

SECTION 10:

RESIDENTIAL ZONE

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10. RESIDENTIAL ZONE

10.1 Introduction

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

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

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

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

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

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

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

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

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

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

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

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

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

10.2 Resource Management Issues

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

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

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

Explanation

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

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

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

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

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

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

10.3 Objectives and Policies

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

OBJECTIVE 1

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

POLICIES

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

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

Explanation

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

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

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

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

OBJECTIVE 2

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

POLICIES

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

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

Explanation

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

OBJECTIVE 3

Housing development is energy efficient, resilient and environmentally sustainable.

POLICIES

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

Explanation

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

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

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

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

OBJECTIVE 4

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

POLICIES

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

Explanation

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

OBJECTIVE 5

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

POLICY

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

Explanation

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

OBJECTIVE 6

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

POLICIES

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

Explanation

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

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

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

OBJECTIVE 7

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

POLICIES

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

Explanation

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

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

OBJECTIVE 8

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

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

POLICIES

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

adverse visual effects on the surrounding rural environment and ensure the noise bund integrity as a noise mitigating measure.

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

Explanation

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

OBJECTIVE 9

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

POLICIES

- 9.1 To control the height and scale of buildings to minimize adverse visual effects on adjoining residential properties and the scale and intensity of the surrounding residential environment.
- 9.2 To control the height and visual permeability of fencing on properties, particularly those directly adjoining streets and public open space, to ensure visual connectivity and social surveillance of the area.
- 9.3 To avoid garages that dominate the streetscape.
- 9.4 To encourage the design of building frontages that relate to the street and enhance perceptions of safety.
- 9.5 To encourage development that results in a distinctive, memorable and valued sense of place.
- 9.6 To encourage a mix of lot sizes, dwelling sizes, heights and types.
- 9.7 To enable and encourage multi-unit housing development within the Whiskey Creek Residential Area in accordance with the Structure Plan (Map 7A.3).

Explanation

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

OBJECTIVE 10

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

POLICIES

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

OBJECTIVE 11

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

POLICIES

- 11.1 To control the location of buildings in relation to the escarpment and oxbow in the Whakarongo Residential Area to protect against the risk of natural hazard.
- 11.2 To ensure buildings and structures in any Greenfield Residential Area are located and designed to protect against the risk of natural hazards.

OBJECTIVE 12

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

POLICIES

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

OBJECTIVE 13

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

POLICIES

- 13.1 To enable the ongoing use of the Hokowhitu Campus for institutional activities that

utilize existing physical resources.

13.2 To manage the actual and potential adverse effects of Institutional Activities on new residential activities.

OBJECTIVE 14

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

POLICIES

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

10.4 Methods

- District Plan Rules (Palmerston North City Council)
- Public Education
- Designation.

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

However, public education in the form of landscape and building design guides may also assist in achieving some of the amenity and design concerns of the objectives and policies, thereby achieving effective compliance at little cost to the community.

In respect of any land severely affected by airport noise, one of the options available is for the Requiring Authority to designate land for airport purposes (and subsequently purchase

it) or to simply purchase land without designation. Palmerston North Airport Limited was granted requiring authority status in July 1995 however; to date the Company has not exercised its designating powers for this purpose.

10.5 Activities in the Residential Zone

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

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

10.6 Dwellings and Accessory Buildings

Introduction

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

While ideally dwellings should be designed specifically for their site, this is not always possible due to time and economic constraints. However, it is important to give designers the opportunity to develop unique design solutions which may enrich the quality of development in the Residential Zone.

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

10.6.1 RULES: PERMITTED ACTIVITIES

R10.6.1.1 Dwellings and Accessory Buildings

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

NOTE TO PLAN USERS

Also refer to the following rules:

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

Non-regulatory Design Guidelines have been prepared for Elmira Avenue and Manapouri Crescent. Although these Design Guidelines have no legal effect under the District Plan, they are intended to offer practical advice for developing and maintaining properties in a way that enhances the unique neighbourhood.

Performance Standards

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

Maximum Height

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

NOTES

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

Height Recession Planes

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

(b) Overlooking

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

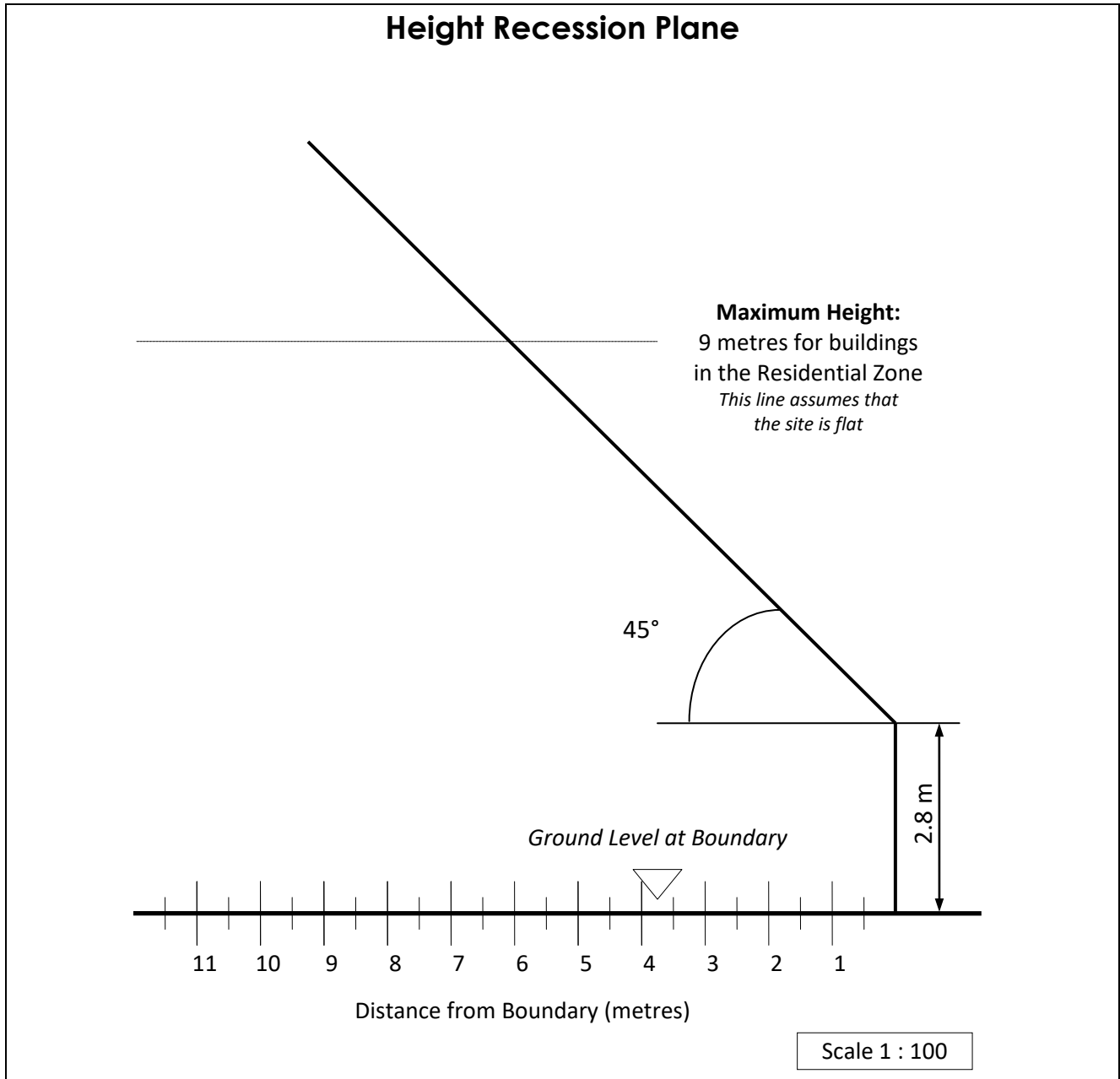
Explanation

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

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

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

Figure 10.1



(c) Separation Distances

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

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

Explanation

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

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

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

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

frontage to which the separation distance applies.

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

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

Explanation

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

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

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

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

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

ii. Site Coverage

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

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

Explanation

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

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

iii. Number of buildings used for residential living per site

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

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

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

Explanation

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

(e) **On-site Amenity**

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

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

Explanation

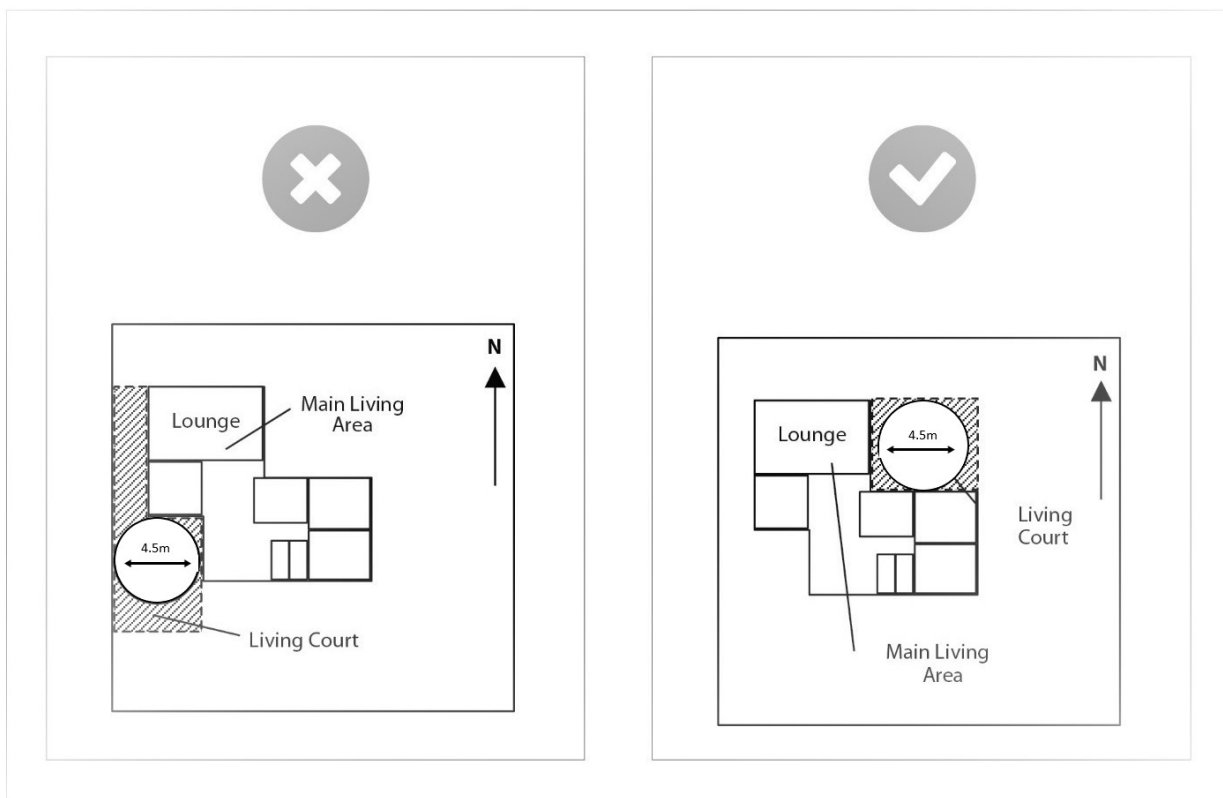
Much of the enjoyment of a site comes from the availability and useability of open space within the site. To be effective the open space must allow good daylight and sunlight penetration and be readily accessible from the main living areas of the dwelling.

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

NOTE TO PLAN USERS

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

Figure 10.5



Explanation

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

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

(f) Aokautere Development Area

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

Explanation

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

(g) Access and Parking

Compliance with the following performance standards of R20.4.2:

20.4.2(a) Vehicle Access;

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

Explanation

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

(h) Air Noise Control

- i. In the Outer Control Contour identified on Map 10.6.6.1, all buildings must be constructed in compliance with:
 - Any bedroom in a building used by a noise sensitive activity must achieve the following minimum standard of external sound insulation:

$$\text{DnT,w} + \text{Ctr} > 25 \text{ dB.}$$
 - Any habitable room, other than a bedroom, in a building used by a noise sensitive activity must achieve the following minimum standard of external sound insulation:

$$\text{DnT,w} + \text{Ctr} > 20 \text{ dB}$$
 - Any used for communal activities must achieve the following minimum standard of external sound insulation:

$$\text{DnT,w} + \text{Ctr} > 20 \text{ dB}$$
- ii. In the Inner Control Contour identified on Map 10.6.6.1, all buildings must be constructed so that:
 - Any bedroom in a building used by a noise sensitive activity must achieve the following minimum standard of external sound insulation:

$$\text{DnT,w} + \text{Ctr} > 30 \text{ dB}$$
 - Any habitable room, except for a bedroom, in a building used by a noise sensitive activity must achieve the following minimum standard of external sound insulation:

$$\text{DnT,w} + \text{Ctr} > 25 \text{ dB}$$
 - Any room used for communal activities must achieve the following minimum standard of external sound insulation:

$$\text{DnT,w} + \text{Ctr} > 25 \text{ dB}$$
- iii. All habitable rooms must be designed, constructed and maintained in accordance with a design report prepared by a suitably qualified and experienced member of the Acoustical Society of New Zealand stating that the proposed design will achieve compliance with the requirements of performance standards (h)(i) – (ii), including a 5dBA safety margin.
- iv. Ventilation - Where bedrooms with openable windows are proposed, a positive supplementary source of fresh air ducted from outside is required at the time of fit-out. For the purposes of this requirement, a bedroom is any room intended to be used for sleeping. The supplementary source of air is to achieve a minimum of 7.5 litres per second per person.

NOTE TO PLAN USERS

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

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

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

Explanation

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

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

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

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

(i) Turitea/Aokautere Residential Zone Setback

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

Explanation

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

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

(j) Pacific Drive Extension Area Water Supply Requirements

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

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

R10.6.1.2 Minor Dwelling Units

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

NOTE TO PLAN USERS

Also refer to the following rules:

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

Performance Standards

(a) Building Size`

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

(b) Height and Overlooking

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

(c) Separation Distances

Compliance with R10.6.1.1(c).

(d) Site Coverage and Number of Buildings

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

(e) On-site Amenity

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

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

(f) Air Noise Control

Compliance with R10.6.1.1 (h).

(g) Turitea/Aokautere Residential Zone Setback

Compliance with R10.6.1.1 (i).

(h) Pacific Drive Extension Area Water Supply Requirements

Compliance with R10.6.1.1 (j).

(i) Aokautere Development Area

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

NOTE TO PLAN USERS

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

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

- i. Within the area shown as **Area A** on Map 10.6.1.3 The Amberley Avenue Minimum Floor Levels Area, any residential building erected must have a habitable floor level above 23.45m in terms of the Palmerston North City Council datum of levels.
- ii. Within the area shown as **Area B** on Map 10.6.1.3 The Amberley Avenue Minimum Floor Levels Area, any residential building erected must have a habitable floor level above 23.31m in terms of the Palmerston North City Council datum of levels.
- iii. Within the area shown as **Area C** on Map 10.6.1.3 The Rangitane Park Ponding Area, any residential building erected must have a habitable floor level above 22.63m in terms of the Palmerston North City Council datum of levels.
- iv. Within the area shown as **Area D** on Map 10.6.1.3 The Escort Grove Minimum Floor Levels Area, any residential building erected must have a habitable floor level above 23.20m in terms of the Palmerston North City Council datum of levels.
- v. Within the area shown as **Area E** on Map 10.6.1.3 The Awapuni Racecourse Minimum Floor Level Area, any residential building erected must have a ground floor level above 24 metres, with the ground level for residential allotments and any other building or accessory building above 23.80 metres, and all roads above 23.60 metres (measured at the invert of the channel level) being in terms of the Palmerston North City Council datum of levels.
- vi. Within the land zoned residential in the Napier Road Residential Area (Map 7.5), any residential building, any other building or accessory building erected must have a ground floor above the 0.2% AEP flood event plus 500mm freeboard. Access to occupied structures shall be above the 0.2% AEP flood event.
- vii. Within the land zoned residential in the Napier Road Residential Extension Area (Map 7.9), any residential building, any other building or accessory building erected must have a minimum floor height as follows:
 - a. Within the stopbank area (Area A) floor levels designed for the 2% AEP rainfall event plus freeboard.
 - b. Within the area outside of the stopbank (Area B) floor levels for the 0.5% AEP river flood event plus 500 millimetres freeboard.
 - c. Throughout the Napier Road Residential Extension Area overland flow paths are identified and designed to ensure that no upstream of downstream properties

are impacted in a 1% AEP rainfall event.

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

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

Explanation

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

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

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

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

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

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

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

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

NOTE TO PLAN USERS

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

Performance Standards

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

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

b) **Maximum Building Height**

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

c) **Acoustic Insulation and Setbacks**

For the Napier Road Residential Area:

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

Provided that:

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

For the Napier Road Residential Extension Area:

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

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

Explanation

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

d) Fencing

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

e) Separation Distances

Compliance with R10.6.1.1(c) except

- i. those dwellings on properties directly adjoining the escarpment and oxbow lake, any dwelling shall be located at least 10m back from the bottom of the escarpment or boundary of the Conservation and Amenity Zone.
- ii. Within the Napier Road Residential Extension Area:
 1. No building shall be located within 20 metres of the edge of the oxbow lake.
 2. No building containing a noise sensitive activity shall be located within 20 metres of the nearest carriageway edge line of Napier Road/
 3. No buildings or structures shall be located within 3 metres of the toe of the stopbank.

Guidance Note: Resource consent is required from Manawatu-Whanganui Regional

Council for work within 8 metres of the toe of the stopbank.

f) Flood Hazards

Compliance with R10.6.1.3

g) Permeable Surface

For the Napier Road Residential Extension Area:

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

h) Active Frontage

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

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

i) Oxbow Lagoon Landscaping

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

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

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

Any dwelling and/or Accessory Building in any Greenfield Residential Area is a Permitted Activity provided it complies with the Performance Standards detailed in Clauses(a) – (h).

Performance Standards

a) Access and Parking

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

b) Maximum Building Height, Height Recession Planes and Overlooking

- i. Compliance with R10.6.1.1 (a) and (b).
- ii. No building within the Kikiwhenua Residential Area fronting Te Wanaka Road opposite the following lots may exceed a maximum height of 4m.
 - LOT DP 477332
 - LOT 2 DP 477332
 - LOT 1 DP 27043 BLK XIV KAIRANGA SD
 - PT LOT 12 8486 BLK XIV KAIRANGA SD
 - LOT 1 DP 90735

- iii. No building within the Whiskey Creek Residential Area on lots that abut existing residential boundaries on Meadowbrook Drive shall exceed a maximum height of 5 m.

c) Separation Distances

- i. Compliance with R10.6.1.1(c).
- ii. Any accessory buildings in a Greenfield Residential Area shall be located a minimum of:
 - 4m from the road boundary;
 - 1m from all other boundaries.
- iii. In the Whiskey Creek Residential Area
 - Any building other than an accessory building shall be located a minimum of 20 m from the Gas Pipeline shown on Map 7A.3. and
 - Any buildings, including accessory buildings, on lots abutting existing properties on Meadowbrook Drive shall be setback 3m from the Meadowbrook Drive boundary.

(d) Site Area and Coverage

- i. Site Area
 - a) A maximum net site area of 1000m² for each dwelling unit, provided that the areas shall be exclusive of the acoustic setbacks required by the provisions of R10.6.1.5(e), (i) and (ii).
 - b) Compliance with R10.6.1.1(d)(i) in the Kikiwhenua Residential Area.
- ii. Site Coverage
 - a) Compliance with R10.6.1.1(d)(ii).
 - b) At least 30% of the net site area for each dwelling unit in the Kikiwhenua Residential Area shall be permeable.
 - c) Dwelling units in the Whiskey Creek Residential Area (Map 7A.3) shall have the following permeable areas:
 - 25% of the net site area for each dwelling where this is between 171m² and 366m²
 - 30% of the net site area for each dwelling where this is between 367m² and 449m²
 - 35% of the net site area for each dwelling where this between 450m² and 561m²
 - 40% of the net site area for each dwelling where this between 562m² and 1050m²

(e) Acoustic Insulation and Setbacks for the Whakarongo Residential Area and Whiskey Creek Residential Area

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

noise level of 40dB $L_{Aeq(24hr)}$ in habitable rooms.

Provided that no such building is to be located within 40 metres of the nearest carriageway edge of State Highway 3.

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

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

- iii. Where bedrooms with openable windows are proposed in buildings requiring acoustic insulation, a positive supplementary source of fresh air ducted from outside is required at the time of fit-out. For the purposes of this requirement, a bedroom is any room intended to be used for sleeping. The supplementary source of air is to achieve a minimum of 7.5 litres per second per person.
- iv. For all other developments, compliance shall be achieved with the satisfactory design guidelines given in AS/NZS 2107:2000: *Acoustics – recommended design sound level and reverberation times for building interiors*.

(f) Acoustic Setbacks for the Kikiwhenua Residential Area

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

(g) On-site Amenity

- i. Every dwelling shall be provided with an outdoor amenity area which can meet the following requirements:
 - A minimum open area of 36m² free of driveways, parking spaces, buildings (other than decks, verandahs and shade sails) and manoeuvring area.
 - Is able to accommodate a circle of 4.5 metres in diameter.
 - Has direct contact with the main living area for a length of not less than 2 metres.
 - Is orientated to the west, north or east of the dwelling.
- ii. Any accessory building or garage, whether freestanding or adjoining a dwelling, shall be recessed by a minimum of 1m behind the front façade of a dwelling.

(h) Fencing

- i. Where a fence is erected along a property boundary directly adjoining public open space it shall not exceed a maximum height of 1.8 metres for half of the property boundary; any remainder is permitted to a maximum height of 0.9m.
This standard does not apply to any fence within any setback area required under performance standard (e) above.
- ii. Where a fence is erected on the road frontage, a maximum height of 0.9m applies.

(i) Flood hazards

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

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

NOTES TO PLAN USERS

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

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

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

R10.6.1.7 Dwellings within the Hokowhitu Lagoon Residential Area

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

Performance Standards

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

Explanation

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

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

Explanation

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

- (d) Other Fencing within the Hokowhitu Lagoon Residential Area
- (i) The maximum height of fencing adjoining a public road or public open space is 1.8 metres except as provided below.
 - (ii) Where a fence is erected along a property boundary directly adjoining public open space (reserve, walkway or park):
 - The fence must not exceed 1.1 metres in height for more than half of the property boundary length; or
 - If the fence is of Open Construction, the fence must not exceed 1.8 metres in height.
 - (iii) Where a fence is erected along a property boundary directly adjoining a road frontage:
 - A maximum height of 1.1 metres applies except that solid fencing may be erected to 1.8 metres over not more than 1/3 of the frontage width, and
 - No part of a solid fence above 1.1 metres in height shall be located within 1.8 metres of a driveway, except for gate posts relating to a fence of Open Construction.
 - If the fence is of Open Construction, the fence must not exceed 1.8 metres in height.
 - (iv) Where a side fence is within the front yard or next to a driveway, and within 3 metres of the street edge, a maximum height of 1.1 metres applies. Should a side fence connect to that part of any front fence on the same lot which is permitted by (b) above to rise to 1.8 metres, it may also rise to the same level.
 - (v) Where a fence is erected on the road frontage of a corner site, the requirements of (i) – (iii) shall only apply to one road frontage.

Explanation

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

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

The extent of high fencing (that is 1/3 of the whole street frontage, along a street) still allows informal surveillance of the street from dwellings and avoids monotony along the street edge.

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

- (iv) Any lot that shares a boundary with Centennial Drive shall have a minimum building setback of 6 metres from the Centennial Drive boundary.

Explanation

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

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

- (f) Glazing for properties adjoining the Manawatu Golf Club

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

- (i) Any window identified above which:

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

and

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

Explanation

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

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

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

Explanation

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

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

- (i) For any rear yards adjoining the Manawatu Golf Club within the Golf Ball Hazard Area (Identified as L(1) and L(2) on Map 7.7.2.7), decks, outdoor dining areas, courtyards, patios, fixed play equipment or any other permanent features

(excluding gardens) that are intended to be used for private outdoor amenity must be covered (but not enclosed) to reduce risk of injury to people from stray golf balls.

- (ii) Coverings must be constructed of durable materials that can withstand golf balls impact. This may include, but is not limited to:
 - Strengthened glass;
 - Trellis and/or pergolas with openings that preclude golf ball penetration;
 - Roofing materials including steel, iron, polycarbonate; and
 - Shade sails.
- (iii) Any coverings that are intended to be made of glass must comply with the glazing requirements in R10.6.1.7(f).
- (iv) This performance standard ceases to apply in the following circumstances and to the extent specified below:
 - This performance standard will cease to apply to rear yards within area L(1) in the event that the tee area of the 12th hole of the Manawatu Golf Course is redirected to increase the existing angle between the direction of the tee and the boundary of the Hokowhitu Lagoon Residential Area identified as N(1).
 - This performance standard will cease to apply to rear yards within area L(2) in the event that the tee area of the 15th hole of the Manawatu Golf Course is redirected to increase the existing angle between the direction of the tee and the boundary of Hokowhitu Lagoon Residential Area identified as N(2).

Explanation

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

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

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

- (i) High Velocity Golf Ball Barrier
 - (i) Prior to the occupation of any dwelling on any lot adjoining the Manawatu Golf Club boundary, in the area identified as "N" on Map 7.7.2.7, a physical barrier, such as a fence or other structure, is required along the Manawatu Golf Club boundary.
 - (ii) The physical barrier must have a minimum height of 2 metres.
 - (iii) The physical barrier must be designed and constructed of materials able to resist the impact of a golf ball.
 - (iv) This performance standard ceases to apply in the following circumstances and to the extent specified below:
 - This performance standard will cease to apply to rear yards within the area N(1) in the event that:

- The tee area of the 12th hole of the Manawatu Golf Course is redirected to increase the existing angle between the direction of the tee and the boundary of the Hokowhitu Lagoon Residential Area identified as N(1); or
- A physical barrier is constructed on Manawatu Golf Club property between the area identified as N(1) and the 12th tee, provided that the physical barrier complies with the requirements of (ii) and (iii) above.
- This performance standard will cease to apply to rear yards within the area N(2) in the event that:
 - The tee area of the 15th hole of the Manawatu Golf Course is redirected to increase the existing angle between the direction of the tee and the boundary of the Hokowhitu Lagoon Residential Area identified as N(2); or
 - A physical barrier is constructed on Manawatu Golf Club property between the area identified as N(2) and the 15th tee, provided that the physical barrier complies with the requirements of (ii) and (iii) above.

Explanation

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

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

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

Explanation

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

10.6.2 RULES: CONTROLLED ACTIVITIES

R10.6.2.1 Relocated Houses

Relocated Houses, which comply with the following Performance Standards, are Controlled

Activities in Respect of:

- External Appearance.

Performance Standards

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

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

Assessment Criteria

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

NOTE TO PLAN USERS

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

Reinstatement Report +

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

Bonds

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

Completion of Works

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

Explanation

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

R10.6.2.2 Non-notification of Controlled Activities

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

10.6.3 RULES: RESTRICTED DISCRETIONARY ACTIVITIES

R10.6.3.1 Buildings or Structures that do not comply with Performance Standards for Permitted or Controlled Activities.

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

- Height, including Maximum Height and Height Recession Planes**
- Overlooking**
- Separation Distances**

- iv. **Site Area, Site Coverage and Number of Buildings**
- v. **On-Site Amenity**
- vi. **Access and Parking**
- vii. **Turitea / Aokautere Residential Zone Setback**
- viii. **Aokautere Development Area**
- ix. **Fencing in the Hokowhitu Lagoon Residential Area**
- x. **Glazing in the Hokowhitu Lagoon Residential Area as per R10.6.1.5(f)**
- xi. **Floor Levels within the Hokowhitu Lagoon Residential Area as per R10.6.1.5(b)**
- xii. **Outdoor amenity in the Golf Ball Hazard Area (as shown in Map 7.7.2.7)**
- xiii. **Acoustic Insulation and Setbacks and separation distances within the Napier Road Residential Extension Area**
- xiv. **Permeable surfaces in the Napier Road Residential Extension Area**
- xv. **Fencing in the Napier Road Residential Extension Area**
- xvi. **Floor levels within the Napier Road Residential Extension Area**
- xvii. **Active frontages within the Napier Road Residential Extension Area**

are Restricted Discretionary Activities with regard to:

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

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

Assessment Criteria

- a. The extent to which the design, scale and appearance of any building, fence or structure compliments the ambience and amenity values of the surrounding residential area and Manawatu Golf Course.
- b. The extent to which the building relates to the character of its setting, contributes to the quality of adjoining public open space, streetscapes and residential properties and Manawatu Golf Course, and avoids visual dominance.
- c. To take into account the particular features of the site and its relationship to adjoining sites in assessing the appropriateness of the proposed design.

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

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

Explanation

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

Some land in the Aokautere area is vulnerable to slope instability, erosion and subsidence and therefore buildings and structures should only be established on such land where the natural hazard has been avoided or mitigated. In most cases, residential allotments will have been created with

sufficient developable land to enable dwellings and accessory buildings to be safely established. In circumstances where buildings or structures are proposed on land that is subject to slope instability, erosion or subsidence hazard, they should only be allowed where the hazard is avoided or mitigated.

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

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

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

- i. Height
- ii. Separation Distances
- iii. Site Area and Coverage
- iv. Overlooking
- v. On-site Amenity
- vi. Fencing
- vii. Parking
- viii. Acoustic Insulation and Setbacks
- ix. Flood Hazards

Are Restricted Discretionary Activities with regard to:

- Effects on adjoining residential neighbours
- Site layout
- Effects on the surrounding residential environment and streetscape
- Visual dominance
- Design, scale and appearance
- The impact on achieving the design elements and outcomes of the Greenfield Residential Area's relevant Structure Plan
- The safe and efficient operation of the roading network
- Effects on acoustic amenity and health
- Natural hazards
- Flood Hazards

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

Assessment Criteria

- (a) The extent to which the design, scale and appearance of any building or structure compliments the ambience and amenity values of the surrounding residential area as a whole.
- (b) The extent to which the building relates to the character of its setting, contributes to the quality of adjoining public open space, streetscapes and residential properties, and avoids visual dominance.

- (c) The extent to which new buildings retain reasonable visual privacy and daylighting for adjacent residential properties.
- (d) The extent to which outdoor space is accessible and of a useable size with access to daylight and sunlight.
- (e) The extent to which the non-compliance leads to a better or more efficient use of the site and/or creates a higher level of on-site amenity.
- (f) The degree to which non-compliance results in a development density that, if not consistent with the surrounding residential environment, does not lead to a perception of excessive density.
- (g) The extent to which the impact of a building that results in a non-compliance with the permitted activity standard(s) may be mitigated by screening, landscaping or other treatment.
- (h) To avoid, remedy or mitigate the effects of parking not accommodated on the site on the safe and efficient operation of the roading network and the amenities of the surrounding neighbourhood.
- (i) The degree to which the proposal is consistent with the area's relevant Structure Plan and will result in a high-quality amenity environment.
- (j) The extent to which internal noise levels and amenity will be protected.
- (k) The extent to which the effects of flooding on any new occupied structure or activity, or an increase in the scale of any existing occupied structure or activity, are avoided, remedied or mitigated.

R10.6.3.3 Multi-unit residential development in the multi-unit housing areas identified on Maps 10.6.3.3(a)-(h) is a Restricted Discretionary Activity with regard to:

- Effects on the surrounding residential environment and streetscape
- Design, scale and appearance
- Site layout
- On-site landscaping
- Privacy across boundary and within the development
- The safe and efficient operation of the roading network , and internal circulation and manoeuvring areas
- Natural hazards
- For developments within the Hokowhitu Lagoon Residential Area, the effects on the Manawatu Golf Club

Performance Standards

- i. Notional Site Area for Each Unit
 - a) No minimum notional site area applies if the development site is located within Areas A or C;
 - b) A minimum notional site area of 150m² applies if the development site is located within Areas B, D, ~~or~~ G or H.
- ii. Minimum Unit Size
 - a) Each unit must have a gross floor area greater than 45m², if the site is located within Areas A or C;

- b) Each unit must have a gross floor area greater than 60m², if the site is located within Areas B or D, ~~or G~~ or H.

iii. Site Coverage

A maximum site coverage of 40% applies to the development site.

iv. On-site Amenity

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

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

- b) Each dwelling unit located on the first floor, which does not have connection at ground level, shall be provided with a private outdoor amenity area which can meet the following requirements:

- Is accessed directly off the living, dining or kitchen areas, and located at the same level,
- A minimum of 8m² is area,
- Is orientated to the north, west or east.

v. Access and Parking

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

vi. Compliance with R10.6.1.1(a), R10.6.1.1(b), R10.6.1.1(c)(i).

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

In the Whiskey Creek Residential Area multi-unit housing area identified on Map 10.6.3.3 (h) the following applies:

- (i) No building may exceed a height of 11 m
- (ii) All parts of a building shall be contained within a 60-degree plane commencing at 3 metres above ground level inclined inwards at right angles in plan.
- (iii) Front yard fences shall not exceed a height of 0.9 metres.
- (iv) Where a fence is erected along a property boundary directly adjoining public open space it shall not exceed 0.9 m.

vii. Stormwater Design

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

- demonstrate how peak run-off volume is to be mitigated
- how low impact development principles are applied
- identify a secondary flow path.

viii. Additional setback requirements in the Hokowhitu Lagoon Residential Area

- No setback is required from the street edge boundary of lanes identified in Map 7.7.2.7.

- On corner sites a 3m setback applies to a nominated street interface boundary. The other interfaces can be treated as side boundaries where a minimum 1.5 setback applies.
- Where a building on a corner site is set back between 1.5m and 3m from a road boundary which is to be treated as a side boundary, as per 10.6.3.3(viii)(ii), at least 10% of the surface area of the side boundary wall that fronts the road must be glazed.

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

Assessment Criteria

1 Character

The extent to which:

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

2 Site Planning

The extent to which:

- buildings and related open spaces and landscaping are planned and designed together to deliver high levels of amenity within dwellings and well-located, good quality open spaces, and within the Hokowhitu Lagoon Residential Area provides a safe interface with the adjoining Manawatu Golf Course.
- private and public areas are differentiated and defined.
- habitable rooms are orientated towards the east, north or west for good sun, and habitable rooms that face south only are avoided.
- new buildings retain reasonable visual privacy and daylighting for all adjacent residential units and properties.
- garages and parking are located and designed to avoid monotony and domination of any street frontage or spaces within the development.
- driveways and entrance courts are designed and landscaped to give visual interest and create an attractive entrance to the development.
- the planning of the development allows views of the street and common spaces within the development to be maintained, including views of open carparking spaces from the dwelling served.

3 Building Design

The extent to which:

- dwelling fronts including entrances and windows to habitable rooms are orientated to the street edge, and views are maintained to and from the street.

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

4 Open Space Design

The extent to which:

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

5 Infrastructure and Servicing

The extent to which:

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

NOTE TO PLAN USERS

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

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

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

R10.6.3.5 Awatea Stream and Jensen Street Ponding Areas.

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

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

is a Restricted Discretionary Activity with regard to:

- Flooding
- Effects on adjoining properties

NOTE TO PLAN USERS

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

Explanation

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

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

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

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

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

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

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

Assessment Criteria

- (a) The extent to which the proposed office activity will contribute to the effective and efficient operation and use of the physical resources of the Hokowhitu Lagoon Residential Area.
- (b) Whether there are particular reasons, for example relating to the strategic benefits to the City, why the office activity is better located in the Hokowhitu Lagoon Residential Area rather than in a Business Zone.
- (c) Whether the establishment of the proposed office activity will undermine the viability and vitality of the City Centre.
- (d) Whether the proposed office activity would result in an economic benefit to the City by locating in the Hokowhitu Lagoon Residential Area rather than in a Business Zone.
- (e) The availability of onsite car parking to accommodate the proposed office activity.
- (f) Whether any proposed ancillary signage integrates into the architectural form of the building.
- (g) The extent to which the adverse visual effects of ancillary signage on neighbouring Institutional or Residential activities are adequately minimized.

10.6.4 RULES: DISCRETIONARY ACTIVITIES

R10.6.4.1 Dwellings in the Savage Crescent Conservation Area

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

shall be a Discretionary Activity.

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

Assessment Criteria

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

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

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

- Dwellings;
- Minor Dwelling Units;
- Education and Early Childhood Facilities;
- Community Homes;
- Accommodation Motels;
- Motel Conference Centres;
- Training Facilities;
- Hospitals;
- Retirement Villages;
- Residential Centres;
- Tourist Facilities; and
- Any Other Existing Buildings used for Regular Accommodation and Communal Activities.

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

Assessment Criteria

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

satisfactory internal noise environment.

NOTE TO PLAN USERS

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

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

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

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

R10.6.4.4 Domestic Wind Turbines

The construction and operation of Domestic Wind Turbines are Discretionary Activities

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

- a. The extent to which the ambience and amenity values of adjacent properties and residences will be adversely affected by the domestic wind turbine, in terms of any visual domination, loss of access to sunlight and daylight, and the extent to which these effects can be avoided, remedied or mitigated.
- b. The extent to which the landscape and visual effects of the domestic wind turbine can be mitigated by landscaping, planting or other forms of amenity treatments.
- c. The extent of compliance with the District Plan Noise Standard (R9.11.1 Noise); or in the circumstance where the set noise levels are not able to be met, the extent of compliance with the noise limits in the New Zealand Standards for Environmental Noise (NZS 6801:1991, 'Measurement of Sound' and NZS 6802:1991 'Assessment of Environmental Sound').
- d. The extent to which shadow flicker effects, earthworks and other environmental disturbance on the amenity of adjacent properties and residences and the surrounding environment, can be avoided, remedied or mitigated.
- e. The outcomes of any consultation with affected neighbours.
- f. The extent to which any effects on the safe and the efficient functioning of the road network, from blade glint and shadow flicker, can be avoided, remedied or mitigated.
- g. To recognise the positive benefits of the domestic renewable energy generation activities in contributing to national renewable energy targets and mitigating the impacts of climate change.

Explanation

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

turbine(s).

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

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

10.6.5 RULES: NON-COMPLYING ACTIVITIES

R10.6.5.1 Non-Complying Activities

Any Dwelling or Accessory Building which does not comply with the Performance Standards for a Permitted or Controlled Activity and which is not provided for by R10.6.1.1, R10.6.1.2, R10.6.1.3, R10.6.1.4, R10.6.1.5 R10.6.2.1, R10.6.3.1, R10.6.3.2, R10.6.3.3, R10.6.3.4, R10.6.4.1, R10.6.4.2, R10.6.4.3, R10.6.4.4, R10.6.5.2, or R10.6.6.1, shall be a Non-Complying Activity.

R10.6.5.2 Dwellings in the Inner and Outer Control Contours that do not comply with R10.6.1.1(h)

Any new dwelling, or any alterations to an existing dwelling sited in the Inner Control Contour or Outer Control Contour that do not comply with R10.6.1.1(h) shall be a Non-Complying Activity.

When considering whether to grant the application and what conditions, if any, to impose Council shall take into account the objectives and policies of the Residential Zone, and the following further policies:

- a. To take into account any circumstances that would make compliance with the noise reduction standards in R10.6.1.1(h) inappropriate or unreasonable.
- b. To demonstrate that the level of noise reduction by the proposed development can be less than the level required by R10.6.1.1(h) without compromising the overall health and amenity of the occupants within the respective building.

R10.6.5.3 Buildings in the Pacific Drive Extension Area which do not comply with R10.6.1.1(j) or R10.6.2.1

Any new dwelling, minor dwelling, re-located house or accessory building located in the Pacific Drive Extension Area that does not comply with R10.6.1.1(j) or R10.6.2.2 shall be a Non-Complying Activity.

NOTE TO PLAN USERS

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

R10.6.5.4 Roading Infrastructure (Napier Road Residential Area)

Notwithstanding the activity status set out in R10.6.1.4 **all** development that occurs **before** the installation and completion of a constructed road link to James Line from Rosalie Terrace shall be a Non-Complying Activity.

Explanation

The Napier Road Residential Area has only one direct access point via Rosalie Terrace. It is desirable that the site have greater connectivity to the wider roading network to ensure a better connected and efficient development for all modes of transport from the site. Subdivision shall be avoided until a connection from Rosalie Terrace to James Line is constructed.

R10.6.5.5 External Storage of Derelict Vehicles

No activity shall involve the external storage of more than one derelict vehicle or any parts of vehicles within view of neighbouring properties or a public place.

10.6.6 RULES: PROHIBITED ACTIVITIES

R10.6.6.1 Prohibited Activities in the Air Noise Zone identified on Map 10.6.6.1

All new dwellings, new sleep-outs, new relocated houses, new minor dwelling units, and new multi-unit residential development, are Prohibited Activities in the Air Noise Zone identified on Map 10.6.6.1.

These activities are expressly prohibited and no resource consent shall be granted.

Explanation

The above-mentioned activities have been identified as being highly sensitive to the effects of excessive noise exposure associated with aircraft operations.

The impact of aircraft noise has been assessed by New Zealand Standard 6805:1992 - Airport Noise Management and Land Use Planning, which recommends as one of the criteria for land use planning within any defined air noise boundary that noise sensitive activities, such as dwellings and schools be prohibited. The purpose of this rule is to give effect to this recommended standard.

10.7 Non-Residential Activities

Introduction

There is a range of activities which need to be provided for in the Residential Zone because they are compatible with dwellings or because of the opportunity they offer to people to gain convenient access to a service or to work from home.

A number of these activities are variants on single dwellings such as community houses or are community facilities such as pre-schools. In all cases, the important issue is the effect of the activity, it is those effects which have determined how the activity will be treated. As far as possible, activities have been made Permitted Activities. However, where the nature or extent of effects are uncertain, the activity has become a Controlled or Discretionary activity.

A limited set of non-residential activities are provided for to ensure the Residential Zone provisions support the centres based approach for commercial activities in the City and the associated hierarchy of business zones.

10.7.1 RULES: PERMITTED ACTIVITIES

R10.7.1.1 Community Houses

Community Houses are Permitted Activities provided they comply with the specified Performance Standards below.

NOTE TO PLAN USERS

Also refer to the following rules:

- | | |
|-----------------|---|
| R10.6.1.3 | Amberley Avenue, Escort Grove, Rangitane Park and Awapuni Racecourse Minimum Floor Level Areas; |
| R10.6.1.1(h) | Air Noise Control; |
| R10.6.3.5 | Awatea Stream and Jensen Street Ponding Areas; |
| R10.7.1.6 | Limited Development Land in Aokautere; |
| R17.5.1-R17.8.1 | Cultural and Natural Heritage Rules. |

Performance Standards

(a) Site Coverage

Not more than 35% of the site shall be covered by buildings.

(b) Height

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

(c) Separation Distances

Compliance with R10.6.1.1(c).

(d) Landscape Amenity

- i. an area of not less than 10m² per person intended to be accommodated must be provided on the site, and must be kept free of all parking and manoeuvring areas;
- ii. an area of open space capable of accommodating a circle of 10m in diameter must be provided adjacent to and accessible from the main living area.
- iii. On any boundary, except boundaries to a street, a landscape strip with a minimum width of 1 metre shall be provided.
- iv. On a boundary adjoining a street, a landscape strip with a minimum width of 1.5 metres shall be provided.
- v. All landscaping areas must be well maintained at all times.

(e) Parking and Access

Compliance with the following performance standards of R20.4.2:

- 20.4.2(a) Vehicle Access;
- 20.4.2(b)(i) Parking Spaces for People with Disabilities;
- 20.4.2(c) Car Park Landscape Design;
- 20.4.2(d) Formation of Parking Spaces;
- 20.4.2(e) and (f) Loading Space Provision and Design;

NOTE TO PLAN USERS

R20.4.2(c) apply to non-residential activities within the Residential Zone

(f) Air Noise Control

Compliance with R10.6.1.1(h).

NOTE TO PLAN USERS

Proposed activities that do not meet the performance standards in R10.6.1.1(h) are Non-Complying Activities under R10.7.5.2.

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

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

(g) Noise

Compliance with R10.8.1.

(h) Signs

Compliance with R6.1.5.

(i) Turitea/Aokautere Residential Zone Setback

Compliance with R10.6.1.1 (i).

Explanation

Community homes are intended to provide accommodation for groups in the community such as the elderly who require both accommodation and ongoing health care. Such facilities tend to generate few effects which are different from those of a standard dwelling. Provided care is taken with regard to matters such as parking and the size of the activity, community homes generally remain compatible with the residential environment and benefit from the quietness and amenity values of the Residential Zone.

R10.7.1.2 Accommodation Motels

Accommodation Motels are Permitted Activities provided they comply with the specified Performance Standards below.

Performance Standards

(a) Location

Accommodation motels may only be located on properties having frontage and the main entryway from a street listed as a Major Arterial or Minor Arterial road in 20.6.1.1 and 20.6.1.2 in the Land Transport Section.

(b) Separation Distances

Compliance with R10.6.1.1(c).

(c) Height

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

(d) Site Coverage

Not more than 35% of the site shall be covered by buildings.

(e) Signs

Compliance with R6.1.5.

(f) Parking and Access

Compliance with the following performance standards of R20.4.2:

20.4.2(a) Vehicle Access;

20.4.2(b)(i) Parking Spaces for People with Disabilities;

;

20.4.2(c) Car Park Landscape Design;

20.4.2(d) Formation of Parking Spaces;

20.4.2(g) Cycle Parking Provision and Design

20.4.2(h) Cycle Parking End-of-Trip Facilities.

(g) Landscape Amenity

- i. A solid fence of not less than 1.8m in height shall be erected on any boundary with a residentially zoned property.
- ii. On any boundary, except boundaries to a street, a landscape strip with a minimum width of 2 metres shall be provided and planted with dense vegetation capable of growing to 3m in height.
- iii. On any boundary adjoining a street, a landscape strip with a minimum width of 1.5 metres shall be provided and at least one specimen tree capable of growing

to 5m within ten years of planting, shall be planted every 10m along that boundary.

iv. All landscaping areas must be well maintained at all times.

(h) Air Noise Control

Compliance with R10.6.1.1(h).

NOTE TO PLAN USERS

Proposed activities that do not meet the performance standards in R10.6.1.1(h) are Non-Complying Activities under R10.7.5.2.

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

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

(i) Noise

Compliance with R10.8.1.

(j) Turitea / Aokautere Residential Zone Setback

Compliance with R10.6.1.1(i).

Explanation

The limited nature of accommodation motels, which provide only accommodation and no other facilities such as conference rooms or restaurants, combined with the restrictions on their location means that their effects are largely similar to those of a standard dwelling. The use of the bulk and location controls which apply to dwellings combined with the controls on matters such as noise ensures that they will blend into the fabric of the surrounding residential area.

R10.7.1.3 Education Facilities

Education Facilities are Permitted Activities provided they comply with the specified Performance Standards below.

Performance Standards

(a) Location

An education facility must provide access to and from a Minor Arterial or Collector Road, listed as such in 20.6.1.2 and 20.6.1.3 in the Land Transport Section.

(b) Height

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

(c) Separation Distances

No building shall come within 6m of the boundary with a residentially used site.

(d) Air Noise Control

Compliance with R10.6.1.1(h).

NOTE TO PLAN USERS

Proposed activities that do not meet the performance standards in R10.6.1.1(h) are Non-Complying Activities under R10.7.5.2.

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

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

(e) Site Area and Coverage

Maximum site coverage - no more than 40% of the site may be covered by buildings.

(f) Parking and Access

Compliance with the following performance standards of Rule 20.4.2:

- 20.4.2(a) Vehicle Access;
- 20.4.2(b)(i) Parking Spaces for People with Disabilities;
- 20.4.2(c) Car Park Landscape Design;
- 20.4.2(d) Formation of Parking Spaces;
- 20.4.2(e) and (f) Loading Space Provision and Design;
- 20.4.2(g) Cycle Parking Provision and Design;
- 20.4.2(h) Cycle Parking End-of-Trip Facilities.

(g) Landscape Amenity

- i. A solid fence of not less than 1.8m in height shall be erected on any boundary with a residentially zoned property.
- ii. On any boundary, except boundaries to a street, a landscape strip with a minimum width of 1 metre shall be provided and planted with vegetation.
- iii. On a boundary adjoining a street, a landscape strip with a minimum width of 1.5 metre shall be provided and at least one specimen tree capable of growing to 5m within ten years of planting, shall be planted every 10m along that boundary.
- iv. All landscaping areas must be well maintained at all times.

(h) Noise

Compliance with R10.8.1.

(i) Signs

Compliance with R6.1.5.

(j) Turitea/Aokautere Residential Zone Setback

Compliance with R10.6.1.1(i).

Explanation

Education facilities fall into the category of activities which provide convenient services for those who live in the residential area. It is important that such facilities are provided in easily accessible locations, to avoid unnecessary vehicle journeys, and general inconvenience.

This type of activity has the potential to generate adverse noise and traffic effects, these can largely be overcome by careful placement of buildings, provision of parking, noise controls and appropriate screening. Generally, any adverse effects are of a relatively short duration and are out-weighted by

the usefulness of such facilities.

R10.7.1.4 Health Facilities

The reuse of a dwelling for the purpose of a Health Facility is a Permitted Activity provided it complies with the specified Performance Standards below.

Performance Standards

(a) Number of Practitioners

The health facility must not involve more than 3 health practitioners. A health practitioner includes a practice nurse.

(b) Height

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

(c) Separation Distances

Compliance with R10.6.1.1(c).

(d) Site Coverage

Not more than 35% of the site may be covered by buildings.

(e) Parking and Access

Compliance with the following performance standards of Rule 20.4.2:

20.4.2(a) Vehicle Access;

20.4.2(b)(i) Parking Spaces for People with Disabilities;

20.4.2(c) Car Park Landscape Design;

20.4.2(d) Formation of Parking Spaces;

20.4.2(e) and (f) Loading Space Provision and Design;

20.4.2(g) Cycle Parking Provision and Design;

20.4.2(h) Cycle Parking End of trip Facilities.

(f) Landscape Amenity

Compliance with R10.7.1.2(g).

(g) Noise

Compliance with R10.8.1.

(h) Signs

Compliance with R6.1.5.

(i) Air Noise Control

Compliance with R10.6.1.1(h).

NOTE TO PLAN USERS

Proposed activities that do not meet the performance standards in R10.6.1.1(h) are Non-Complying Activities under R10.7.5.2.

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

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

(j) Turitea/Aokautere Residential Zone Setback

Compliance with R10.6.1.1 (i).

Explanation

Health facilities represent another activity which provides a convenient service for those living in the residential area. The limited number of health practitioners operating from any site means that any effects arising from noise, traffic or parking can be controlled such that they do not impact adversely on the surrounding residential neighbourhood.

Traditionally health facilities involve the reuse of a dwelling as the scale and design fits in a residential context. The construction of a purpose-built health facility requires resource consent under R10.7.3.2.

10.7.1.5 Home Occupations

Home Occupations are Permitted Activities provided they comply with the specified Performance Standards below.

Performance Standards**(a) Number of Employees**

Not more than the equivalent of 3 full time persons shall be engaged on the site, one of whom must reside permanently on the site.

(b) Site and Floor Area

Not more than 40m² (including gross floor area and external storage areas but excluding any car parking areas) shall be used for the Home Occupation activity.

(c) Dust

Any activity involved as a home occupation shall not generate or discharge levels of dust (or other particulate matter) that is deemed to be offensive and/or objectionable and causes potential adverse effects on the surrounding residential environment. A potential adverse effect, arising from the discharge of particulate matter, will occur if:

- there is visible evidence of particulate matter suspended in the air across a site boundary;
- there is visible evidence of particulate matter traceable from the activity, settling on the ground or structure on a neighbouring site, or water.

(d) Storage

Any external storage of equipment or materials must be screened by a solid fence of not less than 1.8m in height.

(e) Hours of Operation

Home Occupations may operate only between 7:00am and 10:00pm (Monday to Saturday).

(f) Signs

Compliance with R6.1.5.

(g) Retailing

Any goods sold from the site must have been substantially made, repaired, renovated or restored on the site.

(h) Glare

All exterior lighting comply with AS Standard 4282.

(i) Parking and Access

Compliance with the following performance standards of Rule 20.4.2:

- 20.4.2(a) Vehicle Standards
- 20.4.2(b)(i) Parking Spaces for People with Disabilities;
- 20.4.2(c) Car Park Landscape Design;
- 20.4.2(d) Formation of Parking Spaces.

(j) Noise

Compliance with R10.8.1.

(k) Hazardous Substances

Home Occupations using or storing hazardous substances on-site shall comply with the provisions of Section 14: Hazardous Substances.

(l) Turitea/Aokautere Residential Zone Setback

Compliance with R10.6.1.1 (i).

Explanation

The provision for home occupations allows people to work from their home in small scale enterprises which can be absorbed into the residential environment without producing adverse effects. The standards ensure that any adverse effects are dealt with and that any such occupation remains in keeping with its residential location.

R10.7.1.6 Limited Development Land in the Aokautere Development Area

The following are Permitted Activities on any land shown as Limited Development land in the Aokautere Development Area, as shown on Map 10.1, provided they comply with the following Performance Standards:

- i. Landscape works.
- ii. Public reserves or reserves within the meaning of the Reserves Act 1977.
- iii. Drainage and water supply works.

Performance Standards**(a) Stability**

- i. No works associated with any Permitted Activity shall involve the removal of more than 10m³ of soil, except that no works associated with any Permitted Activity shall involve the removal of any soil within those areas along any terrace edge abutting Class VI, VII, or VIII land (as defined on the NWASCO Land Resource Inventory Worksheets).
- ii. No works associated with any Permitted Activity shall involve any modification of an existing slope.
- iii. Neither (i) or (ii) shall preclude the temporary removal of soil or disturbance of a

slope to plant trees or other plants.

NOTE TO PLAN USERS

Earthworks involving Limited Development Land are also subject to the Earthworks provisions of Section 6 (General Section) of this Plan.

R10.7.1.7 Roadside Stall at 1346 Napier Road, Ashhurst

The roadside stall located at 1346 Napier Road, Ashhurst being more or less Lot 1 on DP 56127 supplied with produce from the property being Section 463 and Part Section 462 Block III Gorge Survey District, is a Permitted Activity provided the following Performance Standards are complied with:

Performance Standards

(a) Nature of the Activity

- i. That fruit and vegetables bought from sources other than those scheduled may be permitted as long as the bulk of the produce sold from the stall is obtained from the sites specified in R10.7.1.7 above.
- ii. That the use shall continue from the existing building and that no extension or alteration be made that would have the effect of increasing the capacity of the sales.

(b) Hours of Operation

That the shop be open for business only during the following hours:

8:30am to 6:00pm from 1 October to the immediately following 31 March;

8:30am to 5:30pm from 1 April to the immediately following 30 September.

(c) Separation Distances and Parking

A front yard of 7.5 metres and four car parking spaces shall be maintained at all times.

(d) Signs

Compliance with R6.1.5.

R10.7.1.8 Structural Maintenance of Flood Protection Works by or on behalf of the Manawatu- Whanganui Regional Council

The structural maintenance of flood protection works or structures by or on behalf of the Manawatu-Whanganui Regional Council shall be a Permitted Activity.

R10.7.1.9 Minor Temporary Military Training Activities (excluding live firing of weapons, firing of blank ammunition, single or multiple explosive events).

Minor Temporary Military Training Activities (excluding live firing of weapons, firing of blank ammunition, single or multiple explosive events) are a Permitted Activity provided the following Performance Standards are complied with:

Performance Standards

(a) Buildings and Structures

- i. Any buildings and/or structures erected must be in compliance with the Performance Standards of R10.6.1.1, and the requirements of R10.6.1.3, R 10.6.3.1, and R10.6.6.1.
- ii. Any buildings erected in association with the Temporary Military Training Activity must be removed at the conclusion of the activity unless they are

otherwise permitted by a Rule within the Residential Section of the District Plan.

(b) Excavations and Alterations to Landform

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

(c) Hazardous Substances

Compliance with the requirements of Section 14 - Hazardous Substances

(d) Duration and Frequency of Activities

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

(e) Noise

- i. Mobile Noise Sources - Compliance with Table 2 and Table 3 of NZS 6803:1999 Acoustics – Construction Noise.
- ii. Fixed (Stationary) Noise Sources - Compliance with R10.8.1.

Explanation

The New Zealand Defence Force (NZDF) carries out temporary military training activities in areas not designated for defence purposes. Such temporary training involves military activities by regular and territorial force units in zones throughout Palmerston North City. The Defence Act 1990 provides for the raising and maintenance of armed forces. Military training activities are essential in enabling the NZDF to maintain operational capability.

The above conditions have been designed to enable the NZDF to carry out temporary military training activities while ensuring that any adverse effects of training activities on the environment are mitigated.

Minor and extended temporary military training activities can generate high levels of noise. Military training activities involving mobile and fixed (stationary) noise sources may be permitted where they comply with the performance standards of R9.5.8(d).

Noise from mobile sources (other than firing of weapons and explosives) includes sources such as personnel, light and heavy vehicles, self-propelled equipment and earth moving equipment.

Fixed (stationary) noise sources (other than firing of weapons and explosives) include noise sources such as power generation, heating, ventilation or air conditioning systems, or water or wastewater pumping/treatment systems.

NOTE TO PLAN USERS

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

R10.7.1.10 Marae Area at 140 – 148 Maxwells Line

The Te Hotu Manawa O Rangitane O Manawatu Marae situated at 140 - 148 Maxwells Line on land described as Lot 2 DP 315092, is a Permitted Activity in respect of the following listed activities provided the following Performance Standards are complied with:

Activities permitted on the site:

- i. Any activity listed as a permitted activity in the Residential Zone.
- ii. Marae (refer definition in Section 4).
- iii. Activities and structures ancillary, or integral, to the marae, including the wharewairua (spiritual house), halls, kitchens, dining rooms, sheds, fences, flagpole, carved entrance to the marae, carvings, gardens and lawns.
- iv. Administration offices for the Iwi Authority's operational, legal and financial services.
- v. Health Centres.
- vi. Communications Station and Communication Production Facilities.

- vii. Marae Tourism (refer definition in Section 4).

Performance Standards

(a) Height

Compliance with R10.6.1.1(a) and 10.6.1.1(b).

(b) Separation Distances

No building shall be located within 6.0 metres of any site boundary, with the exception of any residential dwelling on the site complying with the boundary separation distances for dwellings [refer R10.6.1.1(c)].

(c) Site Coverage

Not more than 35% of the site may be covered by buildings.

(d) Parking and Access

- i. 104 formed, sealed and marked car parks shall be provided on the site, together with circulation routes and manoeuvring areas necessary to provide access to each and every car park. These 104 car parks provide for a gross floor area of up to 2450m². For any extension to the gross floor area in excess of 2450m² the parking standards of Section 20.4 shall apply.

Explanation

A minimum of 104 car parks was required to be provided prior to the use of the site as a marae. This number of parks was originally set by way of Environment Court consent order and is the minimum required to cater for the variety of activities to be carried out on the site. Any significant change, or proposed change, in the nature or scale of the activities carried out on the site, to be determined through any extension to the gross floor area in excess of 2450m², will necessitate a re-evaluation of the effects of such a change on the environment and in particular the effect of the change upon the provision of car parks and their accessibility. Should the effects of the change or proposed change be deemed to have an adverse effect upon on-site parking provision that could lead to adverse off-site environmental effects, a further resource consent application may be required. Such an application would be considered in terms of the Residential Zone rules and parking and access provisions in Section 20.4 of the District Plan.

- ii. Access to and from the site shall only be from Maxwells Line.

Explanation

The potential to use Rose Place as an alternative form of access to and from the site needs to be restricted in order to protect the residential amenity of this quiet cul de sac. Consequently, access to and from the site shall only be from Maxwells Line. This rule does not prevent private access to and from the site by the owner or occupier of the adjoining residential lot described as Lot 1 DP 315092.

(e) Noise

Compliance with R10.8.1.

(f) Signs

Compliance with R6.1.5.

(g) Hours of Operation

All non-residential activities, with the exception of activities related to the radio station, administration offices, supervised overnight accommodation in the marae and ancillary buildings, and tangihanga, must cease between the hours of 10.00pm and 7.00am the following day from Sunday to Thursday inclusive and between 11.00pm and 7.00am the following day on a Friday and Saturday.

Explanation

Section 3 of this Plan recognises and acknowledges nga hapu of Rangitane as tangata whenua within Palmerston North City. The Council also recognises that the mix of activities typically being

carried out on, or from, an urban marae, demands a specific site by site approach to planning and management rather than a general approach. All marae activities are carried out, or provided, in a kaupapa Maori environment. Visitors to the marae also undertake activities in accordance with a standard set of terms and conditions. Accordingly, this marae is to be specifically recognised in the Residential Zone. This recognition involves the specification of permitted activities and Performance Standards and set of policies for determining whether, and on what basis, activities that do not meet Performance Standards can be carried out. These Plan provisions are designed to ensure that amenity values of the adjoining residential area are not adversely affected by the nature or scale of the effects of marae-based activities.

(h) Marae Tourism

No more than 80 tourists are permitted on the site at any one time.

NOTE TO PLAN USERS

If an activity identified as permitted within R10.7.1.10 does not comply with the above Performance Standards, then R10.7.3.4 applies.

R10.7.1.11 Garden Centre at 261 Napier Road

The garden centre situated at 261 Napier Road on land described as Lot 1 DP 456688, is a permitted activity in respect of the following listed activities provided the following Performance Standards are complied with:

Performance Standards

a. Nature of the Activity

That the garden centre and bulk garden supplies shall occur from the existing building and that no extension or alteration be made that would have the effect of increasing the scale or intensity of the operation as at 1 August 2019.

b. Hours of Operation

That the shop be open for business between 8am – 6pm 7 days a week

c. Signs

Compliance with Rule R6.1.5

d. Noise

Compliance with Rule R9.11.1

10.7.2 RULES: CONTROLLED ACTIVITIES

R10.7.2.1 Construction, Development or Redevelopment of Flood Protection Works or Structures by, or on behalf of, the Manawatu-Whanganui Regional Council.

The construction, development or redevelopment of Flood Protection Works or Structures by, or on behalf of, the Manawatu-Whanganui Regional Council shall be a Controlled Activity in respect of:

- Height
- Location
- Effects of such work on residential amenity

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

Assessment Criteria

- a. The extent to which visual effects of flood protection works on residential neighbourhoods are avoided, remedied or mitigated.

- b. The extent to which any adverse effects associated with the development and construction of flood protection works on the surrounding residential area are avoided, remedied or mitigated.
- c. To recognise the positive effect of flood protection works.

NOTE TO PLAN USERS

All activities on the primary stopbanks are controlled by Horizons Regional Council under its designation for this area. One Plan Rule 16-14 should be referred to for all activities between an artificial watercourse or bed of a river, and 8 metres inland of the landward toe of a stopbank. Any excavation, drilling, tunnelling, or other land disturbance on or adjacent to the Manawatu River secondary stopbank located between Ruahine Street at Fitzroy Bend and Ruamahanga Crescent should be referred to the Manawatu-Wanganui Regional Council for advice regarding any resource consent requirements.

10.7.3 RULES: RESTRICTED DISCRETIONARY ACTIVITIES

R10.7.3.1 Re-use of Non-Residential Buildings

Re-use of a Non-Residential Building, which complies with the following Performance Standard, is a Restricted Discretionary Activity with regard to:

- Effects on the Adjoining Residential Area
- The Safe and Efficient Operation of the Roding Network, and internal circulation and manoeuvring areas

Performance Standard

(a) Location

The proposed activity must be located in an existing non-residential building.

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

Assessment Criteria

- i. The extent to which the effects of noise, hours of operation and other environmental disturbance on surrounding residential neighbourhoods can be avoided, remedied or mitigated.
- ii. The extent to which the effects of additional traffic generated impact on the safe and efficient operation of the roading network and internal circulation and manoeuvring areas, and the amenities of the surrounding area.
- iii. To ensure the activity is in character with or complementary to the surrounding residential neighbourhood.
- iv. The extent to which any effects on the visual amenity of the surrounding residential area can be avoided, remedied or mitigated.

Explanation

For historic reasons, there is within the Residential Zone a range of buildings, many of which are shops, which are occupied by a variety of uses. At times these buildings become untenanted and there is the potential for them to fall into disrepair and generally detract from the amenity values of the surrounding area. The intention of this provision is to offer the opportunity for a range of activities to use these buildings where they can demonstrate that they will not have adverse effects on residential environmental and amenity values.

R10.7.3.2 Construction, Reconstruction or Alteration of any Building used or intended to be used for a Non-Residential Activity or any Non-Residential Activity which cannot comply with the Performance Standards for Permitted Activities.

The Construction, Reconstruction or Alteration of Any Building Used or Intended to be used for a Non- Residential activity or Any Non-Residential Activity which Cannot Comply with the Performance Standards for Permitted Activities in Relation to:

- (i) Height
- (ii) Separation Distances
- (iii) Landscape Amenity and Storage
- (iv) Parking, Cycle Parking and Access
- (v) Turitea/Aokautere Residential Zone Setback

shall be a Restricted Discretionary Activity with regard to:

- Design, Scale and Appearance
- Site Layout
- Effects on Adjoining Residential Areas
- Effects on the surrounding Residential Environment and Streetscape
- The Safe and Efficient Operation of the Roding Network, and internal circulation and manoeuvring areas
- Providing opportunities for people to use active and non-vehicular modes of transport
- Visual effects on the rural character and amenity of the Turitea Valley.

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

Assessment Criteria

(a) Height, Separation Distances and Landscape Amenity and Storage

- i. The extent to the effects of overshadowing or reduction of privacy to any adjoining site are avoided, remedied or mitigated.
- ii. To ensure the design, scale and appearance of any building, structure or sign is in character with, and complementary to the ambience and amenity values of the surrounding residential streetscape and neighbourhood.
- iii. To take into account the existence of any topographical or other features on the site, which make compliance impractical.
- iv. The extent to which any effects of noise or other environmental disturbance on the adjoining residential area are avoided, remedied or mitigated.
- v. The extent to which landscaping elements maintain or enhance the ambience and amenity values of the surrounding residential area.
- vi. The extent to which on site planting has been implemented to reduce the activities visual intrusion on adjacent properties and/or break up areas of hard surfacing, such as fence lines and paved areas

(b) Parking and Access

- i. The extent to which any off-site parking generated by the activity can be safely accommodated without creating detrimental effects on the efficient operation of the roading network or amenity of the surrounding neighbourhood.
- ii. To ensure other appropriate off-site parking is available to meet the need generated for parking
- iii. To encourage convenient and accessible cycle parking, to support the

opportunity for people to use active and non-vehicular modes of transport throughout the City.

(c) Turitea/Aokautere Residential Zone Setback

To ensure the location, design and appearance of any building or structure has minimal impact on, and is complementary to, the rural character and visual amenity of the Turitea Valley.

R10.7.3.3 Any Home Occupation Activity which cannot comply with the Site and Floor Area Performance Standard for Permitted Activities, provided this does not exceed 60m²

shall be a Restricted Discretionary Activity with regard to:

- Design, Scale and Appearance
- Site Layout
- Effects on Adjoining Residential Areas
- Effects on the surrounding Residential Environment and Streetscape

In determining whether to grant consent and what conditions to impose, if any, Council will have regard to the City View objectives in Section 2 and the Residential Zone objectives and policies.

R10.7.3.4 Activities or buildings in the defined Marae Area at 140 – 148 Maxwells Line which do not comply with the Performance Standards of R10.7.1.10

Any activity which cannot comply with the performance standards for permitted activities in the defined marae area shall be a Restricted Discretionary Activity in respect of its:

- Effects on Adjoining Residential Areas
- Effects on the safe and efficient operation of the roading network, and internal circulation and manoeuvring areas

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

Assessment Criteria

- i. The extent to which any effects of overshadowing or reduction of privacy to any adjoining site is avoided, remedied or mitigated.
- ii. The extent to which the design and appearance of any building or structure ensures there are no adverse effects on the amenity values of the surrounding residential area.
- iii. To take into account the existence of any site constraint which makes compliance impractical.
- iv. The extent to which the effects of noise or other environmental disturbance on the adjoining residential area can be avoided, remedied or mitigated.
- v. The extent to which the effects of parking not accommodated on the site, on the safe and efficient operation of the roading network and internal circulation and manoeuvring areas, and the amenities of the adjoining residential neighbourhood can be avoided, remedied or mitigated.
- vi. To recognise and take account of the culture context and environment (kaupapa Maori) in which the marae-based activities are to take place.
- vii. To recognise and take account of the significance of the site to tangata whenua.

R10.7.3.5 Commercial Activity

Any commercial activity, including the construction, alteration or addition to a building or structure within an allotment shown in a Comprehensive Development Plan in accordance with R7A.5.2.2 for use for commercial activity where an application for resource consent is made for the particular commercial activity, and for the Whakarongo Residential Area the application is included as part of the application for subdivision consent ~~and the application is included as part of the application for subdivision consent~~ to give effect to the Comprehensive Development Plan is a Restricted Discretionary Activity in respect of:

- Effects on nearby residential activities and residential amenity
- Effects on viability and choice of local business activities
- Public safety
- Visual amenity
- External design and appearance
- Building mass and height
- Relation to streets and other public spaces
- Site Layout
- Parking
- Cycle Parking
- Landscape amenity
- The provision of car parking
- The safe and efficient operation of the roading network
- Efficient, convenient and safe access

Performance Standards

- a) Compliance with R11.9.1.1 (g)
- b) Compliance with R11.10.2.1 (g)
- c) Compliance with R11.10.7.1 (a) and (b)

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

Assessment Criteria

The objectives and policies of the Local Business Zone and the assessment criteria identified in R11.10.3.1 and R11.10.3.2.

Explanation

This rule allows development within an area identified on a Greenfield Residential Area Structure Plan as a neighbourhood centre. At some point in the future these areas will be rezoned to Local Business Zone. In the short-term Council wishes to encourage development of local community facilities and services in key locations in a way that is consistent with the Local Business Zone provisions. R10.7.3.5 is a transitional rule until neighbourhood centres in Greenfield Residential Areas is rezoned at an appropriate time in the future.

10.7.4 RULES: DISCRETIONARY ACTIVITIES

The following activities in R10.7.4.1, R10.7.4.2, R10.7.4.3, R10.7.4.4, R10.7.4.5, R10.7.4.6, R10.7.4.7 and R10.7.4.8 are Discretionary Activities.

[Note: The following activities are also subject to R10.7.5.2 Non-Complying Activities:]

R10.7.4.1 Community and Leisure Facilities

R10.7.4.2 Motel Conference Centres on properties having frontage onto, and the main vehicle access from, a Major Arterial or Minor Arterial Road as listed in Appendix 20A of the Transportation Section

R10.7.4.3 Places of Worship

R10.7.4.4 Training Facilities

R10.7.4.5 Health Centres and Hospitals

R10.7.4.6 Retirement Villages and Residential Centres

R10.7.4.7 Early Childhood Facilities

R10.7.4.8 Papakainga and Marae Development

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

Assessment Criteria

- a. The extent to which the effects of noise, hours of operation and other environmental disturbance on surrounding residential neighbourhoods are avoided or can be remedied or mitigated.
- b. The extent to which the effects of the generation of additional traffic are addressed through efficient and effective parking and access provisions.
- c. The extent to which additional traffic generated impacts on the safe and efficient operation of the roading network and internal circulation and manoeuvring areas, taking into account the location of the activity.
- d. To ensure the design and appearance of any building, structure or sign is in character with, and complementary to the ambience and amenity values of the surrounding residential neighbourhood.
- e. To ensure that any detracting from the visual amenity of the surrounding residential neighbourhood is avoided, remedied or mitigated by appropriate landscape works or screening.
- f. To ensure that building construction complies with the relevant noise insulation ratings identified by R10.6.1.1(h).
- g. The extent to which appropriate landscaping elements have been incorporated to enhance the character, ambience and amenity values of the adjoining residential neighbourhood.
- h. The extent that on-site planting has been implemented to reduce the activities visual intrusion on adjacent properties and break up areas of hard surfacing, such as fence lines and paved areas.
- i. To ensure employment uses and community facilities provide appropriate opportunities for people to use activity and non-vehicular modes of transport.
- j. In respect of R10.7.4.6 and R10.7.4.8, the Assessment Criteria of R10.6.3.3

NOTE TO PLAN USERS

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

Explanation

Community and Leisure Facilities, Motel Conference Centres, Places of Worship and Training Facilities have a common characteristic, that is, they tend to attract large numbers of people and vehicles to a site for a limited period. This in turn can lead to the generation of noise and other effects which may disturb those who live in the Residential Zone. It is important, therefore, that the effects of any such development are identified at the outset to allow the development of conditions to remove or mitigate these effects. The Training Facilities category of activity is intended to recognise that with the change in the nature of education and the emphasis on life-long learning, a variety of training providers have emerged. Where the potentially adverse effects, such as parking and traffic generation, of such activities can be controlled these training establishments can be compatible with the surrounding residential neighbourhood.

Health Centres and Hospitals offer a convenient service to those living in the Residential Zone; however, their size and combination of activities can potentially give rise to a number of effects. Health Centres frequently include services such as diagnostic laboratories, and like hospitals, often operate for extended hours. Given these and other factors such as the numbers of people and vehicles likely to visit the site, and the potential for adverse effects on the residential environment and amenity values, means that such development should be subject to the assessment of a resource consent.

While Residential Centres and Retirement Villages are intended to provide for concentrated groupings of accommodation, there is the potential for variety in the nature of each activity. Retirement villages often include associated recreational and health care facilities while residential centres provide only accommodation for a particular age group. Both however have the potential to create disturbance within neighbourhoods particularly in relation to noise and traffic and the scale of buildings and activity.

R10.7.4.9 Alterations and Additions to Existing Buildings in the Air Noise Contour identified on Map 10.6.6.1 are Discretionary Activities

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

- Dwellings;
- Minor Dwelling Units;
- Education and Early Childhood Facilities;
- Community Homes;
- Accommodation Motels;
- Motel Conference Centres;
- Training Facilities;
- Hospitals;
- Retirement Villages;
- Residential Centres;
- Tourist Facilities; and
- Any Other Existing Buildings used for Regular Accommodation and Communal Activities.

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

Assessment Criteria

- a. The objectives and policies relating to noise sensitive activities in the vicinity of Palmerston North Airport set out in Section 9.3.
- b. Alterations and additions to existing dwellings or other noise sensitive activities shall only be permitted if fitted with appropriate acoustic insulation to achieve a satisfactory internal noise environment.

NOTE TO PLAN USERS

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

R10.7.4.10 Minor Temporary Military Training Activities which do not comply with the Performance Standards, Extended Military Training Activities, and 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.

Performance Standard

- (i) The following information must be submitted to the Council on lodgement of an application under this rule:
- (a) A Noise Management Plan prepared by an acoustic technician
 - (b) A Community Consultation Programme

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

- External Appearance and amenity and/or character of the surrounding residential area.
- Effects of additional traffic generated on the roading network, and internal circulation and manoeuvring areas.

Assessment Criteria

- (a) To avoid, remedy or mitigate the effects of noise, hours of operation and other environmental disturbance on surrounding residential environment.
- (b) To avoid, remedy or mitigate the visual impact of any activities, and to preserve the character and amenity of the residential environment.
- (c) To avoid, remedy or mitigate the effects of the proposal on any area of natural and/or cultural heritage value, or of particular significance to Tangata Whenua.
- (d) The extent to which the effects of noise, including the peak sound levels resulting from impulsive noise, impacts on noise sensitive activities, stock and wildlife.
- (e) The likely noise impacts for the area.
- (f) Whether a Noise Management Plan prepared by an acoustical consultant identifies available noise management measures to avoid, remedy or mitigate adverse effects of noise, including best practicable options adopted to minimise sound emissions from live firing of weapons, firing of blank ammunition and single or multiple explosive events.
- (g) Whether a community consultation programme is available, for communication with occupiers and owners of affected sites, prior to the military training activities commencing; with such communication including notification of the event, updates during the event, methods for following up complaints received during or after the event, and the process of liaison with Council.
- (h) To avoid, remedy or mitigate the effects of additional traffic generated on the safe and efficient operation of the roading network.

Explanation

The New Zealand Defence Force (NZDF) may need to carry out temporary military training activities which do not meet the performance standards for Permitted Activities. In this case, it is important to

ensure that any adverse effects of training activities on the environment are avoided, remedied or mitigated. The Discretionary Activity status provides Council with the opportunity to take full account of effects in its assessment of the proposed activities

R10.7.4.11 Commercial and Non-Residential Activities within the Napier Road Residential Extension Area

Any commercial or non-residential activity within the Napier Road Residential Area is a Discretionary Activity.

Performance Standards

- i. The following information must be submitted to the Council on lodgement of an application under this rule:
 - a. A Noise Management Plan prepared by a suitably qualified acoustic expert
 - b. A Traffic Impact Assessment prepared by a qualified traffic engineer or traffic planner.
 - c. A Stormwater Management Plan prepared by a Chartered Professional Stormwater Engineer identifying the potential stormwater risks to the site and infrastructure that support development. The report must cover;
 1. How onsite stormwater retention and detention measures will achieve hydraulic neutrality in the 1% AEP plus climate change storm with no increase in stormwater effects on surrounding areas.
 2. On-site water sensitive design measures that will be installed to achieve hydraulic neutrality.
 3. A site specific hydrologic modelling assessment using updated oxbow bathymetry and footprint based on the proposed development plan and include assessment for different downstream discharge conditions.
 4. Scoping of all internal stormwater infrastructure and how it will interact with the existing drainage system including connection to the existing stormwater network and discharge to the Napier Road open drain and layout of treatment devices.
 5. Treatment of all stormwater runoff from the site prior to discharge to the primary network and/or direct discharge to the oxbow.
 6. Protection of treatment devices and treatment runoff during all phases of construction.

The stormwater design must incorporate any existing stormwater runoff through the development, such as upstream catchment and treatment of stormwater (this also includes the outcomes of any resource consent granted for the discharge of stormwater into the oxbow).

A copy of any site calculations must accompany the report.

- ii. All development must achieve a minimum floor height above the 0.5% AEP flood extent plus 500 millimetres freeboard. Access to occupied structures shall also be above the 0.5% AEP flood extent.
- iii. A minimum of 30% of the net site area shall, excluding road reserve, be of permeable surface. This includes decks provided the surface material of the deck allows for water to drain through to a permeable surface.
- iv. Each development must incorporate rain gardens or other biofiltration device to treat road and hard stand runoff prior to discharge into the Council's stormwater network.
- v. Any commercial or non-residential activity shall not utilise more than 20% total of the

developable land within the Napier Road Residential Extension Area.

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

- a. The extent to which the effects of noise, hours of operation and other environmental disturbance on the surrounding residential neighborhoods are avoided or can be remedied or mitigated.
- b. To avoid, remedy or mitigate the visual impact of any activities, and to preserve the character and amenity of the residential environment.
- c. Whether the Noise Management Plan prepared by an acoustical consultant identifies noise management measures to avoid, remedy or mitigate adverse effects of noise, including best practicable options adopted to minimise sound emissions.
- d. The extent to which the effects of the generation of additional traffic are addressed through efficient and effective parking and access provisions.
- e. The extent to which additional traffic generated impacts on the safe and efficient operations of the roading network and internal circulation and manoeuvring areas, taking into account the location of the activity on the major arterial route of Napier Road.
- f. The extent to which appropriate landscaping elements have been incorporated to enhance the character, ambience and amenity values of the adjoining residential neighbourhood.
- g. The extent to which onsite planting has been implemented to reduce the activities visual intrusion on adjacent properties and break up areas of hard surfacing such as fence lines and paved areas.
- h. The extent to which proposed development achieves hydraulic neutrality in the 1% AEP plus climate change storm event.
- i. The extent to which flood mitigation has been provided for and does not result in effects on other upstream or downstream properties.
- j. The extent to which design contributes to positive streetscape outcomes, given the gateway function of Napier Road. This includes, but is not limited to;
 - Active frontages
 - Landscaping
 - Avoidance of blank walls fronting the public realm
 - Minimising carparking at the road frontage.

10.7.5 RULES: NON-COMPLYING ACTIVITIES

R10.7.5.1 Non-Complying Activities

Any building, structure or activity not provided for as a Permitted Activity, Controlled Activity, Restricted Discretionary Activity, Discretionary Activity, and is not a Prohibited Activity or is not specifically provided for by R10.7.5.2, shall be a Non-Complying Activity.

R10.7.5.2 Non-Residential Buildings in the Inner or Outer Control Contour that do not provide any noise reduction or do not comply with R10.6.1.1(h)

Any new community home, accommodation motel, education facility, early childhood facility, health facility, community and leisure facility, motel conference centre, place of worship, training facility, health centre, hospital, retirement village, residential centre, or any alterations to an existing building associated with these activities sited in the Inner Control

Contour or Outer Control Contour that does not comply with R10.6.1.1(h) shall be a Non-Complying Activity.

When considering whether to grant the application and what conditions, if any, to impose Council shall take into account the objectives and policies of the Residential Zone, and the following assessment criteria:

Assessment Criteria

- a. To take into account any circumstances that would make compliance with the noise reduction standards in R10.6.1.1(h) inappropriate or unreasonable.
- b. To demonstrate that the level of noise reduction by the proposed development can be less than the level required by R10.6.1.1(h) without compromising the overall health and amenity of the occupants within the respective building.

NOTE TO PLAN USERS

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

10.7.6 RULES: PROHIBITED ACTIVITIES

R10.7.6.1 Prohibited Activities in the Air Noise Contour identified on Map 10.6.6.1

In addition to the activities listed in R10.6.6.1, the following activities are prohibited activities in the Air Noise Contour identified on Map 10.6.6.1:

All new education and early childhood facilities, new community homes, new accommodation motels, new motel conference centres, new training facilities, new hospitals, new retirement villages, new residential centres, new tourist facilities and any other new buildings used for regular accommodation.

These activities are expressly prohibited and no resource consent shall be granted.

Explanation

The above-mentioned activities have been identified as being highly sensitive to the effects of excessive noise exposure associated with aircraft operations.

The impact of aircraft noise has been assessed by New Zealand Standard 6805:1992 - Airport Noise Management and Land Use Planning, which recommends as one of the criteria for land use planning within any defined air noise boundary that noise sensitive activities, such as dwellings and schools, be prohibited. The purpose of this rule is to give effect to this recommended standard.

10.8 Rules: Noise - Non-Residential Activities

R10.8.1 NOISE

Sound emissions from any fixed mechanical plant, or from any non-residential activity, when measured at or within the boundary of any other site (other than land from which the noise is emitted or a road) shall not exceed the following:

7.00am to 10.00pm	45dB L _{Aeq} (15mins)
10:00pm to 7:00am	40dB L _{Aeq} (15mins)
Night-time L _{max} 10:00pm to 7:00am	65dBA L _{max}

Refer also to Section 6: Noise.

Explanation

The rules for the Residential Zone are intended to control the noise from any items of fixed mechanical plant, and from non-residential activities situated in a Residential Zone. The mechanical plant items

include, but shall not be limited to, residential and non-residential heat-pumps, fans, pumps, and generators. Care needs to be taken with the installation of these plant items that they are sensibly selected, located and operated such as not to cause a nuisance to neighbours.

The limit of 45 dB L_{Aeq} (15mins) during the days is purposefully stringent and sets out to discourage noise even moderate noise generators from establishing in the quiet residential environment. Such activities may be appropriately located in the Residential Zone in areas where the ambient sound levels are high at times when the activity takes place. This would be closer to main roads or activity areas for example. To be acceptable the level of the activity should not intrude into the existing sound environment. Such activities would be assessed as discretionary activities and the application would need to be submitted with a noise impact assessment. To have the limit that is less than 45 dBA during daytime would be overly stringent and could prove difficult to enforce. The night-time 40dB L_{Aeq} (15mins) and 65dBA L_{max} limits are designed to protected sleep in quiet residential areas. This Rule provides a moderately strict noise control regime.

APPENDIX 1 Napier Road Residential Area – Typical Construction Element Requirements for Building to Achieve an External Sound Insulation Level of $D_{nT,w} + C_{tr} > 30$ dB

BUILDING ELEMENT	<u>MINIMUM</u> CONSTRUCTION REQUIREMENT	
<u>External Walls of Habitable Rooms</u>	<u>Stud Walls:</u> Exterior cladding:	20mm timber or 9mm compressed fibre cement sheet over timber frame (100mm x 50mm).*
	Cavity infill:	Fibrous acoustic blanket (batts or similar of a minimum mass of 9kg/m ³) required in cavity for all exterior walls. Minimum 90mm wall cavity.
	Interior lining:	One layer of 12mm gypsum plasterboard. Where exterior walls have continuous cladding with a mass of greater than 25kg/m ² (e.g. brick veneer or minimum 25mm stucco plaster), internal wall linings need to be no thicker than 10mm gypsum plasterboard.
	Combined superficial density:	Minimum not less than 25kg/m ² being the combined mass of external and internal linings excluding structural elements (e.g. window frames or wall studs).**
	<u>Mass Walls:</u>	190mm concrete block strapped and lined internally with 10mm gypsum plaster board, or 150mm concrete wall.
<u>Glazed Areas of Habitable Rooms</u>	Glazed areas up to 10% of <u>floor area</u> :	6mm glazing single float
	Glazed areas between 10% and 35% of <u>floor area</u> :	6mm laminated glazing
	Glazed areas greater than 35% of <u>floor area</u> :	<i>Require a specialist acoustic report to show conformance with the insulation rule.</i>
	Frames to be aluminium window frames with compression seals.	
<u>Skillion Roof</u>	Cladding:	0.5mm profiled steel or 6mm corrugated fibre cement or membrane over 15mm thick ply, or concrete or clay tiles.
	Sarking:	17mm plywood (no gaps).
	Frame:	Minimum 100mm gap with fibrous acoustic blanket (batts or similar of a mass of 9kg/m ³).
	Ceiling:	Two layers of 10mm gypsum plaster board (no through ceiling lighting penetrations unless correctly acoustically rated). Fibrous acoustic blanket (batts or similar of a minimum mass of 9kg/m ³).
	Combined superficial density:	Combined mass of cladding and lining of not less than 25kg/m ² .

Pitched <u>Roof</u> (all roofs other than skillion roofs)	Cladding:	0.5mm profiled steel or tiles, or membrane over 15mm thick ply.
	Frame:	Timber truss with 100mm fibrous acoustic blanket. (Batts or similar of a minimum mass of 9kg/m ³) required for all ceilings.
	Ceiling:	12mm gypsum plaster board.
	Combined superficial density:	Combined mass with cladding and lining of not less than 25kg/m ² .
<u>Floor</u> areas open to outside	Cladding:	Under-floor areas of non-concrete slab type floors exposed to external sound will require a cladding layer lining the underside of floor joists of not less than 12mm ply
	Combined superficial density:	Floors to attain a combined mass not less than 25kg/m ² for the floor layer and any external cladding (excluding floor joists or bearers).
External <u>Door</u> to Habitable Rooms	Solid core door (min 25kg/m ²) with compression seals (where the door is exposed to exterior noise).	

NOTE TO PLAN USERS

The table refers to common specifications for timber size. Nominal specifications may in some cases be slightly less than the common specifications stated in the schedule for timber size.

Minimum mass requirements for floors, walls, and ceilings where composite construction methods are employed (i.e. where claddings or lining materials are placed each side of structural members) shall form a reasonable balance of the mass of linings on each side of structural elements. Proposed designs should show cladding or linings with a minimum of 10kg/m² on each side of the structural members, with the additional 5kg/m² provided on either the internal or external side.

In determining the insulating performance of roof/ceiling arrangements, roof spaces are assumed to have no more than the casual ventilation typical of the jointing capping and guttering *detail used in normal construction*

Glossary of Acoustic Terms

Leq or Leq

The time-averaged sound level (or equivalent sound level) that has the same mean square sound pressure level as the time-varying sound level under consideration. Commonly referred to as an "energy average" measure of sound exposure.

Insulation (Sound)

Sound insulation is the prevention of the transmission of sound through a barrier such as a wall or window. There is no direct and inherent relation between the sound insulation value of a barrier and the sound absorption performance of its surface.

A-Weighting (dBA)

A weighting is a system of adjustments applied to sound of different frequencies to take account of the way the sensitivity of the human ear varies with sound frequency.

Ctr

Spectrum Adaptation Term ISO 717-1:1996 Table A.1 Spectrum NUMBER TWO (2). The ISO standard ISO717-1: 1996 gives C and Ctr indices which can be added to the Rw rating to give a rating for noises with either equal energy at all frequencies (C) or road traffic like spectra (Ctr).

STC

Sound Transmission Class.

R

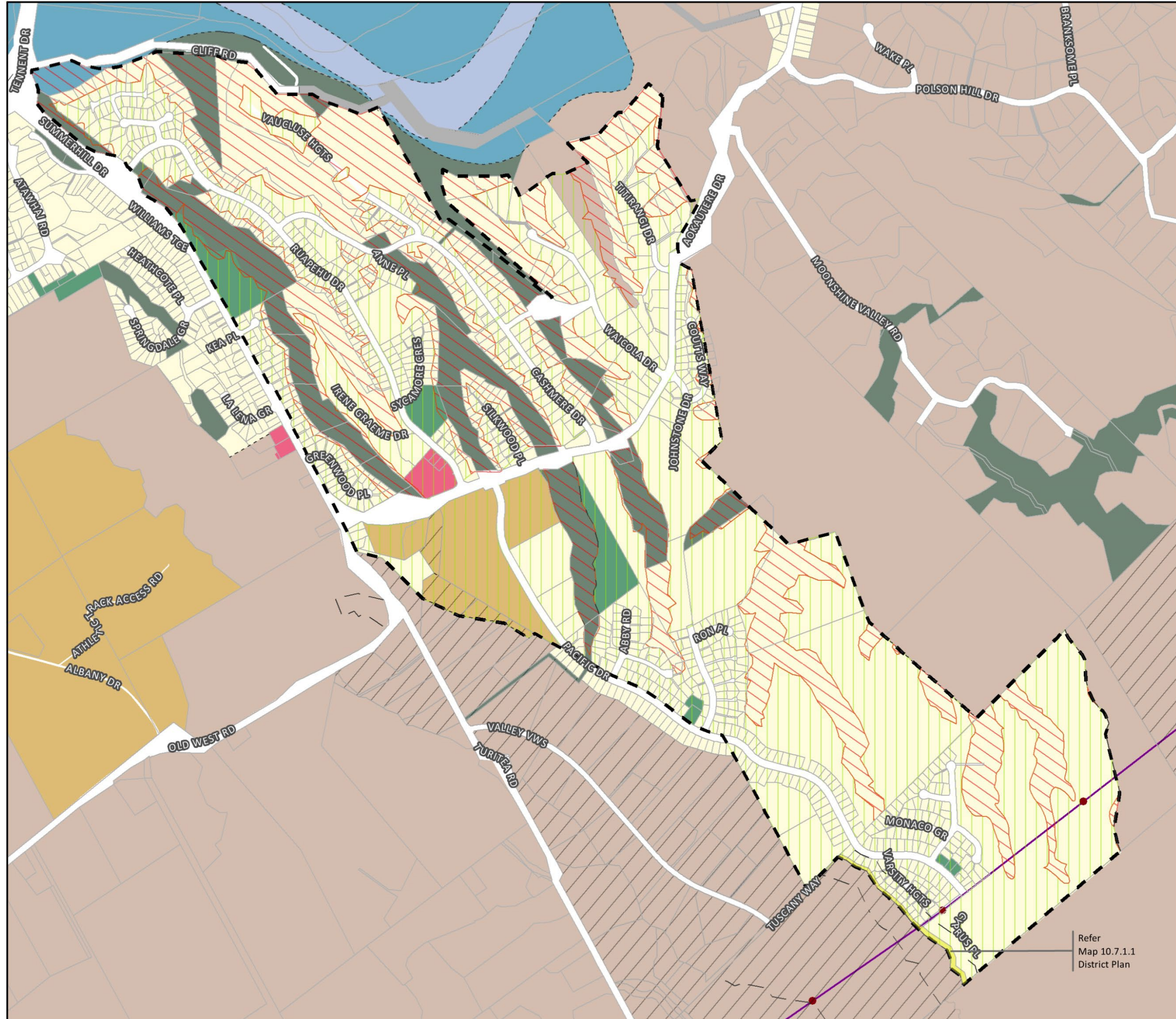
Sound Reduction Index.

Rw

Weighted Sound Reduction Index

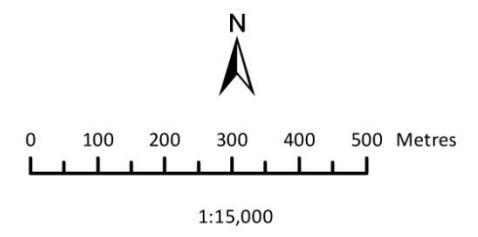
STC and Rw

Rw like STC uses a slightly different frequency range (100-3150Hz versus 125-4000 Hz for STC). Generally speaking, the two ratings give the same sound transmission loss ranking with 1 to 2 points difference. The higher the STC or Rw rating the better the partition will perform in insulating the sound. Rw was also initially developed to rate the effectiveness of partition from speech like noises



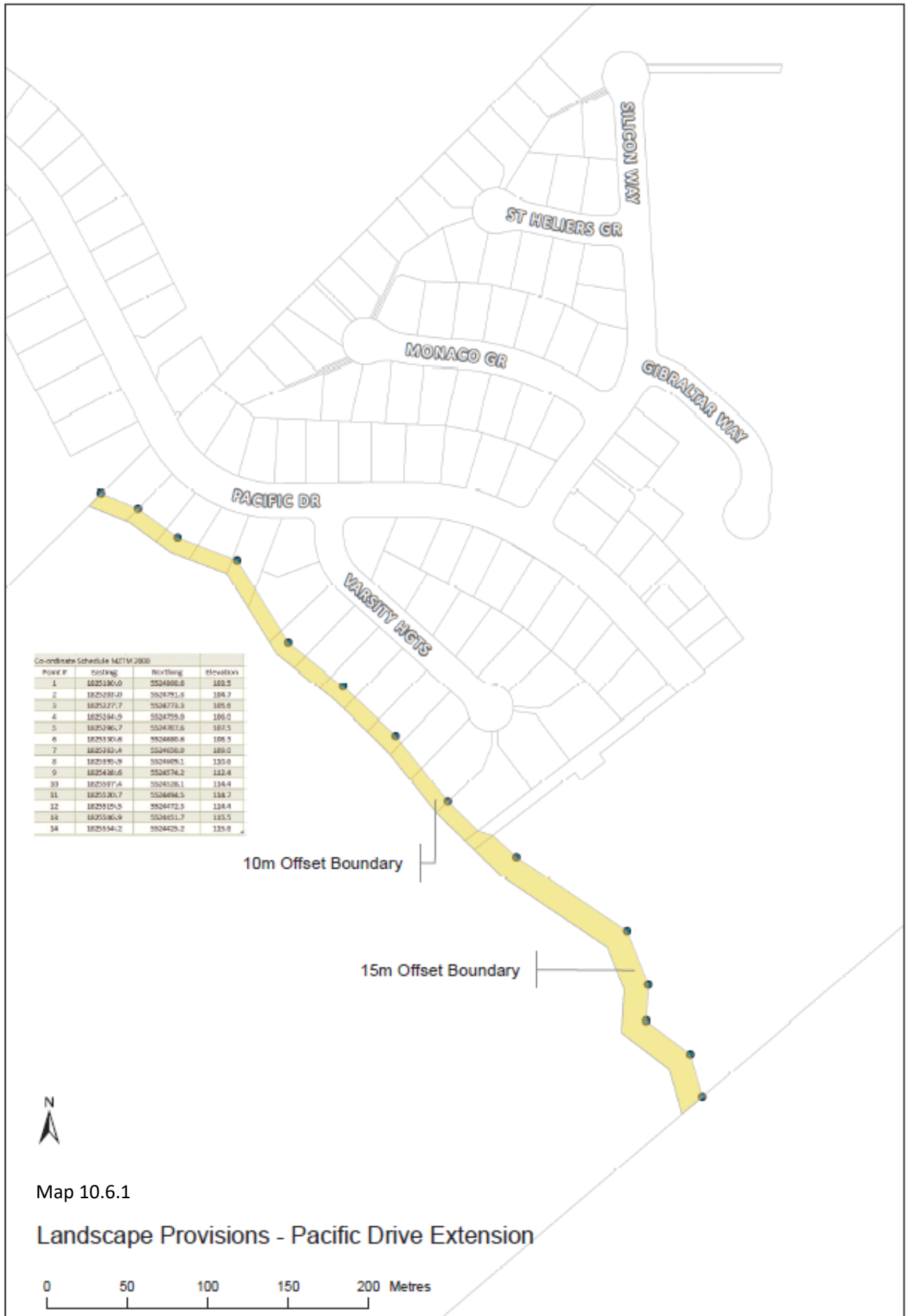
Map 10.1
AOKAUTERE DEVELOPMENT AREA

- Rural
 - Residential
 - Local Business
 - Recreation
 - Conservation and Amenity
 - Water Recreation
 - Institutional
 - Flood Protection
 - Rural Residential Area (refer Section 7 - Subdivision)
 - Survey Zone Boundary
 - Undefined Zone Boundary
 - Aokautere Development Area
 - Limited Developable Land
- Developable land within Aokautere Development Area (This land comprises ULUC class A, B & C land. It should be noted that an engineers report may be required in certain circumstances in accordance with section 71-2 of the Building Act 2004.)
- - Transmission Structure
 - Transmission Line



Refer
Map 10.7.1.1
District Plan

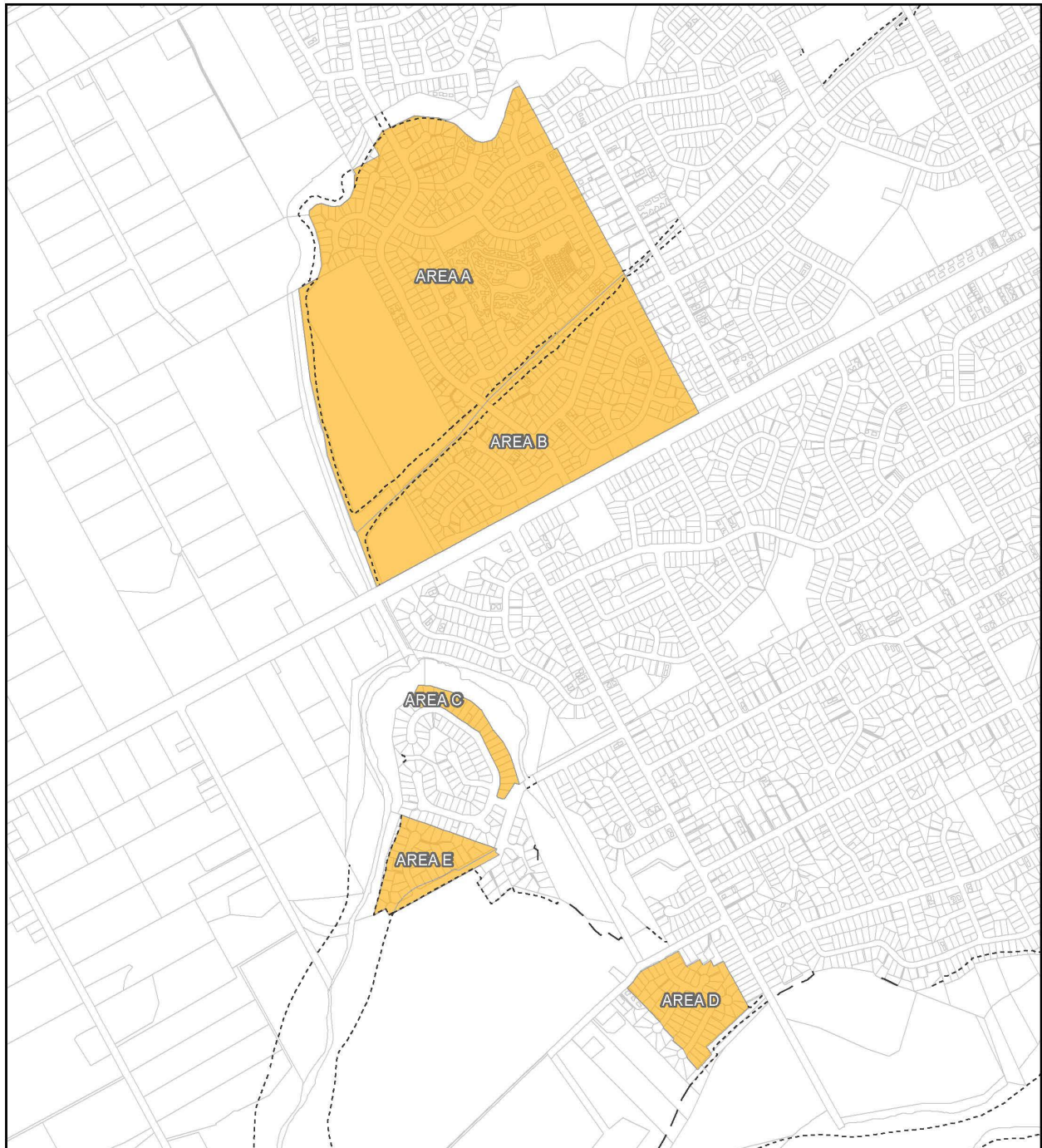
Map 10.6.1 Landscape Provisions – Pacific Drive Extension



Map 10.6.1.3 Areas in which Minimum Floor Levels Apply

Map 10.6.1.3

AREAS IN WHICH MINIMUM FLOOR LEVELS APPLY





0 100 200 400 600 800 Metres




1:15,000



 Area in which minimum floor levels apply.

 Survey Zone Boundary

 Undefined Zone Boundary

Map 10.6.3.3(b) Multi-Unit Residential Housing Area: Awapuni Neighbourhood Centre

Map



10.6.3.3(c) Multi-Unit Residential Housing Area: Highbury Neighbourhood Centre



Map 10.6.3.3(d) Multi-Unit Residential Housing Area: Hokowhitu Neighbourhood Centre

Map



10.6.3.3(e) Multi-Unit Residential Housing Area: Milson Neighbourhood Centre



Map 10.6.3.3(f) Multi-Unit Residential Housing Area: Napier Road



 Area D

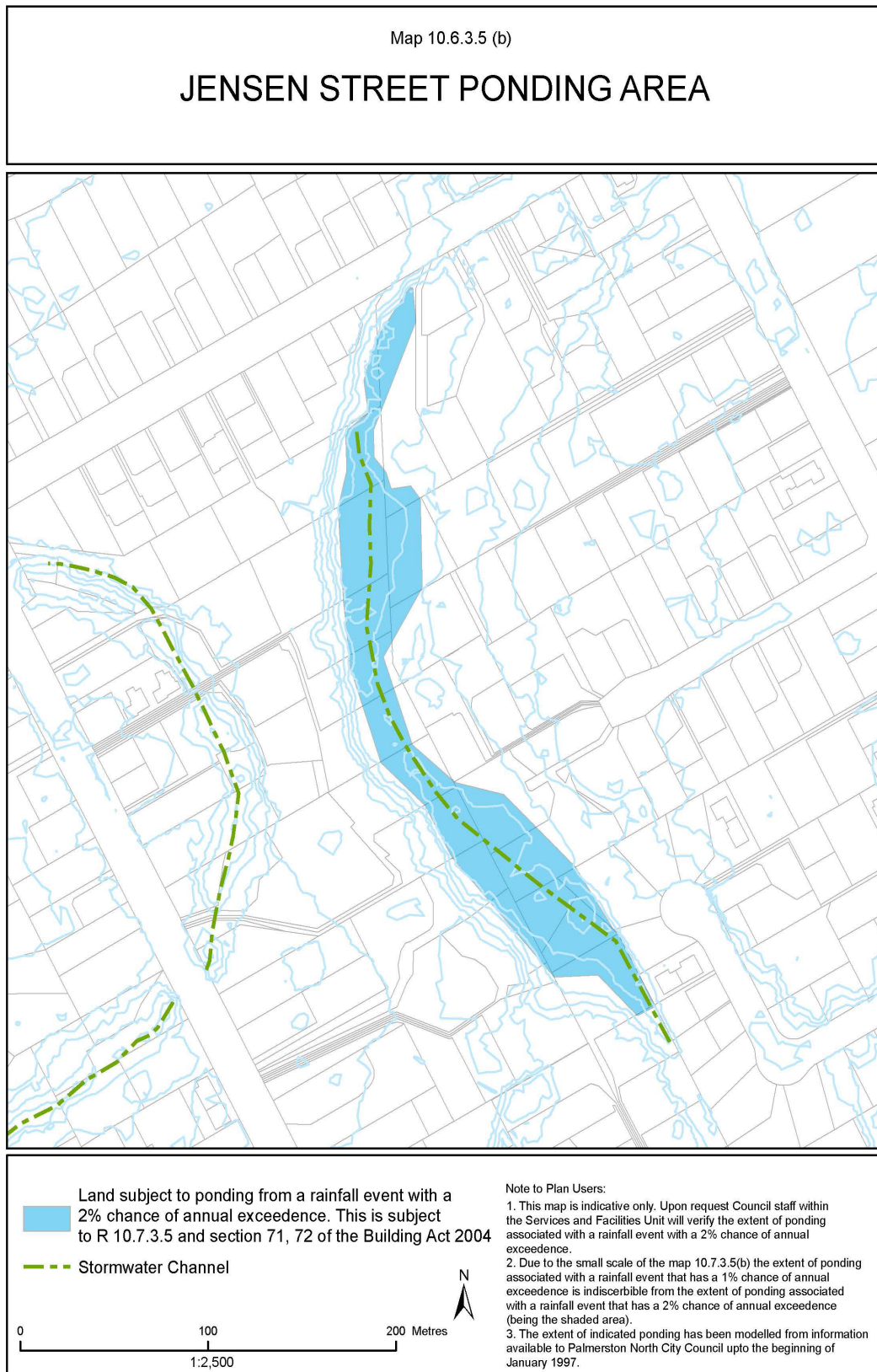
Map 10.6.3.3(g) Multi-Unit Residential Housing Area: Hokowhitu Lagoon Residential Area



Map 10.6.3.5a Awatea Stream Ponding Area



Map 10.6.3.5b Jensen St Ponding Area



Map 10.6.6.1 Air Noise Contours

