 2% AEP rainfall event plus freeboard.
 - Within the area outside of the stopbank (Area B) floor levels for the 0.5% AEP river flood event plus 500 millimetres freeboard.
 - Throughout the Napier Road Residential Extension Area overland flow paths are identified and designed to ensure that no upstream or downstream properties are impacted in a 1% AEP rainfall event.

Access to habitable structures shall also be above the 0.5% AEP flood event.

Guidance Note: Compliance with this standard does not mean that land is not identified as being subject to a natural hazard under the Building Act.

Explanation

The area enclosed by Monrad Street, Pioneer Highway and the Mangaone Stream in the Amberley area drains to the Mangaone Stream by way of piped outlets to the Kawau Stream and Pioneer Highway Drain. Generally, the residential area lies below the level to which water rises within the of these watercourses. At times of high flow, automatic gates close and flood water is prevented from entering the area from the watercourses. Some water will continue to drain to Rangitane Park, but in extreme circumstances, ponding will occur within the streets and then on property. Consequently, the area of potential surface flooding on a 100-year return period, has been identified as the Amberley Avenue Minimum Floor Levels Area.

Escort Grove follows a remnant of one of many watercourses which traversed the area. Stormwater is drained from the area by way of a pipeline access from Totara Road into the watercourse within Rangitane Park. When rainfall exceeds the capacity of the piped system to remove it, initially ponding will occur in the street. With continuing rainfall, this ponding will extend into property until overland flow across Totara Road commences. The area subject to ponding on a 100-year flood return period has been identified as the Escort Grove Minimum Floor Levels Area.

The stream within Rangitane Park is the lower reach of the stormwater system draining a catchment bounded by Pioneer Highway, Botanical Road, College Street and the Mangaone Stream. It enters the Mangaone Stream by way of a floodgated structure, which automatically prevents further outflow when water levels within the Mangaone rise above those in the Park. As water continues to flow from the catchment, it is stored within the ponding area until falling levels in the Mangaone Stream permit the outflow to resume. This potential ponding area, based on a 100-year flood return period, has been identified as the Rangitane Park Minimum Floor Levels Area.

The Awapuni Racecourse Minimum Floor Level Area has been identified in order to ensure that dwelling/ other buildings will not be adversely affected by flooding and ponding and to ensure there will not be an adverse effect on the ponding areas in the vicinity. The flood levels for the area have been determined as being between 23.32 metres and 23.39 metres on low-lying areas of the site. Low lying areas need to be raised to a ground level of 23.80 metres. In addition, floor levels for residential buildings will be above 24.00 metres providing a 600mm freeboard above flood level, which means the area has the same level of protection as the stopbank. For other buildings and accessory buildings, the ground level will be above 23.80 metres and roads will be above 23.60 metres so there will be no overland flow path from the Mangaone into the City.

The Napier Road Residential Area represents an extension to the urban boundary of Palmerston North City. Minimum floor levels above the 0.2% AEP flood event plus 500mm freeboard are required to avoid or mitigate the effects of inundation from the Manawatu River.

In each case a minimum floor area has been established for each area to ensure that any dwelling is not inundated with water when the area functions as a ponding area.

R10.6.1.4 Dwellings in the Napier Road Residential Area and the Napier Road Residential Extension Area

Any dwelling, which is not a Restricted Discretionary Activity or a Non-Complying Activity, is a Permitted Activity provided it complies with the Performance Standards detailed in Clauses(a) – (j).

NOTE TO PLAN USERS

Notwithstanding the activity status set out in R10.6.1.4, all development that occurs prior to the provision of a road constructed that links the Napier Road Residential Area site to James Line via Rosalie Terrace shall be a non-complying activity and subject to R10.6.5.4. Once the requirements of R10.6.5.4 have been met, development within the Napier Road Residential Area will be a Permitted Activity and R10.6.1.4 will apply.

Performance Standards

a) Height Recessions Planes, Overlooking, Site Area and Coverage, On-site Amenity, Access and Parking

Compliance with R10.6.1.1(a) (Height Recession Planes), R10.6.1.1(b) (Overlooking), R10.6.1.1(d) (Site Area, Site Coverage and Number of Buildings), R10.6.1.1(e) (On-site Amenity), R10.6.1.1(g) (Access and Parking).

b) Maximum Building Height

No building should exceed a maximum height of 7 metres from the minimum floor levels set in R10.6.1.3(vi) or (vii).

c) Acoustic Insulation and Setbacks

For the Napier Road Residential Area:

- i. All buildings constructed within 80 metres of the carriageway edge of State Highway No.3 shall be in compliance with a noise insulation from outside to inside any habitable space of $DnT,W+Ctr > 30dB$. Compliance with this standard shall be achieved by ensuring that habitable rooms are designed, constructed and maintained in a manner that:
 - accords with the schedule of typical building construction set out in Appendix 1; or
 - accords with an acoustic design report signed by a suitably qualified and experienced acoustic engineer stating that the design as proposed will achieve compliance with the performance standard. If assumptions are made regarding the performance of an acoustic bund then any assumptions shall be justified in the report and the overall design shall demonstrate compliance with an internal noise level of 35dB LAeq(24hr) in living rooms and 30dB LAeq(24hr) in bedrooms.

Provided that:

1. No residential building is constructed within 30 metres of the carriageway edge of State Highway No.3.
 2. Any external mitigation measures used in assumptions about the internal noise levels, such as noise reducing bunds, are also properly maintained to a standard that is equal or better than the assumptions made in the report.
 3. For bedrooms a positive supplementary source of fresh air is ducted from outside to achieve a minimum of 7.5 litres per second per person.
- ii. No residential building is constructed within 30 metres of the carriageway edge of State Highway 3.

For the Napier Road Residential Extension Area:

- i. Any building (other than an accessory building) containing a noise sensitive activity constructed within 70 metres of the nearest railway track shall be designed, constructed and maintained in accordance with a design report prepared by a suitable qualified and experienced acoustic engineer stating that the design as proposed will achieve compliance with an internal noise level of 40dB LAeg(1hr) in living rooms and 35dB LAeg(1hr) in bedrooms.

Provided that no such building is to be located within 25m of the nearest edge of the Palmerston North – Gisborne railway track.

Explanation

The intention of this rule is to provide for a reduction of approximately 30dB for road traffic noise for dwellings constructed further than 30 metres from the road and closer than 80 metres to the road.

d) Fencing

- i. If a fence is erected on those properties along the property boundary directly adjoining the Conservation and Amenity Zone, then either one or the other provision below shall apply:
 - maximum height of 0.5 metre; or
 - is not erected over more than half of the property boundary.
- ii. Within the Napier Road Residential Extension Area, the maximum height of fencing adjoining a public road or public open space is 1.8 metres except as provided below:
 1. Where a fence is erected along a property boundary directly adjoining public open space:
 - The fence must not exceed 1.1 metres in height for more than half the property boundary length; or
 - If the fence is of open construction, the fence must not exceed 1.8 metres in height.
 2. Where a fence is erected along a property boundary directly adjoining a road frontage;
 - A maximum height of 1.1 metres applies except that solid fencing may be erected to 1.8 metres over not more than 1/3 of the frontage width, and
 - No part of a solid fence above 1.1 metres in height shall be located within 1.8 metres of a driveway, except for gate posts relating to a fence of open construction;
 - If the fence is of open construction, the fence must not exceed 1.8 metres in height.
 3. Where a side fence is within the front yard or next to a driveway, and within 3 metres of the street edge, a maximum height of 1.1 metres applies. Should a side fence connect to that part of any front fence on the same lot which is permitted by (f) below to rise to 1.8 metres, it may also rise to the same level.
 4. Where a fence is erected on the road frontage of a corner site, the requirements of 1-3 shall only apply to one road frontage.

e) Separation Distances

Compliance with R10.6.1.1 (c) except

- i. those dwellings on properties directly adjoining the escarpment and oxbow lake,

any dwelling shall be located at least 10m back from the bottom of the escarpment or boundary of the Conservation and Amenity Zone.

ii. Within the Napier Road Residential Extension Area:

1. No building shall be located within 20 metres of the edge of the oxbow lake.
2. No building containing a noise sensitive activity shall be located within 20 metres of the nearest carriageway edge line of Napier Road/
3. No buildings or structures shall be located within 3 metres of the toe of the stopbank.

Guidance Note: Resource consent is required from Manawatu-Whanganui Regional Council for work within 8 metres of the toe of the stopbank.

f) Flood Hazards

Compliance with R10.6.1.3

g) Permeable Surface

For the Napier Road Residential Extension Area:

- i. A minimum of 30% of the net site area shall, excluding the road, be of permeable surface. This includes decks provided the surface material of the deck allows for water to drain through to a permeable surface.
- ii. Each lot must incorporate rain gardens or other biofiltration device to treat road and hard stand runoff prior to discharge to the Council's stormwater network.

h) Active Frontage

Within the Napier Road Residential Extension Area, any houses on lots sharing a boundary with a road must exhibit the following design requirement;

- i. Any side or rear garage wall that is within 3 metres and fronting the street edge must be screened by landscaping along 70% of the frontage with vegetation capable of growing to a minimum of 1 metre tall. Glazing shall be provided for at least 10% of the surface area of these street fronting walls.
- ii. Windows from a main living area facing the street.
- iii. Where the site is on a road corner, the requirements of i and ii shall only apply to one road frontage.

i) Oxbow Lagoon Landscaping

Within the Napier Road Residential Extension Area, all lots adjoining the oxbow lagoon shall provide a minimum 3 metre buffer of low level native wetland landscaping at the landward side of the oxbow edge.

Guidance Note: Earthworks are provided for under Rule R6.3.6.1(b) of the District Plan. Plan Users must also comply with requirement of the Heritage New Zealand Pouhere Taonga Act.

R10.6.1.5 Dwellings, Minor Dwellings & Accessory Buildings in the Greenfield Residential Areas

Any dwelling, Minor Dwelling and/or Accessory Building in any Greenfield Residential Area is a Permitted Activity provided it complies with the Performance Standards detailed in Clauses(a) – ~~(h)(j)~~, **except that:**

- a. The exception are dDwellings, minor dwellings and accessory buildings in the Medium Density Village Areas identified on the Aokautere Structure Plan (Map 7A.4B) which must comply with the performance standards in R10.6.3.3 for multi-unit residential development; and

- b. Dwellings, minor dwellings and accessory buildings in the Medium Density Clusters identified on the Aokautere Structure Plan (Map 7A.4B) must comply with either the performance standards in R10.6.3.3 for multi-residential development, or with the Performance Standards detailed in Clauses (a) – (j).⁶

Performance Standards

a) Access and Parking

Compliance with R10.6.1.1(g) (Access and Parking).

b) Maximum Building Height, Height Recession Planes and Overlooking

- i. Compliance with R10.6.1.1(a) and (b) except that in the Aokautere Greenfield Residential Area R10.6.1.1(a) Height Recession Planes (iii) c. does not apply to boundaries common with the gully reserves shown on the Aokautere Structure Plan.⁷
- ii. No building within the Kikiwhenua Residential Area fronting Te Wanaka Road opposite the following lots may exceed a maximum height of 4m.
 - LOT DP 477332
 - LOT 2 DP 477332
 - LOT 1 DP 27043 BLK XIV KAIRANGA SD
 - PT LOT 12 8486 BLK XIV KAIRANGA SD
 - LOT 1 DP 90735
- iii. No building within the Aokautere Residential Area shall exceed a maximum height of 9m in the Suburban Low Density Areas.

~~(iii)(iv) In applying the height recession plane to properties in the Aokautere Residential Area adjoining the gully network, the plane shall commence from the 5 metre no-build setback boundary identified on the Aokautere Structure Plan.~~⁸

c) Separation Distances

- i. Compliance with R10.6.1.1(c).
- ii. Any accessory buildings in a Greenfield Residential Area shall be located a minimum of:
 - 4m from the road boundary;
 - 1m from all other boundaries.
- iii. Any dwelling within the Aokautere Greenfield Residential Area must be set back at least 15m from any boundary shared with a lot located within the Moonshine Valley Rural Residential Area.
- iv. Any garage in the Aokautere Residential Area must be located:
 - with the garage face 1m behind the frontage of the dwelling served;
 - not less than 5.5m from the front boundary if there is an on-site parking space in front of the garage door; and
 - without occupying more than half the width of the frontage of the dwelling it serves.

⁶ Clause 16 RMA amendment

⁷ S50.025

⁸ S50.025

iii iv Within the Aokautere Residential Area no buildings, structures or landscaping shall be located within the 5 metre no build setback identified on the Aokautere Structure Plan (Map 7A.3).⁹

d) Site Area and Coverage

- i. Site Area
 - a) A maximum net site area of 1000m² for each dwelling unit, provided that the areas shall be exclusive of the acoustic setbacks required by the provisions of R10.6.1.5(e), (i) and (ii).
 - b) Compliance with R10.6.1.1(d)(i) in the Kikiwhenua Residential Area.
- ii. Site Coverage

Compliance with R10.6.1.1(d)(ii).
- iii. Permeable Surface

At least 30% of the net site area for each dwelling unit in the Kikiwhenua Residential Area **and at least 40% of the net site area for each dwelling unit in the Suburban Low Density Areas in the Aokautere Greenfield Residential Area** shall be permeable.¹⁰

e) Acoustic Insulation and Setbacks for the Whakarongo Residential Area

- iv. Any building (other than accessory buildings) containing a noise sensitive activity constructed within 80 metres of the nearest carriageway edge of State Highway 3 shall be designed, constructed and maintained in accordance with a design report prepared by a suitably qualified and experienced acoustical engineer stating that the design as proposed will achieve compliance with an internal noise level of 40dB LAeq(24hr) in habitable rooms.

Provided that no such building is to be located within 40 metres of the nearest carriageway edge of State Highway 3.
- v. Any building (other than an accessory building) containing a noise sensitive activity constructed within 70 metres of the nearest edge of the railway track shall be designed, constructed and maintained in accordance with a design report prepared by a suitably qualified and experienced acoustical engineer stating that the design as proposed will achieve compliance with an internal noise level of 40dB LAeq(1hr) in living rooms and 35dB LAeq (1hr) in bedrooms.

Provided that no such building is to be located within 25m of the nearest edge of the Palmerston North – Gisborne railway track.
- vi. Where bedrooms with openable windows are proposed in buildings requiring acoustic insulation, a positive supplementary source of fresh air ducted from outside is required at the time of fit-out. For the purposes of this requirement, a bedroom is any room intended to be used for sleeping. The supplementary source of air is to achieve a minimum of 7.5 litres per second per person.
- vii. For all other developments, compliance shall be achieved with the satisfactory design guidelines given in AS/NZS 2107:2000: *Acoustics – recommended design sound level and reverberation times for building interiors*.

f) Acoustic Setbacks for the Kikiwhenua Residential Area

- viii. Buildings (other than accessory buildings) containing a noise sensitive activity shall be constructed closer than 20 metres from the nearest carriageway edge of Pioneer Highway

⁹ S58.034, S50.025

¹⁰ S43.001, S97.003, S46.001, S60.005

g) On-site Amenity

- i. Every dwelling shall be provided with an outdoor amenity area which can meet the following requirements:
 - A minimum open area of 36m² free of driveways, parking spaces, buildings (other than decks, verandahs and shade sails) and manoeuvring area.
 - Is able to accommodate a circle of 4.5 metres in diameter.
 - Has direct contact with the main living area for a length of not less than 2 metres.
 - Is orientated to the west, north or east of the dwelling.
- ii. Any accessory building or garage, whether freestanding or adjoining a dwelling, shall be recessed by a minimum of 1m behind the front façade of a dwelling.
- iii. **Any dwellings on lots sharing a property boundary with a street or public open space in the Aokautere Greenfield Residential Area must contain windows from a habitable room-main living area facing the street or open space.**¹¹

h) Fencing

- i. Where a fence is erected along a property boundary directly adjoining public open space it shall not exceed a maximum height of 1.8 metres for half of the property boundary; any remainder is permitted to a maximum height of 0.9m.
This standard does not apply to any fence within any setback area required under performance standard (e) above.
- ii. Where a fence is erected on the road frontage, a maximum height of 0.9m applies, **unless located in the Aokautere Greenfield Residential Areas, in which case a maximum height of 1m within 3m of the front boundary applies.**
- iii. ~~Where a boundary interfaces with a gully in the Aokautere Residential Area, the rear boundary must not include a fence unless it is a rear yard side boundary where fencing must be of open construction and is restricted to one third of the rear yard closest to the rear face of the dwelling.~~
- ~~ii.iv. No fencing shall occur at the boundary of any allotment for commercial use.~~¹²

i) Flood hazards

Any new occupied structure or activity, or an increase in the scale of any existing occupied structure or activity, must comply with the following Performance Standards:

- iii. Occupied structures are to have a finished floor or ground level, which includes reasonable freeboard, above the 0.5% AEP (1 in 200 years) flood level for the Whakarongo Residential Area.
- iv. The access between occupied structures and an identified safe area, where safe evacuation may be carried out must not be inundated greater than 0.5m above finished ground level with a maximum velocity of 1.0 m/s, in the following:
 - A 0.5% AEP (1 in 200 years) flood for the Whakarongo Residential Area.
 - A 1% AEP (1 in every 100 years) for all other Greenfield Residential Areas.

¹¹ S58.034

¹² S58.034

NOTES TO PLAN USERS

1. Any subdivision and development that is located on any object or site of Cultural Heritage Value, as listed in Section 17 of the District Plan, must also comply with R17.8.1.
2. Any development within a Greenfield Residential Area must supply a geotechnical report as part of the subdivision process. This report should be checked to confirm any mitigation measures required to be carried out on site prior to building a dwelling.
3. Any development must comply with the National Environmental Standard for Assessing and Managing Contaminants in Soil.
4. Any new occupied structure under performance standard (h) above will be referred to Horizons Regional Council for further clarification on 'reasonable freeboard' and safe areas for 'safe evacuation'

j) Developable Land Natural Hazards within the Aokautere Greenfield Residential Area

Within the Aokautere Greenfield Residential Area all dwellings, minor units and accessory buildings shall be located on land that:

- **shall be located on is either Developable Land, or Limited Developable Land that is identified as Class D (Map 10.1A); and**
- **has been confirmed as appropriate for development in a geotechnical report that satisfies the requirements of R7A.5.2.2(a)(xix); and**
- **has had any land stability, uncontrolled fill and natural hazard mitigations recommended in the geotechnical report implemented.¹³**

Explanation

Development within the Aokautere Residential Area is constrained by the terrain. Areas are identified as either Developable or Limited Development Land. The primary purpose of these divisions is to establish stability controls for housing development. The limitations have however also shaped the nature of housing development and the character of the Aokautere area.

Compliance with this standard does not mean that land is not identified as being subject to a natural hazard under the Building Act.

k) Stormwater Management in the Aokautere Greenfield Residential Area

Within the Aokautere Greenfield Residential Area all dwellings, minor units and accessory buildings shall be located on a site:

- **for which a Stormwater Management Plan has been prepared which meets the requirements of, or is consistent with, R7A.5.2.2(f); and**
- **that, where the site adjoins a gully edge identified on the Aokautere Structure Plan (Map 7A.3), is served by a perimeter stormwater swale and associated utility corridor in accordance with Policy 4.10 and 4.11 of Section 7A.**

R10.6.1.6 Continuation of Institutional Activities at the Hokowhitu Lagoon Residential Area

Institutional Activities are permitted within the Hokowhitu Lagoon Residential Area within buildings existing in the Hokowhitu Lagoon Residential Area at 3 September 2018, subject to compliance with the performance standards in R19.4.1.

¹³ S58.034

R10.6.1.7 Dwellings within the Hokowhitu Lagoon Residential Area

Dwellings are a Permitted Activity in the Hokowhitu Lagoon Residential Area, subject to the following Performance Standards:

Performance Standards

- (a) Compliance with Permitted Performance Standards of R10.6.1.1 (a), (b), (c), (d), (e) and (g).
- (b) Floor Levels
 - (i) Floor levels of habitable buildings and garages will be constructed to a minimum of RL 29.3

Explanation

Parts of the Hokowhitu Lagoon Residential Area are low lying in nature. Minimum floor levels of RL 29.3 for dwellings and garages are required to avoid potential adverse effects of surface water ponding on dwellings and garages in low lying areas in significant rainfall events where temporary ponding may occur, especially where the Manawatu River may also be flood and water from the Hokowhitu lagoon is unable to discharge into it.

- (c) Fencing on boundaries adjoining Centennial Drive.
 - (i) The maximum height of fencing fronting Centennial Drive is 1.1 metres.
 - (ii) Fences along Centennial Drive must be set back 1 metre from the property boundary and the 1 metre gap between the road reserve boundary and the fence shall be planted with groundcovers, shrubs or a hedge, excluding gaps for pedestrian or cycle access.

Explanation

The requirement to setback fencing 1 metre from the road reserve boundary is to allow for low level landscaping to be planted at the frontage. This is intended to soften the effect of fencing and to contribute to maintaining a high amenity outcome along Centennial Drive.

- (d) Other Fencing within the Hokowhitu Lagoon Residential Area
 - (i) The maximum height of fencing adjoining a public road or public open space is 1.8 metres except as provided below.
 - (ii) Where a fence is erected along a property boundary directly adjoining public open space (reserve, walkway or park):
 - The fence must not exceed 1.1 metres in height for more than half of the property boundary length; or
 - If the fence is of Open Construction, the fence must not exceed 1.8 metres in height.
 - (iii) Where a fence is erected along a property boundary directly adjoining a road frontage:
 - A maximum height of 1.1 metres applies except that solid fencing may be erected to 1.8 metres over not more than 1/3 of the frontage width, and
 - No part of a solid fence above 1.1 metres in height shall be located within 1.8 metres of a driveway, except for gate posts relating to a fence of Open Construction.
 - If the fence is of Open Construction, the fence must not exceed 1.8 metres in height.
 - (iv) Where a side fence is within the front yard or next to a driveway, and within 3

metres of the street edge, a maximum height of 1.1 metres applies. Should a side fence connect to that part of any front fence on the same lot which is permitted by (b) above to rise to 1.8 metres, it may also rise to the same level.

- (v) Where a fence is erected on the road frontage of a corner site, the requirements of (i) – (iii) shall only apply to one road frontage.

Explanation

Fencing plays an important role securing private property, however extensive high fencing can shut-off private space from the public realm. Low front fences are one of the factors that contribute to greater safety of both public and private realms. Low front fencing in the front yard adjacent to driveways ensures that drivers exiting the lot are able to view the footpath, which minimises potential conflict with pedestrians.

Fencing requirements ensure that the visual connection between private property and the public space is not completely lost, but allows for differing orientations of frontages, where for example the street is on the north side of the lot. In that circumstance, a resident might reasonably wish to achieve some private open space on the sunny side of the house, close to the street edge and that should be accommodated.

(e) Setbacks

- (i) Compliance with R10.6.1.1(c).
- (ii) The frontage of a garage can be placed up to edge of lanes identified in the Hokowhitu Lagoon Residential Area (Map 7.7.2.7).
- (iii) Any side or rear garage wall that is within 3m and fronting to the street edge must be screened by landscaping along 70% of the frontage with vegetation capable of growing to a minimum of 1 metre tall. Glazing shall be provided for at least 10% of the surface area of these street-fronting walls.
- (iv) Any lot that shares a boundary with Centennial Drive shall have a minimum building setback of 6 metres from the Centennial Drive boundary.

Explanation

Side entry garages have the potential to adversely affect streetscape amenity because they can create dominate blank facades close to the front boundary and along boundaries for corner sites. Landscaping at all street frontages of side entry garages is required to soften the street edge and contribute to positive amenity outcomes for the wider streetscape.

The 6 metre building setback along Centennial Drive will contribute to maintaining a high amenity environment along Centennial Drive.

(f) Glazing for properties adjoining the Manawatu Golf Club

Toughened (heat-tempered) safety glass, with thickness and glazing system as appropriate to application, is required for all rooflights and exposed window glazing on all buildings on lots adjoining the Manawatu Golf Club boundary. Exposed windows include rooflights, and all windows in the north and east facing facades of buildings adjoining the northern and eastern boundaries of the site. This requirement does not apply to:

- (i) Any window identified above which:
 - Is shielded directly under a 2m roof or veranda overhang or pergola, and is not to the side of forward of and with 50 metres of a tee or not within 50 metres and to the side of or directly behind a green; or
 - Is protected by permanent screening, window grills or shutters on the dwelling or associated with the dwelling;

and

- (ii) The glazing of any domestic greenhouse or planting frame on the identified lots. (Polycarbonate glazing is also acceptable for this particular application.)

Explanation

Toughened (heat-tempered) glazing is required along the interface of the Manawatu Golf Club to minimize the potential risk of damage to windows and rooflights caused by stray golf balls. This requirement can be waived if glazing is shielded or appropriately located.

- (g) Noise insulation requirements for properties adjoining the Manawatu Golf Club

Any bedroom or sleeping area in a dwelling located within 50 metres of the Manawatu Golf Club course boundary in the Hokowhitu Lagoon Residential Zone must be protected from noise arising from ground preparation activities at the Golf Course by ensuring the external sound insulation level achieves $D_{nT,w} + C_{tr} > 30$ dB. Where bedrooms and sleeping areas with openable windows are proposed, a positive supplementary source of fresh air ducted from outside is required at the time of fit-out. For the purposes of this requirement, a bedroom is any room intended to be used for sleeping. The supplementary source of air is to achieve a minimum of 7.5 litres per second per person.

Explanation

Properties adjoining the Manawatu Golf Club have an increased risk of exposure to noise from golf course maintenance equipment, such as mowers. Insulation and mechanical ventilation are required for bedrooms or sleeping areas to avoid unreasonable exposure of noise to occupants.

- (h) Outdoor amenity in the Golf Ball Hazard Area

- (i) For any rear yards adjoining the Manawatu Golf Club within the Golf Ball Hazard Area (identified as L(1) and L(2) on Map 7.7.2.7), decks, outdoor dining areas, courtyards, patios, fixed play equipment or any other permanent features (excluding gardens) that are intended to be used for private outdoor amenity must be covered (but not enclosed) to reduce risk of injury to people from stray golf balls.
- (ii) Coverings must be constructed of durable materials that can withstand golf balls impact. This may include, but is not limited to:
- Strengthened glass;
 - Trellis and/or pergolas with openings that preclude golf ball penetration;
 - Roofing materials including steel, iron, polycarbonate; and
 - Shade sails.
- (iii) Any coverings that are intended to be made of glass must comply with the glazing requirements in R10.6.1.7(f).
- (iv) This performance standard ceases to apply in the following circumstances and to the extent specified below:
- This performance standard will cease to apply to rear yards within area L(1) in the event that the tee area of the 12th hole of the Manawatu Golf Course is redirected to increase the existing angle between the direction of the tee and the boundary of the Hokowhitu Lagoon Residential Area identified as N(1).
 - This performance standard will cease to apply to rear yards within area L(2) in the event that the tee area of the 15th hole of the Manawatu Golf Course is redirected to increase the existing angle between the direction of the tee and the boundary of Hokowhitu Lagoon Residential Area identified as N(2).

Explanation

Properties within the Golf Ball Hazard Area have a high probability of receiving stray golf balls from the Manawatu Golf Course. To reduce the risk of reverse-sensitivity and to ensure that future landowners have a reduced risk of being directly hit stray golf balls, permanent outdoor amenity within the Golf Ball Hazard Area (see Map 7.7.2.7) where people are most likely to congregate shall be covered.

The Golf Ball Hazard Area is based on a line extending 260m from the back of the rear of the tee and an angle extending 15 degrees from the centerline of the fairway.

It is possible that after this rule comes into effect the tee areas for the 12th and 15th holes may be realigned or redirected so as to increase the angle between the tee direction and the boundary of the Hokowhitu Lagoon Residential Area. The purpose of this realignment or redirection will be to reduce the risk of stray golf balls. It is expected that redirection or realignment will be solely for this purpose, in which case the mitigation required by this performance standard will no longer be necessary.

(i) High Velocity Golf Ball Barrier

- (i) Prior to the occupation of any dwelling on any lot adjoining the Manawatu Golf Club boundary, in the area identified as “N” on Map 7.7.2.7, a physical barrier, such as a fence or other structure, is required along the Manawatu Golf Club boundary.
- (ii) The physical barrier must have a minimum height of 2 metres.
- (iii) The physical barrier must be designed and constructed of materials able to resist the impact of a golf ball.
- (iv) This performance standard ceases to apply in the following circumstances and to the extent specified below:
 - This performance standard will cease to apply to rear yards within the area N(1) in the event that:
 - The tee area of the 12th hole of the Manawatu Golf Course is redirected to increase the existing angle between the direction of the tee and the boundary of the Hokowhitu Lagoon Residential Area identified as N(1); or
 - A physical barrier is constructed on Manawatu Golf Club property between the area identified as N(1) and the 12th tee, provided that the physical barrier complies with the requirements of (ii) and (iii) above.
 - This performance standard will cease to apply to rear yards within the area N(2) in the event that:
 - The tee area of the 15th hole of the Manawatu Golf Course is redirected to increase the existing angle between the direction of the tee and the boundary of the Hokowhitu Lagoon Residential Area identified as N(2); or
 - A physical barrier is constructed on Manawatu Golf Club property between the area identified as N(2) and the 15th tee, provided that the physical barrier complies with the requirements of (ii) and (iii) above.

Explanation

On rare occasions, a golfer can strike a ball in such a way as to cause it to leave the club face at an angle of 45 degrees or greater. Although this event is rare, such a ball often carries a large amount of energy that can cause considerable damage to persons or property. Although the probability is low the severity of potential damage warrants mitigation by some form of shielding barrier. The intent of the barrier is to safely deflect or absorb the energy, of the golf ball to prevent injury or damage.

It is possible that after this rule comes into effect the tee areas of the 12th and 15th holes may be realigned or redirected so as to increase the angle between the tee direction and the boundary of the Hokowhitu Lagoon Residential Area. The purpose of this realignment or redirection will be to reduce the risk of stray golf balls. It is expected that redirection or realignment will be solely for this purpose, in which case the mitigation required by this performance standard will no longer be necessary. Further, it is possible that physical barriers may be constructed adjacent to the tee areas on Manawatu Golf Course. Barriers closer to the tee areas on the Golf Course will be the most effective barriers to reduce the risk of damage caused by stray tee shots. Accordingly, if barriers are constructed or the tees are redirected the performance standard will no longer be necessary.

- (j) Lots adjoining Centennial Drive
 - (i) Any lots sharing a boundary with Centennial Drive have an outdoor living area such as a patio or second level balcony.
 - (ii) Any houses on lots sharing a boundary with Centennial Drive must exhibit the following design requirements:
 - Open gable rooflines facing the street; and
 - Windows from a main living area facing the street.

Explanation

The requirement for housing to be designed to have open and active frontages will assist in maintaining a high amenity environment along Centennial Drive as the former Hokowhitu Campus transitions to a residential development.

10.6.2 RULES: CONTROLLED ACTIVITIES

R10.6.2.1 Relocated Houses

Relocated Houses, which comply with the following Performance Standards, are Controlled Activities in Respect of:

- External Appearance.

Performance Standards

- a) Compliance with R10.6.1.1(a) to (j).

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

Assessment Criteria

- i. The extent to which the external appearance and structural soundness of the building is compatible with the existing amenity values and ambience of the surrounding area.

NOTE TO PLAN USERS

1. Also refer to the following rule:
R10.6.1.3 Amberley Avenue, Escort Grove, Rangitane Park and Awapuni Racecourse Minimum Floor Level Areas.
2. Refer to Section 5.4(f) – Special Requirements Relating to Applications for relocated houses for additional information to be provided when lodging an application for a resource consent in respect of relocated houses.

Reinstatement Report +

Applicants are required to submit a report identifying all reinstatement work required to the exterior of the dwelling.

Bonds

Applicants for resource consent may have a condition of consent imposed pertaining to a financial contribution or bond to, for example, ensure that any exterior works are completed to an appropriate standard. This condition for a financial contribution or bond may be imposed in accordance with Section 108(1)(a) and 108(1)(b) of the Resource Management Act 1991.

Completion of Works

Applicants will be required to complete permanent foundations and reinstatement works, in a timely manner.

Explanation

Relocated houses are an alternative housing option consistent with a sustainable management approach. It is important that the design, appearance and structural soundness of relocated dwellings is addressed at the outset. This avoids any adverse effects on the amenity of the surrounding neighbourhood and ensures that applicants for such consents are aware of the standard required and their long-term obligations.

R10.6.2.2 Non-notification of Controlled Activities

Applications for Controlled Activities (R10.6.2.1) must not be publicly notified and there must be no limited notification.

10.6.3 RULES: RESTRICTED DISCRETIONARY ACTIVITIES**R10.6.3.1 Buildings or Structures that do not comply with Performance Standards for Permitted or Controlled Activities.**

Any building or structure which does not comply with the Performance Standards for Permitted or Controlled Activities in relation to:

- i. Height, including Maximum Height and Height Recession Planes
- ii. Overlooking
- iii. Separation Distances
- iv. Site Area, Site Coverage and Number of Buildings
- v. On-Site Amenity
- vi. Access and Parking
- vii. Turitea / Aokautere Residential Zone Setback
- viii. Aokautere Development Area
- ix. Fencing in the Hokowhitu Lagoon Residential Area
- x. Glazing in the Hokowhitu Lagoon Residential Area as per R10.6.1.5(f)
- xi. Floor Levels within the Hokowhitu Lagoon Residential Area as per R10.6.1.5(b)

- xii. Outdoor amenity in the Golf Ball Hazard Area (as shown in Map 7.7.2.7)**
- xiii. Acoustic Insulation and Setbacks and separation distances within the Napier Road Residential Extension Area**
- xiv. Permeable surfaces in the Napier Road Residential Extension Area**
- xv. Fencing in the Napier Road Residential Extension Area**
- xvi. Floor levels within the Napier Road Residential Extension Area**
- xvii. Active frontages within the Napier Road Residential Extension Area**

are Restricted Discretionary Activities with regard to:

- Effects on Adjoining Residential Neighbours and the Manawatu Golf Course.
- Design, Scale and Appearance
- Effects on the surrounding Residential Environment and Streetscape
- The Safe and Efficient Operation of the Roading Network, and internal circulation and manoeuvring areas
- Site Layout
- Visual effects on the rural character and amenity of the Turitea Valley
- Natural Hazards
- The impact on achieving the design elements and outcomes of the Napier Road Residential Extension Area Structure Plan (Map 7.9).
- Fencing location and height within the Napier Road Residential Extension Area.
- Effects from a non-compliance with the acoustic insulation and setbacks and separation distances for the Napier Road Residential Extension Area.

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

Assessment Criteria

- a. The extent to which the design, scale and appearance of any building, fence or structure compliments the ambience and amenity values of the surrounding residential area and Manawatu Golf Course.
- b. The extent to which the building relates to the character of its setting, contributes to the quality of adjoining public open space, streetscapes and residential properties and Manawatu Golf Course, and avoids visual dominance.
- c. To take into account the particular features of the site and its relationship to adjoining sites in assessing the appropriateness of the proposed design.
- d. The extent to which new buildings retain reasonable visual privacy and daylighting for adjacent residential properties.
- e. The extent to which outdoor space is accessible and of a useable size with access to daylight and sunlight.
- f. The extent to which the non-compliance leads to a better or more efficient use of the site and/or creates a higher level of on-site amenity.
- g. To avoid, remedy or mitigate any adverse effects of noise or other environmental disturbance on any adjoining dwelling.

- h. The degree to which the non-compliance results in a development density that, if not consistent with the surrounding residential environment, does not lead to a perception of excessive density.
- i. The extent to which any off-site parking generated by the activity can be safely accommodated without creating detrimental effects on the efficient operation of the roading network or amenity of the surrounding neighbourhood.
- j. To ensure the location, design and appearance of any building or structure has minimal impact on, and is complementary to, the rural character and visual amenity of the Turitea Valley.
- k. The extent to which natural hazards are avoided or mitigated.
- l. Where a proposal falls under R10.6.3.1(iv) Site Area, Site Coverage and Number of Dwellings, the Council will also assess any application under the relevant assessment criteria in R10.6.3.3.
- m. Whether alternative glazing options in the Hokowhitu Lagoon Residential Area can adequately mitigate to potential adverse effects of stray golf balls.
- n. For the Napier Road Residential Extension Area:
 - i. The extent to which the proposal is consistent with the Napier Road Residential Extension Area Structure Plan and will result in a high quality amenity environment.
 - ii. The extent to which internal noise levels and amenity will be protected.
 - iii. The extent to which the proposed fencing achieves active frontages to public space.
 - iv. The extent to which separation distances are achieved to mitigate stormwater and liquefaction risks.
 - v. How the proposed development achieves the minimum floor levels including freeboard.
 - vi. The extent to which noise sensitive activities achieve setback criteria for the railway corridor and the effects of non-compliance.

Guidance Note: Discussions with KiwiRail Holdings Limited are recommended for development that occurs within 70 metres of the railway corridor.

Explanation

Sometimes it is not possible for a dwelling to meet all the performance standards which are required for it to be treated as a permitted activity. In such situations the proposal must be assessed on a case by case basis to determine if some circumstance exists which makes it unreasonable to meet performance standards or if it is possible to achieve the desired outcome or avoid, remedy or mitigate the identified environmental effect, through another means.

Some land in the Aokautere area is vulnerable to slope instability, erosion and subsidence and therefore buildings and structures should only be established on such land where the natural hazard has been avoided or mitigated. In most cases, residential allotments will have been created with sufficient developable land to enable dwellings and accessory buildings to be safely established. In circumstances where buildings or structures are proposed on land that is subject to slope instability, erosion or subsidence hazard, they should only be allowed where the hazard is avoided or mitigated.

The assessment policies provide applicants with a vehicle by which wider design flexibility can be sought as well as a guide to how such applications will be assessed.

R10.6.3.2 Buildings or Structures within a Greenfield Residential Area that do not comply with Performance Standards for Permitted or Controlled Activities.

Any building or structure which does not comply with the Performance Standards for Permitted or Controlled Activities in relation to:

- i. Height **including Maximum Height and Height Recession Planes**
- ii. Separation Distances
- iii. Site Area and Coverage
- iv. Overlooking
- v. On-site Amenity
- vi. Fencing
- vii. **Access and** Parking **and Access**¹⁴
- viii. Acoustic Insulation and Setbacks
- ix. Flood Hazards
- x. **Developable Land Natural Hazards within Aokautere Greenfield Residential Area (Map 10.1A)**

Are Restricted Discretionary Activities with regard to:

- ~~Effects on adjoining residential neighbours~~
- Site layout
- Effects on the surrounding residential environment and streetscape
- Visual dominance
- Design, scale and appearance
- The impact on achieving the design elements and outcomes of the Greenfield Residential Area's relevant Structure Plan
- The safe and efficient operation of the roading network **including timing of roading infrastructure, connectivity of the street network and effects on vehicular, pedestrian and cycle movement and safety**
- Effects on acoustic amenity and health
- Natural hazards
- Flood Hazards
- **Earthworks within the Aokautere Structure Plan area**¹⁵
- **Effects on the gully network within the Aokautere Structure Plan area**¹⁶

In determining whether to grant consent and what conditions to impose, if any, Council will, in addition to the City View objectives in Section 2 and the Residential Zone objectives and policies and the policies contained in R10.6.1.1, assess any application in terms of the following:

Assessment Criteria

- (a) The extent to which the design, scale and appearance of any building or structure complements the ambience and amenity values of the surrounding residential area as a whole.

¹⁴ Clause 16 Amendment

¹⁵ S51.089, S51.090, S51.007 and S51.134

¹⁶ S51.089, S51.090, S51.007 and S51.134

- (b) The extent to which the building relates to the character of its setting, contributes to the quality of adjoining public open space, streetscapes and residential properties, and avoids visual dominance.
- (c) The extent to which new buildings retain reasonable visual privacy and daylighting for adjacent residential properties.
- (d) The extent to which outdoor space is accessible and of a useable size with access to daylight and sunlight.
- (e) The extent to which the non-compliance leads to a better or more efficient use of the site and/or creates a higher level of on-site amenity.
- (f) The degree to which non-compliance results in a development density that, if not consistent with the surrounding residential environment, does not lead to a perception of excessive density.
- (g) The extent to which the impact of a building that results in a non-compliance with the permitted activity standard(s) may be mitigated by screening, landscaping or other treatment.
- (h) To avoid, remedy or mitigate the effects of parking not accommodated on the site on the safe and efficient operation of the roading network and the amenities of the surrounding neighbourhood.
- (i) The degree to which the proposal is consistent with the area's relevant Structure Plan and will result in a high-quality amenity environment **including through provision of a range of development density, housing types and forms and the opportunity for mixed use.**
- (j) The extent to which internal noise levels and amenity will be protected.
- (k) The extent to which the effects of flooding on any new occupied structure or activity, or an increase in the scale of any existing occupied structure or activity, are avoided, remedied or mitigated.
- (l) **How use and development in the Aokautere Residential Area integrates with the neighbourhood centre identified in the Aokautere Neighbourhood Centre Precinct Plan (Map 7A.3C).**
- (m) **How the location, design and appearance of any building or structure has regard to, and positively fronts or connects, to the gully network in Aokautere.**
- (n) **How adverse effects on the natural gully network in Aokautere are avoided.**
- (o) **Whether buildings, structures and landscaping have been avoided in the 5-metre perimeter swale utility corridor specified in Policy 4.11 of Section 7A no-build setback, where residential lot boundaries adjoin gully edges identified on the Aokautere Structure Plan (Map 7A.3).¹⁷**
- (p) **How the development manages potential adverse effects associated with the geotechnical constraints and natural hazards within the Aokautere Greenfield Residential Area through implementation of any geotechnical or engineering recommendations, including the level of geotechnical investigation carried out and whether that investigation satisfies the requirements of R7A.5.2.2(a)(xix), and the level of analysis and specific design requirements arising from the investigation with particular reference to:**
 - i. **cut slope behaviour and slope stability analysis to develop appropriate set back distances from the crest of slopes for building platforms;**
 - ii. **whether building platforms should be restricted in certain areas;**
 - iii. **whether specific foundation designs are required in certain locations; and/or**

¹⁷ S51.093, S51.099, S51.102, S77.001, S77.008

iv. **the management of earthworks and recontouring of land.**

R10.6.3.3 Multi-unit residential development in the multi-unit housing areas identified on Maps 10.6.3.3(a)-(g)(h)(i) and dwellings, minor dwellings and accessory buildings in Medium Density Areas identified on the Aokautere Structure Plan are is a Restricted Discretionary Activitiesy with regard to:

- Effects on the surrounding residential environment and streetscape
- **Height within the Aokautere Greenfield Residential Area**¹⁸
- Design, scale and appearance
- Site **density and** layout
- On-site landscaping
- Privacy across boundary and within the development
- The safe and efficient operation of the roading network , and internal circulation and manoeuvring areas
- Natural hazards
- For developments within the Hokowhitu Lagoon Residential Area, the effects on the Manawatu Golf Club
- **For developments within the Aokautere Greenfield Residential Area, the impact on achieving the design elements and outcomes of the Aokautere Structure Plan, and the effects on the natural gully network.**

Performance Standards

- i. Notional Site Area for Each Unit
 - a) No minimum notional site area applies if the development site is located within Areas A or C;
 - b) A minimum notional site area of 150m² applies if the development site is located within Areas B, D, or G ~~or H~~.
- ii. Minimum Unit Size
 - a) Each unit must have a gross floor area greater than 45m², if the site is located within Areas A or C ~~or H~~;
 - b) Each unit must have a gross floor area greater than 60m², if the site is located within Areas B or D or G ~~or H~~.¹⁹
- iii. Site Coverage **and Permeable Surface**
 - a) A maximum site coverage of 40% applies to the development site **unless in the Aokautere Greenfield Residential Area where a maximum site coverage of 45% applies.**
 - b) **At least 25% of the notional site area for each dwelling unit in the Aokautere Greenfield Residential Area shall be permeable.**²⁰

¹⁸ \$51.094, \$51.007, \$51.134

¹⁹ \$58.036

²⁰ \$43.001, \$97.003, \$46.001, \$60.005

iv. On-site Amenity

a) Each unit shall be provided with a private outdoor amenity area within the notional site which can meet the following requirements:

- A minimum open area of 30m² free of driveways, parking spaces, buildings and manoeuvring area.
- Is able to accommodate a circle of 4 metres in diameter.
- Has direct contact with a main living area for a length of not less than 2 metres.
- Is orientated to the east, west or north of the unit.

b) Each dwelling unit located ~~above on~~ the ~~ground first~~ floor, ~~and/or any terraced dwelling in the Aokautere Greenfield Residential Area which does not have a principal living room or dining room at ground level, which does not have connection at ground level,~~ shall be provided with an ~~an~~ **above ground** private outdoor amenity area which can meet the following requirements:

- Is accessed directly off the living, dining or kitchen areas, and located at the same level,
- A minimum of 8m² ~~is in~~ area, ~~unless a unit in the Aokautere Greenfield Residential Area has less than two bedrooms in which case a minimum of 5m² applies.~~²¹
- Is orientated to the north, west or east.

v. Access and Parking

Compliance with R10.6.1.1 (g) (Access and Parking).

vi. Compliance with R10.6.1.1 (a), R10.6.1.1 (b), R10.6.1.1 (c) (i), ~~except in the Aokautere Residential Area, where, in relation to height, height recession planes and separation distances (x) below also applies.~~

vii. The performance standards of 10.6.1.1 (a), 10.6.1.1 (b), 10.6.1.1 (c) (i) apply only to the exterior boundaries of the development site.

viii. Stormwater Design

A plan must be submitted to identify appropriate stormwater design for the development, and:

- demonstrate how peak run-off volume is to be mitigated
- **demonstrate** how low impact development principles are applied
- identify a secondary flow path
- **within the Aokautere Structure Plan area demonstrates how:**
 - ~~demonstrate how the stormwater design meets the requirements of, or is consistent with, the relevant Stormwater Management Plan prepared under R7A.5.2.23(f)(h), and demonstrates how adverse effects on the gully network in the Aokautere Structure Plan area will be avoided~~
 - **the stormwater management design provides for a perimeter stormwater swale and associated utility corridor in accordance with Policy 4.10 and 4.11 of Section 7A, where the site adjoins a gully edge identified on the Aokautere Structure Plan (Map 7A.3).**²²

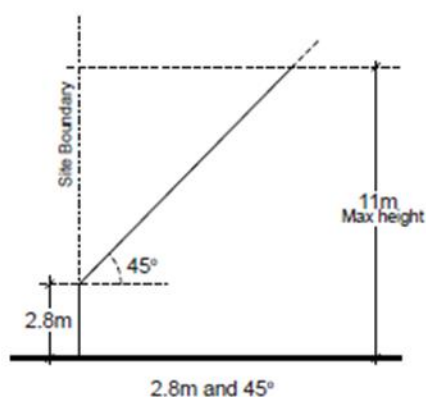
²¹ S9.004

²² Heritage Estates S51.093, S51.099, S51.102, S77.001, S77.008

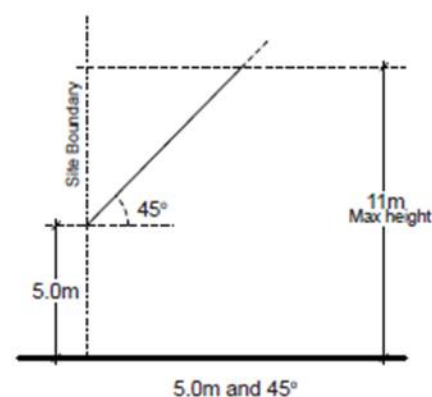
- ix. Additional setback requirements in the Hokowhitu Lagoon Residential Area
- No setback is required from the street edge boundary of lanes identified in Map 7.7.2.7.
 - On corner sites a 3m setback applies to a nominated street interface boundary. The other interfaces can be treated as side boundaries where a minimum 1.5 setback applies.
 - Where a building on a corner site is set back between 1.5m and 3m from a road boundary which is to be treated as a side boundary, as per 10.6.3.3(viii)(ii), at least 10% of the surface area of the side boundary wall that fronts the road must be glazed.

x. **Additional height, recession and setback requirements in the Aokautere Greenfield Residential Area**

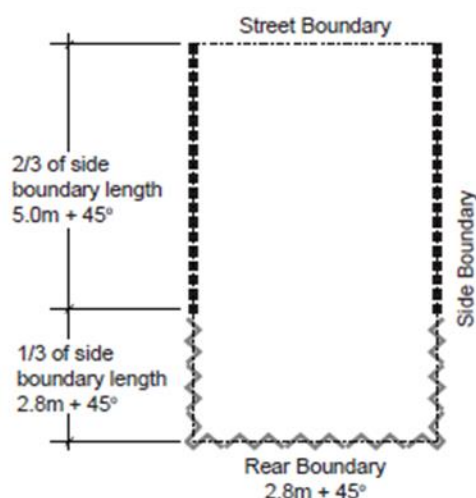
- (a) **No building shall exceed 11m within Area I H.**
- (b) **All buildings within Area IH shall be contained within a comply with R10.6.1.1(a) Height Recession Planes except that for the front two thirds of the side boundary a recession plane of 45° plane commencing at 5m above ground level inclined inwards at right angles in plan applies for the front two- thirds of the side boundary and a recession plane of 45° commencing at 2.8m above ground level applies for the rear one-third of the side boundary (See Figure 10.2); unless it is located at the boundary of a Suburban Low Density allotment in which case the recession plan shown in Figure 10.1 applies.²³**



[HIRB AT REAR]



[HIRB AT FRONT]



²³ S51.098, S50.019

Figure 10.2

- (c) **Any dwelling (including with garages) within Area 1 H must be at least:**
- **1.5m from the road boundary where the lot has frontage with any public road;**
 - **1m from any other side yard boundary; and**
 - **15m from any boundary shared with a lot located within the Moonshine Valley Rural Residential Area.**
 - **3m from any rear yard boundary.²⁴**
- (d) **Any garage or carport, including any garage or carport which is contained within a dwelling, in the Aokautere Greenfield Residential Area must be located:**
- **so that the garage face is setback at least 0.5m behind the façade of the dwelling it serves;**
 - **not less than 5.5m from the front boundary if there is an on-site parking space in front of the garage door; and**
 - **so that it does not occupy more than half the width of the frontage of the dwelling it serves.²⁵**

ix. x.- Compliance with R10.6.1.5(c)(iv).²⁶

xi. Natural Hazards within the Aokautere Greenfield Residential Area

- **Compliance with R10.6.1.5 (j)**

In determining whether to grant consent and what conditions to impose, Council will, in addition to the City View objectives in Section 2 and the Residential Zone objectives and policies, assess any application in terms of the following assessment criteria:

Assessment Criteria

1 Character

The extent to which:

- (a) any significant planting and trees are retained, and neighbourhood character is reinforced with the type and species of new planting.
- (b) new development relates to common and defining patterns of the height and width of primary building forms, and predominant roof types and pitches.
- (c) new development in valued character areas relates to common and defining patterns of frontage orientation and alignment.
- (d) new development relates to common and defining patterns of façade composition and articulation, and qualities of materials and landscaping.
- (e) ~~Dd~~ development within the Hokowhitu Lagoon Residential Area responds to the park-like character of the adjoining Manawatu Golf Course.

²⁴ S58.036

²⁵ S40.002

²⁶ S51.099, S58.036

(e)(f) development within the Aokautere Greenfield Residential Area responds to the natural gully network, open space and the network of cycleways and recreational trails.

2 Site Planning

The extent to which:

- (a) buildings and related open spaces and landscaping are planned and designed together to deliver high levels of amenity within **in a range of housing types and forms dwellings** and well-located, good quality open spaces, **which are consistent with the Aokautere Structure Plan any relevant Greenfields within the Aokautere Structure Plan area**²⁷ and within the Hokowhitu Lagoon Residential Area provides a safe interface with the adjoining Manawatu Golf Course.
- (b) private and public areas are differentiated and defined.
- (c) habitable rooms are orientated towards the east, north or west for good sun, and habitable rooms that face south only are avoided.
- (d) new buildings retain reasonable visual privacy and daylighting for all adjacent residential units and properties **and in any Medium Density Clusters identified on the Aokautere Structure Plan (Map 7A.4B), new buildings and structures avoid visual intrusion on dwellings in the Moonshine Valley.**²⁸
- (e) garages and parking are located and designed to avoid monotony and domination of any street frontage or spaces within the development.
- (f) driveways and entrance courts are designed and landscaped to give visual interest and create an attractive entrance to the development.
- (g) the planning of the development allows views of the street and common spaces within the development to be maintained, including views of open carparking spaces from the dwelling served.

3 Building Design

The extent to which:

- (a) dwelling fronts including entrances and windows to habitable rooms are orientated to the street edge, and views are maintained to and from the street.
- (b) modelling of building form, and secondary forms and detail gives visual interest and a sense of human scale at the occupied and/or publicly visible edges of buildings.
- (c) windows are provided to optimise both daylighting and views while providing for privacy, and large blank walls are avoided.
- (d) the living areas of dwellings are located and oriented to optimise sun exposure, natural lighting and views, including to the street or adjacent public open spaces.
- (e) circulation within the dwellings is sufficiently planned, and spaces including storage are provided and sized to be fit for purpose.
- (f) new buildings retain reasonable visual privacy and daylighting for adjacent residential properties.
- (g) individual units are expressed and entrances are signalled and readily visible from the street or entranceways.
- (h) the design of the development incorporates energy efficient and water

²⁷ S52.101, S51.103, S51.007, S51.134

²⁸ S30.002, S38.001, S43.001, S49.006, S90.001, S39.004

conservation principles.

- (i) Within the Hokowhitu Lagoon Residential Area incorporates design and materials to withstand damage from stray golf balls from the Manawatu Golf Course.

- (j) **in any Medium Density Clusters identified on the Aokautere Structure Plan (Map 7A.4B), new buildings and structures avoid visual intrusion on dwellings in the Moonshine Valley.**²⁹

4 Open Space Design

The extent to which:

- (a) main outdoor spaces are associated with a living area within the dwelling, are reasonably private and of a useable size and are orientated to the sun.
- (b) usable, well-orientated balconies are provided to above ground units and where quality at-grade private open space is not reasonably achievable.
- (c) good quality shared private open space is provided as a complement to smaller private open spaces or balconies allocated to individual units.
- (d) boundary treatments such as walls or planting between units balance openness and closure, and are varied to both privacy and views out, and avoid monotony and complete fragmentation of the open space within the development.
- (e) planting is integrated to provide an attractive setting for and outlook from the dwelling, and provide for privacy, summer shade and winter sun.
- (f) carports and garages are visually compatible with and of a similar standard to the development as a whole.
- (g) large, highly visible retaining walls are avoided or screened with appropriate planting.
- (h) front yard boundary treatments are sufficiently low to provide for visual connection between the dwelling and the street and allow safe vehicle access across the footpath.
- (i) suitably screened and located provision is made for rubbish storage and collection.
- (j) suitable, reasonably private and sunny space is provided for open air laundry drying.

5 Infrastructure and Servicing

The extent to which:

- (a) site and building design mitigates any increase in peak stormwater run-off and peak stormwater flow due to the reduction in permeable surfaces.
- (b) the development is consistent with relevant engineering requirements.

- ~~(c)~~ **where residential lot boundaries adjoin a gully edge identified on the Aokautere Structure Plan (Map 7A.3) the stormwater management design provides for a perimeter stormwater swale and associated utility corridor access to the swale for maintenance purposes, in accordance with Policy 4.10 and 4.11 of Section 7A. and any buildings, structures and landscaping are avoided within the 5 metre swale corridor identified on the Aokautere Structure Plan (Map 7A.3).**

(b)(d) adverse effects on the gully network in the Aokautere Structure Plan area³⁰ are avoided.

²⁹ S30.002, S38.001, S43.001, S49.006, S90.001, S39.004

³⁰ S51.101, S51.103, S51.007, S51.134

6 **Natural Hazards in the Aokautere Greenfield Residential Area**³¹

How the development manages potential adverse effects associated with the geotechnical constraints and natural hazards within the Aokautere Greenfield Residential Area through implementation of any geotechnical and engineering recommendations, including the level of geotechnical investigation carried out and the level of analysis and specific design requirements arising from the investigation with particular reference to:

- **cut slope behaviour and slope stability analysis to develop appropriate set back distances from the crest of slopes for building platforms;**
- **whether building platforms should be restricted in certain areas;**
- **whether specific foundation designs are required in certain locations; and/or**
- **the management of earthworks and recontouring of land.**

NOTE TO PLAN USERS

- Also refer to the following rules:
 - R10.6.1.3 Amberley Avenue, Escort Grove, Rangitane Park and Awapuni Racecourse Minimum Floor Level Areas;
 - R10.6.3.4 Awatea Stream and Jensen Street Ponding Areas;
 - R10.7.1.6 Limited Development land in Aokautere
- Council's engineering standards for the design and construction of infrastructure and services should be referenced in the design of multi-unit residential developments.
- **~~A plan must be submitted to identify appropriate stormwater design for the development, and:~~**
- **~~— demonstrate how peak run-off volume is to be mitigated~~**
- **~~— how low impact development principles are applied~~**
- **~~— identify a secondary flow path.~~**

R10.6.3.4 Non-Notification of Multi- Unit Residential Development Activities in the Hokowhitu Lagoon Residential Area and the Aokautere Residential Area

Applications made for restricted discretionary consent applications under R10.6.3.3 for sites associated with Map 10.6.3.3(g) **and 10.6.3.3 (i)(h)** must not be publicly or limited notified.

R10.6.3.5 Awatea Stream and Jensen Street Ponding Areas.

Within the shaded areas shown on Map 10.6.3.5a the Awatea Stream Ponding area and Map 10.6.3.5b the Jensen Street Ponding area:

- (a) the filling or raising of the level of any part of the land, or depositing of materials on any part of the land, unless provided for by (b)-(d);
- (b) the cultivation and use of the land for gardens or planting of trees; or
- (c) the erection of fences which are less than 2 metres in height outside of the Watercourse Channels; or
- (d) siteworks associated with the construction of any building;

is a Restricted Discretionary Activity with regard to:

- Flooding
- Effects on adjoining properties

NOTE TO PLAN USERS

- The erection, addition to, alteration or reconstruction of any building, as defined under the Building Act 2004, which occurs within the shaded areas identified on Maps 10.6.3.5(a) and 10.6.3.5(b) is subject to the provisions of Sections 71-74 of the Building Act 2004. These sections specify limitations and restrictions that shall apply to the issue of building consents for buildings on land subject to inundation.
- Minimum Floor Levels apply to housing development within the shaded areas. Contact the City Council for information on such levels.
- It shall also be noted that the erection, alteration or reconstruction of any fence or wall within the Awatea Stream or Jensen Street watercourse channels shall be regulated by Section 511 of the Local Government Act 1974. Under Section 511 of the Local Government Act 1974, the Council can require the removal of any obstruction to the free flow of water within a watercourse.
- Refer also to the Earthworks provision contained in Section 6: General of this Plan.

Explanation

The Awatea Stream links a series of meanders, now cut off, from the Manawatu River. The gradient of the stream bed is relatively flat, limiting its water carrying capacity, and consequently a marked rise in water surface level accompanies even moderate rainfalls.

Discharge is eventually to the Manawatu River. Accordingly, flood levels in the river can rise above the Awatea bank level. On such occasions outflow ceases and all inflow must be stored within the catchment. An overflow pipeline now links the Awatea to the storage afforded by Hokowhitu Lagoon, however a prolonged rainfall at this time will result in water levels rising in the valley until flow from the catchment overland commences. Such a flood caused by this coincidence of events, last occurred in January 1953.

The Jensen Street Ponding Area is a part of the system draining Churchill Avenue and the surrounding catchment. The primary inflow is by the way of a pipeline within a series of meanders, now cut off from the Manawatu River. All of these meanders are now filled except for the one which is contained within this ponding area. The gradients of the most recent natural outlet into the Awatea Stream, and that of its present piped outlet to the Hokowhitu Lagoon limits the rate of outflow and consequently the pond level fluctuates, dependent upon inflow and the surrounding ground water table level. Consequently, in both cases it is important that the flood waters expected can move across the land affected without being obstructed and that any dwelling is built above the potential flood levels. Hence the rules above.

R10.6.3.6 Office activities in buildings existing in the Hokowhitu Lagoon Residential Area.

Office activities up to a cumulative maximum of 5,000m² in gross floor area across the entire Hokowhitu Lagoon Residential Area, within buildings existing in the Hokowhitu Lagoon Residential Area at 3 September 2018, are a Restricted Discretionary Activity with regards to:

- Effects on the City Centre
- The safe and efficient operation of the roading network, including the provision of onsite parking
- Effects on other Institutional or Residential Activities

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

Assessment Criteria

- (a) The extent to which the proposed office activity will contribute to the effective and efficient operation and use of the physical resources of the Hokowhitu Lagoon Residential Area.
- (b) Whether there are particular reasons, for example relating to the strategic benefits to the City, why the office activity is better located in the Hokowhitu Lagoon Residential

Area rather than in a Business Zone.

- (c) Whether the establishment of the proposed office activity will undermine the viability and vitality of the City Centre.
- (d) Whether the proposed office activity would result in an economic benefit to the City by locating in the Hokowhitu Lagoon Residential Area rather than in a Business Zone.
- (e) The availability of onsite car parking to accommodate the proposed office activity.
- (f) Whether any proposed ancillary signage integrates into the architectural form of the building.
- (g) The extent to which the adverse visual effects of ancillary signage on neighbouring Institutional or Residential activities are adequately minimized.

10.6.4 RULES: DISCRETIONARY ACTIVITIES

R10.6.4.1 Dwellings in the Savage Crescent Conservation Area

- a. **The partial or total demolition or removal of any dwelling constructed prior to 1945 in the Savage Crescent Conservation Area.**
- b. **Construction of an additional dwelling on a site located within the Savage Crescent Conservation Area** shall be a Discretionary Activity.

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

Assessment Criteria

- a. To assess the need for the full or partial demolition of the building and the impact of that demolition on the historic values of the Savage Crescent Conservation Area.
- b. To ensure that any additional dwelling is designed and built in such a manner that it is in keeping with or complements the historic character of the Savage Crescent Conservation Area.

R10.6.4.2 Alterations and Additions to Existing Buildings in the Air Noise Contour identified on Map 10.6.6.1

Alterations and additions to and/or replacement of any of the following buildings or activities on sites within the Air Noise Contour identified on Map 10.6.6.1, provided that the building or activity was lawfully established prior to 2 September 1998, are Discretionary Activities:

- **Dwellings;**
- **Minor Dwelling Units;**
- **Education and Early Childhood Facilities;**
- **Community Homes;**
- **Accommodation Motels;**
- **Motel Conference Centres;**
- **Training Facilities;**
- **Hospitals;**
- **Retirement Villages;**
- **Residential Centres;**
- **Tourist Facilities; and**

- **Any Other Existing Buildings used for Regular Accommodation and Communal Activities.**

In determining whether to grant consent and what conditions to impose, if any, Council will in addition to the City View objectives in Section 2 and the objectives and policies of this zone, assess any application in terms of the following assessment criteria:

Assessment Criteria

- The objectives and policies relating to noise sensitive activities in the vicinity of Palmerston North Airport set out in Section 13.
- Alterations and additions to existing dwellings or other noise sensitive activities shall only be permitted if fitted with appropriate acoustic insulation to achieve a satisfactory internal noise environment.

NOTE TO PLAN USERS

Refer to section 5.4(i) – Special Requirements Relating to Applications for Building construction where Noise Attenuation Standards Apply for additional information to be provided when lodging an application for a resource consent in respect of noise attenuation.

R10.6.4.3 Multi-unit residential development that does not comply with R10.6.3.3 or is located within the Golf Ball Hazard Area in the Hokowhitu Lagoon Residential Area identified in Map 7.7.2.7 or is not located within identified areas of 10.6.3.3

Multi-unit residential development that does not comply with the Performance Standards of R10.6.3.3 or is located within the Golf Ball Hazard Area in the Hokowhitu Lagoon Residential Area identified in Map 7.7.2.7, or that is not located within identified areas of 10.6.3.3 is a Discretionary Activity.

In determining whether to grant consent and what conditions to impose, if any, Council will in addition to the City View objectives in Section 2 and the objectives and policies of this zone, assess any application against the assessment criteria in R10.6.3.3.

R10.6.4.4 Domestic Wind Turbines

The construction and operation of Domestic Wind Turbines are Discretionary Activities

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

- The extent to which the ambience and amenity values of adjacent properties and residences will be adversely affected by the domestic wind turbine, in terms of any visual domination, loss of access to sunlight and daylight, and the extent to which these effects can be avoided, remedied or mitigated.
- The extent to which the landscape and visual effects of the domestic wind turbine can be mitigated by landscaping, planting or other forms of amenity treatments.
- The extent of compliance with the District Plan Noise Standard (R9.11.1 Noise); or in the circumstance where the set noise levels are not able to be met, the extent of compliance with the noise limits in the New Zealand Standards for Environmental Noise (NZS 6801:1991, 'Measurement of Sound' and NZS 6802:1991 'Assessment of Environmental Sound').
- The extent to which shadow flicker effects, earthworks and other environmental disturbance on the amenity of adjacent properties and residences and the surrounding environment, can be avoided, remedied or mitigated.
- The outcomes of any consultation with affected neighbours.
- The extent to which any effects on the safe and the efficient functioning of the road

network, from blade glint and shadow flicker, can be avoided, remedied or mitigated.

- g. To recognise the positive benefits of the domestic renewable energy generation activities in contributing to national renewable energy targets and mitigating the impacts of climate change.

Explanation

Domestic wind turbines have the potential to produce a range of adverse effects depending on the number and type of turbines proposed, the site context and activities in the surrounding environment. It is therefore necessary to assess each application carefully to ensure effects can be avoided, remedied or mitigated. A discretionary consent process gives the Council the opportunity to assess specific matters and impose conditions to avoid, remedy or mitigate effects. Mitigation measures for domestic wind turbines may include consideration of alternative siting, design or colour of a wind turbine(s).

This rule gives effect to section 7(j) of the RMA which requires Council to have particular regard to the benefits derived from the use and development of renewable energy and the National Policy Statement for Renewable Electricity Generation which directs that District Plans promote and enable the development and operation of domestic-scale wind turbines.

In respect of these activities, it is noted that sound generated by the domestic wind turbine/s must comply with the District Plan noise standards (R 10.8.1) at the boundary of the property. Where this standard is not able to be met wind turbine noise will be measured in accordance with NZS 6801: 1991, 'Measurement of Sound' and NZS 6802:1991 'Assessment of Environmental Sound'.

10.6.5 RULES: NON-COMPLYING ACTIVITIES

R10.6.5.1 Non-Complying Activities

Any Dwelling or Accessory Building which does not comply with the Performance Standards for a Permitted or Controlled Activity and which is not provided for by R10.6.1.1, R10.6.1.2, R10.6.1.3, R10.6.1.4, R10.6.1.5 R10.6.2.1, R10.6.3.1, R10.6.3.2, R10.6.3.3, R10.6.3.4, R10.6.4.1, R10.6.4.2, R10.6.4.3, R10.6.4.4, R10.6.5.2, or R10.6.6.1, shall be a Non-Complying Activity.

R10.6.5.2 Dwellings in the Inner and Outer Control Contours that do not comply with R10.6.1.1(h)

Any new dwelling, or any alterations to an existing dwelling sited in the Inner Control Contour or Outer Control Contour that do not comply with R10.6.1.1(h) shall be a Non-Complying Activity.

When considering whether to grant the application and what conditions, if any, to impose Council shall take into account the objectives and policies of the Residential Zone, and the following further policies:

- a. To take into account any circumstances that would make compliance with the noise reduction standards in R10.6.1.1(h) inappropriate or unreasonable.
- b. To demonstrate that the level of noise reduction by the proposed development can be less than the level required by R10.6.1.1(h) without compromising the overall health and amenity of the occupants within the respective building.

R10.6.5.3 Buildings in the Pacific Drive Extension Area which do not comply with R10.6.1.1(j) or R10.6.2.1

Any new dwelling, minor dwelling, re-located house or accessory building located in the Pacific Drive Extension Area that does not comply with R10.6.1.1(j) or R10.6.2.2 shall be a Non-Complying Activity.

NOTE TO PLAN USERS

Refer to Section 5.4(i) – Special Requirements Relating to Applications for Building Construction where Noise Attenuation Standards Apply for additional information to be provided when lodging an application for a resource consent in respect of noise attenuation.

R10.6.5.4 Roading Infrastructure (Napier Road Residential Area)

Notwithstanding the activity status set out in R10.6.1.4 **all** development that occurs **before** the installation and completion of a constructed road link to James Line from Rosalie Terrace shall be a Non-Complying Activity.

Explanation

The Napier Road Residential Area has only one direct access point via Rosalie Terrace. It is desirable that the site have greater connectivity to the wider roading network to ensure a better connected and efficient development for all modes of transport from the site. Subdivision shall be avoided until a connection from Rosalie Terrace to James Line is constructed.

R10.6.5.5 External Storage of Derelict Vehicles

No activity shall involve the external storage of more than one derelict vehicle or any parts of vehicles within view of neighbouring properties or a public place.

~~R10.6.5.6 Transport Infrastructure (Aokautere Residential Area)~~

~~Notwithstanding the activity status set out in R10.6.1.5 and 10.6.3.2, all development that occurs before the completion and certification of the works identified in R7A.5.2.2(1), within the stipulated timeframes, shall be a Non-Complying Activity.~~

10.6.6 RULES: PROHIBITED ACTIVITIES

R10.6.6.1 Prohibited Activities in the Air Noise Zone identified on Map 10.6.6.1

All new dwellings, new sleep-outs, new relocated houses, new minor dwelling units, and new multi-unit residential development, are Prohibited Activities in the Air Noise Zone identified on Map 10.6.6.1.

These activities are expressly prohibited and no resource consent shall be granted.

Explanation

The above-mentioned activities have been identified as being highly sensitive to the effects of excessive noise exposure associated with aircraft operations.

The impact of aircraft noise has been assessed by New Zealand Standard 6805:1992 - Airport Noise Management and Land Use Planning, which recommends as one of the criteria for land use planning within any defined air noise boundary that noise sensitive activities, such as dwellings and schools be prohibited. The purpose of this rule is to give effect to this recommended standard.

10.7 Non-Residential Activities

Introduction

There is a range of activities which need to be provided for in the Residential Zone because they are compatible with dwellings or because of the opportunity they offer to people to gain convenient access to a service or to work from home.

A number of these activities are variants on single dwellings such as community houses or are community facilities such as pre-schools. In all cases, the important issue is the effect of the activity, it is those effects which have determined how the activity will be treated. As far as possible, activities have been made Permitted Activities. However, where the nature or extent of effects are uncertain, the activity has become a Controlled or Discretionary activity.

A limited set of non-residential activities are provided for to ensure the Residential Zone provisions support the centres based approach for commercial activities in the City and the associated hierarchy of business zones.

10.7.1 RULES: PERMITTED ACTIVITIES

R10.7.1.1 Community Houses

Community Houses are Permitted Activities provided they comply with the specified Performance Standards below.

NOTE TO PLAN USERS

Also refer to the following rules:

- R10.6.1.3 Amberley Avenue, Escort Grove, Rangitane Park and Awapuni Racecourse Minimum Floor Level Areas;
- R10.6.1.1(h) Air Noise Control;
- R10.6.3.5 Awatea Stream and Jensen Street Ponding Areas;
- R10.7.1.6 Limited Development Land in Aokautere;
- R17.5.1-R17.8.1 Cultural and Natural Heritage Rules.

Performance Standards

(a) Site Coverage

Not more than 35% of the site shall be covered by buildings.

(b) Height

Compliance with R10.6.1.1(a) and R10.6.1.1(b).

(c) Separation Distances

Compliance with R10.6.1.1(c).

(d) Landscape Amenity

- i. an area of not less than 10m² per person intended to be accommodated must be provided on the site, and must be kept free of all parking and manoeuvring areas;
- ii. an area of open space capable of accommodating a circle of 10m in diameter must be provided adjacent to and accessible from the main living area.
- iii. On any boundary, except boundaries to a street, a landscape strip with a minimum width of 1 metre shall be provided.
- iv. On a boundary adjoining a street, a landscape strip with a minimum width of 1.5 metres shall be provided.
- v. All landscaping areas must be well maintained at all times.

(e) Parking and Access

Compliance with the following performance standards of R20.4.2:

- 20.4.2(a) Vehicle Access;
- 20.4.2(b)(i) Parking Spaces for People with Disabilities;
- 20.4.2(c) Car Park Landscape Design;
- 20.4.2(d) Formation of Parking Spaces;
- 20.4.2(e) and (f) Loading Space Provision and Design;

NOTE TO PLAN USERS

R20.4.2(c) apply to non-residential activities within the Residential Zone

(f) Air Noise Control

Compliance with R10.6.1.1(h).

NOTE TO PLAN USERS

Proposed activities that do not meet the performance standards in R10.6.1.1(h) are Non-Complying Activities under R10.7.5.2.

The following deeming provisions apply in circumstances where a proposed dwelling/ building straddles the boundary of air noise contours shown on Map 10.6.6.1:

1. Where a dwelling/ building is proposed on the 55 Ldn noise contour line, the dwelling/ building is deemed to be outside of the Outer Control Contour.
2. Where a dwelling/building is proposed on the 60 Ldn Noise Contour line shown on Map 10.6.6.1, the dwelling/ building is deemed to be within the Outer Control Contour.
3. Where a dwelling/ building is proposed on the 65 Ldn noise contour line, the dwelling/ building is deemed to be within the Air Noise Contour.

(g) Noise

Compliance with R10.8.1.

(h) Signs

Compliance with R6.1.5.

(i) Turitea/Aokautere Residential Zone Setback

Compliance with R10.6.1.1(i).

Explanation

Community homes are intended to provide accommodation for groups in the community such as the elderly who require both accommodation and ongoing health care. Such facilities tend to generate few effects which are different from those of a standard dwelling. Provided care is taken with regard to matters such as parking and the size of the activity, community homes generally remain compatible with the residential environment and benefit from the quietness and amenity values of the Residential Zone.

R10.7.1.2 Accommodation Motels

Accommodation Motels are Permitted Activities provided they comply with the specified Performance Standards below.

Performance Standards**(a) Location**

Accommodation motels may only be located on properties having frontage and the main entryway from a street listed as a Major Arterial or Minor Arterial road in 20.6.1.1 and 20.6.1.2 in the Land Transport Section.

(b) Separation Distances

Compliance with R10.6.1.1(c).

(c) Height

Compliance with R10.6.1.1(a) and R10.6.1.1(b).

(d) Site Coverage

Not more than 35% of the site shall be covered by buildings.

(e) Signs

Compliance with R6.1.5.

(f) Parking and Access

Compliance with the following performance standards of R20.4.2:

- 20.4.2(a) Vehicle Access;
- 20.4.2(b)(i) Parking Spaces for People with Disabilities;
- ;
- 20.4.2(c) Car Park Landscape Design;
- 20.4.2(d) Formation of Parking Spaces;
- 20.4.2(g) Cycle Parking Provision and Design
- 20.4.2(h) Cycle Parking End-of-Trip Facilities.

(g) Landscape Amenity

- i. A solid fence of not less than 1.8m in height shall be erected on any boundary with a residentially zoned property.
- ii. On any boundary, except boundaries to a street, a landscape strip with a minimum width of 2 metres shall be provided and planted with dense vegetation capable of growing to 3m in height.
- iii. On any boundary adjoining a street, a landscape strip with a minimum width of 1.5 metres shall be provided and at least one specimen tree capable of growing to 5m within ten years of planting, shall be planted every 10m along that boundary.
- iv. All landscaping areas must be well maintained at all times.

(h) Air Noise Control

Compliance with R10.6.1.1(h).

NOTE TO PLAN USERS

Proposed activities that do not meet the performance standards in R10.6.1.1(h) are Non-Complying Activities under R10.7.5.2.

The following deeming provisions apply in circumstances where a proposed dwelling/ building straddles the boundary of air noise contours shown on Map 10.6.6.1:

- 1. Where a dwelling/ building is proposed on the 55 Ldn noise contour line, the dwelling/ building is deemed to be outside of the Outer Control Contour.
- 2. Where a dwelling/building is proposed on the 60 Ldn Noise Contour line shown on Map 10.6.6.1, the dwelling/ building is deemed to be within the Outer Control Contour.
- 3. Where a dwelling/ building is proposed on the 65 Ldn noise contour line, the dwelling/ building is deemed to be within the Air Noise Contour.

(i) Noise

Compliance with R10.8.1.

(j) Turitea / Aokautere Residential Zone Setback

Compliance with R10.6.1.1(i).

Explanation

The limited nature of accommodation motels, which provide only accommodation and no other facilities such as conference rooms or restaurants, combined with the restrictions on their location means that their effects are largely similar to those of a standard dwelling. The use of the bulk and location controls which apply to dwellings combined with the controls on matters such as noise ensures that they will blend into the fabric of the surrounding residential area.

R10.7.1.3 Education Facilities

Education Facilities are Permitted Activities provided they comply with the specified Performance Standards below.

Performance Standards

(a) Location

An education facility must provide access to and from a Minor Arterial or Collector Road, listed as such in 20.6.1.2 and 20.6.1.3 in the Land Transport Section.

(b) Height

Compliance with R10.6.1.1 (a) and R10.6.1.1 (b).

(c) Separation Distances

No building shall come within 6m of the boundary with a residentially used site.

(d) Air Noise Control

Compliance with R10.6.1.1 (h).

NOTE TO PLAN USERS

Proposed activities that do not meet the performance standards in R10.6.1.1 (h) are Non-Complying Activities under R10.7.5.2.

The following deeming provisions apply in circumstances where a proposed dwelling/ building straddles the boundary of air noise contours shown on Map 10.6.6.1:

1. Where a dwelling/ building is proposed on the 55 Ldn noise contour line, the dwelling/ building is deemed to be outside of the Outer Control Contour.
2. Where a dwelling/ building is proposed on the 60 Ldn Noise Contour line shown on Map 10.6.6.1, the dwelling/ building is deemed to be within the Outer Control Contour.
3. Where a dwelling/ building is proposed on the 65 Ldn noise contour line, the dwelling/ building is deemed to be within the Air Noise Contour.

(e) Site Area and Coverage

Maximum site coverage - no more than 40% of the site may be covered by buildings.

(f) Parking and Access

Compliance with the following performance standards of Rule 20.4.2:

- 20.4.2(a) Vehicle Access;
- 20.4.2(b)(i) Parking Spaces for People with Disabilities;
- 20.4.2(c) Car Park Landscape Design;
- 20.4.2(d) Formation of Parking Spaces;
- 20.4.2(e) and (f) Loading Space Provision and Design;
- 20.4.2(g) Cycle Parking Provision and Design;
- 20.4.2(h) Cycle Parking End-of-Trip Facilities.

(g) Landscape Amenity

- i. A solid fence of not less than 1.8m in height shall be erected on any boundary with a residentially zoned property.
- ii. On any boundary, except boundaries to a street, a landscape strip with a minimum width of 1 metre shall be provided and planted with vegetation.
- iii. On a boundary adjoining a street, a landscape strip with a minimum width of 1.5 metre shall be provided and at least one specimen tree capable of growing to 5m within ten years of planting, shall be planted every 10m along that boundary.

iv. All landscaping areas must be well maintained at all times.

(h) Noise

Compliance with R10.8.1.

(i) Signs

Compliance with R6.1.5.

(j) Turitea/Aokautere Residential Zone Setback

Compliance with R10.6.1.1(i).

Explanation

Education facilities fall into the category of activities which provide convenient services for those who live in the residential area. It is important that such facilities are provided in easily accessible locations, to avoid unnecessary vehicle journeys, and general inconvenience. This type of activity has the potential to generate adverse noise and traffic effects, these can largely be overcome by careful placement of buildings, provision of parking, noise controls and appropriate screening. Generally, any adverse effects are of a relatively short duration and are out-weighted by the usefulness of such facilities.

R10.7.1.4 Health Facilities

The reuse of a dwelling for the purpose of a Health Facility is a Permitted Activity provided it complies with the specified Performance Standards below.

Performance Standards

(a) Number of Practitioners

The health facility must not involve more than 3 health practitioners. A health practitioner includes a practice nurse.

(b) Height

Compliance with R10.6.1.1(a) and R10.6.1.1(b).

(c) Separation Distances

Compliance with R10.6.1.1(c).

(d) Site Coverage

Not more than 35% of the site may be covered by buildings.

(e) Parking and Access

Compliance with the following performance standards of Rule 20.4.2:

- 20.4.2(a) Vehicle Access;
- 20.4.2(b)(i) Parking Spaces for People with Disabilities;
- 20.4.2(c) Car Park Landscape Design;
- 20.4.2(d) Formation of Parking Spaces;
- 20.4.2(e) and (f) Loading Space Provision and Design;
- 20.4.2(g) Cycle Parking Provision and Design;
- 20.4.2(h) Cycle Parking End of trip Facilities.

(f) Landscape Amenity

Compliance with R10.7.1.2(g).

(g) Noise

Compliance with R10.8.1.

(h) Signs

Compliance with R6.1.5.

(i) Air Noise Control

Compliance with R10.6.1.1(h).

NOTE TO PLAN USERS

Proposed activities that do not meet the performance standards in R10.6.1.1(h) are Non-Complying Activities under R10.7.5.2.

The following deeming provisions apply in circumstances where a proposed dwelling/ building straddles the boundary of air noise contours shown on Map 10.6.6.1:

1. Where a dwelling/building is proposed on the 55 Ldn noise contour line, the dwelling/ building is deemed to be outside of the Outer Control Contour.
2. Where a dwelling/building is proposed on the 60 Ldn Noise Contour line shown on Map 10.6.6.1., the dwelling/building is deemed to be within the Outer Control Contour.
3. Where a dwelling/building is proposed on the 65 Ldn noise contour line, the dwelling/ building is deemed to be within the Air Noise Contour.

(j) Turitea/Aokautere Residential Zone Setback

Compliance with R10.6.1.1(i).

Explanation

Health facilities represent another activity which provides a convenient service for those living in the residential area. The limited number of health practitioners operating from any site means that any effects arising from noise, traffic or parking can be controlled such that they do not impact adversely on the surrounding residential neighbourhood.

Traditionally health facilities involve the reuse of a dwelling as the scale and design fits in a residential context. The construction of a purpose-built health facility requires resource consent under R10.7.3.2.

10.7.1.5 Home Occupations

Home Occupations are Permitted Activities provided they comply with the specified Performance Standards below.

Performance Standards

(a) Number of Employees

Not more than the equivalent of 3 full time persons shall be engaged on the site, one of whom must reside permanently on the site.

(b) Site and Floor Area

Not more than 40m² (including gross floor area and external storage areas but excluding any car parking areas) shall be used for the Home Occupation activity.

(c) Dust

Any activity involved as a home occupation shall not generate or discharge levels of dust (or other particulate matter) that is deemed to be offensive and/or objectionable and causes potential adverse effects on the surrounding residential environment. A potential adverse effect, arising from the discharge of particulate matter, will occur if:

- there is visible evidence of particulate matter suspended in the air across a site boundary;
- there is visible evidence of particulate matter traceable from the activity, settling on the ground or structure on a neighbouring site, or water.

(d) Storage

Any external storage of equipment or materials must be screened by a solid fence of not less than 1.8m in height.

(e) Hours of Operation

Home Occupations may operate only between 7:00am and 10:00pm (Monday to Saturday).

(f) Signs

Compliance with R6.1.5.

(g) Retailing

Any goods sold from the site must have been substantially made, repaired, renovated or restored on the site.

(h) Glare

All exterior lighting comply with AS Standard 4282.

(i) Parking and Access

Compliance with the following performance standards of Rule 20.4.2:

- 20.4.2(a) Vehicle Standards
- 20.4.2(b)(i) Parking Spaces for People with Disabilities;
- 20.4.2(c) Car Park Landscape Design;
- 20.4.2(d) Formation of Parking Spaces.

(j) Noise

Compliance with R10.8.1.

(k) Hazardous Substances

Home Occupations using or storing hazardous substances on-site shall comply with the provisions of Section 14: Hazardous Substances.

(l) Turitea/Aokautere Residential Zone Setback

Compliance with R10.6.1.1 (i).

Explanation

The provision for home occupations allows people to work from their home in small scale enterprises which can be absorbed into the residential environment without producing adverse effects. The standards ensure that any adverse effects are dealt with and that any such occupation remains in keeping with its residential location.

R10.7.1.6 Limited Development Land in the Aokautere Development Area

The following are Permitted Activities on any land shown as Limited Development land in the Aokautere Development Area, as shown on Map 10.1 provided they comply with the following Performance Standards:

- i. Landscape works.
- ii. Public reserves or reserves within the meaning of the Reserves Act 1977.
- iii. Drainage and water supply works.

Performance Standards**(a) Stability**

- i. No works associated with any Permitted Activity shall involve the removal of more

than 10m³ of soil, except that no works associated with any Permitted Activity shall involve the removal of any soil within those areas along any terrace edge abutting Class VI, VII, or VIII land (as defined on the NWASCO Land Resource Inventory Worksheets).

- ii. No works associated with any Permitted Activity shall involve any modification of an existing slope.
- iii. Neither (i) or (ii) shall preclude the temporary removal of soil or disturbance of a slope to plant trees or other plants.

NOTE TO PLAN USERS

Earthworks involving Limited Development Land are also subject to the Earthworks provisions of Section 6 (General Section) of this Plan.

R10.7.1.7 Roadside Stall at 1346 Napier Road, Ashhurst

The roadside stall located at 1346 Napier Road, Ashhurst being more or less Lot 1 on DP 56127 supplied with produce from the property being Section 463 and Part Section 462 Block III Gorge Survey District, is a Permitted Activity provided the following Performance Standards are complied with:

Performance Standards

(a) Nature of the Activity

- i. That fruit and vegetables bought from sources other than those scheduled may be permitted as long as the bulk of the produce sold from the stall is obtained from the sites specified in R10.7.1.7 above.
- ii. That the use shall continue from the existing building and that no extension or alteration be made that would have the effect of increasing the capacity of the sales.

(b) Hours of Operation

That the shop be open for business only during the following hours:

8:30am to 6:00pm from 1 October to the immediately following 31 March;

8:30am to 5:30pm from 1 April to the immediately following 30 September.

(c) Separation Distances and Parking

A front yard of 7.5 metres and four car parking spaces shall be maintained at all times.

(d) Signs

Compliance with R6.1.5.

R10.7.1.8 Structural Maintenance of Flood Protection Works by or on behalf of the Manawatu- Whanganui Regional Council

The structural maintenance of flood protection works or structures by or on behalf of the Manawatu-Whanganui Regional Council shall be a Permitted Activity.

R10.7.1.9 Minor Temporary Military Training Activities (excluding live firing of weapons, firing of blank ammunition, single or multiple explosive events).

Minor Temporary Military Training Activities (excluding live firing of weapons, firing of blank ammunition, single or multiple explosive events) are a Permitted Activity provided the following Performance Standards are complied with:

Performance Standards

(a) Buildings and Structures

- i. Any buildings and/or structures erected must be in compliance with the Performance Standards of R10.6.1.1, and the requirements of R10.6.1.3, R 10.6.3.1, and R10.6.6.1.
- ii. Any buildings erected in association with the Temporary Military Training Activity must be removed at the conclusion of the activity unless they are otherwise permitted by a Rule within the Residential Section of the District Plan.

(b) Excavations and Alterations to Landform

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

(c) Hazardous Substances

Compliance with the requirements of Section 14 - Hazardous Substances

(d) Duration and Frequency of Activities

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

(e) Noise

- i. Mobile Noise Sources - Compliance with Table 2 and Table 3 of NZS 6803:1999 Acoustics – Construction Noise.
- ii. Fixed (Stationary) Noise Sources - Compliance with R10.8.1.

Explanation

The New Zealand Defence Force (NZDF) carries out temporary military training activities in areas not designated for defence purposes. Such temporary training involves military activities by regular and territorial force units in zones throughout Palmerston North City. The Defence Act 1990 provides for the raising and maintenance of armed forces. Military training activities are essential in enabling the NZDF to maintain operational capability.

The above conditions have been designed to enable the NZDF to carry out temporary military training activities while ensuring that any adverse effects of training activities on the environment are mitigated.

Minor and extended temporary military training activities can generate high levels of noise. Military training activities involving mobile and fixed (stationary) noise sources may be permitted where they comply with the performance standards of R9.5.8(d).

Noise from mobile sources (other than firing of weapons and explosives) includes sources such as personnel, light and heavy vehicles, self-propelled equipment and earth moving equipment.

Fixed (stationary) noise sources (other than firing of weapons and explosives) include noise sources such as power generation, heating, ventilation or air conditioning systems, or water or wastewater pumping/treatment systems.

NOTE TO PLAN USERS

Also refer to R23.6.2(i) – Radiofrequency Field Exposure

R10.7.1.10 Marae Area at 140 – 148 Maxwells Line

The Te Hotu Manawa O Rangitane O Manawatu Marae situated at 140 - 148 Maxwells Line on land described as Lot 2 DP 315092, is a Permitted Activity in respect of the following listed activities provided the following Performance Standards are complied with:

Activities permitted on the site:

- i. Any activity listed as a permitted activity in the Residential Zone.

- ii. Marae (refer definition in Section 4).
- iii. Activities and structures ancillary, or integral, to the marae, including the wharewairua (spiritual house), halls, kitchens, dining rooms, sheds, fences, flagpole, carved entrance to the marae, carvings, gardens and lawns.
- iv. Administration offices for the Iwi Authority's operational, legal and financial services.
- v. Health Centres.
- vi. Communications Station and Communication Production Facilities.
- vii. Marae Tourism (refer definition in Section 4).

Performance Standards

(a) Height

Compliance with R10.6.1.1(a) and 10.6.1.1(b).

(b) Separation Distances

No building shall be located within 6.0 metres of any site boundary, with the exception of any residential dwelling on the site complying with the boundary separation distances for dwellings [refer R10.6.1.1(c)].

(c) Site Coverage

Not more than 35% of the site may be covered by buildings.

(d) Parking and Access

- i. 104 formed, sealed and marked car parks shall be provided on the site, together with circulation routes and manoeuvring areas necessary to provide access to each and every car park. These 104 car parks provide for a gross floor area of up to 2450m². For any extension to the gross floor area in excess of 2450m² the parking standards of Section 20.4 shall apply.

Explanation

A minimum of 104 car parks was required to be provided prior to the use of the site as a marae. This number of parks was originally set by way of Environment Court consent order and is the minimum required to cater for the variety of activities to be carried out on the site. Any significant change, or proposed change, in the nature or scale of the activities carried out on the site, to be determined through any extension to the gross floor area in excess of 2450m², will necessitate a re-evaluation of the effects of such a change on the environment and in particular the effect of the change upon the provision of car parks and their accessibility. Should the effects of the change or proposed change be deemed to have an adverse effect upon on-site parking provision that could lead to adverse off-site environmental effects, a further resource consent application may be required. Such an application would be considered in terms of the Residential Zone rules and parking and access provisions in Section 20.4 of the District Plan.

- ii. Access to and from the site shall only be from Maxwells Line.

Explanation

The potential to use Rose Place as an alternative form of access to and from the site needs to be restricted in order to protect the residential amenity of this quiet cul de sac. Consequently, access to and from the site shall only be from Maxwells Line. This rule does not prevent private access to and from the site by the owner or occupier of the adjoining residential lot described as Lot 1 DP 315092.

(e) Noise

Compliance with R10.8.1.

(f) Signs

Compliance with R6.1.5.

(g) Hours of Operation

All non-residential activities, with the exception of activities related to the radio station,

administration offices, supervised overnight accommodation in the marae and ancillary buildings, and tangihanga, must cease between the hours of 10.00pm and 7.00am the following day from Sunday to Thursday inclusive and between 11.00pm and 7.00am the following day on a Friday and Saturday.

Explanation

Section 3 of this Plan recognises and acknowledges nga hapu of Rangitane as tangata whenua within Palmerston North City. The Council also recognises that the mix of activities typically being carried out on, or from, an urban marae, demands a specific site by site approach to planning and management rather than a general approach. All marae activities are carried out, or provided, in a kaupapa Maori environment. Visitors to the marae also undertake activities in accordance with a standard set of terms and conditions. Accordingly, this marae is to be specifically recognised in the Residential Zone. This recognition involves the specification of permitted activities and Performance Standards and set of policies for determining whether, and on what basis, activities that do not meet Performance Standards can be carried out. These Plan provisions are designed to ensure that amenity values of the adjoining residential area are not adversely affected by the nature or scale of the effects of marae-based activities.

(h) Marae Tourism

No more than 80 tourists are permitted on the site at any one time.

NOTE TO PLAN USERS

If an activity identified as permitted within R10.7.1.10 does not comply with the above Performance Standards, then R10.7.3.4 applies.

R10.7.1.11 Garden Centre at 261 Napier Road

The garden centre situated at 261 Napier Road on land described as Lot 1 DP 456688, is a permitted activity in respect of the following listed activities provided the following Performance Standards are complied with:

Performance Standards

a. Nature of the Activity

That the garden centre and bulk garden supplies shall occur from the existing building and that no extension or alteration be made that would have the effect of increasing the scale or intensity of the operation as at 1 August 2019.

b. Hours of Operation

That the shop be open for business between 8am – 6pm 7 days a week

c. Signs

Compliance with Rule R6.1.5

d. Noise

Compliance with Rule R9.11.1

10.7.2 RULES: CONTROLLED ACTIVITIES

R10.7.2.1 Construction, Development or Redevelopment of Flood Protection Works or Structures by, or on behalf of, the Manawatu-Wanganui Regional Council.

The construction, development or redevelopment of Flood Protection Works or Structures by, or on behalf of, the Manawatu-Wanganui Regional Council shall be a Controlled Activity in respect of:

- Height

- Location
- Effects of such work on residential amenity

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

Assessment Criteria

- The extent to which visual effects of flood protection works on residential neighbourhoods are avoided, remedied or mitigated.
- The extent to which any adverse effects associated with the development and construction of flood protection works on the surrounding residential area are avoided, remedied or mitigated.
- To recognise the positive effect of flood protection works.

NOTE TO PLAN USERS

All activities on the primary stopbanks are controlled by Horizons Regional Council under its designation for this area. One Plan Rule 16-14 should be referred to for all activities between an artificial watercourse or bed of a river, and 8 metres inland of the landward toe of a stopbank. Any excavation, drilling, tunnelling, or other land disturbance on or adjacent to the Manawatu River secondary stopbank located between Ruahine Street at Fitzroy Bend and Ruamahanga Crescent should be referred to the Manawatu-Wanganui Regional Council for advice regarding any resource consent requirements.

10.7.3 RULES: RESTRICTED DISCRETIONARY ACTIVITIES

R10.7.3.1 Re-use of Non-Residential Buildings

Re-use of a Non-Residential Building, which complies with the following Performance Standard, is a Restricted Discretionary Activity with regard to:

- Effects on the Adjoining Residential Area
- The Safe and Efficient Operation of the Roding Network, and internal circulation and manoeuvring areas

Performance Standard

(a) Location

The proposed activity must be located in an existing non-residential building.

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

Assessment Criteria

- The extent to which the effects of noise, hours of operation and other environmental disturbance on surrounding residential neighbourhoods can be avoided, remedied or mitigated.
- The extent to which the effects of additional traffic generated impact on the safe and efficient operation of the roading network and internal circulation and manoeuvring areas, and the amenities of the surrounding area.
- To ensure the activity is in character with or complementary to the surrounding residential neighbourhood.
- The extent to which any effects on the visual amenity of the surrounding residential area can be avoided, remedied or mitigated.

Explanation

For historic reasons, there is within the Residential Zone a range of buildings, many of which are shops, which are occupied by a variety of uses. At times these buildings become untenanted and there is the potential for them to fall into disrepair and generally detract from the amenity values of the surrounding area. The intention of this provision is to offer the opportunity for a range of activities to use these buildings where they can demonstrate that they will not have adverse effects on residential environmental and amenity values.

R10.7.3.2 Construction, Reconstruction or Alteration of any Building used or intended to be used for a Non-Residential Activity or any Non-Residential Activity which cannot comply with the Performance Standards for Permitted Activities.

The Construction, Reconstruction or Alteration of Any Building Used or Intended to be used for a Non-Residential activity or Any Non-Residential Activity which Cannot Comply with the Performance Standards for Permitted Activities in Relation to:

- (i) Height
- (ii) Separation Distances
- (iii) Landscape Amenity and Storage
- (iv) Parking, Cycle Parking and Access
- (v) Turitea/Aokautere Residential Zone Setback

shall be a Restricted Discretionary Activity with regard to:

- Design, Scale and Appearance
- Site Layout
- Effects on Adjoining Residential Areas
- Effects on the surrounding Residential Environment and Streetscape
- The Safe and Efficient Operation of the Roading Network, and internal circulation and manoeuvring areas
- Providing opportunities for people to use active and non-vehicular modes of transport
- Visual effects on the rural character and amenity of the Turitea Valley.

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

Assessment Criteria

(a) Height, Separation Distances and Landscape Amenity and Storage

- i. The extent to the effects of overshadowing or reduction of privacy to any adjoining site are avoided, remedied or mitigated.
- ii. To ensure the design, scale and appearance of any building, structure or sign is in character with, and complementary to the ambience and amenity values of the surrounding residential streetscape and neighbourhood.
- iii. To take into account the existence of any topographical or other features on the site, which make compliance impractical.
- iv. The extent to which any effects of noise or other environmental disturbance on the adjoining residential area are avoided, remedied or mitigated.
- v. The extent to which landscaping elements maintain or enhance the ambience and amenity values of the surrounding residential area.

- vi. The extent to which on site planting has been implemented to reduce the activities visual intrusion on adjacent properties and/or break up areas of hard surfacing, such as fence lines and paved areas

(b) Parking and Access

- i. The extent to which any off-site parking generated by the activity can be safely accommodated without creating detrimental effects on the efficient operation of the roading network or amenity of the surrounding neighbourhood.
- ii. To ensure other appropriate off-site parking is available to meet the need generated for parking
- iii. To encourage convenient and accessible cycle parking, to support the opportunity for people to use active and non-vehicular modes of transport throughout the City.

(c) Turitea/Aokautere Residential Zone Setback

To ensure the location, design and appearance of any building or structure has minimal impact on, and is complementary to, the rural character and visual amenity of the Turitea Valley.

R10.7.3.3 Any Home Occupation Activity which cannot comply with the Site and Floor Area Performance Standard for Permitted Activities, provided this does not exceed 60m²

shall be a Restricted Discretionary Activity with regard to:

- Design, Scale and Appearance
- Site Layout
- Effects on Adjoining Residential Areas
- Effects on the surrounding Residential Environment and Streetscape

In determining whether to grant consent and what conditions to impose, if any, Council will have regard to the City View objectives in Section 2 and the Residential Zone objectives and policies.

R10.7.3.4 Activities or buildings in the defined Marae Area at 140 – 148 Maxwells Line which do not comply with the Performance Standards of R10.7.1.10

Any activity which cannot comply with the performance standards for permitted activities in the defined marae area shall be a Restricted Discretionary Activity in respect of its:

- Effects on Adjoining Residential Areas
- Effects on the safe and efficient operation of the roading network, and internal circulation and manoeuvring areas

In determining whether to grant consent and what conditions to impose, if any, Council shall, in addition to the City View objectives in Section 2 and the Residential Zone objectives and policies, assess any application in terms of the following assessment criteria:

Assessment Criteria

- i. The extent to which any effects of overshadowing or reduction of privacy to any adjoining site is avoided, remedied or mitigated.
- ii. The extent to which the design and appearance of any building or structure ensures there are no adverse effects on the amenity values of the surrounding residential area.
- iii. To take into account the existence of any site constraint which makes compliance impractical.

- iv. The extent to which the effects of noise or other environmental disturbance on the adjoining residential area can be avoided, remedied or mitigated.
- v. The extent to which the effects of parking not accommodated on the site, on the safe and efficient operation of the roading network and internal circulation and manoeuvring areas, and the amenities of the adjoining residential neighbourhood can be avoided, remedied or mitigated.
- vi. To recognise and take account of the culture context and environment (kaupapa Maori) in which the marae-based activities are to take place.
- vii. To recognise and take account of the significance of the site to tangata whenua.

R10.7.3.5 Commercial Activity

Any commercial activity, including the construction, alteration or addition to a building or structure within an allotment shown in a Comprehensive Development Plan in accordance with R7A.5.2.2 for use for commercial activity where an application for resource consent is made for the particular commercial activity and the application is included as part of the application for subdivision consent to give effect to the Comprehensive Development Plan is a Restricted Discretionary Activity in respect of:

- Effects on nearby residential activities and residential amenity
- Effects on viability and choice of local business activities
- Public safety
- Visual amenity
- External design and appearance
- Building mass and height
- Relation to streets and other public spaces
- Site Layout
- Parking
- Cycle Parking
- Landscape amenity
- The provision of car parking
- The safe and efficient operation of the roading network
- Efficient, convenient and safe access

Performance Standards

- a) Compliance with R11.9.1.1(g)
- b) Compliance with R11.10.2.1(g)
- c) Compliance with R11.10.7.1(a) and (b)

In determining whether to grant consent and what conditions to impose, if any, the Council will, in addition to the City View objectives in Section 2, the objectives and policies of the Local Business Zone, and the Overarching Residential Zone objectives and policies, assess any application in terms of the following assessment criteria:

Assessment Criteria

The objectives and policies of the Local Business Zone and the assessment criteria identified in R11.10.3.1 and R11.10.3.2.

Explanation

This rule allows development within an area identified on a Greenfield Residential Area Structure Plan as a neighbourhood centre. At some point in the future these areas will be rezoned to Local Business Zone. In the short-term Council wishes to encourage development of local community facilities and services in key locations in a way that is consistent with the Local Business Zone provisions. R10.7.3.5 is a transitional rule until neighbourhood centres in Greenfield Residential Areas is rezoned at an appropriate time in the future.

10.7.4 RULES: DISCRETIONARY ACTIVITIES

The following activities in R10.7.4.1, R10.7.4.2, R10.7.4.3, R10.7.4.4, R10.7.4.5, R10.7.4.6, R10.7.4.7 and R10.7.4.8 are Discretionary Activities unless R10.7.5.2 applies, or in the case of Retirement Villages in Greenfield Residential Areas, R10.7.5.3 applies.

[Note: The following activities are also subject to R10.7.5.2 Non-Complying Activities:]

R10.7.4.1 Community and Leisure Facilities

R10.7.4.2 Motel Conference Centres on properties having frontage onto, and the main vehicle access from, a Major Arterial or Minor Arterial Road as listed in Appendix 20A of the Transportation Section

R10.7.4.3 Places of Worship

R10.7.4.4 Training Facilities

R10.7.4.5 Health Centres and Hospitals

R10.7.4.6 Retirement Villages and Residential Centres

R10.7.4.7 Early Childhood Facilities

R10.7.4.8 Papakainga and Marae Development

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

Assessment Criteria

- a. The extent to which the effects of noise, hours of operation and other environmental disturbance on surrounding residential neighbourhoods are avoided or can be remedied or mitigated.
- b. The extent to which the effects of the generation of additional traffic are addressed through efficient and effective parking and access provisions.
- c. The extent to which additional traffic generated impacts on the safe and efficient operation of the roading network and internal circulation and manoeuvring areas, taking into account the location of the activity.
- d. To ensure the design and appearance of any building, structure or sign is in character with, and complementary to the ambience and amenity values of the surrounding residential neighbourhood.
- e. To ensure that any detracting from the visual amenity of the surrounding residential neighbourhood is avoided, remedied or mitigated by appropriate landscape works or screening.
- f. To ensure that building construction complies with the relevant noise insulation ratings identified by R10.6.1.1(h).
- g. The extent to which appropriate landscaping elements have been incorporated to enhance the character, ambience and amenity values of the adjoining residential neighbourhood.

- h. The extent that on-site planting has been implemented to reduce the activities visual intrusion on adjacent properties and break up areas of hard surfacing, such as fence lines and paved areas.
- i. To ensure employment uses and community facilities provide appropriate opportunities for people to use activity and non-vehicular modes of transport.
- j. In respect of R10.7.4.6 and R10.7.4.8, the Assessment Criteria of R10.6.3.3.
- k. **In respect of R10.7.4.6, and where they are proposed in the Aokautere Greenfield Residential Areas, how any activity:**
- **Is in general accordance with the located as shown on any relevant structure plan and/or precinct plan;**
 - **provides for the roading and street layout as shown on the relevant structure plan and/or precinct plan;**
 - **positively fronts, and integrates with, any Local Business Zone, including as directed by any relevant structure plan and/or precinct plan;**
 - **is consistent with the relevant design principles described for the Greenfield Residential Area in section 7A of the District Plan;**
 - **contributes to positive streetscape outcomes in the Greenfield Residential Area, including any Local Business Zone. This includes, but is not limited to;**
 - **active frontages with visible entrances onto streets**
 - **dwelling fronting internal routes and throughfares and where relevant, public streets**
 - **consistent front-to-front and back-to-back relationships amongst dwellings**
 - **fronting of Activity Streets by communal buildings**
 - **visually interesting street-facing elevations of communal buildings**
 - **coherent built active edges along any Activity Street within a neighbourhood centre, part of which must include a publicly accessible commercial activity**
 - **horizontal and vertical scale of communal buildings complements mixed use development in any neighbourhood centre**
 - **landscaping**
 - **avoidance of blank walls fronting the public realm**
 - **integration with the surrounding road and path network including with well distributed on-site connections to the surrounding public road network**
 - **layout of internal routes and throughfares, including paths, generally integrating with the layout of the Greenfield Residential Area Street layout**
 - **high amenity interface with connections to open space and reserves including coordinated design of communal buildings and open spaces**
 - **garage setbacks.**
 - **is supported by the transport network upgrades that are necessary to provide a safe and efficient transport network to service the activity, including the relevant upgrades in R7A.5.2.2. available operational transport infrastructure necessary to service the activity, and in the case of the Aokautere Residential Area, the transport network requirements set out in R7A.5.2.2 are met.**

- is supported by a stormwater management design that is consistent with the requirements of the Stormwater Management Plan prepared under R7A.2.2(f), and
 - which provides for a perimeter stormwater swale where residential lot boundaries adjoin a gully edge identified on the Aokautere Structure Plan (Map 7A.3), and
 - avoids buildings, structures and landscaping being located within the minimum 5 metre wide perimeter swale utility corridor, and
 - provides access to the swale for maintenance purposes,
- in accordance with Policy 4.910 and 4.11 of Section 7A.
- manages potential adverse effects associated with the geotechnical constraints and natural hazards within the Aokautere Residential Area through implementation of any geotechnical and engineering recommendations, including the level of geotechnical investigation carried out and the level of analysis and specific design requirements arising from the investigation with particular reference to:
 - cut slope behaviour and slope stability analysis to develop appropriate set back distances from the crest of slopes for building platforms;
 - whether building platforms should be restricted in certain areas;
 - whether specific foundation designs are required in certain locations; and/or
 - the management of earthworks and recontouring of land.

NOTE TO PLAN USERS

Refer to Section 5.4(j) - Special Requirements Relating to Applications for Building Construction where Noise Attenuation Standards Apply for additional information to be provided when lodging an application for a resource consent in respect of noise attenuation).

Explanation

Community and Leisure Facilities, Motel Conference Centres, Places of Worship and Training Facilities have a common characteristic, that is, they tend to attract large numbers of people and vehicles to a site for a limited period. This in turn can lead to the generation of noise and other effects which may disturb those who live in the Residential Zone. It is important, therefore, that the effects of any such development are identified at the outset to allow the development of conditions to remove or mitigate these effects. The Training Facilities category of activity is intended to recognise that with the change in the nature of education and the emphasis on life-long learning, a variety of training providers have emerged. Where the potentially adverse effects, such as parking and traffic generation, of such activities can be controlled these training establishments can be compatible with the surrounding residential neighbourhood.

Health Centres and Hospitals offer a convenient service to those living in the Residential Zone; however, their size and combination of activities can potentially give rise to a number of effects. Health Centres frequently include services such as diagnostic laboratories, and like hospitals, often operate for extended hours. Given these and other factors such as the numbers of people and vehicles likely to visit the site, and the potential for adverse effects on the residential environment and amenity values, means that such development should be subject to the assessment of a resource consent.

While Residential Centres and Retirement Villages are intended to provide for concentrated groupings of accommodation, there is the potential for variety in the nature of each activity. Retirement villages often include associated recreational and health care facilities while residential centres provide only accommodation for a particular age group. Both however have the potential to create disturbance within neighbourhoods particularly in relation to noise and traffic and the scale of buildings and activity.

R10.7.4.9 Alterations and Additions to Existing Buildings in the Air Noise Contour identified on Map 10.6.6.1 are Discretionary Activities

Alterations and additions to any of the following buildings or activities on sites within the Air Noise Contour identified on Map 10.6.6.1, provided that the building or activity was lawfully established prior to 2 September 1998, are Discretionary Activities:

- Dwellings;
- Minor Dwelling Units;
- Education and Early Childhood Facilities;
- Community Homes;
- Accommodation Motels;
- Motel Conference Centres;
- Training Facilities;
- Hospitals;
- Retirement Villages;
- Residential Centres;
- Tourist Facilities; and
- Any Other Existing Buildings used for Regular Accommodation and Communal Activities.

In determining whether to grant consent and what conditions to impose, if any, Council will in addition to the City View objectives in Section 2 and the objectives and policies of this zone, assess any application in terms of the following assessment criteria:

Assessment Criteria

- a. The objectives and policies relating to noise sensitive activities in the vicinity of Palmerston North Airport set out in Section 9.3.
- b. Alterations and additions to existing dwellings or other noise sensitive activities shall only be permitted if fitted with appropriate acoustic insulation to achieve a satisfactory internal noise environment.

NOTE TO PLAN USERS

Refer to Section 5.4(j) – Special Requirements Relating to Applications for Building Construction Where Noise Attenuation Standards Apply for additional information to be provided when lodging an application for a resource consent in respect of noise attenuation.

R10.7.4.10 Minor Temporary Military Training Activities which do not comply with the Performance Standards, Extended Military Training Activities, and single or multiple explosive events, and which comply with the following Performance Standard, are Discretionary Activities.

Performance Standard

- (i) The following information must be submitted to the Council on lodgement of an application under this rule:
 - (a) A Noise Management Plan prepared by an acoustic technician
 - (b) A Community Consultation Programme

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

- External Appearance and amenity and/or character of the surrounding residential

area.

- Effects of additional traffic generated on the roading network, and internal circulation and manoeuvring areas.

Assessment Criteria

- To avoid, remedy or mitigate the effects of noise, hours of operation and other environmental disturbance on surrounding residential environment.
- To avoid, remedy or mitigate the visual impact of any activities, and to preserve the character and amenity of the residential environment.
- To avoid, remedy or mitigate the effects of the proposal on any area of natural and/or cultural heritage value, or of particular significance to Tangata Whenua.
- The extent to which the effects of noise, including the peak sound levels resulting from impulsive noise, impacts on noise sensitive activities, stock and wildlife.
- The likely noise impacts for the area.
- Whether a Noise Management Plan prepared by an acoustical consultant identifies available noise management measures to avoid, remedy or mitigate adverse effects of noise, including best practicable options adopted to minimise sound emissions from live firing of weapons, firing of blank ammunition and single or multiple explosive events.
- Whether a community consultation programme is available, for communication with occupiers and owners of affected sites, prior to the military training activities commencing; with such communication including notification of the event, updates during the event, methods for following up complaints received during or after the event, and the process of liaison with Council.
- To avoid, remedy or mitigate the effects of additional traffic generated on the safe and efficient operation of the roading network.

Explanation

The New Zealand Defence Force (NZDF) may need to carry out temporary military training activities which do not meet the performance standards for Permitted Activities. In this case, it is important to ensure that any adverse effects of training activities on the environment are avoided, remedied or mitigated. The Discretionary Activity status provides Council with the opportunity to take full account of effects in its assessment of the proposed activities

R10.7.4.11 Commercial and Non-Residential Activities within the Napier Road Residential Extension Area

Any commercial or non-residential activity within the Napier Road Residential Area is a Discretionary Activity.

Performance Standards

- The following information must be submitted to the Council on lodgement of an application under this rule:
 - A Noise Management Plan prepared by a suitably qualified acoustic expert
 - A Traffic Impact Assessment prepared by a qualified traffic engineer or traffic planner.
 - A Stormwater Management Plan prepared by a Chartered Professional Stormwater Engineer identifying the potential stormwater risks to the site and infrastructure that support development. The report must cover;
 - How onsite stormwater retention and detention measures will achieve hydraulic neutrality in the 1% AEP plus climate change storm with no increase in stormwater effects on surrounding areas.

2. On-site water sensitive design measures that will be installed to achieve hydraulic neutrality.
3. A site specific hydrologic modelling assessment using updated oxbow bathymetry and footprint based on the proposed development plan and include assessment for different downstream discharge conditions.
4. Scoping of all internal stormwater infrastructure and how it will interact with the existing drainage system including connection to the existing stormwater network and discharge to the Napier Road open drain and layout of treatment devices.
5. Treatment of all stormwater runoff from the site prior to discharge to the primary network and/or direct discharge to the oxbow.
6. Protection of treatment devices and treatment runoff during all phases of construction.

The stormwater design must incorporate any existing stormwater runoff through the development, such as upstream catchment and treatment of stormwater (this also includes the outcomes of any resource consent granted for the discharge of stormwater into the oxbow).

A copy of any site calculations must accompany the report.

- ii. All development must achieve a minimum floor height above the 0.5% AEP flood extent plus 500 millimetres freeboard. Access to occupied structures shall also be above the 0.5% AEP flood extent.
- iii. A minimum of 30% of the net site area shall, excluding road reserve, be of permeable surface. This includes decks provided the surface material of the deck allows for water to drain through to a permeable surface.
- iv. Each development must incorporate rain gardens or other biofiltration device to treat road and hard stand runoff prior to discharge into the Council's stormwater network.
- v. Any commercial or non-residential activity shall not utilise more than 20% total of the developable land within the Napier Road Residential Extension Area.

In determining whether to grant consent and what conditions to impose, if any, Council will, in addition to the City View objectives in Section 2 and the Objectives and Policies for the Residential Zone, assess any application in terms of the following further assessment criteria.

- a. The extent to which the effects of noise, hours of operation and other environmental disturbance on the surrounding residential neighborhoods are avoided or can be remedied or mitigated.
- b. To avoid, remedy or mitigate the visual impact of any activities, and to preserve the character and amenity of the residential environment.
- c. Whether the Noise Management Plan prepared by an acoustical consultant identifies noise management measure to avoid, remedy or mitigate adverse effects of noise, including best practicable options adopted to minimise sound emissions.
- d. The extent to which the effects of the generation of additional traffic are addressed through efficient and effective parking and access provisions.
- e. The extent to which additional traffic generated impacts on the safe and efficient operations of the roading network and internal circulation and manoeuvring areas, taking into account the location of the activity on the major arterial route of Napier Road.
- f. The extent to which appropriate landscaping elements have been incorporated to enhance the character, ambience and amenity values of the adjoining residential neighbourhood.

- g. The extent to which onsite planting has been implemented to reduce the activities visual intrusion on adjacent properties and break up areas of hard surfacing such as fence lines and paved areas.
- h. The extent to which proposed development achieves hydraulic neutrality in the 1% AEP plus climate change storm event.
- i. The extent to which flood mitigation has been provided for and does not result in effects on other upstream or downstream properties.
- j. The extent to which design contributes to positive streetscape outcomes, given the gateway function of Napier Road. This includes, but is not limited to;
 - Active frontages
 - Landscaping
 - Avoidance of blank walls fronting the public realm
 - Minimising carparking at the road frontage.

10.7.5 RULES: NON-COMPLYING ACTIVITIES

R10.7.5.1 Non-Complying Activities

Any building, structure or activity not provided for as a Permitted Activity, Controlled Activity, Restricted Discretionary Activity, Discretionary Activity, and is not a Prohibited Activity or is not specifically provided for by R10.7.5.2, shall be a Non-Complying Activity.

R10.7.5.2 Non-Residential Buildings in the Inner or Outer Control Contour that do not provide any noise reduction or do not comply with R10.6.1.1(h)

Any new community home, accommodation motel, education facility, early childhood facility, health facility, community and leisure facility, motel conference centre, place of worship, training facility, health centre, hospital, retirement village, residential centre, or any alterations to an existing building associated with these activities sited in the Inner Control Contour or Outer Control Contour that does not comply with R10.6.1.1(h) shall be a Non-Complying Activity.

When considering whether to grant the application and what conditions, if any, to impose Council shall take into account the objectives and policies of the Residential Zone, and the following assessment criteria:

Assessment Criteria

- a. To take into account any circumstances that would make compliance with the noise reduction standards in R10.6.1.1(h) inappropriate or unreasonable.
- b. To demonstrate that the level of noise reduction by the proposed development can be less than the level required by R10.6.1.1(h) without compromising the overall health and amenity of the occupants within the respective building.

R10.7.5.3 Retirement Villages in Aokautere Residential Area

Any new retirement village in the Aokautere Residential Area which is not located and developed in accordance with the Aokautere Structure Plan.

NOTE TO PLAN USERS

Refer to Section 5.4(j) – Special Requirements Relating to Applications for Building Construction Where Noise Attenuation Standards Apply for additional information to be provided when lodging an application for a resource consent in respect of noise attenuation.

10.7.6 RULES: PROHIBITED ACTIVITIES

R10.7.6.1 Prohibited Activities in the Air Noise Contour identified on Map 10.6.6.1

In addition to the activities listed in R10.6.6.1, the following activities are prohibited activities in the Air Noise Contour identified on Map 10.6.6.1:

All new education and early childhood facilities, new community homes, new accommodation motels, new motel conference centres, new training facilities, new hospitals, new retirement villages, new residential centres, new tourist facilities and any other new buildings used for regular accommodation.

These activities are expressly prohibited and no resource consent shall be granted.

Explanation

The above-mentioned activities have been identified as being highly sensitive to the effects of excessive noise exposure associated with aircraft operations.

The impact of aircraft noise has been assessed by New Zealand Standard 6805:1992 - Airport Noise Management and Land Use Planning, which recommends as one of the criteria for land use planning within any defined air noise boundary that noise sensitive activities, such as dwellings and schools, be prohibited. The purpose of this rule is to give effect to this recommended standard.

10.8 Rules: Noise - Non-Residential Activities

R10.8.1 NOISE

Sound emissions from any fixed mechanical plant, or from any non-residential activity, when measured at or within the boundary of any other site (other than land from which the noise is emitted or a road) shall not exceed the following:

7.00am to 10.00pm 45dB L_{Aeq} (15mins)

10:00pm to 7:00am 40dB L_{Aeq} (15mins)

Night-time L_{max} 10:00pm to 7:00am 65dBA L_{max}

Refer also to Section 6: Noise.

Explanation

The rules for the Residential Zone are intended to control the noise from any items of fixed mechanical plant, and from non-residential activities situated in a Residential Zone. The mechanical plant items include, but shall not be limited to, residential and non-residential heat-pumps, fans, pumps, and generators. Care needs to be taken with the installation of these plant items that they are sensibly selected, located and operated such as not to cause a nuisance to neighbours.

The limit of 45 dB L_{Aeq} (15mins) during the days is purposefully stringent and sets out to discourage noise even moderate noise generators from establishing in the quiet residential environment. Such activities may be appropriately located in the Residential Zone in areas where the ambient sound levels are high at times when the activity takes place. This would be closer to main roads or activity areas for example. To be acceptable the level of the activity should not intrude into the existing sound environment. Such activities would be assessed as discretionary activities and the application would need to be submitted with a noise impact assessment. To have the limit that is less than 45 dBA during daytime would be overly stringent and could prove difficult to enforce. The night-time 40dB L_{Aeq} (15mins) and 65dBA L_{max} limits are designed to protect sleep in quiet residential areas. This Rule provides a moderately strict noise control regime.

APPENDIX 1 Napier Road Residential Area – Typical Construction Element Requirements for Building to Achieve an External Sound Insulation Level of $D_{nT,w} + C_{tr} > 30 \text{ dB}$

BUILDING ELEMENT	MINIMUM CONSTRUCTION REQUIREMENT	
<u>External Walls</u> of Habitable Rooms	<u>Stud Walls:</u> Exterior cladding:	20mm timber or 9mm compressed fibre cement sheet over timber frame (100mm x 50mm).*
	Cavity infill:	Fibrous acoustic blanket (batts or similar of a minimum mass of 9kg/m ³) required in cavity for all exterior walls. Minimum 90mm wall cavity.
	Interior lining:	One layer of 12mm gypsum plasterboard. Where exterior walls have continuous cladding with a mass of greater than 25kg/m ² (e.g. brick veneer or minimum 25mm stucco plaster), internal wall linings need to be no thicker than 10mm gypsum plasterboard.
	Combined superficial density:	Minimum not less than 25kg/m ² being the combined mass of external and internal linings excluding structural elements (e.g. window frames or wall studs).**
	<u>Mass Walls:</u>	190mm concrete block strapped and lined internally with 10mm gypsum plaster board, or 150mm concrete wall.
<u>Glazed Areas</u> of Habitable Rooms	Glazed areas up to 10% of <u>floor</u> area:	6mm glazing single float
	Glazed areas between 10% and 35% of <u>floor</u> area:	6mm laminated glazing
	Glazed areas greater than 35% of <u>floor</u> area:	<i>Require a specialist acoustic report to show conformance with the insulation rule.</i>
	Frames to be aluminium window frames with compression seals.	
<u>Skillion</u> Roof	Cladding:	0.5mm profiled steel or 6mm corrugated fibre cement or membrane over 15mm thick ply, or concrete or clay tiles.
	Sarking:	17mm plywood (no gaps).
	Frame:	Minimum 100mm gap with fibrous acoustic blanket (batts or similar of a mass of 9kg/m ³).
	Ceiling:	Two layers of 10mm gypsum plaster board (no through ceiling lighting penetrations unless correctly acoustically rated). Fibrous acoustic blanket (batts or similar of a minimum mass of 9kg/m ³).

	Combined superficial density:	Combined mass of cladding and lining of not less than 25kg/m ² .
Pitched <u>Roof</u> (all roofs other than skillion roofs)	Cladding:	0.5mm profiled steel or tiles, or membrane over 15mm thick ply.
	Frame:	Timber truss with 100mm fibrous acoustic blanket. (Batts or similar of a minimum mass of 9kg/m ³) required for all ceilings.
	Ceiling:	12mm gypsum plaster board.
	Combined superficial density:	Combined mass with cladding and lining of not less than 25kg/m ² .
<u>Floor</u> areas open to outside	Cladding:	Under-floor areas of non-concrete slab type floors exposed to external sound will require a cladding layer lining the underside of floor joists of not less than 12mm ply
	Combined superficial density:	Floors to attain a combined mass not less than 25kg/m ² for the floor layer and any external cladding (excluding floor joists or bearers).
External <u>Door</u> to Habitable Rooms	Solid core door (min 25kg/m ²) with compression seals (where the door is exposed to exterior noise).	

NOTE TO PLAN USERS

The table refers to common specifications for timber size. Nominal specifications may in some cases be slightly less than the common specifications stated in the schedule for timber size.

Minimum mass requirements for floors, walls, and ceilings where composite construction methods are employed (i.e. where claddings or lining materials are placed each side of structural members) shall form a reasonable balance of the mass of linings on each side of structural elements. Proposed designs should show cladding or linings with a minimum of 10kg/m² on each side of the structural members, with the additional 5kg/m² provided on either the internal or external side.

In determining the insulating performance of roof/ceiling arrangements, roof spaces are assumed to have no more than the casual ventilation typical of the jointing capping and guttering detail used in normal construction

Glossary of Acoustic Terms

Leq or L_{eq}

The time-averaged sound level (or equivalent sound level) that has the same mean square sound pressure level as the time-varying sound level under consideration. Commonly referred to as an "energy average" measure of sound exposure.

Insulation (Sound)

Sound insulation is the prevention of the transmission of sound through a barrier such as a wall or window. There is no direct and inherent relation between the sound insulation value of a barrier and the sound absorption performance of its surface.

A-Weighting (dBA)

A weighting is a system of adjustments applied to sound of different frequencies to take account of the way the sensitivity of the human ear varies with sound frequency.

C_{tr}

Spectrum Adaptation Term ISO 717-1:1996 Table A.1 Spectrum NUMBER TWO (2). The ISO standard ISO717-1: 1996 gives C and C_{tr} indices which can be added to the R_w rating to give a rating for noises with either equal energy at all frequencies (C) or road traffic like spectra (C_{tr}).

STC

Sound Transmission Class.

R

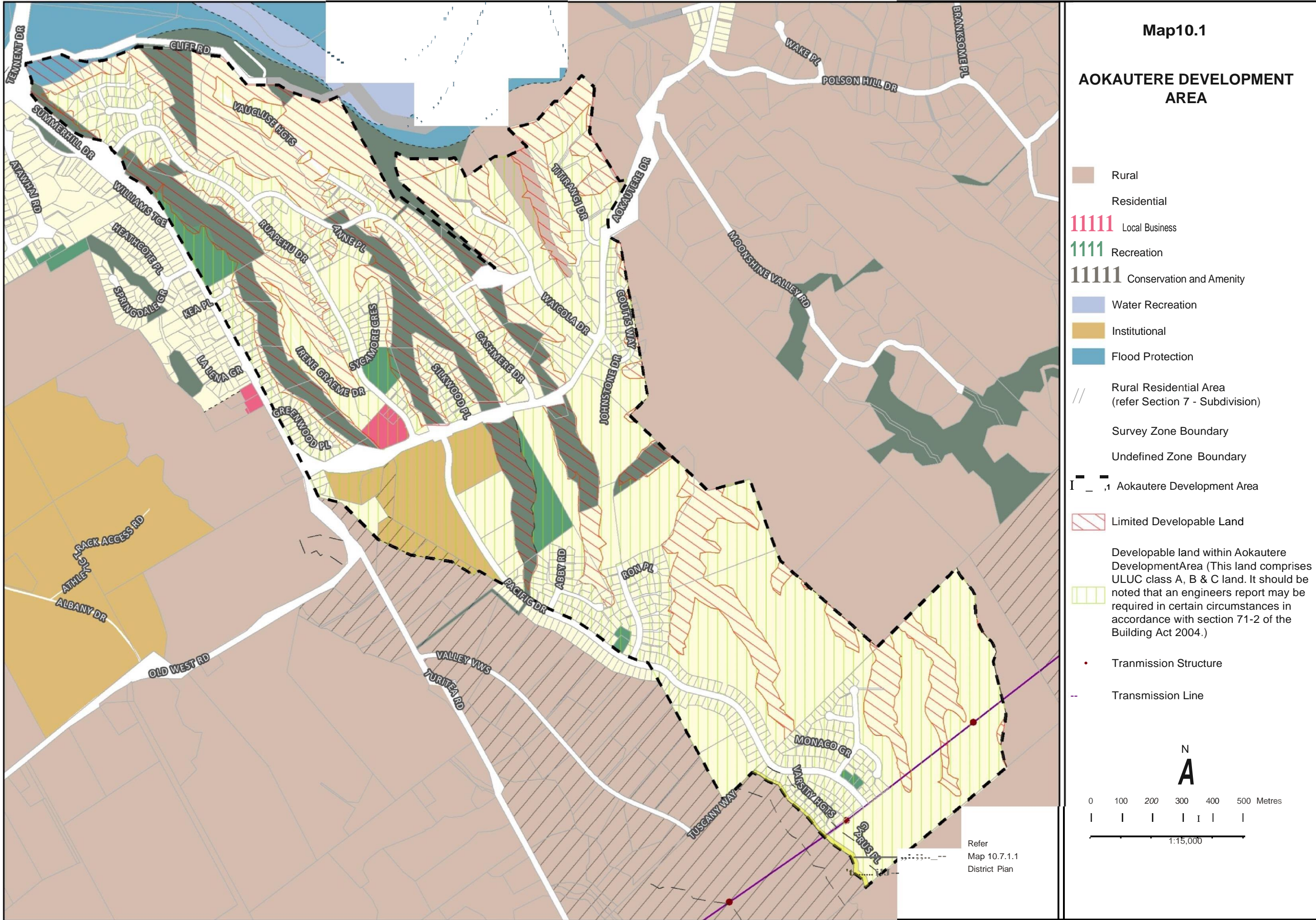
Sound Reduction Index.

Rw

Weighted Sound Reduction Index

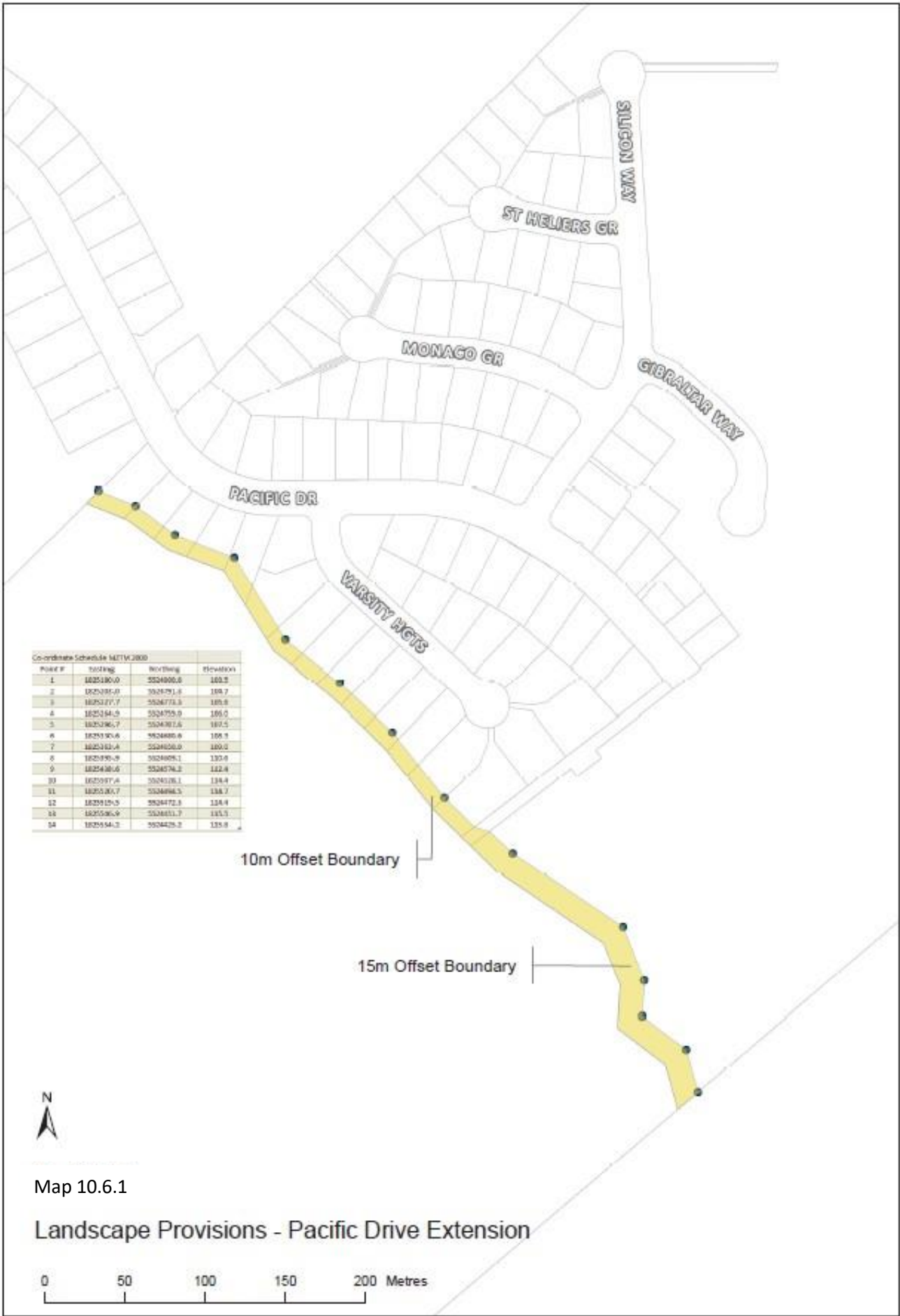
STC and Rw

Rw like STC uses a slightly different frequency range (100-3150Hz versus 125-4000 Hz for STC). Generally speaking, the two ratings give the same sound transmission loss ranking with 1 to 2 points difference. The higher the STC or Rw rating the better the partition will perform in insulating the sound. Rw was also initially developed to rate the effectiveness of partition from speech like noises



Map 10.1A Aokautere Development Area – Aokautere Structure Plan

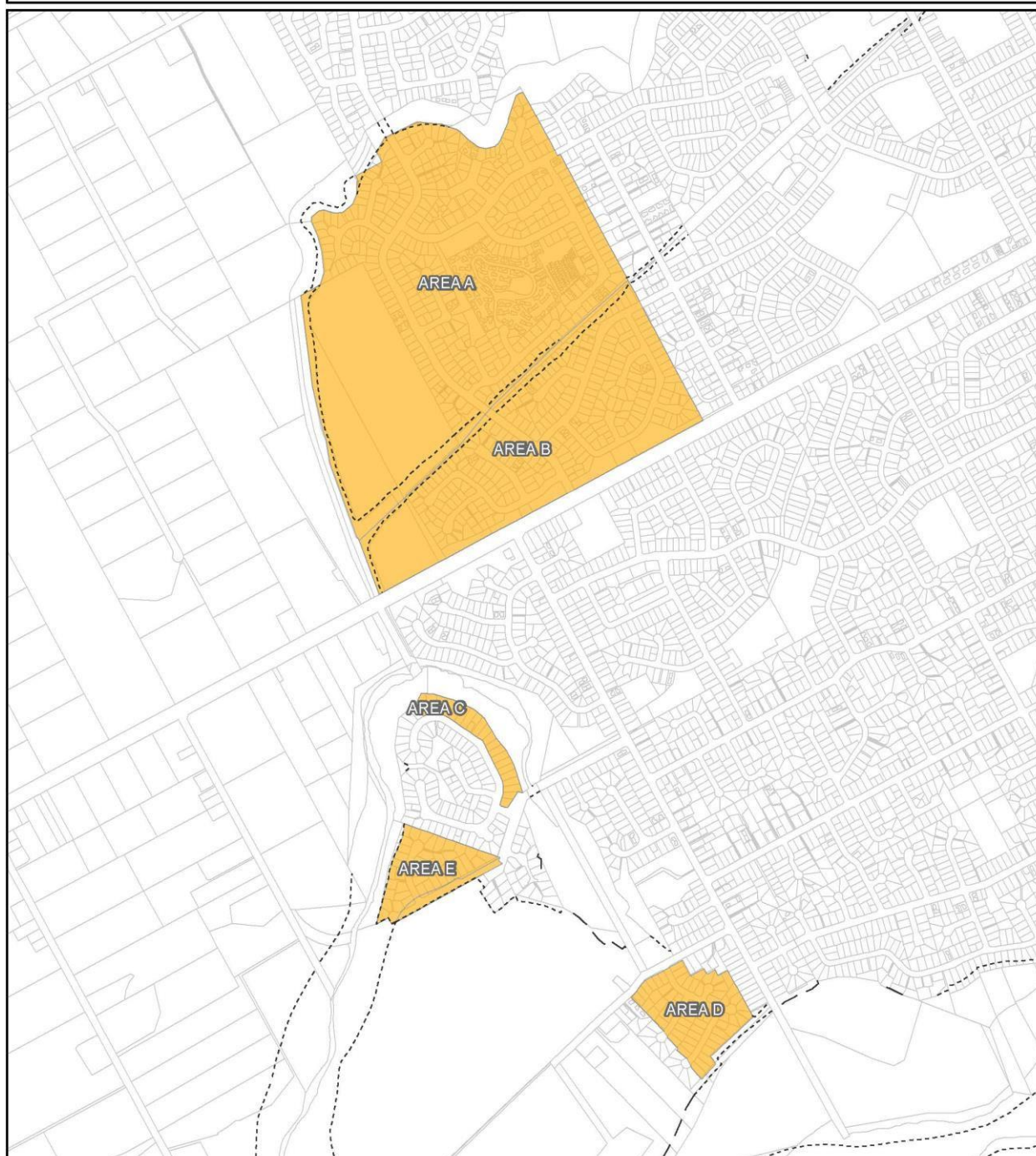
Map 10.6.1 Landscape Provisions – Pacific Drive Extension



Map 10.6.1.3 Areas in which Minimum Floor Levels Apply

Map 10.6.1.3

AREAS IN WHICH MINIMUM FLOOR LEVELS APPLY



0 100 200 400 600 800 Metres
1:15,000



- Area in which minimum floor levels apply.
- Survey Zone Boundary
- Undefined Zone Boundary



Map 10.6.3.3 (b) Awapuni Multi-Unit Housing Area

Area C (Purple)
Area D (Blue)

Metres
0 100 150 200 250 300 350 400

Streets shown include: Dampier Ave, Wyndham St, Alexander St, Hurley Pl, Squires Pl, Wincanton Pl, Leigh Pl, Kent Cres, Long Melford Rd, Oway Pl, Cranford Pl, Frank St, Triggs Cr, Rugby St, Stafford Pl, Winchester St, College St, Hill Ct, Pitavard, Anzio Pl, Busby Pl, Ngahere Ct, Hartley Pl, Adrien Way, Newbury St, London Tce, Greenock Pl, Ilford Pl, Kingston St, Strathmore Pl, Burfield Pl, Wikirihhi Cres, Te Punga Pl, Dittmer Dr, Fergusson St.

10.6.3.3(c) Multi-Unit Residential Housing Area: Highbury Neighbourhood Centre



Map 10.6.3.3(d) Multi-Unit Residential Housing Area: Hokowhitu Neighbourhood Centre

Map



10.6.3.3(e) Multi-Unit Residential Housing Area: Milson Neighbourhood Centre



Map 10.6.3.3(f) Multi-Unit Residential Housing Area: Napier Road



 **Area D**

Map 10.6.3.3(g) Multi-Unit Residential Housing Area: Hokowhitu Lagoon Residential Area



Map 10.6.3.3(h) Multi-Unit Residential Housing Area: Aokautere Residential Area

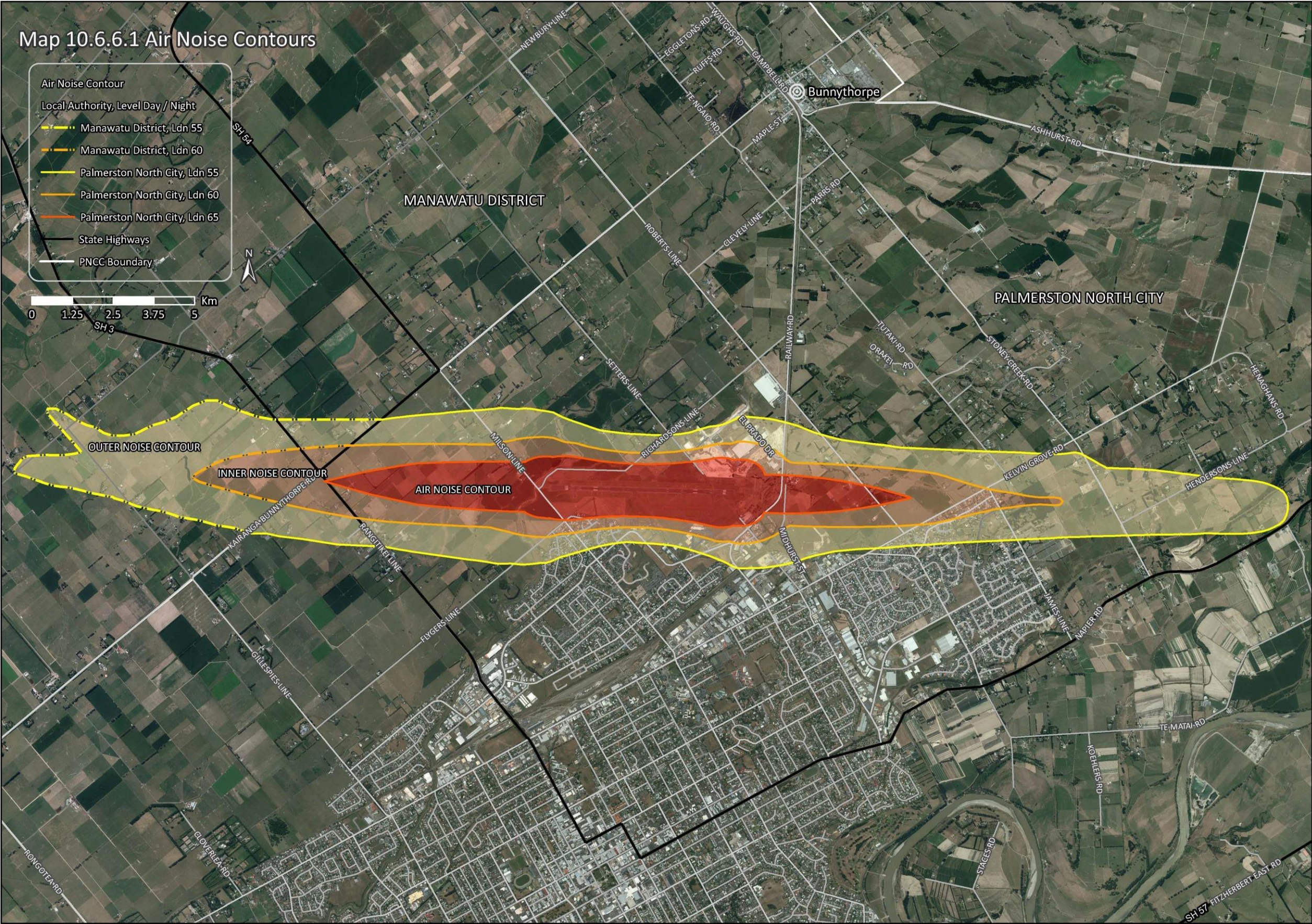
Map 10.6.3.5a Awatea Stream Ponding Area



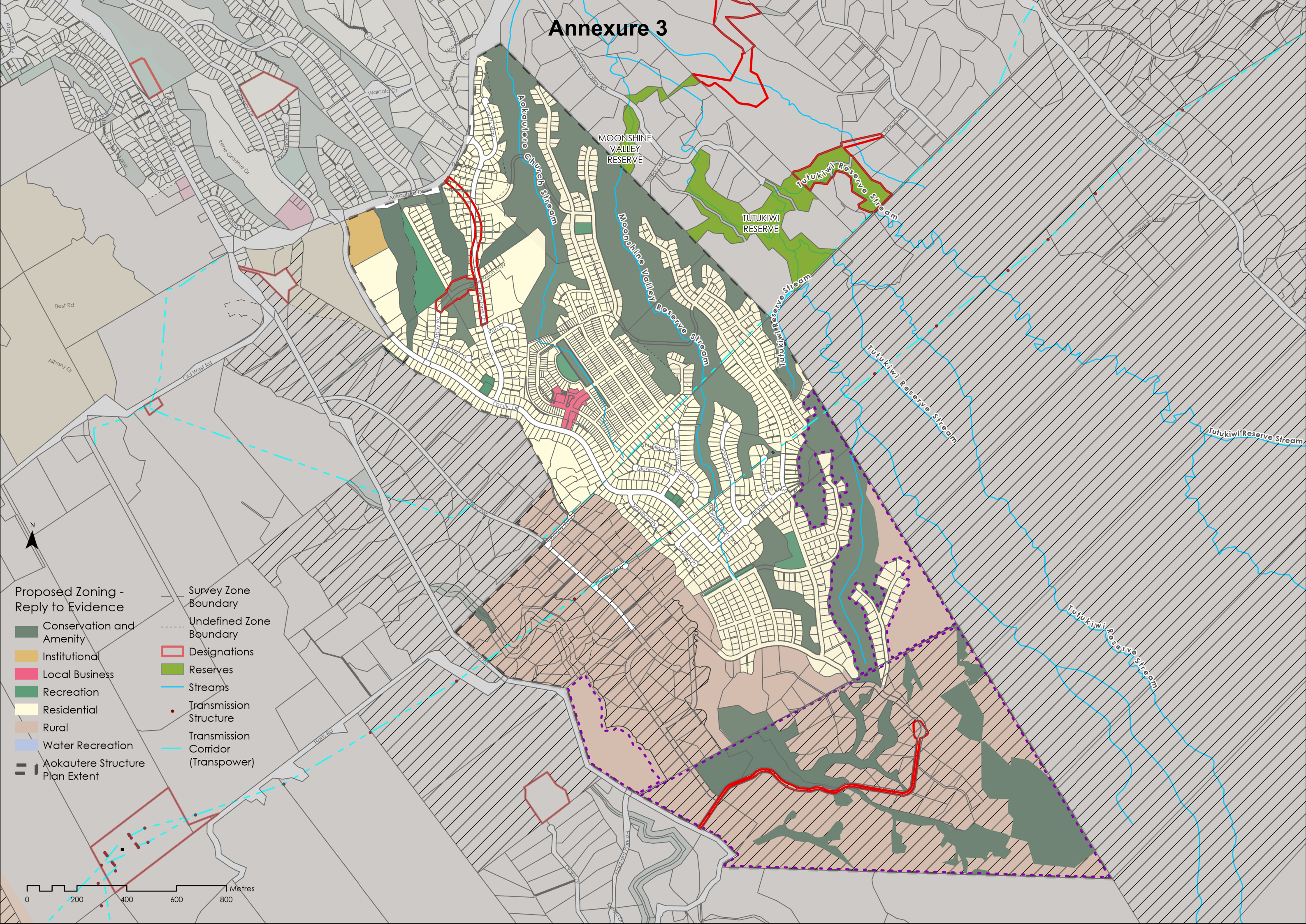
Map 10.6.3.5b Jensen St Ponding Area



Map 10.6.6.1 Air Noise Contours



Annexure 3



Annexure 4

Section 32AA Evaluation

1. Section 32AA of the RMA requires a further evaluation of changes made to PCG since the original evaluation report was completed. This evaluation must be undertaken in accordance with s32 of the Act, which requires the objectives of proposals to be examined for their appropriateness in achieving the purpose of the Act (s32(1)(a)), and whether the proposed provisions (including methods) are the most appropriate way to achieve the objectives (s32(1)(b)). This includes consideration of other practicable options, the efficiency and effectiveness and cost and benefits of the provisions in achieving the objectives.
2. The following table sets out a preliminary Section 32AA assessment for the amendments that I have recommended to the PCG provisions in this reply s 42A report. This summary evaluation is intended to assist the Hearing Panel in undertaking its own evaluation.
3. This s32AA assessment addresses the most significant recommended amendments to the PCG provisions as identified in my reply to evidence (this s42A report), reflective of the scale and significance of these amendments. The S32AA assessment does not address minor changes recommended to improve clarity or interpretation of the provisions, or where amendments have been proposed that are not a significant departure from the approach that was notified or recommended in my s42A Report.
4. Having undertaken a comparison of my recommended changes versus the provisions as notified in terms of:
 - a) the costs and benefits,
 - b) the efficiency and effectiveness, and
 - c) the risks of acting or not acting,
5. I have concluded that the recommended changes improve the appropriateness of the provisions in achieving the relevant objectives of the District Plan.

Relevant provisions	Recommended amendments	Options considered	Evaluation of amendment (section 32AA assessment)
Noise			
<p>Section 7: Subdivision</p> <p>New Policy and new Non-Complying Rule</p>	<p>Provide a non-complying consenting pathway for subdivision and development where noise levels have been reduced such that noise generated by activities does not exceed 55 dB L_{AFmax} within each lot, and further mitigation is provided by orientating the dwelling such that indoor and outdoor living areas face north, with the building providing an acoustic barrier.</p> <p>This amendment involves:</p> <ul style="list-style-type: none"> - A minor amendment to recommended Policy 3.8 in Section 7: Subdivision to include relocated dwellings. - Insertion of new Policy 3.9 - Insertion of a new non-complying rule R7.15.4.1.6 and associated determination, notification and assessment criteria provisions 	<ol style="list-style-type: none"> 1. Retain the notified provisions (no specific provisions addressing Gun Club noise effects) 2. Recommendation in the s42A report - To remove the Rural Residential Overlay from the land within the 55 dB L_{AFmax} contour and apply a Rural Zoning. 3. Apply the Rural Residential Overlay to the land within the 55 dB L_{AFmax} contour but provide a non-complying consenting pathway for subdivision where additional noise mitigation at the Gun Club results in noise not exceeding 55 dB 	<p>Effectiveness and Efficiency: The imposition of a non-complying rule will take away the potential for subdivision down to 1ha to occur as a Restricted-Discretionary Activity.</p> <p>A non-complying activity status for subdivision will be effective in ensuring that additional lots capable of containing residential activity does not occur within an area that is subject to a high level of noise that is considered incompatible with residential activities.</p> <p>This approach recognises that there is an expectation that noise effects could be mitigated in the future, and that this, in addition to the measures outlined in Policy 3.8, may enable subdivision and development to occur on some lots. Mr Lloyd, the Council's acoustic expert agrees with this approach.</p> <p>This approach provides a clear signal that an increase in the level of noise sensitive activities (residential dwellings) close to an existing, lawfully established noise-generating activity is not appropriate, unless mitigation of noise has occurred (including through on-site mitigation at the Gun Club) that reduces the noise to an acceptable level. This approach is consistent with achieving the objectives of the Plan.</p> <p>The recommended changes are considered to be more effective in achieving the objectives of the Plan, including Objectives 2 and 3 in Section 7, than the notified provisions.</p>

Relevant provisions	Recommended amendments	Options considered	Evaluation of amendment (section 32AA assessment)
		L _{AFmax} within each new lot.	<p>The approach is also more appropriate in achieving the objectives of the Plan than removing the Rural-Residential Overlay as it retains the ability for rural living and providing for demand for this style of development where effects can be mitigated.</p> <p>The approach is a more efficient approach, in particular because mitigation works to the Gun Club are expected in the future. The approach taken in the s42A report would require a future plan change to amend the noise contours and enable development. The recommended approach provides a resource consenting pathways where developers can demonstrate that development is appropriate on lots without the need for a future plan change. Given the extent of the noise contour, without a resource consenting pathway, the s42A approach restricted a large area of land from rural-residential development, without being foreshadowed in the notified provisions, and where there had been an expectation of such development occurring under the notified plan change.</p> <p>Costs (environmental, economic, social, cultural): There will be a reduction in the ability to develop rural residential land within the plan change area, until such time as effective noise mitigation is established. In the context of delivering housing to meet medium to long term demand, the costs associated with this delay are not expected to be significant, given the primary residential growth opportunity is provided through residential zoning rather than rural-residential. The costs are expected to be lower than the</p>

Relevant provisions	Recommended amendments	Options considered	Evaluation of amendment (section 32AA assessment)
			<p>option of removing the Rural Residential Overlay altogether as that approach does not allow for any development except via a future plan change.</p> <p>The change will reduce (in part) the potential land development opportunities that the affected landowners would have under the notified provisions. However, these potential costs are less than removing the Overlay altogether.</p> <p>There are expected to be costs to undertake noise mitigation works to reduce noise to a level where development can be enabled (through a non-complying activity pathway).</p> <p>Benefits (environmental, economic, social, cultural): There are environmental and social benefits in ensuring that PCG does not enable development in areas where existing levels of noise are incompatible with residential activities.</p> <p>The change also provides benefits to the Gun Club and to landowners, by reducing the noise and reducing actual and potential reverse sensitivity effects to residential activities in the area.</p> <p>Risk of acting/not acting: A noise assessment (including noise monitoring and modelling) was provided with PCG, with further monitoring and modelling undertaken post-notification. Mr Lloyd has provided expert advice and a s42A report, that provides</p>

Relevant provisions	Recommended amendments	Options considered	Evaluation of amendment (section 32AA assessment)
			sufficient information to act. There is sufficient information to understand the risks of acting.
Stormwater and Conservation and Amenity			
Section 7A Policy 6.5	Amend Policy 6.5 to clarify the timing of when gully features must be vested to the Council.	<ol style="list-style-type: none"> 1. Retain the notified policy (vesting to occur at the earliest stage of subdivision) 2. Amend the policy to specify timing/circumstances of when vesting should occur. 	<p>Effectiveness and Efficiency:</p> <p>The amended policy is considered the most effective and efficient way to ensure the long-term protection of the gully features, and to ensure that gullies that are required for stormwater management can be vested to the Council to enable construction of the necessary infrastructure in time to receive stormwater from proposed development. The recommended provisions provide greater clarity as to when vesting should occur (i.e. timing). In other circumstances (not identified in the policy) vesting could occur later and delivery of infrastructure could be agreed by way of a developer agreement, between Council and developers.</p> <p>The amended policy is effective in ensuring the land is vested with Council at the appropriate time, and efficient in ensuring that if there are circumstances where land does not need to be vested prior to the subdivision of individual lots, this does not hold up development.</p> <p>This approach is consistent with achieving the objectives of the Plan.</p> <p>The recommended changes are considered to be more efficient in achieving the objectives of the Plan, including Objectives 6 in Section 7A, than the notified provisions.</p> <p>Costs (environmental, economic, social, cultural): Specifying timing of vesting will mean developers do not</p>

Relevant provisions	Recommended amendments	Options considered	Evaluation of amendment (section 32AA assessment)
			<p>need to vest land early and Council will not incur the ownership and management costs earlier than necessary. Environmental, social and cultural costs are unlikely to change.</p> <p>Benefits (environmental, economic, social, cultural): There are benefits to both developers and Council in ensuring vesting occurs at appropriate times to enable development. This maintains the benefits of vesting and Council ownership of key gullies.</p> <p>Risk of acting/not acting: Vesting is a common process to achieve the outcomes intended by the plan change. There is sufficient information to act.</p>
Relevant provisions	Recommended amendments	Options considered	Evaluation of amendment (section 32AA assessment)
Transport			
Section 7, Policy 3.7	Amend new Policy 3.7 (d) to require the transport upgrades identified in tables 7A.1 and 7A, or demonstrate that there is sufficient capacity in the intersections to accommodate the predicted traffic movements generated by the proposed development	<ol style="list-style-type: none"> 1. Retain the notified provisions 2. Amend as recommended in the s42A report (Limiting development until network upgrades were complete) 	<p>Effectiveness and Efficiency: The Reply to Evidence of Ms Fraser recommends a number of changes to the transportation provisions. These changes are primarily the result of agreements contained in the JWS-Transport, the JWS-Planning, and subsequent agreements between Waka Kotahi's planner, Ms Jenkins, and the s42A officer, Ms Copplestone.</p> <p>The primary changes to the provisions are amendments to Table 7A.1, and splitting Table 7A.1 into two tables (7A.1</p>
Rule 7.15.2	Include new matter of discretion to require assessment of available capacity in the intersections identified in Table 7A.1 and 7A.2.		

Relevant provisions	Recommended amendments	Options considered	Evaluation of amendment (section 32AA assessment)
Rule 7.15.2(f)(iii)	<p>Amendments to Restricted Discretionary Activity Rule 7.15.2(f) (iii) to include a new performance standard that applies before development commences, to:</p> <ul style="list-style-type: none"> - require the transport upgrades identified in Table 7A.1 or - require a transport assessment to demonstrate the capacity thresholds in the intersections in Table 7A.1 will not be exceeded - Include an Explanatory note to direct plan users to non-complying activity status if traffic generated by the proposed activity will exceed the intersection capacity thresholds 	3. Amend as recommended in this Reply to Evidence (Providing a pathway for some development subject to capacity assessments of the network and upgrade thresholds)	<p>and Table 7A.2). There are a number of consequential amendments that flow from these changes.</p> <p>Table 7A.1 identifies the network capacity thresholds and required upgrades for the Summerhill/Ruapehu Drive intersection and the State Highway network to enable development to occur in Aokautere. Table 7A.2 identifies the network capacity thresholds and required upgrades for the internal local road network to enable development to occur in Aokautere.</p> <p>The proposed changes reflect the intentions of Waka Kotahi as set out in the JWS - Transport to undertake safety improvement works to the state highway network that, once completed, will address the existing safety issues on the state highway network. The effect of this is that some development will be able to occur before the state highway intersection upgrades need to be undertaken.</p>
Rule 7.15.2(h)	<p>Add new assessment criteria to 7.15.2(h) to require assessment of:</p> <ul style="list-style-type: none"> - The extent to which the subdivision complies with the transport network requirements set out in R7A.5.2.2(i) - The extent to which significant adverse effects on the transport network have been avoided. 		<p>The recommended approach manages development to meet network capacity thresholds. If the intersection upgrades are not operational, then developers can undertake a traffic assessment to understand if there is capacity within the intersections to accommodate the traffic movements that will be generated by the proposed activity. If the capacity thresholds in Table 7A.1 are exceeded, subdivision triggers a non-complying activity status. This approach recognises that such activities may have potentially significant adverse effects on the state highway transport network, and therefore warrant a higher activity status and detailed consideration of potential effects.</p>

Relevant provisions	Recommended amendments	Options considered	Evaluation of amendment (section 32AA assessment)
	<ul style="list-style-type: none"> - Whether the traffic generated by the proposed development will exceed the capacity thresholds in Column 2 of Table 7A.2 at the intersections identified in Column 1 of Table 7A.2 		<p>Table 7A.1 provides an effective and efficient method for developers to identify when and what upgrades will be required. The thresholds for upgrades, and description of the required upgrades provide clarity for developers from the outset.</p>
Rule 7.15.4.1	Amend Rule 7.15.4.1 to make any subdivision in the Rural-Residential Area identified on the Aokautere Structure Plan that does not comply with Performance Standard R7.15.2.1(f)(iii)(b)(ii) a non-complying activity.		<p>Table 7A.2 applies to the internal local roading network. In Rule 7A.5.2.2.1 a new matter of discretion is proposed to require consideration of available capacity in the intersections identified in Table 7A.1 and 7A.2. There are no performance standards associated with the Table 7A.2 provisions. The requirements in Table 7A.2 will need to be assessed as part of a restricted discretionary subdivision application. This approach is considered to be efficient and effective, as the potential effects on the transport network are more limited on local roads than on the state highway. This approach is consistent with the management of development with respect to the local transport network capacity in other areas of the city (operative provisions).</p>
Chapter 7A - Policy 5.9	<p>Amend Policy 5.9 so that the policy is consistent with the amendments recommended to Rule 7A.5.2.2(i) by:</p> <ul style="list-style-type: none"> - requiring the transport upgrades identified in Tables 7A.1 and 7A.2 and - providing an opportunity to demonstrate there is sufficient capacity in the intersections if the required transport upgrades have not been completed. 		<p>The evidence to support the approach taken in the s42A has now evolved in response to the agreement of Waka Kotahi to undertake safety works on the state highway. This has resulted in the s42A approach no longer being fit for purpose, in that it would restrict development, where capacity in the network may exist (and the existing safety effects would have been addressed).</p> <p>The thresholds contained in Table 7A.1A and 7A.2 reflect the agreed recommendations contained in the JWS -</p>

Relevant provisions	Recommended amendments	Options considered	Evaluation of amendment (section 32AA assessment)
Chapter 7A - Policy 5.10	Delete Policy 5.10 as is no longer necessary as a result of amendments to Rule 7A.5.2.2(i)		<p>Transport and the JWS – Planning and subsequent agreements between the traffic experts set out in the Reply to Evidence of Ms Fraser.</p> <p>The recommended changes are both effective and efficient in providing clear triggers for network upgrades that need to occur to enable development.</p> <p>A number of other changes are proposed to the policies and rules, to give effect to the requirements contained within Tables 7A.1 and 7A.2.</p> <p>The changes will better meet the objectives of the District Plan, including Objectives 1, 2 and 3 in Section 20 – Land Transport.</p> <p>Costs (environmental, economic, social, cultural):</p> <p>There will be costs to Waka Kotahi, the Council and developers in order to undertake the required safety and transport network upgrades. Transportation network constraints would require remediation even under the notified PCG provisions. There may be time delays for development, dependant on when transport network upgrades occur, however these delays are likely to be less than under the notified provisions.</p> <p>Benefits (environmental, economic, social, cultural):</p> <p>There are environmental, economic and social benefits in ensuing that the transport network is capable of safely and efficiently accommodating the additional traffic that will be generated from development in Aokautere. This includes</p>
Chapter 7A - Policy 5.11	Retain Policy 5.11 as notified to manage any future significant adverse effects that may arise following the required transport network upgrades		
Rule 7A.5.2.2.1	Add a new matter of discretion to require assessment of available capacity in the intersections identified in Table 7A.1 and 7A.2		
Rule 7A.5.2.2 (i)	<p>Amendments to Restricted Discretionary Activity Rule 7A.5.2.2 (i) to include a new performance standard that applies before development commences to:</p> <ul style="list-style-type: none"> - require the transport upgrades identified in Table 7A.1 or - require a transport assessment to demonstrate the capacity thresholds in the intersections in Table 7A.1 will not be exceeded - Include an explanatory note to direct plan users to the non-complying activity status if traffic generated by the proposed activity will exceed the intersection capacity 		

Relevant provisions	Recommended amendments	Options considered	Evaluation of amendment (section 32AA assessment)
	thresholds		avoiding or reducing the likelihood of serious or fatal crashes on the network, in particular the state highway, and the associated economic and social costs. Improving facilities for active transport modes improves the probability of mode shift with consequential benefits for people's health and well-being and reduction in the environmental footprint of transportation. The recommended approach has benefits in enabling development to occur where there is intersection capacity, as compared with the notified and s42A report recommended approaches, which avoided development until upgrades are completed (even if there was unrealised transport capacity), because the existing safety issues on the state highway had not been addressed.
Section 7A – Rule R7A.5.2.2(i)(ii) Table 7A.1	<p>Amend Table 7A.1 to:</p> <p>Create two tables:</p> <p>Table 7A.1 – For the Ruapehu Drive/Summerhill Drive intersection and State Highway capacity thresholds and required upgrades</p> <p>Table 7A.2 – For internal local road capacity thresholds and required upgrades</p> <p>Replace “traffic” with “capacity” in the title of columns 2 and 3</p> <p>Replace the proposed Level of Service for SH57 intersections with the wording in Topic 5.2 of JWS-Transport for the intersection and turning movement thresholds</p> <p>Delete “or an alternative treatment as agreed to by Waka Kotahi NZ Transport Agency” from row 1, third column (intersection of Summerhill Drive/Ruapehu Drive/Mountain View Road)</p>		<p>Risk of acting/not acting:</p> <p>The recommendations have been made based on information obtained in the JWS - Transport and subsequent agreements with Waka Kotahi. This information provides sufficient information to act.</p>

Relevant provisions	Recommended amendments	Options considered	Evaluation of amendment (section 32AA assessment)
	Add the wording “or an alternative treatment as agreed to by Waka Kotahi NZ Transport Agency” into rows 2 – 7		
Rule 7A.5.2.3(d)	<p>Add new assessment criteria to 7A.5.2(d) to require assessment of:</p> <ul style="list-style-type: none"> - The extent to which the subdivision complies with the transport network requirements set out in R7A.5.2.2(i) - The extent to which significant adverse effects on the transport network have been avoided. - Whether the traffic generated by the proposed development will exceed the capacity thresholds in Column 2 of Table 7A.2 at the intersections identified in Column 1 of Table 7A.2 		
Rule R7A.5.4 and R7A.5.6	Amend notification rules to provide for circumstances where approval from Waka Kotahi may already have been obtained.		
R7A.5.5	Add a new non-complying activity rule for any subdivision where the transport		

Relevant provisions	Recommended amendments	Options considered	Evaluation of amendment (section 32AA assessment)
	assessment required by R7A.5.2.2 (i)(b)(ii) predicts that one or more of the capacity thresholds in Table 7A.1 will be exceeded.		
Chapter 10 – Policy 15.11	Delete Policy 5.11 as it is no longer required.		
R10.6.3.2	Amend the matter of discretion, bullet point 7 to ensure that the matters of discretion relate to the scope of the performance standards.		
R10.7.4.6	Amend the assessment criteria to require that a transport assessment is undertaken in accordance with R7A.5.2.2(i), where the intersection upgrades in Table 7A.1 and 7A.2 have not been completed.		
Zoning			
Aokautere Rural Residential Overlay Area	Amend the extent of the Rural-Residential Overlay Area within the Waters Block so that it extends over the entire block and rezone the corner of land that was Residential to Rural-Residential Overlay.	1. Retain the notified zoning (i.e. Rural-Residential Overlay shown over part of the Waters Block, with some areas zoned Rural due to noise and geotechnical	Effectiveness and Efficiency: The recommended approach will enable rural-residential development within the Waters Block, on land which is not highly productive land, and is proximate to an urban growth area, provided that noise from the Gun Club is mitigated and geotechnical constraints/hazards are safely managed. This approach is consistent with achieving the objectives of the Plan, in particular Objectives 2, 3 and 8 in Section 7. The recommended approach is considered more effective

Relevant provisions	Recommended amendments	Options considered	Evaluation of amendment (section 32AA assessment)
		<p>concerns</p> <p>2. Recommendation in the s42A report - Remove the Rural Residential Overlay from the land within the 55 dB L_{AFmax} contour and apply Rural Zoning.</p> <p>3. Amend as recommended in this Reply to Evidence - apply the Rural Residential Overlay over the entire area of the 'Waters Block' within PCG (i.e. return to the Operative District Plan Zoning), but apply a non-complying activity rule for subdivision within the 55 dB L_{AFMAX} contour (as discussed above)</p>	<p>and efficient in achieving the objectives of the Plan than the notified provisions. The recommended approach provides greater capacity for rural-residential living in an area that has been previously identified as appropriate for this type of development and assists to meet demand for this type of development (where effects can be mitigated).</p> <p>The recommended approach is a more efficient approach because noise mitigation works are expected in the future.</p> <p>Costs (environmental, economic, social, cultural):</p> <p>The preferred option will incur less costs than the other options. There will still be costs associated with achieving noise and geotechnical mitigation to enable development within the areas affected by Gun Club noise and geotechnical constraints.</p> <p>Benefits (environmental, economic, social, cultural):</p> <p>There are social and economic benefits in enabling rural-residential development on land adjacent to residential areas that is not highly productive land, reducing demand for this type of housing on more productive land elsewhere in proximity to the city.</p> <p>Risk of acting/not acting:</p> <p>A noise assessment (including noise monitoring and modelling) was provided with PCG, with further monitoring and modelling undertaken post-notification. Mr Lloyd has provided expert advice and a s42A report, that provides sufficient information to act.</p>

Relevant provisions	Recommended amendments	Options considered	Evaluation of amendment (section 32AA assessment)
			<p>With respect to geotechnical considerations, a geotechnical report was notified with PCG, and Mr Bird, Council's geotechnical expert, has provided advice that, while most of the land it is Class E land, this land has a different morphology, such that 1ha lots should enable a building platform to be identified/engineered with earthworks. This is set out in his s 42A reply to submitter evidence. There is sufficient information to understand the risks of zoning.</p>

ANNEXURE 5 – RELEVANT PROVISIONS IN PROPOSED PC 3 TO THE HORIZONS ONE PLAN

Proposed PC3 RPS Provision	Why this is relevant?
<p>Objective UDF-O1</p> <p>Strategic planning for urban development ensures that occurs in a strategically planned manner which allows for the adequate and timely supply of <i>land</i>^Δ and associated <i>infrastructure</i>^Δ:</p> <p>(1) <i>sufficient development capacity</i>* and land supply for housing and business uses is provided to support growth,</p> <p>(2) new development, <i>development infrastructure</i>* and <i>additional infrastructure</i>* are provided in a coordinated, integrated and efficient manner,</p> <p>(3) the diverse and changing needs of people, communities, and future generations are provided for through quality, sustainable urban form, and</p> <p>(4) competitive land and development markets are supported in ways which improve housing affordability.</p>	<p>Objective UDF-O1 directs the outcomes for strategic planning for urban development that need to be achieved in the region.</p> <p>This objective is relevant to considering submissions, evidence and provisions relating to urban development required by the NPS-UD.</p>
<p>UFD-O3: Urban form and function</p> <p>The intensification and expansion of <i>urban environments</i>*:</p> <p>(1) contributes to <i>well-functioning urban environments</i>* that</p> <p>(a) enable all people, communities and future generations to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future,</p>	<p>Objective UDF-O3 requires intensification and expansion of urban environment in the region to contribute to well -functioning urban environments. Policy 1 of the NPS-UD identifies what a ‘well-functioning urban environment is’ that is repeated in this objective.</p> <p>This policy is relevant to considering submissions, evidence and provisions relating to the outcomes for urban development required by the NPS-UD.</p>

<p>(b) increase housing capacity and choice</p> <p>(c) achieve a quality, sustainable and compact urban form that relates well to its surrounding environment,</p> <p>(d) are well connected by a choice of transport modes including <i>public transport*</i>, and</p> <p>(e) manage adverse environmental <i>effects*</i>.</p> <p>(2) enable more people to live in, and more businesses and <i>community services*</i> to be located in, areas of an <i>urban environment*</i> where:</p> <p>(a) it is in or near a <i>centre zone*</i> or other area with many employment opportunities, or</p> <p>(b) it is well-serviced by existing or planned <i>public transport*</i>, or</p> <p>(c) there is a high demand for housing or <i>business land*</i>, relative to other areas within that <i>urban environment*</i>.</p>	
<p>UFD-O4: Urban development and the <i>Treaty of Waitangi (Te Tiriti o Waitangi)</i>[^]</p> <p><i>Planning decisions*</i> regarding <i>urban environments*</i> take into account the <i>Treaty of Waitangi (Te Tiriti o Waitangi)</i>[^] principles.</p>	<p>Objective UDF-O4 is relevant to PCG, in reinforcing the requirements of s8 of the RMA, and Objective 5 and Policy 9 of the NPS-UD.</p>
<p>UFD-O5: Urban development and <i>climate change</i>[^]</p> <p><i>Urban environments*</i> are resilient to the <i>effects*</i> of <i>climate change</i>[^] and support reduction in Greenhouse gas emissions</p>	<p>Objective UDF-O4 is relevant to PCG, in reinforcing the requirements of Objective 8 and Policy 6(e) of the NPS-UD.</p>

<p>UFD-P1: The strategic Integration of <i>infrastructure</i>[^] with <i>land</i>[^] use</p> <p><i>Territorial Authorities</i>[*] must proactively develop and implement appropriate <i>land</i>[^] use strategies to manage urban growth and they should aligns their <i>infrastructure</i>[^] asset management planning with those strategies, to ensure the efficient and effective provision of associated <i>infrastructure</i>[^] that:</p> <p>(1) demonstrate how <i>sufficient development capacity</i>[*] for housing and <i>business land</i>[*] will be provided in the <i>short term</i>[*], <i>medium term</i>[*] and <i>long term</i>[*] in a well-planned and integrated manner, and</p> <p>(2) ensure there is co-ordination between the location, form and timing of urban growth and the funding, delivery and implementation of <i>development infrastructure</i>[*].</p>	<p>The PCG area has previously been identified as a future growth area through the Palmerston North City Growth Plan, and predecessor growth plans.</p> <p>The 2023 HBNA identifies that PCG will contribute to provide development capacity for housing required in the medium – long term. Provisions proposed through PCG manage the development of land to respond to the delivery and implementation of development infrastructure.</p> <p>This policy is relevant to considering submissions, evidence and provisions relating to the outcomes for urban development required by the NPS-UD.</p>
<p>UFD-P2: Providing <i>sufficient development capacity</i>[*]</p> <p><i>Sufficient development capacity</i>[*] and <i>land</i>[*] supply is provided for in the <i>short term</i>[*], <i>medium term</i>[*] and <i>long term</i>[*] to accommodate demand for housing and <i>business land</i>[*] in <i>urban environments</i>[*] by:</p> <p>(1) providing for urban intensification and urban expansion within <i>district plans</i>[^] in accordance with UFD-P1, UFD-P4, and UFD-P5,</p> <p>(2) <i>local authorities</i>[^] being responsive to unanticipated or out of sequence plan changes that would add significantly to <i>development capacity</i>[*] and contribute to <i>well-functioning urban environments</i>[*] in accordance with UFD- P6, and</p> <p>(3) ensuring the urban intensification and expansion necessary to meet the <i>housing bottom lines</i>[*] specified in Table X³ is provided for in the Palmerston North District Plan.</p>	<p>Policy UFD-2 is relevant to the plan change as PCG seeks to provide additional development capacity in Palmerston North.</p> <p>The 2023 HBNA identifies that PCG will contribute to provide development capacity for housing required in the medium – long term and meeting the Councils housing bottom lines.</p> <p>This policy is relevant to considering submissions, evidence and provisions relating to development capacity as required by the NPS-UD.</p>

Table X <i>Housing bottom lines</i> * for Palmerston North, 2021-2051	
<p>UFD-P4: Urban intensification and expansion</p> <p>(1) Intensification and expansion of <i>urban environments</i>* is provided for and enabled in <i>district plans</i>[^] where:</p> <p>(a) it contributes to a <i>well-functioning urban environment</i>* ,</p> <p>(b) it provides for a range of residential areas that enable different housing types, <i>site</i>* size and densities that relate well to the surrounding environment,</p> <p>(c) higher density development is in close proximity to <i>centre zones</i>*, <i>public transport</i>*, <i>community services</i>*, employment opportunities, and open space, (d) development is well serviced by existing or planned <i>development infrastructure</i>* and <i>public transport</i>*, and <i>additional infrastructure</i>* required to service the <i>development capacity</i>* is likely to be achieved, and</p> <p>(e) it protects natural and physical resources that have been scheduled within the One Plan in relation to their significance or special character.</p> <p>(2) In addition to meeting the criteria in (1) above, the expansion of <i>urban environments</i>* must only occur where it:</p> <p>(a) is adjacent to existing or planned urban areas,</p> <p>(b) will not result in inefficient or sporadic patterns of settlement and residential growth and is an efficient use of the finite land resource,</p> <p>(c) is well-connected along transport corridors,</p> <p>(d) manages adverse reverse sensitivity <i>effects</i>* on land with existing incompatible activities adjacent to the <i>urban environment</i>* boundary.</p>	<p>UFD-P4 is relevant to PCG as the plan change will result in urban identification and expansion in Aokautere.</p>

<p>(3) <i>District plans</i>[^] applying to <i>urban environments</i>[*] must enable heights and density of urban form which are equal to the greater of:</p> <p>(a) demonstrated demand for housing and/or business use, or (b) the level of accessibility provided by existing or <i>planned</i>[*] <i>active transport</i>[*] or <i>public transport</i>[*] to areas with <i>community services</i>[*] and employment opportunities.</p> <p>(4) Local authority transport plans and strategies must establish ways to contribute to <i>well-functioning urban environments</i>[*] through the provision of <i>public transport</i>[*] services and by enabling <i>active transport</i>[*].</p>	
<p>UFD-P5: Built forms</p> <p>The form and design of subdivision, use and development in <i>urban environments</i>[*] is managed so that it:</p> <p>(1) contributes to a <i>well-functioning urban environment</i>[*],</p> <p>(2) provides for a range of housing types and densities and employment choices in a manner that integrates with existing and planned <i>development infrastructure</i>[*],</p> <p>(3) recognises the importance of marae and papakāinga and enables their development, ongoing use and protection from incompatible development and reverse sensitivity adverse <i>effects</i>[*], where existing or planned <i>development infrastructure</i>[*] of sufficient capacity is, or can be, provided, and</p> <p>(4) enables development across multiple or amalgamated <i>properties</i>[*] to achieve all of the above.</p>	<p>UFD-P4 is relevant to PCG the plan change involves subdivision, use and development of land.</p>
<p>UFD-P6: Significant <i>development capacity</i>[*] criteria</p>	<p>PCG is strategically planned development in Aokautere, that is anticipated and in sequence with the strategic urban development plans of the Council for PNCC. For this reason, UFD-P6 is not relevant to PCG.</p>

<p>(1) Unanticipated or out of sequence development will add significantly to <i>development capacity</i>* where:</p> <p>(a) the location, design and layout of the development will contribute to a <i>well-functioning urban environment</i>*,</p> <p>(b) the development is well-connected along transport corridors, and to <i>community services</i>*, and open space,</p> <p>(c) the development will significantly contribute to meeting demand for additional urban land identified in a <i>Housing and Business Development Capacity Assessment</i>*, or a shortfall identified by undertaking the monitoring requirements outlined in the National Policy Statement on Urban Development 2020, including meeting <i>housing bottom lines</i>*, or specific housing and price needs in the market,</p> <p>(d) the development will be realised in the <i>short term</i>* and before anticipated planned urban development,</p> <p>(e) there is adequate existing or upgraded <i>development infrastructure</i>* to support development of the <i>land</i>* without adverse <i>effects</i>* on the provision or capacity of other planned <i>development infrastructure</i>* including planned <i>infrastructure</i>* expenditure, and</p> <p>(f) the development avoids adverse <i>effects</i>* on <i>infrastructure</i>^ and other physical resources of regional or national importance as far as reasonably practicable.</p> <p>(2) If the above criteria are met, the Regional Council and <i>Territorial Authorities</i>* must have particular regard to the contribution the development will have towards achieving UFD-P2.</p>	
<p>UFD-P7: Hapū and iwi involvement in urban development</p> <p>(1) Ensure <i>planning decisions</i>* involving <i>urban environments</i>* provide for <i>Treaty of Waitangi (Te Tiriti o Waitangi)</i>^ principles by enabling hapū and iwi involvement in urban development planning processes, including in decision making where appropriate, to ensure</p>	<p>Policy UDF-P7 is relevant to PCG in reinforcing the requirements of s8 of the RMA, and Objective 5 and Policy 9 of the NPS-UD.</p> <p>The HBNA 2023 identifies a need to provide a variety of housing, in variety of locations to meet the needs of Māori.</p>

<p>provision is made for their needs, aspirations, and values, to ensure <i>urban environments</i>* enable Māori to express their cultural traditions and norms.</p> <p>(2) <i>Land</i>* use strategies must be proactively developed and implemented to manage urban development in a manner which:</p> <p>(a) has regard to resource management issues of concern to <i>hapū</i>* and <i>iwi</i>*, including those identified in any relevant <i>iwi management plan</i>*,</p> <p>(b) enables papakāinga housing and marae on Māori owned land,</p> <p>(c) enables early and ongoing engagement with iwi and hapū over urban intensification and expansion,</p> <p>(c) ensures <i>urban environments</i>* enable Māori to express their cultural traditions and norms, and</p> <p>(d) identifies and protects culturally significant areas.</p>	<p>As identified in my S42A report at page 43, Rangitāne o Manawatū have recently prepared an Environmental Management Plan ('EMP') which has been endorsed by Tanenuiarangi Manawatū Incorporated (Rangitāne o Manawatū Iwi Authority) and the Rangitāne o Manawatū Settlement Trust. I understand this document has been provided to Council since PCG was notified. The EMP includes a statement of Te Mana o Te Wai which applies to the Manawatū awa and its catchment, tributaries and connections, including groundwater, wetlands and lagoons.</p>
<p>UFD-P8: Urban development and <i>climate change</i>[^]</p> <p>(1) <i>Urban environments</i>* are developed in ways that reduce <i>greenhouse gas</i>[^] emissions and improve resilience to the <i>effects</i>* of <i>climate change</i>[^] by:</p> <p>(a) use of urban design, building form and <i>infrastructure</i>[^] to minimise the contribution to <i>climate change</i>[^] of the development and its future use, including (but not limited to) <i>energy efficiency</i>* (including methods to ensure whole-of-life <i>energy efficiency</i>*), <i>water</i>* efficiency, <i>waste</i>* minimisation, transportation modes (including use of <i>public transport</i>* and <i>active transport</i>*) water-sensitive design and nature-based solutions,</p> <p>(b) urban development being compact, well designed and sustainable, and</p> <p>(c) requiring best practice resilience to, the impacts of <i>climate change</i>[^], including <i>sea level rise</i>* and any increases in the scale and frequency of <i>natural hazard</i>* events.</p>	<p>Objective UDF-O4 is relevant to PCG, in reinforcing the requirements of Objective 8 and Policy 6(e) of the NPS-UD.</p> <p>This policy is relevant when assessing submissions, and evidence concerning the impacts of climate change on subdivision and development in the plan change area, and the potential effects from the plan change in terms of greenhouse gas emissions.</p>