

**BEFORE HEARING COMMISSIONERS
FOR THE PALMERSTON NORTH CITY COUNCIL**

**I MUA NGĀ KAIKŌMIHANA WHAKAWĀ
MO TE KAUNIHERA O PAPAIOEA**

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of proposed Plan Change I: Increasing Housing
Supply and Choice to the Palmerston North District
Plan

**REPLY STATEMENT OF SARAH JENKIN
ON BEHALF OF PALMERSTON NORTH CITY COUNCIL**

PLANNING

Dated 22 August 2025

TABLE OF CONTENTS

A. INTRODUCTION	1
B. SCOPE.....	1
C. ERRATA	2
D. EVIDENCE OF MS KAAREN ROSSER.....	3
E. EVIDENCE OF MR MATTHEW LINDENBERG.....	6
F. EVIDENCE OF PHILIP JAGGARD	11
G. STATEMENT FROM GENEVA HOUSING	13
H. STATEMENT FROM NEW ZEALAND DEFENCE FORCE (“NZDF”)	14
I. UPDATE ON OUTCOME OF PRE-HEARING MEETINGS	15
J. APPENDICES.....	18

A. INTRODUCTION

1. My name is Sarah Jenkin.
2. I prepared a s 42A planning report dated 25 July 2025 ("**Report**") for Plan Change I ("**PC:I**") for the Palmerston North City Council ("**the Council**").
3. My experience and qualifications are set out in my Report.
4. I repeat the confirmation given in my Report that I have read and will comply with the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023 ("**the Code**"), and that this reply statement has been prepared in compliance with the Code.

B. SCOPE

5. This reply statement is provided in response to the following evidence in chief filed on 8 and 11 August respectively:
 - (a) Enviro NZ (SO203) – Ms Kaaren Rosser;
 - (b) Kāinga Ora (SO199) – Mr Matthew Lindenburg; and
 - (c) Kāinga Ora (SO199) – Mr Philip Jaggard.
6. I provide a response to statements issued by:
 - (a) Geneva Housing (SO76) - Mr Paul Thomas; and
 - (b) New Zealand Defence Force (SO202) – Ms Rebecca Davies.
7. I also provide an update on the outcome of prehearing meetings held with:
 - (a) **SO184** – Chris Teo-Sherrell; and
 - (b) **SO185** – Phocus Planning.
8. My evidence has the following attachments:
 - (a) **Appendix A** - Revised Accept/Reject table;
 - (b) **Appendix B** - Revised Chapter 10A – blueline version;

- (c) **Appendix C** - Revised Chapter 7B – blueline version;
- (d) **Appendix D** – Joint Witness Statement – Planning – Kaaren Rosser and Sarah Jenkin – 19 August 2025; and
- (e) **Appendix E** – Joint Witness Statement – Planning and Urban Design – Sarah Jenkin, Andrew Burns (part) and Matthew Lindenberg – 21 August 2025.

C. ERRATA

9. I have identified the following errors in my Report:

- (a) Paragraph 99(c) – the reference to SO198.1 in the final sentence of this paragraph should be to SO195.1.;
- (b) Paragraph 150 – the reference to SO207.1 in this paragraph should be to SO208.1;
- (c) Paragraph 454 – the reference to MRZ-R14 in this paragraph should be MRZ-R15. The analysis relates to submissions on MRZ-R15;
- (d) Paragraph 668 – assesses the relief sought by SO184.17, however this submission point relates to Policy MRZ-P5 not MRZ-S17. This paragraph should be deleted as the correct analysis is provided in paragraph 669 for SO185.61. The relief sought in SO184.17 was considered in paragraph 249 of my Report. My recommendation for SO185.61 in the Accept/Reject table should be recorded as Accept in Part rather than Accept – to be consistent with the analysis. This updated recommendation is provided in **Appendix A**; and
- (e) Paragraph 685(a) – I recommended a minimum area of 1.7m x 1.2m for the rubbish and recycling storage area required by MRZ-S19. However, this recommendation was not reflected in the 'redline' version of Chapter 10A appended to my Report.¹ I have provided the correct drafting in the 'blueline' version in **Appendix B** to this reply statement. No change is

¹ As highlighted by Ms Rosser at paragraph 7.18 of her evidence.

required to the recommendation on SO203.9 in the Accept/Reject table in **Appendix A**.

D. EVIDENCE OF MS KAAREN ROSSER

MRZ-P3

10. At expert conferencing between Ms Rosser and me (see Joint Witness Statement (“**JWS**”) in **Appendix D**), we agreed that the reference to “adequate” is retained in my recommended item 3.²
11. However, I remain of the view that a reference to ‘screened’ and ‘accessible and safe’ collection is not required, as sought by Ms Rosser at paragraph 7.7 of her evidence. This is because the dictionary definition of ‘adequate’ is “*satisfactory or acceptable in quantity or quality*”³ and MRZ-S19 sets out the satisfactory or acceptable standards for rubbish and recycling storage, which includes screening in certain circumstances and requirements for accessibility. My concern with the change sought by Ms Rosser is that this would imply that all rubbish and recycling storage areas must meet these requirements, which is not necessarily the case. This would then potentially impact on site flexibility.
12. In reviewing MRZ-P3(3) I note there is a missing ‘and’ between ‘rubbish’ and ‘recycling’. I have inserted this into the ‘blueline’ version of Chapter 10A, in **Appendix B**.

MRZ-R9

13. At expert conferencing, Ms Rosser and I agreed that MRZ-R9 should be amended to include a requirement to comply with MRZ-S19.1 and MRZ-S19.3, but that MRZ-S19.2, MRZ-S19.4 and MRZ-S19.5 should not apply.⁴ This is because a reduction in the area available for rubbish and recycling storage and the potential for this to be in the outdoor living space are the most likely impacts from a building or structure addition or alteration. The proposed drafting amendment is provided in **Appendix B**. No change is required to the Accept/Reject table in **Appendix A**,

² Site layouts provide adequate rubbish and recycling collection and storage facilities.

³ Oxford Dictionary.

⁴ Note that I am proposing deletion of MRZ-S19.5 because this is a duplication of MRZ-S19.4 – see paragraph 22.

for submission SO203.5, as I already recommended accepting the relief sought in part in my Report.

14. I do not agree with Ms Rosser's view, at paragraph 7.9, that there is no specific submission point requesting its removal. I recommended changes to the standards that would apply to alterations and additions under MRZ-R9 in response to submission point SO185.28, which sought amendments as the standards applying to this rule as notified were overly restrictive.

MRZ-R11

15. At Issue 3 in the JWS in **Appendix D**, Ms Rosser and I document our agreement that MRZ-S19 should not apply to MRZ-R11. No further response to Ms Rosser's evidence, at paragraph 7.11, is therefore required.

MRZ-R14

16. At Issue 4 in the JWS in **Appendix D**, Ms Rosser and I document our agreement that MRZ-S19.4 should apply to visitor accommodation, on the grounds that any on-site rubbish and recycling storage area should be accessible to collection vehicles. No further response to Ms Rosser's evidence, at paragraph 7.14, is therefore required.

17. The proposed drafting amendment is provided in **Appendix B**. My recommendation on SO203.8 (the relevant Enviro NZ submission point) is revised from 'Reject' to 'Accept in Part' in the Accept/Reject table in **Appendix A**.

MRZ-S19

18. I have considered the amendments sought by Ms Rosser to MRZ-S19, as set out in paragraphs 7.16 – 7.25 of her evidence. Taking each in turn:

- (a) MRZ-S19.2 – Ms Rosser and I document our agreement, in Issue 5 of the JWS in **Appendix D**, that amendments are required to this part of the standard. The purpose is to remove an unintentionally high bar in the 'redline' version appended to my Report, which would have required rubbish and recycling storage and collection areas to be "not visible" from a public road. This requirement is unlikely to be achievable without

constructing a fully opaque structure, which could have greater effects on amenity and the front yard.

- (b) The proposed drafting amendment is provided in **Appendix B**. I consider I have scope to make this amendment via the Leith Consulting submission point SO170.19. No change is required to the recommendation in the Accept/Reject table in **Appendix A**, as I had already recommended 'accept in part'.
- (c) I am of the view that including a requirement in MRZ-S19.2 for rubbish and recycling storage areas to be screened from adjacent sites, as sought by Ms Rosser, is not required.
- (d) MRZ-S19.2 – on reflection I agree with Ms Rosser that rubbish and recycling storage and collection areas should not be located in outdoor living spaces. Rather than amend MRZ-S19.1 as Ms Rosser suggested, I recommend a new sub-point, as documented in the JWS and the 'blueprint' version of Chapter 10A in **Appendix B**. No change is required to my recommendation on SO203.9 as I have already recommended 'accept in part' for the relief sought by Enviro NZ.
- (e) With regard to a requirement for kerb-side collection, Ms Rosser and I agree no change is required to MRZ-S19 to introduce this requirement.
- (f) MRZ-S19.5 – Ms Rosser and I agreed this part of the standard duplicates MRZ-S19.4 and it can be deleted.

MRZ-SUB-P1

- 19. At paragraph 8.3 of her evidence, Ms Rosser accepts the recommended rejection of SO203.10 on the basis that bin numbers accessing the kerb would be limited. However, I do not propose a limit on bin numbers accessing the kerb.

E. EVIDENCE OF MR MATTHEW LINDENBERG

Zone extent

20. Following expert conferencing on 21 August 2024 (see the JWS in **Appendix E**) I remain of the view that all four accessibility criteria should apply when considering which properties should be in the Medium Residential Zone (“**MRZ**”).
21. To an extent, I agree with Mr Lindenberg that the Council did not undertake detailed assessment of the areas that Kāinga Ora proposes for additional rezoning outside the scope of PC:I. While my Report considered broad strategic options including city-wide rezoning approaches (which were discounted as being less efficient and effective), the detailed technical analysis focussed instead on areas that met the accessibility criteria. The properties identified in Kāinga Ora's modified submission were not subject to the same level of detailed assessment as those areas within the frame of the established accessibility criteria. In Appendix C to the Accessibility and Demand Assessment (“**ADA**”) I considered specific requests for additional areas for the MRZ, and at that time I concluded those areas did not meet all the Council's accessibility criteria and therefore they were not included.
22. I do not agree that the accessibility criteria need to be explicitly reflected in the PC:I objectives and policies, as Mr Lindenberg suggests in paragraphs 5.3 and 5.5. The accessibility criteria serve their purpose by establishing the spatial extent of the MRZ (as reflected in paragraph three of the Introduction to Chapter 10A). Once zone boundaries are fixed, the objectives and policies apply to all development within the zone. Restating the accessibility methodology within the objectives and policies would be duplicative and unnecessary.
23. I also do not agree with Mr Lindenberg's view (in the same paragraph) that the Council's accessibility criteria are inconsistent with Policy 5 of the National Policy Standard for Urban Development (“**NPS-UD**”). The purpose of the ADA was to demonstrate how the Council chose to respond to the explicit direction in Policy 5 and in particular Policy 5(a).
24. I agree with Mr Lindenberg's statement at paragraph 5.7 that the application of accessibility criteria constrains the spatial extent of the MRZ. This constraint was a deliberate choice by the Council – the zone extent is determined by the “level/

*of accessibility by existing and planned active or public transport to a range of commercial activities and community services”.*⁵ I consider it incorrect that there is only a single reference in the ADA to the requirement that all four criteria needed to be met. Instead I consider it inherent within the assessment, as demonstrated by the following:

- (a) Policy 5(a) refers to a “*range of commercial activities and community services*” and a range means more than one. If the intention of Policy 5 was to require accessibility to only a single activity or service, I suggest the drafting would reflect that, i.e. by requiring a level of accessibility to at least one commercial activity or service. MfE’s guidance for understanding and implementing the NPS-UD supports my interpretation and understanding;
- (b) No reference to ‘or’ after each listed criteria in the ADA;
- (c) All references to the accessibility criteria through the s 32 report and the ADA are conjunctive, i.e. inclusion of ‘and’, rather than disjunctive, i.e. inclusion of ‘or’. For example at section 1.2 Scope of PC:I in the s 32 report: “*Have good accessibility between housing, jobs, education, neighbourhood centres, community services, natural spaces, open spaces, public transport **and** active transport*” [emphasis added] or in Table 12 of the same report, at Issue 6: “*Zone extent determined by access to public and active transport, **and** by walkability to public open space, employment and community services **and** primary/intermediate schools.*” [emphasis added]; and
- (d) The response to feedback on additional areas for inclusion in the MRZ, in Appendix C to the ADA referenced excluding areas where one or more of the walkability criterion were not met. For example, the conclusion for the area between Ruchine Street, Featherston Street, Hayden and Keith Streets in Roslyn was “*No change – part of this area is already included in the proposed MRZ extent. The remaining area does not meet one or more of the walkability criteria and hence has been excluded*”.

⁵ Policy 5(a) of the NPS-UD.

25. More fundamentally, regardless of the textual interpretation as to how 'clear' the Council's methodology was, the all-four-criteria approach is undoubtedly what the Council actually implemented to establish the MRZ boundaries. Plan consistency and methodological integrity require that any boundary modifications follow the same approach used to create the zone.
26. Mr Lindenberg's approach at paragraph 5.8 of treating the accessibility criteria as individually sufficient, rather than collectively required, misunderstands how they work together to achieve Policy 5's direction.
27. I do not agree that additional capacity above the Housing Bottom Lines ("**HBL**") required by Clause 3.6 of the NPS-UD is required, as Mr Lindenberg suggests at paragraph 5.12. The HBL already includes a competitiveness margin (as defined by Clause 3.22). As a result, the contribution that PC:I makes to providing supply to meet the HBL also takes account of these margins. This provides the forward planning and resilience that Mr Lindenberg refers to. The Council's annual monitoring of the Housing and Business Development Capacity Assessment ("**HBA**") will identify any trends in housing supply that may require addressing through providing additional capacity in the future.
28. I do not agree with Mr Lindenberg's suggestion that PC:I enables a specific number of new dwellings and therefore rolling plan changes would be required to enable additional housing if additional development capacity is required. PC:I provides an enabling environment for the market to respond to. The models underpinning both the HBA and PC:I, as updated by Ms Andrews in her s 42A report, predict the number of dwellings that are projected to be delivered based on market conditions and development feasibility based on economic scenarios and development parameters. However, there is no limit on how much housing may be delivered under PC:I.
29. I agree that the Council must consider, on an ongoing basis, whether sufficient supply has been enabled to meet demand. However, not all demand needs to be met by PC:I, and any expansion to the MRZ should follow the same accessibility-based method used to establish its boundaries. As Mr Ferguson-Pye noted in his s 42A report, the Council has various tools available to address capacity shortfalls if they emerge, but zone boundaries should be determined by sound planning principles rather than speculative concerns about future supply.

MRZ-O2

30. At expert conferencing Mr Lindenberg, Mr Burns (the Council's Urban Design expert) and I agreed that clause (j) in MRZ-O2 should be deleted, as this is already compassed in clause (i) of the same policy. The proposed drafting amendment is provided in **Appendix B**. My recommendation on SO199.16 (the relevant Kāinga Ora submission point) does not change as I had already recommended 'accept in part'.
31. I understand that Mr Lindenberg now agrees that further amendments are not required to this objective.

MRZ-P11

32. I acknowledge the concern Mr Lindenberg has identified with MRZ-P11 in regard to inclusion of the reference to the NZECP 34:2001 (paragraph 6.10). However, I remain of the view that incorporating by reference is appropriate. Plan users may not be aware of the requirements of this Code of Practice and the consequences of failing to comply can be potentially significant.

SUB-MRZ-P1

33. At expert conferencing Mr Lindenberg, Mr Burns and I agreed that amendments should be made to the drafting of clauses 2, 7 and 8 in SUB-MRZ-P1. While the requirements relating to water sensitive design, Crime Prevention Through Environmental Design (“**CPTED**”) principles and vegetation remain, the drafting is refined to be more appropriately targeted towards those matters within the scope of a subdivision consent. The proposed drafting amendments are provided in **Appendix C**. My recommendation on SO199.5 (the relevant Kāinga Ora submission point) alters from 'reject' to 'accept in part'.

MRZ-S2

34. The drafting of MRZ-S2 is informed by extensive testing by McIndoe Urban, as described in Mr Burns' s 42A report. I remain of the view that the approach in the notified standard would result in a built form which appropriately mitigates potential adverse effects.

MRZ-S8

35. With regard to MRZ-S8, Mr Lindenberg supports adoption of the Medium Density Residential Standard ("MDRS") for outlook space of 1m x 1m for all habitable rooms other than the principal living room. As a Tier 2 authority, the Council is not required to implement the MDRS. McIndoe Urban's extensive experience in Auckland has shown that this MDRS does not achieve good urban design outcomes and hence the Council proposes a more appropriate standard. I therefore remain of the view that MRS-S8 should not be amended. Mr Burns addresses this point in his reply evidence as well.

SUB-MRZ-R1

36. I have considered Mr Lindenberg's evidence at paragraph 8.2 that the same exclusion for public and limited notification in SUB-MRZ-R1, where a subdivision is associated with residential units or papakāinga permitted under MRZ-R7, should apply to applications made under MRZ-R8.
37. Subdivision applications associated with an application under MRZ-R7.2 (RDA) are precluded from public notification. This is consistent with the equivalent preclusion in MRZ-R7.2. However, Sub-MRZ-R1 currently lacks an equivalent preclusion for subdivisions associated with MRZ-R8 applications, despite MRZ-R8 itself precluding public notification. I therefore consider it appropriate that the same preclusion applies as for MRZ-R7.2.
38. However, I consider this alignment should be restricted to public notification only. The ability to give limited notification for subdivision applications should remain available, as it does in MRZ-R8. The proposed drafting amendments are provided in **Appendix C**. My recommendation on SO199.5 (the relevant Kāinga Ora submission point) alters from 'reject' to 'accept in part'.

Deletion of the Stormwater Overlay and/or amendment of related provisions

39. I do not agree with Mr Lindenberg (paragraph 9.1) that the Council provided insufficient evidence to support application of the Stormwater Overlay ("**the Overlay**") to part of the proposed MRZ. The evidence base for the overlay was addressed in Ms Wood's s 42A report and again in her reply statement in response to Mr Jaggard's evidence.

40. I have also considered Mr Lindenberg's evidence at paragraphs 6.5 – 6.8 seeking deletion of the Overlay and the associated objectives, policies and rules, or that drafting of MRZ-P7 and SUB-MRZ-P4 is amended as sought by Kāinga Ora. I remain of the view that the Overlay and the associated provisions are appropriate mechanisms for managing natural hazard risk from stormwater and flooding and that the provision drafting is appropriate.
41. I consider that the provisions provide sufficiently clear direction about when stormwater and flooding risks cannot be adequately managed, requiring decline of an application. Drafting that focuses solely on 'managing effects' without acknowledging when decline is appropriate would not, in my view, provide sufficient guidance to plan users and consent offers that is consistent with the potential risk associated with stormwater. I note that Ms Wood also addresses the justification for the Overlay in her reply evidence.
42. I reiterate my position that the use of 'avoid' in MRZ-P7 and SUB-MRZ-P4 is appropriate as:
- (a) The policy drafting includes a 'cascade' – the drafting is 'avoid unless'; and
 - (b) If the effects cannot be appropriately mitigated then the signal must be clear to plan users that development should not proceed.
43. As documented in the JWS statement, I am open to considering alternative drafting provided that it includes a strong signal that the Council needs to be satisfied that the effects have been identified, assessed and mitigated, before a consent can be granted.

F. EVIDENCE OF PHILIP JAGGARD

Stormwater Overlay

44. I do not agree with Mr Jaggard's evidence at paragraph 3.3 that the proposed Overlay will impede development. I remain of the opinion that the Overlay is an appropriate response to the potential natural hazard risk associated with overland flow paths and flooding and that Council has a responsibility under the Resource Management Act 1991 ("**RMA**") to appropriately manage this risk. My view is supported by that of Horizons Regional Council's planning expert Mr
-

Aruna Wickramasinghe (paragraph 36). I also note that an RDA status meets the definition of plan-enabled in the NPS-UD.

45. At paragraph 407 of my Report, and in response to SO185.29, I recommended the inclusion of a permitted activity rule for buildings and structures in the Overlay, through an amendment to MRZ-R10. This would provide for the construction, addition to, or alteration of buildings and structures in the overlay where the building coverage does not increase by a cumulative total of 30m². This recommended amendment would provide for a limited quantum of development in the overlay without undermining the purpose – to manage what could be a significant risk from flooding.
46. I also do not agree with Mr Jaggard's paragraph 3.4 that the proposed Overlay controls are more restrictive than required. Ms Wood has addressed this point in her reply statement.
47. I have acknowledged the potential cost of responding to the requirement for a stormwater management report in paragraphs 166 of my s 42A and in the options analysis in the s 32 report. In doing so, I noted that the scale of required assessment will vary depending on the location and the scale of proposed development. I do not consider a technical report which assesses the scale of a natural hazard risk to be an “unnecessary cost” as Mr Jaggard suggests (paragraph 3.5).
48. I do not agree with Mr Jaggard at paragraph 4.19 of his evidence that it should follow that his concerns about the modelling approach (which Ms Woods refutes in her Reply Statement) mean adoption of a permitted activity status for development in the area covered by the Overlay. Beyond my recommended amendment to MRZ-R10 in response to SO185.29 as set out in the Report, I do not agree that a permitted activity framework would be more suitable.

Supply versus demand for infill housing

49. With respect to Mr Jaggard, at paragraphs 4.12 and 7.12 he appears to have misunderstood the relationship of the supply enabled by PC:1 to the demand for infill housing identified in the Council's HBA. Specifically, he assumes the MRZ is the only source of infill supply to meet the demand for infill. This is incorrect. Mr Ferguson-Pye addressed this point at paragraph 16 of his s 42A report – “... PC:1

is not required to (and does not aim to) meet the total demand for infill development capacity for the whole city". Infill development will also occur in the Residential Zone.

Zone extent and infrastructure-readiness

50. At paragraph 7.2 Mr Jaggard does not acknowledge that Kāinga Ora does not own the majority of the properties they propose for inclusion in the MRZ. In my Report estimated they owned 26% of the more than 1,700 properties proposed for inclusion in the zone.⁶ It cannot follow, therefore, that the entirety of these areas is required by Kāinga Ora to meet the demands for social housing.
51. For the same reason as I set out in paragraph 52 of this reply statement I do not agree with Mr Jaggard's statement at paragraph 7.5 that "Council's own experts have identified that insufficient land has been provided for intensification". Ms Andrews provided an updated assessment of the feasible development capacity that may be delivered by PC:I, as a contribution to meeting the HBL in the Regional Policy Statement ("RPS"). Mr Wickramasinghe for Horizons does not raise concerns about the relationship between PC:I and the housing bottom lines in the RPS in his evidence, and I infer from this that Horizons Regional Council is satisfied this is not an issue. In any case, I consider that PC:I gives effect to the RPS as required by s 75(3)(c) of the RMA.

G. STATEMENT FROM GENEVA HOUSING

52. I do not agree with the statement in the letter from Thomas Planning (dated 14 August 2025) on behalf of Geneva Housing, that the s 42A report indicates "strong support for the zoning of both 353 and 355 [Albert Street] as local business...". At paragraph 47 of my Report I considered that any consideration of alteration zones for these properties should either:
- (a) Form part of a future review of the relevant zone; or
 - (b) Be subject to a private plan change; or
 - (c) Be subject to a resource consent application.

⁶ Section 42A report – Planning, paragraph 51.

53. This conclusion does not, in my view, represent 'strong support'. I have no view on whether these properties should be rezoned from Residential Zone to Local Business Zone, as I consider the submission to be out of scope of PC:I. Rather, I made a statement of fact about the processes I consider are appropriate for consideration of the submitter's relief to change the zoning of these properties.

H. STATEMENT FROM NEW ZEALAND DEFENCE FORCE ("NZDF")

54. I do not agree with the NZDF view that One Plan RPS Policy EIT-P2 requires that adverse effects on infrastructure etc. are avoided in the first instance. The policy drafting is "*avoided as far as reasonably practicable*". I consider the proposed NZDF amendments to this objective go beyond the RPS policy direction and I remain of the view that MRZ-O5 already appropriately gives effect to EIT-P2.

55. I am concerned that adopting the approach sought by NZDF could result in a reverse sensitivity argument being applied across the city in relation to activities occurring at Linton Army Camp and this is an undesirable outcome.

56. Ms Davies is correct, at paragraph 2.8 of her statement, that I recommended deletion of "*near*" in MRZ-P11. This deletion was made to correct a drafting error in the notified policy. I do not agree that this opens the door in the policy to consideration of effects from activities across the city, particularly as rules MRZ-R19 – MRZ- R22 set out specific controls for activities near electricity distribution lines, the state highway network and the railway corridor. There are no rules relating to activities that may affect the Linton Army Camp and nor did NZDF seek any in their original submission.

57. I have considered Ms Davies' suggested replacement definition for Reverse Sensitivity (paragraph 4.3 of the NZDF statement). I acknowledge the potential complexity of the proposed definition. However, Ms Davies' suggestion drafting is not less complex. In addition, removal of a reference to "*in the vicinity*" potentially expands consideration of reverse sensitivity effects across the entire city and I do not support that approach. I remain of the view the proposed definition is appropriately drafted, and no change is required.

I. UPDATE ON OUTCOME OF PRE-HEARING MEETINGS

Phocus Planning – SO185

58. I met with Mr Hindrup from Phocus Planning on 7 August 2025. As a result of that meeting I have reconsidered my recommendation for SO185.57 (MRZ-S13) and the extent of recommended drafting for SO185.28 (MRZ-R9).

MRZ-R9

59. I understand Mr Hindrup's concern to be the application of a requirement for a specimen tree for additions and alterations, via application of MRZ-S5 to this rule. As currently drafted the rule would require even small additions or alterations to include a tree, even if there is no change to vegetation on the site as a result.
60. The original intent of applying this standard was to ensure that additions and alterations do not result in the removal of the only tree on a site, because of the role such trees play with regard to shade and amenity amongst other benefits. I consider this concern remains, but that development under this rule which does not result in the loss of all trees should not be required to comply with MRZ-S5.3. I understand Mr Hindrup is supportive of this approach.
61. Proposed amended drafting is included in **Appendix B**. The recommendation on the Accept/Reject Table in **Appendix A** does not require amendment, as I had already recommended accepting SO185.28 in part.

MRZ-S13

62. Mr Hindrup's concern with this standard related to an unintended consequence, that the standard as proposed would require a resource consent for a front door on a side façade which faced a driveway. That is not the intent of the standard and Mr Burns and I agree that the drafting should be amended to avoid this consequence, by including "*(including a driveway)*" in the drafting. I also propose included a figure to assist with interpreting the standard – new MRZ-Figure 5.
63. Proposed amended drafting is included in **Appendix B**. The recommendation on the Accept/Reject Table in **Appendix A** for SO185.57 changes from 'reject' to 'accept'.

Chris Teo-Sherrell – SO184

64. I held the following pre-hearing meetings with Mr Teo-Sherrell:
- (a) Friday 8 August – with Simon Mori, the Council's Principal Planner; and
 - (b) Thursday 14 August – with Sean Syman, the Council's Noise Expert, and Simon Mori.
65. A further pre-hearing meeting is planned for Monday 25 August, with Dave Charnley, the Council's Landscape expert, and me.
66. In responding to Mr Teo-Sherrell, I sought input from Mr Burns, Ms Harriet Fraser (the Council's Transport expert) and Ms Veni Demado, the Council's Service Manager – Stormwater.
67. The following paragraphs set out my response, informed by the other relevant experts, to the points raised by Mr Teo-Sherrell in the pre-hearing meetings:
- (a) **SO184.30 and SO184.31-** Mr Teo-Sherrell is seeking more stringent noise standards for rules MRZ-R2 and MRZ-R3. No change is proposed as Mr Syman considers the notified approach is appropriate to manage noise within the zone;
 - (b) **Part SO184.41 and SO184.42** – Mr Teo-Sherrell sought an increase in the front yard setback where parking is provided in front of the residential unit (including a garage) from 5.5m to 6.5m (in MRZ-S3). I understand his concern to be that drivers prefer to have space in front of their car, between the car and the garage, to walk through. This would then result in the tail end of a car projecting over the pavement. I have confirmed with Ms Fraser that the provision of a 5.5m length balances what can be expected to be sufficient for most cars (85th percentile) with the competing land requirements from these smaller sites. She accepts that a Ford Ranger with a tow ball may extend across the property boundary, but this is a 99 percentile vehicle and it would not make the footpath unusable. Accordingly, no change is proposed;
 - (c) **Part SO184.41** – Mr Teo-Sherrell sought expansion of the 0 metre side lot provision for garages to include habitable rooms in MRZ-S3, provided

there are no windows or doors in that structure facing that boundary. Mr Burns and I agree that we can support this change as, in principle, the nature of effects on a neighbouring property for that part of a dwelling built out to the boundary for no more than 7m in length, controlled by the 2.8/45deg Height in Relation to Boundary standard and with no windows at the boundary, would be no different for a garage or habitable space. I understand from Mr Burns that there are examples already in Palmerston North where this has occurred. Proposed amended drafting is included in **Appendix B**. The recommendation on the Accept/Reject Table in **Appendix A** does not require amendment, as I had already recommended accepting SO184.41 in part;

- (d) **SO184.43** – Mr Teo-Sherrell sought a blanket prevention of side entry garages in the front yard. I understand his concern to a loss of 'line of sight' between the footpath and the front façade of a residential dwelling. Mr Burns does not support preventing side-entry garages on public streets. He considers that, on a typical Palmerston North lot of 16-20m, a side-entry garage would occupy less than half and frontage, with the dwelling still visible from the street. He considers this would still provide adequate dwelling 'presence' towards the street. No change, therefore, is proposed; and
- (e) **SO184.47** – Mr Teo-Sherrell sought amendments to MRZ-S5 to prevent vegetation in a front yard from interrupting the visual connection between windows and doors on the building front façade and the street. I remain of the view that a change is not required. Dynamic elements such as vegetation cannot be usefully controlled, implemented or monitored and enforced. The huge variety in species, cultivars, growing patterns and garden maintenance would make prescriptive controls on vegetation problematic.

Sarah Jenkin

22 August 2025

J. APPENDICES

Appendix "A"

Submission Point Main	Original Submitter	Further Submission Point	Further Submitter	Submission Point	Submitter/Further Submitter	Provision	Position	Relief Sought	Reason(s)	Recommendation	Rebuttal recommendation	Reason
SO06.1	John Mullinger			SO06.1	John Mullinger	Entire Plan Change	Oppose	I disagree with allowing extra height and more than one dwellings per site	PNCC is removing on street parking at an alarming rate. Each dwelling will have 1-2 cars that will need to be parked somewhere. The removal of the requirement for off street parking means that there is nowhere for these cars.	Reject		
SO44.1	Angela Oliver			SO44.1	Angela Oliver	Entire Plan Change	Oppose	Delete the plan change.	Not in favour of increased density housing, even though I understand there is a requirement for more housing.	Reject		
SO56.1	Gerard Tapp			SO56.1	Gerard Tapp	Entire Plan Change	Oppose	Remove the ability to develop multi builds on single sections without consulting neighbors	If you want to build bulk housing areas, why not purchase land and develop it there, rather than ruining peoples out looks and what they have worked hard for, to cram a few extra dwellings in.	Reject		
SO62.1	Jo-Anne Siegel			SO62.1	Jo-Anne Siegel	MRZ-S1	Oppose	Reduce the permitted height of buildings	Because of impacts on privacy in back yards	Reject		
SO76.1	Geneva Housing Ltd			SO76.1	Geneva Housing Ltd	Zone extent	Amend	Remove 353 and 355 Albert Street from the MRZ.	The sites are both adjacent to and directly opposite the local centre of Hokowhitu. Geneva Housing has long signaled its interest with Council officers in the redevelopment of this land to for commercial or retail activities that will contribute to and strengthen the local centre. The justification for this is not only that the land is contiguous with the centre and is the best location for growth of the centre but also that increased densities of residential development from this Plan Change will increase the land area needed for local services which can be met by this submission.	Reject		
SO85.1	Stuart N Lange			SO85.1	Stuart N Lange	MRZ-S2	Amend	Housing on existing residential boundaries to be single level to retain existing occupant's privacy and environment.	Three-storey housing will impact on privacy and our environment.	Reject		
SO101.1	Miranda Sage			SO101.1	Miranda Sage	Entire Plan Change	Oppose	Delete the plan change.	Concerned views will be impacted as height controls are too low.	Reject		
SO118.1	Nigel Hughes			SO118.1	Nigel Hughes	Zone Extent	Amend	Include property at corner of Tutaki and Kelvin Grove Roads in the zone.	The site is not impacted by air noise, the soil is poor quality and the site is in proximity amenities and the proposed rail hub. There are existing water and sewage services.	Reject		
SO118.1	Nigel Hughes	FS05.1	Palmerston North Airport Limited	SO118.1	Nigel Hughes	Zone Extent	Oppose	Retain zone extent in this location	PNAL opposes further intensification of residential development within the inner and outer noise contour.	Accept		
SO169.1	Jennifer Orange			SO169.1	Jennifer Orange	Zone Extent	Amend	Extend zone boundary to include 68 Fitzroy Street, Terrace End.	This is an island in the current zone extent. It would be illogical, impracticable and limiting if this site was not included.	Reject		
SO195.1	Age-Friendly Palmerston North			SO195.1	Age-Friendly Palmerston North	Entire Plan Change	Neutral	Consider the needs of older people and people with mobility and accessibility needs, including in relation to building accessibility, building design, housing typology and parking requirements	Palmerston North's population is aging - in the next decade there will be more older people than children.. Objective 1 and Policy 1 in the NPS-UD apply to all people.	Reject		

SO209.1	NZ Transport Agency Waka Kotahi			SO209.1	NZ Transport Agency Waka Kotahi	MRZ-O5	Support	Retain as notified	NZTA supports the inclusion of objectives and policies to achieve appropriate mitigation for reverse sensitivity effects for noise sensitive activities adjacent to State Highway 3	Accept		
SO209.2	NZ Transport Agency Waka Kotahi			SO209.2	NZ Transport Agency Waka Kotahi	MRZ-P11	Support	Retain as notified	NZTA supports the inclusion of objectives and policies to achieve appropriate mitigation for reverse sensitivity effects for noise sensitive activities adjacent to State Highway 3	Accept in part		
SO209.3	NZ Transport Agency Waka Kotahi			SO209.3	NZ Transport Agency Waka Kotahi	MRZ-R20	Support	Retain as notified	The proposed rule provides certainty that adverse effects on noise sensitive activities adjacent to state highway 3 will be mitigated.	Accept in part		

Introduction

The purpose of the Medium Density Residential Zone is to increase housing supply and provide for housing choice by enabling attached and detached dwellings* and low-rise apartments at higher densities up to three storeys. The built form, appearance and amenity of the Zone will change over time as housing supply and choice increases and those living within the Zone are able to provide for their social, economic and cultural wellbeing.

The Medium Density Zone supports the physical and spiritual health of our Māori whānau, enabling them to practice their culture and provide for their *tikanga**. This includes providing safe access* to the landscapes and urban waterways valued by their tīpuna, enabling the *development** of *papakāinga** and recognising and celebrating our cultural connections with te taiao and Rangitāne whakapapa through urban design.

Properties within the Zone are connected to the city's public transport, walking and cycling networks. This facilitates mode shift from private vehicles to public or active modes of transport and supports access to a range of housing, jobs, community services, natural spaces and *public open space**.

The efficient use of *land* within the Medium Density Residential Zone is important to meet the Council's* strategic objective of a compact and connected urban form and the planned built form of the Zone reflects the anticipated change in character for the Zone. *Development** within the Zone is expected to incorporate the principles of good urban design, manage the potential *effects* of intensification and contribute to streetscape character, public safety and visual amenity.

The Medium Density Residential Zone provides for a range of compatible non-residential uses that support the needs of local communities, where these do not undermine the city's existing business zone hierarchy. Any non-residential activities that are incompatible with the Zone's planned built form and predominantly residential use are discouraged and directed to more appropriate zones such as the Business and Industrial zones.

*Development** within the Medium Density Residential Zone must manage the *effects* of residential intensification on the health, well-being and *mauri** of water bodies and freshwater, including by reducing *contaminants* from building materials, managing *stormwater*, reducing flood risk and incorporating *water sensitive design** methods into *development** design.

Palmerston North's climate is changing – in the future the city will be warmer and drier, and rainfall events will be more intense. Denser residential *development**, which is connected to active and public transport, and energy efficient housing, which optimises solar access, provides shade, manages on-site *stormwater*, incorporates space for waste and waste recycling and incorporates appropriate landscaping, will help reduce greenhouse gas emissions and create resilient housing and communities.

Commented [S1]: SO203.3

Objectives

MRZ-O1 Purpose of the Medium Density Residential Zone

The Medium Density Residential Zone:

- a. Enables residential activities and buildings, including papakāinga*, to support provision of a variety of housing types and sizes that respond to housing needs and demand, and
- b. Provides for non-residential activities and buildings that are compatible with the predominantly residential use of the Zone, reflect the planned built form and do not compromise the existing hierarchy of business zones within the city.

MRZ-O2 Built development* in the Medium Density Residential Zone

Built development* in the Medium Density Residential Zone positively contributes to achievement of a predominantly residential urban environment that:

- a. Comprises well-designed buildings, sites, streets, and neighbourhoods;
- b. Supports safe and secure environments that align with Crime Prevention through Environmental Design (CPTED) principles;
- c. Is characterised by an increased building density, a mix of building typologies, and building heights up to (and including) three storeys;
- d. ~~Is adaptable and healthy;~~
- e. Provides a reasonable level of amenity for residents, adjoining residential properties and the street;
- f. Enables mode shift to public transport and active transport modes;
- g. Integrates with existing and planned development infrastructure;
- h. Connects with open space and the natural environment; and
- i. Is resilient to the effects of climate change and natural hazards; ~~and~~
- j. ~~Is energy efficient.~~

Commented [SJ2]: SO184.4 and SO199.16

Commented [SJ3]: SO184.8 and SO184.23

MRZ-O3 Protecting water bodies and freshwater ecosystems

Subdivision and development* in the Medium Density Residential Zone contributes to an improvement in the health and wellbeing (including mauri*) of the Manawatū Awa and its lagoons and tributaries.

MRZ-O4 Effects of flooding in the Medium Density Residential Zone

~~Avoid residential intensification use and development* unless the on-site and off-site effects of flooding (including from stormwater) on people, property and the environment as a result of residential intensification use and development* are appropriately mitigated.~~

Commented [SJ4]: SO184.7

MRZ-O5 Mitigate effects of development* adjacent to infrastructure and existing lawfully-established non-residential activities

Mitigate the adverse effects, including reverse sensitivity effects, of subdivision, use and development* which is located adjacent to *infrastructure and existing lawfully-established non-residential activities*.

Commented [SJ5]: SO78.1

MRZ-O6 Whenua Māori

Tangata whenua* are able to protect, develop and use whenua Māori in a way that is consistent with their cultural values and aspirations.

Policies

MRZ-P1 Enabled activities

Enable:

1. residential activities and buildings, including papakāinga*, that are compatible with the planned built form of the zone, and
2. non-residential activities and buildings that are compatible with the purpose of the Zone and at a scale and intensity which is compatible with the predominantly residential use of the Zone.

MRZ-P2 Residential activities and buildings, including papakāinga*, which do not meet the permitted activity standards

Provide for residential activities and buildings, including papakāinga*, that do not meet the permitted activity standards, where they are well-designed and compatible with the planned built form of the zone.

MRZ-P3 Planned built form

Residential buildings and structures, including papakāinga*, are compatible with the planned built form of the Zone when:

1. Site layouts are coherently planned and the layout responds to the characteristics of the site and context, including adjacent waterways and public open space*;
2. Site layouts provide a good level of pedestrian access and amenity and achieve legible, visually attractive access* to the development*;

3. Site layouts provide adequate rubbish and recycling collection and storage facilities

Commented [SJ6]: SO166.1 and SO203.5

3. Residential units have appropriately sized and located private outdoor living space with a reasonable level of privacy and sunlight;
4. Building designs and site layouts provide a reasonable level of privacy and access to sunlight for residential units on the site and for those on neighbouring sites;
5. Development* frontages provide a legible connection to the street through a combination of orientation, entrance location, fencing and glazing, and they are not dominated by garages;

Commented [SJ7]: SO185.9

6. *Developments** integrate landscaping with *building* and *access** design;
7. They provide visual interest through the modulation and articulation of façades and roof forms.

MRZ-P4 – Transport

Enable *residential activities* and *buildings* when:

1. The safety and efficiency of the land transport network is maintained, including by providing for safe on-site vehicle turning and manoeuvring where off-street parking is provided; and
2. On-site bicycle parking and storage is provided to support mode shift.

Commented [SJ8]: SO184.15

MRZ-P5 Non-residential activities and buildings

Only allow non-residential activities and *buildings* where they:

1. Support the needs of local communities;
2. Are compatible with the purpose of the Zone, with a compatible scale and intensity of use;
3. Are compatible with the planned built form for the Zone;
4. Support mode shift by providing on-site bicycle parking and storage;
5. Maintain the safety and efficiency of the transport network, including by allowing for safe vehicle turning and manoeuvring where off-street parking is provided; and
6. Do not affect the City's business zones hierarchy.

MRZ-P6 Adverse effects of flooding and stormwater

On-site mitigation measures are incorporated into *subdivision*, use and *development** in the zone, including by requiring:

1. Minimum *permeable surface** areas to assist with reducing the rate and volume of *stormwater* run-off and improve water and soil quality;
2. *Stormwater* attenuation;
3. Adoption of minimum floor levels; and
4. That off-site *stormwater* peak flows following intensification of a *site* are maintained at pre-*development** levels.

MRZ-P7 – Development* in the Stormwater Overlay

Avoid *development** in the Stormwater Overlay unless the *Council** is satisfied that a site-specific *stormwater* management plan prepared by a suitably qualified *stormwater* design consultant (preferably with experience in *water sensitive design** concepts and elements) identifies:

1. identifies the location, scale and nature of the *development** proposed for the site;
2. identifies the extent of flood and/or overland *stormwater* flow hazards, including an allowance for climate change using climate change scenario SSP5-8.5;

Commented [SJ9]: SO166.2

Commented [SJ10]: SO166.2

Commented [SJ11]: SO166.2

Commented [SJ12]: SO137.14

3. Identifies the on-site and off-site effects of the proposed development* on people, property and the environment;
4. recommends sed mitigation measures to remedy or mitigate the on- and off-site effects of the development* and how these would be maintained; and
5. demonstrates that the on- and off-site adverse effects will be appropriately mitigated.
6. Demonstrates how any on-site mitigation measures will support and align with the city-wide Stormwater Strategy or any catchment or sub-catchment plan to implement the city-wide Stormwater Strategy.

Commented [SJ13]: SO166.2

Commented [SJ14]: SO166.2

Commented [SJ15]: SO137.14

Commented [SJ16]: SO137.14

MRZ-P8 Water Sensitive Design*

Water sensitive design* methods are incorporated into new subdivision and development* and they are designed, constructed and maintained to:

1. Improve the health and well-being of water bodies and freshwater ecosystems;
2. Avoid or mitigate off-site effects from surface water runoff;
3. Demonstrate best practice approach to the management of stormwater quality and quantity; and
4. Reduce demand on water supplies.

MRZ-P9 Building materials

The effects on water quality of copper and zinc entering the stormwater system from use as roofing, guttering and building materials are mitigated through the use of appropriate surface treatment, to reduce contaminant generation.

Commented [SJ17]: SO137.17

MRZ-P10 Energy efficiency

Encourage the adoption of energy efficient design and site layouts that optimise solar access and manage solar gain.

MRZ-P11 Effects on of buildings and activities near on infrastructure and existing lawfully-established non-residential activities

Manage the effects on of new or altered buildings and noise sensitive activities* near on existing infrastructure and lawfully-established non-residential activities, including by requiring:

1. Appropriate setbacks and design controls where necessary to achieve appropriate protection of infrastructure and lawfully-established non-residential activities and mitigation of effects on adjacent noise sensitive activities*.
2. All future buildings, earthworks and construction activities maintain safe electrical clearance distances in compliance with the New Zealand Electrical Code of Practice for electrical safe distances (NZECP 34:2001).

Commented [SJ18]: SO202.3 and FS06.43

Commented [SJ19]: SO78.1

Commented [SJ20]: SO202.3 and FS06.43

Commented [SJ21]: SO78.1

MRZ- P12 Vegetation and landscaping

Encourage the retention and incorporation of existing vegetation into the required landscaped areas where possible. Encourage replacement planting ~~to that~~:

- a. Be Is of equal or better quality in terms of species, form, scale and texture;
- b. Use locally sourced species Utilises indigenous species, including locally sourced plant species where practicable; and
- c. Contributes to managing stormwater, urban heat effects and increases biodiversity and vegetation cover.

Commented [SJ22]: SO137.20, SO184.24, SO185.18, SO194.22, SO199.25

MRZ-P13 – Enabling *tangata whenua** to provide for their cultural, social and economic well-being

*Tangata whenua** are enabled to provide for their cultural, social and economic well-being including by:

1. *Development** of *papakāinga**; and
2. *Marae** where they are by and for Rangitāne o Manawatū.

Rules

Note: There may be a number of provisions that apply to an activity, *building*, *structure* or *site*. Resource consent may therefore be required under rules in this section as well as other sections of the District Plan. For example, rules relating to:

- Signs, noise, earthworks - Section 6: General Rules;
- Subdivision - Section 7B: Subdivision in the Medium Density Residential Zone;
- Scheduled trees and heritage buildings – Section 17: Cultural and natural heritage;
- Access* and parking – Section 20: Land Transport; and
- Natural hazards – Section 22: Natural hazards.

The information requirements for a *land* use consent can be found in Chapter 5.

Definitions: unless an *italicised* term is denoted with an * (representing a definition in Section 4 of the District Plan), definitions can be found in Section 4A of the District Plan.

Rules in Section 10: Residential Zone which apply in the Medium Density Residential Zone

The following rules apply in the Medium Density Residential Zone:

Air Noise Control

- R10.6.1.1(h) – acoustic treatment and ventilation requirements
- R10.6.4.2 – *Building* alterations and addition in Air Noise Contour if established before 2 Sept 1998
- R10.6.5.2 – *Dwellings** in Inner and Outer Control Contours

- R10.6.6.1 - Prohibited activities in Air Noise Zone
- R10.7.4.9 – *Building* Alterations and additions in Air Noise Contour
- R10.7.5.2 – Non-residential *buildings* in Inner or Outer Control Contour without noise reduction
- R10.7.6.1 - Prohibited activities in the air noise contour

Awatea Stream and Jensen Street Ponding Areas

- R10.6.3.5 - Awatea Stream and Jensen Street Ponding Areas

Construction, development*, maintenance or replacement of flood protection works by Manawatū Whanganui Regional Council

- R10.7.1.8 – *Structural maintenance of flood protection works** by MWRC
- R10.7.2.1 - Construction, *development** or replacement of flood protection works by MWRC

Temporary Military Training Activities

- R10.7.1.9 - *Minor Temporary Military Training Activities*
- R10.7.4.10 - *Temporary Military training activities* which do not comply with the Performance Standards, Extended Military Training Activities, and activities including live firing of weapons, firing of blank ammunition, single or multiple explosive events, and which comply with the following Performance Standard, are Discretionary Activities.

RULES – LAND USE ACTIVITIES IN THE MEDIUM DENSITY RESIDENTIAL ZONE

MRZ-R1 Residential activities, including papakāinga*

1. Activity status: **Permitted**

MRZ-R2 Home businesses, excluding home-based childcare services

1. Activity status: **Permitted**

Where:

- a. The site is occupied by a residential building (including papakāinga*) and used for residential activities by at least one person who is an employee or equivalent engaged in the home business, and who lives on the site as their principal place of residence;
- b. No more than the equivalent of three full time persons in total work in the home business at any one time;
- c. No more than 1 /3 of the gross floor area of a residential building, including any accessory building or external storage area, (up to a maximum of 40m² and including gross floor area and external storage areas but excluding any car parking areas) must can be used for the home business;
- d. Activities do not create a dust nuisance;
- e. The home business does not involve the use of trucks or other heavy vehicles;
- f. The home business does not include the repair, alteration, restoration or maintenance of motor vehicles or internal combustion engines, or the spray painting of motor vehicles, excluding the residents' motor vehicles;
- g. Any external storage associated with the activity must be screened so they are not visible from a public road or space;
- h. Hours of operation are limited to 7.00 am to 10.00 pm Monday to Saturday;
- i. Any goods sold on the site must have been substantially made, repaired, renovated or restored on the site;
- j. All exterior lighting must comply with AS Standard 4282;
- k. Signs* comply with R6.1.5;
- l. Noise complies with R10.8.1; and
- m. Storage* of hazardous substances complies with R14.5.1.

Commented [SJ23]: SO166.3

2. Activity status: **Restricted Discretionary**

Where:

- a. There is a non-compliance with one or more of the standards in MRZ-R2.1.

Council's* discretion is restricted to:

1. The extent and effects of non-compliance with any standard in MRZ-R2.1 which has not been met, including any relevant assessment criteria for MRZ R2.1 (k) - (m); and
2. The relevant matters in Policy MRZ-P5.

Commented [SJ24]: SO166.4

Notification:

An application under this rule is precluded from being publicly notified in accordance with section 95A of the Resource Management Act 1991.

MRZ-R3 Home-based childcare services

<p>1. Activity status: Permitted</p> <p>Where:</p> <ul style="list-style-type: none"> a. The maximum number of children enrolled does not exceed four; b. The hours of operation are between 7.00 am to 7.00pm Monday to Friday; c. Signs* comply with R6.1.5; d. Noise complies with R10.8.1; and e. All exterior lighting complies with AS Standard 4282.
<p>2. Activity status: Restricted Discretionary</p> <p>Where:</p> <ul style="list-style-type: none"> a. There is a non-compliance with one or more of the standards in MRZ-R3.1. <p>Council's* discretion is restricted to:</p> <ul style="list-style-type: none"> 1. The extent and effects of non-compliance with any standard in MRZ-R3.1 which has not been met, including any relevant assessment criteria for MRZ R3.1(c) and (d); and 2. The relevant matters in Policy MRZ-P5. <p>Notification:</p> <p>An application under this rule is precluded from being publicly notified in accordance with section 95A of the Resource Management Act 1991.</p>
<p>MRZ-R4 Conversion of a residential unit to a community house*</p>
<p>1. Activity status: Permitted</p> <p>Where:</p> <ul style="list-style-type: none"> a. Not more than the equivalent of three full time persons shall be employed on the site; b. Air noise control – compliance with R10.6.1.1(h); c. Parking and access* comply with following standards in Rule 20.4.2; <ul style="list-style-type: none"> i. 20.4.2(a) – Vehicle access*; ii. 20.4.2(b)(i) – Parking spaces for people with disabilities; iii. 20.4.2(c) – Car park landscape design; iv. 20.4.2(d) – Formation of parking spaces; v. 20.4.2(e) and (f) – Loading space provisions and design; d. Noise – complies with R10.8.1; e. Signs* – complies with R6.1.5; and f. Exterior lighting must comply with AS Standard 4282; and
<p>2. Activity status: Restricted Discretionary</p>

Where:

- a. There is a non-compliance with one or more of the standards in MRZ-R4.1.

Council's* discretion is restricted to:

- 1. The extent and effects of non-compliance with any standard in MRZ-R4.1 which has not been met, ~~including any relevant assessment criteria for MRZ R4.1 (b) (e)~~ and
- 2. The relevant matters in MRZ-P5.

Commented [SJ25]: SO166.6

Notification:

An application under this rule is precluded from being publicly notified in accordance with section 95A of the Resource Management Act 1991.

MRZ-R5 Conversion of an existing residential unit to a Health facility*

- 1. Activity status: **Permitted**

Where:

- a. There are no more than three health practitioners, including a practice nurse;
- b. Parking and access* comply with the following standards in R20.4.2:
 - i. 20.4.2(a) Vehicle Access*;
 - ii. 20.4.2(b) (i) Parking Spaces for People with Disabilities;
 - iii. 20.4.2(c) Car Park Landscape Design;
 - iv. 20.4.2(d) Formation of Parking Spaces;
 - v. 20.4.2(g) Cycle Parking Provision and Design;
 - vi. 20.4.2(h) Cycle Parking End of trip Facilities.
- c. Landscape Amenity – complies with R10.7.1.2(g);
- d. Signs* comply with R6.1.5;
- e. Noise complies with R10.8.1;
- f. Air noise control complies with R10.6.1.1 (h); and
- g. All exterior lighting must comply with AS Standard 4282.

- 2. Activity status: **Restricted Discretionary**

Where:

- a. There is a non-compliance with one or more of the standards in MRZ-R5.1.

Council's* discretion is restricted to:

- 1. The extent and effects of non-compliance with any standard in MRZ-R5.1 which has not been met, including any relevant assessment criteria for MRZ-R5.1 (c) ~~(e) (f)~~; and
- 2. The relevant matters in MRZ-P5.

Commented [SJ26]: SO166.7

<p>Notification:</p> <p>An application under this rule is precluded from being publicly notified in accordance with section 95A of the Resource Management Act 1991.</p>
<p>MRZ-5A Use of an existing residential unit for visitor accommodation</p>
<p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. <u>There are no more than four people accommodated in the residential unit</u></p>
<p>2. Activity status: Restricted Discretionary</p> <p>Where:</p> <p>b. <u>There is a non-compliance with MRZ-5A.1.</u></p> <p><u>Council's* discretion is restricted to:</u></p> <p>1. <u>The relevant matters in MRZ-P5.</u></p>
<p>Notification:</p> <p><u>An application under this rule is precluded from being publicly notified in accordance with section 95A of the Resource Management Act 1991.</u></p>
<p>RULES – BUILDINGS AND STRUCTURES IN MEDIUM DENSITY RESIDENTIAL ZONE</p>
<p>MRZ-R6 – Repair, demolition* or removal of buildings and structures</p> <p>1. Activity status: Permitted</p> <p><u>Advice note: This rule does not apply to scheduled buildings, structures and objects controlled in accordance with Section 17: Cultural and natural heritage.</u></p>
<p>MRZ-R7 Construction of up to three residential units and papakāinga* (including relocatable and prefabricated residential units)</p>
<p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. Compliance with the following standards is achieved:</p> <ul style="list-style-type: none"> i. MRZ-S1 – Maximum building height ii. MRZ-S2 – Height in relation to boundary

Commented [SJ27]: SO185.33

Commented [SJ28]: SO185.33

Commented [SJ29]: SO166.8

- iii. MRZ-S3 – Setbacks
 - iv. MRZ-S4 – *Building coverage*
 - v. MRZ-S5 – Landscaped areas
 - vi. ~~MRZ-S6 – Shade~~
 - vii. MRZ-S7 – *Outdoor living space*
 - viii. MRZ-S8 – Outlook space
 - ix. MRZ-S9 – *Permeable surfaces**
 - x. MRZ-S10 – *Stormwater attenuation device*
 - xi. MRZ-S11 – Minimum floor levels
 - xii. MRZ-S12 – Front façade glazing
 - xiii. MRZ-S13 – Front door orientation
 - xiv. MRZ-S14 – Garages
 - xv. MRZ-S15 – On-site carparking
 - xvi. MRZ-S16 – Vehicle crossings
 - xvii. MRZ-S17 – On-site vehicle manoeuvring
 - xviii. MRZ-S18 – On-site bicycle parking
 - xix. MRZ-S19 – On-site rubbish and recycling storage and collection
 - xx. MRZ-S20 – Fences and standalone walls
- b. Parking and access* comply with the following standards in Rule 20.4.2
- i. R20.4.2(a)(ii);
 - ii. R20.4.2(a)(vi)b,d) ~~(a, i)-i)~~;
 - iii. R20.4.2(a)(vii), (ix) and (xii);
 - iv. R20.4.2(a)(viii) – applies to each *residential unit* where carparking provided;
 - v. R20.4.2 (d); and
 - vi. R20.4.2(f).

Commented [SJ30]: Consequential amendment

Commented [SJ31]: SO184.67

2. Activity status: **Restricted Discretionary**

Where:

a. There is a non-compliance with one or more of the standards of MRZ-R7-1.

Council's* discretion is restricted to:

- 1. The matter(s) of discretion for any infringed standard in MRZ-R7.1 (a);
- 2. The extent and effects of non-compliance with any standard in MRZ-R7.1 (b) which has not been met, ~~including any relevant assessment criteria;~~ and
- 3. The relevant matters in MRZ-P2, MRZ-P3, MRZ-P4, MRZ-P6, ~~MRZ-P8, MRZ-P10, MRZ-P11~~ and MRZ-P12.

Commented [SJ32]: SO166.9

Commented [SJ33]: SO194.32 and SO137.23

Commented [SJ34]: Consequential amendment for SO78.2

Commented [SJ35]: SO137.23

Notification:

An application under this rule is precluded from being publicly notified in accordance with section 95A of the Resource Management Act 1991.

MRZ-R8 Construction of four or more residential units and papakāinga (including relocatable and prefabricated residential units)

1. Activity status: **Restricted Discretionary**

Council's* discretion is restricted to:

1. ~~The extent and effects of non-compliance with standards MRZ-S1 – S20;~~
2. The relevant matters in MRZ-P2, MRZ-P3, MRZ-P4, MRZ-P6, ~~MRZ-P8, MRZ-P10, MRZ-P11~~ and MRZ-P12; ~~and~~
3. ~~The layout and design of services and service connections to essential services.~~

Notification:

An application under this rule is precluded from being publicly notified in accordance with section 95A of the Resource Management Act 1991.

MRZ-R9 - Addition or alteration of buildings and structures (excluding accessory buildings)

1. Activity status: **Permitted**

Where:

- a. Compliance with the following standards is achieved where the addition or alteration triggers one or more of the following standards:
 - i. MRZ-S1 – Maximum building height
 - ii. MRZ-S2 – Height in relation to boundary
 - iii. MRZ-S3 – Setbacks
 - iv. MRZ-S4 – Building coverage
 - v. MRZ-S5 – Landscaped areas. MRZ-S5.3 only applies if the addition or alteration would result in the loss of all specimen trees on the site
 - ~~vi. MRZ-S6 – Shade~~
 - vii. MRZ-S7 – Outdoor living space
 - viii. MRZ-S8 – Outlook space
 - ix. MRZ-S9 – Permeable surfaces*
 - x. MRZ-S10 – Stormwater attenuation device
 - xi. MRZ-S11 – Minimum floor levels
 - xii. MRZ-S12 – Front façade glazing
 - ~~xiii. MRZ-S13 – Front door orientation~~
 - ~~xiv. MRZ-S14 – Garages~~
 - ~~xv. MRZ-S15 – On-site carparking~~
 - ~~xvi. MRZ-S16 – Vehicle crossings~~
 - ~~xvii. MRZ-S17 – On-site vehicle manoeuvring~~
 - ~~xviii. MRZ-S18 – On-site bicycle parking~~
 - xix. MRZ-S19.1 and MRZ-S19.3 – On-site rubbish storage and collection
 - ~~xx. MRZ-S20 – Fences and standalone walls; and~~
- b. ~~Parking and access* comply with the following standards in Rule 20.4.2~~
 - ~~i. R20.4.2(a)(iii)~~
 - ~~ii. R20.4.2(a)(vi)b),d),j)~~
 - ~~iii. R20.4.2(a)(vii), (ix) and (xii)~~

Commented [SJ36]: SO166.10

Commented [SJ37]: SO137.24 and SO166.10

Commented [SJ38]: SO194.33

Commented [SJ39]: Consequential amendment for SO78.3

Commented [SJ40]: SO107.3

- iv. ~~R20.4.2(a)(viii) – if on-site parking is provided~~
- v. ~~R20.4.2 (d) and~~
- vi. ~~R20.4.2(f).~~

Commented [SJ41]: SO185.28

2. Activity status: **Restricted Discretionary**

Where:

a. There is a non-compliance with one or more of the standards in MRZ-R9.1.

Council's* discretion is restricted to:

1. The matter(s) of discretion for any infringed standard in MRZ-R9.1 (a);
2. The extent and effects of non-compliance with any standard in MRZ-R9.1 (b) which has not been met, ~~including the relevant assessment criteria;~~ and
3. The relevant matters in MRZ-P3, MRZ-P4, MRZ-P6, ~~MRZ-P10~~ and MRZ-P12.

Commented [SJ42]: SO166.11

Commented [SJ43]: SO194.34

Notification:

An application under this rule is precluded from being publicly notified in accordance with section 95A of the Resource Management Act 1991.

MRZ-R10 – ~~Construction, alteration or addition of B~~buildings and structures within the Stormwater Overlay

1. Activity status: **Permitted Activity**

Where:

- a. ~~The construction of new buildings and structures; and~~
- b. ~~The alteration or addition of any buildings and structures.~~

~~does not increase the building coverage by more than a cumulative total of 30m² as measured from the date of [date the plan was made operative].~~

Commented [SJ44]: SO185.29

+2. Activity status: **Restricted Discretionary**

Where:

a. ~~There is a non-compliance with MRZ-R10.1.~~

Council's* discretion is restricted to:

1. The extent to which any ~~stormwater-related~~ effects, both on-site and off-site, are avoided or mitigated;
2. Whether the proposed mitigation measures can be effectively implemented and maintained;

Commented [SJ45]: SO194.41

3. The extent to which on-site mitigation measures will support and align with the city-wide Stormwater Strategy, or any catchment or sub-catchment plan to implement the city-wide Stormwater Strategy; and
4. The relevant matters in MRZ-P6, and MRZ-P7 and MRZ-P8.

Commented [SJ46]: SO137.26

Commented [SJ47]: SO166.12

Advice Note:

A site-specific stormwater management plan prepared to meet the requirements of SUB-MRZ-R1.2 may be sufficient to meet the requirements of this rule, subject to the management plan being prepared based on the most up to date flood data.

The Palmerston North Stormwater Bylaw includes information about the Council's expectations for operation and maintenance of stormwater attenuation on private property.

Commented [SJ48]: SO137.26

Notification:

An application under this rule is precluded from being publicly notified in accordance with section 95A of the Resource Management Act 1991.

MRZ-R11 Construction of, addition, and alteration of accessory buildings

1. Activity status: **Permitted**

Where:

- a. Compliance with the following standards is achieved:
 - i. MRZ-S1 – Maximum building height
 - ii. MRZ-S2 – Height in relation to boundary
 - iii. MRZ-S4 – Building coverage
 - iv. MRZ-S9 – Permeable surfaces*; and
 - v. MRZ-S10 – Stormwater attenuation device.

2. Activity status: **Restricted Discretionary**

Where:

- a. There is a non-compliance with one or more of the standards in MRZ-R11.1.

Council's* discretion is restricted to:

1. The matter(s) of discretion for any infringed standard in MRZ-R11.1; and
2. The relevant matters in MRZ-P3, MRZ-P6 and MRZ-P12.

Notification:

An application under this rule is precluded from being publicly notified in accordance with section 95A of the Resource Management Act 1991.

MRZ-R12 Educational facility (including kohanga reo* and kura kaupapa*)

1. Activity status: **Permitted**

Where:

- a. The educational facility has access* from a Minor Arterial or Collector Road, listed as such in 20.6.1.2 and 20.6.1.3;
- b. Any building used for educational purposes is offset from an adjacent residentially-used property by 6 metres;
- c. Building coverage must not exceed 40% of the site;
- d. Compliance with the following standards is achieved:
 - i. MRZ-S1 – Maximum building height;
 - ii. MRZ-S2 – Height in relation to boundary;
 - iii. MRZ-S9 – Permeable surfaces*;
 - iv. MRZ-S10 – Stormwater attenuation device;
 - v. MRZ-S11 – Minimum floor levels; and
- e. Air Noise Control – compliance with R10.6.1.1(h)
- f. Landscaping and fencing – complies with R10.7.1.3(g)
- g. Parking and access* comply with following standards in Rule 20.4.2:
 - i. 20.4.2(a) – Vehicle access*;
 - ii. 20.4.2(b)(i) – Parking spaces for people with disabilities;
 - iii. 20.4.2(c) – Car park landscape design;
 - iv. 20.4.2(d) – Formation of parking spaces;
 - v. 20.4.2(e) and (f) – Loading space provisions and design;
 - vi. 20.4.2(g) – Cycle parking provisions and design; and
 - vii. 20.4.2(h) – Cycle parking end-of-trip facilities.
- h. Noise complies with R10.8.1;
- i. Signs comply with Rule 6.1.5; and
- j. Exterior lighting must comply with AS Standard 4282.

2. Activity status: **Restricted Discretionary**

Where:

- a. There is a non-compliance with one or more of the standards in MRZ-R12.1.

Council's* discretion is restricted to:

1. The matter(s) of discretion for any infringed standard in MRZ-R12.1(d); and
2. The extent and effects of non-compliance with any requirement in MRZ-R12.1(e)-(j) which has not been met, including any relevant assessment criteria for MRZ-R212.1(f)(e)-(j); and
3. The relevant matters in MRZ-P3, MRZ-P4, MRZ-P5, MRZ-P6, MRZ-P10 and MRZ-P12.

Notification:

Commented [SJ49]: SO166.13

Commented [SJ50]: SO194.37

An application under this rule is precluded from being publicly notified in accordance with section 95A of the Resource Management Act 1991.

MRZ-R13 Construction of a new community house*

1. Activity status: **Permitted**

Where:

- a. Compliance with the following standards is achieved:
- i. MRZ-S1 – Maximum building height
 - ii. MRZ-S2 – Height in relation to boundary
 - iii. MRZ-S3 – Setbacks
 - iv. MRZ-S4 – Building coverage
 - v. MRZ-S5 – Landscaped areas
 - vi. ~~MRZ-S6 – Shade~~
 - vii. MRZ-S7 – Outdoor living space
 - viii. MRZ-S8 – Outlook space
 - ix. MRZ-S9 – Permeable surfaces*
 - x. MRZ-S10 – Stormwater attenuation device
 - xi. MRZ-S11 – Minimum floor levels
 - xii. MRZ-S12 – Front façade glazing
 - xiii. MRZ-S13 – Front door orientation
 - xiv. MRZ-S14 – Garages
 - xv. MRZ-S15 – On-site carparking
 - xvi. MRZ-S16 – Vehicle crossings
 - xvii. MRZ-S17 – On-site vehicle manoeuvring
 - xviii. MRZ-S19 – On-site rubbish **and recycling** storage and collection
 - xix. MRZ-S20 – Fences and standalone walls; and
- b. Air noise control – compliance with R10.6.1.1 (h)
- c. Parking and access* comply with following standards in Rule 20.4.2;
- i. 20.4.2(a) – Vehicle access* **excluding (vi)(h);**
 - ii. 20.4.2(b)(i) – Parking spaces for people with disabilities;
 - iii. 20.4.2(c) – Car park landscape design;
 - iv. 20.4.2(d) – Formation of parking spaces;
 - v. 20.4.2(e) and (f) – Loading space provisions and design;
- d. Noise – complies with R10.8.1
- e. Signs – complies with R6.1.5; and
- f. Exterior lighting must comply with AS Standard 4282.

Commented [SJ51]: Consequential amendment

Commented [SJ52]: Consequential amendment from Chris Teo-Sherell

2. Activity status: **Restricted Discretionary**

Where:

1. There is a non-compliance with one or more of the standards in MRZ-R13-1.
- Council's* discretion is restricted to:

1. The matter(s) of discretion for any infringed standard in MRZ-R13.1(a)
2. The extent and effects of non-compliance with any requirement in MRZ-R13.1(b)-(f) which has not been met, ~~including any relevant matters of discretion assessment criteria for MRZ-R13.1(b)-(e)~~; and
3. The relevant matters in MRZ-P3, MRZ-P4, MRZ-P5, MRZ-P6, **MRZ-P10** and MRZ-P12.

Commented [SJ53]: SO194.38

Notification:

An application under this rule is precluded from being publicly notified in accordance with section 95A of the Resource Management Act 1991.

MRZ-R14 Visitor accommodation

1. Activity status: **Permitted**

Where:

- a. *Visitor accommodation* is located on properties with a frontage and the main entrance from a street listed as a Major Arterial or Minor Arterial Road in 20.6.1.1 and 20.6.1.2 in Section 20 of the District Plan.
- b. Compliance with the following standards is achieved:
 - i. MRZ-S1 – Maximum *building height*;
 - ii. MRZ-S2 – *Height in relation to boundary*;
 - iii. MRZ-S3 – *Setbacks*;
 - iv. MRZ-S4 – *Building coverage*;
 - v. MRZ-S9 – *Permeable surfaces**;
 - vi. MRZ-S10 – *Stormwater attenuation device*;
 - vii. MRZ-S11 – *Minimum floor levels*;
 - viii. **MRZ-S19.4 – On-site rubbish and recycling storage and collection**
 - ix. MRZ-S20 – *Fences and standalone walls*;
- c. Landscape/fencing – complies with R10.7.1.2(g)
- d. Parking and access* comply with R20.4.2:
 - i. 20.4.2(a) *Vehicle Access**;
 - ii. 20.4.2(b)(i) *Parking Spaces for People with Disabilities*;
 - iii. 20.4.2(c) *Car Park Landscape Design*;
 - iv. 20.4.2(d) *Formation of Parking Spaces*;
 - v. 20.4.2(g) *Cycle Parking Provision and Design*;
 - vi. 20.4.2(h) *Cycle Parking End of trip Facilities*; and
- e. All exterior lighting must comply with AS Standard 4282.

Commented [SJ54]: Outcome of expert conferencing with Kaaren Rosser

2. Activity status: **Restricted Discretionary**

Where:

f.g. Compliance with one or more of the standards of MRZ-R14-1 is not achieved.

Council's* discretion is restricted to:

1. The matter(s) of discretion for any infringed standard in MRZ-R14.1(b);
2. The extent and effects of non-compliance with any standard in MRZ-R14.1(c)-(e) which has not been met, including any relevant assessment criteria for MRZ-R14.1(c)(b)-(e); and
3. The relevant matters in MRZ-P3, MRZ-P4, MRZ-P5, MRZ-P6, MRZ-P10 and MRZ-P12.

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Commented [SJ56]: SO194.39

Notification:

An application under this rule is precluded from being publicly notified in accordance with section 95A of the Resource Management Act 1991.

MRZ-R15 Construction of a new Health facility*

1. Activity status: **Permitted**

Where:

- a. There are no more than three health practitioners, including a practice nurse;
- b. Compliance with the following standards is achieved:
 - i. MRZ-S1 – Maximum building height;
 - ii. MRZ-S2 – Height in relation to boundary;
 - iii. MRZ-S3 – Setbacks;
 - iv. MRZ-S4 – Building coverage;
 - v. MRZ-S9 – Permeable surfaces*;
 - vi. MRZ-S10 – Stormwater attenuation;
 - vii. MRZ-S11 – Minimum floor levels;
 - viii. MRZ-S12 – Front façade glazing;
 - ix. MRZ-S14 – Garages;
- c. Parking and access* comply with R20.4.2;
 - i. 20.4.2(a) Vehicle Access*;
 - ii. 20.4.2(b)(i) Parking Spaces for People with Disabilities;
 - iii. 20.4.2(c) Car Park Landscape Design;
 - iv. 20.4.2(d) Formation of Parking Spaces;
 - v. 20.4.2(g) Cycle Parking Provision and Design;
 - vi. 20.4.2(h) Cycle Parking End of trip Facilities
- d. Landscape/fencing – complies with R10.7.1.2(g)
- e. Signs comply with R6.1.5;
- f. Noise complies with R10.8.1;
- g. Air noise control complies with R10.6.1.1(h); and
- h. All exterior lighting must comply with AS Standard 4282.

2. Activity status: **Restricted Discretionary**

Where:

a. Compliance with one or more of the standards of MRZ-R15.1 is not achieved.

Council's* discretion is restricted to:

1. The matter(s) of discretion for any infringed standard in MRZ-R15.1(b)
2. The extent and effects of non-compliance with any requirement in MRZ-R15.1(c)-(h) which has not been met, including any relevant assessment criteria for MRZ-~~R14.1~~R15.1; and
3. The relevant matters in MRZ-P3, MRZ-P4, MRZ-P5, MRZ-P6, MRZ-P10 and MRZ-P12.

Commented [SJ57]: SO166.16

Commented [SJ58]: SO194.40

Notification:

An application under this rule is precluded from being publicly notified in accordance with section 95A of the Resource Management Act 1991.

MRZ-R16 Marae*

1. Activity status: **Restricted Discretionary**

Council's* discretion is restricted to:

1. The effects on pedestrian safety and the safe and efficient movement of vehicles and other road users;
2. The extent to which site layout and any proposed landscaping helps avoid or minimise effects from building bulk and form on surrounding residential areas, the streetscape, and adjoining public space in relation to building dominance, privacy and shading;
3. The matter(s) of discretion in MRZ-S1, MRZ-S2, MRZ-S3, MRZ-S4, MRZ-S5, MRZ-S6 and MRZ-S17; and
4. The relevant matters in MRZ-P4, MRZ-P5, MRS-P6, MRZ-P8, MRZ-P10, MRZ-P11 and MRZ-P12.

Commented [SJ59]: Consequential amendment

Notification:

An application under this rule is precluded from being publicly notified in accordance with section 95A of the Resource Management Act 1991.

Rangitāne o Manawatū must be limited notified in accordance with section 95A of the Resource Management Act 1991 of an application under this rule if the applicant is an iwi*, hapū*, whānau, Māori or other entity other than Rangitāne o Manawatū, unless they provide written approval to the proposal.

Commented [SJ60]: SO185.36

MRZ-R17 Retirement Villages and Residential Centres*, Visitor Accommodation Motel Conference Centres with frontage to a Major Arterial or Minor Arterial Road as listed in Appendix 20A, Community Facilities, Places of Worship*, Training Facilities*, Health Centres* and Hospitals and Early Childhood Facilities*

1. Activity status: Discretionary
MRZ-R18 Fences and standalone walls
1. Activity status: Permitted Where: a. Compliance with MRZ-S 620 is achieved:
2. Activity status: Restricted Discretionary Where: a. Compliance with MRZ-R18-1 is not achieved. Council's* discretion is restricted to: 1. The matters of discretion for MRZ-S 620 .
Notification: An application under this rule is precluded from being publicly notified in accordance with section 95A of the Resource Management Act 1991.
MRZ-R19 – Buildings, accessory buildings or structures adjacent to overhead electricity lines*
1. 2. Activity status: Permitted Where: a. any <i>building, accessory building or structure</i> is set back from an overhead electricity <i>line*</i> in accordance with the New Zealand Electrical Code of Practice for Electrical Safe Distances – NZECP 34:2001.
Advice note: This rule applies where a <i>site</i> contains or adjoins an overhead electricity <i>line*</i> (e.g. on legal road).
2. Activity status: Restricted Discretionary Where: a. Compliance with MRZ-R19-1. is not achieved; Council's* discretion is restricted to:

Commented [SJ61]: SO166.17 and SO185.38

Commented [SJ62]: SO166.17 and SO185.38

Commented [SJ63]: SO107.4

1. Whether the *building, accessory building or structure* will interfere with the safe and efficient operation, maintenance or *minor upgrading** of the overhead electricity *lines**; and
2. The risk of electrical hazards and/or faults.

Notification:

An application under this rule is precluded from being publicly notified in accordance with section 95A of the Resource Management Act 1991.

Powerco Limited (or its successor) must be given limited notification of an application under this rule, in accordance with section 95B of the Resource Management Act 1991, unless they have provided written approval.

MRZ-R20 New buildings or alterations or additions to buildings within 50m of the state highway

1. Activity status: **Permitted**

Where:

- a. any alteration or addition to a *building* does not increase the floor area by more than 10% and the addition or alteration does not increase the number of bedrooms or sleeping rooms; and
- b. *habitable rooms* are:
 - i. Designed, constructed and maintained to achieve a maximum indoor design noise level of 40 dB LAeq (24hr) inside any new or altered *habitable room*;
 - ii. For *buildings* which require windows to be closed to achieve the relevant noise levels in (a), MRZ-S21 – Ventilation Standard can be met; and
- c. A report, prepared by an *acoustical consultant**, is submitted to the *Council** demonstrating compliance with (b).

2. Activity status: **Restricted Discretionary**

Where:

- a. Compliance with MRZ-R20-1 is not achieved;

*Council's** discretion is restricted to:

1. The extent to which noise generated by use of the state highway will adversely affect the health and wellbeing of people;
2. The extent to which noise will detract from *amenity values* expected for the zone; and
3. Reverse sensitivity effects on the safe and efficient operation of the state highway.

Notification:

An application under this rule is precluded from being publicly notified in accordance with section 95A of the Resource Management Act 1991. [\[The New Zealand Transport Agency Waka Kotahi \(or its successor\) must be given limited notification of an application under this rule unless they have provided written approval.\]](#)

Commented [SJ64]: SO166.18

MRZ-R21 Building setback from rail corridor for construction, addition and alteration of any building

1. Activity status: **Permitted**

Where any *building, accessory building or structure* is:

- a. Set back at least 5m from the *rail corridor*.

2. Activity status: **Restricted Discretionary**

Where:

- a. Compliance with MRZ-R21-1 is not achieved;

Council's* discretion is restricted to:

1. The location and design of the *building or structure* as it relates to the ability to safely use, access and maintain *buildings* without requiring access on, above or over the rail designation boundary; and
2. The extent to which the reduced setback will compromise the safe and efficient functioning of the rail network, including *rail corridor* access and maintenance.

Notification:

An application under this rule is precluded from being publicly notified in accordance with section 95A of the Resource Management Act 1991.

KiwiRail Limited (or its successor) must be given limited notification of an application under this rule unless they have provided written approval.

MRZ-R22 New buildings or alterations or additions to buildings within 100m of the rail corridor

1. Activity status: **Permitted**

Where:

- a. any alteration or addition to a *building* does not increase the floor area by more than 10% and the addition or alteration does not increase the number of bedrooms or sleeping rooms; and
- b. *noise sensitive activities**:

- i. Are designed, constructed and maintained to achieve the indoor design noise levels in Table 1 or:

Building Type	Occupancy/activity	Maximum railway noise level LAeq(1h)
Residential	Sleeping spaces	35dB
	Other habitable rooms	40dB
Visitor Accommodation	Sleeping spaces	35dB
	Other habitable rooms	40dB
Education Facility	Lecture rooms/theatres, music studios, assembly halls	35dB
	Teaching areas, conference rooms, drama studios, sleeping areas	40dB
	Libraries	45dB
Health	Overnight medical care, wards	40dB
	Clinics, consulting rooms, theatres, nurses' stations	45dB
Cultural	Places of worship, marae	35 dB

- ii. It can be demonstrated by way of prediction or measurement that the noise at all exterior façades of the listed activity is no more than 15dB above the relevant noise level in Table 1; and
- iii. For *buildings* which require windows to be closed to achieve the relevant noise levels in (a), MRZ-S21 – Ventilation Standard can be met; and
- c. A report, prepared by an *acoustical consultant** is submitted to the *Council** demonstrating compliance with (b).

Advice Note:

Buildings, structures and activities within 100m of the designated *rail corridor* may be subject to vibration effects from rail activities. There are no rules or standards which apply to vibration.

1. Activity status: **Restricted Discretionary**

Where:

- a. Compliance with one or more of the standards in MRZ-R22-1 is not achieved;

Council's* discretion is restricted to:

1. The extent and *effect* of non-compliance with MRZ-R22-1; and
2. The extent of *effects* on health and wellbeing for occupants of the *building* to which the rule applies.
3. The relevant matters in MRZ-P11.

Notification:

An application under this rule is precluded from being publicly notified in accordance with section 95A of the Resource Management Act 1991.

KiwiRail Limited (or its successor) must be given limited notification of an application under this rule unless they have provided written approval.

MRZ-R23 Copper and zinc building materials – all residential and non-residential buildings

1. Activity status: **Permitted**

Where:

- a. new *buildings* and *structures*, or additions and alterations to existing *buildings* and *structures*, use copper or zinc cladding and/or roofing materials (including guttering and spouting) these materials are sealed or otherwise finished to prevent water runoff which contains copper or zinc.

2. Activity Status: **Restricted Discretionary**

Where:

- a. The standard in MRZ-R23.1 is not met.

Matter of discretion are restricted to:

1. How *stormwater* from copper or zinc cladding or roofing materials will be treated to prevent these *contaminants* from entering the stormwater network.

Notification:

An application under this rule is precluded from being publicly or limited notified in accordance with section 95A of the Resource Management Act 1991.

MRZ-R24 Stormwater treatment for parking and manoeuvring areas, and access ways four or more carparks (including garages)

1. Activity status: **Permitted**

Where:

Commented [SJ65]: SO166.19

a. The cumulative area of any parking area, manoeuvring area and access way on a site is less than 100m².

Commented [SJ66]: SO166.19 and SO185.44

2+. Activity status: **Restricted Discretionary**

Where:

a. The standard in MRZ-R24.1 is not met.

Commented [SJ67]: SO166.19

Council's* discretion is restricted to:

1. The extent to, and method(s) by, which stormwater runoff from the parking area, carparks, including any manoeuvring areas, is captured and directed to a *stormwater* treatment device;
2. The suitability of the *stormwater* treatment device for treating the predicted volume of *stormwater*, potential *contaminants* and *site* conditions; and
3. The proposed approach to ongoing maintenance of the *stormwater* treatment device to secure ongoing operation.

Notification:

An application under this rule is precluded from being publicly notified in accordance with section 95A of the Resource Management Act 1991.

Advice Note:

The Council prefers the use of bioretention systems for stormwater treatment, for example raingardens, filter strips or swales. Further information is available in Council's Residential Bioretention Design Guide.

Commented [SJ68]: SO166.19

The Palmerston North Stormwater Bylaw includes information about the Council's expectations for operation and maintenance of stormwater attenuation on private property.

Commented [SJ69]: SO137.28

MRZ-R25 Any activity not otherwise identified as permitted, controlled, restricted discretionary or discretionary

1. Activity status: **Discretionary**

Where:

a. Any activity or the construction, alteration or addition of buildings or structures is not provided for in rules MRZ-R1-R24

Commented [SJ70]: SO166.20

MEDIUM DENSITY RESIDENTIAL ZONE STANDARDS

MRZ-S1 Maximum building height

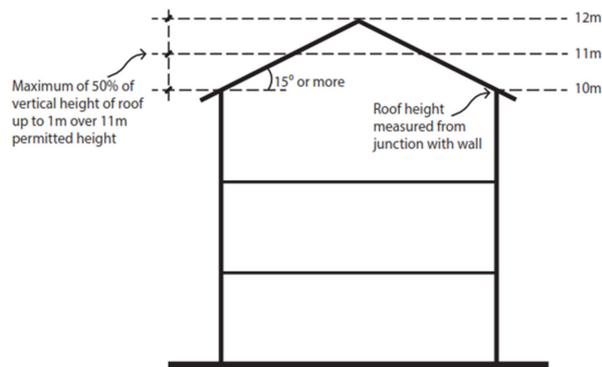
<p>1. Buildings or structures (excluding garages and accessory buildings) may not exceed a maximum height of 11 metres above ground level.</p> <p>Except that:</p> <ul style="list-style-type: none"> 50% of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1 metre, where the entire roof slopes 15° or more, as illustrated in MRZ-Figure 1 below. <p>2. Garages or accessory buildings may not exceed a maximum height of 2.8m above ground level.</p> <p>MRZ-S1 does not apply to:</p> <ul style="list-style-type: none"> Fences and standalone walls (refer MRZ-S20); Solar panel and heating components attached to a building provided these do not exceed the height by more than 500mm; or Satellite dishes, antennas*, aerials, flues, architectural or decorative features (e.g. finials and spires) provided that none of these exceed 1m in diameter and do not exceed the height by more than 2 metres measured vertically. 	<p>Matters of discretion where the standard is infringed:</p> <p>1. Dominance effects on adjoining residential sites.</p>
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Commented [SJ71]: SO166.21

Commented [SJ72]: SO166.21, SO170.1 and SO180.1

Commented [SJ73]: SO166.21

MRZ-Figure 1 Diagram showing maximum building height



MRZ-S2 Height in relation to boundary

<p>1. All buildings and structures (excluding accessory buildings) must be contained beneath recession planes, inclined inwards at right angles, of:</p> <ol style="list-style-type: none"> 45° measured from a point of 5.0 metres above ground level and perpendicular to the boundary, for the greater distance of either 15 metres, or the first two-thirds of the site, from the boundary with a public road; and 45° measured from a point of 2.8 metres above ground level and perpendicular to the boundary, for the remainder of the site. <p>2. Accessory buildings (including detached garages) must be contained beneath a 45° recession plane measured from a point 2.8 metres above ground level and perpendicular to the boundary.</p>	<p>Matters of discretion where the standard is infringed:</p> <ol style="list-style-type: none"> Shading effects on adjoining residential sites; Privacy effects on adjoining residential sites; and Dominance effects on adjoining residential sites.
<p>MRZ-S2.1 does not apply:</p> <ul style="list-style-type: none"> To a boundary with a public road; Existing or proposed internal boundaries within a site; Site boundaries where there is an existing or proposed common wall; Solar panel and heating components attached to a building provided these do not exceed the height by more than 500 mm; and Satellite dishes, antennas*, aerials, chimneys, flues, architectural or decorative features (e.g. finials and spires) provided that none of these exceed 1 metre in diameter and do not exceed the height by more than 2 metres measured vertically. <p>3. For rear sites, where the site does not contain any boundaries with a public road other than for an access strip*; all buildings and structures must be contained beneath a line* of 45° measured from a point of 2.8 metres above ground level and perpendicular to the boundary inclined inwards at right angles.</p>	
<p>Where the site boundary forms part of a legal right of way, access strip*, or pedestrian access strip*, MRZ-S2 applies from the farthest boundary of that legal right of way, access strip* or pedestrian access strip*.</p> <p>MRZ-S2 does not apply to:</p> <ul style="list-style-type: none"> Existing or proposed internal boundaries within a site. 	

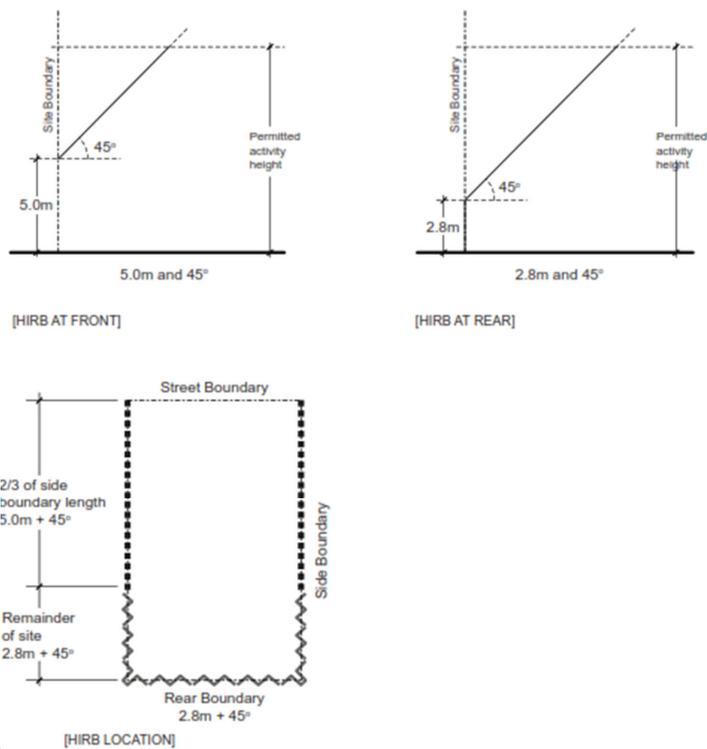
Commented [SJ74]: SO166.22

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- Site boundaries where there is an existing or proposed common wall.
- Solar panel and heating components attached to a *building* provided these do not exceed the *height* by more than 500 mm.
- Satellite dishes, *antennas**, aerials, chimneys, flues, architectural or decorative features (e.g. finials and spires) provided that none of these exceed 1 metre in diameter and do not exceed the *height* by more than 2 metres measured vertically.

See Figure MRZ-Figure 2 which demonstrates how the *height in relation to boundary* is to be measured.

MRZ-Figure 2 Diagram showing height in relation to boundary



MRZ-S3 Setbacks

1. Any building must be set back from the relevant boundary by the minimum depth listed in the following Yards table. ~~For a corner site* with frontages to two public roads, the front yard requirement applies to the primary frontage.~~

Yard	Minimum Depth
Front	1.5 metres from a public road for sites with no direct vehicle access to that road where there is no parking in the front yard 1.5 metres from a garage (internal or standalone).
Front	5.5 metres for that part of the frontage where a parking space is provided in front of the residential unit or a detached garage is at 90 degrees to the street frontage, but no garage (internal or standalone).
Side and rear	1 metre
Side and rear	0 metres for the first 7 metres of a residential unit or garage, (whether detached or integrated into the residential unit), provided that: - that part of the garage building within 1m from the side or rear boundary is contained beneath a 45° recession plane measured from a point 2.8 metres above ground level and

Matters of discretion where the standard is infringed:

1. Shading effects on adjoining sites;
- ~~2. Loss of privacy effects on adjoining residential sites;~~
3. Dominance effects on adjoining residential sites, and
4. Safety effects on the land transport network and pedestrians.
5. ~~Reverse sensitivity effects on existing, lawfully established, non-residential activities~~

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Commented [SJ77]: SO166.24

Commented [SJ84]: SO78.5

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Commented [SJ79]: SO166.24, SO170.3, SO185.47

perpendicular to the boundary; and
 - there are no windows or doors on the boundary.

1 metre for that part of a residential unit or garage, (whether detached or integrated into the residential unit) which is longer than 7 metres.

Commented [SJ80]: 184.41

2. A front-facing garage must be set back in accordance with the following Garage Setback table

Commented [SJ81]: SO166.25

Boundary	Depth
With public road, where no parking is provided in front of the garage	2.5 metres
With public road where parking is provided in front of garage	At least 5.5 metres
Side and rear	1 metre for that part of a garage which is longer than 7 metres

3. A side entry garage must be set back a minimum of 1.5 metres from a boundary fronting a public road.

MRZ-S3 does not apply to:

- Accessory buildings located in the side or rear yards.
- Site boundaries where there is an existing or proposed common wall.
- Fences or standalone walls.
- Uncovered deck and uncovered structures no more than 1 metre in height above ground level.
- Eaves up to 600 mm wide. For eaves wider than 600mm only the additional width beyond 600mm is included in the site coverage calculation.

Commented [SJ82]: SO166.26

MRZ-S4 Building coverage	
<p>1. Maximum building coverage of all buildings on a site must not exceed 50% of the net site area.</p> <p>MRZ-S4 does not apply to:</p> <ul style="list-style-type: none"> Uncovered deck and uncovered structures no more than 1 metre in height above ground level. Eaves up to 600 mm wide. For eaves wider than 600mm only the additional width beyond 600mm is included in the site coverage calculation. 	<p>Matters of discretion where the standard is infringed:</p> <ol style="list-style-type: none"> The effects of increased building coverage on stormwater discharges from the site and flows; Shading effects on adjoining sites; Loss of privacy effects on adjoining residential sites; and Dominance effects on adjoining residential sites.
MRZ-S5 Landscaped area	
<ol style="list-style-type: none"> A ground floor residential unit, papakāinga* or community house* must have a landscaped area of grass and/or plants covering at least 20% of the site; Where a site fronts a public road, at least 30% of the required landscaped area must be located in the front yard, for a depth of at least 1m; At least one specimen tree capable of growing to a minimum height of four metres after five ten years must be provided for each ground floor residential unit, papakāinga* or community house*. The specimen tree must be located in the outdoor living space required by MRZ-S7(2) where this is provided at the street frontage located in the front yard of a residential unit, papakāinga* or community house*. 	<p>Matters of discretion if the standard is infringed:</p> <ol style="list-style-type: none"> Effect of increased hard standing on visual amenity; The contribution of landscaping to visual interest, stormwater management, shade and habitat; and Integration of landscaping and building and access* design.
MRZ-S6 Shade	
<p>1. Every residential unit, papakāinga* or community house* must be provided with an outdoor space which is shaded between December and March.</p>	<p>Matters of discretion if the standard is infringed:</p>

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Commented [SJ86]: SO78.6

Commented [SJ87]: SO170.5

Commented [SJ89]: SO137.29

Commented [SJ88]: SO166.27

<p>2. Where the shaded outdoor space is provided at ground level, at midday it must provide:</p> <ul style="list-style-type: none"> a. a minimum area of 15m² for a residential unit, papakāinga* or community house* with two or more bedrooms; or b. a minimum area of 10m² for a residential unit, papakāinga* or community house* with one bedroom. <p>3. Where the shaded outdoor space is provided above ground level, or the residential unit or papakāinga* is a ground floor apartment, at midday it must provide:</p> <ul style="list-style-type: none"> a. a minimum area of 2.5m² for a one bedroom residential unit or community house*; or b. a minimum area of 4m² for a two or more bedroom residential unit or community house*. <p>Advice Note: Where a tree is the mechanism to provide shade, the mature canopy size at year four can be used to determine the minimum area.</p>	<p>1. Whether a proposed alternative solution for shading will achieve the same outcome within a reasonable timeframe: [</p>
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Commented [SJ90]: SO166.2, SO170.6, SO185.50. SO199.35

MRZ-S7 Outdoor living space (per unit)

<p>1. Every residential unit, papakāinga* or community house* must be provided with an outdoor living space.</p> <p>2. Where the outdoor living space is provided at ground level it must provide:</p> <ul style="list-style-type: none"> a. a minimum area of 30m² which can accommodate a 4.5 metre diameter circle for a residential unit or community house* with two three or more bedrooms; or b. a minimum area of 20m² which can accommodate a 4 metre diameter circle for a residential unit or community house* with one bedroom up to two bedrooms; and c. a gradient no greater than 1 in 20. <p>3. Where the outdoor living space is provided above ground level, or the residential unit is a ground floor apartment, it must provide:</p> <ul style="list-style-type: none"> a. a minimum area of 5m² for a one bedroom residential unit or community house*; or b. a minimum area of 8m² for a two or more bedroom residential unit or community house*; and 	<p>Matters of discretion if the standard is infringed:</p> <ul style="list-style-type: none"> 1. Whether other on-site factors compensate for a reduction or change in the size, location or dimension of the outdoor living space; and 2. Availability of public open space* in proximity to the site.
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Commented [SJ91]: SO170.7

<p>c. be no less than 1.5 metres wide.</p> <p>4. All individual <i>outdoor living spaces</i> must be located to the north, east or west of the <i>residential unit</i> or <i>community house*</i> and have direct contact with, and a connection via a door to, the main kitchen, dining or living area.</p> <p>5. Any communal <i>outdoor living space</i> must</p> <ul style="list-style-type: none"> a. be oriented to face north, east or west; b. be accessible to all <i>residential units</i>; and c. be overlooked by related <i>residential units</i>, <i>papakāinga*</i> or <i>community house*</i>. <p>Advice Note: An <i>outdoor living space</i> may include some or all of the landscaped area required by MRZ-S5.</p>	
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MRZ-S8 Outlook space (per unit)

<p>1. An outlook space must be provided for every <i>residential unit</i>, <i>papakāinga*</i> or <i>community house*</i> which meets the following minimum dimensions (measured from the centre point of the applicable window):</p> <ul style="list-style-type: none"> a. 6 metres in depth x 4 metres in width outlook space for a <i>main living area</i>; and b. 3 metres in depth x 3 metres in width outlook space for the primary bedroom; and c. 1 metre in depth x 1 metre in width outlook space for all other <i>habitable rooms</i> <u>and any additional windows in the main living area and/or primary bedroom.</u> <p>2. Outlook space must:</p> <ul style="list-style-type: none"> a. be clear and unobstructed by <i>buildings</i>; and b. not extend over an outlook space or <i>outdoor living space</i> required by another <i>residential unit</i>. This requirement does not apply to <i>papakāinga*</i>. <p>3. Outlook space may</p> <ul style="list-style-type: none"> a. extend over a public road, <i>public open space*</i> or driveways and footpaths within the <i>site</i>; b. extend over another outlook space required within the same <i>residential unit</i> or <i>community house*</i>; or c. be under or over a balcony; <u>or</u> d. <u>include deck balustrades, pergolas, verandas, porches and other building overhangs.</u> 	<p>Matters of discretion where the standard is infringed:</p> <ul style="list-style-type: none"> 1. Extent of loss of privacy; and 2. Extent of visual dominance and reduction in sense of space.
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Commented [SJ92]: Consequential amendment for SO170.8

MRZ-S9 does not apply to:

- Deck balustrades, pergolas, verandas, porches and other building overhangs.

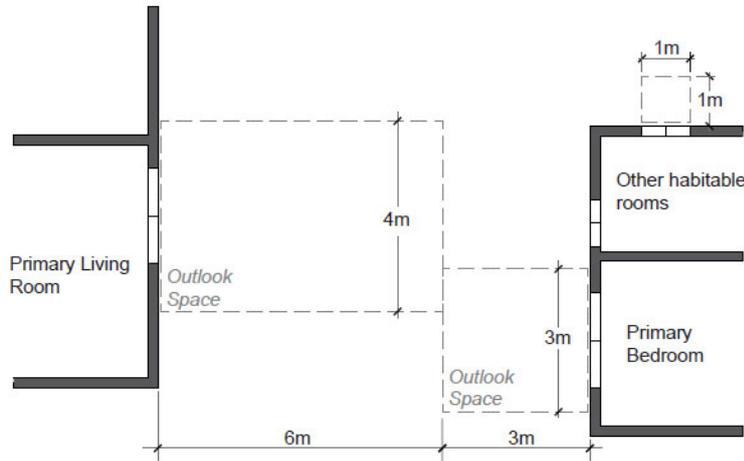
See MRZ-Figure 43 below which demonstrates the required outlook space.

Commented [SJ93]: SO184.50

Commented [SJ94]: SO166.29

MRZ-Figure 43 Diagram showing outlook space

Commented [SJ95]: SO166.29



MRZ-S9 Permeable surfaces*

1. Every site must contain a minimum 30% permeable surfaces*, as a percentage of the net site area.

Matters of discretion if the standard is infringed:

Advice Note:

- Effects of increased impervious surfaces on stormwater discharges from the site and stormwater flows.

Permeable surfaces* can include:

- Interlocking PVS cellular systems with loose aggregates.
- permeable paving – see Auckland Council 'Permeable Pavement Construction Guide'.
- landscape planting and grassed areas.
- decks provided the surface material allows water to drain directly through to a permeable surface*.

Commented [SJ96]: SO137.31

MRZ-S10 Stormwater attenuation device

<ol style="list-style-type: none"> Every <i>site</i> must include a <i>stormwater</i> attenuation device which is sized to contain a minimum 18 litres of water per 1m² of new impervious area. Each <i>stormwater</i> attenuation device must be maintained on an ongoing basis. Any above-ground <i>stormwater</i> attenuation tank must be located in a side or rear yard. <u>Stormwater attenuation tanks must not be used for rainwater harvesting.</u> <p>Advice Note: PNCC's Stormwater Attenuation Design Guide provides guidance for stormwater attenuation tanks, including maintenance requirements</p>	<p>Matters of discretion if the standard is infringed:</p> <ol style="list-style-type: none"> Effects of reduced on-site stormwater attenuation; and Whether a proposed alternative solution will attenuate stormwater to the same extent and whether an alternative solution can be maintained on an ongoing basis. 						
<p>MRZ-S11 Minimum floor levels</p>							
<ol style="list-style-type: none"> The <u>minimum floor level (finished floor) and ground level</u> for all <u>residential buildings, accessory buildings and structures</u> must be at least at the required freeboard for the 2% AEP flood extent for the <i>site</i> (including an allowance for climate change <u>using climate change scenario SSP5-8.5</u>). Access* to occupied <i>buildings</i> and <i>structures</i> must be above the 2% AEP flood extent. <p>Advice Note: The required <u>freeboard minimum floor level</u> will be provided by Palmerston North City Council.</p>	<p>Matters of discretion where the standard is infringed:</p> <ol style="list-style-type: none"> The effect on the <i>site</i> and on upstream and downstream properties of <u>minimum floor levels and ground levels</u> which are below the required standards. 						
<p>MRZ-S12 Front Façade Glazing</p>							
<ol style="list-style-type: none"> Any <u>building residential unit</u> must meet the following minimum façade glazing requirements: <table border="1" data-bbox="201 1485 699 1780"> <thead> <tr> <th data-bbox="201 1485 456 1576">Façade</th> <th data-bbox="456 1485 699 1576">Minimum glazing requirement</th> </tr> </thead> <tbody> <tr> <td data-bbox="201 1576 456 1668"><u>Street-facing front façade facing a street</u></td> <td data-bbox="456 1576 699 1668">20% glazing as windows and/or doors</td> </tr> <tr> <td data-bbox="201 1668 456 1780"><u>For any corner site or a site that has frontage to two streets</u></td> <td data-bbox="456 1668 699 1780"><u>One street facing façade 20% as windows and/or doors</u></td> </tr> </tbody> </table>	Façade	Minimum glazing requirement	<u>Street-facing front façade facing a street</u>	20% glazing as windows and/or doors	<u>For any corner site or a site that has frontage to two streets</u>	<u>One street facing façade 20% as windows and/or doors</u>	<p>Matters of discretion where the standard is infringed:</p> <ol style="list-style-type: none"> The contribution of windows on a front façade or secondary or side façade to passive surveillance, safety and visual interest.
Façade	Minimum glazing requirement						
<u>Street-facing front façade facing a street</u>	20% glazing as windows and/or doors						
<u>For any corner site or a site that has frontage to two streets</u>	<u>One street facing façade 20% as windows and/or doors</u>						

Commented [SJ97]: SO137.32

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Commented [SJ99]: SO210.14 and FS03.5

Commented [SJ100]: SO166.30

Commented [SJ101]: SO185.66

Side boundary facing facade Secondary frontage for a corner site* OR side facade fronting street	The other street facing facade 10% as windows and/or doors 10% glazing as windows and/or doors		
Where street-facing facade primary frontage includes a garage door	12.5% as windows and/or doors		

This standard does not apply:

- To residential units located 15 metres or more from the primary street frontage.

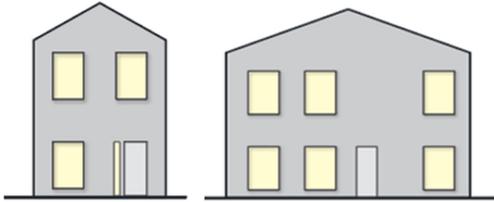
See MRZ-Figure 4 3 which demonstrates the front facade glazing requirements and exceptions.

MRZ-Figure 24 Diagram showing front facade glazing requirements

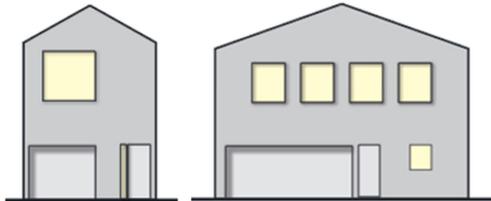
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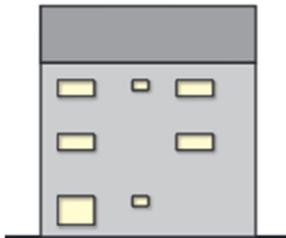
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Street-facing façade with 20% glazing, for both narrow and wide sites



Street facing façade including garage with 12.5% glazing, for both narrow and wide sites

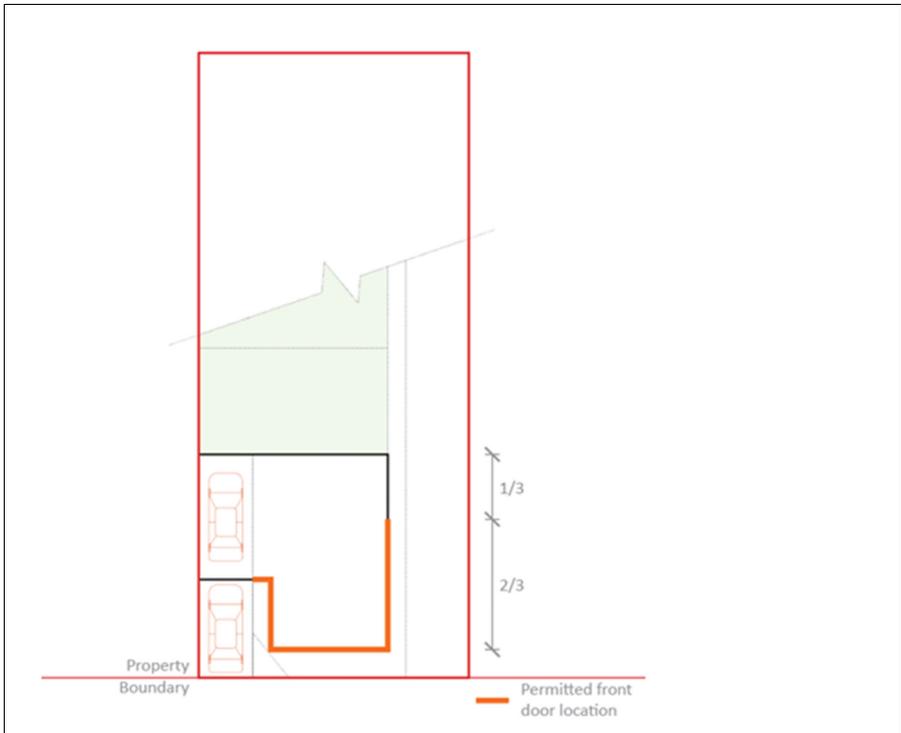


Secondary frontage or side façade facing street with 10% glazing.

MRZ-S13 Front door orientation

- | | |
|--|---|
| <p>1. The front door of any residential unit, papakāinga* or community house* located adjacent to a public road must either be:</p> <ul style="list-style-type: none"> a. located on the front façade if this faces the road; or b. if located on a side façade facing an access (including a driveway) way, be located no more than 2/3 along this façade | <p>Matters of discretion where the standard is infringed:</p> <ul style="list-style-type: none"> 1. The contribution made by a front door to passive surveillance, safety and visual interest. |
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[MRZ-Figure 5 – Front door orientation](#)



MRZ-S14 Garages

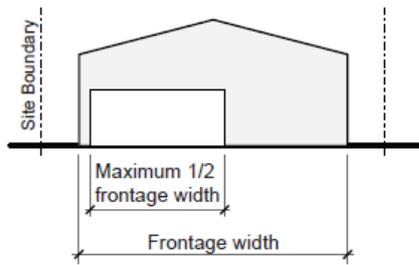
1. Any garage door facing a public road or an access way must not occupy more than half the width of the *building* façade to which it relates.
2. Multiple garages facing a public road or access way must not comprise more than half the width of the frontage for that *site*.

See MRZ-Figure 756 below which demonstrates the standard requirements for garages on a *site*.

Matters of discretion where the standard is infringed:

1. The visual dominance effect of garage(s) on the streetscape or access way.

MRZ-Figure 756 Diagram showing required garage standards



MRZ-S15 On-site carparking - location

1. Any on-site carparking within 6 metres of a boundary adjoining a public road:
 - a. must not comprise more than 50% of the width of the residential unit's façade to which it relates;
 - b. must be located directly in front of the garage if the residential unit to which it relates has a street-facing garage door; and
 - c. must be a minimum of 5.5 metres in length.

Matters of discretion where the standard is infringed:

1. Safety effects on the land transport network and pedestrians.
2. Effects on the safe internal site circulation and manoeuvring areas, including for pedestrians;

MRZ-S16 Vehicle Crossings

1. The maximum number of vehicle crossings per site is 1 per 8m of total frontage, with no more than two accesses* per site.
2. Where a vehicle access leg* or vehicle access strip* crosses a footpath, a pedestrian visibility splay in the form of a sight triangle measuring 2.0m along the front boundary by 2.5m along the access must be provided on each side of the access (See MRZ-Figure 67).

The sight triangle must be kept clear of obstructions to visibility:
 - a. planting within the sight triangle shall be kept to no more than 1.1m high; and

Matters of discretion where ~~the standard MRZ-S16(1) or (2)~~ is infringed:

1. Safety effects on the land transport network and pedestrians.
- Matters of discretion where MRZ-S16(3) is infringed:
2. Health and maturity of the tree;
 3. Provision of a replacement tree; and

<p>b. <u>any fence or standalone wall within the sight triangle must be no more than 1.1m high.</u></p> <p><u>Where a vehicle access leg* or vehicle access strip provides access to two or more properties, a 75mm (7.5cm) high speed hump, located 1.0m from the property boundary, must be installed on the vehicle access strip* or vehicle access leg* where the sight triangle requirement cannot be achieved because of an existing fence on an adjoining property.</u></p> <p><u>MRZ-S16(2) does not apply:</u></p> <ul style="list-style-type: none"> <u>To an existing fence on an adjoining property where access is to a single dwelling.</u> <p>3. <u>The location of any associated new or altered vehicle crossing must not require:</u></p> <p>a. <u>the removal of any tree planted on any public road, or</u></p> <p>b. <u>modification, excavation or construction within the area directly beneath the dripline* of the tree.</u></p>	<p>4. <u>Feasibility of alternative access* arrangements.</u></p>
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MRZ-Figure 67 – Vehicle Crossings

MRZ-S17 On-site vehicle manoeuvring

<p>1. On-site vehicle manoeuvring must comply with MRZ-Figure 878 where there is a side-entry garage or parking space.</p> <p><u>MRZ-S17 does not apply to:</u></p> <ul style="list-style-type: none"> <u>A side-entry garage or parking space where vehicle access is from a Local Road and the access serves a single dwelling only.</u> <p><u>Advice Note: This diagram accommodates an 85th percentile single movement swept path as per AS/NZS 2890.1 The Australian/New Zealand Standard Parking Facilities – Part 1- Off-street Car Parking</u></p>	<p>Matters of discretion where the standard is infringed:</p> <ol style="list-style-type: none"> <u>Safety effects on the land transport network and pedestrians.</u> <u>Effects on the safe internal site circulation and manoeuvring areas, including for pedestrians;</u>
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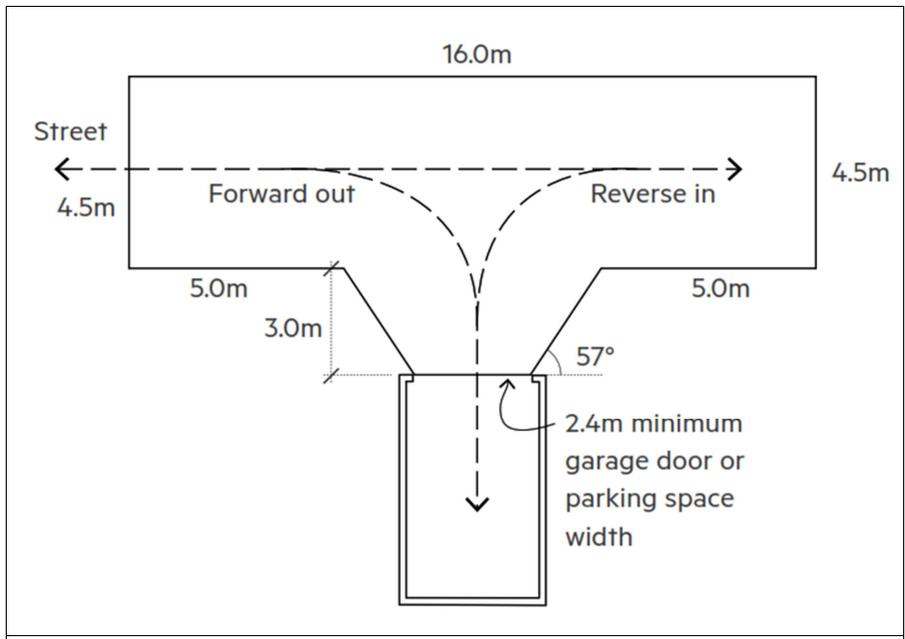
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MRZ-Figure 878 Diagram showing required on-site vehicle manoeuvring requirement

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MRZ-S18 On-site bicycle parking

1. Bicycle parking must be provided for all residential units at a minimum rate of 1 bicycle park per residential unit;
2. Each bicycle park must be able to accommodate a 90%tile bicycle, as defined in Appendix 20D – Section 20.
3. Bicycle parking must be located in a garage, yard, shed or secure communal area; provided either within each residential unit or within a secure structure (which may be communal).
4. Any external bicycle parking must not impede pedestrian thoroughfares, accessible routes*, vehicle parking, circulation or manoeuvring areas; and
5. The number of bicycle parks provided within a communal structure must meet or exceed the number of residential units on-site.

Matters of discretion where the standard is infringed:

1. Effect of reduced bicycle parking on supporting mode shift
2. Effects on the safe internal site circulation and manoeuvring areas, including for pedestrians

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Commented [SJ113]: SO184.61

Commented [SJ114]: SO199.43

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MRZ-S19 On-site rubbish and recycling storage and collection

<p>1. Each residential unit must have access to a screened rubbish and recycling storage area (which may be individual or communal) with a minimum area of 1.7m x 1.2m 1.5m² and a minimum dimension of 1m in any direction which is sized to accommodate one 240l wheelie bin and one recycling crate.</p> <p>2. Communal rubbish and recycling where they are located between a public road boundary and the front façade of the residential unit or located so as not to be visible from a public road, or adjacent to a shared accessway or communal area.</p> <p>3. Rubbish and recycling storage areas must not be located in the outdoor living space required by MRZ-S7.</p> <p>4. Where on-site rubbish and recycling collection is used:</p> <p style="margin-left: 20px;">a. the storage area must be accessible for the collection vehicle to service the rubbish storage area and</p> <p style="margin-left: 20px;">b. where the site fronts an Arterial or Collector Road, on-site turning for trucks is required.</p> <p>5. Where there are more than 20 residential units on one site, and the site fronts an Arterial or Collector Road, on-site turning for trucks is required.</p>	<p>Matters of discretion where the standard is infringed:</p> <ol style="list-style-type: none"> 1. Safety effects on the land transport network and pedestrians; 2. Effects on the safe internal site circulation and manoeuvring areas, including for pedestrians; and 3. Location, accessibility, and size of rubbish storage area.
<p>MRZ-S20 Fences and standalone walls</p>	
<p>1. Any fence or standalone wall, or combination of these structures, must not:</p> <ol style="list-style-type: none"> a. Exceed a maximum height of 1.8 metres above ground level; or b. Obscure emergency or safety signage or obstruct access to emergency panels, hydrants, shut-off valves, or other emergency response facilities. <p>2. On a front boundary with a public road any fence or standalone wall, or combination of these structures, must not exceed:</p> <ol style="list-style-type: none"> a. 1.1m above ground level for 2/3 of the frontage width; and b. 1.8m above ground level for the remaining 1/3 of the frontage width. 	<p>Matters of discretion where the standard is infringed:</p> <ol style="list-style-type: none"> 1. The visual dominance effect of the fence on the streetscape; 2. Dominance effects on adjoining residential sites; and 3. Safety effects on the land transport network and pedestrians.

Commented [SJ116]: SO170.19

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Commented [SJ118]: SO203.9

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Commented [SJ123]: Outcome of expert conferencing with Kaaren Rosser

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<p>Exceed a maximum height of 1.8 metres above ground level; and</p> <p>a. For any part of a fence or standalone wall above 1.1 metres in height, at least 2/3 of the fence must be of open construction.</p> <p>Except that:</p> <ul style="list-style-type: none"> Where a fence is erected on the road frontage of a corner site*, the requirements of MRZ-S1620.2 only apply to one road frontage. <p>Advice Note: Open areas exclude any surface of the fence which is solid, but may include wire mesh, or wrought iron or similar elements with a facing edge not thicker than 12mm and spaced at not less than 80mm centres.</p> <p>3. Within 2.5 metres of any boundary adjoining a public road, any fence or standalone wall on a side boundary next to a vehicle access leg* must be no more than 1.1 metre high.</p> <p>MRZ-S1620 does not apply to existing fencing within a site.</p> <p>Refer to MRZ-S16 for requirements for pedestrian visibility splays for vehicle access legs* or vehicle access strips*.</p>	
<p>MRZ-S21 Mechanical Ventilation</p>	
<p>1. Any mechanical ventilation system must:</p> <ol style="list-style-type: none"> Be adjustable by the occupant to control the ventilation rate in increments up to a high air flow setting that provides at least 1 air change per hour; Provide relieve relief for equivalent volumes of spill air; Provides cooling and heating that is controllable by the occupant, which can maintain the inside temperature between 18°C and 25°C; and Not generate more than 35 dB $L_{Aeq(30s)}$ when measured 1 metre away from any grille or diffuser. 	<p>Matters of discretion if the standard is infringed:</p> <ol style="list-style-type: none"> The extent of non-compliance with the standard Effects on the health and wellbeing of people Reverse sensitivity effects on the rail or state highway network

Commented [SJ126]: SO170.20 and SO185.64

Commented [SJ127]: SO170.20 and SO185.64

Commented [SJ128]: SO166.37 and SO184.64

Commented [SJ129]: Consequential amendment

Commented [SJ130]: SO184.66

SUBDIVISION – MEDIUM DENSITY RESIDENTIAL ZONE

The purpose of this chapter is to assist the Council to carry out its functions under the Act relating to the control of subdivision in the Medium Density Residential Zone.

The control of subdivision of land is one of the functions of the City Council under Section 31 of the Resource Management Act 1991. Subdivision is the process of dividing land or a building into further titles or changing the location of an existing boundary. Subdivision includes all forms of division of an allotment, including cross lease, unit title and company lease and it enables the separate ownership of land and the registration of interests in land.

Subdivision to create separate titles will generally require physical development work, including the clearance of vegetation, the carrying out of earthworks, the construction of roads and vehicle accesses and the installation of utility services.

Whilst subdivision controls in the Medium Density Residential Zone are aimed at increasing housing supply and choice, they are also focused on ensuring adverse effects on people, communities and the wider environment can be appropriately managed. Well designed and connected subdivision can support a more resilient urban form for Palmerston North city, including by increasing neighbourhood connectivity, supporting mode shift, increasing climate change resilience, reducing greenhouse gas emissions and making homes and neighbourhoods more energy efficient.

The Council expects combined subdivision and land use resource consent applications, to enable a comprehensive understanding of the pattern, scale and density of development in the zone. Where subdivision occurs before land development, it is important that each allotment is capable of containing a residential unit which complies with the permitted activity standards for the zone. Each allotment must also be serviced by essential services such as water, telecommunications and electricity, and be connected to the Council's wastewater and stormwater networks.

In addition to the rules in this chapter, the use of the subdivided land must comply with the relevant controls for the Medium Density Residential Zone. Section 5.5 of the District Plan contains the information requirements that need to be submitted with each subdivision application.

Objectives

SUB-MRZ-O1 Efficient land development

Subdivision in the Medium Density Residential Zone creates allotments and efficient patterns of land development that:

1. Enable medium density residential development which is compatible with the purpose and planned form for the zone;
2. Maintain the safe and efficient functioning of the transport network;
3. Are serviced by water, wastewater and stormwater infrastructure that has sufficient capacity to accommodate the proposed development; and

4. Avoid the subdivision of land where there is significant risk from natural hazards.

Policies

SUB-MRZ-P1 – **Subdivision design and layout**

Provide for subdivision designs and layouts that make efficient use of renewable energy and other natural and physical resources, and deliver well-connected, resilient communities, including development patterns that:

1. Optimise solar gain and manage solar access;
2. ~~Incorporate water sensitive design;~~
3. Manage stormwater effectively and efficiently, including by considering opportunities to incorporate water sensitive design;
4. Support walking, cycling and public transport opportunities and enhance neighbourhood and network connectivity and safety;
5. Result in safe and adequate access from the transport network to each allotment;
6. Are adaptable to the effects of climate change;
7. Demonstrate how ~~Are designed using~~ crime prevention through environmental design principles have been addressed;
8. Achieve high quality landscape outcomes, including encouraging the retention and integration of mature trees and native vegetation that contribute positively to an area's visual amenity; and
9. Orient ~~lot allotment~~ frontages towards streets and other public spaces to create quality streetscapes and where possible combine accessways to rear ~~allotments lots~~.

Commented [SJ1]: SO166.38

SUB-MRZ-P2 **Integration and layout of subdivision and development**

Provide for the efficient integration and layout of subdivision and associated development by:

1. Encouraging joint applications for subdivision and land use;
2. Enabling subdivision around development that has already been lawfully established; and
3. Ensuring standalone subdivision proposals provide allotments where it can be demonstrated that a residential unit can be contained within the allotment which complies with the relevant permitted activity standards.

SUB-MRZ-P3 **Subdivision of land affected by natural hazards**

Take a risk-based approach to the subdivision of *land* affected by *natural hazards* so that:

- a. new ~~or exacerbation of existing~~ *natural hazards* and/or exacerbation of existing *natural hazards* is avoided where practicable and
- b. appropriate mitigation measures are implemented during subdivision and development** to manage natural hazard risk are in place prior to development.

Commented [SJ2]: SO166.39, SO185.69 and SO199.7

SUB-MRZ-P4 – **Subdivision in the Stormwater Overlay**

Avoid *subdivision* in the Stormwater Overlay unless the Council is satisfied that a site-specific stormwater management plan prepared by a suitably qualified stormwater design consultant (preferably with experience in *water sensitive design* concepts and elements **identifies**:

1. **identifies** the location, scale and nature of the *development* proposed for the *site*;
2. **identifies** the extent of flood and/or overland *stormwater* flow hazards **including an allowance for climate change using climate change scenario SSP5-8.5**;
3. **identifies** the on-site and off-site *effects* of the proposed *subdivision* on people, property and the environment;
4. **recommends** mitigation measures to remedy or mitigate the on- and off-site *effects* of the *subdivision*, **including consideration of water sensitive design**; and
5. **demonstrates** that the on- and off-site *adverse effects* associated with *subdivision* will appropriately be mitigated.

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Commented [SJ4]: SO137.39

Commented [SJ5]: SO166.43

SUB-MRZ-P5 Servicing

Require all allotments created by a subdivision to be adequately serviced by *essential* services.

RULES

Note: There may be a number of provisions that apply to an activity, *building*, *structure* or *site*. Resource consent may therefore be required under rules in this section as well as other sections of the District Plan. For example, rules relating to:

- Signs, noise, earthworks - Section 6: General Rules
- Land use – Section 10A: Medium Density Residential Zone
- Scheduled trees and heritage buildings – Section 17: Cultural and natural heritage
- Access and parking – Section 20: Land Transport; and
- Natural hazards – Section 22: Natural hazards.

The information requirements for a subdivision consent can be found in Chapter 5.

SUB-MRZ-R1 Subdivision in the Medium Density Residential Zone

1. Activity status: **Controlled**

Where:

- a. ~~Where the site is not located within the Stormwater Overlay; and~~
- a. Compliance with the following standards is achieved:

Commented [SJ6]: SO166.44

- i. Standards MRZ-~~S12~~ – MRZ-S7, MRZ-S9 – MRZ-S10, MRZ-S16 – MRZ-S20, for allotments ~~lots~~ created with an existing dwelling*;
 - ii. SUB-MRZ-S1 – Access*;
 - iii. SUB-MRZ-S2 – Vehicle crossings;
 - iv. SUB-MRZ-S3 – Essential services*;
 - v. SUB-MRZ-S4 – Street trees;
- b. Accesses* comply with R20.4.2
- i. 20.4.2(a)(i)-(v);
 - ii. 20.4.2(a)(vi)(b-j);
 - iii. 20.4.2(a)(vii)-(viii); and
- c. Earthworks comply with R6.3.6.1(b).
- d. MRZ-R24 - Stormwater treatment for parking and manoeuvring areas, and access ways

Commented [SJ7]: SO185.73

Council's* control is restricted to:

1. The matter(s) of control for any infringed standard in SUB-MRZ-R1.1(b)-(e);
2. The provision of practical, physical and legal access* from each *allotment* directly to a formed legal road or by a registered right of way;
3. *Subdivision* design and layout and the size, shape and arrangement of proposed *allotments*;
4. The effect of *earthworks* on on-site and off-site flooding and overland flow paths, hazard risk and erosion and sedimentation; and
5. Whether the *subdivision* design and layout meets the requirements of the Council's* Engineering Standards for Land Development.

Advice Note:

Service connections to the public *stormwater* network must comply with the Palmerston North Stormwater Bylaw ~~2022~~, service connections to the public *wastewater* network must comply with the Palmerston North Wastewater Bylaw ~~2019~~ and service connections to the public water supply network must comply with the Palmerston North Water Supply Bylaw ~~2024~~.

Commented [SJ8]: SO166.40

Notification:

An application under this rule is precluded from being publicly notified or limited notified in accordance with section 95A or section 95B of the Resource Management Act 1991 where the *subdivision* is associated with *residential units* or *papakāinga** that are permitted under MRZ-R7.

An application under this rule is precluded from being publicly notified in accordance with section 95A of the Resource Management Act 1991 if the *subdivision* is associated with an application for the construction of 1-3 *residential units* or *papakāinga** that do not comply with MRZ-R7.

[An application under this rule is precluded from being publicly notified in accordance with section 95A of the Resource Management Act 1991 if the subdivision is associated with an application made under MRZ-R8.](#)

2. Activity status: **Restricted Discretionary**

Where:

a. Compliance with SUB-MRZ-R1.1(a) is not achieved.

Council's* discretion is restricted to:

1. The effect of earthworks on on-site and off-site flooding and overland flow paths, hazard risk and erosion and sedimentation;
2. Setting of minimum floor levels;
3. Setting of maximum impervious surface area;
4. Subdivision design and layout and the size, shape and arrangement of proposed allotments;
5. The extent to which on-site mitigation measures will support and align with any catchment or sub-catchment plan to implement the city-wide Stormwater Strategy;
6. Whether the subdivision design and layout meets the requirements of the Council's* Engineering Standards for Land Development; and
7. The relevant matters in SUB-MRZ-P3 and SUB-MRZ-P4.

Advice Note:

Service connections to the public stormwater network must comply with the Palmerston North Stormwater Bylaw 2022, service connections to the public wastewater network must comply with the Palmerston North Wastewater Bylaw 2019 and service connections to the public water supply network must comply with the Palmerston North Water Supply Bylaw 2024.

Notification:

An application under this rule is precluded from being publicly notified in accordance with section 95A of the Resource Management Act 1991.

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23. Activity status: **Restricted Discretionary**

Where:

a. Compliance with one or more of the standards in SUB-MRZ-R1.1(a)(b)-(d) is not achieved.

Council's* discretion is restricted to:

1. The matter(s) of discretion for any infringed standard in MRZ-S1-MRZ-S20, MRZ-S12-MRZ-S7, MRZ-S9-MRZ-S10, MRZ-S16;
2. The matter(s) of control discretion for any infringed standard in SUB-MRZ-R1.1(a)(b)(ii-iii)-(v) and (b)-(d);
3. Subdivision design and layout and the size, shape and arrangement of proposed allotments;
4. The safe and efficient operation of the roading network;

Commented [SJ10]: SO185.73

Commented [SJ11]: SO185.79

Commented [SJ12]: SO166.46

5. The effect of earthworks on on-site and off-site flooding and overland flow paths, hazard risk and erosion and sedimentation; and
6. The relevant matters in SUB-MRZ-P1, SUB-MRZ-P2, SUB-MRZ-P3, ~~SUB-MRZ-P4~~ and SUB-MRZ-P5.

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Notification:

An application under this rule is precluded from being publicly notified in accordance with section 95A of the Resource Management Act 1991.

An application under this rule is precluded from being limited notified in accordance with section 95B of the Resource Management Act 1991 except in relation to the width of a site access* and earthworks.

SUB-MRZ-R1A Subdivision within the Stormwater Overlay

1. Activity status: Restricted Discretionary

Council's* discretion is restricted to:

- a. ~~Standards MRZ-S12 – MRZ-S7, MRZ-S9 – MRZ-S10, MRZ-S16 – MRZ-S20 for allotments lots created with an existing dwelling*;~~
- b. ~~The effect of earthworks on on-site and off-site flooding and overland flow paths, hazard risk and erosion and sedimentation;~~
- c. ~~Setting of minimum floor levels;~~
- d. ~~Setting of maximum impervious surface area;~~
- e. ~~Subdivision design and layout and the size, shape and arrangement of proposed allotments;~~
- f. ~~The extent to which on-site mitigation measures will support and align with the city-wide Stormwater Strategy or any catchment or sub-catchment plan to implement the city-wide Stormwater Strategy~~
- g. ~~Whether the subdivision design and layout meet the requirements of the Council's* Engineering Standards for Land Development; and~~
- h. ~~The relevant matters in SUB-MRZ-P1, SUB-MRZ-P2, SUB-MRZ-P3, SUB-MRZ-P4 and SUB-MRZ-P5.~~

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Advice Note:

Service connections to the public stormwater network must comply with the Palmerston North Stormwater Bylaw, service connections to the public wastewater network must comply with the Palmerston North Wastewater Bylaw and service connections to the public water supply network must comply with the Palmerston North Water Supply Bylaw.

Notification:

An application under this rule is precluded from being publicly notified in accordance with section 95A of the Resource Management Act 1991.

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SUB-MRZ-R2 Subdivision that creates any vacant allotment

1. Activity status: **Controlled**

Where:

b. Compliance with the following standards is achieved:

- i. Standard MRZ-S11,
- ii. SUB-MRZ-S1 – Access*;
- iii. SUB-MRZ-S2 – Vehicle crossings;
- iv. SUB-MRZ-S3 – Essential services*;
- v. SUB-MRZ-S4 – Street trees;

c. Accesses* comply with R20.4.2

- i. 20.4.2(a)(i)-(v);
- ii. 20.4.2(a)(vi)(b-j);
- iii. 20.4.2(a)(vii)-(viii); and

d. Earthworks comply with R6.3.6.1(b).

e. Where it is demonstrated that the vacant allotment/s can comply with MRZ-S4 – MRZ-S5(1) and (2), MRZ-S7, MRZS9 and MRZ-S16 – MRZ-S17;

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Council's* control is restricted to:

1. The provision of practical, physical and legal access* from each allotment directly to a formed legal road or by a registered right of way;
2. Subdivision design and layout and the size, shape and arrangement of proposed allotments;
3. The effect of earthworks on flooding and overland flow paths, hazard risk and erosion and sedimentation;
4. Whether the subdivision design and layout meets the requirements of the Council's* Engineering Standards for Land Development; and
5. Whether a residential unit can be contained within the allotment which complies with MRZ-S4 – MRZ-S5(1) and (2), MRZ-S7, MRZS9 and MRZ-S16 – MRZ-S17;
6. The relevant matters in SUB-MRZ-P2 (3).

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Advice Note:

Service connections to the public stormwater network must comply with the Palmerston North Stormwater Bylaw 2022, service connections to the public wastewater network must comply with the Palmerston North Wastewater Bylaw 2019 and service connections to the public water supply network must comply with the Palmerston North Water Supply Bylaw 2024.

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Notification:

An application under this rule is precluded from being publicly notified in accordance with section 95A of the Resource Management Act.

SUB-MRZ-R3 Cross lease, company lease, boundary adjustment or unit title subdivision around existing buildings or buildings under construction

1. Activity status: **Controlled**

Where:

- a. There are no new undeveloped separately disposable ~~allotments, lot, cross leases,~~ company areas or any units created; and
- b. Compliance with the following standards is achieved:
 - i. SUB-MRZ-S1 – Access;
 - ii. SUB-MRZ-S2 – Vehicle crossings;
 - iii. SUB-MRZ-S3 – Essential services; and
 - iv. SUB-MRZ-S4 – Street trees.

Council's control is restricted to:

1. The matter(s) of control for any infringed standard in SUB-MRZ-R1.1 (b);
2. Subdivision design and layout and the size, shape and arrangement of proposed allotments; and
3. The design and location of any site access.

Notification:

An application under this rule is precluded from being publicly notified in accordance with section 95A or limited notified in accordance with section 95B of the Resource Management Act 1991.

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SUB-MRZ-R4 Subdivision involving construction of a road

1. Activity status: **Restricted Discretionary**

Council's discretion is restricted to:

1. Connectivity with the surrounding road network;
2. Safe and efficient operation of the roading network;
3. Location and design of any site access;
4. Integration with essential services; and
5. Natural hazards.

Notification:

An application under this rule is precluded from being publicly notified in accordance with section 95A or limited notified in accordance with section 95B of the Resource Management Act 1991.

SUB-MRZ-R5 All other subdivision

1. Activity status: **Discretionary**

Where:

1. The subdivision is not listed as a Controlled Activity or a Restricted Discretionary Activity in Section 7B of the District Plan; and
2. Subdivision occurs outside the Air Noise Contour identified on Map 10.6.6.1; or
3. Subdivision within the Air Noise Contour identified on Map 10.6.6.1 is for the purpose of accommodating any network utility or for a boundary adjustment.

Notification:

An application under this rule is precluded from being publicly notified in accordance with section 95A of the Resource Management Act 1991.

2. Activity status: **Non-complying**

Where:

- a. The subdivision occurs inside the Air Noise Contour identified on Map 10.6.6.1.

Notification:

An application under this rule is precluded from being publicly notified in accordance with section 95A of the Resource Management Act 1991.

SUBDIVISION IN THE MEDIUM RESIDENTIAL ZONE - STANDARDS

SUB-MRZ-S1 - Access

<ol style="list-style-type: none"> 1. Each <i>allotment</i> must have practical, physical and legal access to a public road by way of either: 2. Access* to a rear allotment must be <ol style="list-style-type: none"> a. an access leg at least 3 metres wide forming part of the <i>allotment lot</i>; or b. a shared access consisting of up to six access strips lying adjacent to one another and giving access to no more than five other allotment lots, and in respect of which reciprocal rights-of-way are granted or reserved; or c. an access strip held in common ownership with the <i>rear allotment</i> and any other allotments it provides access to up to five other allotments; or d. any right-of-way running with and appurtenant to the land in which the allotment is comprised. 	<p>Matters of discretion control where the standard is infringed:</p> <ol style="list-style-type: none"> 1. Connectivity with the surrounding road network; 2. Whether any alternative access arrangement is located, formed and constructed in a manner that is suited to the development or activity it serves; 3. Safe and efficient operation of the roading network; and 4. Location and design of any site access.
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<p>3. No two or more access <i>strips</i> to allotments may lie adjacent to one another unless easements are granted over each access <i>strip</i> in a manner which enables joint use of a single driveway, and a single point of access to a public road.</p> <p>Except that SUB-MRZ-S1 does not apply to allotments for:</p> <ul style="list-style-type: none"> • Infrastructure to vest in Palmerston North City Council; • Network utilities; or • Access <i>strips</i> serving other allotments. 	
<p>SUB-MRZ-S2 Vehicle Crossings</p>	
<p>1. The maximum number of vehicle crossings per <i>site</i> is 1 per 8m of total frontage, with no more than two accesses per <i>site</i>.</p>	<p>Matters of discretion where the standard is infringed:</p> <p>1. Safety <i>effects</i> on the land transport network and pedestrians.</p>
<p>SUB-MRZ-S3 Essential Services</p>	
<p>1. All <i>essential services</i> must be available for connection within 30 metres of the nearest point of the land being subdivided.</p> <p>2. All new <i>allotments</i> must have sewer, stormwater and water supply services that are connected to <i>essential services</i>.</p> <p>3. All new <i>essential services</i> proposed in a <i>subdivision</i> must be located in public service corridors either where they are to vest in Council or service in excess of six <i>allotments</i>.</p>	<p>Matters of <u>discretion control</u> where the standard is infringed:</p> <p>1. The layout and design of services and service connections to <i>essential services</i>.</p>
<p>SUB-MRZ-S4 Street Trees</p>	
<p>1. The layout of the subdivision and the location of any associated new or altered vehicle crossing does not require:</p> <p>i. the removal of any tree planted on any public road, or</p> <p>ii. modification, excavation or construction within the area directly beneath the dripline of the tree.</p>	<p>Matters of <u>discretion control</u> the standard is infringed:</p> <p>1. Health and maturity of the tree;</p> <p>2. Provision of a replacement tree; and</p> <p>3. Feasibility of alternative access arrangements.</p>

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Commented [SJ25]: SO185.81

**BEFORE HEARING COMMISSIONERS
FOR THE PALMERSTON NORTH CITY COUNCIL**

**I MUA NGĀ KAIKŌMIHANA WHAKAWĀ
MO TE KAUNIHERA O PAPAIOEA**

IN THE MATTER

of the Resource Management Act 1991

AND

IN THE MATTER

of proposed Plan Change I: Increasing Housing
Supply and Choice to the Palmerston North District
Plan

JOINT WITNESS STATEMENT

Planning

Dated 19 August 2025

A. INTRODUCTION

1. This joint expert witness statement relates to proposed Plan Change I: Increasing Housing Supply and Choice (**PCI**) to the Palmerston North District Plan.
2. The experts attending the conference were:
 - (A) Sarah Jenkin (**SJ**) for Palmerston North City Council (**PNCC**); and
 - (B) Kaaren Rosser (**KR**) for Enviro NZ Limited (**EnviroNZ**).
3. The conference took place on 19 August 2025, via Teams.

B. AGREED AGENDA

4. The agenda for discussion is set out below in Annexure A.

C. CODE OF CONDUCT

5. This joint witness statement is prepared in accordance with section 9 of the Environment Court Practice Note 2023.
6. We confirm that we have read the Environment Court Practice Note 2023 and agree to abide by it.

D. PURPOSE AND SCOPE OF CONFERENCING

7. The purpose of this expert conferencing was to identify, discuss, and highlight points of agreement and disagreement on relevant provisions related to rubbish and recycling storage and collection.

E. AGREED ISSUES

8. Refer to Annexure A.

F. DISAGREEMENT AND REASONS

9. Refer to Annexure A.

Date: 19 August 2025



Sarah Jenkin



Kaaren Rosser

ANNEXURE A

Expert conferencing – Planning – SJ and KR

Issue	Agreed position, with reasons	Disagreements, with reasons
<i>Drafting of Policy MRZ-P3(3) – Planned built form</i>		
1. KR considers that 'adequate' in the policy wording doesn't provide sufficient direction for decision-makers as there is no definition of adequate. There should be a reference to 'screened' rubbish recycling storage facilities and a reference to accessible and safe collection.	KR and SJ agree that 'adequate' is retained.	<p>KR continues to consider that the policy drafting as proposed in the 'redline' version of Chapter 10A is amended to include a reference to 'screened' rubbish recycling storage facilities and a reference to accessible and safe collection.</p> <p>SJ continues to consider that the policy drafting as proposed in the 'redline' version of Chapter 10A is the appropriate drafting.</p>
<i>Drafting of Policy MRZ-R9 - Addition or alteration of buildings and structures (excluding accessory buildings)</i>		
2. KR considers that there should be a requirement for a minimum waste storage and rubbish collection, i.e. application of MRZ-S19 to this rule, if an existing area is altered through a building or structure addition or alteration.	KR and SJ agree that MRZ-R9 should be amended to include a requirement to comply with MRZ-S19(1) and MRZ-S19(3) (as proposed for amendment by SJ in response to KR evidence on MRZ-S19 – see Issue 6 of this JWS) but that MRZ-S19(2) and MRZ-S19(4) and (5) should not apply. This is because a reduction in the area available for rubbish and recycling storage and the potential for this to be in the outdoor living space are the most likely impacts from an addition or alteration.	
<i>Drafting of Policy MRZ-R11 – Construction, alteration and addition to accessory buildings</i>		
3. KR considers that there should be a requirement for a minimum waste storage and rubbish	KR and SJ agree that MRZ-S19 should not apply to this rule, primarily because a building consent is not required for buildings up to 30m ² . In absence of the	

Issue	Agreed position, with reasons	Disagreements, with reasons
<p>collection, i.e. application of MRZ-S19 to this rule, if an existing area is altered through construction or, alteration or additions to an accessory building.</p>	<p>link between the Building Act and the RMA, the monitoring and compliance burden associated with checking to see whether an accessory building impacts on the ability to provide waste and recycling storage within a site is disproportionate to the effects that may, or may not, arise.</p>	
<p>Drafting of Policy MRZ-R14 – Visitor Accommodation</p>		
<p>4. KR considers that visitor accommodation should have on-site collection which is accessible for a collection vehicle and which is screened.</p>	<p>KR and SJ agree that the most important requirement is that any on-site storage is accessible for rubbish collection trucks, as private collections are usually undertaken on site for visitor accommodation, and the type of collection bin will be driven by the type of accommodation and volume of rubbish, rather than being specifically correlated to the number of units. Accordingly, KR and SJ agree that MRZ-S19(4) should apply to MRZ-R14.</p>	
<p>Drafting of Policy MRZ-S19 – On-site rubbish and recycling storage and collection</p>		
<p>5. KR considers that MRZ-S19(2) should be amended to require that rubbish and recycling storage areas must be also screened from adjacent sites.</p>	<p>KR and SJ agree that amendments are required to MRZ-S19(2), to remove the unintentional requirement in the notified drafting that rubbish and recycling and storage areas are <u>not visible</u> from a public road. This requirement set an extremely high bar which is unlikely to be achievable without constructing an opaque structure, which could have more detrimental effects on amenity and the front yard. Screening could include landscaping or a slatted fence, both of which would also comply with other relevant standards, such as MRZ-S20.</p>	<p>SJ disagrees that a requirement to be screened from adjacent sites should also be included as this would potentially negatively impact on internal site layout flexibility.</p>

Issue	Agreed position, with reasons	Disagreements, with reasons
	<p>2. Communal <u>Rubbish and recycling</u> storage areas must be screened <u>where they are located between a public road boundary and the front façade of the residential unit or located so as not to be visible from a public road, or adjacent to a shared accessway or communal area.</u></p>	
<p>6. KR considers that MRZ-S19(2) should be amended to require that rubbish and recycling storage areas are not located in outdoor living space.</p>	<p>SJ agrees with KR. The proposed resolution is to include an additional sub-part to the standard – proposed new sub-part (3).</p> <p>3. <u>Rubbish and recycling storage areas must not be located in the outdoor living space required by MRZ-S7.</u></p>	
<p>7. KR considers that, where kerbside collection is employed, a kerbside space of 1m per residential unit is available without impeding the public footpath</p>	<p>KR and SJ agree that a change is not currently required due to the level of intensification anticipated in Palmerston North and the types of sites being developed. There is not currently the evidence base currently to support this being a serious enough issue to require control.</p> <p>KR would like to see a similar trigger in a future version of the chapter if intensification in Palmerston North is denser than anticipated.</p>	
<p>8. KR considers that MRZ-S19(5) can be deleted, as this is a duplicate of MRZ-S19(4)</p>	<p>SJ agrees that sub-part of MRZ-S19 is a duplication and can be deleted.</p>	

**BEFORE HEARING COMMISSIONERS
FOR THE PALMERSTON NORTH CITY COUNCIL**

**I MUA NGĀ KAIKŌMIHANA WHAKAWĀ
MO TE KAUNIHERA O PAPAIOEA**

IN THE MATTER

of the Resource Management Act 1991

AND

IN THE MATTER

of proposed Plan Change I: Increasing Housing
Supply and Choice to the Palmerston North District
Plan

JOINT WITNESS STATEMENT

Planning and Urban Design

Dated 21 August 2025

A. INTRODUCTION

1. This joint expert witness statement relates to proposed Plan Change I: Increasing Housing Supply and Choice (**PCI**) to the Palmerston North District Plan.
2. The experts attending the conference were:
 - (A) Sarah Jenkin (**SJ**) for Palmerston North City Council (**PNCC**) – attended for the duration of conferencing;
 - (B) Andrew Burns (**AB**) for PNCC – attended between 9am and 11am for conferencing on Issues 1 - 5; and
 - (C) Matthew Lindenberg (**ML**) for Kāinga Ora – attended for the duration of the conferencing.
3. The conference took place on 21 August 2025 via Teams.

B. AGREED AGENDA

4. The agenda for discussion is set out below in Annexure A.

C. CODE OF CONDUCT

5. This joint witness statement is prepared in accordance with section 9 of the Environment Court Practice Note 2023.
6. We confirm that we have read the Environment Court Practice Note 2023 and agree to abide by it.

D. PURPOSE AND SCOPE OF CONFERENCING

7. The purpose of this expert conferencing was to identify, discuss, and highlight points of agreement and disagreement on matters raised by ML in his statement of evidence in relation to:
 - (A) How the assessment criteria are applied;
 - (B) Drafting of specific objectives, policies and standards;
 - (C) Notification clause in SUB-MRZ-R1; and

(D) The Stormwater Overlay.

E. AGREED ISSUES

8. Refer to Annexure A.

F. DISAGREEMENT AND REASONS

9. Refer to Annexure A.

Date: 21 August 2025



Sarah Jenkin



Andrew Burns (in relation to Issues 1 – 5)



Matthew Lindenberg

ANNEXURE A

Expert conferencing – Planning and Urban Design – SJ, AB and ML

Issue	Agreed position with reasons	Disagreements with reasons
<i>Spatial extent of the MRZ and application of the Council's assessment criteria</i>		
<p>1. ML considers that it is not necessary that all four of PNCC's accessibility criteria in full should apply for a property to be in the MRZ spatial extent.</p>		<p>AB and SJ consider that all four accessibility criteria should apply in full to determine which properties are included in the MRZ, in order to meet the direction in Policy 5 of the NPS-UD. Council's approach was informed by the desire to encourage greater numbers of people to living in closer proximity to commercial activities and community services and reduce reliance on vehicle journeys and increases equity and choice through active mode access.</p>
<i>MRZ-O2 – Built Development in the Medium Density Residential Zone</i>		
<p>2. ML considers that the drafting of MRZ-O2 is too detailed and the content should be made into assessment criteria.</p>	<p>ML, SJ and AB agree that MRZ-O2(j) can be deleted because this is already encompassed within MRZ-O2(i) with regard to climate change resilience and in MRZ-P10, which encourages energy efficient layouts etc.</p> <p>ML, SJ and AB agree that further amendments are not required to MRZ-O2 as the remaining clauses set out what the Council is trying to achieve for the built form for the MRZ and there is a line of sight between this objective and policies, rules and standards.</p>	
<i>SUB-MRZ-P1 – Subdivision design and layout</i>		

Issue	Agreed position with reasons	Disagreements with reasons
<p>3. ML considers clauses 2, 7 and 8 of this policy should be deleted as they are not relevant or necessary for the assessment of a subdivision consent.</p>	<p>SJ, AB and ML agree that clauses 2 and 3 of SUB-MRZ-P1 can be combined, to recognise that opportunities for water sensitive design are more likely to be achieved on larger sites.</p> <p>2. Incorporate water sensitive design;</p> <p>3. Manage stormwater effectively and efficiently, <u>including by considering opportunities to incorporate water sensitive design;</u></p> <p>SJ, AB and ML agree there should be a reference to CPTED principles and agree that only some of the principles would be relevant at the subdivision stage. SJ, AB and ML also agree that an applicant should demonstrate how the principle have been addressed, in order to ensure an appropriate consideration at the subdivision stage.</p> <p>7. <u>Demonstrate how</u> Are designed using crime prevention through environmental design principles <u>have been addressed;</u></p> <p>SJ, AB and ML agree that clause 8 of this policy can be amended to remove the remove the reference to achieving high quality landscape outcomes.</p> <p>8. Achieve high quality landscape outcomes, including Encouraging the retention and integration of mature trees and native vegetation that contribute positively to an area's visual amenity</p>	

Issue	Agreed position with reasons	Disagreements with reasons
MRZ-S2 – Height in Relation to Boundary		
<p>4. ML considers that clause 1 of this standard should apply to the entirety of a site and not just to the first 2/3 as currently proposed, as the effects that the standard is trying to manage at the front of the site are the same effects that need to be managed at the rear of the site. ML considers the current standard drafting is less flexible.</p>		<p>AB and SJ disagree that the HIRB standard should be amended to remove the reduced HIRB applying to development in the rear of a site. AB and SJ consider the currently drafted HIRB standard sets an appropriate effects envelope for residential intensification.</p>
MRZ-S8 -Outlook space (per unit)		
<p>5. ML considers that the MDRS standard for outlook space for a primary bedroom, of 1m x 1m (as is applied to other habitable rooms in clause (c) in this standard), should apply in the MRZ, rather than the proposed standard of 3m x 3m (clause (b) in the standard).</p>	<p>ML, SJ and AB agree that no change is required to clause (a) of this standard, i.e. retain 6m x 4m outlook space for a main living room.</p>	<p>AB and SJ disagree that clause (b) should be amended to reduce the outlook space for a primary bedroom from 3m x 3m to 1m x 1m, to be the same as clause (c). This is because the 3m x 3m space achieves better outcomes for privacy, wellbeing and liveability, including daylight access than a 1m x 1m outlook space. This is informed by extensive testing of the equivalent standard in the Proposed Auckland Unitary Plan (2015).</p>
MRZ-P11 – Effects of buildings and activities on infrastructure and existing lawfully established non-residential activities		
<p>6. ML considers that clause 2 of this policy should be deleted as the NZECP 34:2001 applies regardless of whether it is incorporated by reference into</p>		<p>SJ disagrees that this reference should be deleted as it addresses the intersect between two resources, i.e. electricity distribution lines and new housing. The alternative would be to duplicate provisions from the Code of Practice.</p>

Issue	Agreed position with reasons	Disagreements with reasons
Chapter 10A, and a plan change would be required if amendments were made to the Code		
MRZ-P7 – Development in the Stormwater Overlay and SUB-MRZ-P4 – Subdivision in the Stormwater Overlay		
7. If the Stormwater Overlay is retained, ML considers MRZ-P7 and SUB-MRZ-P4 should be redrafted to remove the reference to 'avoid' in favour of 'manage'.		<p>SJ disagrees with changing the intent of these policies from 'avoid, unless' to 'manage', because this potentially sends a signal to plan users that this natural hazard risk can always be managed. Sometimes consents will need to be declined. Amending MRZ-P7 to remove the reference to 'avoid, unless' would create a disconnect with MRZ-O4 (which seeks to avoid development unless...' and hence remove the 'line of sight' between the objective and policy.</p> <p>SJ is open to considering alternative drafting if the underlying purpose of the policy can still be achieved, i.e. development in the Stormwater Overlay may need to be declined because the effects cannot be mitigated appropriately.</p>